

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: 337-030-03600-0000**A. Applicant Information****Name of Owner** P. & S. Van Berlo Limited

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	<u>325 Concession 13 Townsend Road</u>
Town and Postal Code	<u>Simcoe, ON N3Y 4K3</u>
Phone Number	<u>519-426-1500</u>
Cell Number	_____
Email	<u>admin@berlosbest.ca</u>

Name of Applicant P. & S. Van Berlo Limited

Address	<u>325 Concession 13 Townsend Road</u>
Town and Postal Code	<u>Simcoe, ON N3Y 4K3</u>
Phone Number	<u>519-426-1500</u>
Cell Number	_____
Email	<u>admin@berlosbest.ca</u>

Name of Agent	Waterous Holden Amey Hitchon LLP; Attn: Courtney Boyd
Address	20 Wellington Street
Town and Postal Code	Brantford, ON N3T 5V6
Phone Number	519-759-6220 ext. 338
Cell Number	
Email	cboyd@waterousholden.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:

Royal Bank of Canada

Willy Van Passen Farms Limited

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 3, Concession Gore (Woodhouse) 37R1253 Part1

Municipal Civic Address: 2009 Vittoria Road

Present Official Plan Designation(s): Agricultural

Present Zoning: A and HL

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

☐ Yes
 ☒ No
 If yes, please specify:

3. Present use of the subject lands:

Agricultural

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 attached sketch.

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example a bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

n/a.

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

n/a.

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:
-

9. Existing use of abutting properties:

Agricultural and 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					
Lot depth					
Lot width					
Lot area	83.47 acres	40 ha	12.1.2a	32.98 ha	7.02 ha
Lot coverage					
Front yard					
Rear yard					
Height					
Left Interior side yard					
Right Interior side yard					
Exterior side yard (corner lot)					
Parking Spaces (number)					
Aisle width					
Stall size					
Loading Spaces					
Other Accessory Structure	Metal Shed & Pumphouse	200 m2	3.2.1g and 3.36b	308.2 m2	108.2 m2

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

The Applicant obtained consent to sever a surplus farm dwelling. The retained lot will be undersized by 7.02 ha. The property also contains accessory structures with a floor area of 308.20 m2.

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:

4. If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached? ☐ Yes ☐ No

E. All Applications: Provincial Policy

1. Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act, R.S.O. 1990, c. P. 13*? ☒ Yes ☐ No

If no, please explain:

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

If no, please explain:

No change in proposed use.

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

If no, please explain:

No change in proposed use.

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

☐ Municipal piped water

☐ Communal wells

☒ Individual wells

☐ Other (describe below)

Sewage Treatment

☐ Municipal sewers

☐ Communal system

☒ Septic tank and tile bed in good working order

☐ Other (describe below)

Storm Drainage

☐ Storm sewers

☒ Open ditches

☐ Other (describe below)

2. Existing or proposed access to subject lands:

☒ Municipal road

☐ Provincial highway

☐ Unopened road

☐ Other (describe below)

Name of road/street:

Vittoria Road

G. All Applications: Other Information

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

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

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

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.

Pv Berlo August 27, 2025
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 Peter Van Berlo of P. & S. Van Berlo Limited am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Courtney Boyd of Waterous Holden Amey Hitchon LLP to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

Pv Berlo August 27, 2025
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, Peter Van Berlo of the Town of Simcoe

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:

the City of Brantford

Pv Berlo

Owner/Applicant/Agent Signature

In the Province of Ontario

This 27th day of August

A.D., 20 25



A Commissioner, etc.

Courtney J. Boyd



WATEROUS HOLDEN AMEY HITCHON^{LLP}
LAWYERS

August 27, 2025

BY EMAIL committee.of.adjustment@norfolkcounty.ca

Norfolk County
185 Robinson Street, Suite 200
Simcoe, ON N3Y 5L6

Attention: Sherry Mott, Secretary-Treasurer – Committee of Adjustment

P.O. Box 1510
20 Wellington Street,
Brantford, ON N3T 5V6
t. (519) 759-6220
f. (519) 759-8360
www.waterousholden.com

Dear Ms. Mott:

RE: P. & S. Van Berlo Ltd. – 2009 Vittoria Road – Minor Variance Application
Our File No. 529305-134363

We have been retained by the owner of the above property, P. & S. Van Berlo Ltd., to assist them with fulfilling conditions for the Consent File No. BNPL2025108. As part of those conditions, a minor variance is required for the undersized retained parcel and accessory structures on the severed lands.

