

For Office Use Only:

File Number ZNPL2022342
Related File Number 28TPL2022341
Pre-consultation Meeting _____
Application Submitted _____
Complete Application _____

Public Notice Sign _____
Application Fee _____
Conservation Authority Fee _____
Well & Septic Info Provided _____
Planner _____

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
- ☐ Extension of a Temporary Use By-law
- ☐ Part Lot Control
- ☐ Cash-in-Lieu of Parking
- ☐ Renewable Energy Project or Radio Communication Tower

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

The intent of the Zoning By-law Amendment application is to re-zone the land from Urban Residential Type 1-A (R1-A) to Urban Residential Type 1-B with Special Provisions (R1-B (*)) for the proposed single detached lots and Urban Residential Type 4 with Special Provisions (R4(*)) for the proposed townhouse blocks. The Draft Plan of Subdivision Application is intended to create the lots to accommodate these proposed residential uses as well as a parkland block and a stormwater management block.

Property Assessment Roll Number: 3310494040006600 (Severed from)

A. Applicant Information

Name of Owner Big Creek Estates Inc. (c/o Jeff Fung)

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 20 Hawtrey Road

Town and Postal Code Delhi, ON; N4B 2W5

Phone Number 519-686-3075

Cell Number 519-719-2108

Email jeff.fung@foreverhomes.ca

Name of Applicant Big Creek Estates Inc. (c/o Jeff Fung)

Address 1956 Mallard Road

Town and Postal Code London, ON N6H 5M1

Phone Number 519-686-3075

Cell Number 519-719-2108

Email jeff.fung@foreverhomes.ca

Name of Agent Scott Allen (MHBC Planning)

Address 540 Bingemans Centre Drive, Suite 200

Town and Postal Code Kitchener, ON; N2B 3X9

Phone Number _____

Cell Number 519 524 0885

Email sallen@mhbcplan.com

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 both owner and 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 of Lot 46, Concession 1 North of Talbot Road in the Township of Middleton;

Municipal Civic Address: 20 Hawtrey Road

Present Official Plan Designation(s): Urban Residential

Present Zoning: Residential Type 1-A

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

☐ Yes ☒ No If yes, please specify corresponding number:

3. Present use of the subject lands:

Vacant (previously cultivated field)

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.

N/A

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:

65 single detached lots are proposed to accommodate single detached dwellings, two medium density

blocks are proposed to accommodate a maximum of 52 townhouse units, a

stormwater management block is proposed, and a parkland block is 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:

Unknown

9. Existing use of abutting properties:

Agricultural (cultivated fields) to north and east; low density residential to south and west.

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:

N/A

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:

The Draft Plan and Zoning By-law Amendment will permit the creation and use of 65 single detached lots, 2 medium density blocks (townhouses), a stormwater management block, and a parkland block.

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

The R1-A Zone does not permit the use of townhouses and requires larger lot frontages for single detached dwellings than is required in the R1-B Zone.

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:

N/A

4. Does the requested amendment remove the subject land from an area of employment? ☐ Yes ☒ No If yes, describe its effect:

N/A

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):

N/A

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

Frontage: N/A

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: N/A

Depth:

Width:

Lot Area:

Present Use:

Proposed Use:

Buildings on retained land:

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

Frontage: Two internally connected 20 m right-of-ways are proposed to front on the east side of Hawtrey Road.

Depth: 166 m

Width: 20 m

Area: 1.519 ha

Proposed use: Subdivision roads

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

Zoning

Proposed

Please indicate unit of measurement, for example: m, m² or %

Lot frontage	See Planning Justification Report.	
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	See Planning Justification Report.	
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	See Planning Justification Report.	
Number of visitor parking spaces		
Number of accessible parking spaces		
Number of off street loading facilities		

12. Residential (if applicable)

Number of buildings existing: 0

Number of buildings proposed: 73

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

If yes, describe: _____

Type	Number of Units	Floor Area per Unit in m2
Single Detached	65	_____
Semi-Detached	_____	_____
Duplex	_____	_____
Triplex	_____	_____
Four-plex	_____	_____
Street Townhouse	A maximum of 52 units in 8 blocks	_____
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: N/A

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, or 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: N/A

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)

A parkland block is proposed in the northwest corner of the Site to provide recreational/amenity space.

