

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

Application No. OPA 26

FORM 1

PLANNING ACT  
APPLICATION FOR OFFICIAL PLAN AMENDMENT  
TOWN OF AMHERSTBURG

1. Name of approval authority County of Essex
2. Date application received by municipality Sept 26, 2024
3. Date application deemed complete by municipality October 03, 2024
4. Name of registered owner VALENTE DEVELOPMENT CORPORATION  
Telephone number [REDACTED]  
Address [REDACTED]  
Em [REDACTED]  
Name of registered owner's solicitor or authorized agent (if any) BRYAN PEARCE  
Telephone number [REDACTED]  
Address [REDACTED]  
Email [REDACTED]

Please specify to whom all communications should be sent:

☐ registered owner      ☐ solicitor      ☒ agent

5. Location and description of subject land:  
Municipality AMHERSTBURG  
Concession No. 1 (MALDEN)      Lot(s) No. PART LOT 2  
Registered Plan No. \_\_\_\_\_      Lot(s) No. \_\_\_\_\_  
Reference Plan No. 12R-18093      Part(s) No. 2  
Street Address 300 VICTORIA STREET SOUTH      Assessment Roll No. 3729-140-000-03300
6. Existing Size of Subject Parcel:  
Frontage 41.14m      Depth 54.85m      Area 2 290.04 sm
7. Current use of subject land INSTITUTIONAL
8. Proposed change to Official Plan land use **designation** affecting subject land:  
Current Official Plan designation LOW DENSITY RESIDENTIAL  
Current land use(s) permitted SINGLE DETACHED, SEMI-DETACHED, DUPLEX, CONVERTED DWELLING UNITS, HOME OCCUPATION AND PUBLIC USES  
Proposed Official Plan designation GENERAL COMMERCIAL - SPECIAL POLICY AREA  
Proposed land use(s) permitted COMMERCIAL ESTABLISHMENTS OFFERING GOODS AND SERVICE, RETAIL, PLACES OF ENTERTAINMENT, ASSEMBLY HALLS, EATING ESTABLISHMENTS, HOTELS, MOTELS, COMMUNITY FACILITIES, PUBLIC USES, CONVENIENCE STORES, RESIDENTIAL ABOVE FIRST FLOOR - SPECIAL POLICY TO ALLOW MIXED-USE ON FIRST FLOOR  
Note: If a change in land use designation is proposed, the applicant is to provide a copy of the Map Schedule from the Official Plan with the proposed change and accompanying text indicated thereon.
9. Proposed change to Official Plan land use **policy** affecting subject land:

Existing land use policy to be deleted or amended \_\_\_\_\_  
N/A

Land use policy to be added \_\_\_\_\_  
~~TO PERMIT SPECIAL POLICY TO THE GENERAL COMMERCIAL DESIGNATION. THE SPECIAL POLICY IS TO PERMIT A PORTION OF THE FIRST FLOOR TO CONTAIN RESIDENTIAL USES. PLEASE REFER TO PLANNING RATIONALE REPORT FOR DETAILS.~~  
Purpose of new or amended land use policy \_\_\_\_\_  
TO PERMIT THE PROPOSED DEVELOPMENT, REFER TO PLANNING RATIONALE REPORT FOR DETAILS.

New land uses permitted by change in land use policy \_\_\_\_\_  
TO EXPAND ON MIXED-USE BUILDINGS, TO PERMIT COMMERCIAL WITH RESIDENTIAL ON THE FIRST FLOOR, REFER TO PLANNING RATIONALE REPORT FOR DETAILS.