1. Minor Variance Application Form;
2. Sketch;
 - Note: dog kennel since removed and metal sided building reduced to 17m X 12m
3. Deposited Reference Plan; and,
4. COA Decision – Approved dated July 16, 2025.

As you can see from Condition #3, a minor variance is required.

The minor variances requested are as follows:

1. To permit 32.98ha of the retained lands whereas the Zoning Bylaw 12.1.2a requires 40ha resulting in a deficiency of 7.02ha;
2. To permit 308.2m² of accessory structures on the severed lands whereas the Zoning Bylaw 3.2.1g and 3.36b allows for 200m².

The accessory structures on the severed lands are a metal building and pumphouse. The metal building is 298.40m² and the pumphouse is 9.80m². Both buildings are existing.

The owner submits that the proposed minor variance meets the four tests in Section 45(1) of the *Planning Act*:

1. Is the application minor?
2. Is the application desirable for the appropriate development of the lands in question?
3. Does the application conform to the general intent of the Zoning By-law?
4. Does the application confirm to the general intent of the Official Plan?

The Zoning Bylaw permits accessory structures; the minor variance relates to square metres. The increase is minor in relation to the size of the Subject Lands. In regard to the retained lands, the deficiency is minimal in relation to the requirements. The size of the retained lands is not unusual for the area, and the lot was undersized regardless of the consent. In both cases, the existing use and buildings are being maintained with the minor variance.

We trust that this information is sufficient, and it is requested that the Application be approved.

Please kindly advise of any and all correspondence, communications and comments that are made by official agencies, departments or individuals in respect to the Application.

We would also appreciate receiving the planning staff report as soon as the same is available.

If you have any questions or concerns, please do not hesitate to contact the undersigned.

Yours truly,

WATEROUS HOLDEN AMEY HITCHON LLP

Per:

A handwritten signature in blue ink, appearing to read 'C. Boyd', is written over a horizontal line.

