

**For Office Use Only:**

File Number	<u>ANPL2020189</u>	Application Fee	<u>1529</u>
Related File Number	<u>/</u>	Conservation Authority Fee	<u>Paid to LPRCA</u>
Pre-consultation Meeting	<u>/</u>	Well & Septic Info Provided	<u>/</u>
Application Submitted	<u>Sep 7, 2020</u>	Planner	<u>Scott W</u>
Complete Application	<u>Sep 8, 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:** 337-040-10800-0000**A. Applicant Information****Name of Owner** TAM TRUONG / MIKE TRUONG

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** 32 SUNNING HILL DR.**Town and Postal Code** PORT DOVER, ON, N0A-1N6**Phone Number** 226-206-0808**Cell Number** **Email** TRUONG\_MIKE@HOTMAIL.COM**Name of Applicant** TAM & MIKE TRUONG**Address** 32 SUNNING HILL DR.**Town and Postal Code** PORT DOVER, ON, N0A-1N6**Phone Number** 226-206-0808**Cell Number** **Email** TRUONG\_MIKE@HOTMAIL.COM

Name of Agent

MIKE TRUONG

Address

32 SUNNING HILL DR.

Town and Postal Code

PORT DOVER

Phone Number

226-206-0808

Cell Number

Email

TRUONG MIKE @ HOTMAIL.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 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):  
Norfolk Township, Concession Plan No. 40-109, Lot 34 Port Dover

Municipal Civic Address: 32 SUNNING HILL DR. PORT DOVER, NOVA SCOTIA

Present Official Plan Designation(s):

Present Zoning: Residential

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



Yes



No If yes, please specify:

Wetlands

3. Present use of the subject lands:

Residential

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:

Retain the existing dock 2.4384 m x 3.048 m

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.

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

Construct a raised wooden boardwalkway 1.524 m wide X 54.864 m long tp the existing dock.

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:

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9. Existing use of abutting properties:

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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:

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### 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<sup>2</sup> or %

Lot frontage	<u>100'</u>	
Lot depth	<u>550'</u>	
Lot width	<u>100'</u>	
Lot area	<u>55,000 sf</u>	
Lot coverage		<u>5' x 180' = 900 sf</u>
Front yard	<u>10,000 sf</u>	
Rear yard		
Left Interior side yard		<u>begin 55' / 30' at shoreline</u>
Right Interior side yard		<u>begin 45' / 65' at shore line</u>
Exterior side yard (corner lot)		

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

1.524 m wide X 54.864 m length

To construct the 1.524 m x 54.864 m (5f wide x 180f long) raised boardwalk, required the relief from Section 10.1.1 and section 11.1.1 of Norfolk County Zoning Bylaw, to permit this construction in the Hazard Land and Provincially Significant Wetland (PSW) zone.

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

By-law:

N/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 \_\_\_\_\_

**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  
☐ Other (describe below)
- ☒ Open ditches
- 

2. Existing or proposed access to subject lands

- ☒ Municipal road  
☐ Unopened road
- ☐ Provincial highway  
☐ Other (describe below)

Name of road/street:

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## G. Other Information

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

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

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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.

The increased Lake levels has created flooding in our existing pathway to our dock on Black Creek, therefore requesting to construct a raised boardwalkway measuring 1.524 m wide x 54.864 m long to get to the dock and taking all measures to protect fish habitat under regulations by the Fisheries & Oceans Canada (FOC) the appropriate Request for Review forms and approvals have been submitted and met. See attached email approvals from FOC. Also permit application has been applied for to the Long Point Region Conservation Authority and they are awaiting your decision in this application to proceed.

## **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

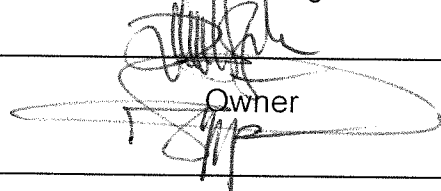
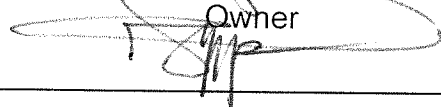
OCT 5, 2020  
Date

## 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 TAM TRUONG & MIKE TRUONG are the registered owner(s) of the lands that is the subject of this application.

