



THE MUNICIPALITY OF CENTRAL ELGIN

ZONING BY-LAW AMENDMENT APPLICATION

Form ZBA-1/2014

REQUIREMENTS FOR A COMPLETE APPLICATION:

Note: Until the Municipality of Central Elgin has received the information and material requested herein (as required under subsections (10.1) and (10.2) of Section 34 and any fee under Section 69(1) of the Planning Act), the application will be deemed incomplete and the time periods referred to in sections 34(10.7) and 34(11) of the Act will not begin. Please ensure your submission includes:

OFFICE USE ONLY
Date Stamp - Date Received:
Fee Paid: [] Yes [] No

- The completed application form and declarations as required under subsection 34 (10.1) (10.2) of the Planning Act.
1 digital copy of sketch/plan showing EXISTING and PROPOSED building(s) and structure(s) on subject lands, where applicable.
Application Fee made payable to "The Municipality of Central Elgin". Application Fee amount: \$ 750.00
A Letter of Authorization from the Owner (with dated, original signature) OR completion of the Owner's Authorization on page 7, if the Owner is not filing the application.
Other information identified through Pre-consultation.

PLEASE LIST THE REPORTS OR STUDIES THAT ACCOMPANY THIS APPLICATION (supply two copies of each): Note: This section applies to all reports that may have been identified as a result of any pre-application consultation meeting as studies required for a complete application.

Concept Site Plan (IBI), Environmental Impact Study (RJ Burnside and Associates), Functional Servicing Report and Stormwater Management (IBI), Planning Justification, Slope Stability and Geotechnical Report (CVD), Topo/Legal Survey

About Pre-Consultation

Prior to submitting this application for a Zoning By-law Amendment to the Municipality of Central Elgin, a proponent is required to consult with relevant staff. Pre-application consultation is intended to facilitate early discussions between the proponent and staff pertaining to the application, and to allow staff to assist in determining the specific reports, studies and information that may be required to be submitted together with the application form as part of a complete application. Has pre-consultation occurred?: [] Yes [X] No

Date of Pre-Consultation: May 21, 2021
Staff Contact: Kevin McClure, St. Thomas

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:
Central Elgin Planning Office Telephone: 519-633-2560
9 Mondamin Street, St. Thomas, Ontario N5P 2T9 Facsimile: 519-633-6581

Personal information is collected under the authority of the Planning Act and will be used only for the purposes of considering and reviewing your application.



THE MUNICIPALITY OF CENTRAL ELGIN

ZONING BY-LAW AMENDMENT APPLICATION

I/We hereby apply, as outlined in this application, to the Council of the Corporation of the Municipality of Central Elgin pursuant to the provisions of the Planning Act, for an amendment to the Zoning By-law.

1. Name of applicant: MORNINGSTAR REAL ESTATE HOLDINGS LTD. and BIG BEARD INVESTMENTS LTD.
Address:
Telephone (home): (business)
E-Mail:

2. Is the applicant the owner of the land? [X] Yes [] No If no, please provide:
Name of owner:
Address:
Telephone (home): (business)
E-Mail:
Date Lands Acquired:

3. Name of Agent (if any): Arcadis IBI Group c/o David Galbraith
Address:
Telephone: (home): (business)
E-Mail:

4. Location of Property ("subject lands"):
Registered Plan No.: PL 223 PORT STANLEY Lot No.(s): LT 44-46
Concession No.: Lot No.(s):
Reference Plan No.: Part No.(s):
Municipal Address: 384 George Street, Port Stanley

5. Name and address of mortgagee, holders of charges, or other encumbrances:
Ben Lea Leasing c/o Amy Koch, Accounts Receivable/Customer Service, 36 Corydon Place | Cambridge | ON | N1R 7L5

6. Municipality of Central Elgin Official Plan:
Designation of the subject lands: Residential (Port Stanley Land Use Plan)
Explain how this application conforms to the Official Plan (add additional pages if necessary):
Uses permitted in accordance with residential land use designation. See Planning Justification Report.

