

**For Office Use Only:**

File Number	<u>BNPL2018045</u>	Application Fee	<u>\$2210</u>
Related File Number	<u>OPNPL2017197/ZNPL2017198</u>	Conservation Authority Fee	<u>—</u>
Pre-consultation Meeting	<u>—</u>	OSSD Form Provided	<u>n/a</u>
Application Submitted	<u>March 9/18</u>	Planner	<u>Steve</u>
Complete Application	<u>March 13/18</u>	Public Notice Sign	<u>Yes</u>

**Check the type of planning application(s) you are submitting.**

- ☒ Consent/Severance/Boundary Adjustment  
☐ Surplus Farm Dwelling Severance and Zoning By-law Amendment  
☐ Minor Variance  
☐ Easement/Right-of-Way

3310494040077000000

Property Assessment Roll Number: 3310494040081700000

**A. Applicant Information**

Name of Owner 1033097 ONTARIO INC. c/o KEN PERSON

It is the responsibility of the owner or applicant to notify the planner of any changes in ownership within 30 days of such a change.

Address 91/133 HWY 59

Town and Postal Code DELHI, ON N4B 2W5

Phone Number 905-546-1010

Cell Number —

Email kenbigcreek@gmail.com

Name of Applicant IBI GROUP c/o MIKE CROUGH

Address 360 JAMES STN, SUITE 200, EAST WING

Town and Postal Code HAMILTON, ON

Phone Number 905-546-1010 x 63114

Cell Number 905-317-5246

Email mike.crough@ibigroup.com



Name of Agent SAME AS APPLICANT  
Address \_\_\_\_\_  
Town and Postal Code \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Cell Number \_\_\_\_\_  
Email \_\_\_\_\_

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence, notices, etc., in respect of this application will be forwarded to the agent noted above.

☐ Owner

☒ Agent

☒ Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

#### B. Location, Legal Description and Property Information

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):

PT LOTS 43, 44 + 45, CON 1, NTR,  
GEOGRAPHIC TOWNSHIP OF MIDDLETON  
NORFOLK COUNTY

Municipal Civic Address: 91 and 133 HWY 59, DELHI

Present Official Plan Designation(s): AGRICULTURAL and INDUSTRIAL/BUSINESS PARK

Present Zoning: A - AGRICULTURAL + MG - GENERAL INDUSTRIAL

2. Is there a special provision or site specific zone on the subject lands?

☒ Yes ☐ No If yes, please specify:

14.936 - MIN LOT AREA - 36 HA

3. Present use of the subject lands:

AGRICULTURAL



4. Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, height, etc. on your attached sketch which must be included with your application:

*ALL EXISTING BUILDINGS TO REMAIN. SEE SUBMITTED AIR PHOTO.*

5. If an addition to an existing building is being proposed, please explain what will it be used for (e.g. bedroom, kitchen, bathroom, etc.). If new fixtures are proposed, please describe.

*NO NEW ADDITIONS*

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, height, etc. on your attached sketch which must be included with your application:

*NONE PROPOSED*

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes ☐ No ☒
- If yes, identify and provide details of the building:

8. If known, the length of time the existing uses have continued on the subject lands:

*UNKNOWN*

9. Existing use of abutting properties:

*NORTH - AGRICULTURAL, SOUTH - INDUSTRIAL (SCOTT'S CANADA)*

10. Are there any easements or restrictive covenants affecting the subject lands?

☒ Yes ☒ No If yes, describe the easement or restrictive covenant and its effect:





### C. Purpose of Development Application

Note: Please complete all that apply.

#### 1. Site Information

#### Existing

#### Proposed

Please indicate unit of measurement, i.e. m, m<sup>2</sup> or %, etc.

Lot frontage	<u>+/- 221 m</u>	<u>SAME</u>
Lot depth	<u>+/- 703 m</u>	<u>SAME</u>
Lot width	<u>+/- 778 m</u>	<u>SAME</u>
Lot area	<u>+/- 40 ha</u>	<u>+/- 36 ha</u>
Lot coverage	<u>&lt; 10%</u>	<u>&lt; 10%</u>
Front yard	<u>+/- 17.5 m</u>	<u>SAME</u>
Rear yard	<u>+/- 388 m</u>	<u>SAME</u>
Left Interior side yard	<u>+/- 260 m</u>	<u>+/- 37 m</u>
Right Interior side yard	<u>+/- 11 m</u>	<u>SAME</u>
Exterior side yard (corner lot)	<u>N/A</u>	<u>N/A</u>

