

For Office Use Only:

File Number ANPL2022101
Related File Number N/A
Pre-consultation Meeting -
Application Submitted MARCH 7, 2022
Complete Application

Application Fee 1599⁰⁰ (VISA)
Conservation Authority Fee N/A
Well & Septic Info Provided N/A
Planner Hanne Yager
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: 334-020-26200-0000

A. Applicant Information

Name of Owner Elizabeth and Giuseppe Demizio

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 409 St. Patrick Street
Town and Postal Code Port Dover, N0A 1N0
Phone Number (905) 518-5263
Cell Number
Email bdemizio@execulink.com

Name of Applicant Jason Whitworth
Address 1709 Upper James Street
Town and Postal Code Hamilton, L9B 1K7
Phone Number (905) 777-1454 Ext. 110
Cell Number n/a
Email jwhitworth@lanhack.ca

Name of Agent Jason Whitworth

Address 1709 Upper James Street

Town and Postal Code Hamilton, L9B 1K7

Phone Number (905) 777-1454 Ext. 110

Cell Number n/a

Email jwhitworth@lanhack.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 owner and agent noted above.

☒ Owner ☒ Agent ☒ Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

Elizabeth and Giuseppe Demizio, 409 St. Patrick Street, Port Dover, N0A 1N0

B. Location, Legal Description and Property Information

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

Lot 2 in Block 17, Registered Plan 207 in Town of Port Dover

Municipal Civic Address: 409 St. Patrick Street

Present Official Plan Designation(s): Port Dover Urban Area

Present Zoning: R1-B

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:

Urban Residential Type 1 Zone (R1)

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 1 storey dwelling, to remain, approx. 128 sq. m

Existing garage / carport, to be demolished, approx. 94 sq. m

Existing Metal Shed, to be demolished, approx. 5.7 sq. 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:

Proposed Garage with a second floor Accessory Dwelling Unit

Maximum Usable Floor area (garage + loft) = 124.9 sq. m

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:

66 years approximately (existing dwelling constructed in 1956)

9. Existing use of abutting properties:

Residential

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. Failure to complete this section will result in an incomplete application.

1. Site Information (Please refer to Zoning By-law to confirm permitted dimensions)

	Existing	Permitted	Provision	Proposed	Deficiency
Lot frontage	21.43m	12m	5.1.2.b.i	N/a	N/a
Lot depth	50.292m	N/a	N/a	N/a	N/a
Lot width	20.12m	N/a	N/a	N/a	N/a
Lot area	936.7 sq m	360 sq m	5.1.2.a.i	N/a	N/a
Lot coverage	N/a				
Front yard	21m	6m	5.1.2.c	26.22m	N/a
Rear yard	8.75m	7.5m	5.1.2.f	7.5m	N/a
Height	3m	5m	3.2.1.a	6.93m	1.93m
Left Interior side yard	12.9m	3.3m	3.2.3.b	10.69m	N/a
Right Interior side yard	0.6m	3.3m	3.2.3.b.i	1.5m	1.8m
Exterior side yard (corner lot)	N/a				
Parking Spaces (number)	1	1	3.2.3.d	1	N/a
Aisle width	N/a				
Stall size	3m x 6m	3m x 6m	4.1.3	3m x 6m	N/a
Loading Spaces	N/a				
Other					

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

The required design of the new garage and loft accessory dwelling unit necessitate a proposed building size above the maximum usable floor area of 55 sq. m, and a building height maximum of 5m. The side yard setback minimum of 3.3m locates the proposed building too close to an existing large tree in the rear yard.

3. **Consent/Severance/Boundary Adjustment:** Description of land intended to be severed in metric units:

Frontage: N/a

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:

4. **Easement/Right-of-Way:** Description of proposed right-of-way/easement in metric units:

Frontage: N/a

Depth:

Width: _____
Area: _____
Proposed Use: _____

5. Surplus Farm Dwelling Severances Only: List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation

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

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 _____
Date of Land Purchase: _____

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 _____
Date of Land Purchase: _____

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 _____
Date of Land Purchase: _____

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 _____
Date of Land Purchase: _____

Note: If additional space is needed please attach a separate sheet.

D. All Applications: 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:

Unknown - No existing info available.

