

ZONING BY-LAW AMENDMENT

File Number ZNPL2013147
 Related File Number N/A
 Pre-consultation Meeting On 2014 (summer)
 Application Submitted On Aug. 13th 2015
 Complete Application On Aug. 14th 2015

Application Fee ✓
 Conservation Authority Fee N/A
 OSSD Form Provided N/A
 Sign Issued ✓

KR.

This development application must be typed or printed in ink and completed in full. An incomplete or improperly prepared application may not be accepted and could result in processing delays.

Property assessment roll number: 3310- 401 009 17400

Check whether this development application is for approval of:

- ☒ Zoning by-law amendment
☐ Lifting holding by-law
☐ Temporary use extension

A. APPLICANT INFORMATION

c/o MAHER KALAAJI
 Name of Applicant THE GULF GROUP OF COMPANIES LTD Phone # (416) 821-0386
 Address 1888 BAYVIEW AVE SUITE #305 Fax # _____
 Town / Postal Code TORONTO, ON M4G 0A7 E-mail maherkalaaji@rogers.com

¹ If the applicant is a numbered company provide the name of a principal of the company.

c/o MICHAEL HIGGINS
 Name of Agent G DOUGLAS VALLEE LTD Phone # 519 426 6270
 Address 2 TARBOT STREET NORTH Fax # 519 426 6277
 Town / Postal Code SIMCOE, ON N3Y 3W4 E-mail michaelhiggins@gdvallee.ca

Name of Owner ² THE GULF GROUP OF COMPANIES LTD Phone # 416-821-0386
 Address 1888 BAYVIEW AVE SUITE #305 Fax # _____
 Town / Postal Code TORONTO, ON M4G 0A7 E-mail maherkalaaji@rogers.com

² 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.

Please specify to whom all communications should be sent ³: ☒ Applicant ☒ Agent ☐ Owner

³ Unless otherwise directed, all correspondence, notices, etc., in respect of this development application will be forwarded to the Applicant noted above, except where an Agent is employed, then such will be forwarded to the Applicant and Agent.

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

NOT KNOWN



B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	_____	Urban Area or Hamlet	<u>SIMCOE</u>
Concession Number	_____	Lot Number(s)	<u>Pthot 3 to Pthot 6</u>
Registered Plan Number	<u>PLAN 182</u>	Lot(s) or Block Number(s)	<u>BLOCK 124</u>
Reference Plan Number	<u>37R 4366</u>	Part Number(s)	<u>PT 1 AND 2</u>
Frontage (metres/feet)	<u>173.73'</u>	Depth (metres/feet)	<u>IRREGULAR</u>
Width (metres/feet)	<u>IRREGULAR</u>	Lot area (m ² / ft ² or hectares/acres)	<u>25896 SQ FT</u>
Municipal Civic Address	<u>70 WATER STREET</u>		

For questions regarding requirements for a municipal civic address please contact NorfolkGIS@norfolkcounty.ca.

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

☐ Yes ☒ No

If yes, describe the easement or covenant and its effect:

Does the requested amendment implement an alteration to 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, please describe its effect including details of the official plan or official plan amendment that deals with the matter:

Does the requested amendment remove the subject land from an area of employment?

☐ Yes ☒ No

If yes, please describe its effect including details of the official plan or official plan amendment that deals with the matter:

C. PURPOSE OF DEVELOPMENT APPLICATION

Please explain what you propose to do on the subject lands/premises which makes this development application necessary and include the nature and extent of the amendment requested (if additional space is required, please attach a separate sheet):

AMEND THE REGULATIONS OF THE CBD ZONE TO
PERMIT RESIDENTIAL USES ON THE GROUND FLOOR AND
NOT TO APPLY THE STEP REGULATION OF THE CBD ZONE.

Please explain why the zoning by-law amendment is being requested (if additional space is required, please attach a separate sheet):

REQUIRE TO AMEND SECTION 6.1.4 TO PERMIT RESIDENTIAL UNITS
ON THE GROUND FLOOR SECTION 6.1.5 TO NOT USE STEP BACK ON
UPPER FLOORS SEE ATTACHED PLANNING JUSTIFICATION

Present zoning:

CBD ZONE

Proposed zoning:

CBD WITH SPECIAL EXCEPTION TO 6.1.4 AND 6.1.5

Present official plan designation:

CENTRAL BUSINESS DISTRICT, DOWNTOWN AREA

Explain how the application for zoning by-law amendment conforms to the official plan:

RESIDENTIAL USES AND COMMERCIAL USES ARE PERMITTED
IN THE CBD AND DOWNTOWN DESIGNATIONS

Are the subject lands within an area where zoning with conditions apply?

