

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.
5. The completed application and fees 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: 40100710000**A. Applicant Information****Name of Owner** 2861884 Ontario Inc. - c/o Venkata Solleti

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 416 Mount Pleasant Road
Town and Postal Code Brantford ON N3T5L5
Phone Number _____
Cell Number 365-998-1007
Email tejabio@yahoo.ca

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

Name of Agent G. Douglas Vallee Limited - c/o Scott Puillandre
Address 2 Talbot Street North
Town and Postal Code Simcoe Ontario N3Y 3W4
Phone Number 519.426.6270
Cell Number _____
Email scott.puillandre@gdvallee.ca

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:

B. Location, Legal Description and Property Information

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

PLAN 182 BLK 89 PT LOT 1 RP 37R6182 PARTS 1 & 2

Municipal Civic Address: 252, 256, 256 Robinson St

Present Official Plan Designation(s): Urban Residential

Present Zoning: R2

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:

Residential - Duplex Dwelling

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:
Duplex dwelling to remain on the retained lands. Severed lands will be vacant.

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.

NA

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:

Duplex Dwelling on the severed lot. Will comply with zoning requirements and approved minor variances

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:

Decades

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					
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)					
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:

Relief from setbacks and lot area provisions given under ANPL2015224 and 225

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

Frontage: 13.7m

Depth: 21.4m

Width: 13.7m

Lot Area: 293.5m²

Present Use: Vacant

Proposed Use: Residential

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: 19.4m

Depth: 19.6m

Width: 21.4m

Lot Area: 420.7m²

Present Use: Residential

Proposed Use: Residential

Buildings on retained land: Duplex Dwelling

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:
Discussion with land owner and review of past uses

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:

Residential Use in a residential area

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 20m

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:

Robinson St

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.

Owner/Applicant/Agent Signature

18 Aug 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 2861884 Ontario Inc. am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize G. Douglas Vallee 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.

Owner

18 Aug 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, Scott Puillandre of Paris 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:

NIAGARA REGION


Owner/Applicant/Agent Signature

In THE CITY OF NIAGARA FALLS

This 23rd day of AUGUST

A.D., 20 22



A Commissioner, etc.

ELDON FRASER DARBYSON,
a Commissioner, etc., Province of Ontario,
for G. Douglas Vallee Limited.
Expires March 28, 2025.

VENKATA SARAN SOLLETI


046

DATE 2 0 2 2 - 0 8 - 1 8
Y Y Y Y M M D D

PAY TO THE ORDER OF NORFOLK COUNTY \$ 2886-00

Two thousand eight hundred eighty SIX 100 DOLLARS

☒ Security features
Details on back.


ROYAL BANK OF CANADA
SUDBURY ON-MAIN BR. SUDBURY
72 DURHAM ST.
SUDBURY, ON P3E 3M6

MEMO

252 Robinson street since

Severance



MP

⑈046⑈ ⑆04982⑈003⑆504⑈928⑈3⑈



vallee

*Consulting Engineers,
Architects & Planners*

September 14, 2022

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

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

**Reference: Planning Justification Brief for Consent Application
G. Douglas Vallee Limited on behalf of 2861884 Ontario Inc.
252 Robinson Street, Simcoe - Severance
Our Project 22-160**

Introduction

G. Douglas Vallee Limited has been retained by 2861884 Ontario Inc. to make application for a consent within the serviced Urban Area of Simcoe, Norfolk County. The proposed consent will result in the creation of one additional lot with frontage along Robinson Street in Simcoe.

It is important to note that this severance application received conditional approval from the Norfolk County Committee of Adjustment on February 17, 2016. The previous severance application lapsed as it did not receive final approval prior to the required deadline. The reasons for the lapsing are unknown as new owners have purchased the property and are applying for the same consent.

Given this application has been previously reviewed and approved by Norfolk County Staff and Committee of Adjustment, this planning justification brief will provide a high-level review only.

