

Committee of Adjustment Application to Planning Department

Complete Application

A complete Committee of Adjustment application consists of the following:

1. A properly completed and signed application form (signature must on original version);
2. Supporting information adequate to illustrate your proposal as listed in **Section H** of this application form (plans are required in paper copy and digital PDF format);
3. Written authorization from all registered owners of the subject lands where the applicant is not the owner as per Section N; and,
4. Cash, debit or cheque payable to Norfolk County in the amount set out in the Norfolk County User Fees By-Law.

Planning application development fees are not required with the submission of your completed and signed development application. Your planning application fee will be determined by the planner when your application has been verified and deemed complete. Prepayments will not be accepted.

5. Completed applications are to be mailed to the attention of **Secretary Treasurer – Committee of Adjustment**: 185 Robinson Street, Suite 200, Simcoe, ON N3Y 5L6 or email your application committee.of.adjustment@norfolkcounty.ca. Make sure submissions are clearly labelled including address, name, and application type. Failure to do so may impact the timing of your application.

The above listed items are required to ensure that your application is given full consideration. An incomplete or improperly prepared application will not be accepted and may result in delays during the processing of the application. This application must be typed or printed in ink and completed in full.

Please review all of the important information summarised below.

Before your Application is Submitted

A pre-consultation meeting is not usually required for Committee of Adjustment applications; however, discussion with Planning Department staff prior to the submission of an application is **strongly encouraged**. The purpose of communicating with a planner **before** you submit your application is: to review your proposal / application, to discuss potential issues; and to determine the required supporting information and materials to be submitted with your application before it can be considered complete by staff. You might find it helpful to retain the services of an independent professional (such as a registered professional planner) to help you with your application. Information about the Official Plan and Zoning By-law can be found on the County website: www.norfolkcounty.ca/planning

After Your Application is Submitted

Once your payment has been received and the application submitted, in order for your application to be deemed complete all of the components noted above are required.

Incomplete applications will be identified and returned to the applicant. The *Planning Act* permits up to 30 days to review and deem an application complete.

Once your application has been deemed complete by the Planning Department, it is then circulated to public agencies and County departments for review and comment. A sign is also provided that is required to be posted on the subject lands that summarizes the application and identifies the committee meeting date. The comments received from members of the community will be included in the planning report and will inform any recommendations in relation to the application.

If the subject lands are located in an area that is regulated by either the Long Point Region Conservation Authority or by the Grand River Conservation Authority an additional fee will be required if review by the applicable agency is deemed necessary. A separate cheque payable to the Long Point Region Conservation Authority or the Grand River Conservation Authority is required in accordance with their fee schedule at the same time your application is submitted.

Additional studies required as part of the complete application shall be at the sole expense of the applicant. In some instances peer reviews may be necessary to review particular studies and that the cost shall be at the expense of the applicant. The company to complete the peer review shall be selected by the County.

If the application is withdrawn prior to the circulation to commenting agencies, the entire original fee will be refunded. If withdrawn after the circulation to agencies, half the original fee will be refunded. No refund is available after the public meeting and/or approval of application.

Notification Sign Requirements

Planning Department staff may post a notification sign on your property in advance of the public meeting on your behalf. Please keep this sign posted until you have received a notice in the mail indicating that the Secretary Treasurer received no appeals. However, it is the applicant's responsibility to ensure that the sign is correctly posted within the statutory timeframes, according to the *Planning Act*. Failure to post a sign in advance of the public meeting in accordance with statutory requirements will impact the timing of your application at the Committee of Adjustment meeting. Applicants are responsible for removal of the sign following the appeal period. The signs are recyclable and can be placed in your blue box.

Contact Us

For additional information or assistance in completing this application, please contact a planner at 519-426-5870 ext. 1842 or Committee.of.Adjustment@NorfolkCounty.ca



For Office Use Only:

File Number	_____	Application Fee	_____
Related File Number	_____	Conservation Authority Fee	_____
Pre-consultation Meeting	_____	Well & Septic Info Provided	_____
Application Submitted	_____	Planner	_____
Complete Application	_____	Public Notice Sign	_____

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

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

Property Assessment Roll Number: 33603017510

A. Applicant Information

Name of Owner Mike and Mary-Jo Steenbeek

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 1553 Old Highway #24

Town and Postal Code Waterford, ON N0E 1Y0

Phone Number 905-973-3874

Cell Number _____

Email mandmsteenbeek@gmail.com

Name of Applicant Same as above.

Address _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

Name of Agent	Arcadis (c/o Douglas W. Stewart)
Address	410 Albert Street, Suite 101
Town and Postal Code	Waterloo, ON N2L 3V3
Phone Number	519-585-2255 ext 63212
Cell Number	519-577-5710
Email	douglas.stewart@arcadis.com

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices in respect of this application will be forwarded to the owner and agent noted above.

☒ Owner
 ☒ Agent
 ☐ Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

N/A

B. Location, Legal Description and Property Information

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

Part of Lot 7, Concession 5 Townsend; Norfolk County

Municipal Civic Address: 1553 Old Highway #24

Present Official Plan Designation(s): Agricultural

Present Zoning: A

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:
Existing single-detached dwelling, attached garage, shed and covered deck in the rear all to remain unaltered. A proposed detached garage is currently under construction (Building Permit #PRBD20230915). The applicant is proposing an ARDU on the second floor of this garage.
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.
As noted above, the applicant is seeking to develop an ARDU on the second floor of the detached garage. A Minor Variance Application and future Building Permit Application is required to advance the proposed ARDU.
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:
Please refer to the Elevation and Floor Plans for the proposed ARDU provided as part of this application. Please also refer to the Planning Justification Letter prepared by Arcadis.
7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes ☐ No ☒
If yes, identify and provide details of the building:

8. If known, the length of time the existing uses have continued on the subject lands:
Unknown.
9. Existing use of abutting properties:
Residential (South), Agricultural (North, East, West)
10. Are there any easements or restrictive covenants affecting the subject lands?
☐ Yes ☒ No If yes, describe the easement or restrictive covenant and its effect:

C. Purpose of Development Application

Note: Please complete all that apply. **Failure to complete this section will result in an incomplete application.** *Note: The following pertains the proposed ARDU. All existing buildings /structures will remain unaltered as a result of this proposal.*

1. Site Information (Please refer to Zoning By-law to confirm permitted dimensions)

	Existing	Permitted	Provision	Proposed	Deficiency
Lot frontage	65.23 m	30 m	12.1.2.b)	Existing	-
Lot depth	50.29 m	N/A	-	Existing	-
Lot width	65.23 m	N/A	-	Existing	-
Lot area	3,280.4 m ²	2,000 m ²	12.1.2.a)	Existing	-
Lot coverage	ARDU not built	N/A	-	-	-
Front yard	ARDU not built	13 m	12.1.2.c)	16.67 m	-
Rear yard	ARDU not built	9 m	12.1.2.f)	19.9 m	-
Height	ARDU not built	5 m (Detached ARDU)	3.2.3.2.e)	8.25 m	3.25 m (exceedance)
Left Interior side yard	ARDU not built	3 m	12.1.2.e)	>3 m	-
Right Interior side yard	ARDU not built	3 m	12.1.2.e)	4 m	-
Exterior side yard (corner lot)	N/A	-	-	-	-
Parking Spaces (number)	>3 spaces	3 (2 for single-detached, 1 for ARDU)	4.9 and 3.2.3.2.h)	1 for ARDU	-
Aisle width					
Stall size					
Loading Spaces					
Other	ARDU not built	75 m ² (Detached ARDU)	3.2.3.2.b)	119.0 m ²	44.0 m ² (exceedance)

Useable Floor Area

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

Please see the Planning Justification Letter prepared by Arcadis for details.

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):

N/A

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:
The subject property has historically been agricultural/residential.

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

Name of road/street:

Old Highway #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?

N/A

2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.

Please see the Planning Justification Letter prepared by Arcadis for additional details.

H. Supporting Material to be submitted by Applicant

In order for your application to be considered complete, folded hard copies (number of paper copies as directed by the planner) and an **electronic version (PDF) of the site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Existing and proposed easements and right of ways
4. Parking space totals – required and proposed
5. All dimensions of the subject lands
6. Dimensions and setbacks of all buildings and structures
7. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
8. Names of adjacent streets
9. Natural features, watercourses and trees

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- ☐ On-Site Sewage Disposal System Evaluation Form (to verify location and condition)
- ☐ Environmental Impact Study
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Record of Site Condition

Your development approval might also be dependent on Ministry of Environment Conservation and Parks, Ministry of Transportation or other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

All final plans must include the owner's signature as well as the engineer's signature and seal.

I. Transfers, Easements and Postponement of Interest

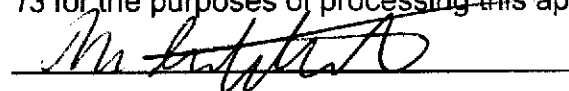
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

Permission to Enter Subject Lands

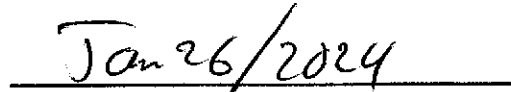
Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

Freedom of Information

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act, R.S.O. 1990, c. P. 13* for the purposes of processing this application.



Owner/Applicant/Agent Signature



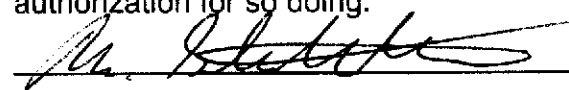
Date

J. Owner's Authorization

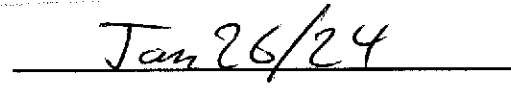
If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We Mike and Mary-Jo Steenbeek am/are the registered owner(s) of the lands that is the subject of this application.

