



COMMITTEE OF ADJUSTMENT

APPLICANT : TILBURY CONCRETE TRANSPORT INC.

ADDRESS : 3480 MARENTETTE AVENUE

 SUBJECT LANDS  EASEMENT

N.T.S.



CITY OF WINDSOR

File: B-039/25

COMMITTEE OF ADJUSTMENT PUBLIC HEARING

PURSUANT to Section 54 (2) of the Planning Act, the City of Windsor Council has delegated consent authority to the Committee of Adjustment, and further, **PURSUANT** to Section 53 of the Planning Act, a Committee of Adjustment public hearing will be held to consider an application for consent.

You are receiving this letter as a courtesy because the Committee of Adjustment identified your property as located within a 40 meters circulation area of the subject lands. Notice as required by the Planning Act was given by publication of the Committee of Adjustment’s Agenda Record in the Windsor Star on June 25, 2025

APPLICATION FOR CONSENT

Owner:	TILBURY CONCRETE TRANSPORT INC	Location:	3440-3480 MARENTETTE AVE
Legal Description:	CON 3 PT LOTS 89 & 90;RP 12R13285 PART 4 & PT OF; PART 2;	Zoning:	Manufacturing MD1.1
Official Plan:	Industrial		
Explanation:	Consent to create an easement for servicing a storm water management system.		

COMMITTEE OF ADJUSTMENT PUBLIC HEARING - 519-255-6543 ext 6436 or 6450

When: July 10, 2025 at 3:30 pm

Where: VIA VIDEO CONFERENCE
(information on how to join the public meeting will be on the City of Windsor website prior to the meeting date)

You are invited to attend this hearing and express any interest you may have in this application. Written comments are also acceptable and may be submitted in person, by mail, by fax or by email. All comments must be received **NO LATER than 4:30PM on the Wednesday, prior to the meeting date.** Comments received after such, will not be included at time of hearing.

The applicant or agent must attend the meeting. If you do not attend or send a representative, the Committee may proceed in your absence without any further notice to you. To be notified of the decision of the Committee of Adjustment regarding this application, you must submit a written request to the Secretary-Treasurer.

If a person or public body that files an appeal of the decision of the Committee of Adjustment, in respect of the proposed consent, does not make oral submissions at a public meeting or does not make written submissions to the Committee of Adjustment before a provisional consent is given or refused, the Ontario Land Tribunal may dismiss the appeal.

It is the practice of Committee of Adjustment members to visit the site prior to considering this application. Administrative comments are available by email after 12:00 noon on the Friday prior to the hearing.

Jessica Watson Secretary-Treasurer, Committee of Adjustment	Dated: June 26, 2025
Suite 210, 350 City Hall Square West Windsor ON N9A 6S1	Tel: 519-255-6543 Fax: 519-255-6544 Email: jwatson@citywindsor.ca Web: http://www.citywindsor.ca