☐ Yes ☒ No

If yes, please describe how the application conforms to the official plan policies relating to zoning with conditions:

Approximate area of lands affected by the proposed amendment:

25,896 sq ft

D. PROPERTY INFORMATION

Present use of the subject lands:

VACANT AUTOMOTIVE GARAGE AND GYM

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Proposed use of the subject lands:

RESIDENTIAL APARTMENT WITH RETAIL ON MAIN FLOOR.

Present use of adjacent properties:

BEER STORE, VACANT BUILDING, CIVIC PARKING, BIG BROTHERS OFFICES
COUNTY OFFICES.

Is there a site specific zone on the subject lands?

NO

Are there any existing buildings or structures on the subject lands?

☒ Yes ☐ No

If yes, please describe the type of building or structure and in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

ONE STOREY BUILDING FLOOR AREA 645sqm (6942sqft)
TO BE REMOVED WHEN THE APPLICATION IS
APPROVED

Are there any buildings or structures proposed to be built on the subject lands?

☒ Yes ☐ No

If yes, please describe the type of building or structure and in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

6 STOREY APARTMENT BUILDING

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:

The date the subject lands was acquired by the current owner:

NOT KNOWN

If known, the date existing buildings or structures were constructed on the subject lands:

NOT KNOWN

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

NOT KNOWN

E. PREVIOUS USE OF THE PROPERTY

Has there been an industrial or commercial use on the subject lands or adjacent lands?

☒ Yes ☐ No ☐ Unknown

If yes, specify the uses:

AUTOMOTIVE GARAGE AND GYM

Has the grading of the subject lands been changed through excavation or the addition of earth or other material?

☐ Yes ☒ No ☐ Unknown

Has a gas station been located on the subject lands or adjacent lands at any time?

☐ Yes ☐ No ☒ Unknown

Has there been petroleum or other fuel stored on the subject lands or adjacent lands at any time?

☒ Yes ☐ No ☐ Unknown

Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites?

☒ Yes ☐ No ☐ Unknown

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

OWNER WILL PROVIDE A PHASE I ESA AT
THE TIME OF SUBMISSION OF THE SITE PLAN.

If you answered yes to any of the above questions, 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

F. STATUS OF OTHER PLANNING DEVELOPMENT APPLICATIONS

Has the subject land or land within 120 metres of it been or is now the subject of an application under the *Planning Act*, R.S.O. 1990, c. P. 13 for:

1. a minor variance or a consent;
2. an amendment to an official plan, a zoning by-law or a Minister's zoning order; or
3. approval of a plan of subdivision or a site plan?

☐ Yes ☒ No ☐ Unknown

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If yes, indicate the following information about **each application**:

File number:

Land it affects:

Purpose:

Status/decision:

Effect on the requested amendment:

If additional space is required, please attach a separate sheet.

Is the above information for other planning developments applications attached?

☐ Yes

☒ No

G. PROVINCIAL POLICY

Is the requested by-law 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:

Are the subject lands within an area of land designated under any provincial plan or plans?

☐ Yes

☒ No

If yes, does the requested amendment conform to or does not conflict with the provincial plan or plans:

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Are any of the following uses or features on the subject lands or within 500 metres (1,640 feet) of the subject lands, unless otherwise specified? Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Lands	Within 500 Metres (1,640 feet) of Subject Lands (Indicate Distance)
Livestock facility or stockyard (if yes, complete Form 3 – available upon request)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Wooded area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Municipal landfill	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Sewage treatment plant or waste stabilization plant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Floodplain	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 125 distance
Rehabilitated mine site	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Non-operating mine site within one kilometre	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Active mine site within one kilometre	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Industrial or commercial use (specify the use(s))	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 125 distance
Active railway line	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Seasonal wetness of lands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 125 distance
Erosion	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Abandoned gas wells	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance

H. SERVICING AND ACCESS

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)

If other, describe:

Will the requested amendment permit development on a privately owned and operated individual or communal septic system that produces more than 4500 litres of effluent per day as a result of the development being completed?

☐ Yes ☒ No

If yes, the following reports will be required: a servicing options report and a hydrogeological report.

Have you consulted with Public Works & Environmental Services concerning stormwater management?

