

NOTICE OF MEETING Proposed Class III Development Permit Amendment

TAKE NOTICE THAT the Planning Advisory Committee/Committee of Adjustment for the Town of Gananoque will hold a Meeting on **TUESDAY, MAY 25, 2021 at 6:00 P.M.** via **VIRTUAL MEETING*** to provide a recommendation to Council on the application below.

AND FURTHER TAKE NOTICE that the Council for the Corporation of the Town of Gananoque will hold a Public Meeting on **TUESDAY, JUNE 1, 2021** via **VIRTUAL MEETING*** to hear the following application to consider a Class III Development Permit Amendment:

File No. **DP2021-07**

OWNER: **HARRIE TIEKEN**
APPLICANT: **JAMIE PETERSON**

The property municipally and legally described as

345 HERBERT STREET

CON 1 PT LOT 14 PT LOT 15 FORM LEEDS RP 28R2631 PART 2 NOW GANANOQUE

has applied to the Town of Gananoque for a Development Permit Amendment to
**PERMIT A DRIVE-IN MOVIE THEATRE IN THE REAR YARD OF THE SUBJECT PROPERTY AND TO
PERMIT THE USE OF ADJACENT LANDS FOR THE PLACEMENT OF EQUIPMENT RELATED TO THE
PROPOSED USE**

*The **TOLL-FREE PHONE NUMBER** and **VIDEO CONFERENCE LINK** can be found on the meeting agenda, posted to the Town website at <https://www.gananoque.ca/town-hall/meetings> prior to the meeting.

Additional information in relation to the proposed development permit is available for inspection on the Town website at <https://www.gananoque.ca/town-hall/meetings>, by emailing assistantplanner@gananoque.ca or by calling Chanti Birdi 613-382-2149 ext. 1129.

If you wish to provide comment or input you may do so at the meeting or in writing prior to the meeting.
Note: Only the applicant of a development permit has a right to appeal a decision or non-decision on an application to the LPAT where the application meets the requirements established through the Official Plan and Development Permit By-law.



DATED this 10th day of May, 2021

Brenda Guy
Manager of Planning and Development
bguy@gananoque.ca
613-382-2149 Ext. 1126



DP 2021 / 07

**APPLICATION FOR DEVELOPMENT PERMIT APPROVAL
Section 70.2 of the Planning Act, RSO 1990, as amended**

This application form **MUST** be accompanied with all the submission requirements in order to be considered a complete application. **Incomplete applications will not be processed until all information is provided.**

A meeting with Planning and Development staff is **REQUIRED PRIOR TO SUBMISSION** of this application. At that time, approval stream and submission requirements will be determined. **ALL** applications require the following:

- ✓ Complete application form signed including declaration of applicant.
- ✓ Copy of the deed of property or offer to purchase and sale
- ✓ Two (2) large scale copies of all plans being submitted, two reduced 8.5" x 11" of each plan and one electronic copy in pdf format. Plans are to be in a standard scale format (1:250 1:500)
- ✓ Application fee payable to the Town of Gananoque:
 - Class I \$500
 - Class II \$1,500
 - Class III \$1,700
 - Amendment to Class I, Class II or Class III \$700
- ✓ Deposit fee in the amount of \$2,000 payable to the Town of Gananoque for peer reviews of studies for a Class II/Class III
- ✓ Copy of the most recent survey of the subject property
- ✓ **Cataraqui Region Conservation Authority.** Subject to review and a separate cheque payable to the Cataraqui Region Conservation Authority. See fee schedule. Clearance letter will be required by the Town.

CONTACT INFORMATION

Municipal Freedom of Information and Protection of Privacy Act – Personal Information on this form is collected under authority of The Planning Act and will be used to process this application.

