

For Office Use Only:

File Number	<u>ANPL2018271</u>	Application Fee	<u>✓</u>
Related File Number	<u>-</u>	Conservation Authority Fee	<u>-</u>
Pre-consultation Meeting	<u>-</u>	OSSD Form Provided	<u>-</u>
Application Submitted	<u>Nov 6/2018</u>	Planner	<u>Kayla</u>
Complete Application	<u>Nov 6/2018</u>	Public Notice Sign	<u>-</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: 2810 - 491 - 018 - 49010

A. Applicant Information

Name of Owner LEONARD & TERESA CEBULAK

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 988 WINDHAM ROAD 10

Town and Postal Code WINDHAM CENTRE NOE 2A0

Phone Number 519 - 443 - 7418

Cell Number 519 - 427 - 3841

Email _____

Name of Applicant SAME AS 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):

Municipal Civic Address: 988 WINDHAM ROAD 10

Present Official Plan Designation(s): AGRICULTURAL

Present Zoning: AGRICULTURAL

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

☐ Yes ☒ No If yes, please specify:

3. Present use of the subject lands:

RESIDENTIAL , THE HOME OF THE FARM OWNER

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:

SEE ATTACHED SKETCH

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:

THIS APPLICATION REVOLVES AROUND MAX BUILDING HEIGHT FOR A 136SQM DETACHED GARAGE UNDER CONSTRUCTION ACCORDING TO BUILDING PERMIT

7. Are any existing buildings on the subject lands designated under the Ontario Heritage Act as being architecturally and/or historically significant? Yes ☐ No ☒ AS REVISED PRB 2017 1197

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:

THE RESIDENCE WAS BUILT IN 2014

9. Existing use of abutting properties:

AGRICULTURAL

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:

C. Purpose of Development Application

Note: Please complete all that apply.

1. Site Information

Existing

Proposed

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

Lot frontage

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)

3.2.1 (a) MAX BUILDING HEIGHT

8.23 m

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

RELIEF of 2.23 m FROM MAX PERMITTED 6 m BUILDING HEIGHT.

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

DETACHED GARAGE IS DESIGNED ARCHITECTURALLY TO MIRROR THE ATTACHED GARAGE OF HOUSE CONSTRUCTED IN 2014, SEE ATTACHED NOTES.

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:

DISCUSSION WITH LAND OWNER.

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:

N/A

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:

N/A

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 182 m

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:

WINDHAM RD 10

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

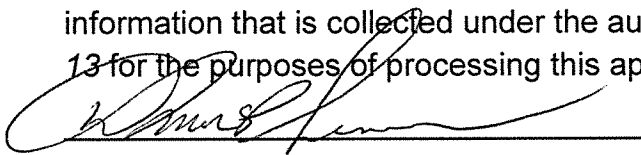
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

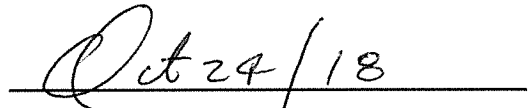
Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

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.



Owner/Applicant/Agent Signature



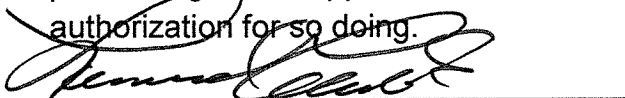
Date

J. Owner's Authorization

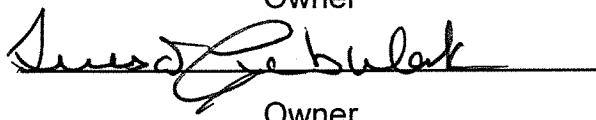
If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We LEONARD & TERESA CEBULAK are the registered owner(s) of the lands that is the subject of this application for site plan approval.

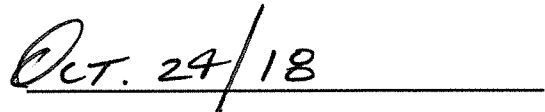
I/We authorize DAVID MCPHERSON to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.



