

For Office Use Only:

File Number

Related File Number

Pre-consultation Meeting

Application Submitted

Complete Application

BNPL2022154——MAY 11, 2022MAY 27, 2022

Application Fee

Conservation Authority Fee

Well & Septic Info Provided

Planner

Public Notice Sign

1599⁰⁰514.15N/AJen.—

LPRCA

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: 491-008-51000-0000**A. Applicant Information**

Name of Owner

HELEN TERESA ABAREJOSEPH PAUL ABAREGRACE MARIEKEVER46A

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

121 NORFOLK CTY RD 19W

Town and Postal Code

NORWICH NOJ 1P0

Phone Number

519-879-6737

Cell Number

Email

Name of ApplicantLINDA AND JOE ABARE

Address

121 NORFOLK CTY RD 19W

Town and Postal Code

NORWICH NOJ 1P0

Phone Number

519-900-1313

Cell Number

519-755-1361

Email

TEETERBARE@HOTMAIL.COM

Name of Agent

Address

Town and Postal Code

Phone Number

N/A

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):

WDM CON 4 PT LOT 23

PLAN 37R-5681

Municipal Civic Address: 121 NORFOLK CTY RD 19W

Present Official Plan Designation(s): AG

Present Zoning: AG

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:

VACANT / AG

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:

SEE ATTACHED PICTURES AND DRAWINGS.

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:

SINGLE DWELLING

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:

ALWAYS AG

9. Existing use of abutting properties:

CHURCH - AG

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:

JULL DRAIN

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					
Lot coverage					
Front yard		N/A AS PER SEN			
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: 50 m

Depth: 48.81 m

Width: 50 m

Lot Area: 2440.5 sq m

Present Use: AG

Proposed Use: RESIDENTIAL

Proposed final lot size (if boundary adjustment): 5413.52 sq m

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

LOT 491-008-46900-0000

Description of land intended to be retained in metric units:

Frontage: 261.05 m

Depth: 977.02 m

Width: 405.38 m

Lot Area: 396064.37 sq m (39.61 ha)

Present Use: AG

Proposed Use: AG

Buildings on retained land: HOUSE, GARAGE, SHOP AND STORAGE BARN

4. **Easement/Right-of-Way:** Description of proposed right-of-way/easement in metric units:

Frontage: N/A

Depth:

Width: _____
Area: _____ N/A _____
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:

OWNERS KNOWLEDGE

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

E. All Applications: Provincial Policy

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

If no, please explain:

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

If no, please explain:

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

If no, please explain:

NO EVIDENCE OF ANIMALS

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:

WINDHAM RD 19

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.

SEE ATTACHED LETTER

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.

John J. Albare Joe Albare May 11, 2022
Owner/Applicant/Agent Signature Trace Keverysa 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 Joe Albare am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize _____ 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.

John J. Albare Joe Albare May 11, 2022
Owner Date
Trace Keverysa May 11, 2022
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, JOE & LINDA ABARE 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:

SIMCOE ONT.

+ Joe Abare

Owner/Applicant/Agent Signature

In NORFOLK County

This 11th day of May 2022

A.D., 2022

[Signature]

Sherry Ann Mott, a
Commissioner, etc., Province of Ontario,
for the Corporation of Norfolk County.
Expires January 5, 2023.

A Commissioner, etc.

