

Zoning By-law Amendment Application Form

Have you consulted the Planning Department regarding the proposed Zoning By-law Amendment application?

Yes No

Only select "yes" if you have discussed the proposed application with the Planning Department prior to submission.

Have you undergone a formal Pre-consultation Meeting?

Yes No

Only select "yes" if you have participated in a pre-consultation meeting, scheduled by the Planning Department, and have been provided a list of submission requirements.

PART 1 - General Information

Personal Information is collected pursuant to Section 34 of the Planning Act and will be used in the processing of this application. Applicants are advised that the information contained within this application is considered public information and is available to anyone upon request.

1.1 Contact Information

Applicant

Name

Jasmine

First

Frolick

Last

Company

Sobeys

Position Title

National Development Manager, Real Estate

Address

4980 Tahoe Blvd

Address Line 1

Address Line 2

Mississauga

City

Ontario

State / Province / Region

L4W 0C7

Postal / Zip Code

Canada

Country

Phone (1)

905-238-7124 x2476

Phone (2)

Email

Jasmine.Frolick@sobeys.com

Primary Contact

Yes No

All communication will be directed to the primary contact(s).

Agent

Only complete if the Applicant and Agent have different contact information.

Name

Oz

First

Kemal

Last

Company

MHBC Planning

Position Title

President

Address

12 James Street North

Address Line 1

Address Line 2

Hamilton

City

Ontario

State / Province / Region

L8R 2J9

Postal / Zip Code

Canada

Country

Phone (1)

905-639-8686 x 225

Phone (2)

Email

okemal@mhbcpplan.com

Primary Contact

Yes No

All communication will be directed to the primary contact(s).

Registered Owner(s)

Type of Ownership

Company Individual(s)

Individual(s)

Name (1)

Decimo

First

Valent

Last

Name (2)

Graziano

First

Monestier

Last

Address

107 Poplar Heights Drive

Address Line 1

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

Email

Phone (1)

Phone (2)

Primary Contact

Yes No

All communication will be directed to the primary contact(s).

1.2 Property Location

Municipal Address

Address Line 1

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

Legal Description

Registered Plan Number

Additional Information

1.3 Property Dimensions

Lot Frontage (m)

Lot Depth (m)

Lot Area (m2)

Width of Road Allowance (m)

1,545.5 m2

20.0 m

1.4 Encumbrances

Are there any mortgages, easements, or restrictive covenants affecting the property?

Yes No

PART 2 - PLANNING FRAMEWORK

2.1 Zoning

Please refer to the Township's [Interactive Zoning Map](#) to identify the zoning of the subject property.

Identify the Current Zoning of the Subject Property

Village Service Commercial (C2)

e.g. Agricultural (A) Zone

2.2 Official Plan Designation

Please refer to [Map Schedule A3 - Guelph/Eramosa](#) and [Map Schedule A3-1 - Rockwood](#) of the [County of Wellington Official Plan](#) to identify the Official Plan Designation(s) of the subject property.

Identify the Existing Official Plan Designation of the Subject Property

As per Map B3, Land Use Guelph/Eramosa, the Subject Lands are designated as 'Primary Urban Centre' in the 'Urban System'. As per Map B3-1, Rockwood Land Use the Subject Lands are designated as 'Residential Transition Area'.

e.g. Prime Agriculture, Greenlands, etc.

Explain how the proposed Zoning By-law Amendment application conforms to the current Official Plan:

The proposal conforms to the policies of the County of Wellington Official Plan relating to Residential Transition Areas as it allows for the continued operation of a food store use, currently permitted in the Residential Transition Area. The outdoor storage area supports the objectives of the Residential Transition Area through providing additional storage space that supports the food store in meeting the daily needs of its consumer base, and thus, the economic activity and levels of service of the community.

Is an Official Plan Amendment required to facilitate the proposed use?

Yes No

2.3 Provincial Policy

Explain how the application is consistent with the Provincial Policy Statement, 2014:

As the Provincial Policy Statement (2014) is no longer in effect, the proposal is consistent with the Provincial Planning Statement (2024). The proposal is consistent with the PPS (2024) as it allows for the continued operation of a food store, in an existing settlement area that contributes to the range and mix of land uses, employment opportunities, and commercial services that meets long-term needs.

Explain how the application conforms/conflicts with the Growth Plan for the Greater Golden Horseshoe?

Not applicable.

PART 3 - EXISTING & PROPOSED LAND USE(S)

3.1 Existing Land Use(s)

Please provide a detailed explanation of all existing uses on the subject property, including any accessory uses.

Type of Existing Land Use(s)

Agriculture Single-family Residential Multi-Residential Commercial Mixed-Use Industrial
 Institutional Vacant

Description of Existing Land Use(s) On-Site

The Subject Lands are currently occupied by a Foodland with an interior Beer Store and LCBO agency, as well as associated parking and outdoor storage in the form of two (2) shipping containers and three (3) accessory structures in the southeast corner of the Subject Lands.

Please identify the use of ALL existing buildings on-site, including any accessory uses.