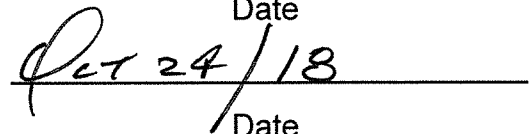
Owner



Owner



Date



Date

K. Declaration

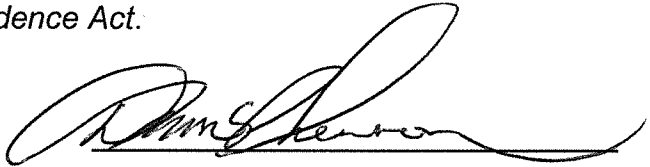
I, DAVID MCPHERSON of SIMCOE

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 5th day of NOVEMBER

A.D., 20 18



A Commissioner, etc.

**Lori McMillan, a Commissioner
etc., Haldimand County, for the
Corporation of Haldimand County
Expires July 22, 2020**



NORFOLK COUNTY
COMMUNITY
PLANNING
DEVELOPMENT AND CULTURAL SERVICES

PURPOSE OF MINOR VARIANCE APPLICATION

LEONARD & TERESA CEBULAK
988 WINDHAM ROAD 10
2810-491-018-49010

REQUESTING RELIEF OF 2.23M FROM MAXIMUM PERMITTED ACCESSORY BUILDING HEIGHT OF 6M, IN ORDER TO CONSTRUCT A DETACHED RESIDENTIAL GARAGE WITH A MAXIMUM BUILDING HEIGHT OF 8.23M.

This detached garage is architecturally designed to mirror the attached garage of the existing house constructed in 2014.

The garage is currently under construction by way of Building Permit PRBD20171197, issued in July 2017 and revised in June of 2018 to increase the building area from 100 sq m to 136 sq m.

The detached garage has its roof designed to architecturally match the house with a roof pitch of 10 to 12. This gives the garage a maximum building height of 8.23m.

To obtain a building permit to start construction, 2.23m was cut off the roof and made flat. On reflection, the owners rejected the flat portion of the roof idea for both esthetic and maintenance reasons. The garage walls are 3.1 m high to accommodate the farmer's two 4-wheel drive, crew cab pick-up trucks.

We are asking for building height relief in order to architecturally match the roof pitch and height with the roof pitch and height of the adjacent house.

The architectural design, mass, and scale of the detached garage will match and be in complete character with the house.

208'-0"

103'-0"

EXISTING HOUSE

35'-0"

4'-0"

203'-0"

45'-0"

PROPOSED
GARAGE

60'-0"

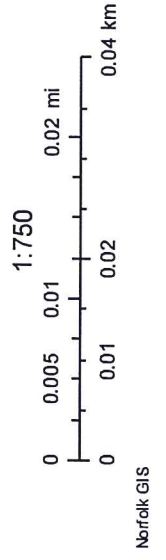
988 WINDHAM RD. 10

MAP NORFOLK - Community Web Map



2018-11-05 8:03:29 AM

- ☐ Land Parcels
- ☐ Plan Lines



MAP NORFOLK - Community Web Map



2018-11-05 8:04:57 AM

-  Land Parcels
-  Plan Lines

1:750
0 0.005 0.01 0.02 0.04
0 0.01 0.02 0.04
Queen's Printer for Ontario
Norfolk GIS