Supporting Documents have been provided, including:

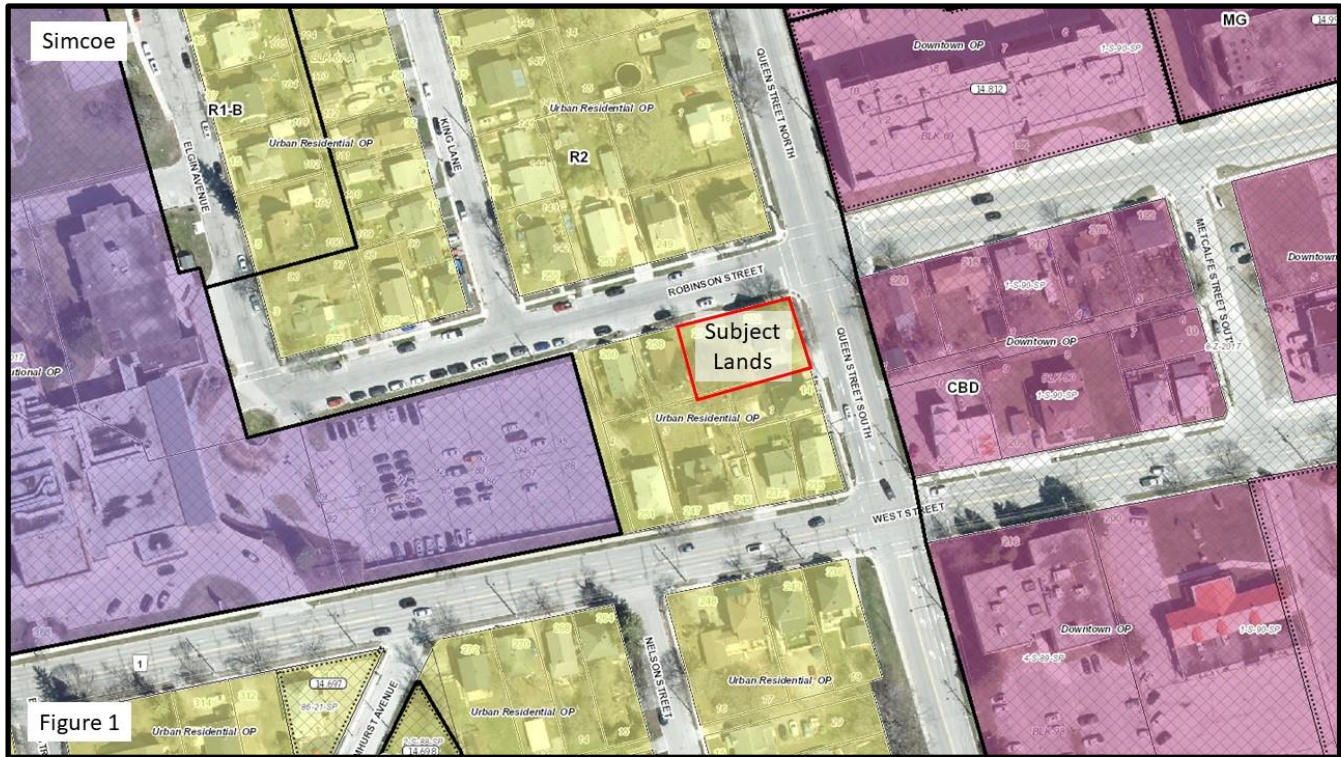
- Appendix A – Norfolk County Planning Reports – ANPL2015224, ANPL2015225, BNPL2015226, dated February 17, 2016;
- Appendix B – Survey Sketch prepared by G. Douglas Vallee Limited.

Site Description

The subject lands are a 715m² residential lot located at the corner of Robinson Street and Queen Street North, within the serviced urban area of Simcoe and occupied by a duplex-dwelling. The lands are designated Urban Residential under the Norfolk County Official Plan and Zone Urban Residential Type-2 (R2) under the Norfolk County Zoning Bylaw.

