

**For Office Use Only:**

|                          |                     |                             |                    |
|--------------------------|---------------------|-----------------------------|--------------------|
| File Number              | <u>ANPL2022082</u>  | Application Fee             | <u>✓ 1599.00</u>   |
| Related File Number      | <u>—</u>            | Conservation Authority Fee  | <u>N/A.</u>        |
| Pre-consultation Meeting | <u>—</u>            | Well & Septic Info Provided | <u>—</u>           |
| Application Submitted    | <u>mar.3.2022.</u>  | Planner                     | <u>Hanne Yager</u> |
| Complete Application     | <u>mar.25.2022.</u> | Public Notice Sign          | <u>N/A</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:** 40302508100**A. Applicant Information****Name of Owner** Tom McAleese

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** 430 Fourteenth St. W (Windham Concession 14)**Town and Postal Code** Simcoe, ON N3Y 4K6**Phone Number** —**Cell Number** (519) 410-2713**Email** cutless@xplornet.com**Name of Applicant** Tom McAleese**Address** 430 Fourteenth Street West**Town and Postal Code** Simcoe, ON N3Y 4K6**Phone Number** (519) 410-2713**Cell Number** —**Email** cutless@xplornet.com

**Name of Agent** David B. Bennett  
**Address** 22 Walpole Drive  
**Town and Postal Code** Jarvis Ontario N0A 1J0  
**Phone Number** \_\_\_\_\_  
**Cell Number** (519) 909-9246  
**Email** dave@engagddesign.ca

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):

Municipal Civic Address: WDM CON 14 PT LOT 6

Present Official Plan Designation(s): \_\_\_\_\_

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 single family home

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:

The original one storey wood framed home labeled A on the attached site sketch is to remain. There was an addition added to the rear of the home in the early +

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.

Proposed addition labeled as D on the site sketch is to be used for general storage and vehicle storage +

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:

An addition to the existing garage is proposed labeled as D on the site sketch located on the east side of the existing 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:  
more than 20 years

9. Existing use of abutting properties:

Single Family homes east and west of the property. the land directly to the south is used for farming.

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<sup>2</sup> or %

|                                 |       |       |
|---------------------------------|-------|-------|
| Lot frontage                    | 18.35 | 18.35 |
| Lot depth                       | 43.71 | 43.71 |
| Lot width                       | 18.35 | 18.35 |
| Lot area                        | 8872  | 8872  |
| Lot coverage                    | 24.8  | 26.49 |
| Front yard                      | 6.6   | 6.6   |
| Rear yard                       | 22    | 22    |
| Left Interior side yard         | 3.54  | 1.2   |
| Right Interior side yard        | 3.3   | 3.3   |
| Exterior side yard (corner lot) | N/A   | N/A   |

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

A) 1.8m FROM THE REQUIRED 3.0m INTERIOR SIDE YARD SETBACK ALLOWING THE PROPOSED GARAGE EXPANSION TO BE CONSTRUCTED 1.2m AWAY FROM THE EAST PROPERTY LINE MATCHING THE POSITON OF EXISTING ACCESSORY BUILDING F.

+

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

The home owner has a vintage car that he wishes to keep in the garage during winter months and needs the additional storage and work space the addition would provide. If he were to comply with the bylaw the addition would not be viable as the addition would only be 0.5m wide.

+

#### 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:

## 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.

David B. Bennett

Feb 22, 2022

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

I/We authorize David B. Bennett 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.

Thomas McAleese

Feb 22, 2022

Owner

Date

Owner

Date

**K. Declaration**

I, David B. Bennett of Engaged Custom Home Design (ECHD)

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:

The offices of ECHD

David B. Bennett

Owner/Applicant/Agent Signature

In Jarvis Ontario

This 22 day of February

11 day March 2022

A.D. 20 22

Sherry Ann Mott, a  
Commissioner, etc., Province of Ontario,  
for the Corporation of Norfolk County.  
Expires January 3, 2023.

[Signature]  
A Commissioner, etc.

