

For Office Use Only:

File Number ANPL2022123
Related File Number _____
Pre-consultation Meeting _____
Application Submitted March 23, 2022
Complete Application May 5, 2022

Application Fee	Required
Conservation Authority Fee	<u>N/A</u>
Well & Septic Info Provided	_____
Planner	<u>Jen</u>
Public Notice Sign	_____

Check the type of planning application(s) you are submitting.

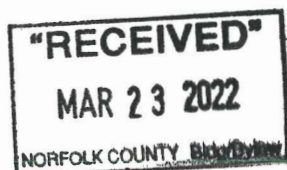
- ☐ Consent/Severance/Boundary Adjustment
☐ Surplus Farm Dwelling Severance and Zoning By-law Amendment
☒ Minor Variance
☐ Easement/Right-of-Way

Property Assessment Roll Number: 3310-541-030-07305**A. Applicant Information****Name of Owner** Michael Jansen

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 557 Schafer Side Road
Town and Postal Code Delhi ON N4B 2W6
Phone Number _____
Cell Number 519-410-6453
Email jansenlandscaping@gmail.com

Name of Applicant Agent
Address _____
Town and Postal Code _____
Phone Number _____
Cell Number _____
Email _____



Name of Agent	David McPherson
Address	8 Culver Lane
Town and Postal Code	Simcoe ON N3Y 5C8
Phone Number	519-426-7295
Cell Number	519-427-6483
Email	david-a-mcpherson@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 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:

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):

Lot 40 Concession 1 NTR Middleton

Part 1 of 37R-8570

Municipal Civic Address: 557 Schafer Side Road

Present Official Plan Designation(s): Agricultural

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

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 family dwelling, greenhouse, pack barn and bulk kiln pads as shown on attached survey

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.

An addition is proposed to the south side of the house along with a new covered entry and enlarged entrance foyer

all detailed on the attached architectural plans

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:

Attached are architectural plans of the proposed addition along with a dimensioned site plan

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:

unknown

9. Existing use of abutting properties:

Residential to the south, agricultural to the north, east and west

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	179.82	30			
Lot depth	62.48				
Lot width	179.82				
Lot area	1.2ha				
Lot coverage					
Front yard	13.2	13		9.8	3.2
Rear yard	37.26	9			
Height	9	11			
Left Interior side yard	4	3			
Right Interior side yard	152	3			
Exterior side yard (corner lot)					
Parking Spaces (number)					
Aisle width					
Stall size					
Loading Spaces					
Other					

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

The existing house was not built parallel to the road rather, it is skewed on an angle to the road making one corner closer to the front property line than the other. The proposed addition runs in the same plane as the house again making one corner closer to the front property line.

3. **Consent/Severance/Boundary Adjustment:** 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: _____

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

Frontage: _____

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: _____
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:
Information provided by the property owner.

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:

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. 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 100m

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. All Applications: 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

☐ Communal system

☒ Septic tank and tile bed in good working order ☐ Other (describe below)

Storm Drainage

- ☐ Storm sewers
☐ Other (describe below)

☒ Open ditches

2. Existing or proposed access to subject lands:

☒ Municipal road

☐ Provincial highway

☐ Unopened road

☐ Other (describe below)

Name of road/street:

Schafer Side Road

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.

Please see attached justification report.

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

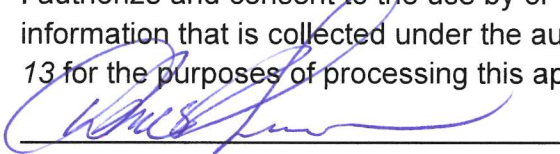
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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



Owner/Applicant/Agent Signature

March 20, 2022

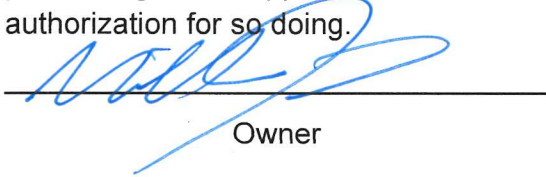
Date

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

I/We authorize David McPherson 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

March 20, 2022

Date

Owner

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, David McPherson of Simcoe

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



~~Owner/Applicant~~/Agent Signature

In Norfolk County

This 21st day of March

A.D., 2022

A Commissioner, etc.

Premise and Justification of Minor Variance Application For 557 Schafer Side Road, Delhi

My clients, the Jansen family, have resided at 557 Schafer Side Road, Delhi, for the past 9 years.

A growing family has necessitated the enlargement of their home. They propose an addition to the south side of the house of some 100 sq.m. plus an expanded entrance foyer of 22 sq.m. and a timber framed front covered porch of 7.7 sq.m. All of this is shown on the attached architectural plans.

The complete history of the property is unknown but an interpretation of the attached 2001 survey would indicate that the house and associated farm buildings were severed off of the R & T Rigole farm in or about 2001.

This requested variance is due to the fact that the farm house was not constructed parallel to Schafer Side Road, rather it was constructed skewed to the front property line. The proposed addition is designed in the same plane of the house, making the south west corner 9.8m from the front property line. We are therefore requesting relief of 3.2m from the required front yard setback of 13m. Sight lines along Schafer Side Road are not impacted by this slight reduction in front yard setback.

Under Section 45(1) of the Planning Act, there are four tests a minor variance must meet. In order to be considered, the application must meet all four tests:

- Does the application conform to the general intent and purpose of the Official Plan.
- Does the application conform to the general intent and purpose of the Zoning Bylaw.
- Is the application desirable for the appropriate development of the lands in question.
- Is the application minor.

Norfolk County Official Plan

The subject property is designated Agricultural in the Norfolk County Official Plan. Given the existence on this lot of the barn, greenhouse and bulk kiln pads, it can be assumed that the existing dwelling was at one time the primary farm residence prior to it being severed from the Rigole farm. Article 7.2.1(b) of the Norfolk County Official Plan permits farm residences. Therefore, the existing single family dwelling complies with the Norfolk County Official Plan.