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. All Applications: 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 Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. All Applications: 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 150m

Floodplain

☐ On the subject lands or ☒ within 500 meters – distance 150m

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 90m

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. All Applications: Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- | | |
|---|---|
| <input checked="" type="checkbox"/> Municipal piped water | <input type="checkbox"/> Communal wells |
| <input type="checkbox"/> Individual wells | <input type="checkbox"/> Other (describe below) |
-

Sewage Treatment

- | | |
|---|---|
| <input checked="" type="checkbox"/> Municipal sewers | <input type="checkbox"/> Communal system |
| <input type="checkbox"/> Septic tank and tile bed in good working order | <input type="checkbox"/> Other (describe below) |
-

Storm Drainage

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> Storm sewers | <input type="checkbox"/> Open ditches |
| <input type="checkbox"/> Other (describe below) | |
-

2. Existing or proposed access to subject lands:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Municipal road | <input type="checkbox"/> Provincial highway |
| <input type="checkbox"/> Unopened road | <input type="checkbox"/> Other (describe below) |

Name of road/street:

St. Patrick Street

G. All Applications: 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:

- ☐ 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

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.

Beth Demizio
Owner/Applicant/Agent Signature

MARCH 7/2022
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 Beth Demizio Joe Demizio 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.

Beth Demizio
Owner

[Signature]
Owner

MARCH 7/2022
Date

MARCH 7/2022
Date

***Note:** If property is owned by an Ontario Ltd. Corporation, Articles of Incorporation are required to be attached to the application.

K. Declaration

I, Beth Deinger Joe Demizio - 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*.

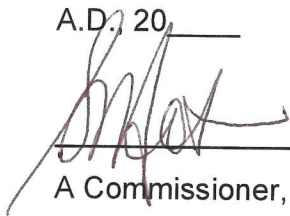
Declared before me at:

