

For Office Use Only:

File Number	<u>ANPL 2024 014</u>	Application Fee	<u>2743.00.</u>
Related File Number	<u>-</u>	Conservation Authority Fee	<u>N/A</u>
Pre-consultation Meeting	<u>-</u>	Well & Septic Info Provided	<u>-</u>
Application Submitted	<u>February 5/2024</u>	Planner	<u>Hanne Yager</u>
Complete Application	<u>Feb. 5/2024</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: 33602056900**A. Applicant Information****Name of Owner** Robin, Mallory, John Douglas, and Ruth Poss

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 1356 Norfolk County Road 19 East

Town and Postal Code Wilsonville N0E 1Z0

Phone Number 519-774-4166

Cell Number

Email robinposs@hotmail.com

Name of Applicant Robin Poss

Address 1356 Norfolk County Road 19 East

Town and Postal Code Wilsonville N0E 1Z0

Phone Number 519-774-4166

Cell Number

Email robinposs@hotmail.com

Name of Agent	<u>Alamac Planning Inc. c/o Pam Duesling</u>
Address	<u>832 Concession 3 Townsend</u>
Town and Postal Code	<u>Wilsonville N0E 1Z0</u>
Phone Number	<u>519-751-9090</u>
Cell Number	<u></u>
Email	<u>alamacplanning@outlook.com</u>

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:

TD Bank
 135 Queensway East, Simcoe

B. Location, Legal Description and Property Information

- Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):
 Townsend Concession 4 Part Lot 17 RP 37R1679 Part 2

Municipal Civic Address: 1356 Norfolk County Road 19 East

Present Official Plan Designation(s): Agriculture

Present Zoning: Agricultural

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

☐ Yes ☒ No If yes, please specify:

- 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:
Two detached garages, shop, coverall, single detached dwelling - all to be retained
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.
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:
Conversion of existing detached garage to detached additional residential dwelling unit
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:
Since 1902
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.

1. Site Information

Existing

Proposed

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

Lot frontage	132m	132m
Lot depth	108m	108m
Lot width	132m	132m
Lot area	1.4ha	1.4ha
Lot coverage	10%	10%
Front yard	2.5m	2.5
Rear yard	12m	12m
Left Interior side yard	54m	54m
Right Interior side yard	4m	4m
Exterior side yard (corner lot)	n/a	n/a

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

Relief of 45.8 square metres from the maximum permitted usable floor area of a detached additional residential dwelling unit of 75 square metres to permit a usable floor area of 120.8 square metres.

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

The applicant wishes to convert an existing detached garage measuring 120.8 square metres to a detached ADRU. Using the entirety of the space would work well for the applicant. Please see the attached Planning Justification Report for additional information.

4. 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: _____

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:
Owner's personal knowledge

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:

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. 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. Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- ☐ Municipal piped water
☐ Individual wells

- ☐ Communal wells
☒ Other (describe below)

Cistern

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:

Norfolk County Road 19 East

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.

R. Ross

Owner/Applicant/Agent Signature

Feb 5, 2024

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 Robin & Mallory Ross am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Alamac Planning Inc 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.

Robin Ross

Owner

Feb 5, 2024

Date

Mallory Ross

Owner

Feb 5 2024

Date

K. Declaration

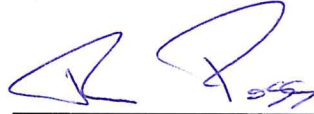
I, Robin Pass of Wilsonville

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 6 day of February

A.D., 2024

Jodi Lynn Pfaff-Schimus, a
Commissioner, etc., Province of Ontario.
for the Corporation of Norfolk County.
Expires March 1, 2025.


A Commissioner, etc.

1356 Reg Rd 19 East (Bealton) – 3.48 Acres

- Home Built in 1902 with an addition built in 1999.
- +/-3600 Sq ft of finished living space

Existing Septic Bed

5000 Gal Underground Cistern – Rainwater from 2 garages

GARAGE CONVERSION FOR ARU

26X50 (Outside Dimensions) Single Story Garage. – Built in 1978

Closest point from the main dwelling = 17M

Furthest point from the main dwelling = 32M

60X100 Shop – Heated & Insulated.

Roughly 1.5 Acres of workable land

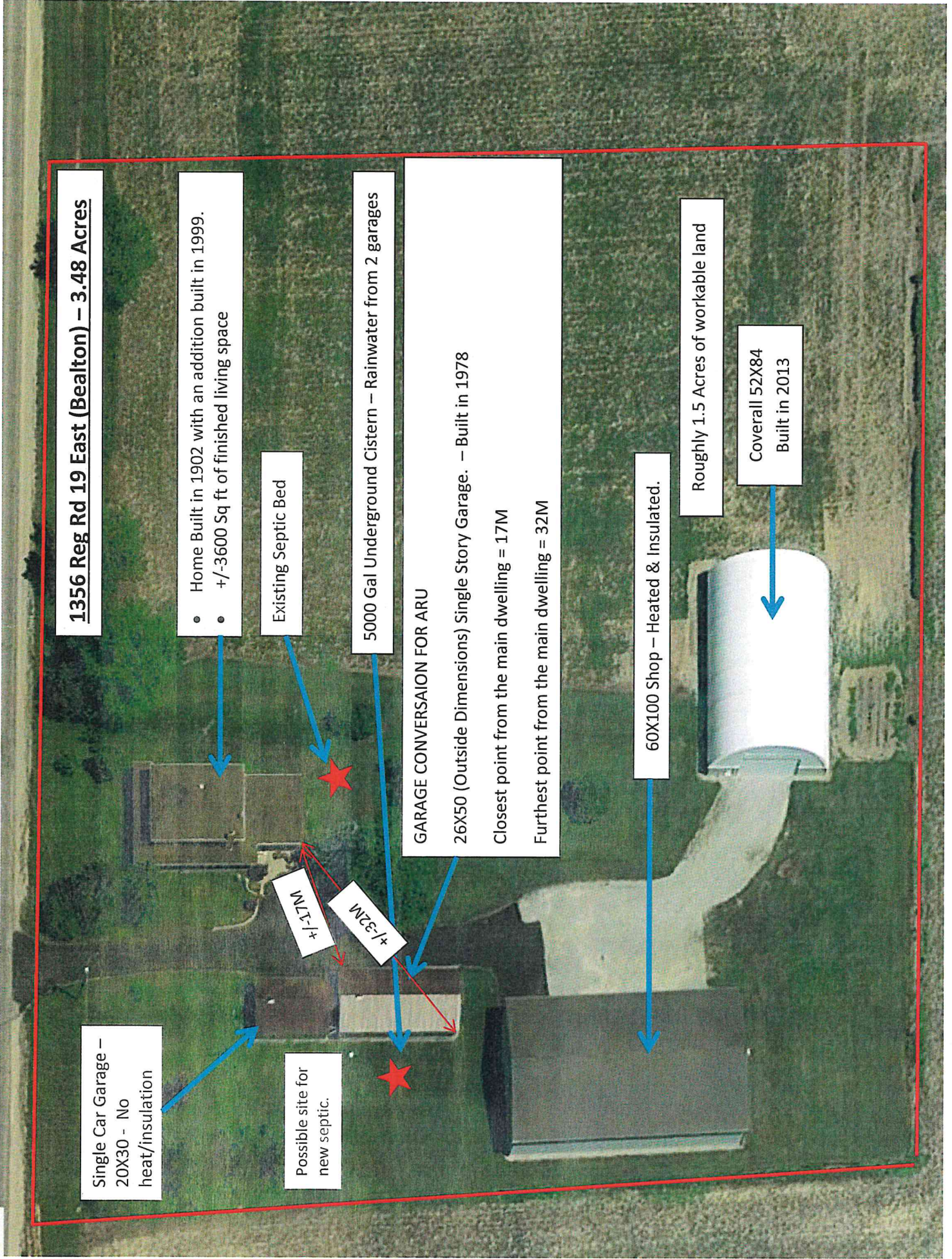
Coverall 52X84
Built in 2013

Single Car Garage –
20X30 - No
heat/insulation

Possible site for
new septic.