Norfolk County Zoning Bylaw 1-Z-2014

Zoning Bylaw 1-Z-2014 zones the subject property as Agricultural. Article 12.1.1(d) permits a single detached dwelling in the Agricultural zone. The general intent and purpose of the Norfolk County Zoning Bylaw is to maintain the character of the neighborhood. From Highway 3 northwards on Schafer Side Road, there are four residences on the west side of the road before coming to the Jansen property. The proposed addition to the Jansen house maintains the residential character of this neighborhood node along Schafer Side Road, and the requested front yard variance will maintain the general intent of Norfolk County Zoning Bylaw 1-Z-2014.

Is the Variance Desirable & Appropriate

Running north along Schafer Side Road from Highway 3 is a cluster of residences of which the Jansens is the most northerly in the node. The construction of an addition to this house to accommodate a growing family is most desirable and appropriate and will blend in with the existing family residences in the immediate area.

Is the Variance Minor in Nature

The application is minor in nature because the requested reduction in front yard setback is negligible, does not impact traffic sight lines or impact snow removal storage along the roadway. The requested variance really only impacts the south west corner of the proposed addition and does not impact on adjacent residences.

Conclusion

The requested variance is minor in nature and the proposed addition maintains the general intent and purposes of both the Norfolk County Official Plan and Norfolk County Zoning Bylaw 1-Z-2014.

We have not included a Septic Evaluation with our submission as a complete new septic system is being designed to serve both the existing dwelling and the proposed addition. A Septic Permit application will be submitted with the Building Permit application package.

David McPherson
March 20, 2022

OWNER'S AUTHORIZATION

I/we Mike Jansen am/are the registered owner(s) of the land that is the subject of this application.

I/we authorize **DAVID MCPHERSON** to make this application on my/our behalf and to act on my/our behalf as my/our authorized agent during the processing of this application.

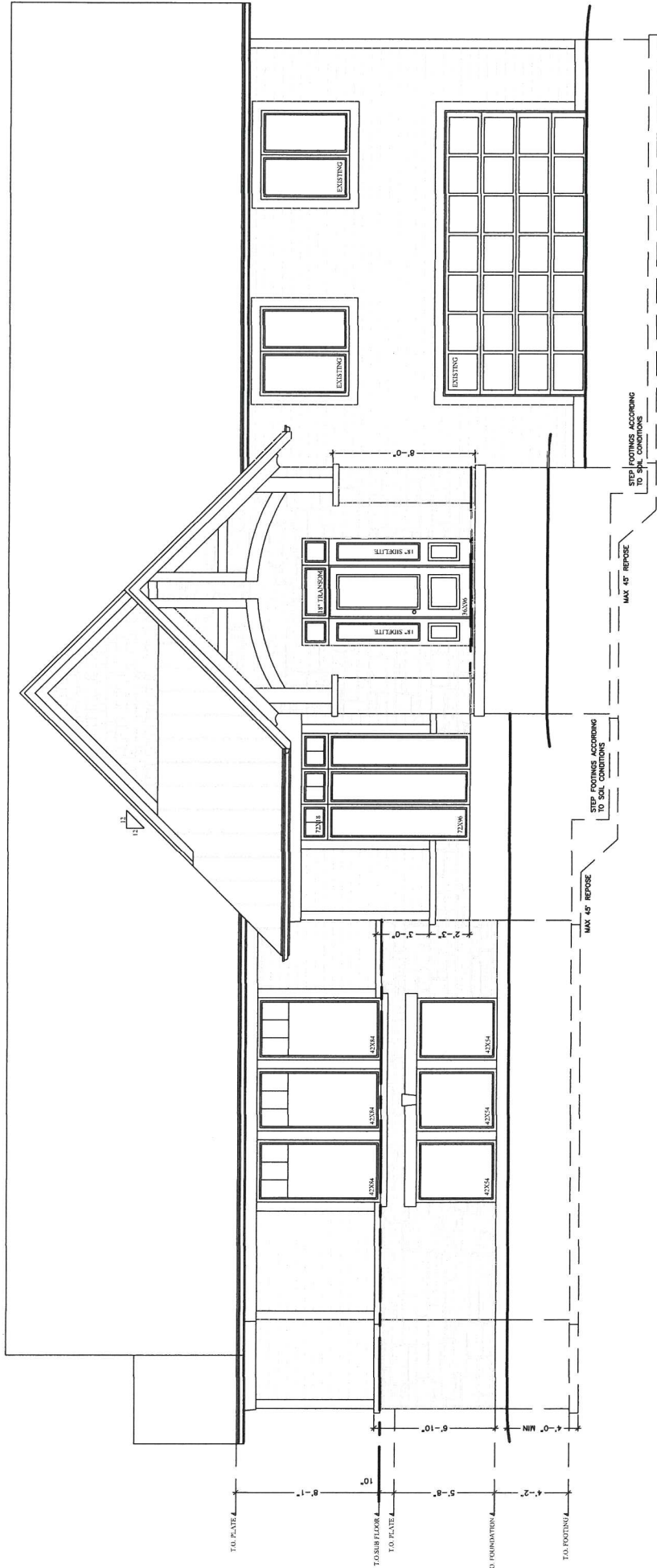
Moreover, this shall be your good and sufficient authorization for so doing.

