



Corporation
of the Town of St. Marys

Application for Approval of a Official Plan Amendment

(Under Section 22(4) of the Planning Act)



Application for Zoning By-law Amendment

(Under Section 34 or 39 of the Planning Act)



Application to Remove a Holding Symbol

(Under Section 34 and 36 of the Planning Act)

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 13.0).

Please bear in mind that additional information may be required by the Town, local and provincial agencies in order to evaluate the proposed Amendment. The required information may include studies or reports to deal with such matters as impacts on: the environment; transportation network; water supply; sewage disposal; and storm water management.

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 198/96 made under the **Planning Act**. The mandatory information must be provided with the appropriate fee and draft plan. If the mandatory information is not provided, the municipality will return the application or refuse to further consider the application.

The application form also sets out other information (eg. technical information or reports) that will assist the approval authority and others in their planning evaluation of the development proposal. 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) Council will determine whether there is sufficient merit in processing the application further (i.e. circulation of notice and the holding of a public meeting as required by the Ontario Planning Act). The applicant is encouraged to attend a public meeting, to present the proposal. The applicant will be provided notice of any decision made by Council concerning the application. Official Plan Amendments and Zoning By-law Amendment are adopted by St. Marys Council. If no notice of appeal is received within twenty days, the Official Plan Amendment and/or Zoning By-law Amendment is in force.

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) <small>An owner's authorization is required if applicant is not the owner (See Section 12.0)</small> | | |
| Name of Owner(s) Yao Zhang, North Bay Capital Investment Ltd. | Home Telephone No. 905-518-0471 | Business Telephone No. 519-284-3181 |
| Address 752 Queen St E, St. Marys, ON | Postal Code N4X 1B2 | Fax No. 519-284-3181 |
| 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 firm acting on behalf of the owner.) | | |
| Name of Contact Person (and Firm) Joshua Salama-Frakes (blueprint2build) | Home Telephone No. 289-380-3815 | Business Telephone No. 905-888-0800 |
| Address 14 Cardico Dr, Stouffville, ON | Postal Code L4A 2G5 | Fax No. 905-888-0800 |

➤ 2.0 Location and Size of the Subject Land

| | | | |
|--------------------------------|--|--------------------------------------|------------------------|
| Street No. 752 | Name of Street/Road Queen Street East | Registered Plan No. PLAN 44R-3833 | Lot(s)/Block(s) |
| Reference Plan No. 44R-3833 | Part Number(s) 1,2,3,4 | Concession Number(s) 19 | Lot Number(s) 18 |
| Lot Frontage 177.2M | Average Width 121.5M | Average Depth 277M | Lot Area 34,683.1M2 |

➤ 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
Royal Bank of Canada - 21 King St W, Hamilton, ON L8P 4W7

➤ 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.
Town of St. Marys Easement, Instrument No. 177334

➤ 2.3 When were the subject lands acquired by the current owner?
November 12th, 2019

➤ 3.0 Proposed and Current Land Use

➤ 3.1 What is the proposed use of the subject land?
We are proposing to allow use of Pet Food and Supplies Store, Pet Services for the approved retail building

➤ 3.2 What is the current use of the subject land? Currently there are a gas station with a convenience store and an accessory pizza restaurant with no seating, a car wash, a fast food restaurant with Drive-Thru, a retail commercial building

➤ 3.3 How is the subject land currently designated in the Official Plan?
A gas station canopy and pump islands, a convenience store building, a fast food restaurant building with 15 cars Drive-Thru lane, a car wash building, a retail commercial building and industrial zoned land at rear

➤ 3.4 How is the subject land currently zoned in the applicable Zoning By-law?
C3-5, C3-5-H, C3-7, FP (C3-5), M1, and FP (M1)

➤ 3.5 Provide the following details for all buildings, both existing or proposed. (Should be shown on the Site Plan submitted with this Application).

| | Existing Buildings | Proposed Buildings | | Existing Buildings | Proposed Buildings |
|-----------------|--------------------|--------------------|------------------------|--------------------|---------------------------------------|
| | 3.5.1 Front yard | 62.9m | | 62.9m & 16.47m | 3.5.5 Height |
| 3.5.2 Rear yard | 218m | 213m & 241m | 3.5.6 Dimensions | 19.4x10m | 24x15.3 & 20x20.2m |
| 3.5.3 Side Yard | 20.8m | 41.9m & 84.8m | 3.5.7 Gross Floor Area | 197m ² | 368m ² & 388m ² |
| 3.5.4 Side Yard | 99m | 73.3m & 36.2m | 3.5.8 Date Constructed | | |

➤ **4.0 Official Plan Amendment (proceed to Section 5.0 if a Official Plan Amendment is not proposed)**

| 4.1 Does the Proposed Official Plan Amendment: | Yes | No |
|---|--------------------------|--------------------------|
| 4.1.1 Add a Land Use designation to the Official Plan? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.1.2 Change a land use designation in the Official Plan? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.1.3 Replace a policy in the Official Plan? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.1.4 Delete a policy from the Official Plan? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.1.5 Add a policy to the Official Plan? | <input type="checkbox"/> | <input type="checkbox"/> |

If applicable, please provide the policy section number to be changed, and suggested policy wording on a separate page.

