

For Office Use Only:

File Number	<u>BNPL 2022/31</u>	Application Fee	<u>✓</u>
Related File Number	<u> </u>	Conservation Authority Fee	<u>N/A</u>
Pre-consultation Meeting	<u> </u>	Well & Septic Info Provided	<u>N/A</u>
Application Submitted	<u>April 22, 2022</u>	Planner	<u>Jen</u>
Complete Application	<u>May 9, 2022</u>	Public Notice Sign	<u> </u>

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

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

Property Assessment Roll Number: 33603065200**A. Applicant Information****Name of Owner** FRYSTAK, HENRY EDWARD & FRYSTAK, MARY JANE

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 69 Robinson Road
Town and Postal Code Waterford, Ontario N0E 1Y0
Phone Number 519-443-7448
Cell Number
Email

Name of Applicant Same as owner
Address
Town and Postal Code
Phone Number
Cell Number
Email

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

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

☐ Owner
 ☒ Agent
 ☐ Applicant

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

National Bank of Canada - 500 Place D'Armes, 22nd Floor, Montreal, QC, H2Y 2W3

B. Location, Legal Description and Property Information

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

PT LT 4 & 5, CON 7 TOWNSEND BEING PT 2 ON 37R6661 EXCEPT
PTS 1,2,3 & 6 ON 37R9790; NORFOLK COUNTY

Municipal Civic Address: 69 Robinson Road, Waterford

Present Official Plan Designation(s): Agricultural/Hazard Land

Present Zoning: Agricultural/Hazard Land

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:

Retained - Agricultural
 Severed - 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:

N/A

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:
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.

1. Site Information

Existing

Proposed

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

Lot frontage

Irregular: ~470m (69 Robinson)/30m (29 Robinson)

Unchanged

Lot depth

Irregular: 240m+ (69 Robinson)/30.48m (29 Robinson)

Unchanged (69 R.) 49.16m (29 Robinson post-adjustment)

Lot width

540+m Irregular (69 Robinson)/30.48m (29 Robinson)

Unchanged

Lot area

~289309sqm (69 R.)/929sqm (29 R.)

288740 sqm (69 R.)/1498.40sqm (29 R.)

Lot coverage

Front yard

Rear yard

Left Interior side yard

Right Interior side yard

Exterior side yard (corner lot)

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

Boundary adjustment to correct boundary to reflect current use of boundary adjustment lands.

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

4. Description of land intended to be severed in metric units:

Frontage: None

Depth: ~18.68m

Width: ~30.48m

Lot Area: ~569sqm

Present Use: Residential

Proposed Use: Residential (no change)

Proposed final lot size (if boundary adjustment): ~1,498.40sqm

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: 33603064815

Cooper, Daniel & Cooper, Joanne

Description of land intended to be retained in metric units:

Frontage: ~470m Irregular

Depth: ~240+m Irregular

Width: ~540+m Irregular

Lot Area: ~288740 sqm

Present Use: Agricultural/Hazard Land

Proposed Use: Agricultural/Hazard Land

Buildings on retained land: Single-family dwelling and accessory buildings

5. Description of proposed right-of-way/easement in metric units:

Frontage: _____

Depth: _____

Width: _____

Area: _____

Proposed Use: _____

6. List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:

Owners Name: _____

Roll Number: _____

Total Acreage: _____

Workable Acreage: _____

Existing Farm Type: (for example: corn, orchard, livestock) _____

Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Note: If additional space is needed please attach a separate sheet.