Date the subject land was acquired by the current owner:

2016-01-01

Length of time the existing uses have continued on the land:

Approximately 2009

3.1.1 Abutting Land Uses

North

Commercial uses

East

Commercial and residential uses

South

Residential uses

West

Residential uses

Does the registered owner own the abutting lands?

Yes No

If yes, please provide the civic address or legal description of each property:

3.2 Proposed Land Use(s)

Please provide a detailed explanation of all proposed uses on the subject property, including any accessory uses.

Type of Proposed Land Use(s)

Agriculture Single-family Residential Multi-Residential Commercial Mixed-Use Industrial

Institutional Vacant

Describe the Proposed Land Use(s) On-Site

The proposal is for a temporary use ZBA for a period of up to three (3) years, to allow for the continued use of the outdoor storage area for additional outdoor storage to serve the Foodland building on the Subject Lands. The outdoor storage area consists of two (2) shipping containers and three (3) accessory structures (one (1) frame shed and two (2) refrigerated storage sheds).

Please identify the use of ALL proposed buildings and accessory uses.

Explain the proposed amendment to the Zoning By-law, including any proposed change, deletion, replacement or addition to the regulations or mapping. Please list additional permitted uses and Zoning By-law section numbers (where applicable):

Explanation:

The proposed Temporary Use ZBA Application will allow for the continued use of a portion of the Subject Lands as an “outdoor storage area” that will support the function of the existing Foodland, and its ability to continue serving the needs of the community. The temporary use of the outdoor storage area in its current location does not pose adverse impacts to the surrounding neighbourhood as the area is screened with fencing and is only visible from the property to the immediate east which, is a commercial use.

To allow for the Outdoor Storage Area to remain in its current location relief is sought from the following zoning provisions of the C2 Zone:

- Section 11.2.6: A reduction in the minimum exterior side yard from 7.5 m to 0 m.
- Section 11.2.7: An increase in the maximum lot coverage from 35% to 36%.
- Section 5.1: A reduction in the minimum required parking from 26 parking spaces to 23 parking spaces.
- Section 5.1.13: A reduction in the minimum required accessible parking from 3 accessible parking spaces to 1 accessible parking space.
- Section 5.3: A reduction in the required loading spaces from 1 loading space to 1 temporary loading area.

Will the Demolition of Existing Building(s) be Required to Facilitate the Proposed Use(s)?

Yes No

3.2.1 Information for Commercial/Industrial Development

If Commercial/Industrial development is being proposed, please fill in and upload a copy of the [Information for Commercial/Industrial Development Handout](#).

Information for Commercial/Industrial Development Upload

InformationSheet_203AlmaStreet_TempUseZBA_Sub1.pdf

PART 4 - SITE SPECIFICS

4.1 Site Access

Access Type

Provincial Highway Regional Road
Township Road (Year-Round Maintenance)

Access Name

Alma Street (Highway 7) & Inkerman Street

e.g. Highway 7, Wellington Road 124, etc.

4.2 Servicing

4.2.1 Existing Servicing

4.2.1.1 Water Supply (Existing)

Water Supply

Municipal Servicing Private Well(s)

4.2.1.2 Sewage Disposal (Existing)

Sewage Disposal

Municipal Servicing Private Well(s)

4.2.1.3 Storm Drainage (Existing)

Storm Drainage Type

Sewer Ditches Swales Natural

4.2.2 Proposed Servicing

4.2.2.1 Water Supply (Proposed)

Water Supply

Municipal Servicing Private Well(s)

4.2.2.2 Sewage Disposal (Proposed)

Sewage Disposal

Municipal Servicing Private Well(s)

4.2.2.3 Storm Drainage (Proposed)

Storm Drainage Type

Sewer Ditches Swales Natural

Identify New Service Connections Expected to be Required for Proposed Development:

NA

4.3 Propane Facilities

Is there a Commercial Propane Facility, Propane Retail Outlet, Propane Filling Tank,

Cardlock/Keylock or Private Container Refill Centre within 1000m of the subject site?

Select a response below.

Yes No

Excluding non-commercial uses (such as propane BBQ's in a residential setting), is the sale, use, handling, and/or storage of propane anticipated for the subject property?

Select a response below.

Yes No

PART 5 - ADDITIONAL INFORMATION

5.1 Other Applications

Have there been any applications made under the Planning Act for the subject lands, or lands within 120 m of the subject lands?

Yes No

Identify the Type of Application(s)

Official Plan Amendment Zoning By-law Amendment Site Plan Application Consent/Severance
 Minor Variance Plan of Subdivision Plan of Condominium

Select all that apply.

5.1.2 Zoning By-law Amendment

Please provide the following information:

File Number

Township of Guelph/Eramosa By-law 52/2020

Proposal

Temporary Use Zoning By-law Amendment to allow the outdoor storage area to be temporarily permitted in its current location.

Status

Approved- September 21, 2020; Expired September 21, 2023.

Decision

Approved and Signed Zoning By-law_203 Alma Street.pdf

If applicable, please upload a copy of the decision.

