



The corporation of
The Township of Southgate

Application for planning amendment
Official plan and zoning by-law

**** Pre-consultation is required with the Township before any zoning or official plan amendment applications will be accepted (By-law 66-2012)****

Instructions:

- Please check all applicable boxes and answer all applicable questions
- All measurements MUST be in metric units. (Imperial Units will not be accepted)
- Additional information may be attached if necessary
- Incomplete applications will be returned
- The Township reserves the right to ask for more information or clarification pertaining to this application at a later time
- Further information is on the last two pages for your reference
- Applications are not accepted without the required fees
- All applications for zoning by-law amendment or Official Plan Amendment must

For office use only

File no: C11-22 + OPA 1-22
Pre-Consult Date: _____
Date received: May 20, 2022
Date accepted: _____
Accepted by: _____
Roll # 42 07 090 007 02900
Conservation authority fee required: _____
Other information: _____

Pursuant to one or more of the following Sections 22, 34, 36, and/or 39 of the *Planning Act*, as amended, I/we submit an application for: (check appropriate box)

<input checked="" type="checkbox"/> Amendment to the Official Plan	Minor \$1,625.00 application fee <i>plus</i> \$2,000.00 contingency fee Major \$2,708.00 application fee <i>plus</i> \$5,000.00 contingency fee
<i>*contingency fee required for all Official Plan Amendment applications</i>	
<input checked="" type="checkbox"/> Amendment to the Zoning By-law	\$1,300.00 application fee Major \$2,166.00 application fee Major \$2,500.00 contingency fee
<i>*contingency fee required only for complex applications</i>	
<input type="checkbox"/> Removal of a Holding Provision with a related Site Plan Application	\$542.00 application fee or \$542.00 application fee
<input type="checkbox"/> Temporary Use By-Law Amendment	\$1,625.00 application fee <i>plus</i> \$111.00 agreement fee <i>plus</i> \$2,500.00 contingency fee

Other Required Fees:

<input checked="" type="checkbox"/> Public Notice Sign Fee	\$111.00
<input checked="" type="checkbox"/> Conservation Authority Fees	SVCA \$260.00 + \$130 for joint OPA + ZBA GRCA Call directly for details

Note on fees:

The application fees were adopted and approved under the Township of Southgate's fees and charges By-law. All required application fees shall be paid in cash or by cheque made payable to the Township of Southgate at the time of application submission. In the event that all fees are not paid in full at the time of submission, the application shall be deemed incomplete.

Contingency fees will be utilized to cover costs associated with this application when deemed necessary by the Township of Southgate, i.e. professional consultants and legal advice. Any portion of the contingency fee not used in connection with the review and completion of an application will be returned. The applicant further agrees to pay any additional costs and expenses beyond the initial contingency fee which shall be determined by staff of the Corporation of the Township of Southgate in the event that the amount of the initial contingency fee taken is insufficient.

Be advised that the applicant or a representative is expected to appear at any meetings (including the public meeting) to explain the proposal and answer any questions that may arise. Failure to do so may result in deferral of the application and increased costs.

Township of
Southgate

MAY 20 2022

PAID

5426.00

Part A

Owner/Agent/Application information

*to be completed by the applicant

1. Name of registered owner: H. Bye Construction Limited.

Mailing address: 395 Church Street North, Mount Forest ON N0G 2L0

Phone# : (H) [REDACTED] (B) [REDACTED]

Email Address: [REDACTED]@n

2. Name of applicant: As noted above.

Mailing address: _____

Phone#: _____ Email: _____

Applicant's Relationship to Subject Lands:

☒ Registered Property Owner

☐ Holder of Option to Purchase Subject Lands

☐ Signing Officer of Corporation

☐ Other [Specify] _____

3. Name of agent (if applicable) Cuesta Planning Consultants Inc.

Mailing address: 978 First Avenue West, Owen Sound ON N0G 2L0

Phone#: [REDACTED] Email: [REDACTED]@n

4. Send all correspondence to (choose only one): ☐ Applicant ☒ Agent

5. Preferred Method of communication: ☐ Phone ☒ email ☐ Postal Mail

6. Name any mortgages, charges or encumbrances, in respect to the subject lands:

N/A

Mailing Address: _____

Phone#: _____

Part B

The subject lands

7. Location of subject property (former municipality):

☐ Township of Egremont

☒ Township of Proton

☐ Village of Dundalk

Road/street and number: 046365 Southgate Road 04

Tax Roll#: 420709000702900

Lot 31 Concession 3

Lot _____ of Plan _____

8. The date the subject land was acquired by the current owner: September 2019

9. Dimensions of subject property:

frontage 400 m depth 1000 m area 41.17 ha sq m/ha

10. Description of the area affected by this application if only a portion of the entire

property Esker formation in central portion of parcel to be removed as part of

a gravel pit use.

