



HAND DELIVERED

May 3, 2022

Norfolk County
Realty Services Coordinator
185 Robinson Street, Suite 100
Simcoe, Ontario N3Y 4H3

Dear Sir/Madame:

Re: 122 Alice Street, Waterford – Minor Variance Application

Please find enclosed the following:

1. Completed and signed "Committee of Adjustment Application"
2. Property Sketch
3. Cheque for \$1,599.00 addressed to: "Norfolk County"

Please kindly process the enclosed Application as soon as you are able.

If you require anything further to do so, please feel free to contact my office.

Yours very truly,

MHN LAWYERS LLP

A handwritten signature in black ink, appearing to read 'Peter Karsten', with a small dot at the end.

Peter Karsten

PK/mr

Encl.

(karsten@mhnlawyers.com)

39 Colborne Street North Simcoe Ontario N3Y 3T8

R. Paul Hosack~

Chris Nunn

Jamie Pereira~

Maria Kinkel~

Peter Karsten~

Emma Brown

Josh Herter

~ Professional Corporation,

www.mhnlawyers.com

Phone: 519.426.6763

Fax: 519.426.2055

For Office Use Only:

File Number	<u>ANPL2022148</u>	Application Fee	<u>\$1599.00</u>
Related File Number	<u>BNPL2021277</u>	Conservation Authority Fee	<u>N/A</u>
Pre-consultation Meeting	<u></u>	Well & Septic Info Provided	<u>N/A</u>
Application Submitted	<u>JUNE 17, 2022</u>	Planner	<u>Hanne Yager</u>
Complete Application	<u>JUNE 22, 2022</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: #3310 3350 3000 300

A. Applicant Information

Name of Owner Ronald Rzan ; Beatrice Rzan

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 122 Alice Street

Town and Postal Code Waterford NOE 1Y0

Phone Number

Cell Number

Email

Name of Applicant Peter Karsten

Address 39 Colborne Street North

Town and Postal Code Simcoe N3Y 3T8

Phone Number 519-426-6763

Cell Number

Email karsten@mhnlawyers.com

Name of Agent Peter Karsten
Address 39 Colborne Street North
Town and Postal Code Simcoe, Ontario N3Y 3T8
Phone Number 519-426-6763
Cell Number _____
Email karsten@mhnlawyers.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):
LT 22 BLK C Plan 19B; Norfolk County

Municipal Civic Address: 122 Alice Street, Waterford, Ontario N0E 1Y0

Present Official Plan Designation(s): Urban Residential

Present Zoning: R1-1

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:
None
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.
None
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:
None
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:
Not applicable
9. Existing use of abutting properties:
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)

revised
June 24/21

	Existing	Permitted	Provision	Proposed	Deficiency
Lot frontage	11.873	15	s.1.2.6)i)	14.05	0.95
Lot depth					
Lot width					
Lot area	228.69	450	s.1.2.9)i)	261.06	189
Lot coverage					
Front yard					
Rear yard					
Height					
Left Interior side yard	0.82	1.2	s.1.2.e)ii)		0.38
Right Interior side yard					
Exterior side yard (corner lot)					
Parking Spaces (number)					
Aisle width					
Stall size					
Loading Spaces					
Other					

7/7
VH.
Jul 24/22

C. Purpose of Development Application

Note: Please complete all that apply.

1. Site Information

Existing

Proposed

Please indicate unit of measurement, for example: m, m² or %

Lot frontage	11.873 m	9.692 m
Lot depth		
Lot width	11.873 m - 12.369 m	9.938 m - 9.692 m
Lot area		
Lot coverage	approx. $11.873 \text{ m} \times 19.261 \text{ m}$ $= 228.69 \text{ m}^2$	approx. $(11.873 \text{ m} + 1.64 \text{ m}) \times 19.261 \text{ m}$ $= 261.06 \text{ m}^2$
Front yard		
Rear yard		
Left Interior side yard		
Right Interior side yard		
Exterior side yard (corner lot)		

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

This minor variance is being requested due to a filed boundary adjustment application (BNPL2021277). The preceding application creates a side yard set back of 0.82 metres which is a deficiency of 0.32 metres (1.2 metres required).