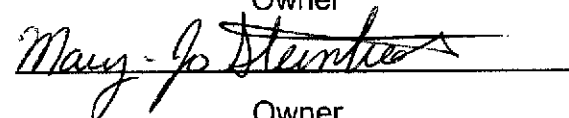
I/We authorize Arcadis (c/o Douglas W. Stewart) to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.



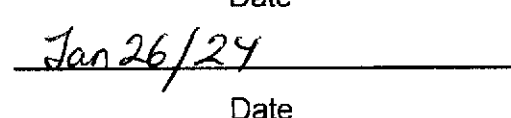
Owner



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, DOUGLAS W. STEWART of CITY OF WATERLOO

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:

CITY OF WATERLOO

Douglas W. Stewart

Owner/Applicant/Agent Signature

In REGION OF WATERLOO

This 30TH day of JANUARY

A.D., 2024

Betty Anne White

A Commissioner, etc.

Betty Anne White,

a Commissioner, etc., Province of Ontario,
for Arcadis Professional Services (Canada)
Inc. and its associated and affiliated
companies.

Expires July 3, 2026

PLAN OF SURVEY SHOWING TOPOGRAPHICAL INFORMATION

PART OF LOT 7
CONCESSION 5
GEOGRAPHIC TOWNSHIP OF TOWNSEND
NORFOLK COUNTY

SCALE 1 : 250
RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS

LEGEND & NOTES

- DENOTES SURVEY MONUMENT PLANTED
■ DENOTES SURVEY MONUMENT FOUND
SIB DENOTES STANDARD IRON BAR (25mmX25mmX120cm)
SSIB DENOTES SHORT STANDARD IRON BAR (25mmX25mmX60cm)
IB DENOTES IRON BAR (15mmX15mmX60cm)
IBØ DENOTES ROUND IRON BAR (20mm DIA X 60cm)
IP DENOTES IRON PIPE
WIT DENOTES WITNESS
OU DENOTES ORIGIN UNKNOWN
PIN DENOTES PROPERTY IDENTIFIER NUMBER
(700) DENOTES JEWITT & DIXON, OLS
P1 DENOTES PLAN 37R-4166
P2 DENOTES PLAN 37R-8893
C-L DENOTES CENTRELINE
HP DENOTES HYDRO/UTILITY POLE
OUL DENOTES OVERHEAD UTILITY/HYDRO LINE
HM DENOTES HYDRO METER
AC DENOTES AIR CONDITIONER
GM DENOTES GAS METER
LS DENOTES LIGHT STANDARD
(INV) DENOTES INVERT OF CULVERT
Ø DENOTES DIAMETER
★ DENOTES CONIFEROUS TREE (TREE CANOPY NOT TO SCALE)
☼ DENOTES DECIDUOUS TREE (TREE CANOPY NOT TO SCALE)
+100.00 DENOTES EXISTING GROUND ELEVATION
FFE DENOTES FINISHED FLOOR ELEVATION
GFE DENOTES GARAGE FLOOR ELEVATION
CB DENOTES CONCRETE BLOCK
PS DENOTES PATIO STONE
100.00 DENOTES PROPOSED FINISHED GRADE
→ DENOTES PROPOSED SURFACE RUN-OFF
RWL → DENOTES RAIN WATER LEADER

N-NORTH; S-SOUTH; W-WEST; E-EAST

BEARING NOTE

BEARINGS HEREON ARE GRID, UTM ZONE 17, (NAD 83-CSRS : CBNV6 (Epoch 2010.0)) DERIVED FROM OBSERVED REFERENCE POINTS (ORPs) USING THE CAN-NET VRS NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE)

ROTATION NOTE

FOR THE PURPOSES OF COMPARISON THE ASTRONOMIC BEARINGS ON P1 AND P2 HAVE BEEN ROTATED 0°27'25" COUNTER-CLOCKWISE.

ELEVATION NOTE

ELEVATIONS ARE GEODETIC, DERIVED BY GPS OBSERVATIONS, REFERRED TO MINISTRY OF TRANSPORTATION ONTARIO BENCHMARK 00819828070 HAVING AN ELEVATION OF 241.051m (CGVD-1928:1978)

LOCATION : STEEL ROD WITH BRASS CAP BENCHMARK ON EAST SIDE OF HWY 24, 9.7 KM SOUTH OF BRANT RD 4 EAST AT SCOTLAND, 48.5 M SOUTH OF TOWNSEND CON. 7 RD, 18.2 M EAST OF CENTRELINE OF HWY 24. BENCHMARK IS SET 10.0 M NORTH OF THE PRODUCTION OF NORTH WALL OF GREENHOUSE, 12.7 M SOUTH OF A HYDRO POLE, 35 CM NORTH OF A STELL MARKER POST.

ALL FUTURE GRADE WORK ON SITE TO BE BASED ON SITE BENCHMARK. ANY ELEVATION DISCREPANCIES TO BE REPORTED TO RASCH & HYDE LTD.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT :
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 - THIS SURVEY WAS COMPLETED ON THE 8th DAY OF FEBRUARY, 2023.

APRIL 20, 2023
DATE
HAROLD D. HYDE
ONTARIO LAND SURVEYOR

© COPYRIGHT, Rasch & Hyde Ltd., OLS's, 2023

RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B
DUNNVILLE, ONT, N1A 2X1
905-774-7188
(FAX 905-774-4000)

P.O. Box 550, 74 Jarvis Street
FORT ERIE, ONT, L2A 5Y1
905-871-9757
(FAX 905-871-9748)

HAROLD D. HYDE O.L.S.

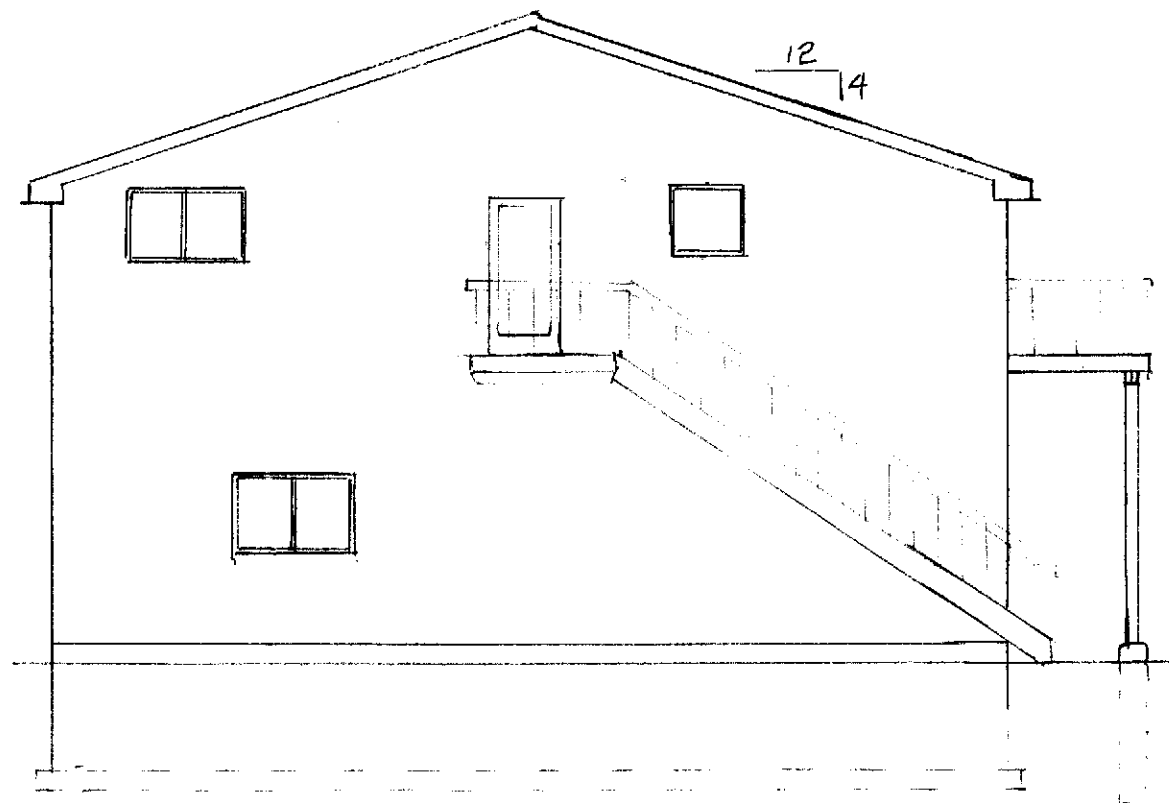
SCALE 1 : 250
SURVEY : 22-406 TOPO
DRWN BY : J.H.