Reason for minor adjustment on Lot 23, Concession 4 Part 1

Roll #491 008 46900 0000

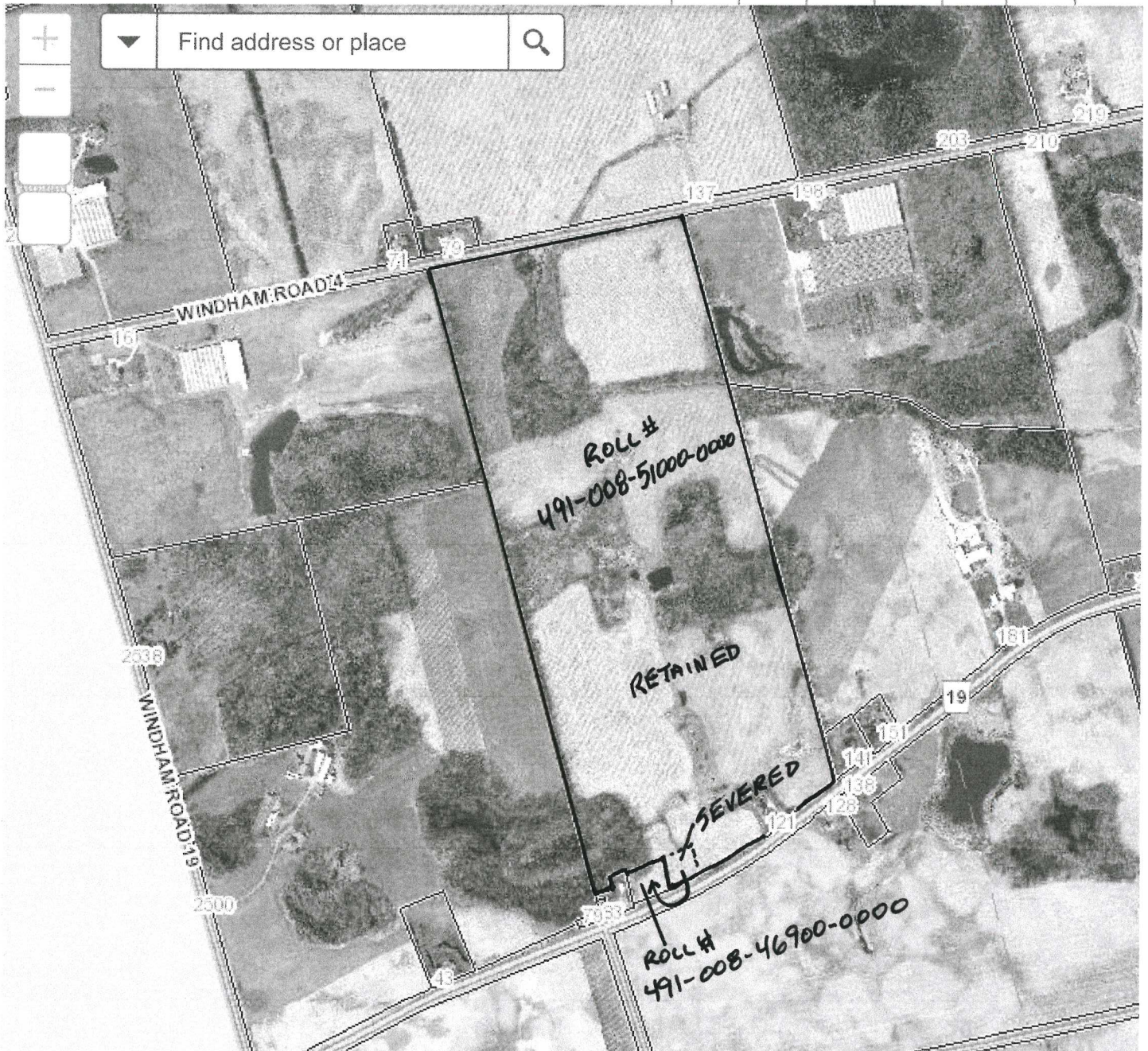
Vacant lot is next to Provincial Wet Lands and municipal drain

There is seasonal wetness on the property which makes it extremely difficult to build

The back NW corner is a forest, approx. 150 ft. from West to East and approx. 37 ft from North to South.

Catch basin and culvert are located 64ft. east of SW lot corner and the top elevation of CB is 6ft 3.5" lower than road level. The location of the Jull drain catch basin and ground water run off, runs through the middle of the existing lot at a very low level. One of the main reasons for the minor variance is that in order to have an adequate septic bed I would compromise forest and the forest ground water which is a level of 6'ft .5" down from road level. The minor variance of 50m to the East is bare minimum to maintain property line setbacks and still respect the declining elevations on the East side of the existing lot.