☐ Yes ☒ No

Has the existing drainage on the subject lands been altered?

☐ Yes ☒ No

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Does a legal and adequate outlet for storm drainage exist?

☒ Yes ☐ No ☐ Unknown

Existing or proposed access to subject lands:

☐ Unopened road ☐ Provincial highway
☒ Municipal road ☐ Other (describe below)

If other, describe:

Name of road/street:

WATER STREET, CULVER STREET

I. OTHER INFORMATION

Is there a time limit that affects the processing of this development application?

☐ Yes ☒ No

If yes, describe:

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

J. SUPPORTING MATERIAL TO BE SUBMITTED BY APPLICANT

In order for your development application to be considered complete, **two (2) copies of the plan(s) (folded to 8 1/2" x 11")** must be submitted, in metric units, drawn to scale, as part of the development application, which shows:

1. The boundaries and dimensions of the subject lands
2. The topographical features
3. The approximate location of all natural and artificial features including but not limited to, buildings, railways, roads, watercourses, municipal drains, drainage ditches, banks of rivers or streams, pipelines, gas wells, wetlands, wooded areas that are located on the subject land and on land that is adjacent to it and may affect the application
4. The location of any existing and proposed wells, septic systems and tile beds that is located on the subject land and on land that is adjacent to it and may affect the application
5. The location, name, status and width of any road, lanes, highways, railways, driveways or encroachments, both existing and proposed, within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
6. The location and nature of any easements affecting the subject land
7. 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, also including building dimensions, height and groupings for each building on the site
8. Outlines of all planting beds, buffer planting, lawn areas, areas to be seeded and sodded and any other landscaping or site improvements
9. Location and dimensions of off-street parking, parking structures and aisles, the number of parking spaces to be provided and location of accesses
10. Any pylon signs, fascia signs, etc., any lighting facilities and their location
11. Any proposed subdivision of the subject lands
12. Current uses of land that is adjacent to the subject land
13. Location of outside storage, refuse storage and disposal facilities
14. The legal description of the subject lands in question (lot, concession, registered plan no., geographic township)

Five (5) copies of any applicable information/reports indicated in the development application form.

If other documentation/supporting material become necessary, you will be contacted. This information must be submitted prior to your development application proceeding.

K. NOTIFICATION SIGN REQUIREMENTS

For the purpose of public notification and in order for staff to locate your lands, you will be given a sign to indicate the intent and purpose of your development application. It is your responsibility to:

1. Post one sign per frontage in a conspicuous location on the subject lands
2. Ensure one sign is posted at the front of the subject lands at least three feet above ground level
3. Notify the Planner when the sign is in place in order to avoid processing delays
4. Maintain the sign until the development application is finalized and thereafter removed

L. PERMISSION TO ENTER SUBJECT LANDS

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




Owner/Applicant/Agent Signature



Date

M. 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 development application.



Owner/Applicant/Agent Signature



Date

N. DECLARATION

I, MICHAEL HIGGINS of G.D. VALLEE LTD 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:

TOWN OF SIMCOE

In NORFOLK COUNTY

This 25 day of JUNE

A.D., 2015

[Signature]
A Commissioner, etc.

[Signature]
Owner/Applicant/Agent Signature

**MICHAEL JOHN HIGGINS, a Commissioner, etc.,
Norfolk County, for G. Douglas Vallee Limited.
Expires June 15, 2018.**

O. OWNER'S AUTHORIZATION

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

I/We MAHER KAKAJI am/~~are~~ the registered owner(s) of the lands that is the subject of this development application for a zoning by-law amendment.

