



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

File No.

**C2 -2023**

**NOTICE: The last day for appealing this decision is: November 29, 2023**

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| <b>Name of Approval Authority:</b>                         | COMMITTEE OF ADJUSTMENT FOR THE CORPORATION OF THE TOWNSHIP OF ALBERTON  |
| <b>Re: An Application by:</b>                              | <b>Applicant: Jack Jamieson Agent/Owner for Owner Valio Office Support Services, 1914 Oliver Road, Thunder Bay, Ontario, P7G 1P1</b>   |
| <b>Location of Property (brief legal description):</b>     | Parcel 7339, Part of Lot 7 and 8 of River Range Crozier as in SLT16209 except SLT16222, SLT16391, SLT22821 & SLT27737, Alberton Roll #59-11-000-000-08505-0000   |
| <b>Purpose of application (set out brief explanation):</b> | The purpose of this application is to create one new rural residential lot and one retained rural residential lot, each having an approximate frontage of 89.519 metres and consisting of 3.35 hectares. |

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 50(4) of the *Planning Act*, 1983 and having considered whether a plan of subdivision of the land in accordance with Section 49 of the said *Act* is necessary for the proper and orderly development of the municipality, and confirm that regard has been had for all written and oral submission received from the public before the decision was made in relation to this planning matter, as discussed in Section 5.0 of Report No 2023-2,


**CONCUR in this decision made November 6, 2023, for the reasons set out on page 2 attached**


**DECISION:** The above application is:

**Approved**  - for the reasons and subject to the conditions set out on PAGE 2 of this decision


**Refused**  - for the reasons set out on PAGE 2 of this decision.

**CONCURRING MEMBERS:**

  
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Mike Ford (Chair)

  
\_\_\_\_\_  
Phil Gavel

  
\_\_\_\_\_  
Blair Lowey

  
\_\_\_\_\_  
George Glowasky

  
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Judy Koski

**CERTIFICATION**

*Planning Act, R.S.O. 1990*

I HEREBY CERTIFY this to be a true copy of the decision of the Committee of Adjustment and that this decision was concurred in by a majority of the members who heard this Application. **THE FINAL DATE FOR FILING AN APPEAL IS:** November 27, 2023.

  
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Lisa Sheppard, Secretary-Treasurer for Committee of Adjustment

## SCHEDULE "A"

### REASONS AND CONDITIONS OF APPROVAL

**File Number:** C2-2023

**Applicant:** Jack Jamieson Agent/Owner for Owner Valio Office Support Services

**Property:** Parcel 7339, Part of Lot 7 and 8 of River Range Crozier as in SLT16209 except SLT16222, SLT16391, SLT22821 & SLT27737, Alberton  
as currently contained in Roll #59-11-000-000-08505-0000

**Date of Decision:** November 6, 2023

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#### **REASONS FOR DECISION:**

The reasons for this decision are as follows:

1. The application supports and maintains the intent of development policy of the *Official Plan* and *Zoning By-Law*;
2. Appropriate conditions will be imposed to address deficiencies or noncompliant issues of the severed and retained lots with applicable zoning regulations;
3. The application supports the goals and objectives of the Township's *Strategic Plan*;
4. No inconsistencies have been identified with the *Provincial Policy Statement*;
5. No objections to the application have been raised by the public, either prior to or at the public meeting;
6. No objections to the application have been raised by any entity to whom the application was circulated;

#### **CONDITIONS OF APPROVAL:**

Approval of Consent (File C2-2023) is provisional upon the following conditions being fulfilled within two years from the date of the Notice of Decision, as required by Section 53(41) of the Planning Act. These conditions must be fulfilled prior to a Certificate of Official endorsement of consent on any instrument for the lands to be severed.

Provisional approval relates to the creation of one severed lot having frontage of 89.519 metres and an area of approximately 3.35 hectares and one retained lot having frontage of 89.519 metres and an area of approximately 3.35 hectares in size.

1. That the applicant meets all the requirements, financial or otherwise of the Municipality, with any monies owing to the Township of Alberton for municipal taxes or otherwise are paid in full to date of consent endorsement.
2. That the applicant provide to the Township of Alberton written confirmation of completion of appropriate planning applications to ensure the severed and retained lots comply with the applicable zoning regulations, specifically:
  - (a) Minor variance for relief from Section 4.8.2 of the Zoning By-Law to reduce the frontage of the severed lot from 100 metres to 89.519 metres; and
  - (b) Minor variance for relief from Section 4.8.2 of Zoning By-Law to reduce the frontage of the retained lot from 100 metres to 89.519 metres;
3. That the applicant provides the Township of Alberton with a Consent Report from the Northwestern Health Unit to confirm adequate space for a septic system to be installed/replaced when needed on the severed lot.

4. The applicant provides to the Township of Alberton:

Two (2) white prints, one legal size copy and one electronic copy of the Reference Plan prepared by an Ontario Land Surveyor registered in the Province of Ontario, which bears the Land Registry Office registration number and the signature of the Land Registrar or Deputy Land Registrar as evidence of its deposit therein, illustrating (at a minimum) the severed lot to which the consent approval relates; with a draft of the plan to be provided to the Township of Alberton for review prior to it being deposited, or a Letter of Exemption provided by the Land Registrar;

5. That the Applicant obtains and provides to the Township of Alberton the legal description of the severed lands to enable the issuance of the Certificate of Official

(i) where the severed lot approved in respect of this Application for Consent to Sever is identified as being comprised of more than one part on a reference plan or plans, all such parts which describe the entirety of the lot approved, and exceptions thereto, shall be registered such that same are contained in one PIN number.

(ii) where any single part described on a reference plan does not constitute the entirety of a lot approved through the consent process, including a retained lot, registration of such part or parts into separate PIN numbers is prohibited, and each approved lot, whether severed or retained, shall be contained in only one PIN number.

6. The Applicant or his lawyer, provide a written Undertaking to provide the Township of Alberton with a copy of updated parcel registers for the severed lot and for the retained lot after all transfer documentation related to this application is registered and recorded on such parcel registers.

**The final date for satisfying the above conditions is November 6, 2025.**

**The following is included for your reference and information:**

- Owners can apply for Entrance permits to the lands by calling the Township of Alberton Office at 807-274-6053.
- There is an Environmentally Protected Area (EPA) that runs along the very rear of the property that must be protected, and the EPA would be subject to disclosure to all and any future owners of the property.
- Please refer to Ontario Regulation 903 of the Wells Regulation made under the Ontario Water Resources Act in the event that there are any abandoned wells on the property and the technical bulletins for person(s) who own a water supply well.