+/-17M

+/-32M



CONTRACTOR SHALL REVIEW THE DESIGN DRAWINGS AND REPORT ANY ERRORS OR OMISSIONS TO THE DESIGNER PRIOR TO PROCEEDING WITH THE WORK OF THE CONTRACT. PROCEEDING WITHOUT NOTIFICATION, OR IF CHANGES ARE MADE WITHOUT THE APPROVAL OF THE DESIGNER, WILL VOID ALL RESPONSIBILITY AND LIABILITY OF THE DESIGNER.

THE GENERAL CONTRACTOR SHALL PROVIDE MECHANICAL DRAWINGS FOR HEATING & AIR CONDITIONING SYSTEM AND HEAT LOSS & GAIN CALCULATIONS AND BALANCING REPORTS AS MAY BE REQUIRED BY AUTHORITIES HAVING JURISDICTION.

ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE ONTARIO BUILDING CODE, ONTARIO REG. 406/97 AND ALL OTHER APPLICABLE CODES AND REQUIREMENTS OF THE MUNICIPALITY HAVING JURISDICTION.

CONCRETE

ALL CONCRETE FOOTINGS SHALL BEAR ON UNDISTURBED SOIL WITH A MIN. SOIL BEARING PRESSURE OF 2000 PSF
CONCRETE FOR FOOTINGS & FOUNDATIONS TO HAVE MIN. COMPRESSIVE STRENGTH III OF 20 MPa (2900 PSI) AT 28 DAYS

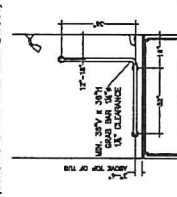
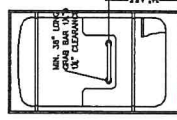

STEP FOOTINGS:

MAX RISE 600mm (23 5/8") FOR FIRM SOIL
MAX RISE 400mm (16") FOR SAND OR GRAVEL
MTN RUN BETWEEN RISERS 600mm (23 5/8")
ANGLE OF REPOSE IS 45°

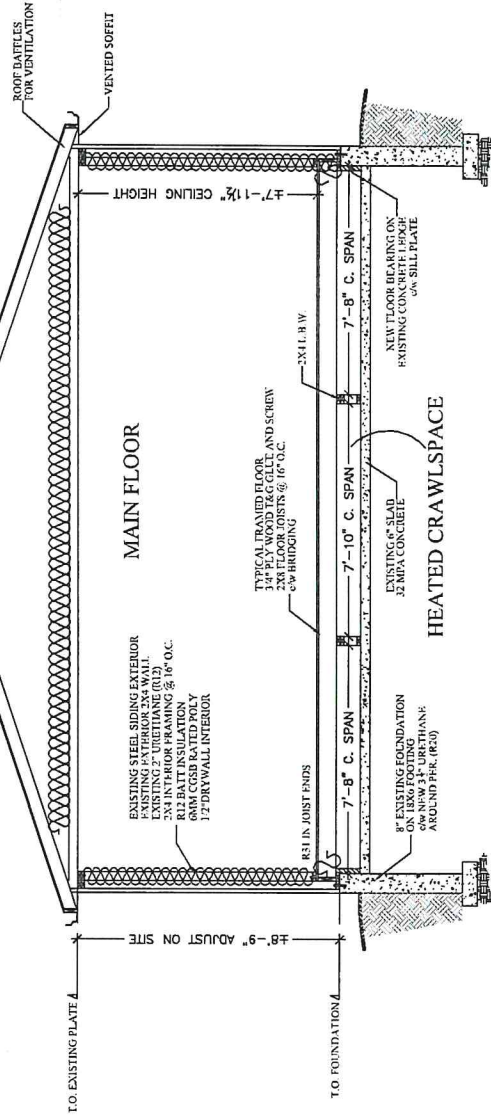
ELECTRICAL

VENTILATION

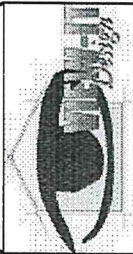
PROVIDE VENTILATION FOR ROOF SPACES AT A RATIO OF 1 SQ.FT. MIN OF UNOBSTRUCTED VENTILATION FOR EACH 300 SQ.FT. OF INSULATED CEILING AREA WITH NOT MORE THAN HALF THE REQUIRED VENTILATION LOCATED AT THE EAVES.



EXISTING STEEL ROOF PANELS
EXISTING 2" URETHANE (R12)
EXISTING ROOF TRUSSES @ 24" O.C.
NEW R60 BATT INSULATION
6MM CGSB RATED POLY
1/2 CHILING HOARD INTERIOR



1	10/1/2021	10/1/2021	10/1/2021
2	10/2/2021	10/2/2021	10/2/2021
3	10/3/2021	10/3/2021	10/3/2021
4	10/4/2021	10/4/2021	10/4/2021
5	10/5/2021	10/5/2021	10/5/2021
6	10/6/2021	10/6/2021	10/6/2021
7	10/7/2021	10/7/2021	10/7/2021
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31	10/31/2021	10/31/2021	10/31/2021