I/We authorize MIKE TRUONG 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

OCT. 5, 2020  
Date  
OCT 5, 2020  
Date

**K. Declaration**

I, MIKE TRUONG of NORFOLK

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:

(PORT DUFFER)

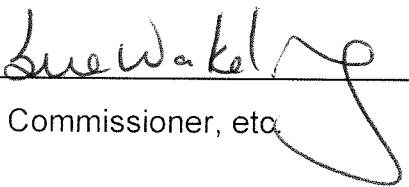


Owner/Applicant/Agent Signature

In Norfolk County

This 6<sup>th</sup> day of October

A.D., 2020

  
A Commissioner, etc.

Susan Diana Wakeling, a  
Commissioner, etc., Province of Ontario,  
for the Corporation of Norfolk County.  
Expires March 11, 2022.

**LONG POINT REGION  
CONS**

4 ELM STREET  
TILLSONBURG, ON N4G 0C4  
5198424242

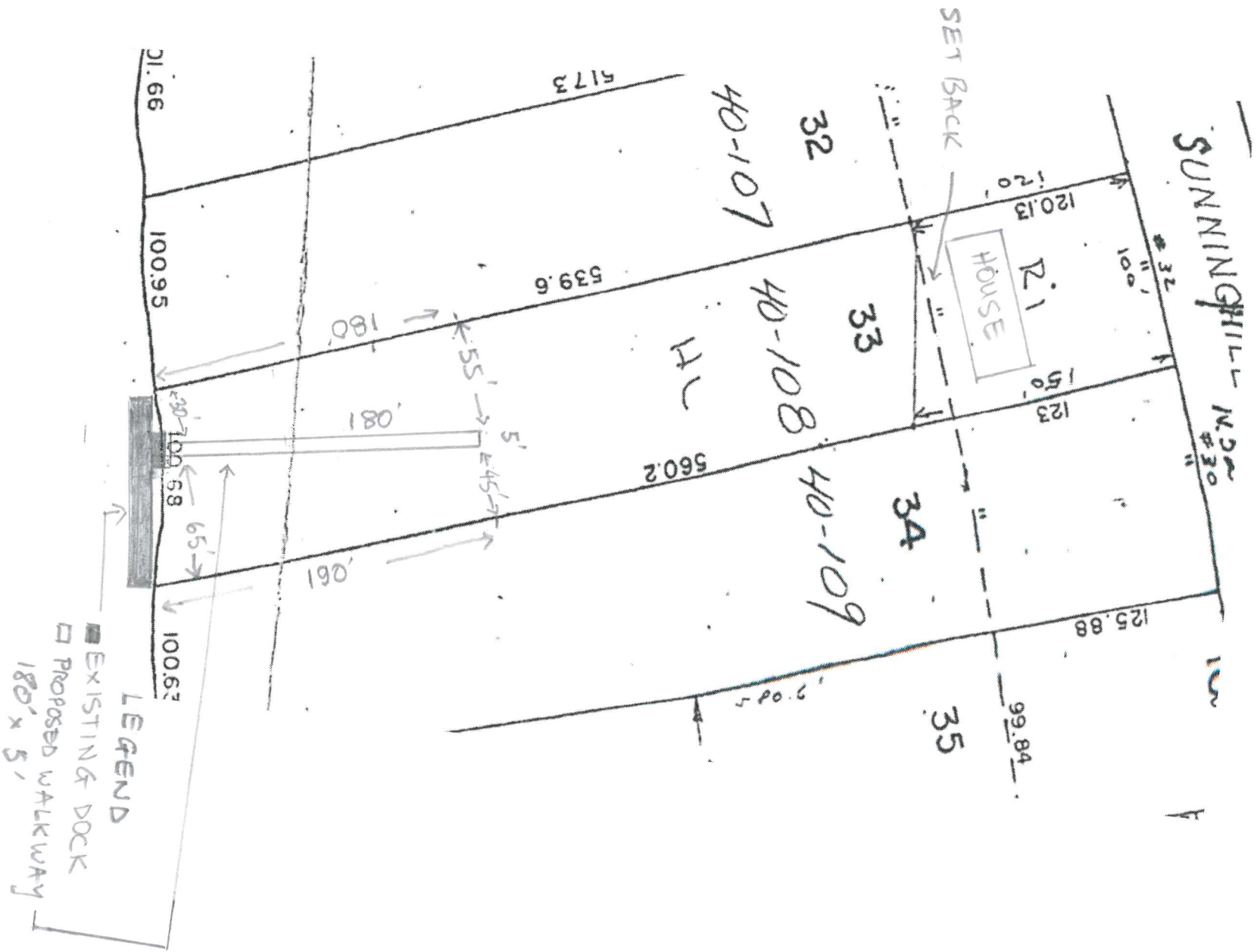
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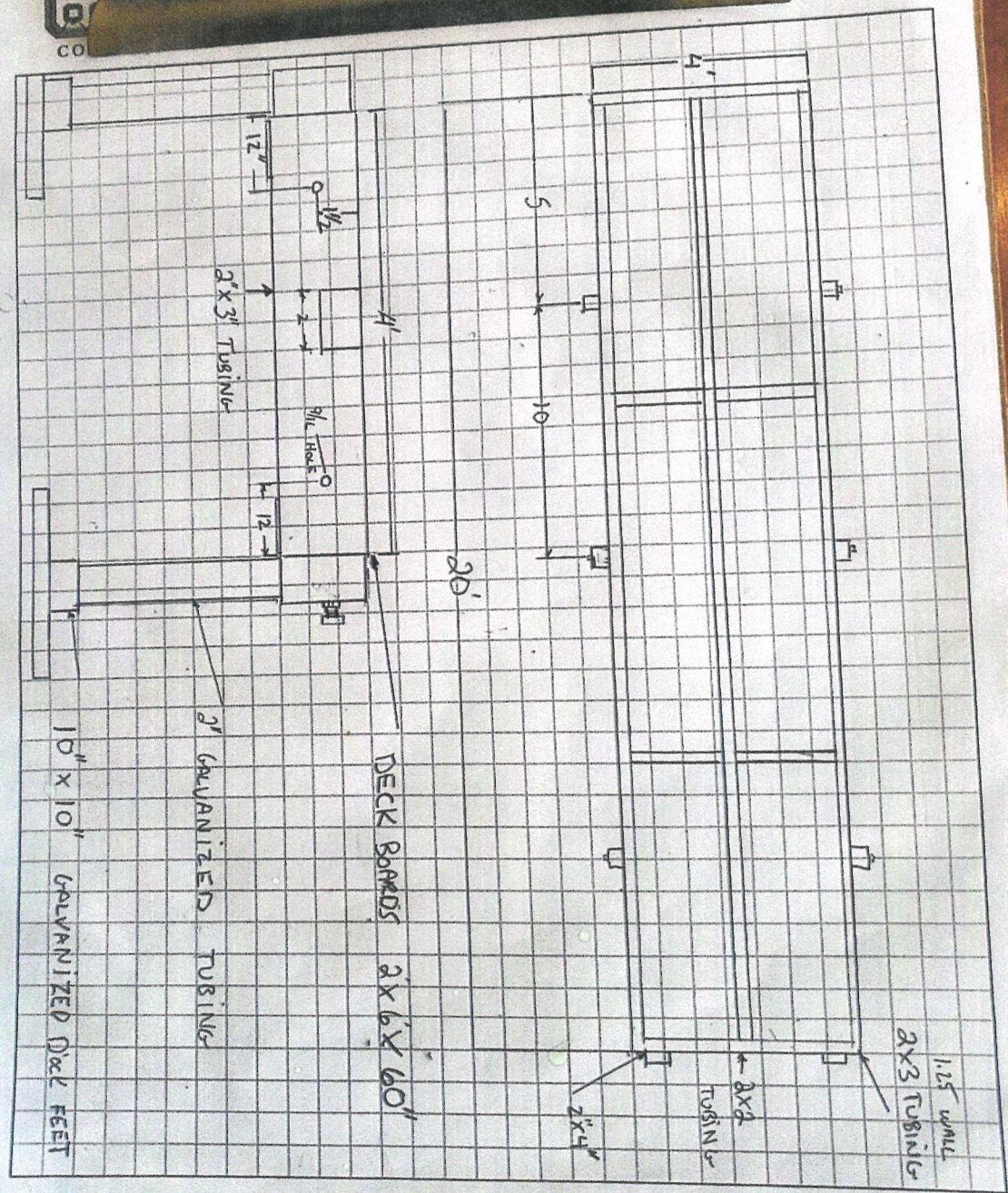
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Auth ID: 05936F  
MID: \*\*\*\*\*6994  
AthNtwkNm: VISA  
NO CARDHOLDER VERIFICATION

*Michael Truong*









Proposed construction  
on pathway to  
Black Creek.





