



Municipality of  
**Dutton Dunwich**

## **APPLICATION FOR ZONING BY-LAW AMENDMENT**

**APPLICATION FEE:** \$1,500 or \$2,300 if a condition of a consent application or \$2,000 (plus deposit) if for a temporary use plus \$200 (LTVCA) made payable to the 'Municipality of Dutton Dunwich'.

### **INSTRUCTIONS**

Include the following when submitting this form: deed or offer to Purchase, sketch or a recent plan of survey of the subject land, conceptual site plan and any other document or drawings required for the development proposal. Provide as much information as possible, even if conceptual or draft. One hard copy and one PDF copy are required.

Read and complete the form in full, sign and date. Submit this application form, the application fee, and required information, document, and/or drawings to Planning, Municipality of Dutton Dunwich, [planning@duttondunwich.on.ca](mailto:planning@duttondunwich.on.ca), 199 Currie Road, Dutton, ON, N0L 1J0, 519-762-2204.

### **APPLICATION PROCESS**

Pre-application consultation with the Municipal Planner is mandatory per By-law 2020-31. The Planner will assist you in determining what information and materials will be required in order to deem the application complete.

The application is reviewed to ensure all prescribed and required information and the fee have been submitted. Administration reserves the right to request additional information. Within 30 days of the receipt of the application, the applicant or agent will be notified in writing that the application is deemed incomplete or complete.

A Notice of the Hearing will be mailed to the applicant, various public agencies and to every owner of land within 120 metres of the subject site, not less than 20 days prior to the date the application is to be heard. A sign will also be sent to the applicant prior to the date the application is heard. The sign is to be placed on the land subject to the application at least 10 days prior to the hearing date and is to remain in place until the hearing has been held. The sign is to be placed at the center of the subject parcel, facing the public road and as close as possible to the property line.

The applicant or an agent should attend the hearing of Council for the Municipality of Dutton Dunwich at the designated time and location and speak on behalf of the application answering any questions, that the members may have. A written decision will be forwarded to the applicant and various public agencies within 15 days of the date of the hearing. Within 20 days of the date of the written decision, any person may appeal the decision to the Ontario Land Tribunal (OLT) by filing the Notice of Appeal and the required fee with the Clerk of the Municipality of Dutton Dunwich. If no appeals, the decision is final.

**OWNER AND APPLICANT INFORMATION**

Name and Contact Information of Owner(s): Nicole Doey  
28286 Duff Line, Dutton, ON N0L 1J0  
519-709-8535 nd3639@hotmail.com

Name and Contact Information of Applicant(s) (if different from Owner):  
Kurtis Hathaway  
28204 Duff Line, Dutton, ON N0L 1J0  
519-878-8825 kurtish@clarkhaasen.com

Name and Contact Information of Agent: Kurtis Hathaway  
28204 Duff Line, Dutton, ON N0L 1J0  
519-878-8825

Correspondence should be sent to: \_\_\_\_\_ Owner  Applicant \_\_\_\_\_ Agent

**SUBJECT LAND INFORMATION**

Municipal Address: 23204 Duff Line

Lot: 7 Concession: 2

Legal Description: Part Lot 7, Concession 2 Dunwich as in E204216, Dutton/Dunwich

Roll Number: 34 29 000 0040 6500

Name and Address of any mortgagees, charges or other encumbrances:

1st Charge - Westboro Management Ltd and Westboro Mortgage Investment LP  
~~2nd Charge - Bridgewater Bank~~

Any easements or restrictive covenants affecting the subject lands: None

Frontage(m):

Depth (m):

Area (sq.m/ha):

Existing Uses (include length of time): Rural Residential / Agricultural since prior to 2021

Previous Uses: Rural Residential / Agricultural

**PROPOSED DEVELOPMENT INFORMATION**

Current Official Plan Designation: Agriculture

Current Zoning By-law Classification: Agriculture A 1

Zoning Classification Request: Agriculture A1 to Rural Residential RR

Describe the purpose of the rezoning of the subject lands that is being requested by this application:

to amend the zoning of the severed property from Agricultural A1 to Rural Residential RR to have the severed property merge with the Applicants' existing property

Explain why the rezoning is being requested and how it conforms to the Provincial Policy, 2020 and the Official Plan (County of Elgin and Dutton Dunwich):

The rezoning is requested to comply with Condition of Consent Application Decision E 39-23. The rezoning conforms with the Provincial Policy Statement, 2020 as it supports the overarching policy directive to protect prime agricultural areas, and to avoid creating new lots. The rezoning conforms with the Official Plans of Elgin and Dutton Dunwich as no new lot is being created and the proposal does not affect the viability of the use of the properties, or the use of the adjacent agricultural parcel.