## PROJECT INFORMATION

|                                    |   |              |                       |
|------------------------------------|---|--------------|-----------------------|
| LOT AREA                           |   |              |                       |
| 25 % TOTAL COVERAGE ALLOWED        | = | 8872 sq.ft.  | 824.54 m <sup>2</sup> |
| (TOTAL OF ALL BUILDINGS AND DECKS) |   | 2,218 sq.ft. | 206.14 m <sup>2</sup> |
| EXISTING BUILDING                  |   |              |                       |
| BUILDING A (ORIGINAL HOUSE)        |   | 626 sq.ft.   | 58.25 m <sup>2</sup>  |
| BUILDING B (2 STORY ADDITION)      |   | 347 sq.ft.   | 32.27 m <sup>2</sup>  |
| BUILDING C (EXISTING GARAGE)       |   | 332 sq.ft.   | 30.80 m <sup>2</sup>  |
| EXISTING ATTACHED                  |   | 1305 sq.ft.  | 121.32 m <sup>2</sup> |
| BUILDING D (PROPOSED ADDITION      |   |              |                       |
| PROPOSED ATTACHED                  |   | 150 sq.ft.   | 13.94 m <sup>2</sup>  |
|                                    |   | 1455 sq.ft.  | 135.26 m <sup>2</sup> |
| 135.26m <sup>2</sup>               |   |              |                       |
| EXISTING ACCESSORY BUILDINGS       |   |              |                       |
| BUILDING E (HOME GYM)              |   | 336 sq.ft.   | 31.23 m <sup>2</sup>  |
| BUILDING F (OPEN AIR PAVILION)     |   | 100 sq.ft.   | 9.29 m <sup>2</sup>   |
| BUILDING G1 (POOL HOUSE)           |   | 96 sq.ft.    | 8.92 m <sup>2</sup>   |
| TOTAL OF EX. ACC. BLDGS            |   | 532 sq.ft.   | 49.44 m <sup>2</sup>  |
| TOTAL OF ALL BLDGS                 |   |              | 184.7 m <sup>2</sup>  |
| ELEVATED DECKS                     |   |              |                       |
| DECK H                             |   | 200 sq.ft.   | 18.59 m <sup>2</sup>  |
| DECK H <sub>1</sub>                |   | 164 sq.ft.   | 15.24 m <sup>2</sup>  |
| TOTAL OF RAISED DECKS              |   | 364 sq.ft.   | 33.82 m <sup>2</sup>  |
| TOTAL COVERAGE                     |   | 2351 sq.ft.  | 218.52 m <sup>2</sup> |
| THEREFORE COVERAGE MEETS BYLAW     |   |              |                       |



BEN GRE

SURVEYOR'S REAL PROPERTY REPORT  
PART I PLAN

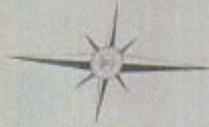
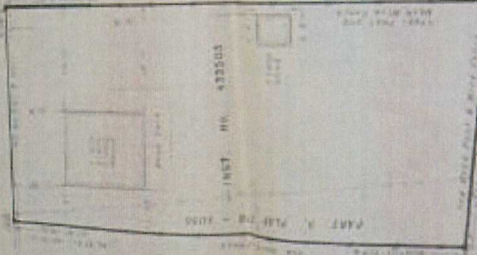
06" ALLOWANCE FOR ROAD BETWEEN CONCESSIONS VIII AND XIV  
FOURTEENTH STREET WEST, BY-LAW 26-34, INST. NO. 179(102)

LOT 6  
CONCESSION XIV  
IN THE TOWNSHIP  
OF WINDHAM

COUNTY OF NORFOLK  
NO. 14 791

TOWN OF SIMCOE  
HALDIMAND - NORFOLK  
COUNTY

JEWETT AND DIXON LTD.  
1953



CANADIAN NATIONAL RAILWAY

JEWETT AND DIXON LTD.  
ONTARIO LAND SURVEYORS

NOTE: THE SURVEYOR HAS BEEN ADVISED BY THE LANDLORD THAT THE LOT IS NOT TO BE USED FOR ANY OTHER PURPOSE THAN THE ONE FOR WHICH IT WAS ORIGINALLY DESIGNED.

179(102)

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## Sherry Mott

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**From:** dave@engageddesign.ca  
**Sent:** Thursday, March 3, 2022 2:23 PM  
**To:** DCS Planning General Email  
**Cc:** DCS Committee of Adjustment  
**Subject:** 430 Fourteenth Street West Simcoe  
**Attachments:** McAleese Garage Addition -Variance Application

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

I have been hired by the home owner Tom McAleese to prepare the design for his proposed addition to his existing garage. In the process of completing that process it was discovered that a minor variance was required. I prepared the necessary package and sent it to DCS Committee of Adjustment [coa@norfolkcounty.ca](mailto:coa@norfolkcounty.ca) as requested by Nicole Goodbrand. I have attempted to follow-up with her but have now learned that she is leaving the county's employee effect March 04, 2022. I left a message on your general voicemail for someone to return my call earlier today.

