

For Office Use Only:

File Number

Related File Number

Pre-consultation Meeting

Application Submitted

Complete Application

Public Notice Sign

OPNPL2018055

ZNPL2018056

—

Jan 25/2017

March 12

March 22

✓

SPRT Meeting

Application Fee

Conservation Authority Fee

OSSD Form Provided

Planner

—

✓

N/A

N/A

Kayla DeLore

Check the type of planning application(s) you are submitting.☒
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Official Plan Amendment

Zoning By-Law Amendment

Temporary Use By-law

Draft Plan of Subdivision/Vacant Land Condominium

Condominium Exemption

Site Plan Application

Consent/Severance

Minor Variance

Easement/Right-of-Way

Extension of a Temporary Use By-law

Part Lot Control

Cash-in-Lieu of Parking

Renewable Energy Project or Radio Communication Tower

Property Assessment Roll Number: 3310-24800-0000 336-010-248-00**A. Applicant Information****Name of Owner**

Whistling Gardens Ltd. (c/o Darren Heimbecker)

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

689 Concession 3

Town and Postal Code

Wilsonville, ON, N0E 1Z0

Phone Number

519 443 5773

Cell Number**Email**

dweimbecker@kwic.com

Name of Applicant Whistling Gardens Ltd. (c/o Darren Heimbecker)
 Address 689 Concession 3
 Town and Postal Code Wilsonville ON, N0E 1Z0
 Phone Number 519-443-5773
 Cell Number
 Email dwheimbecker@kwic.com

Name of Agent Ruth Victor & Associates
 Address Waterdown, ON, L0R 2H0
 Town and Postal Code 191 Main Street South, PO Box 575
 Phone Number 905 257 3590
 Cell Number 905 330 9649
 Email len@rvassociates.ca

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

- Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):
 Townsend, Concession 3, Lot #9
 Wilsonville

Municipal Civic Address: 698 Concession 3
 Present Official Plan Designation(s): Agricultural
 Present Zoning: A-Agricultural

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

☐ Yes ☒ No If yes, please specify:

3. Present use of the subject lands:

Botanical gardens & nursery.

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:

Existing: single detached residential dwelling, 1 detached garage, 5 greenhouses, 5 accessory structures, & 2 washroom facilities. These structures are all to remain.

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.

There are no new buildings or structures proposed.

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:

There are no new buildings or structures 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:

N/A

8. If known, the length of time the existing uses have continued on the subject lands:
Since 2003 (15 years)

9. Existing use of abutting properties:
Residential and agricultural uses.

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. Please explain what you propose to do on the subject lands/premises which makes this development application necessary:
This application is to permit the holding of wedding ceremonies on the subject lands as well as a small cafe for visitors.
2. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law/and or Official Plan:
The Official Plan & Zoning By-Law does not permit wedding ceremonies or the running of cafe's to be held on the subject lands.
3. Does the requested amendment alter all or any part of the boundary of an area of settlement in the municipality or implement a new area of settlement in the municipality? ☐ Yes ☒ No If yes, describe its effect:
4. Does the requested amendment remove the subject land from an area of employment? ☐ Yes ☒ No If yes, describe its effect:
5. Does the requested amendment alter, replace, or delete a policy of the Official Plan? ☒ Yes ☐ No If yes, identify the policy, and also include a proposed text of the policy amendment (if additional space is required, please attach a separate sheet):
Special site policy and provision to permit wedding ceremonies and a small cafe in conjunction with a horticultural operation.

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

Frontage: N/A
Depth: N/A
Width: N/A
Lot Area: N/A
Present Use: N/A
Proposed Use: N/A

Proposed final lot size (if boundary adjustment): N/A

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

Description of land intended to be retained in metric units:

Frontage: N/A
Depth: N/A
Width: N/A
Lot Area: N/A
Present Use: N/A
Proposed Use: N/A

7. Description of proposed right-of-way/easement:

Frontage: N/A
Depth: N/A
Width: N/A
Area: N/A
Proposed use: N/A

8. Name of person(s), if known, to whom lands or interest in lands to be transferred, leased or charged (if known):

9. Site Information**Existing****Proposed**

Please indicate unit of measurement, i.e. m, m² or %, etc.

