



Norfolk County

Planning Department
185 Robinson Street, Suite 200
Simcoe, Ontario N3Y 5L6

Hand-delivered

31st March, 2022

Dear Madam or Sir:

RE: Boundary Adjustment Application re: 313 Main Street and 319 Main Street, Port Dover
Roll Nos. 3310334010349000000 & 3310334010347000000

We are the agents for the subject-noted application.

The application seeks to sever part of the lands known municipally as 313 Main Street, Port Dover, and add the severed parcel to the lands known as 319 Main Street, Port Dover.

Accordingly, please find enclosed:

1. Bank draft for \$2,886.00, being the required fee;
2. Completed Consent application; and
3. Surveyor's sketch.

Please proceed to process this application and schedule it for the earliest possible Committee of Adjustment meeting date.

Please contact the undersigned if you require any further information.

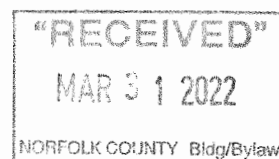
Yours truly,
BRIMAGE LAW GROUP
Per:

A handwritten signature in blue ink, appearing to read "Nathan Kolomaya", is written over a horizontal line.

Nathan Kolomaya
NK



Encl.



For Office Use Only:

File Number BNPL2022124
Related File Number _____
Pre-consultation Meeting _____
Application Submitted March 31, 2022
Complete Application May 5, 2022

Application Fee pd
Conservation Authority Fee N/A
Well & Septic Info Provided N/A
Planner Jen
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: 3310334010349000000

A. Applicant Information

Name of Owner Sung Kwan Lee

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 313 Main Street
Town and Postal Code Port Dover, Ontario N0A 1N0
Phone Number _____
Cell Number 647-449-8987
Email _____

Name of Applicant 2609246 Ontario Inc. c/o Kumsook Lee

Address 127 Brown Street
Town and Postal Code Port Dover, Ontario
Phone Number 519-590-5835
Cell Number _____
Email _____



Name of Agent	Brimage Law Group - Nathan Kolomaya
Address	21 Norfolk Street North
Town and Postal Code	Simcoe, Ontario N3Y 4L1
Phone Number	519-426-5840
Cell Number	
Email	nkolomaya@brimage.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:

Olympia Trust Company - P.O. Box 2581, Station Central, Calgary, Alberta, T2P 1C8

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 LOTS 28 AND 29 BLOCK 40 PLAN 207 AS IN NR555053 SAVE AND EXCEPT PART 1 PLAN 37R11129;

TOGETHER WITH AN EASEMENT AS IN NR555053; NORFOLK COUNTY

Municipal Civic Address: 313 Main Street, Port Dover, Ontario N0A 1N0

Present Official Plan Designation(s): Downtown OP

Present Zoning: CBD

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:

Commercial Use - Art Gallery

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 commercial building. Application is for boundary adjustment - no change in physical structure.

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:

Various commercial uses, e.g. office and retail

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	10.183m	N/A	N/A	No change	NIL
Lot depth	50.310m	N/A	N/A	No change	NIL
Lot width	30.099m	N/A	N/A	18.827m	NIL
Lot area	868.99m	N/A	N/A	662.70m	NIL
Lot coverage	Less than 35%	Max. 80%	6.1.2	Less than 46%	NIL
Front yard					
Rear yard					
Height					
Left Interior side yard					
Right Interior side yard					
Exterior side yard (corner lot)					
Parking Spaces (number)					
Aisle width					
Stall size					
Loading Spaces					
Other					

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

N/A

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

Frontage: NIL
Depth: Irregular - ~17.386m on northerly boundary; ~19.117m on southerly boundary
Width: Irregular - ~11.272m on westerly boundary; ~11.299 on easterly boundary
Lot Area: ~205.99sq.m
Present Use: Commercial
Proposed Use: Unchanged

Proposed final lot size (if boundary adjustment): ~371.03sq.m (205.99sqm + 165.04sqm)

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added:

Roll Number: 3310334010347000000

Owner: 2609246 Ontario Inc.