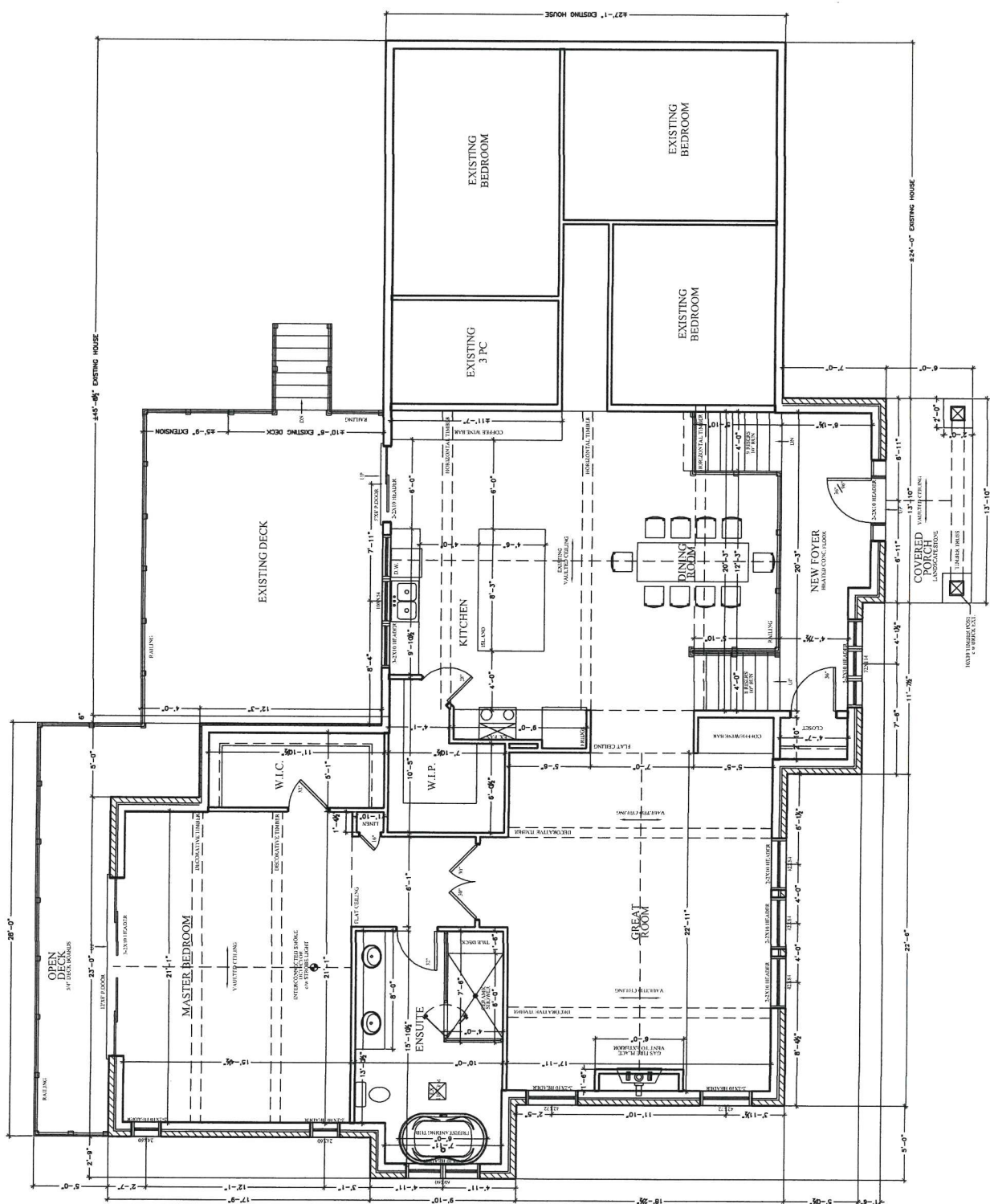

OWNER

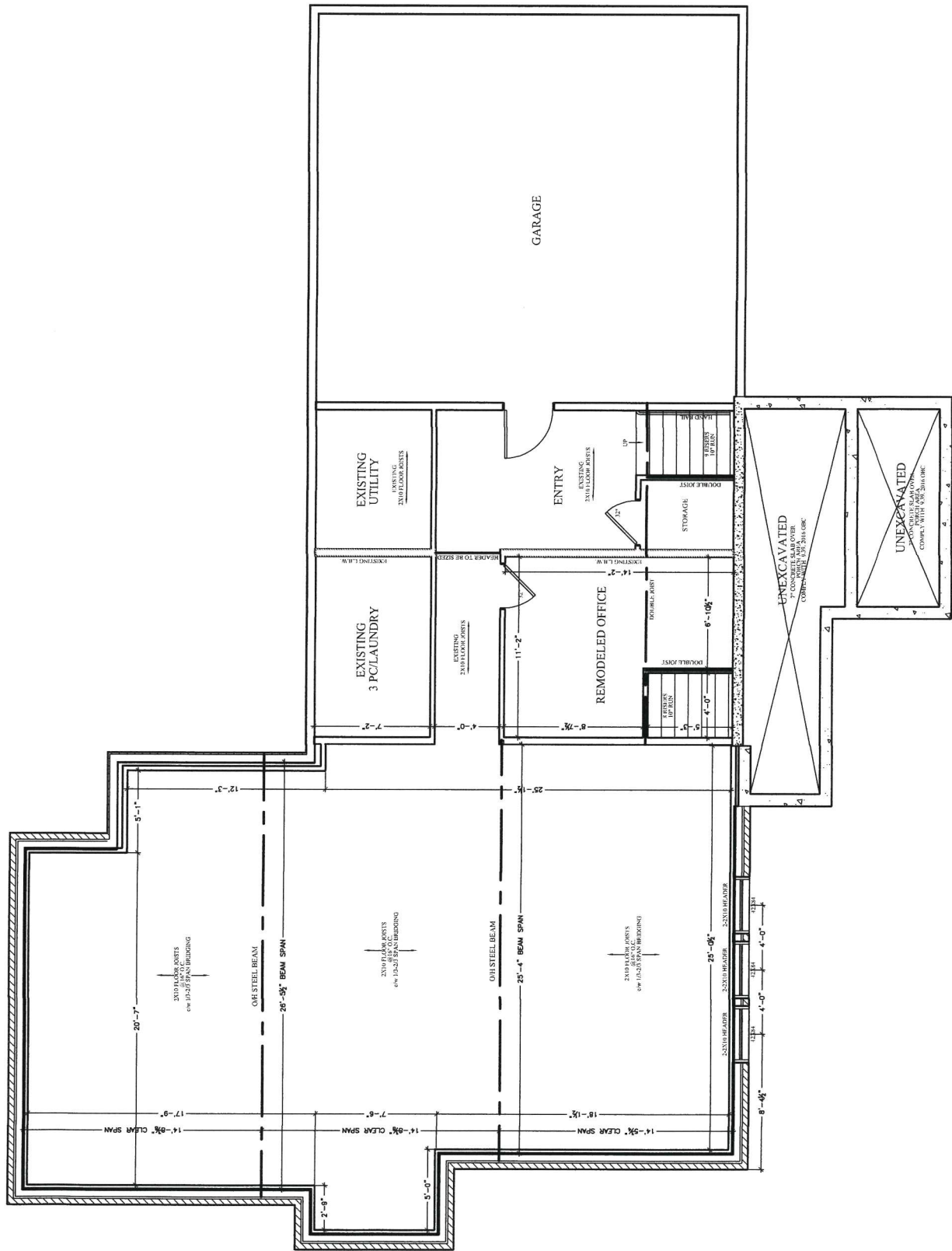
March 20/22
DATE

OWNER

DATE







SURVEYOR'S REAL PROPERTY REPORT

PLAN OF

PART OF LOT 181
CONCESSION NORTH OF TALBOT ROAD
GEOGRAPHIC TOWNSHIP OF MIDDLETON
NOW IN
NORFOLK COUNTY

SCALE - 1 INCH = 50 FEET



IMPERIAL DISTANCES SHOWN ON THIS PLAN ARE IN IMPERIAL UNITS AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048

KIM HUSTED SURVEYING LTD

REPORT SUMMARY (TO BE READ IN CONJUNCTION WITH PLAN OF SURVEY)

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY NONE REGISTERED ON TITLE

COMPLIANCE WITH MUNICIPAL OFFICIAL PLANS AND ZONING BY-LAWS NOT CERTIFIED BY THIS REPORT

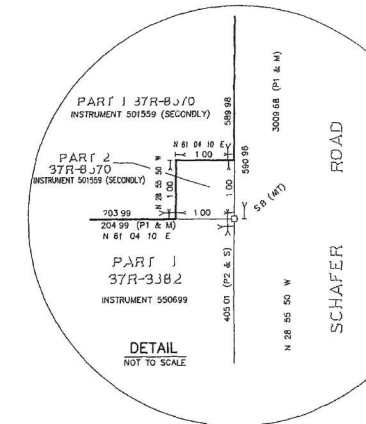
ADDITIONAL REMARKS

- (1) - PROPERTY DESCRIPTION: PART OF LOT 181, CONCESSION NORTH OF TALBOT ROAD, GEOGRAPHIC TOWNSHIP OF MIDDLETON NOW IN NORFOLK COUNTY DESIGNATED AS PART 1 ON DEPOSITED PLAN 37R-8570
- (2) - BUILDING TIES ARE MEASURED TO THE EXTERIOR FACE OF THE EXISTING SIDING

SUBJECT PROPERTY AREA = 2.97 ACRES

AREA OF SUBJECT PROPERTY COVERED BY HOUSE, PACK BARN, GREENHOUSE AND CONCRETE PADS FOR MILKS = 17061 SQUARE FEET

COVERAGE = 137



THIS SURVEYOR'S REAL PROPERTY REPORT HAS BEEN PREPARED FOR R & T RIDGE FARMS LTD. AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHERS

