

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

Application No. ZBA/06/25

**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 February 4, 2025
 3. Date application deemed complete by municipality February 11, 2025
 4. Name of registered owner 2713271 Ontario Inc. c/o Akbar Bapoo
Telephone number [REDACTED]
Address [REDACTED]
Email [REDACTED]
Name of registered owner's solicitor or authorized agent (if any) Dillon Consulting Limited c/o Melanie Muir
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:
N/A
 6. Location and description of subject land:
Concession No. _____ Lot(s) No. _____
Registered Plan No. _____ Lot(s) No. _____
Reference Plan No. 12R-29344 Part(s) No. 1 and 2
Street Address 0 Victoria St South Assessment Roll No. 210 00107 & 00108
 7. Size of subject parcel:
Frontage 33.53m Depth 57.5m Area 0.35 ha
 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 The lands are designated Low Density Residential (OPA #22) which permit the proposed semi-detached dwellings. Please see Planning Justification Report, dated October 2024, for more information
- (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:

N/A

10. Current Zoning of subject land Residential First Density (R1)
11. Nature and extent of rezoning requested To rezone the entire subject site as residential third density (R3) with site specific provisions for reduced lot frontage minimum of 16 metres for a semi-detached dwelling and 8 metres for a semi-detached dwelling unit.
12. Reasons why rezoning is requested To permit the development of two (2) semi-detached dwellings (4 units) on subject site
13. Current use of subject land Vacant
14. Length of time current use of subject land has continued N/A
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 There is a maximum permitted density of 22 units per hectare (UPH) and a maximum height of 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:
- No buildings or structures currently exist on the subject site
17. Date of construction of existing buildings and structures on the subject land:
- N/A
18. Date subject land acquired by current registered owner +/- 1year
19. Proposed use of subject land Residential

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:

Two (2) semi-detached dwellings for a total of four (4)

dwelling units. Please refer to the conceptual development
plan and planning justification report

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:

Yes

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.

N/A

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?

N/A

28. Is the requested amendment consistent with policy statements issued under subsection 3(1) of the Planning Act (i.e. 2020 Provincial Policy Statement)?

☒ Yes ☐ No

Comments Please see planning justification report, dated October 2024

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

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.

NOTE: A deposit of \$1,000 and a flat fee of \$5,627, 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 \$7027 for major ZBA applications.

A deposit of \$1,000 and a flat fee of \$2,815, 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 \$4,090 for minor ZBA applications.

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

A flat fee of \$1,171 plus an ERCA review fee of \$275, totalling \$1,446, 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 are applicable in accordance with the Amherstburg User Fee By-law, which may include an additional review fees each time an application is resubmitted and rereviewed.

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.

A.N

Initial confirming this page
has been read and understood

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 Please see Planning Justification Report, dated October 2024.

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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Dated at the TOWN of LEAMINGTON this 2nd day of NOV, 2024.

(signature)
(signature of applicant, solicitor or authorized agent)
AKBAR BAPOO

I, 2713271 Ontario Inc.
c/o Akbar Bapoo of the TOWN 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 TOWN of LEAMINGTON in the MUNICIPALITY of ESSEX this 2nd day of NOV, 2024

(signature)
Applicant, Solicitor or Authorized Agent
AKBAR BAPOO

(signature)
A Commissioner, etc.
MELANIE ANNE MUIR,
a Commissioner, etc., Province of Ontario,
for Dillon Consulting Limited.
Expires May 3, 2025.

AUTHORIZATION

(Please see note below)

To: Clerk
Town of Amherstburg

Description and Location of Subject Land:

Part 1 and Part 2, 12R-29344 (0 Victoria Street South)

I/We, the undersigned, being the registered owner(s) of the above lands hereby
authorize Dillon Consulting Limited & Imperium Builds Ltd of the City of Windsor and
Municipality of Leamington 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 TOWN of LEAMINGTON in the
Municipality of ESSEX, this 2nd day of NOV, 2024.

Ann Jain

Signature of Witness

Ann Jain

Signature of Witness

Signature of Witness

[Signature]
Signature of Owner

AKB 72 BA900

Signature of Owner

Signature of Owner

* Note: This form is only to be used for applications which are to be signed by someone other than the owner.