



No. B-05/19

**APPLICATION FOR CONSENT
to the
COMMITTEE OF ADJUSTMENT FOR THE TOWN OF GANANOQUE**

A Complete Application consists of:

- One original and two copies of a complete application form signed including declaration of applicant.
- One copy of the deed of property
- Application fee in the amount of \$500 payable to the Town of Gananoque
- One copy of the most recent survey of the subject property
- One copy of the subject property showing the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- One copy, if applicable, of the property to whom the lands will be transferred to
- One copy of the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
- One copy of the location of all natural and artificial features on the subject lands including buildings, water, roads, easements, wells and septic systems.

Applications may be subject to any Town incurred costs over and above the applications fees as set out in the General Fees and Rates By-law fees and rates for various services provided by the municipality
Consent Application may be subject to review and a separate cheque payable to the Cataraqui Region Conservation Authority, in the amount of \$290. The Town of Gananoque recommends that you consult with a Conservation Authority Officer prior to making application.

Name of Applicant: Dillon Consulting Limited	Name of Property Owner (if different than applicant): 1873279 Ontario Inc.
Address: 3200 Deziel Drive, Suite 608 Windsor, ON N8W 5K8	Address: 1989 Leslie Street Toronto, ON M3B 2M3
Telephone: 519-948-5000 ext. 3205	Telephone: 416-445-1107

Purpose of Application:					
<input type="checkbox"/> New Lot	<input type="checkbox"/> Lot Addition	<input type="checkbox"/> Easement	<input type="checkbox"/> Charge	<input checked="" type="checkbox"/> Lease	<input type="checkbox"/> Correction of Title
<input type="checkbox"/> Other					

Name of Person To Whom the Land or an Interest in the land is to be transferred, charged or leased (if known): The TDL Group Corp.
Relationship, if any, to owner: _____

Property Information:			
Street or Property Address (if applicable): 713 King Street E (Highway 2)			
Legal Description including any reference plans: PT LT 16 CON 1 LEEDS PT 2 28R6174; S/T LR262814 TOWN OF GANANOQUE			
Frontage: ± 140 m	Depth: Irregular	Area: 13,078 sq m	

Official Plan Designation:	Highway Commercial
Zoning Designation:	Gateway Commercial

History of the Subject Land:	
Has the subject property ever been the subject of an application for consent under Section 53, or approval of a plan of subdivision under Section 51 of the Planning Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, and if known, please provide the file number of each application and the decision made: _____ _____	
Has the subject property been severed from the parcel originally acquired by the Owner of the subject land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, and if known, provide the date of transfer, the name of the transferee and the land use for each parcel severed: _____ _____	
Is the subject property currently the subject of any other application under the Planning Act such as an Official Plan Amendment, Zoning By-law Amendment, Minor Variance, Consent or Approval of a Plan of Subdivision?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, and if known, please provide the file number of each application, and its status: _____ _____	

(To Be **LEASED**)

		To Be SEVERED	To Be RETAINED
Property Dimensions:	Frontage	N/A	± 140 m
	Depth	Irregular	Irregular
	Area	284 sq m + Drive-thru	13, 078 sq m
Use of Subject Property:	Existing Use	Quick Service Restaurant (Tim Hortons)	Commercial Plaza
	Proposed Use	N/A	N/A

EXISTING BUILDINGS:		Building 1	Building 2
To Be SEVERED	Type of Structure	Freestanding QSR with Drive-through	
	Front Line Setback:	± 17 m	
	Rear Lot Line Setback:	± 25 m	
	Side Lot Line Setback:	± 9 m	
	Side Lot Line Setback:	± 4.5 m	
	Height	One Storey	
	Dimensions	± 15.3 x 18.4 m	
	Floor Area	284 sq m	
To Be RETAINED	Type of Structure	Commercial Plaza	
	Front Line Setback:	± 35 m (irregular)	
	Rear Lot Line Setback:	± 13 m (Irregular)	
	Side Lot Line Setback:	± 3 m (Irregular)	
	Side Lot Line Setback:	± 8 m (irregular)	
	Height	One & Two Storey)	
	Dimensions	Irregular	
	Floor Area	± 3,500 sq m	
Attached Additional Page, if necessary			

N/a - no changes to buildings

PROPOSED BUILDINGS:		Building 1	Building 2
To Be SEVERED	Type of Structure		
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:		
	Height		
	Dimensions		
	Floor Area		
To Be RETAINED	Type of Structure		
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:		
	Height		
	Dimensions		
	Floor Area		
Attached Additional Page, if necessary			

Access (check appropriate box)		Yes	No
	Town Road (open all year)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Town Road (seasonal)	<input type="checkbox"/>	<input type="checkbox"/>
	Unopen Road Allowance	<input type="checkbox"/>	<input type="checkbox"/>
	Right-of-Way	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify)		

Where access to the Subject Land is by Water Only		Yes	No
Docking Facilities:	Distance from subject land		
	Distance from nearest public road		
Parking Facilities:	Distance from subject land		
	Distance from nearest public road		
Water Services		Yes	No
(check appropriate box)	Publicly-owned/operated	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – individual well	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):		
Sewage Services		Yes	No
(check appropriate box)	Publicly-owned/operated	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – individual well	<input type="checkbox"/>	<input type="checkbox"/>
	Privately owned/operated – communal well	<input type="checkbox"/>	<input type="checkbox"/>
	Privy	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	Highway #2 (King St E)	

Other Information:

Is there any other information that may be useful to the Town or other agencies in reviewing this application?