D. Previous Use of the Property

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☐ Yes ☐ No ☒ Unknown
If yes, specify the uses (for example: gas station, or petroleum storage):

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

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

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

E. Provincial Policy

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

If no, please explain:

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

If no, please explain:

No new development proposed

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 new development proposed

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

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

Livestock facility or stockyard (submit MDS Calculation with application)

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

Wooded area

☐ On the subject lands or ☒ within 500 meters – distance 80m

Municipal Landfill

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

Sewage treatment plant or waste stabilization plant

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

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

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

Floodplain

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

Rehabilitated mine site

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

Non-operating mine site within one kilometre

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

Active mine site within one kilometre

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

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

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

Active railway line

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

Seasonal wetness of lands

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

Erosion

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

Abandoned gas wells

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

F. Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- ☐ Municipal piped water
☒ Individual wells
☐ Communal wells
☐ Other (describe below)
-

Sewage Treatment

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

Storm Drainage

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

2. Existing or proposed access to subject lands

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

Name of road/street:

Robinson Road

G. Other Information

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

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

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

H. Supporting Material to be submitted by Applicant

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

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

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

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

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

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

I. Transfers, Easements and Postponement of Interest

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

Permission to Enter Subject Lands

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

Freedom of Information

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

x Mary Jane Frystak + H. Frystak August 31st, 2021
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 Henry Edward Frystak and Mary Jane Frystak am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Brimage Law Group 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.

x Mary Jane Frystak
Owner
x H. Frystak
Owner

August 31st, 2021

Date

August 31st, 2021

Date

K. Declaration

I, Henry Edward Frystak and Mary Jane Frystak of Norfolk County, in the Province of Ontario