My client wishes to receive confirmation of his application and a reference number so he can provide a check allocated to this application ASAP.

Please have someone contact me at your earliest convenience.

Attached is the original email from last week.

Thank you in advance for your attention to this matter

Regards

**David B. Bennett**

Licensed Technologist OAA

O.B.C. Qualified Designer: Small Buildings



P.O. Box 18, 22 Walpole Drive Jarvis, Ontario N0A 1J0

Home/ Office Telephone: (519) 587-3966 (no faxes please)

Cell phone : (519) 909-9246

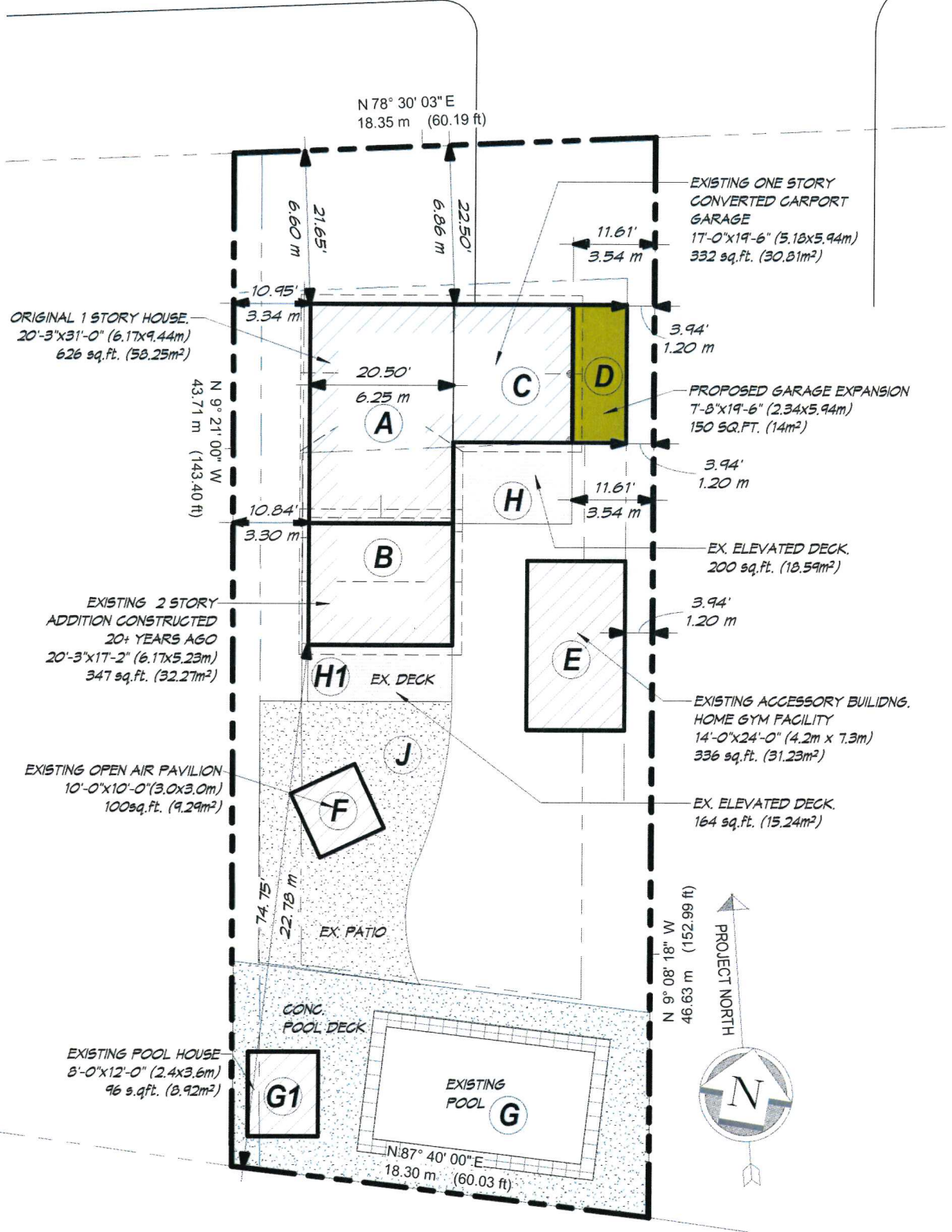
Email : [Dave@engageddesign.ca](mailto:Dave@engageddesign.ca) Web Site : <http://www.engageddesign.ca/>