A previous owner applied for a consent to sever the westerly portion of the lot in order to create a new lot with frontage along Robinson Street. On February 17, 2017 the Norfolk County Committee of Adjustment approved the consent under application BNPL2015226 and granted minor relief to the severed and retained lands under ANPL2015224 and 225 respectively.

Figure 1 below provides an aerial view of the existing property and its location within Simcoe



Prior Planning Applications

As outlined above, the subject lands received consent approval under application BNPL2015226 and minor relief from zoning provisions under applications ANPL2015224 and 225 from the Norfolk County Committee of Adjustment on February 17, 2016.

Application BNPL2015226 was a consent application to sever the westerly portion of the subject lands in order to create a new building lot with frontage along Robinson Street. This application received conditional approval, however it has since lapsed as all conditions were not satisfied within the required timeframe.

Applications ANPL2015224 and 225 were minor variance applications seeking relief from provisions within the R2 zone for both the severed and retained lands. Table 1 and 2 below provides an outline of the approved variances.

It should be noted that while relief was granted for a reduction in the required exterior side yard and a reduction in the required rear yard under ANPL2016225, it would appear the definitions were improperly applied. The Norfolk County Zoning Bylaw applies the following definitions:

- 2.93 “LOT LINE” shall mean any boundary of a lot and the vertical projection thereof.
 - 2.93.1 “FRONT LOT LINE” shall mean:
 - a) in the case of an interior lot, the line dividing the lot from the street; or
 - b) in the case of a corner lot, the shorter lot line abutting a street; or**
 - c) in the case of a corner lot whose exterior lot lines are the same length, the lot line opposite the main entrance of the main building; or
 - d) in the case of a through lot, the nearer street line to the main building.

G. DOUGLAS VALLEE LIMITED
Consulting Engineers, Architects & Planners

In 2015 at the time of initial application, the shortest lot line abutting a street was the lot line along Queen Street South. However, following a conditional approval of application BNPL2015226, the Front Lot line for the retained lands changed from the line abutting Queen Street South to the lot line abutting Robinson Street. Therefore the only deficiency created as a result of the severance would be a deficient Front Yard of 2.3m along Robinson Street.

While the above analysis has no impact on the overall proposal from a planning perspective, it is important to identify these deficiencies for review by current Norfolk County Staff in order to avoid confusion.

Table 1: Relief permitted under ANPL2015224

Provision Semi-detached	Required	Approved	Provided
Lot Area	450m ²	293.5m ²	294m ²
Front Yard	6.0m	3.95m	3.96m
Lot Frontage	15m	13.72m	13.72m

Table 2: Relief permitted under ANPL2015225

Provision Semi-detached	Required	Approved	Provided
Lot Area	540m ²	420.7m ²	421m ²
Exterior Side Yard	6.0m	2.3m	2.33m
Rear Yard	7.5m	1.2m	1.2m

In accordance with Appendix B, a severance sketch has been provided by G. Douglas Vallee Limited. A reference plan will be produced by an Ontario Land Surveyor in order to finalize the severance.

Planning Analysis

As part of application BNPL2015226, this consent application was reviewed in light of several planning documents including the Planning Act, the Provincial Policy Statement, the Norfolk County Official Plan and Zoning Bylaw.

In accordance with Appendix A, Norfolk County Planning staff considered the subject application to be consistent with the policies of the PPS and the Official Plan. Staff supported the consent application and the Committee approved the application, subject to conditions. It is important to note that while severance application BNPL2016226 has lapsed, the minor variances granted by the committee are still valid if the applicant applies for the exact same consent (lot fabric). This approach has been previously discussed and supported by Norfolk County planning staff.

In review of this application, it too is our professional opinion that the subject application is in keeping with the policies of the PPS, maintains the general intent and purpose of both the Norfolk County Official Plan and Zoning Bylaw. Approval of this application by the Committee of Adjustment would be consistent with all applicable planning policies.

Conclusion

The proposed application is seeking to create and infill residential lot within the serviced urban area of Simcoe through the consent process. This application has been previously reviewed and approved by Norfolk County Staff and Committee of Adjustment.