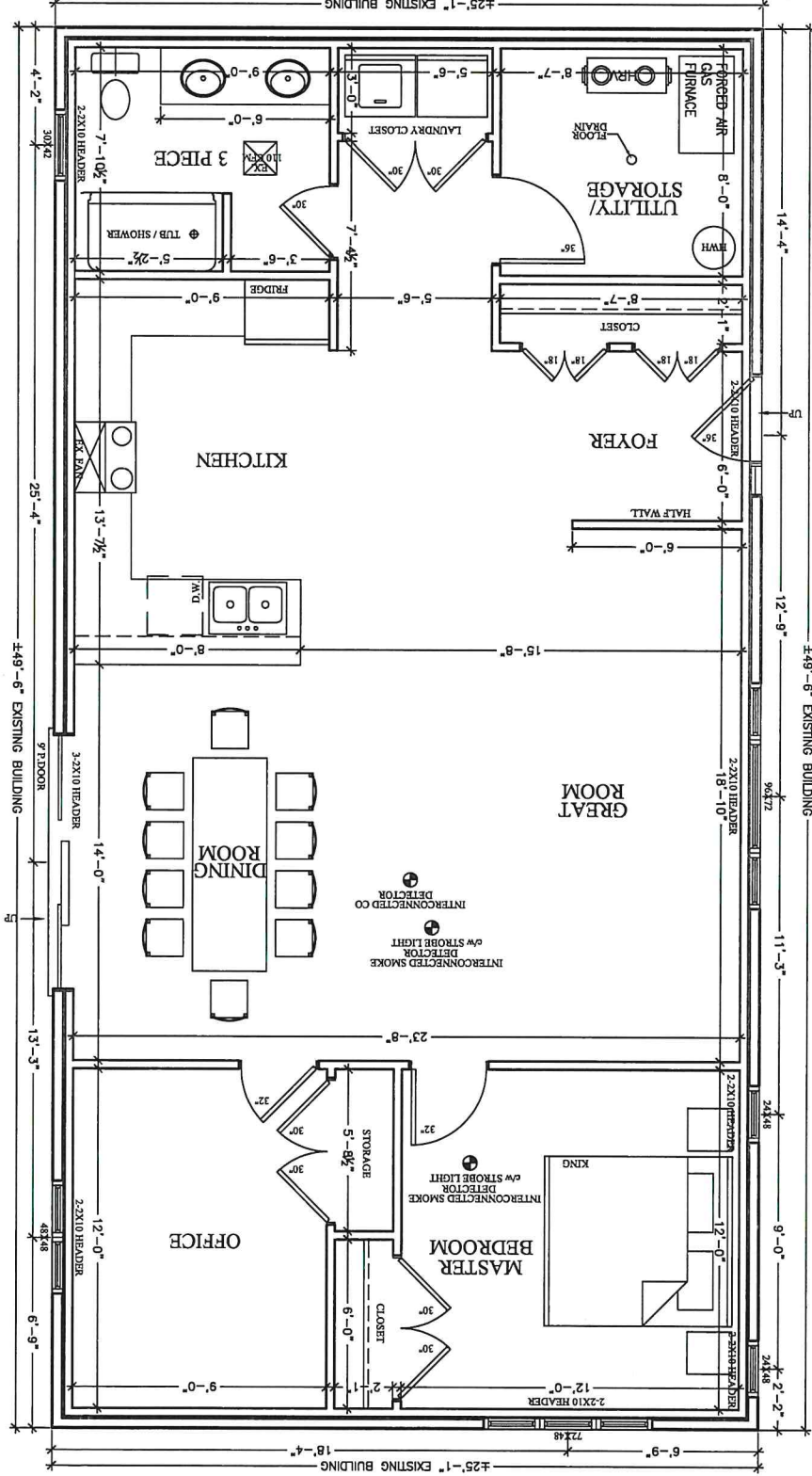
PROPERTY OF VIEW-IT DESIGN

VIEW-IT DESIGN
RR#1 PORT BURWELL
QUELCH, N.J. 08053
TEL: 732-744-1100
FAX: 732-744-1100

POSS RES 1356 NORFOLK COUNTY RD#19 NORFOLK, ONT	
PROPOSED CHANGE OF USE	
SLCTION/NOIUS	
DRAWN BY: TONY WALL	SCALE: 1/8"=1'-0"
PCIN: 25/26 PO# 21197	A3
DATE: SEPTEMBER 2003	
SHEET NO. 3 OF 3	

REMODELED MAIN FLOOR PLAN

Scale 1/4"=1'-0"



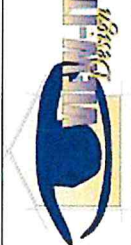
GENERAL NOTES:



OWNER: Mr. & Mrs. J. & K. Smith
1234 Main Street
Anytown, MA 01001
DATE: 09/01/2023
PROJECT: Remodeled Main Floor Plan

ROOM	AREA (SQ. FT.)
MAJOR FLOOR	1411.00
MINOR FLOOR	1411.00

ROOM	AREA (SQ. FT.)
MAJOR FLOOR	1411.00
MINOR FLOOR	1411.00



PROPERTY OF VIEWIT DESIGN

VIEWIT DESIGN
1234 Main Street
Anytown, MA 01001
DATE: 09/01/2023
PROJECT: Remodeled Main Floor Plan

POSS RES
1356 NORFOLK COUNTY RD#19
NORFOLK, ON

PROPOSED CHANGE OF USE
REMODELED MAIN FLOOR PLAN

DRAWN BY: TONY WALL
SCALE: SEE DWG
DATE: SEPTEMBER 2023
SHEET NO. 2 OF 3

A2

Planning Justification Report

Minor Variance for an Additional Residential Dwelling Unit

1356 Norfolk County Road 19 East

Alamac Planning Inc.

January 5, 2023



Planning Justification Report for 1356 Norfolk County Road 19 East

1.0 INTRODUCTION

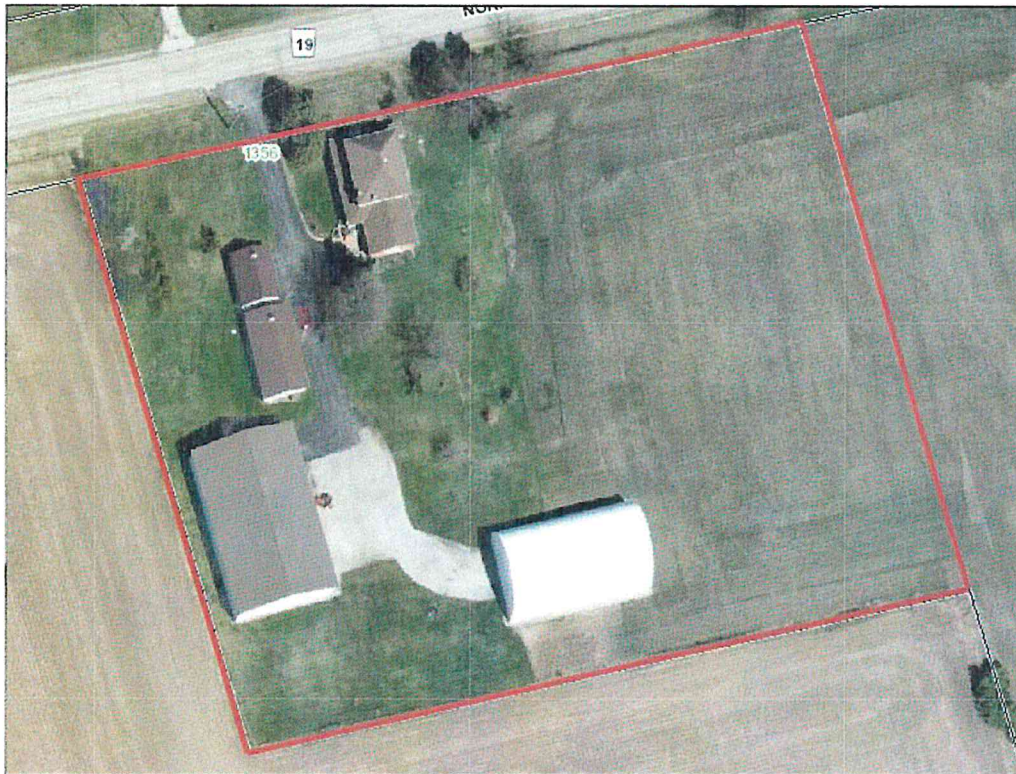
Alamac Planning Inc. ("Agent") has been retained by Robin, Mallory, John, and Ruth Poss ("Applicant/Owner") to assist in obtaining a minor variance for 1356 Norfolk County Road 19 East, Norfolk County or legally described as Townsend Concession 4, Part Lot 17, RP 37R1679 Part 2. This minor variance application is to permit a 120.8 square metre (1,300 square foot) detached additional residential dwelling unit (ARDU) where a maximum of 75 square metres (807 square feet) of usable floor area is permitted.

This Planning Justification Report (PJR) aims to provide details for the proposed ARDU and provide an overview of the planning merits associated with this planning application.

