



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. Digital sketch is to include, for each existing and proposed building or structure, the location including setbacks from lot lines, height and dimensions (or floor areas) in metric units. See Section 22 of this application for more detail.
- ☒ **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.*

Planning Justification Report, Geotechnical Report, Environmental Impact Study (EIS),  
Subwatershed Study, Traffic Impact Study

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 ☐ No

**Date of Pre-Consultation:** January 24, 2022

**Staff Contact:** Kevin McClure

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

Central Elgin Planning Office  
9 Mondamin Street, St. Thomas, Ontario N5P 2T9

Telephone: 519-633-2560  
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: Monteith Brown Planning Consultants (c/o Jay McGuffin)  
Address: 610 Princess Avenue, London, Ontario, N6B 2B9  
Telephone (home): \_\_\_\_\_ (business) 519-686-1300  
E-Mail: jmcguffin@mbpc.ca
2. Is the applicant the owner of the land? ☐ Yes ☒ No If no, please provide:  
Name of owner: Municipality of Central Elgin (APS with Wastell Developments Inc.)  
Address: \_\_\_\_\_  
Telephone (home): \_\_\_\_\_ (business) \_\_\_\_\_  
E-Mail: \_\_\_\_\_  
Date Lands Acquired: \_\_\_\_\_
3. Name of Agent (if any): Monteith Brown Planning Consultants (c/o Jay McGuffin)  
Address: \_\_\_\_\_  
Telephone: (home): \_\_\_\_\_ (business) \_\_\_\_\_  
E-Mail: \_\_\_\_\_
4. Location of Property ("subject lands"):  
Registered Plan No.: \_\_\_\_\_ Lot No.(s): \_\_\_\_\_  
Concession No.: 2 Lot No.(s): \_\_\_\_\_  
Reference Plan No.: 11R-9074 Part No.(s): 2, 5-10  
Municipal Address: 4980 Sunset Drive
5. Name and address of mortgagee, holders of charges, or other encumbrances:  
N/A
6. Municipality of Central Elgin Official Plan:  
Designation of the subject lands: Commercial-Industrial, Natural Heritage  
Explain how this application conforms to the Official Plan (add additional pages if necessary):  
A Concurrent Application for Official Plan Amendment has been submitted. Please see Planning Justification Report.

7. Current applicable Zoning By-law: Township of Yarmouth  
 Current applicable zone: Site-Specific Business Zone 3, Holding (hB3-32)
8. What is the present use(s) of the subject lands? Vacant Commercial Building  
 \_\_\_\_\_  
 \_\_\_\_\_
- How long has this use(s) continued on the subject lands? N/A  
 \_\_\_\_\_  
 \_\_\_\_\_
9. What is the proposed use(s) of the subject lands? Commercial Uses, to be determined.  
 \_\_\_\_\_  
 \_\_\_\_\_
- Nature and extent of rezoning requested: Re-zone property from 'Site-Specific Business Zone 3, Holding' ('hB3-32') to a new 'Site-Specific Business Zone 3' ('B3-\*'). The Re-zoning will apply to the entire development property.  
The natural heritage lands south of the development lands are proposed to be re-zoned FROM 'Business Zone 3, Special Zone 32 – Holding' ('hB3-22') TO 'Open Space 2, Special Zone' ('OS2-\*') to align with the Official Plan Amendment land use designations. See Planning Justification Report.
- Reason(s) for the requested rezoning: To allow for greater flexibility in use, along with special provisions for additional permitted uses, lot depth, front, side and rear yard setbacks, and a site-specific parking standard.  
See Planning Justification Report for more details.  
 \_\_\_\_\_
10. Dimensions of the subject lands:  
 Frontage (m): 222.8 on Sunset Drive (County Road 4) Street/Road/Highway  
 Depth (m): +/- 43 m  
 Area (m<sup>2</sup>): 7536m2
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:	Vacant Commercial Building		
Length (m):	+/- 19 m		
Width (m):	+/- 8 m		
Height (m):	+/- 4 m		
No. of storeys:	one-storey		
Ground floor area (m <sup>2</sup> ):	+/- 160 m2		
Gross floor area (m <sup>2</sup> ):	+/- 160 m2		
Parking area (m <sup>2</sup> ):	~ 10 parking spaces		
Setback, front lot line (m):	17 m		
Setback, rear lot line (m):	3 m		
Setback, side lot line (m):	8.9 m		
Setback, side lot line (m):			
Date constructed:	Unknown		

<u>PROPOSED</u>	<u>BUILDING 1</u>	<u>BUILDING 2</u>	<u>BUILDING 3</u>
Building type:	See Conceptual Site Plan and Planning Justification Report provided as part of complete application package.		
Length (m):			
Width (m):			
Height (m):			
No. of storeys:			
Ground floor area (m <sup>2</sup> ):			
Gross floor area (m <sup>2</sup> ):			
Parking area (m <sup>2</sup> ):			
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 Subwatershed Study
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.: \_\_\_\_\_ Status: \_\_\_\_\_
- (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: The Amendment is Consistent with Policy Section 1.1.3.1, 1.1.3.2, 1.1.3.3, 2.1.1, 3.1.1., 1.3.1, 1.7.1, 2.1, and 3.1 of the Provincial Policy Statement  
See Planning Justification Report for more information.
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): Vacant Commercial Building on the property.  
Previous use of the building is known.
- |   | Yes                                 | No                                  | Unknown                  |
|---|-------------------------------------|-------------------------------------|--------------------------|
| Has the grading of the subject land been changed by adding earth or other material(s)?                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Has a gas station been located on the subject land or adjacent land at any time?                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Has there been petroleum or other fuel stored on the subject land or adjacent land?                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input 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? Information provided by the client, the Municipality, or the County.
- (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? Not requested by Municipality. Information on use of subject lands and adjacent lands discussed in Planning Justification Report.
- (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. Not a requirement for complete application.

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:**

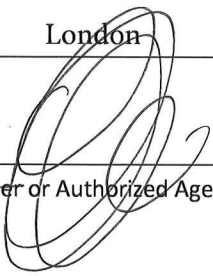
I, Jay McGuffin of City of London  
do solemnly declare that all above statements contained in all of the exhibits transmitted herewith are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the

City of London  
In the County of Middlesex  
this 28th  
day of November A.D. 2022

A Commissioner, etc.

Anand Prakash Desai  
a Commissioner, etc., Province of Ontario  
for **Monteith Brown Planning Consultants Ltd.**  
Expires April 29, 2025

  
Signature of Owner or Authorized Agent

**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) \_\_\_\_\_, being the Applicant(s) and/or registered Owner(s) of the subject lands, hereby authorize \_\_\_\_\_ to prepare and submit an Application for a Zoning By-law Amendment.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Day

\_\_\_\_\_  
Month

\_\_\_\_\_  
Year

**\*\* SEE AUTHORIZATION AS AGENT\*\***

**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 Jay McGuffin (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

28<sup>th</sup>  
Day

NOVEMBER  
Month

2022  
Year