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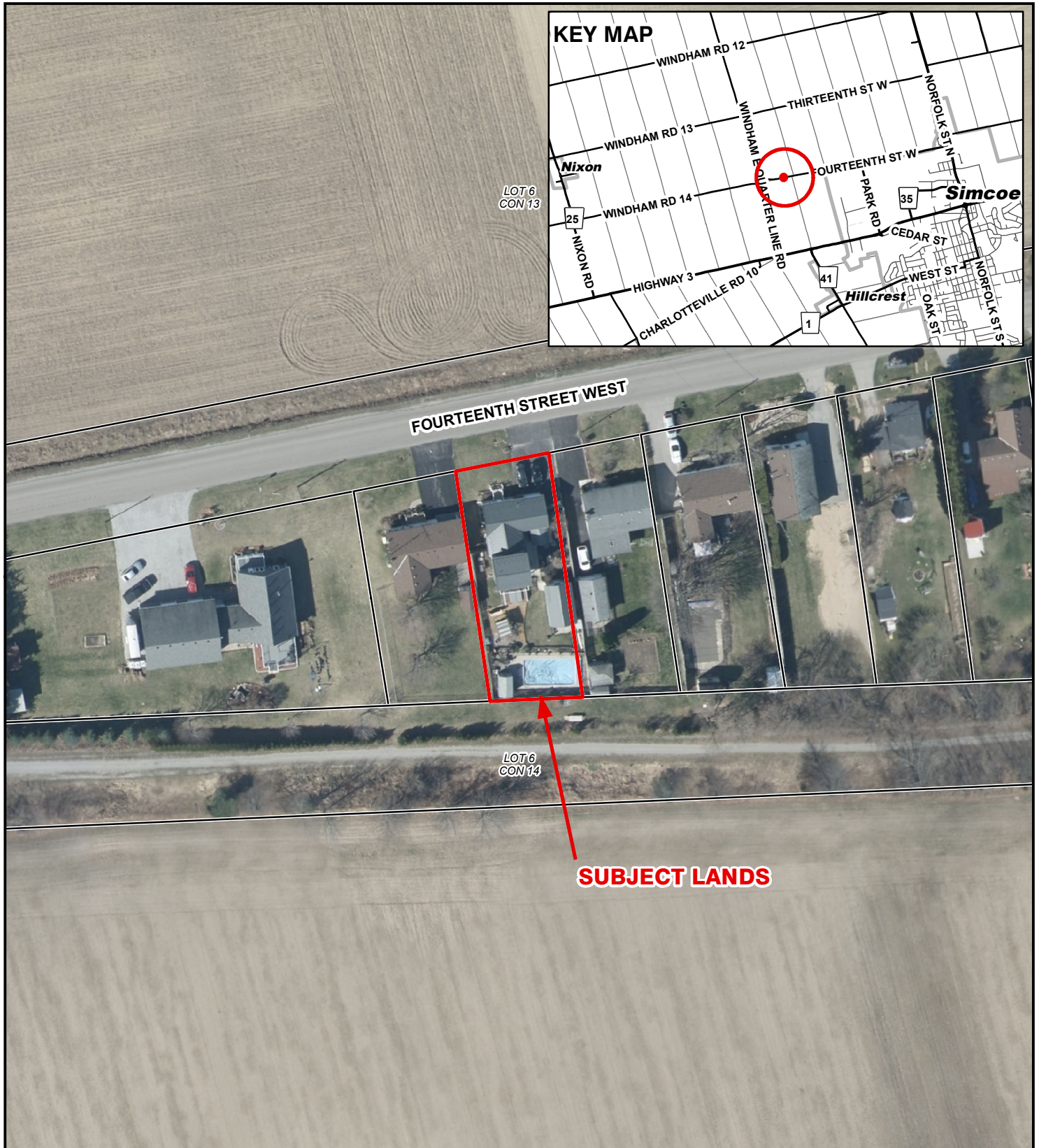


