

Municipal Fee Received:	2290
Municipal Deposit Received:	1000
ERCA Fee Received:	275

Application No. ZBA/01/23

**FORM 1  
PLANNING ACT  
APPLICATION FOR ZONING BY-LAW AMENDMENT  
TOWN OF AMHERSTBURG**

1. Name of approval authority Town of Amherstburg
2. Date application received by municipality Dec 20, 2022
3. Date application deemed complete by municipality \_\_\_\_\_
4. Name of registered owner 13213811 Canada Inc.

Telephone number \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_

Name of registered owner's solicitor  
or authorized agent (if any) \_\_\_\_\_

Telephone number \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_

Please specify to whom all communications should be sent:

☒ registered owner      ☐ solicitor      ☐ agent

5. Name and address of any mortgages, charges or other encumbrances in respect of the subject land:

Bank of Montreal, 13510 Tecumseh Rd E, Tecumseh, ON N8N 3N7

6. Location and description of subject land:

Concession No. \_\_\_\_\_

Lot(s) No. \_\_\_\_\_

Registered Plan No. 8, 6, 240Lot(s) No. 8, Pt 10+7, Pt 10+8, Pt 10+3Reference Plan No. 12R7896Part(s) No. 2 \* see attachedStreet Address 41 Sandwich St SAssessment Roll No. 260-00600

7. Size of subject parcel:

Frontage 80

Depth \_\_\_\_\_

Area 19 450 ft<sup>2</sup>

8. Access to subject parcel:

☒ Municipal Road      ☐ County Road      ☐ Provincial Highway  
☐ Private Road      ☐ Water

If access to the subject land is **by water** only, state the parking and docking facilities used or to be used and the approximate distance between these facilities and the nearest public road

9. (a) Current Official Plan Land Use designation of subject land Commercial

(b) Explanation of how application conforms to the Official Plan multiple residential

- (c) Does the application implement an alteration to the boundary of an area of settlement or implement a new area of settlement?

☐ Yes ☒ No

If yes, provide details of the official plan or official plan amendment that deals with this matter:

10. Current Zoning of subject land Residential office
11. Nature and extent of rezoning requested Add a use → dwelling unit in existing structure
12. Reasons why rezoning is requested already 4 units on property, would like additional unit
13. Current use of subject land residential, legal office, upholstery shop (now closed)
14. Length of time current use of subject land has continued 40+ years
15. Is the subject land within an area where the municipality has pre-determined:
- (a) minimum and maximum density requirements
- ☐ Yes ☒ No
- (b) minimum and maximum height requirements
- ☒ Yes ☐ No
- If yes, state the requirements \_\_\_\_\_
16. 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:
- 3 buildings - see drawing
17. Date of construction of existing buildings and structures on the subject land:
- Addition - 1988
- Accessory structure - 1988
18. Date subject land acquired by current registered owner November 1, 2021
19. Proposed use of subject land same as existing plus 1 dwelling unit



20. 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:

None.

21. Type of water supply:

- ☒ municipally owned and operated piped water supply  
☐ well  
☐ Other (specify) \_\_\_\_\_

22. Type of sanitary sewage disposal:

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

If the requested amendment permits development on a privately owned and operated individual or communal septic system and more than 4,500 litres of effluent will be produced per day as a result of the development being completed the applicant is required to submit a:

- (i) servicing options report, and  
(ii) a hydrogeological report

23. Type of storm drainage:

- ☒ sewers  
☐ ditches  
☐ swales  
☐ Other (specify) \_\_\_\_\_

24. 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:

N/A

25. If known, indicate if the subject land has ever been the subject of an application for rezoning under Section 34 of the Planning Act:

N/A

If known, indicate whether the subject land has ever been the subject of a Minister's Zoning Order and, if known, the Ontario Regulation number of that order.

N/A

26. Does the requested amendment remove the subject land from an area of employment in the official plan?

- ☐ Yes      ☒ No

If yes, state the current official plan policies, if any, dealing with the removal of land from an area of employment.

27. Is the subject land within an area where zoning with conditions may apply?

☐ Yes ☒ No

If yes, how does this application conform to the official plan policies relating to zoning with conditions?

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28. Is the requested amendment consistent with policy statements issued under subsection 3(1) of the Planning Act (i.e. 2005 Provincial Policy Statement)?

☒ Yes ☐ No

Comments Providing more housing

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29. Is the subject land within an area of land designated under any provincial plan or plans?

☐ Yes ☒ No

If yes, does the requested amendment conform to or does not conflict with the provincial plan or plans?

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30. Is the land associated with any natural environment area or adjacent to or abutting lands that are designated as a Wetland or Natural Environment?

☐ Yes ☒ No

If yes, an Environmental Impact Assessment is required, for approval by the Town and Essex Region Conservation Authority, to be completed in accordance with the County of Essex Guidelines for Environmental Impact Assessments or when Council considers it appropriate, additional requirements may be made to the Guidelines in accordance with more detailed locally adopted terms of reference for an Environmental Impact Assessment.

31. Will the proposed project include the addition of permanent above ground fuel storage?

☐ Yes ☒ No

Dated at the Town of Amherstburg this 20<sup>th</sup> day of December, 2022.

Ariful Sheikh  
(signature of applicant, solicitor or authorized agent)

I, Ariful Sheikh of the City of Windsor  
in the 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 in the County  
of Essex this 20<sup>th</sup> day of December, 2022.

Ariful Sheikh  
Applicant, Solicitor or Authorized Agent

S. French  
A Commissioner, etc.

**Sarah Elizabeth French, a Commissioner, etc**  
Province of Ontario, for the  
Corporation of the Town of Amherstburg  
Expires November 8, 2025



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.

**NOTE:** A deposit of \$1,000.00, and a flat fee of \$2290, along with an ERCA development review fee of \$400.00 for major ZBA applications or \$275.00 for minor ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$3690 for major ZBA applications and \$3565 for Minor ZBA Applications. Any unused portion of the deposit will be returned after the passing of the ZBA.

A flat fee of \$1041.00 plus an ERCA review fee of \$275.00, totalling \$1316, must accompany your completed application for a Holding (h) Removal zone change.

A flat fee of \$1041.00 plus an ERCA review fee of \$275.00, totalling \$1316, must accompany your completed application for a zone change from A to A-36.

## AUTHORIZATION

(Please see note below)

To: Clerk  
Town of Amherstburg

Description and Location of Subject Land:

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

- (1) make an application on my/our behalf to the Council 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 Council relevant to the application.

Dated at the \_\_\_\_\_ of \_\_\_\_\_ in  
the \_\_\_\_\_ of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
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.