Text of proposed land use policy change being applied for \_\_\_\_\_  
AMEND SECTION 4.4.3 OF THE OP, FOR A NEW POLICY AREA. LANDS DESIGNATED AS SPECIAL POLICY AREA XX ON SCHEDULES A AND B-2 OF THE OFFICIAL PLAN, LOCATED AT MUNICIPAL ADDRESS 300 VICTORIA STREET SOUTH, SHALL BE DEVELOPED IN ACCORDDANCE WITH THE GENERAL COMMERCIAL POLICIES, WITH THE ADDITION TO PERMIT COMMERCIAL USES ON THE FIRST FLOOR WITH RESIDENTIAL USES ON THE FIRST FLOOR AND ABOVE REFER TO PLANNING RATIONALE REPORT FOR DETAILS  
(use a separate sheet of paper if necessary)

10. Current land use of abutting property:
- North INSTITUTIONAL ( TOWN MISSION)
- South LOW DENSITY RESIDENTIAL
- East INSTITUTIONAL - NORTH STAR HIGH-SCHOOL
- West LOW DENSITY RESIDENTIAL

11. Does the requested amendment alter all or any part of the boundary of an area of settlement in the municipality or establish a new area of settlement in the municipality?
- ☐ Yes      ☒ No
- If yes, state the current official plan policies, if any, dealing with the alteration or establishment of an area of settlement.
- \_\_\_\_\_
- \_\_\_\_\_

12. Type of water supply:
- ☒ municipally owned and operated piped water supply
- ☐ well
- ☐ Other (specify) \_\_\_\_\_

13. 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

14. Type of storm drainage:

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

15. Please indicate whether the subject land or any land within 120 metres of the subject land is the subject of an application made by the applicant for approval of one of the following:

- ☐ an official plan amendment
- ☒ a zoning by-law amendment
- ☐ a Minister=s zoning order amendment
- ☐ a minor variance
- ☐ a plan of subdivision
- ☐ a consent
- ☐ a site plan

Please provide the following with respect to the application(s):

File number \_\_\_\_\_

Name of the approval authority AMHERSTBURG

Lands affected SUBJECT LANDS.

Purpose PLEASE REFER TO ZONING BY-LAW AMENDMENT APPLICATION.

Status TO BE REVIEWED CONCURRENTLY.

Effect on the amendment proposed by this application \_\_\_\_\_

TO PERMIT THE PROPOSED DEVELOPMENT.

16. 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.

\_\_\_\_\_  
\_\_\_\_\_

17. Is the requested amendment consistent with policy statements issued under subsection 3(1) of the Planning Act (ie. ~~2005~~ Provincial Policy Statement)?  
2020

- ☒ Yes
- ☐ No

Comments: PLEASE REFER TO PLANNING RATIONAL REPORT.

\_\_\_\_\_

18. 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?

\_\_\_\_\_  
\_\_\_\_\_

19. 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.

20. 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.

Dated at the MUNICIPALITY of LEAMINGTON this 26 day of SEPTEMBER 20 24.

B. Pearce  
(signature of applicant, solicitor or authorized agent)

I, BRYAN PEARCE of the MUNICIPALITY OF LEAMINGTON 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 MUNICIPALITY of LEAMINGTON in the COUNTY of ESSEX this 26 day of SEPTEMBER, 2024.

B. Pearce  
Applicant, Solicitor or Authorized Agent

A. Collyer  
A Commissioner, etc.

**NOTE:** A deposit of \$1,000 and a flat fee of \$5,522 along with an ERCA development review fee of \$400 for major Official Plan Amendment applications, must accompany your completed application for an official plan amendment. The total payable to the Town of Amherstburg is **\$6,922.00 for major OPA applications.**

A deposit of \$1,000 plus a flat fee of \$2,762 along with an ERCA development review fee of \$275 for minor Official Plan Amendment applications, must accompany each application for an official plan amendment. The total payable to the Town of Amherstburg is **\$4,037 for minor OPA applications.**



A deposit of \$2,000 plus a flat fee of \$8,011 along with an ERCA development review fee of \$400 for combined Official Plan Amendment and Zoning By-law Amendment applications, must accompany each application for a combined official plan amendment and zoning by-law amendment. The total payable to the Town of Amherstburg is **\$10,411 for combined OPA & ZBA applications.**

**Engineering review fees of \$1500.00 + Hst 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:

300 Victoria Street South, Amherstburg ON  
PTE PT LT 2 Con 1 Malden PT 2  
12 R 18093; Amherstburg

I/We, the undersigned, being the registered owner(s) of the above lands hereby

authorize Baird Architecture + Engineering of the City

\_\_\_\_\_ of Windsor 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 City of Windsor in the

County of Essex, this 5 day of July, 2024



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.