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

- (1) - THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE UNDER THEM
- (2) - THIS SURVEY WAS COMPLETED ON THE 25th DAY OF NOVEMBER 2001

NOVEMBER 29 2001

DATE

KIM S. HUSTED
ONTARIO LAND SURVEYOR

THIS REPORT CAN BE UPDATED BY KIM HUSTED SURVEYING LTD. HOWEVER NO ADDITIONAL PRINTS OF THIS ORIGINAL REPORT WILL BE ISSUED SUBSEQUENT TO THE DATE OF CERTIFICATION

NOTES

- (1) - BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERN LIMIT OF THE ROAD ALLOWANCE BETWEEN LOTS 181 AND 182, CONCESSION NORTH OF TALBOT ROAD AS SHOWN ON DEPOSITED PLAN 37R-8545 HAVING A BEARING OF N 28 55 50 W

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- RIB DENOTES ROUND IRON BAR
- (WT) DENOTES WITNESS
- CC DENOTES CITY CROSS
- (700) DENOTES H. V. JEWETT O.L.S.
- (396) DENOTES J. B. DODD O.L.S.
- (1015) DENOTES A. C. BRIGGS O.L.S.
- (SB) DENOTES SOURCE UNKNOWN
- (P1) DENOTES DEPOSITED PLAN 37R-3882
- (P2) DENOTES DEPOSITED PLAN 37R-8113
- (P3) DENOTES DEPOSITED PLAN 37R-325
- (P4) DENOTES DEPOSITED PLAN 37R-8545
- INST DENOTES INSTRUMENT
- COR DENOTES CONCESSION
- (M) DENOTES MEASURED
- (S) DENOTES SET

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ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
1382609

