

For Office Use Only:

File Number	<u>APPL 2020014</u>	Application Fee	<u>\$1,529.00</u>
Related File Number	_____	Conservation Authority Fee	_____
Pre-consultation Meeting	_____	Well & Septic Info Provided	_____
Application Submitted	<u>Jan 20/20</u>	Planner	<u>M. B. GINS</u>
Complete Application	<u>Jan 20/20</u>	Public Notice Sign	_____

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: 493110085000000

A. Applicant Information

Name of Owner Ezatollah Sadeghian

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 4508 Lincoln Avenue

Town and Postal Code Beamsville L0R1B3

Phone Number (905) 563-7578

Cell Number _____

Email carolexpat@gmail.com

Name of Applicant Ezatollah Sadeghian

Address 4508 Lincoln Avenue

Town and Postal Code Beamsville L0R1B3

Phone Number (905) 563-7578

Cell Number _____

Email carolexpat@gmail.com

Name of Agent Andre Muller
Address 21 Norfolk Street North
Town and Postal Code Simcoe N3Y 3N6
Phone Number (519) 426-5840
Cell Number
Email amuller@brimage.com

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices 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:

N/A

B. Location, Legal Description and Property Information

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

Part Lots 90 & 91, Plan 128, and Parts 11 & 12, 37R-2772

Municipal Civic Address: 143 Cedar Drive

Present Official Plan Designation(s): Resort Residential

Present Zoning: Resort Residential Zone (RR)

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:

Cottage

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

Existing one-storey cottage (849 sq.ft.), existing storage shed (486 sq.ft), existing pergola (101 sq.ft), existing shed (48 sq.ft.) See attached sketch for details.

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example a 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:

Existing cottage to be removed and replaced with three-storey cottage (ground floor area = 1,575 sq.ft.) See attached sketch for details.

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:
50 + years

9. Existing use of abutting properties:
Cottages

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, for example: m, m ² or %		
Lot frontage	13.1 m (43.01ft)	same
Lot depth	49.4 m (162 ft)	same
Lot width	13.1 m (43.01ft)	same
Lot area	607 sq.m. (0.15 ac)	same
Lot coverage	22.1 %	34%
Front yard	nil	0.6 m (2 ft)
Rear yard	33.5 m (110 ft)	32 m (105 ft)
Left Interior side yard	1.55 m (5.1 ft)	1.2 m (3.9 ft)
Right Interior side yard	4.8 m (15.8 ft)	1.2 m (3.9 ft)
Exterior side yard (corner lot)	n/a	n/a

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

Relief from Section 5.8.2 of the Zoning By-law to reduce the minimum required front yard from 6 m to 0.6 m, to increase the lot coverage for the main cottage from 12.1% to 24%, to increase the total coverage from 22.1% to 34%, and to increase the height from 9.1 m to 11 m. As well as relief from Section 4.9 to reduce the minimum number of parking spaces from 2 to 1.

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

Proposing to replace existing one-storey cottage with three storey cottage, with a ground floor area of approximately 146 sq.m. It is our understanding that the existing front porch is encroaching into the road allowance and will be removed. The proposed cottage will be setback similar to the front wall of the existing cottage. The additional height is required to accommodate three storeys with crawl space and a 

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: _____

Buildings on retained land: _____

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: (for example: corn, orchard, livestock) _____

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

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐Yes ☐No If yes, year dwelling built _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐Yes ☐No If yes, year dwelling built _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
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 (for example: gas station, or petroleum storage):

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:

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:

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:

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 150 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 150 m

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
☐ Individual wells
☐ Communal wells
☒ Other (describe below)
Communal piped water system
-

Sewage Treatment

- ☐ Municipal sewers
☒ Septic tank and tile bed in good working order
☐ Communal system
☐ 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:
-

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. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
8. Names of adjacent streets
9. 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 (to verify location and condition)
- ☐ 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 Conservation and Parks, 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.

