



Corporation of the
the Town of St. Marys

Application for Minor Variance
(Under Section 45 (1) of the Planning Act)
Application for Permission
(Under Section 45 (2) of the Planning Act)

File No. A 09-2020

Instructions

Each application must be accompanied by the application fee in the form of either cash or a cheque payable to the Town. An accurate scaled drawing of the subject land must be submitted.

If the applicant is not the owner of the subject land, a written statement by the owner which authorizes the applicant to act on behalf of the owner as it relates to the subject application, must accompany the application (See Section 11.0).

In addition, the applicant may be required to submit a more detailed site plan in accordance with Section 41 of the Planning Act.

Completeness of the Application

The information in this form that must be provided by the applicant is indicated by black arrows (➤) on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulation 200/96 made under the Planning Act. The mandatory information must be provided with the appropriate fee and a scaled drawing. If the mandatory information is not provided, the Town will return the application or refuse to further consider the application.

To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Approval Process

Upon receipt of an application, the required fee and other information (as required) the Secretary of the Committee of Adjustment will determine whether the application is complete. Once complete, a notice of hearing will be circulated as required by the Ontario Planning Act. The applicant is encouraged to attend the hearing to present the proposal. The applicant will be provided notice of any decision made by the Committee concerning the application. If no notice of appeal is given within twenty days, the decision of the Committee is final and binding.

For Help

To help you complete the application form, please consult the Building Department in the Town Hall. You can also call the Building Department at (519) 284-2340.

Please Print and Complete or (✓) Appropriate Box(es)

1.0 Application Information

➤ 1.1 Name of Owner(s) An owner's authorization is required if the applicant is not the owner (See Section 11.0)

Name of Owner(s) Veterinary Wholesale Company Limited	Home Telephone No. N/A	Business Telephone No. 519-284-1371
Address 485 Queen St W, St Marys	Postal Code N4X 1B7	Fax No. 519-284-2361

1.2 Agent/Applicant - Name of the person who is to be contacted about the application, if different than the owner. (This may be a person or Company acting on behalf of the owner.)

Name of Contact Person (and Company)	Home Telephone No.	Business Telephone No.
Address	Postal Code	Fax No.

➤ 2.0 Location and Size of the Subject Land

Street No. Please see attached schedule	Name of Street/Road	Registered Plan No.	Lot(s)/Block(s)
Reference Plan No. Please see attached schedule	Part Number(s)	Concession Number(s)	Lot Number(s)
Lot Frontage 90.5m	Average Width 238m	Average Depth 263m	Lot Area 45,422 m2

➤ 2.1 Is there a mortgage or charge in respect of the subject land? Yes No If yes, give the names and addresses of any mortgages or charges

➤ 2.2 Are there any easements or restrictive covenants affecting the subject land? Yes No If yes, describe the easement or covenant and its effect.

➤ 2.3 When were the subject lands acquired by the current owner? Please see attached schedule

➤ 3.0 Proposed and Current Land Use

➤ 3.1 What is the proposed use of the subject land? Light Industrial

➤ 3.2 What is the current use of the subject land? Residential / vacant / Light Industrial

➤ 3.3 How is the subject land currently designated in the Official Plan? General Industrial

➤ 3.4 How is the subject land currently zoned in the applicable Zoning By-law? M1 & M1-H

➤ 3.5 What is the nature and extent of relief from the Zoning By-law requested? Proposal to encroach on the 3m Internal Sideyard Setback by 1.62m with two (2) HVAC units

➤ 3.6 Why can the proposed use not comply with the provisions of the Zoning By-law? The HVAC units are preferred at ground level due to Health and Safety concerns for maintenance on a low slope pre-engineered roof. This is the preferred location as the alternative locations at ground level are either within the front yard or external side yards.

