

For Office Use Only:

File Number	<u>ANPL2018120</u>	Application Fee	<u>\$1406</u>
Related File Number	<u>—</u>	Conservation Authority Fee	<u>—</u>
Pre-consultation Meeting	<u>—</u>	OSSD Form Provided	<u>N/A</u>
Application Submitted	<u>June 5/18</u>	Planner	<u>Steve</u>
Complete Application	<u>June 5/18</u>	Public Notice Sign	<u>Yes</u>

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

- ☐ Consent/Severance/Boundary Adjustment
☐ Surplus Farm Dwelling Severance and Zoning By-law Amendment
☒ Minor Variance
☐ Easement/Right-of-Way

Property Assessment Roll Number: 3310-337-040-20400**A. Applicant Information****Name of Owner** ANGELA & CHARLES MAGRO

It is the responsibility of the owner or applicant to notify the planner of any changes in ownership within 30 days of such a change.

Address 120 HERITAGE ISLE**Town and Postal Code** HERITAGE POINTE, AB, T1S 4J8**Phone Number** ANGELA 403-473-6006**Cell Number** CHUCK 403-560-4088**Email** ANGELAMAGRO@SHAW.CA**Name of Applicant** AGENT**Address****Town and Postal Code****Phone Number****Cell Number****Email**

Name of Agent

DAVID MCPHERSON

Address

8 CULVER LANE

Town and Postal Code

SIMCOE N34 5C8

Phone Number

519-426-7295

Cell Number

905-981-8795

Email

DAVID-A-MCPHERSON@HOTMAIL.COM

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence, notices, etc., in respect of this application will be forwarded to the agent noted above.



Owner



Agent



Applicant

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

B. Location, Legal Description and Property Information

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

LOT 16 CONCESSION 1 WOODHOUSE

PARTS 1, 2 & 3 OF 37R 8699

Municipal Civic Address: 232 NEW LAKESHORE RD.

Present Official Plan Designation(s):

Present Zoning: A & HL

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



Yes



No

If yes, please specify:

AN-12/02

3. Present use of the subject lands:

VACANT

4. Please describe **all existing** buildings or structures on the subject lands and whether they are to 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 front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, height, etc. on your attached sketch which must be included with your application:

VACANT LAND

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

N/A

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, height, etc. on your attached sketch which must be included with your application:

SINGLE FAMILY DWELLING WITH ATTACHED GARAGE
750 SQ.M.

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:

VACANT LAND

9. Existing use of abutting properties:

RESIDENTIAL BOTH SIDES, GOLF COURSE ACROSS THE ROAD.

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:

Note: Please complete all that apply.

Proposed

Please indicate unit of measurement, i.e. m, m² or %, etc.

Lot frontage	<u>118.896 m</u>	
Lot depth	<u>120.396 m</u>	
Lot width	<u>118.896 m</u>	
Lot area	<u>1.21 HA</u>	
Lot coverage		
Front yard		<u>31 m</u>
Rear yard		<u>63 m</u>
Left Interior side yard		<u>27 m</u>
Right Interior side yard		<u>30 m</u>
Exterior side yard (corner lot)		

2. Please outline the relief requested (assistance is available):

2.26 m FROM REQUIRED MAXIMUM BUILDING HEIGHT OF 11 m

3. Please explain why it is not possible to comply with the provision(s) of the Zoning

By-law: GIVEN THE LENGTH, MASS & SCALE OF THIS IMPOSING EXECUTIVE STYLE HOUSE THE ARCHITECTS DESIGN INTENTION OF A 12/14 ROOF PITCH RESULTED IN A BUILDING HEIGHT OF 13.26 M

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

Frontage: _____

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: _____

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

5. Description of proposed right-of-way/easement in metric units:

Frontage: _____

Depth: _____

Width: _____

Area: _____

Proposed use: _____

6. List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:

Owners Name: _____

Roll Number: _____

Total Acreage: _____

Workable Acreage: _____

Existing Farm Type: (i.e., corn, orchard etc) _____

Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Owners Name: _____

Roll Number: _____

Total Acreage: _____

Workable Acreage: _____

Existing Farm Type: (i.e., corn, orchard etc) _____

Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Owners Name: _____

Roll Number: _____

Total Acreage: _____

Workable Acreage: _____

Existing Farm Type: (i.e., corn, orchard etc) _____

Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Owners Name: _____

Roll Number: _____

Total Acreage: _____

Workable Acreage: _____

Existing Farm Type: (i.e., corn, orchard etc) _____

Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Note: If additional space is needed please attach a separate sheet.