E. Sadeghian

Owner/Applicant/Agent Signature

12/01/2020

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 EZATOLLAH SADEGHIAN am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize ANDRE MULLER 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. Sadeghian

Owner

12/01/2020

Date

Owner

Date

K. Declaration

I, ANDRE MULLER of Norfolk County

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:

Regional Municipality of Niagara

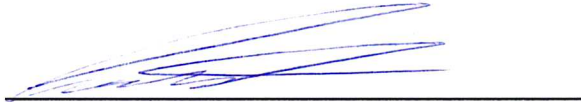


Owner/Applicant/Agent Signature

In town of Beamsville

This 12th day of January

A.D., 20 20



A Commissioner, etc.



Zoning Deficiency

Simcoe: 185 Robinson St.
Simcoe, ON
N3Y 5L6
519-426-5870
Langton: 22 Albert St.
Langton, On.
N0E 1G0
519-875-4485

PROPERTY INFORMATION

Address: 143 cedar

Legal Description:

Roll Number: 49311008500

Application #:

Information application and a preliminary site plan, no drawings at this time

Resort Residential Zone (RR)

Main Building	REQUIRED	PROPOSED	DEFICIENCY	UNITS
5.8.2 a) minimum lot area				
i) new lot	0.40		N/A	ha
existing lot		607.00	N/A	m.sq
b) minimum lot frontage				
i) interior lot	15.00	14.00 13.13 ¹⁴ existing		m
ii) corner lot	18.00		N/A	m
c) minimum front yard	6.00	0.60	5.40	m
d) minimum exterior side yard	6.00		N/A	m
e) minimum interior side yard				
i) attached garage	1.20	1.20	N/A	m
	1.20	1.20	N/A	m
ii) detached garage	3.00		N/A	m
	1.20		N/A	m
f) minimum rear yard	9.00	33.50	N/A	m
g) maximum building height	9.10	11.00	1.90	m
h) maximum lot coverage (Note: Proposed Area)				m.sq
i) lot	15.00	24.00	9.00	%

Comments

existing cottage to be removed and replaced with new cottage, using existing front yard setback. Existing lot coverage of cottage 12.17%, requesting another 11.9% which includes all decks and covered porches. Requesting 11m in height maximum for a proposed 3 storey build



Zoning Deficiency

Simcoe: 185 Robinson St.
Simcoe, ON
N3Y 5L6
519-426-5870
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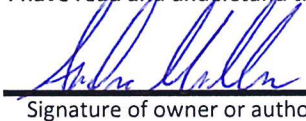
Parking	REQUIRED	PROPOSED	DEFICIENCY	UNITS
4.1 number of parking spaces	2	1.00	1	
Comments	parking space in garage is 3.3m x 5.8m			

