



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.

Three horizontal lines for listing reports or studies.

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?: [x] Yes [] No

Date of Pre-Consultation: April 11, 2023

Staff Contact: Steve Craig, 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: 1749292 Ontario Inc.
Address: 9742 Quaker Road, St. Thomas, Ontario N5P 3S7
Telephone (home): 519-765-3802 (business) _____
E-Mail: chrissy@buttersfarms.com

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

3. Name of Agent (if any): Harrison Pensa LLP - Helen Button
Address: 468-470 Talbot Street, St. Thomas, Ontario N5P 1C2
Telephone: (home): _____ (business) 519-661-6749
E-Mail: hbutton@harrisonpensa.com

4. Location of Property ("subject lands"):
Registered Plan No.: _____ Lot No.(s): Part of Lot 21
Concession No.: Concession 8 Lot No.(s): _____
Reference Plan No.: Part 1, 11R5929 Part No.(s): _____
Municipal Address: 45685 Talbot Line, Central Elgin

5. Name and address of mortgagee, holders of charges, or other encumbrances:
Toronto-Dominion Bank
Hulst, James Andrew and Hulst, Heike

6. Municipality of Central Elgin Official Plan:
Designation of the subject lands: Agriculture
Explain how this application conforms to the Official Plan (add additional pages if necessary):
This application is being made in order to fulfill a condition of a consent granted by the
Elgin County Land Division Committee (Application E 10-24).

7. Current applicable Zoning By-law: Township of Yarmouth Zoning By-Law 1998
Current applicable zone: OS1

8. What is the present use(s) of the subject lands? Agriculture and rural residential

How long has this use(s) continued on the subject lands? Unknown - since well before the applicant purchased the property

9. What is the proposed use(s) of the subject lands? Agriculture (retained parcel) and rural residential (severed parcel)

Nature and extent of rezoning requested: The proposed severed parcel is to be rezoned to permit a surplus dwelling, permissive of a single detached residential dwelling. The proposed retained parcel is to be rezoned to prohibit residential dwellings. It is also necessary to recognize the deficient lot frontage for the proposed severed lot.

Reason(s) for the requested rezoning: The rezoning is being requested in order to fulfill a condition of a consent granted by the Elgin County Land Division Committee (Application E 10-24).

10. Dimensions of the subject lands:
Frontage (m): See attached sketch on _____ Street/Road/Highway
Depth (m): _____
Area (m²): _____

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:	<u>See attached sketch</u>		
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:	<u>See attached sketch</u>		
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: _____

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.: E 10-24 Status: Consent granted, conditions to be fulfilled
- (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 application is consistent with the Provincial Policy Statement which permits lot creation in prime agricultural areas where a residence is surplus to a farming operation as a result of farm consolidation.

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 checked="" 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? Personal knowledge of the owner/applicant

(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? N/A

(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. N/A

- ✓ 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.

19. 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 **\$500.00**.

PLEASE MAKE CHEQUES PAYABLE TO “THE MUNICIPALITY OF CENTRAL ELGIN”

DECLARATION:

I, Helen R. Button of The 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

The City of St. Thomas

In the County of Elgin

this 17th

day of May A.D. 2024




Signature of Owner or Authorized Agent

A Commissioner, etc.

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) Faye Butters, President of 1749292 Ontario Inc. being the Applicant(s) and/or registered Owner(s) of the subject lands, hereby authorize Helen Button, Harrison Pensa LLP to prepare and submit an Application for a Zoning By-law Amendment.

F Butters
Signature

15th MAY 2024
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 Faye Butters (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.

F Butters
Signature

15th MAY 2024
Day Month Year