



Municipality of West Grey

Application for Zoning By-law Amendment and/or West Grey Official Plan Amendment

402819 Grey Road 4
Durham, ON N0G 1R0
Phone (519) 369-2200
E-mail notice@westgrey.com
Web www.westgrey.com

OFFICE USE ONLY	
Date Received:	File No: ZA19-2024
Receipt #	Total Application Fee Received:
Roll Number:	Pre-Submission Consultation: Yes <input type="checkbox"/> No <input type="checkbox"/>

COMPLETENESS OF THE APPLICATION:

This application form sets out the information that must be provided by the applicant, as prescribed in the various Ontario Regulations made under the Planning Act.

As per 'Section 34(10.2) Other Information' of the Planning Act RSO 1990 as amended the Council of the Municipality of West Grey requires that assessments, reports, studies, analyses or other material as outlined in the West Grey Official Plan and/or Grey County Official Plan be submitted at the time of application. Zoning By-law Amendment applications submitted without the required assessments, reports, studies, analyses or other material as required by the Official Plan(s) will be deemed incomplete and Council shall refuse to accept or further consider the application as per Section 34(10.3) of the Act. Applications deemed incomplete will be returned to the Owner/Applicant.

As per 'Section 22(5) Other Information' of the Planning Act RSO 1990 as amended the Council of the Municipality of West Grey requires that assessments, reports, studies, analyses or other material as outlined in the West Grey Official Plan and/or Grey County Official Plan be submitted at the time of application. Official Plan Amendment applications submitted without the required assessments, reports, studies, analyses or other material as required by the Official Plan(s) will be deemed incomplete and Council shall refuse to accept or further consider the application as per Section 22(5) of the Act. Applications deemed incomplete will be returned to the Owner/Applicant.

WHAT IS REQUIRED TO SUBMIT A ZONING BY-LAW AND/OR OFFICIAL PLAN AMENDMENT?

There are several application specific requirements, as listed below, which apply to certain applications. Note: There could be additional requirements in the form of studies, reports, plans, verification, etc. as conditions of final approval.

APPLICATION SPECIFIC	REQUIREMENTS - CHECKLIST
ALL Zoning By-law Amendment Applications	<input type="checkbox"/> Pre-Submission Consultation is strongly recommended. <input type="checkbox"/> Drawing – see instructions in Appendix 'A' <input type="checkbox"/> Completed Application Form <input type="checkbox"/> Proof of Ownership <input type="checkbox"/> Commissioners Stamp/Signature <input type="checkbox"/> Application Fee – see calculation instructions below
ALL Official Plan Amendment Applications	Pre-Submission Consultation is strongly recommended. <input type="checkbox"/> Drawing – see instructions in Appendix 'A' <input type="checkbox"/> Completed Application Form <input type="checkbox"/> Proof of Ownership <input type="checkbox"/> Commissioners Stamp/Signature <input type="checkbox"/> Application Fee – see calculation instructions below
If the application is for a Surplus Farm Dwelling	If the application is for a surplus farm dwelling: <input type="checkbox"/> Complete Appendix 'B' Surplus Farm Dwelling <input type="checkbox"/> A surplus farm dwelling must be surplus to the current owner. Proof may be required: <input type="checkbox"/> Valid Farm Registration Number <input type="checkbox"/> Other lands owned <input type="checkbox"/> Address of primary residence
If the application is within 750 metres of a livestock barn and/or manure storage	If there are livestock barns and/or manure storage (either currently used for livestock or capable of being used for livestock) located within 750 metres of the lands: <input type="checkbox"/> An MDS 1 calculation is required to be submitted with this application pursuant to Minimum Distance Separation (MDS) document - Implementation Guideline #6.



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SUBMISSION OF APPLICATION

Applications made be mailed to, or dropped off at West Grey Municipal Office, 402819 Grey Road 4, Durham, ON N0G 1R0 and/or e-mailed as an Adobe PDF document to notice@westgrey.com. One application form may be used to apply for a Zoning By-law Amendment and West Grey Official Plan Amendment. Applications will not be reviewed/processed until the Application Fee is received.

APPLICATION FEE

The Application Fee is to be submitted at the time of submission. Application Fees may be paid by cheque (made out to the Municipality of West Grey), money order, or cash. Interac/debit payment may be made at the West Grey Municipal Office. On-line payment is not available.