LOT DETAILS

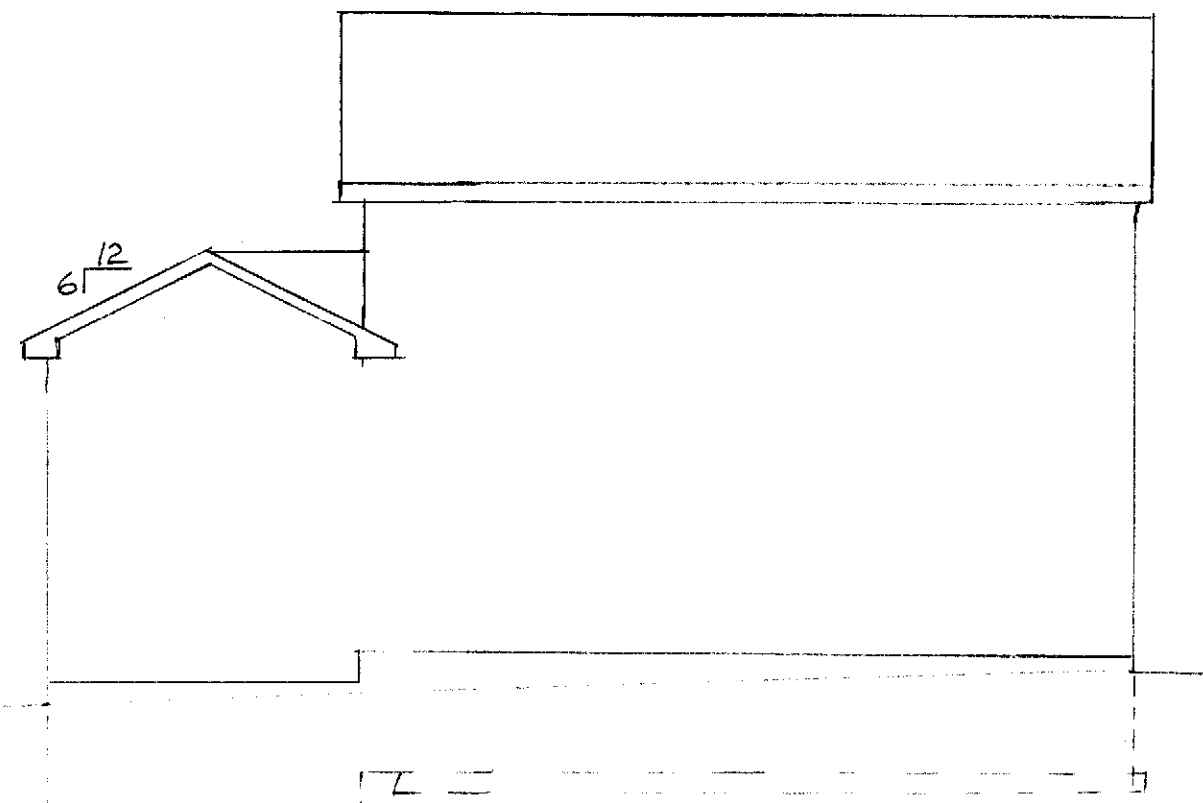
CURRENT ZONING: AGRICULTURAL ZONE (A)
TOTAL LOT AREA: 3280 s.m. (100%)
EXISTING DWELLING: 244.2 s.m. (7.4%)
EXISTING SHED: 12.6 s.m. (0.4%)
COVERED DECK (FRONT): 40.3 s.m. (1.2%)
COVERED DECK (BACK): 113.5 s.m. (3.5%)
PROPOSED BUILDING: 160.1 s.m. (4.9%)

METRIC NOTE

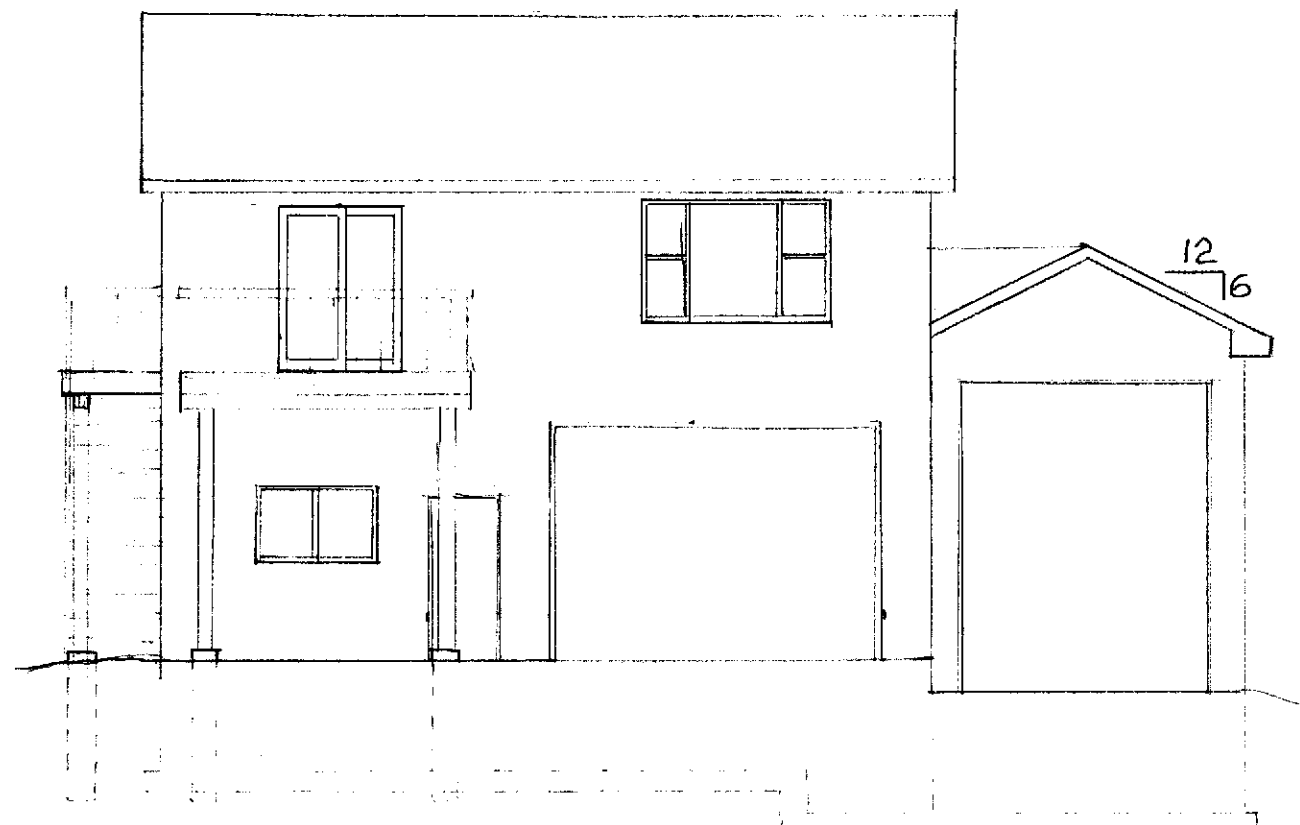
DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



