

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
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File No. **R205121**

The Amendment

❖ Date Submitted:

09 / 15 / 2021
dd mm yyyy

Date Application Deemed Complete:

10 / 21 / 2021
dd mm yyyy

1. Type of Amendment

- Site specific
- Other (please specify):

General Zoning-bylaw amendment to establish site specific maximum height provisions.

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

The purpose of the proposed amendment is to request relief from the maximum height provision (3 storeys or 11m) of the C1 zone to permit the construction of a 5 storey (17.5 m), mixed use building containing 127 sq. m of ground floor commercial space and 36 dwelling units.

GENERAL INFORMATION

3. Applicant Information

Registered Owners Name(s): Van Grootheseest Holdings Inc. c/o Eric Van Grootheseest
 Address 645 St. David St N, Fergus ON N1M 2K6
 E-mail address _____
 Tel. No. Home _____ Work _____ Fax _____

Applicant (Agent) Name(s): Pierre Chauvin (MHBC PLANNING)
 Address Suite 200, 540 Bingham Centre Drive, Kitchener ON N2B 3X9
 Tel. No. Home _____ Work 519-576-3650 x 701 Fax 519-576-0121

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

Send correspondence to: Owner Agent Other _____

❖ When did the current owner acquire the subject land? Date: 2020

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 St. Andrew Street West, Fergus ON
 Concession (see side note for full legal desc.) Lot PT Lots 2 & B Registered Plan No. 77
 Area 0.18 ha Depth +/- 66.3 m Frontage 19.1 m
0.45 ac +/- 217.5 ft 62.7 ft Part Lot 2, Southeast side of St. Andrews Street;

❖ 6. Provide a description of the area to be amended if only a "portion" of the property: & Part Lot B, Southeast side of River Alley Place
 Area _____ ha Depth _____ m Frontage _____ m
 _____ ac _____ ft _____ ft Registered Plan No. 77

❖ 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?
Wellington County OP: Urban Centre & Core Greenlands. Township of Centre Wellington OP: Central Business District and Core Greenlands
- List land uses permitted by the current Official Plan designation
Wellington County OP: Urban uses, select environmentally sensitive uses (within Core Greenlands).
Township of Centre Wellington Official Plan: Retail, office, service, administrative, religious, cultural and entertainment uses. Residential uses are permitted provided that retail office, or service commercial uses are located at street level.
- ❖ How does the application conform to the Official Plan?
See submitted Planning Justification Report for details
Building will be constructed entirely outside of the Core Greenlands designation/features and the GRCA Regulatory Flood Line, will facilitate mixed use intensification located centrally within Fergus, and has been designed to maximize compatibility with surrounding context/heritage resources
- ❖ 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.
N/A

10. Zoning

- ❖ What is the current zoning of the property? Central Business District Commercial (C1), Environmental Protection (EP) and Environmental Protection (EP) Overlay
- ❖ What uses are permitted? Commercial/retail uses, above ground residential (in C1 Zone)
- ❖ What is the nature and extend of the rezoning requested? To permit an increase in maximum height from 3 storeys (11m) to 5 storeys (16.4m)
- ❖ What is the reason why the rezoning is requested?
To facilitate the intensification of an underutilized parcel of land within the Built-up Area, in accordance with the County and Township Official Plans
- ❖ 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.
The proposed development will contribute to the intensification targets established by the County of Wellington OP and conforms to the redevelopment policies of the Township OP

EXISTING AND PROPOSED LAND USES AND BUILDINGS

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

Office Building with surface parking to the rear of the property

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

Approximately 40 years (existing structure built in the 1970's)

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

Mixed use. Ground level, street fronting commercial use with residential uses above, including a combination of structured and surface parking to the rear of the proposed 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	Single Storey Office Building		5 Storey Mixed use (ground floor commercial, upper storey residential)	
❖ Date of construction	~1970's		TBD	
❖ Building height		m		ft
Number of floors	1 storey		5 storey	
❖ Total floor area		sq. m		sq. ft.
Ground floor area (exclude basement)		sq. m		sq. ft.
❖ Distance from building/structure to the:				
front lot line	+/- 2.25	m	+/- 7.38	ft
side lot line	+/- 0.29	m	+/- 0.95	ft
side lot line	+/- 6.09	m	+/- 65.55	ft
rear lot line	+/- 47	m	+/- 154.2	ft
% lot coverage	Unknown		+/- 63 %	
# of parking spaces	Unknown		22	
# of loading spaces	Unknown		0	

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?

St. Andrew Street West

❖ 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 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"/>
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

❖ 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				
❖ 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.)

Planning Justification Report (MHBC, 2021),

Site plans, parking and floor plans, building sections and elevations (Fryell Turner Architects, 2021)

Cultural Heritage Impact Assessment (MHBC, 2021)

Urban Design Brief (MHBC, 2021)

Functional Servicing Report (MTE, 2021)

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) Van Grootheest Holdings Inc. of the _____ of
Centre Wellington County/Region of W & Wellington do hereby authorize
MHBC Planning to act as my agent in this application.

Signature of Owner(s)

June 1/21
Date

❖ **Affidavit**

I (we) Pierre Chauvin of the Township of
Centre Wellington County/Region of Wellington 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 20th day of August, 20 21

Signature of Owner or Authorized Solicitor or Authorized Agent

August 20, 2021
Date

Signature of Commissioner
Paul Ronald Britton, a Commissioner, etc.,
Regional Municipality of Waterloo, for
MacNaughton Hermesen Britton Clarkson
Planning Limited.
Expires April 24, 2022

August 20, 2021
Date

Application fee of \$ <u>0827 - held</u> received by the municipality: <u>SPA</u>	Application deemed complete:
<u>Chantelle Pelizzari</u> Signature of Municipal Employee	<u>Chantelle Pelizzari</u> Signature of Municipal Employee
<u>Sept 15/21</u> Date	<u>Oct 21 2021</u> Date