SIMCOE ONT

In NORFOLK COUNTY

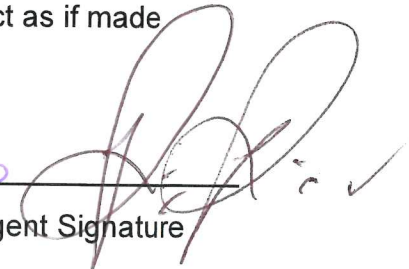
This 7th day of MARCH 2022

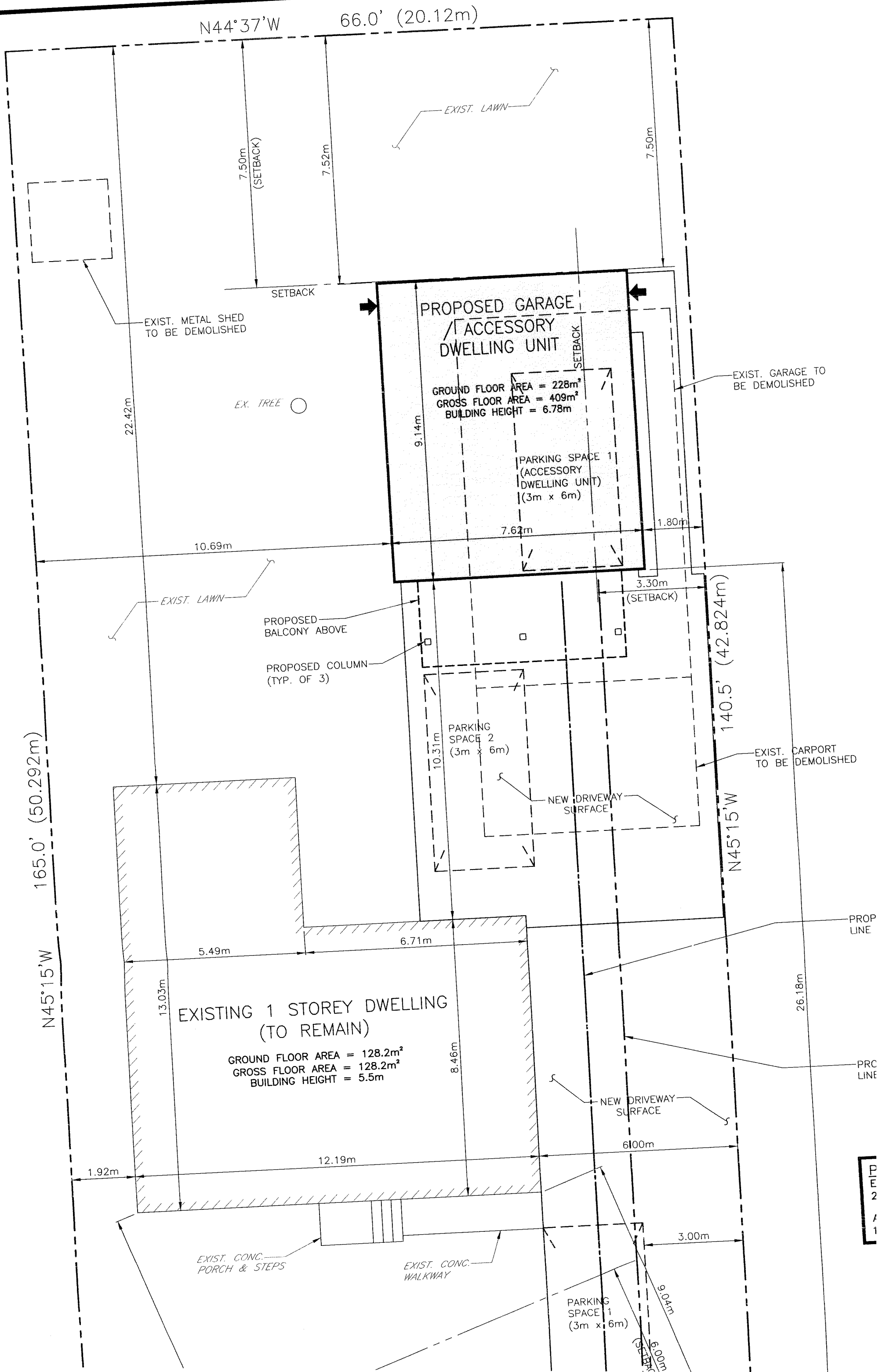
A.D. 20, _____

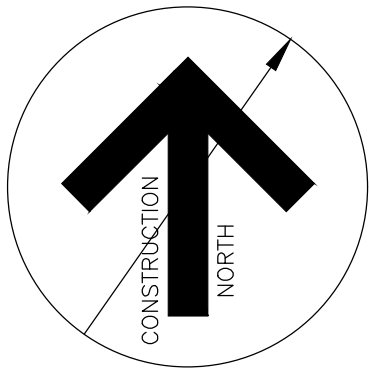


Sherry Ann Mott, a
Commissioner, etc., Province of Ontario,
for the Corporation of Norfolk County.
Expires January 5, 2023.

A Commissioner, etc.

Beth Deinger 
Owner/Applicant/Agent Signature



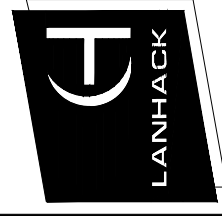


Contractor must verify all dimensions on the Project Site and report any discrepancies before proceeding with the Work.

This drawing is a part of the Contract Documents and is to be read in conjunction with all other Contract Documents.

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Revision Record		
No.	Description	Date (m/d/y)
A	ISSUED FOR MINOR VARIANCE	03/03/22
No.	Description	Date (m/d/y)



LANHACK Steelcon Inc.
Consulting Engineers
73 Ontario Street
Unit 105
St. Catharines, ON L2R 5J5
Tel: (905) 685-0101
Fax: (905) 685-6177