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 (example: gas station, petroleum storage, etc.):

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:

FORMER USE AS AGRICULTURAL LAND, FARMED

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:

FARMED AGRICULTURAL LAND

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:

NOT NEAR SOURCE WATER AREA

Note: If in an area of source water 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 _____

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 _____

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

☐ 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:

NEW LAKESHORE ROAD

G. Other Information

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

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

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 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. Existing and proposed easements and right of ways
4. Parking space totals – required and proposed
5. All dimensions of the subject lands
6. Dimensions and setbacks of all buildings and structures
7. Names of adjacent streets
8. Natural features, watercourses and trees

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
- ☐ Environmental Impact Study
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Record of Site Condition
- ☐ Agricultural Impact Assessment

Your development approval might also be dependent on Ministry of Environment and Climate Change, Ministry of Transportation or 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. Transfers, Easements and Postponement of Interest

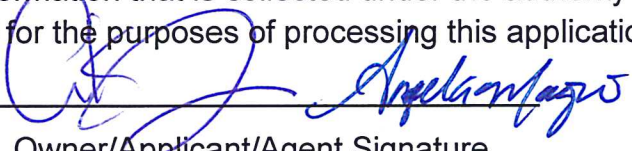
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

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.

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.

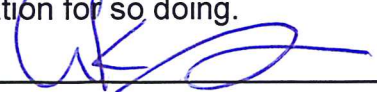
x  May 19/18
Owner/Applicant/Agent Signature Date

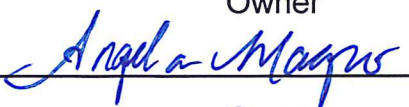
J. Owner's Authorization

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

I/We ANGELA & CHUCK MAGRO am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

I/We authorize DAVID MCPHERSON 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.

x  May 19/18
Owner Date

x  May 19/18
Owner Date

K. Declaration

I, DAVID MCPHERSON of SIMCOE

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:

CALEDONIA



~~Owner/Applicant~~ Agent Signature

In HALDIMAND COUNTY

This 29th day of MAY

A.D., 20 18

Barbara White

A Commissioner, etc.

Barbara Lynn White, a Commissioner,
etc., Province of Ontario, for the
Corporation of Haldimand County.
Expires July 21, 2020



Zoning Deficiency

Simcoe: St.
Simcoe, ON
N3Y 5L6
519-426-5870
Langton: t St.
Langton, On.
N0E 1G0
519-875-4485

PROPERTY INFORMATION

Address: 232 New Lakeshore Rd Legal Description: 37R8699 Part 1-3

Roll Number: 33704020400
Information Origins:

Application #:

Agricultural Zone (A)

Main Building	REQUIRED	PROPOSED	DEFICIENCY	UNITS
12.1 a) minimum lot area				
i) new lot	40.00		N/A	ha
ii) lot of record	1390.00		N/A	m.sq
iii) residential lot surplus to a farm operation	2000.00		N/A	m.sq
b) minimum lot frontage				
i) interior corner lot s	30.00		N/A	m
ii) lot of record	18.00		N/A	m
c) minimum front yard	13.00		N/A	m
d) minimum exterior side yard	13.00		N/A	m
e) minimum interior side yard	3.00		N/A	m
	3.00		N/A	m
f) minimum rear yard	9.00		N/A	m
g) Minimum separation between a farm processing facility and a dwelling on an adjacent lot	30.00		N/A	m
h) maximum building height	11.00	13.26m	2.26m	m

The proposed information and any supporting documents have been provided by the owner/applicant. The above information is only in respect to the associated planning application and does not relieve the owner/applicant from obtaining all other permits/approvals required. The owner/applicant hereby accepts full responsibility for the accuracy of the proposed information provided on this form.

Prepared By:

Roxanne Koot

I have read and understand the above.