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

As per Official Plan policies on consent to sever applications, and zoning by-law policies regarding non-complying uses, a minor variance is required to be granted relief from new zoning deficiencies in the severed lands.

4. Description of land intended to be severed in metric units:

Frontage: _____
Depth: _____
Width: _____
Lot Area: _____
Present Use: _____
Proposed Use: will not change
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:

There is no development or site alteration.

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:

There is no development or site alteration.

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 120 metres

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.

Owner/Applicant/Agent Signature

March 2, 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 Ronald Michael Rzan and Beatrice Shirley Rzan am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Peter Karsten, MHN Lawyers LLP 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.

Ronald M Rzan
Owner

March 2, 2022.

Date

Beatrice Rzan
Owner

March 2, 2022
Date

K. Declaration

I, Ronald Michael Rzan and Beatrice Shirley Rzan of Norfolk County

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:

Waterloo

Ronald M Rzan

Owner/Applicant/Agent Signature

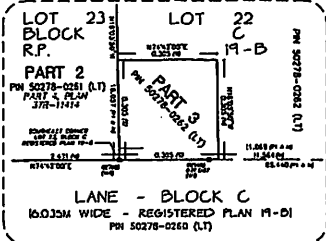
In Province of Ontario

This 22 day of May

Beatrice Rzan

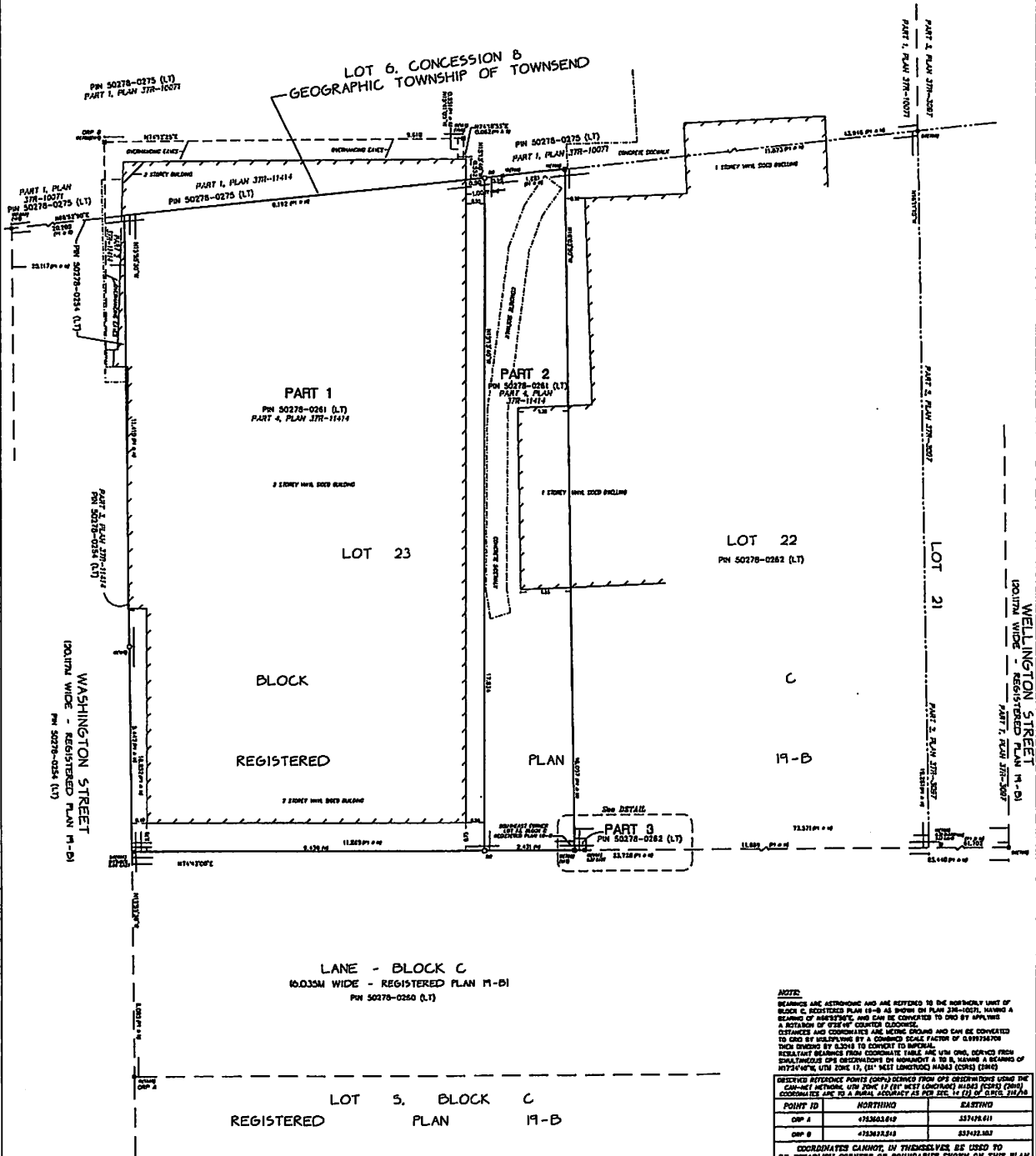
A.D., 2022

[Signature]
A Commissioner, etc.



PLAN OF SURVEY
OF ALL OF
LOT 23, BLOCK C