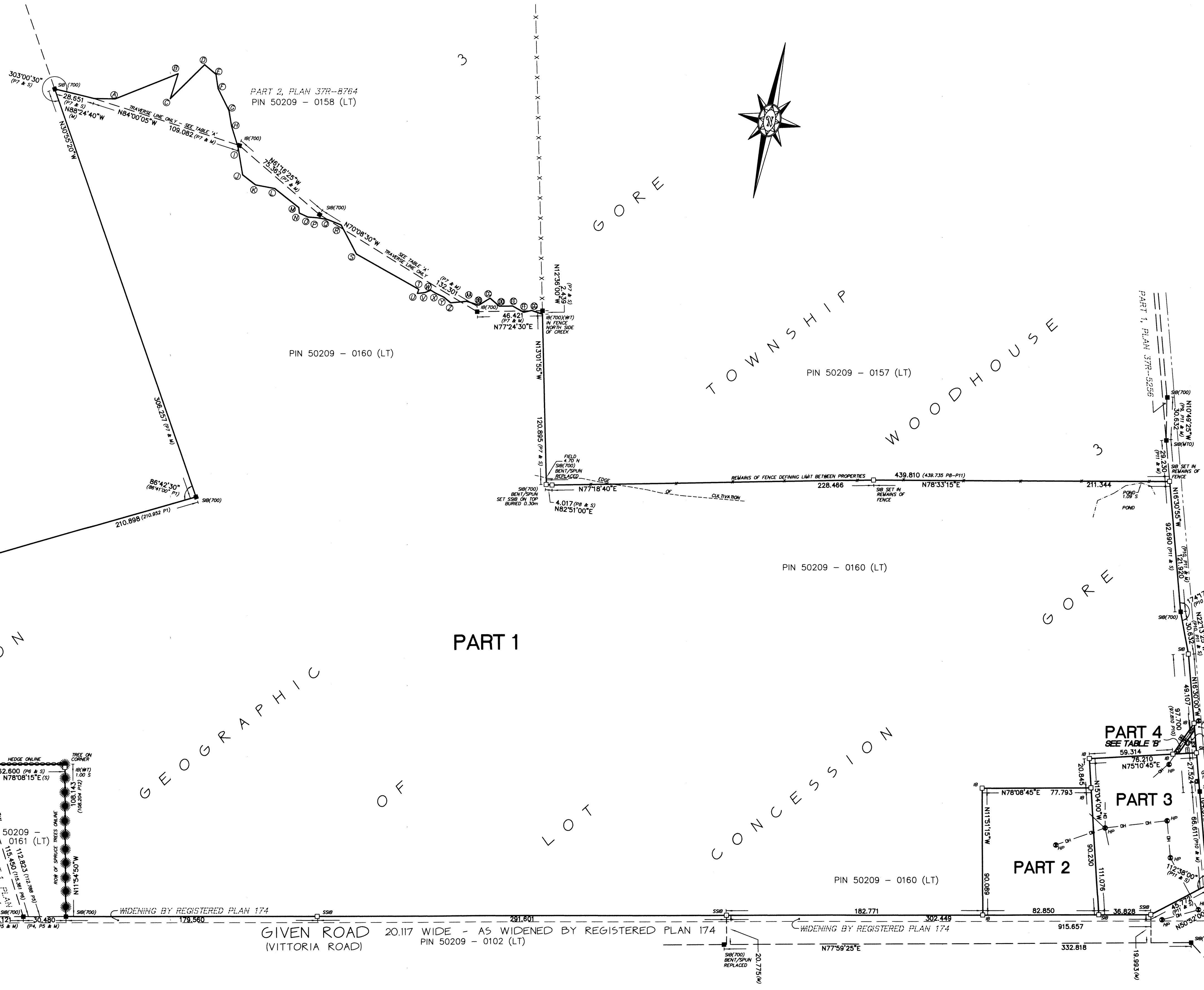
Courtney Boyd, Associate Lawyer

CJB/cjb

Email: cboyd@waterousholden.com

Direct: (519) 751-6413

TABLE 'A' TRAVERSE TIE TABLE. Table with 3 columns: PT #, CHAINAGE, DISTANCE. Rows A through GG.



PLAN 37R-11121
RECEIVED AND DEPOSITED
DATED JULY 31, 2018
DATED AUGUST 14, 2018
KIM HUSTED
ONTARIO LAND SURVEYOR
B. McCall
REPRESENTATIVE FOR THE
LAND REGISTRAR FOR THE LAND
TITLES DIVISION OF NORFOLK (No. 37)

SCHEDULE. Table with 5 columns: PART, PART LOT, CONCESSION, PIN No., AREA (sq.m). Rows 1 through 5.

PLAN OF SURVEY
OF PART OF
LOT 3
CONCESSION GORE
IN THE GEOGRAPHIC
TOWNSHIP OF WOODHOUSE
IN
NORFOLK COUNTY
SCALE: 1 : 1500
JEWITT AND DIXON LTD.