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:
A review of surrounding land uses and a review of the Geotechnical Report which provides an analysis

of current soil conditions was used.

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:

Not required.

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 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 ~400m

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 ~160m (warehouse)

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

☐ Communal system

☐ Septic tank and tile bed in good working order ☐ 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: _____

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.

N/A

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

- ☐ Functional Servicing Report
- ☐ 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

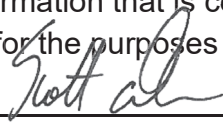
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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



Owner/Applicant Signature

Oct 21, 2022

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 Jeff Fung (C/O Big Creek Estates Inc.) am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize MHBC Planning (Scott Allen) 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

Oct 21, 2022

Date

Owner

Date

N. Declaration

I, Scott Allen of Township of Ashfield-Colborne-Wawanosh

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 Kitchener

Scott Allen

Owner/Applicant Signature

In Region of Waterloo

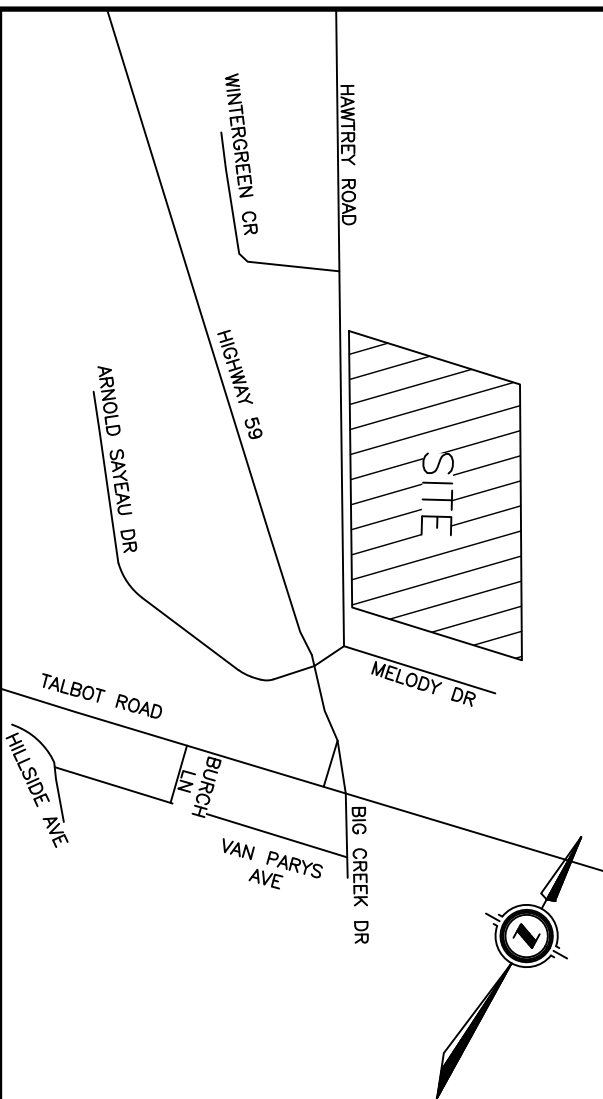
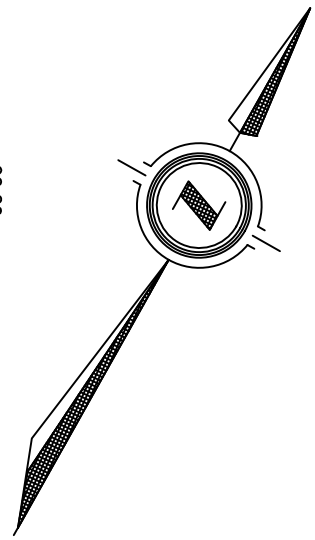
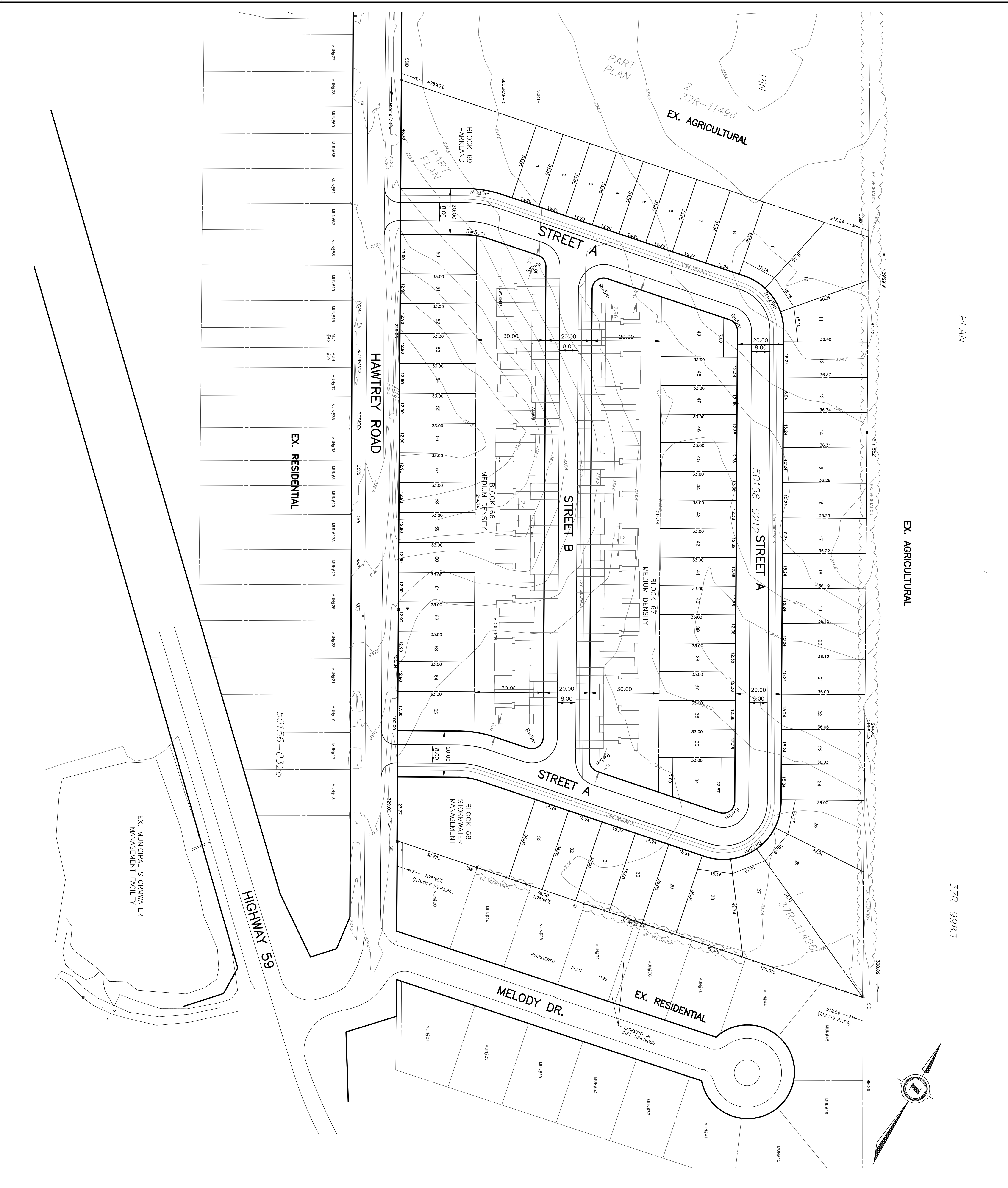
This 21 day of October

A.D., 2022

Swire

A Commissioner, etc.

