

**For Office Use Only:**

File Number

Related File Number

Pre-consultation Meeting

Application Submitted

Complete Application

OPNPL2019317  
ZNPPL2019318  
Sept 9/19  
Sept 9/19

Public Notice Sign

Application Fee

Conservation Authority Fee

Well & Septic Info Provided

Planner

\$4310  
—  
—  
Alina

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

- ☒ 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

Please explain the desired end result of this application (for example: a special zoning provision on the subject lands, changing the zone and/or official plan designation of the subject lands, creating a certain number of lots, or similar)

The purpose of this application is to re-designate the subject lands from industrial to residential and implement the Official Plan Amendment by rezoning subject lands to residential.

**Property Assessment Roll Number:** 33 10 491 024 48600 0000

**A. Applicant Information**

**Name of Owner** BTL Investments Inc.

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** c/o Thomas Kovacs, 791 Windham Road 12

**Town and Postal Code** Vanessa ON N0E 1V0

**Phone Number** 519-443-8534

**Cell Number** 519-861-2284

**Email** \_\_\_\_\_

**Name of Applicant** BTL Investments Inc.

**Address** c/o Thomas Kovacs, 791 Windham Road 12

**Town and Postal Code** Vanessa ON N0E 1V0

**Phone Number** 519-443-8534

**Cell Number** 519-861-2284

**Email** \_\_\_\_\_

**Name of Agent** Thomas A. Cline, Cobb & Jones LLP

**Address** 23 Argyle Street, PO Box 548

**Town and Postal Code** Simcoe ON N3Y 4N5

**Phone Number** 519-428-0170

**Cell Number** \_\_\_\_\_

**Email** tcline@cobbjones.ca

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices 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:

n/a

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

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

Part Lot 24, Concession 12, Windham, Part Lots 1 & 2, R-Plan 37R3287; Norfolk County

Municipal Civic Address: not assigned

Present Official Plan Designation(s): Industrial

Present Zoning: Industrial with special provisions 439.1

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:

Vacant

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, and height on your attached sketch which must be included with your application:

n/a

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

Subject to approval, it is proposed that residential development be put in place

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, and height on your attached sketch which must be included with your application:

Subject to approval, it is proposed that residential development be put in place

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:  
n/a

9. Existing use of abutting properties:

Residential on West, Agricultural on East, Agricultural & Residential to South, Industrial North of trail

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

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

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:

Assuming Official Plan is approved and zoning, a Subdivision Application will be submitted.

2. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law/and or Official Plan:

Conversion from industrial to residential requires an Official Plan amendment

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:

If subject lands have been designated as such for several years given residential uses in the area, rezoning for residential purposes would be an enhancement to the area



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):

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

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Lot Area: \_\_\_\_\_

Present Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Proposed final lot size (if boundary adjustment): \_\_\_\_\_

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

Description of land intended to be retained in metric units:

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Lot Area: \_\_\_\_\_

Present Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Buildings on retained land: \_\_\_\_\_

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

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Area: \_\_\_\_\_

Proposed use: \_\_\_\_\_

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, for example: m, m<sup>2</sup> or %

Lot frontage	See existing plan	
Lot depth		
Lot width		
Lot area		
Lot coverage		
Front yard		
Rear yard		
Left Interior side yard		
Right Interior side yard		
Exterior side yard (corner lot)		
Landscaped open space		
Entrance access width		
Exit access width		
Size of fencing or screening		
Type of fencing		

**10. Building Size**

Number of storeys		
Building height		
Total ground floor area		
Total gross floor area		
Total useable floor area		

**11. Off Street Parking and Loading Facilities**

Number of off street parking spaces		
Number of visitor parking spaces		
Number of accessible parking spaces		
Number of off street loading facilities		

12. 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: \_\_\_\_\_

Type	Number of Units	Floor Area per Unit in m <sup>2</sup>
Single Detached	_____	_____
Semi-Detached	_____	_____
Duplex	_____	_____
Triplex	_____	_____
Four-plex	_____	_____
Street Townhouse	_____	_____
Stacked Townhouse	_____	_____
Apartment - Bachelor	_____	_____
Apartment - One bedroom	_____	_____
Apartment - Two bedroom	_____	_____
Apartment - Three bedroom	_____	_____

