

For Office Use Only:

File Number	_____	Public Notice Sign	_____
Related File Number	_____	Application Fee	_____
Pre-consultation Meeting	_____	Conservation Authority Fee	_____
Application Submitted	_____	Well & Septic Info Provided	_____
Complete Application	_____	Planner	_____

Check the type of planning application(s) you are submitting.

- Official Plan Amendment
- Zoning By-Law Amendment
- Temporary Use By-law
- Draft Plan of Subdivision/Vacant Land Condominium
- Condominium Exemption
- Site Plan Application
- Extension of a Temporary Use By-law
- Part Lot Control
- Cash-in-Lieu of Parking
- Renewable Energy Project or Radio Communication Tower

Please summarize the desired result of this application (for example, a special zoning provision on the subject lands to include additional use(s), changing the zone or official plan designation of the subject lands, creating a certain number of lots, or similar)

The desired result of the application is the addition of all of the Permitted Uses of the Shopping Centre Commercial Zone specified in section 6.2.1 of the Zoning By-Law to the subject lands.

Property Assessment Roll Number: 404 070 85100

A. Applicant Information

Name of Owner 2650243 Ontario Ltd. and Burtch Recycling Inc.

Address 115 Queensway East

Town and Postal Code Simcoe, Ontario N3Y 4M5

Phone Number _____

Cell Number 519-427-4445 (Robert Kowtaluk) 519-429-0827 (Kyle Kowtaluk)

Email robertkowtaluk@hotmail.com & kyle@bluestar.com

Name of Applicant Same as owners

Address _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

Name of Agent Brimage Law Group - Nathan Kolomaya

Address 21 Norfolk Street North

Town and Postal Code Simcoe, Ontario N3Y 4L1

Phone Number 519-426-5840

Cell Number _____

Email nkolomaya@brimage.com

Unless otherwise directed, Norfolk County will forward all correspondence and notices regarding this application to both owner and agent noted above.

Owner

Agent

Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

The Bank of Nova Scotia
4715 Tahoe Boulevard, 2nd Floor, Mississauga, Ontario L4W 0B5



B. Location, Legal Description and Property Information

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):

PT LT 2 CON 14 TOWNSEND PT 1 37R6340 EXCEPT PT 2 37R6246; S/T NR492337, NR584911,
NR584913, & NR584918; T/W NR584915, NR584916; S/T NR568597; NORFOLK COUNTY

Municipal Civic Address: 129 Queensway East, Simcoe, Ontario

Present Official Plan Designation(s): Shopping Centre Commercial

Present Zoning: Shopping Centre Commercial

2. Is there a special provision or site specific zone on the subject lands?

Yes No If yes, please specify corresponding number:

14.611

3. Present use of the subject lands:

Vacant with fitness facility in development

4. Please describe **all existing** buildings or structures on the subject lands and whether they will be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from the front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

Please see related site plan

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example: bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

Please see related site plan

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes No

If yes, identify and provide details of the building:

8. If known, the length of time the existing uses have continued on the subject lands:

9. Existing use of abutting properties:

Commercial

10. Are there any easements or restrictive covenants affecting the subject lands?

Yes No If yes, describe the easement or restrictive covenant and its effect:

Please see attached registered instruments

C. Purpose of Development Application

Note: Please complete all that apply.

1. Please explain what you propose to do on the subject lands/premises which makes this development application necessary:

Development of fitness facility and future plaza

2. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law/and or Official Plan:

Existing special provision replaces the default CSC Zone provisions

3. Does the requested amendment alter all or any part of the boundary of an area of settlement in the municipality or implement a new area of settlement in the municipality? Yes No If yes, describe its effect:

4. Does the requested amendment remove the subject land from an area of employment? Yes No If yes, describe its effect:

5. Does the requested amendment alter, replace, or delete a policy of the Official Plan?
 Yes No If yes, identify the policy, and also include a proposed text of the policy amendment (if additional space is required, please attach a separate sheet):

6. Description of land intended to be severed in metric units:

Frontage: N/A

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Proposed final lot size (if boundary adjustment): _____

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: _____

Description of land intended to be retained in metric units:

Frontage: N/A

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Buildings on retained land: _____

7. Description of proposed right-of-way/easement:

Frontage: N/A

Depth: _____

Width: _____

Area: _____

Proposed use: _____

8. Name of person(s), if known, to whom lands or interest in lands to be transferred, leased or charged (if known):

9. Site Information

Zoning

Proposed

Please indicate unit of measurement, for example: m, m² or %

Lot frontage	Please see site plan	_____
Lot depth	_____	_____
Lot width	_____	_____
Lot area	_____	_____
Lot coverage	_____	_____
Front yard	_____	_____
Rear yard	_____	_____
Left Interior side yard	_____	_____
Right Interior side yard	_____	_____
Exterior side yard (corner lot)	_____	_____
Landscaped open space	_____	_____
Entrance access width	_____	_____
Exit access width	_____	_____
Size of fencing or screening	_____	_____
Type of fencing	_____	_____