In conclusion with the Conservation Department, it is recommended to build to the East of the drain



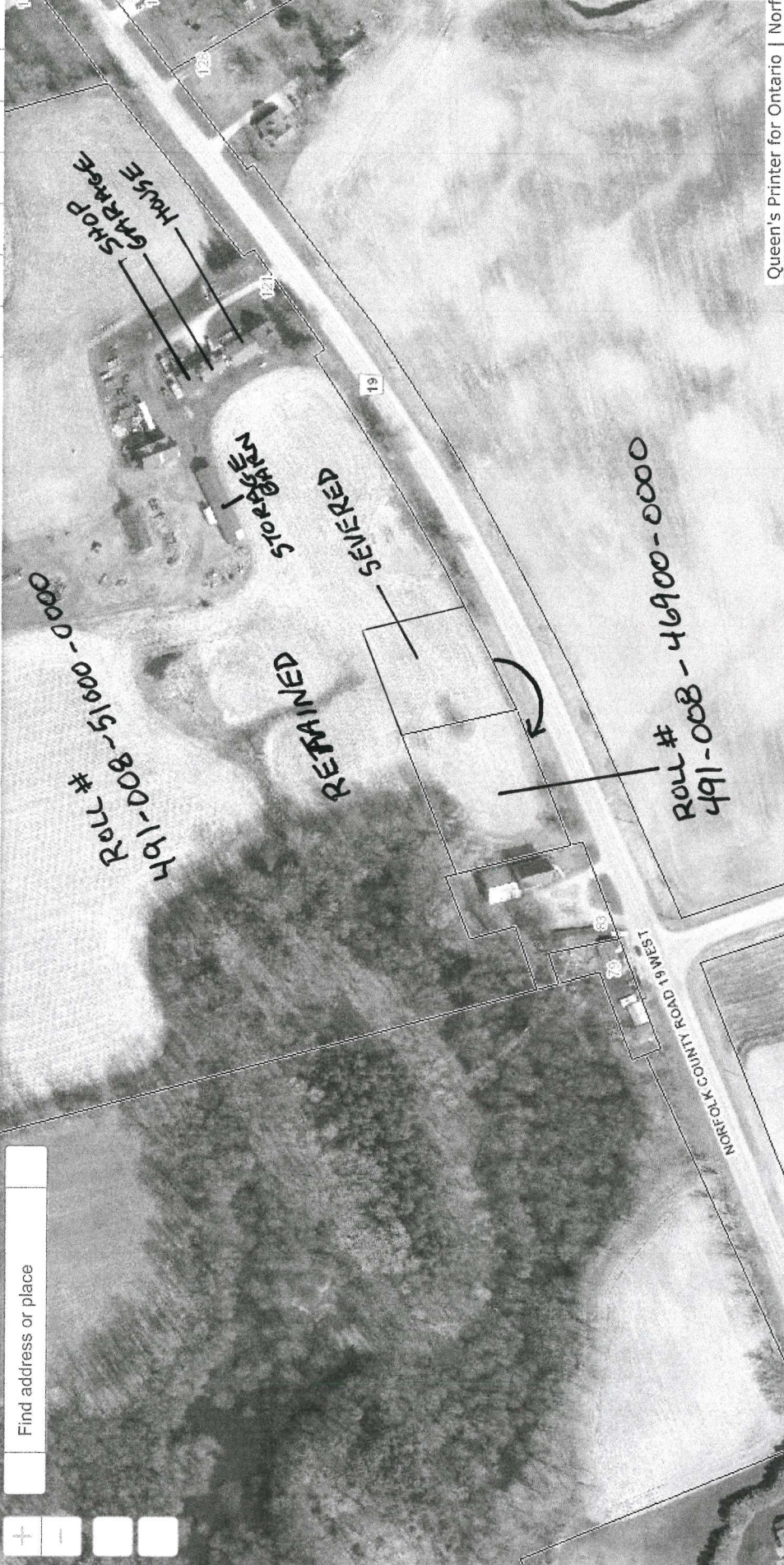
0.3km

4,755,782.019 541,232.783 Meters

App State

Click to restore the map extent and layers visibility where you left off.

