



The Corporation of The Town of Amherstburg

271 SANDWICH ST. SOUTH
AMHERSTBURG, ONTARIO
N9V 2A5

PLANNING SERVICES DEPARTMENT
BUS (519) 736-5408
FAX (519) 736-9859
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September 4, 2024

Re: File **A/37/24**
Decision Made on Application for Minor Variance of
William Maisonville
9252 Concession 9 (Roll No. 3729-610-000-01700)

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,

Janine Mastronardi, 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) William Maisonville
- (c) Brief description LOCATION OF PROPERTY (c) **9252 Concession 9
(Roll No. 3729-610-000-01700)**
- (d) As set out in application

PURPOSE OF APPLICATION: (d) The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 26(3)(j)(iii) which requires a minimum exterior side yard width of 10 m in an Agricultural (A) Zone, Section 3(26)(a) which requires a setback of 26 m from the centreline of a County Road and permission to locate a private inground outdoor swimming pool in an exterior side yard.

The applicant is proposing the construction of a private outdoor inground swimming pool in an exterior side yard with a 5 m exterior side yard setback and an 18.1 m setback from the centreline of County Road 18.

Therefore, the amount of relief requested strictly for the construction of a private outdoor inground swimming pool is 5 m in exterior side yard width and 7.9 m in setback from the centreline of a County road and permission requested to locate a private inground outdoor swimming pool in an exterior side yard. The requested relief and permission will be subject to conditions that a fence consistent with the existing privacy fence is maintained in perpetuity.

The subject property is designated Agricultural in the Town’s Official Plan and zoned Agricultural (A) 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) 4th 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)

 1. That a fence consistent with the existing privacy fence is to be maintained with a minimum height of 1.5 m in perpetuity.
 2. That the existing shed in the northeast corner of the property be relocated on the subject parcel to a location that is in compliance with the Town’s Zoning By-law 1999-52, as amended.
- (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.

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Terris Buchanan Anthony Campigotto Debbie Rollier

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

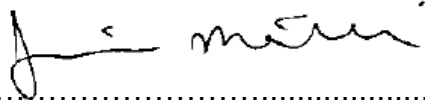
CERTIFICATION

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

(h) Name of approval authority I, **Janine Mastronardi, 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 4th day of September, 2024



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