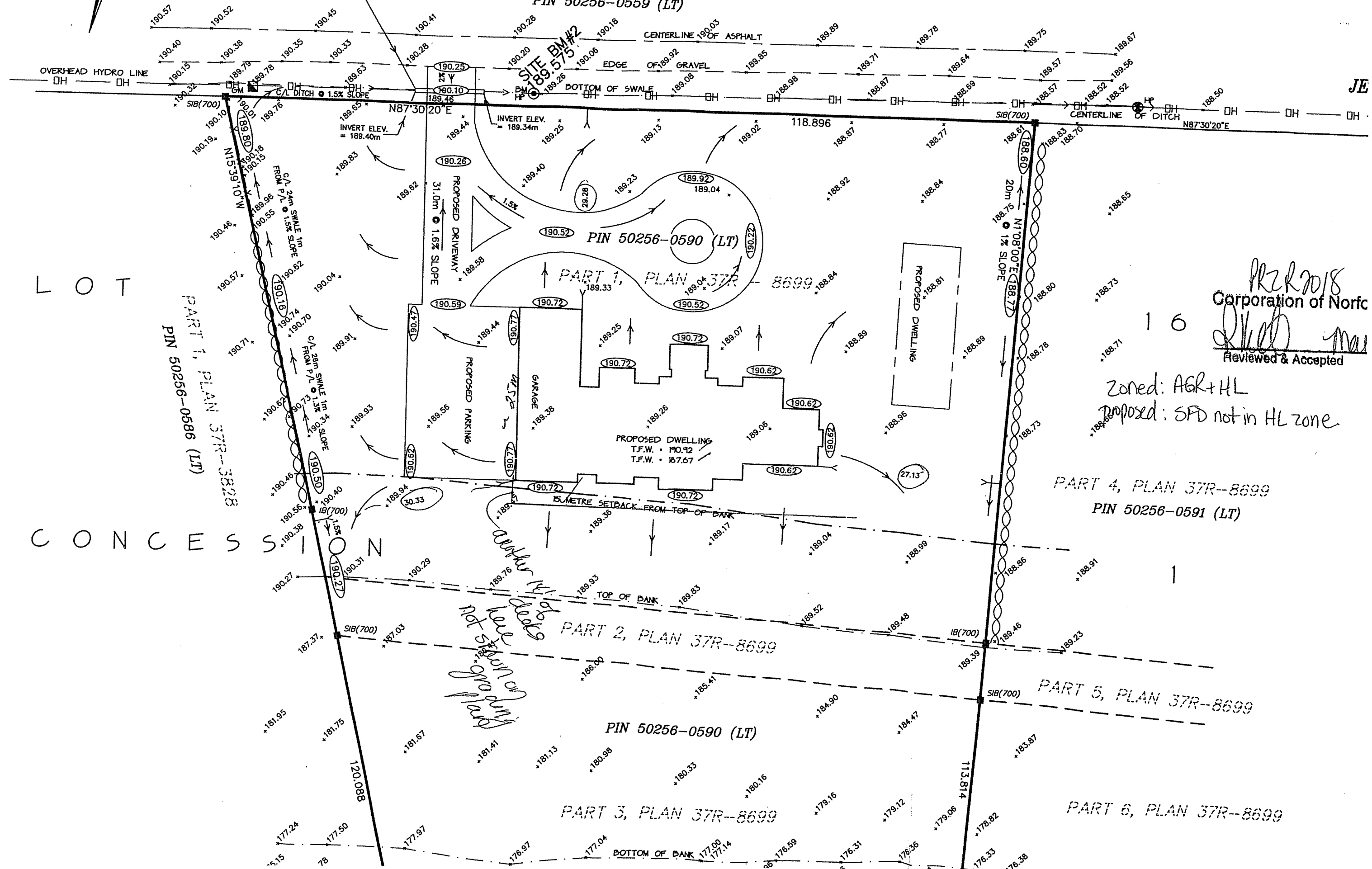
Signature of owner or authorized agent

date

Signature of Zoning Administrator

date

AS PER: Fritz R. Enzlin. CBCO,
CRBO - Chief Building Official
Manager, Building & Bylaw
Division, Norfolk County