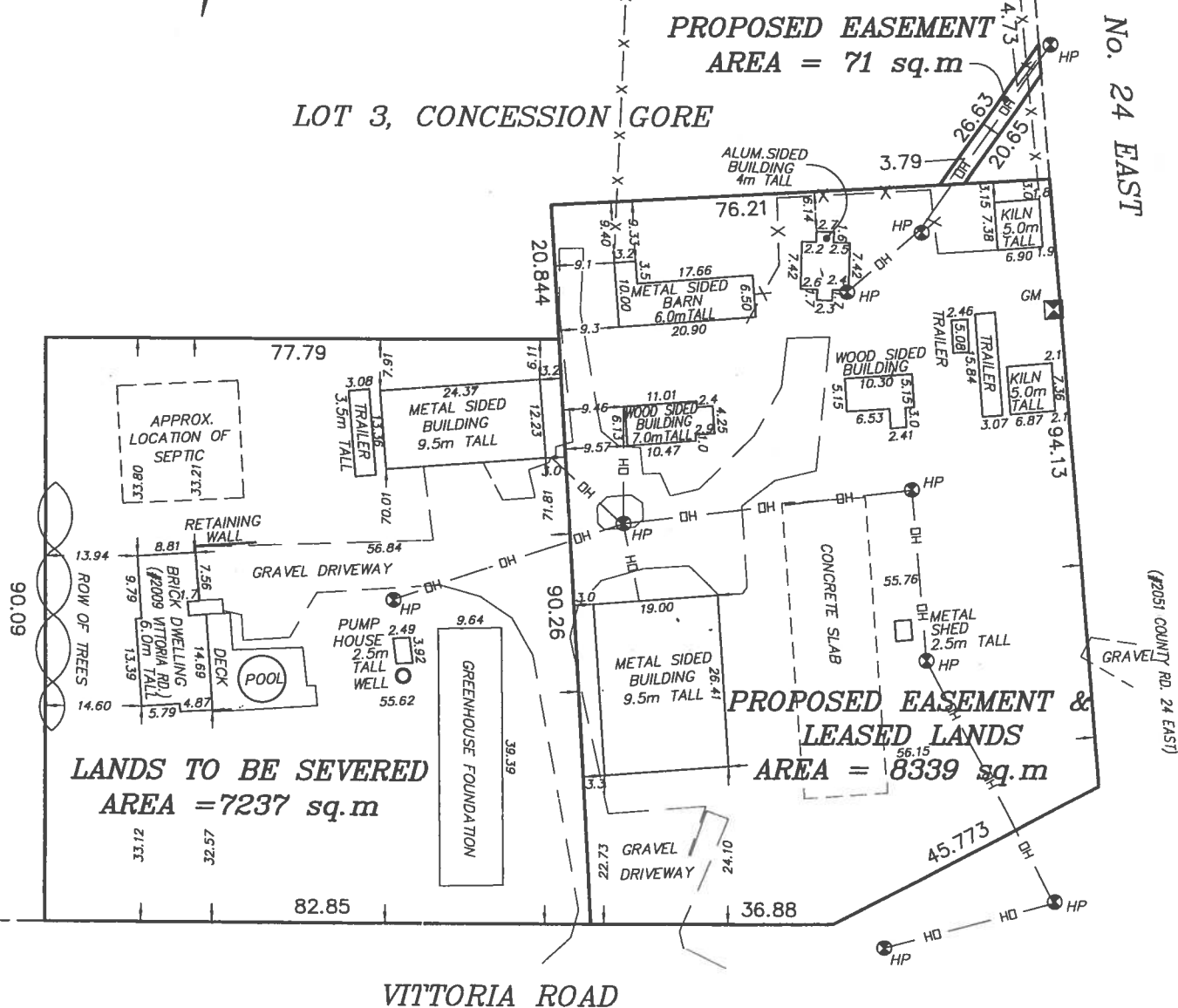
TABLE 'B'. Table with 3 columns: LINE #, BEARING, DISTANCE. Rows 1 through 6.

NOTE: BEARINGS ARE GRID AND ARE DERIVED ON GPS OBSERVATIONS ON MONUMENTS...
OBSERVED REFERENCE POINTS (ORP) DERIVED FROM GPS OBSERVATIONS USING THE CAN-MET NETWORK...
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE: I CERTIFY THAT: 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT...
JEWITT AND DIXON LTD. ONTARIO LAND SURVEYORS
R.R.1, SIMCOE, ONTARIO, N3Y 4J9
(51 PARK ROAD)
PHONE: (519) 426-0842 FAX: (519) 426-1034
E-mail: surveyors@amtelecom.net
P18 06 A9949

SKETCH FOR
SEVERANCE APPLICATION
OF PART OF
LOT 3, CONCESSION GORE
IN THE GEOGRAPHIC
TOWNSHIP OF WOODHOUSE
IN
NORFOLK COUNTY

SCALE: 1 : 1000
JEWITT AND DIXON LTD.
JULY 26, 2018



NOTE:

THIS PLAN IS IN METRIC AND CAN BE CONVERTED
TO IMPERIAL BY MULTIPLYING BY 3.2808

CAUTION:

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT
BE USED FOR PURPOSES OTHER THAN THE
PURPOSE INDICATED IN THE TITLE BLOCK.