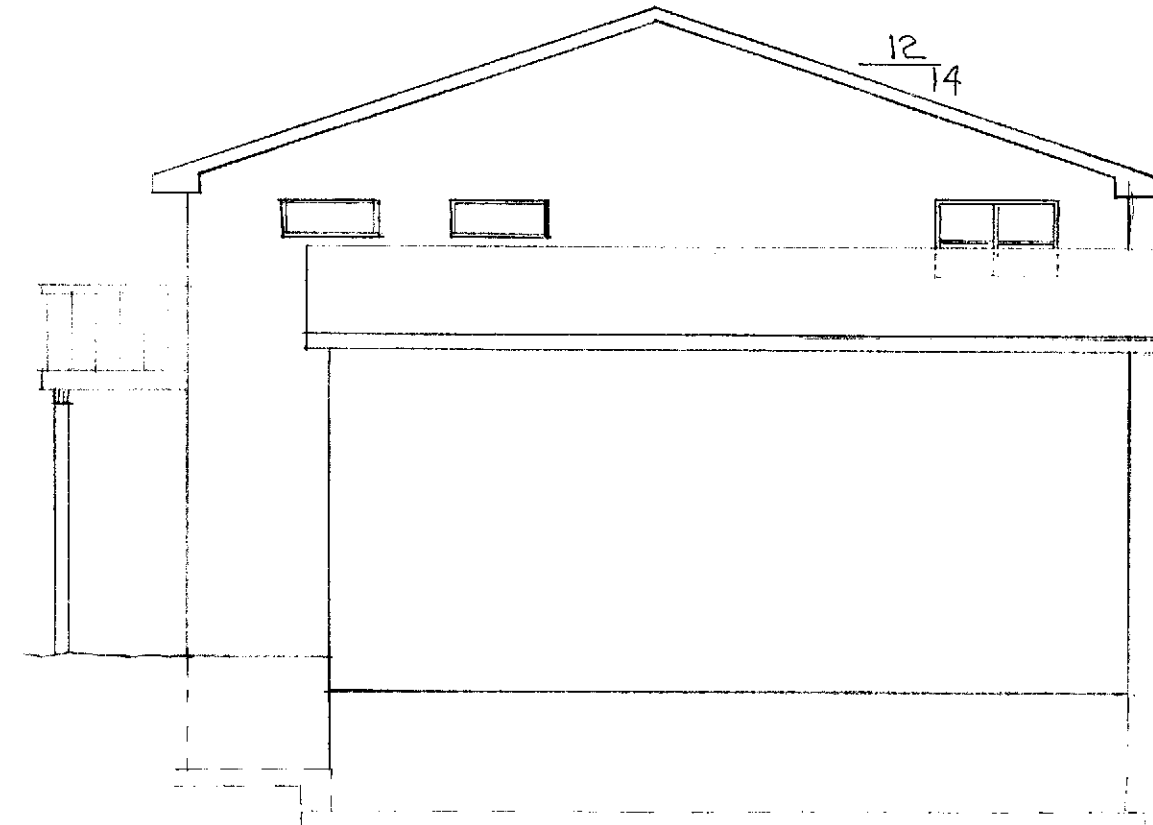
LEFT SIDE



REAR ELEVATION

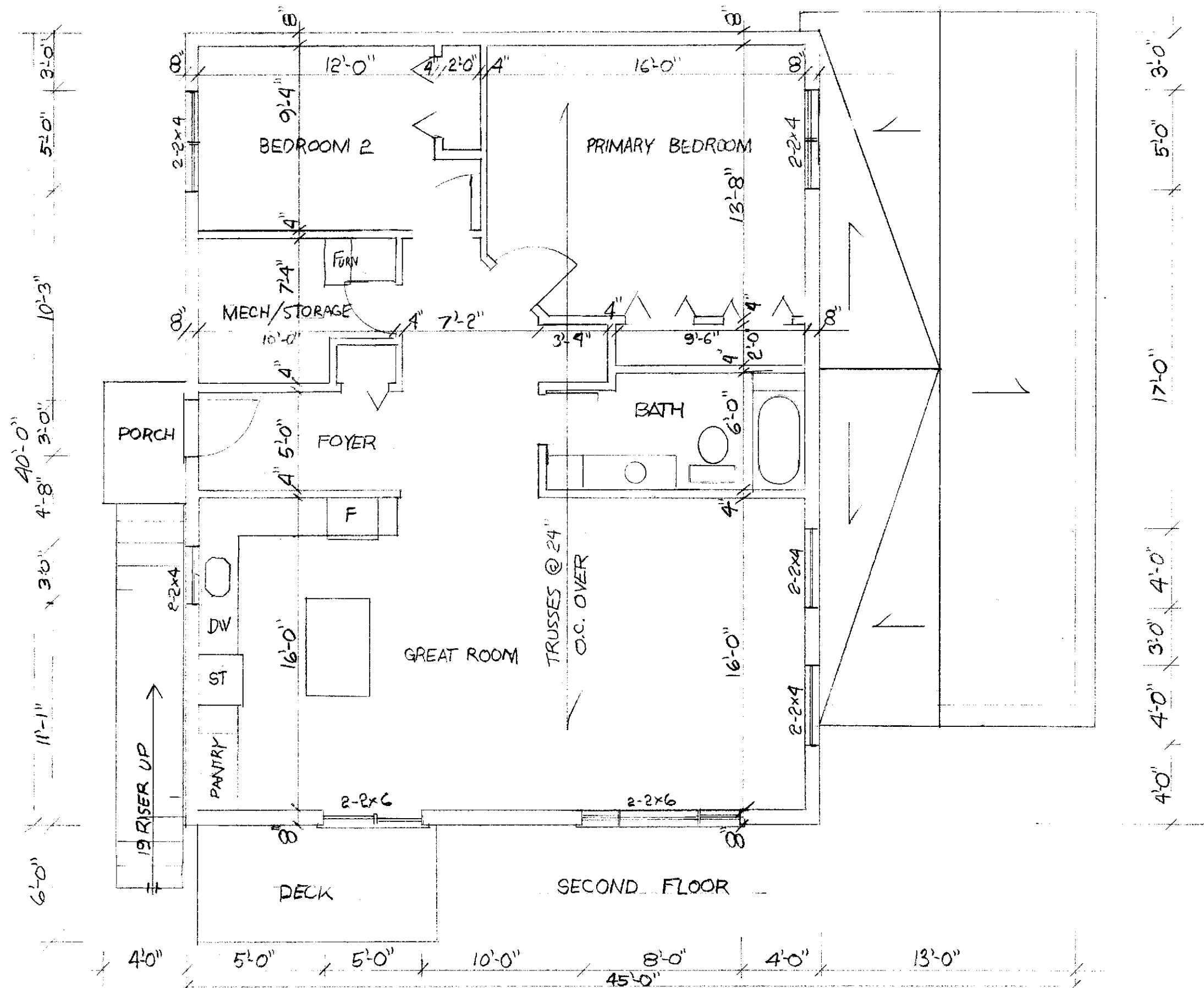


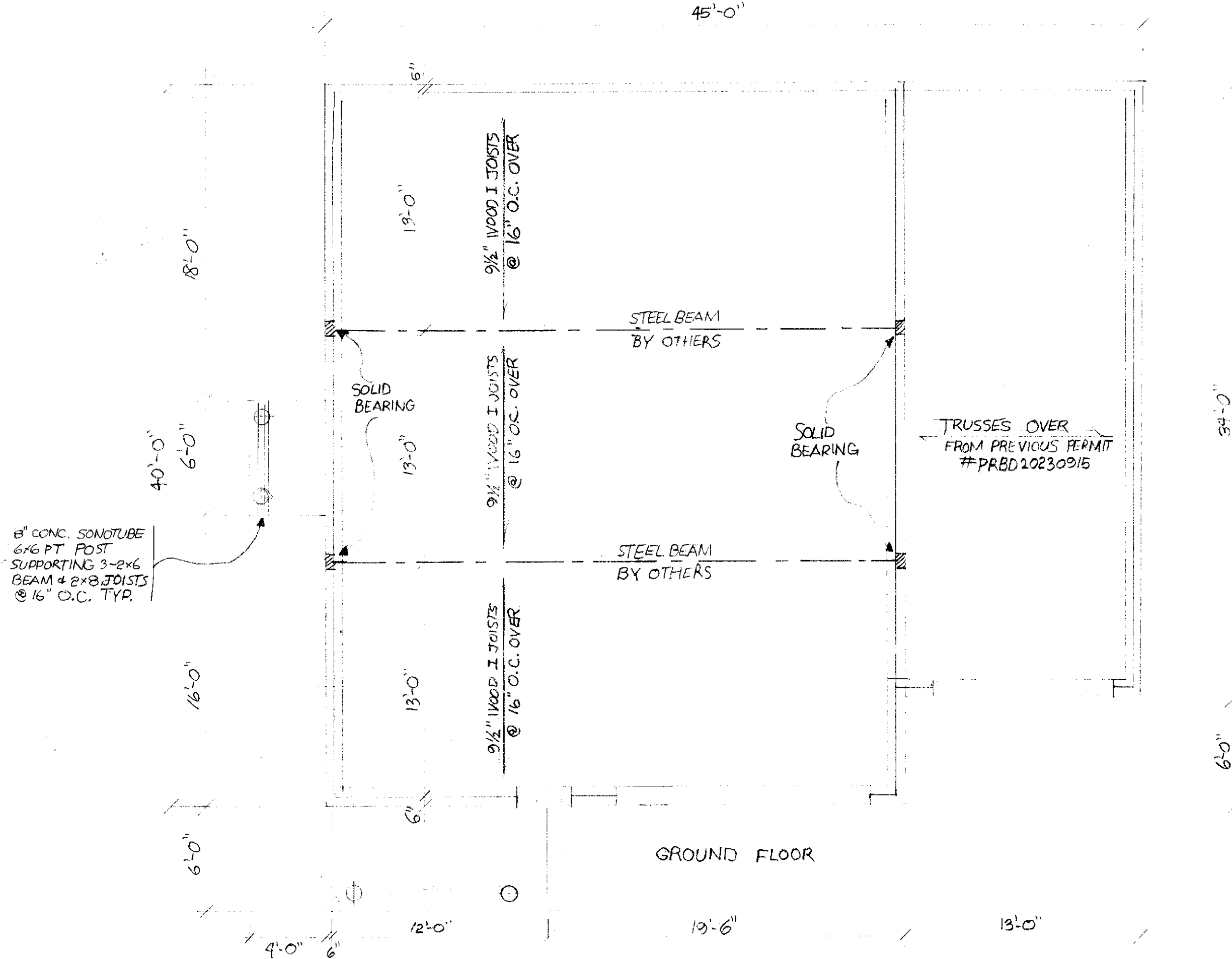
FRONT ELEVATION



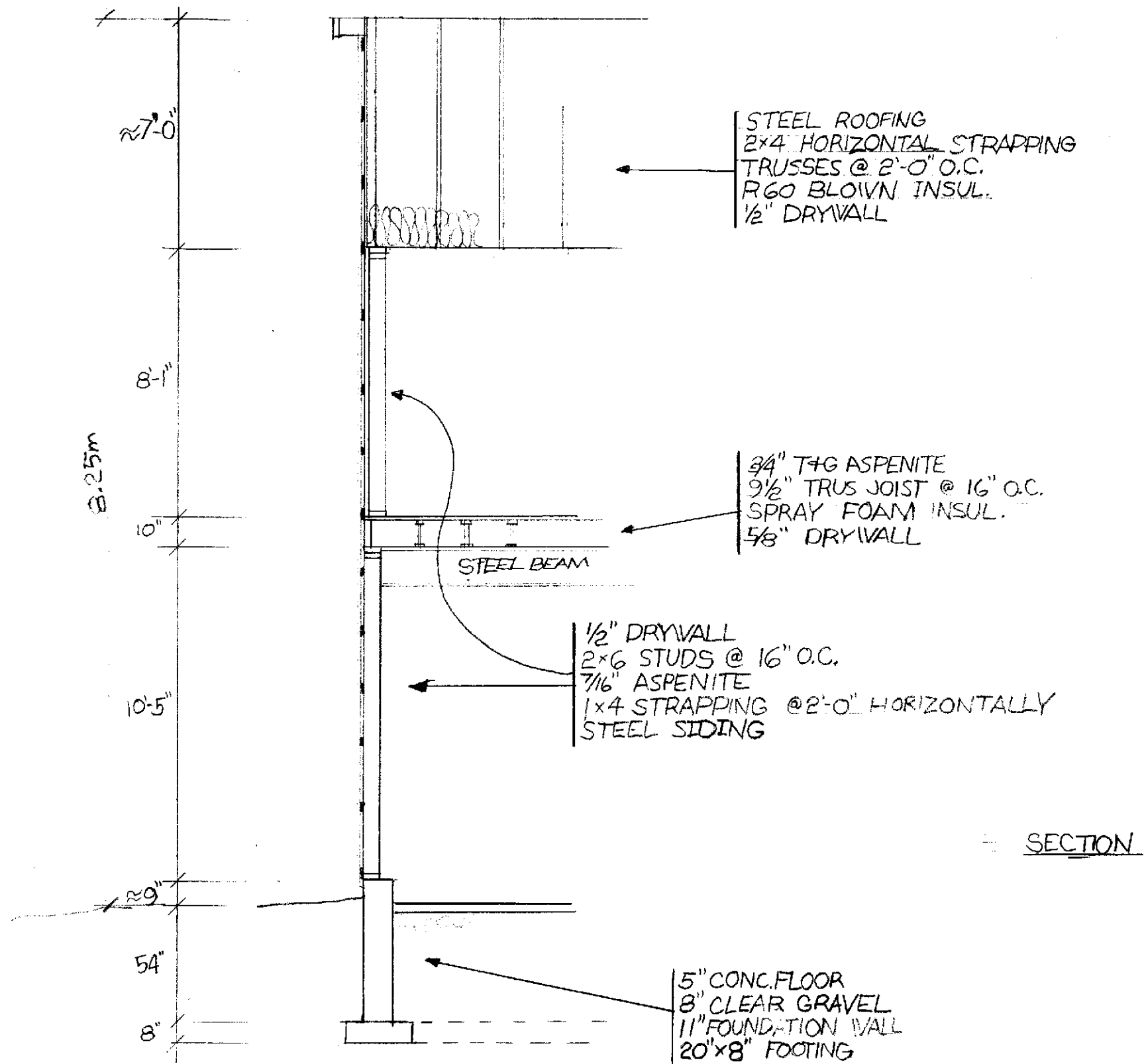
RIGHT SIDE

STEENBEEK
A.R.D.U.
SCALE 1/8" = 1'-0"
DEC. 2023
1 OF 4





STEENBEEK
A.R.D.U.
SCALE 3/16" = 1'-0"
DEC. 2023
3 OF 4



STEENBEEK
 A.R.D.U.
 SCALE 1/4" = 1'-0"
 DEC. 2023
 4 OF 4

Secretary Treasurer - Committee of Adjustment
Norfolk County
185 Robinson Street, Suite 200
Simcoe, ON N3Y 5L6