7. Current applicable Zoning By-law: Village of Port Stanley By-Law No. 1507
 Current applicable zone: Residential 1 + site specific regulations
8. What is the present use(s) of the subject lands? 8 Buildings, 7 of which are used as cabins

- How long has this use(s) continued on the subject lands? Longstanding use

9. What is the proposed use(s) of the subject lands? Residential - 5 townhouses and four single detached dwellings on a shared condominium drive aisle

- Nature and extent of rezoning requested: Permit townhouse use of site, permit a total of 8 dwelling units on the subject land

- Reason(s) for the requested rezoning: To facilitate residential redevelopment of the property

10. Dimensions of the subject lands:
 Frontage (m): 62.7 on George Street Street/Road/Highway
 Depth (m): +61 m
 Area (m²): 3,652
11. Access to the subject lands is provided by:
 A Provincial highway or municipal road that is maintained year-round or other public road;
 A right of way; or
 By water (Please provide a description of the parking/docking facilities to be used and the approximate distance of these facilities from the subject lands and the nearest public road):

12. Is the purpose of this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement? Yes No If Yes, please provide details of the official plan or official plan amendment that deals with the matter: _____

13. Is the purpose of this application to remove land from an area of employment? Yes No
 If Yes, please provide details of the official plan or official plan amendment that deals with the matter:

14. Particulars of all existing and proposed structures on the subject lands (as applicable - add additional pages if necessary):

<u>EXISTING</u>	<u>BUILDING 1</u>	<u>BUILDING 2</u>	<u>BUILDING 3</u>
Building type:	Summarized in planning justification report		
Length (m):	_____		
Width (m):	_____		
Height (m):	_____		
No. of storeys:	_____		
Ground floor area (m ²):	_____		
Gross floor area (m ²):	_____		
Parking area (m ²):	_____		
Setback, front lot line (m):	_____		
Setback, rear lot line (m):	_____		
Setback, side lot line (m):	_____		
Setback, side lot line (m):	_____		
Date constructed:	_____		

<u>PROPOSED</u>	<u>BUILDING 1</u>	<u>BUILDING 2</u>	<u>BUILDING 3</u>
Building type:	Summarized in planning justification report		
Length (m):	_____		
Width (m):	_____		
Height (m):	_____		
No. of storeys:	_____		
Ground floor area (m ²):	_____		
Gross floor area (m ²):	_____		
Parking area (m ²):	_____		
Setback, front lot line (m):	_____		
Setback, rear lot line (m):	_____		
Setback, side lot line (m):	_____		
Setback, side lot line (m):	_____		

15. Potable water will be supplied to the subject lands through:

- Publicly owned and operated piped water system.
 Privately owned and operated individual or communal well.
 Lake or other water body.
 Other means. Explain: _____

16. Sewage disposal will be supplied to the subject lands through:

- Publicly owned and operated sanitary sewage system.
 Privately owned and operated individual or communal septic system.
 A privy.
 Other means. Explain: _____

17. If sanitary sewage disposal is to be supplied through a privately owned and operated individual or communal septic system, and more than 4500 litres of effluent will be produced per day as a result, the following reports must be provided with this application:

- A servicing options report; and
- A hydrogeological report.