JEWITT AND DIXON LTD.
ONTARIO LAND SURVEYORS

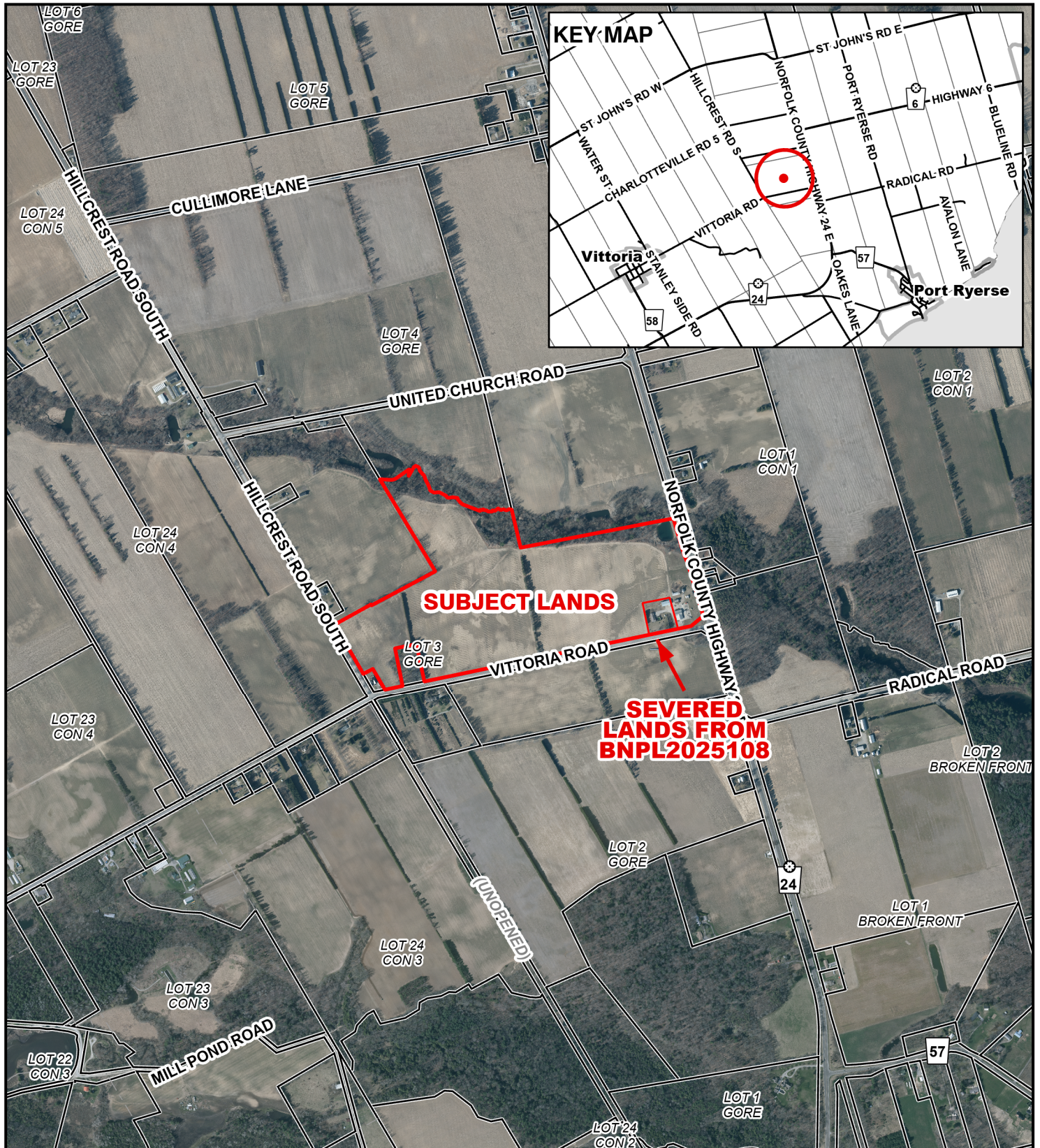
R.R.1, SIMCOE, ONTARIO, N3Y 4J9
(51 PARK ROAD)