#### 2. Please outline the relief requested (assistance is available):

NONE

#### 3. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law:

LAND DIVISION COMPLIES

#### 4. Description of land intended to be severed in metric units:

Frontage: NONE

Depth: +/- 193 m

Width: +/- 220 m

Lot Area: +/- 4 ha

Present Use: AGRICULTURAL

Proposed Use: INDUSTRIAL

Proposed final lot size (if boundary adjustment): ~~AGRICULTURAL~~ AGRICULTURAL - +/- 36 HA  
INDUSTRIAL - +/- 11.6 HA



If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added:

SCOTTS CANADA LTD.  
49404008170

Description of land intended to be retained in metric units: REFER TO SECTION C

Frontage: \_\_\_\_\_  
Depth: \_\_\_\_\_  
Width: \_\_\_\_\_  
Lot Area: \_\_\_\_\_  
Present Use: \_\_\_\_\_  
Proposed Use: \_\_\_\_\_

5. Description of proposed right-of-way/easement in metric units:

Frontage: ~~24 m +/-~~ 24 m +/-  
Depth: 203 m +/-  
Width: 21 m +/-  
Area: 0.39 ha +/-  
Proposed use: Access easement for adjacent land owner

6. List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (i.e., corn, orchard etc) \_\_\_\_\_  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_



Workable Acreage: \_\_\_\_\_

Existing Farm Type: (i.e., corn, orchard etc) \_\_\_\_\_

Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_

Roll Number: \_\_\_\_\_

Total Acreage: \_\_\_\_\_

Workable Acreage: \_\_\_\_\_

Existing Farm Type: (i.e., corn, orchard etc) \_\_\_\_\_

Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_

Roll Number: \_\_\_\_\_

Total Acreage: \_\_\_\_\_

Workable Acreage: \_\_\_\_\_

Existing Farm Type: (i.e., corn, orchard etc) \_\_\_\_\_

Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

**Note: If additional space is needed please attach a separate sheet.**

#### D. Previous Use of the Property

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☒ Yes ☐ No ☐ Unknown

If yes, specify the uses (example: gas station, petroleum storage, etc.):

*SCOTT'S CANADA OPERATIONS TO THE SOUTH OF PROPERTY*

2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown

3. Provide the information you used to determine the answers to the above questions:

*CORRESPONDENCE WITH PROPERTY OWNERS*

4. If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached? ☐ Yes ☒ No



### E. Provincial Policy

1. Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act*, R.S.O. 1990, c. P. 13? ☒ Yes ☐ No

If no, please explain:

2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? ☐ Yes ☒ No

If no, please explain: *NO EIS COMPLETED OR REQUIRED.  
OFFICIAL PLANNING SHOWS NO SIGNIFICANT AREAS  
THAT WOULD BE IMPACTED*

3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? ☐ Yes ☒ No

If no, please explain: *OFFICIAL PLANNING SHOWS NO SIGNIFICANT  
AREAS ON SITE THAT WOULD BE IMPACTED*

Note: If in an area of source water WHPA A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

**Livestock facility or stockyard** (submit MDS Calculation with application)

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Wooded area**

☒ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Municipal Landfill**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_





**Sewage treatment plant or waste stabilization plant**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Provincially significant wetland (class 1, 2 or 3) or other environmental feature**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Floodplain**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Rehabilitated mine site**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Non-operating mine site within one kilometre**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Active mine site within one kilometre**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Industrial or commercial use (specify the use(s))**

☐ On the subject lands or ☒ within 500 meters – distance OH

**Active railway line**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Seasonal wetness of lands**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Erosion**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Abandoned gas wells**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_



## F. Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- ☒ Municipal piped water *→ LANDS SUBJECT TO ADDITION (SCOTT'S)*  
☒ Individual wells *→ LANDS SUBJECT TO SEVERANCE*  
☐ Communal wells  
☐ Other (describe below)

Sewage Treatment

- ☒ Municipal sewers *→ LANDS SUBJECT TO ADDITION (SCOTT'S)*  
☒ Septic tank and tile bed *→ LANDS SUBJECT TO SEVERANCE*  
☐ Communal system  
☐ Other (describe below)

Storm Drainage

- ☒ Storm sewers *→ INDUSTRIAL PARK*  
☐ Other (describe below)  
☒ Open ditches *→ LANDS SUBJECT TO ADDITION AND SEVERANCE*  
☐

2. Existing or proposed access to subject lands:

- ☒ Municipal road *→ LANDS SUBJECT TO ADDITION*  
☐ Unopened road  
☒ Provincial highway  
☐ Other (describe below)

Name of road/street:

## G. Other Information

1. Does the application involve a local business? ☒ Yes ☐ No

If yes, how many people are employed on the subject lands?

