

Application for Amendment to the Zoning By-law

under The Planning Act, R.S.O. 1990 c.P.13, as amended



Township Centre Wellington
1 MacDonald Square
PO Box 10, Elora, ON N0B 1S0
Tel: (519) 846-9691
Fax: (519) 846-2190

File No. R205/24

The Amendment

1. Type of Amendment

- Site specific
- Other (please specify):

10 / 09 / 2024
dd mm yyyy

Date Application Deemed Complete:

26 / 09 / 2024
dd mm yyyy

2. Purpose of and reasons for the proposed amendment(s):

The purpose of this amendment is to add an exception to the A zone to permit an energy storage facility on a portion of the property.

GENERAL INFORMATION

3. Applicant Information

Registered Owners Name(s): Cynthia and James Lindsay
 Address 6235 Guelph Street
 E-mail address cindylindsay365@gmail.com
 Tel. No. Home [REDACTED] Work _____ Fax _____

Applicant (Agent) Name(s): MHBC Planning Ltd
 Address 540 Bingham Centre Drive, Kitchener
 Tel. No. Home 519 576 3650 Work _____ Fax _____

❖ Name, address and phone number of all persons having any mortgages, charges or encumbrances on the property:

Send correspondence to: Owner Agent Other _____

❖ When did the current owner acquire the subject land? Date: December 23, 1983

4. What area does the amendment cover?

- the "entire" property
- a "portion" of the property
(this information should be illustrated on the required drawing under item 24 of this application)

❖ 5. Provide a description of the "entire" property:

Municipal Address 6235 Guelph Street
 Concession 3 Lot 11 Registered Plan No. _____
 Area 43 ha 43 ac Depth 1.500 m 4921 ft Frontage 420 m 1378 ft

❖ 6. Provide a description of the area to be amended if only a "portion" of the property:

Area 6 ha 6 ac Depth 1000 m 3281 ft Frontage 105 m 344 ft

❖ 7. Is the application to amend the zoning by-law consistent with the Provincial Policy Statement?

- Yes
- No

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

- Greenbelt Plan Places to Grow Other (please specify):

❖ If yes, does the application conform to and not conflict with the applicable provincial plan or plans? Yes No

9. Official Plan

❖ What is the current Official Plan designation of the subject property?

Prime Agriculture

List land uses permitted by the current Official Plan designation

agricultural uses, secondary uses including home businesses and farm businesses, agriculture-related uses, existing uses, detached house, additional units, garden suites, accessory residence, forestry, wayside puts, aggregate, community service facilities Group homes, kennels.

❖ How does the application conform to the Official Plan?

The proposed use is considered a limited non-agricultural use, and is permitted in prime agricultural areas. The proposed use has been assessed against the official plan criteria for limited non-agricultural uses and complies with the criterion. Refer to planning justification report.

❖ If the application is to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement, provide details of the official plan or official plan amendment that deals with the matter.

❖ If the application is to remove land from an area of employment, provide details of the official plan or official plan amendment that deals with the matter.

❖ If the subject land is within an area where zoning with conditions may apply, provide an explanation of how the application conforms to the official plan policies relating to zoning with conditions.

10. Zoning

❖ What is the current zoning of the property? Agricultural

❖ What uses are permitted? Agricultural

❖ What is the nature and extend of the rezoning requested? A site specific amendment to permit the energy storage facility on a portion of the property

❖ What is the reason why the rezoning is requested?

The proposed facility is not permitted in the Agricultural zone, a site specific amendment is required to permit a limited non-agricultural use

❖ If the subject land is within an area where the municipality has pre-determined minimum and maximum density requirements or the minimum and maximum height requirements, provide a statement of these requirements.

EXISTING AND PROPOSED LAND USES AND BUILDINGS

❖ 11. What is the “existing” use(s) of the subject land?

Agricultural

❖ 12. How long has the “existing” use(s) continued on the subject land?

❖ 13. What is the “proposed” use(s) of the subject land?

Agricultural, with a small area dedicated to an energy storage facility

14. Provide the following details for all buildings or structures on the subject land:

(please use a separate page if necessary)

	Existing		Proposed	
❖ Type of building(s) or structures	Refer to Site Plan		Refer to Site Plan	
❖ Date of construction	_____		_____	
❖ Building height	_____ m	_____ ft	_____ m	_____ ft
Number of floors	_____		_____	
❖ Total floor area	_____ sq. m	_____ sq. ft.	_____ sq. m	_____ sq. ft.
Ground floor area (exclude basement)	_____ sq. m	_____ sq. ft.	_____ sq. m	_____ sq. ft.
❖ Distance from building/structure to the:	_____		_____	
front lot line	_____ m	_____ ft	_____ m	_____ ft
side lot line	_____ m	_____ ft	_____ m	_____ ft
side lot line	_____ m	_____ ft	_____ m	_____ ft
rear lot line	_____ m	_____ ft	_____ m	_____ ft
% lot coverage	_____		_____	
# of parking spaces	_____		_____	
# of loading spaces	_____		_____	

EXISTING AND PROPOSED SERVICES

❖ 15. What is the access to the subject property?