PHONE: (519) 426-0842 FAX: (519) 426-1034
E-mail: surveyors@amtelecom.net

JOB # 18-1930 VANPAASSEN

CONTEXT MAP

Geographic Township of WOODHOUSE

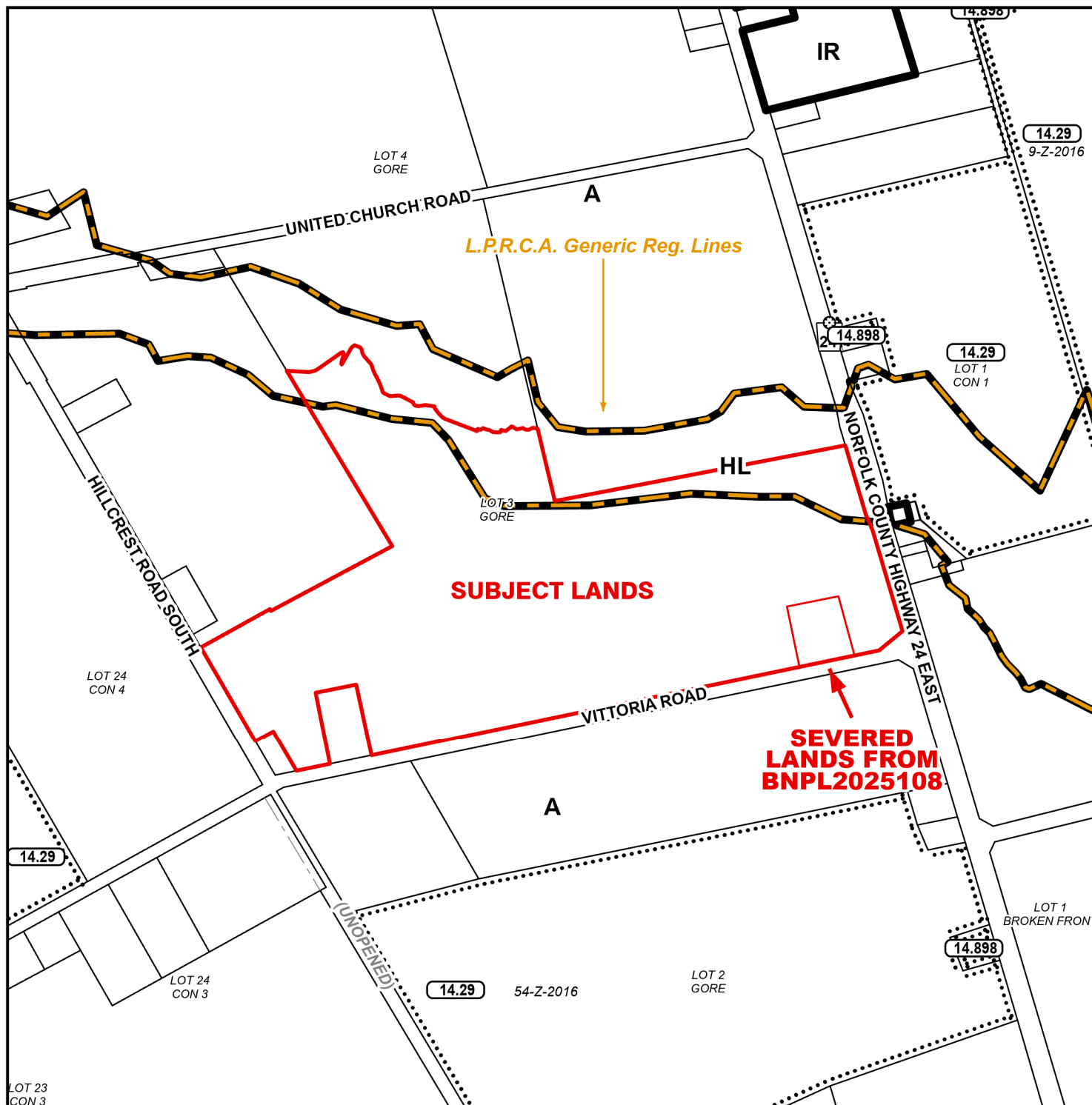


MAP B

ZONING BY-LAW MAP

Geographic Township of WOODHOUSE

ANPL2025280



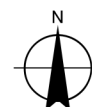
LEGEND

- Subject Lands
- LPRCA Generic RegLines

ZONING BY-LAW 1-Z-2014

9/23/2025