10. Building Size

Number of storeys	_____	_____
Building height	_____	_____
Total ground floor area	_____	_____
Total gross floor area	_____	_____
Total useable floor area	_____	_____

11. Off Street Parking and Loading Facilities

Number of off street parking spaces	_____	_____
Number of visitor parking spaces	_____	_____
Number of accessible parking spaces	_____	_____
Number of off street loading facilities	_____	_____

12. Residential (if applicable)

Number of buildings existing: _____

Number of buildings proposed: _____

Is this a conversion or addition to an existing building? Yes No

If yes, describe: _____

Type	Number of Units	Floor Area per Unit in m2
Single Detached	_____	_____
Semi-Detached	_____	_____
Duplex	_____	_____
Triplex	_____	_____
Four-plex	_____	_____
Street Townhouse	_____	_____
Stacked Townhouse	_____	_____
Apartment - Bachelor	_____	_____
Apartment - One bedroom	_____	_____
Apartment - Two bedroom	_____	_____
Apartment - Three bedroom	_____	_____

Other facilities provided (for example: play facilities, underground parking, games room, or swimming pool):

13. Commercial/Industrial Uses (if applicable)

Number of buildings existing: 1

Number of buildings proposed: Please see site plan

Is this a conversion or addition to an existing building? Yes No

If yes, describe:

Indicate the gross floor area by the type of use (for example: office, retail, or storage):

Seating Capacity (for assembly halls or similar): _____

Total number of fixed seats: _____

Describe the type of business(es) proposed: _____

Total number of staff proposed initially: _____

Total number of staff proposed in five years: _____

Maximum number of staff on the largest shift: _____

Is open storage required: Yes No

Is a residential use proposed as part of, or accessory to commercial/industrial use?

Yes No If yes please describe:

14. Institutional (if applicable)

Describe the type of use proposed: _____

Seating capacity (if applicable): _____

Number of beds (if applicable): _____

Total number of staff proposed initially: _____

Total number of staff proposed in five years: _____

Maximum number of staff on the largest shift: _____

Indicate the gross floor area by the type of use (for example: office, retail, or storage):

15. Describe Recreational or Other Use(s) (if applicable)

D. Previous Use of the Property

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? Yes No Unknown

If yes, specify the uses (for example: gas station or petroleum storage):

Commercial use - former Zellers shopping centre

2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? Yes No Unknown

3. Provide the information you used to determine the answers to the above questions:

Owner knowledge of property

4. If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached? Yes No

E. Provincial Policy

1. Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act, R.S.O. 1990, c. P. 13*? Yes No

If no, please explain:

2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? Yes No

If no, please explain:

Property is an existing developed property subject to site plan control

3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? Yes No

If no, please explain:

Property is an existing developed property subject to site plan control

Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

Livestock facility or stockyard (submit MDS Calculation with application)

On the subject lands or within 500 meters – distance _____

Wooded area

On the subject lands or within 500 meters – distance _____ East & north adjacent

Municipal Landfill

On the subject lands or within 500 meters – distance _____

Sewage treatment plant or waste stabilization plant

On the subject lands or within 500 meters – distance _____

Provincially significant wetland (class 1, 2 or 3) or other environmental feature

On the subject lands or within 500 meters – distance _____

Floodplain

On the subject lands or within 500 meters – distance _____

Rehabilitated mine site

On the subject lands or within 500 meters – distance _____

Non-operating mine site within one kilometre

On the subject lands or within 500 meters – distance _____

Active mine site within one kilometre

On the subject lands or within 500 meters – distance _____

Industrial or commercial use (specify the use(s))

On the subject lands or within 500 meters – distance _____ Fitness centre/Future Retail

Active railway line

On the subject lands or within 500 meters – distance _____

Seasonal wetness of lands

On the subject lands or within 500 meters – distance _____

Erosion

On the subject lands or within 500 meters – distance _____

Abandoned gas wells

On the subject lands or within 500 meters – distance _____

F. Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- Municipal piped water Communal wells
 Individual wells Other (describe below)
-

Sewage Treatment

- Municipal sewers Communal system
 Septic tank and tile bed in good working order Other (describe below)
-

Storm Drainage

- Storm sewers Open ditches
 Other (describe below)
-

2. Existing or proposed access to subject lands:

- Municipal road Provincial highway
 Unopened road Other (describe below)

Name of road/street: Queensway East

G. Other Information

1. Does the application involve a local business? Yes No

If yes, how many people are employed on the subject lands?