Number and type(s) of buildings or structures **existing** on the subject land:

Retained: one residence and one storage shed  
Severed: vacant - no buildings

Number and type(s) of buildings or structures **proposed** to be built on the subject land:

Retained: None  
Severed: one storage shed

Existing uses of abutting properties:

North: Agricultural

East: Agricultural

South: Agricultural

West: Agricultural

Have the subject lands ever been subject to any of the following applications (provide file number and status):

- Official Plan Amendment: Yes \_\_\_ No X
- Zoning By-law Amendment: Yes \_\_\_ No X
- Minor Variance: Yes \_\_\_ No X
- Consent/Severance: Yes X No \_\_\_
- Plan of Subdivision: Yes \_\_\_ No X
- Site Plan Control: Yes \_\_\_ No X

Concurrent Application E 39-23

**AVAILABLE SERVICES**

Water is supplied to the subject property by the following:

- X Publicly owned and operated piped water system
- \_\_\_ Private well
- \_\_\_ Communal well (privately owned/operated)

Sewage disposal is provided to the subject property by the following:

- \_\_\_ Publicly owned and operated sewage disposal system
- X Private sewage system
- \_\_\_ Communal system (privately owned/operated)
- \_\_\_ Other \_\_\_\_\_

Storm drainage is provided to the subject property by the following:

- \_\_\_ Sewers
- X Ditches
- \_\_\_ Swales
- \_\_\_ Other \_\_\_\_\_

Access is provided to the subject property by the following:

- Provincial Highway
- Municipal Road (yearly maintenance)
- Municipal Road (seasonal maintenance)
- County Road
- Right-of-Way
- Other \_\_\_\_\_

If access to subject land is by private road or right-of-way, please indicate the name of the owner of the land or road, who is responsible for its maintenance and whether it is seasonal or year-round.

N/A

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## SKETCH INSTRUCTIONS

Attach a sketch showing, in metric units:

1. the boundaries, zoning matrix and dimensions of the subject lands;
2. the location, size and type of all existing buildings or structures on the subject land, including their distance from the front lot line, rear lot line and side lines;
3. the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion, may affect the application;
4. the current uses of all land that is adjacent to the subject land;
5. 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;
6. if access to the subject land will be water only, the location of the parking and docking facilities to be used; and
7. the location and nature of any easement affecting the subject land.

## ENVIRONMENTAL SITE SCREENING QUESTIONNAIRE

Use or Feature	On Subject Land
Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Has there been petroleum or other fuel stored on the subject land or adjacent lands?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Agricultural Operation including livestock facility or stockyard within 500 m?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Have the lands or adjacent lands ever been used as a weapons firing range?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?	__Yes <input checked="" type="checkbox"/> No __ Unknown
If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Industrial or Commercial Use (specify users)?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Natural Heritage Feature on or within 120 metres of subject land?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Flood Plain?	__Yes <input checked="" type="checkbox"/> No __ Unknown
Active Railway within 500 m?	__Yes <input checked="" type="checkbox"/> No __ Unknown

**ACKNOWLEDGEMENTS**

I/WE, Kurtis Hathaway, solemnly declare that all 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.

I/WE acknowledge that receipt of this application does not guarantee it to be a complete application.

I/WE hereby authorize staff of the Municipality of Dutton Dunwich to enter upon the subject lands and premises described in the application form for the purpose of evaluating the merits of this application.

I/WE shall assume responsibility for all costs related to the said application and understand and agree that the payment of said costs shall be a condition of this signed application. I/We also agree to accept all costs as rendered.

I/WE further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Dated this 11<sup>TH</sup> day of APRIL, 2024



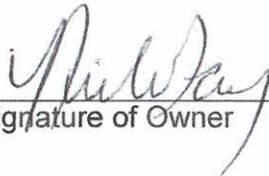
\_\_\_\_\_  
Signature of Applicant  
(owner or authorized agent)

**AUTHORIZATION** (complete only if Owner is not the Applicant)

I/WE, Nicole Doey, hereby authorize Kurtis Hathaway

to act on my behalf regards to the above application.

Dated this 11 day of April, 2024



\_\_\_\_\_  
Signature of Owner



**SWORN DECLARATION** (complete in the presence of a Commission for Taking Affidavits)

I/WE, Kurtis Hathaway, solemnly declare that the information required under Schedule 1 to Ontario Regulation 545/06 and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, and I 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.



Signature of Applicant  
(~~owner or~~ authorized agent)



Declared before me at the (Municipality/City) \_\_\_\_\_

Dated this 22 day of April, 2024.

\_\_\_\_\_  
Signature of Commissioner

<p>For Office Use:</p> <ul style="list-style-type: none"><li>• Pre-Application Consultation Date:</li><li>• Complete Application Date Received:</li><li>• File Number:</li><li>• Amount Received and Receipt No:</li></ul>
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