



# COMMITTEE OF ADJUSTMENT

APPLICANT : TSB MOBILE STORAGE INC.

ADDRESS : 4205 COUNTY ROAD 42

 SUBJECT LANDS

 SEVERED LANDS

N.T.S.





# CITY OF WINDSOR

File: B-048/24

## 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 December 4, 2024

### APPLICATION FOR CONSENT

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**Owner:** TSB MOBILE STORAGE INC                      **Location:** 4205 COUNTY RD 42

**Legal Description:** CON 7 GORE 17 EPT;RP                      **Zoning:** M1  
12R3910 PARTS 1 2 5

**Official Plan:** Business Park

**Explanation:** Severance of lands, as shown on the attached drawing, for the purpose of a lot addition.

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

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**When:** December 19, 2024 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: December 5, 2024

Suite 210, 350 City Hall Square West  
Windsor ON N9A 6S1

Tel: 519-255-6543  
Fax: 519-255-6544  
Email: [jwatson@citywindsor.ca](mailto:jwatson@citywindsor.ca)  
Web: <http://www.citywindsor.ca>

1	<b>Application Information</b>		
	Name of <b>All</b> Owners (as listed on deed) <b>TSB MOBILE STORAGE INC.</b>	Contact No. <b>519.791.2608</b>	Business Telephone No. <b>1.800.555.4510</b>
	Address 4205 COUNTY ROAD 42, WINDSOR, ONTARIO	Postal Code N9A 6J3	
	E-Mail Address: mark.berioia@thestoragebox.com		
2	Name of <b>Contact Person/Agent</b> (if different than owner) <b>MARK BERTOIA</b>	Contact No. <b>519.791.2608</b>	Business Telephone No. <b>1.800.555.4510</b>
	Address 512 BEDFORD COURT, WINDSOR, ONTARIO	Postal Code N9G 2L5	Fax No.
	E-Mail Address: mark.berioia@thestoragebox.com		
	<b>PAYMENT CONTACT INFORMATION ONLY:</b>		
<b>Name:</b> MARK BERTOIA			
<b>Email &amp; Contact No:</b> mark.berioia@thestoragebox.com 519.791.2608			
2 <b>Type and purpose of proposed transaction:</b>			
<b>Conveyance</b>			
<input type="checkbox"/> new lot <input checked="" type="checkbox"/> lot addition			
<b>Other</b> (please specify)			
<input type="checkbox"/> mortgage <input type="checkbox"/> rights-of-way <input type="checkbox"/> lease in excess of 21 years <input type="checkbox"/> easement <span style="float: right;">See separate application for validation of title/power of sale</span>			
3 <b>The name of the person(s) to whom the land or an interest in land is to be transferred, charged or leased:</b> <b>TSB MOBILE STORAGE INC. and APB INVESTMENTS INC.</b>			
4 <b>Legal Description of the Subject Land (ENTIRE PARCEL – retained and severed)</b>			
Municipality <b>WINDSOR</b>	Street Name <b>COUNTY ROAD 42</b>	Street Address <b>4205</b>	
Concession Number(s) <b>7</b>	Registered/Reference Plan No.	Lot/Part No.(s)	
Parcel No.		<b>PART OF GORE LOT 17</b>	
5 <b>Are there any easements or restrictive covenants affecting the subject land?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> unknown (If Yes, please describe)			
Instrument Number R322595 - Easement in favor of Her Majesty the Queen in Right of Canada over Part 6 on Plan 12R-3910 for the maintenance of an approach lighting system benefiting Windsor Airport			
6 <b>Description of the Subject Land and Servicing Information (to be severed/leased) (in metric units)</b>			
Description		<b>(A) SEVERED</b>	<b>(B) RETAINED</b>
	Frontage <b>167.18</b>	<i>meters</i> <b>67.36</b>	<i>meters</i> <b>99.82</b>
	Depth <b>IRREGULAR</b>	<i>meters</i> <b>272.8</b>	<i>meters</i> <b>278.07</b>
	Area <b>(A) 26,558 (B) 27,757</b>	<i>square meters</i>	<i>square meters</i>
	Lot/Part No.(s)	<b>3,4,6</b>	<b>3,4,6</b>
	Registered/Reference Plan No.	<b>12R-3910</b>	<b>12R-3910</b>
	Water Lot? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Use of Property	Existing Use(s)	<b>VACANT</b>	<b>INDUSTRIAL</b>
	Proposed Use(s) <input type="text"/>	<b>VACANT</b>	<b>INDUSTRIAL</b>
Buildings or Structures	Existing (Date of construction)	<b>NONE</b>	<b>ONE - 1970</b>
	Proposed	<b>NONE</b>	<b>NONE</b>



