

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If the application is withdrawn prior to the circulation to commenting agencies, the entire original fee will be refunded. If withdrawn after the circulation to agencies, half the original fee will be refunded.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: 49301012750**A. Applicant Information****Name of Owner** Miles & Cassandra Dobias

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 16 Old Church Street

Town and Postal Code Lynedoch N4B 2W4

Phone Number 519.410.3913

Cell Number _____

Email milesdobias@gmail.com

Name of Applicant G. Douglas Vallee Limited c/o - Eldon Darbyson

Address 2 Talbot St N

Town and Postal Code Simcoe, ON N3Y 3W4

Phone Number 519.426.6270x 120

Cell Number _____

Email eldondarbyson@gdvallee.ca

Name of Agent Same as above
Address _____
Town and Postal Code _____
Phone Number _____
Cell Number _____
Email _____

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

☐ Owner ☒ Agent ☐ Applicant

Names and addresses of any holder of any 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):

CHR CON 11 PT LOT 3 PLAN 37B, BLK 17 PT LOTS 3,4 RP,
37R7310 PT PART 1, REG

Municipal Civic Address: 16 Old Church St

Present Official Plan Designation(s): Hazard Lands, Hamlet

Present Zoning: Residential Hamlet Hazard Lands

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

☒ Yes ☐ No If yes, please specify:
special provision 14.157

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:

Please see Planning Justification Report prepared by G. Douglas Vallee Limited

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.

Please see Planning Justification Report prepared by G. Douglas Vallee Limited

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 see Planning Justification Report prepared by G. Douglas Vallee Limited

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

10. Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes ☒ No If yes, describe the easement or restrictive covenant and its effect:

C. Purpose of Development Application

Note: Please complete all that apply. **Failure to complete this section will result in an incomplete application.**

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

	Existing	Permitted	Provision	Proposed	Deficiency
Lot frontage	Approx. 20m				
Lot depth					
Lot width					
Lot area					
Lot coverage					
Front yard					
Rear yard					
Height					
Left Interior side yard					
Right Interior side yard					
Exterior side yard (corner lot)	approx 21.9m				
Parking Spaces (number)					
Aisle width					
Stall size					
Loading Spaces					
Other					

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

Please see Planning Justification Report prepared by G. Douglas Vallee Limited

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):

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:
Residential land was previously vacant and the remaining portion is Hazard Lands

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:

N/A

2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? ☒ Yes ☐ No

If no, please explain:

3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? ☒ Yes ☐ No

If no, please explain:

Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. All Applications: Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

Livestock facility or stockyard (submit MDS Calculation with application)

☐ On the subject lands or ☐ within 500 meters – distance _____

Wooded area

☒ On the subject lands or ☐ within 500 meters – distance _____

Municipal Landfill

☐ On the subject lands or ☐ within 500 meters – distance _____

Sewage treatment plant or waste stabilization plant

☐ On the subject lands or ☐ within 500 meters – distance _____

Provincially significant wetland (class 1, 2 or 3) or other environmental feature

☐ On the subject lands or ☐ within 500 meters – distance _____

Floodplain

☐ On the subject lands or ☐ within 500 meters – distance _____

Rehabilitated mine site

☐ On the subject lands or ☐ within 500 meters – distance _____

Non-operating mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Active mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Industrial or commercial use (specify the use(s))

☐ On the subject lands or ☐ within 500 meters – distance _____

Active railway line

☐ On the subject lands or ☐ within 500 meters – distance _____

Seasonal wetness of lands

☐ On the subject lands or ☐ within 500 meters – distance _____

Erosion

☐ On the subject lands or ☐ within 500 meters – distance _____

Abandoned gas wells

☐ On the subject lands or ☐ within 500 meters – distance _____

F. All Applications: Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

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

Sewage Treatment

- | | |
|--|---|
| <input type="checkbox"/> Municipal sewers | <input type="checkbox"/> Communal system |
| <input checked="" type="checkbox"/> Septic tank and tile bed in good working order | <input type="checkbox"/> Other (describe below) |

Storm Drainage

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> Storm sewers | <input type="checkbox"/> Open ditches |
| <input type="checkbox"/> Other (describe below) | |

2. Existing or proposed access to subject lands:

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

Name of road/street:

G. All Applications: Other Information

1. Does the application involve a local business? ☐ Yes ☒ No

If yes, how many people are employed on the subject lands?

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

Please see planning justification report prepared by G. Douglas Vallee Limited

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

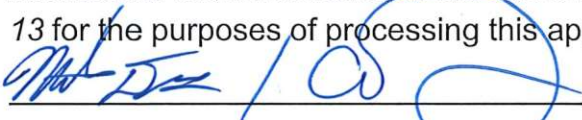
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

Nov 13, 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 Miles and Cassandra Dobias am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize G. Douglas Wallace Limited 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.

Miles Dobias

Owner

Nov 13, 2024

Date

Cassandra Dobias

Owner

Nov. 13. 2024.

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, Miles and Cassandra Odias. of 16 old church street Delhi N4B2W4
solemnly declare that:

all of the above statements and the statements contained in all of the exhibits
transmitted herewith are true and I make this solemn declaration conscientiously
believing it to be true and knowing that it is of the same force and effect as if made
under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

NORFOLK COUNTY



Owner/Applicant/Agent Signature

In Simcoe

This 13TH day of NOVEMBER

A.D., 20 24



A Commissioner, etc.

ELDON FRASER DARBYSON,
a Commissioner, etc., Province of Ontario,
for G. Douglas Vallee Limited.
Expires August 21, 2027.

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.

Miles Dobias

Owner/Applicant/Agent Signature

Nov 13, 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 Miles and Cassandra Dobias am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize G. Douglas Wallace Limited 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.