11. Abutting and nearby lands uses

(a) Interest in abutting lands - does the owner or applicant of the subject lands own or have a legal interest in any lands abutting the subject lands? Yes ☐ No ☒

If yes, describe to what extent _____

(b) Use of abutting and nearby lands - describe the present use on all properties abutting and opposite the subject lands.

North _____

East _____

South _____

West _____

(c) Agricultural livestock operations

☐ if an existing livestock operation is located within 450 metres of the subject lands, prepare a sketch showing locations and approximate size of livestock barns (as per Additional Requirements 20. (b) request) and you must fill out Schedule "A".

12. Environmental Constraints

Indicate whether any of the following environmental constraints apply to the subject lands:

Wetlands	<input checked="" type="checkbox"/>	Specialty Crop Lands	<input type="checkbox"/>
Floodplains	<input type="checkbox"/>	ANSI's (areas of natural or scientific interest)	<input checked="" type="checkbox"/>
Streams, Ravines and Lakes	<input type="checkbox"/>	Aggregate Resources	<input checked="" type="checkbox"/>
Water Resources	<input type="checkbox"/>	Thin Overburden	<input type="checkbox"/>
Wooded Areas & Forest Management	<input checked="" type="checkbox"/>	Solid Waste Management	<input type="checkbox"/>
Fisheries, Wildlife & Environment	<input checked="" type="checkbox"/>	Sewage Treatment Plant	<input type="checkbox"/>
Heritage Resources	<input type="checkbox"/>		

13. Official Plan

Indicate the current Official Plan Designation:

Neighbourhood Area	<input type="checkbox"/>	Agriculture	<input type="checkbox"/>
Downtown Commercial	<input type="checkbox"/>	Rural	<input checked="" type="checkbox"/>
Arterial Commercial	<input type="checkbox"/>	Inland Lakes	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	Space Extensive Industrial/Commercial	<input type="checkbox"/>
Public Space	<input type="checkbox"/>	Hazard Lands	<input checked="" type="checkbox"/>
Special Policy Area	<input type="checkbox"/>	Wetlands	<input checked="" type="checkbox"/>
Major Open Space	<input type="checkbox"/>	Mineral Aggregate Extraction	<input type="checkbox"/>
Village Community	<input type="checkbox"/>		

14. Zoning By-law

Present zoning A1, EP and W.

Requested zoning A1, EP, W and M4.

15. Specific proposed use(s) of subject property that this amendment would authorize: (provide a sketch showing locations and approximate size for each building or structure)

Amendment will permit a mineral resource extraction use on the subject parcel.

Please see associated application materials for additional information.

For Official Plan Amendment Applications Only:

14.

16. Please answer the following about this proposed Official Plan Amendment:

Does this application change or replace a designation in the Official Plan?

Changes ☐

Replaces ☒ *Replaces Hazard Lands designation on an interim basis.*

17. Is this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?

Yes ☐

No ☒

If yes, please provide the details of the official plan or the official plan amendment that deals with this matter.

18. Does this application propose to remove land from an area of employment?

Yes ☐

No ☒

If yes, please provide the details of the official plan or official plan amendment that deals with this matter.

19. Is the application being submitted in conjunction with a proposed County Official Plan Amendment? Yes ☒ No ☐

If yes, please provide the details of the official plan or official plan amendment that deals with this matter.

Upper and lower tier amendments are required to permit the new mineral resource extraction use as the Site is not fully designated by the upper tier plan as within an Aggregate Resource Area and falls within a Core Area of the County's natural heritage system.

Type of building/structure Not applicable.

