

For Office Use Only:

File Number	<u>ANPL 2020169</u>	Application Fee	<u>\$1529.00</u>
Related File Number	<u></u>	Conservation Authority Fee	<u>TBD</u>
Pre-consultation Meeting	<u></u>	Well & Septic Info Provided	<u></u>
Application Submitted	<u>AUGUST 14, 2020</u>	Planner	<u>S.W.</u>
Complete Application	<u>Sept 3, 2020</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: 543-070-08200-0000**A. Applicant Information****Name of Owner** Robert Birring / Alison Frees

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 13 McGee Street
Town and Postal Code Toronto, Ontario, M4M 2L1
Phone Number 416-405-8511
Cell Number 416-936-3544
Email rob.birring@gmail.com

Name of Applicant Robert Birring / Alison Frees
Address 13 McGee Street
Town and Postal Code Toronto, Ontario, M4M 2L1
Phone Number 416-405-8511
Cell Number 416-936-3544
Email rob.birring@gmail.com

Name of Agent _____

Address _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

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 mortgagees, 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):

Township of South Walsingham (Long Point)

Lot: 342 Registered Plan: 436

Municipal Civic Address: 66 Beach Avenue, Port Rowan, ON, N0E 1M0

Present Official Plan Designation(s):

Resort Residential

Present Zoning: Resort Residential

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:


Resort/recreational property. Cottage with wood deck and detached garage.

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:

Single storey vinyl sided dwelling (cottage), wood deck, single storey vinyl sided building (garage). 

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:

Single storey vinyl sided dwelling (cottage), wood deck, single storey vinyl sided building (garage). 

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:
Original cottage dates to late 1940s/early 1950s, wood deck dates to late 1980s/early 1990s

9. Existing use of abutting properties:

Resort residential (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	_____	_____
Lot depth	_____	_____
Lot width	_____	_____
Lot area	_____	_____
Lot coverage	189.5 sqm (19%)	189.5 sqm (19%)
Front yard	_____	_____
Rear yard	_____	_____
Left Interior side yard	_____	_____
Right Interior side yard	_____	_____
Exterior side yard (corner lot)	_____	_____

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

Requesting relief of 15% lot coverage. Existing wood deck that was rotted/falling apart is being replaced with new deck with the same size/footprint and using existing supports.

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

New wood deck uses existing deck supports and retains same size/footprint of existing deck.

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:
Property has only been resort residential.

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 _____

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
☒ Individual wells
☐ Communal wells
☐ Other (describe below)
-

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
☐ Unopened road
☐ Provincial highway
☐ 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

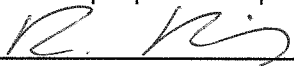
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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



Owner/Applicant/Agent Signature

Aug. 10 - 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 _____ am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize _____ 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

AUGUST 14, 2020

Date

Owner

Date


K. Declaration

I, _____ of _____

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:

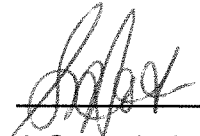


Owner/Applicant/Agent Signature

In NORFOLK County

This 14th day of AUGUST 2007

A.D., 20 _____



Sherry Ann Mott, a
Commissioner, etc., Province of Ontario,
for the Corporation of Norfolk County.
Expires January 5, 2023.

A Commissioner, etc.



The Corporation of Norfolk County

By-Law 2020-60

Being a By-Law to Authorize the Execution of an Encroachment Agreement with Robert Birring and Alison Frees to Permit an Encroachment upon Beach Avenue by Part of a Structure in Norfolk County. (66 Beach Avenue, Long Point; Lot 342, Plan 436; Norfolk County, PIN 50115-0237LT)

WHEREAS Sections 5 and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provide that the powers of the Municipal Council shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise and that the municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority;

AND WHEREAS Section 10(2) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a single-tier municipality may pass by-laws respecting structures, including fences and signs;

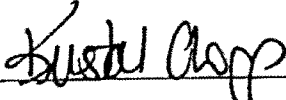
AND WHEREAS Section 27 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws in respect of a highway over which it has jurisdiction;

AND WHEREAS it is deemed necessary to execute an Encroachment Agreement the owners of property located at 66 Beach Avenue, Long Point, to recognize the minor encroachment of a part of a structure and a deck over Beach Avenue;

NOW THEREFORE the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That the owner of a property located at 66 Beach Avenue, being legally described as Lot 342, Plan 436; Norfolk County, PIN 50115-0237LT, be permitted to encroach over portions of Beach Avenue; in accordance with the terms and conditions of an Encroachment Agreement between The Corporation of Norfolk County and the owners of property located at 66 Beach Avenue;
2. That the owners of the property pay all costs associated with the Encroachment Application including the registration of the Agreement;
3. That the Mayor and Clerk of The Corporation of Norfolk County be and are hereby authorized to execute the said Agreement on behalf of the said Corporation under Seal.