2.0 SUBJECT LANDS DESCRIPTION

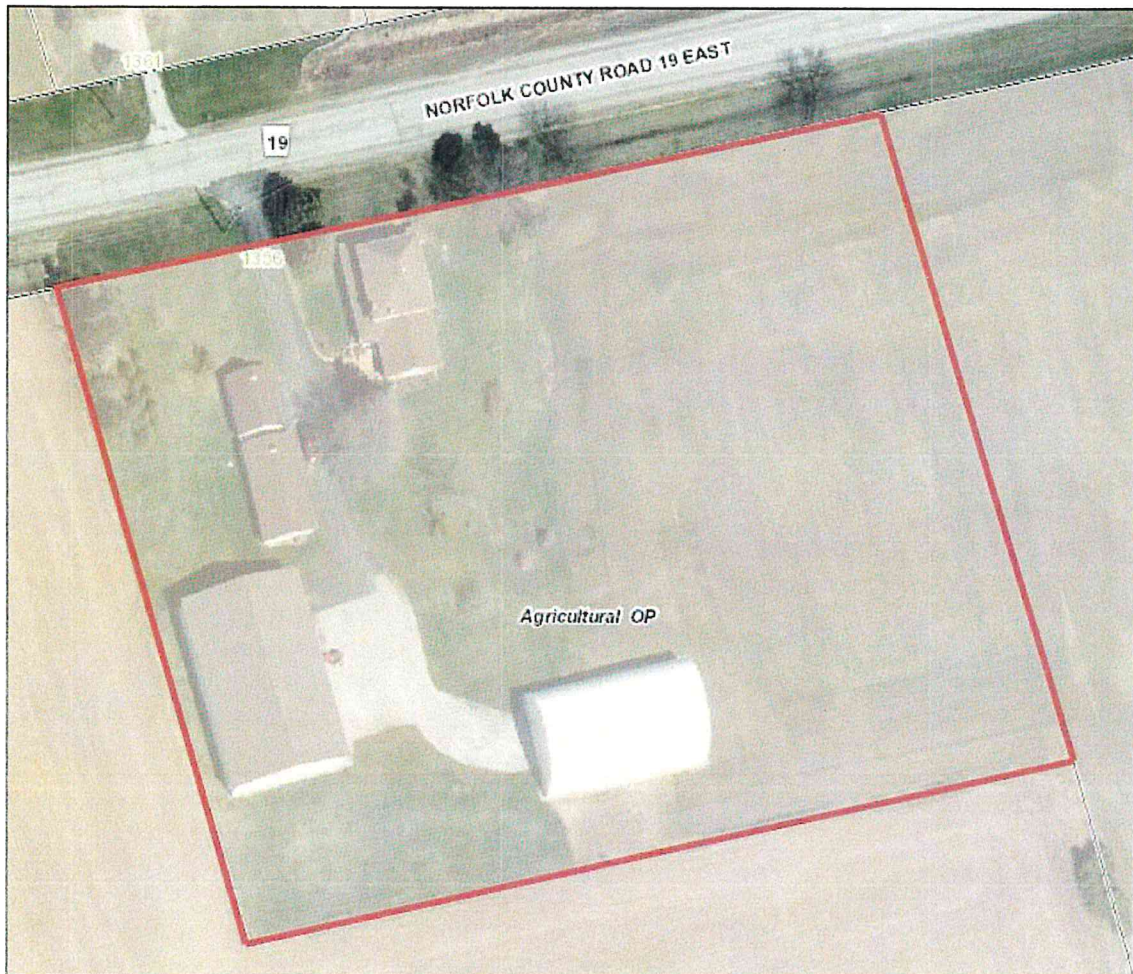
The subject lands are located on the south side of Norfolk County Road 19 East in the geographic township of Townsend, approximately 325 metres (1,066.3 feet) west of the hamlet of Bealton. The subject lands are 1.41 hectares (3.48 acres) in size and function as a large residential lot. The east half of the lands are farmed in conjunction with the surrounding farm operation. Most of the lands surrounding the subject property are in agricultural production, with some residential dwellings as well. See the property location shown in Map 1 below.

Map 1 – Location of Subject Lands

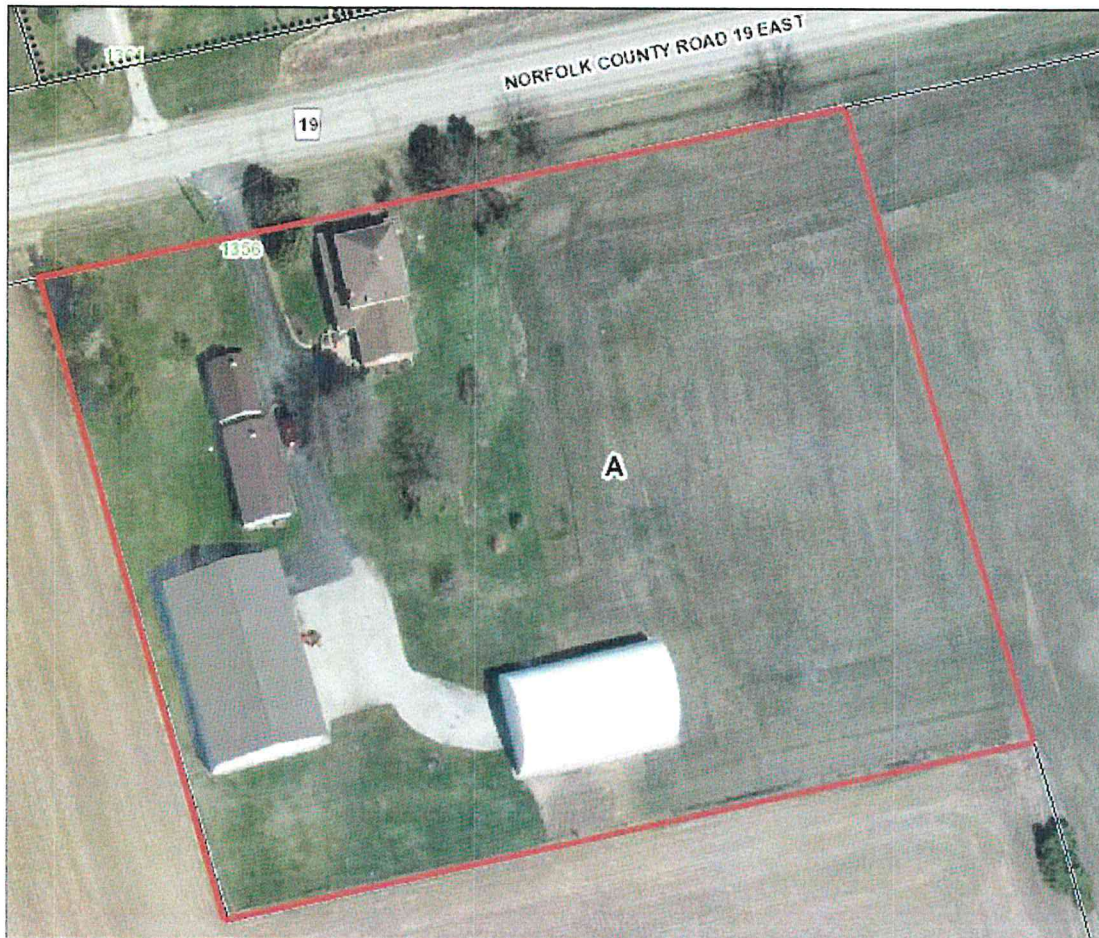


The subject lands are designated Agricultural in the Norfolk County Official Plan (NCOP) and zoned Agricultural in the Norfolk County Zoning By-law 1-Z-2014 (NCZB) as shown on Maps 2 and 3 below.

Map 2: Official Plan Designation



Map 3: Zoning



3.0 PROPOSED DEVELOPMENT

The subject lands are 1.41 hectares (3.48 acres) in size and include a single detached dwelling, two detached garages, a shop, and a coverall building. One of the detached garages is proposed to be converted to an ARDU, measuring 120.8 square metres (1,300 square feet) in size. The lands are serviced by an existing septic bed and an underground cistern, as well as by electricity provided by Hydro One. A new septic system is proposed to be installed for the ARDU. An existing entrance is located on Norfolk County Road 19 East and will continue to be used for access to the property. No new construction is proposed as part of this application.

4.0 LAND USE PLANNING POLICY FRAMEWORK & ANALYSIS

Minor variances are assessed under the following policy documents:

- 1 – Planning Act, R.S.O., 1990;
- 2 – Norfolk County Official Plan, 2021; and

3 - Norfolk County Zoning By-law 1-Z-2014.

A detailed land use planning policy framework and analysis is included below.

4.1 PLANNING ACT, R.S.O., 1990 FRAMEWORK & ANALYSIS

The Planning Act is provincial legislation that sets the ground rules for land use planning in Ontario and for how, where and when land use changes can occur.

The purpose of the Act is to:

- Provide for planning processes that are fair, accessible, inclusive and efficient;
- Promote sustainable economic development in a healthy natural environment;
- Integrate matters of provincial interest;
- Encourage co-operation and co-ordination among various interests;
- Provide a land use planning policy led by provincial policy; and
- Recognize a decision-making authority for accountable municipal planning decisions.

