

Planner:
MAT

ZONING BY-LAW AMENDMENT

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|-----------------------------|--------------------|----------------------------|----------------|
| File Number | <u>ZNPL2015246</u> | Application Fee | <u>1548.00</u> |
| Related File Number | | Conservation Authority Fee | <u>N/A.</u> |
| Pre-consultation Meeting On | <u>Sept 9 2015</u> | OSSD Form Provided | <u>yes.</u> |
| Application Submitted On | <u>Nov 2015</u> | Sign Issued | |
| Complete Application On | <u>Dec 14 2015</u> | | |

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: 3310-49101519000

Check whether this development application is for approval of:

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

A. APPLICANT INFORMATION

Ken Gilbert Trucking and Excavating Ltd.

Name of Applicant¹ 710991 Ontario Inc. (T. McElhone) Phone # 519-443-8570

Address 692 Windham Road 6 Fax # _____

Town / Postal Code Vanessa, ON NOE 1V0 E-mail _____

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

Name of Agent David Roe Phone # 519-582-1174

Address 599 Larch St. Fax # _____

Town / Postal Code Delhi, ON N4B 3A7 E-mail _____

Name of Owner² Best View Foods
Tanking Supply LLC Phone # Randy Hugo V.P. 989-751-1400

Address 2606 N. Huron Road Fax # _____

Town / Postal Code Pinconning, MI 48650 E-mail _____

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 sent³: ☒ 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:

none



Revised 10.2012

RECEIVED

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NOV 18 2015

NORFOLK COUNTY
LANGTON ADMINISTRATION BUILDING

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

| | | | |
|-------------------------|---------------------------|---|--------------------|
| Geographic Township | <u>Windham</u> | Urban Area or Hamlet | <u></u> |
| Concession Number | <u>7</u> | Lot Number(s) | <u>part Lot 17</u> |
| Registered Plan Number | <u></u> | Lot(s) or Block Number(s) | <u></u> |
| Reference Plan Number | <u></u> | Part Number(s) | <u></u> |
| Frontage (metres/feet) | <u>502.45m</u> | Depth (metres/feet) | <u>1003.9m</u> |
| Width (metres/feet) | <u>varies</u> | Lot area (m ² / ft ² or hectares/acres) | <u>72.88 acres</u> |
| Municipal Civic Address | <u>877 Brantford Road</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:

mutual agreements drains to the west

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):

Rezone the former Bicks Pickle tank farm (14.64) By-law 1-Z-2014
being 18.16ac to be zoned Rural Industrial MR Zone and
confirm that proposed use by Ken Gilbert Trucking and
Excavating Ltd is a agriculturally oriented contractors
yard and facilities as permitted in the MR Zone

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

The previous use ended and a reuse of the property is
is being proposed.

Present zoning:

Agriculture A Zone provision 14.64

Proposed zoning:

Rural Industrial MR Zone

Present official plan designation:

Agricultural

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

The proposed uses are considered to be agriculturally
related uses compatible with adjacent agricultural uses

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:

18.16 acres composed of the former tank farm
54.72 acres will be retained for farming purposes.

D. PROPERTY INFORMATION

Present use of the subject lands:

Cash crops (corn/bean rotation) former tank farm not used.



ZONING BY-LAW AMENDMENT

Proposed use of the subject lands:

18.16 acres will be used for rural industrial uses
the remaining 54.5 acres will remain in farming (cash crops)

Present use of adjacent properties:

Agricultural - farming, some non-farm residential
one farm equipment repair facility and used equipment sales

Is there a site specific zone on the subject lands?

Site specific zoning of compatible rural industrial uses

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:

Office and storage building 16mx45.7m=752m2 Height 10.6m
Front - 54m RS-103m, LS- 288m, Rear- 403m

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

☐ Yes ☒ No not at this time

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:

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:

2015

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

1998



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

1998 to 2013

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:

pickle storage and brining facility

upto 600 tanks were on site

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 a phase two environmental site assessemnt
has been completed with no further study

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

knowledge of purchaser

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



ZONING BY-LAW AMENDMENT

If yes, indicate the following information about each application:

File number:

application to be submitted in future

Land it affects:

Purpose:

Sever 18.16 acres to be used for rural industrial uses

Status/decision:

Effect on the requested amendment:

Required as part of the proposal

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:

ZONING BY-LAW AMENDMENT

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 checked="" type="checkbox"/> Yes | <input type="checkbox"/> No <u>adj</u> 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 checked="" type="checkbox"/> Yes | <input type="checkbox"/> No <u>adj</u> distance |
| Floodplain | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No _____ 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 type="checkbox"/> Yes | <input checked="" type="checkbox"/> No _____ 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 type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No _____ 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



ZONING BY-LAW AMENDMENT

Does a legal and adequate outlet for storm drainage exist?