	Type of Application	Fee	SubTotal
a)	Zoning By-law Amendment	\$3,000.00	<i>Res Oj</i>
b)	Contingency Fee – Zoning By-law Amendment Note: Contingency fee payable upon submission. Contingency fee required to pay municipal legal, engineering, and planning fees related to <u>Zoning By-law Amendments</u> , not necessarily limited to, but including, corresponding site plan agreements, subdivision agreements, development agreements, condominium plan agreements, required as part of the planning process. As accounts are received from West Grey's solicitor, engineer or planner, they will be paid by West grey and then submitted to the Developer for reimbursement, so that the initial deposit will again be built up to enable West Grey to pay the next accounts as they are received. Balance of deposit will be returned to developer upon completion of planning requirements.	\$2,000.00	<i>Res Oj</i>
c)	Official Plan Amendment	\$6,800.00	
d)	Contingency Fee – Official Plan Amendment Note: Contingency fee payable upon submission. Contingency fee required to pay municipal legal, engineering, and planning fees related to <u>Official Plan Amendments</u> , not necessarily limited to, but including, corresponding site plan agreements, subdivision agreements, development agreements, condominium plan agreements, required as part of the planning process. As accounts are received from West Grey's solicitor, engineer or planner, they will be paid by West grey and then submitted to the Developer for reimbursement, so that the initial deposit will again be built up to enable West Grey to pay the next accounts as they are received. Balance of deposit will be returned to developer upon completion of planning requirements.	\$5,000.00	
Additional Required Application Fees			
e)	Grey County Planning Fee (\$400.00 Flat Fee for 1 st Application plus \$50.00 for each related application.)	\$400.00 + _____	<i>\$50 Oj</i>
f)	Saugeen Valley Conservation Authority Planning Fee (\$260.00 Flat Fee for 1 st Application plus \$130.00 for each related application.)	\$260.00 + _____	<i>\$130 Oj</i>
TOTAL Application Fee:			

Assessors F.L. : B10.2024

Please ensure to complete this application in its entirety and submit any additional information that may have been identified as required through the Pre-Submission Consultation process.

1. Owner/Applicant	
Name	Kevin Stanley Gerber Sandra Diane Gerber
Mailing Address	2089 Line 56 Wellesley, ON N0B 2T0
Telephone No.	519-274-2550
Email Address	hiwayagri@hotmail.com

2. Agent (if applicable)	
All correspondence, notices, etc. with respect to this application, will only be directed to the Owners/Applicant's Agent. Where no Agent is identified notices etc. will be directed to the Owner/Applicant.	
Name	Greg Ford Wilson-Ford Surveying & Engineering
Mailing Address	118 Norpark Avenue, P.O. Box 294 Mount Forest, ON N0G 2L0
Telephone No.	519-323-2451
Email Address	greg@wilsonford.ca

3. Solicitor (if applicable)	
Name	
Mailing Address	
Telephone No.	
Email Address	

4. Subject Lands	
Former Township/Town	Township of Beninck
Legal Description	Lot 28 and E half Lot 27 Concession 6 NDR Except Parts 1 & 2 17R2786
Civic Address	422314 Concession 6 NDR, Durham, ON
Assessment Roll Number	420528000609000

5. Pre-Submission/Consultation	
Have you completed Pre-Submission Consultation with the Municipality of West Grey?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

6. Type & purpose of the application (select all applicable)	
Zoning By-law Amendment <input checked="" type="checkbox"/>	West Grey Official Plan Amendment <input type="checkbox"/>

7. Zoning By-law Amendment Information		
Provide the reason for the Zoning By-law Amendment/What is the proposed use for the Subject Lands? Example: permit an automobile repair shop, automobile spray paint booth, and automobile body shop.		
Severance Application B10-2024 will include a condition that the retained farm land be zoned to prohibit the building of a new dwelling.		
What area does the Amendment cover?	Entire Lot <input type="checkbox"/>	Portion of the Lot <input checked="" type="checkbox"/>
* If Zoning By-law Amendment applies only to a Portion of the Lot then your Drawing must include dimensions of the area.		

8. West Grey Official Plan Amendment Information		
Provide the reason for the Official Plan Amendment/What is the proposed use for the Subject Lands? Example: designate the subject lands to allow for a commercial use being an automobile repair shop, automobile spray paint booth, automobile body shop.		
What area does the Amendment cover?	Entire Lot <input type="checkbox"/>	Portion of the Lot <input type="checkbox"/>
* If Official Plan Amendment applies only to a Portion of the Lot then your Drawing must include dimensions of the area.		