Section 2 of the Planning Act outlines the provincial and municipal responsibilities which land use decisions shall have regard to. Section 45(1) of the Planning Act states, “The committee of adjustment, upon the application of the owner of any land, building or structure affected by any by-law that is passed under section 34 or 38, or a predecessor of such sections, or any person authorized in writing by the owner, may, despite any other Act, authorize such minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained.” This is commonly known as the “four tests of a minor variance.” A minor variance cannot be granted unless it:

1. Is minor in nature;

Comment: The primary dwelling on the subject lands is large, allowing for a proportionally larger ARDU. The ARDU will remain secondary to the primary dwelling. The conversion of an existing detached garage, rather than the construction of a new ARDU, allows for minimal physical changes to the subject lands, permitting the character of the property to remain as-is. The proposed ARDU is not substantial in size. The application is minor in nature.

2. Is desirable for the appropriate development or use of the land;

Comment: The proposed development represents an additional residential opportunity in Norfolk County with minimal impacts on the subject lands or surrounding properties. As previously noted, the conversion of an existing detached garage will maintain the character of the subject property. As noted further in this report, all relevant policies and provisions are adhered to by the

proposal, aside from the increased usable floor area. The subject lands are surrounded by active farmland to the east, west, and south, with some limited buffering in the form of trees. The proposed development is desirable for the appropriate development or use of the land.

3. Maintains the intent of the Official Plan; and

The subject application maintains the intent of the Official Plan. This is reviewed in-depth below.

4. Maintains the intent of the Zoning By-law.

The subject application maintains the intent of the Zoning By-law. This is reviewed in-depth below.

The application meets the four tests of a minor variance as set out in Section 45 (1) of the Planning Act.

4.2 NORFOLK COUNTY OFFICIAL PLAN, 2021 FRAMEWORK & ANALYSIS

The Norfolk County Official Plan (NCOP) is the local municipal planning policy document which describes how land in Norfolk County should be used. It is prepared with input from the community and helps manage growth and development within the County until 2036. The NCOP provides a policy framework to guide economic, environmental, and social decisions that have implications for the use of land.

The purpose of the NCOP is to provide an overall policy framework establishing clear development principles and policies including land use designations to:

- promote orderly growth and development;
- provide guidance to Council;
- ensure the financial sustainability of the County;
- establish goals and objectives to provide appropriate services;
- respond to population and economic change;
- implement monitoring, review and updates to policy as per new provincial interests; and
- assist in co-ordinating and integrating planning activities with cross-jurisdictional implications including:
 - ecosystem,
 - shoreline and watershed planning;
 - natural heritage planning;
 - management of resources;
 - transportation and infrastructure planning;
 - regional economic development;
 - cultural heritage planning,
 - air and water quality monitoring; and
 - waste management.

The subject lands are designated “Agricultural” in the NCOP. Section 7.2 states that the Agricultural designation policies are intended to protect agriculture from the intrusion of incompatible uses.

Section 7.2.1 h) states, “The following uses may also be permitted, provided these uses do not conflict with existing farming operations, or with any policies related to Provincially Significant Features or Natural Heritage Features: v) Accessory residential dwelling, subject to the policies of Section 5.3.3 (Special Housing Forms).”

Section 5.3.3 outlines the policies for Special Housing Forms. Section 5.3.3.1 speaks to Additional Residential Dwelling Units specifically and states the following:

“An “additional residential dwelling unit” is a self-contained residential dwelling unit supplemental to the primary residential dwelling use of the property. The additional residential dwelling unit may be located within the primary dwelling (interior) or in a detached accessory building or detached structure ancillary to the primary residential unit. Additional residential dwelling units shall comply with the following policies:

Criteria	Conformity	Comments
a) Interior Unit – One (1) additional residential dwelling unit may be permitted within a single detached dwelling, a semi-detached dwelling and street townhouse dwelling unit within areas designated Urban Residential, Hamlet, or Agricultural;	Yes	Not applicable. An interior unit is not proposed.
b) Detached Unit – One (1) additional residential dwelling unit may be permitted in a detached building or structure ancillary to a single detached dwelling, semi-detached dwelling or street townhouse dwelling within areas designated Urban Residential, Hamlet, or Agricultural;	Yes	One additional residential dwelling unit is proposed in a detached building.
c) A maximum of two additional residential dwelling units, one interior unit and one detached unit, shall be permitted per lot. Where another special housing form exists on the lot, including without limitation, a garden suite or mobile home, as determined by Norfolk County, one (1) interior	Yes	Not applicable. Only one accessory residential dwelling unit is proposed.

additional residential dwelling unit shall be permitted.		
d) Where an additional residential dwelling unit is located on a lot, a boarding, lodging or rooming house is not permitted. And alternatively, where a boarding lodging or rooming house already exists on the lot, an additional residential dwelling unit shall not be permitted on the same lot.	Yes	A boarding, lodging, or rooming house are not proposed.
e) Existing adequate municipal services (water and wastewater) or private services (septic and well) shall be available to service the additional residential dwelling unit to the satisfaction of Norfolk County. Norfolk County shall not be under any obligation to install such services as part of any specific application to establish an additional residential dwelling unit.	Yes	A new septic system is proposed in conjunction with the additional residential dwelling unit. A cistern exists on the subject lands which can be used by the additional residential dwelling unit.
f) Additional residential dwelling units shall not be permitted on lands designated for seasonal or resort residential uses and are specifically not permitted in seasonal dwellings, vacation dwellings, and dwellings intended for short-term accommodation purposes.	Yes	The subject lands are not designated for seasonal or resort residential uses. The additional residential dwelling unit is not proposed within a seasonal dwelling, vacation dwelling, or dwelling intended for short-term accommodation purposes.

g) Development of an additional residential dwelling unit shall be subject to the following criteria:

Criteria	Conformity	Comments
i) The structural stability of the building is adequate to accommodate the alterations necessary for an additional dwelling;	Yes	The existing garage which is proposed to be converted to an ARDU is structurally sound. Building permits and inspections will be completed for the renovation.
ii) Exterior changes to the structure shall be minimal;	Yes	No significant exterior changes are proposed.

iii) Compliance with provisions of the Ontario Building Code, and all other relevant municipal and Provincial standards, including the Zoning By-Law;	Yes	The Ontario Building Code and the Zoning By-law will be adhered to.
iv) The unit is ancillary to the primary permitted single detached, semi-detached or street townhouse dwelling use, and is located within an existing primary residential building or within an accessory building or structure; and	Yes	The unit would be ancillary to the primary single detached dwelling on the subject lands. It would be located within an existing accessory building (detached garage).
v) An additional residential dwelling unit shall comply with Ontario Regulation 179/06 under the Conservation Authority Act as they relate to development within lands affected by flooding, erosion or located within hazardous lands.	Yes	The subject lands are not affected by flooding or erosion and are not located within hazardous lands.
vi) The primary use shall be established on the site prior to the development of an accessory residential dwelling unit;	Yes	The primary single detached dwelling exists on the site.
vii) The entirety of a detached additional residential dwelling unit is to be located within a maximum of 40 meters from the primary dwelling. For detached additional residential dwelling units on private services (well and septic systems) they must be located within the 40 metre distance from the primary dwelling. Detached additional residential dwelling units in excess of the 40 metre distance requirement or other zoning provisions may be assessed through minor variance or a zoning by-law amendment application."	Yes	The entirety of the proposed detached ARDU is within approximately 32 metres of the primary dwelling.

The proposed ARDU conforms to the policies of the Official Plan.

4.3 NORFOLK COUNTY ZONING BY-LAW, 1-Z-2014 FRAMEWORK & ANALYSIS

The Norfolk County Zoning By-law 1-Z-2014 (NCZB) is a regulatory document that controls the use of land in Norfolk County and implements the NCOP. The NCZB identifies that no land, building or structures shall be used, erected, altered, or occupied except in conformity with the provisions of the NCZB.

