



CORPORATION OF THE TOWN OF AMHERSTBURG
271 SANDWICH ST S, AMHERSTBURG, ONTARIO N9V 2A5

NOTICE OF PUBLIC HEARING

In the matter of the *Planning Act*, R.S.O. 1990, as amended, and, in the matter of an application for minor variance by:

Johnathan Mitchell Moore

TAKE NOTICE THAT application for **minor variance** under the above-noted file will be heard by the TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT on the date, time and place shown below:

**Amherstburg Council Chambers, 271 Sandwich St. S., Amherstburg, ON
Wednesday, August 5, 2026 at 8:00 A.M. (morning)**

This is a public hearing for the purpose of hearing evidence in support of or in opposition to the above-noted application. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing.

If you wish to participate in the Committee of Adjustment meeting electronically, please email the Secretary-Treasurer at caspila@amherstburg.ca and copy the Planner assigned to the file nnalae@amherstburg.ca to request the meeting invitation by 4:00 p.m. two nights before the hearing (Monday, August 3, 2026).

Public Comment Submission:

If you have comments on this application, they may be forwarded in writing to the Secretary-Treasurer either by mail or in person to:

Christopher Aspila, Town Planner/ Manager of Planning Services and Secretary-Treasurer
3295 Meloche Road
Amherstburg, ON
N9V 2Y8

Comments can also be submitted by email by 4:00 p.m. two nights before the hearing (Monday, August 3, 2026) to the Planning Department, planning@amherstburg.ca. All public comments received prior to the meeting by the above noted due date, will be read aloud at the beginning of the relevant application.

This is a public hearing for the purpose of hearing evidence in support of or in opposition to the above-noted application. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing. If you have comments on this application, they may be forwarded in writing to the Secretary-Treasurer at the address shown above.

If you do not attend and are not represented at this hearing, the Committee may proceed in your absence (including possible amendments to the original request). Except as otherwise provided for in the *Planning Act*, you will not be entitled to any further notice of the proceedings.

If a person or public body that files an appeal of a decision of the Town of Amherstburg Committee of Adjustment in respect of the proposed minor variance does not make written submissions to the Town of Amherstburg Committee of Adjustment before it gives or refuses to give a provisional minor variance, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decisions of the Town of Amherstburg Committee of Adjustment in respect of the proposed minor variance, you must make a written request to Town of Amherstburg Committee of Adjustment.

**Location of Property: 91 Balaclava Street South
(Roll No. 3729 220 000 05900)**

Purpose of Application A/11/26: The applicant is proposing the construction of a single detached dwelling with an attached garage, with a footprint area of 70.19 sq m and a height to the peak of roof of 8.38 m. The subject property has an existing legal non-conforming house that will be demolished, and the new dwelling will be constructed within approximately the same footprint area as the existing house, with a lot coverage of 40.57%.

The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 3 (20)(a) which permits the rebuilding of an existing legal non-conforming use provided that the dimensions of the original building or structure are not increased. The proposed dwelling will have a second storey, while the proposed height is in compliance with R1 Zone Provisions of the Zoning By-law. Additionally, the proposed dwelling will have a footprint area that is 4.7 sq m larger than the existing dwelling.

The subject parcel is 173 sq m in lot area which contains an existing legal non-conforming single detached dwelling, with a height to the peak of the roof of approximately 4.57 m (15 ft), a footprint area of 65.49 sq m, and a lot coverage of 37.85 %.

Therefore, the relief requested is to permit the rebuilding of an existing legal non-conforming use with an increase in the footprint area and height to accommodate the proposed second storey.

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.

Additional Information relating to the proposed application is available by contacting the Town of Amherstburg Planning Offices by phone or email, during normal office hours, 8:30 a.m. to 4:30 p.m. or at the Town website www.amherstburg.ca.