1	Application Information				
	Name of <u>All</u> Owners (as listed on deed) Tilbury Concrete Transport Inc.		Contact No. (519)-972-6000		
	Business Telephone No. (519)-972-6000				
	Address 3480 Marentette Avenue, Windsor, Ontario				
	Postal Code N8X 5C2				
E-Mail Address: chris@tilburyconcrete.com					
2	Name of Contact Person/Agent (if different than owner) Ian Manser/Ilias Kiritsis		Contact No. (519)-258-1236		
	Business Telephone No. (519)-258-1236				
	Address Suite 200- 525 Windsor Avenue, Windsor, Ontario				
	Postal Code N9A 1J4				
	Fax No. 519-977-1173				
E-Mail Address: imanser@mousseaulaw.com/kiritsis@mousseaulaw.com					
PAYMENT CONTACT INFORMATION ONLY:					
Name: Rachel Grass					
Contact No: (519)-258-1236					
3	Type and purpose of proposed transaction: Easement sought for the purpose of servicing a Stormwater Management System				
	Conveyance <input type="checkbox"/> new lot <input type="checkbox"/> lot addition				
	Other (please specify) <input type="checkbox"/> mortgage <input type="checkbox"/> rights-of-way <input type="checkbox"/> lease in excess of 21 years <input checked="" type="checkbox"/> easement				
See separate application for validation of title/power of sale					
4	The name of the person(s) to whom the land or an interest in land is to be transferred, charged or leased:				
	2629045 Ontario Limited				
5	Legal Description of the Subject Land (ENTIRE PARCEL – retained and severed)				
	Municipality Windsor	Street Name Marentette Avenue	Street Address 3480		
	Concession Number(s) CON 3 SANDWICH EAST	Registered/Reference Plan No.	Lot/Part No.(s)		
	Parcel No. 01561-3045	12R16182, 12R13285	PTS 2 & 4, 12R16182, PART 4 12R13285		
6	Are there any easements or restrictive covenants affecting the subject land? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> unknown				
	(If Yes, please describe) Yes, drain easement, registered instrument R1278553 affecting a portion of the subject land, that being Part 4, Plan 12R-13285.				
6	Description of the Subject Land and Servicing Information (to be severed/leased) (in metric units)				
	Description PT LT 89 CON 3 SANDWICH EAST; PT LT 90 CON 3 SANDWICH EAST PTS 2 & 4, 12R16182, PART 4 12R13285; S/T & T/W R1427095; S/T R1278553; WINDSOR	<small>PT LT 89 CON 3 SANDWICH EAST; PT LT 90 CON 3 SANDWICH EAST PTS 2 & 4, 12R16182, PART 4 12R13285; S/T & T/W R1427095; S/T R1278553; WINDSOR</small> Frontage 79.3425 meters	(A) SEVERED <i>metres</i>	(B) RETAINED <i>metres</i>	
		Depth 245.3762 meters	<i>metres</i>	<i>metres</i>	
		Area 22,634.8781 square meters	<i>square metres</i>	<i>square metres</i>	
		Lot/Part No.(s) PTS 2 & 4, 12R16182, PART 4 12R13285			
		Registered/Reference Plan No. 12R16182, 12R13285			
		Water Lot? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
		Use of Property	Existing Use(s) Industrial		
		Industrial Cement Production	Proposed Use(s) No change		
	Buildings or Structures	Existing (Date of construction) Cement Production Facility, Office			
	Cement Production Facility, Office	Proposed No proposed structures associated with Stormwater Management Facility			

	Access (check appropriate space) Provincial Highway Municipal road, maintained all year Municipal road, seasonally maintained Other public road Right of way Water only. If yes, the docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road _____	Yes <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Yes <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	Water Supply Publicly owned and operated piped water system... Privately owned and operated..... Individual or communal well..... Lake or other water body..... Other Process Water Recycler	Yes <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	Sewage Disposal Publicly owned and operated piped sewage system..... Privately owned and operated individual or communal septic tank system..... Pit, privy, or other	Yes <input type="checkbox"/> <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> <input type="checkbox"/>	No <input type="checkbox"/> <input checked="" type="checkbox"/>
7	The current designation of the subject property in the Official Plan Industrial.				
	History of the Subject Land Industrial.				
8	Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Unknown If yes, please provide the application file number and the decision made on the application. _____ B-05/98 Consent Granted to sever a portion of the land and add to the abutting parcel, that being the property municipally known as 3440 Marquette Avenue, Windsor, ON. If this application is a re-submission of a previous consent application, describe how it has been changed from the original application. _____ _____				
9	Has any land been severed from the parcel originally acquired by the owner of the subject land: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown				
10	If the answer to item 9 is <u>yes</u>, the date of the transfer, the name of the transferee and the land use on the severed land:				
11	Current Applications If known, whether the subject land is the subject of any other application under the Act, such as an application for an amendment to an Official Plan, a Zoning By-law or Minister's Zoning Order, an application for minor variance or an application for an approval of a plan of subdivision or a consent. _____ _____ If yes, the file number of the application and the status of the application. _____				
12	Whether the application is consistent with policy statements issued under subsection 3(1) of the Planning Act <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown				
13	Whether the subject land is within an area of land designated under any provincial plan or plans. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable				
14	If the answer to section 13 is yes, whether the application conforms to or does not conflict with the applicable provincial plan or plans. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable				