Subsection 2.52.3 defines “Detached Additional Residential Dwelling Unit” as “a separate accessory building on a lot containing a dwelling unit which is subordinate and secondary to the principal dwelling unit located on the same lot.” The applicant is proposing to convert an existing detached garage to a Detached Additional Residential Dwelling Unit.

The current zoning of the subject lands is Agricultural (A) in the NCZB. According to Section 12.1.1 r), an accessory residential dwelling unit is a permitted use, subject to Subsection 3.2.3.

Subsection 3.2.3 states the following:

Criteria	Conformity	Comments
a) Additional Residential Dwelling Units shall be permitted in the following zones: i. Urban Residential Type 1 (R1); ii. Urban Residential Type 2 (R2); iii. Urban Residential Type 3 (R3); iv. Urban Residential Type 4 (R4); v. Hamlet Residential (RH); and vi. Agricultural (A).	Yes	The subject lands are zoned A.
b) Additional Residential Dwelling Units shall be permitted in single detached, semi-detached and street townhouses and located on the same lot as the primary dwelling.	Yes	The ARDU would be located on the same lot as the primary single detached dwelling.
c) Additional Residential Dwelling Units shall not occupy any part of a front yard or a required exterior side yard except an accessory building or structure in an Agricultural Zone (A) which shall occupy no part of a required front yard.	Yes	The ARDU is proposed to be located in the rear yard.
d) The Additional Residential Dwelling Unit shall have its own exterior entrance separate from the exterior entrance to the primary dwelling unit, but shall	Yes	The proposed ARDU is detached, so it will not be located within the primary dwelling. The proposed entrance does not face the road.

not be permitted on an elevation, or façade of the building that faces a public street or private road; and shall have no means of internal access to the primary dwelling unit, except that access to a primary and second dwelling through a common vestibule entry is permitted.		
e) The maximum number of residential dwelling units permitted per lot shall be three (3), including a primary dwelling unit, one Interior Additional Residential Dwelling Unit and one Detached Additional Residential Dwelling Unit. Two Interior Additional Residential Dwelling Units or two Detached Additional Residential Dwelling Units are not permitted.	Yes	Two dwelling units are proposed on the subject lands: the primary single detached dwelling and the detached ARDU.
f) Two (2) Additional Residential Dwelling Units are permitted on a lot occupied by a primary dwelling unit. Where an Additional Residential Dwelling Unit is located on a lot, none of, a boarding or lodging house, or rooming house are permitted on that lot. If a boarding or lodging house, or rooming house already exists on a lot, an Additional Residential Dwelling Unit is not permitted.	Yes	One ARDU is proposed.
g) A lot may contain both an interior Additional Residential Dwelling Unit and a garden suite but not a Detached Additional Residential Dwelling Unit and a garden suite.	Yes	A garden suite is not proposed.
h) An Additional Residential Dwelling Unit shall not be permitted in a vacation home or any other dwelling intended for vacations, recreation, seasonal or	Yes	The ARDU is not proposed in a vacation home or any other dwelling intended for vacations, recreation, seasonal, or short-term accommodation purposes.

short-term accommodation purposes.		
i) Additional Residential Dwelling Units are not permitted within a farm building or an on-farm diversified use.	Yes	The ARDU is not proposed within a farm building or an on-farm diversified use.
k) All Additional Residential Dwelling Units shall be required to meet all legislation, regulation, By-Law standards and requirements and all appropriate permits must be issued prior to the establishment of the Additional Residential Dwelling Unit.	Yes	The ARDU would meet all legislation, regulation, By-law standards, and requirements. Any required permits would be obtained prior to the establishment of the ARDU.
l) Additional Residential Dwelling Units are permitted in dwelling units connected to municipal water and waste water services or private water and septic systems.	Yes	A cistern services the subject lands, and a new septic system is proposed for the ARDU.
m) Properties on a Provincial Highway that are regulated by the Ministry of Transportation (MTO) shall only be permitted to have an additional residential dwelling unit subject to MTO approval and permit.	Yes	The subject lands are not located on a Provincial Highway.

The subject application conforms to all of the above requirements.

Subsection 3.2.3.2 states the following:

Criteria	Conformity	Comments
a) Detached Additional Residential Dwelling Units are not permitted within a farm building or a building used for an on-farm diversified use.	Yes	A detached garage is proposed to be converted to a Detached ARDU. The building is not used for agricultural purposes.
b) The maximum usable floor area of a Detached Additional Residential Dwelling Unit is 75m ² (807 square feet). This includes any basement area and excludes any attached garage.	No	This PJR is being submitted in support of a minor variance to permit a usable floor area of 120.8 square metres (1,300 square feet).

c) Be nearer than 1.2 meters of an interior side yard and rear yard, except: i. In the case of a mutual private garage in the rear yard on a common interior side lot line, no separation distance is required; ii) In the case of a rear lot line adjoining a private or public lane, no setback is required;	Yes	The proposed Detached ARDU would be located greater than 1.2 metres from an interior side yard and rear yard.
d) Detached Additional Residential Dwelling Units shall not occupy any part of a front yard or exterior side yard.	Yes	The proposed Detached ARDU would be located in the rear yard of the subject lands.
e) The entirety of the building height of a Detached Additional Residential Dwelling Unit shall not exceed 5 metres in height.	Yes	The proposed Detached ARDU does not exceed a height of 5 metres (16.4 feet). It is proposed to be 4.34 metres (14.25 feet) in height.
f) The entirety of the Detached Additional Residential Dwelling Unit is to be located within a maximum of 40 metres from the primary dwelling.	Yes	The entirety of the Detached ARDU is located no further than approximately 32 metres from the primary dwelling.
g) Decks and Unenclosed Porches are subject to the provisions outlined in Section 3.6 of the Norfolk County Zoning By-law 1-Z-2014.	Yes	No decks or unenclosed porches are proposed.
h) One (1) off-street parking space shall be provided for the additional residential dwelling unit in addition to the minimum required parking spaces for the primary dwelling, and in accordance with provisions in the Off Street Parking Section of this By-Law;	Yes	Sufficient parking is available on the subject lands.
i) A minimum of 50 percent of the front yard shall be maintained as landscaped open space.	Yes	Greater than 50 percent of the front yard shall be maintained as landscaped open space.
j) In addition to the provisions outlined in Section 3.2.3.2, a Detached Additional Residential Dwelling Unit is also subject to	Yes	The proposal complies with all of the requirements of Section 3.2.3.

the provisions outlined in Section 3.2.3.		
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The intent of limiting the size of the ARDU is to ensure that it remains secondary to the primary residential use on the property. In this instance, the primary dwelling is approximately 334.5 square metres (3,600 square feet) in size and the proposed ARDU is 120.8 square metres (1,300 square feet) in size. The ARDU would be 36.1 percent of the primary dwelling area. Further, it would be located within an existing detached garage, resulting in no substantial physical changes to the subject lands. The ARDU would remain secondary to the primary dwelling. The subject application conforms to the intent of the Zoning By-law.

