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MAR 26 2024

For Office Use Only

Date Received: March 26 2024

File Number: Z06-2024

TOWNSHIP OF ADELAIDE METCALFE

Zoning By-law Amendment Application

Pursuant to Section 34 of the Planning Act

1. Applicant information

Registered owner(s) of the subject land

Name: Ruby Farms (Dave Ruby)

Address: [REDACTED]

Town: [REDACTED]

Postal Code: [REDACTED]

Phone: [REDACTED]

Cell: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

Authorized agent (authorized by the owner to file the application, if applicable)

Name: Mark Van Cleeff

Address: [REDACTED]

Town: [REDACTED]

Postal Code: [REDACTED]

Phone: [REDACTED]

Cell: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

2. If known, please indicate the names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land. Provide a separate sheet where needed.

Name:

Address:

Town:

Postal Code:

Phone:

Cell:

Fax:

Email:

APPEAL TO THE ONTARIO LAND TRIBUNAL

If an application is made for a zoning by-law and Council fails to make a decision within 120 days after the day the application is deemed complete by Staff, the applicant may appeal to Ontario Land Tribunal (OLT) with respect to the consent application.

Anyone may appeal a decision of Council to the OLT within 20 days of the date of the Notice of the Passing of the Municipal Clerk by personally delivering or sending a Notice of Appeal to the Clerk of the Municipality and the required forms, downloadable from the OLT website (<http://www.eltg.gov.on.ca>). The appeal must set out the reasons for objecting to the decision, and must include the prescribed fee. The Township Clerk will then prepare an appeal package and forward it to the OLT. The OLT will schedule a hearing and give written notice of the time and date in advance of the hearing. The decision of the OLT is considered final.

MFIPPA Notice of Collection & Disclosure

The collection of personal information on this form is legally authorized under Sec. 34 of the *Planning Act* and O.Reg. 545/06 for the purpose of processing your planning application. Questions about this collection should be directed to the Clerk, Township of Adelaide Metcalfe, 2340 Egremont Dr., Strathroy, Ontario N7G 3H6 or at 519-247-3687.

Pursuant to Sec.1.0.1 of the *Planning Act*, and in accordance with Sec. 32 (e) of the *Municipal Freedom of Information and Protection of Privacy Act*, it is the policy of the Township of Adelaide Metcalfe to make all planning applications and supporting material available to the public.

18. Indicate the minimum and maximum density and height requirements if applicable:

	Minimum	Maximum
Height		
Density		

19. Is this an application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?Yes* No

*If yes, provide the current Official Plan policies, if any, dealing with the alteration or establishment of an area of settlement: *(please use a separate sheet)*

20. Does this application remove land from an area of employment?Yes* No

*If yes, provide the current Official Plan policies, if any, dealing with the removal of land from an area of employment: *(please use a separate sheet)*

21. Are the subject lands within an area where zoning with conditions applies?Yes* No

*If yes, provide an explanation of how the proposed amendment complies with the Official Plan policy relating to the zoning with conditions: *(please use a separate sheet)*

22. If known, has the subject land ever been the subject of:An application for an amendment to the Official Plan under the *Planning Act*?Yes* No

*If yes, provide the following: File No. _____ Status _____

An application for an amendment to the Zoning By-law under the *Planning Act*?Yes* No

*If yes, provide the following: File No. _____ Status _____

A Minister's zoning order under the *Planning Act*?Yes* No

*If yes, provide the following: Reg. No. _____ Status _____

An application for approval of a Plan of Subdivision under the *Planning Act*?Yes* No

*If yes, provide the following: File No. _____ Status _____

An application for Consent under the *Planning Act*?Yes* No

*If yes, provide the following: File No. _____ Status _____

12. Please indicate the date when the subject land was acquired by the current owner?
5 years 2020

13. Please indicate the length of time that the existing uses of the subject land have continued?
Solar farm 2012

14. Water Supply: Water supply will be provided via?

<input type="checkbox"/>	publicly owned and operated piped water system	<input type="checkbox"/>	lake or other water body
<input checked="" type="checkbox"/>	privately owned well or communal well	<input type="checkbox"/>	other (please specify) _____

15. Sewage Disposal: Sewage disposal will be provided via?

<input type="checkbox"/>	publicly owned and operated sanitary sewage system	<input type="checkbox"/>	privy
<input type="checkbox"/>	privately owned individual or communal septic system	<input checked="" type="checkbox"/>	other (please specify) <u>portapotty</u>

16. Please indicate if the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent produced per day as a result of the development being completed.

Yes* <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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*If yes, have the following reports been submitted as part of the requested amendment?