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

M. J. Frystak
Mary Jane Frystak
Owner/Applicant/Agent Signature

In the Province of Ontario

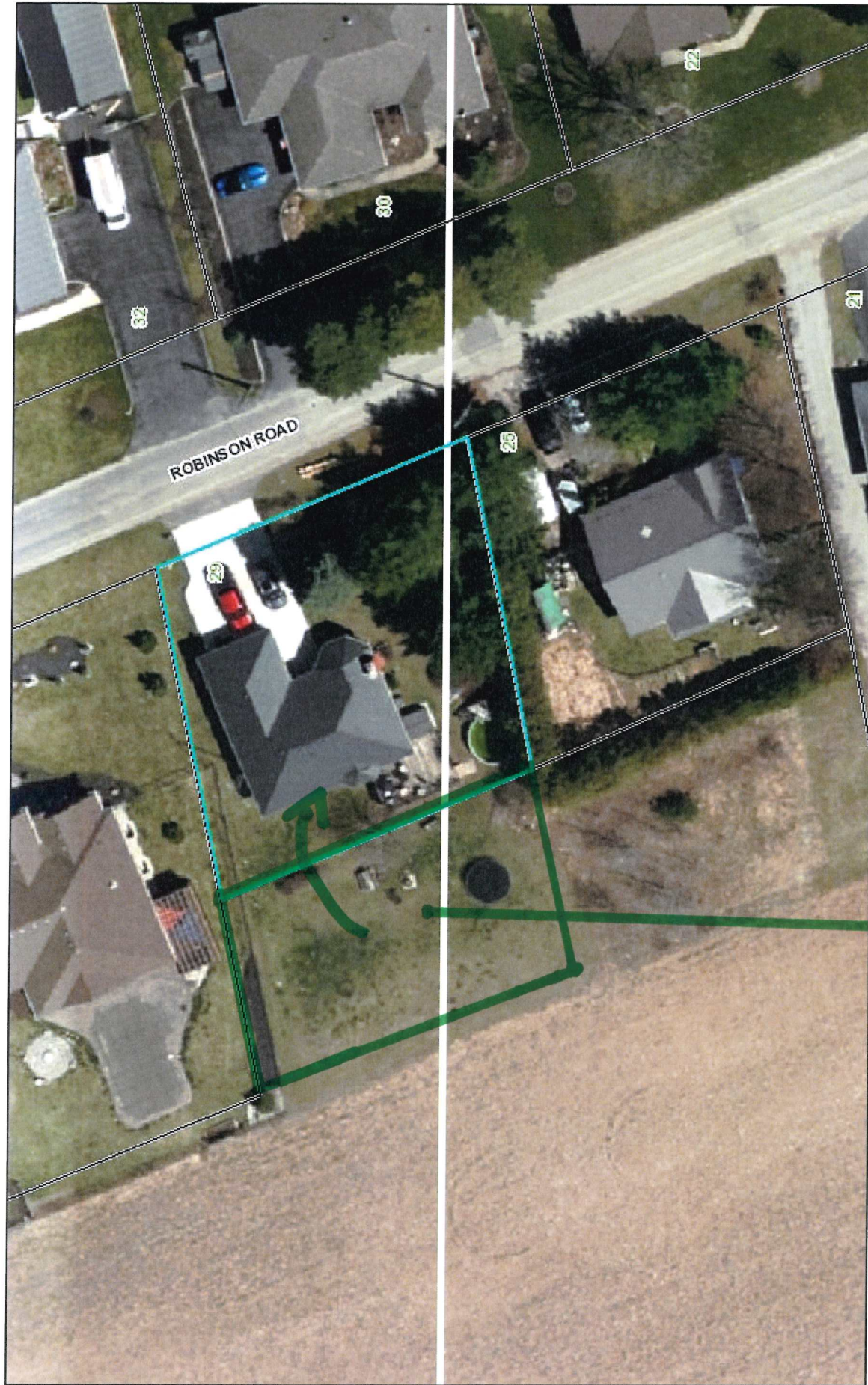
This 31st day of August

A.D., 20 21

[Signature]

A Commissioner, etc.

MAP NORFOLK - Community Web Map



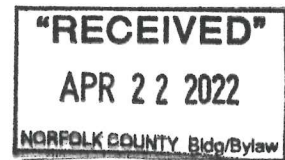
4/22/2022, 11:06:20 AM

- ☐ Land Parcels
- ☐ Plan Lines
- ☐ DraftPlan

1:500
0 0.004 0.008 0.016 mi
0 0.005 0.01 0.02 km

Queen's Printer for Ontario
Norfolk GIS

Subject Lands



Norfolk County

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

22nd April, 2022

Attention: Jennifer Catarino, Senior Planner

Dear Ms. Catarino,

RE: Frystak-Cooper Boundary Adjustment

1. Property from which lands to be severed ("Frystak Lands"):
Roll No.: 33603065200
Civic Address: 69 Robinson Road, Waterford, Ontario
2. Property to which lands to be added ("Cooper Lands"):
Roll No.: 33603064815
Civic Address: 29 Robinson Road, Waterford, Ontario

We are the solicitors/agents for the applicants, Henry and Mary Frystak.

The application proposes to sever lands described as Part 4 on Reference Plan 37R9790 (the "Boundary Adjustment Lands") from the Frystak Lands and add same to the adjacent Cooper Lands.

The approval of this boundary adjustment will serve to better reflect the actual use of the Boundary Adjustment Lands as used by the Coopers and better align with neighbouring properties to the north.

Please find enclosed:

1. Completed Consent Application;
2. Bank draft for the required fee of \$2,886.00;
3. Copy of Reference Plan 37R9790; and
4. GIS Mapping showing approximate location of the Boundary Adjustment Lands.

Please contact the undersigned if you require any further information.

Yours truly,

BRIMAGE LAW GROUP

Per:



Nathan Kolomaya

NK

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

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

SCALE - 1 : 400



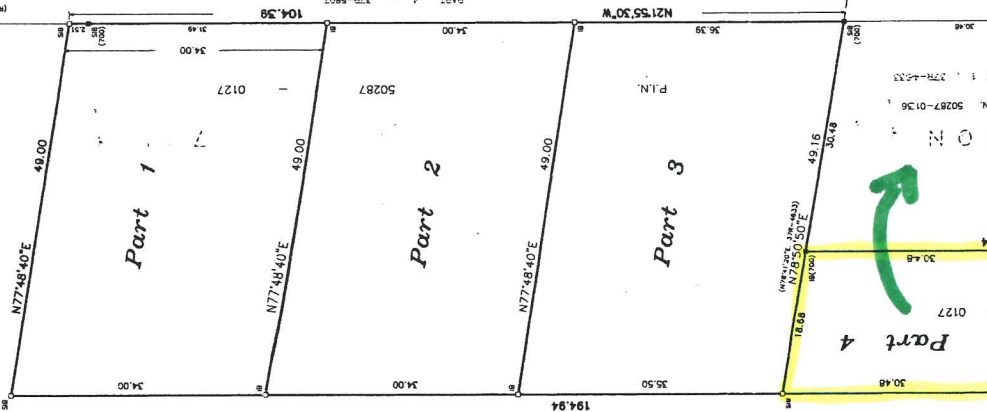
WEST & RUUSKA LTD.

SCHEDULE

PART	LOT	CON.	P.I.N.	AREA
1	PART OF 5	7	PART OF 50287-0127	1642 Sq.m.
2	PART OF 5	7	PART OF 50287-0127	1642 Sq.m.
3	PART OF 5	7	PART OF 50287-0127	1736 Sq.m.
4	PART OF 5	7	PART OF 50287-0127	559 Sq.m.
5	PART OF 5	7	PART OF 50287-0127	559 Sq.m.
6	PART OF 5	7	PART OF 50287-0127	559 Sq.m.

PARTS 1, 2, 3, 4, 5 and 6 COMPRISE PART OF P.I.N. 50287-0127.

PART 2 - 37R-4661
P.I.N. 50287 - 0127



I REQUIRE THIS PLAN TO
BE DEPOSITED UNDER THE
LAND TITLES ACT.

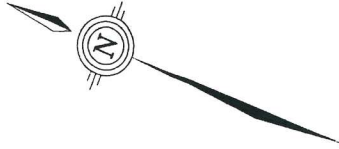
DATED 3 Jan 2008
[Signature]
SEP RUUSKA O.L.S.

PLAN 37R-9190

RECEIVED AND DEPOSITED

DATED Jan 11, 2008

[Signature]
THE LAND TITLES DIVISION OF
NORFOLK (No. 37)

