

NOTICE - The last day for appealing this decision is **October 6, 2022**

**DECISION TO CHANGE THE CONDITIONS OF PROVISIONAL CONSENT**  
**RE: PROVISIONAL CONSENT B/4/2022**  
Planning Act, R.S.O. 1990, c. P.13 ss. 53(23)

**MUNICIPALITY OF LAKESHORE COMMITTEE OF ADJUSTMENT**

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**RE: PROVISIONAL CONSENT GRANTED TO:** John and Ruth Fuerth

**LOCATION OF PROPERTY:** 2462 County Road 27  
(Community of Rochester)

**FILE NUMBER:** B/4/2022

**PURPOSE OF PROVISIONAL CONSENT:** Creation of Three (3) Residential Lots  
(approx. 2523.24 m<sup>2</sup>, 1488.3 m<sup>2</sup>, and 1489.42 m<sup>2</sup>)

I/WE, the undersigned, CONCUR in the following decision and reasons for decision made on the 14<sup>th</sup> day of September, 2022.

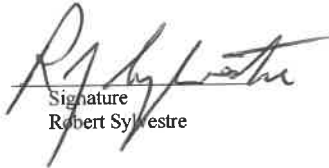
**DECISION:** Change the conditions of provisional consent B/4/2022 so that it is instead subject to the conditions in Schedule "A" of this decision

  
Signature  
Ron Barrette

Signature  
Mark Hacon

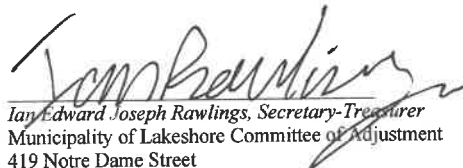
Signature  
Steve Diemer

  
Signature  
Michael Hoffman

  
Signature  
Robert Sylvestre

**CERTIFICATION**  
Planning Act, R.S.O. 1990, c. P.13

I, Ian Edward Joseph Rawlings, Secretary-Treasurer of the Municipality of Lakeshore Committee of Adjustment, certify that the above is a true copy of the decision of the Committee with respect to the application recorded therein.

  
Ian Edward Joseph Rawlings, Secretary-Treasurer  
Municipality of Lakeshore Committee of Adjustment  
419 Notre Dame Street  
Belle River Ontario N0R 1A0

Dated this 16<sup>th</sup> day  
of September, 2022.

SCHEDULE "A" TO  
DECISION TO CHANGE THE CONDITIONS OF PROVISIONAL CONSENT B/4/2022  
MUNICIPALITY OF LAKESHORE

CONDITIONS – Provisional consent B/4/2022 is subject to the following conditions:

1. That, if deemed required by the Secretary-Treasurer, the applicant obtain a proper survey and Reference Plan from an Ontario Land Surveyor that details the severed and retained parcel to the satisfaction of the Secretary-Treasurer;
2. That the Deed and a copy for our records be forwarded to the Secretary for stamping;
4. That the holding symbol be removed from the severed parcels of land;
5. That a park fee be imposed for each severed lot in accordance with the prevailing parkland dedication by-law in effect at the time payment is made to the Secretary-Treasurer, and such fees shall be paid prior to the stamping of the Deeds;
6. That the applicant enter into a drain apportionment agreement for the severed lots and retained land to the satisfaction of the Municipality of Lakeshore;
7. That, if required by the County of Essex, a daylight corner of 50 feet by 50 feet be deeded/transferred to the County of Essex, and to the satisfaction of the County of Essex;
8. That, to the satisfaction of the Municipality of Lakeshore, the applicant enter into an agreement with the Municipality of Lakeshore to be registered on title that a separate access will be provided for each severed lot to the satisfaction of the Municipality of Lakeshore;
9. That all conditions be met in accordance with Section 53 (41) of the Planning Act, R.S.O. 1990, c. P.13;
10. That the applicant initiate and complete work under Section 4 under the Drainage Act to the satisfaction of the Municipality. This is required to create a subsequent connection into the Croson Drain (a municipal drainage system) located on the south side of South Middle Road. The subsequent connection is required to span the length of the frontage of all three lots and shall be completed prior to the stamping of the deed(s). All requirements of the Drainage Superintendent shall be completed prior to the stamping of the deed(s).

**COMMITTEE OF ADJUSTMENT  
NOTICE OF RIGHT TO APPEAL**

*Name of Committee:* Municipality of Lakeshore Committee of Adjustment

*File:* B/4/2022

*Name of Applicants:* John and Ruth Fuerth

**TAKE NOTICE** that the enclosed is a certified copy of the decision of the above-mentioned Committee in the matter of a change to the conditions of provisional consent B/4/2022 pursuant to the Planning Act, R.S.O. 1990, c. P.13

**THE LAST DATE FOR FILING AN APPEAL IS OCTOBER 6<sup>th</sup>, 2022**

**A DECISION OF THE COMMITTEE MAY BE APPEALED** to the Ontario Land Tribunal by serving personally on or sending by registered mail to the Secretary-Treasurer of the Committee of Adjustment a notice of appeal. The notice of appeal must be filed with the approval authority, must set out the reasons for the appeal and must be accompanied by the fee required by the Ontario Land Tribunal.

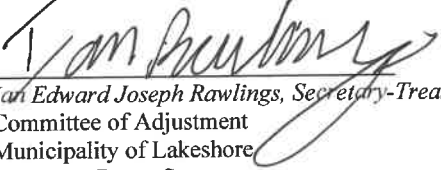
Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

Please refer to the Ontario Land Tribunal website for the **AMOUNT OF FEE** payable on appeal

**PAYABLE TO: MINISTER OF FINANCE**

**IF NO NOTICE OF APPEAL IS GIVEN** within the appeal date set out above, the decision of the Committee is final and binding.

*Dated this 16<sup>th</sup> day  
of September, 2022.*

  
Ian Edward Joseph Rawlings, Secretary-Treasurer  
Committee of Adjustment  
Municipality of Lakeshore  
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Belle River Ontario N0R 1A0  
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irawlings@lakeshore.ca