☒ Yes ☐ No ☐ Unknown

a private easement will be required

Existing or proposed access to subject lands:

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

If other, describe:

Name of road/street:

Brantford Road

I. OTHER INFORMATION

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

☒ Yes ☐ No

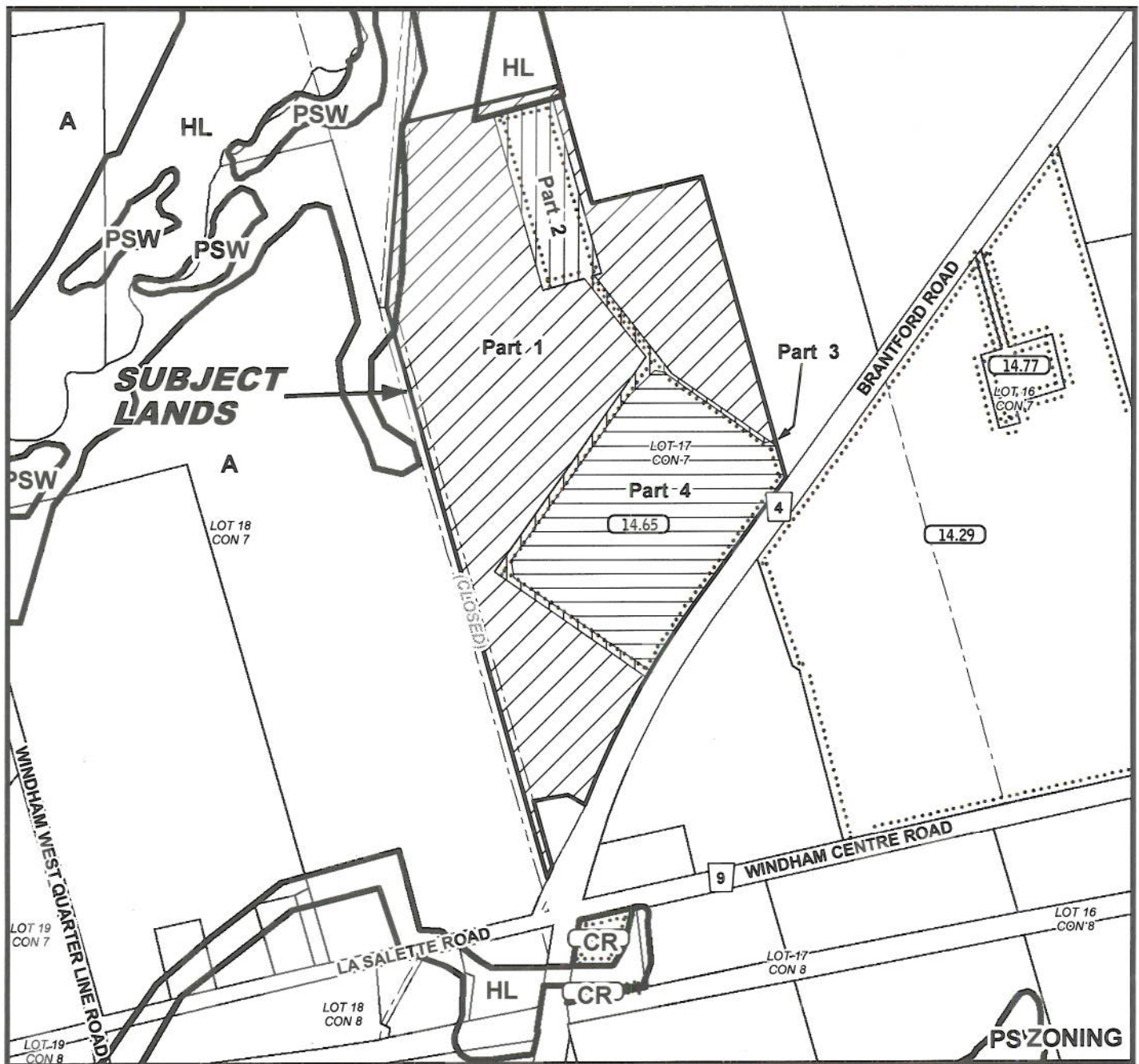
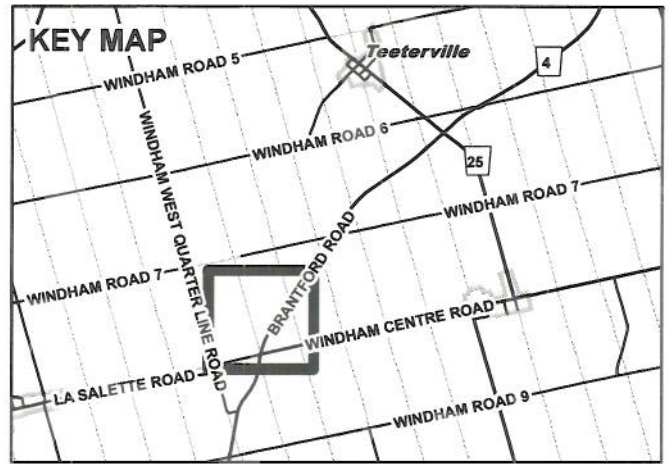
If yes, describe:

Applicant has a conditional offer of purchase

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.

There is a need to proceed as soon as possible.

WINDHAM

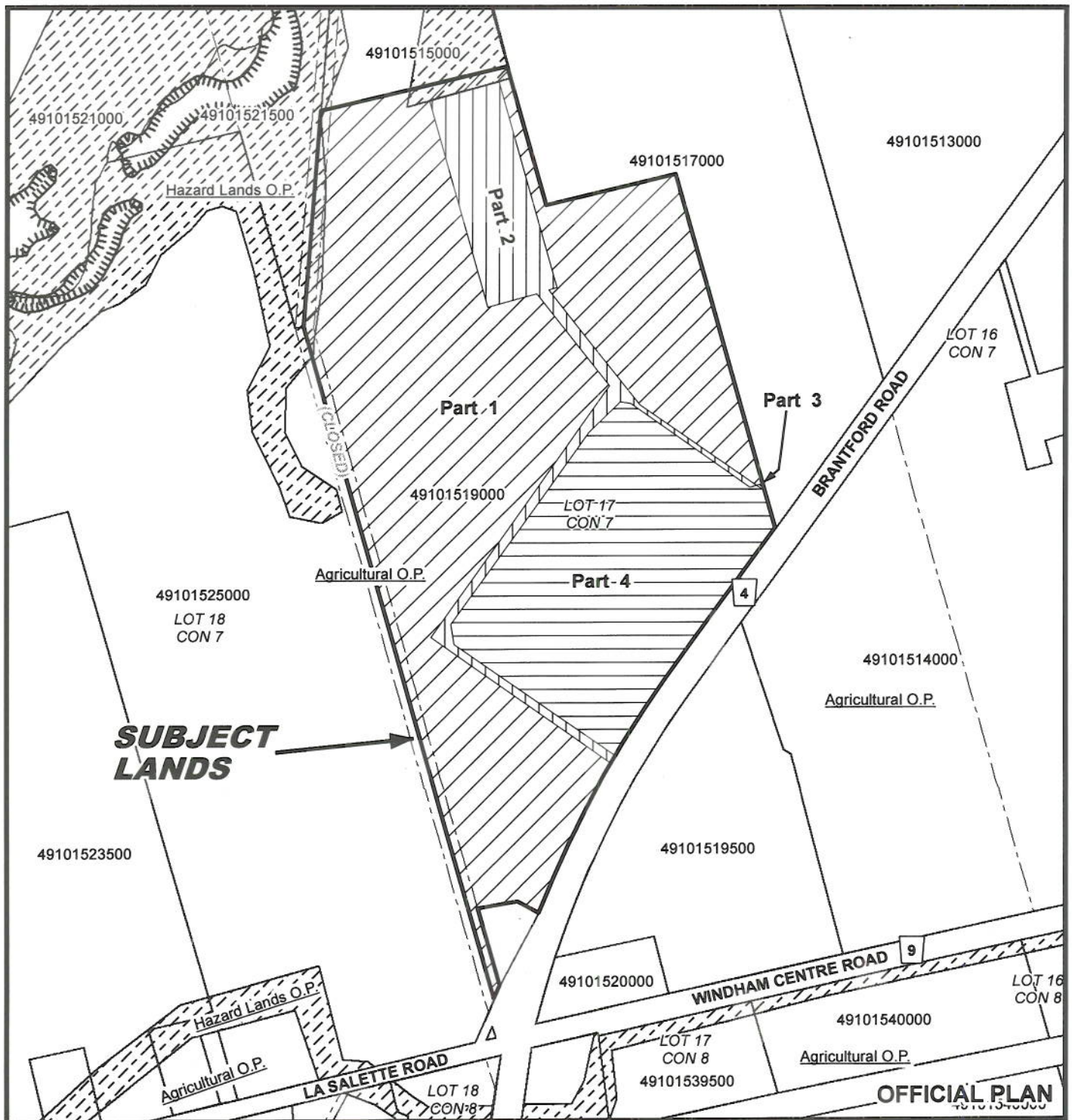
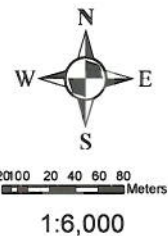


