



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
Website: www.amherstburg.ca

June 5, 2025

Re: File **A/17/25**
Decision Made on Application for Minor Variance of
Jim & Hanna Gallant
3811 Middle Sideroad (Roll No. 3729-400-000-06050)

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 **June 24, 2025**.

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) **Jim and Hanna Gallant**
- (c) Brief description

LOCATION OF PROPERTY (c) **3811 Middle Sideroad
(Roll No. 3729-400-000-06050)**
- (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)(k)(vi) which provides for accessory structure setbacks on Undersized Lots in the Agricultural Zone and states “a building or structure accessory to a single detached dwelling may locate anywhere within an interior side yard or rear yard provided that such accessory building or structure is not located closer than 3.0 metres to any lot line. All other regulations of the Accessory Uses provision of Section 3(1) shall apply.”

The applicant is proposing the construction of an additional residential unit (ARU) in an accessory structure with a 1.2 m interior side yard setback from the east property line.

The proposed height, accessory structure lot coverage, total lot coverage and distance between the primary and additional residential unit all comply with the applicable zoning provisions.

Therefore, the amount of relief requested is 1.8 m (6 ft) in accessory structure setback on an Undersized Lot in an Agricultural Zone from the east property line.

The subject property is designated Low Density Residential and Natural Environment in the Town’s Official Plan and zoned Agricultural (A) Zone and Environmental Protection (EP) 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 June, 2025

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 the applicant prepare and implement a lot grading design for the subject property, to the satisfaction of the municipality.
- (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

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Anthony Campigotto

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Debbie Rollier

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Josh Mailloux

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Don Shaw

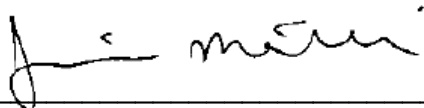
ORIGINAL DOCUMENT SIGNED

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 5th day of June, 2025



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