

Municipal Fee Received:	
Municipal Deposit Received:	
ERCA Fee Received:	

Application No. ZBA/18/24

**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 May 30, 2024
3. Date application deemed complete by municipality _____
4. Name of registered owner T/A General Contracting (Tony Abraham)
 Telephone number [REDACTED]
 Address [REDACTED]
 Email [REDACTED]
 Name of registered owner's solicitor
 or authorized agent (if any) ROBERT BROWN (OAKVIEW LAND USE PLANNING)
 Telephone number [REDACTED]
 Address [REDACTED]
 Email [REDACTED]

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. 5 Lot(s) No. Pt. Lot 53
 Registered Plan No. _____ Lot(s) No. _____
 Reference Plan No. 12R 16284 Part(s) No. Pt. 1
 Street Address 6754 County Rd 50 Assessment Roll No. 3729 530 000 01000

7. Size of subject parcel:

Frontage 33.53 m Depth 60.96 m Area 2,044 sq. m

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 Neighbourhood Commercial
- (b) Explanation of how application conforms to the Official Plan _____
uses that service the day-to-day needs of the community are permitted

(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 Commercial Neighbourhood (CN-8)
11. Nature and extent of rezoning requested to add a gas bar as an additional permitted use and address any site specific provisions such as setbacks or parking.
12. Reasons why rezoning is requested gas bar is not currently a permitted use existing building location to be recognized
13. Current use of subject land former self service carwash
14. Length of time current use of subject land has continued 30 plus 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:

one existing building to remain and be renovated - details are include on the site plan

17. Date of construction of existing buildings and structures on the subject land:

30 years ago +/-

18. Date subject land acquired by current registered owner November 30, 2023

19. Proposed use of subject land commercial

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:

existing building to be renovated for use as variety store / gas bar, new gas pumps and canopy

added

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) municipal drain

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:

NA

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:
NA

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.

NA

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 proposed is redevelopment of an existing commercial property within a secondary settlement area consistent with 2020 PPS.

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 Municipality of Chatham-Kent this 15th day of March, 2024


(signature of applicant, solicitor or authorized agent)

I, ROBERT BROWN of the MUNICIPALITY OF CHATHAM-KENT in the County/District/Regional Municipality of _____ 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 ROONEY in the MUNICIPALITY of WEST ELGIN, this 28th day of FEBRUARY, 2024.


Applicant, Solicitor or Authorized Agent


A Commissioner, etc.

TERRI TOWSTIUC, Clerk
Commissioner for the Municipality of West Elgin
Province of Ontario

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 and a flat fee of \$5,522, along with an ERCA development review fee of \$400 for major ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$6,922 for major ZBA applications.

A deposit of \$1,000 and a flat fee of \$2,762, along with an ERCA development review fee of \$275 for minor ZBA applications, must accompany your completed application for a zoning by-law amendment. The total payable to the Town of Amherstburg is \$4,037 for minor ZBA applications.

Any unused portion of the deposit will be returned after the passing of the ZBA.

A flat fee of \$1,149 plus an ERCA review fee of \$275, totalling \$1,424, must accompany your completed application for a Holding (h) Removal zone change, zone change from A to A-36, or zone change which is a condition of consent.

Engineering review fees of \$1500.00 per each time a file is reviewed may be applicable as per Amherstburg's User fee by-law.

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.

AUTHORIZATION

(Please see note below)

To: Clerk
Town of Amherstburg

Description and Location of Subject Land:

6754 County Rd 50, Pt. Lot 53, Conc 5, Pt 1, RP 12R 16284

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize ROBERT BROWN (OAKVIEW LUP) of the MUNICIPALITY of CHATHAM-KENT 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 MUNICIPALITY of LEAMINGTON in the COUNTY of ESSEX, this 17th day of March, 2024 -



Tony Abraham (Mar 17, 2024 17:14 EDT)

Signature of Witness

Tony Abraham (Mar 17, 2024 17:14 EDT)

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.