



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, 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):

ROBERT COLE LUKINGIS and CRYSTAL NICOLE LUKINGIS
8846 Homestead Road, Iona, Ontario 519 619 5007

Name and Contact Information of Applicant(s) (if different from Owner):

Name and Contact Information of Agent:

Thomas A Bates
151 Pine Valley Blvd, London Ontario N6K 5T6 519 472 0330

Correspondence should be sent to: _____ Owner _____ Applicant Agent

SUBJECT LAND INFORMATION

Municipal Address:

Lot: P+Lot 8 Concession: 8 Dunwich
Being Pt 1 on 11R-3279

Legal Description: P+Lot 8 Conc 8 Being Pt 1 on 11R-3279 Dunwich.

Roll Number:

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

Libro Credit Union Limited
217 York St 4th floor London Ontario N6A 5P9.

Any easements or restrictive covenants affecting the subject lands: n/a.

Frontage(m): 550.63 Depth (m): 105.98 Area (sq.m/ha): 3.6017
irregular irregular

Existing Uses (include length of time):

Holding Designation
Previous Uses:

PROPOSED DEVELOPMENT INFORMATION

Current Official Plan Designation: Agricultural

Current Zoning By-law Classification: Holding Designation

Zoning Classification Request: Agricultural (A1)

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

To comply with conditions of Permission to Sever
(Application E9-23)

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):

To comply with conditions of Permission to Sever
(Application E9-23)

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

none

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

none

Existing uses of abutting properties:

North west - Agriculture.

East: Northeast - road allowance between Conc 8 & 9

South: travelled road.

West: travelled road.

North - Agriculture

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

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

AVAILABLE SERVICES - none

Water is supplied to the subject property by the following:

- 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
- Private sewage system
- Communal system (privately owned/operated)
- Other _____

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

- Sewers
- 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.

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, Thomas A Bates, 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.

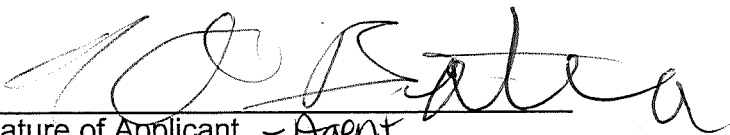
I/WE acknowledge that receipt of this application does not guarantee it to be a complete application.

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 10th day of April, 2024



Signature of Applicant - Agent
(owner or authorized agent)

AUTHORIZATION (complete only if Owner is not the Applicant)

I/WE, Robert Cole Lukings and Crystal Nicole Lukings, hereby authorize Thomas A Bates

to act on my behalf regards to the above application.

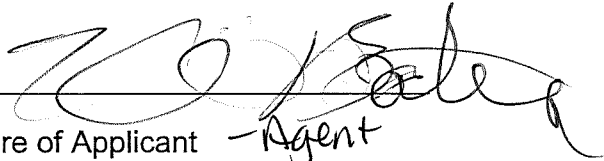
Dated this 10th day of April, 2024



Signature of Owner

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

I/WE, Thomas A Bates, 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 *-Agent*
(owner or authorized agent)