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

January 20, 2020

date

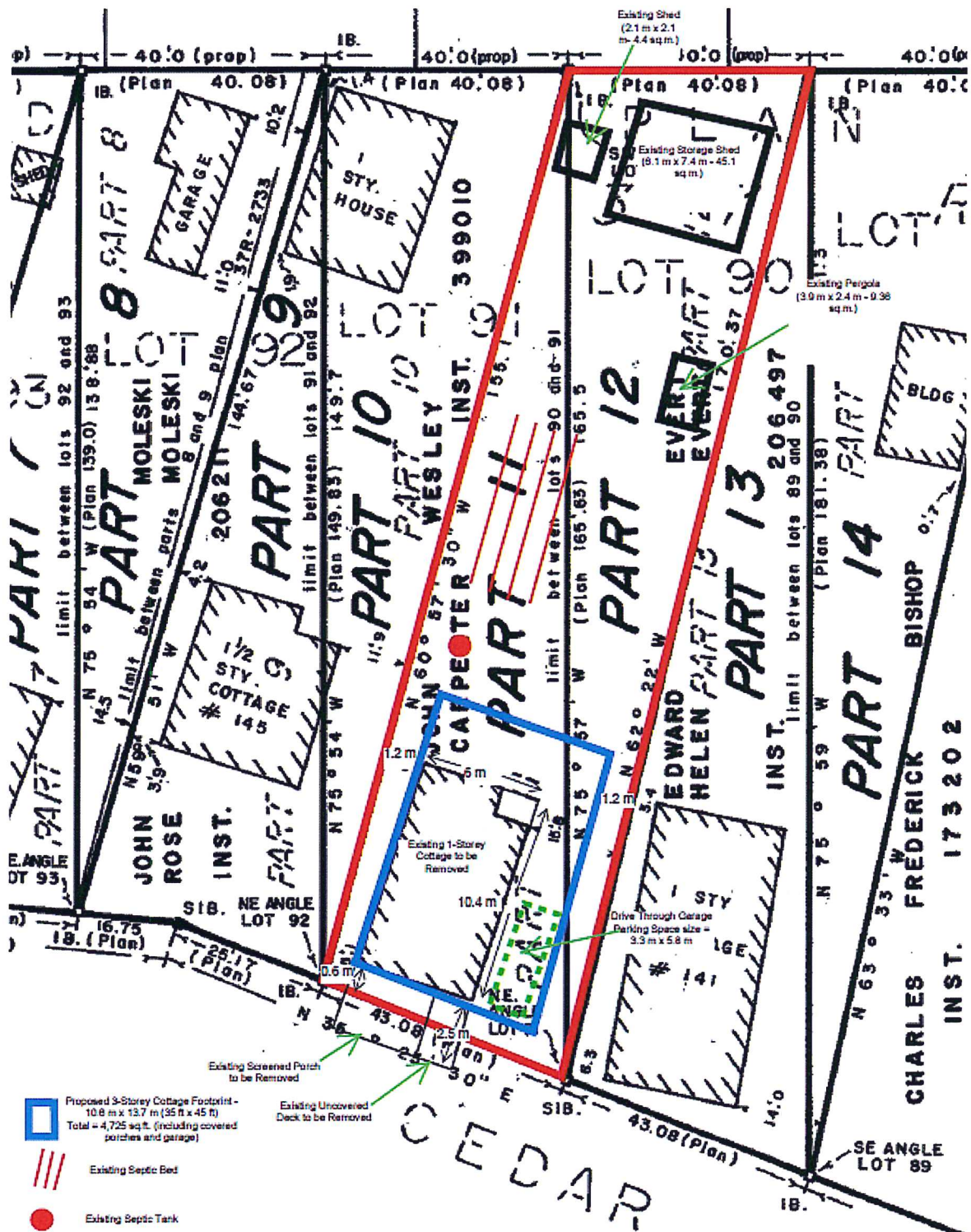
AS PER: Fritz R. Enzlin, CBCO, CRBO -
Chief Building Official Manager,
Building & Bylaw Division, Norfolk
County



Signature of Zoning Administrator

Jan 20, 2020

date



- Proposed 3-Storey Cottage Footprint - 10.8 m x 13.7 m (35 ft x 45 ft) Total = 4,725 sq.ft. (including covered porches and garage)
- /// Existing Septic Bed
- Existing Septic Tank

Zoning Review - area of lot = 807 sq.m.