Description of land intended to be retained in metric units:

Frontage: ~10.183m
Depth: ~50.310m
Width: ~18.827m
Lot Area: ~662.70sqm
Present Use: Commercial-Retail
Proposed Use: Unchanged

Buildings on retained land: Existing Commercial-Retail building at 313 Main Street, Port Dover

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):

Longstanding mixed retail/office uses

2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown

3. Provide the information you used to determine the answers to the above questions:

Owner knowledge of property



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:

Boundary adjustment in CBD zone - no proposed development

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:

Boundary adjustment in CBD zone - no proposed development

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

Sewage Treatment

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

Storm Drainage

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

2. Existing or proposed access to subject lands:

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

Name of road/street:

Main 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.

The parcel to be severed, the parcel to be retained, and the parcel to which the severed lands are being added are all irregularly shaped. Please see attached Sketch for Severance Application.

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

March 31, 2022

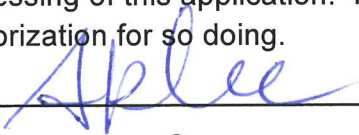
Date

J. Owner's Authorization

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

I/We Sung Kwan Lee am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Brimage Law Group and 2609246 Ontario Inc. to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.



Owner

March 31, 2022

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, Nathan Kolomaya of Norfolk County

solemnly declare that:

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

Declared before me at:

Norfolk County


Owner/Applicant/Agent Signature

In the Province of Ontario

This 31st day of March

A.D., 2022



A Commissioner, etc.

PART 1,
PLAN
37R-7713

LOT 21

PIN 50247 - 0227 (LT)

PART 1, PLAN 37R-7713

LOT

N45°43'20"E

28
PARCEL TO BE
SEVERED
205.99 sq.m

165.04 sq.m

PART 1, PLAN 37R-5323

N45°33'20"E

PIN 50247 - 0229 (LT)
SUBJECT TO A RIGHT-OF-WAY AS IN INST. NO. NR555053

28
PARCEL TO BE
RETAINED

29
PARCEL TO BE
RETAINED

662.70 sq.m

PARCEL TO BE
RETAINED

PIN 50247 - 0496 (LT)

MAIN STREET
(REGISTERED PLAN 2071
(20.17' WIDE))

NOTE:

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

CAUTION:

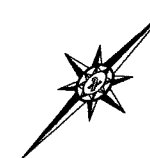
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT
BE USED FOR PURPOSES OTHER THAN THE
PURPOSE INDICATED IN THE TITLE BLOCK.