PART 6 - SUBMISSION MATERIALS

Please upload a copy of the [Applicant Authorization Form](#) (if applicable), **Site Plan**, and the **Pre-Consultation Checklist** identifying all required submission materials. All other materials are to be provided through a drop box link.

Note: physical submissions are no longer required.

Applicant Authorization Form (if applicable)

AuthorizationForm_203AlmaStreet_TempUseZBA_Sub1.pdf

If the applicant is not the owner of the property, the owner must sign and date the [Applicant Authorization Form](#).

Site Plan

SitePlan_203AlmaStreet_TempUseZBA_Sub1.pdf

Pre-Consultation Checklist

ExemptFromPre-Con_203AlmaStreet_TempUseZBA_Sub1.pdf

6.1 FULL SUBMISSION

Submission materials are to be provided through a **drop box link**.

Please include a copy of the:

- Site Plan;
- Applicant Authorization Form (if applicable);
- Ontario Building Code Analysis Sheet;
- Building Elevations;
- Floor Plans;
- Landscape Plan;
- Lighting Plan;
- Tree Preservation Plan (if required);
- General Vegetation Overview; and
- **All other documents** identified within the **Pre-Consultation Checklist**.

Drop Box Link

<https://www.dropbox.com/scl/fo/79plakutxop3qv8x1m25u/ALBt7a7Z1qqPVDMLsFvw3TE?rlkey=pbu58rwtiaytjh4uqkiziy95n&st=a3re2gem&dl=0>

6.1.2 Source Water Pre-Screening

Planning and building permit applications require screening due to the risk a proposed or existing activity may have on drinking water in vulnerable areas. If a property is not within a vulnerable area or if the activity does not trigger a Prohibition or Risk Management Plan policy, the application will proceed as normal. Find out if your property is within a vulnerable area [here](#).

If a property is located within a vulnerable area, applicants will be asked to fill out a [Source Water Protection Screening Application Form](#). The application will then be screened by municipal staff, and possibly the Risk Management Official, to assess if the proposed activities pose a risk to drinking water quality or quantity before an application can be approved.

Upload a copy of the Pre-Screening Form here:

6.2 APPLICATION FEE & DEPOSIT

For the cost of a **Zoning By-law Amendment Application**, please refer to the Township's Planning

Service Fee By-law 17/2024, as amended [here](#).

Please note: The Township uses consultants for Planning, Engineering, and Legal services. The Township's planning processes operate on a user-fee basis. As such, all consulting costs incurred by the Township in the processing of an application are to be paid by the applicant. Additional fees may be required by external commenting agencies, such as the Grand River Conservation Authority (GRCA) or Ministry of Transportation Ontario (MTO).

The County of Wellington serve as our Planning Consultants. Their Planning & Land Division Fees can be found online [here](#). Please refer specifically to the Local Municipal Charges for their consultant fees.

Please contact planning@get.on.ca to coordinate the submission of the **Application Fee & Deposit**.

Please note that payment is not to be made without first consulting the Planning Technician at planning@get.on.ca.

6.2.1 COST ACKNOWLEDGMENT


Each application must be accompanied by the applicable application fee and deposit, identified in Planning Service Fee By-law 17/23, as amended, in the form of cash, cheque or e-transfer payable to the **Corporation of the Township of Guelph/Eramosa**. The Township will retain the deposit until the application has been completed and the applicant and the owner have paid all expenses incurred by the Township of Guelph/Eramosa in processing this application.

The applicant and the owner understand, acknowledge and accept that the Township of Guelph/Eramosa does not retain as full-time staff professional engineers, planners, or solicitors. The Township of Guelph/Eramosa contracts private firms for these services. **The applicant and the owner SHALL be jointly and severally liable for paying the Township of Guelph/Eramosa for all costs it incurs in processing this application, including but not limited to, fees for planning, engineering and legal services, in addition to Township of Guelph/Eramosa's administration fees.**

The Township of Guelph/Eramosa shall notify the applicant and owner from time to time of any costs incurred by the Township and the applicant and the owner shall have thirty (30) days to pay the Township for those costs after notice is given. In the event that the applicant and the owner do not pay those costs within thirty (30) days, the Township has a right to apply the deposit against those costs and further to cease doing any work on the processing of this application until such time as all outstanding costs are paid in full and the deposit has been restored to the initial deposit amount set out in the guidelines.

Please note: Other fees may be required by external agencies, such as the Grand River Conservation Authority, to be billed directly to the applicant.

Applicant Signature:

A handwritten signature in black ink, appearing to be 'GKE'.

Date:

2024-11-20

6.3 CERTIFICATION

I/We hereby certify that all required submission materials identified by commenting agencies, through the pre-consultation process, have been provided as part of this application.

Applicant Signature:

A handwritten signature in black ink, appearing to be 'BKE'.

Date:

2024-11-20

PART 7 - DECLARATION

I/We solemnly declare that all statements contained in this application are true, and that the information contained in the documents that accompany this application are true, and I/we make this solemn declaration conscientiously believing it to be true.

Applicant Signature:

Handwritten signature or initials.

Date:

2024-11-20