AND PART OF
LOT 22, BLOCK C
REGISTERED PLAN 19-B
(TOWN OF WATERFORD)
IN
NORFOLK COUNTY
SCALE 1 : 50
JEWITT AND DIXON LTD.

I HEREBY PLAN TO BE DEPOSITED UNDER THE LAND TILES ACT		PLAN 37R-		
RECEIVED AND DEPOSITED				
ON/EN	FEBRUARY 14, 2022	ON/EN		
A. C. DUBO ON/EN		DATE		
REPRESENTATIVE FOR THE LAND INTERESTS FOR THE LAND TILES SECTION OF NORFOLK (NO. 22)		DATE		
SCHEDULE				
PART	LOT/STREET	CON/PLAN	PIN	AREA (SQ.M)
1	PART OF LOT 23 BLOCK 6 PLAN 37R-0261	PART OF PIN 50278-0261 (L.T.)		16.51 sq.m
2	PART OF LOT 23 BLOCK 6 PLAN 37R-0261	PART OF PIN 50278-0261 (L.T.)		11.87 sq.m
3	PART OF LOT 23 BLOCK 6 PLAN 37R-0261	PART OF PIN 50278-0261 (L.T.)		6.86 sq.m
PART 1 & 2 COMPOSE ALL OF PIN 50278-0261 (L.T.)				
PART 3 COMPOSES PART OF PIN 50278-0261 (L.T.)				



NOTE:
BEARINGS AND DISTANCES ARE REFERRED TO THE NORTH-SOUTH LINE OF BLOCK C, REGISTERED PLAN 19-B AS SHOWN ON PLAN 37R-10071, HAVING A BEARING OF MAGNETIC AND CAN BE CONVERTED TO GRID BY APPLYING A ROTATION OF 7° 54' 00" COUNTER CLOCKWISE.
DISTANCES AND COORDINATES ARE MEASURED AND CAN BE CONVERTED TO GRID BY APPLYING A CORRECTION SCALE FACTOR OF 0.999754707.
THESE BEARINGS ARE BASED ON THE CANADIAN DATUM OF 1983.
DISTANCES DERIVED FROM COORDINATE TABLE ARE USED, DERIVED FROM THE CANADIAN DATUM OF 1983.
COORDINATES ARE TO A HORIZONTAL ACCURACY OF 1:50,000 AND A VERTICAL ACCURACY OF 1:100,000.
THESE BEARINGS AND DISTANCES ARE BASED ON THE CANADIAN DATUM OF 1983.

POINT ID	NORTHING	EASTING
OPP A	478365.619	557476.411
OPP B	478365.619	557476.411

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.


