

For Office Use Only:

File Number	<u>BNPL2023146</u>	Application Fee	<u>\$5404.00 Paid</u>
Related File Number	<u>ANPL2023147</u>	Conservation Authority Fee	<u></u>
Pre-consultation Meeting	<u></u>	Well & Septic Info Provided	<u></u>
Application Submitted	<u></u>	Planner	<u>A. Wallace</u>
Complete Application	<u>April 28, 2023</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: 33-10-545-030-03300-0000**A. Applicant Information****Name of Owner** GUNN HOLDINGS INC.

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 815 Lakeshore Road

Town and Postal Code Port Burwell, Ontario N0J 1T0

Phone Number

Cell Number 519-429-4620

Email jgfltd@hotmail.com

Name of Applicant GUNN HOLDINGS INC.

Address 815 Lakeshore Road

Town and Postal Code Port Burwell, Ontario N0J 1T0

Phone Number

Cell Number 519-429-4620

Email jgfltd@hotmail.com

Name of Agent Adam Kowalsky, Cobb & Jones LLP

Address 23 Argyle Street

Town and Postal Code Simcoe, Ontario N3Y 4N5

Phone Number 519-428-0170

Cell Number 519-429-2420

Email akowalsky@cobbjones.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:

Farm Credit Canada, 104-1133 St. George Blvd., Moncton, New Brunswick, E1E 4E1

Charge/mortgage registered as NK148808

B. Location, Legal Description and Property Information

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

PT LT 2 CON 2 HOUGHTON AS IN NR483080; NORFOLK COUNTY (PIN 50105-0133 (LT))

Municipal Civic Address: 543 Lower Side Road, Langton, Ontario N0E 1G0

Present Official Plan Designation(s): Agricultural & Hazard Land

Present Zoning: Agricultural & Hazard Land (A & HL)

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:

agricultural and single family dwelling with accessory use structure

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:

See Schedule A. Existing buildings or structures: detached dwelling and accessory shed.

Dwelling, single storey, approx. 166.5 square metres; shed, single storey, approx. 160 square metres

No buildings or structures on retained lands. See Schedule A.

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.

Not applicable.

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:

Not applicable.

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:

in excess of forty (40) years

9. Existing use of abutting properties:

agricultural

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:

Location of existing dwelling would be within 13M exterior side yard, corner lot, under 12.1.2(d). Relief by way of minor variance is required to accommodate location of existing dwelling, approx. 4M.
See Schedule A Figure 3 Note.

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

Frontage: 43 m
Depth: 60 m
Width: 40 m
Lot Area: 2,220 square metres
Present Use: residential
Proposed Use: residential

Proposed final lot size (if boundary adjustment): NA
If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: NA

Description of land intended to be retained in metric units:

Frontage: 645 m
Depth: 650 m
Width: 620 m
Lot Area: 98.45 acres
Present Use: agricultural
Proposed Use: agricultural
Buildings on retained land: none

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

Frontage: Not applicable.
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: See Schedule B table seeing out these properties
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:
personal knowledge of the principal of the applicant, Jason Kyle Gunn, who personally or whose family
has lived and farmed in the area

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:

No development or site alterations are contemplated by the subject application.

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:

No development or site alterations are contemplated by the subject application.

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 _____

Clear Creek tributary

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 ☐ Communal wells
☒ Individual wells ☒ Other (describe below)

sand point, well #A353128 located approximately 9 metres from the proposed front lot line. See Schedule A.

Sewage Treatment

- ☐ Municipal sewers ☐ Communal system
☒ Septic tank and tile bed in good working order ☐ Other (describe below)

septic tank is situated between the dwelling and the shed. See Schedule A, OSSD form.

Storm Drainage

- ☐ Storm sewers ☒ Open ditches
☒ Other (describe below)

municipal drain - Wilkins

2. Existing or proposed access to subject lands:

- ☒ Municipal road ☐ Provincial highway
☐ Unopened road ☐ Other (describe below)

Name of road/street:

Lower Side Road and 2nd Concession Road ENR. Access via Lower 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.

Farming operation is among Applicant, its principal, personally, Jason Gunn, and related company, Jason Gunn Farms Ltd.

Subject Property is within regulation limits of Long Point Regional Conservation Authority.

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 *NA.*
4. Parking space totals – required and proposed
5. All dimensions of the subject lands *SCHEDULE "A"*
6. Dimensions and setbacks of all buildings and structures *SCHEDULE "A"*
7. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures *SCHEDULE "A" + OSCN FORM.*
8. Names of adjacent streets *2ND CONCESSION ROAD ERM, LOWEN SIDE ROAD.*
9. Natural features, watercourses and trees *SEE SCHEDULE "A"*

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.