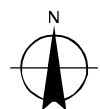




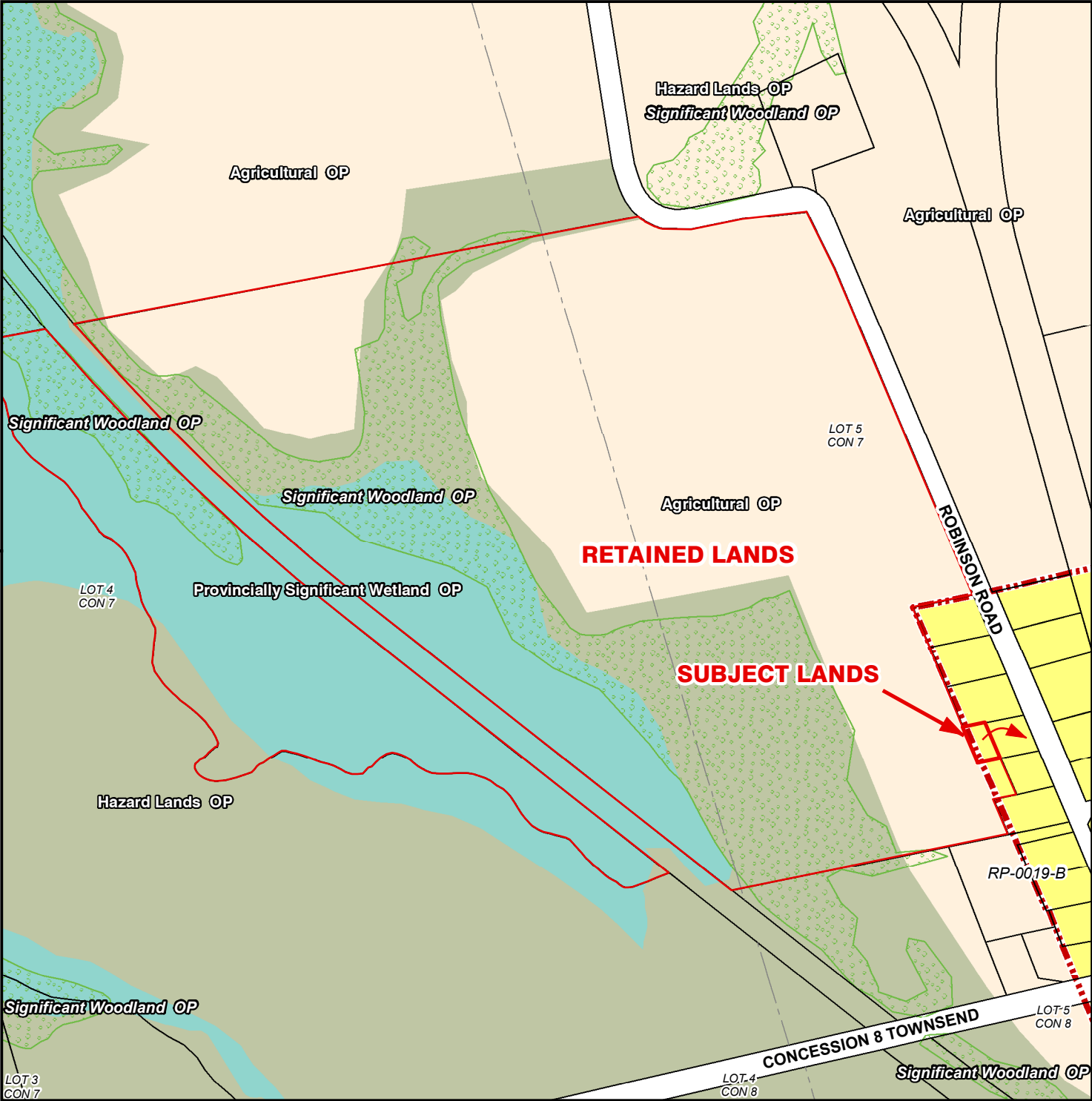
Legend

- Subject Lands
- Lands Owned
- 2020 Air Photo

5/10/2022



50 25 0 50 100 150 200 Meters

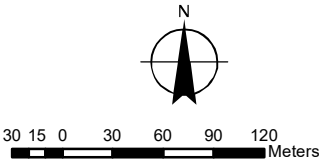


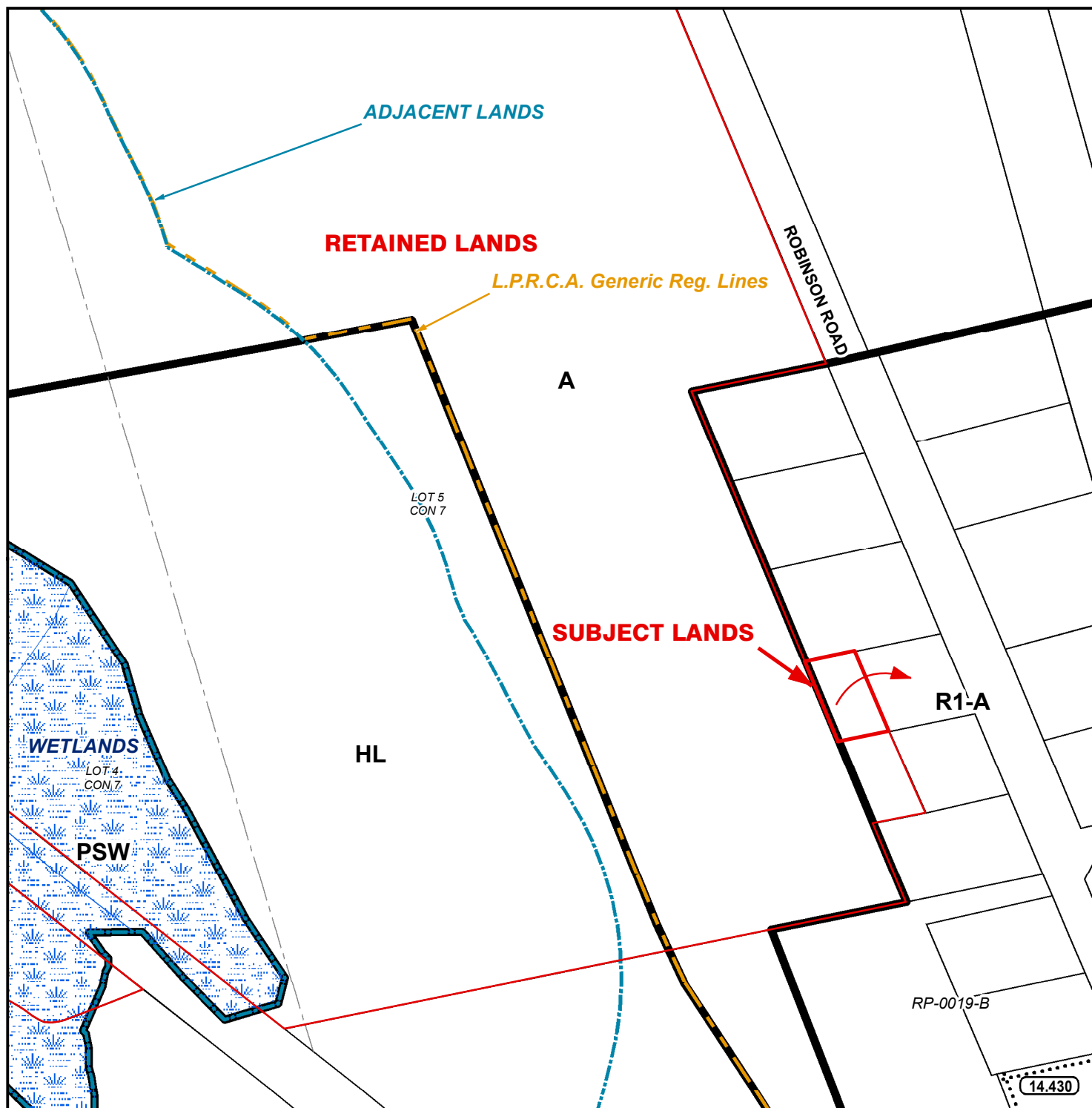
Legend

- Subject Lands
- Lands Owned

- Official Plan Designations
- Agricultural
 - Hazard Lands
 - Provincially Significant Wetland
 - Urban Residential
 - Urban Area Boundary
 - Significant Woodland

5/10/2022





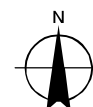
LEGEND

- Subject Lands
- Lands Owned
- Adjacent Lands
- Wetland
- LPRCA Generic RegLines