Name of Applicant: Jamie Peterson	Complete Address including Postal Code: 3373 HWY 15 Kingston, ON K7L 4V3	Phone: <u>613 484-7477</u> Fax: _____ E-mail: <u>hoagiesmoviesgames@gmail.com</u>
Name of Property Owner (if different than applicant): Harrie Tieken Agnes Tieken	Complete Address including Postal Code: 215 Marbie Rock Rd, RR2 Gananoque, ON K7G 2V4	Phone: _____ Fax: _____ E-mail: <u>tieken_ned@kingston.net</u>
Architect/Designer/Planner:	Complete Address including Postal Code:	Phone: _____ Fax: _____ E-mail: _____
Engineer: Eastern Engineering Group Inc. Colin A. Jardine, P.Eng	Complete Address including Postal Code: Suite 207 – 100 Strowger Blvd. Brockville, Ontario, K6V 5J9	Phone: <u>Phone: (613) 345-0400 x104</u> Fax: _____ E-mail: <u>baiello@easteng.com</u>
Ontario Land Surveyor:	Complete Address including Postal Code:	Phone: _____ Fax: _____ E-mail: _____

Street or Property Address (if applicable): 345 Herbert Street

LEGAL DESCRIPTION

Lot/Con/Plan: CON 1 PT LOT 14 PT LOT 15 FORM LEEDS RP 28R2631 PART 2

Frontage: <u>200'</u>	Depth: <u>400'</u>	Area (sq.m): _____	Area (acres): <u>1.84 ACRES</u>
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SUBMISSION REQUIREMENTS

The applicant/agent is responsible for ensuring that the submission requirements are met, including confirming that all the information listed below is shown on the required plans by checking off each box.

- Site Plan(s)** including scaled accurate measurements of:
- o Title, location and date of project including legend and scale (graphic bar scale as well as written ratio scale);
 - o Dimensions and areas of the site including existing natural and artificial features i.e: buildings, watercourses, wetlands, woodlands.
 - o Dimensions and gross floor area of all building and structures to be erected;
 - o Existing structures to be retained, removed or relocated;
 - o Distances between lot lines and the various buildings, structures, parking areas, driveways and other features;
 - o Proposed elevation of finished grades including area to be filled or excavated, retaining walls, drainage ditches;
 - o Parking areas including number, size of spaces and dimensions. The plans shall have regard for **Ontario Regulation 413/12 made under Accessibility for Ontarians with Disabilities Act, 2005**. This shall include, but not be limited to, providing appropriate designated parking spaces and unobstructed building access features.
 - o Access driveways including curbing and sidewalks
 - o Proposed fire routes and fire route sign locations
 - o Dimensions and locations of loading zones, waste receptacles and other storage spaces;
 - o Location, height and type of lighting fixtures including information on intensity and the direction in which they will shine relative to neighbouring streets and properties;
 - o Location of sign (sign permit to be applied for through the Building Permit process) as per By-law 2005-41;
 - o Location, type and size of any other significant features such as fencing, gates and walkways.
- Drainage Plan(s)** including scaled accurate measurements of:
- o Drainage Plan must demonstrate proposed development is handled on-site and does not infringe on neighbouring properties;
- Landscape Plan(s)** including scaled accurate measurements of:
- o Landscape Plan showing size, type and location of vegetation, areas to be seeded or sod. Plan to show existing landscape features to be retained, removed or relocated;
- Site Servicing Plan(s)** including scaled accurate measurements of:
- o Site Servicing Plan (plan/profile) including layout of existing water, sewer, gas lines, proposed connections, utility easements, fire hydrants, hydro poles, lighting, trees, transformers and pedestals.
- Grade Control and Drainage Plan(s)** including scale accurate measurements of:
- o Existing elevations on subject and adjacent lands and long centerline or adjacent street lines, which are to be geodetic;
 - o Location of any creeks, ravines or watercourses with elevations and contours;
 - o Arrows indicating the proposed direction of flow of all surface water;
 - o Location and direction of swales, surface water outlets, rip-rap, catch basins, rock, retaining walls, culverts
 - o Existing and/or proposed right-of-ways or easements
- Elevation and Cross-Section Plan(s)** including scale accurate measurements of:
- o Drawings that show plan, elevations and cross section views for each building or structure to be erected;
 - o Conceptual design of building;
 - o Relationship to existing buildings, streets and exterior areas to which members of the public have access to;
 - o Exterior design including character, scale, appearance and design features of the proposed building;
 - o Design elements of adjacent Town road including trees, shrubs, plantings, street furniture, curbing and facilities designed to have regard for accessibility
 - o Photographs of the subject land and abutting streetscape on both side of the street
- Supporting Studies and Reports.** Technical reports/plans or studies may be required to assist in the review process of a Development Permit Application. Applications for Development Permit may be required to submit the following studies or reports. Applicants should consult with Municipal staff to determine site specific requirements:

<input type="checkbox"/> Servicing options report	<input type="checkbox"/> Phase I Environmental Study and if investigation as required
<input type="checkbox"/> Hydrogeological Study	<input type="checkbox"/> Noise and/or vibration study
<input type="checkbox"/> Drainage and/or stormwater management report	<input type="checkbox"/> Source Water protection study
<input type="checkbox"/> Environmental Impact Assessment for a natural heritage feature or area	<input type="checkbox"/> MDS I or II calculation
<input type="checkbox"/> Archaeological Assessment	<input type="checkbox"/> Minimum Separation distance calculation for an industrial use or a waste management facility
<input type="checkbox"/> Influence area study for development in proximity to a waste management facility or industrial use	<input type="checkbox"/> Confirmation of sufficient reserve sewage system capacity and reserve water system capacity
<input type="checkbox"/> Traffic Study	<input type="checkbox"/> Vegetation Inventory and/or Tree Preservation Plan
<input type="checkbox"/> Heritage Resource Assessment	<input type="checkbox"/> Supporting Land Use Planning Report
<input type="checkbox"/> Mine hazard rehabilitation assessment	

Existing Use(s):	Indoor cinema has been operating for 8 years. Building has been used for office space for over 20 years.
Length of time the existing use of the subject lands have continued:	years.
Has the property been designated as a Heritage Site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the property presently under a Site Plan Agreement?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has the property ever been subject of an application under Section 34 (Zoning), 41 (Site plan) or 45 (Minor Variance) of the Planning Act? If yes, provide the file number and the status of the application?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Use(s):	
Is the Use permitted or permitted subject to criteria as set out in the development permit by-law and how have the applicable criteria have been addressed?	Yes, subject application
Is a variation requested? Demonstrate how the proposed variation meets the criteria as set out in the development permit by-law.	No.
Abutting Land Use(s):	Residential, Commercial, Brush
Is the Development to be phase?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the anticipated date of construction?	As soon as possible.
Is the land to be divided in the future?	No.
Are there any easements, right-of-ways or restrictive covenants affecting the subject land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Plan Details:			
<input type="checkbox"/> Residential	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Institutional
	Lot Area: 7446.216 (sq.m)	Building Coverage: _____% _____(sq.m)	Landscape Coverage: _____% _____(sq.m)
Building Height: _____	No. of Storeys: 2	No. of Units: _____	Method of Garbage Storage: metal dumpster
Parking Surface: Existing: asphalt Proposed: gravel	Number of Parking Spaces: Existing: 28 Proposed: 108 Total: 136	Dimensions of Parking Spaces: 10' x 20'	Number of Accessible Spaces: 5
Loading Spaces:	Number of Loading Spaces: 0	Dimensions of Loading Spaces: _____	Other: _____

Heritage Tourist Inn/Bed and Breakfast:			
Is this an application for a Heritage Tourist Inn? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Number of Guest Rooms: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Other _____	Is this an application for a Bed and Breakfast? <input type="checkbox"/> Yes <input type="checkbox"/> No	Number of Guest Rooms: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> Other _____
A Heritage Tourist Inn will require a Heritage Resource Assessment evaluating the heritage significance of the property including a description of historic features is required with the submission of this application.			