*SCOTT'S CANADA → 25-50*

2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.

*IMPLEMENTS OPT 97 AND BY-LAW 58-2-2017  
WILL ALLOW FOR EXPANSION OF SCOTT'S OPERATIONS*



#### **H. Supporting Material to be submitted by Applicant**

In order for your application to be considered complete, folded hard copies (number of paper copies as directed by the planner) and an **electronic version (PDF) of the site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Existing and proposed easements and right of ways
4. Parking space totals – required and proposed
5. All dimensions of the subject lands
6. Dimensions and setbacks of all buildings and structures
7. Names of adjacent streets
8. Natural features, watercourses and trees

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- ☐ Zoning Deficiency Form
- ☐ On-Site Sewage Disposal System Evaluation Form
- ☐ Environmental Impact Study
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Record of Site Condition
- ☐ Agricultural Impact Assessment

Your development approval might also be dependent on Ministry of Environment and Climate Change, Ministry of Transportation or other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

**All final plans must include the owner's signature as well as the engineer's signature and seal.**



### I. Transfers, Easements and Postponement of Interest

The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

### Permission to Enter Subject Lands

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

### Freedom of Information

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P. 13 for the purposes of processing this application.



Owner/Applicant/Agent Signature

March 7 / 2018

Date

### J. Owner's Authorization

If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We Ken Person am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

I/We authorize ISI GROUP to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

1033097 Ontario Inc.  
Ken Person  
Owner

March 5 / 2018

Date

I have the authority to bind the  
Owner Corporation.

Date

**K. Declaration**

I, MIKE CROUCH of CITY OF HAMILTON

solemnly declare that:

all of the above statements and the 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:

City of Hamilton

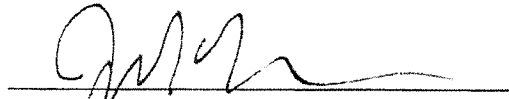


Owner/Applicant/Agent Signature

In Province of Ontario

This 7<sup>th</sup> day of March

A.D., 2018



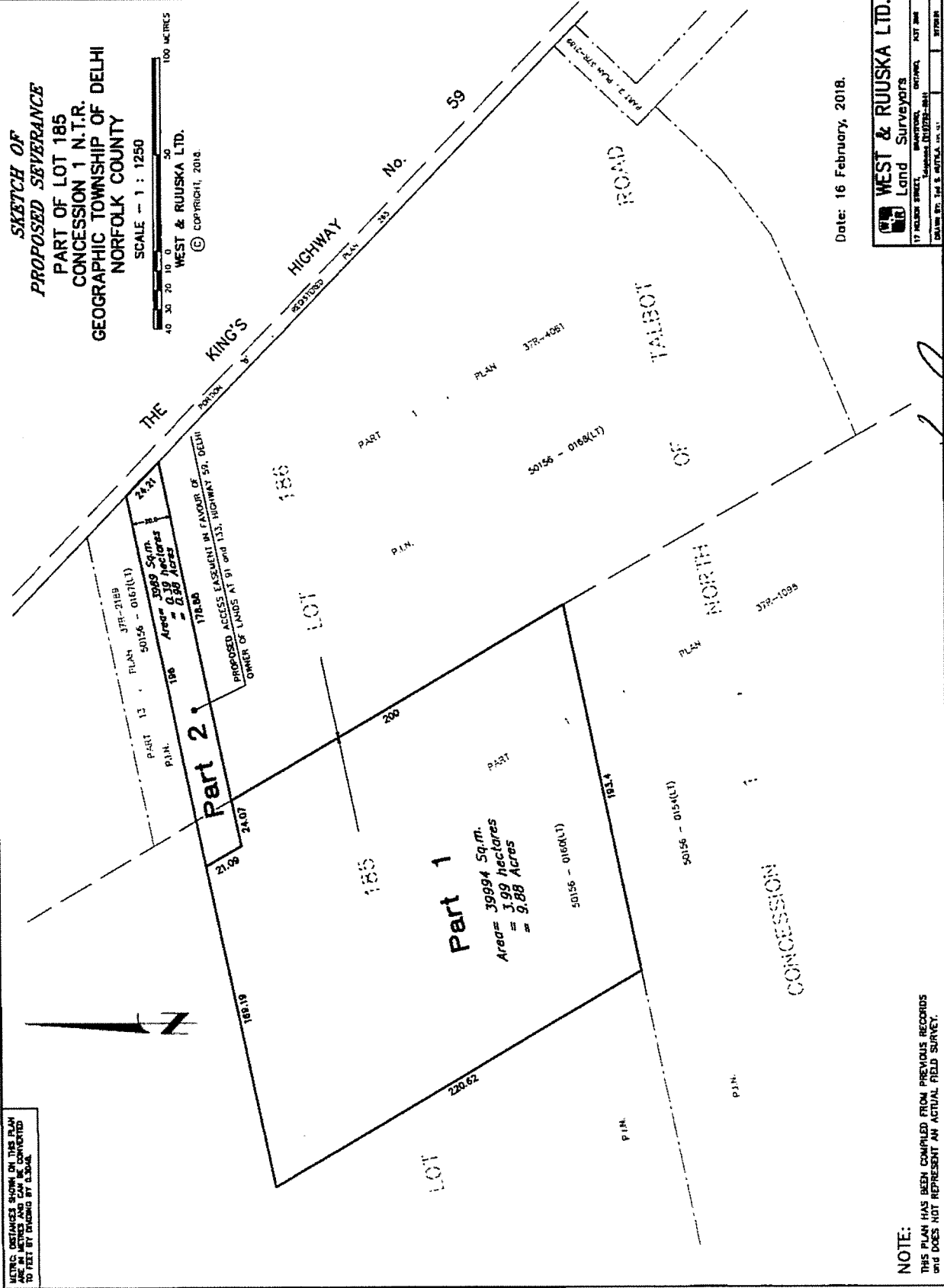
A Commissioner, etc.

Jared Vail Marcus, a Commissioner, etc.,  
Province of Ontario,  
for IBI Group.  
Expires December 5, 2020.



