



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

May 6, 2026

Re: File **A/07/26**
Decision made on Application for Minor Variance of
Jeff Malott & Shannon Malott, c/o Brayden Leclerc, Agent
48 Willow Beach Road (Roll No.: 3729-550-000-04050)

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 **May 26, 2026**.

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) **Jeff Malott & Shannon Malott,
c/o Brayden Leclerc, Agent**
- (c) Brief description LOCATION OF PROPERTY (c) **48 Willow Beach Road
(Roll No.: 3729 550 000 04050)**
- (d) As set out in application **PURPOSE OF APPLICATION:** The applicant is proposing the construction of a single detached dwelling with a 4.6 m setback from a covered municipal drain on the west side of the subject property.
- The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 3(26)(e) which requires a minimum setback of 6.0 m from the centerline of a covered municipal drain for any building or structure.
- The subject parcel is 0.1089 ha (0.269 acres) in lot area which is currently a vacant residential lot with a covered municipal drain running along the west side of the property. The subject drain requires a minimum working corridor setback of 2.5 m from the centreline of the drain (noted as 5 m easement on the attached sketch), as identified in the drainage engineer's report. The proposed development will maintain a 2.0 m setback from this drain's prescribed working corridor.
- All other provisions of the Zoning By-law are proposed to in compliance.
- Therefore, the amount of relief requested is 1.4 m in building setback from the centreline of a covered municipal drain.
- The subject property is designated Low Density Residential in the Town's Official Plan and zoned Residential Type 1B (R1B) 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) 6th day of May 2026
- DECISION: DEFERRED**
- (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 a request from Administration, determined it appropriate to defer the application for minor variance until the required Section 78 request under the Drainage Act is approved through by-law by the Council of the Town of Amherstburg.

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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

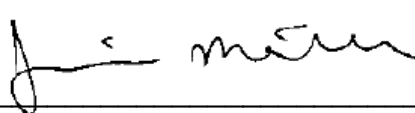
CERTIFICATION

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 6th day of May, 2026



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