* SEE SITE PLAN

EXISTING BUILDINGS:		Building 1	Building 2
	Type of Structure		
	Date Constructed:		
	Front Line Setback:		
	Rear Lot Line Setback:		
	Side Lot Line Setback:		
	Side Lot Line Setback:		
	Height:		
	Dimensions:		
	Floor Area:		
PROPOSED BUILDINGS:		Building 1	Building 2
	Type of Structure:		
	Proposed Date of Construction:		
	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:

<input checked="" type="checkbox"/> Municipal Street	<input type="checkbox"/> Unopen Road Allowance	<input type="checkbox"/> Existing Right-of-way	<input type="checkbox"/> Other _____
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Name of Street/Road: Herbert Street

Entrance Approvals and Permit Number(s): N/A

If the application will result in the creation of a new private road, a request for street naming will have to be submitted in conjunction with this application, to be approved by Council.

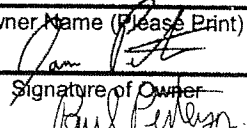
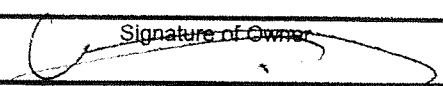
Water Access (where access to the subject land is by water only)

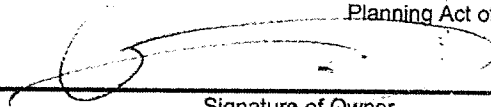
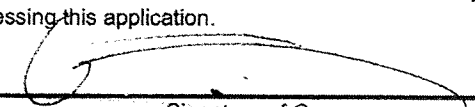
Docking Facilities (specify)	Parking Facilities (specify)
distance from subject land _____	distance from subject land _____
distance from nearest public road _____	distance from nearest public road _____

Services:

<input checked="" type="checkbox"/> Municipal Water and Sewer	<input type="checkbox"/> Municipal Water & Private Sewage	<input type="checkbox"/> Private Well and Municipal Sewage	<input type="checkbox"/> Private Well and Private Sewage
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Water and Sewer Hook-up Approvals and Permit Number(s):

AUTHORIZATION BY OWNER	
<p>I/We, the undersigned being the owner(s) of the subject land of this application for a consent, hereby authorize <u>Jamie Peterson</u> (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 Council, Planning Advisory Committee and the Town of Gananoque staff members, to enter upon the property for the purposes of conducting a site inspection with respect to the attached application.</p>	
<p><u>Jamie Peterson</u> Owner Name (Please Print)</p> <p> Signature of Owner</p> <p>_____ Signature of Witness (not applicant)</p>	<p><u>HARRIE TIEKEN</u> Owner Name (Please Print)</p> <p> Signature of Owner</p> <p>_____ Date <u>APRIL 5 2021</u></p>

CONSENT BY OWNER	
<p>Complete the consent of the owner concerning personal information set out below.</p> <p>I/We, <u>Harrie Tieken</u>, am/are the registered owner(s) of the land that is the subject of this application for Development Purposes and for purposes of the Municipal Freedom of Information and Protection of Privacy Act. I/We hereby authorize the use, or disclosure, to any person or public body, of any personal information collected under the authority of the Planning Act of the purpose of processing this application.</p>	
<p> Signature of Owner</p> <p><u>Paul Peterson</u> Signature of Witness (not applicant)</p>	<p> Signature of Owner</p> <p><u>April 5 2021</u> Date</p>