NORFOLK COUNTY  
PLANNING  
COMMISSION

ALL DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

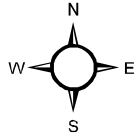




# MAP 1

## File Number: BNPL2018045

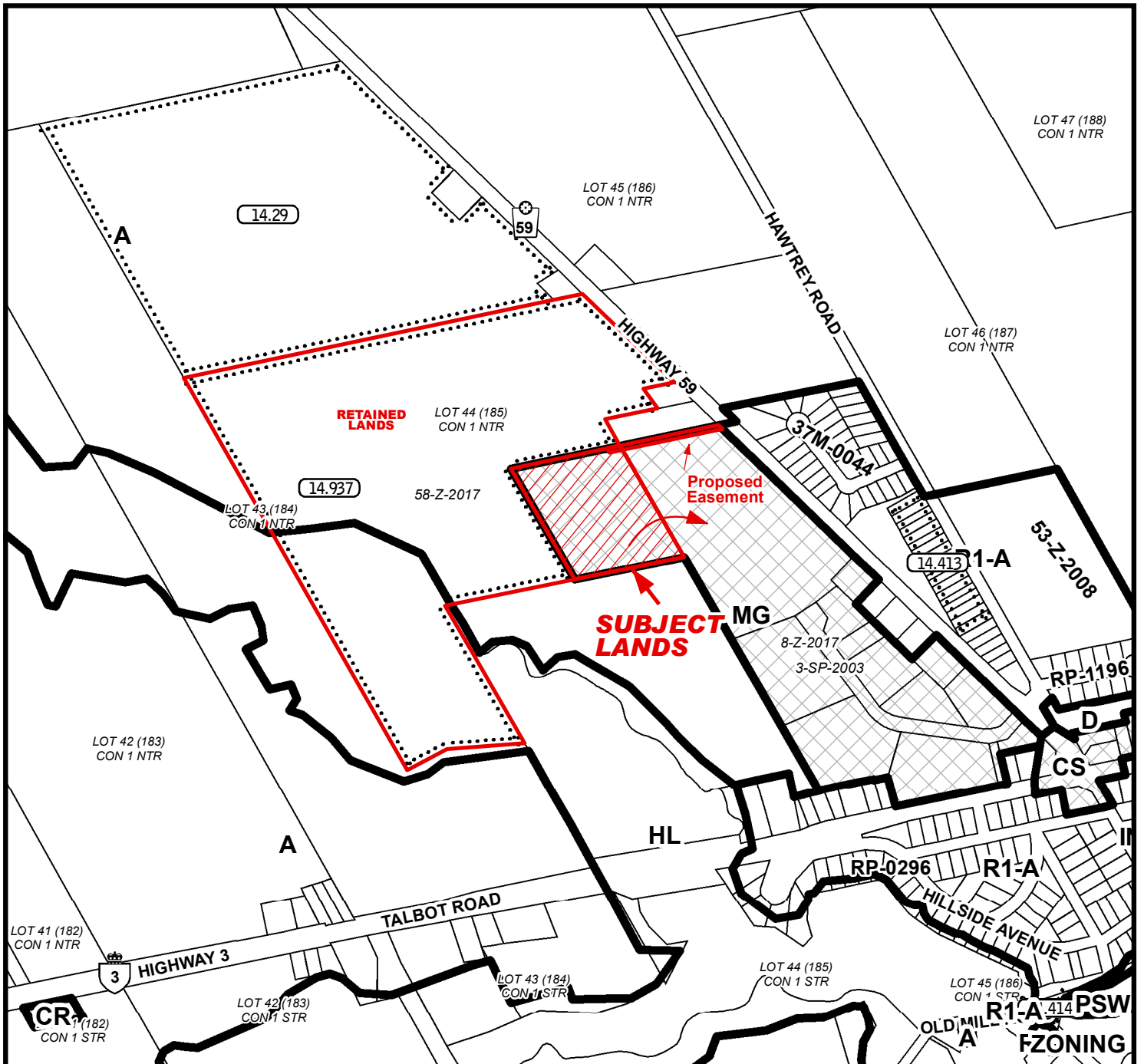
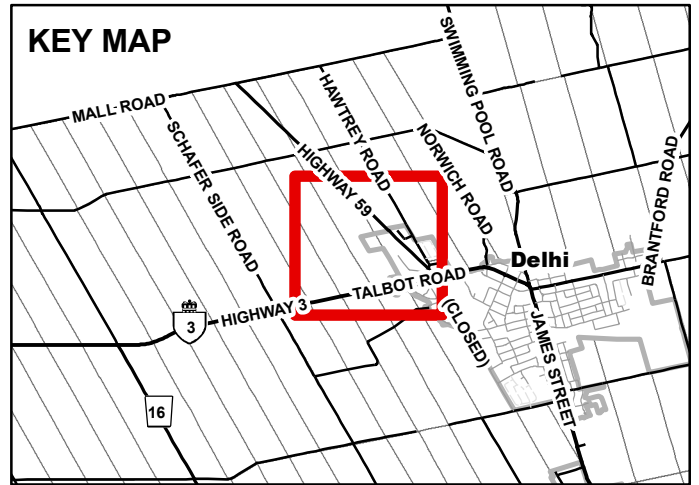
Geographic Township of  
**MIDDLETON**