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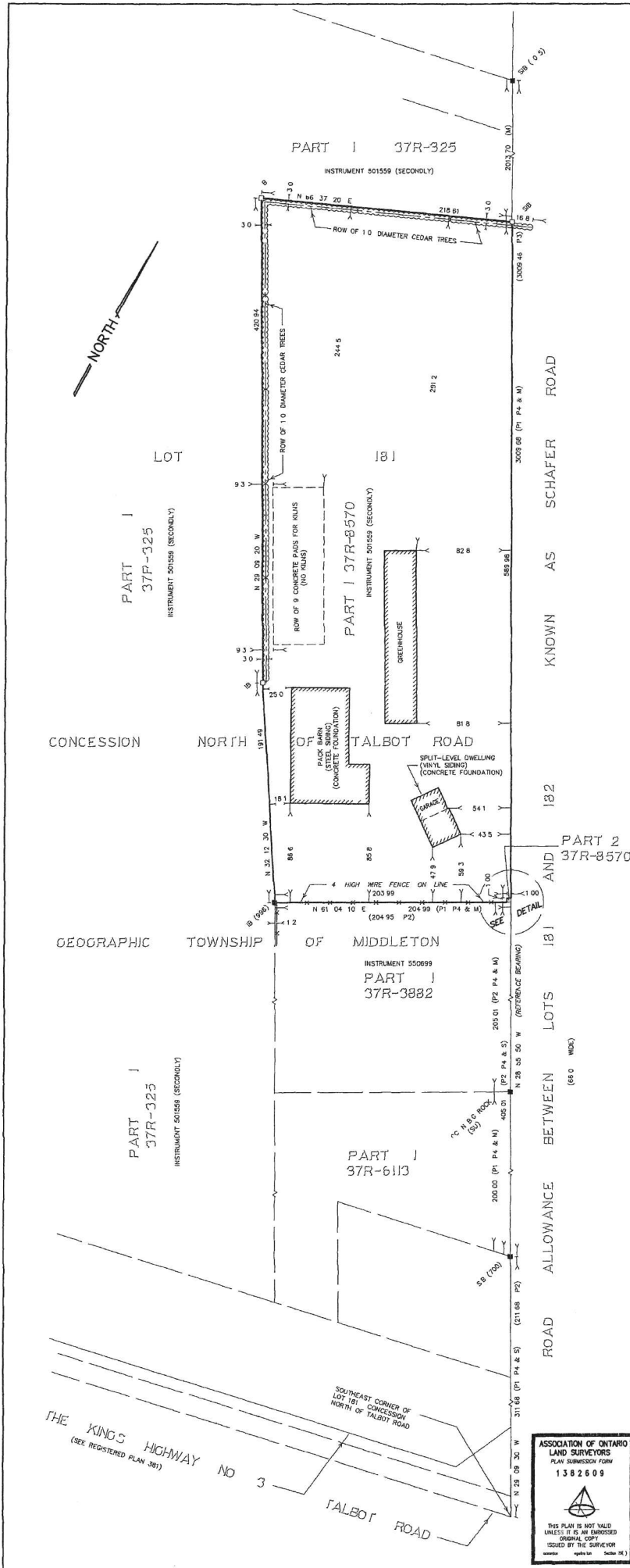
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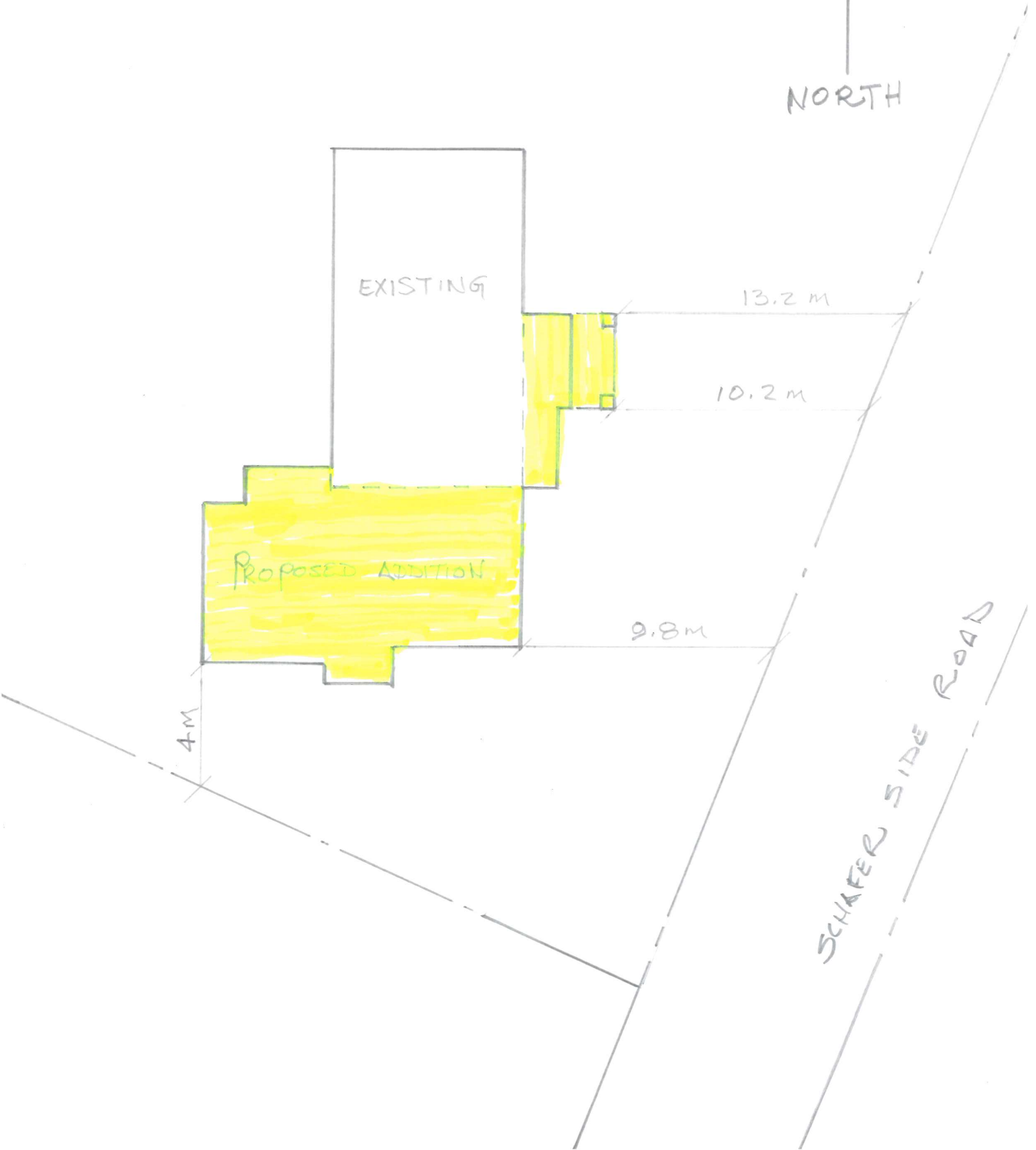
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ONTARIO LAND SURVEYOR
30 HARVEY STREET TILLSBURG ONTARIO N4G 3J8
PHONE 519-842-3638 FAX 519-842-3639

