

For Office Use Only:File Number ANPL2022153

Related File Number _____

Pre-consultation Meeting _____

Application Submitted April 12, 2022

Complete Application _____

Revised application received - May 10, 2022 - deemed complete May 27, 2022

Application Fee

Conservation Authority Fee

Well & Septic Info Provided

Planner

Public Notice Sign

\$1599.00 ✓pd.

n/a

new system to be constructed

Jen

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: 402-010-14400-0000**A. Applicant Information****Name of Owner**Kim Ludwig, Fred Ludwig, Rose Ludwig

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 801 Norfolk St. S.Town and Postal Code Simcoe N3Y 4K1Phone Number 519-427-4870 (Kim)Cell Number 519-427-3194 (Kim)Email kludwig@ludwigtransport.com**Name of Applicant**Kim Ludwig, Fred Ludwig, Rose LudwigAddress Kim Ludwig - 11 Turner Dr. Fred & Rose Ludwig - 817 Norfolk St. S.Town and Postal Code Simcoe N3Y 5E9 (Kim) N3Y 4K1 (Fred & Rose)Phone Number 519-426-4870Cell Number 519-427-3194Email kludwig@ludwigtransport.com

Name of Agent

Address

Town and Postal Code

Phone Number

Cell Number

Email

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 mortgages, charges or other encumbrances on the subject lands:

Farm Credit Canada - 1800 Hamilton St., Regina, SK

B. Location, Legal Description and Property Information

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

WDH Concession 3 Part Lot 1 RP, 37R1199 Part 3 IRREG

Municipal Civic Address: 801 Norfolk St. S

Present Official Plan Designation(s):

Present Zoning: Agriculture with added use (Winery)

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

☒ Yes ☐ No If yes, please specify:

Added Use - Winery

3. Present use of the subject lands:

Winery Retail operation, 1 acre apple orchard, 1 acre growing sweet corn

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:

Winery Bldg - Metal sided/wood frame 40 ft x 60 ft building (2400 sq ft/223m2)- retaining

Barn/Storage - Metal sided/wood frame (4758 sq ft/442m2) - retaining

Barn/Garage - Vinyl sided/wood frame (893 sq ft/83 m2) - removing

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 building - Duplex Residence

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:

Winery Bldg - Build 2009; other bldgs unknown

9. Existing use of abutting properties:

Property to West - residence; Property to North - agriculture; Property to South, Commercial (Owned by Fred & Rose Ludwig)

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					
Lot depth					
Lot width					
Lot area					
Lot coverage					
Front yard					
Rear yard					
Height					
Left Interior side yard					
Right Interior side yard					
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 proposed residence is a duplex, not currently supported by the Zoning By-law

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):

Commercial Use on adjacent land - Trucking company since 1960 to present

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:

Personal knowledge as the owners of this property are the owners of the adjacent property

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 _____

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

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

Sewage Treatment

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

Name of road/street:

Hwy 24

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?

None - business is operated by owner

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.

See attached 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.

April 12, 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 _____ 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.

Owner

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, Kim Ludwig, Fred Ludwig, Rose Ludwig of Simcoe, ON

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:

NORFOLK COUNTY

In SIMCOE, ONT.

This 12th day of April

A.D., 2022

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

A Commissioner, etc.