Carol Marie Wiebe, a Commissioner, etc.,
Province of Ontario for MacNaughton Hermesen
Britton Clarkson Planning Limited.
Expires March 16, 2024.



KEY PLAN NTS

DRAFT PLAN OF SUBDIVISION
PART OF LOT 187
CONCESSION NORTH OF TALBOT ROAD
GEOGRAPHIC TOWNSHIP OF MIDDLETON
MUNICIPALITY OF THE TOWN OF DELHI
NORFOLK COUNTY

OWNER'S AUTHORIZATION

WE HEREBY SUBMIT THIS DRAFT PLAN OF SUBDIVISION
WE HAVE THE AUTHORITY TO BIND THE CORPORATION.

JEFF FUNG DATED

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED, AS SHOWN ON THIS PLAN, AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

JOHN W. MUIR
ONTARIO LAND SURVEYOR
MEMORANDUM, WHITE & MUIR LTD. DATED

REQUIREMENTS UNDER SECTION 51(17) OF THE PLANNING ACT

- A: AS SHOWN ON PLAN
- B: AS SHOWN ON PLAN
- C: AS SHOWN ON PLAN
- D: LOW AND MEDIUM DENSITY RESIDENTIAL
- E: AS SHOWN ON PLAN
- F: AS SHOWN ON PLAN
- G: AS SHOWN ON PLAN
- H: MUNICIPAL WATER SAID
- I: AS SHOWN ON PLAN
- J: AS SHOWN ON PLAN
- K: FULL SERVICES
- L: AS SHOWN ON PLAN

LAND USE SCHEDULE		
LAND USE	AREA IN HECTARES	%
LOW DENSITY RESIDENTIAL	3.453	51.91
MEDIUM DENSITY RESIDENTIAL	1.283	19.29
BLOCKS 66 AND 67 (MAX. 52 UNITS)	0.189	2.84
STORMWATER MANAGEMENT FACILITY	0.208	3.13
BLOCK 69	1.519	22.84
RIGHT OF WAYS		
STREETS A AND B	6.652	100.00
TOTAL AREA		

CONSULTANT
development engineering
London Office
41 Adelaide St. N., Unit 71
(519) 672-8310
Paris Office
31 Mechanic St., Unit 301
(519) 442-1441
CONSULTING CIVIL ENGINEERS