Miles Dobias

Owner

Nov 13, 2024

Date

Cassandra Dobias

Owner

Nov. 13. 2024.

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, Miles and Cassandra Dobias. of 16 old church street. Delhi N4B2W4
solemnly declare that:

all of the above statements and the statements contained in all of the exhibits
transmitted herewith are true and I make this solemn declaration conscientiously
believing it to be true and knowing that it is of the same force and effect as if made
under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:


NORFOLK COUNTY


Owner/Applicant/Agent Signature

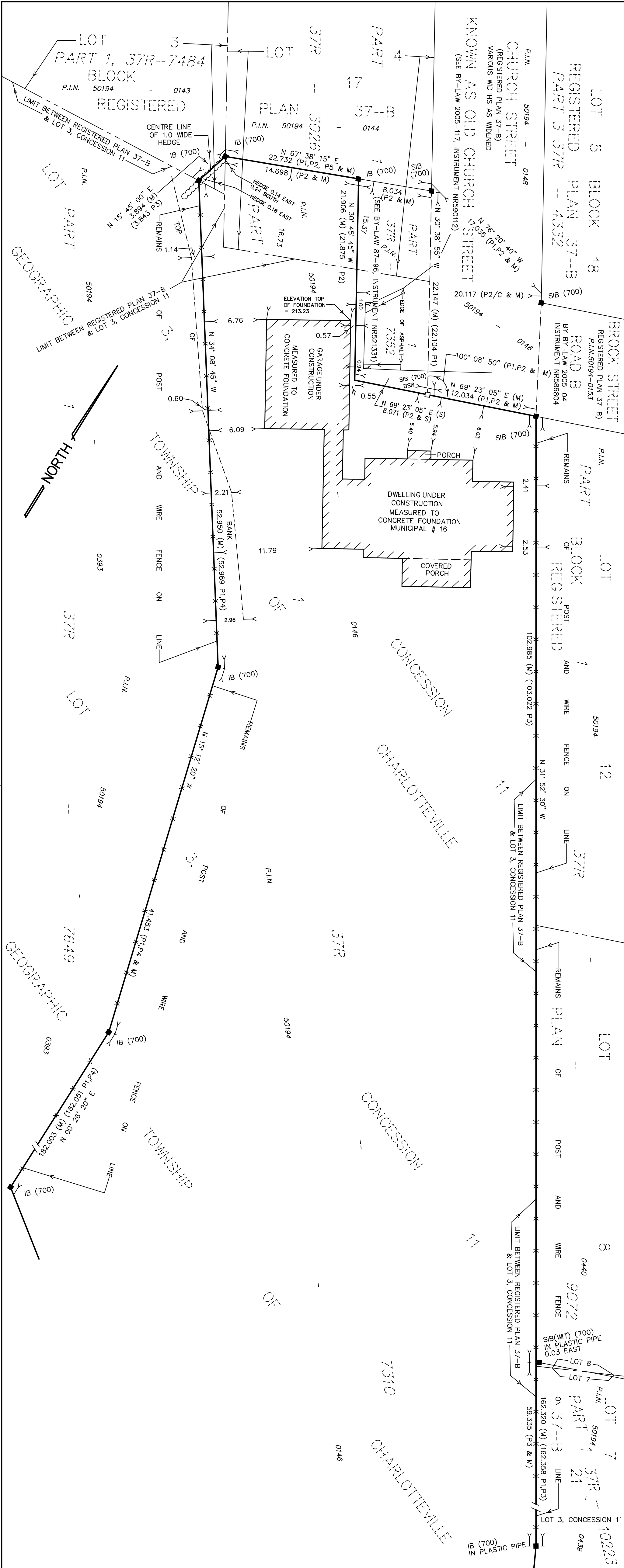
In SOMERSET

This 13TH day of NOVEMBER

A.D., 2024


A Commissioner, etc.

ELDON FRASER DARBYSON,
a Commissioner, etc., Province of Ontario,
for G. Douglas Vallee Limited.
Expires August 21, 2027.



**PARTIAL
SURVEYOR'S REAL PROPERTY REPORT**
(PART 1) PLAN OF SURVEY OF
**PART OF LOTS 3 AND 4
BLOCK 17
REGISTERED PLAN 37-B
(VILLAGE OF LYNEDOCH)
PART OF LOT 3
CONCESSION 11
GEOGRAPHIC TOWNSHIP OF CHARLOTTEVILLE
IN
NORFOLK COUNTY**

SCALE - 1: 250
METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

KIM HUSTED SURVEYING LTD.

(PART 2)
REPORT SUMMARY (TO BE READ IN CONJUNCTION WITH PLAN OF SURVEY)
REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY: NONE REGISTERED ON TITLE
COMPLIANCE WITH MUNICIPAL OFFICIAL PLANS AND ZONING BY-LAWS: NOT CERTIFIED BY THIS REPORT
ADDITIONAL REMARKS: PROPERTY DESCRIPTION PART OF LOTS 3 AND 4, BLOCK 17 REGISTERED PLAN 37-B AND PART OF LOT 3, CONCESSION 11 GEOGRAPHIC TOWNSHIP OF CHARLOTTEVILLE IN NORFOLK COUNTY
THIS IS A PARTIAL SURVEYOR'S REAL PROPERTY REPORT AND DOES NOT ILLUSTRATE THE FULL EXTENT OF P.I.N. 50194-0146

THIS PARTIAL SURVEYOR'S REAL PROPERTY REPORT HAS BEEN PREPARED FOR EVEREST HOMES AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHERS

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM
 - THIS SURVEY WAS COMPLETED ON THE 16th DAY OF OCTOBER, 2024