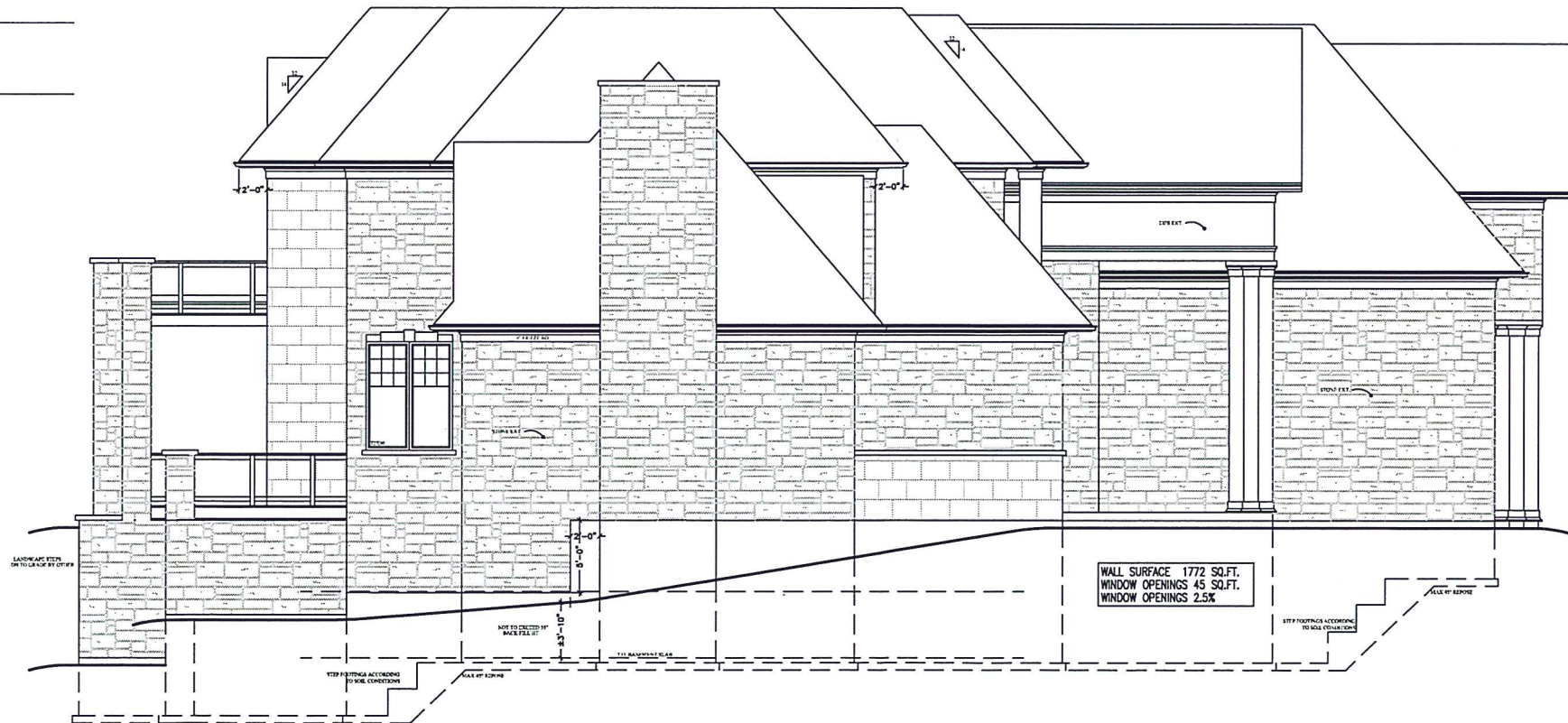
NORTH ELEVATION

SCALE - 3/16" = 1'-0"



EAST ELEVATION

SCALE - 3/16" = 1'-0"



GENERAL NOTES:

FOUNDATION PLAN NOTES:

1. ALL DIMENSIONS TO EXTERIOR FOUNDATION WALLS
2. ALL FOOTINGS SHALL BEAR DIRECTLY ON UNDISTURBED SOIL. (ASSUMED SOIL BEARING CAPACITY- 2500 P.S.F.)
3. APPROVED GRANULAR FILL SHALL BE COMPACTED IN 6" LAYERS TO 95% STANDARD PROCTOR MAXIMUM DRY DENSITY.
4. ALL EXTERIOR FOOTINGS SHALL BE A MINIMUM 4'-0" BELOW FINISHED GRADE TO PROTECT FROM FROST ACTION.
5. CONCRETE FOR FLOOR SLABS SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 25 MPa. ALL OTHER CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 25 MPa UNLESS OTHERWISE SPECIFIED. (6% AIR / 4" SLUMP)
6. REINFORCING STEEL TO HAVE MINIMUM 1 1/2" COVER, MAXIMUM 2" COVER AT BOTTOM OF SLAB.

I review and take responsibility for the design work on behalf of a firm registered under subsection 2.17.4. of the O.H.C. I am qualified, and the firm is registered, in the appropriate classes/categories

Tony Wall
HCIN : 22052

	SQUARE FOOTAGE
MAIN FLOOR	5274 SQ.FT.
UPPER FLOOR	2967 SQ.FT.
BONUS RM	2472 SQ.FT.
GARAGE	2509 SQ.FT.
OVERALL FOOTPRINT	8081 SQ.FT. (751 SQ.M)

REV.#	DATE	DESCRIPTION:
4	03/15	PERMIT ISSUE
3	02/16	ENGINEER REVIEW
2	11/21	CLIENT REVISIONS
1	10/22	TRADE REVIEW

girard
ENGINEERING

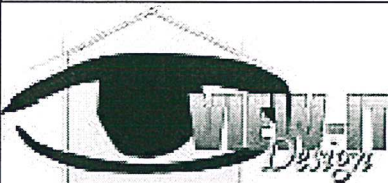
2478153 ONTARIO INC.