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➤ 3.7 Provide the following details for all buildings, both existing or proposed. (Attach an additional page if necessary)

	Existing Buildings		Proposed Buildings			Existing Buildings		Proposed Buildings	
3.7.1 Front Yard	+/- 139m	+/- 75.3m			3.7.5 Height	+/- 6.2m	+/- 7m		
3.7.2 Rear Yard	+/- 22m	+/- 22m			3.7.6 Dimensions	See attached plans	See attached plans		
3.7.3 Side Yard Exterior	+/- 7.5m	+/- 7.5m			3.7.7 Gross Floor Area	+/- 13,405m ²	+/- 15,966m ²		
3.7.4 Side Yard Interior	+/- 16m	+/- 4.6m			3.7.8 Date Constructed	Up to 1998	N/A		

4.0 Previous Industrial or Commercial Uses

4.1 Has there been an industrial or commercial use on the subject land or adjacent land? If Yes, specify the uses and dates. Yes No

4.2 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites? Yes No

4.3 What information did you use to determine the answers to the above questions? ESA Phase 1 and 2, and follow up boreholes and groundwater monitoring

4.4 If Yes, to (4.1), (4.2) or (4.3), a previous use inventory showing all former uses of the subject land, or if appropriate, the adjacent land, is needed. Is the previous use inventory attached? Yes No

A portion of the subject land (PIN 53239-0007) was purchased by Imperial Oil in 1953 and historically used as an Esso / Imperial Oil Bulk Plant Site from 1953 to 1993. The underground storage tanks, petroleum handling equipment and piping were removed in 1993.

➤ **5.0 Status of Other Applications under the Planning Act**

Is the subject land also the subject of an application for an Official Plan Amendment, Consent, approval of a Site Plan, Minor Variance, Zoning By-law Amendment or Zoning Order Amendment? Yes No If Yes, indicate the type of application, the file number and the status of the application.

Applications to Remove a Holding Symbol and approval of a Site Plan

➤ **6.0 Servicing**

6.1 Indicate the existing/proposed servicing type for the subject land.

Sewage Disposal	Existing	Proposed	Water Supply	Existing	Proposed
a) Public piped sewage system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	a) Public piped water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b) Public or private communal septic			b) Public or private communal well(s)		
c) Individual septic system(s)			c) Individual well(s)		
d) Other			d) Other		
Storm Drainage	Existing	Proposed	Road Access	Existing	Proposed
a) Sewers	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	a) Arterial Road	<input checked="" type="checkbox"/>	
b) Ditches or swales			b) Collector Road		<input checked="" type="checkbox"/>
c) Other			c) Local Road		

➤ **7.0 Justification**

7.1 Indicate how the proposed development will be compatible with the surrounding land uses. (attach an additional page if necessary)

The current adjacent lands are zoned M1, and the proposed zoning is M1

8.0 Other Information (attach an additional page if necessary)

➤ **9.0 Application Drawing**

Please submit an accurate, scaled drawing of the proposal showing the following information:

- The subject land, including its boundaries and dimensions, and the location, and nature of any easement or restrictive covenants which affect the subject land;
- The uses of adjacent and abutting land;
- The location of all existing as well as proposed buildings and their dimensions, uses, and setbacks from lot lines;
- The location of all natural and man-made features on the land and the location of an of these features on adjacent and abutting lands;
- Scale and north arrow.

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➤ 10.0 Affidavit or Sworn Declaration

I, Rick Culbert of the Veterinary Wholesale Company in the County/Region of Perth

make oath and say (or solemnly declare) that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me at the Town of St Marys

in the County/Region of Perth

this 7th day of August 2020

Leslee Lea Stacey,
a Commissioner, etc.,
Province of Ontario, for the
Corporation of the Town of St. Marys.
Expires September 17, 2021

Leslee Stacey
Commissioner of Oaths

[Signature]
Applicant

➤ 11.0 Authorization of Owner for Agent to Make the Application

I (we), _____ of the _____ in the County/Region of _____
am the owner of the land that is the subject of this application for a Minor Variance/ Permission and I (we) hereby authorize
_____ to act as my (our) agent in the application.

Date

Signature of Owner(s)

12.0 ACKNOWLEDGEMENT

With the filing of this application, the applicant is aware of, and agrees, that if the decision of the Council of the Town of St. Marys regarding this application is appealed by a third party (a party other than the applicant), all costs incurred by the Corporation of the Town of St. Marys for legal counsel and other associated costs to represent the Corporation of the Town of St. Marys in defending the decision before the Ontario Municipal Board will be solely the responsibility of, and paid for by the applicant.

Dated at the Town of St Marys

in the County/Region of Perth

this 7 day of August, 2020

[Signature]
Applicant

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