



# 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)

February 4, 2026

Re: File **A/02/26**  
Decision made on Application for Minor Variance of  
**Terry Jones, c/o Mackie Jones and Kyle Walton, Agents**  
**3221 Middle Sideroad (Roll No.: 3729-400-000-06400)**

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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 **February 24, 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*

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| (a) Name of approval authority   | <b>TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT</b>  |
| (b) Name of applicant  | RE AN APPLICATION BY (b) <b>Terry Jones, c/o Mackie Jones &amp; Kyle Walton, Agents</b>   |
| (c) Brief description  | LOCATION OF PROPERTY (c) <b>3221 Middle Sideroad (County Rd 10) (Roll No.: 3729-400-000-06400)</b>  |
| (d) As set out in application  | <p>PURPOSE OF APPLICATION: (d The applicant is proposing the construction of an accessory structure being 60 ft x 100 ft, 6000 sq ft, on the subject property which will contain a 1536 sq ft secondary dwelling unit and personal storage/parking area. The subject property is 1.95 acres (84,942 sq ft) in area. The structure is proposed to be located in the rear yard, is proposed to maintain the minimum 3 m setback from the interior side yard and is proposed to result in a total accessory structure lot coverage of 7.75%.</p> <p>The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 3(3)(f)(f) which states, “a secondary dwelling unit must be located within 20 m of the primary dwelling”.</p> <p>The proposed accessory structure to contain the secondary dwelling unit will have a 66 m setback from the primary dwelling. Therefore, the amount relief requested is 46 m.</p> <p>The applicant is also requesting relief from Zoning By-law 1999-52, amended, Section 3(3)(f)(d) which states, “an accessory structure which contains a secondary dwelling unit must be located in the rear yard or an interior side yard; and be subordinate in size to the main dwelling.”</p> <p>The proposed 1536 sq ft secondary dwelling unit will be subordinate in size to the main dwelling but it will be within an accessory structure with a footprint of 6000 sq ft. The main dwelling on the property has a footprint of 1550 sq ft. Therefore, permission is requested for a 1536 sq ft secondary dwelling unit to be located within an accessory structure which is larger in size than the main dwelling.</p> <p>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.</p> |
| (e) Date of decision   | CONCUR in the following decision and reasons for decision made on the (e) 4 <sup>th</sup> day of February, 2026   |
|  | DECISION: <b>APPROVED</b>   |
| (f) State conditions to be satisfied before granting of Minor Variance | CONDITIONS - This decision has been made subject to the following condition: (f) <ol style="list-style-type: none"><li>1. That the applicant prepare and implement a lot grading design for the subject property to the satisfaction of the municipality.</li><li>2. That the applicant erect temporary exclusionary fencing during the construction of the proposed accessory structure to ensure that the temporary construction process does not have any negative impact on the adjacent natural environment feature.</li></ol>   |

(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

.....

Josh Mailloux

.....

Don Shaw

ORIGINAL DOCUMENT SIGNED

CERTIFICATION

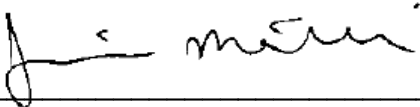
*The Planning Act, R.S.O. 1990, Chapter P.13, Subsection 45(10), As Amended*

(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 4<sup>th</sup> day of February, 2026



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