

Application No. 28A/23/24

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 October 30, 2024
- 3. Date application deemed complete by municipality Nov. 13, 2024
- 4. Name of registered owner LE Group Developments
 Telephone number [REDACTED]
 Address [REDACTED]
 Email [REDACTED]
 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:

- 6. Location and description of subject land:

Concession No. 1 Lot(s) No. _____ Part of Lot: 6
 Registered Plan No. _____ Lot(s) No. _____
 Reference Plan No. 12R-28767 Part(s) No. Pt 1
 Street Address 865 Front Road S Assessment Roll No. 3729-6000-000-2006

- 7. Size of subject parcel:

Frontage 48.50 m Depth Irregular Area 3711 m²

- 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 Low Density Residential

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

Application is for temporary use of an existing residential accessory structure on a property severed from the existing house

(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 R2
11. Nature and extent of rezoning requested Section 3.1 - accessory uses - a temporary use zoning amendment is requested
12. Reasons why rezoning is requested to allow existing an accessory structure to exist on a lot without a main use for a period of 3 years until the dwelling unit can be built
13. Current use of subject land Barn used for storage
14. Length of time current use of subject land has continued +/- 10 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 low density residential - max density 19 units/hectare
R2 maximum height - 8.5m

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:
- As a result of a recent severance the accessory structure is now located on Lot 1, approximately 58 m from front lot line, 20 m from southern side lot line, 10 m from northern side lot line and 7 m from rear lot line with no main use.
17. Date of construction of existing buildings and structures on the subject land:
- +/- 5 years
18. Date subject land acquired by current registered owner +/- 50 years
19. Proposed use of subject land Maintain the barn until a residence can be built
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:
- unknown at this time, single detached dwelling to be designed on lot in the future

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) _____
- *Note: Septic system not required for the temporary*

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:

B/16, B/17 and B/18, B/19 - Approved August 20, 2020 and September 29, 2020

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:

Concurrent - Rear buffer to be rezoned to EP zone.

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?

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 Residential use on a residential property - temporary amendment to allow accessory structure to remain. Once the house is built the accessory structure will be legally permitted by the by-law

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?

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 Amherstburg this 16 day of Sept, 2024

[Signature]
(signature of applicant, solicitor or authorized agent)

I, Luis DiPierdomenico of the Town of Amherstburg
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 Essex County of Essex this 16 day of Sept, 2024.

Janine Quintina Mestronardi, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the Town of Amherstburg.
Expires June 30, 2027.

[Signature]
Applicant, Solicitor or Authorized Agent

[Signature]
A Commissioner, etc.

32. Is the land within 600 m of property that is designated as Extractive Industrial?

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.