Gunn Holdings Inc.

Per:

Jason Gunn, Director

I have the authority to bind the Corporation.

November 25, 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 Gunn Holdings Inc. am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Adam Kowalsky, Cobb & Jones 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.

Gunn Holdings Inc.

Per:

Jason Gunn, Director

I have the authority to bind the Corporation.

November 25, 2022

Date

Owner

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

K. Declaration

I, Jason Gunn 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:

Norfolk County


Owner/Applicant/Agent Signature

In Province of Ontario

This 25 day of November

A.D., 2022

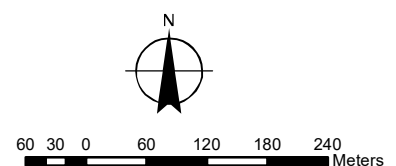

A Commissioner, etc.

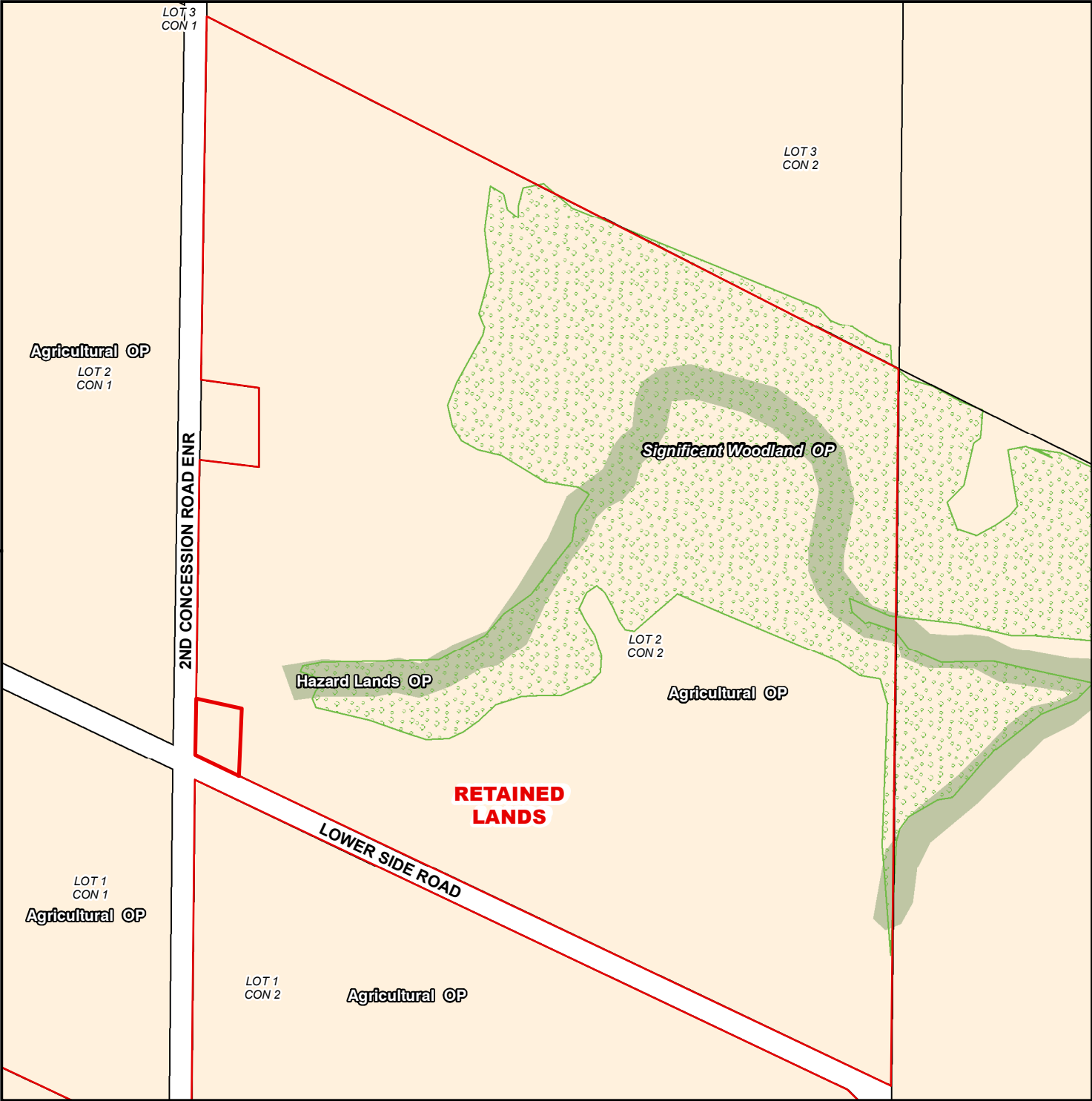


Legend



- Subject Lands
- Lands Owned
- 2020 Air Photo

5/2/2023








Legend