Arcadis Professional Services (Canada) Inc.
410 Albert Street
Suite 101
Waterloo, Ontario N2L 3V3
Canada
Phone: 519 585 2255
www.arcadis.com

Date: January 30, 2024

Our Ref: 145686

Subject: Minor Variance Application
1553 Old Highway #24, Waterford, Norfolk County

Dear Secretary Treasurer – Committee of Adjustment,

On behalf of our clients, Mike and Mary-Jo Steenbeek, please accept this Planning Justification Letter (“Letter”) in support of the proposed Minor Variance (“MV”) Application to develop an Additional Residential Dwelling Unit (“ARDU”) on the property known as 1553 Old Highway #24 in Norfolk County (“subject property”, “subject lands”, or “site”). The following materials have also been prepared and submitted in support of this MV Application:

- One (1) copy of the completed and signed Minor Variance Application Form;
- One (1) copy of the proposed ARDU Elevation Plans and Floor Plans;
- One (1) copy of the Topographic Survey prepared by Rasch & Hyde Ltd. (OLS), and;
- One (1) cheque in the amount of \$2,743.00 made payable to Norfolk County representing the Minor Variance Application review fee (**Note:** Our client will be mailing/dropping off the cheque to the County office. We ask that the County confirm receipt of the cheque.)

Our clients are proposing to develop an ARDU on the second storey of a detached garage. Our clients previously applied for a Building Permit Application (#PRBD20230915) to develop a one-storey detached garage that was successfully issued on July 10, 2023. Since issuing the Building Permit, our clients have started constructing the approved detached garage, but now propose to construct a second storey on the detached garage for the purpose of an ARDU. Based on our review of the Norfolk County Zoning By-Law, notably By-Law 25-Z-2022 which was approved by Council on September 20, 2022, pertaining to ARDUs, our client's proposal requires the following variances:

- 1) To permit a maximum *Building Height* of 8.25 metres, whereas Section 3.2.3.2.e) of By-Law 25-Z-2022 requires a maximum of 5.0 metres for detached ARDUs.
- 2) To permit a maximum *Useable Floor Area* of 119.0 m², whereas Section 3.2.3.2.b) of By-Law 25-Z-2022 requires a maximum of 75 m² for detached ARDUs.

Planning rationale with regard to the above noted Minor Variances is addressed in Sections 2.0 and 3.0 of this Letter. Please note, that prior to the preparation of this application and supporting letter, we had several discussions with municipal building staff, as well as municipal planning staff, Olivia Davies and Roxanne Lambrecht.

1.0 BACKGROUND AND PROPOSAL DETAILS

The subject property is municipally addressed as 1553 Old Highway #24 in Norfolk County and legally identified as Part of Lot 7, Concession 5 Townsend; Norfolk County (**Figure 1**). The subject property has an approximate lot area of 3,280.0 m² (0.328 hectares) and an estimated lot frontage of 65.0 metres along Old Highway #24.



Figure 1: Aerial Image of the Subject Property (Source: Norfolk County GIS Mapping)

The subject property currently accommodates a single-detached dwelling with an attached garage, covered deck and accessory shed in the rear yard. All existing buildings and structure on the subject property will remain unaltered as a result of this proposal. As previously mentioned, the approved one-storey detached garage is currently under construction, located in the side yard/north end of the site, but has not been completed as the owners are seeking the necessary development approvals for a second storey to construct an ARDU.

One (1) vehicular access is located along Old Highway #24 and will remain unaltered as no new access is being proposed. Our clients only intend to extend the existing driveway leading to the proposed location of the ARDU/detached garage. Several trees are located on the subject property, notably along the property lines to the north and west. It is our understanding these trees will remain unaltered as a result of our client's proposal.

The subject property is privately serviced, utilizing a communal well system and septic system. The proposed ARDU would make use of the existing private servicing.

The subject property is predominantly surrounded by agricultural uses in all directions, as the site and surrounding areas are designated and zoned for agricultural purposes. Like the subject property, the property to the immediate south is a stand-alone residential parcel.

As previously mentioned, our client intends to develop an ARDU on the second storey of a detached garage. The first storey would be used to accommodate a personal vehicle and storage, with an approximate *Useable Floor Area* of 160.0 m² on the ground floor. A separate entrance by way of a staircase is proposed on the western façade of the structure to enter the ARDU on the second storey. The ARDU will have an approximate *Useable*

Floor Area of 119.0 m². As per Section 3.2.3.2 of By-Law 25-Z-2022, the *Useable Floor Area* for Detached ARDUs excludes any attached garage, therefore, the calculations for the first and second storey are separate.

The proposed structure has a total height of 8.25 metres measured to the highest point of the ridge. The first storey (garage portion) is approximately 3.65 metres, the second storey (ARDU portion) is approximately 2.46 metres, and the steel roof portion to be filled with insulation is approximately 2.13 metres.

One (1) off-street parking space for the ARDU can be accommodated by the proposed driveway extension to the subject property.

Please refer to **Figures 2 to 4** below for an illustration of the proposed location, Elevation Plans, and Floor Plan of the detached garage / ARDU.

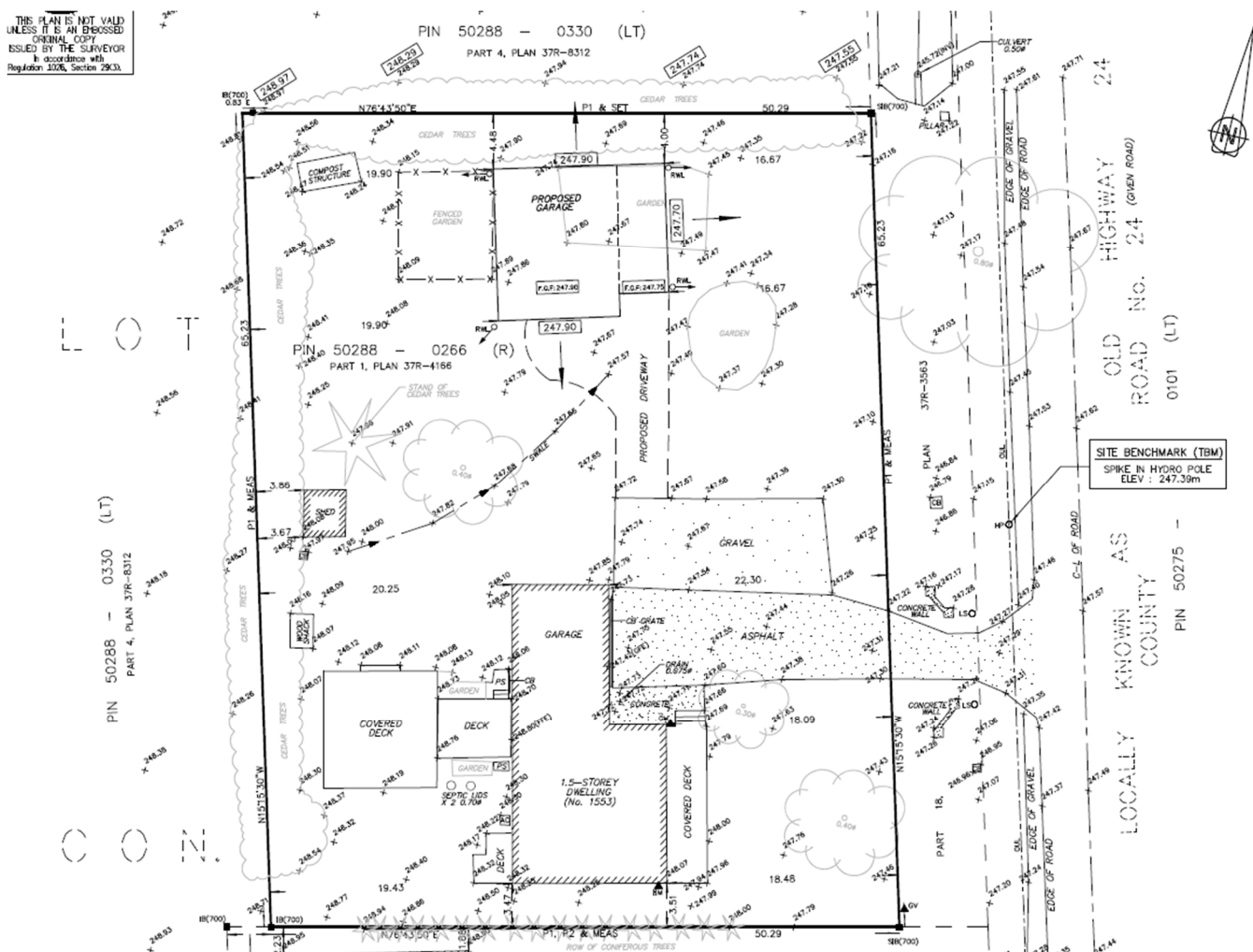


Figure 2: Topographic Survey prepared by Rasch & Hyde Ltd. (OLS) illustrating the location of the proposed detached garage/ARDU