Date: 18/12/2015

MAP 2

File Number: ZNPL2015246

Geographic Township of WINDHAM



Date: 18/12/2015

MAP 3

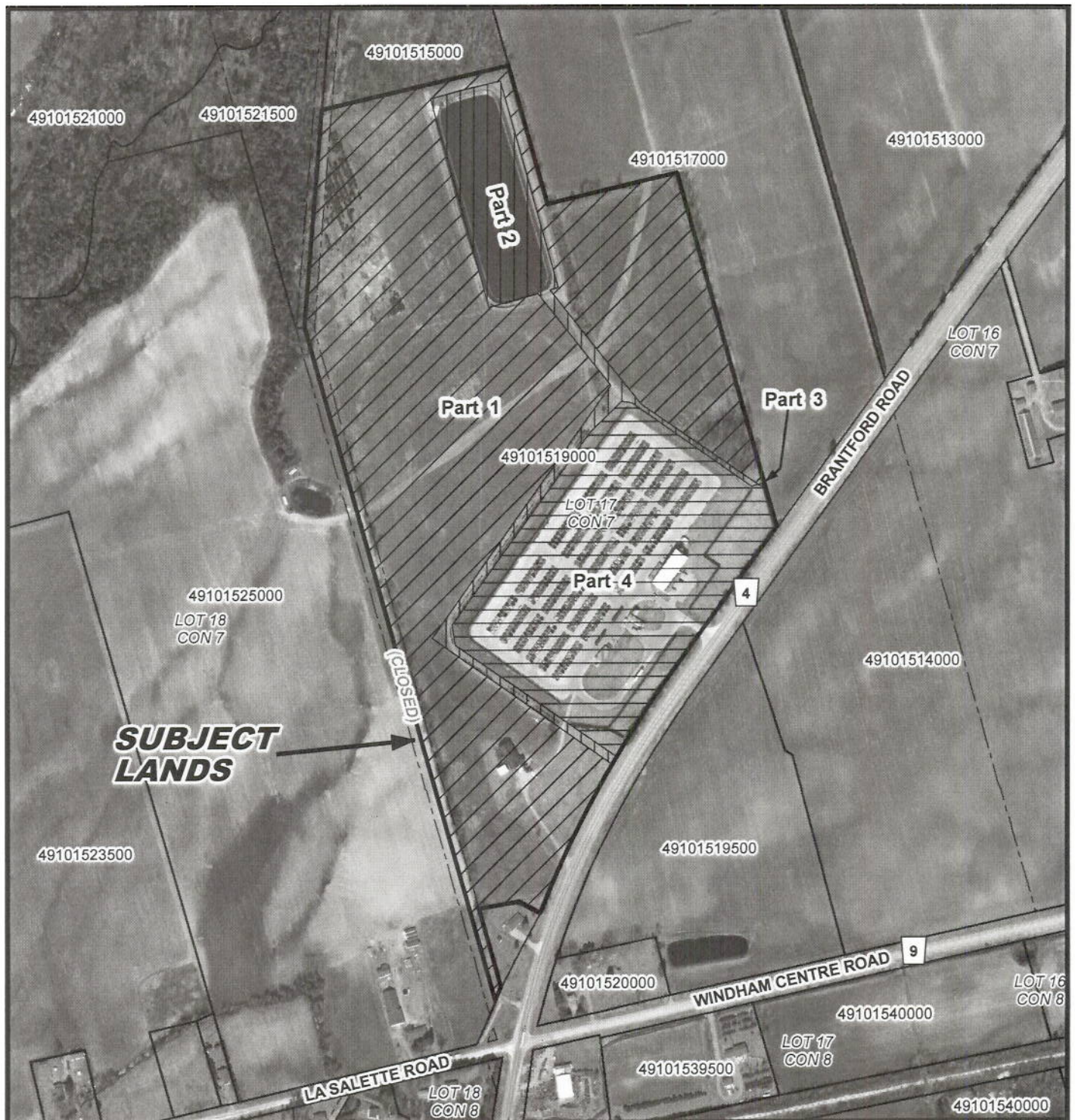
File Number: ZNPL2015246

Geographic Township of WINDHAM



20 00 20 40 60 80 Meters

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Date: 18/12/2015

Geographic Township of WINDHAM