Lot frontage	199.6m	199.6m
Lot depth	665.0m / 678.3m	665.0m / 678.3m
Lot width	307.07m	307.07m
Lot area	216,743.1 sqm	216,743.1 sqm
Lot coverage	0.69%	0.69%
Front yard	14.02m	14.02m
Rear yard	493.36m	493.36m
Left Interior side yard	71.94m	71.94m
Right Interior side yard	73.76m	73.76m
Exterior side yard (corner lot)	N/A	N/A
Landscaped open space	8.8067 ha	8.8067 ha
Entrance access width	6.28m	6.28m
Exit access width	6.28m	6.28m
Size of fencing or screening	N/A	N/A
Type of fencing	Wooden	Wooden

10. Building Size

Number of storeys	2 (res. dwelling)	2 (res. dwelling)
Building height	N/A	N/A
Total ground floor area	181.70sqm	181.70sqm
Total gross floor area	363.4sqm(approx)	363.4sqm (approx)
Total useable floor area	363.4sqm(approx)	363.4sqm (approx)

11. Off Street Parking and Loading Facilities

Number of off street parking spaces	190 (approx)	190 (approx)
Number of visitor parking spaces	190 (approx)	190 (approx)
Number of accessible parking spaces	2	2
Number of off street loading facilities	N/A	N/A

12. Multiple Family Residential (if applicable)

Number of buildings existing: _____

Number of buildings proposed: _____

Is this a conversion or addition to an existing building? ☐ Yes ☒ No

If yes, describe: _____ This application is to permit additional uses for existing buildings.

Type

Number of Units

Floor Area per Unit in m²

Bachelor	_____	_____
One bedroom	_____	_____
Two bedroom	_____	_____
Three bedroom	_____	_____
Townhouse	_____	_____

Other facilities provided (e.g. play facilities, underground parking, games room, swimming pool etc.):

13. Commercial/Industrial Uses (if applicable)

Number of buildings existing: 5 _____

Number of buildings proposed: 5 _____

Is this a conversion or addition to an existing building? ☒ Yes ☐ No

If yes, describe:

This application is to permit additional uses for existing buildings.

Indicate the gross floor area by the type of use (e.g. office, retail, storage, etc.):
No buildings are being proposed.

Seating Capacity (for assembly halls, etc.): 150 (proposed outdoor wedding seating)

Total number of fixed seats: None

Describe the type of business(es) proposed: Horticultural garden agricultural operation
with wedding venue

Total number of staff proposed initially: 5 (1 full-time / 4 part-time)
 Total number of staff proposed in five years: 5 (1 full-time / 4 part-time)
 Maximum number of staff on the largest shift: 5

Is open storage required: ☐ Yes ☒ No

Is a residential use proposed as part of, or accessory to commercial/industrial use?

☒ Yes ☐ No If yes please describe:

Residential use already exists on the subject lands.

14. Institutional (if applicable)

Describe the type of use proposed: N/A
 Seating capacity (if applicable): N/A
 Number of beds (if applicable): N/A
 Total number of staff proposed initially: N/A
 Total number of staff proposed in five years: N/A
 Maximum number of staff on the largest shift: N/A

Indicate the gross floor area by the type of use (e.g. office, retail, storage, etc.):

No buildings are being proposed.

15. Describe Recreational or Other Use(s) (if applicable)

Agricultural - horticultural gardens

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.):
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:
Air photo history
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:

Please see Planning Justification Report (included with submission) for details.

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:

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:

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 0.0m (On abutting property)

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 No proposed development within this area.

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 _____

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
☐ Communal wells
☒ Individual wells
☐ Other (describe below)

Sewage Treatment

- ☐ Municipal sewers
☐ Communal system
☒ Septic tank and tile bed
☐ Other (describe below)

Storm Drainage

- ☐ Storm sewers
☒ Open ditches
☐ Other (describe below)
-

2. Existing or proposed access to subject lands:

☒ Municipal road

☐ Provincial highway

☐ Unopened road

☐ Other (describe below)

Name of road/street:
Concession 3

G. Other Information

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

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

1 Full time employee, 4 part time employees

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.