JEWITT AND DIXON LTD.
ONTARIO LAND SURVEYORS

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

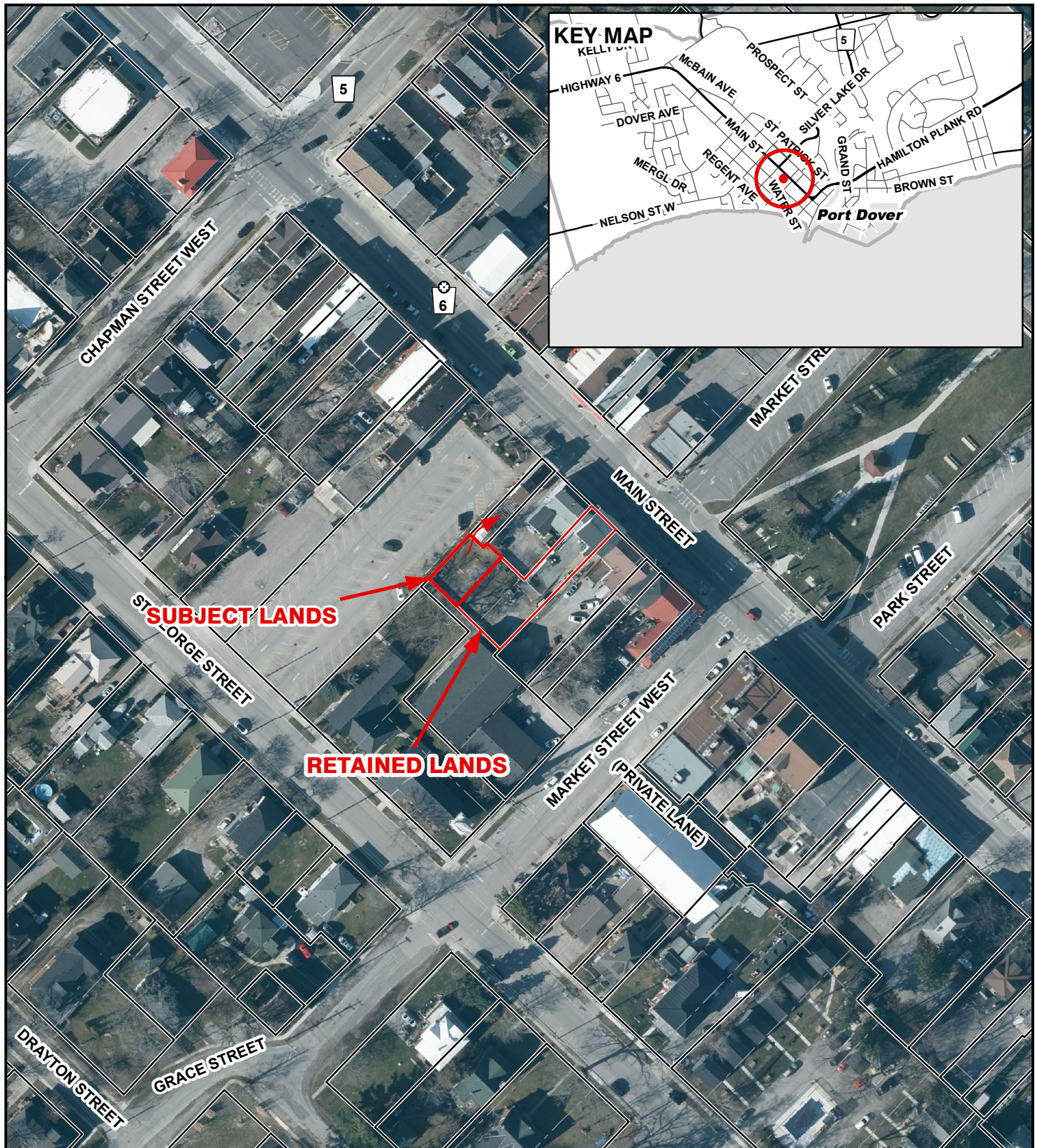
PHONE: (519) 426-0842 FAX: (519) 426-1034
E-mail: surveyors@amtelecom.net