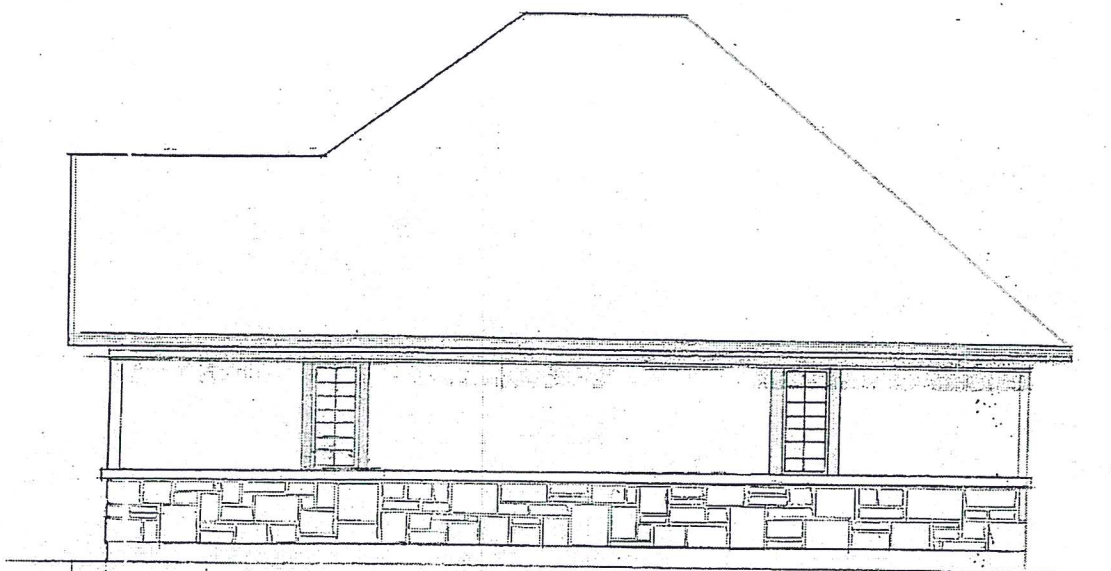
MAP NORFOLK - Community Web Map



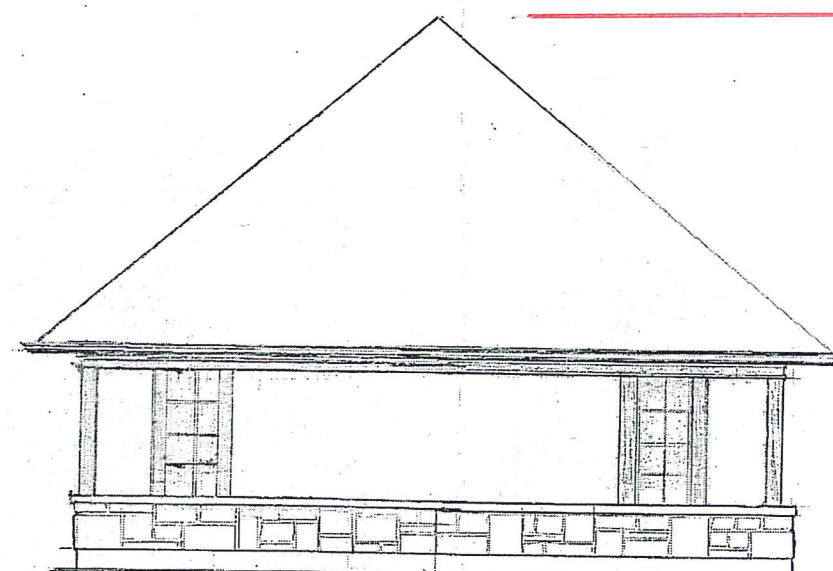
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- ☐ Land Parcels
- ☐ Plan Lines

Queen's Printer for Ontario
Norfolk GIS

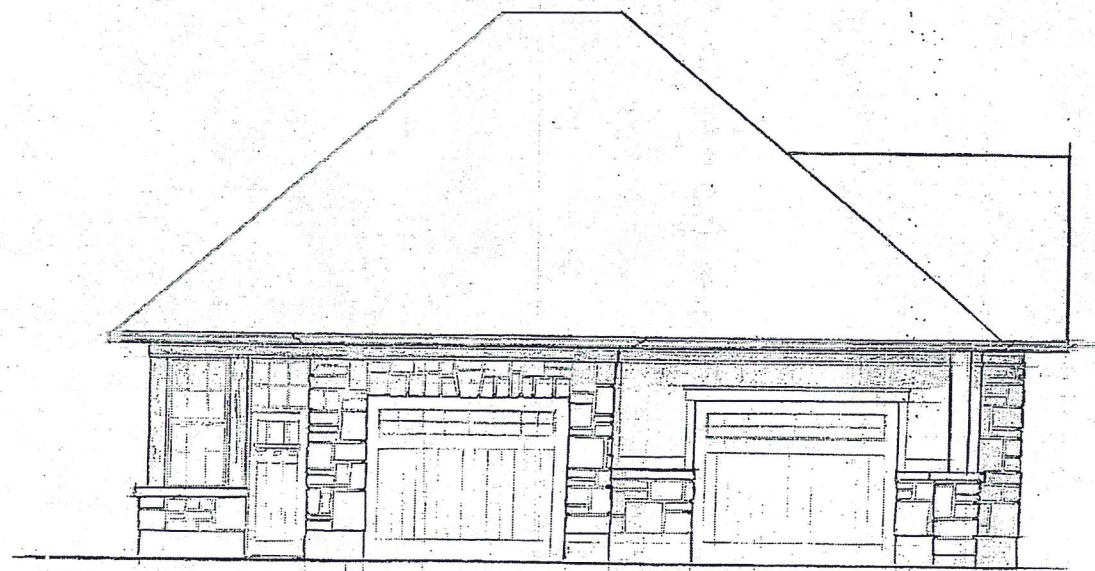


WEST
SIDE ELEVATION.