To be determined

2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.

H. Supporting Material to be submitted by Applicant

In order for your application to be considered complete, **folded** hard copies (number of paper copies as directed by the planner) and an **electronic version (PDF) of the properly named site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Key map
4. Scale, legend and north arrow
5. Legal description and municipal address
6. Development name
7. Drawing title, number, original date and revision dates
8. Owner's name, address and telephone number
9. Engineer's name, address and telephone number
10. Professional engineer's stamp
11. Existing and proposed easements and right of ways
12. Zoning compliance table – required versus proposed
13. Parking space totals – required and proposed
14. All entrances to parking areas marked with directional arrows
15. Loading spaces, facilities and routes (for commercial developments)
16. All dimensions of the subject lands
17. Dimensions and setbacks of all buildings and structures
18. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
19. Gross, ground and useable floor area
20. Lot coverage
21. Floor area ratio
22. Building entrances, building type, height, grades and extent of overhangs
23. Names, dimensions and location of adjacent streets including daylighting triangles
24. Driveways, curbs, drop curbs, pavement markings, widths, radii and traffic directional signs
25. All exterior stairways and ramps with dimensions and setbacks
26. Retaining walls including materials proposed
27. Fire access and routes
28. Location, dimensions and number of parking spaces (including visitor and accessible) and drive aisles
29. Location of mechanical room, and other building services (e.g. A/C, HRV)
30. Refuse disposal and storage areas including any related screening (if indoors, need notation on site plan)
31. Winter snow storage location

32. Landscape areas with dimensions
33. Natural features, watercourses and trees
34. Fire hydrants and utilities location
35. Fencing, screening and buffering – size, type and location
36. All hard surface materials
37. Light standards and wall mounted lights (plus a note on the site plan that all outdoor lighting is to be dark sky compliant)
38. Business signs (make sure they are not in sight lines)
39. Sidewalks and walkways with dimensions
40. Pedestrian access routes into site and around site
41. Bicycle parking
42. Architectural elevations of all building sides
43. All other requirements as per the pre-consultation meeting

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- Zoning Deficiency Form
- On-Site Sewage Disposal System Evaluation Form (to verify location and condition)
- Architectural Plan
- Buildings Elevation Plan
- Cut and Fill Plan
- Erosion and Sediment Control Plan
- Grading and Drainage Control Plan (around perimeter and within site) (existing and proposed)
- Landscape Plan
- Photometric (Lighting) Plan
- Plan and Profile Drawings
- Site Servicing Plan
- Storm water Management Plan
- Street Sign and Traffic Plan
- Street Tree Planting Plan
- Tree Preservation Plan
- Archaeological Assessment
- Environmental Impact Study

- Functional Servicing Report
- Geotechnical Study / Hydrogeological Review
- Minimum Distance Separation Schedule
- Noise or Vibration Study
- Record of Site Condition
- Storm water Management Report
- Traffic Impact Study – please contact the Planner to verify the scope required

Site Plan applications will require the following supporting materials:

1. Two (2) complete sets of the site plan drawings folded to 8½ x 11 and an electronic version in PDF format
2. Letter requesting that the Holding be removed (if applicable)
3. A cost estimate prepared by the applicant's engineer
4. An estimate for Parkland dedication by a certified land appraiser
5. Property Identification Number (PIN) printout

Standard condominium exemptions will require the following supporting materials:

- Plan of standard condominium (2 paper copies and 1 electronic copy)
- Draft condominium declaration
- Property Identification Number (PIN) printout

Your development approval might also be dependent on other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

All final plans must include the owner's signature as well as the engineer's signature and seal.

I. Development Agreements

A development agreement may be required prior to site plan approval, subdivision and condominium applications. Should this be necessary for your development, you will be contacted by the agreement administrator with further details of the requirements including but not limited to insurance coverage, professional liability for your engineer, additional fees and securities.

J. Transfers, Easements and Postponement of Interest

The owner acknowledges and agrees that if required, it is their solicitor’s responsibility on behalf of the owner, to disclose the registration of all transfer(s) of land and/or easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor’s responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

K. Permission to Enter Subject Lands

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

L. Freedom of Information

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act, R.S.O. 1990, c. P. 13* for the purposes of processing this application.

 2025/05/16
Owner/Applicant Signature Date

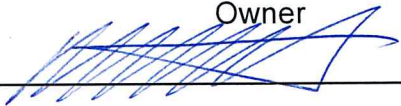
M. Owner’s Authorization

If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner(s) must complete the authorization set out below.