# FOURTEENTH LINE




**MAP A**  
**CONTEXT MAP**  
Geographic Township of WINDHAM

ANPL2022082

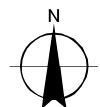


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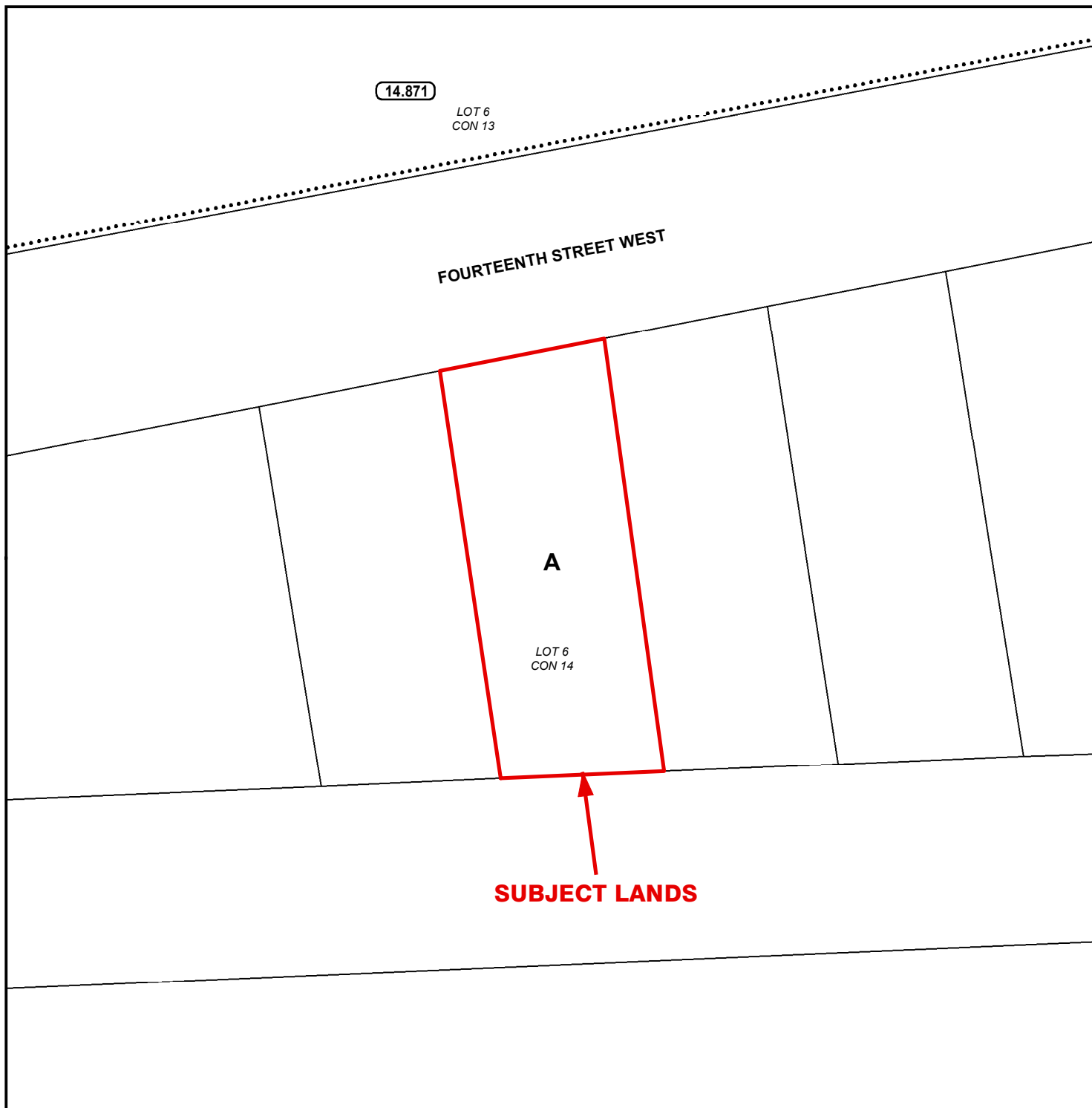
 Subject Lands