NOVEMBER 12, 2024
DATE
JAMIE G. DOCKX
ONTARIO LAND SURVEYOR

THIS REPORT CAN BE UPDATED BY KIM HUSTED SURVEYING LTD. HOWEVER NO ADDITIONAL PRINTS OF THIS ORIGINAL REPORT WILL BE ISSUED SUBSEQUENT TO THE DATE OF CERTIFICATION

NOTES

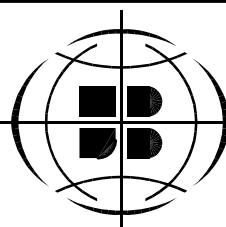
- BEARINGS ARE GRID, DERIVED ON GPS OBSERVATIONS (UTM, ZONE 17, NAD83 CSRS)
- TO CONVERT (P3) BEARINGS TO GRID BEARINGS
 - ADD 00° 19' 00" TO THE NORTHWEST BEARINGS
 - SUBTRACT 00° 19' 00" FROM THE NORTHEAST BEARINGS
- ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC VERTICAL DATUM, 1928

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
SIB	DENOTES	SURVEY MONUMENT SET
IB	DENOTES	STANDARD IRON BAR
IRB	DENOTES	IRON BAR
(WIT)	DENOTES	ROUND IRON BAR
(P1)	DENOTES	WITNESS
(P2)	DENOTES	DEPOSITED PLAN 37R-7310
(P3)	DENOTES	DEPOSITED PLAN 37R-7352
(P2/C)	DENOTES	DEPOSITED PLAN 37R-10223
(P4)	DENOTES	CALCULATED FROM DEPOSITED PLAN 37R-7352
(P5)	DENOTES	DEPOSITED PLAN 37R-7649
(700)	DENOTES	REGISTERED PLAN 37-B
(M)	DENOTES	H.V. JEWITT O.L.S.
(S)	DENOTES	MEASURED
P.I.N.	DENOTES	SET
BSR	DENOTES	PROPERTY IDENTIFIER NUMBER
	DENOTES	BENT SPUN REPLACED



© COPYRIGHT 2024 KIM HUSTED SURVEYING LTD.
THE REPRODUCTION, ALTERATION, OR USE OF THIS REPORT IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF KIM HUSTED SURVEYING LTD. IS STRICTLY PROHIBITED



KIM HUSTED
SURVEYING LTD.
A wholly owned subsidiary of J.D. Barnes Limited

30 Harvey St., Tillsonburg, ON N4G 3J8
T: (519) 842-3638 F: (519) 842-3639 www.jdbarnes.com

DRAWN BY:	GES	CHECKED BY:	JGD	REFERENCE NO.:	24-53-138-00
DATED:				11/12/24	

Minor Variance

16 Old Church St., Lynedoch

Planning Justification Report

Updated: November 18, 2024



vallee

*Consulting Engineers,
Architects & Planners*



Table of Contents

Introduction 3

Application..... 3

Site Description..... 3

Criteria for Minor Variance 4

 Maintain the general intent and purpose of the Official Plan 4

 Maintain the general intent and purpose of the Zoning By-law 4

 Desirable for the appropriate development or use of the land, building, or structure 5

 Minor in nature..... 5

Conclusion..... 6

Appendices..... 7

Introduction

On behalf of Miles and Cassandra Dobias (the “Owners”), G. Douglas Vallee Limited (the “Consultant”) is making application to the Committee of Adjustment for a Minor Variance to the Norfolk County Zoning By-law. The minor variance is necessary as the application and issuance of a building permit was based on property boundary information that was not accurate. While the house is currently under construction and nearly complete, a stop work order has been issued to require a planning application to bring the building into compliance with the zoning by-law.

Application

It is necessary to make application for a minor variance to seek permission to reduce both the exterior side yard setback and front yard setback from 6 metres to 0.5 metres to allow for the continued construction of the garage.

Site Description

The subject lands are approximately 2.4 hectares (6 acres) in area in Lynedoch, Norfolk County. The lands are irregular in shape and located at the end of Old Church Street. There is an unopened road allowance that has a gravel like path connecting Old Church Street with Charlton Street to the east. The lands are adjacent to the Lynedoch Mennonite Church and the Anglican Christ Church. The area contains several dwellings on large parcels of land. The area to the west is a wooded area and identified as hazard lands. The lands slope towards a watercourse west of the top of bank.

Currently, the owner’s family home is being constructed on the land.

Appendices to this report include:

Appendix A – Partial Survey Real Property Report

This application is submitted to include the information and material required under Section 45 (1.0.2) of the *Planning Act* as part of a complete application.



Fortunately, in this case, the County lands contain a driveway type access in the right of way that acts like a driveway to the garage. The bend in the road will continue to allow for snow removal and storage, away from the driveway.

There are no other buildings, structures or other land uses impacted by recognizing the reduction of the exterior and front yard setbacks. Accordingly, considering the unique circumstances of the location of the property and the existing road access, the general intent and purpose of the zoning by-law is maintained.

Desirable for the appropriate development or use of the land, building, or structure

There are no perceived impacts generated from the proposed minor variances. Snow removal and plowing will continue to occur. The owners will also continue to remove snow and maintain their driveway. There is no impact to traffic or any other property. Furthermore, the approval of the requested variances would avoid financial and emotional hardship of the owner and his family, as its granting will allow the Building Division to allow construction to continue of the family home. Considering this unique circumstance where no impacts are created, and in light of the alternative to cause the removal of the garage and redesign of the dwelling, it is desirable for the appropriate development of the land and building.