JOB # 121-3327 CLIENT: LEE



CONTEXT MAP

Urban Area of PORT DOVER

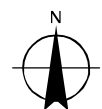


Legend

- Subject Lands
- Lands Owned

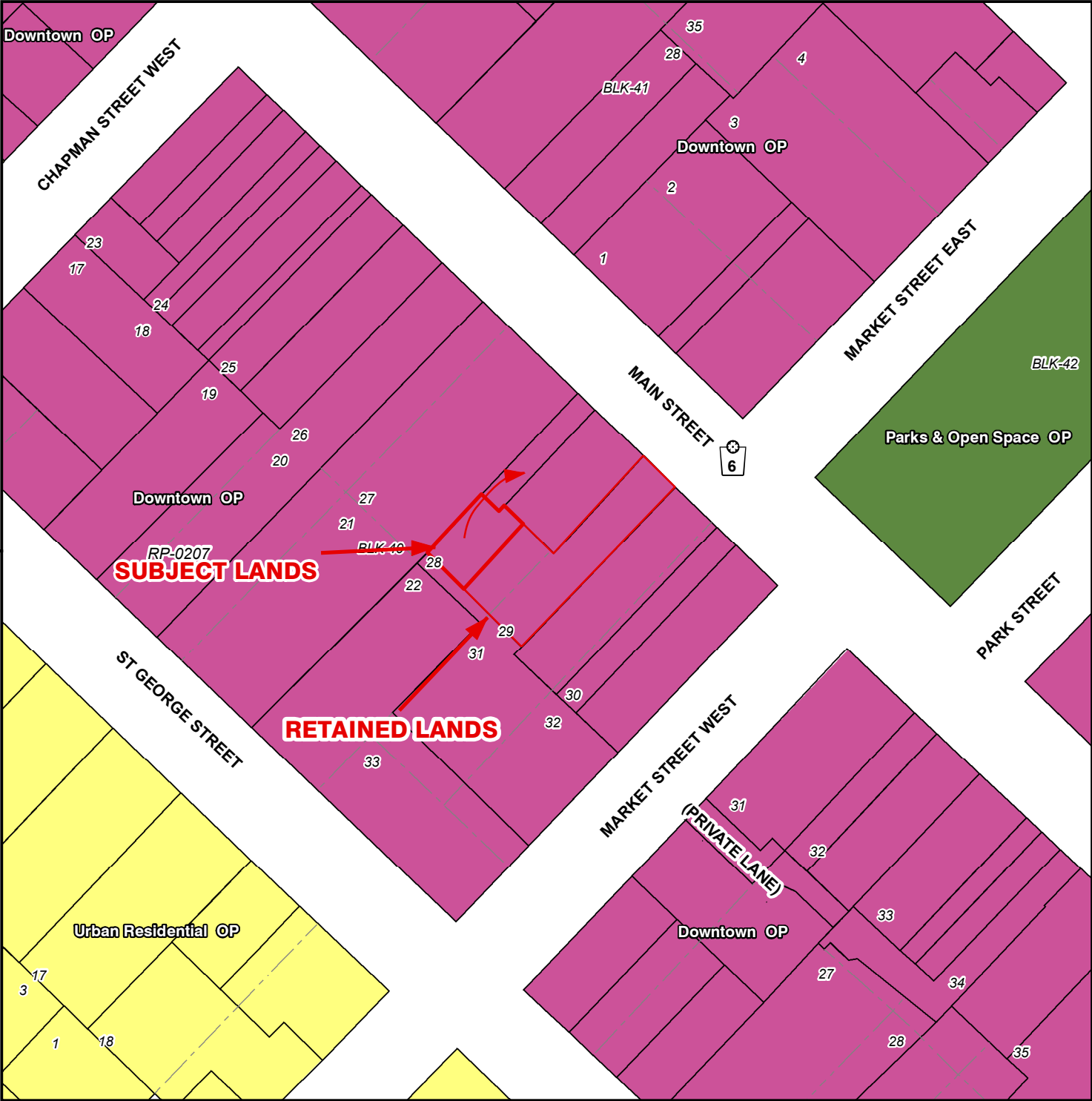
2020 Air Photo

5/10/2022



10 5 0 10 20 30 40 Meters

MAP B
OFFICIAL PLAN MAP
Urban Area of PORT DOVER



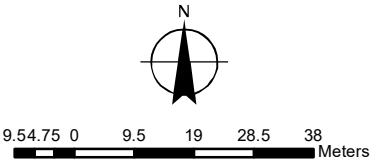
Legend

- Subject Lands
- Lands Owned

Official Plan Designations

- Urban Residential
- Downtown
- Parks & Open Space
- Special Policy Area
- Urban Area Boundary