Find address or place



RETAINED

NORTH

FOREST

ROLL # 491 008 46900 0000

LOW LYING RAVINE AREA

WATER FLOW

JULL DRAIN

CB and CULVERT

WELL LOCATION

GARAGE

HOUSE

DECK

PROPOSED SEPTIC BED AREA

SEVERED

19.53m

13.76m

50m

3.84m

11.58m

14.05m

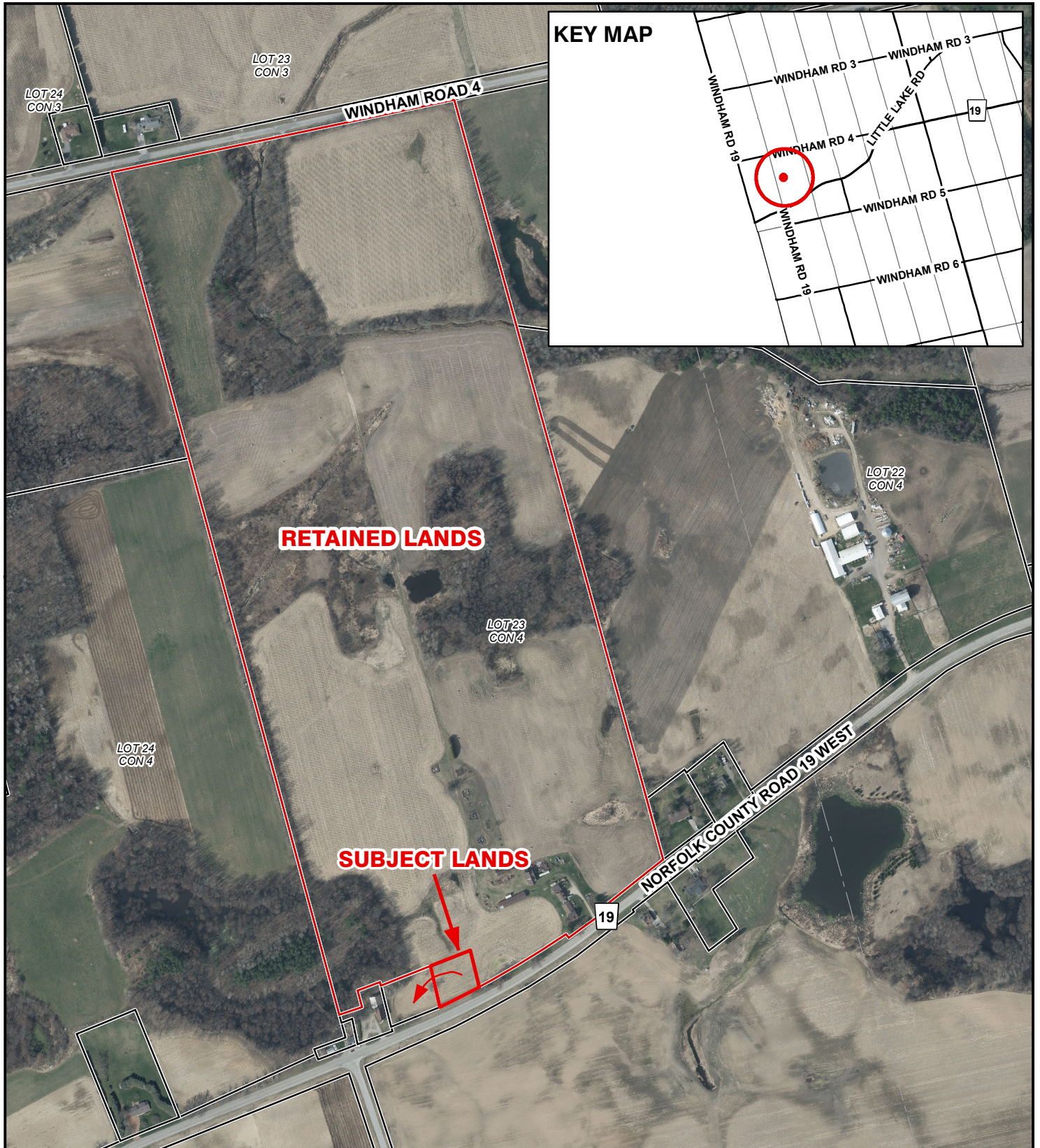