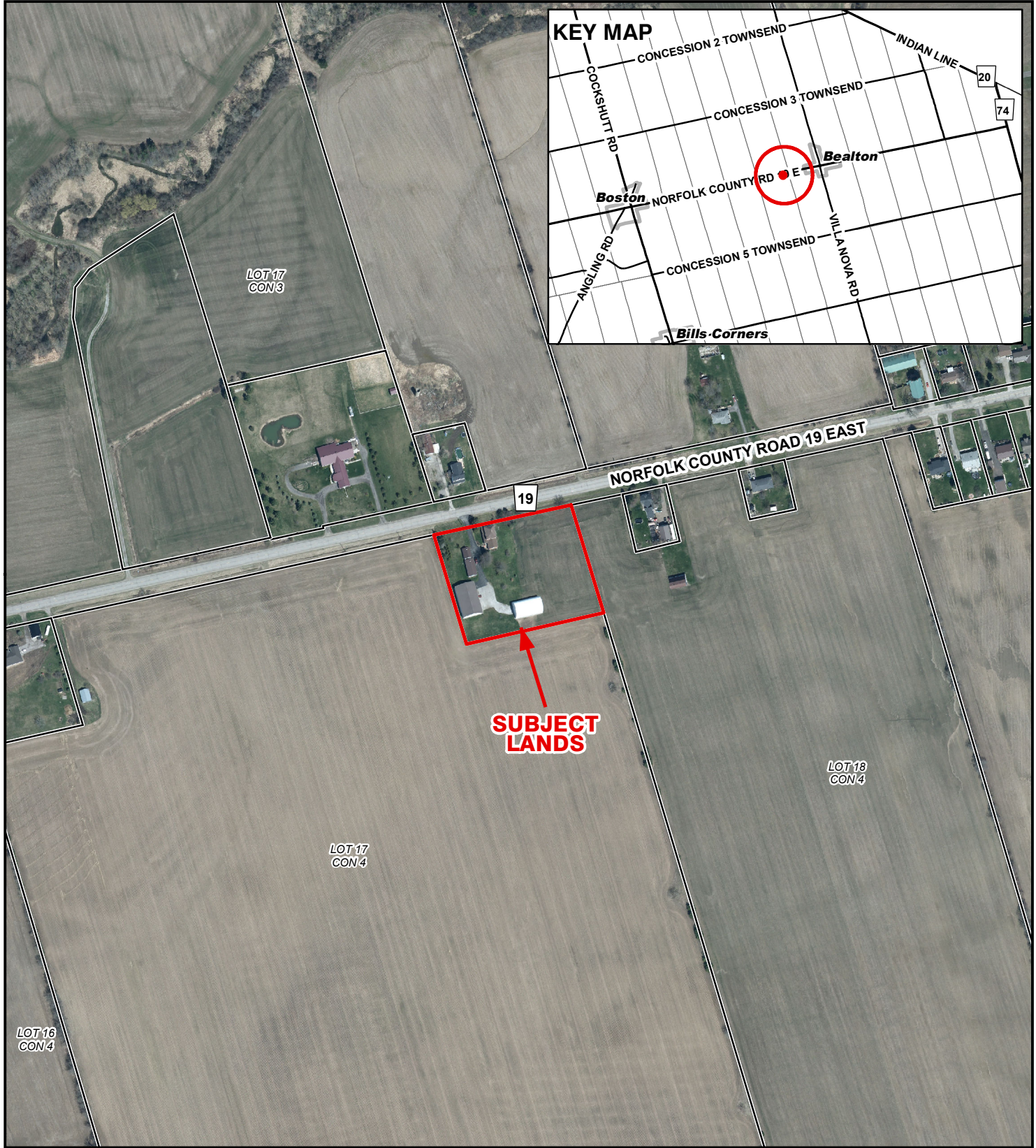
5. CONCLUSION

It is my professional opinion that this planning application for a minor variance to permit an increased usable floor area for an ARDU represents good planning and should be approved. The planning justification has confirmed that the application meets the four tests of a minor variance.

Alamac Planning looks forward to the expeditious processing of the subject application. Please do not hesitate to contact the undersigned should you have any questions related to this application.

Prepared and submitted by:
 Pam Duesling, PhD., RPP, MCIP, Ec.D
 Alamac Planning Inc.