SURVEYOR'S CERTIFICATE
I, **A. C. DUBO**,
1. THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYOR ACT, AND THE LAND TILES ACT,
2. THE SURVEY WAS COMPLETED ON THE 17TH DAY OF FEBRUARY, 2022.
A. C. DUBO
ONTOARIO LAND SURVEYOR

ITEM	DESCRIPTION	DATE	BY
1	2.5m x 2.5m x 1.5m STRONG IRON BARS	SHOWN	CH
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94	1.5m x 1.5m x 1.5m IRON BARS	SHOWN	CH
95	1.5m x 1.5m x 1.5m IRON BARS	SHOWN	CH
96	1.5m x 1.5m x 1.5m IRON BARS	SHOWN	CH
97	1.5m x 1.5m x 1.5m IRON BARS	SHOWN	CH
98	1.5m x 1.5m x 1.5m IRON BARS	SHOWN	CH
99	1.5m x 1.5m x 1.5m IRON BARS	SHOWN	CH
100	1.5m x 1.5m x 1.5m IRON BARS	SHOWN	CH

JEWITT AND DIXON LTD.
ONTOARIO LAND SURVEYORS
400 DUNDAS STREET WEST, SUITE 400
TORONTO, ONTARIO M5G 1C4
TEL: (416) 496-0418 FAX: (416) 496-0414
E-mail: survey@jewittanddixon.com



*PLAN OF SURVEY
OF ALL OF
LOT 23, BLOCK C
AND PART OF
LOT 22, BLOCK C
REGISTERED PLAN 19-B
(TOWN OF WATERFORD)
IN
NORFOLK COUNTY
SCALE: 1 : 50*

 METRES

JEWITT AND DIXON LTD.

I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER THE
LAND TITLES ACT.