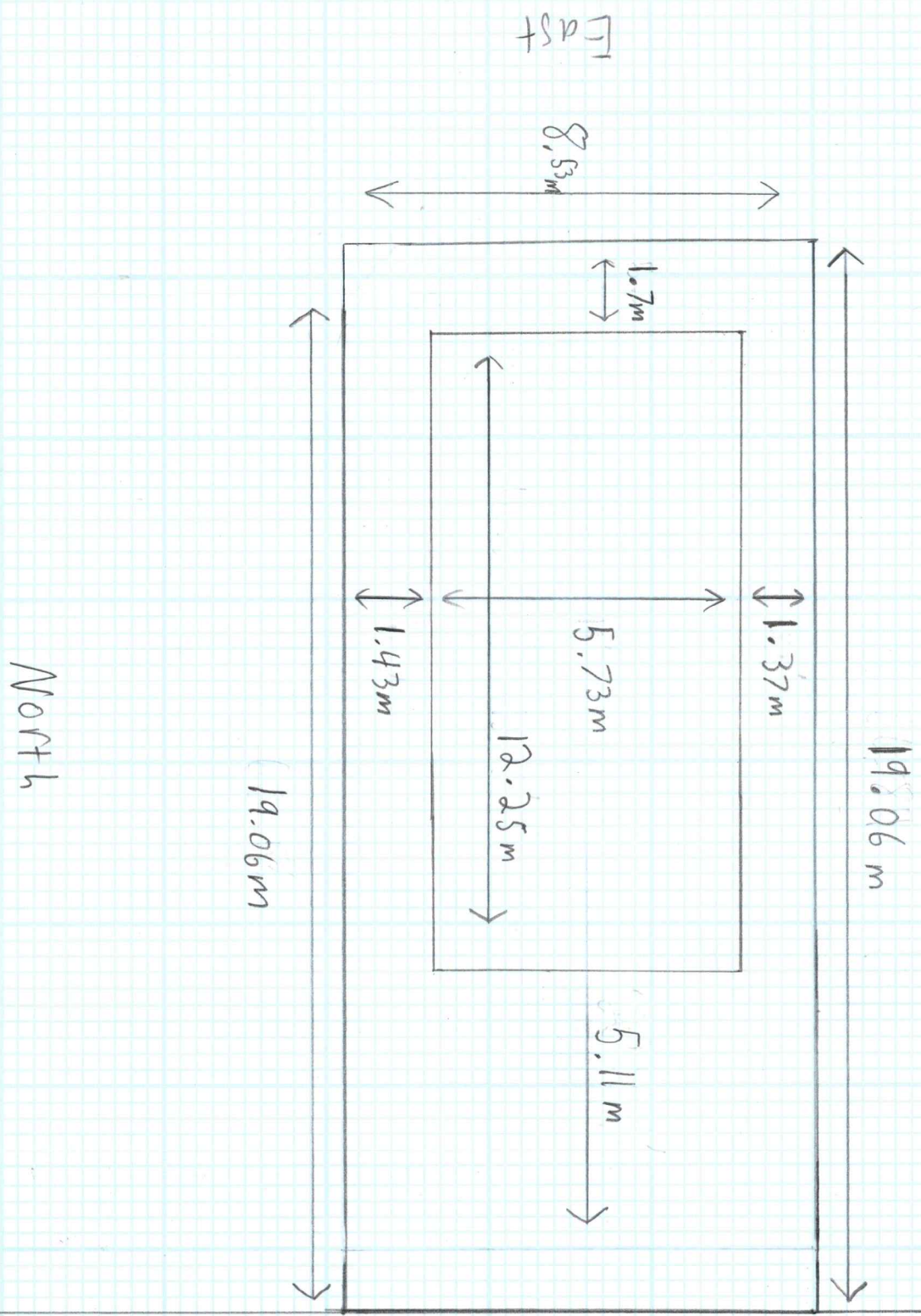
Dated: July 22, 2026



Christopher Aspila, Ph.D, GISP, MCIP, RPP
Town Planner/ Manager of Planning Services
and Secretary-Treasurer
Town of Amherstburg Committee of Adjustment
3295 Meloche Road, Amherstburg, ON N9V2Y8

Top Down Concept Drawing (CTO Scale)