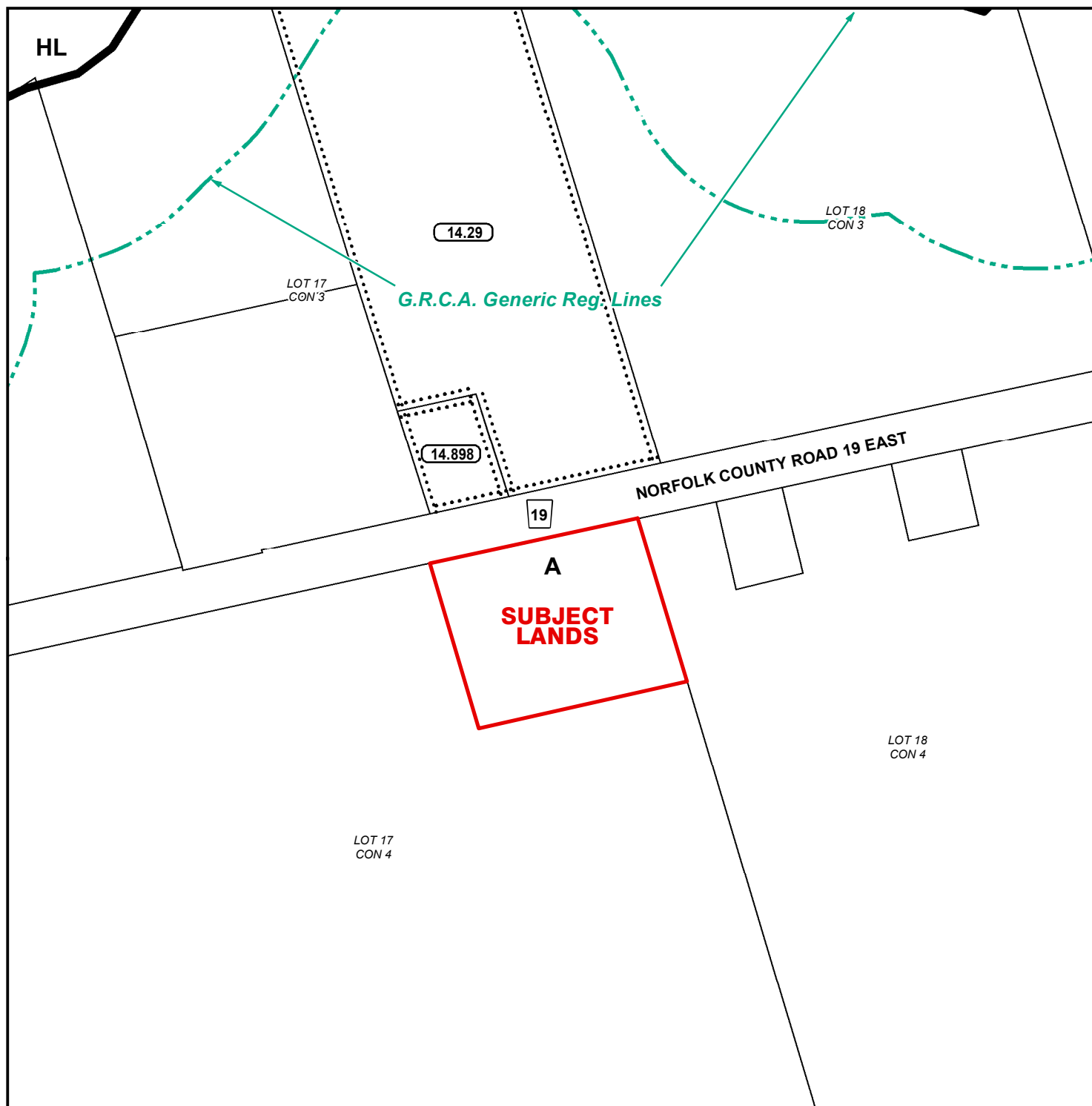


MAP B

ZONING BY-LAW MAP

Geographic Township of TOWNSEND

ANPL2024014



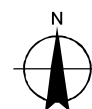
LEGEND

- Subject Lands
- Lands Owned
- GRCA Generic RegLines

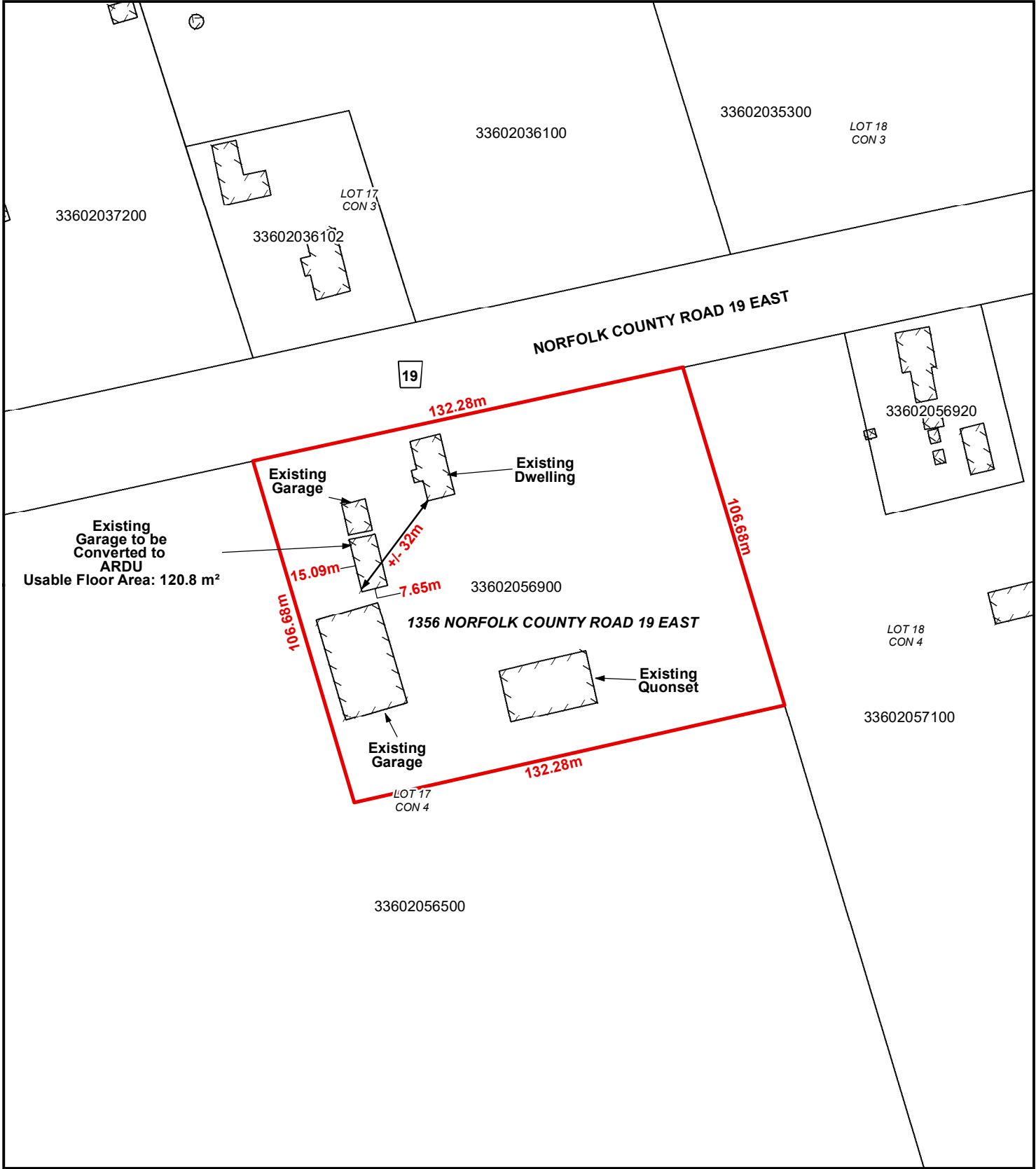
ZONING BY-LAW 1-Z-2014

2/9/2024

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

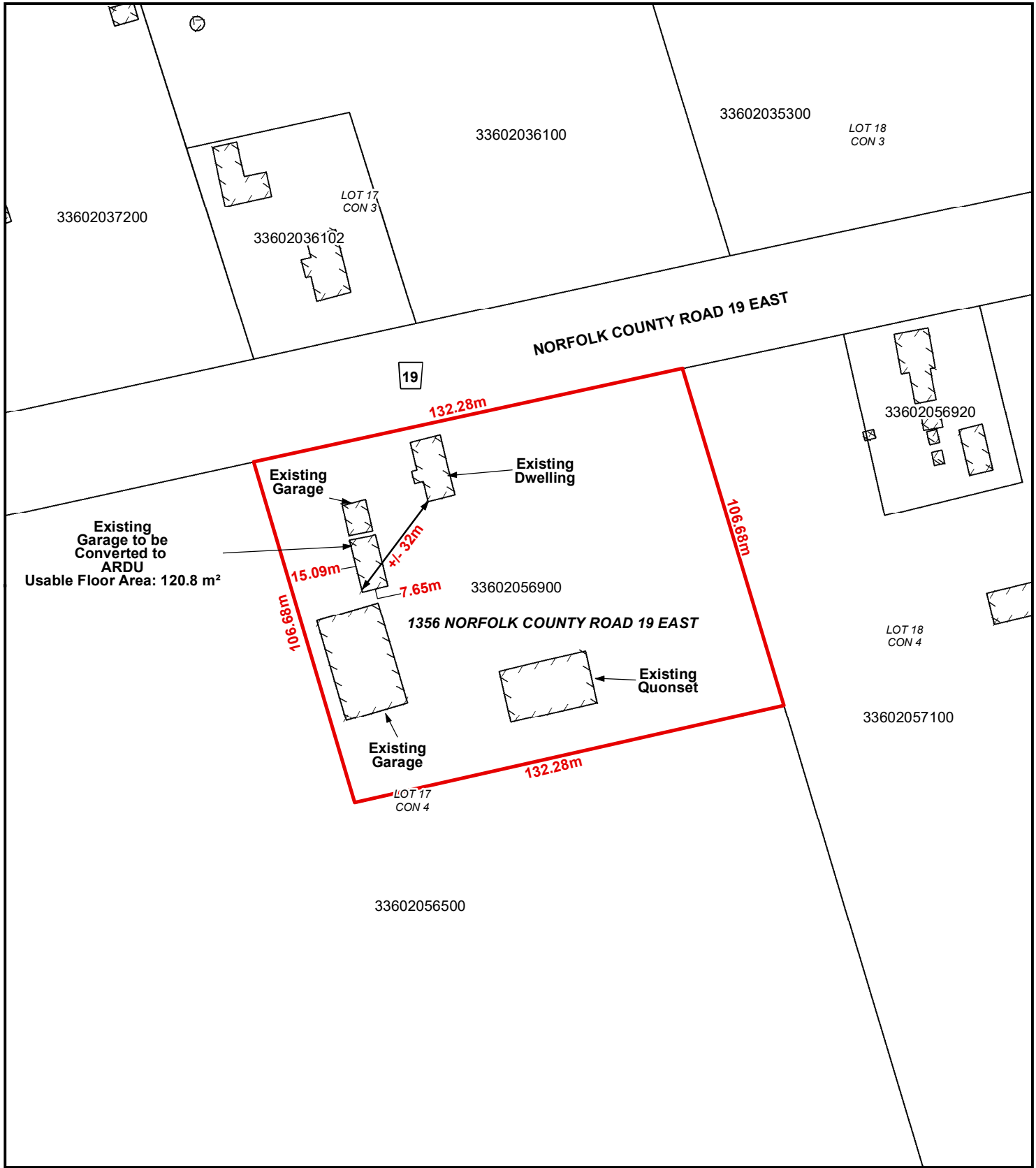


25 12.5 0 25 50 75 100 Meters



CONCEPTUAL PLAN

Geographic Township of TOWNSEND



Legend

-  Subject Lands
-  Lands Owned

2/9/2024