ZONING BY-LAW 1-Z-2014

5/10/2022

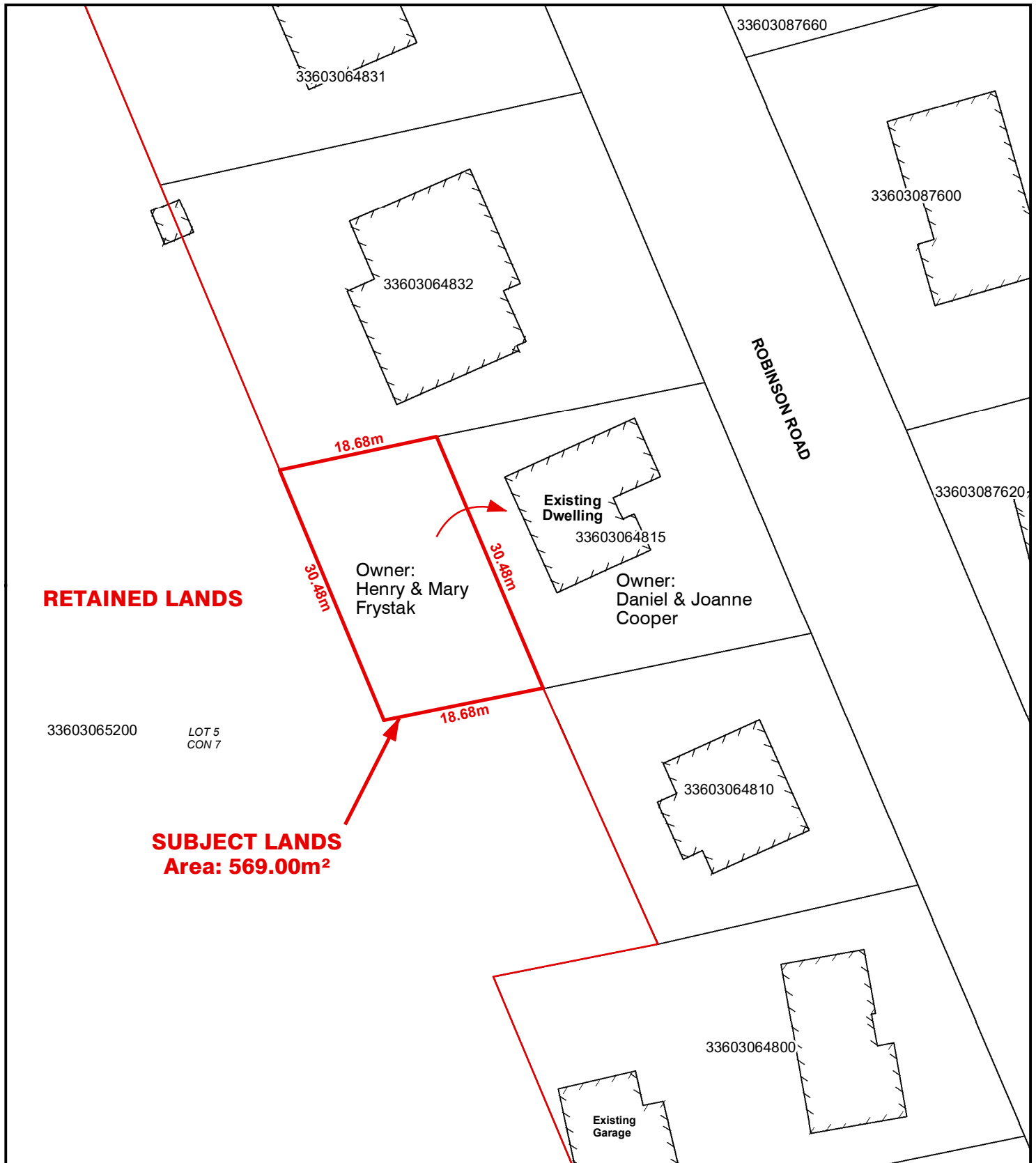
- (H) - Holding
- A - Agricultural Zone
- HL - Hazard Land Zone
- PSW - Provincially Significant Wetland Zone
- R1-A - Residential R1-A Zone



