

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**

- (a) Name of approval authority **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of Applicant RE AN APPLICATION BY (b) **George Dragicevic**
- (c) Brief Description LOCATION OF PROPERTY (c) **6801 Concession 6 N
(Roll No. 3729-480-000-03900)**
- (d) As set out in application PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 41.5 m ± frontage by an irregular depth with an area of 0.36 ha ± which includes a single detached dwelling and two accessory structures which are surplus to the needs of the farming operation together with a 6.1 m by 16 m easement for shared access over the retained farm parcel. The remaining parcel being 798.5 m ± frontage by 2206 m depth with an area of 19.64 ha ± is vacant agricultural land.
- The subject property is designated Agricultural in the Town's Official Plan and zoned Agricultural (A) Zone in the Town's Zoning By-law, 1999-52, as amended.
- (e) Date of decision CONCUR in the following decision and reasons for decision made on the (e) 5th day of March, 2025.

DECISION: APPROVED

- (f) State conditions to be satisfied before granting of consent
1. That a Reference Plan of the severed parcel and of the proposed easement lands over the retained parcel be prepared, satisfactory to the municipality be deposited in the Registry Office; an electronic and paper copy to be provided to the municipality.
 2. The applicant to submit to the municipality the deed for the severed parcel subject to an easement over the retained farm parcel acceptable for registration in order that consent may be attached and a copy be provided to the municipality.
 3. The applicant to submit to the municipality the deed for the retained parcel together with an easement for access in favour of the severed parcel acceptable for registration in order that consent may be attached and a copy be provided to the municipality.
 4. That all property taxes be paid in full.
 5. That a minor variance be obtained from the provisions of Bylaw 1999-52, as amended, Section 26(3)(a)(i) which requires a minimum lot area of 40 hectares in an Agricultural (A) Zone regarding the retained farm parcel.
 6. That the retained farmland to be rezoned to ensure that no new dwelling units shall be permitted and the requirement for this non-development be registered against the title of the property.
 7. That the applicant obtain a report from an independent qualified person that the existing private septic system serving the surplus dwelling does not cross the property lines, that the system is in working order and that the operation will not be affected by the severance, to the satisfaction of the municipality.
 8. The applicant/owners are required to enter into a reapportionment of the drainage assessment for the subject lands in accordance with Section 65(2) of the Ontario Drainage Act, R.S.O. 1990 as amended and provide the Town of Amherstburg, a signed agreement and that any associated cost of same be borne solely by the applicant. The reapportionment for any affected Municipal Drains is required and is to be assessed against the affected lands in accordance with any past, current or future drainage bylaws, until such time as otherwise determined under the provisions of the Drainage Act. The severance shall not be granted until a Council resolution is passed to execute the reapportionment agreement.

9. That the applicant determine if there are any existing farm drainage tiles/systems extending through the parcel that is to be severed and, if existing farm drainage tiles/systems are found, that the applicant redirect the tiles/systems around the parcel to be severed to the satisfaction of the municipality.
10. That a grade design demonstrating that the severed parcel will maintain its own surface water be submitted and implemented to the satisfaction of the municipality.
11. That the following covenant be included on the title of the severed and retained parcels:

“The Purchaser(s)/Transferee(s) hereby acknowledge(s) that an active, licensed quarry is located near this property. Notwithstanding that the quarry must operate within provincial guidelines and the conditions of its license, it is possible that these operations may generate noticeable noise, vibration, dust and traffic and/or other potential impacts.”
12. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

(g) State reasons for decision REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Planning Statement.

I/WE, the undersigned, in making the decision upon this application for consent, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(4) of The Planning Act, and having considered whether a plan of subdivision of the land in accordance with Section 50 of the said Act is necessary for the proper and orderly development of the municipality.

.....
Terris Buchanan

.....
Anthony Campigotto

.....
Debbie Rollier

.....
Donald Shaw

.....
Josh Mailloux

ORIGINAL DOCUMENT SIGNED

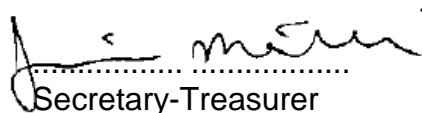
CERTIFICATION

The Planning Act, R.S.O. 1990

(h) Name of approval authority I, **Janine Mastronardi, Secretary-Treasurer** of the (h) **Town of Amherstburg** certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein.

(i) Name & address of approval authority

Dated this 5th day of March, 2025



Secretary-Treasurer
Town of Amherstburg
Committee of Adjustment
3295 Meloche Rd, Amherstburg, ON N9V 2Y8