<b>Access</b> (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 _____	<b>Yes</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<b>Yes</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
<b>Water Supply</b>	Publicly owned and operated piped water system... Privately owned and operated..... Individual or communal well..... Lake or other water body..... Other	<b>Yes</b> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<b>Yes</b> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<b>Sewage Disposal</b>	Publicly owned and operated piped sewage system..... Privately owned and operated individual or communal septic tank system..... Pit, privy, or other	<b>Yes</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	<b>Yes</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/> <input type="checkbox"/>
<b>7</b> The current designation of the subject property in the Official Plan BUSINESS PARK					
<b>History of the Subject Land</b> USED BY TSB MOBILE STORAGE INC. IN THE OPERATION OF ITS STORAGE BOX BUSINESS					
<b>8</b> 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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Unknown  If yes, please provide the application file number and the decision made on the application. _____ _____  If this application is a re-submission of a previous consent application, describe how it has been changed from the original application. _____ _____					
<b>9</b> 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					
<b>10</b> 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:					
<b>11</b> <b>Current Applications</b>  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. NO _____ _____  If yes, the file number of the application and the status of the application. _____					
<b>12</b> 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					
<b>13</b> Whether the subject land is within an area of land designated under any provincial plan or plans. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable					
<b>14</b> 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 type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable					



15	<b>The required sketch map is to indicate the following, in metric units and must be included with application:</b>	Included	Not Applicable
a)	the boundaries and dimensions of any land <u>abutting</u> the subject land that is owned by the owner of the subject land;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	the <u>boundaries and 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> ;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	the <u>current uses</u> of land that are <u>adjacent</u> to the subject land (for example, residential, agricultural or commercial)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	the <u>location, width and 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);	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	the location and nature of any easement affecting the subject land.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The required sketch map has been included with this application form.</p> <p><input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No</p>			

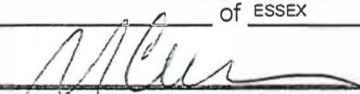
**DECLARATION:**

I/WE, MARK BERTOIA of the CITY (City/Town) of WINDSOR (name City/Town) in the COUNTY (County) of ESSEX (name county) ON this        day of NOVEMBER, 2024 **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) 

(Sign) \_\_\_\_\_

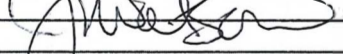
DECLARED BEFORE ME at the CITY of WINDSOR in the COUNTY of ESSEX this 11 day of November, 2024

  
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.



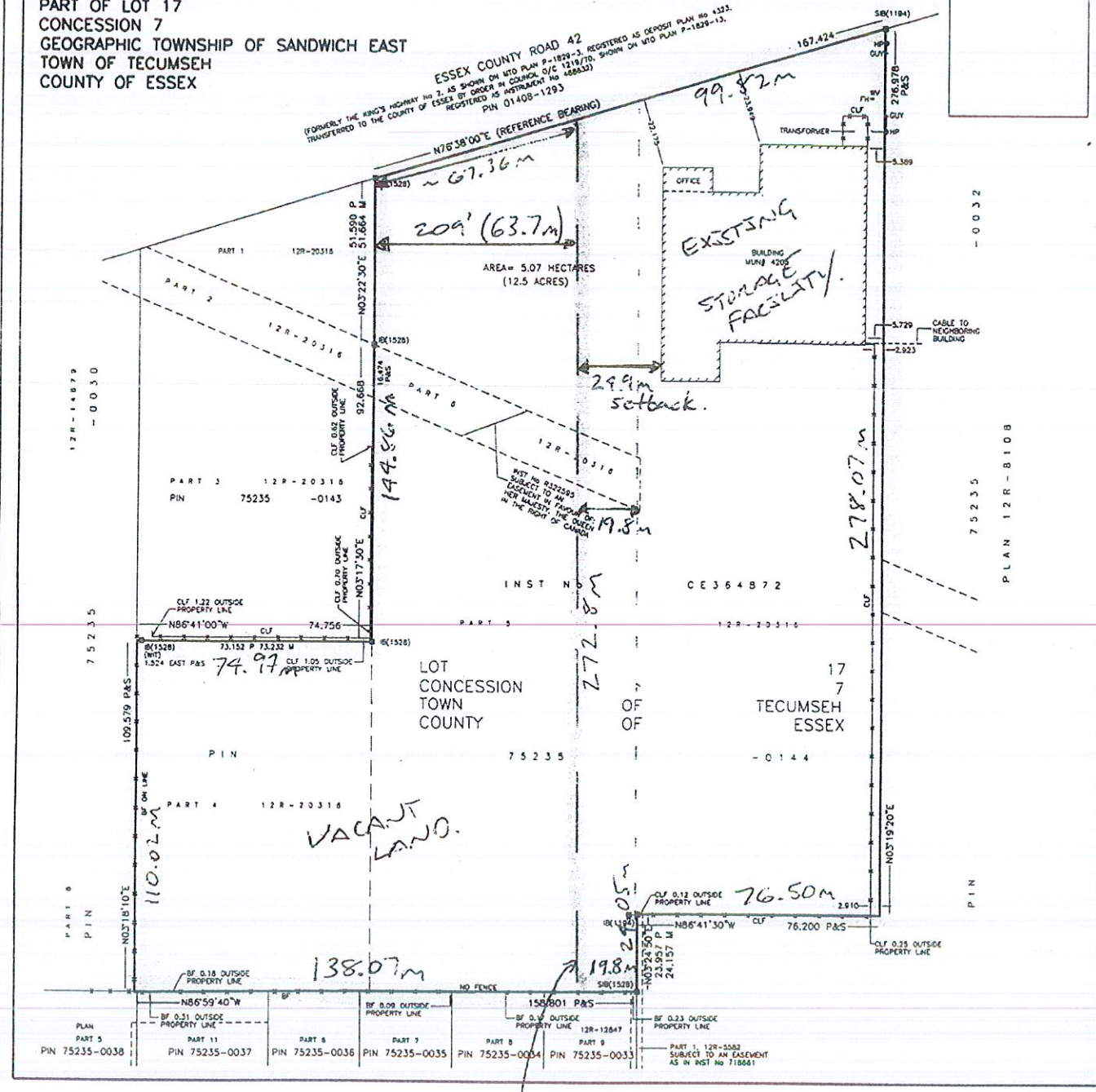
Secretary-Treasurer (or Designate)