PROJECT 01-58925 REFERENCE FF 7

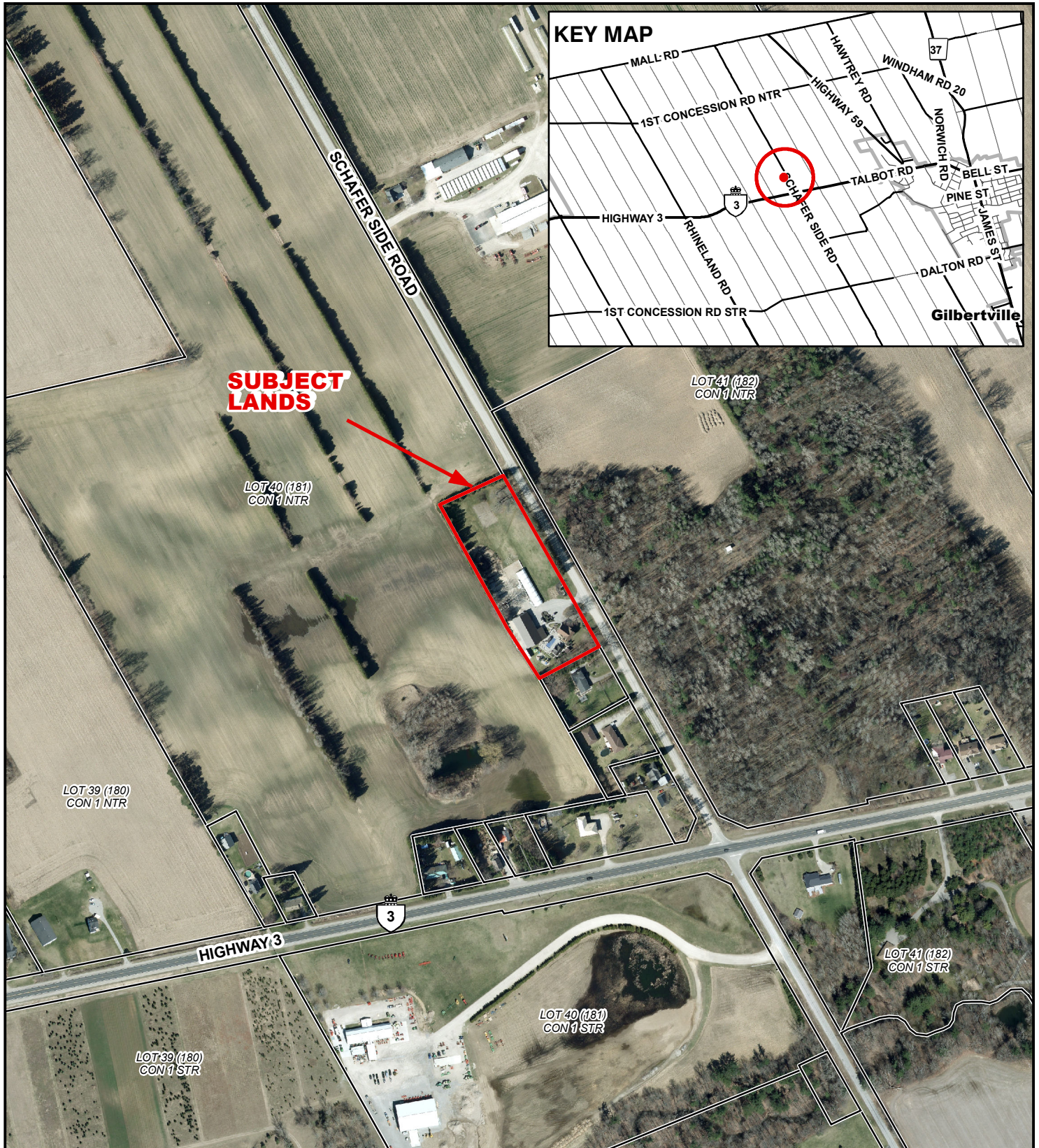
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MAP A
CONTEXT MAP
Geographic Township of MIDDLETON