**DeMIZIO
RESIDENCE
PROPOSED
DETACHED GARAGE**

409 ST. PATRICK STREET
PORT DOVER, ONTARIO

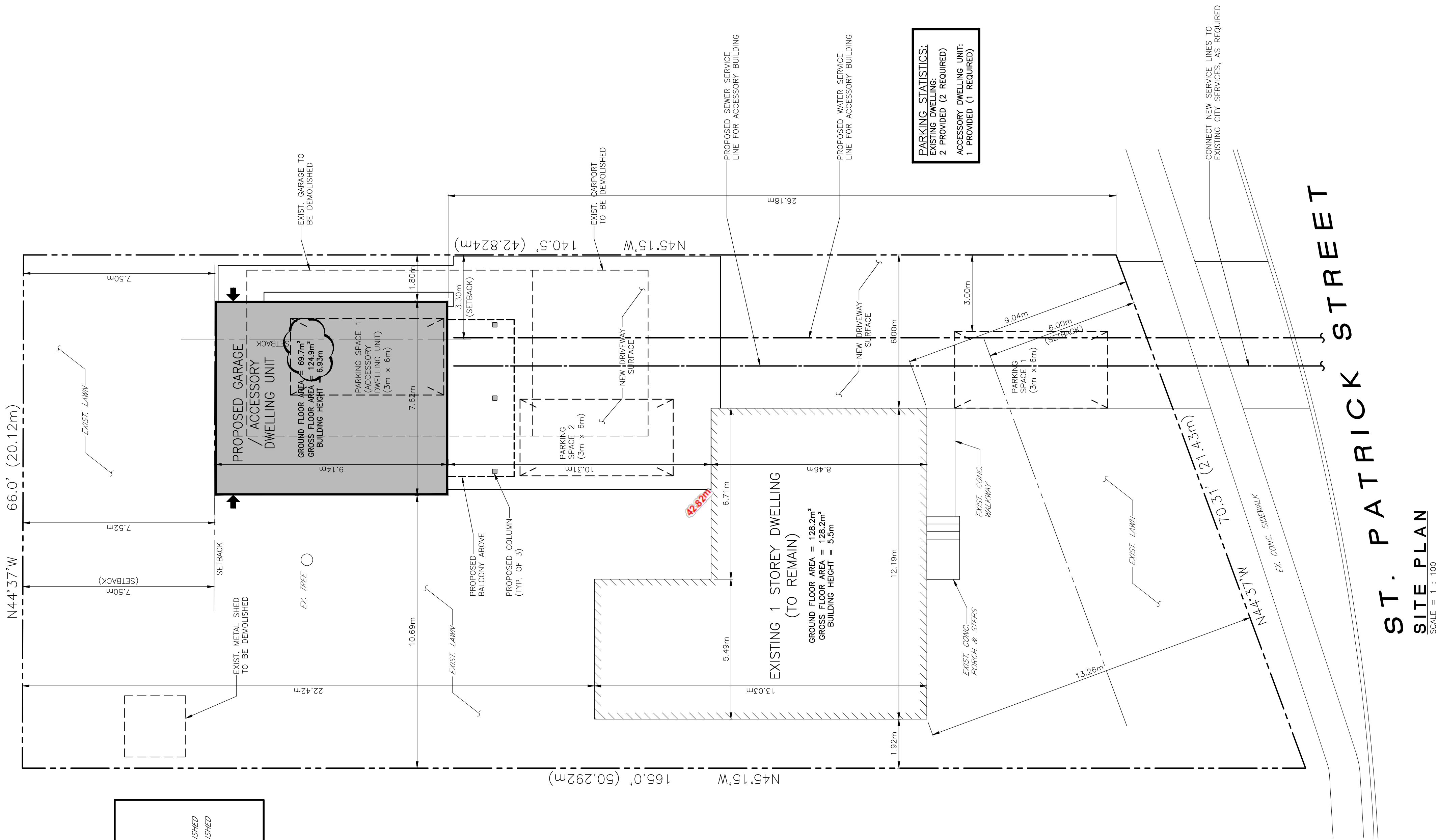
Date:	DECEMBER 2021
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Chkd By:	GL
Scale:	AS NOTED

SITE PLAN AND EXISTING GROUND FLOOR PLAN

Project No.: 22023	Drawing No.: A1-1	Rev.: A
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Plot Date: 04/05/22
M:\2022\ - STEELCON JOES -\22023 - 409 St. Patrick St\
22023-A1_SITE_PLAN.dwg

S I T E I N F O R M A T I O N:

- R1-B

 $-936.7 \text{ m}^2 \quad (10\,082.55 \text{ ft}^2)$

LOT COVER

– 5.7m² (61.4 ft.²)

EXISTING GARAGE:

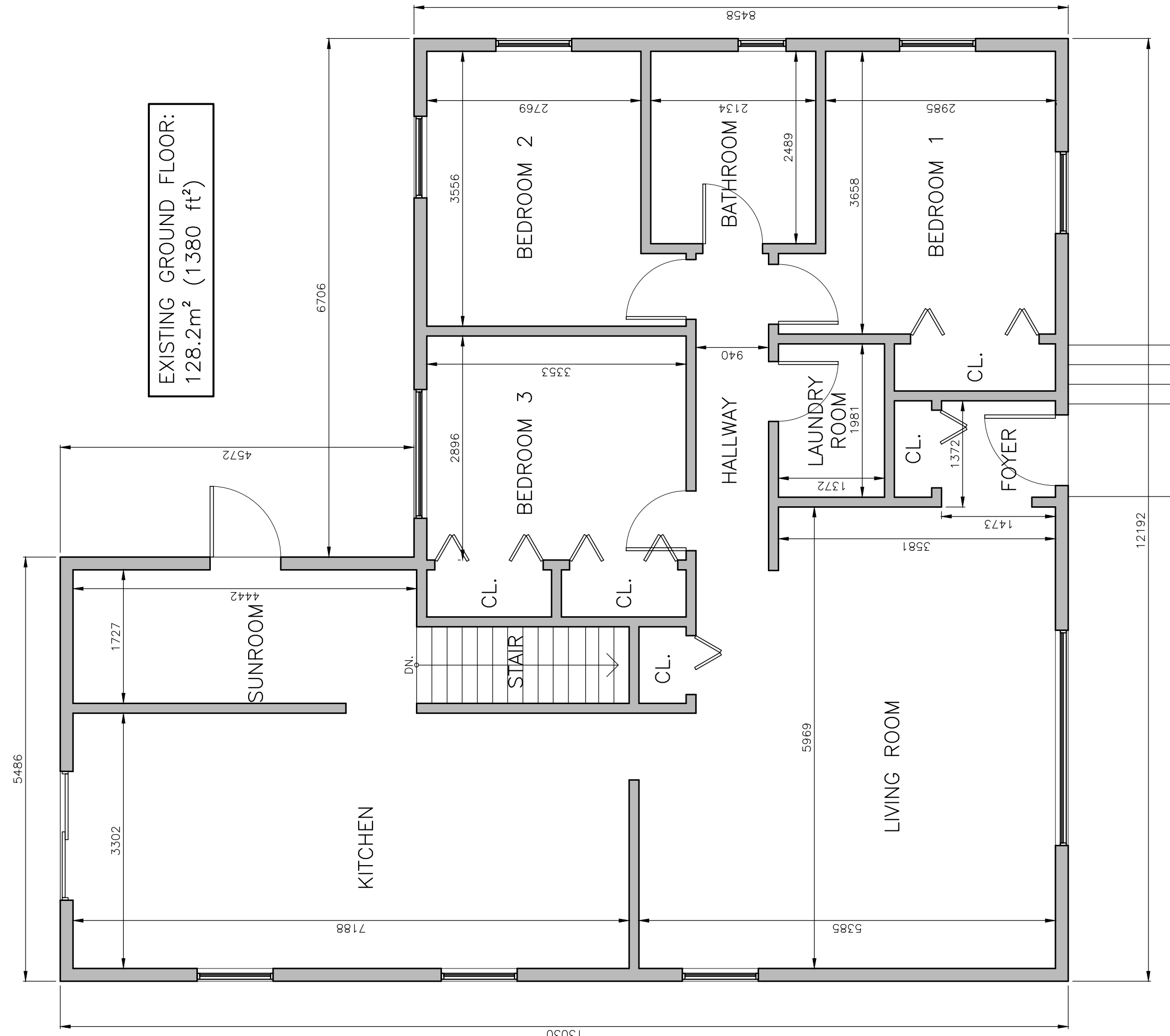
$$= 128\text{m}^2 \quad (1\,377.8\text{ ft}^2)$$

– 124.9m² (1 344.4 ft.²)

- 252.9m² (2 722.2 ft.²)

LEGEND:

- POINTS OF ENTRY

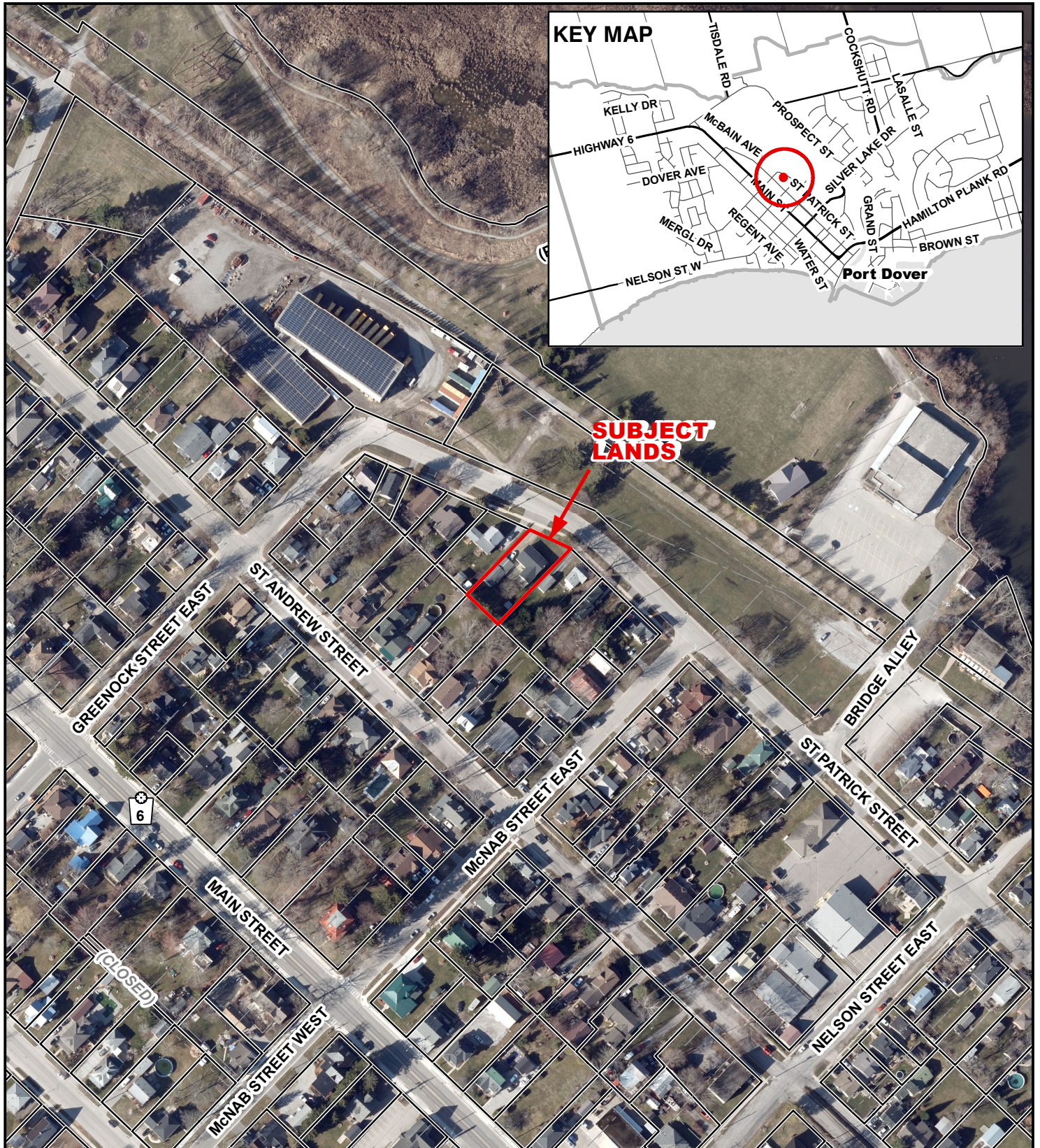


EXISTING GROUND FLOOR PLAN


SCALE: 1:50

MAP A
CONTEXT MAP
Urban Area of PORT DOVER

ANPL2022101

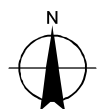


Legend

 Subject Lands

2020 Air Photo

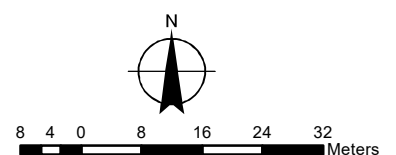