Other facilities provided (for example: play facilities, underground parking, games room, or swimming pool): \_\_\_\_\_

13. Commercial/Industrial Uses (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: \_\_\_\_\_

Indicate the gross floor area by the type of use (for example: office, retail, storage): \_\_\_\_\_

Seating Capacity (for assembly halls or similar): \_\_\_\_\_

Total number of fixed seats: \_\_\_\_\_

Describe the type of business(es) proposed: \_\_\_\_\_

Total number of staff proposed initially: \_\_\_\_\_

Total number of staff proposed in five years: \_\_\_\_\_

Maximum number of staff on the largest shift: \_\_\_\_\_

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: \_\_\_\_\_

#### 14. Institutional (if applicable)

Describe the type of use proposed: \_\_\_\_\_

Seating capacity (if applicable): \_\_\_\_\_

Number of beds (if applicable): \_\_\_\_\_

Total number of staff proposed initially: \_\_\_\_\_

Total number of staff proposed in five years: \_\_\_\_\_

Maximum number of staff on the largest shift: \_\_\_\_\_

Indicate the gross floor area by the type of use (for example: office, retail, or storage): \_\_\_\_\_

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



#### 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 (for example: gas station or petroleum storage):

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:

Personal knowledge

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:

Unused vacant industrial land

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:

Information relative to service water protection area is not known.

Note: If in an area of source water Wellhead Protection Area (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 \_\_\_\_\_

**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  
☐ Individual wells

- ☐ Communal wells  
☐ Other (describe below)

---

Sewage Treatment

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

---

Storm Drainage

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

---

To be determined

2. Existing or proposed access to subject lands:

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

Name of road/street: Waverly 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?

- 
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.

This is the first step for proposed development relative to subject lands and Official Plan amendment is required to convert industrial lands to other uses.

## **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 properly named 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. Professional engineer's stamp
11. Existing and proposed easements and right of ways
12. Zoning compliance table – required versus proposed
13. Parking space totals – required and proposed
14. All entrances to parking areas marked with directional arrows
15. Loading spaces, facilities and routes (for commercial developments)
16. All dimensions of the subject lands
17. Dimensions and setbacks of all buildings and structures
18. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
19. Gross, ground and useable floor area
20. Lot coverage
21. Floor area ratio
22. Building entrances, building type, height, grades and extent of overhangs
23. Names, dimensions and location of adjacent streets including daylighting triangles
24. Driveways, curbs, drop curbs, pavement markings, widths, radii and traffic directional signs
25. All exterior stairways and ramps with dimensions and setbacks
26. Retaining walls including materials proposed
27. Fire access and routes
28. Location, dimensions and number of parking spaces (including visitor and accessible) and drive aisles
29. Location of mechanical room, and other building services (e.g. A/C, HRV)
30. Refuse disposal and storage areas including any related screening (if indoors, need notation on site plan)
31. Winter snow storage location

32. Landscape areas with dimensions
33. Natural features, watercourses and trees
34. Fire hydrants and utilities location
35. Fencing, screening and buffering – size, type and location
36. All hard surface materials
37. Light standards and wall mounted lights (plus a note on the site plan that all outdoor lighting is to be dark sky compliant)
38. Business signs (make sure they are not in sight lines)
39. Sidewalks and walkways with dimensions
40. Pedestrian access routes into site and around site
41. Bicycle parking
42. Architectural elevations of all building sides
43. All other requirements as per the pre-consultation meeting

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 (to verify location and condition)
- ☐ 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

- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Noise or Vibration Study
- ☐ Record of Site Condition
- ☐ Storm water Management Report
- ☐ Traffic Impact Study – please contact the Planner to verify the scope required

Site Plan applications will require the following supporting materials:

1. Two (2) complete sets of the site plan drawings folded to 8½ x 11 and an electronic version in PDF format
2. Letter requesting that the Holding be removed (if applicable)
3. A cost estimate prepared by the applicant's engineer
4. An estimate for Parkland dedication by a certified land appraiser
5. Property Identification Number (PIN) printout

Standard condominium exemptions will require the following supporting materials:

- ☐ Plan of standard condominium (2 paper copies and 1 electronic copy)
- ☐ Draft condominium declaration
- ☐ Property Identification Number (PIN) printout

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.