Rose M. Ludwig
Fred A. Ludwig

Owner/Applicant/Agent Signature

Kim Ludwig

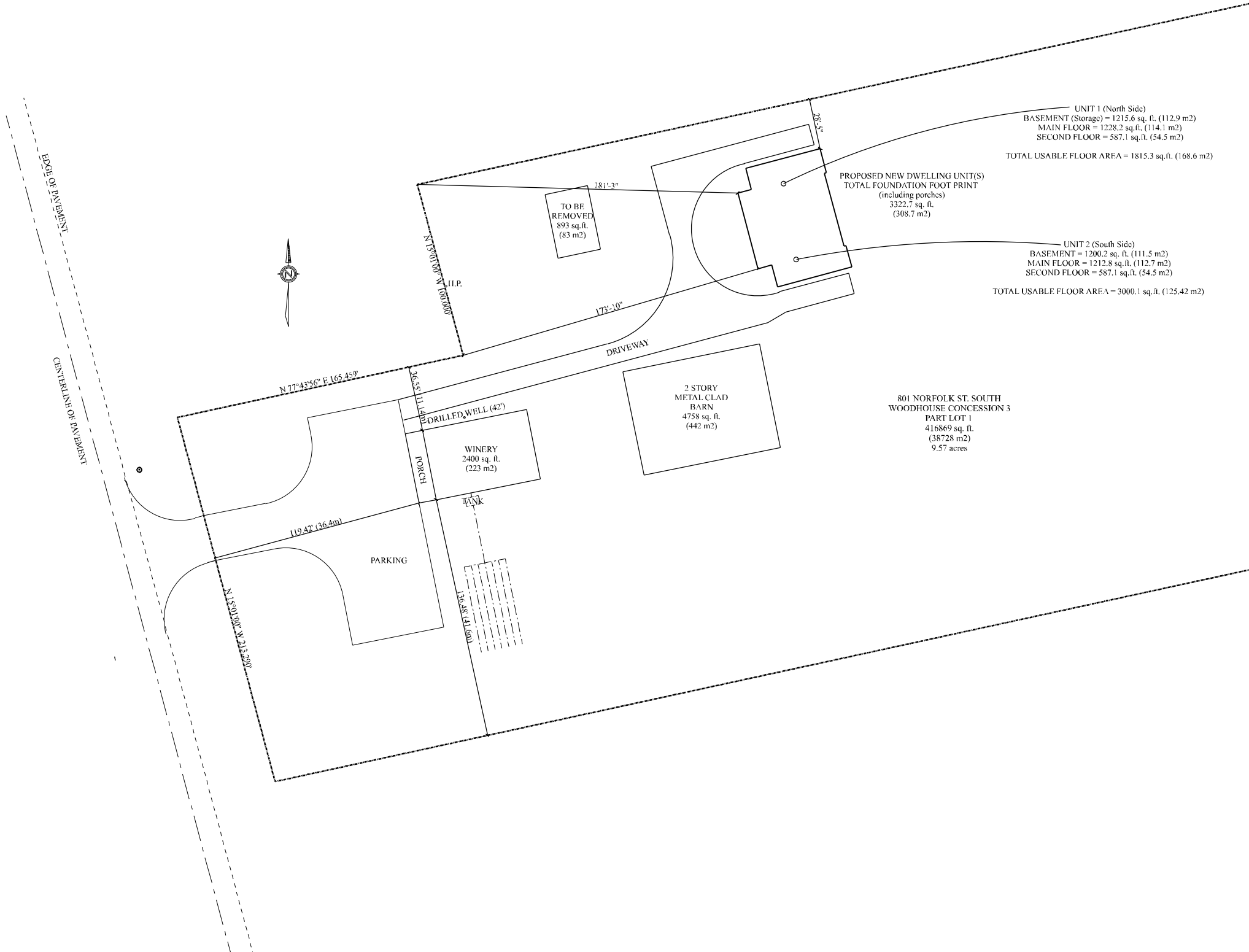
**NORFOLK COUNTY COMMITTEE OF ADJUSTMENTS
– MINOR VARIANCE APPLICATION
LUDWIG – 801 NORFOLK ST. S. SIMCOE**

Part G – Question 2:

The intention for building this duplex residence is to house Kim (landowner) and her 5-year-old granddaughter (whom Kim is raising since the death of the granddaughter's father (Kim's son) in 2019) in Unit 1 and Kim's remaining living son and his spouse and future family in Unit 2. Kim will be close to her son, so he can assist in raising the granddaughter. Kim is a grandparent raising her grandchild, so the proximity to her son is essential as the years pass. Grandchild and Uncle are able to form a good relationship should anything happen to Kim and the Uncle has to take custody of the granddaughter.

The residence is located on the same property as Kim's winery business and her local sweet corn stand. This allows her to be at the winery/corn stand for operation while her granddaughter is able to stay in the residence or be with her Uncle. Currently, living in another residence in town, means the child is at a childcare facility or has to go with Kim to these places while Kim works at them. The residence proximity allows Kim to expand operations of these ventures.

The residence is located next door to the property of Rose and Fred Ludwig (landowners), parents of Kim. As the parents age, Kim will be close to help with aging parent requirements.