**Subject: Raised Walkway, Black Creek, Norfolk County (20-HCAA-01785) – Implementation of Measures to Avoid and Mitigate the Potential for Prohibited Effects to Fish and Fish Habitat**

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received your proposal on August 31, 2020. We understand that you propose to:

- Install a raised walkway to existing dock on Black Creek.
- Conduct no in water works.
- Increase the footprint below the high water mark <1m<sup>2</sup>.

We understand that no aquatic species listed under the Species at Risk Act may use the area in the vicinity of where your proposal is to be located.

Our review considered the following information:

- Request for Review form and associated documents.

Your proposal has been reviewed to determine whether it is likely to result in:

- the death of fish by means other than fishing and the harmful alteration, disruption or destruction of fish habitat which are prohibited under subsections 34.4(1) and 35(1) of the *Fisheries Act*;
- effects to listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and subsection 58(1) of the *Species at Risk Act*; and,
- the introduction of aquatic species into regions or bodies of water frequented by fish where they are not indigenous, which is prohibited under section 10 of the *Aquatic Invasive Species Regulations*.

*Please note:* The aforementioned impacts are prohibited unless authorized under their respective legislation and regulations. Provided that the plans are implemented in the manner, and during the timeframe described, the Program is of the view that your proposal will not require an authorization under the *Fisheries Act*, the *Aquatic Invasive Species Regulations* or the *Species at Risk Act*. Additional information on measures to protect fish and fish habitat can be found in the attached document.

Should your plans change or if you have omitted some information in your proposal, further review by the Program may be required. Consult our website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) or consult with a qualified environmental consultant to determine if further review may be necessary. It remains your responsibility to remain in compliance with the *Fisheries Act*, and the *Species at Risk Act* and the *Aquatic Invasive Species Regulations*.

It is also your *Duty to Notify* DFO if you have caused, or are about to cause, the death of fish by means other than fishing and/or the harmful alteration, disruption or destruction of fish habitat. Such notifications should be directed to FisheriesProtection@dfo-mpo.gc.ca or 1-855-852-8320.

We recommend that you notify this office at least 10 days before starting your project and that a copy of this letter be kept on site while the work is in progress. It remains your responsibility to meet all other federal, territorial, provincial and municipal requirements that apply to your proposal.

If you have any questions with the content of this letter, please contact Sarah Stewart by email at [sarah.stewart@dfo-mpo.gc.ca](mailto:sarah.stewart@dfo-mpo.gc.ca). Please refer to the file number referenced above when corresponding with the Program.