212 Main Street West P.O. Box 98
Otterville, Ontario N0J 1R0

Tel: 1-519-879-6875

Fax: 1-519-879-6536

Email: dfallowfield@girardengineering.ca



PROPERTY OF VIEW-IT DESIGN

VIEW-IT DESIGN
RR# 1 PORT BURWELL
OFFICE: 519-851-1173
FAX: 519-874-0087

MAGRO RESIDENCE
LAKESHORE RD
PORT DOVER, ONT

PROPOSED HOUSE PLANS

ELEVATIONS

DRAWN BY: TONY WALL	SCALE: SEE DWG
BCIN: 29620 PO# 1836	
DATE: SEPTEMBER 2017	
SHEET NO. 5 OF 9	

A5

REVISED DRAWING

MAGRO HOUSE, 232 NEW LAKESHORE ROAD, PORT DOVER

This is a large executive style mansion, proposed on a 3 acre parcel of land, overlooking Lake Erie. The house is to be situated on top of a 15 meter shoreline bluff, to take full advantage of the view over the lake, and is sited some 31 meters back from New Lakeshore Road. It is bounded to the east by large executive style homes and to the west there 6 large scale homes between this site and David's Restaurant.

The house is very large in scale, some 150 feet long, 2 full storey's in height and contains some 8,000 square feet of living space. Given the mass and scale of the house, the designing architect's intention of a 12/14 roof pitch resulting in a building height of 43 feet 6 inches or 13.26 meters.

The current maximum building height of 11 meters (measured to the highest point of the ridge) is exceeded by 2.26 meters. The previous zoning bylaw also permitted a maximum building height of 11 meters. However, it was measured at the "mean height between the eaves and the ridge". (excerpts of definitions attached)

The proposed house roof height would have easily fit within the parameters of the previous bylaw.

Attached are two sets of house drawings. Those marked as "original" show the house elevation with a roof height of 43 feet 6 inches or 13.26 meters. These are the drawings we propose building to. The set marked as "revised" show the elevations with the roof height reduced to 11 meters. It is readily apparent how this reduction in roof height negatively impacts on the eye appeal of the house. This "revised" drawing was submitted to the Building Department in order to expedite the issuance of a Building Permit. Our plan is to seek approval of a variance from the maximum height requirements and that it would be granted in advance of the schedule for roof framing.

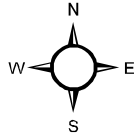
- 4.10 "BOAT SLIP" shall mean a docking space or berth intended for the accommodation of one marine craft and includes a docking space or berth within a boathouse.
- 4.11 "BODY SHOP" shall mean a building or structure used for the painting or repairing of vehicle bodies or parts thereof but excludes an automobile wrecking yard or salvage yard.
- 4.12 "BOUNDARY FENCE" shall mean any fence, hedge, free standing wall or similar accessory appurtenance intended to delineate a property boundary.
- 4.13 "BUILDING" shall mean any structure or edifice, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials, equipment or things.
- 4.14 "BUILDING BY-LAW" shall mean any by-law of the Region enacted pursuant to Section 38 of the Planning Act, R.S.O. 1970, chapter 349, as amended, or any predecessor thereto and The Ontario Building Code Act.
- 4.15 "BUILDING HEIGHT" shall mean the vertical distance between the finished grade of the ground at the front of a building and
- (a) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater
 - (b) in the case of a mansard roof, the roof deck line
 - (c) in the case of any other roof, the mean height between the eaves and ridge.
- 4.16 "BUILDING INSPECTOR" shall mean the officer or employee of the Region charged with the duty of enforcing the provisions of the building by-laws of the Region.
- 4.17 "CAMPGROUND" shall mean land and facilities owned and operated by a governmental agency, a community service club or charitable organization and used for the purpose of camping. A campground may also include cabins, dining halls, tents and other accessory buildings and structures but excludes a tent and trailer park as defined herein.
- 4.18 "CELLAR" shall mean that portion of a building between a floor level and the finished ceiling which is more than 50 percent underground relative to the finished grade adjacent to the exterior walls of a building.
- 4.19 "CEMETERY" shall mean land that is used as a place for the interment of the dead which may include a building or structure for the following purposes:
- (a) a columbarium, designed for the purpose of storing the ashes of human remains that have been cremated

- 2.21 **"BODY RUB ESTABLISHMENT"** shall mean the kneading, manipulating, rubbing, massaging, by touching or stimulating, by any means, of a person's body or part thereof, and which is expressly performed for sexual purposes and to cater to a person's sexual appetite. This definition shall not include alternative health care uses. [5-Z-2017]
- 2.22 **"BOATSLIP"** shall mean a docking space or berth for the accommodation of marine craft immediately adjacent to a watercourse or a water body, and includes a docking space or berth within a *boathouse*.
- 2.23 **"BOUTIQUE"** shall mean a small scale *retail store* specializing in the sale of gifts, specialty foods or apparel primarily catering to the tourist trade.
- 2.24 **"BUILDING"** shall mean an enclosed *structure* consisting of any combination of walls, roof and floor or a structural system serving the same function, including all associated works, fixtures and service systems but excluding an attached *deck or unenclosed porch*.
- 2.25 **"BUILDING HEIGHT"** shall mean the vertical distance between the average *finished grade* of the ground at the front wall of a *building* and:
- a) in the case of a flat roof or a mansard roof, the highest point of the roof surface;
 - b) in the case of any other roof, the highest point of the ridge. [8-Z-2017]