9. Planning Background

What is the current West Grey Zoning (see https://www.grey.ca/government/land-use-planning)	A1 Agricultural, A2 Rural and NE Natural Environment
What is the current West Grey Official Plan Designation (see https://www.westgrey.com/en/invest/resources/West-Grey-Official-Plan-2012.pdf)	Agricultural, Rural and Hazard Lands
What is the County of Grey Official Plan Designation (see https://www.grey.ca/government/land-use-planning)	Agricultural, Rural and Hazard Lands
Describe how the application conforms with the policies of the West Grey and/or County of Grey Official Plan(s) noted above:	The rezoning of the proposed retained farmland is required to prohibit the building of a new dwelling.

Describe the surrounding land uses:	Agricultural
What is the current use of the Subject Lands?	Agricultural

Are there any Existing buildings or structures on the Subject Lands?

Yes No

If Yes Existing buildings and structures need to be shown on the Drawing (see Appendix A). Provide the following:

	Existing Building No. 1	Existing Building No. 2	Existing Building No. 3
Currently used for			
Year Built			

Are there any NEW buildings or structures proposed to be built?

Yes No

If Yes NEW buildings and structures need to be shown on the Drawing (see Appendix A). Provide the following:

	New Building No. 1	New Building No. 2	New Building No. 3
Proposed Use			

Access – Existing Use

Provincial Highway
Municipal Road (All Season)
County Road
Right-of-Way

Access – Proposed Use

Provincial Highway
Municipal Road (All Season)
County Road
Right-of-Way

Water Service – Existing Use

Municipal Service
Private Well
Communal Well
Other: none

Water Service – Proposed Use

Municipal Service
Private Well
Communal Well
Other: none

Sewage Service – Existing Use

Municipal Service
Private Septic
Communal Septic
Privy/Outhouse
Other: none

Sewage Service – Proposed Use

Municipal Service
Private Septic
Communal Septic
Privy/Outhouse
Other: none

Storm Drainage – Existing Use

Municipal Storm Sewers
Ditches/Swales
Other: none

Storm Drainage – Proposed Use

Municipal Storm Sewers
Ditches/Swales
Other: none

10. Other

Are the lands the subject of any other application under the *Planning Act*, such as an application for a County of Grey Official Plan Amendment, an application for Minor Variance, an application for an approval of a Plan of Subdivision or Consent or a Minister's Zoning Order?

Yes No If yes provide the following:

File No.: B10-2024

Status: Active

Explain how your application is consistent with the Provincial Policy Statement 2020
(see: <https://www.ontario.ca/page/provincial-policy-statement-2020>)

Severance Application B10-2024 will include a condition that the retained farm land be zoned to prohibit the building of a new dwelling.

Saugeen, Grey Sauble Northern Bruce Peninsula Source Protection Plan

Is the subject land within a Wellhead Protection Area (WHPA)? (see <https://home.waterprotection.ca/>)

Yes No

If yes, identify the WHPA:

If YES do you have an approved Risk Management Plan (RMP) and/or a Section Fifty Nine (59) Notice to Proceed from the Risk Management Official (RMO)? Please attach.

Are there any registered Easements/Right-of-Way or Restrictive Covenants on the Lot?

Yes No


If Yes describe each easement or restrictive covenant and its effect:

* If Yes your Drawing must include the location of the Easement/Right-of-Way

Authorization for Agent to Act for Owner

I/we KEVIN STANLEY GERBER AND SANDRA DIANE GERBER am / are the registered owner(s) of the land that is the subject of this application for Zoning By-law Amendment and/or Official Plan Amendment. I/we authorize Greg Ford to make this application on my/our behalf.

This authorization also allows the Agent to appear at any hearing(s) of the application and provide any information or material required by West Grey Council relevant to the application on my/our behalf.


Signature of Owner/Owners

Aug. 29/24
Date


Signature of Witness


Aug. 29/24
Date

Name of Witness: Deb David


Affidavit or Sworn Declaration for the Prescribed Information

I/we Kevin Stanley Gerber and Sandra Diane Gerber solemnly declare that all statements contained in this application and supporting documentation are true and complete. 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 Municipality of West Grey in the County of Grey this 29 day of August 2024.