5/10/2022

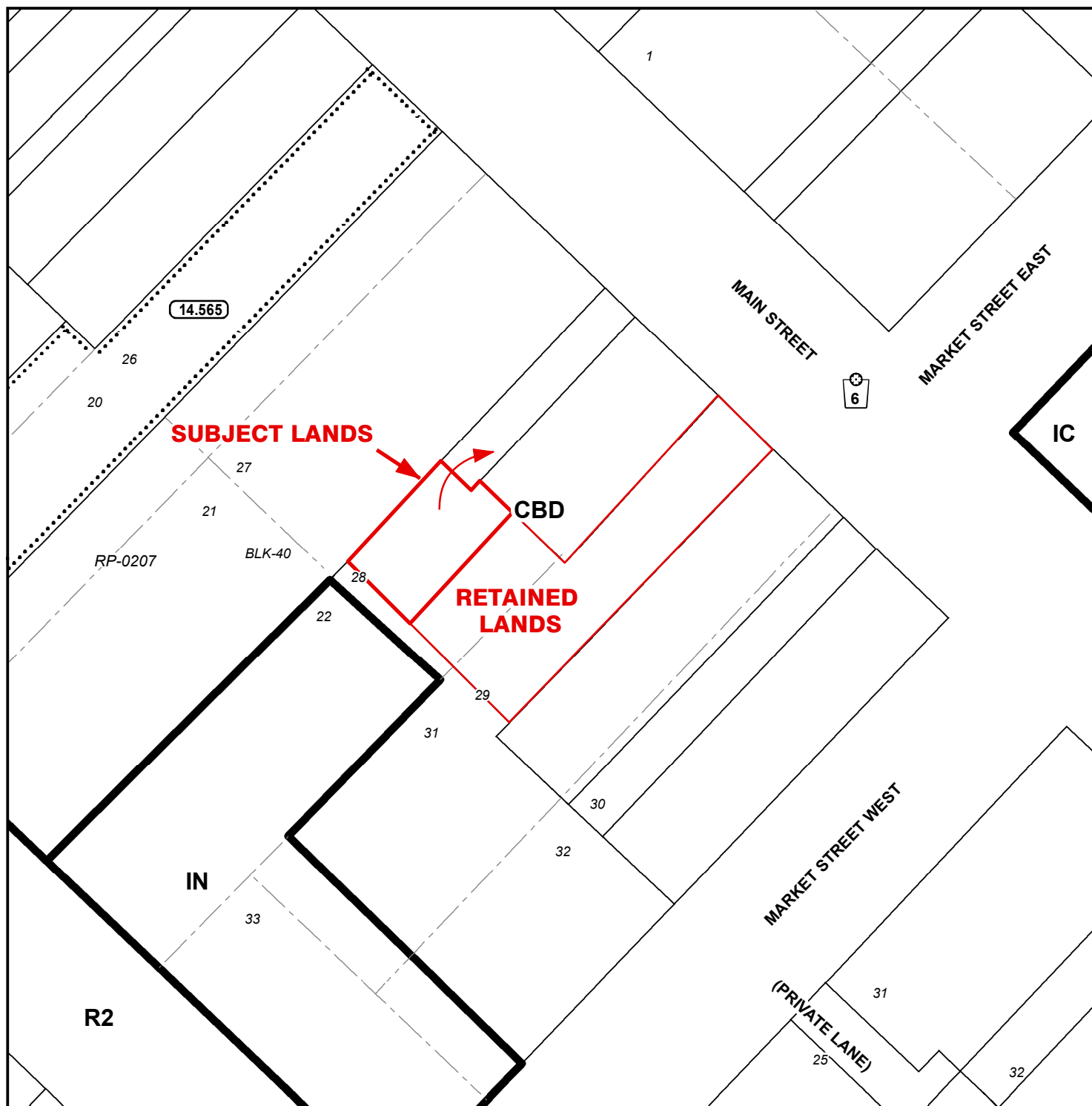


MAP C

ZONING BY-LAW MAP

Urban Area of PORT DOVER

BNPL2022124



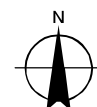
LEGEND

- Subject Lands
- Lands Owned

ZONING BY-LAW 1-Z-2014

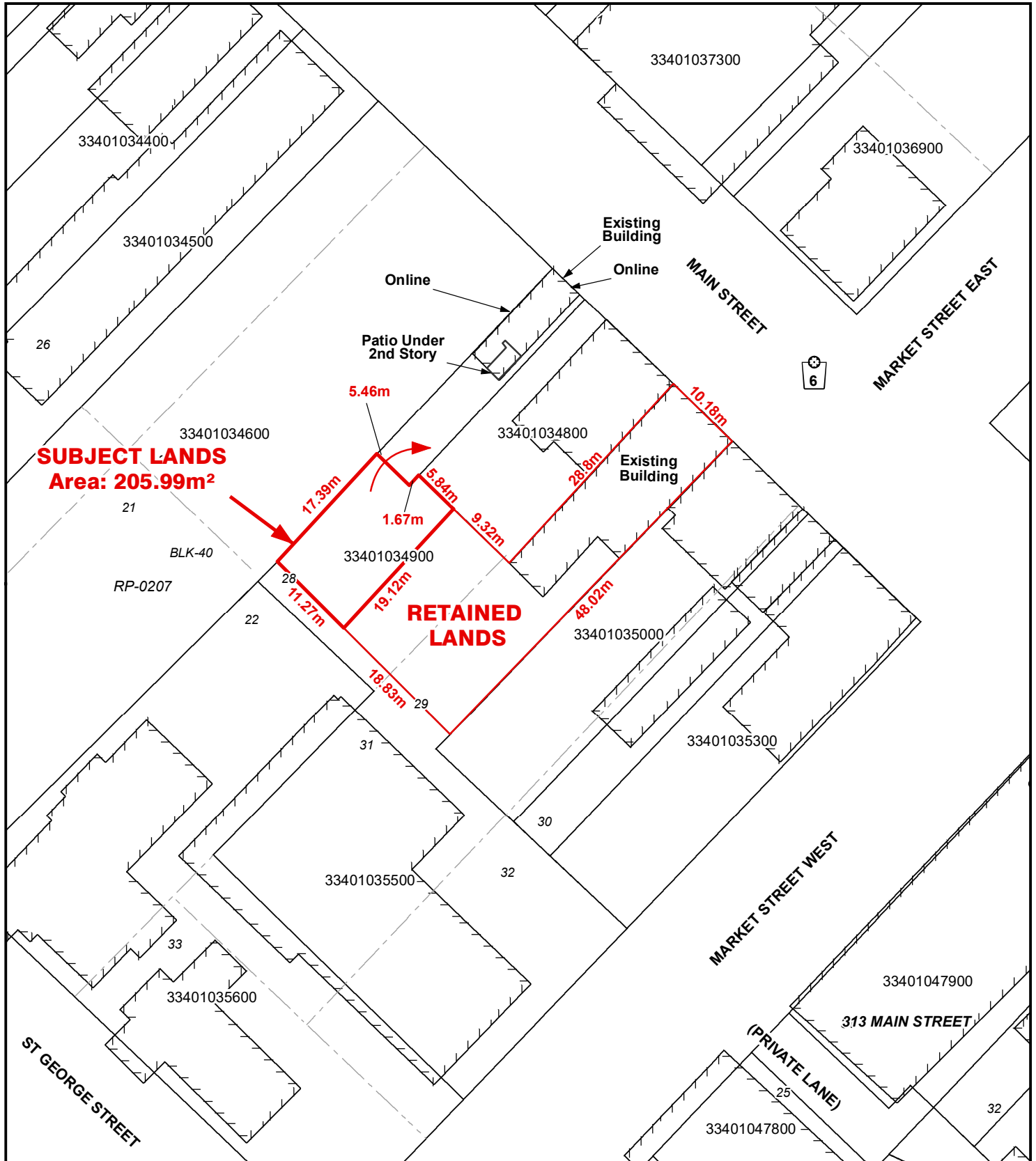
5/10/2022

- (H) - Holding
- CBD - Central Business District Zone
- IC - Community Institutional Zone
- IN - Neighbourhood Institutional Zone
- R2 - Residential R2 Zone



5.5 2.75 0 5.5 11 16.5 22 Meters

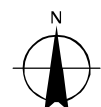
CONCEPTUAL PLAN
Urban Area of PORT DOVER