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

[Signature]
Owner

09/04/15
Date

Owner

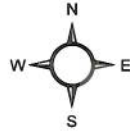
Date

MAP 1

File Number: ZNPL2015147

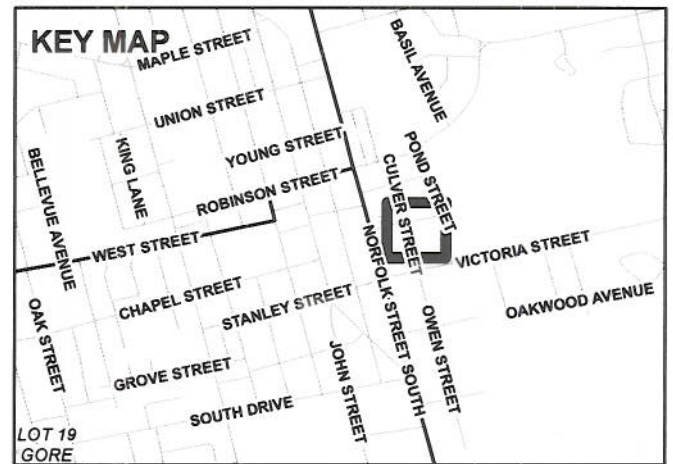
Urban Area of

SIMCOE



1:1,000

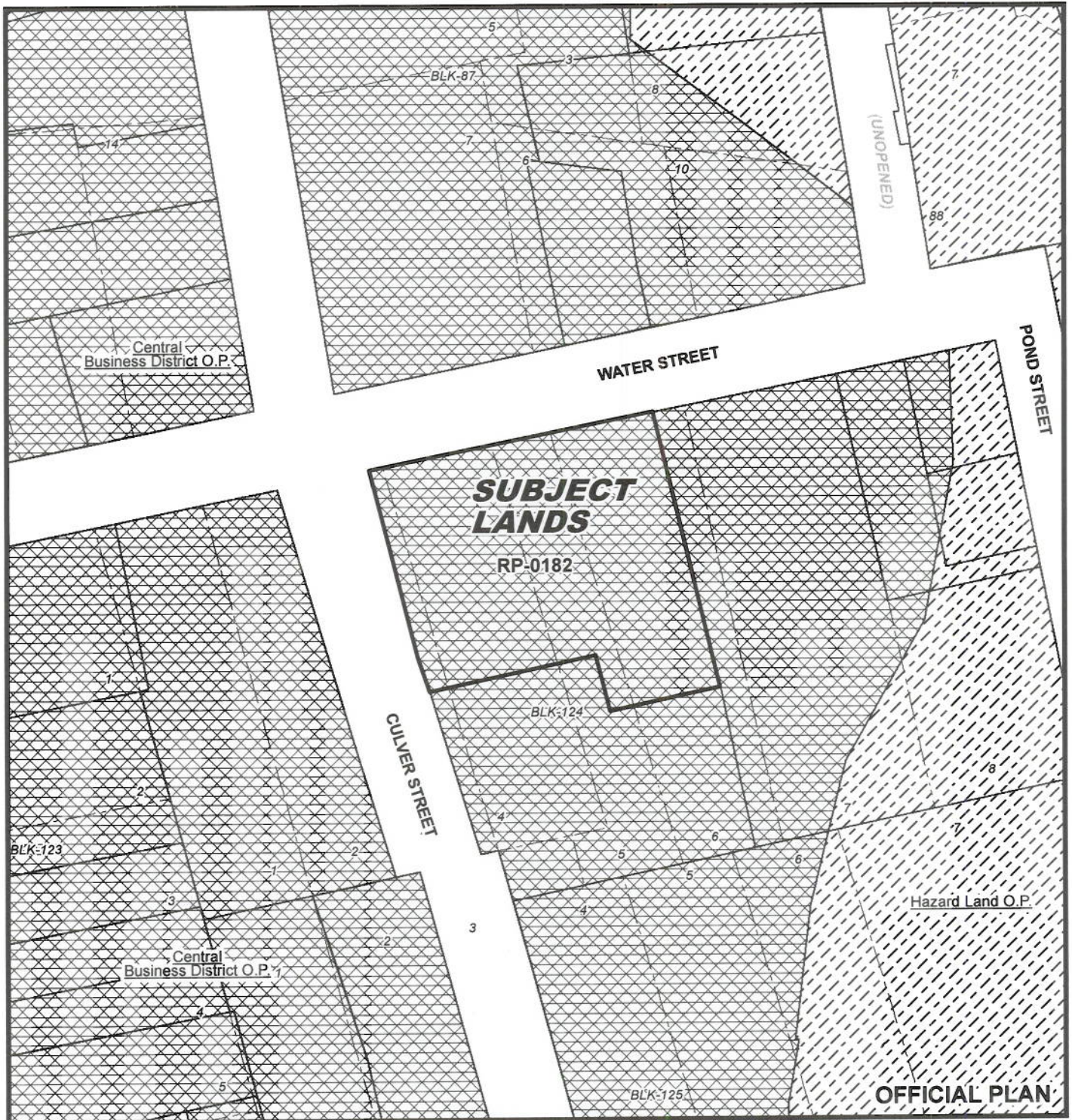
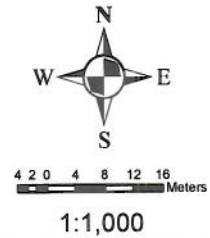
8 4 0 8 16 24 32 Meters