- Provincial Highway Continually maintained municipal road Right-of-way
 Other (please specify): Seasonally maintained municipal road Water access

16. What is the name of the road or street that provides access to the subject property?

Guelph Road. A new access is proposed from 2nd Line to provide secure access to the energy storage facility.

❖ 17. If access is by water only, please describe the parking and docking facilities used or to be used and the approximate distance of these facilities from subject land to the nearest public road. (This information should be illustrated on the required drawing under item 24 of this application)

❖ 18. Indicate the applicable water supply and sewage disposal:

	Municipal Water	Communal Water	Private Well	Other Water Supply	Municipal Sewers	Communal Sewers	Private Septic	Other Sewage Disposal
a) Existing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Proposed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

❖ 19. If the application would permit development on privately owned and operated individual or communal septic systems, would more than 4500 litres of effluent be produced per day as a result of the development being completed?

- Yes No

❖ If yes, the following reports are required:

- A servicing options report; and
- A hydrogeological report

❖ 20. How is storm drainage provided?

- Storm Sewers Ditches Swales Other means (explain below):

OTHER RELATED PLANNING APPLICATIONS

21. Has the current owner (or any previous owner) made application for any of the following, either on or within 120 metres of the subject lands?

	❖ File No.	Approval Authority	Subject Lands	❖ Status	Purpose
Official Plan Amendment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				Note that a County OPA has been submitted.
❖ Zoning By-law Amendment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Minor Variance	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
❖ Plan of Subdivision	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
❖ Consent (Severance)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Site Plan Control	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				

❖ 22. Has the subject land ever been the subject of a Minister's Zoning Order?

- Yes No

If yes, provide the Ontario Regulation number of that order, if known: _____

Other Supporting Information

23. Please list the titles of any supporting documents: (e.g. Environmental Impacts Study, Hydrogeological Report, Servicing Options Report, Traffic Study, Market Area Study, Aggregate Licence Report, Stormwater Management Report, etc.)

A planning justification report and agricultural impact assessment have been prepared. This project is subject to a Class EA. Studies prepared as part of the EA process include a land use review, natural heritage site assessment, noise assessment, cultural heritage screening, and archaeology assessment.

APPLICATION DRAWING

- ❖ 24. Please provide an accurate drawing of the proposal, preferably prepared by a qualified professional. In some cases it may be more appropriate to submit additional drawings at varying scales to better illustrate the proposal. The drawing must include the following information:
- owner's/applicant's name;
 - legal description of the property;
 - ❖ boundaries and dimension of the subject property and its current land use;
 - dimensions of area of amendment (if not, the entire property);
 - ❖ the size and use of all abutting land;
 - all existing and proposed parking and loading areas, driveways and lanes;
 - ❖ the location and nature of any easements or restrictive covenants on the property;
 - the location of any municipal drains or award drains;
 - ❖ woodlots, forested areas, ANSIs, ESAs, wetlands, floodplain, and all natural watercourses (rivers, stream banks, etc.);
 - ❖ the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
 - ❖ the name, location and width of each abutting public or private road, unopened road allowance or right-of-way;
 - ❖ if access to the subject land is by water only, provide the location of the parking and docking facilities to be used; and
 - ❖ other features both on site or nearby that in the opinion of the applicant will have an effect on the application (such as bridges, railways, airports, roads, drainage ditches, wells, septic systems, springs, slopes, gravel pits).

The drawing should also include the scale, north arrow and date when the drawing was prepared.

Authorization for Agent/Solicitor to act for Owner

(If affidavit is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below should be completed)

I (we) Cynthia Lindsay Jim Lindsay of the 26th of July 2024 County/Region of Centre Wellington do hereby authorize MHBC Planning Ltd. to act as my agent in this application.

[Redacted Signature]

July 26/2024

Signature of Owner(s)

Date

❖ **Affidavit**

I (we) Gillian Smith of the City of Kitchener County/Region of Waterloo solemnly declare that all the statements contained in this application are 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 Kitchener in the County/Region of Waterloo this 31st day of July, 2024

[Signature]
Signature of Owner or Authorized Solicitor or Authorized Agent

July 31, 2024
Date

[Signature]
Signature of Commissioner

July 31, 2024
Date

Pierre Jacques Chauvin, a Commissioner, etc.,
Province of Ontario, for MHBC Planning Ltd.
Expires November 15, 2026.

<p>Application fee of \$ <u>17636.00</u> received by the municipality: <u>(incl. deposit)</u></p> <p><u>Chertelle Pelley</u> Signature of Municipal Employee</p> <p><u>Sept 10/24</u> Date</p>	<p>Application deemed complete:</p> <p><u>Chertelle Pelley</u> Signature of Municipal Employee</p> <p><u>Sept 26/24</u> Date</p>
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