

Clinton Stredwick
185667 Grey County Road 9
Dundalk,
Ontario, N0C 1B0

February 22, 2023

Subject: Applications for Zoning By-law Amendment and Consents to Sever (Rogers)


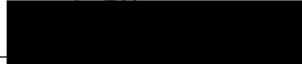
Dear Clinton,

Enclosed, please find the following materials with respect to the above noted application:

- One (1) signed and commissioned Application form for Zoning By-Law Amendment
- Three (3) signed and commissioned Application forms for Consent to Sever
- One (1) Planning Justification Report
- Two (2) Site Plans
- One (1) Scoped Environmental Impact Study, prepared by SAAR Environmental Ltd. (August 24, 2022)
- One (1) Preliminary Hydrogeological Feasibility Assessment, prepared by GMBLuePlan (March 17, 2022)
- One (1) Agent Authorization Letter

Note that the fees for the application will be submitted by the applicant. Please let this office know if you have any questions or require additional information. Our office will forward a digital copy of the enclosed within a day.

Regards,



Vaishnan Muhunthan, BURPI
Cuesta Planning Consultants Inc.



**The corporation of
The Township of Southgate**

**Application for Planning Amendment
Official Plan and Zoning By-law**
Fees Effective January 1, 2023
By-law 2022-180

**** 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: C6-23
Pre-Consult Date: _____
Date received: Feb 23, 2023
Date accepted: _____
Accepted by: _____
Roll # 42 07 060-001-21800
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 type="checkbox"/> Pre - Consultation Fee	\$ 500
<input type="checkbox"/> Amendment to the Official Plan	Minor \$3,000.00 application fee <i>plus</i> \$2,500.00 contingency fee Major \$5,000.00 application fee <i>plus</i> \$5,000.00 contingency fee <i>*contingency fee required for all Official Plan Amendment applications</i>
<input type="checkbox"/> Amendment to the Zoning By-law	\$1,600.00 application fee Major \$2,900.00 application fee Major \$3,000.00 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	\$600.00 application fee or \$600.00 application fee
<input type="checkbox"/> Temporary Use By-Law Amendment	\$1674.00 application fee <i>plus</i> \$111.00 agreement fee <i>plus</i> \$2,500.00 contingency fee
<u>Other Required Fees:</u>	
<input type="checkbox"/> Public Notice Sign Fee	\$145.00
<input type="checkbox"/> Conservation Authority Fees	SVCA \$260.00 GRCA Call directly for details

Note on fees:

It is a requirement that any potential applicant pre-consult with the Planning Department prior to submitting any planning application, for the pre consultation meeting, please provide a drawing or a sketch of your proposal, accompanied by a written description.

The application fees were adopted and approved under the Township of Southgate's fees and charges By-law and will only be accepted once the application is deemed complete by the Township of Southgate Planning Department.

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.

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.

Part A

Owner/Agent/Application information

*to be completed by the applicant

1. Name of registered owner: David Rogers

Mailing address: [REDACTED]

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

Email Address: [REDACTED]

2. Name of applicant: [REDACTED]

Mailing address: [REDACTED]

Phone#: [REDACTED] Email: [REDACTED]

Applicant's Relationship to Subject Lands:

- ☐ Registered Property Owner
☐ Holder of Option to Purchase Subject Lands
☐ Signing Officer of Corporation
☐ Other [Specify] [REDACTED]

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

Mailing address: 978 First Avenue West Owen Sound, ON N4K 4K5

Phone#: 519-372-9790 Email: cuesta@cuestaplanning.com

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:

Unknown.

Mailing Address: [REDACTED]

Phone#: [REDACTED]

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: 263597 Southgate Road 26

Tax Roll#: 420706000121800

Lot PT Lot 4

Concession 22

Lot [REDACTED] of [REDACTED] Plan [REDACTED]

8. The date the subject land was acquired by the current owner: September 2016

9. Dimensions of subject property:

frontage +/- 326.95 m depth +/- 1212 m area +/- 42.29 ha sq m/ha

10. Description of the area affected by this application if only a portion of the entire property Area of proposed consents (please see attached survey and site plans)

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 Woodlands/Black Lake

East Agricultural

South Cottage/Residential

West Rural

(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 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 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 checked="" 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 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 Restricted Agricultural Exception (A2-322)

Requested zoning Residential Type 5 with Exception to implement building envelopes as set out in EIS

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)
Residential, single detached dwellings

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 ☐

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.

Type of building/structure_____

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: _____

21. The length of time that the existing uses of the subject land have continued:

22. If proposed use is residential, indicate proximity of subject lands to community facilities (parks, schools, etc.): _____

23. Specific reason(s) for requesting amendment(s), if not sufficient space, a cover letter should be attached:

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	_____	_____
_____ municipal road, maintained year round	_____ X _____	_____ X _____
_____ 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	_____ X _____	_____ X _____
_____ 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	_____ X _____	_____ X _____
_____ swale	_____	
_____ other means	_____	

please specify _____

type of sewage disposal	existing	proposed
_____ municipally operated sanitary sewers	_____	_____
_____ privately owned/operated individual septic	_____ X _____	_____ X _____
_____ 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 proposed uses of the proposed severances are residential. An amendment is required to change the existing zoning from A2-322 to R5 with an exception to implement a specific building envelope as set out in the Scoped Environmental Impact Study which may not comply with the required setbacks. Relief is also required for the retained parcel as the proposed severances will result in a frontage of +/- 177m for the retained.

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

A Scoped Environmental Impact Study indicates the most appropriate locations for the siting of single detached dwellings which may not meet the required setbacks. The recommended building envelopes have been determined to fall within existing clearings that can be easily accessed. Further, the proposed lots will be used for non-farm residential development and thus a rezoning to an appropriate residential zone is required.

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

To be determined.

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)

Scoped Environmental Impact Study - SAAR Environmental Limited

Preliminary Hydrogeological Feasibility Assessment - GM BluePlan

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.

Please see Planning Justification Report.

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),

Vaishnan Muthukhan 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* Feb 21, 2023
date

Signature of Owner _____
date

37. Owner's Authorization for Agent Please see 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, Vaishnan Muthukhan, and _____
Name of Owner(s)
Agent

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 *Agent* Feb 21, 2023
date

Signature of Owner _____
date

Signature of Witness Feb 21, 2023
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) Vaishnan Muthunthan
Name(s)

of the City of Owen Sound 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 21 day of February, 2023



Signature of Commissioner



Signature of Applicant

Vaishnan Muthunthan
print name

April Michelle McInnes, a Commissioner,
etc., Province of Ontario, for Anya Shahabi
Professional Corporation, Barrister and
Solicitor. Expires September 20, 2025.

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) Growing hay

Describe in detail the size, age and feed type used for the type of farming conducted: +/- 6.35ha

(i) How long have you owned the farm? 6+ years

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

☒ Yes – For how long?

Since September 2016

☐ No – When did you stop farming? _____

For what reason did you stop farming? _____

(iii) Area of total farm holding: +/- 42.29ha

(iv) Number of tillable hectares: +/- 6.35ha

(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?

Cattle

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

(xii) Indicate the size of the barn(s): +/- 450m2

(xiii) Capacity of barn in terms of livestock: Unknown.

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

Unknown.

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