#### K. 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.

#### L. 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.

Tan Koracz  
Owner/Applicant Signature

6/20/19  
Date

#### M. 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 \_\_\_\_\_ am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize \_\_\_\_\_ 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.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

**N. Declaration**

I, Thomas Kovacs of Norfolk County

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:

\_\_\_\_\_

Tom Kovacs

Owner/Applicant Signature

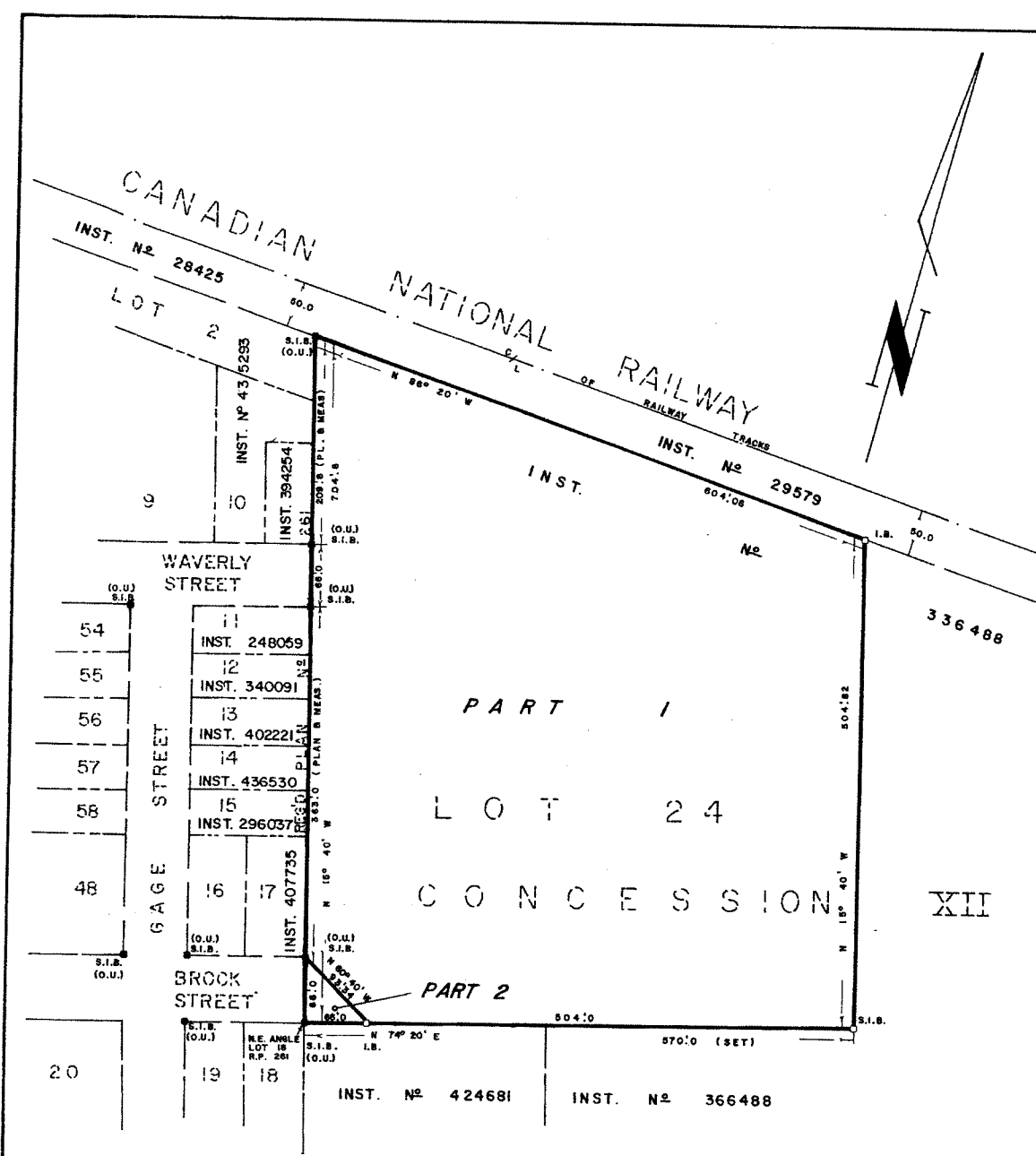
In Simcoe, Ontario

This 20<sup>th</sup> day of June

A.D., 2019  
[Signature]

A Commissioner, etc.





I require this plan be deposited under THE REGISTRY ACT.

PLAN 37R 3287

RECEIVED AND DEPOSITED.

DATED September 23, 1986 DATED September 23, 1986

R. C. Dixon  
R. C. DIXON  
ONTARIO LAND SURVEYOR