Minor in nature

It is important to recognize that this test of a minor variance, is measured by the unique circumstances of the nature of the requested relief in consideration of the effect on surrounding properties and the community. In this case, it was not intended to apply for nor issue a building permit that did not comply with the provisions of the zoning by-law. The variance is necessary in order to permit the continued construction of the family home and garage. As previously demonstrated, there are no impacts on the surrounding properties and the community. There are no safety issues generated by the recognition of the reduced setbacks. The timing of the approval is vital as construction cannot continue until a resolution is reached. The family has moved out of their home and are living in a trailer temporarily until such time the home is completed. The dwelling is nearly complete and was recently shingled. In consideration of these unique circumstances, and that there are no impacts or safety issues generated by the proposed variances, it is appropriate to consider the application minor in nature.

Conclusion

In light of the analysis presented, the requested minor variance to reduce both the exterior side yard and front yard setbacks from 6 meters to 0.5 meters is consistent with the four tests under Section 45(1) of the Planning Act.

The variance:

Maintains the general intent and purpose of the Official Plan by allowing a dwelling within the designated Hamlet area without encroaching upon Hazard Lands.

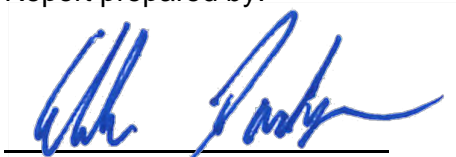
Maintains the general intent and purpose of the Zoning By-law, considering that the dwelling is not located within the Hazard Land zone and that the reduced setbacks do not compromise adjacent properties or other land uses.

Is desirable for the appropriate development of the land as it ensures that the construction of the family home can proceed without imposing undue financial or additional emotional hardship on the owners. The continued use of the adjacent County lands for a road will not create challenges for snow removal and the reduced setbacks will not negatively impact public infrastructure or neighbouring properties.

Is minor in nature as the variance addresses an unintentional boundary issue without creating adverse impacts on the surrounding land or community. The approval will avoid unnecessary delays and disruptions to the owners, enabling them to complete the construction of their home, which is essential for their relocation from temporary accommodations and financial plans. Given that no safety issues or negative impacts on neighbouring properties have been identified, the relief sought is both reasonable and minimal under these specific circumstances.

Therefore, it is recommended that the Committee of Adjustment approve the minor variance application to facilitate the timely completion of the family's home construction while upholding the principles of good planning.

Report prepared by:



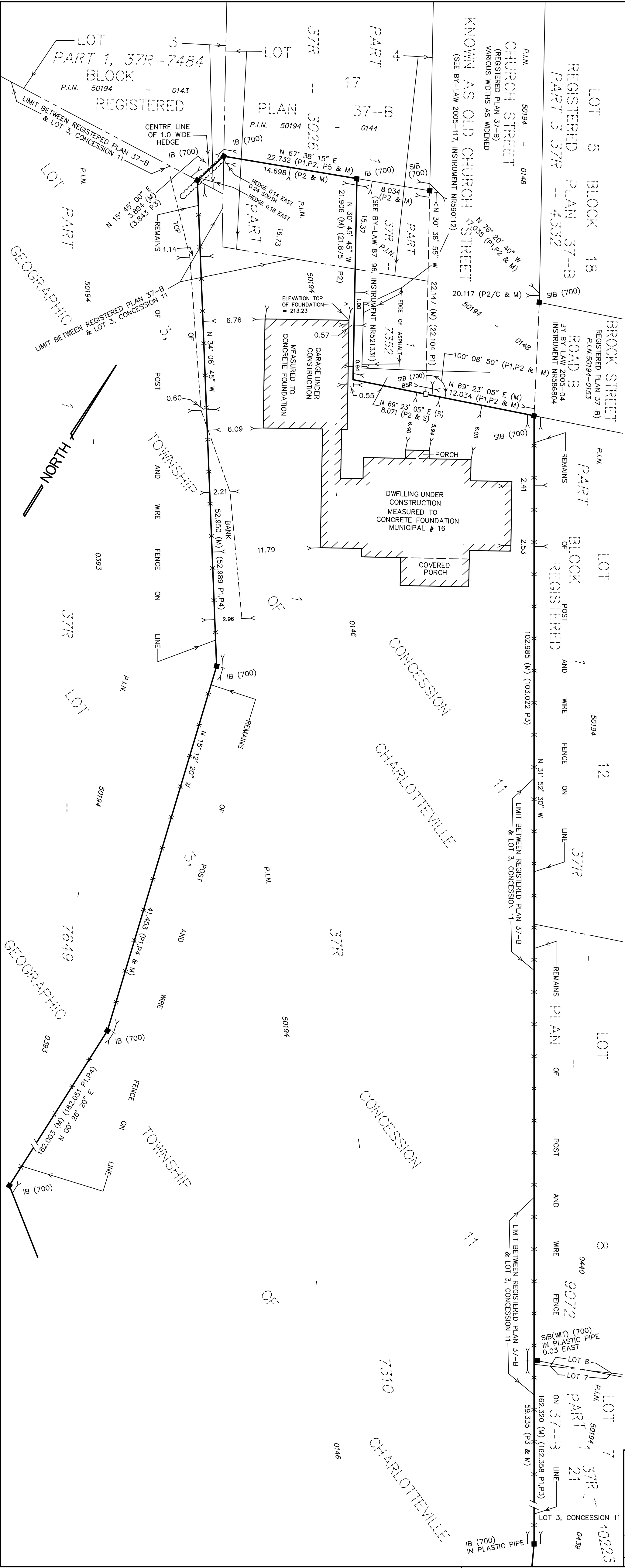
Eldon Darbyson, BES, MCIP, RPP
Director of Planning

G. DOUGLAS VALLEE LIMITED

Consulting Engineers, Architects & Planners

H:\Projects\2024\24-118 16 Old Church St Lynedoch - Nathan Kok\Agency\Minor Variance\2024.11.18 - PJR Minor Variance - Old Church Road.docx

Appendices



**PARTIAL
SURVEYOR'S REAL PROPERTY REPORT**
(PART 1) PLAN OF SURVEY OF
**PART OF LOTS 3 AND 4
BLOCK 17
REGISTERED PLAN 37-B
(VILLAGE OF LYNEDOCH)
PART OF LOT 3
CONCESSION 11
GEOGRAPHIC TOWNSHIP OF CHARLOTTEVILLE
IN
NORFOLK COUNTY**

SCALE - 1: 250
METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

KIM HUSTED SURVEYING LTD.