I/We Robert Kowtaluk and Kyle Kowtaluk am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Brimage Law Group - Nathan Kolomaya to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

 E-SIGNED by Kyle Kowtaluk on 2025-05-16 15:00:23 GMT 2025/05/16
Owner Date

 2025/05/16
Owner Date



N. Declaration

I, Nathan Kolomaya of Norfolk County, Province of Ontario

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith 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 *The Canada Evidence Act*.

Declared before me at:

Norfolk County

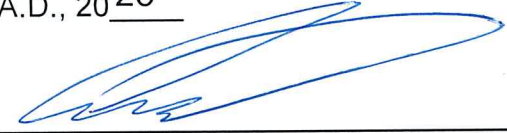


Owner/Applicant Signature

In the Province of Ontario

This 16th day of May

A.D., 2025



A Commissioner, etc.

6.2 Shopping Centre Commercial Zone (CSC)

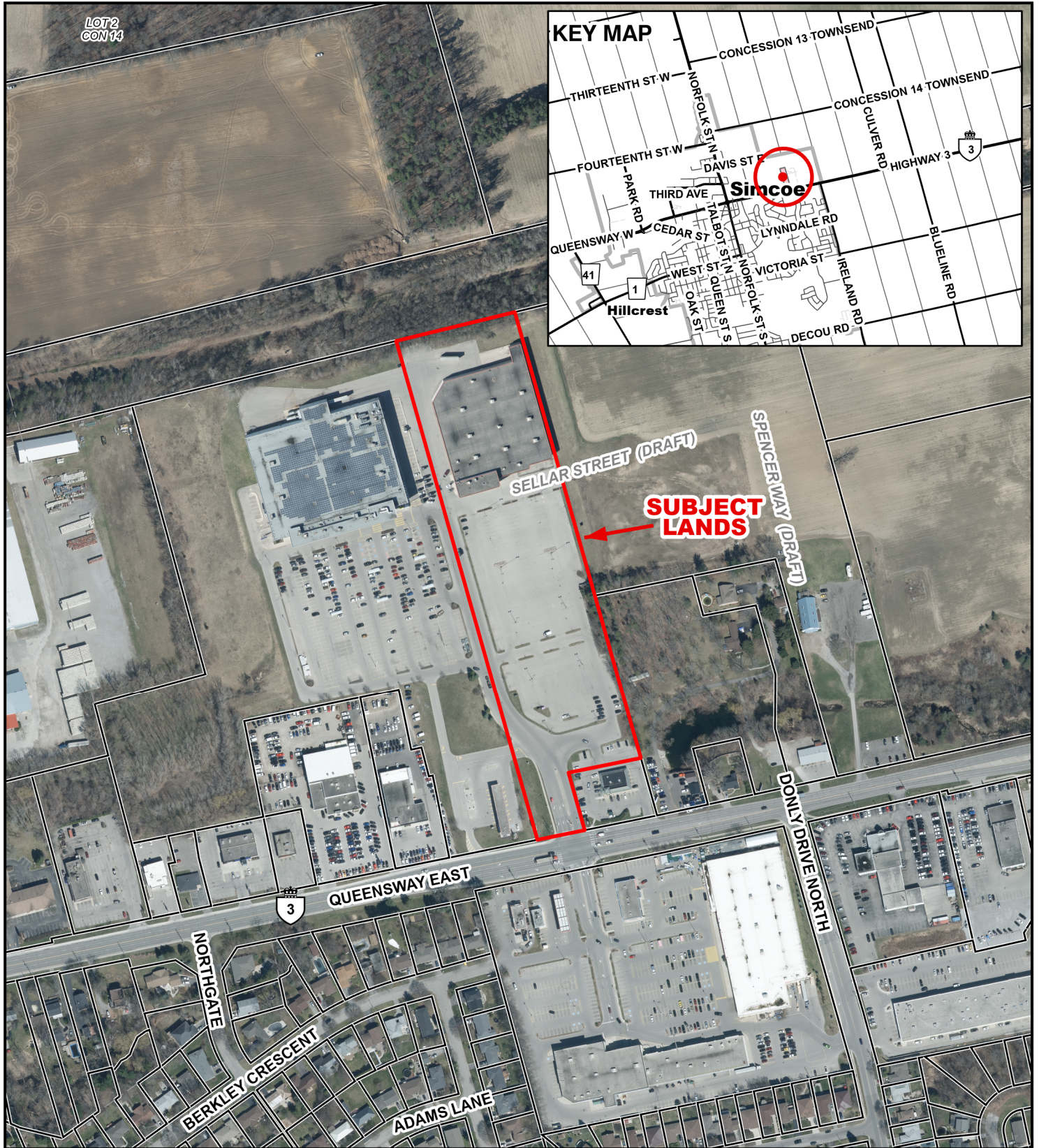
6.2.1 *Permitted Uses*

In a CSC Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:


- a) adult education and training facility
- b) *animal hospital*, provided the entire operation is contained within an enclosed *building*
- c) *automobile gas station*
- d) automobile parts shop
- e) *automobile service and repair station*
- f) *automobile washing establishment*
- g) *bar or night club*
- h) bus or taxi terminal
- i) *clinic or doctors' offices*
- j) college or trade school
- k) community centre
- l) *convenience store*
- m) *day care nursery*
- n) delicatessen and specialty food stores
- o) *dry cleaning distribution station*
- p) financial institution
- q) florist shop
- r) fruit and vegetable outlet
- s) *garden supply centre*
- t) *hotel*
- u) laundromat
- v) *lumber yard and building supply establishment*
- w) *merchandise service shop*
- x) office accessory to a shopping centre operation
- y) *office, personal service*
- z) outdoor sales area accessory to the main use
- aa) *parking lot*
- bb) *personal service shop*
- cc) photographic studio or shop
- dd) *place of assembly*
- ee) *place of entertainment*
- ff) *place of sports and recreation*
- gg) printing and publishing establishment
- hh) *restaurant*
- ii) *restaurant, fast-food*
- jj) *restaurant, take-out*
- kk) *video store.*

MAP A
CONTEXT MAP
 In the Urban Area of SIMCOE

ZNPL2025179



Legend

 Subject Lands

2020 Air Photo

9/15/2025



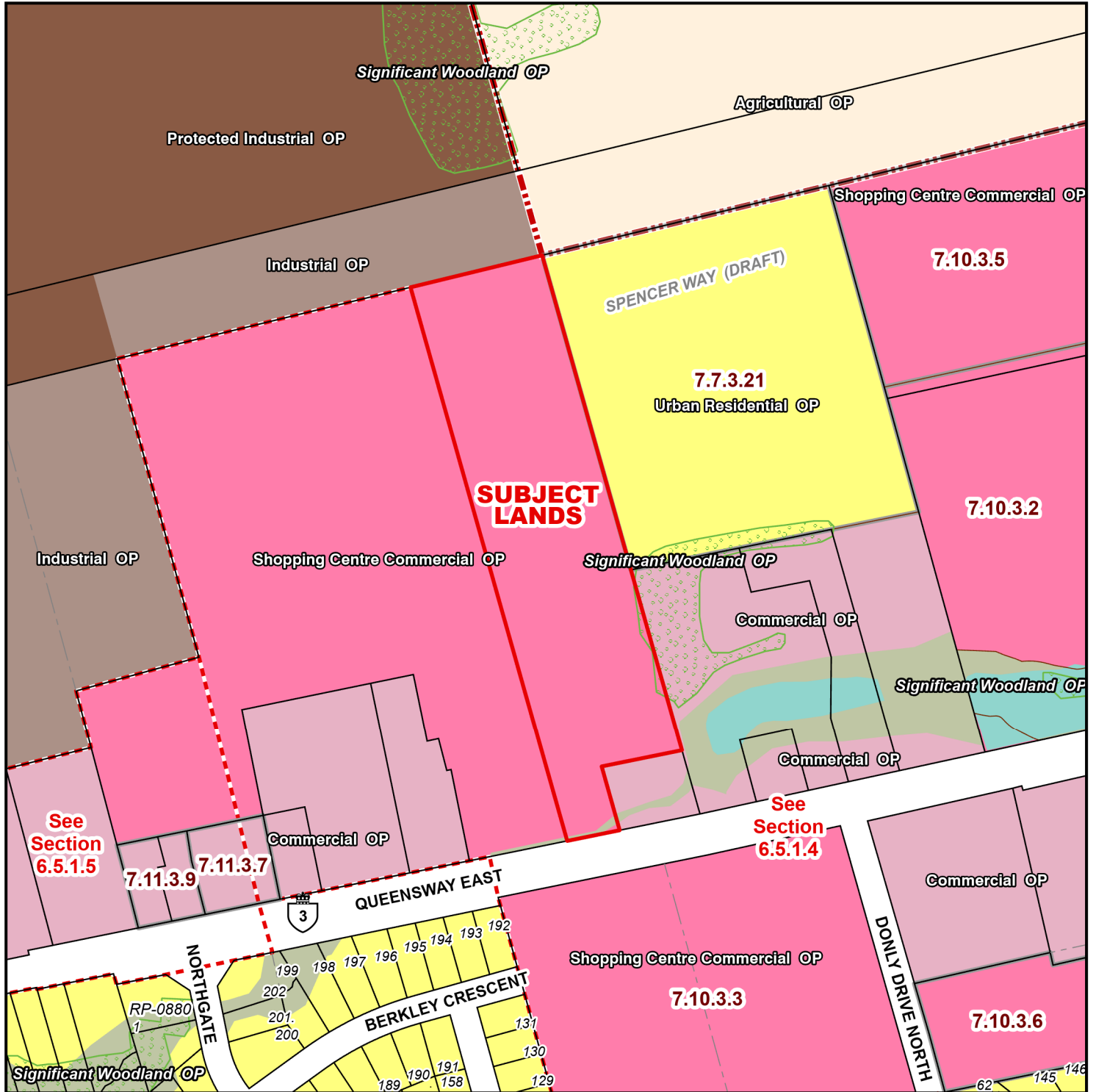
30 15 0 30 60 90 120
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MAP B