DATED FEBRUARY 18, 2022

R. C. DIXON
ONTARIO LAND SURVEYOR

PLAN 37R-

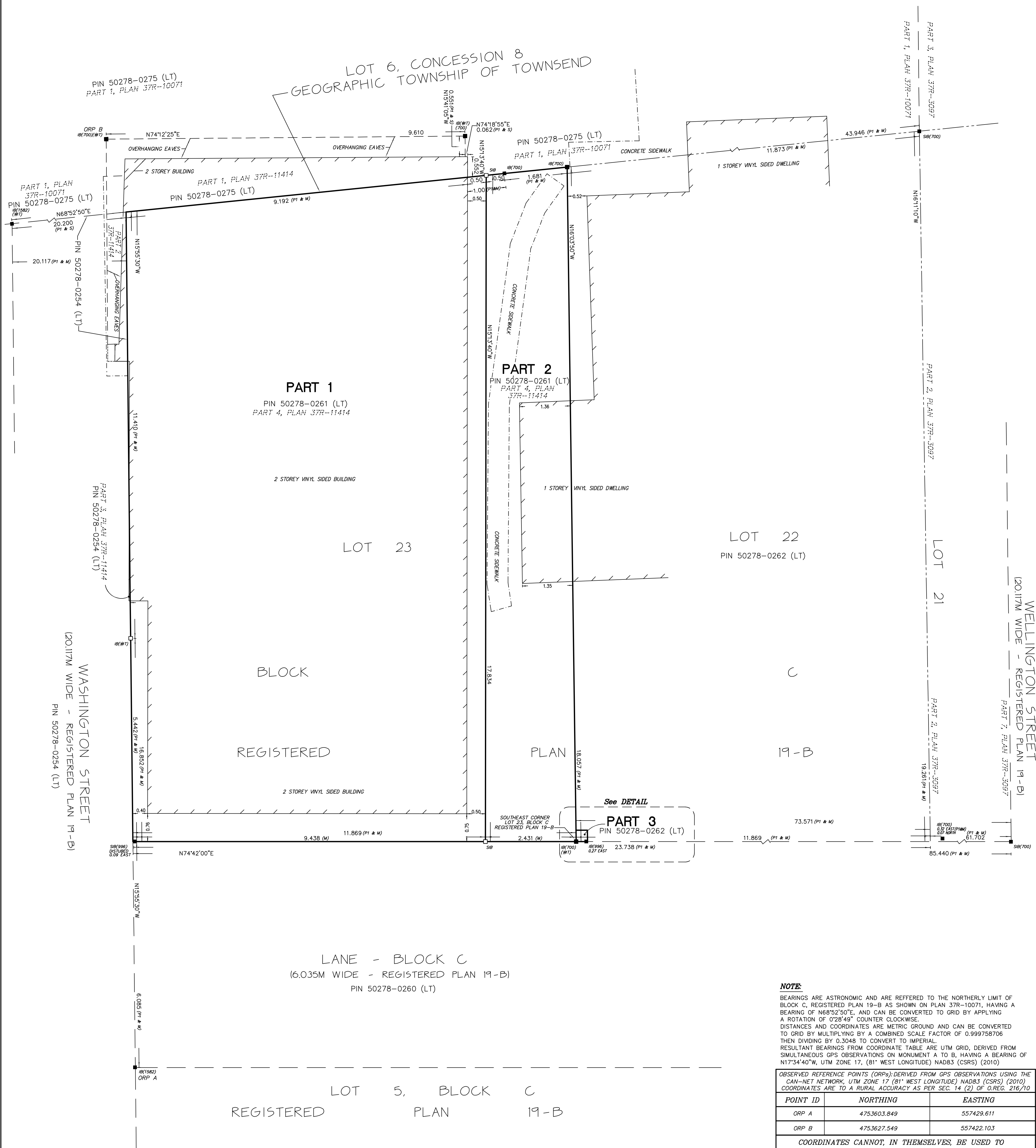
RECEIVED AND DEPOSITED

DATED _____

REPRESENTATIVE FOR THE
LAND REGISTRAR FOR THE LAND
TITLES DIVISION OF NORFOLK (No. 37)

SCHEDULE				
PART	LOT/STREET	CON/PLAN	PIN	AREA (SQ.M)
1	PART OF LOT 23 BLOCK C	REGISTERED PLAN 19-B	PART OF PIN 50278-0261 (LT)	165.51 sq.m
2	PART OF LOT 23 BLOCK C	REGISTERED PLAN 19-B	PART OF PIN 50278-0261 (LT)	41.27 sq.m
3	PART OF LOT 22 BLOCK C	REGISTERED PLAN 19-B	PART OF PIN 50278-0262 (LT)	0.093 sq.m

PARTS 1 & 2 COMPRISE ALL OF PIN 50278-0261 (LT,
PART 3 COMPRISES PART OF PIN 50278-0262 (LT)



SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 17TH DAY OF FEBRUARY, 2022.

DATE: FEBRUARY 18, 2022

R. C. DIXON O.L.S.
FOR JEWITT & DIXON LTD.

LEGEND

2.5cm X 2.5cm X 1.2m	STANDARD	IRON BARS	SHOWN	<input type="checkbox"/>	SIB
1.6cm X 1.6cm X 0.6m		IRON BARS	SHOWN	<input type="checkbox"/>	IB
CUT CROSS			SHOWN	<input type="checkbox"/>	CC
LOT LINES	SHOWN				
DEED LINES	SHOWN				
FENCE LINES	SHOWN				
CENTRE LINES	SHOWN				
ROAD LINES	SHOWN				
FOUND IRON BARS	SHOWN				
		■ PLANTED IRON BARS	SHOWN	<input type="checkbox"/>	

JEWITT AND DIXON LTD.
J. B. DODD, O.L.S.
K.S. HUSTED, O.L.S.
WITNESS MONUMENT
ORIGIN UNKNOWN
PLAN 37R-11414

SHOWN (700
SHOWN (996
SHOWN (158
SHOWN (WIT
SHOWN (OU
SHOWN (P1

JEWITT AND DIXON LTD.
ONTARIO LAND SURVEYORS

R.R.1, SIMCOE, ONTARIO, N3Y 4J9
(51 PARK ROAD)

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

F.W.	—	J.P.H.
BOOK	—	LL-FILE
CALC.	—	J.L.M.
PLAN	—	J.L.M.
CHECK	—	K.H.