4/27/2022



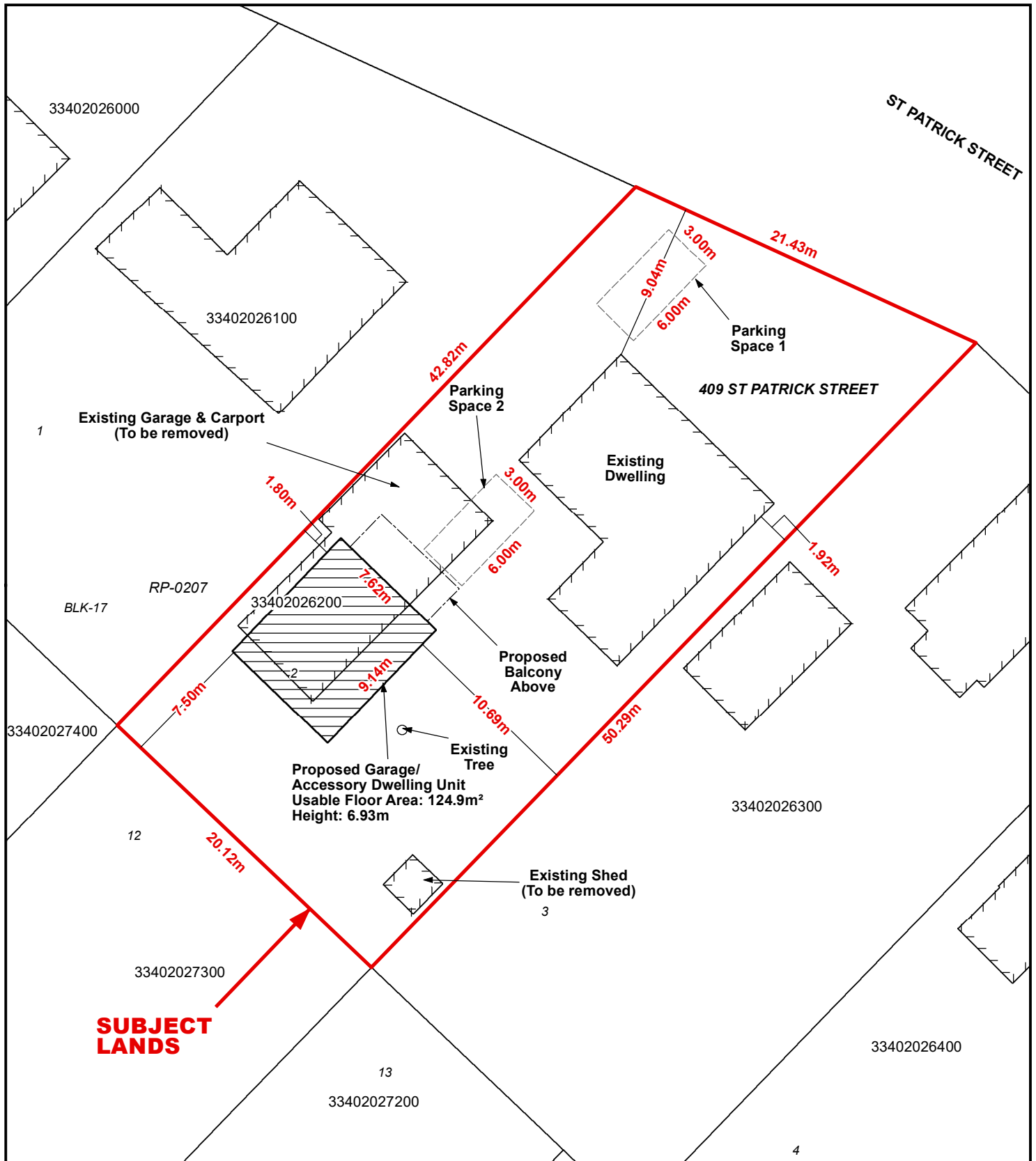
20 10 0 20 40 60 80 Meters

4/27/2022

(H) - Holding
D - Development Zone
MG - General Industrial Zone
R2 - Residential R2 Zone



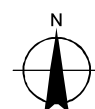
CONCEPTUAL PLAN
Urban Area of PORT DOVER