DETAILS	NO.	REVISIONS	DATE	BY
DESIGN BY TW	1	DRAFT PLAN SUBMISSION	***	DENRO

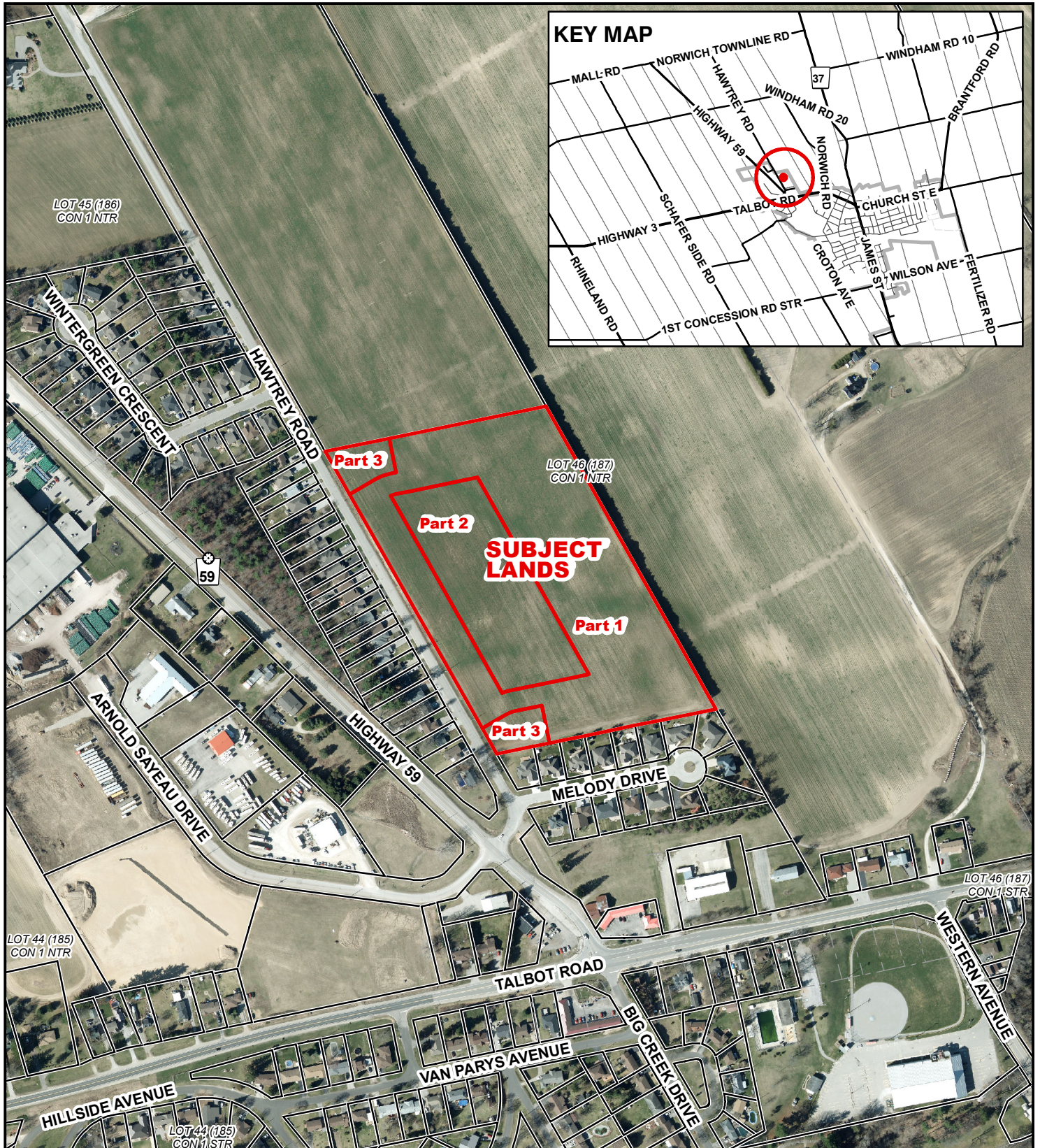
HAWTREY ROAD SUBDIVISION
FOREVER HOMES

PROJECT No. B21-007

SHEET No. DP

SCALE - 1:1750
7.5 0 15m

PLAN FILE No.

