



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

February 4, 2026

Re: Files **B/05/26**
Decision made on Application for Consent of
Eric Deneau, c/o Yehya (John) Atwan, Agent
127 Balaclava Street (Roll No. 3729-220-000-06600)

In compliance with Subsection 17 of Section 53 of The Planning Act, I enclose herewith a certified copy of the decision of the Committee with regard to the above-noted file.

Please be advised that the last day for filing an appeal is **February 24, 2026.**

Subsection 19 of Section 53 of The Planning Act states that the applicant, the Minister, a specified person or any public body may, not later than 20 days after the giving of notice under subsection (17) is completed, appeal the decision or any condition imposed by the council or the Minister or appeal both the decision and any condition to the Tribunal by filing with the Clerk of the municipality or the Minister a notice of appeal setting out the reasons for the appeal, accompanied by the fee charged by the Tribunal.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Only the applicant, the Minister, a specified person or any public body may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an individual/neighbour.

On an application that has been granted by the Committee, before final certification can be issued, proof in writing must be submitted to the Secretary-Treasurer showing that all conditions imposed by the Committee have been dealt with in a manner satisfactory to the appropriate authority.

Take notice that an appeal to the Ontario Land Tribunal in respect to the provisional consent may be made by filing a notice of appeal with the Secretary-Treasurer either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service> by selecting Town of Amherstburg as the Approval Authority or by mail, 271 Sandwich Street South, Amherstburg, ON, N9V2A5, no later than 4:30 p.m. on February 24, 2025. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$400 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to planning@amherstburg.ca.

Janine Mastronardi, Secretary-Treasurer

**DECISION OF APPROVAL AUTHORITY
WITH REASONS RE APPLICATION FOR CONSENT**

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| (a) Name of approval authority | TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT |
| (b) Name of Applicant | RE AN APPLICATION BY (b) Eric Deneau, c/o Yehya (John) Atwan, Agent |
| (c) Brief Description | LOCATION OF PROPERTY (c) 127 Balaclava St. (Roll No. 3729-220-000-06600) |
| (d) As set out in application | <p>PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 11.35 m ± frontage by an irregular depth with an area of 491.5 m² ± to create a new residential building lot for a single detached dwelling.</p> <p>The retained parcel being 19.13 m ± frontage by an irregular depth with an area of 836.5 m² contains a single detached dwelling and two accessory structure.</p> <p>The subject parcel 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 1999-52, as amended.</p> |
| (e) Date of decision | <p>CONCUR in the following decision and reasons for decision made on the (e) 4th day of February, 2026.</p> <p>DECISION: APPROVED</p> |
| (f) State conditions to be satisfied before granting of consent | <ol style="list-style-type: none">1. That a Registered Reference Plan of the subject property satisfactory to the municipality be deposited in the Registry Office; a copy to be provided to the municipality.2. The applicant to submit to the municipality the deed acceptable for registration in order that consent may be attached to the original and a copy be provided to the municipality.3. That all property taxes be paid in full.4. That a parkland fee be paid to the Town of Amherstburg prior to the stamping of the deeds in an amount of \$1070 for the severed lot.5. That the applicant be required to obtain a Right-of-Way Permit from Infrastructure Services according to Town policy for any work required within the limits of the Town right-of-way. All permitting costs will be borne entirely by the applicant.6. That the applicant confirms/installs separate municipal water, municipal sanitary sewer and municipal storm sewer services to the severed and retained lot in accordance with and under the supervision of the municipality at the applicant's expense.7. Private Drain Connection (PDC) sheets will be required to be submitted once installation of new services is completed.8. That one (1) tree per newly created lot shall be planted within the municipal right-of-way. Cash in lieu shall be provided to satisfy this requirement in the amount of \$600.00 per lot created.9. Applicant to provide a lot grading plan for the severed and retained parcels be submitted to the satisfaction of the municipality.10. That a minor variance be obtained from the provisions of Bylaw 1999-52, as amended, Section 5(3)(a) which requires a minimum lot area of 540 m² in a Residential First Density (R1) Zone regarding the severed parcel. |

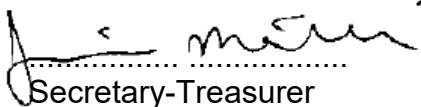
11. That a minor variance be obtained from the provisions of Bylaw 1999-52, as amended, Section 5(3)(b) which requires a minimum lot frontage of 15 m in a Residential First Density (R1) Zone regarding the severed parcel.
12. This consent will be deemed to be refused in accordance with the Planning Act if the above noted conditions are not met within two years from the date of this notice.

(g) State reasons for decision REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Planning Statement.

I/WE, the undersigned, in making the decision upon this application for consent, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(4) of The Planning Act, and having considered whether a plan of subdivision of the land in accordance with Section 50 of the said Act is necessary for the proper and orderly development of the municipality.

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|--------------------------|-----------------------------|--------------------------|
| Terris Buchanan | Anthony Campigotto | Debbie Rollier |
| Donald Shaw | Josh Mailloux | ORIGINAL DOCUMENT SIGNED |

CERTIFICATION
The Planning Act, R.S.O. 1990

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| (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 this 4 th day of February, 2026  Secretary-Treasurer Town of Amherstburg Committee of Adjustment 3295 Meloche Rd, Amherstburg, ON N9V 2Y8 |



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

February 4, 2026

Re: File **A/01/26**
Decision made on Application for Minor Variance of
Eric Deneau, c/o Yehya (John) Atwan, Agent
127 Balaclava Street (Roll No.: 3729-220-000-06600)

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

- (a) Name of approval authority

TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT
- (b) Name of applicant

RE AN APPLICATION BY (b) **Eric Deneau, c/o Yehya (John) Atwan, Agent**
- (c) Brief description

LOCATION OF PROPERTY (c) **127 Balaclava Street**
(Roll No.: 3729-220-000-06600)
- (d) As set out in application

PURPOSE OF APPLICATION: (d) The applicant is requesting relief from Zoning By-law 1999-52, as amended, Section 5(3)(a) and (b) which require a 540 m² minimum lot area, and a 15 m minimum lot frontage for a lot created in the R1 Zone, respectively.

Subsequent to consent application B/05/26, the severed parcel will have a lot area of 491.5 m² ± and a lot frontage of 11.35 m ±. Therefore, the amount of relief requested is 48.5 m² in lot area and 3.65 m ± in lot frontage.

The subject parcel 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 1999-52, as amended.
- (e) Date of decision

CONCUR in the following decision and reasons for decision made on the (e) 4th day of February, 2026

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)
- (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

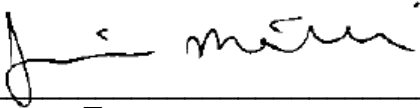
CERTIFICATION

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 4th day of February, 2026


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