MAP 1

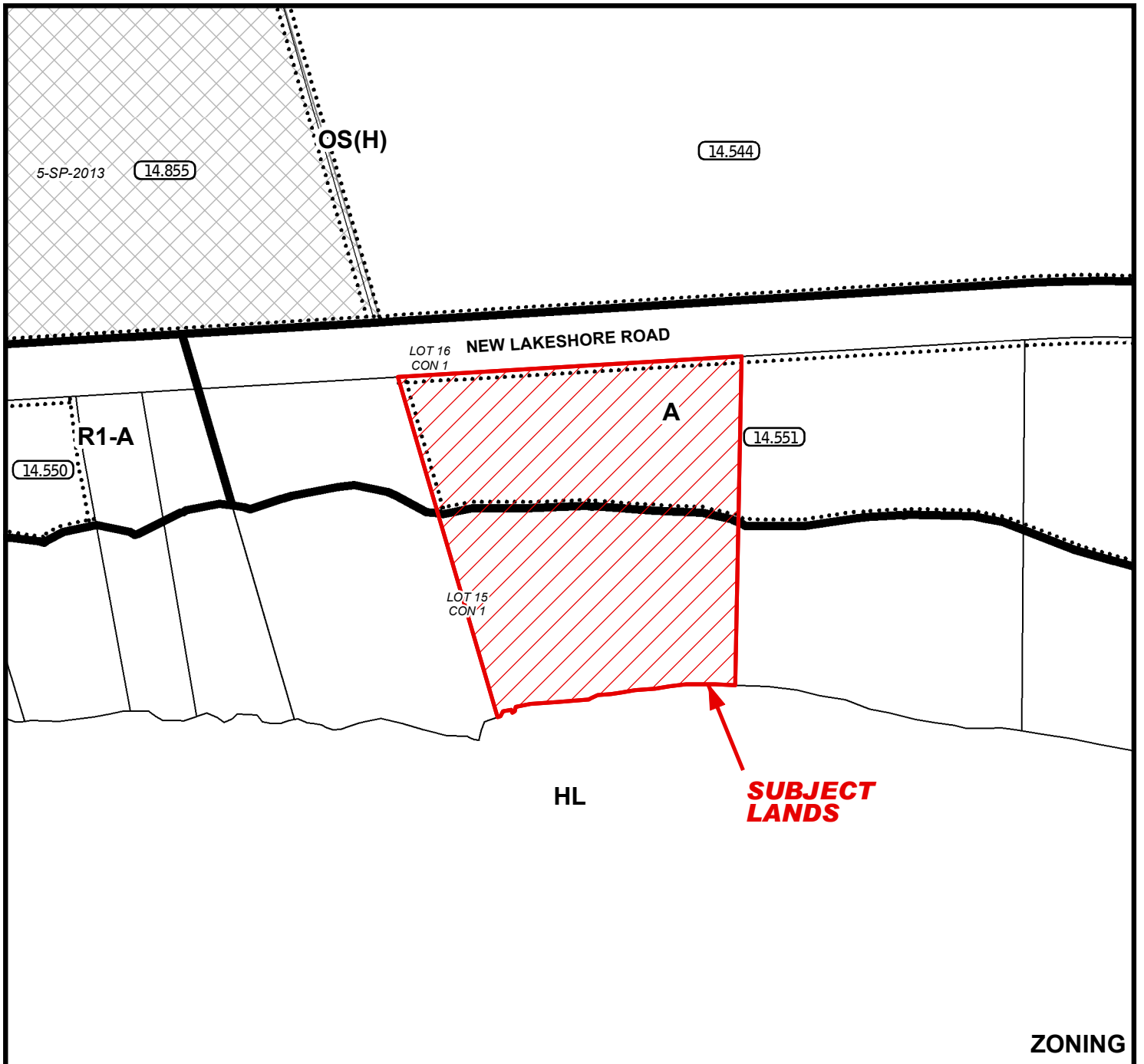
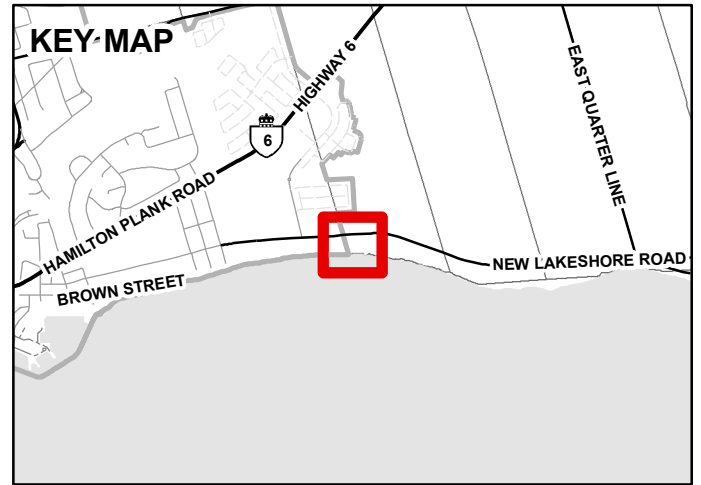
File Number: ANPL2018120