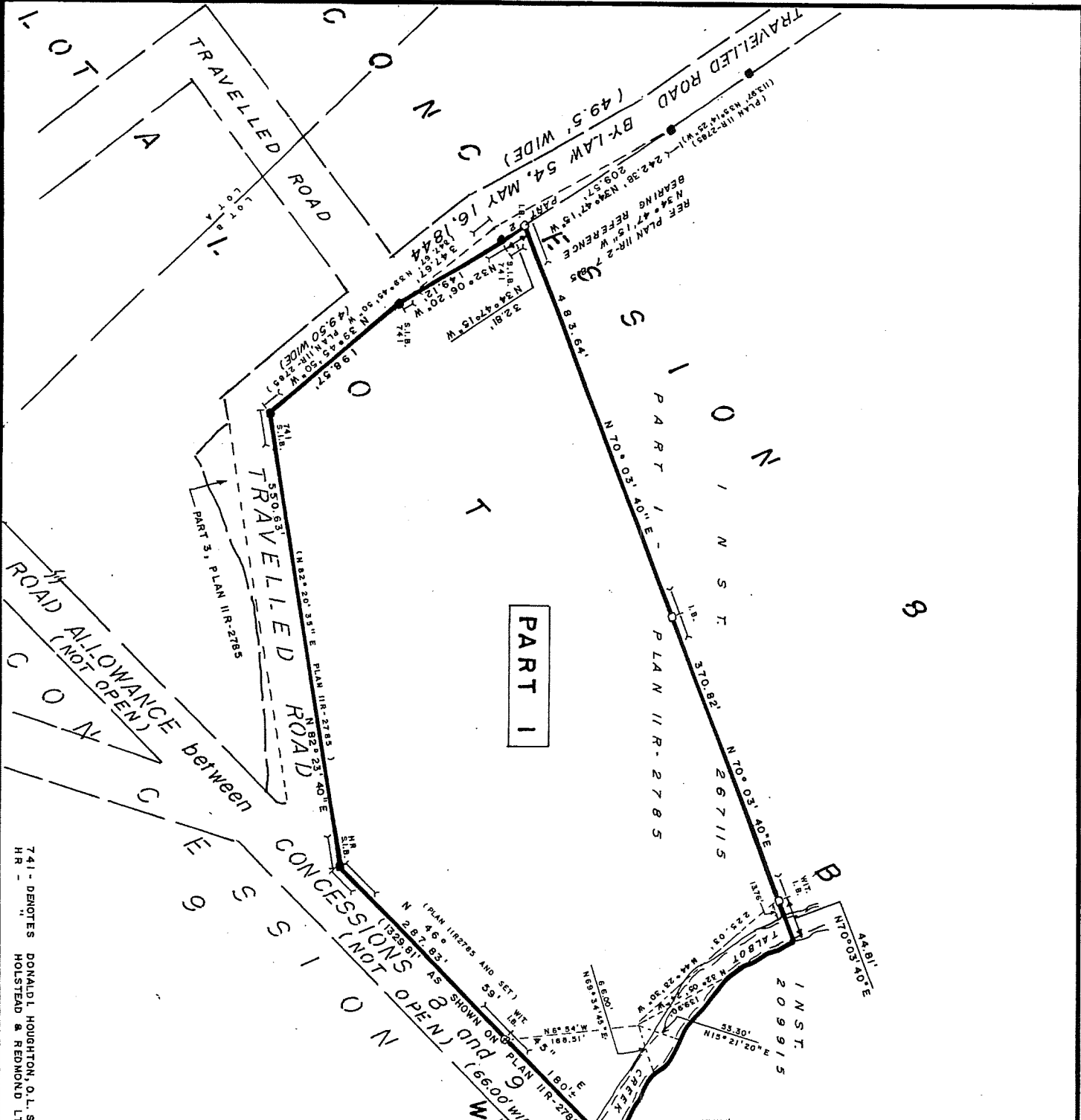
Declared before me at the (Municipality/City) City of London

Dated this 10 day of April, 2024.


Signature of Commissioner

*Elizabeth Anne Lew-Mortlock,
a Commissioner, etc., Province of Ontario,
for Bates Law, Barristers and Solicitors.
Expires March 1, 2026.*

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



"CAUTION"

THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT.

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.

DATE - JAN. 19, 1988

Donald I. Houghton
DONALD I. HOUGHTON
ONTARIO LAND SURVEYOR

RECEIVED AND DEPOSITED DATE - 19 Jan. 1988

Deputy Registrar
DEPUTY LAND REGISTRAR
FOR THE REGISTRY DIVISION OF ELGIN, No. II.

SCHEDULE		
PART	LOCATION	INST. NO.
I	PART OF LOT B, CONCESSION B	267115
		6.9 AC.±

TOWNSHIP OF DUNWICH

SURVEYOR'S CERTIFICATE

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.

2. THE SURVEY WAS COMPLETED ON THE 12 TH. DAY OF JANUARY, 1988.

JAN. 19, 1988
ST. THOMAS, ONT.

Donald I. Houghton
DONALD I. HOUGHTON
ONTARIO LAND SURVEYOR

LEGEND

ALL HANGING LINES SHOWN ON THIS PLAN HAVE BEEN VERIFIED.

- - DENOTES SURVEY MONUMENT FOUND
- - DENOTES SURVEY MONUMENT PLANTED
- S.L.B. - DENOTES STANDARD IRON BAR (1" SQUARE X 4' LONG)
- I.B. - DENOTES 3/4" ROUND IRON BAR 2' LONG
- W.T. - DENOTES 5/8" SQUARE IRON BAR 2' LONG
- C.C. - DENOTES CUT CROSS BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE NORTH-EAST LIMIT OF PART 2, AS SHOWN ON PLAN II R-2785, HAVING A BEARING OF N 54° 47' 15" W

PLAN OF SURVEY

OF PART OF
LOT B
CONCESSION B
TOWNSHIP OF DUNWICH
COUNTY OF ELGIN
SCALE 1" = 100'
1988

741 - DENOTES DONALD I. HOUGHTON, O.L.S.
HR - DENOTES HOLSTED & REDMOND LTD., O.L.S.

DONALD I. HOUGHTON, ONTARIO LAND SURVEYOR
17 HINCKS ST., ST. THOMAS, ONT. N5R 3N5 631-2212 684-09

LRO Annotation

Execution search clear against Manfred Aszmies, Cert. #25788628-9033962B jh May 28, 2015

Properties

PIN 35136 - 0142 LT Interest/Estate Fee Simple Remove S/T interest
Description PT LT B CON 8 DUNWICH; PT LT B, C CON 9 DUNWICH; PT RDAL BTN CON 8 & CON
9 OPPOSITE LOTS A, B & C DUNWICH AS IN E209915 & PT 1 11R3279;
DUTTON/DUNWICH
Address 8846 HOMESTEAD ROAD, R.R. #3
IONA STATION

Consideration

Consideration \$525,000.00

Transferor(s)

The transferor(s) hereby transfers the land to the transferee(s).