ANPL2022123

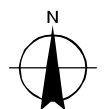


Legend

 Subject Lands

2020 Air Photo

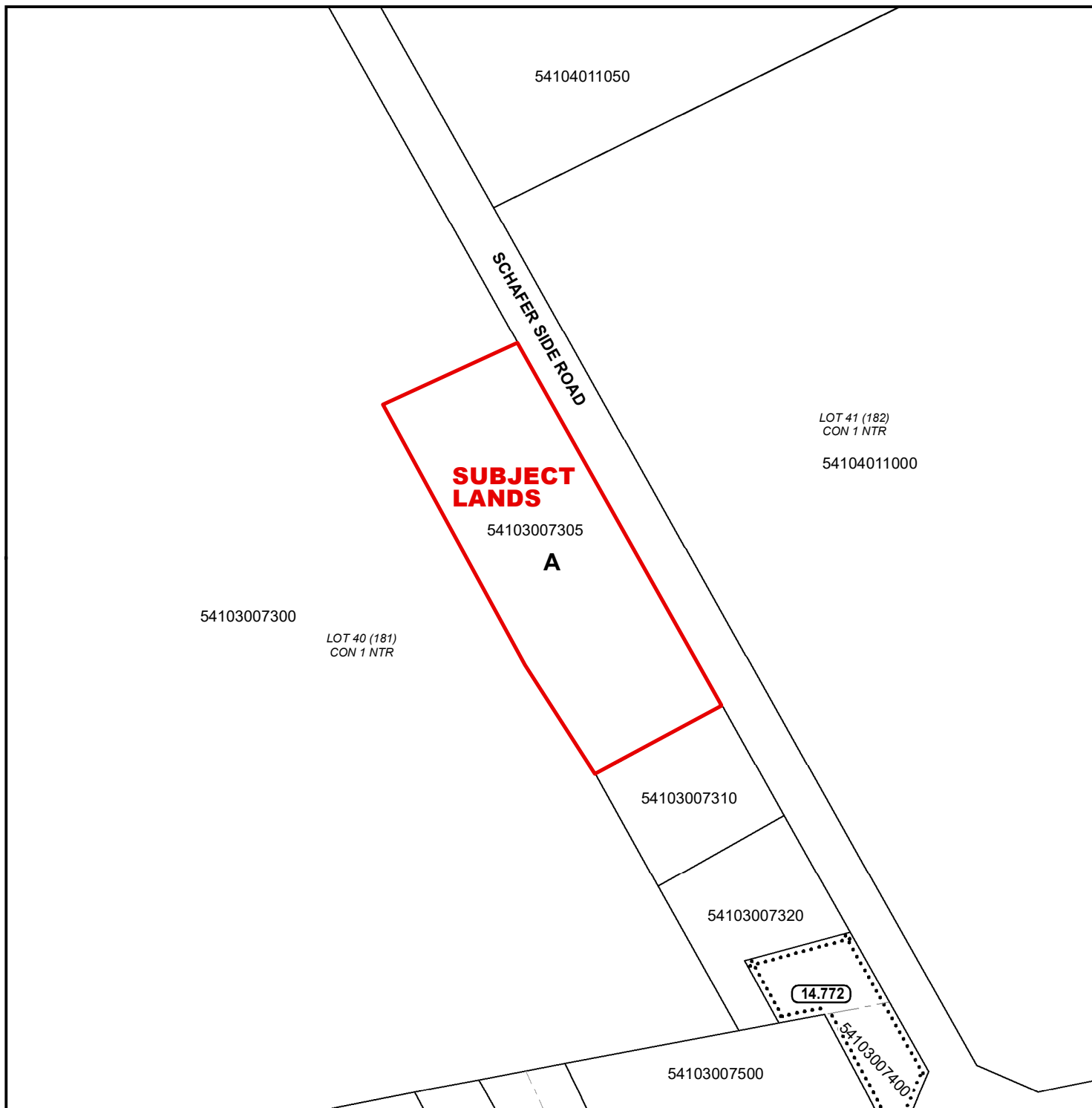
5/10/2022



40 20 0 40 80 120 160 Meters

MAP B
ZONING BY-LAW MAP
Geographic Township of MIDDLETON

ANPL2022123



LEGEND

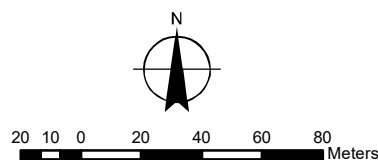
 Subject Lands

ZONING BY-LAW 1-Z-2014

