

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. **RZ17-22**

The Amendment

1. Type of Amendment

- Site specific
- Other (please specify):

❖ Date Submitted: **03 / 11 / 2022**
dd / mm / yyyy

Date Application Deemed Complete: **24 / 11 / 2022**
dd / mm / yyyy

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

The amendment is required to create a site specific provision that will permit residential and retirement uses in a back-to-back, cluster and live-work townhouse form at grade and above a live-work unit and retirement residences, within a townhouse building containing a maximum building height of 4-storeys. In addition, the site-specific provision protects for an 8-storey apartment building height. The application will bring the Subject Lands into conformity with the proposed OPA and will implement the proposal.

GENERAL INFORMATION

3. Applicant Information

Registered Owners Name(s): (1) Elora 7 BT Inc. on behalf of (2) Radaja Inc.
 Address (1) 44 Upjohn Road, Toronto ON M3B 2W1 (2) 5954 Wellington Road 7, Guelph ON N1H 6I2
 E-mail address (1) bobfor@bobfor.com (2) radaja.inc@gmail.com
 Tel. No. Home _____ Work (1) 905-752-6776 (2) 519-836-4311 Fax _____

Applicant (Agent) Name(s): MHBC Planning c/o Eldon Theodore
 Address 7050 Weston Road Suite 230 Email: etheodore@mhbcplan.com
 Tel. No. Home _____ Work 905-761-5588 ext 213 Fax _____

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

Send correspondence to: Owner Agent Other _____

❖ When did the current owner acquire the subject land? Date: Elora 7 BT Inc. will acquire lands November 7, 2022

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 350 Wellington Road 7, Centre Wellington
 Concession 'A' Lot 1 Registered Plan No. Plan 61R
 Area 4.45 ha 91.44 m Depth 487.68 m
11 ac 300 ft 1600 ft

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

Area _____ ha _____ m Depth _____ m
 _____ ac _____ ft _____ 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?
Highway Commercial

❖ List land uses permitted by the current Official Plan designation

Commerical uses that serve the travelling public or uses that are not considered compatible within the downtown of the urban centre. The permitted uses include uses such as motels, automotive sales and service, general convenience commercial uses, recreational uses, restaurants and banquet halls, building supply outlets, wholesale outlets, churches, funeral homes, garden centres, furniture stores, home furnishing centres, liquor, beer and wine stores, residential uses within mixed use developments provided that commercial uses are located at street level, and use compatibility can be addressed.

❖ How does the application conform to the Official Plan?

Separate Official Plan Amendment Application will be submitted with this Application. Please see Planning Justification Report for more detail.

❖ 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.

N/A

❖ 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.

N/A

❖ 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? Highway Commercial (Holding) (C2(H))

❖ What uses are permitted? Permits commercial and institutional uses as-of-right, but does not permit residential uses outside of a dwelling unit above a ground level commercial use.

❖ What is the nature and extend of the rezoning requested? To create a C2(H).XX site specific provision

❖ What is the reason why the rezoning is requested?

The C2(H) zone does not permit any residential uses with exception of a dwelling unit above a ground level commercial use. ZBA will permit residential and retirement uses in a back-to-back, cluster and live-work townhouse form at grade and above a live-work unit and retirement residences, withn a townhouse building containing a maximum building height of 4 storeys. In addition, the site specific provision protects for an 8-storey building height. ❖ 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?

Majority of the lands are vacant, with a portion of it used for farming uses.

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

Unknown

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

Residential and retirement uses. 34 block, 273 unit townhome community of cluster, back-to-back, and live-work townhome typologies. In addition, the site-specific provision protects for an 8-storey apartment building.

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	N/A		Townhouses: Back-to-back, Cluster, Live-work, apartment building, retirement community residential, retirement residences, nursing home	
❖ Date of construction	N/A		N/A	
❖ Building height	N/A	m	+/-10.6 to +/- 11	m +/-33.5 to +/-34.8 ft
Number of floors	N/A		Townhouse: 4 storeys, Apartment building: 8 storeys	
❖ Total floor area	N/A	sq. m	+/- 41,574.5	sq. m +/- 447,519 sq. ft.
Ground floor area (exclude basement)	N/A	sq. m	+/- 15,034.90	sq. m +/- 161,83.31 sq. ft.
❖ Distance from building/structure to the:				
front lot line	N/A	m	3.00	m 9.8 ft
side lot line	N/A	m	6.77	m 16.1 ft
side lot line	N/A	m	6.77	m 22.2 ft
rear lot line	N/A	m	4.91	m 16.1 ft
% lot coverage	N/A		33%	
# of parking spaces	N/A		602	
# of loading spaces	N/A		N/A	

EXISTING AND PROPOSED SERVICES

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

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

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

Wellington Road 7

❖ 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)

N/A

❖ 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Proposed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 N/A

❖ 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No				Will be submitted concurrent to the Zoning By-law amendment submission on the entirety of the Subject Lands to facilitate the proposed townhome community through a Site Specific Policy Area. The OPA will permit back-to-back townhouses, cluster townhouses, and live-work townhouses as additional uses and building types at grade and above a live-work unit. Live-work units within the first 20 metres of Wellington Road 7 shall constitute commercial uses for the purpose of this designation.
❖ 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.)

Please see list in the provided Cover Letter regarding additional supporting documents

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) Bob Forrest of the City of Toronto County/Region of _____ do hereby authorize MHBC Planning Limited to act as my agent in this application.

Elora 7 BT Inc. on behalf of Radaja Inc.



Signature of Owner(s)

October 12, 2022

Date

❖ **Affidavit**

I (we) Eldon Theodore of the City of Toronto County/Region of _____ 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 Vaughan


in the County/Region of York this 31 day of October, 2022.



Signature of Owner or Authorized Solicitor or Authorized Agent

October 31, 2022

Date





Signature of Commissioner

October 31, 2022

Date

David Alexander McKay, a Commissioner, etc.,
Province of Ontario, for MHBC Planning Limited.
Expires February 14, 2023.

Application fee of \$ _____ received by the municipality:	Application deemed complete:
 _____ Signature of Municipal Employee	 _____ Signature of Municipal Employee
<u>Nov 3/22</u> _____ Date	<u>Nov 24/22</u> _____ Date