2020 Air Photo


3/25/2022



8 4 0 8 16 24 32 Meters



**LEGEND**

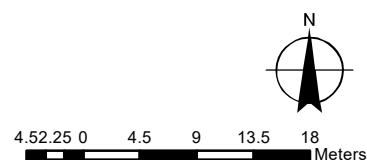
 Subject Lands

**ZONING BY-LAW 1-Z-2014**

(H) - Holding

A - Agricultural Zone

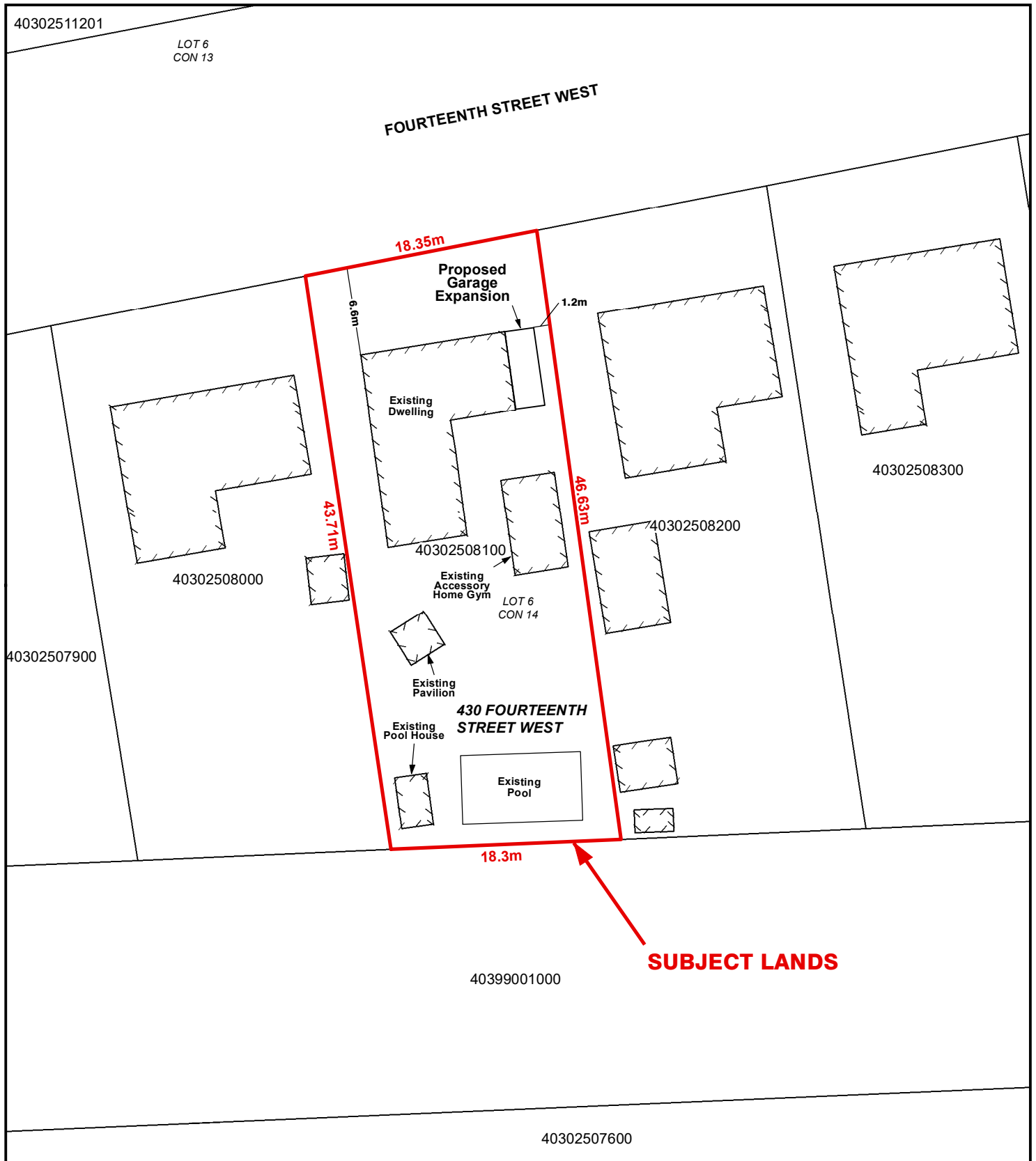
3/25/2022





**CONCEPTUAL PLAN**

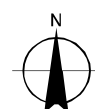
