



# The Corporation of The Town of Amherstburg

271 SANDWICH ST. SOUTH  
AMHERSTBURG, ONTARIO  
N9V 2A5

PLANNING SERVICES DEPARTMENT  
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Website: [www.amherstburg.ca](http://www.amherstburg.ca)

September 4, 2024

Re: File **A/28/24**  
Decision Made on Application for Minor Variance of  
**J. DeThomasis Contracting Ltd.**  
**169 Whelan Ave. (Roll No. 3729-540-000-20900)**

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In compliance with Subsection 10 of Section 45 of The Planning Act, R.S.O. 1990, Chapter P.13, I enclose herewith a certified copy of the decision of the Committee of Adjustment with regard to the above noted file.

Please be advised that the last day for filing an appeal is **September 24, 2024.**

Subsection (12) of Section 45 of The Planning Act states that the applicant, the Minister, a specified person or any public body may within 20 days of the making of the decision appeal to the Tribunal against the decision of the Committee by filing with the Clerk of the municipality a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Minister of the fee charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal.

The letter of appeal and other documents from the application file will be forwarded to the Ontario Land Tribunal. The Ontario Land Tribunal may hold a hearing of which notice will be given to such public bodies or persons and in such manner as the Tribunal may determine.

When the final date for appeal has passed and no notice of appeal is given, the decision of the Committee of Adjustment is final and binding and the applicant will be so notified and a certified copy of the decision will be filed with the Clerk of the Municipality.

Yours truly,

Sarah French, Secretary-Treasurer

**COMMITTEE OF ADJUSTMENT  
DECISION OF COMMITTEE WITH REASONS  
RE APPLICATION FOR MINOR VARIANCE**

*The Planning Act, R.S.O. 1990, Chapter P.13, Subsection 45(8), As Amended*

- (a) Name of approval authority: **TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT**
- (b) Name of applicant: RE AN APPLICATION BY (b) J. DeThomasis Contracting Ltd.
- (c) Brief description: LOCATION OF PROPERTY (c) **169 Whelan Ave.  
(Roll No. 3729-420-000-18731)**
- (d) As set out in application:
 

PURPOSE OF APPLICATION: (d) The applicants are requesting relief from Zoning By-law 1999-52, as amended, Section 5(3)(e) which requires a minimum exterior side yard width of 7.5 m (25 ft) in a Residential First Density (R1) Zone.

The applicant is proposing the construction of a single detached dwelling with a 3.96 m (13 ft) exterior side yard setback. Therefore, the amount of relief requested is 3.54 m (12 ft) in exterior side yard width.

The subject property is designated Low Density Residential in the Town’s Official Plan and zoned Residential First Density (R1) Zone in the Town’s Zoning By-law.
- (e) Date of decision: CONCUR in the following decision and reasons for decision made on the (e) 4<sup>th</sup> day of September, 2024
- DECISION: **APPROVED**
- (f) State conditions to be satisfied before granting of Minor Variance: CONDITIONS - This decision has been made subject to the following condition: (f)
- (g) State reasons for decision: REASONS FOR DECISION: (g) The Committee, having considered the evidence presented, and having reviewed the plans and correspondence on file, is satisfied that the variance request is minor in nature, will not impact the character of the neighbourhood, and is keeping with the intent of the Official Plan and Zoning By-law.

.....  
 Terris Buchanan                      Anthony Campigotto                      Debbie Rollier

..... ORIGINAL DOCUMENT SIGNED  
 Josh Mailloux                      Don Shaw

**CERTIFICATION**

*The Planning Act, R.S.O. 1990, Chapter P.13, Subsection 45(10), As Amended*

- (h) Name of approval authority: I, **Sarah French, Secretary-Treasurer** of the (h) **Town of Amherstburg** certify that the above is a true copy of the decision of the approval authority with respect to the application recorded therein.
- (i) Name & address of approval authority:
 

Dated the 4<sup>th</sup> day of September, 2024

*S. French*  
Secretary-Treasurer  
Town of Amherstburg Committee of Adjustment  
3295 Meloche Rd, Amherstburg, ON N9V 2Y8