Signature of Owner/Owners or Agent

August 29, 2024
Date


Signature of Commissioner


August 29, 2024
Date

**Gregory Ian Ford, a Commissioner, etc.
Province of Ontario, for Wilson-Ford
Surveying & Engineering Ltd.
Expires May 3, 2026**

Owner/Applicant's Declaration

In submitting this application, I/we Kevin Stanley Gerber and Sandra Diane Gerber the Owner/Applicant hereby:

- a) apply to the Municipality of West Grey for a Zoning By-law Amendment and/or Official Plan Amendment, as described in this application; and
- b) agree and enclose the Application Fees as calculated; and
- c) understand Application Fees are non-refundable and that no assurance is given that the payment of the Application Fee will result in approval of the application; and
- d) agree that the cost of any professional peer review of the application deemed to be required by the Municipality in order to proceed with the application is the responsibility of Owner/Applicant and that a Peer Review Deposit may be required prior to the processing of the application; and
- e) authorize the Council members of the Municipality of West Grey, members of the staff of the Municipality of West Grey and designated consultants to enter onto the above-noted property for the limited purposes of evaluating the merits of this application over the time this application is under consideration by the Municipality; and
- f) acknowledge that in accordance with the provisions of the Planning Act, it is the policy of the Municipality of West Grey to provide the public access to all development applications and supporting documentation and hereby 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 will be part of the public record and will also be available to the general public; and
- g) agree/acknowledge that I/we are responsible for ensuring that a 'Notice of Application' sign, as provided by the Municipality, is posted on the lands at the intersection of a driveway and a public road. Where there is no existing driveway, the sign shall be erected in the middle of the lot along a public road. And further, agree to not remove the sign until the day after a public meeting.


Signature of Owner/Owners

August 29, 2024
Date

Appendix 'A' – Drawing Requirements

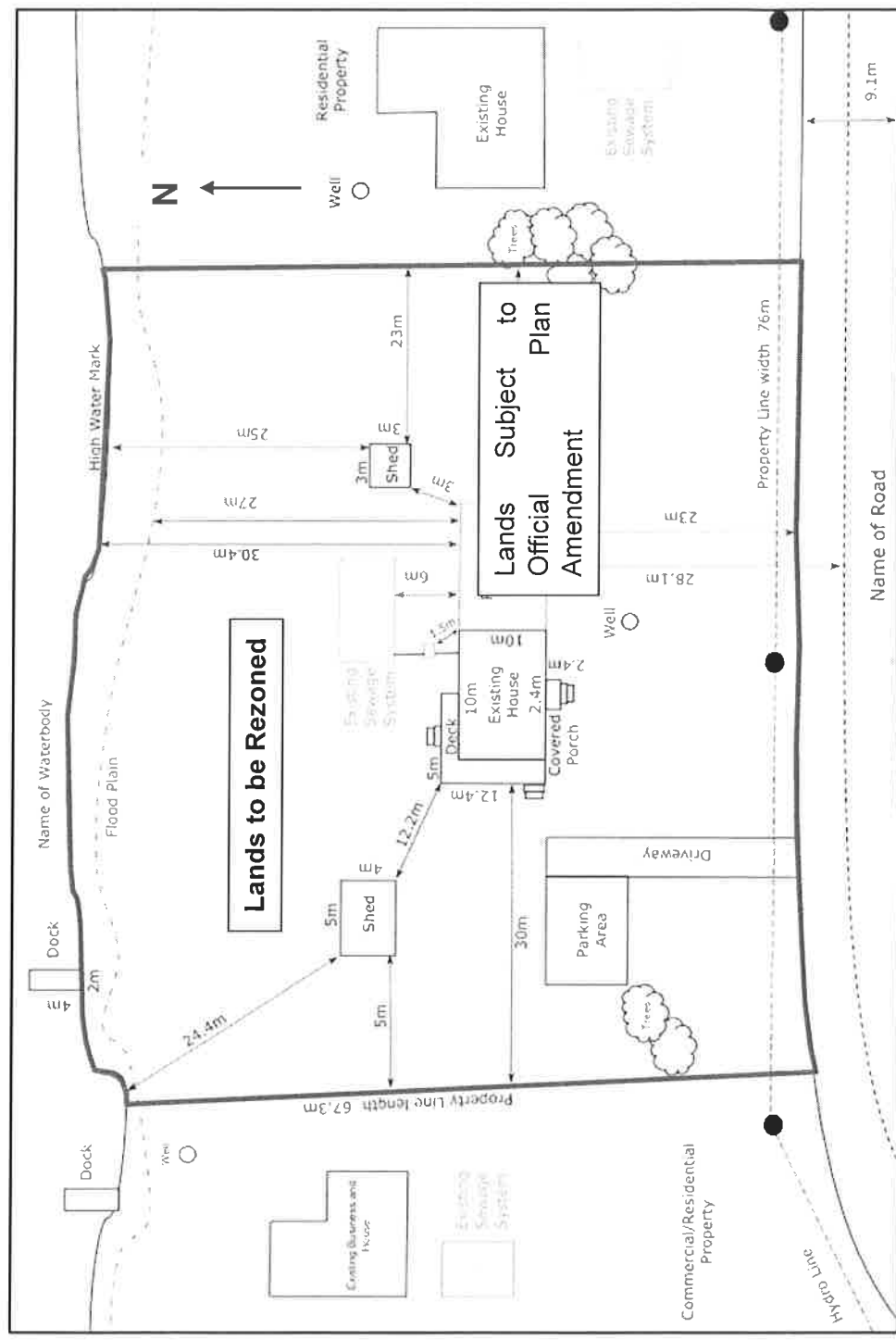
Drawing in metric units must be included showing the following (see Example):