Date: Nov. 28/24

**SEVERANCE NOTE:** Severance condition(s) must be fulfilled within one year after consent has been granted. If the condition is not satisfied 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)

**SURVEYOR'S REAL PROPERTY REPORT**  
**PART 1**  
**PLAN OF SURVEY OF**  
**PART OF LOT 17**  
**CONCESSION 7**  
**GEOGRAPHIC TOWNSHIP OF SANDWICH EAST**  
**TOWN OF TECUMSEH**  
**COUNTY OF ESSEX**

**METRIC: DISTANCES SHOWN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048**



- PART 2**  
 THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED FEBRUARY 29, 2012.
- NOTES**
- B DENOTES BOUND
  - CI DENOTES CEMENT
  - I DENOTES IRON BAR
  - RI DENOTES ROUND IRON BAR
  - SB DENOTES STANDARD IRON BAR
  - SSB DENOTES SHORT STANDARD IRON BAR
  - CLF DENOTES CHAIN LINK FENCE
  - BF DENOTES BOARD FENCE
  - PI# DENOTES PROPERTY IDENTIFIER NUMBER
  - RI# DENOTES REGISTERED INSTRUMENT
  - RP DENOTES REGISTERED PLAN
  - U DENOTES UNKNOWN
  - S DENOTES SET
  - M DENOTES MEASURED
  - WT DENOTES WITNESS
  - 1528 DENOTES T. HARTLEY, O.L.S.
  - 1184 DENOTES J.B. SUTTON, O.L.S.
  - P DENOTES PLAN 128-20316
  - HP DENOTES HYDRO POLE
  - PH DENOTES FIRE HYDRANT
  - WV DENOTES WATER VALVE



**BEARING NOTE**  
 BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE S/LT LIMIT OF ESSEX COUNTY ROAD 42, HAVING A BEARING OF N76°38'00"E, AS SHOWN ON PLAN 128-20316.

**SCALE: 1:1000**

THIS REPORT WAS PREPARED FOR PEACO CONTRACTING AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHERS.

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 THE SURVEY WAS COMPLETED ON THE 25th DAY OF FEBRUARY, 2012.  
 FEBRUARY 29, 2012 DATE S.D. HOOK, O.L.S.

**HOOK & TODGHAM SURVEYING INCORPORATED**  
 ONTARIO LAND SURVEYORS  
 CHATHAM ONTARIO  
 PHONE: 1-519-354-6122 FAX: 1-519-354-6129  
 DRAWN BY: C.A. CHECKED BY: S.D.H./C.A.  
 JOB #: 12049

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\* EXISTING BLDG IS APPROX 40,000 SF 30' AT TALLEST POINT.  
 PROPOSED LOT 18' WIDE