If so, explain below:

Note: Under Section 53 of the Planning Act, other information and material in addition to the foregoing, may be required, in order to process the proposed consent application. The expense of such will be the applicant's responsibility.

AUTHORIZATION BY OWNER

I, the undersigned being the owner of the subject land of this application for a consent, hereby authorize

Dillon Consulting Limited (please print name)
to be the applicant in the submission of this application.

Furthermore, I/we, being the registered owner(s) of the subject lands, hereby authorize the Members of the Town of Gananoque Committee of Adjustment and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

[Signature]

Signature of Owner

[Signature]

Signature of Owner

April 22, 2019

Date

Date

DECLARATION OF APPLICANT

I, Amy Farkas,
Dillon Consulting Limited of the City of Windsor in the
County of Essex solemnly declare that:

All the statements contained in this application and provided by me are true 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

Furthermore, I/we, being the applicant(s) of the subject lands, hereby authorize the Members of the Town of Gananoque Committee of Adjustment and the Town of Gananoque staff members, to enter upon the property for the purpose of conducting a site inspection with respect to the attached application.

Declared before me at the City of
Windsor in the
County of
Essex this 2 day
of July, 2019

Melanie Anne Mulr,
a Commissioner, etc., Province of Ontario,
for Dillon Consulting Limited.
Signature of a Commissioner, etc
Expires May 3, 2022.

[Signature]

Signature of Applicant

Signature of Applicant

Office Use Only:		Roll No: <u>08 14 000 020 299 01</u>
<u>Sept. 03/19</u> <u>Aug. 30 2019</u> Date of Submission	Application Complete: _____ Signature	_____ Date

Questions??

Brenda Guy, Manager of Community Development
Town of Gananoque
30 King Street East, Box 100
Gananoque, ON K7G 2T6



Our File: 18-8793

August 30, 2019

Department of Community Development
Town of Gananoque
30 King St East, Box 100
K7C 2T6

Attention: Brenda Guy, Manager of Community Development

Re: Application for Consent for a Lease Greater than 21 Years
Tim Hortons Store #101011– 713 King St E, Gananoque, ON

Dillon Consulting Limited (Dillon) has been authorized by 1873279 Ontario Inc. (the Landlord) to facilitate the Consent process under the Planning Act to permit the lease agreement registered on title between the Landlord and The TDL Group Corp. (the Tenant) to be extended for a period of 21 years or greater at 713 King Street East in the Town of Gananoque, Ontario (subject lands).

As required by the *Planning Act*, any conveyance of land or the creation of any interest or entitlement in land if it exceeds a period of 21 years or more pursuant to s. 50(3) unless relief is granted under the specific exception of s. 50(3)(f):

A consent is given to convey, mortgage or charge the land or grant, assign or exercise a power of appointment in respect of the land or enter into an agreement in respect of land or with the land

We understand the intent of this application is to seek relief from the *Planning Act* in order for the TDL Group Corp. to remain in their current location for a period greater than 21 years, thus allowing the existing lease agreement to be extended. The purpose of giving Consent therefore is largely an administrative exercise. We confirm there are no other approvals under the *Planning Act* required or being applied for to create this interest in the property at this time.

Alignment with Provincial Policy

Under subsection 3(5) of the *Planning Act*, all decisions rendered by the Committee of Adjustment must be consistent with the *Provincial Policy Statement, 2014* and must conform with all provincial plans that may apply to the subject lands.

Conformity with Provincial Plans

At the time of this application, neither the dominant nor servient parcels fall within the regulated area of any provincial plan currently in effect.

3200 Deziel Drive
Suite 608
Windsor, Ontario
Canada
N8W 5K8
Telephone
519.948.5000
Fax
519.948.5054

Dillon Consulting
Limited

Application for Consent

This letter and associated submission materials constitute an application for Consent in support of the existing Tenant to continue operations. We request that this application be heard by the next available Committee of Adjustment hearing.

Required Material	Copies	Dated
Application Form	1	July 2, 2019
Figure 1.0 – Property & Lease Boundary (11 x 17)	1	June 28, 2019
Figure 2.0 – Site Plan (11 x 17)	1	1993
Schedule 'A', Lease (11 X 17)	1	1993
Application Fee cheque - \$500.00	1	July 2, 2019

Closing

On behalf of the landlord, we trust that this submission is to the satisfaction of the Town of Gananoque. Should you have any questions or wish to discuss this application, please contact Amy Farkas by phone (519-948-5000 ext. 3205) or by email (afarkas@dillon.ca).

Yours sincerely,

DILLON CONSULTING LIMITED



Amy Farkas, MCIP, RPP

Planner

AMF:amf

Enclosure(s) or Attachment(s)

Our file: 18-8793