15	<p>The required sketch map is to indicate the following, in metric units and must be included with application:</p> <p>a) the boundaries and dimensions of any land <u>abutting</u> the subject land that is owned by the owner of the subject land;</p> <p>b) the <u>approximate distance between</u> the subject land and the nearest <u>Lot line or landmark</u> such as a bridge or railway crossing;</p> <p>c) the <u>boundaries</u> and <u>dimensions</u> of the subject land, the part that is intended to be <u>severed</u> and the part that is intended to be <u>retained</u>;</p> <p>d) the location of all land <u>previously severed</u> from the parcel originally acquired by the <u>current owner</u> of the subject land;</p> <p>e) the approximate location of all <u>natural and artificial features</u> (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that: (i) are located on the <u>subject land</u> and on land that is <u>adjacent</u> to it, and (ii) in the applicant's opinion, may affect the application;</p> <p>f) the <u>current uses</u> of land that are <u>adjacent</u> to the subject land (for example, residential, agricultural or commercial)</p> <p>g) the <u>location</u>, <u>width</u> and <u>name</u> of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way (i.e. alley);</p> <p>h) if access to the subject land will be <u>by water only</u>, the location of the parking and boat docking facilities to be used; and</p> <p>i) the location and nature of any easement affecting the subject land.</p> <p>The required sketch map has been included with this application form. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	Included	Not Applicable
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

DECLARATION:

I/WE, Ian Manser of the City (City/Town)
of Windsor (name City/Town) in the County (County) of Essex (name county) on
this 29th day of May, 2025, **SOLEMNLY DECLARE** that all statements contained in this
application are true and I/WE make this solemn declaration conscientiously believing it to be true, and knowing that it is of the
same force and effect as if made under oath and by virtue of the Canada Evidence Act.

(Sign) X [Signature]
(Sign) X _____

Jessica Lynn Watson, a Commissioner, etc.,
Province of Ontario, for the Corporation of the City of Windsor,
Expires February 7, 2026.

DECLARED BEFORE ME at the City of Windsor in the
County of Essex this 29th day of May, 2025.

[Signature]
ILIAS KIRITIS, LL.B., J.R.

A Commissioner etc.

*** THIS SECTION MUST BE COMPLETE

RECEIPT OF APPLICATION/AUTHORIZATION TO PROCESS

This application has been received and is accepted for processing, as the application is complete.

Secretary-Treasurer (or Designate)

Date:

Minor variance for new construction: An approved variance is valid and must be acted upon within one (1) year. If a
granted variance is not used within required timeline, the application is deemed to be **null and void**. A new Committee of
Adjustment application will be required for any expired application. _____ (Please Initial)

**FOR AGENTS – The owner must complete and sign this authorization if you have been assigned to act on
their behalf**

AUTHORIZATION:

TO: The Secretary-Treasurer of The Committee of Adjustment for the City of Windsor.

DATE: May 29, 2025, 2025.

I (We) (Owners of the subject lands) Tilbury Concrete Transport Inc.

of the (municipality where you reside) City of Windsor, hereby authorize

and instruct (agent(s)) Mousseau DeLuca McPherson Prince LLP to submit an application to the

Committee of Adjustment in respect to (municipal address or legal description) 3480 Marentette Avenue, Windsor, Ontario

Which I (we) am (are) the registered owner(s), and this shall be my (our) good and sufficient authority to act on my (our) behalf.

Tilbury Concrete Transport Inc. Note: If the owner is a Corporation, affix seal (if any)

Paul Bravo
Paul Bravo (May 29, 2025 09:55 EDT)

X (Sign)

Per: Paul Bravo

"I have the authority to bind the Corporation"

PLAN

OF SURVEY OF
PART OF LOTS 89 & 90 (Mc Niff's Survey)
CONCESSION 3

FORMERLY IN THE GEOGRAPHIC TOWNSHIP OF SANDWICH
NOW IN THE

CITY OF WINDSOR
COUNTY OF ESSEX
PROVINCE OF ONTARIO

SCALE: 1" = 100'

50' 0' 10' 25' 50' 100' 200'
BAR SCALE

JOHN B. SMEETON O.L.S.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. This survey and plan are correct and in accordance with The Surveys Act, The Surveyor's Act and The Registry Act and the regulations made thereunder.