CLIENT - KARSTEN
JOB No. - 21-2837



21-2837-RP2

MAP A
CONTEXT MAP
Urban Area of WATERFORD

ANPL2022148

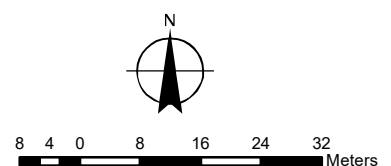


Legend

-  Subject Lands
-  Lands Owned

2020 Air Photo

6/27/2022

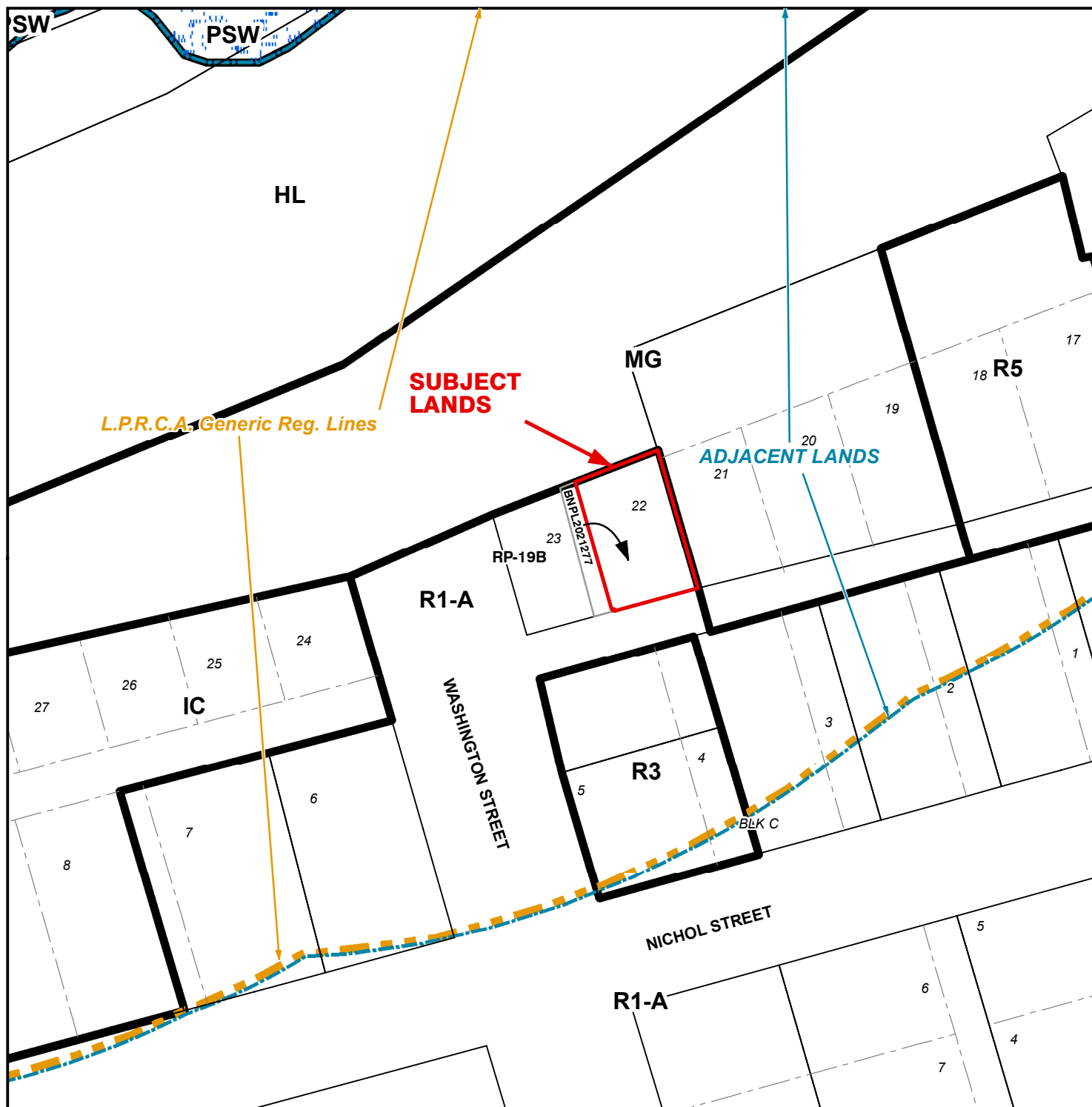


MAP B

ZONING BY-LAW MAP

Urban Area of WATERFORD

ANPL2022148



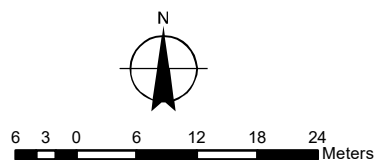
LEGEND

- Subject Lands
- Lands Owned
- Adjacent Lands
- Wetland
- LPRCA Generic RegLines