1:10,000

80 40 0 80 160 240 320  
Meters

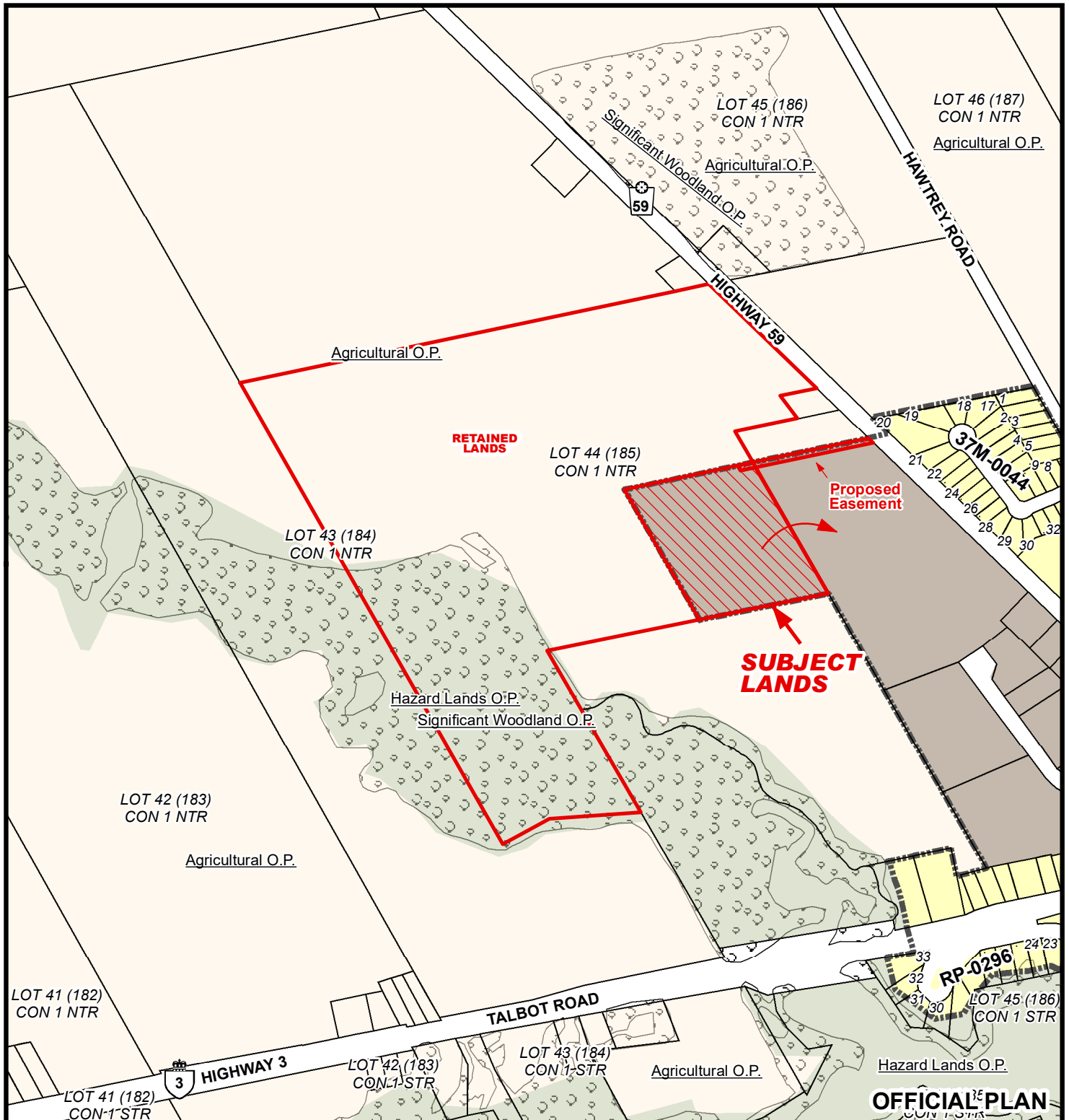
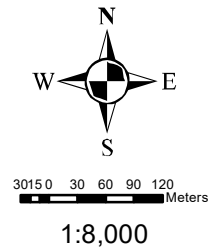
### KEY MAP



