



**Notice of the Refusal of a Zoning By-Law Amendment  
ZBA 323 - 151 Robson Road**

**Take Notice** that Council of The Corporation of the Municipality of Leamington has refused **By-law Number 92-24** on October 22, 2024 under Section 34 of the Planning Act, R.S.O. 1990.

**And Take Notice** that only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal. 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 the group on its behalf.

**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.

Notwithstanding the above, subsection 34(19) of the Planning Act defines the parties that are eligible to appeal the decision to the Ontario Land Tribunal.

**Appeal** to the Ontario Land Tribunal in respect of the by-law may be completed by filing with the Clerk of The Corporation of the Municipality of Leamington not later than **November 15, 2024**, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection accompanied by the required fee made payable to the Minister of Finance. Upon receipt, the letter of appeal, a copy of the appeal form, which is available from the Ontario Land Tribunal website at [www.olt.gov.on.ca](http://www.olt.gov.on.ca), and other documents from the application file will be forwarded to Ontario Land Tribunal.

An explanation of the purpose and effect of the by-law, describing the lands to which the by-law applies, and a key map showing the location of the lands to which the by-law applies are attached. The complete by-law and any associated information are available for inspection in my office during regular office hours or at [www.learmington.ca](http://www.learmington.ca).

**For additional information, please contact Spencer Phillips, Planner at [sphillips@learmington.ca](mailto:sphillips@learmington.ca) or by calling 519-326-5761 ext. 1404.**

Dated at the Municipality of Leamington this 25<sup>th</sup> day of October, 2024.

Brenda M. Percy, Clerk  
Municipality of Leamington  
111 Erie Street North  
Leamington, ON N8H 2Z9

## Explanatory Note

The purpose of By-law Number 92-24 was to to rezone the property from Residential Zone (R1) to Residential Zone (R5(h)).

Oral and written comments from the public were received at the Public Meeting related to concerns with traffic, compatibility, flooding, and environmental concerns. Council took into consideration all of the comments received during the public meeting when making their decision.

