



**NOTICE OF PASSING OF A ZONING BY-LAW BY
THE CORPORATION OF THE TOWN OF PRESCOTT**

**Madison Mulder
Plan 19, Block 2, Lot 16
235 James Street West**

REVISED

The Town of Prescott issued a Notice of Passing dated the 24th day of February, 2025 in error, which referenced Section 34(19)(1) of the *Planning Act*. This section was revoked through Bill 185, removing individual appeals rights to the Ontario Land Tribunal.

This revised notice replaces all previous Notices of Passing pertaining to By-Law No. 09-2025 issued under Section 34(18) of the *Planning Act* and subject to a new 20 day appeal from the issuing date of this notice

TAKE NOTICE that the Council of the Corporation of the Town of Prescott passed By-law No. 10-2025 on the 18th day of February, 2025 under Section 34 of the *Planning Act*, to amend Zoning By-Law 09-2009, as amended.

AND TAKE NOTICE that an appeal to the Ontario Land Tribunal (OLT) in respect to all or part of this Official Plan Amendment and/or Zoning By-law may be made by filing a notice of appeal with the Town Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service> by selecting Town of Prescott as the Approval Authority or by mail to P.O Box 160, Prescott ON K0E 1T0,

AND TAKE NOTICE that the last day to file an appeal is 20 days from the issuing date of this notice, no later than 4:30 p.m. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The notice of appeal shall set out the objection to the by-law and reasons in support of the objection, accompanied by the appeal fee, as per the Tribunal's Fee Chart. The fee charge can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to marmstrong@prescott.ca.

AND TAKE NOTICE that under Section 34(19) of the *Planning Act*, defines the parties that are eligible to appeal the decision to the Ontario Land Tribunal:

- i. The applicant,
- ii. A specified person (*as defined in the Planning Act*) who before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
- iii. A public body (*as defined in the Planning Act*) that, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
- iv. The registered owner of any land to which the by-law would apply, if, before the by-law was passed, the owner made oral submissions at a public meeting or written submissions to the council.
- v. The Minister.

AND TAKE NOTICE that no person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party

AND TAKE NOTICE that the Town received one written submission and received multiple oral submissions that affected the passing of the by-law by providing additional screening to from the parking area along the east portion of the front yard from the abutting landowner to the east and correction to the minimum number of parking spaces per unit.

THE SUBJECT LANDS are not the subject of a related application under the *Planning Act*.

AN EXPLANATORY NOTE

The subject property is municipal addressed as 235 James Street West and further described as Plan 19, Block 2, Lot 16 in the Town of Prescott. The owner requested the amendment to convert an existing 2 story brick dwelling containing 2 dwelling residential units to a dwelling containing 5 dwelling units by repurposing the existing floor plan and converting the two-car garage to an accessible unit. No additions or additional floor area is proposed. Parking for 4 vehicles will be maintained in the existing driveway while a new parking space will be provided along the east side in the front yard.

By-law 09-2025 is a by-law to amend Zoning By-Law No. 09-2009, as amended, which rezones the subject property from Low Density Residential (R1) to a Site Specific Low Density Residential (R1-19) with site specific exemptions to the minimum interior side yard setback, limiting the maximum number of dwelling units to 5, providing 1 parking space per dwelling unit, the maximum parking area permitted in the front yard, providing a minimum number of bicycle parking spaces and to provide a screening in the front yard along the lot lines abutting the properties to the east and west, shall be provided and maintained in the form of a privacy fence, subject to the fence by-law requirements, as per staffs report (number 01-2025) to the Planning Advisory Committee meeting on February 10, 2025.

KEY MAP



Dated at the Town of Prescott this 10th day of March 2025.

Matthew Armstrong
Town of Prescott
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Prescott, ON
K0E1T0
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