(PART 2)
REPORT SUMMARY (TO BE READ IN CONJUNCTION WITH PLAN OF SURVEY)
REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY: NONE REGISTERED ON TITLE
COMPLIANCE WITH MUNICIPAL OFFICIAL PLANS AND ZONING BY-LAWS: NOT CERTIFIED BY THIS REPORT
ADDITIONAL REMARKS: PROPERTY DESCRIPTION PART OF LOTS 3 AND 4, BLOCK 17 REGISTERED PLAN 37-B AND PART OF LOT 3, CONCESSION 11 GEOGRAPHIC TOWNSHIP OF CHARLOTTEVILLE IN NORFOLK COUNTY
THIS IS A PARTIAL SURVEYOR'S REAL PROPERTY REPORT AND DOES NOT ILLUSTRATE THE FULL EXTENT OF P.I.N. 50194-0146

THIS PARTIAL SURVEYOR'S REAL PROPERTY REPORT HAS BEEN PREPARED FOR EVEREST HOMES AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHERS

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM
 - THIS SURVEY WAS COMPLETED ON THE 16th DAY OF OCTOBER, 2024

NOVEMBER 12, 2024
DATE
JAMIE G. DOCKX
ONTARIO LAND SURVEYOR

THIS REPORT CAN BE UPDATED BY KIM HUSTED SURVEYING LTD. HOWEVER NO ADDITIONAL PRINTS OF THIS ORIGINAL REPORT WILL BE ISSUED SUBSEQUENT TO THE DATE OF CERTIFICATION

NOTES

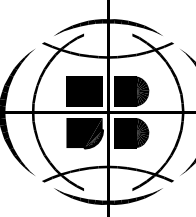
- BEARINGS ARE GRID, DERIVED ON GPS OBSERVATIONS (UTM, ZONE 17, NAD83 CSRS)
- TO CONVERT (P3) BEARINGS TO GRID BEARINGS
 - ADD 00° 19' 00" TO THE NORTHWEST BEARINGS
 - SUBTRACT 00° 19' 00" FROM THE NORTHEAST BEARINGS
- ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC VERTICAL DATUM, 1928

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
SIB	DENOTES	SURVEY MONUMENT SET
IB	DENOTES	STANDARD IRON BAR
RIB	DENOTES	IRON BAR
(WIT)	DENOTES	ROUND IRON BAR
(P1)	DENOTES	WITNESS
(P2)	DENOTES	DEPOSITED PLAN 37R-7310
(P3)	DENOTES	DEPOSITED PLAN 37R-7352
(P2/C)	DENOTES	DEPOSITED PLAN 37R-10223
(P4)	DENOTES	CALCULATED FROM DEPOSITED PLAN 37R-7352
(P5)	DENOTES	DEPOSITED PLAN 37R-7649
(700)	DENOTES	REGISTERED PLAN 37-B
(M)	DENOTES	H.V. JEWITT O.L.S.
(S)	DENOTES	MEASURED
P.I.N.	DENOTES	SET
BSR	DENOTES	PROPERTY IDENTIFIER NUMBER
	DENOTES	BENT SPUN REPLACED



© COPYRIGHT 2024 KIM HUSTED SURVEYING LTD.
THE REPRODUCTION, ALTERATION, OR USE OF THIS REPORT IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF KIM HUSTED SURVEYING LTD. IS STRICTLY PROHIBITED



KIM HUSTED
SURVEYING LTD.
A wholly owned subsidiary of J.D. Barnes Limited

30 Harvey St., Tillsonburg, ON N4G 3J8
T: (519) 842-3638 F: (519) 842-3639 www.jdbarnes.com

DRAWN BY:	GES	CHECKED BY:	JGD	REFERENCE NO.:	24-53-138-00
DATED:				11/12/24	



vallee

*Consulting Engineers,
Architects & Planners*

November 18, 2024

Norfolk County Planning Department
Community Development Division
185 Robinson Street, Suite 200
Simcoe, ON, N3Y 5L6

Attention: Secretary Treasurer for the Committee of Adjustment

**Reference: Application for Minor Variance
16 Old Church St, Lynedoch, Norfolk County
Our Project 24-118**

Introduction

G. Douglas Vallee Limited has been retained by Miles and Cassandra Dobias, the property owners of 16 Old Church St, Lynedoch, Norfolk County. The property owner is seeking to make an application for a minor variance application for a front yard and exterior side yard setback, as they appear to be.

Included with this request are the following:

- Completed Norfolk County Minor Variance application form.
- Planning Justification brief including Appendix A – Partial Survey Real Property Report

A building permit was issued to construct the home. The home is nearly complete. However, it was discovered that the County took a road widening which was not made known to Vallee, the home builder, nor the current owners when designing drawings in support of a building permit. The building division issued a permit, also unaware that the County had taken the road widening. As such the existing dwelling is in violation of two zone provisions which require a minor variance.