4. ENACTED AND PASSED this 21st day of July, 2020.




Mayor



County Clerk

Authority: Policy CAO-13
Meeting: Council, Resolution 25
Date: July 9, 2019

"CERTIFIED TRUE COPY"



Andre Rozelle, BA
Clerk, Monrovia County, Ontario



LOT 400

LOT 401

LOT 402

LOT 343

LOT 342

LOT 341

REGISTERED

PLAN

436

TOPOGRAPHIC SITE PLAN

OF ALL OF

LOT 342

REGISTERED PLAN 436

LONG POINT

IN THE GEOGRAPHIC

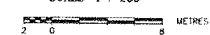
TOWNSHIP OF SOUTH WALSHINGHAM

IN

NORFOLK COUNTY

PIN 50115-0237 (LT)

SCALE 1 : 200



JEWITT AND DIXON LTD.

SITE B.M. #1
SPK IN SOUTH FACE
OF HYDRO POLE
ELEV = 176.088
(GEOIDIC)

LEGEND

BELL BOX	SHOWN	BOX	□
BENCH MARK	SHOWN	BM	⊕
CATCH BASIN	SHOWN	CB	⊗
TOP OF FOUNDATION	SHOWN	TOF	⊕
OVERHEAD HYDRO LINE	SHOWN	O/H	—
WATER VALVE	SHOWN	WV	⊕
HYDRO POLE	SHOWN	HP	⊕
GAS METER	SHOWN	GM	⊕
MANHOLE	SHOWN	MH	⊕

ELEVATIONS SHOWN HEREON ARE IN METRES
AND ARE BASED ON A GEOIDIC DATUM.

METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN
BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTE

THE VARIOUS UTILITY LOCATIONS SHOWN ON THIS PLAN ARE
BASED ON PHYSICAL LOCATES.
PRIOR TO ANY ON SITE CONSTRUCTION ACTIVITY A VERIFICATION
LOCATE IS BOTH RECOMMENDED AND ADVISED.

encroachment
agreement
2020-60

BEACH AVENUE EAST
(20.117M WIDE) REGISTERED PLAN 436

JUNE 24, 2020

[Signature]
J.L.M.
JEWITT AND DIXON LTD.
THIS COPY IS NOT VALID UNLESS
COUNTERSIGNED WITH THE SURVEYOR'S SEAL.

JEWITT AND DIXON LTD.
ONTARIO LAND SURVEYORS
R.R.1, SIMCOE, ONTARIO, N4Y 4J9
(51 PARK ROAD)

PHONE (519) 426-0842 FAX (519) 426-1034
E-mail: surveyors@amtelecom.net

F.W.	J.P.H.
BOOK	—
CALC.	J.L.M.
PLAN	J.L.M.
CHECK	R.H.
CLIENT	BIRROG
PROJECT No.	20-2539
	20-2539-SP



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: 66 Beach Ave Long Point

Legal Description:

Roll Number: 54307008200

Application #:

Information Origins: survey and encroachment agreement

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
	ii) lot of record	700.00	999.45	N/A	m sq
	b) minimum lot frontage				
	i) interior lot	15.00		N/A	m
	ii) corner lot	18.00		N/A	m
	c) minimum front yard	6.00	-2.19	8.19	m
	d) minimum exterior side yard	6.00		N/A	m
	e) minimum interior side yard				
	i) attached garage	1.20		N/A	m
		1.20		N/A	m
	ii) detached garage	3.00		N/A	m
		1.20		N/A	m
	f) minimum rear yard	9.00		N/A	m
	g) maximum building height	9.10		N/A	m
	h) maximum lot coverage (Note: Proposed Area)				m sq
	i) lot	15.00	19.00	4.00	%

Comments

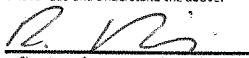
deficiency to recognize the encroachment of an existing deck and cottage.
Lot coverage relief required for replacing and rebuilding decks

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.

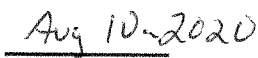
Prepared By:

Roxanne Lambrecht

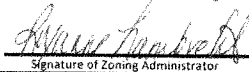
I have read and understand the above.