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. Key map
4. Scale, legend and north arrow
5. Legal description and municipal address
6. Development name
7. Drawing title, number, original date and revision dates
8. Owner's name, address and telephone number
9. Engineer's name, address and telephone number
10. Existing and proposed easements and right of ways
11. Zoning compliance table – required versus proposed
12. Parking space totals – required and proposed
13. Loading spaces, facilities and routes
14. All dimensions of the subject lands
15. Dimensions and setbacks of all buildings and structures
16. Gross, ground and useable floor area
17. Lot coverage
18. Floor area ratio
19. Building entrances and grades
20. Names of adjacent streets
21. Driveways, curbs, drop curbs, pavement markings, widths, radii and traffic directional signs
22. Fire access and routes
23. Location, dimensions and number of parking spaces (including visitor and accessible) and aisles
24. Location of mechanical room
25. Refuse disposal and storage areas including any related screening
26. Winter snow storage location
27. Landscape areas with dimensions
28. Natural features, watercourses and trees
29. Fire hydrants and utilities location
30. Fencing, screening and buffering – size, type and location
31. All hard surface materials
32. Light standards and wall mounted lights

33. Signs
34. Sidewalks and walkways with dimensions
35. Pedestrian access routes into site and around site
36. Bicycle parking
37. Professional engineer's stamp

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
- ☐ Architectural Plan
- ☐ Buildings Elevation Plan
- ☐ Cut and Fill Plan
- ☐ Erosion and Sediment Control Plan
- ☐ Grading and Drainage Control Plan (around perimeter and within site) (existing and proposed)
- ☐ Landscape Plan
- ☐ Photometric (Lighting) Plan
- ☐ Plan and Profile Drawings
- ☐ Site Servicing Plan
- ☐ Storm water Management Plan
- ☐ Street Sign and Traffic Plan
- ☐ Street Tree Planting Plan
- ☐ Tree Preservation Plan
- ☐ Archaeological Assessment
- ☐ Environmental Impact Study
- ☐ Functional Servicing Report
- ☐ Geotechnical Study / Hydrogeological Review
- ☒ Minimum Distance Separation Schedule
- ☐ Noise or Vibration Study
- ☐ Record of Site Condition
- ☐ Storm Water Management Report
- ☐ Agricultural Impact Assessment

- ☐ Traffic Impact Study – please contact the Planner to verify the scope of the study required

Standard condominium exemptions will require the following supporting materials:

- ☐ Plan of standard condominium (2 paper copies and 1 electronic copy)
☐ Draft condominium declaration

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. Development Agreements

A development agreement may be required prior to approval for site plan, subdivision and condominium applications. Should this be necessary for your development, you will be contacted by the agreement administrator with further details of the requirements including but not limited to insurance coverage, professional liability for your engineer, additional fees and securities.

J. 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.

Daren Hirsch

Owner/Applicant Signature

Feb. 14 / 18

Date

K. Owner's Authorization

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

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

I/We authorize Ruth Victor & Associates 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.

Darren Heimbecker
Owner

Feb 14 / 18
Date

Owner

Date

O. Declaration

I, JACK NEAL of OAKVILLE, ON.

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:

185 ROBINSON STREET

[Signature]

Owner/Applicant Signature

In SIMCOE

This 16 day of February

A.D., 2018

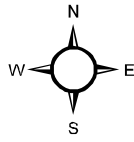
[Signature]
A Commissioner, etc.

Shannon Nichole Van Dalen, a
Commissioner, etc., Province of Ontario,
for the Corporation of Norfolk County.
Expires November 5, 2018.

