



COMMITTEE OF ADJUSTMENT

NOTICE OF PROVISIONAL DECISION

APPLICATION NO. C01-2019/BRAITHWAITE

IN THE MATTER OF the *Planning Act*, R.S.O., 1990 C.p.13, Section 53, as amended.

AND IN THE MATTER OF the premises described as Registered Plan 338, Lot 32 and known municipally as 2875 West Pump Road in the Township of Pelee.

AND IN THE MATTER OF AN APPLICATION by Peter and Erika Braithwaite under Section 53 of the *Planning Act*, R.S.O. 1990, c.P.13 to sever, in co-operation with the Township of Pelee, the lands on which a memorial monument is located and to retain the balance of the lands. The severed parcel, on which the monument is located, is to be conveyed to the Township of Pelee.

No oral/written submissions were received in opposition to the subject application.

DECISION: That the severance noted above is **GRANTED** with the following provisions:

1. That conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the *Planning Act*, RSO 1990, as amended. If the conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused.
2. That a plan of survey be prepared by an Ontario Land Surveyor in a form suitable for registration be submitted to the Township.
3. That the lands being severed be re-zoned to a Special Provision Open Space-3(OS-3) Zone to list a Public Park in addition to the uses permitted in the Open Space Zone and applying to the Special Provision Open Space 1 (OS-1) Zone lands being retained be amended to recognize reduced minimum lot area and minimum lot frontage.
4. That all financial obligations to the Township of Pelee be paid in full.

REASONS:

REASONS FOR PROVISIONAL DECISIONS:

A plan of subdivision is not required for the orderly development of the land. Provided that the conditions of consent are satisfied the proposed severance:

1. Are consistent with the Provincial Policy Statement and adequately address the matters in Section 51(24) of the *Planning Act* to be considered; and;
2. Conforms with the Township of Pelee Official Plan.

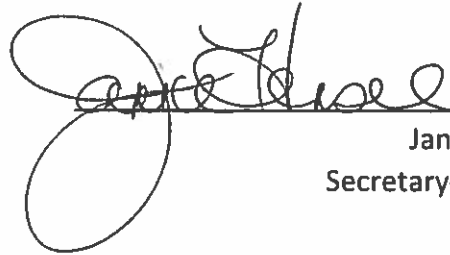
DATED AT THE TOWNSHIP OF PELEE this 30th day of September, 2019.

LAST DAY OF APPEAL: October 17th, 2019

MEMBERS CONCURRING WITH DECISION MADE ON SEPTEMBER 27, 2019

Dayne Malloch, Chairman
Randy Gardner, Member
Danielle Truax, Member

I, Janice Hensel, Secretary-Treasurer of the Committee of Adjustment for the Township of Pelee hereby certify that this is a true copy of the decision of the Committee of Adjustment handed down at a Public Hearing.



Janice Hensel
Secretary-Treasurer

APPEALS

Only individuals, corporations and public bodies may appeal decisions in respect of minor variance applications to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or body. However, a notice of appeal may be filed in the name of an individual who is a member of the group or the association.

Any notice of appeal shall set out the reasons for the appeal. The notice of appeal accompanied by the prescribed fee under the Local Planning Tribunal Act, 2017 shall be filed with the Secretary Treasurer of the Committee of Adjustment. The prescribed fee is \$300.00 for the first appeal and \$25.00 for each subsequent appeal. Certified cheques or money orders are to be made payable to the Minister of Finance.