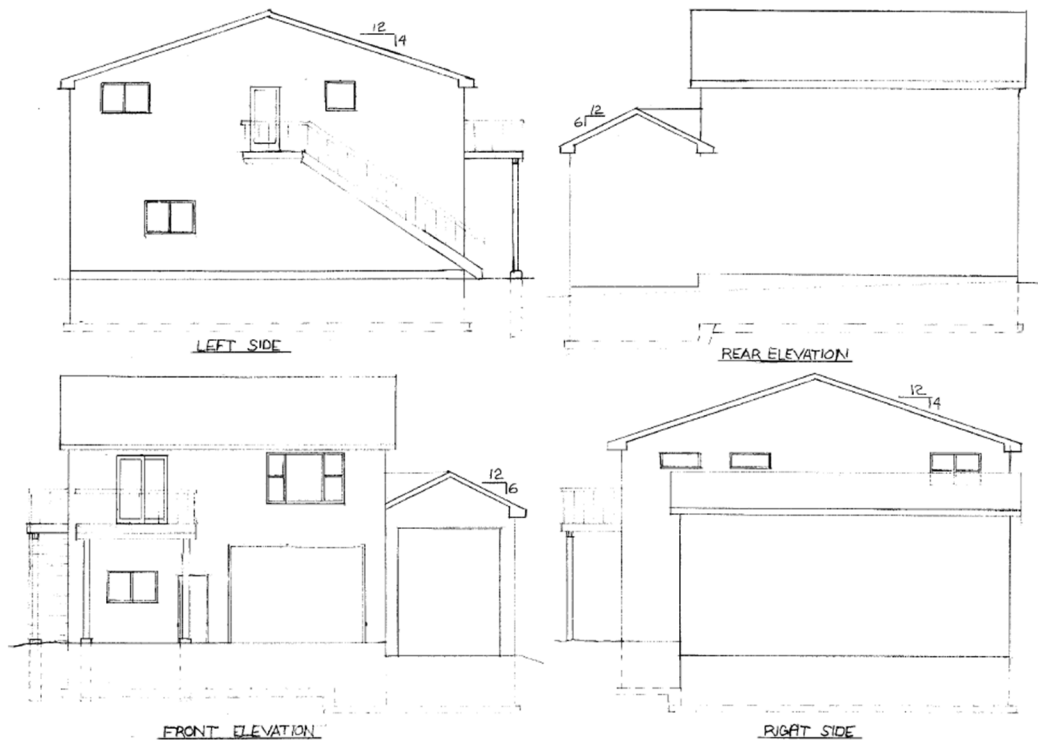


Figure 3: Proposed Elevation Plans of the proposed detached garage/ARDU

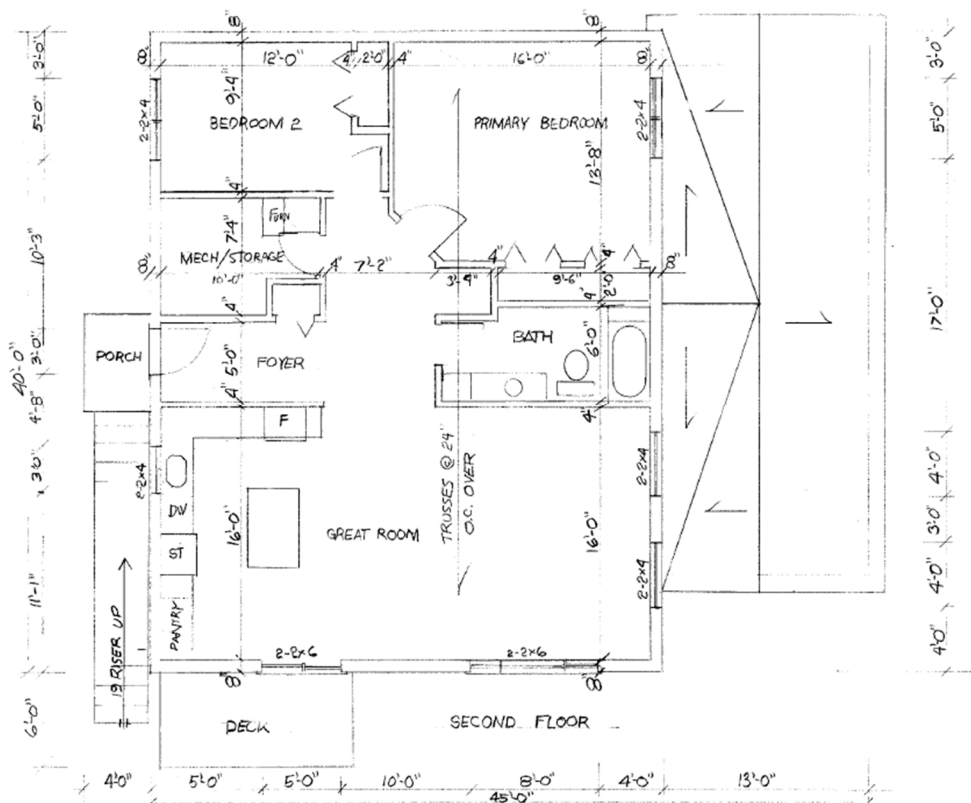


Figure 4: Proposed Second Storey Floor Plan of the detached ARDU

2.0 PLANNING CONTROLS

The use and development of the subject property is guided by a land use planning framework comprised of the Norfolk County Official Plan and Zoning By-Law. The following provides a review of these documents as they relate to the proposed ARDU.

2.1 Norfolk County Official Plan

The subject property is designated 'Agricultural' in Schedule B-2 of the Norfolk County Official Plan. As per Section 7.2.1. of the Official Plan, the proposed ARDU is considered a permitted use in the 'Agricultural' designation, as it does not conflict with agricultural operations and natural heritage features, however, it is still subject to the policies in Section 5.3.3. The following provides an analysis of the applicable policies in Section 5.3.3.1 (ARDUs) as it relates to the proposed development:

- 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;*
Planning Comment: The proposed detached ARDU, being accessory to the existing single-detached dwelling and within the 'Agricultural' designation, is permitted.
- 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.*
Planning Comment: The proposed detached ARDU will have access to the existing private servicing, which includes communal well and septic system.
- g) *Development of an additional residential dwelling unit shall be subject to the following criteria:*
 - i. *The structural stability of the building is adequate to accommodate the alterations necessary for an additional dwelling;*
Planning Comment: A new building is being proposed and will undergo the necessary approvals and inspections through the Building Permit Application process.
 - ii. *Exterior changes to the structure shall be minimal;*
Planning Comment: No exterior changes are proposed to an existing building.
 - iii. *Compliance with provisions of the Ontario Building Code, and all other relevant municipal and Provincial standards, including the Zoning By-Law;*
Planning Comment: The proposed detached ARDU will comply with the provisions of the OBC and other relevant municipal and Provincial standards. The proposed ARDU requires Minor Variances for the building height and useable floor area prior to submitting a Building Permit Application.
 - 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*
Planning Comment: The proposed ARDU is ancillary to the existing single-detached dwelling and will be located on the second storey of a new detached garage, subject to a Building Permit Application.
 - 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.*

Planning Comment: The subject property is not located within regulated lands impacted by flooding, erosion or within hazardous lands.

- vi. *The primary use shall be established on the site prior to the development of an accessory residential dwelling unit;*

Planning Comment: The primary use, being residential not supported by an agricultural operation, is existing/established.

- 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.*

Planning Comment: The proposed detached ARDU is located within 40 metres of the primary dwelling.

Based on the above, it is our opinion that the proposed detached ARDU is consistent with and meets the general intent of the Official Plan.

2.2 Norfolk County Zoning By-Law

The subject property is currently zoned 'A' (Agricultural) in Schedule A-2 of the Norfolk County Zoning By-Law. As per Section 12.1.1.r) of the Zoning By-Law, the proposed ARDU is permitted in the 'A' Zone, subject to the regulations in Section 3.2.3 of the Zoning By-Law.

Based on correspondence with Norfolk County Planning Staff, it is understood that the regulations in Section 3.2.3 of the Zoning By-Law available online have not been amended since the passing of By-law 25-Z-2023 in September of 2022. As such, the following table provides a zoning analysis of the regulations from By-Law 25-Z-2023 as they relate to the proposed detached ARDU. What is denoted in red in the table below are the requested Minor Variances.

Regulation	Required	Provided
Min. Lot Frontage	30 m (A Zone)	65.23 m
Min. Lot Area	2,000.0 m ² (A Zone)	3,280.0 m ²
Min. Front Yard	13.0 m (A Zone)	16.67 m (to the ARDU)
Min. Rear Yard	9.0 m (A Zone)	19.9 m (to the ARDU)
Min. Height	5.0 m (detached ARDUs)	8.25 m (3.25 m exceedance)
Min. Interior Side Yard	3.0 m (A Zone)	4.0 m
Min. Off-Street Parking	3 spaces (2 per single-detached dwelling, 1 per ARDU)	>3 spaces
Min. Useable Floor Area	75.0 m ² (detached ARDUs)	119.0 m² (44.0 m² exceedance)
Shall not occupy any part of a Front Yard or Exterior Side Yard		Interior Side Yard
Located within a Max. of 40 metres from the Primary Dwelling		<40.0 m

As shown in the table above, two (2) Minor Variances are required to advance the proposed development. A variance is required to permit the proposed maximum *Building Height* and maximum *Useable Floor Area*. Please see Section 3.0 below of this Letter which addresses the four (4) tests a Minor Variance must meet, as required in the *Planning Act*.