- a) North arrow;
- b) The boundaries and dimensions (frontage, depth and area) of the subject land;
- c) The location, size and use of all Existing and Proposed buildings, structures and additions on the subject land, indicating:
 - i. distance from the edge of the access road, the front lot line, the rear lot line, the interior side lot lines and the exterior lot line;
 - ii. number of stories
 - iii. building height
 - iv. ground floor area
- d) The location, dimensions and set back to the front lot line, the rear lot line, the interior side lot lines and the exterior lot line and to existing and proposed buildings and structures of the on-site septic system (if applicable);
- e) The location of on-site well (if applicable);
- f) The location and dimensions of Existing and Proposed driveways and parking areas;
- g) Distance from the lands to be rezoned to all barns/manure storage within 750 metres (if applicable)
- h) The approximate location of all natural and artificial features (for example, buildings, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas) that,
 - i. are located on the subject land and on land that is adjacent to it, and
 - ii. in the applicant's opinion, may affect the application;
- i) The current uses of land that is adjacent to the subject land;
- j) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way; and
- k) The location and nature of any easements affecting the subject land.

Notes:

A Surveyor's Real Property Report prepared by an Ontario Land Surveyor may be required to be submitted with the application where the location of buildings and structures appears to be on, or over, the property line.

Example Drawing



Appendix 'B' - Surplus Farm Dwelling Information Form

In Support of an Application for Zoning By-law Amendment and/or Official Plan Amendment under the Planning Act, R.S.O. 1990 c. P.13, as amended

1. Details of Subject Lands
Municipal Address: 422314 Concession 6 NDR, Durham, ON
What year was the surplus farm dwelling constructed? unknown
Is the surplus farm dwelling capable of human habitation <u>today</u> ? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Complete Situation 1, Situation 2 or Situation 3
Situation 1: I am selling my farm and want to sever the surplus farm dwelling and some land. I am selling the remainder of the farmland to a bona fide farmer who has farmland and a house elsewhere. The surplus farm dwelling is not required by the purchaser.
Q1a. Who will the farmlands be sold or conveyed to?
Q1b. Where is the primary residence of the purchaser of the farmlands?
Q1c. Does the purchaser have a valid Farm Business Registration Number?
Q1d. How many hectares of farmland does the purchaser own?
Q1e. How many hectares of farmland does the purchaser farm themselves?
Q1f. Where are the farmlands located (lot, concession, municipality)?
Situation 2: I currently own the farm and the surplus farm dwelling. I have a primary residence elsewhere. I own and farm other farmlands elsewhere. The surplus farm dwelling is not required for my needs.
Q2a. Where is your primary residence? 2089 Line 56, Wellesley, ON N0B 2T0
Q2b. Do you have a valid Farm Business Registration Number? Yes
Q2c. How many hectares of farmland do you own? 1215 Ha+/-
Q2d. How many hectares of farmland do you farm yourself? 1215 Ha+/-
Q2e. Where are the farmlands located (lot, concession, municipality)? See separate sheet attached
Situation 3: I am buying the farm. I have a primary residence elsewhere. I own and farm other farmlands elsewhere. The surplus farm dwelling is not required for my needs.
Q3a. Where is your primary residence?
Q3b. Do you have a valid Farm Business Registration Number?
Q3c. How many hectares of farmland do you own?
Q3d. How many hectares of farmland do you farm yourself?
Q3e. Where are the farmlands located (lot, concession, municipality)?

NOTE

If the purchasing farmer or owner cannot provide sufficient evidence as to their farm business status/status as a farmer, the application may be refused and/or not accepted by the Municipality of West Grey. Additionally, if the surplus farm dwelling criteria contained in the Grey County Official Plan cannot be met, the application may be refused and/or not accepted by the Municipality of West Grey.