Legend

Subject Lands

4/27/2022



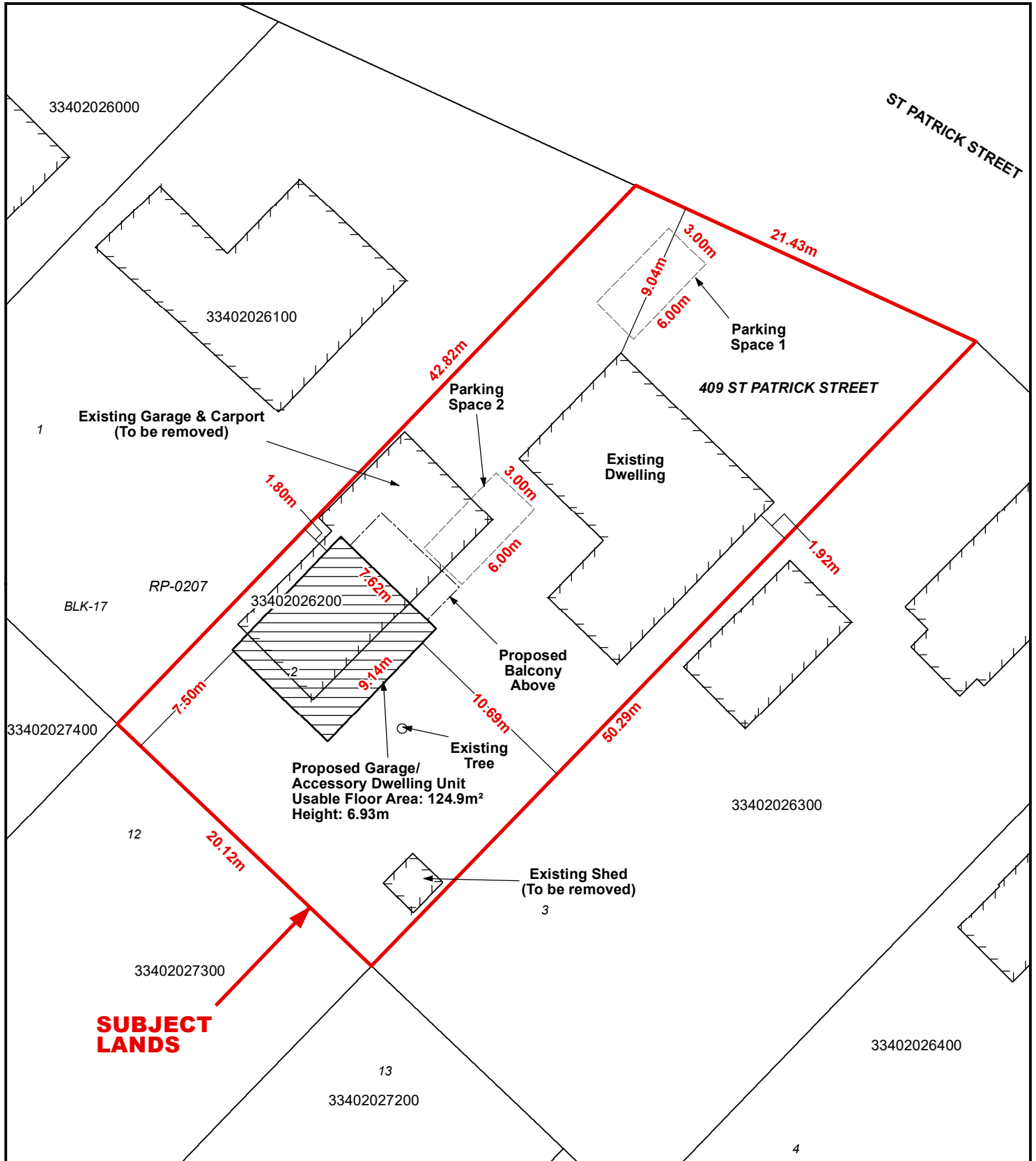
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LOCATION OF LANDS AFFECTED

ANPL2022101

CONCEPTUAL PLAN

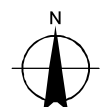
Urban Area of PORT DOVER



Legend

Subject Lands

4/27/2022



3 1.5 0 3 6 9 12 Meters