MAP 1

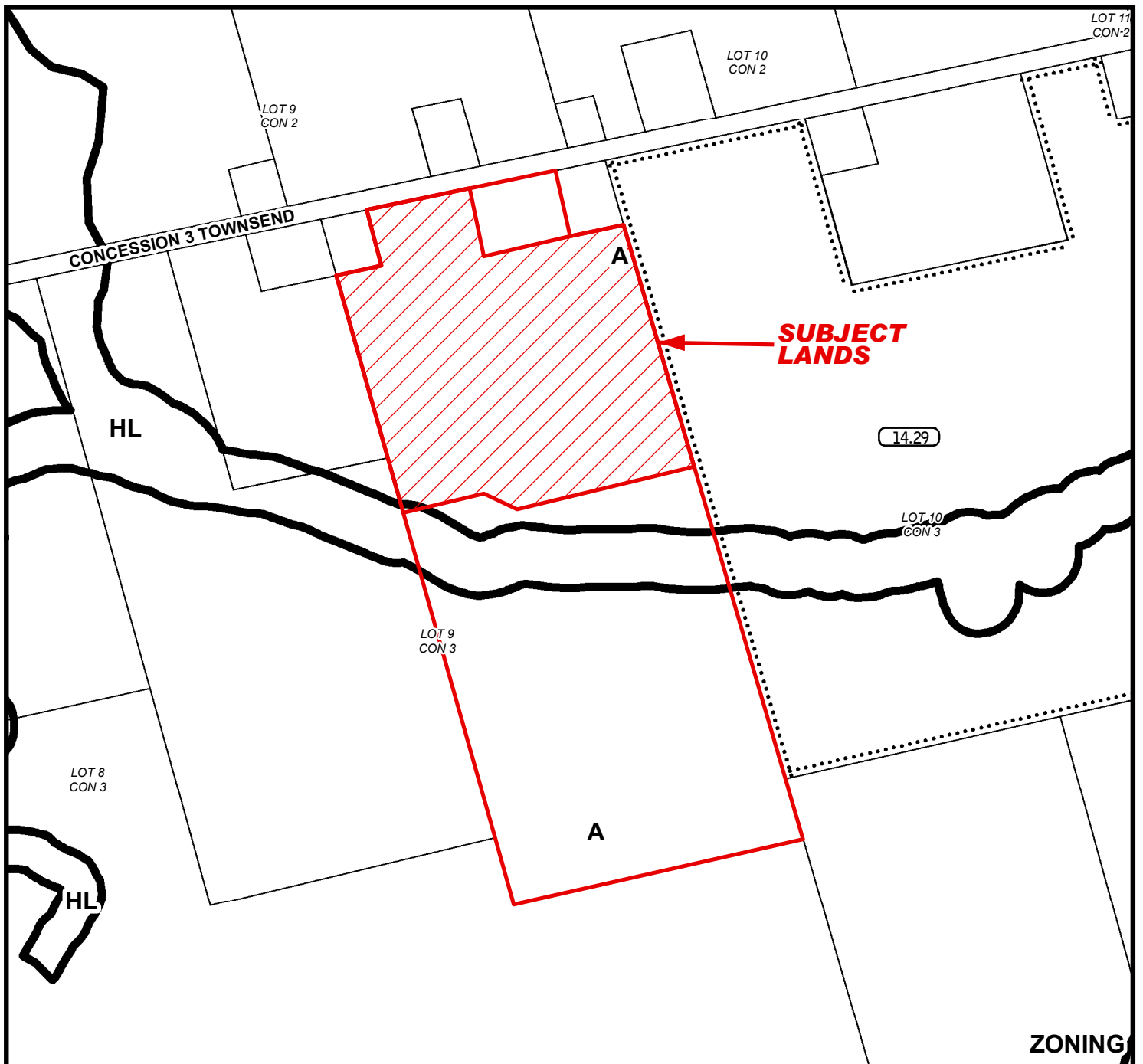
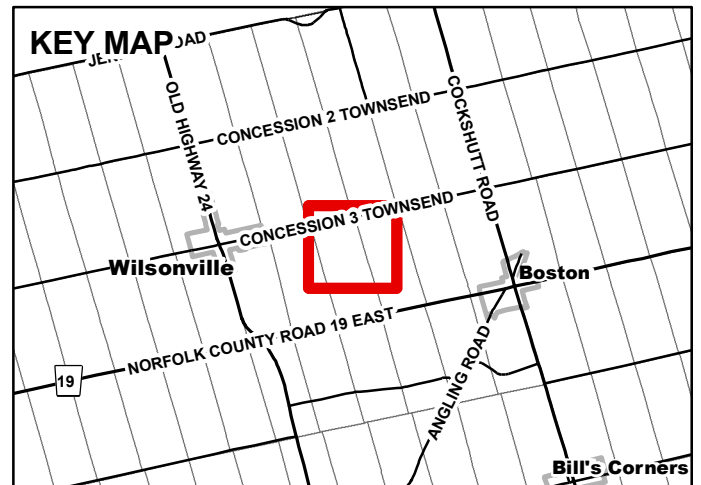
File Number: OPLN2018055 & ZNPL2018056