Yours sincerely,

**Sarah Stewart**

**Biologist | Biologiste**

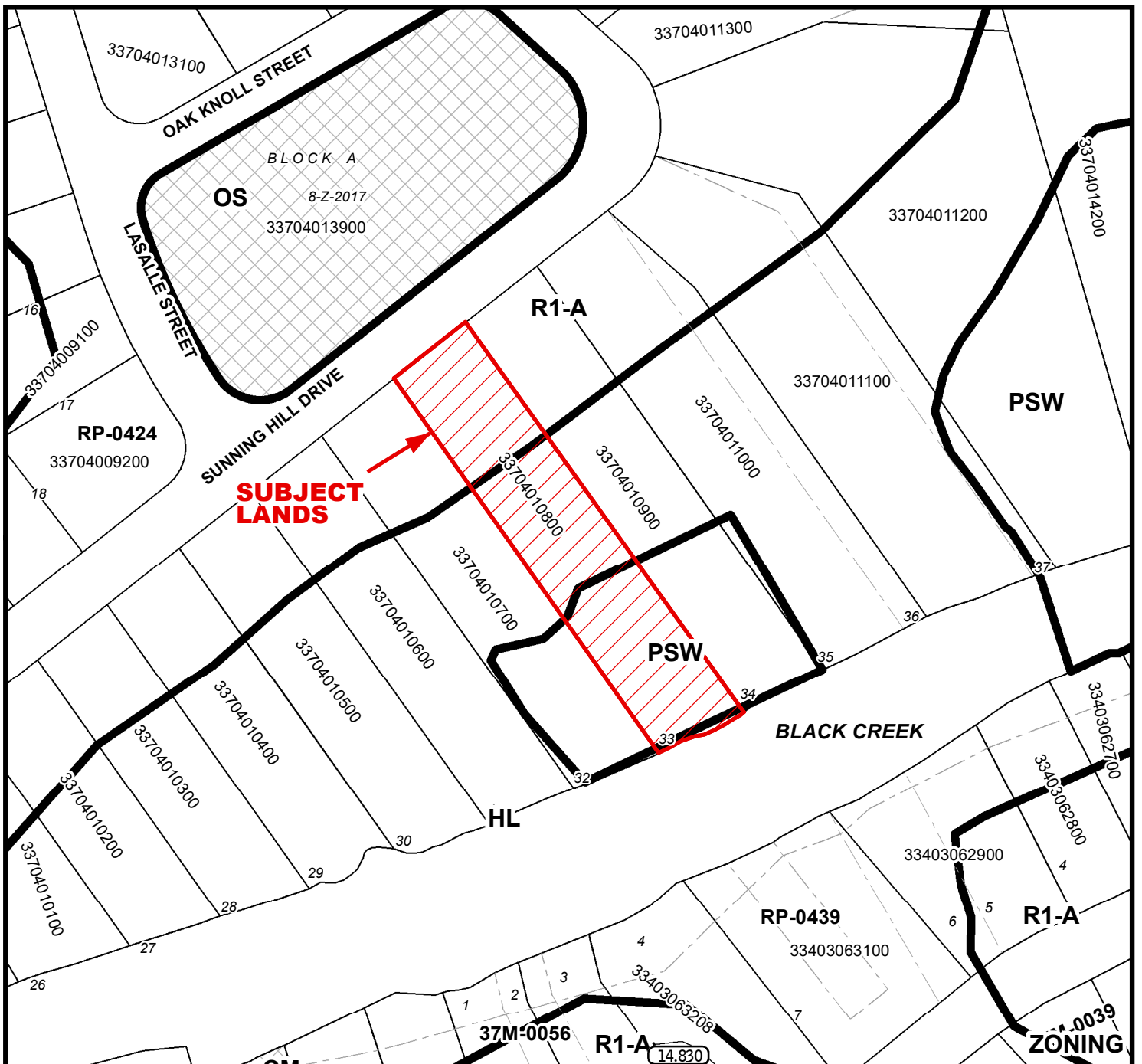
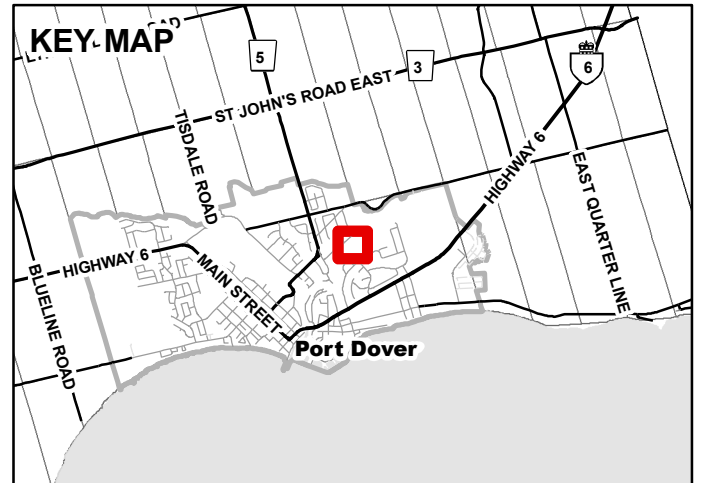
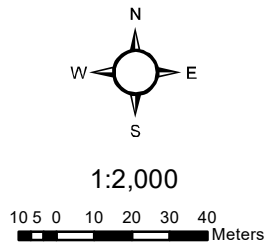
Fisheries and Oceans Canada | Pêches et Océans Canada

Fish and Fish Habitat Protection Program | Programme de protection du poisson et de son habitat

867 Lakeshore Road, Burlington, ON, L7S 1A1 | 867, ch. Lakeshore, Burlington, ON, L7S 1A1

Email/Courriel: [Sarah.Stewart@dfo-mpo.gc.ca](mailto:Sarah.Stewart@dfo-mpo.gc.ca)