Jennifer Catarino

From: Kim Ludwig <kludwig@ludwigtransport.com>
Sent: Wednesday, May 25, 2022 5:40 PM
To: Jennifer Catarino
Subject: RE: Revised Completed Norfolk County MV Application Ludwig 801 Norfolk St. S. Simcoe.pdf

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.

Unit 1 – Total Usable Floor Area – 1815.2 sq ft

Unit 2 – Total Usable Floor Area – 3000.1 sq ft

Kim Ludwig
Ludwig Transport Limited
PH: 800-668-7181

From: Jennifer Catarino <Jennifer.Catarino@norfolkcounty.ca>
Sent: Wednesday, May 25, 2022 5:35 PM
To: Kim Ludwig <kludwig@ludwigtransport.com>
Subject: RE: Revised Completed Norfolk County MV Application Ludwig 801 Norfolk St. S. Simcoe.pdf

Thank you Kim. If you can just confirm the useable floor area for both units, I think we should be ok to deem the application complete.

Jen

Jennifer Catarino
Senior Planner
Planning
185 Robinson St. Suite 200, Simcoe, Ontario, N3Y 5L6
519-426-5870 x. 8013



Working together with our community

From: Kim Ludwig <kludwig@ludwigtransport.com>
Sent: Wednesday, May 25, 2022 5:00 PM
To: Jennifer Catarino <Jennifer.Catarino@norfolkcounty.ca>
Subject: RE: Revised Completed Norfolk County MV Application Ludwig 801 Norfolk St. S. Simcoe.pdf

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.

The building dept will not necessarily give us a building permit with the closed breezeway!

The useable floor space is shown on the site plan attached. I was supposed to include this site plan with the application – sorry!

Kim Ludwig
Ludwig Transport Limited
PH: 800-668-7181

From: Jennifer Catarino <Jennifer.Catarino@norfolkcounty.ca>
Sent: Wednesday, May 25, 2022 4:46 PM
To: Kim Ludwig <kludwig@ludwigtransport.com>
Subject: FW: Revised Completed Norfolk County MV Appilication Ludwig 801 Norfolk St. S. Simcoe.pdf

Hi Kim,

Thank you for the revised application. In requesting the ADU be 65% of the size of the principle dwelling, can you provide the breakdown of the useable floor area of the principle dwelling (all the useable floor area, including finished basement) and the useable floor area for the ADU?

I looked at that floor plans and was wondering if one of the units was smaller as they look pretty similar.

As an aside, I am thinking it is still easier to close the breeze way ;)

Jen

Jennifer Catarino
Senior Planner
Planning
185 Robinson St. Suite 200, Simcoe, Ontario, N3Y 5L6
519-426-5870 x. 8013



Working together with our community

From: Sherry Mott <Sherry.Mott@norfolkcounty.ca>
Sent: Tuesday, May 10, 2022 2:06 PM
To: Jennifer Catarino <Jennifer.Catarino@norfolkcounty.ca>
Subject: FW: Revised Completed Norfolk County MV Appilication Ludwig 801 Norfolk St. S. Simcoe.pdf

FYI

Sherry Mott

Secretary-Treasurer, Committee of Adjustment
Planning
Community Development Division



185 Robinson Street, Simcoe, Ontario, Canada, N3Y 5L6
519-426-5870 x. 1835



Working together with our community

From: Kim Ludwig <kludwig@ludwigtransport.com>

Sent: Tuesday, May 10, 2022 11:34 AM

To: Sherry Mott <Sherry.Mott@norfolkcounty.ca>; jennifer.catari@norfolkcounty.ca

Subject: Revised Completed Norfolk County MV Application Ludwig 801 Norfolk St. S. Simcoe.pdf