OFFICIAL PLAN MAP

In the Urban Area of SIMCOE

ZNPL2025179



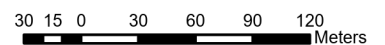
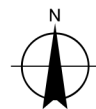
Legend

Subject Lands

Official Plan Designations

- | | | |
|----------------------------------|----------------------|----------------------|
| Agricultural | Commercial | Special Policy Area |
| Hazard Lands | Protected Industrial | Urban Area Boundary |
| Provincially Significant Wetland | Industrial | Significant Woodland |
| Urban Residential | | |
| Shopping Centre Commercial | | |

9/15/2025

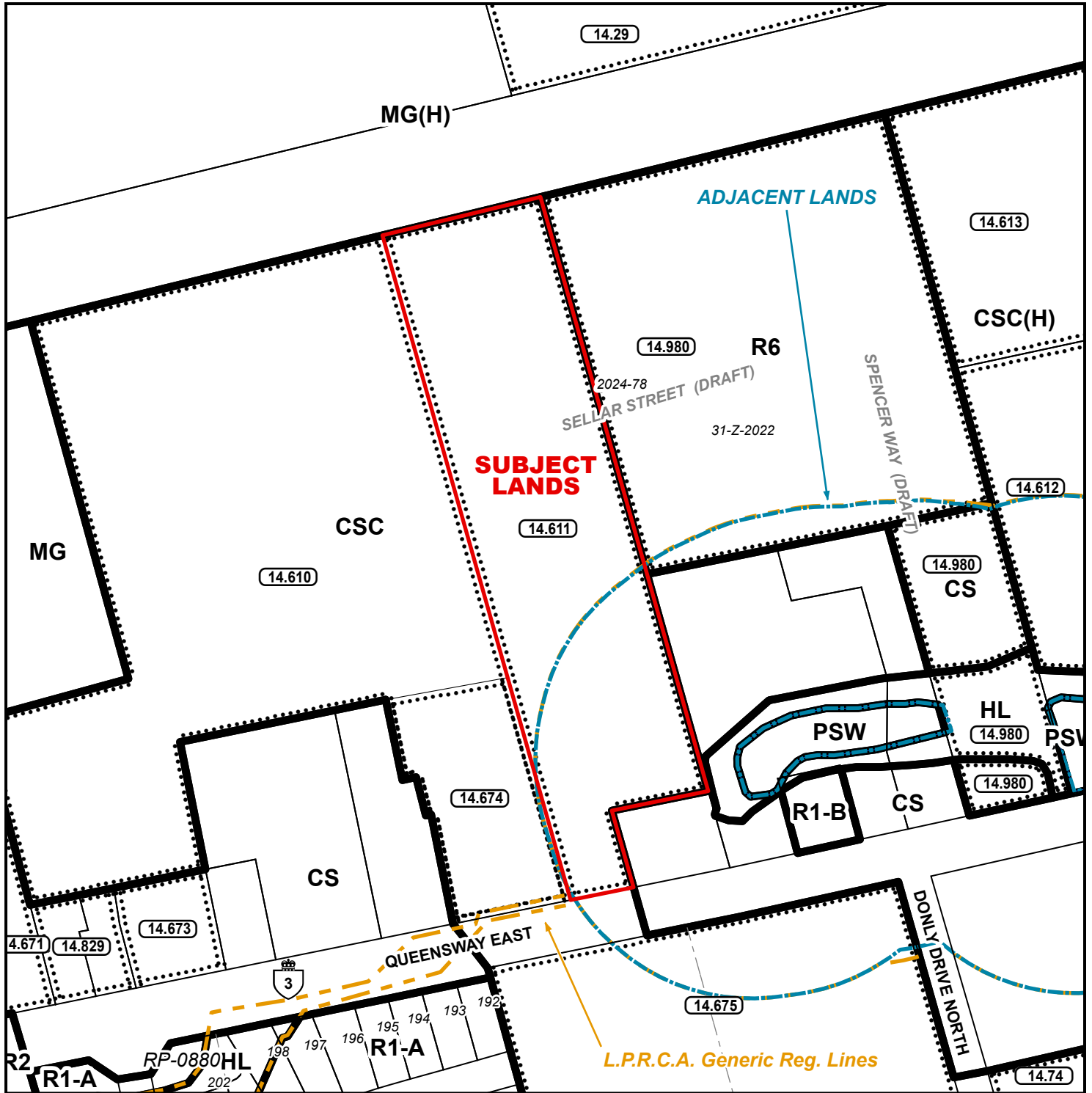


MAP C

ZNPL2025179