■ = 0.3m

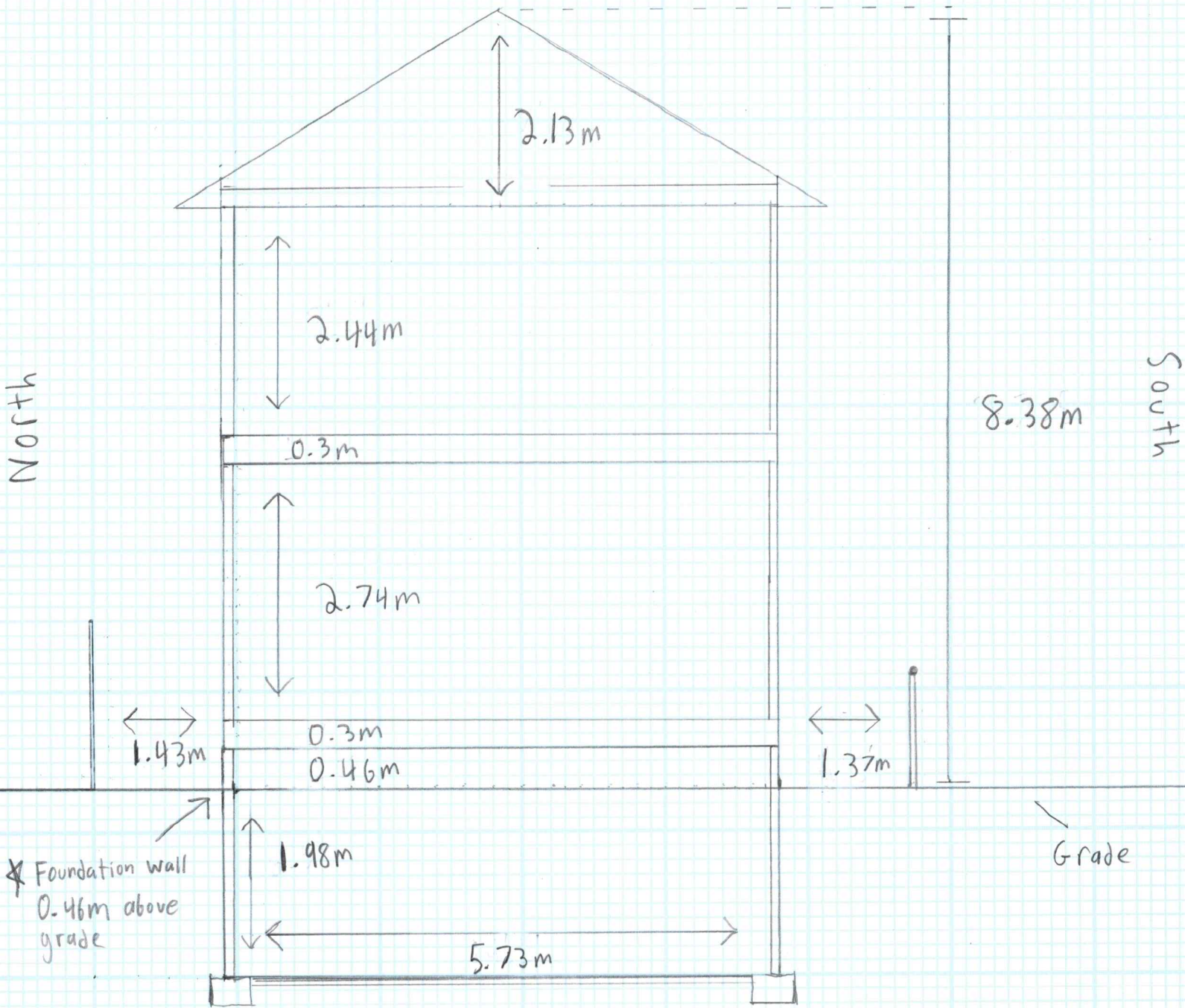


Balaclava St. 5

West

Front of House Concept Drawing (To Scale)

■ = 0.3 m





Town of Amherstburg



Legend

- Streets
- Parcels
- Essex



Notes

A/11/26 - 91 Balaclava St.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



1: 125



9. Current Official Plan Land Use designation of subject land _____
Low Density Residential
10. Current Zoning of subject land Residential First Density (R1) Zone
11. Nature and extent of relief from the Zoning By-law requested _____
Relief from Section 3 (20)(a) which permits rebuilding of an
existing legal non-conforming use provided that the dimensions of the
original building or structure are not increased.
12. Reasons why minor variance is necessary To provide enough height for the second storey and
footprint area for the new dwelling within approximately the same footprint as the existing legal non-conforming use house.
13. Current use of subject land Residential
14. Length of time current use of subject land has continued More than 90 years
15. Number and type of buildings or structures **existing** on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:
One single detached dwelling, one-storey with a footprint area of 65.49 sq m (705 sq ft)
and a lot coverage of 37.85 %, located approximately 5 m from the front lot line.
With a height to the peak of the roof of approximately 4.57 m(15 ft)
16. Date of construction of existing buildings and structures on the subject land:
1930
17. Date subject land acquired by current registered owner May 4 th 2026
18. Proposed use of subject land No change proposed, Residential
19. Number and type of buildings or structures **proposed** to be built on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:
One two-storey single detached dwelling with an attached garage
within approximately the same footprint area as the existing house
with a footprint area of 70.19 sq m and a height to the peak of roof of 8.38 m and lot coverage of 40.57%
20. Type of water supply:
- ☒ municipally owned and operated piped water supply
- ☐ well
- ☐ Other (specify) _____

21. Type of sanitary sewage disposal:

- ☒ municipally owned and operated sanitary sewers
☐ septic system
☐ Other (specify) _____

22. Type of storm drainage:

- ☒ sewers
☐ ditches
☐ swales
☐ Other (specify) _____

23. If known, indicate whether the subject land is the subject of an application under the Planning Act for:

- ☐ consent to sever ☐ approval of a plan of subdivision

If known, indicate the file number and status of the foregoing application:

24. If known, indicate if the subject land has ever been the subject of an application for minor variance under Section 45 of the Planning Act.