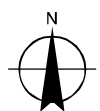


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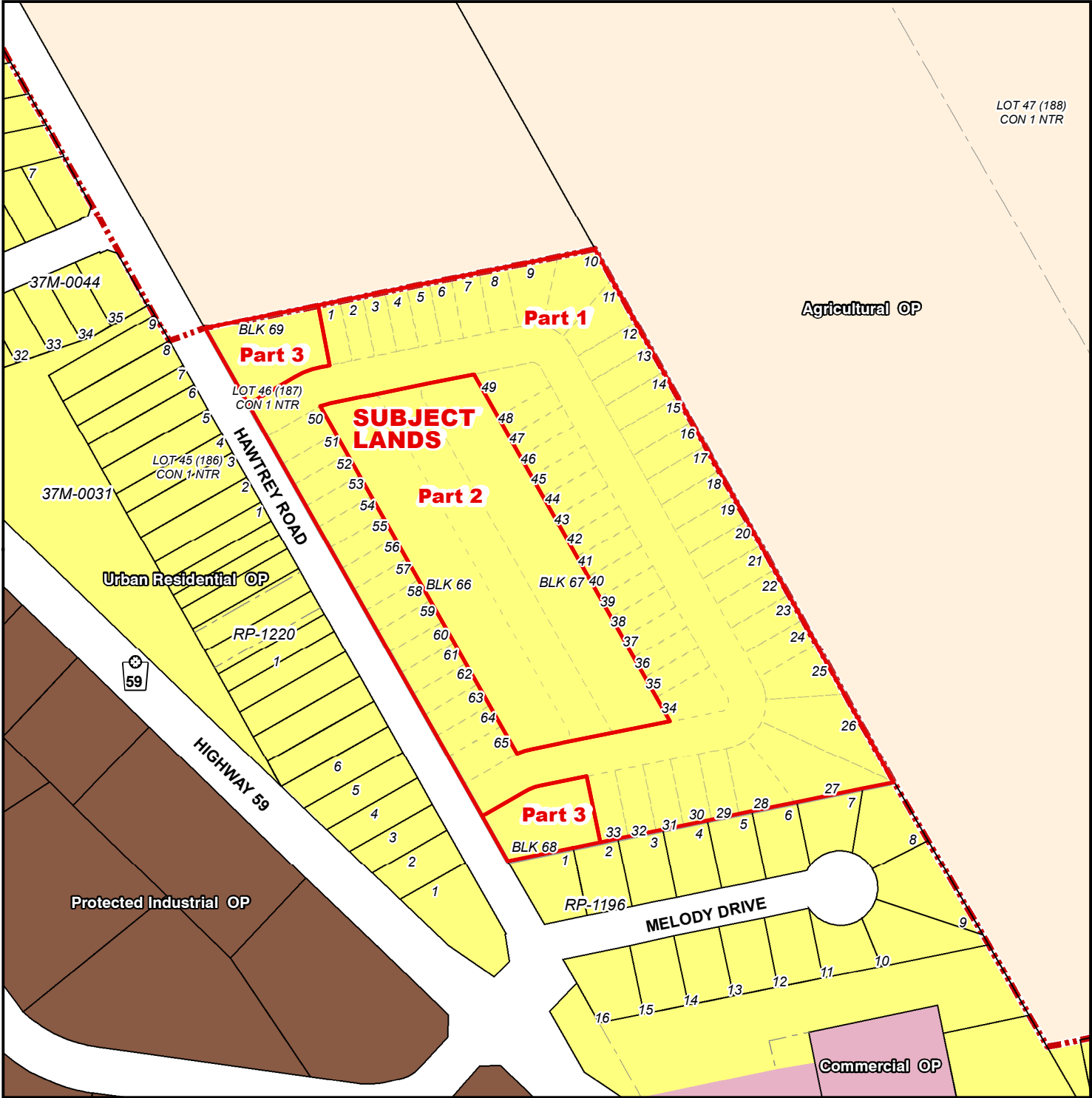
Subject Lands

2020 Air Photo

11/25/2022



40 20 0 40 80 120 160 Meters



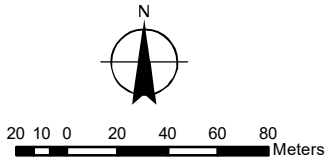
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Subject Lands

Official Plan Designations

- Agricultural
- Urban Residential
- Commercial
- Protected Industrial
- Urban Area Boundary