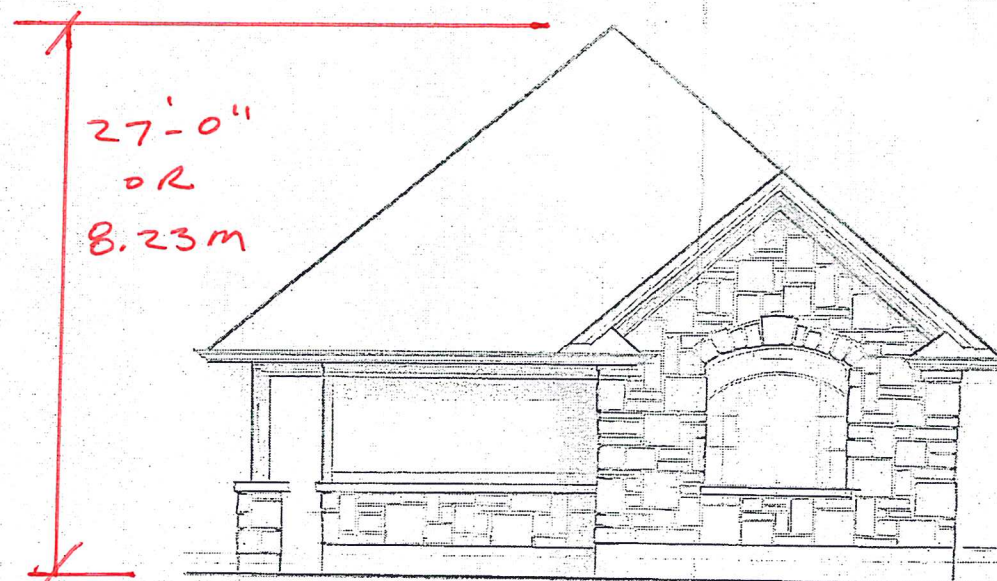


REAR ELEVATION.
SOUTH

8.23 m
OR
27'-0"



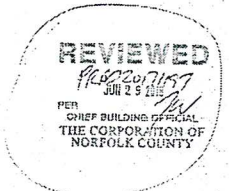
EAST
SIDE ELEVATION.



FRONT ELEVATION.

27'-0"
OR
8.23 m

REVISED



T/O WALL
1/2 PAVEMENT

T/O FOUNDATION
GRADE

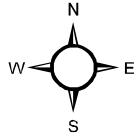
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APR 27 2018
NORFOLK COUNTY - 2018