5.18m

19.95m



3.49m

48.81m

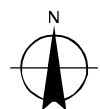
22.86m



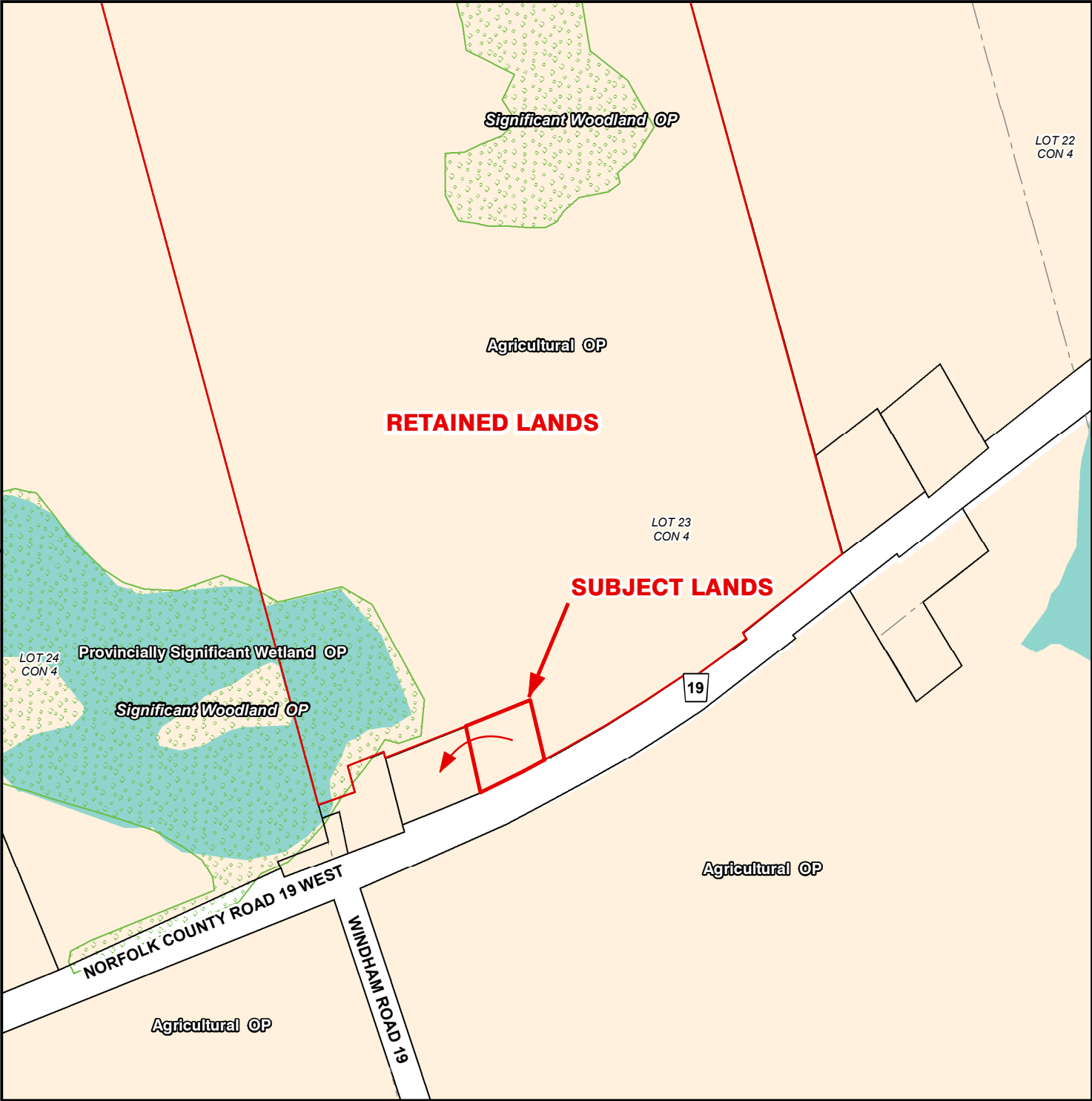
Legend

-  Subject Lands
-  Lands Owned
- 2020 Air Photo



5/30/2022






50 25 0 50 100 150 200 Meters



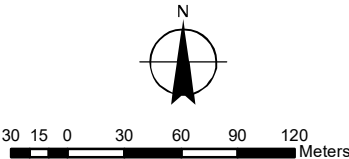