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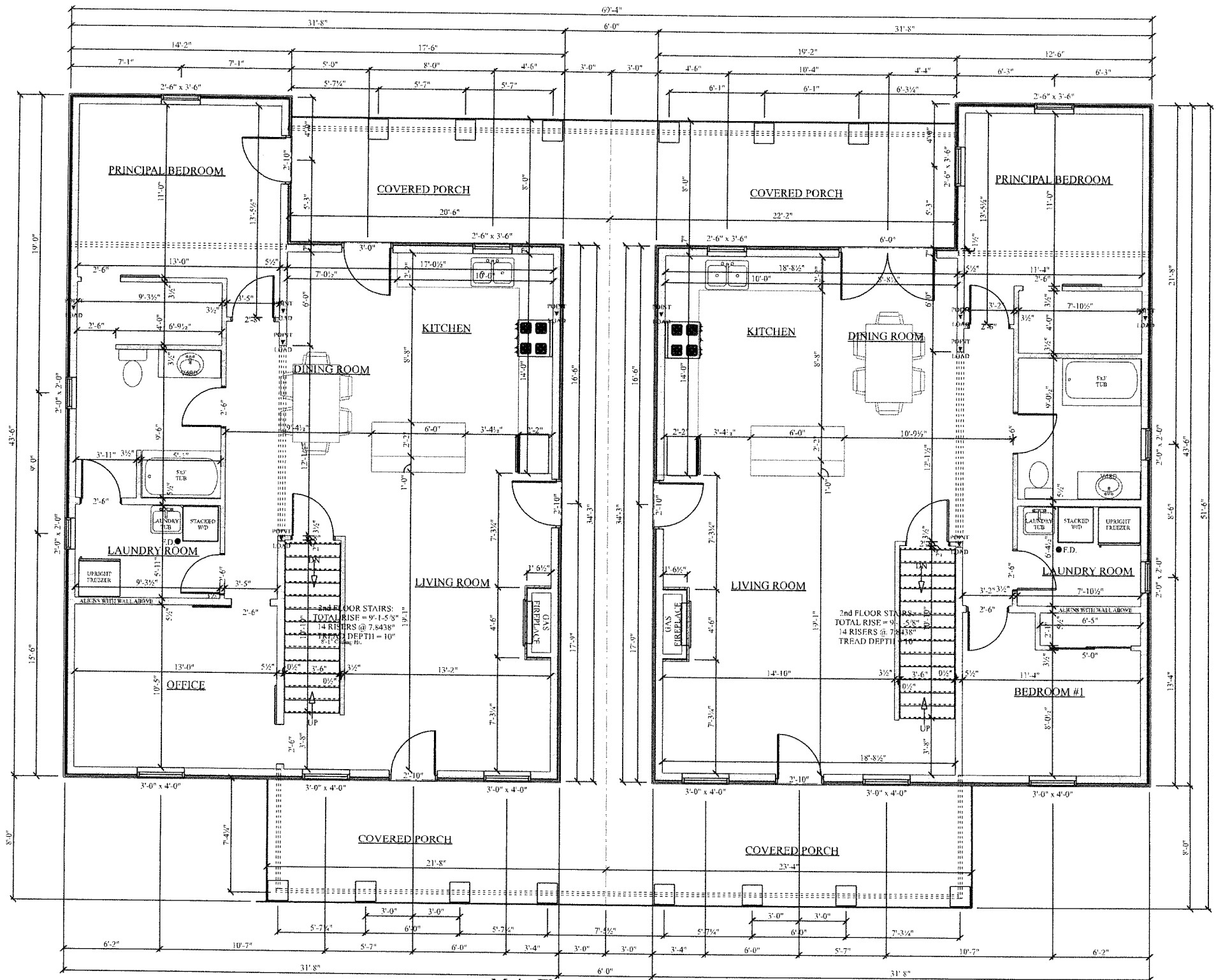
Jennifer/Sherry:

As per my telephone conversation with Jennifer, yesterday (May 9), I have amended the minor variance application to ask for an increase of usable floor space for the accessory dwelling – increase from 45% to 65% and delete the request for the minor variance of allowing a duplex on the property.

The attached file is the revised application to reflect this.