MAP 1

File Number: ANPL2018271

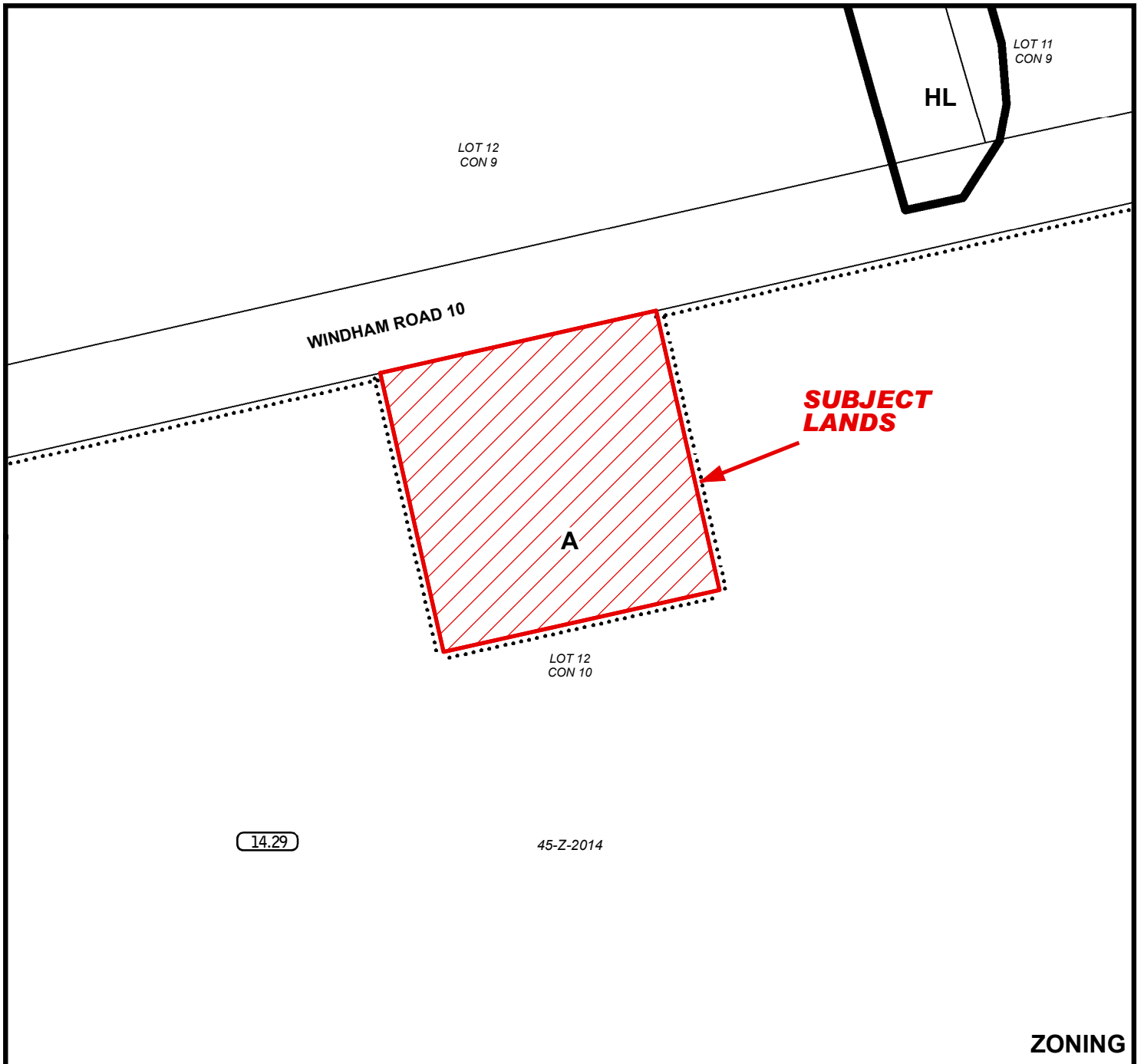
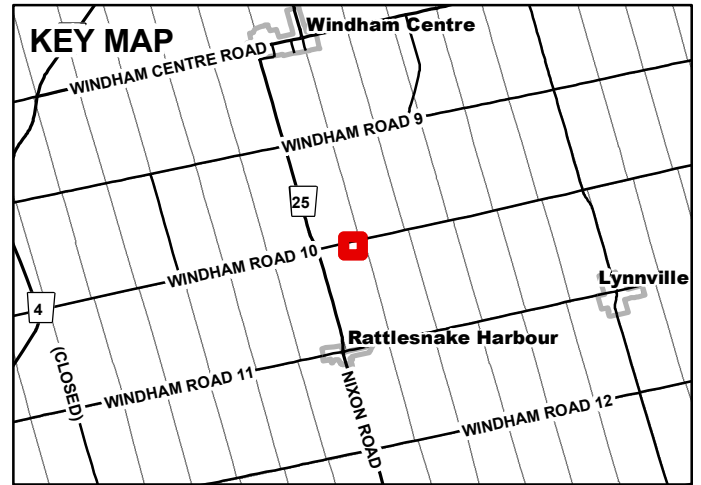
Geographic Township of