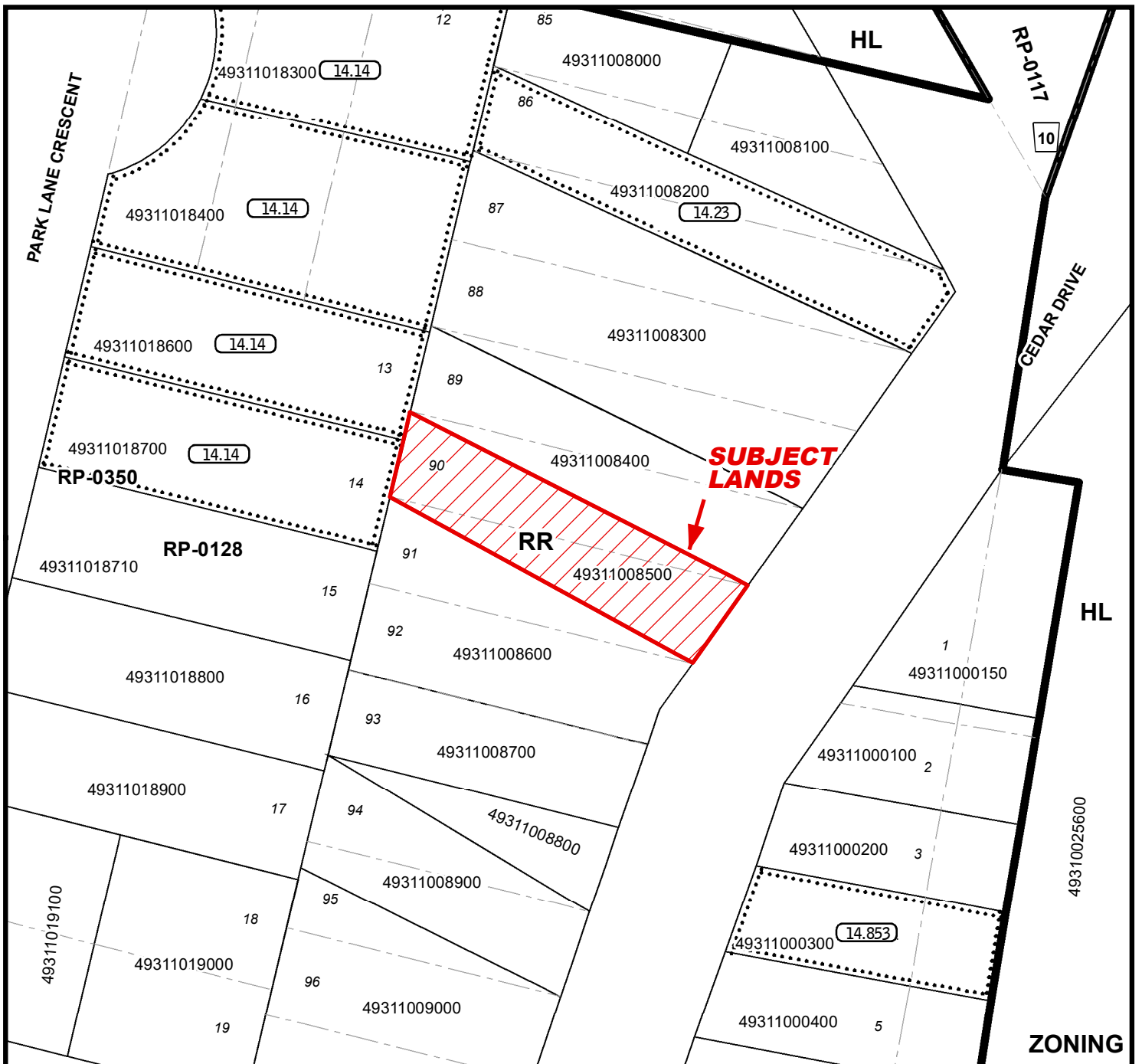
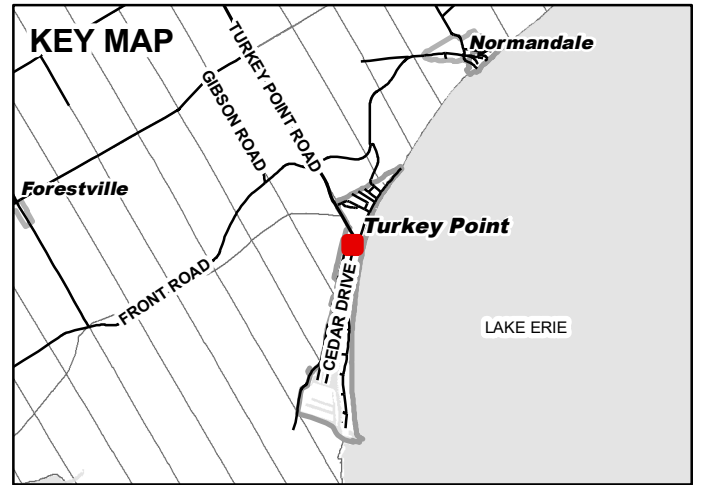
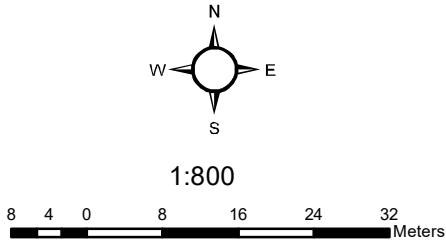
Provision	Permitted	Existing	Proposed
Front Yard Parking	2 spaces	2 spaces	1 space
Lot Coverage	15% + 10% (ACC.)	12.1% + 10% (ACC.)	21% + 10% (ACC.)
Height	9.1 m	2 m	11 m