Setbacks:

front lot line _____

rear lot line _____

side lot line _____

Building/structure:

height _____ dimensions / floor area _____

20. The date the existing building(s) or structure(s) on the subject land were constructed: Not applicable.
21. The length of time that the existing uses of the subject land have continued: Over a decade.
22. If proposed use is residential, indicate proximity of subject lands to community facilities (parks, schools, etc.): Not applicable.
23. Specific reason(s) for requesting amendment(s), if not sufficient space, a cover letter should be attached:
Please see the associated materials for additional information.
24. Has the subject land ever been the subject of a Zoning By-law Amendment?
Yes ☐ No ☒ Unknown ☐
If yes, and if known, specify the file number and status of the application:

Servicing for subject land

25. Facilities existing or proposed for subject lands:

type of access	existing	proposed
_____ provincial highway	_____	_____
Southgate Rd. 4 _____ municipal road, maintained year round	<u>✓</u>	<u>✓</u>
_____ municipal road, seasonally maintained	_____	_____
_____ other public road	_____	_____
please specify _____	_____	_____
_____ right of way available	_____	_____
please specify _____	_____	_____
_____ water access available	_____	_____
Describe the parking and docking facilities and the approximate distance of these facilities _____		

type of water supply	existing	proposed
_____ municipally operated piped water system	_____	_____
_____ privately owned/operated individual well	_____	_____
_____ privately owned/operated communal well	_____	_____
_____ lake or other water body	_____	_____
please specify _____	_____	_____
_____ other means	_____	_____
please specify _____	_____	_____

type of storm water management	existing	proposed
_____ storm drainage sewer pipe	_____	_____
_____ ditch	_____	_____
<u>✓</u> _____ swale	<u>✓</u>	<u>✓</u>
_____ other means	_____	_____

please specify _____

type of sewage disposal *Not applicable.*

existing **proposed**

_____ municipally operated sanitary sewers

_____ privately owned/operated individual septic

_____ privately owned/operated communal septic

_____ privy

_____ other means

please specify _____

26. Is there an approved Site Plan and/or a Site Plan Control Agreement in effect on any portion of the subject lands?

Yes ☐ No ☒

If yes, has an amendment to the Site Plan and/or Agreement been applied for?

Yes ☐ No ☒

27. Are there any easements, rights-of-way, restrictions, covenants, or other agreements applicable to the subject lands? (if yes, describe what they are and include applicable Site Plan if applicable.)

Yes ☐ No ☒

Part C

The proposal

28. Describe the **nature** and extent of the relief applied for and the proposed use of the subject lands.

_____ The requested policy amendments would permit the establishment of a gravel pit on the
_____ subject lands. The licensed area will be 13.38 ha and the area of extraction is 5.77 ha. The
_____ proposed annual tonnage is 100,000 tonnes/annum. The pit floor will remain 1.5m above
_____ the established high water table.

29. Describe the reasons for the proposed amendment(s).

_____ Any new pit or quarry use requires an amendment to the Township Official Plan.

30. Describe the timing of the proposed development, including phasing.

_____ Gravel pit will be operational within 1 year of licensing. Please see ARA Site Plans for details of on-site phasing.

31. Additional Supporting Documents

List any supporting documents: (e.g. Environmental Impact Study, Hydrologic Report, Traffic Study, Market Area Study, Aggregate License Report, Storm Water Management Report)

_____ Summary Statement/Planning Analysis, NETR, TIS, Hydrogeological Assessment, ARA Site Plans

_____ Stages 1 & 2 Archaeological Assessment

Part D

Statement of compliance

32. Is this application consistent with the policy statements issued under subsection 3(1) of the Planning Act?

Yes ☒ No ☐

33. Is the subject land within an area of land designated under any provincial plan or plans?

Yes ☐ No ☒

If yes, explain how the application conforms with or does not conflict with the applicable provincial plan or plans.

Additional requirements

34. Supplementary and support material to accompany application, where applicable

a) a survey of the property prepared by an Ontario Land Surveyor indicating topographical contours and other natural and artificial features such as existing buildings and their uses, railways, highways, pipelines, ditches, swamps, watercourses, drainage, and wooded areas within or adjacent to the subject land. This survey should clearly indicate the land which is the subject of the amendment.