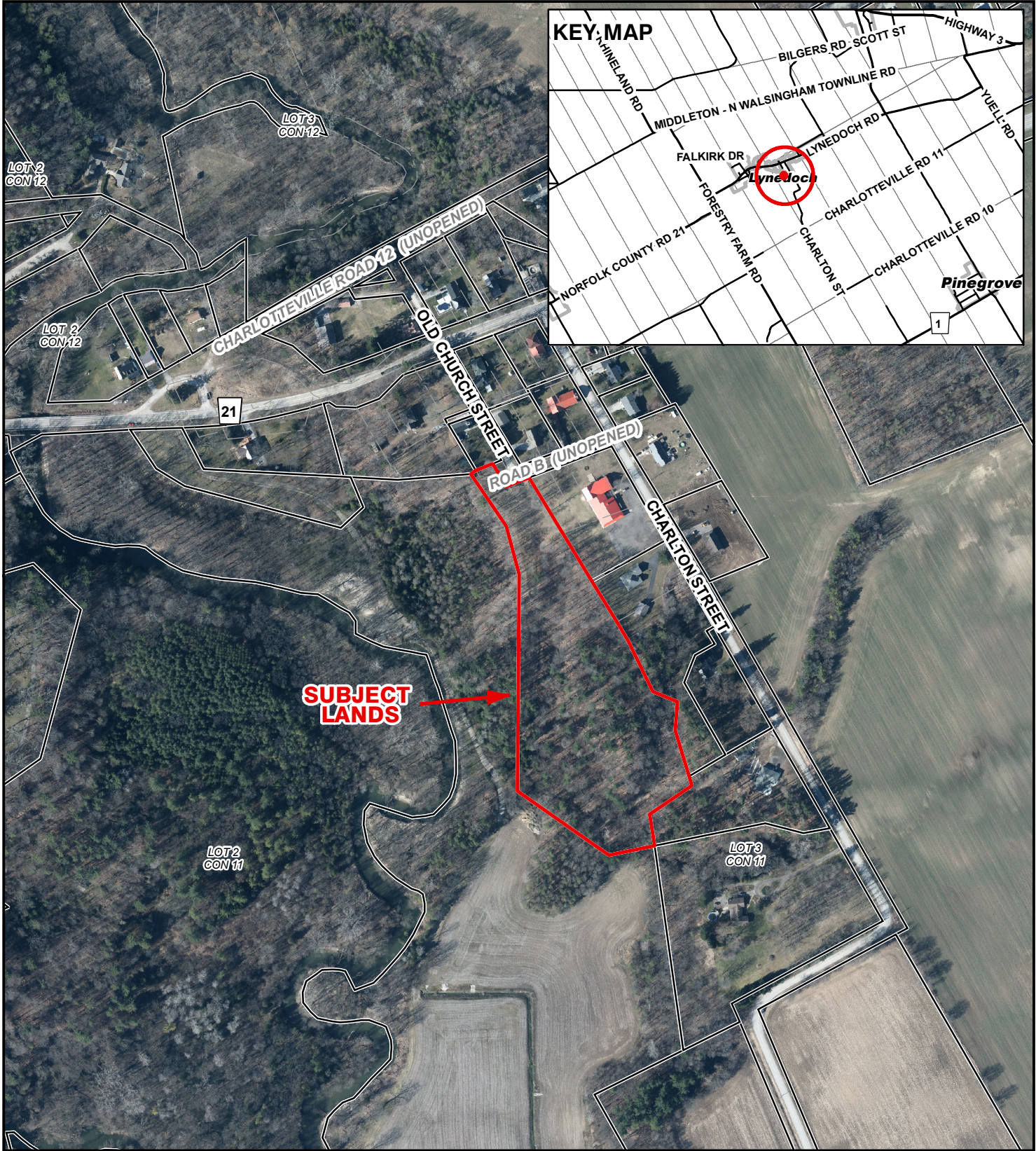
This is incredibly stressful for the homeowners and all involved as the error is resulting in the inability to complete the home and allow the owners family to leave their temporary accommodations and move into their new family home. We hope that the Committee is able to assist and find that the reasons to approve the variance requests are suitable to make a favourable decision.

Please advise of the fee amount and when it can be paid. Thank you.