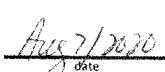
Signature of owner or authorized agent



date



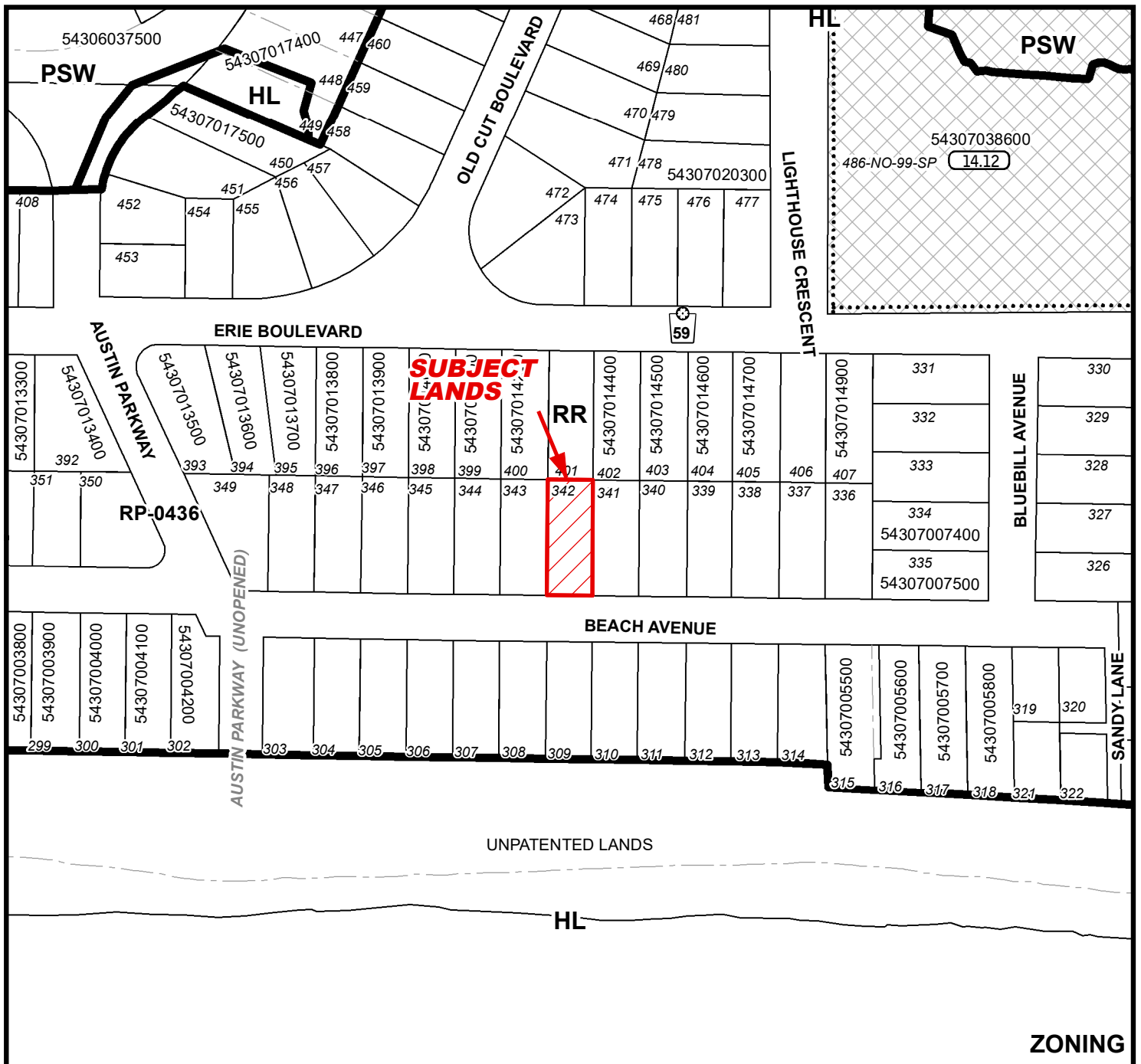
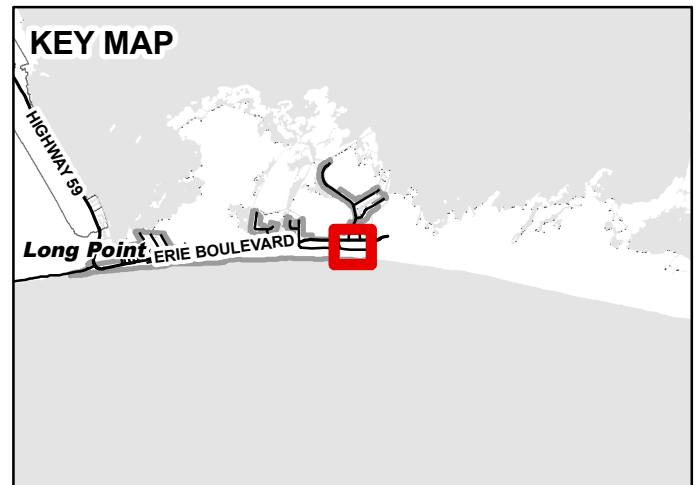
Signature of Zoning Administrator