4.2 What is the purpose of the Official Plan Amendment and land uses that would be permitted by the proposed Official Plan Amendment?

4.3 Explain how this proposal has regard to the principles of the Provincial Policy Statement issued under the Planning Act (attach a separate page if necessary).

➤ **5.0 Zoning By-law Amendment (proceed to Section 6.0 if a Zoning By-law Amendment is not proposed)**

| 5.1 Does the Proposed Zoning By-law Amendment: | Yes | No |
|---|--------------------------|-------------------------------------|
| 5.1.1 Add a Zone Category to the Zoning By-law? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5.1.2 Change a Zone Category in the Zoning By-law? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5.1.3 Replace a zoning provision in the Zoning By-law? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5.1.4 Delete a zoning provision from the Zoning By-law? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5.1.5 Add a zoning provision to the Zoning By-law? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If applicable, please provide the provision section number to be changed, and suggested provision wording on a separate page.

5.2 What is the purpose of the proposed Zoning By-law Amendment and what are the land uses proposed?

To add permitted uses of Pet Food and Supplies Store, Pet Services to the approved retail commercial building

6.0 Previous Industrial or Commercial Uses

6.1 Has there previously been an industrial or commercial use on the subject land or adjacent land? If Yes, specify the uses and dates. Yes No
 A gas station and a convenience store with an accessory pizza restaurant with no seatings - Jan 2017, McDonalds restaurant with Drive-Thru - Dec 2021

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

6.3 What information did you use to determine the answers to the above questions? Phase II Environmental Site Assessment Report

6.4 If Yes, to (6.1), (6.2) or (6.3), 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

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

Is the subject land also the subject of an application for a 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.

Site Plan Agreement - Approved - Signed on October 13, 2020

➤ **8.0 Servicing**

8.1 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"/> | | a) Public piped water system | <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 | ✓ | | a) Arterial Road | ✓ | |
| b) Ditches or swales | ✓ | | b) Collector Road | ✓ | |
| c) Other new pond under construction | ✓ | | c) Local Road | ✓ | |

9.0 Justification

9.1 Indicate how the proposed use(s)/ zone complies with the relevant portions of the Official Plan - or complete an Official Plan Amendment Application.

The Official plan states that a highway commercial zone shall provide meet the needs of the residents and the traveling public. Providing a range of commercial opportunities. Our proposal will meet this by introducing a chain Pet Food and Supply store along with McDonalds restaurant.

9.2 Indicate how the proposed use(s) will be compatible with the surrounding land uses.

The surrounding lands include a mix of commercial, industrial, recreational and residential properties. We believe by having a chain pet food store on the property, it will provide conveniences to the pet owners and create new job opportunities in the local community which is crucial to the post- COVID recoveries.

10.0 Other Information

The Lease Agreement with Pet Valu is being finalized. Lease term is 10 years plus four options to extend for a period of 5 years each. The Lease Agreement is guaranteed by Pet Valu Canada Inc.

11.0 Application Drawing

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

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

12.0 Affidavit or Sworn Declaration

I, Yao Zhang, North Bay Capital Investment Ltd., owner of the 752 Queen Street East in the County/Region of St. Marys

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 City of Toronto

in the County/Region of Toronto

this 18 day of October, 2021

Mkantele
Commissioner of Oaths

[Signature]
Applicant

13.0 Authorization of Owner for Agent to Make the Application

I (we), Yao Zhang, North Bay Capital Investment Ltd, owner of the 752 Queen Street East in the County/Region of St. Marys

am the owner of the land that is the subject of this application for an Official Plan Amendment/Zoning By-law Amendment and I hereby

authorize Joshua Salama-Frakes and BluePrint2Build to act as my agent in the application.

October 18, 2021
Date

[Signature]
Signature of Owner

14.0 Acknowledgement

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 St. Marys for legal counsel and other associated costs to represent the Corporation of the 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 October 18th, 2021

in the County/Region of York

this 18 day of October, 2021

Joshua Salama-Frakes
Applicant