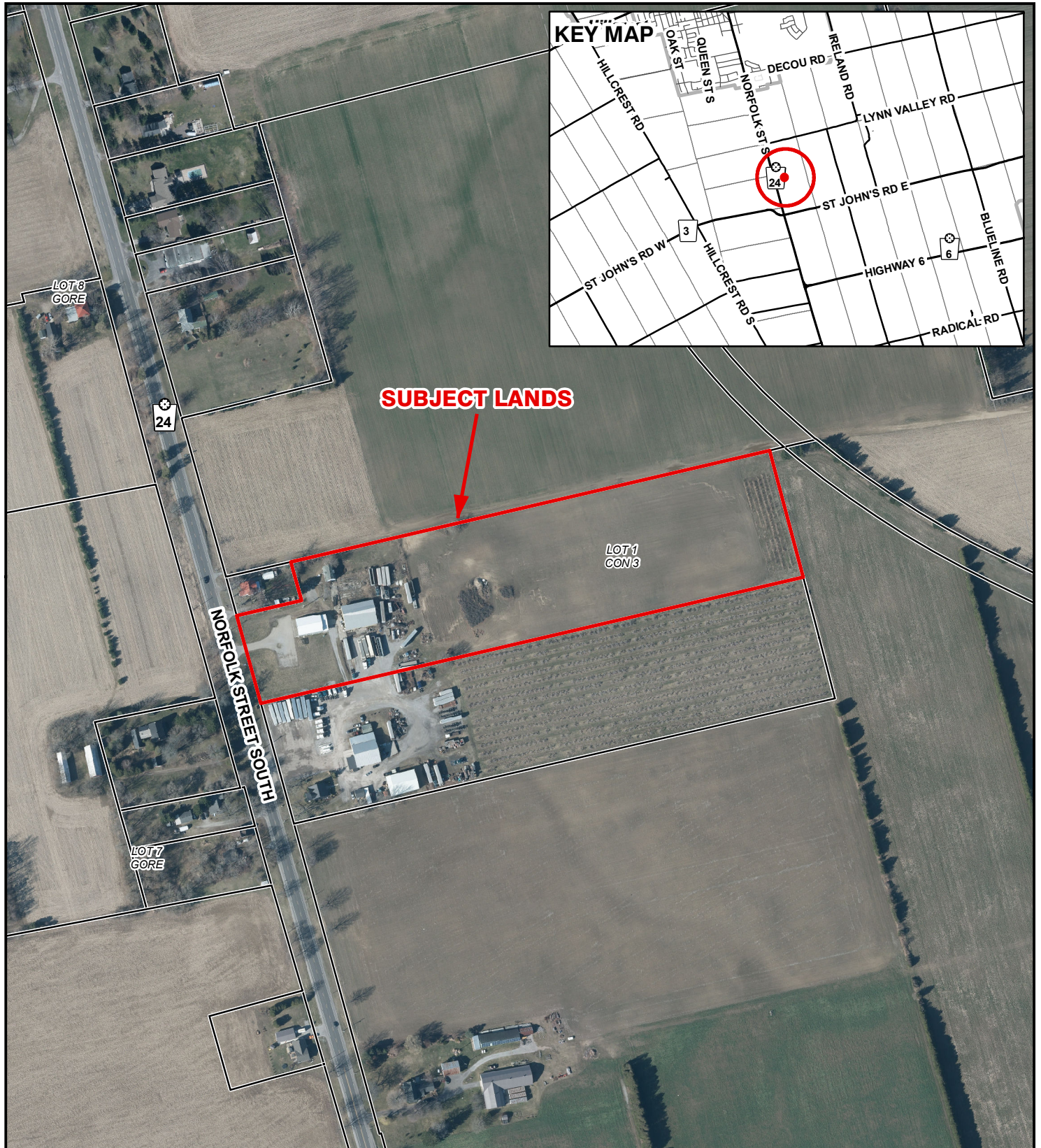
Please note, I was guessing at Jennifer's email address, as I was out yesterday during our phone call and was unable to write it down. Sherry, if the email is incorrect for Jennifer, could you please forward the revised application to her?

Disclaimer: This e-mail and any attachments may contain personal information or information that is otherwise confidential and it's intended for the exclusive use of the intended recipient. If you are not the intended recipient, any use, disclosure or copying of any part of it is prohibited. Norfolk County accepts no liability for damage caused by any virus transmitted in this message. If this e-mail is received in error, please immediately reply and delete or destroy any copies of it. The transmission of e-mails between an employee or agent of Norfolk County and a third party does not constitute a binding contract without the express written consent of an authorized representative of The Corporation of Norfolk County.