Legend

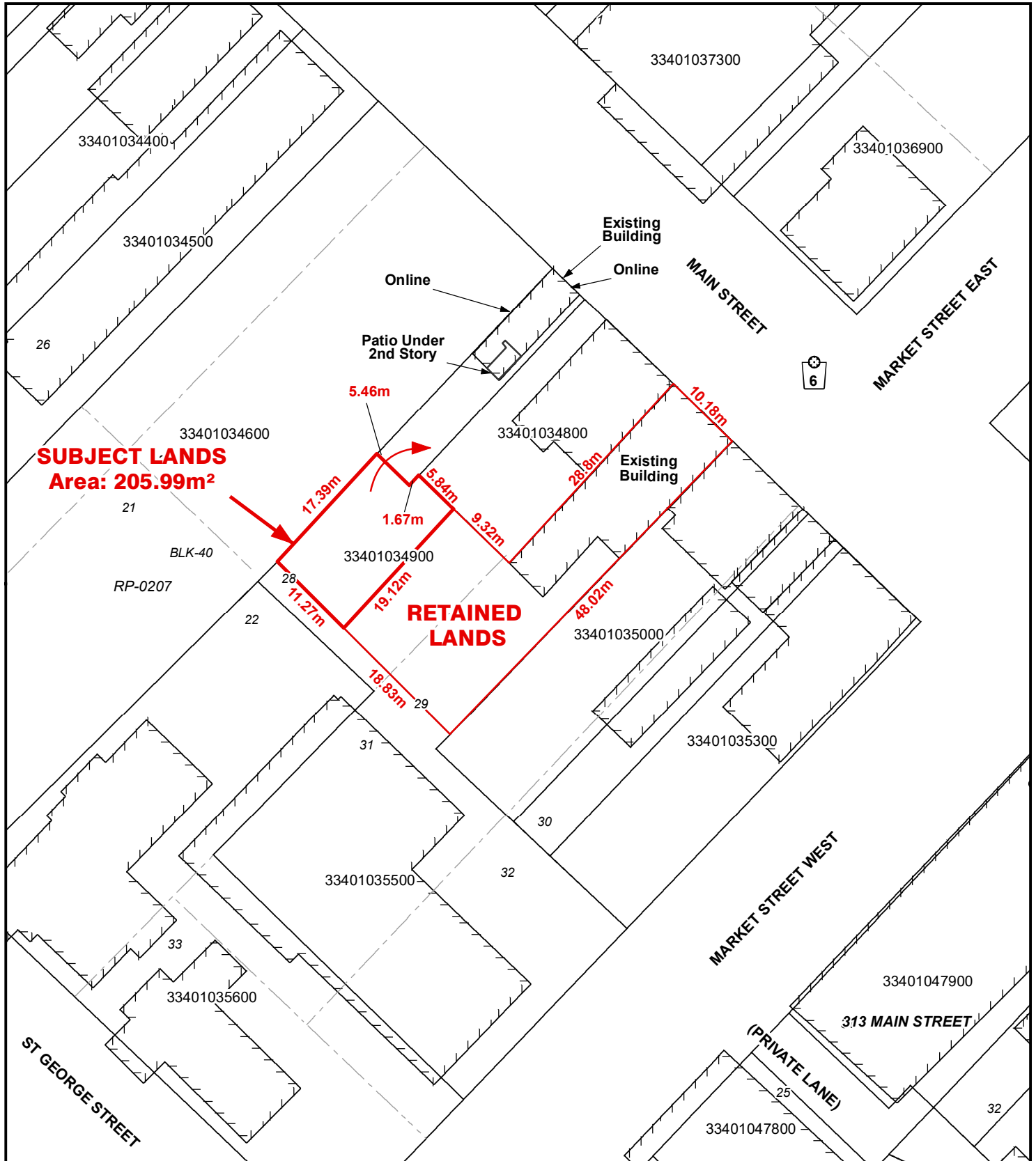
- Subject Lands
- Lands Owned

5/10/2022



5 2.5 0 5 10 15 20 Meters

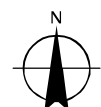
CONCEPTUAL PLAN Urban Area of PORT DOVER



Legend

- Subject Lands
- Lands Owned

5/10/2022



5 2.5 0 5 10 15 20 Meters