Legend

-  Subject Lands
-  Lands Owned

Official Plan Designations

-  Agricultural
-  Provincially Significant Wetland
-  Significant Woodland

5/30/2022

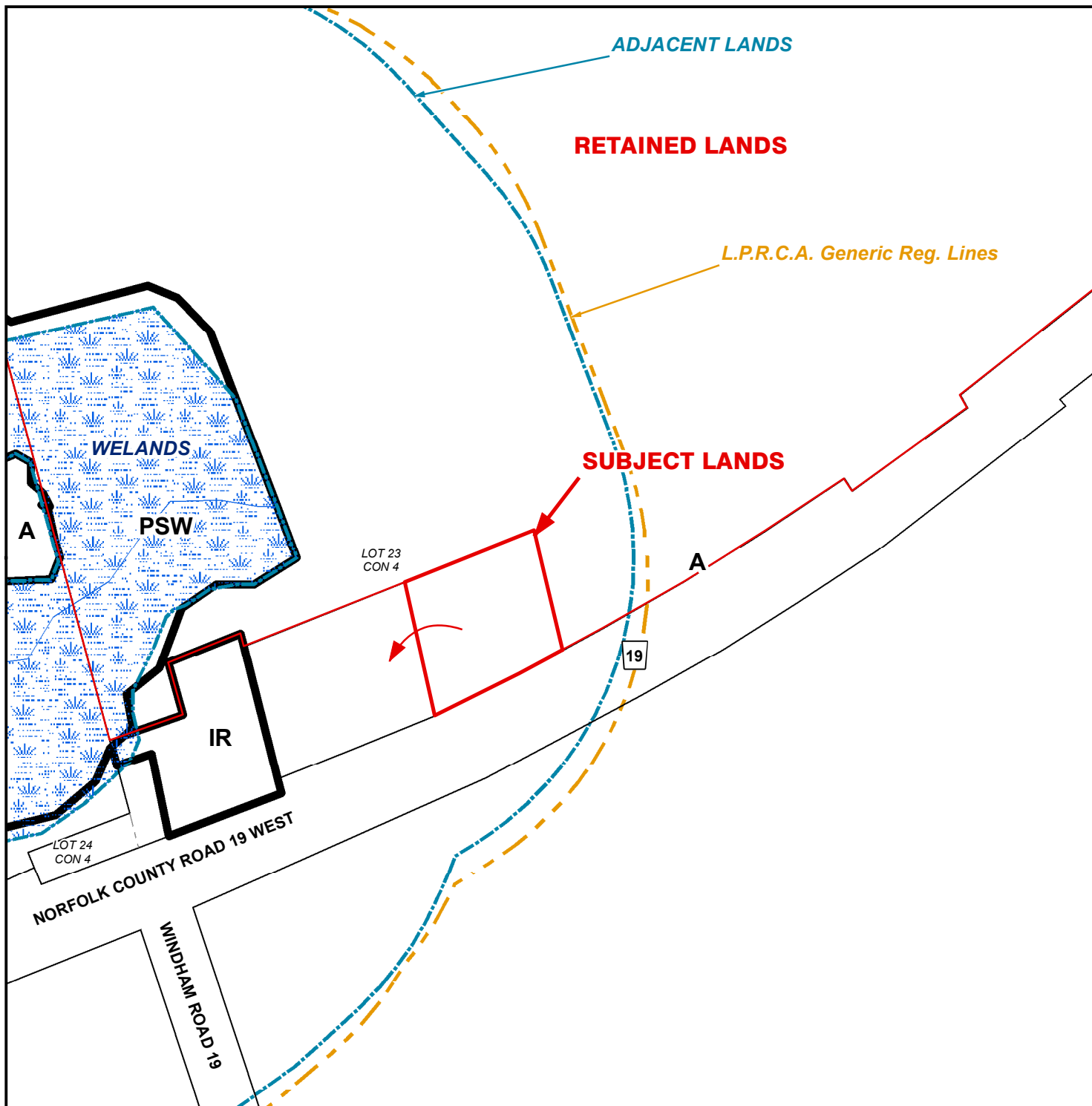


MAP C

ZONING BY-LAW MAP

Geographic Township of WINDHAM

BNPL2022154