date

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

Geographic Township of
SOUTH WALSHAM



MAP 2

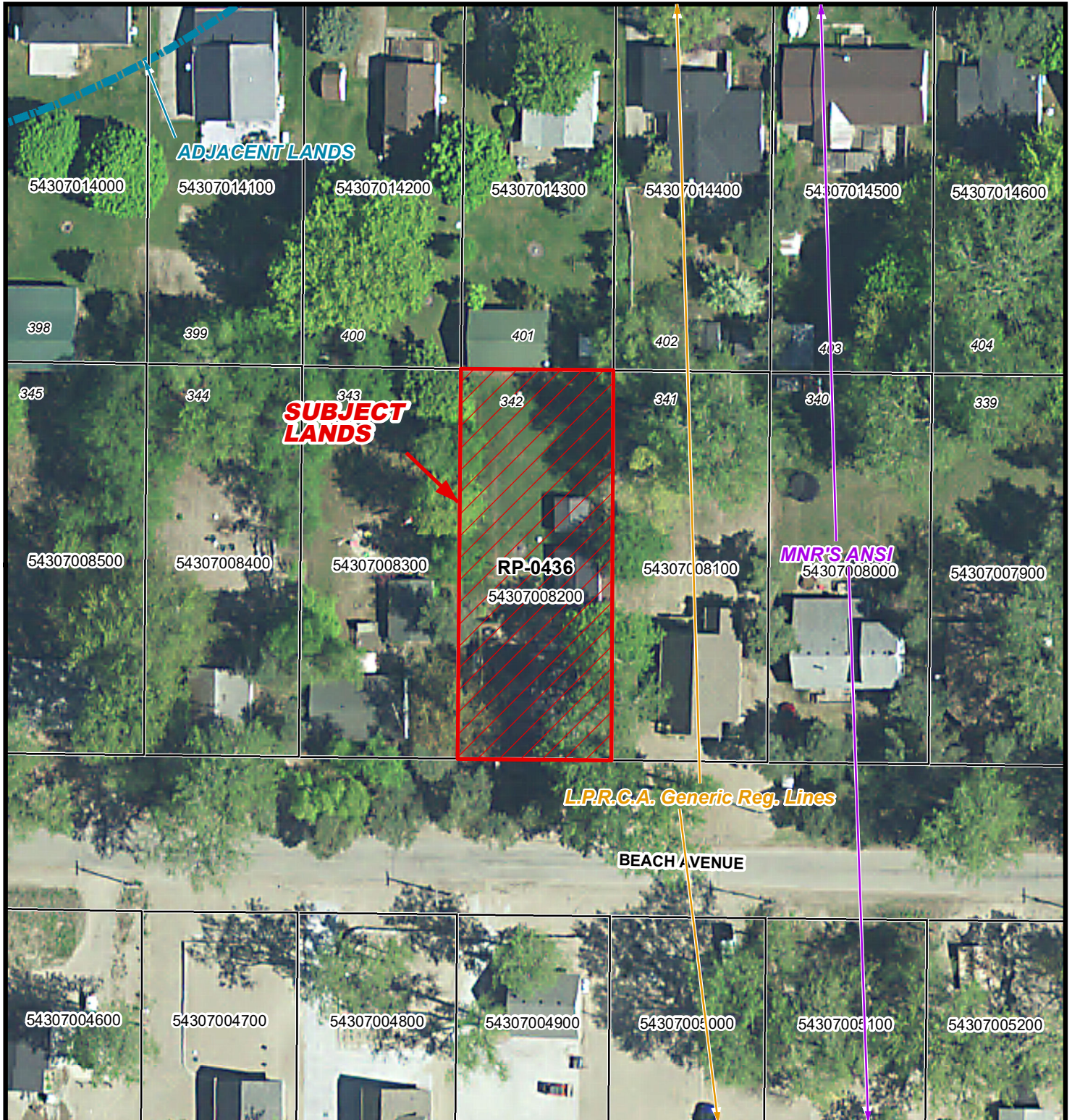
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Geographic Township of SOUTH WALSINGHAM