25. The proposed project includes the addition of permanent above ground fuel storage:

- ☐ Yes ☒ No

26. Is the land within 600m of property that is designated as Extraction Industry?

- ☐ Yes ☒ No

If yes, as per Section 3.3.3 of the Official Plan a noise and vibration study is required for approval by the Town, to be completed.

A minor variance application fee of \$1239.00, along with an ERCA development review fee

of \$300.00 (total of \$1539.00 payable to the Town of Amherstburg), must accompany your completed application.

If the subject lands are located within 120 m of a Provincially Significant Wetland, Significant Woodland, Area of Natural or Scientific Interest or Significant Species at Risk Habitat, the applicant may be required to complete a natural heritage review. The initial pre-consultation cost of the natural heritage review is \$565 and should additional work, such as an Environmental Impact Assessment, be required, the applicant will be responsible for all costs associated with review. Costs associated with the review will be invoiced to the applicant through the Town of Amherstburg. The applicant will be responsible for finding their own qualified biologist to complete the Environmental Impact Assessment, if required, and will be responsible for all costs associated with the assessment.

Dated at the Town of Amherstburg
PRINT NAME OF TOWN OR CITY

This date June 19, 2026

[Signature]
SIGNATURE APPLICANT, SOLICITOR OR AUTHORIZED AGENT

I, Luisa Kempster of the Town of Amherstburg in the
NAME PRINT NAME OF TOWN OF CITY

County/District/Regional Municipality of Essex solemnly declare that all the statements contained in this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the Town of Amherstburg
PRINT NAME OF TOWN OR CITY

In the County of Essex
PRINT COUNTY/REGION/DISTRICT

this date June 19, 2026

Luisa Kempster, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the Town of Amherstburg.
Expires June 30, 2028.

[Signature] [Signature]
APPLICANT, SOLICITOR OR AUTHORIZED AGENT A COMMISSIONER, ETC.

NOTES:

Each copy of the application must be accompanied by a sketch, drawn to scale, showing:

- a) the boundaries and dimensions of the subject land;
- b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines;
- c) the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks/tile fields;
- d) the current uses on land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- f) if access to the subject land is by water only, the location of the parking and docking facilities to be used;
- g) the location and nature of any easement affecting the subject land.

AUTHORIZATION
(Please see note below)

To: Secretary-Treasurer
Committee of Adjustment
Town of Amherstburg

Description and Location of Subject Land:

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

_____ of the _____ of _____ to:
PRINT NAME PRINT TOWN OR CITY

- (1) make an application on my/our behalf to the Committee of Adjustment for the Town of Amherstburg;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by Town's Committee of Adjustment relevant to the application.

Dated at the _____ of _____
PRINT TOWN OR CITY

in the _____ of _____
PRINT COUNTY/REGION/DISTRICT

this date _____.

SIGNATURE OF WITNESS

SIGNATURE OF OWNER

SIGNATURE OF WITNESS

SIGNATURE OF OWNER

SIGNATURE OF WITNESS

SIGNATURE OF OWNER

* Note: This form is only to be used for applications which are to be signed by someone other than the owner.

POSTING COMMITTEE OF ADJUSTMENT ADVISORY SIGN

This will confirm the requirements of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon submission of your application(s). You are directed to post the sign in a prominent location that will enable the public to observe the sign.

The location of the sign will depend on the lot and location of structures on it. The sign should be placed so as to be legible from the roadway in order that the public see the sign and make note of the telephone number should they wish to make inquiries. The Zoning By-law prohibits the signs from being located in any corner lot sightlines. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

The sign must remain posted beginning 10 days prior to the Hearing, until the day following the decision of the Committee of Adjustment. Please complete the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the Committee's requirements. Failure to post the sign as required will result in deferral of the application.

Chris Aspila, MCIP RPP
Manager of Planning Services

PROPERTY ADDRESS:

91 Balachana St.

APPLICATION NUMBER(S):

A/11/26.

I understand that each sign must be posted at least 10 days before the Hearing, and will remain posted and be replaced if necessary, until the day following the Decision.

I acknowledge that the Secretary-Treasurer has confirmed these requirements with me.



SIGNATURE (APPLICANT OR AUTHORIZED AGENT)

DATE

2026 07 13