18. Storm drainage will be supplied to the subject lands through:

- Publicly owned and operated storm sewer system.
- Privately owned and operated storm sewer system.
- Ditches and swales.
- Other means. Explain: See SWM report

19. Has the subject lands ever been the subject of any of the following matters under the Planning Act:

- (a) For approval of a plan of subdivision under Section 51. Yes No
File No.: _____ Status: _____
- (b) For approval of a consent under Section 53. Yes No
File No.: _____ Status: _____
- (c) For approval of zoning under Section 34. Yes No
File No.: Unknown Status: Site specific regulations in effect
- (d) A Minister's Zoning Order under Section 47. Yes No
O. Reg. No.: _____ Status: _____

20. Is this application for a zoning by-law amendment consistent with policy statements issued under Section 3(1) of the Planning Act? Yes No Explain: See planning report

21. Has there been an industrial or commercial use, or an orchard, on the subject land or adjacent lands?

- Yes No Unknown If yes, specify the use(s): _____

	Yes	No	Unknown
Has the grading of the subject land been changed by adding earth or other material(s)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has a gas station been located on the subject land or adjacent land at any time?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has there been petroleum or other fuel stored on the subject land or adjacent land?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
What information did you use to determine the answers to the above questions on former uses? <u>Current and historic use of the site</u>			

(i) If Yes to any of the above, an inventory of previous uses of the subject land or, if appropriate, of the adjacent land(s), is needed. Is the inventory of previous uses attached? Yes No
If the inventory is not attached, why not? _____

(ii) If Yes to any of the above, was an Environmental Site Assessment (ESA) conducted under the *Environmental Assessment Act* or has a Record of Site Condition (RSC) been filed? Yes No
If no, why not? Explain on a separate page, if necessary. _____

22. This application must be accompanied by a digital sketch, in metric, showing as applicable:
- ✓ The boundaries and dimensions of the subject lands;
 - ✓ The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
 - ✓ The approximate location of all natural and artificial features (i.e. buildings, railways, roads, watercourses, drainage ditches, rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - (i) are located on the subject land and on land that is adjacent to it; and
 - (ii) in the applicant's opinion, may affect the application.
 - ✓ The current uses of land that is adjacent to the subject land;
 - ✓ The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way;
 - ✓ If access to the subject lands will be by water only, the location of the parking and docking facilities to be used; and
 - ✓ The location and nature of any easement affecting the subject land.
23. This application must be filed with the **Central Elgin Planning Office, 9 Mondamin Street, St. Thomas, Ontario, N5P 2T9** or with the **Municipality of Central Elgin, 450 Sunset Drive, St. Thomas, Ontario, N5R 5V1**, and must be accompanied by the application fee of **\$750.00**.

PLEASE MAKE CHEQUES PAYABLE TO "THE MUNICIPALITY OF CENTRAL ELGIN"

DECLARATION:

I, David Galbraith of City of Waterloo, Region of Waterloo
do solemnly declare that all above statements contained in all of the exhibits transmitted herewith 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 City of Waterloo of Region of Waterloo
In the County of _____
this November 9th
day of November A.D. 2022
Betty Anne White
A Commissioner, etc.

[Signature]
Signature of Owner or Authorized Agent

**Betty Anne White, a Commissioner, etc.,
Province of Ontario, for IBI Group.
Expires June 2, 2024.**

OWNER'S AUTHORIZATION:

THIS MUST BE COMPLETED BY THE OWNER IF THE OWNER IS NOT FILING THE APPLICATION

Note: If there are multiple Owners, an authorization letter from each Owner (with dated, original signature) is required OR each Owner must sign the following authorization.

I, (we) MORNINGSTAR REAL ESTATE HOLDINGSLTD. and BIG BEARD INVESTMENTS LTD., being the Applicant(s) and/or registered Owner(s) of the subject lands, hereby authorize Arcadis IBI Group c/o David Galbraith to prepare and submit an Application for a Zoning By-law Amendment.



Signature _____
07 11 2022


Day Month Year

Municipal Freedom of Information Declaration:

In accordance with the provisions of the Planning Act, it is the policy of the Municipality of Central Elgin to provide public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I David Galbraith (please print name) the Owner Applicant Authorized Agent, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the Municipality of Central Elgin to post a "Possible Land Use Change" sign and allow municipal staff to access to the subject lands for purposes of evaluation of the subject application.


Signature _____

9 November 2022

Day Month Year