E. Huilena  
LAND REGISTRAR FOR THE REGISTRY  
DIVISION OF NORFOLK (N.E.S.T.)

SCHEDULE				
PART	PART OF LOT	CON.	INSTRUMENT	AREA
1	24	XII	356488	7.884 Acres
2	24	XII	334488 (SUBJECT TO R/W INST. 424681)	0.080 Acres

PLAN OF SURVEY  
OF PART OF  
**LOT 24, CONCESSION XII**  
FORMERLY IN THE GEOGRAPHIC  
TOWNSHIP OF WINDHAM  
ANNEXED TO THE  
TOWN OF DELHI  
IN THE  
COUNTY OF NORFOLK  
NOW IN THE  
**TOWNSHIP OF DELHI**  
IN THE REGIONAL MUNICIPALITY OF  
**HALDIMAND - NORFOLK**  
SCALE: 1" = 100'  
JEWITT and DIXON Ltd.  
1986

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE  
EAST LIMIT OF REGISTERED PLAN 261 BEING N 15° 40' W  
AS SHOWN ON SAID PLAN.

I HEREBY CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS  
ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.  
2. THE SURVEY WAS COMPLETED ON THE 12th DAY OF SEPTEMBER  
1986.  
DATED SEPTEMBER 15, 1986  
R. C. Dixon  
ONTARIO LAND SURVEYOR

