

Appendix C

Applicant: Edward Remark & Sons Limited
File No.: 37-T-13001
Municipality: Town of Kingsville
Location: Part of Lot 3, Concession 1,
Eastern Division (Gosfield South)

Date of Decision: September 12, 2018
Date of Notice: September 12, 2018
Last Date of Appeal: October 2, 2018

NOTICE OF CHANGES TO THE CONDITIONS OF DRAFT APPROVAL

With respect to a Plan of Subdivision Subsection 51(45) of the Planning Act

The subject application received draft approval by the County of Essex on November 9, 2017. Recently, the landowner has requested revisions to the conditions of draft approval in order to recognize an amended draft plan layout. The plan reduces the number of dwelling units from one hundred and ninety-one (191) to fifty-nine (59). On this basis, the changes in conditions are as follows:

- 1) **Condition # 1** is deleted in its entirety and replaced with the following:

That this approval applies to the red-line draft plan of subdivision prepared by R.C. Spencer Associates Inc. and certified by Brian Coad, O.L.S. of Verhaegan, Stubberfield, Hartley, Brewer, Bezaire Inc. dated February 2, 2018 showing a total of fifty-nine (59) lots for single detached residential units, one (1) block (Block 62) for institutional use, and two (2) blocks (Blocks 60 and 61) for land dedications.
- 2) **Condition # 2** is amended by adding the words “(including education development charges)” immediately after the words “development charges” in the third line.
- 3) **Condition # 11** is amended by adding the words “reassess and” immediately after the words “that the Owner” in the third line.
- 4) **Condition # 15** is amended by deleting the words “on title for” in the third line and replacing them with “in every agreement of purchase and sale advising”.
- 5) **Condition # 17** is amended by deleting the words “on title for” in the third line and replacing them with “in every agreement of purchase and sale advising”.
- 6) **Note # 2**, in the “Notes to Draft Approval”, is amended by deleting paragraphs 2 and 3 in their entirety.

All other conditions and notations, including the lapsing date, remain unchanged.

When and How to File An Appeal

Notice to appeal the decision to the Local Planning Appeal Tribunal (LPAT) must be filed with

Applicant: Edward Remark & Sons Limited
File No.: 37-T-13001
Municipality: Town of Kingsville
Location: Part of Lot 3, Concession 1,
Eastern Division (Gosfield South)

Date of Decision: September 12, 2018
Date of Notice: September 12, 2018
Last Date of Appeal: October 2, 2018

the County of Essex no later than 20 days from the date of this notice as shown above as the last date of appeal.

The notice of appeal should be sent to the attention of the Manager, Planning Services at the address shown below and it must,

- (1) include a completed **Appellant Form (A1) Planning Act** available from the LPAT website www.elfto.gov.on.ca, and
- (2) be accompanied by the prescribed filing fee in the amount of \$300.00 payable by certified cheque or money order to the Minister of Finance.

Who Can File An Appeal

The applicant, a person or public body, who before the approval authority made its decision, made oral submissions at a public meeting, or written submissions to the approval authority, may appeal decisions in respect of a proposed plan of subdivision to the LPAT. 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.

No person or public body shall be added as a party to the hearing of the appeal to the decision of the County, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the County, made oral submission at a public meeting or written submissions to the Council or, in the LPAT's opinion, there is reasonable grounds to add the person or public body as a party.

Right of Applicant and Public Body to Appeal Conditions

The applicant, the Minister, the Municipality, or any public body that, before the County made its decision, made oral submissions at a public meeting or written submissions to the County, may at any time before the final plan of subdivision is approved, appeal any of the conditions imposed by the County to the LPAT by filing with the County a notice of appeal.

Getting Additional Information

Additional information about the application is available for public inspection during regular office hours at the County of Essex at the address noted below or from the Town of Kingsville.

Mailing Address for Notice of Appeal

County of Essex
360 Fairview Avenue West
Essex, ON N8M 1Y6
Attention: Bill King, Manager - Planning Services
Tel: (519) 776-6441, Ext. 1329 Fax: (519) 776-4455