CONTEXT MAP

Geographic Township of WOODHOUSE

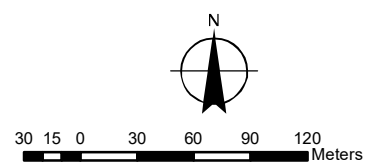


Legend

Subject Lands

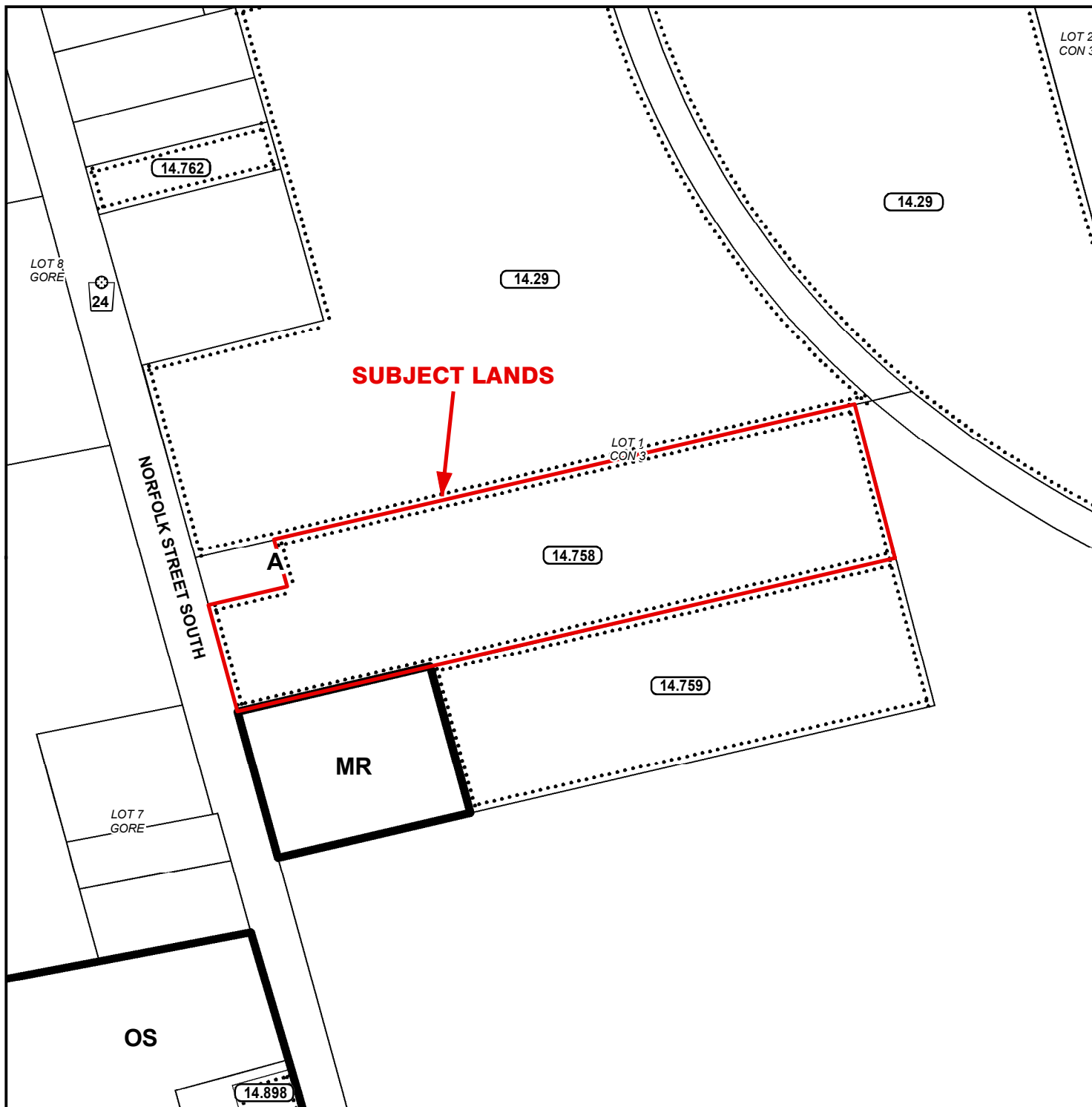
2020 Air Photo

5/30/2022



MAP B
ZONING BY-LAW MAP
 Geographic Township of WOODHOUSE

ANPL2022153



LEGEND

Subject Lands