Name ASZMIES, CRISTINA
Address for Service 20 Windemere Place, Unit 21, St.
Thomas, On N5R 6H6

This document is not authorized under Power of Attorney by this party.

Transferee(s)

	Capacity	Share
Name	LUKINGS, ROBERT COLE	Joint Tenants
Date of Birth	1986 10 14	
Address for Service	8846 HOMESTEAD ROAD, R.R. #3 IONA STATION N0L 1P0	
Name	MALCOLM, CRYSTAL NICOLE	Joint Tenants
Date of Birth	1981 11 02	
Address for Service	8846 HOMESTEAD ROAD, R.R. #3 IONA STATION N0L 1P0	

Statements

The personal representative has the authority to transfer the land under the terms of the will, if any, the Estates Administration Act and the Succession Law Reform Act.

The sale is bona fide and for value.

Title to the land is not subject to spousal rights under the Family Law Act

No consents are required for this transfer

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEREE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Signed By

Martin Joldersma 159 Currie Road acting for Signed 2015 05 15
Dutton Transferor(s)
N0L 1J0
Tel 5197622882
Fax 5197622880

Signed By

I am the solicitor,for the transferor(s) and I am not one and the same as the solicitor for the transferee(s).

I have the authority to sign and register the document on behalf of the Transferor(s).

George Eric Sinker	53 Front Street West Strathroy N7G1X6	acting for Transferee(s)	Signed 2015 05 15
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Tel 519-245-1144

Fax 519-245-6090

I am the solicitor for the transferee(s) and I am not one and the same as the solicitor for the transferor(s).

I have the authority to sign and register the document on behalf of the Transferee(s).

Submitted By

GEORGE E. SINKER	53 Front Street West Strathroy N7G1X6	2015 05 15
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Tel 519-245-1144

Fax 519-245-6090

Fees/Taxes/Payment

Statutory Registration Fee	\$60.00
Provincial Land Transfer Tax	\$4,975.00
Total Paid	\$5,035.00

File Number

Transferee Client File Number : 25856

LAND TRANSFER TAX STATEMENTS

In the matter of the conveyance of: 35136 - 0142 PT LT B CON 8 DUNWICH; PT LT B, C CON 9 DUNWICH; PT RDAL BTN CON 8 & CON 9 OPPOSITE LOTS A, B & C DUNWICH AS IN E209915 & PT 1 11R3279; DUTTON/DUNWICH

BY: ASZMIES, CRISTINA
TO: LUKINGS, ROBERT COLE Joint Tenants
MALCOLM, CRYSTAL NICOLE Joint Tenants

1. LUKINGS, ROBERT COLE AND MALCOLM, CRYSTAL NICOLE

I am

- (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- (c) A transferee named in the above-described conveyance;
- (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) () above.
- (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for _____ described in paragraph(s) () above.
- (f) A transferee described in paragraph () and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph () and as such, I have personal knowledge of the facts herein deposed to.

2. I have read and considered the definition of "single family residence" set out in subsection 1(1) of the Act. The land being conveyed herein:

contains at least one and not more than two single family residences.

3. The total consideration for this transaction is allocated as follows:

(a) Monies paid or to be paid in cash	525,000.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	525,000.00
(h) VALUE OF ALL CHATTELS -items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	525,000.00

6. Other remarks and explanations, if necessary.

- 1. Fraction of parties who are qualifying home purchasers: ALL and the agreement of purchase and sale was entered into after December 13, 2007,
- 2. Robert Cole Lukings and Crystal Nicole Malcolm is/are (a) first time home purchaser(s) as defined in the Land Transfer Tax Act, and
- 3. The purchaser(s) will occupy the qualifying home as his/her/their principal residence on 2015/05/15 (Note: must be within 9 months of the date of registration or disposition), and
- 4. No purchaser(s) is/are a "spouse" as defined in section 29 of the Family Law Act

PROPERTY Information Record

A. Nature of Instrument: Transfer By Personal Representative
LRO 11 Registration No. CT114206 Date: 2015/05/15

B. Property(s): PIN 35136 - 0142 Address 8846 HOMESTEAD ROAD, R. Assessment 3429000 - 00707000
R. #3 Roll No
IONA STATION

C. Address for Service: 8846 HOMESTEAD ROAD, R.R. #3
IONA STATION N0L 1P0

D. (i) Last Conveyance(s): PIN 35136 - 0142 Registration No. E292195
(ii) Legal Description for Property Conveyed: Same as in last conveyance? Yes No Not known

E. Tax Statements Prepared By: George Eric Sinker
53 Front Street West
Strathroy N7G1X6