PROPOSED ZONING BY-LAW AMENDMENT MAP

In the Urban Area of SIMCOE



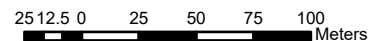
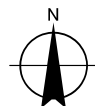
LEGEND

- Subject Lands
- Adjacent Lands
- Wetland
- LPRCA Generic RegLines

ZONING BY-LAW 1-Z-2014

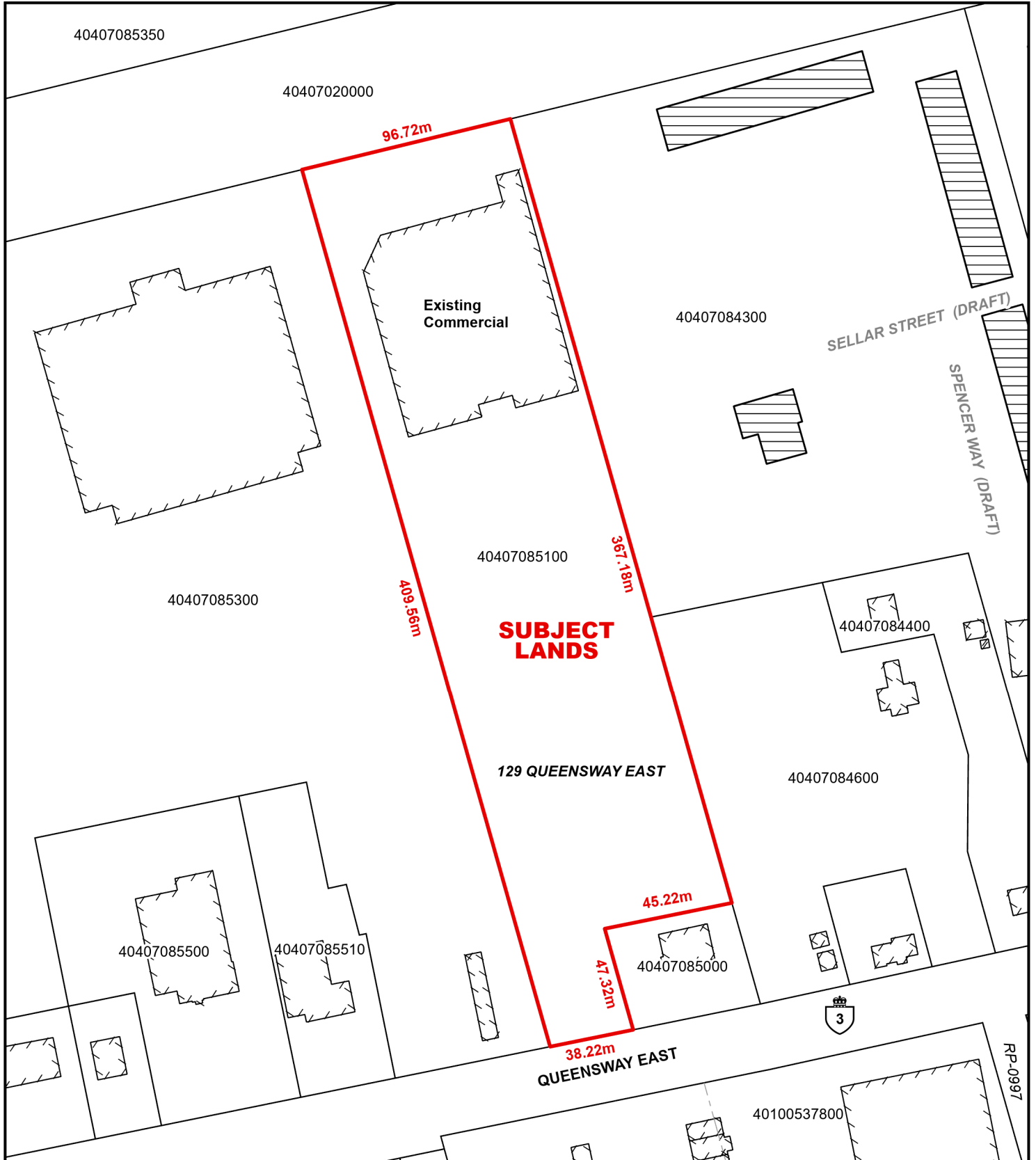
9/15/2025

- (H) - Holding
- CS - Service Commercial Zone
- CSC - Shopping Centre Commercial Zone
- MG - General Industrial Zone
- HL - Hazard Land Zone
- PSW - Provincially Significant Wetland Zone
- R1-A - Residential R1-A Zone
- R1-B - Residential R1-B Zone
- R2 - Residential R2 Zone
- R6 - Residential R6 Zone




