



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:

JUN 28 2023

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: \$ 801.75**
- ☐ 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.

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: April 20, 22

Staff Contact: Steve Craig

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: [REDACTED]
Address: 43850 Ferguson Line, St. Thomas, Ontario, N5P 3T1
Telephone (home): _____ (business) [REDACTED]
E-Mail: [REDACTED]
2. Is the applicant the owner of the land? ☒ Yes ☐ No If no, please provide:
Name of owner: see above
Address: _____
Telephone (home): _____ (business) _____
E-Mail: _____
Date Lands Acquired: _____
3. Name of Agent (if any): Amy Dale, Gunn & Associates
Address: [REDACTED]
Telephone (home): _____ (business) [REDACTED]
E-Mail: [REDACTED]
4. Location of Property ("subject lands"):
Registered Plan No.: _____ Lot No.(s): Lot 2, Range 1
Concession No.: N Edgeware Lot No.(s): _____
Reference Plan No.: _____ Part No.(s): _____
Municipal Address: 42496 Water Tower Line
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: Agriculture and Natural Heritage
Explain how this application conforms to the Official Plan (add additional pages if necessary):
- meets with the consent policies for lands within an Agricultural designation for a residence surplus to a farm operation
- this application is a condition of the consent granted by the LDC in Application #E93-22

7. Current applicable Zoning By-law: Township of Yarmouth Zoning By-Law 1998, as amended
Current applicable zone: OS2
8. What is the present use(s) of the subject lands? rural residential for the severed parcel; agriculture for retained lands

How long has this use(s) continued on the subject lands? for the retained lands - since creation of original parcel for the severed parcel - unknown, but the age and style of the house on the severed lot suggests long standing use (see attached photos)
9. What is the proposed use(s) of the subject lands? same for both severed and retained

Nature and extent of rezoning requested: to prohibit residential dwellings on the retained lands and to permit rural residential use on the severed lands

Reason(s) for the requested rezoning: to comply with a condition of the consent granted by the LDC in Application #E93-22
10. Dimensions of the subject lands:
Frontage (m): see attached severance application 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):	<u></u>		
Width (m):	<u></u>		
Height (m):	<u></u>		
No. of storeys:	<u></u>		
Ground floor area (m ²):	<u></u>		
Gross floor area (m ²):	<u></u>		
Parking area (m ²):	<u></u>		
Setback, front lot line (m):	<u></u>		
Setback, rear lot line (m):	<u></u>		
Setback, side lot line (m):	<u></u>		
Setback, side lot line (m):	<u></u>		
Date constructed:	<u></u>		

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

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: N/A
- ☐ 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: need for a drainage reassessment is being determined
as a condition of the consent
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.: E93-22 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: underlying consent is in keeping with
the relevant provisions of the PPS 2020 - s. 2.3.4.1(c)
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? knowledge gained as part of the purchase of the property
- (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 **\$801.75**.

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

DECLARATION:

I, Amy Dale of Municipality of Central Elgin
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 St. Thomas

In the County of Elgin

this _____

day of 22nd June A.D. 2023

Catherine Moore
A Commissioner, etc.

[Signature]
Signature of Owner or Authorized Agent

Catherine Louise Moore, a Commissioner, etc.,
Province of Ontario, for Gunn & Associates
o/b Douglas George Gunn Professional
Corporation, Barristers and Solicitors.
Expires April 23, 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, [REDACTED], being the Applicant(s) and/or registered Owner(s) of the subject lands, hereby authorize Gunn & Associates to prepare and submit an Application for a Zoning By-law Amendment.

Signature

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 [REDACTED] (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

Day

Month

Year