As demonstrated in this report, approval of this consent application by the Norfolk County Committee of Adjustment is in keeping with the policies of the PPS, maintains the general intent and purpose of both the Norfolk County Official Plan and Zoning Bylaw.

Given the factors outlined in this report, it is respectfully requested that the Norfolk County Committee of Adjustment approve the requested consent.

Yours Truly,



Scott Puillandre, CD, MSc
Planner

G. DOUGLAS VALLEE LIMITED

Consulting Engineers, Architects & Planners

H:\Projects\2022\22-160 Robinson Street Severance 2861884 Ontario Inc. Simcoe\Agency\Committee of Adjustment\PJR - Robinson St Boundary Adjustment.docx

G. DOUGLAS VALLEE LIMITED
Consulting Engineers, Architects & Planners



Professional Engineers
Ontario

Authorized by the Association of Professional Engineers of Ontario
to offer professional engineering services



Ontario Association
of Architects



**COMMITTEE OF ADJUSTMENT
REPORT REGARDING AN APPLICATION FOR
MINOR VARIANCE**

FILE NUMBER: ANPL2015224

MEETING DATE: February 17, 2016
APPLICANT(S): LUKE EARL and MARY-LOU
ROLL NUMBER: 3310401007100000000
LOCATION: PLAN 182 BLK 89 PT LOT 1 (252 Robinson Street, Simcoe)

PROPOSAL:

An application has been received to recognize deficiencies created through Consent Application BNPL2015226 requiring relief of:

156.5 sq m from the permitted lot area of 450 sq m to allow a lot area of 293.5 sq m;
2.05 m from the required front yard setback of 6 m to permit a setback of 3.95 m;
1.28 m from the required lot frontage of 15 m to permit a lot frontage of 13.72 m.

PLANNING STAFF RECOMMENDATION:

That Application **ANPL2015224 BE APPROVED.**

REASON: In accordance with Section 45(1) of the Planning Act, the proposed development and requested relief is considered appropriate development, minor in nature and it maintains the general intent of the Official Plan and Zoning By-law.

SITE FEATURES AND LAND USE: The subject lands are vacant and front onto the south side of Robinson Street in the Urban Area of Simcoe. Surrounding land uses are generally residential in nature, with Norfolk General Hospital located at the west end of the street, within the same block as the subject lands.

PERTINENT CIRCULATION COMMENTS:

Building Inspector (Sewage System Review) – Two parking spaces per dwelling unit are required.

Fire – Reviewed – No comment at this time.

Forestry Division – No comments received.

GIS Section – No comments received.

EMS - Norfolk County EMS can foresee no issues with this application at this time.

Norfolk Power – No comments received.

Health and Social Services

As stated in the 10-Year Housing and Homelessness plan, it is our mission that residents find and

retain safe, clean and affordable housing regardless of income or economic circumstances. To this end, Social Housing staff is supportive of the addition of housing options, in particular rental units within the Simcoe Urban Area, that are affordable and provide an appropriate alternative to alleviate pressures on the existing social housing waitlist.

- It was unclear from the information provided in the application / circulation notification if the proposed development will be a single or duplex unit or if it will be rental or owned. However, it is important to ensure that there is appropriate parking and some type of amenity space for the residential use.
- It is hoped that this proposed development will offer affordable rental rates. Social Housing staff is happy to discuss future options with the applicant if they would like additional information in this regard.

Public Works and Environmental Services

- The existing sanitary sewer lateral to the retained parcel is across the severed parcel as per Norfolk County information. The Applicant is required to disconnect the existing sanitary sewer lateral to the retained parcel at the main and install a new sanitary service on the retained parcel.
- The existing driveway on the retained parcel on Robinson Street will not be wide enough or possibly deep enough to park a vehicle with the current east severance line proposed.
- Road Restoration will be required at the Applicant's cost as per Norfolk County Approval.
- Any damage done to Norfolk County property (i. e. curbs, sidewalk, boulevard, etc.) during construction will be restored at the Applicant's cost as per Norfolk County Approval.
- One or possibly two parking spaces will be eliminated on Robinson Street due to this severance.
- Severed parcel requires installation of municipal water service to property line.
- Severed parcel requires installation of municipal sanitary sewer service to property line.
- Municipal services must be a minimum of 3 metres away from side property line.
- Municipal water service must be a minimum of 2.5 metres away from sanitary/storm sewer service lateral.
- Severed parcel requires an entrance permit.