CONCEPTUAL PLAN

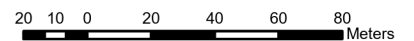
In the Urban Area of SIMCOE



Legend

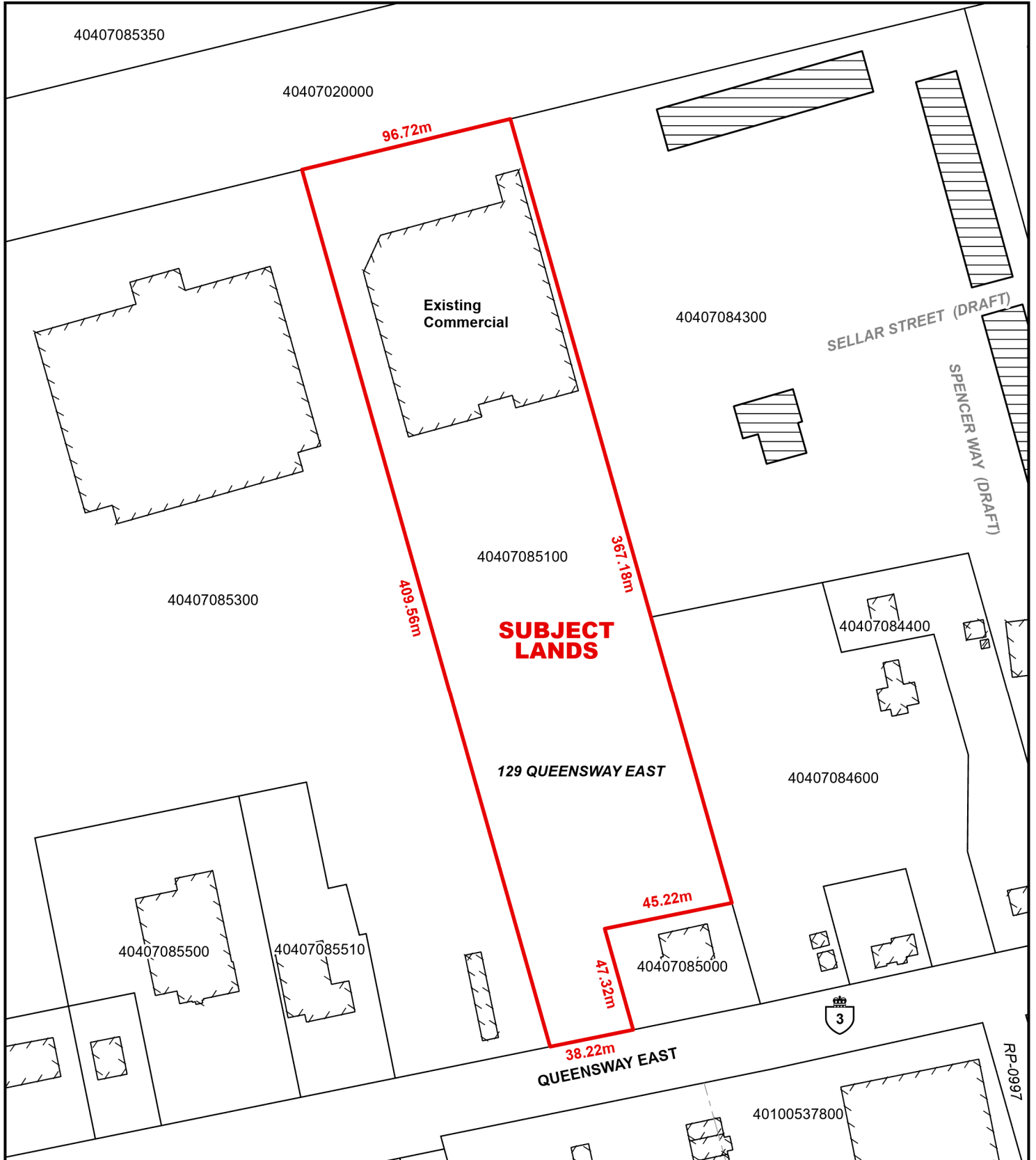
 Subject Lands

9/15/2025




CONCEPTUAL PLAN

In the Urban Area of SIMCOE



Legend

 Subject Lands

9/15/2025