3.0 PLANNING JUSTIFICATION

This section provides land use planning rationale in relation to the proposed MV Application requested for the subject property. The *Planning Act* sets out four (4) tests that are to be used by Council of a municipality or its delegate(s) in consideration of a MV application. These tests are:

1. *Does the application maintain the general intent and purpose of the Official Plan?*
2. *Does the application maintain the general intent and purpose of the Zoning By-Law?*
3. *Is the application desirable for the appropriate development or use of the land?*
4. *Is the application minor in nature?*

The following subsections of this Letter discuss these tests for each of the proposed variances.

Variance 1: *To permit a maximum Building Height of 8.25 metres, whereas Section 3.2.3.2.e) of By-Law 25-Z-2022 requires a maximum of 5.0 metres for detached ARDUs.*

Test	Assessment
<i>Does the application maintain the general intent and purpose of the Official Plan?</i>	The 'Agricultural' land use designation supports the development of a detached garage/ARДУ on the subject property in accessory to the existing single-detached dwelling. It is our opinion that the proposed variance for an increased <i>Building Height</i> facilitate the construction of a detached garage/ARДУ will maintain the general intent and purpose of the Official Plan. The proposed structure would be a complementary accessory use to the existing primary dwelling and would maintain a built-form and size appropriate for the 'Agricultural' designation and surrounding areas.
<i>Does the application maintain the general intent and purpose of the Zoning By-Law?</i>	It is our opinion that the proposed variance for an increased <i>Building Height</i> meets the general intent and purpose of the Zoning By-law, as it will not present significant impacts to the adjacent lots and surrounding area. The ARДУ portion (second storey) of the proposed accessory building is approximately 2.46 metres in height, and the proposed overall height of 8.25 metres is required to facilitate the development of the first storey garage portion and insulated peaked roof. It is important to note that the 'A' Zone also permits a maximum height of 11.0 metres for uses other than ARДУs, so it is our opinion that an 8.25 metre structure on the subject property would be in keeping with the built-form and character of agriculturally zoned properties.
<i>Is the application desirable for the appropriate development or use of the land?</i>	It is our opinion that the proposed variance is desirable for the appropriate development or use of the land, as it will facilitate the construction of a new detached garage/ARДУ in accessory to the existing single-detached dwelling, both of which are permitted in the Official Plan and Zoning By-Law. Further, it is our opinion that the proposed scale, design, siting, and orientation of the proposed detached garage/ARДУ in the interior side yard is appropriate for the site and surrounding neighbourhood and can therefore be considered desirable for the appropriate development or use of the land.
<i>Is the application minor in nature?</i>	It is our opinion that the requested variance is minor in nature, as the increased <i>Building Height</i> will not have significant built-form impacts and will not present any significant impacts to the surrounding area. The proposed ARДУ is located on the second floor of an accessory building under construction where in our opinion the Zoning By-Law height regulation did not contemplate this scenario. The proposed building height exceedance of 3.25 metres would not cause privacy or shadowing

Test	Assessment
	concerns to the neighbouring properties, as existing trees about the adjacent property lines. Further, the proposed ARDU is sited on the northern end of the property away from the existing stand-alone residential property identified as 1545 Old Highway #24 to the south. The proposed variance for the detached garage/ARDU still ensures it is smaller and subordinate to the existing single-detached dwelling on the subject property.

Variance 2: *To permit a maximum Useable Floor Area of 119.0 m², whereas Section 3.2.3.2.b) of By-Law 25-Z-2022 requires a maximum of 75 m² for detached ARDUs.*

Test	Assessment
<i>Does the application maintain the general intent and purpose of the Official Plan?</i>	The 'Agricultural' land use designation supports the development of a detached garage/ARDU on the subject property in accessory to the existing single-detached dwelling. It is our opinion that the proposed variance for an increased <i>Useable Floor Area</i> facilitate the construction of a detached garage/ARDU will maintain the general intent and purpose of the Official Plan. The proposed structure would be a complementary accessory use to the existing primary dwelling and would maintain a built-form and size appropriate for the 'Agricultural' designation and surrounding areas.
<i>Does the application maintain the general intent and purpose of the Zoning By-Law?</i>	It is our opinion that the proposed variance for an increased <i>Useable Floor Area</i> meets the general intent and purpose of the Zoning By-Law, as the proposed increase will still remain smaller and subordinate to the existing primary dwelling. Further, it is our opinion that the proposed <i>Useable Floor Area</i> will not impact the usability of the side yard for residents given the size of the existing lot. It is our opinion that the proposed variance will not present significant impacts to adjacent lots and the surrounding neighbourhood.
<i>Is the application desirable for the appropriate development or use of the land?</i>	It is our opinion the proposed variance is desirable for the appropriate development or use of the land, given that the proposed detached garage/ARDU is permitted in the Official Plan and Zoning By-Law. The proposed <i>Useable Floor Area</i> would maintain the character of the agricultural area and is located 16.67 metres from the lot line to prevent the new structure from imposing over the public right of way.
<i>Is the application minor in nature?</i>	It is our opinion that the requested variance is minor in nature, as the increased <i>Useable Floor Area</i> will not significantly impact usability of the subject property and will not present any significant impacts to the surrounding area. The proposed exceedance of 44 m ² would allow for an ARDU that maximizes space on the second floor of the detached garage, given that the first floor has a <i>Useable Floor Area</i> of approximately 160.0 m ² . It is our opinion that the overall scale of the proposed detached garage/ARDU is designed to respect the existing area and will still remain smaller and subordinate to the existing single-detached dwelling on the subject property.

Based on the above, it is our opinion that the proposed Minor Variances meet the four (4) tests as set out in Section 45 in the *Planning Act*.

Secretary Treasurer – Committee of Adjustment
Norfolk County
January 30, 2024

4.0 CONCLUSION

It is our opinion that the proposed Minor Variances meet the general intent and purpose of the Norfolk County Official Plan and Zoning By-Law, are minor in nature, and are desirable for the appropriate development of the land. It is also our opinion that the proposed variances are in keeping with the size, scale, and character of the surrounding area and represents good planning and therefore we recommend approval and request that the Committee support the request as the 'four tests' of the Planning Act have appropriately been addressed.

Should you require anything further to assist in your review of these applications and supporting material, please do not hesitate to contact the undersigned.

Sincerely,

ARCADIS PROFESSIONAL SERVICES (CANADA) INC.