max. drive through garage

MAP 1

File Number: ANPL2020014

Geographic Township of
CHARLOTTEVILLE



MAP 2

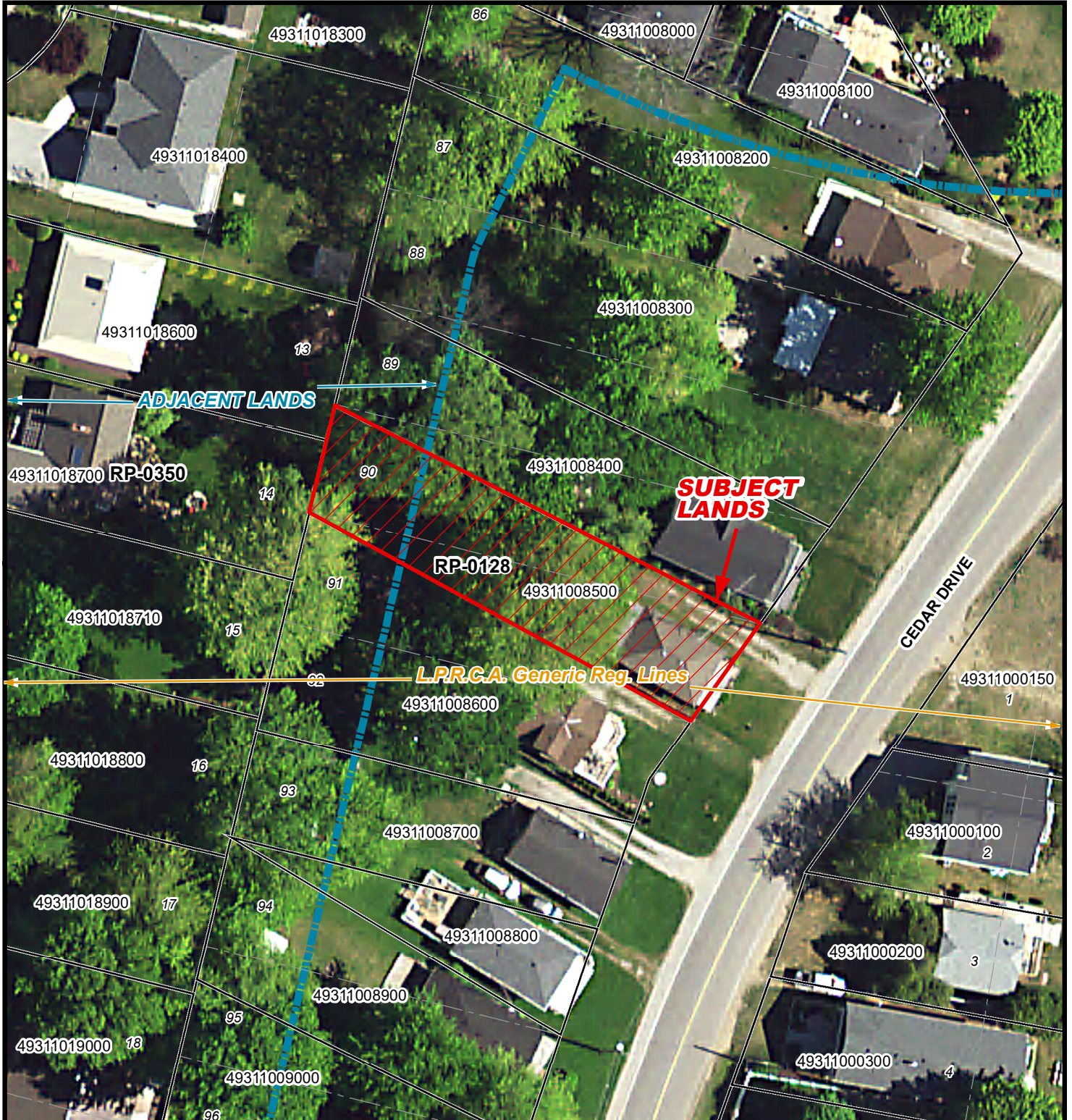
File Number: ANPL2020014