OR

b) a sketch *drawn to scale* showing the following:

- 1) Boundaries and dimensions of the subject land.
- 2) Location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- 3) Approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditch, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- 4) Current use(s) on land that is adjacent to the subject land.
- 5) Location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way.
- 6) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- 7) Location and nature of any easement affecting the subject land.
- 8) North Arrow

Other information

35. Is there any other information that you think may be useful to the municipality or other agencies in reviewing the application? If so, explain below or attach on a separate page:

Part E
Authorization and affidavit

36. Owner's Consent (Freedom of Information):

In accordance with the provision of the Planning Act, it is the policy of the Municipality to provide public access to all development applications and supporting documentation.

In submitting this development application and supporting documents I (we),

Genevieve Scott

and _____

Name of Owner(s) Agent

hereby acknowledge the above-noted and provide my (our) consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, as well as commenting letters of reports issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.

Signature of Owner Agent

date

May 9, 2022

Signature of Owner _____

date _____

37. Owner's Authorization for Agent

- See enclosed letter of authorization

I (we), _____ and _____

Name of Owner(s)

hereby authorize _____ to act as our agent(s) for the purpose of this application.

Signature of Owner _____

date _____

Signature of Owner _____

date _____

38. Owner's Authorization for Access

I/we, _____, and _____
Name of Owner(s)

hereby permit Township staff and its representatives to enter upon the premises during regular business hours for the purpose of performing inspections of the subject property.

Signature of Owner _____

date _____

Signature of Owner _____

date _____

Signature of Witness _____

date _____

Solemn declaration

39. Affidavit

To be completed by owner(s), agent(s), or applicant(s) having completed the application form

Note: This Affidavit must be signed in the presence of a Commissioner for Taking Oaths.

I/ (We) Genevieve Scott
Name(s)
of the Municipality of Meaford in the County of Grey
city/town/municipality county/region


Solemnly declare that all statements contained in this application and all the information provided is true, and I/we 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 the:

City of Owen Sound in County of Grey
city/town/municipality county/region

This 9 day of May, 2022


Signature of Commissioner


Signature of Applicant

Genevieve Scott
print name

Jessica MacInnes
Paralegal, P05093
for John A. Tamming
Professional Corporation, Barrister and Solicitor

Signature of Applicant

print name

Schedule "A"

Supplementary Information – Agricultural Lands

Agricultural Property History on the subject parcel

(i) What type of farming has been or is currently being conducted?

☐ Beef

☐ Dairy

☐ Swine

☐ Poultry

☐ Sheep

☐ Cash Crop

☐ Other (describe) _____

Describe in detail the size, age and feed type used for the type of farming conducted: _____

(i) How long have you owned the farm? _____

(ii) Are you actively farming the land
(or – do you have the land farmed under your supervision)?

☐ Yes – For how long? _____

☐ No – When did you stop farming? _____

For what reason did you stop farming? _____

(iii) Area of total farm holding: _____

(iv) Number of tillable hectares: _____

(v) Do you own any other farm properties? ☐ Yes ☐ No

If yes, indicate locations: Lot: _____ Concession: _____

Former Township: _____

Total Hectares: _____

(vi) Do you rent any other land for farming purposes? ☐ Yes ☐ No

If yes, indicate locations: Lot: _____ Concession: _____

Former Township: _____

Total Hectares: _____

(vii) Is there a barn on the subject property? ☐ Yes ☐ No

Please indicate the condition of the barn: _____

How big is the barn? _____

What is the present use of the barn? _____

What is the capacity of the barn, in terms of livestock? _____

(viii) Indicate the manure storage facilities on the subject lands

- ☐ Storage already exists
- ☐ No storage required (manure/material is stored for less than 14 days)
- ☐ Liquid
 - ☐ inside, underneath slatted floor
 - ☐ outside, with permanent, tight fitting cover
 - ☐ (treated manure/material) outside, no cover
 - ☐ outside, with a permanent floating cover
 - ☐ outside, no cover, straight-walled storage
 - ☐ outside, roof but with open sides
 - ☐ outside, no cover, sloped-sided storage
- ☐ Solid
 - ☐ inside, bedded pack
 - ☐ outside, covered
 - ☐ outside, no cover, $\geq 30\%$ DM
 - ☐ outside, no cover, 18-30% DM, with covered liquid runoff storage
 - ☐ outside, no cover, 18-30% DM, with uncovered liquid runoff storage

(ix) Are there any barns on other properties within 450 meters (1,476.38 ft) of the subject lands? ☐ Yes ☐ No

If yes, these barns and distances to the subject property must be shown on the sketch. The following questions must be answered for each property containing a barn regardless of current use.