2. This survey was completed on March 26, 1998

Dated: March 27, 1998

John B. Smeeton
John B. Smeeton
Ontario Land Surveyor

JOHN B. SMEETON ONTARIO INC.
ONTARIO LAND SURVEYOR
76 University Ave. W.
Windsor, Ontario
N9A 5N7

NOTES:

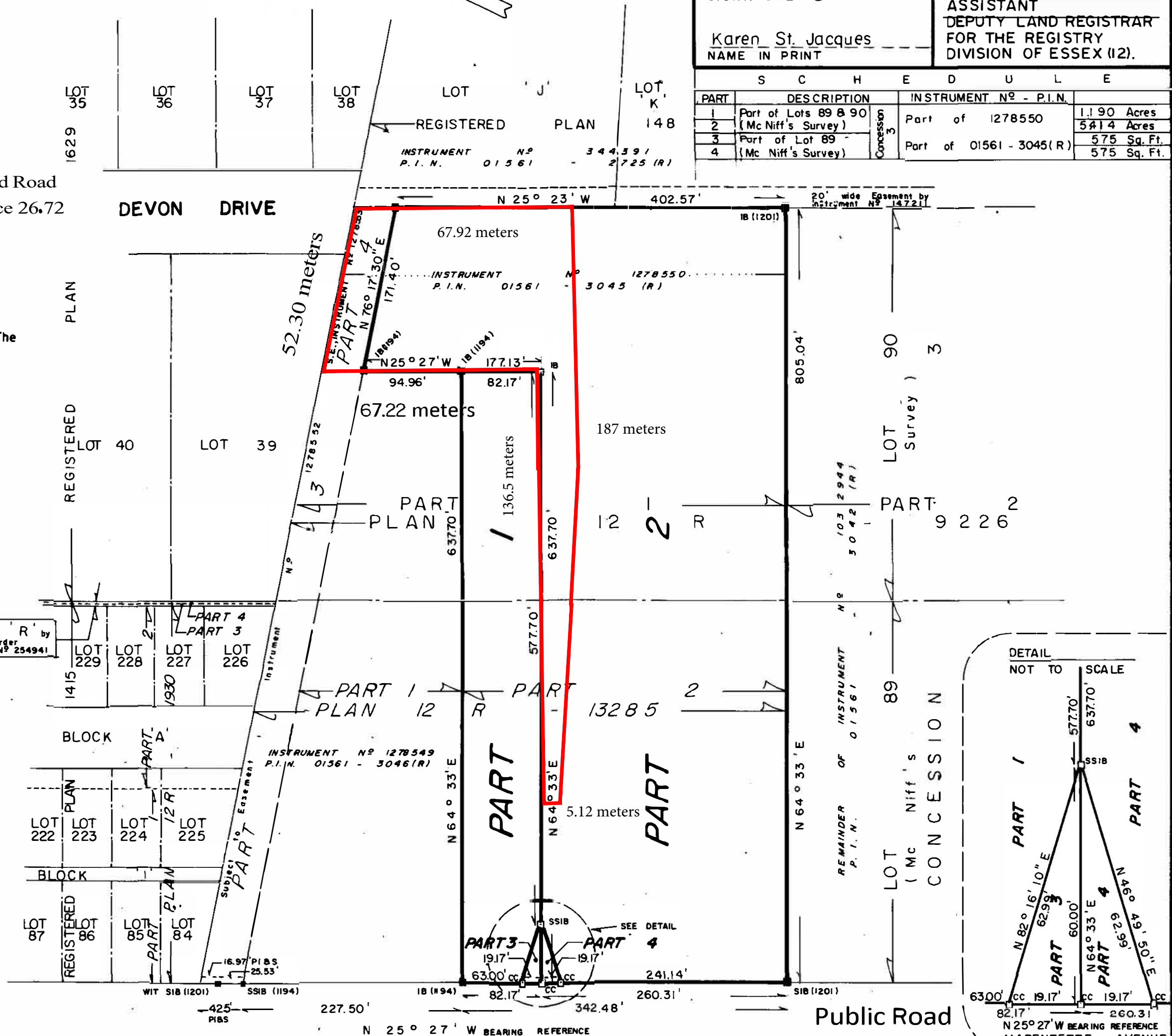
- DENOTES SET SURVEY MONUMENT
- DENOTES FOUND SURVEY MONUMENT
- SIB DENOTES 1" x 1" x 4' LONG STANDARD IRON BAR
- SSIB DENOTES 1" x 1" x 2' LONG SHORT STANDARD IRON BAR
- IB DENOTES 5/8" x 5/8" x 2' LONG IRON BAR
- IBØ DENOTES 5/8" DIAMETER x 2' LONG IRON BAR
- FD DENOTES FOUND
- WIT DENOTES WITNESS SURVEY MONUMENT
- M DENOTES MEASURED DISTANCE or BEARING
- S DENOTES SET DISTANCE or BEARING
- D DENOTES DEED DISTANCE or BEARING
- P DENOTES PLAN
- (O.U.) DENOTES ORIGIN UNKNOWN
- PI DENOTES PLAN 12 R - 13285
- (1194) DENOTES JOHN B. SMEETON O.L.S.
- (1201) DENOTES R. A. CLARKE O.L.S.
- S.E. DENOTES SUBJECT TO EASEMENT
- CC DENOTES CROSS CUT IN CONCRETE