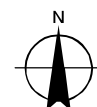
LEGEND

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

ZONING BY-LAW 1-Z-2014

5/30/2022

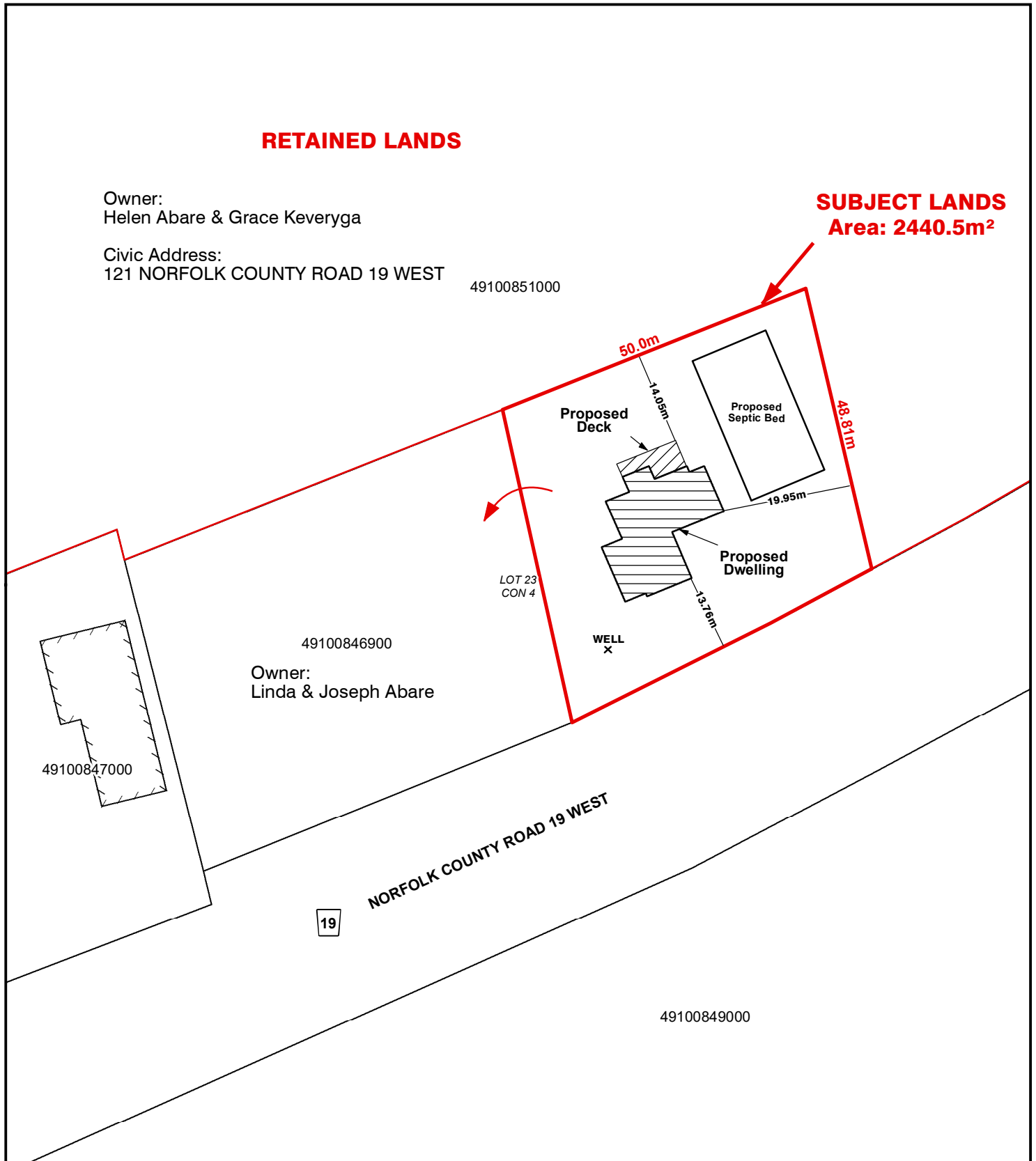
- (H) - Holding
- A - Agricultural Zone
- PSW - Provincially Significant Wetland Zone
- IR - Rural Institutional Zone