2.5 2.5 5 7.5 10 Meters

1:700



MAP 3

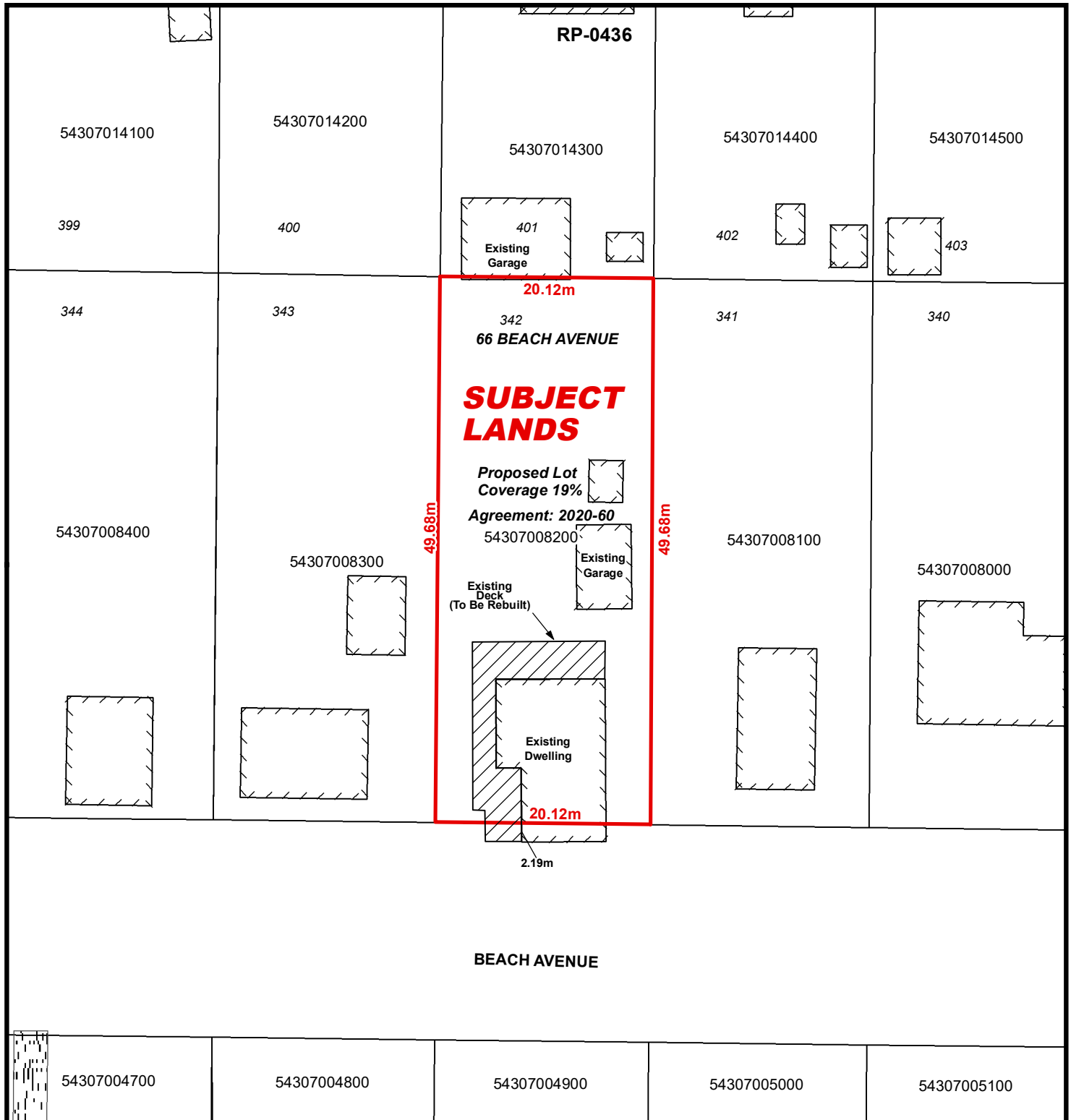
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Geographic Township of SOUTH WALSHINGHAM



2 1 0 2 4 6 8 Meters

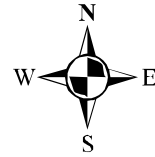
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LOCATION OF LANDS AFFECTED

File Number: ANPL2020169

Geographic Township of SOUTH WALSHINGHAM



2 1 0 2 4 6 8 Meters

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