



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

October 3, 2025

Re: Files **B/31/25**
Decisions Made on Applications for Consent of
Coulson Design-Build Inc.
75-77 Balaclava St. South (Roll No. 3729-270-000-01200)

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 **October 23, 2025.**

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 March 25, 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**

(a) Name of approval authority	TOWN OF AMHERSTBURG COMMITTEE OF ADJUSTMENT
(b) Name of Applicant	RE AN APPLICATION BY (b) Coulson Design-Build Inc.
(c) Brief Description	LOCATION OF PROPERTY (c) 75-77 Balaclava Street South (Roll No. 3729-270-000-01200)
(d) As set out in application	PURPOSE OF APPLICATION (d) The applicant is proposing to sever a parcel of land being 31.235 ft ± frontage by 122.15 ft ± depth with an area of 3748.2 sq ft ± to create a new residential semi-detached building lot. The retained parcel being 85.505 ft ± frontage (32.235 ft for the retained semi-detached dwelling lot and 54.27 ft for the single detached building lot approved by B/30/23) by irregular depth with a total area of 8317.92 sq ft ± (3221.4 sq ft will contain a semi-detached dwelling unit and 5096.52 sq ft will be the retained single detached building lot approved by B/30/23). The subject property is designated Low Density Residential in the Town’s Official Plan and zoned Special Provision Residential Second Density (R2-10) 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) 1 st day of October, 2025.
	DECISION: APPROVED
(f) State conditions to be satisfied before granting of consent	1. That a Reference Plan of the subject property, which indicates the common wall of the semi-detached dwelling, 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 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. 6. That the proposed development should be designed to prevent harm or damage to the Town tree and tree root system. The applicant must include a Tree Protection Zone as determined by the Town’s Arborist. If the tree is impacted, the applicant may be responsible for the cost of removal, cost of planting three (3) trees and the cost of the value of the tree as determined by the Town Arborist through a report to the CAO. 7. 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. 8. That the asphalt on Balaclava Street South shall be repaired as discussed at the on-site meeting June 26, 2025 by the applicant to the satisfaction of the municipality. 9. That the applicant must install a driveway access to the severed and retained parcels to the satisfaction of the municipality.

- 10. All new driveway entrances or modifications to current driveway entrances will require a Right-of-way Permit from the Town of Amherstburg and be constructed in compliance with the current Driveway Alteration or Installation Policy.
- 11. That the applicant provides to the municipality Private Drain Connection (PDC) sheets once installation of new services is completed.
- 12. That Consent B/30/23 be completed or lapse prior to the stamping of the deeds.
- 13. That the existing single detached dwelling be demolished prior to the stamping of the deeds.
- 14. 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.

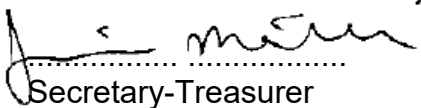
(g) State reasons for decision REASONS FOR DECISION: (g) The request is in conformity with Section 6.1.2 of Amherstburg's Official Plan and is consistent with the Provincial Planning Statement.

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.

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

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

(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 3 rd day of October, 2025	 Secretary-Treasurer Town of Amherstburg Committee of Adjustment 3295 Meloche Rd, Amherstburg, ON N9V 2Y8
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