Geographic Township of WINDHAM



**Legend**

Subject Lands

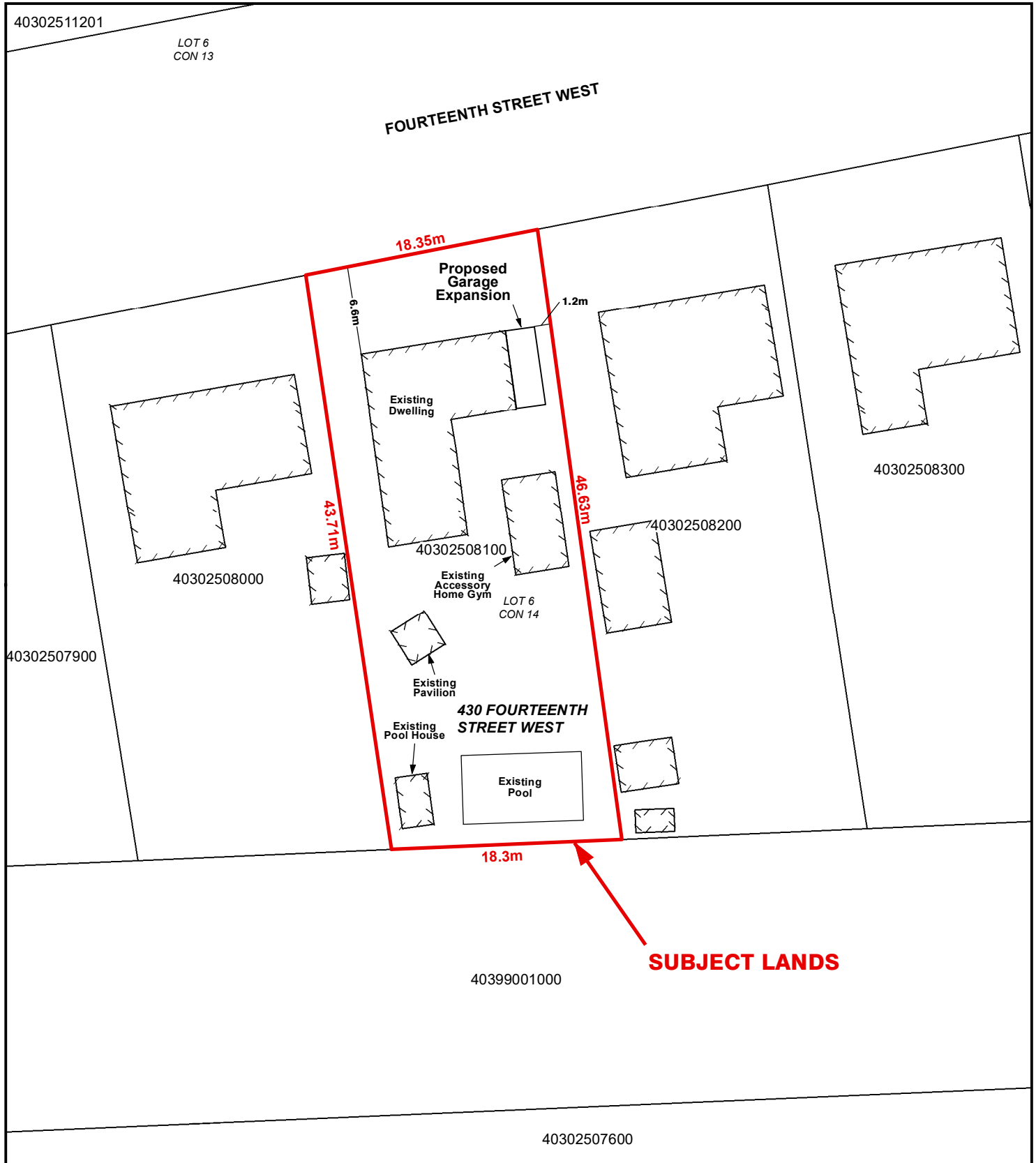
3/25/2022



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## CONCEPTUAL PLAN

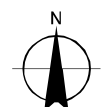
Geographic Township of WINDHAM



### Legend

Subject Lands

3/25/2022



3 1.5 0 3 6 9 12 Meters