<input type="checkbox"/>	servicing options report	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/>	hydrogeological report	Yes <input type="checkbox"/>	No <input type="checkbox"/>

17. Storm Drainage: Storm drainage will be provided via?

<input type="checkbox"/>	storm sewers	<input checked="" type="checkbox"/>	swales
<input type="checkbox"/>	municipal drainage ditches	<input type="checkbox"/>	other (please specify) _____

8. Describe all existing uses of the subject land?

Cash crop, ~~vacant~~ solar farm

9. Please indicate whether there are any existing buildings or structures on the subject land?

Yes* No

*If yes, please complete the following table indicating the types of buildings and structures, including date of construction, that currently exist on the lot and the specified measurements (in metric units):

Type of Building / Structure	Date of construction	Distance from front lot line	Distance from rear lot line	Distance from side lot lines	Height	Floor Area
Cinder block warehouse	1970s	37m	474m	9.3m	7m.	1579m ²

10. Describe all proposed uses of the subject land?

Crop, solar farm + ~~cardboard~~ cardboard bailing.

11. Please indicate whether any buildings or structures are proposed to be built on the subject land?

Yes* No

*If yes, please indicate the type of buildings or structures proposed on the subject land and the specified measurements (in metric units):

Type of Building / Structure	Distance from front lot line	Distance from rear lot line	Distance from side lot lines	Height	Floor Area

3a. Current Official Plan land use designation: Agriculture Area.

b. Please explain how this application conforms to the Official Plan?

On-farm diversified use of cardboard bailing to be completely contained within the existing building.

4a. Current Zoning: Agriculture (A)

b. Please explain the nature and extent of the rezoning?

Allow the processing of cardboard within the existing building. Add a permitted use to the existing A zone.

c. Please provide the reason why the rezoning is requested?

To allow the business to continue operation.

5. Description of subject land

Geographic Municipality:

Lot(s)/Concession: Pt Lot 16 Con 5 SER.

Registered Plan:

Lot(s):

Reference Plan:

Part(s):

Street Address: 2897 Napperton

Municipal Roll Number: 3946 0000 4020 200

6. Dimensions of subject land (in metric units)

Frontage: 303 m

Depth: 557 m

Area: 16.34 ha.

7. Access to subject land (please provide information for only those that apply to this property)

Provincial Highway:

County Road: Napperton

Municipal Road:

Other Public Road:

Right of Way:

Water:

23. Please indicate how the application is consistent with the Provincial Policy Statement (a copy of the Provincial Policy Statement is available at www.mah.gov.on.ca)?

The PPS permits on-farm diversified uses on prime agricultural properties so long as it remains 2% of the overall site.

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

Yes*

No



*If yes, explain how the requested amendment conforms or does not conflict with the provincial plan or plans.

25. Does your proposed strategy for consulting with the public regarding the subject application exceed the Planning Act's minimum requirements?

Yes*

No



*If yes, elaborate on the additional consultation proposed.

26. This application must be accompanied by a sketch showing the following information. Failure to supply this information will result in a delay in processing the application. Please fill out the checklist below to ensure you have included all the required information.

- The boundaries and dimensions of the subject land.
- The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings and structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application (for example buildings, railways, roads, watercourses, drainage ditches, rivers or stream banks, wetlands, wooded areas, wells and septic tanks)
- The current uses on land that is adjacent to the subject land.
- 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.
- If access to the subject land will be by water only, the location of the parking and docking facilities to be used.
- The location and nature of any easements affecting the subject land.

MUNICIPAL COSTS

Please be advised that the Township may incur expenses associated with obtaining outside legal/ engineering / planning review/ assistance from its consultants, relating to your application. Any expenses that the Township incurs in this regard will be forwarded to you, the owner, for payment.

I, DAVID RUBY, (the owner) acknowledge that I will pay all legal / engineering / planning expenses the Township incurs as outlined above.



Signature



Date

STATUTORY DECLARATION

I, DAVID Ruby (Name) of the 2. Step Hwy (Name of City, Town, Township, Municipality, etc.)

in the Middlesex (Name of County, Region or District)

SOLEMNLY DECLARE THAT

The information provided in this application as required under Section 34 of the Planning Act and Ontario Regulation 545/06 is true.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that is of the same force and effect as if made under oath.

Declared before me at the Township
of Adelaide Metcalfe in the
County of Middlesex

this 26 day of March 20 24


A Commissioner Taking Affidavits
Johnny
A Commissioner for Oaths, Para. 1(2)
Pursuant to R.S.O. 1990, c. 17


Applicant or Authorized Agent*

AGENT AUTHORIZATION

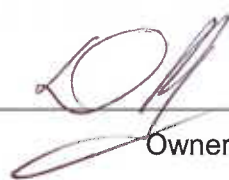
(Please complete the authorization for an agent to act on behalf of the owner of the subject land)

I, DAVIS RUBY (Name), being the owner of the property described in Section 1 of

this application for zoning by-law amendment, hereby authorize Mont VanCleave (Agent)

to act as my agent in matters related to this application for zoning by-law amendment.

Dated this 26 day of May 2021



Owner