Yours truly,

Eldon Darbyson, BES, RPP, MCIP
Director of Planning

G. DOUGLAS VALLEE LIMITED
Consulting Engineers, Architects & Planners

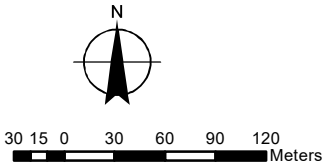


Legend

 Subject Lands

2020 Air Photo

12/18/2024

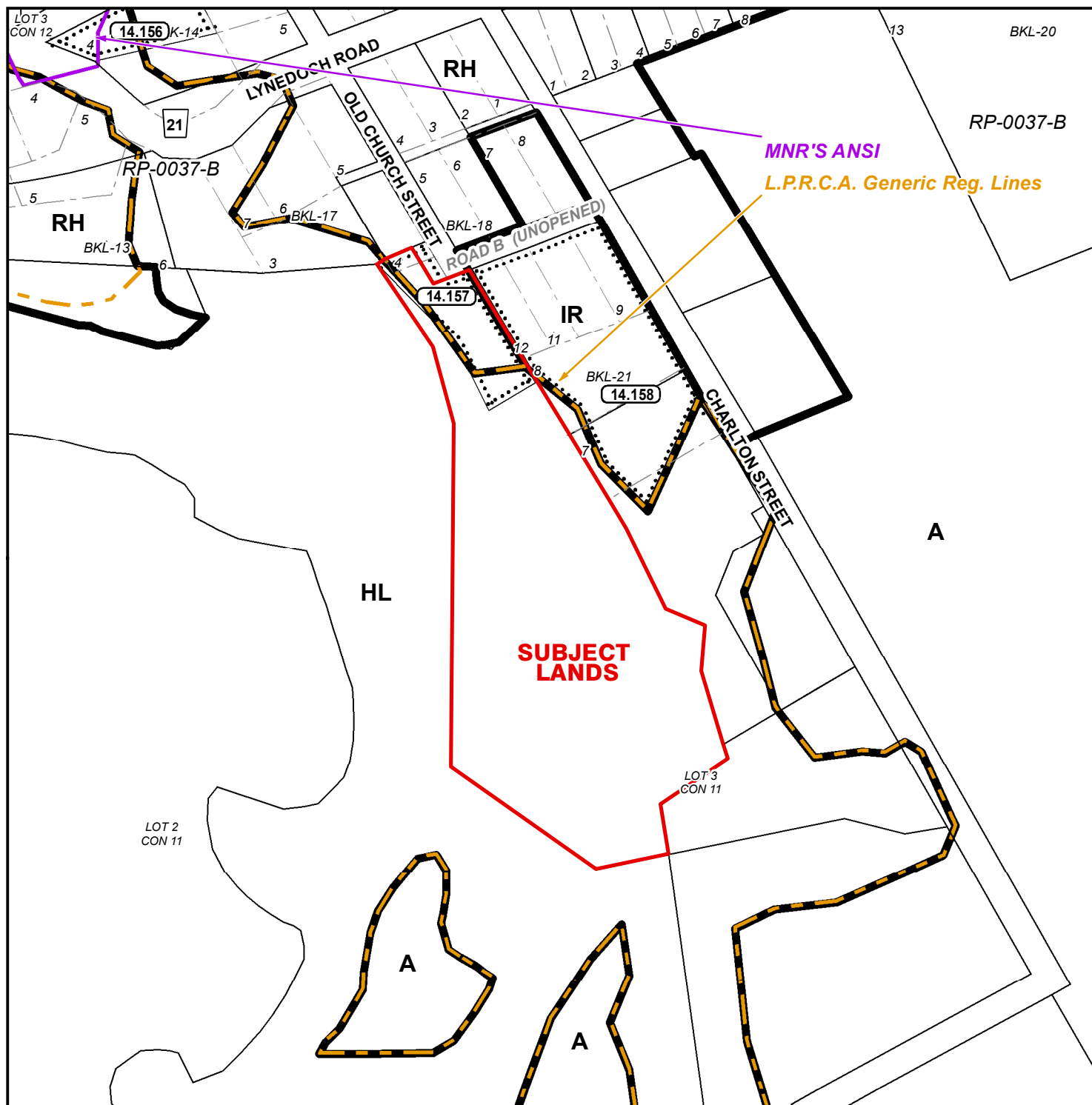


MAP B

ZONING BY-LAW MAP

Geographic Township of CHARLOTTEVILLE

ANPL2024417



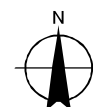
LEGEND

- Subject Lands