Geographic Township of
WOODHOUSE



1:2,000

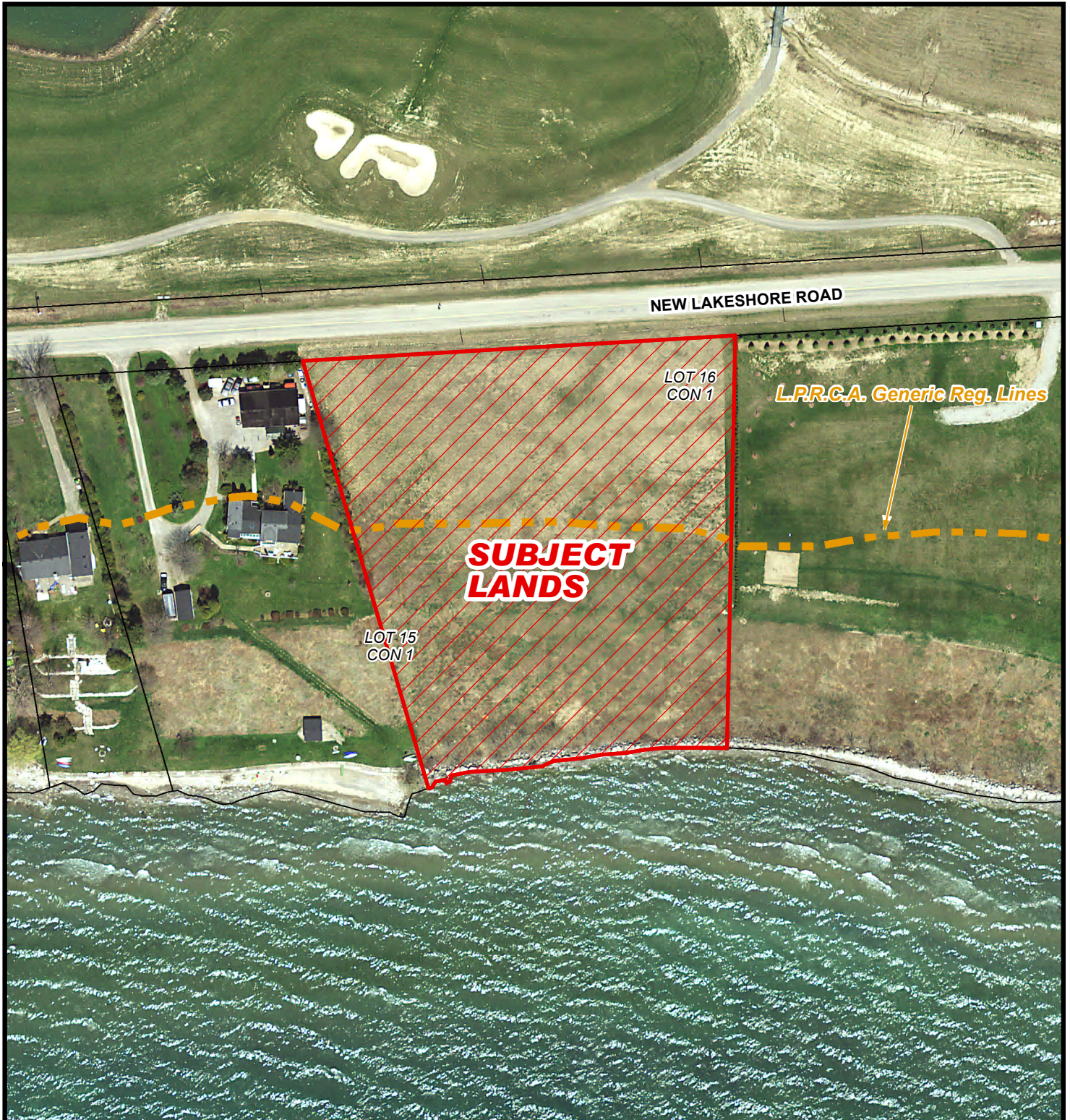
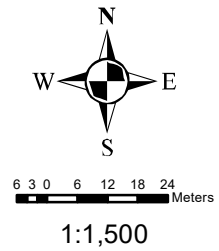
10 5 0 10 20 30 40
Meters