(x) What type of farming has been conducted on this other property?

(xi) Indicate the number of tillable hectares on other property: _____

(xii) Indicate the size of the barn(s): _____

(xiii) Capacity of barn in terms of livestock: _____

(xiv) Manure Storage facilities on other property (see storage types listed in question above)

Additional information will be required for Minimum Distance Separation (MDS) calculations – please discuss this with Planning Staff prior to submitting your application

Zoning amendment process

Purpose: a zoning by-law amendment is required to change a zone symbol on a property to permit expanded or different land uses on a specific property. A zoning by-law amendment may also be requested to change a zone provision (setback or similar regulation) or general provision.

Process: Discuss your proposal with the municipal planning department prior to submitting your application. Make your application to the planning department along with the required fee. A planning staff report will be prepared and a public meeting will be set. The applicant will be advised of the time and date of this meeting and invited to make representation at this time in order to explain why the zoning amendment request is being made.

You can expect a decision on your application within 150 days. This time is used to review the application, set up a public meeting, post the required public notice, draft a zoning by-law amendment and ensure that all other required documentation is in order.

At least 20 days prior to the public meeting, notice of the public meeting is either sent to every assessed property within 120 metres (400 feet) of the subject property or a notice is placed in the appropriate local newspaper. The applicant or a representative must attend the public meeting to explain why the zoning amendment is required to members of the Council and the public, as well as answer any questions that may arise.

A site plan and agreement may be required to be negotiated prior to any further proceedings of the rezoning process. Following the public meeting and if Council is satisfied with the application, an amending by-law will be considered by Council. Should the by-law be passed, a notice of passing is prepared and sent to everyone on the first mailing list or published in the newspaper. A 20 day appeal period is required to be included in this notice to allow anyone to appeal the by-law to the Ontario Municipal Board.

Should your application not be approved by Council, you also have the right to appeal to the Local Planning Appeals Tribunal within the same 20 day appeal period. More information is available by contacting the municipal planning department or on the Web at: <http://elto.gov.on.ca/news/local-planning-appeal-tribunal/>

If the application is approved and no appeal is filed, a notice of no appeal is prepared and sent to the applicant at which time the process is now completed. A building permit would not be available for any works associated with the by-law until the appeal period has passed and if no appeals were filed.

Zoning by-law amendment process summary

1. Pre-consultation (required by By-law 66-2012)
2. Submit application
3. Clerk sets a public meeting
Notice sent to neighbours within 120 metres (400 feet) and various agencies, 20 days prior to public meeting.
4. Public meeting
Applicant and/or agent should attend to resolve any potential concerns.
Council will consider the proposal and may pass a by-law that meeting.
5. Appeal period
After a Notice of Passing for the by-law amendment is sent to neighbours within 120 metres (400 feet) and agencies, 20 day appeal period begins.
6. Decision final
If not appeal is filed with the Township within the appeal period, the process is complete and the zoning by-law amendment is in full force and effect.

please do not return this page

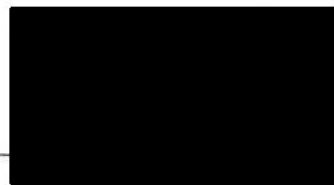
Agent Authorization

To: Cuesta Planning Consultants Inc.
978 First Avenue West,
Owen Sound, Ontario
N4K 4K5

H Bye Construction Ltd. hereby retains Cuesta Planning Consultants Inc. (CPC) to act on its behalf with respect to the signing and preparation of the necessary documents and application materials required under the Planning Act to facilitate required approvals to establish a mineral resource extraction use on lands legally described as Part Lot 31, Concession 3, former Township of Proton, Township of Southgate, County of Grey.

H Bye Construction Ltd. further authorizes CPC to facilitate the processing of above noted application which may include the attendance of any consultation and public meetings on its behalf that may be required to facilitate the requested approvals. This shall be your sufficient authority for so doing.

Dated this 21 day of April, 2022.



Signature

(I have the authority to bind the Corporation)

HARRY BYE

Name (Printed)