11/25/2022



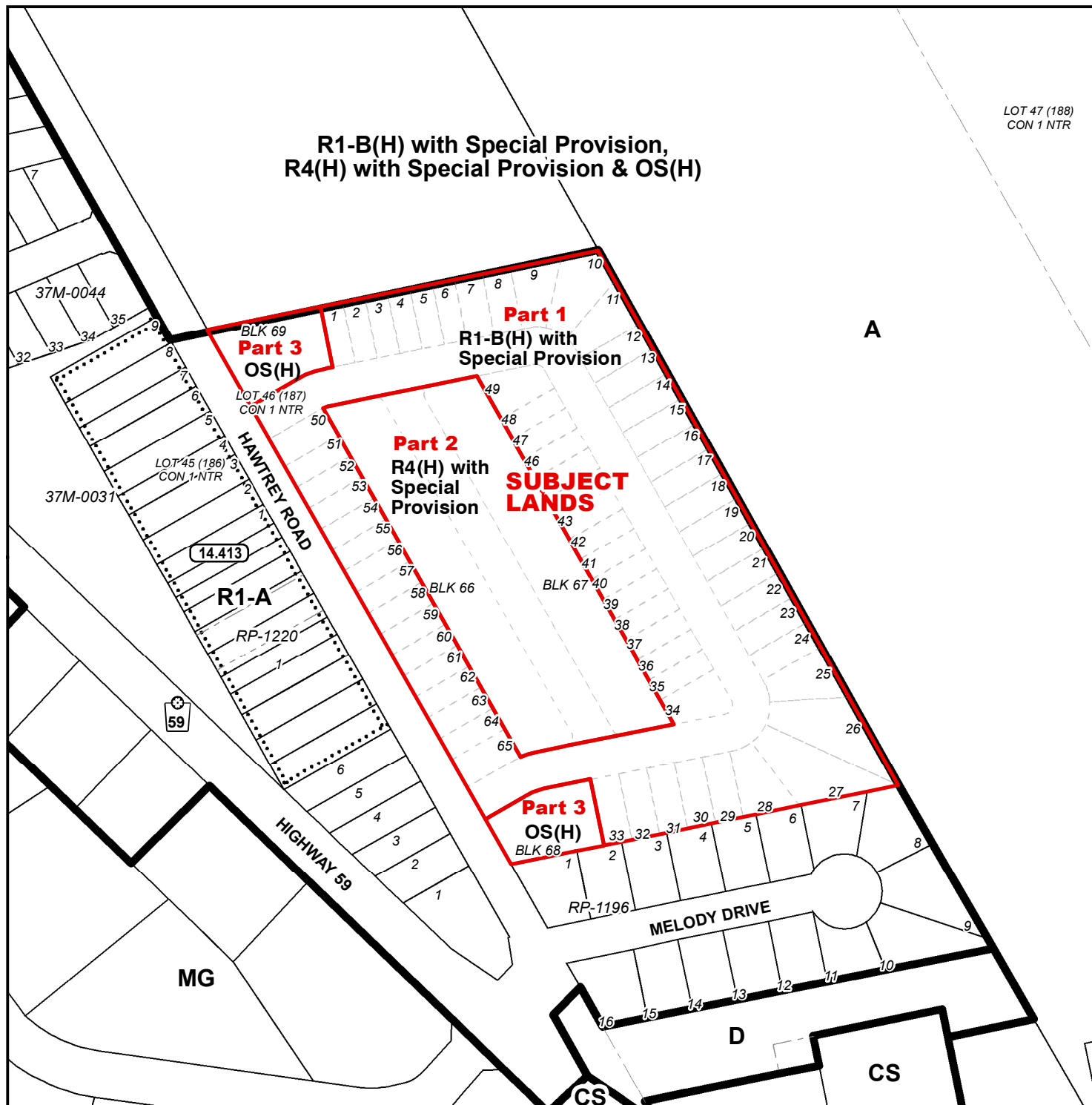
MAP C

PROPOSED ZONING BY-LAW AMENDMENT MAP

Geographic Township of MIDDLETON

28TPL2022341

ZNPL2022342



LEGEND

Subject Lands

ZONING BY-LAW 1-Z-2014

(H) - Holding

A - Agricultural Zone

CS - Service Commercial Zone

D - Development Zone

MG - General Industrial Zone

R1-A - Residential R1-A Zone

Part 1

From: R1-A

To: R1-B(H) with Special Provision

Part 2

From: R1-A

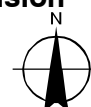
To: R4(H) with Special Provision

Part 3

From: R1-A

To: OS(H)

11/25/2022



20 10 0 20 40 60 80 Meters

MAP D

CONCEPTUAL PLAN

Geographic Township of MIDDLETON

28TPL2022341

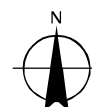
ZNPL2022342



Legend

Subject Lands

11/25/2022



20 10 0 20 40 60 80 Meters