**CAUTION!** THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE  
PLANNING ACT.

**LEGEND**

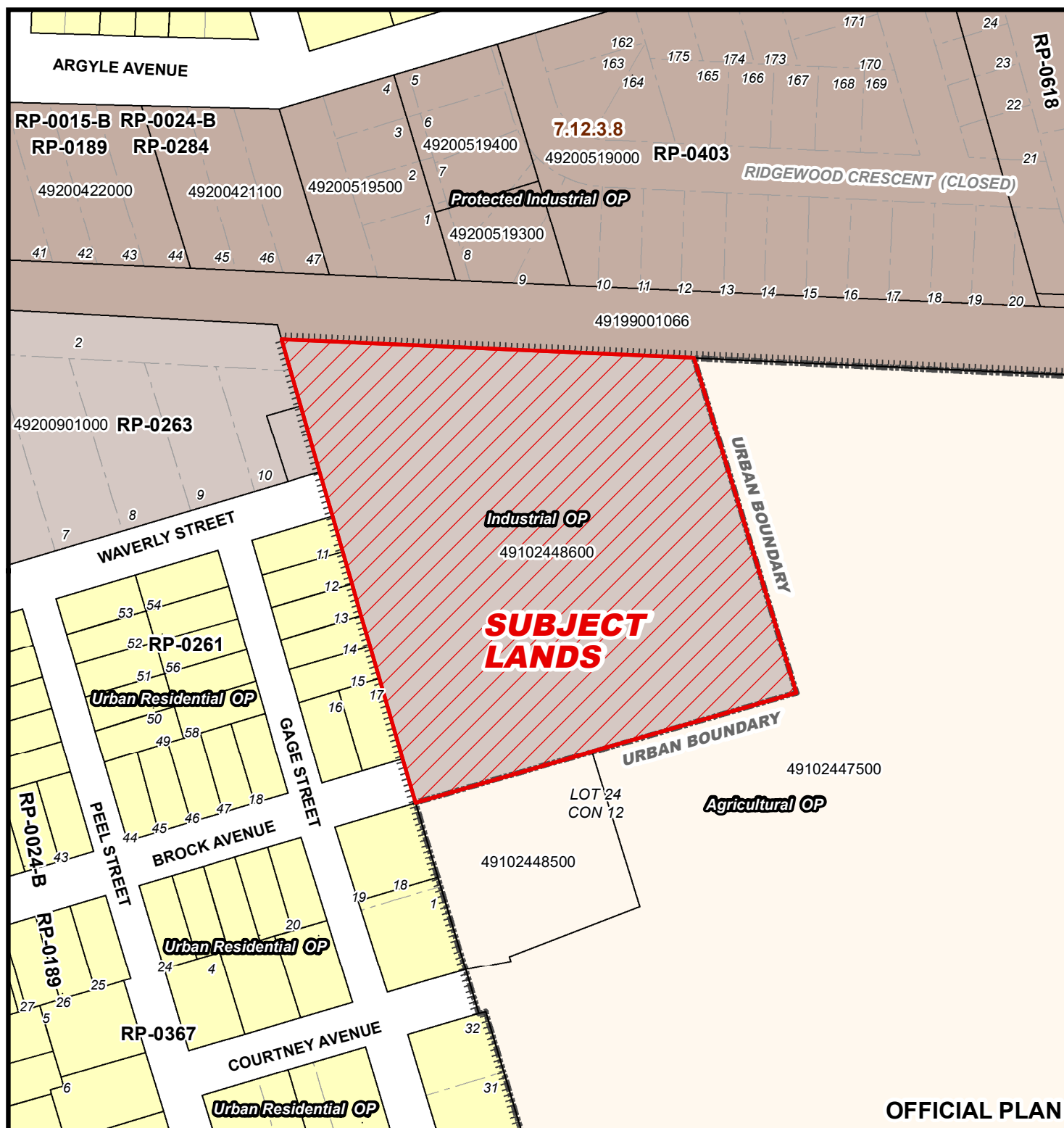
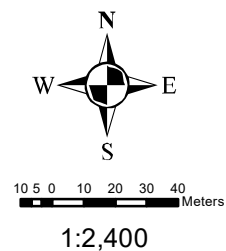
1" x 1" x 48" STANDARD IRON BARS SHOWN — S.I.B. O.U. = ORIGIN UNKNOWN  
5/8" x 5/8" x 24" IRON BARS SHOWN — I.B.  
5/8" x 24" ROUND IRON BARS SHOWN — R.B.  
LOT LINES SHOWN — LOT LINES  
DEED LINES SHOWN — DEED LINES  
FENCES SHOWN — FENCES  
FOUND IRON BARS SHOWN — FOUND IRON BARS  
PLANTED IRON BARS SHOWN — PLANTED IRON BARS

**JEWITT AND DIXON LTD**  
**ONTARIO LAND SURVEYORS**  
90 KENT STREET, SOUTH, SIMCOE, ONTARIO.  
N3Y 2Y1  
PHONE: (519) 426-0842

Field work R.J.S.  
Calculations P.C.C.  
Plan R.D.R.  
Checked R.C.D.