DECLARATION OF APPLICANT	
<p>I, <u>Jamie Peterson</u> of the <u> </u> Town of <u>Gananoque</u> in the <u> </u> County of <u>Leeds</u> solemnly declare that:</p>	
<p>I understand that the applicant/owner will be required to provide 100% security of the outside works in the form of a Letter of Credit or Certified Cheque until such time as the works are completed. A 15% holdback will be maintained for a period of one year after the works are completed. This will be applicable at the time of agreement.</p> <p>Furthermore, I, being the applicant of the subject lands, hereby authorize the Members of Council, Planning Advisory Committee 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.</p> <p>All of the above statements contained in the application 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 and by virtue of <i>The Canada Evidence Act</i>.</p>	
<p>Declared/Sworn before me at _____ this _____ day of _____, 20____.</p> <p>_____ Signature of a Commissioner, etc</p>	<p>_____ Signature of Applicant</p>

		Roll No: <u>081400001533800</u>
Official Plan Designation: <u>Employment Lands</u>	Development Permit Designation: <u>Employment District</u>	Other:
Access (Entrance Permits etc):	Water and Sewer Hookup (Permits etc):	Other:
Other Concurrent Applications: <input type="checkbox"/> Cash-in-Lieu of Parking <input type="checkbox"/> Condominium Approval <input type="checkbox"/> Consent/Severance	<input type="checkbox"/> Official Plan Amendment	<input type="checkbox"/> Subdivision Approval
Date Application Received: <u>March 8, 2021</u>	Date Application Deemed Complete:	Fees Received: <u>March 8, 2021 - \$700</u>

For additional details please contact: Brenda Guy, Manager of Planning and Development
 Town of Gananoque, 30 King Street East, Box 100, Gananoque, ON K7G 2T6
 Telephone: (613) 382-2149 ext.1126 Fax: (613) 382-8587 E-mail: bguy@gananoque.ca

Peer Review/Consultant Services

In order to streamline the Town of Gananoque's planning process, peer review services may be contracted out by the Town under the current General Fees and Rates Bylaw. These may include but are not limited to the following:

- | | |
|--|---------------------------|
| Official Plan Amendment | Sanitary System Design |
| Condominium Applications | Site Plan Applications |
| Consent Applications | Subdivision Applications |
| Environmental Assessment | Storm Water Management |
| Minor Variance Applications | Traffic Studies |
| Noise Studies | Water Distribution System |
| Ontario Municipal Board Representation | Zoning By-law Amendment |
| Part Lot Control | Other Miscellaneous |

The use of and choice of peer review contract consultants for either planning or engineering on any specific project are subject to the approval of either the Clerk/Manager of Planning and Development or the Director of Public Works, Community Services within their respective areas of jurisdiction.

All costs for the peer review consultants shall be fully paid by the applicant/developer.

Upon approval of the use of a peer review consultant, the applicant/developer shall execute the agreement below with the Town and post a security deposit of \$2,000 (two thousand dollars).

All submissions, correspondence etc. shall be directed to the Manager of Planning and Development, who shall be responsible for distribution.

All invoices from the peer review consultant shall be paid by the Town and subsequently invoiced to the applicant/developer. If payment is not received by the Town within 30 (thirty) days of receipt, then the Town will recover its costs for the security deposit or any other securities which have been posted for the project by the applicant/developer. In that event, the work shall cease on the project and will not commence again until the outstanding invoice has been paid in full, and the securities topped up to their original balance.

The securities will be held by the Town until the component of the project for which they were posted is complete. Authorization for the release of the securities shall be provided to the Treasury Department by either the Clerk or the Manager of Planning and Development, within their respective areas of jurisdiction.

I, Jamie Peterson of the Town of Gananoque in the County of Leeds solemnly declare that:

I am aware of the current Town of Gananoque General Fees and Rates for various services provided by the Town.

Furthermore, I accept the Town's peer review process whereby I agree to provide the Town of Gananoque with a deposit in the amount of \$2,000 (two thousand dollars) in order to conduct the necessary peer review(s) in the completion of my planning application. In the event that payment is not received for such peer reviews, the Town may use the deposit to do so or any other securities being held.

Jamie Peterson
Print Name – Owner/Applicant


Signature – Owner/Applicant

April 5, 2021
Date

Clerk or Manager of Planning and Development