ZONING BY-LAW 1-Z-2014

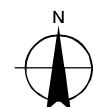
5/30/2022

(H) - Holding

A - Agricultural Zone

OS - Open Space Zone

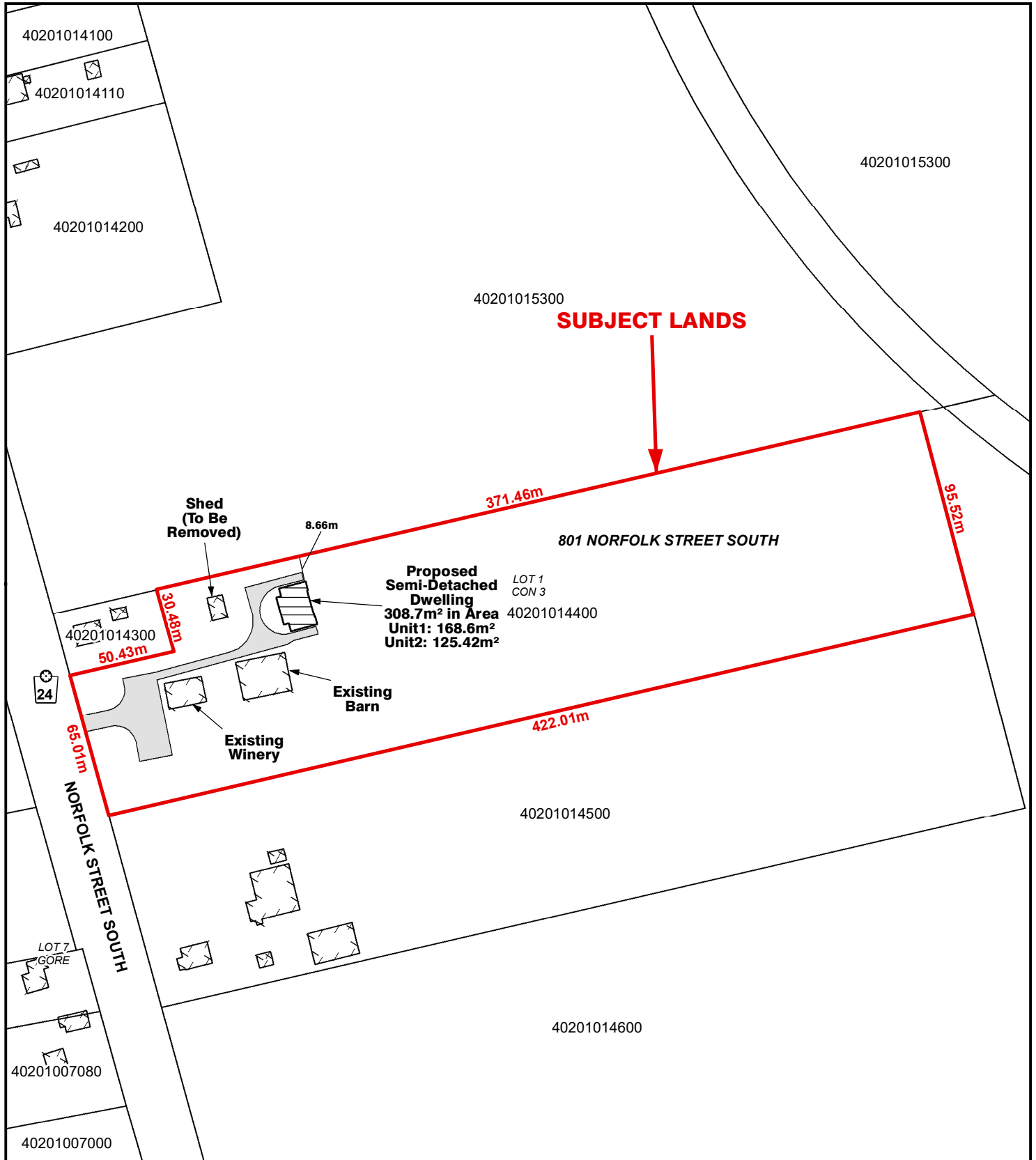
MR - Rural Industrial Zone



25 12.5 0 25 50 75 100 Meters

CONCEPTUAL PLAN

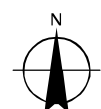