- MNR ANSI
- LPRCA Generic RegLines

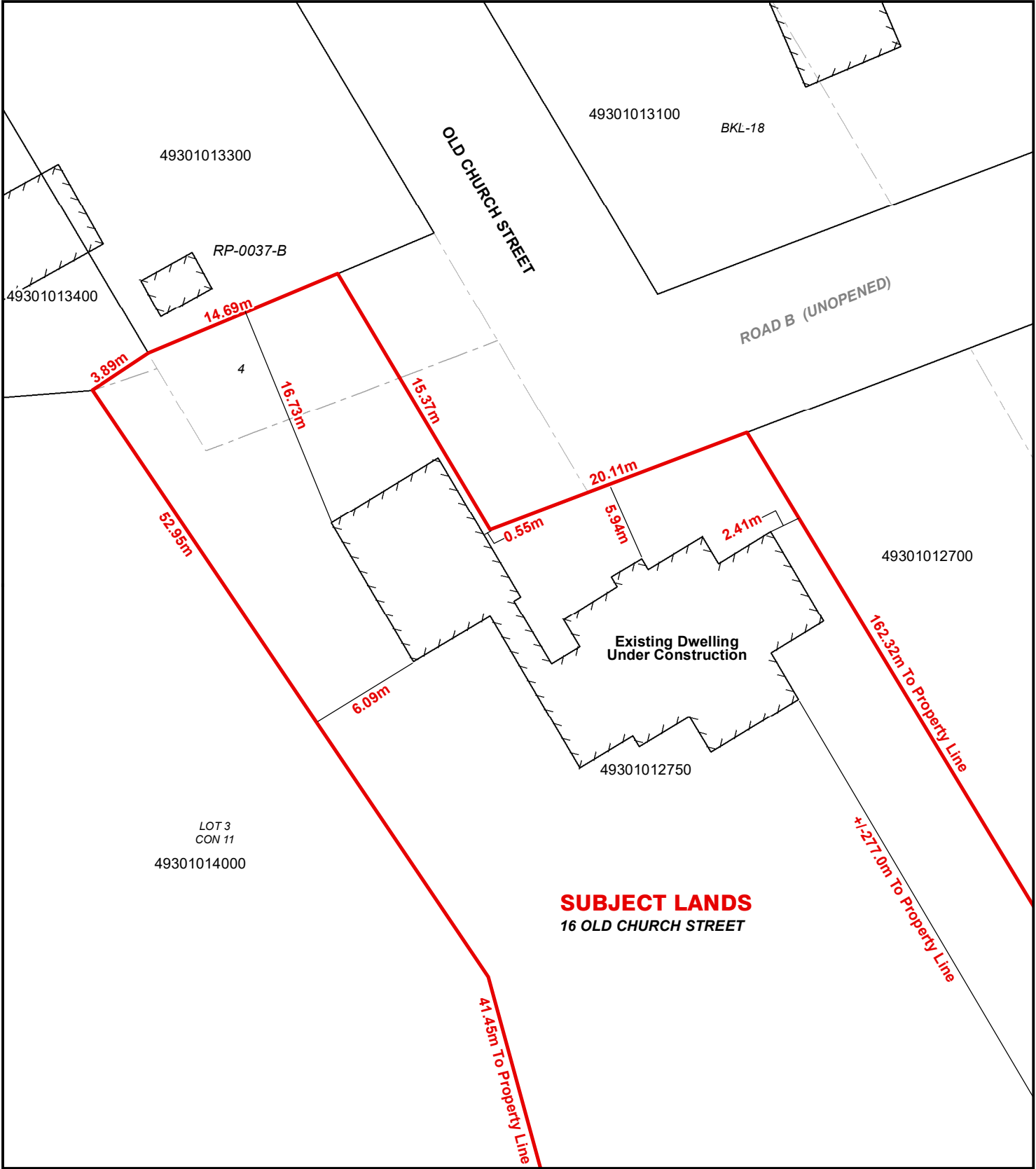
ZONING BY-LAW 1-Z-2014

12/18/2024

- (H) - Holding
- A - Agricultural Zone
- RH - Hamlet Residential Zone
- HL - Hazard Land Zone
- IR - Rural Institutional Zone

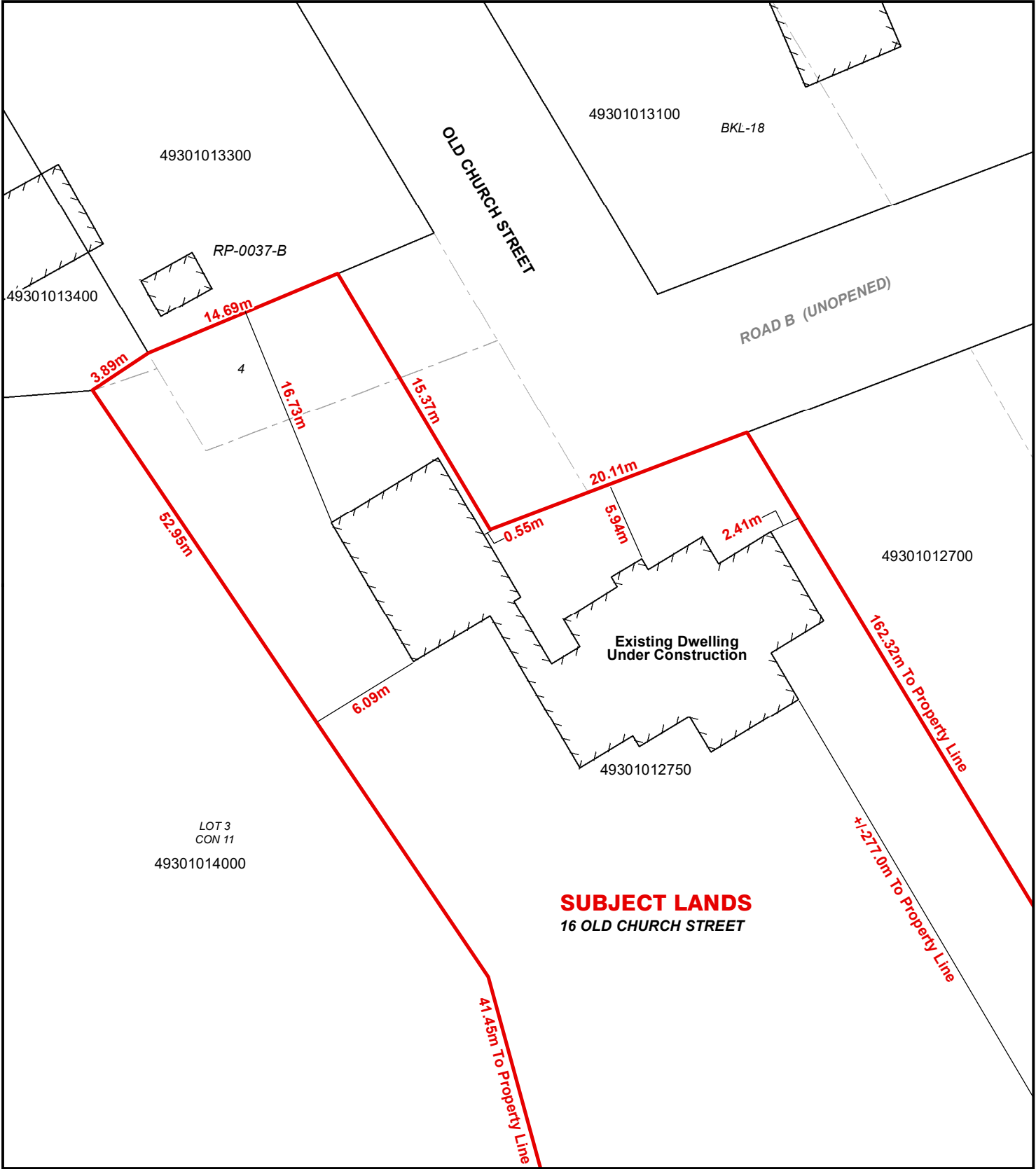


20 10 0 20 40 60 80 Meters




CONCEPTUAL PLAN

Geographic Township of CHARLOTTEVILLE



Legend

 Subject Lands

12/18/2024