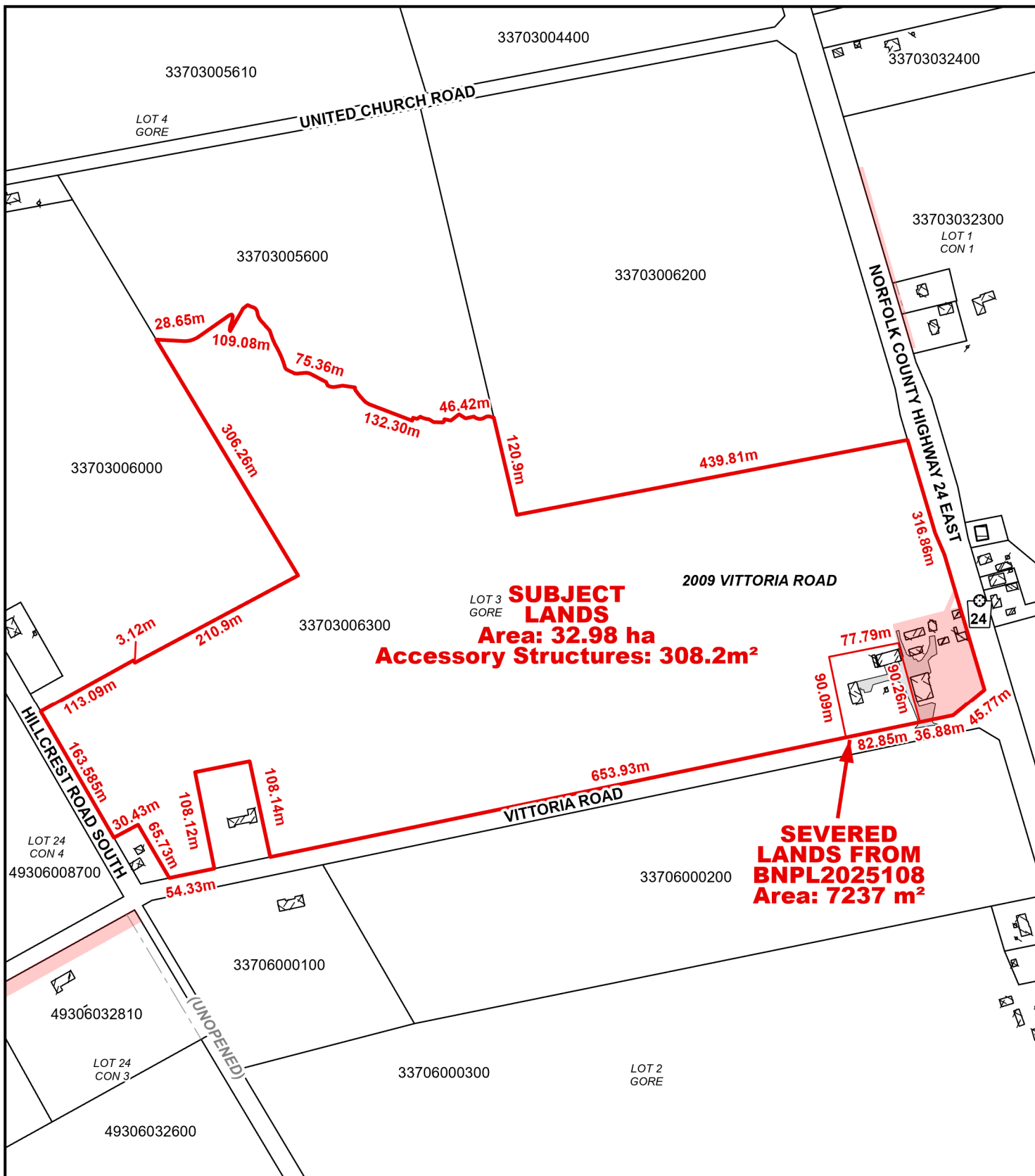
- (H) - Holding
- A - Agricultural Zone
- CR - Rural Commercial Zone
- HL - Hazard Land Zone
- IR - Rural Institutional Zone



60 30 0 60 120 180 240 Meters

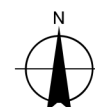
CONCEPTUAL PLAN

Geographic Township of WOODHOUSE



Legend

- Subject Lands
- Lands Owned
- Easements



9/23/2025

40 20 0 40 80 120 160 Meters