ZONING BY-LAW 1-Z-2014

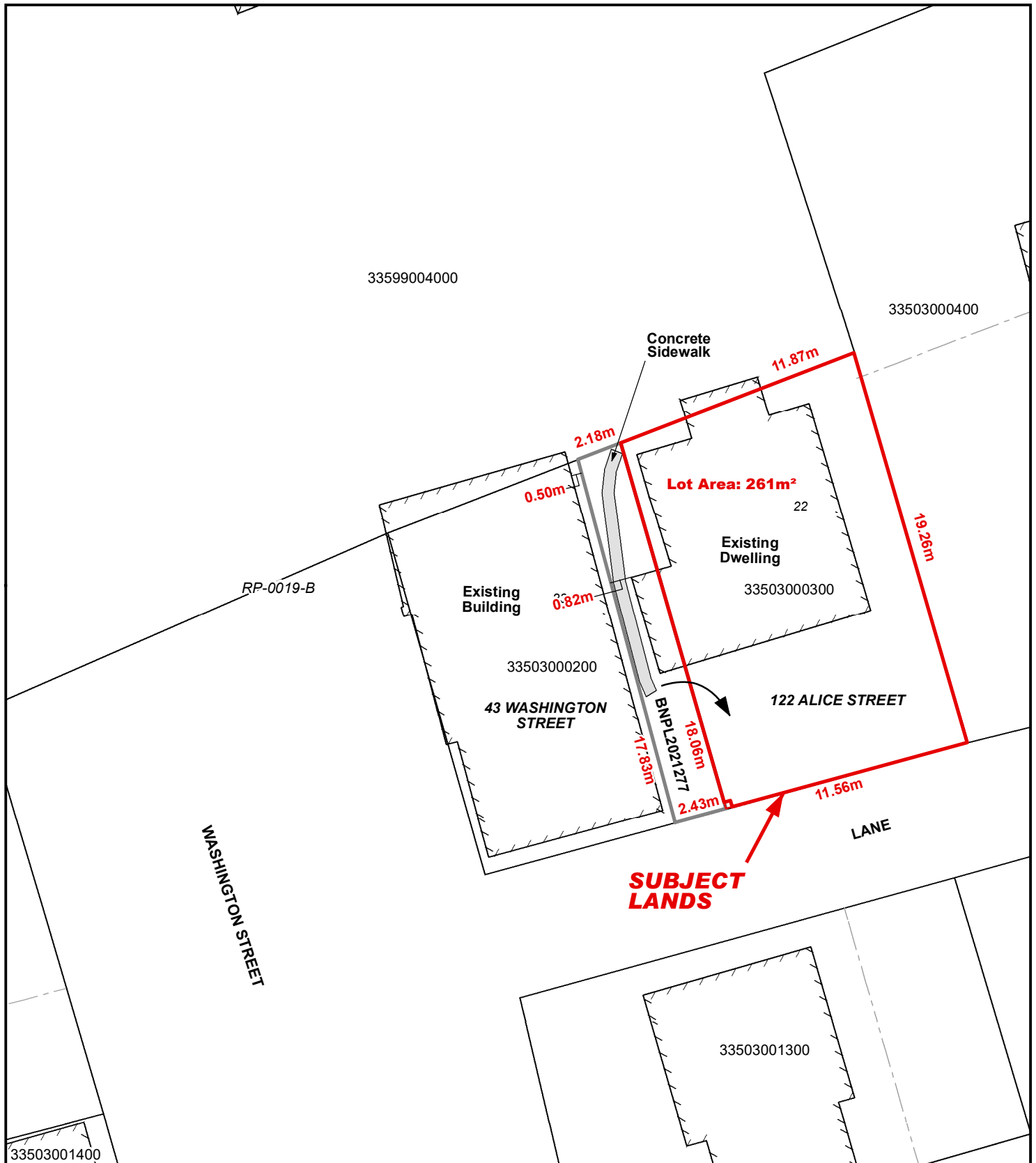
- (H) - Holding
- IC - Community Institutional Zone
- MG - General Industrial Zone
- HL - Hazard Land Zone
- PSW - Provincially Significant Wetland Zone
- R1-A - Residential R1-A Zone
- R3 - Residential R3 Zone
- R5 - Residential R5 Zone