## Urban Area of DELHI

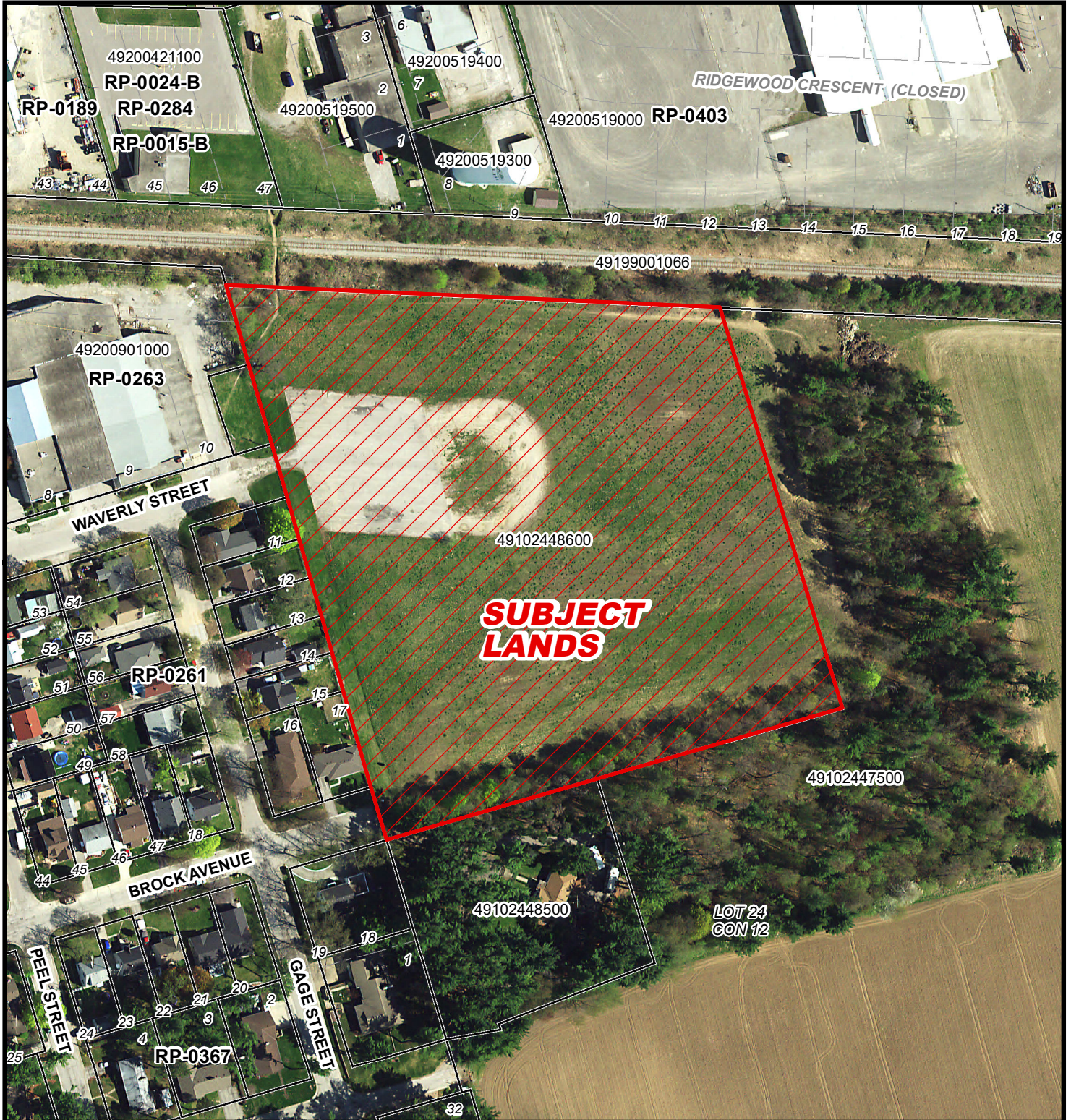
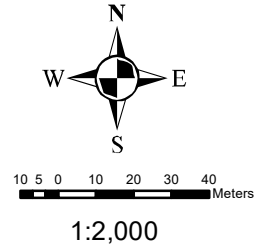




# MAP 3

File Number: OPNPL2019317 & ZNPL2019318

Urban Area of DELHI

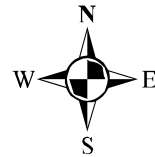




# MAP 4

File Number: OPNPL2019317 & ZNPL2019318

Urban Area of DELHI



10 5 0 10 20 30 40 Meters

1:1,600