**MAP 1**  
**File Number: ANPL2020189**  
Geographic Township of  
**WOODHOUSE**

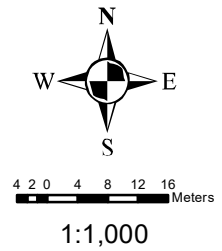




# MAP 2

File Number: ANPL2020189

Geographic Township of WOODHOUSE

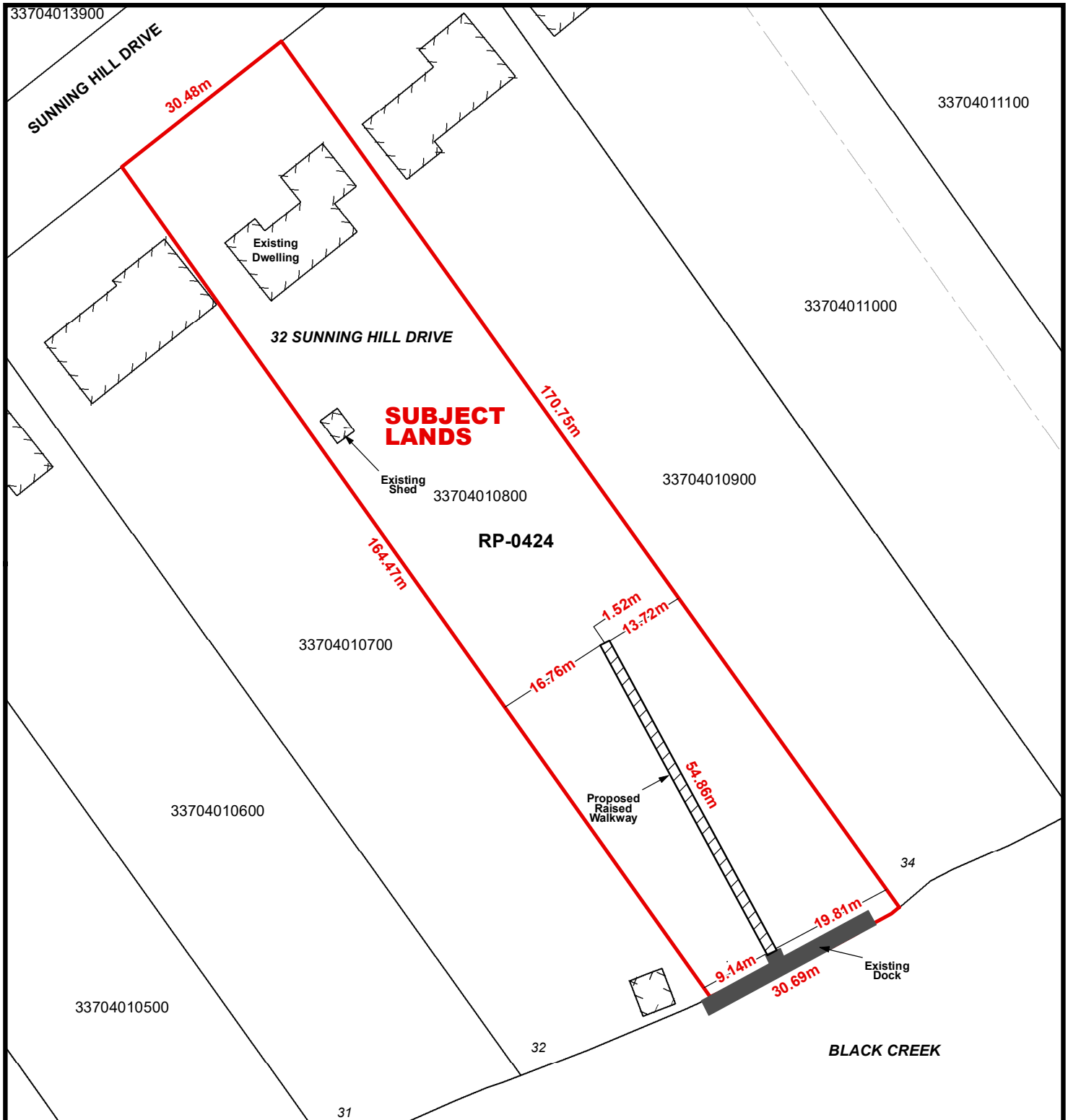
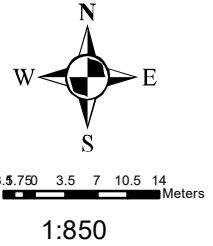




# MAP 3

File Number: ANPL2020189

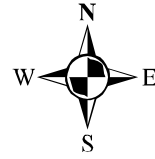
Geographic Township of WOODHOUSE



# LOCATION OF LANDS AFFECTED

File Number: ANPL2020189

Geographic Township of WOODHOUSE



3.5 7.5 10.5 14 Meters

1:850