Christian Tsimenidis, BES
Urban Planner

Email: christian.tsimenidis@arcadis.com

Direct Line: 519 585-2255 ext. 63256



Douglas W. Stewart, MCIP, RPP
Associate – Manager, Urban & Regional Planning

Email: douglas.stewart@arcadis.com

Direct Line: 519 585-2255 ext. 63212

CT/DWS/baw

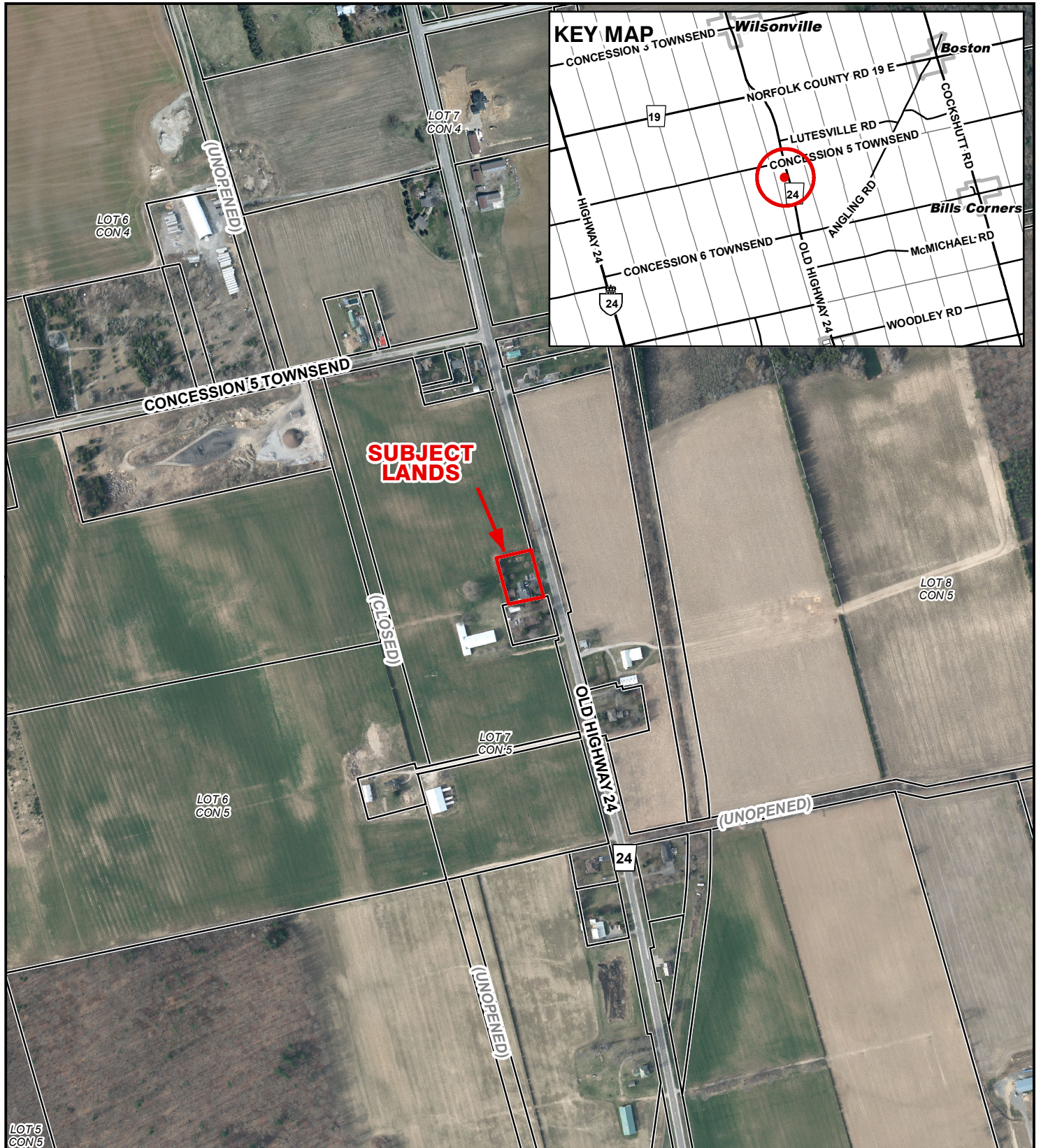
cc: Mike and Mary-Jo Steenbeek

MAP A

ANPL2024037

CONTEXT MAP

Geographic Township of TOWNSEND

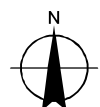


Legend

-  Subject Lands
-  Lands Owned

2020 Air Photo

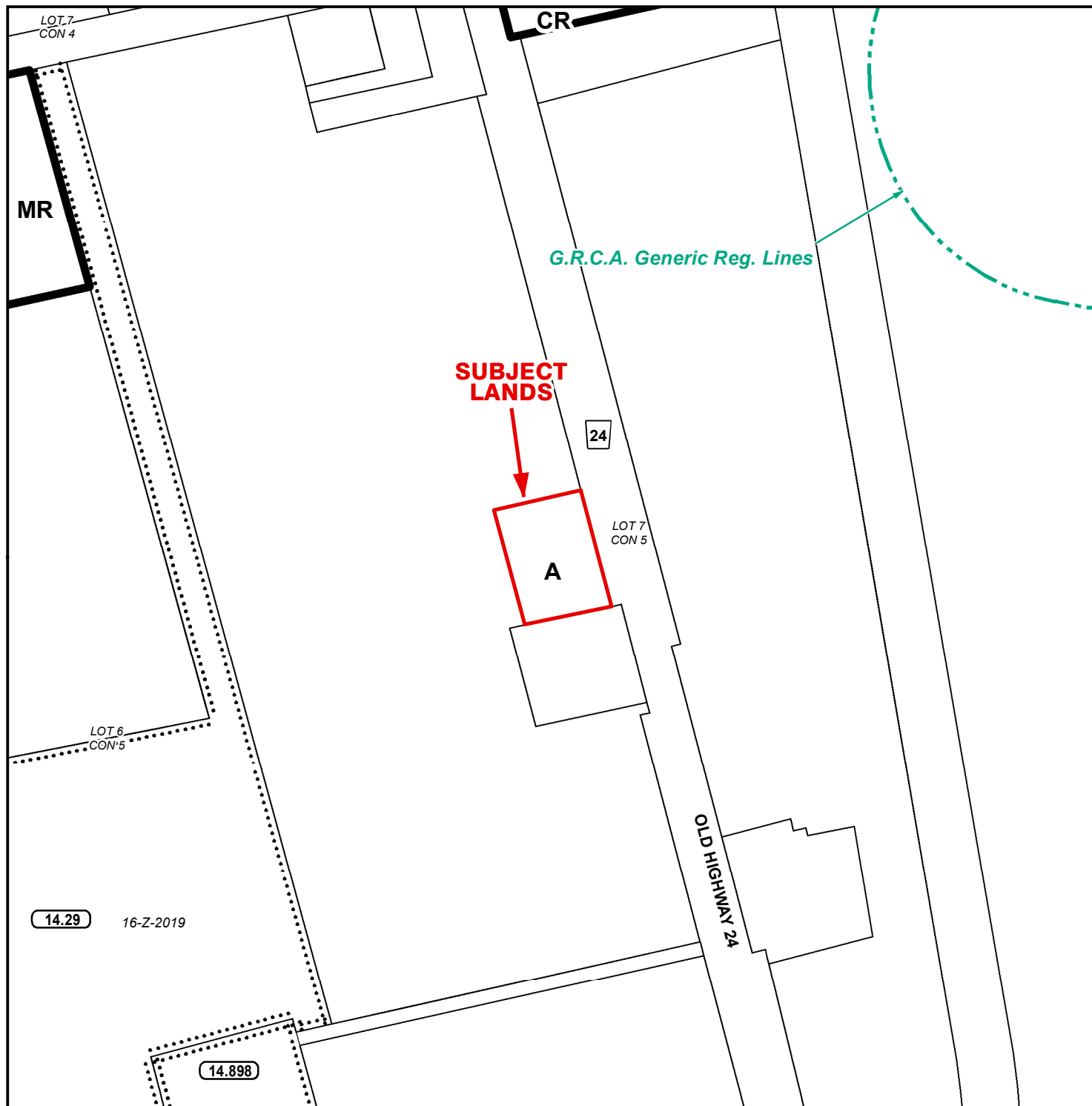
3/1/2024






50 25 0 50 100 150 200 Meters

MAP B
ZONING BY-LAW MAP
Geographic Township of TOWNSEND

ANPL2024037



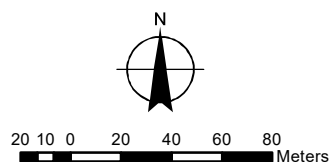
LEGEND

-  Subject Lands
-  Lands Owned
-  GRCA Generic RegLines

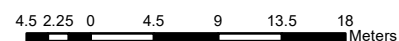
ZONING BY-LAW 1-Z-2014

3/1/2024

- (H) - Holding
- A - Agricultural Zone
- CR - Rural Commercial Zone
- MR - Rural Industrial Zone

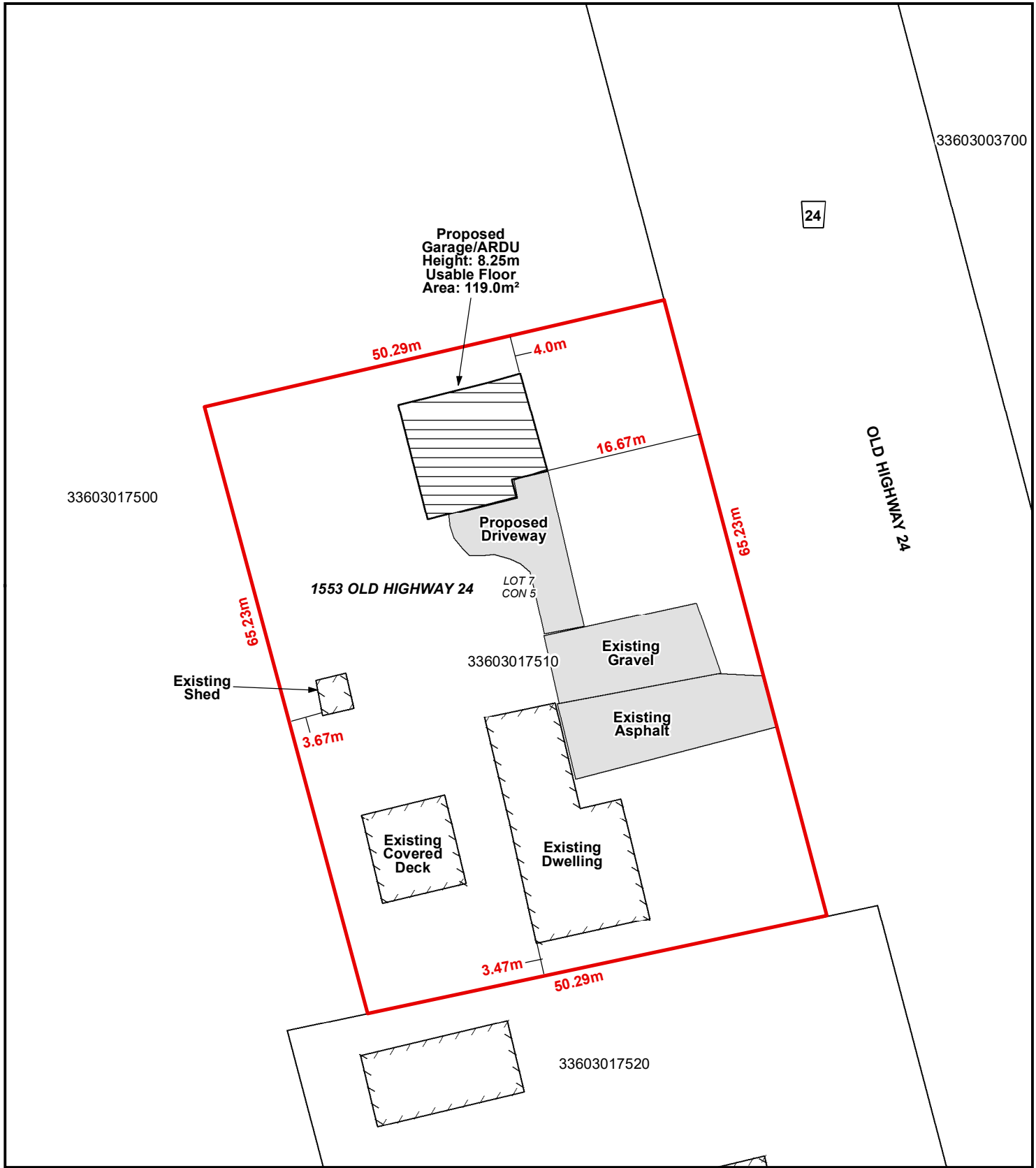


Geographic Township of TOWNSEND




CONCEPTUAL PLAN

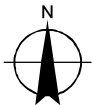
Geographic Township of TOWNSEND



Legend

 Subject Lands

3/1/2024



4.5 2.25 0 4.5 9 13.5 18 Meters