DISTANCES SHOWN ON THIS PLAN
ARE IN FEET AND CAN BE CONVERTED
TO METRES BY MULTIPLYING BY 0.3048.

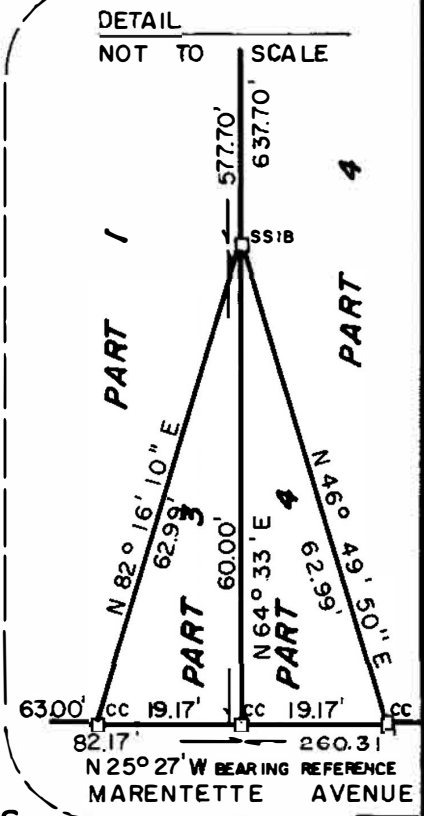
BEARING REFERENCE:
BEARINGS ARE ASTRONOMIC AND ARE
REFERRED TO THE EASTERN LIMIT
OF MARENTETTE AVENUE SHOWN AS
N 25° 27' W ON PLAN 12 R - 13285.

Unopened Road
Allowance 26.72
meters
width

DEVON DRIVE



BLOCK R by
Judge's Order
Instrument N° 254941



MARENTETTE AVENUE

Opened by By-law 3161, Instrument N° 377091, P.I.N. 01561 - 3066 (R)

Public Road
20.11 meters
width

DRAWN BY KMS
CHECKED BY

98-22797
T571/5

3K-4621

FILENAME: C:\P\WORKING DIRECTORIES\PROJECTS 2021\DILLON_3245\MS08739\EASEMENT_LAYOUT.DWG PLOTTED BY: SINGH, JASWINDER DILLON CONSULTING LIMITED 1 RIVERSIDE DRIVE WEST, 12TH FLOOR, WINDSOR, ONTARIO, N9A 5K3, T. (519) 948-5000 F. (519) 948-5054
PLOT DATE: 2025-05-22 8:16:42 AM PLOT SCALE: 1:500 PLOT STYLE: DILLON-STD.AUTOCOR



LEGEND

EASEMENT

EXSITING STORMWATER

CATCH BASIN

NOTE: THE SHOWN EXTENTS ARE NOT BASED ON DETAILED SURVEY. THEY RE BASED ON A VISUAL INSPECTION OF CATCH BASIN LOCATIONS AND REVIEW OF SATELLITE IMAGERY.

Conditions of Use
Verify elevations and/or dimensions on drawing prior to use.
Report any discrepancies to Dillon Consulting Limited.

Do not scale dimensions from drawing.

Do not modify drawing, re-use it, or use it for purposes other than those intended at the time of its preparation without prior written permission from Dillon Consulting Limited.



1	ISSUED FOR INITIAL REVIEW	MAY/25	MS		
No.	ISSUED FOR	DATE	BY		

DESIGN	REVIEWED BY
MS	AB
DRAWN	CHECKED BY
MS	AB
DATE	2025-05-16
SCALE	1:500

EXTENT OF PROPOSED STORMWATER EASEMENT 3480 MARENTETTE AVENUE		PROJECT NO. 211244
STORMWATER EASEMENT PLAN		SHEET NO. S1