6/27/2022



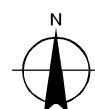
CONCEPTUAL PLAN

Urban Area of WATERFORD



Legend

- Subject Lands
- Lands Owned

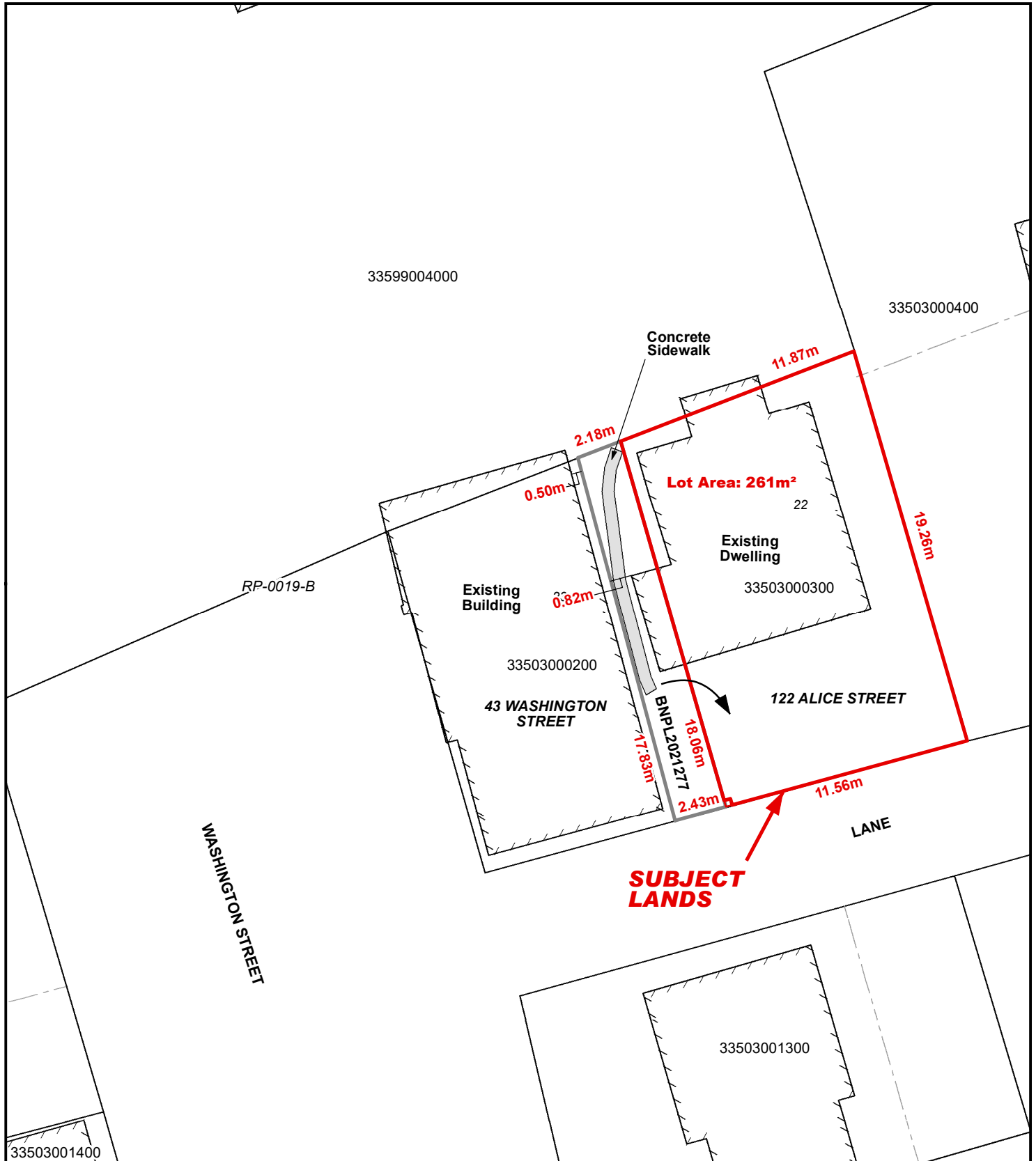


6/27/2022

2 1 0 2 4 6 8 Meters

CONCEPTUAL PLAN

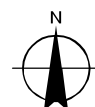
Urban Area of WATERFORD



Legend

- Subject Lands
- Lands Owned

6/27/2022



2 1 0 2 4 6 8 Meters