# MAP 2

File Number: BNPL2018045

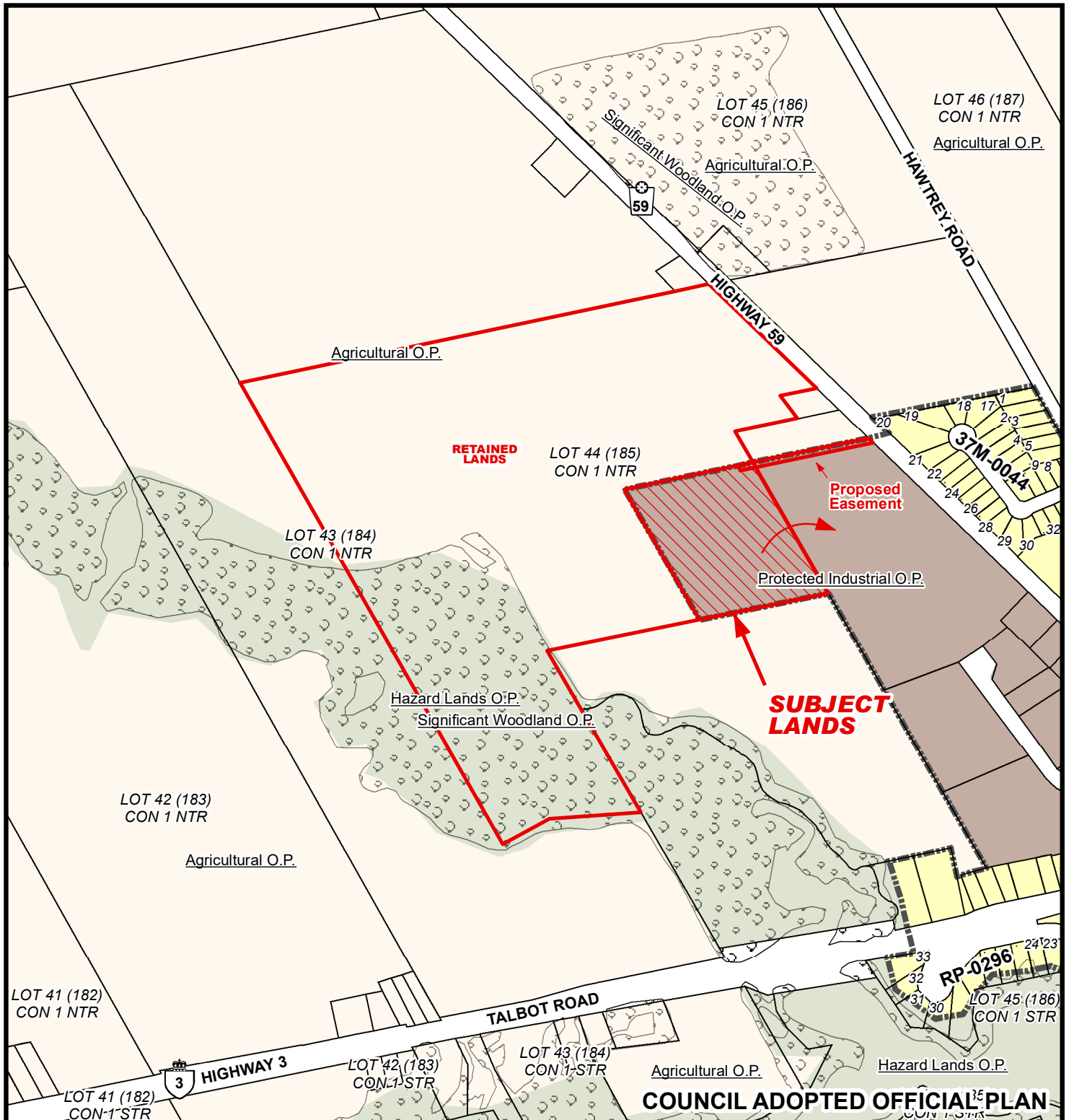
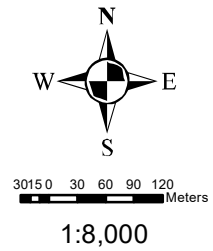
Geographic Township of MIDDLETON



# MAP 3

File Number: BNPL2018045

Geographic Township of MIDDLETON

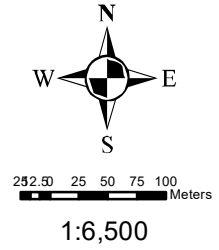




# MAP 4

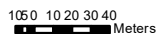
File Number: BNPL2018045

Geographic Township of MIDDLETON





# Geographic Township of MIDDLETON



49404007600

LOT 45 (186)  
CON 1 NTR  
49404007860

LOT 46 (187)  
CON 1 NTR  
49404006600

**RETAINED LANDS**

49404007800

49404007700

169.19m

8.44m

24.07m

196.0m

178.88m

**Proposed Easement**

200.0m

**OWNER: 1033097 ONTARIO INC**

**SEVERED LANDS**  
Area: 39994.0m<sup>2</sup>

LOT 44 (185)  
CON 1 NTR

OPNPL2017197  
ZNPL2017198

**SUBJECT LANDS**

193.4m

HIGHWAY 59

WINTERGREEN CRESCENT

ARNOLD SAYEAU DRIVE

49404008170

49404008160

49404008150

49404009910

49404010000

LOT 43 (184)  
CON 1 NTR  
49404007700

# LOCATION OF LANDS AFFECTED

File Number: BNPL2018045

Geographic Township of MIDDLETON



1050 10 20 30 40  
Meters

1:4,000