Geographic Township of WOODHOUSE



Legend

Subject Lands

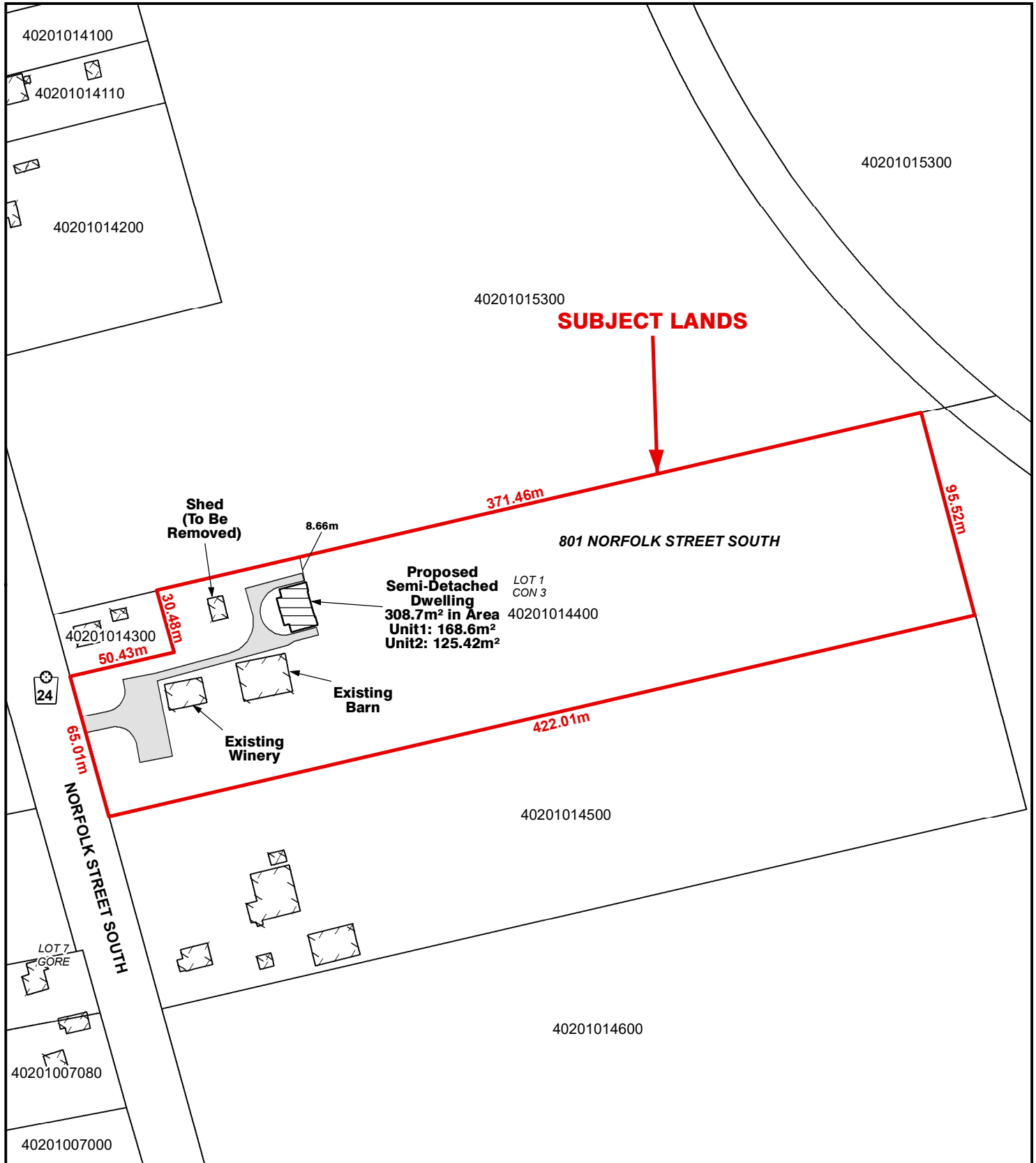
5/30/2022



20 10 0 20 40 60 80 Meters

CONCEPTUAL PLAN

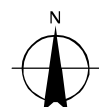
Geographic Township of WOODHOUSE



Legend

Subject Lands

5/30/2022



20 10 0 20 40 60 80 Meters