Geographic Township of CHARLOTTEVILLE



4 2 0 4 8 12 16 Meters

1:600



MAP 3

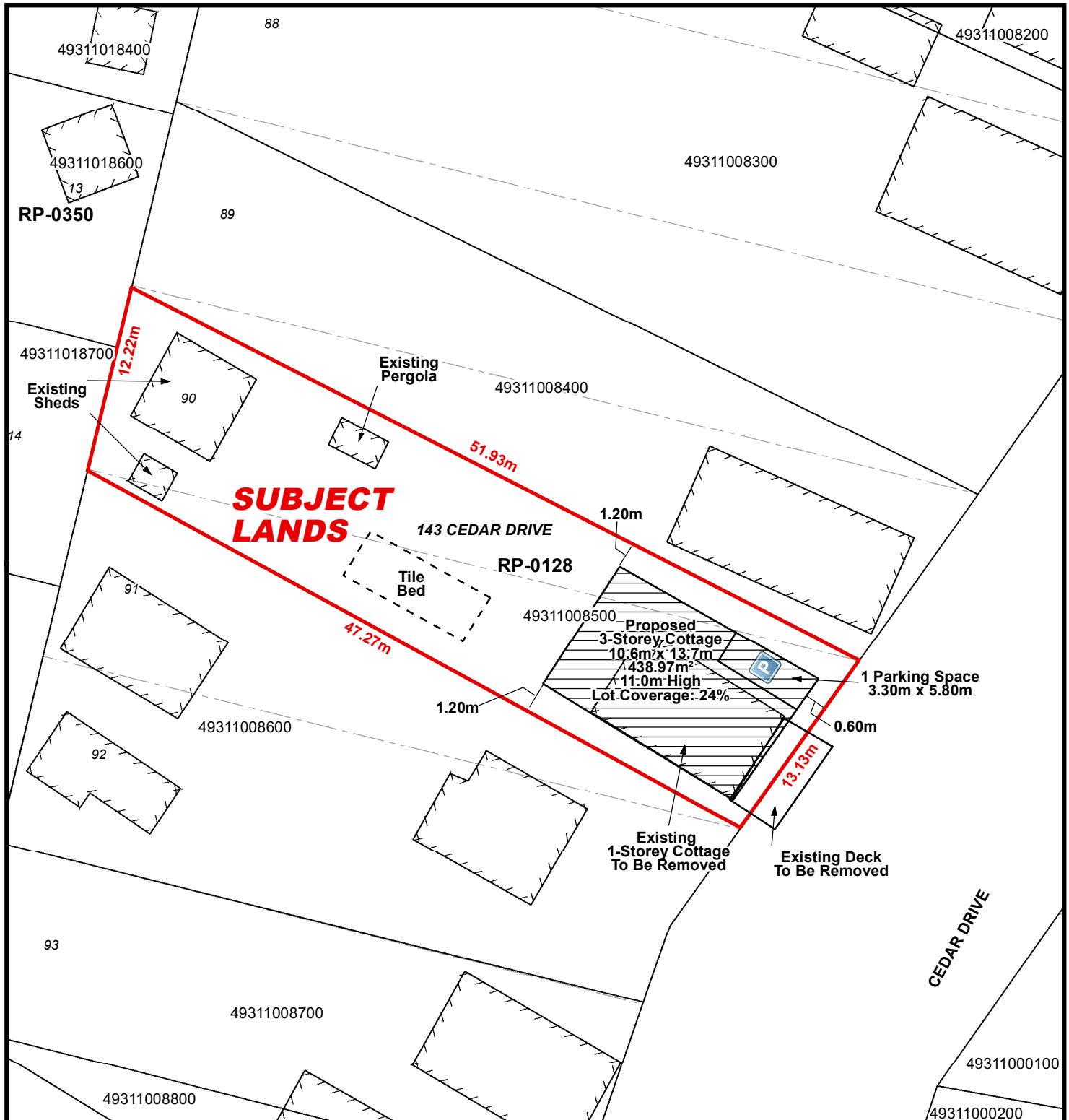
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Geographic Township of CHARLOTTEVILLE