-  Subject Lands
-  Lands Owned

Official Plan Designations

-  Agricultural
-  Hazard Lands
-  Significant Woodland

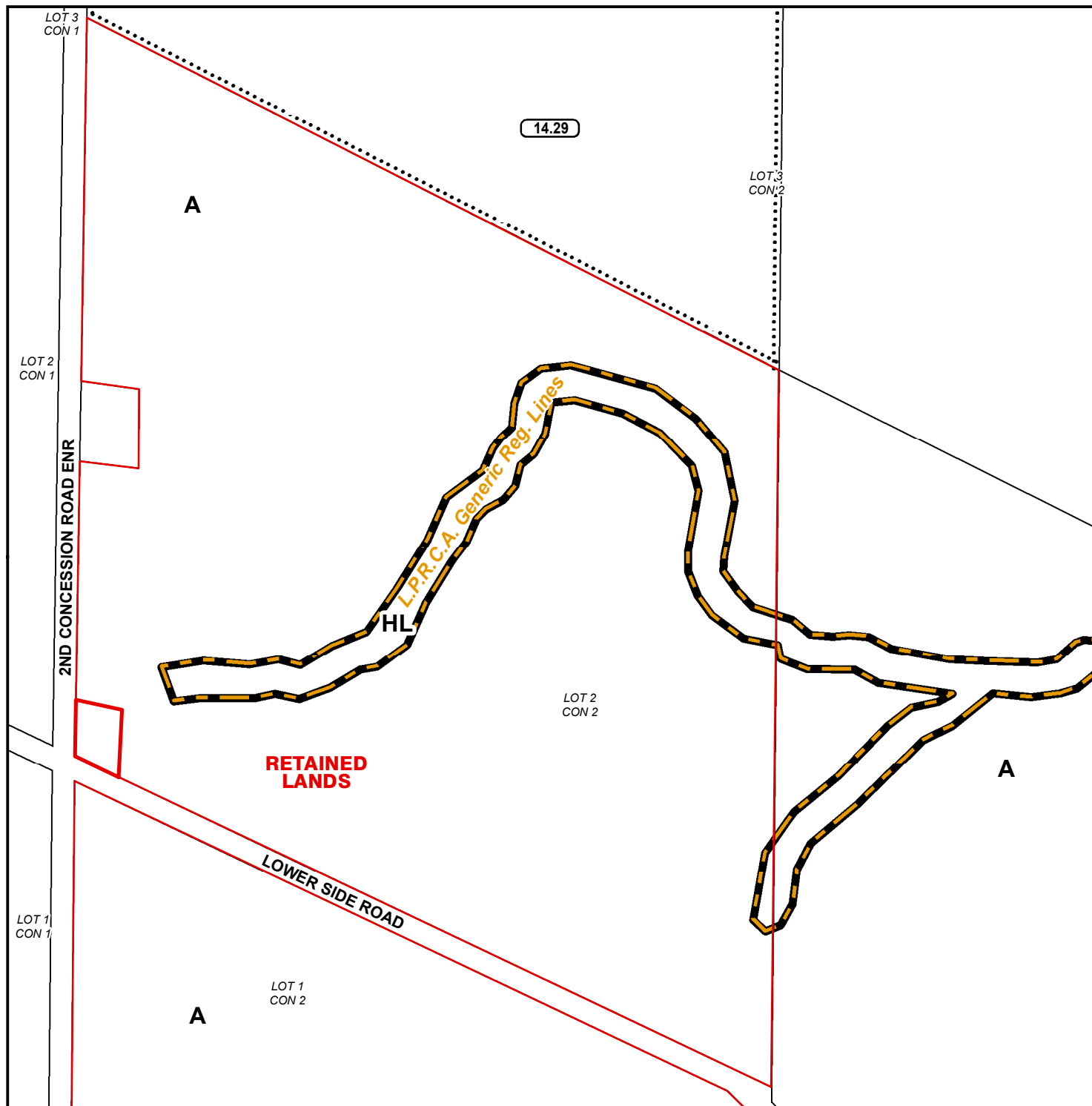
5/2/2023



40 20 0 40 80 120 160 Meters

MAP C
ZONING BY-LAW MAP
 Geographic Township of HOUGHTON

BNPL2023146
 ANPL2023147



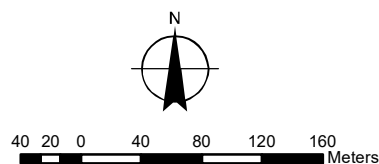
LEGEND

- Subject Lands
- Lands Owned
- LPRCA Generic RegLines

ZONING BY-LAW 1-Z-2014

5/2/2023

- (H) - Holding