Geographic Township of
TOWNSEND



1:6,000

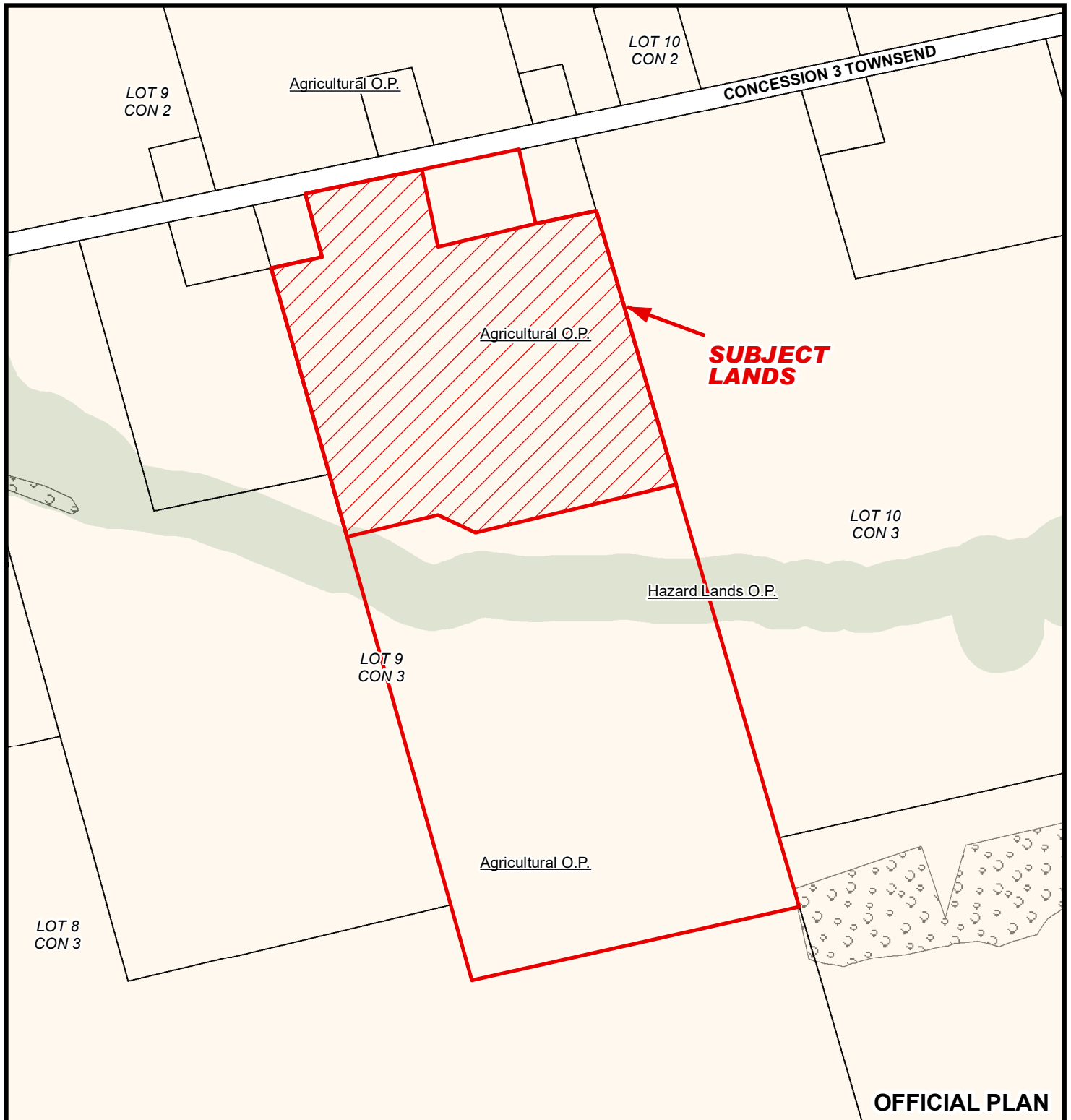
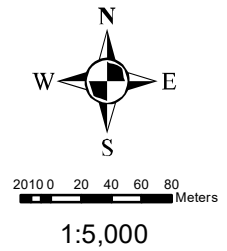
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MAP 2