5/10/2022

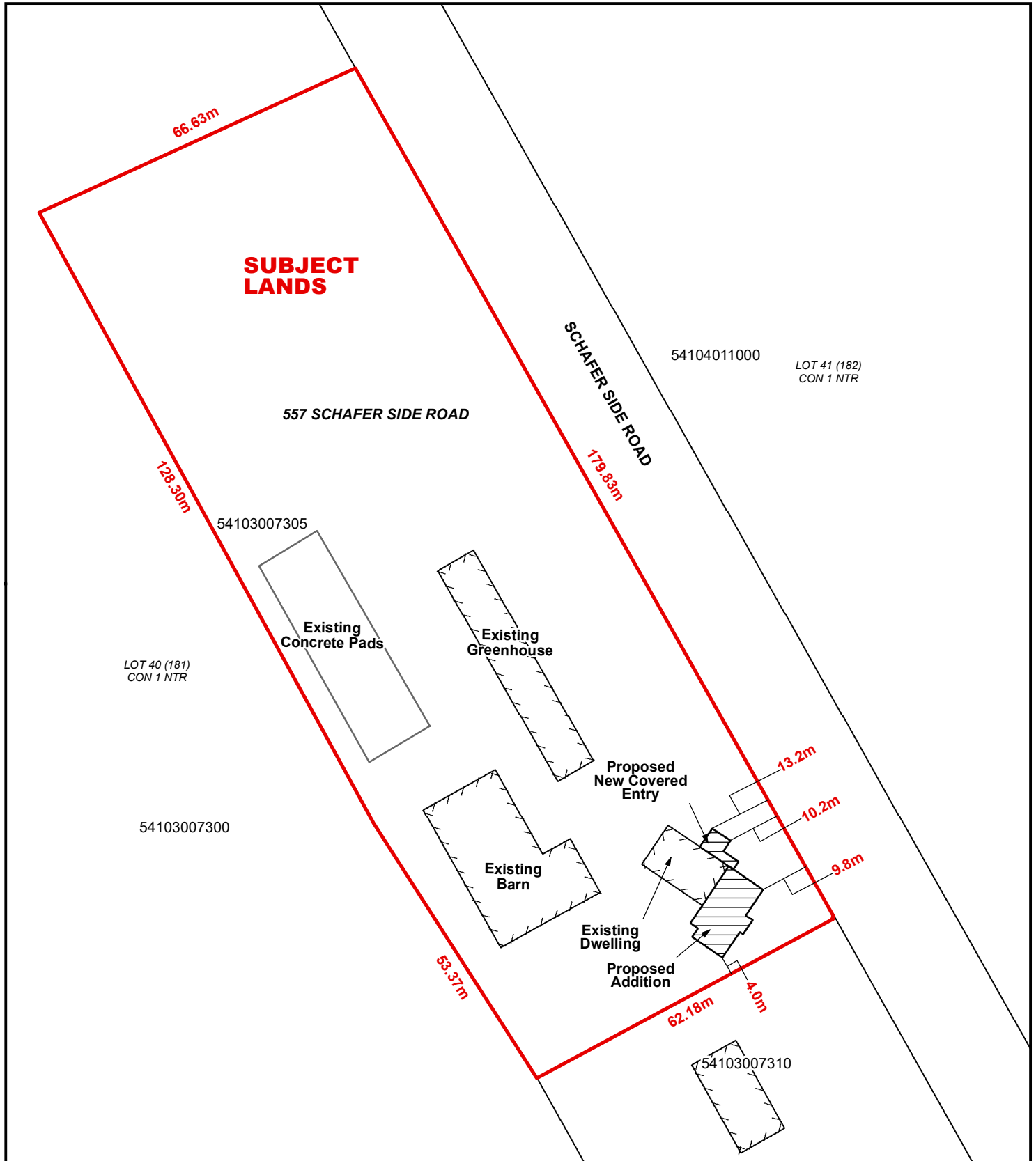
(H) - Holding

A - Agricultural Zone



CONCEPTUAL PLAN

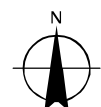
Geographic Township of MIDDLETON



Legend

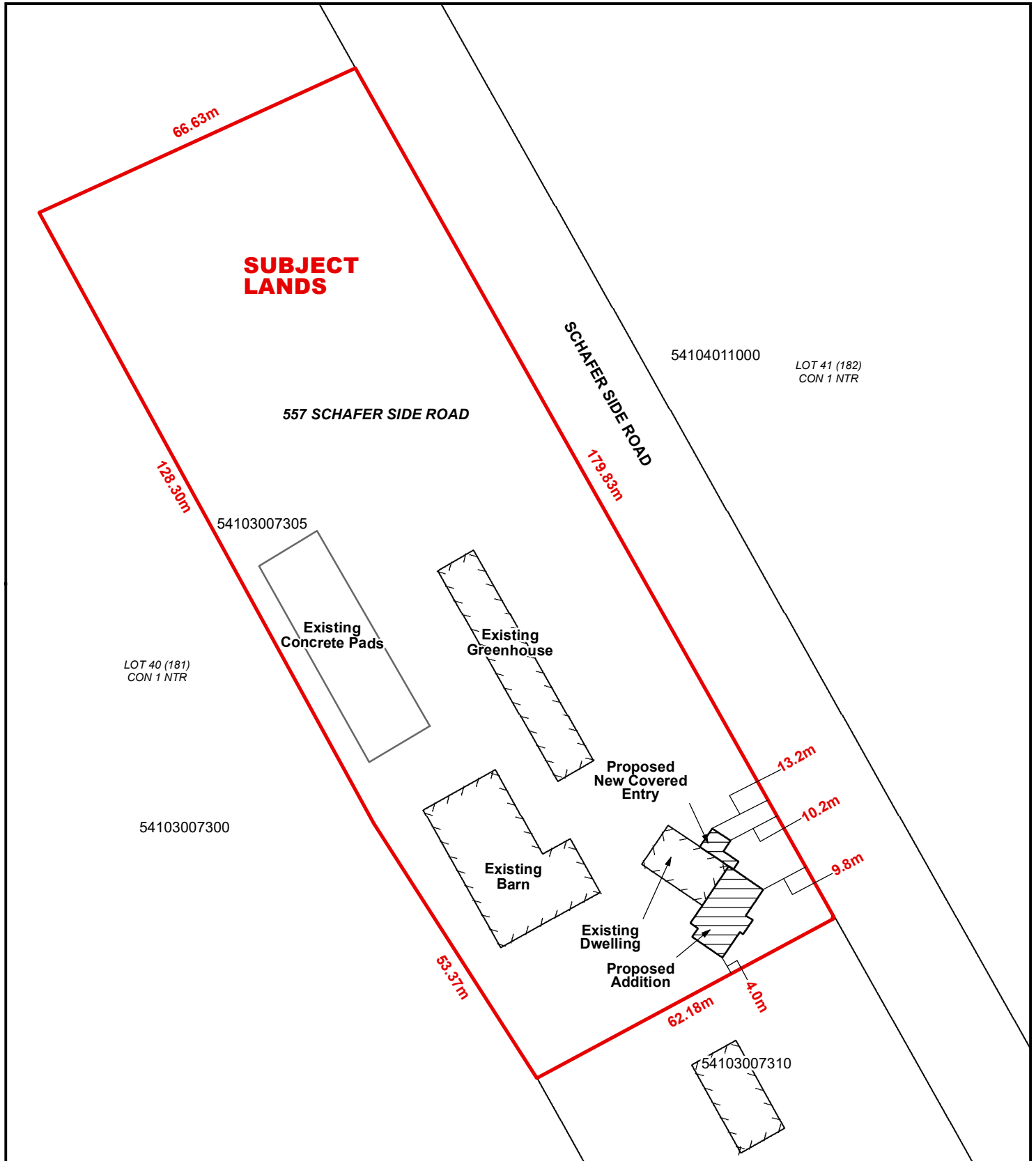
Subject Lands

5/10/2022




CONCEPTUAL PLAN

Geographic Township of MIDDLETON



Legend

 Subject Lands

5/10/2022