MAP 2

File Number: ANPL2018120

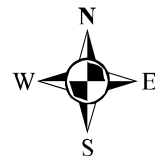
Geographic Township of WOODHOUSE



MAP 3

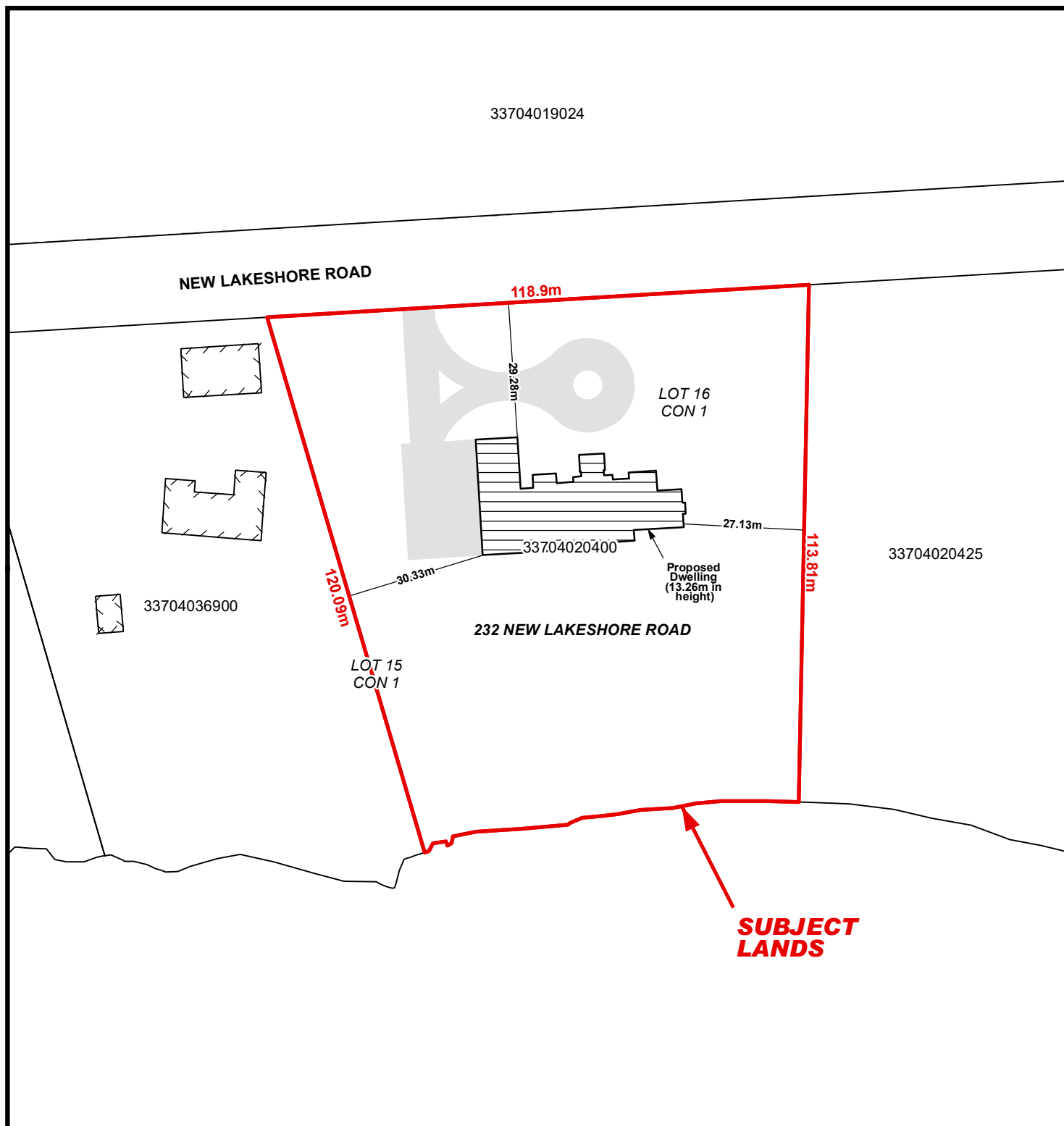
File Number: ANPL2018120

Geographic Township of WOODHOUSE



4.2 2.2 4.5 9 13.5 18 Meters

1:1,200

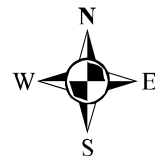


**SUBJECT
LANDS**

LOCATION OF LANDS AFFECTED

File Number: ANPL2018120

Geographic Township of WOODHOUSE



4.2 2D 4.5 9 13.5 18 Meters

1:1,200