10 5 0 10 20 30 40
 Meters

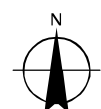
CONCEPTUAL PLAN

Geographic Township of TOWNSEND

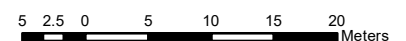


Legend

- Subject Lands
- Lands Owned



5/10/2022

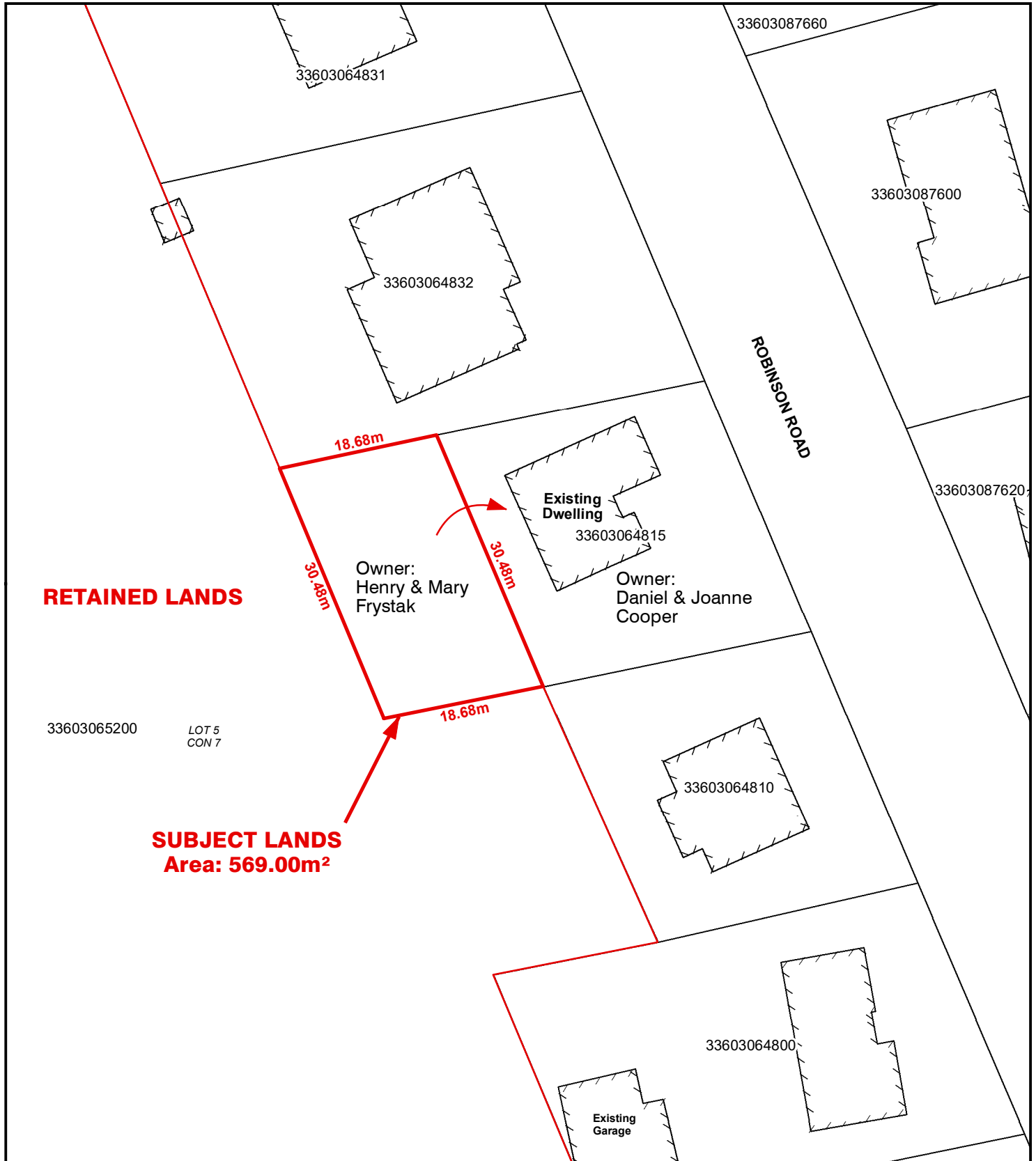


LOCATION OF LANDS AFFECTED



BNPL2022131

CONCEPTUAL PLAN

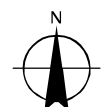
Geographic Township of TOWNSEND



Legend

-  Subject Lands
-  Lands Owned

5/10/2022



5 2.5 0 5 10 15 20 Meters