File Number: OPLN2018055 & ZNPL2018056

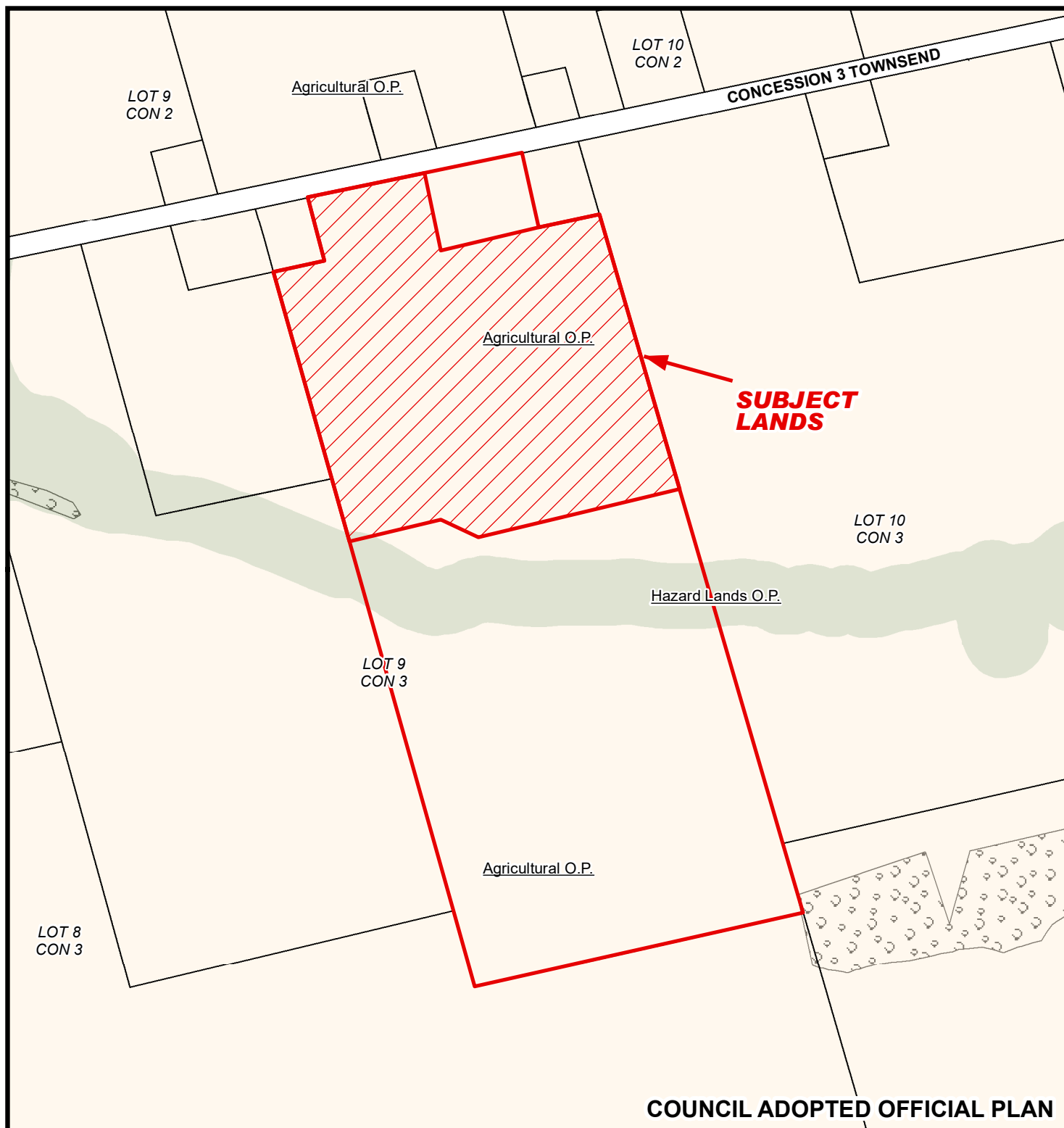
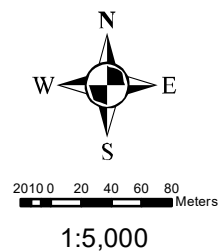
Geographic Township of TOWNSEND