WINDHAM



1:1,300

10 5 0 10 20 30 40 Meters



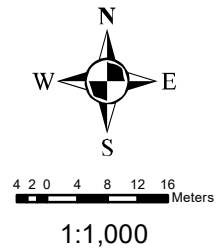
ZONING

2018-11-07

MAP 2

File Number: ANPL2018271

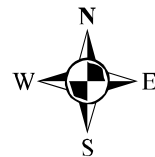
Geographic Township of WINDHAM



MAP 3

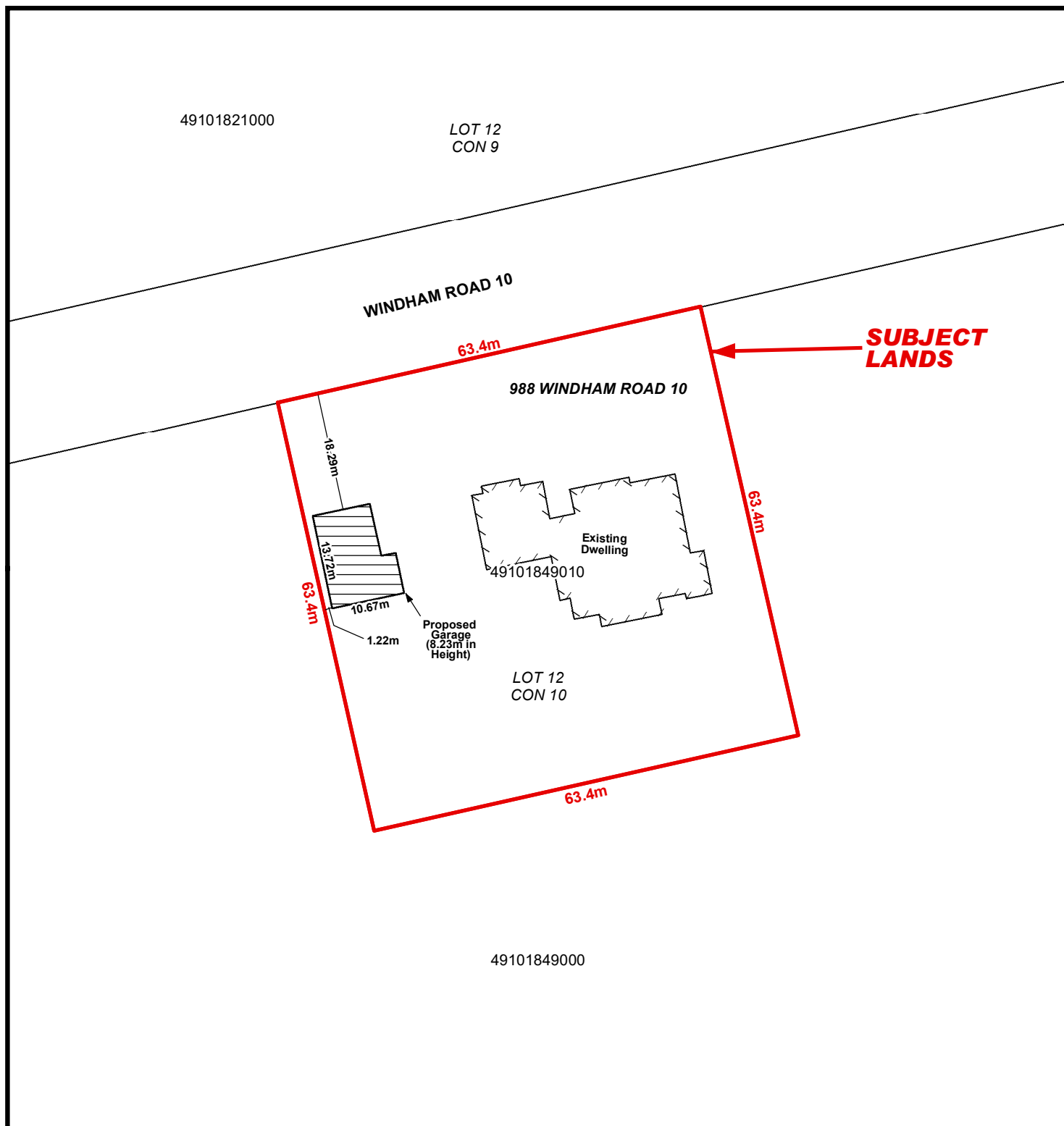
File Number: ANPL2018271

Geographic Township of WINDHAM



31.50 3 6 9 12 Meters

1:800



LOCATION OF LANDS AFFECTED

File Number: ANPL2018271

Geographic Township of WINDHAM