- A - Agricultural Zone
- HL - Hazard Land Zone



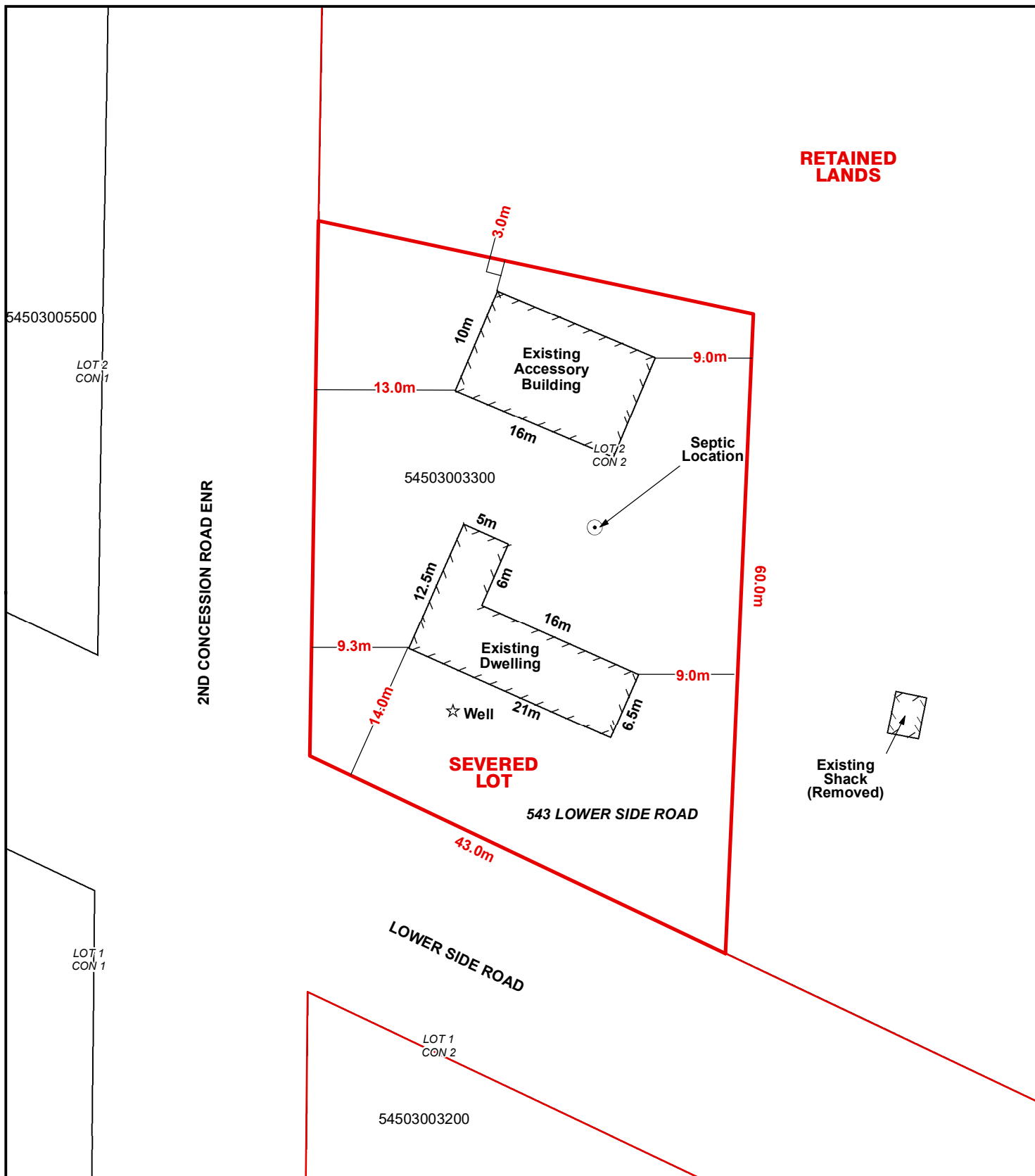
MAP D

CONCEPTUAL PLAN

Geographic Township of HOUGHTON

BNPL2023146

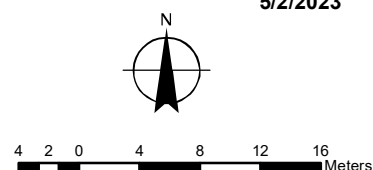
ANPL2023147



Legend

- Subject Lands
- Lands Owned

5/2/2023



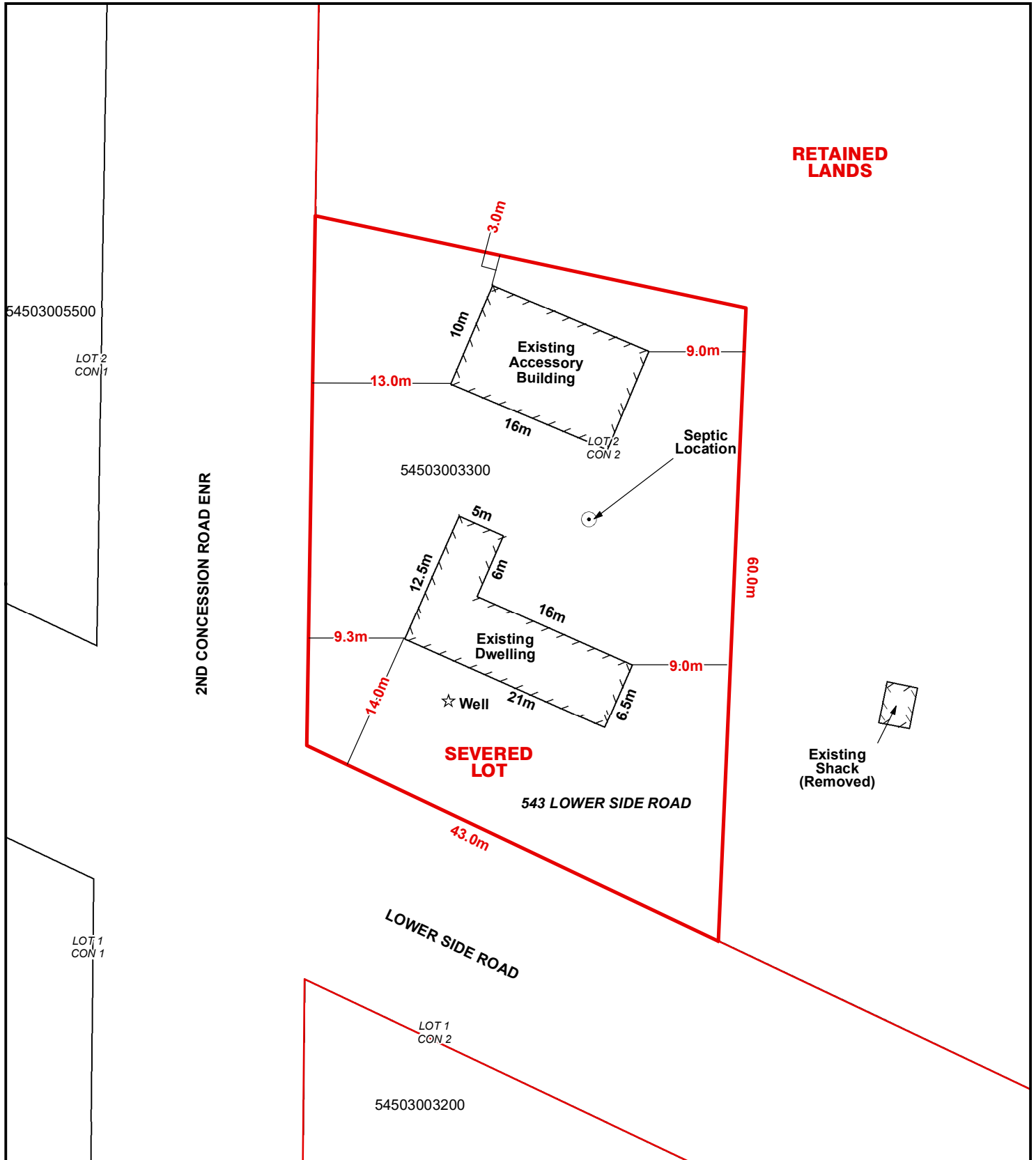
LOCATION OF LANDS AFFECTED

CONCEPTUAL PLAN

Geographic Township of HOUGHTON

BNPL2023146

ANPL2023147



Legend

- Subject Lands
- Lands Owned