MAP 2

File Number: ZNPL2015147

Urban Area of SIMCOE



MAP 3

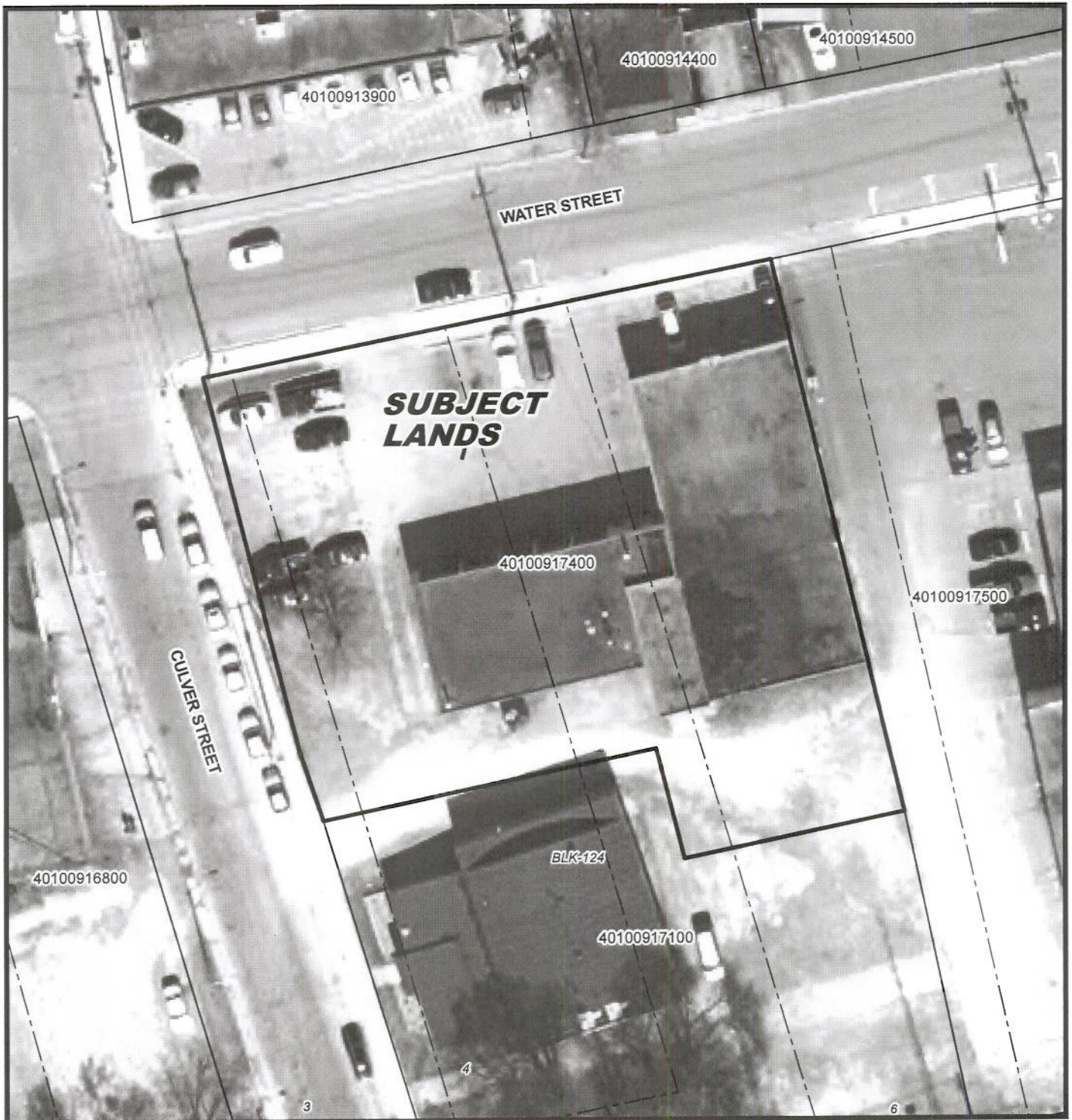
File Number: ZNPL2015147

Urban Area of SIMCOE



2 1 0 2 4 6 8 Meters

1:500



MAP 4

File Number: ZNPL2015147

Urban Area of SIMCOE