MAP 3

File Number: OPLN2018055 & ZNPL2018056

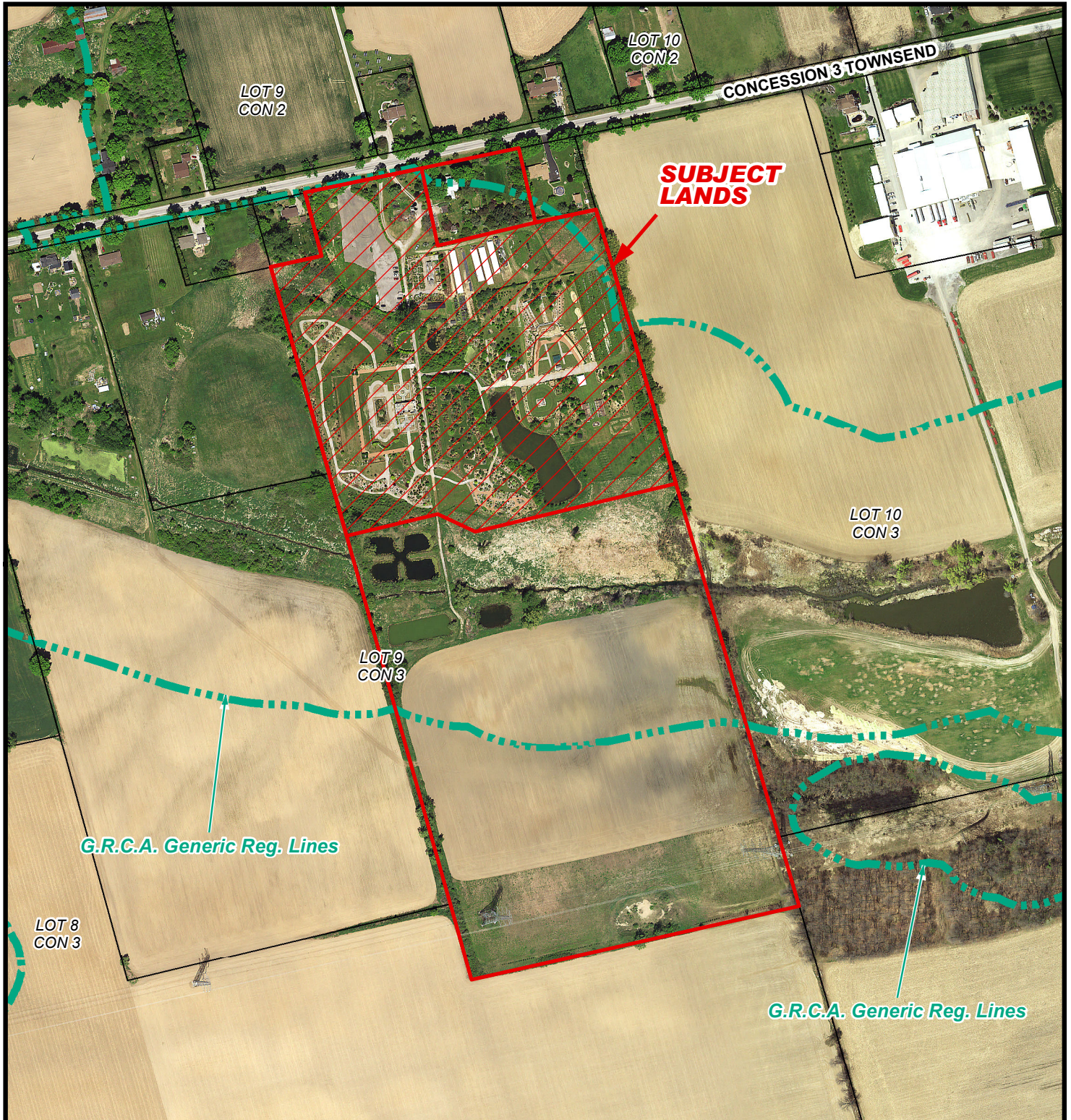
Geographic Township of TOWNSEND



MAP 4

File Number: OPLN2018055 & ZNPL2018056

Geographic Township of TOWNSEND



Geographic Township of TOWNSEND