2 1 0 2 4 6 8 Meters

1:350



1/28/2020

LOCATION OF LANDS AFFECTED

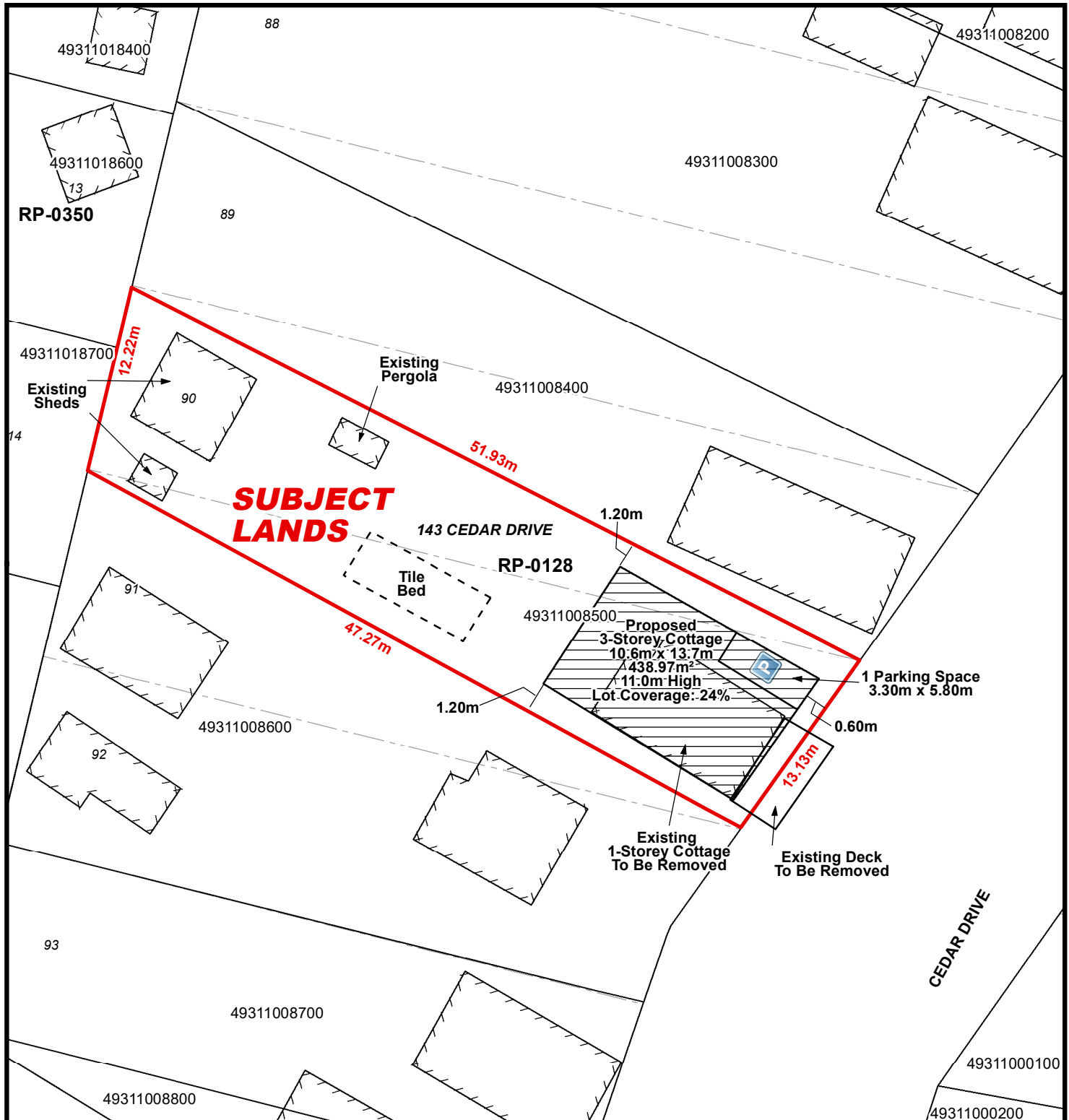
File Number: ANPL2020014

Geographic Township of CHARLOTTEVILLE



2 1 0 2 4 6 8 Meters

1:350



1/28/2020