10 5 0 10 20 30 40
Meters

CONCEPTUAL PLAN

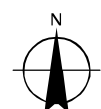
Geographic Township of WINDHAM



Legend

- Subject Lands
- Lands Owned

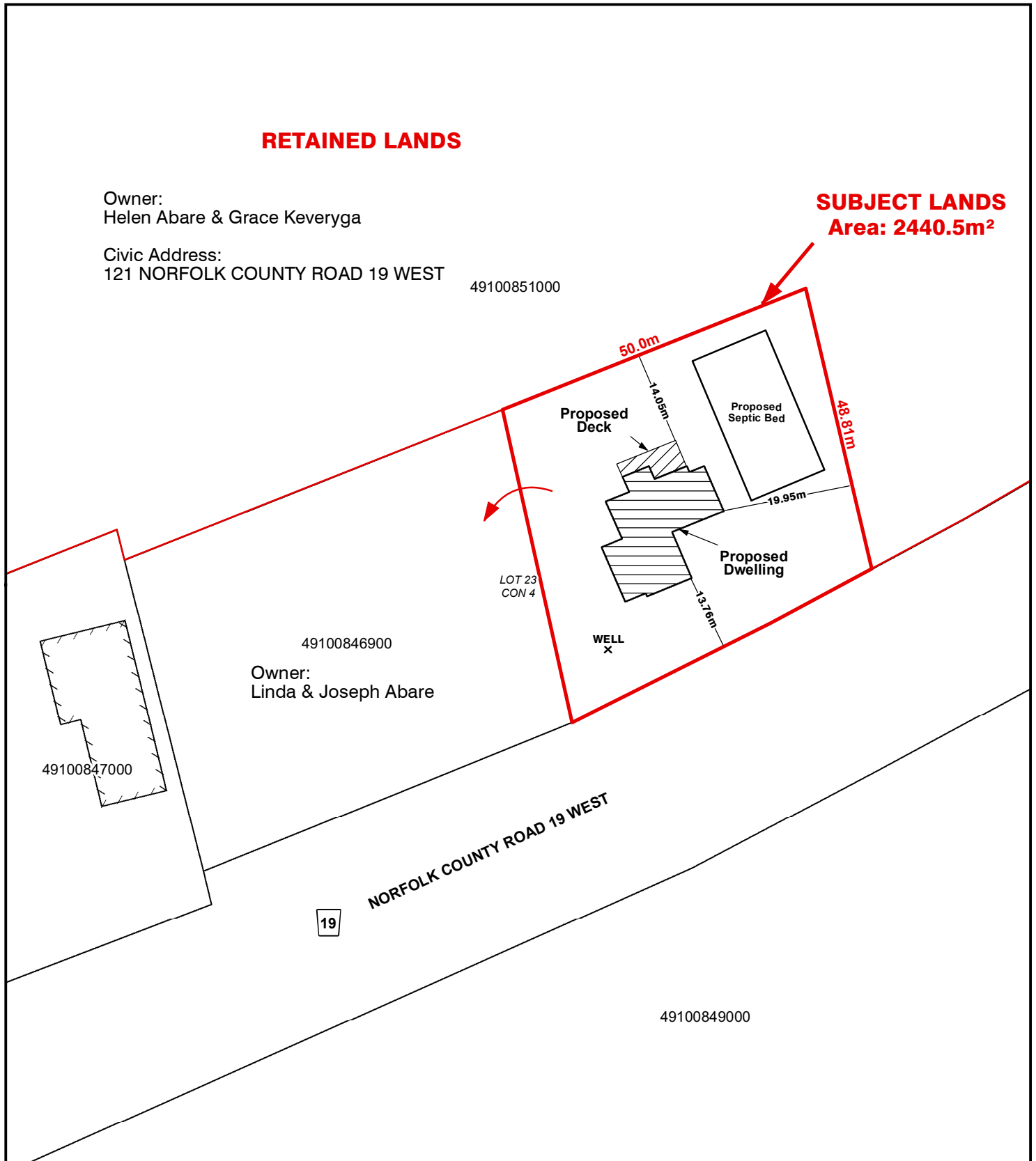
5/30/2022



6.5 3.25 0 6.5 13 19.5 26 Meters

CONCEPTUAL PLAN

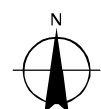
Geographic Township of WINDHAM



Legend

- Subject Lands
- Lands Owned

5/30/2022



6.5 3.25 0 6.5 13 19.5 26 Meters