Union Gas – No comments received.

Mike Auld, 258 Robinson Street – These applications are premature considering the diagram as provided clearly show[s] that interior and exterior side lots do not meet the requirements between the two addresses of 252 Robinson Street and 258 Robinson Street. Also not shown on the diagram is the location of a driveway that would be required by law. No provision can be made for lack of parking as Norfolk Council has already stated that there is a concern with parking on this section of Robinson Street. Residents have already filled out a survey for council to deal with the issues of Norfolk General Hospital staff and visitors using on-street parking which leaves no parking available at all during normal hospital hours.

COMMUNITY PLANNING COMMENTS

The subject lands are designated Urban Residential in the Norfolk County Official Plan, and are zoned "Residential Type 2 (R2)" in the Norfolk County Zoning By-law 1-Z-2014.

The applicant is requesting relief of:

- 156.5 sq m from the permitted lot area of 450 sq m to allow a lot area of 293.5 sq m;
- 2.05 m from the required front yard setback of 6 m to permit a setback of 3.95 m; and
- 1.28 m from the required lot frontage of 15 m to permit a lot frontage of 13.72 m.

These deficiencies are a result of related consent application BNPL2015226.

Endangered and threatened species and their habitat are protected under the provinces Endangered Species Act, 2007 (ESA). The Act prohibits development or site alteration within areas of significant habitat for endangered or threatened species without demonstrating that no negative impacts will occur. The Ministry of Natural Resources (MNR), Aylmer District provides the service of responding to species at risk information requests and project screenings. The applicant has been directed to discuss the proposed activity and have their project screened with MNR.

Please be advised that 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.

Section 45(1) of the Planning Act sets out the criteria for minor variances: that the requested relief be minor, the proposed development be appropriate and compatible with surrounding development, and that the general intent of the Official Plan and Zoning By-law be maintained.

The applicant is proposing to sever a vacant lot through related consent application BNPL2015226. This variance applies to the severed parcel. Planning staff have conducted a site inspection and are of the opinion that the requested relief for the minimum permitted lot area, minimum required front yard setback, and minimum lot frontage are minor and appropriate in this instance. The existing lot is approximately twice as large as many of the surrounding lots. The proposed severed and retained lots, and the requested variances, would be compatible with the character of the neighbourhood. The R2 zoning would permit a single detached, semi-detached, or duplex dwelling, and allowing for infill within this neighbourhood conforms to the intent of Section 7.3.1 of the Official Plan. Subsection a) states that "Housing shall, in part, be provided through urban residential intensification, which may include... ii) infill development and residential development of vacant land or underutilized land in existing neighbourhoods." Further, this section states that "The County shall target 20 percent of its growth in the Urban Areas to be accommodated through infill, intensification and redevelopment." The subject application will assist with meeting this objective.

Section 4.9(a) of the Zoning By-law indicates that two parking spaces for each dwelling unit are required for single detached, semi-detached, and duplex dwellings, one parking space is required per guest room for a bed and breakfast, one parking space plus one additional parking space is required for each employee of a home occupation, and for other non-residential uses, one parking space for every 35 square metres of usable floor area is required. The subject application indicates that attached garages will be included for future development. It should be noted that a variance for parking has not been applied for, and therefore the requirements in the Zoning By-law will apply for future development on the subject lands.

Overall, the requested relief can be considered minor in nature, appropriate development and generally meets the intent of the Norfolk County Official Plan and Norfolk County Zoning By-law; as such, planning staff support this application and recommend that it be approved.

Prepared and Written By:

Alisha Cull, BES

Planner

For more information, call:

519.426.5870 ext. 1893

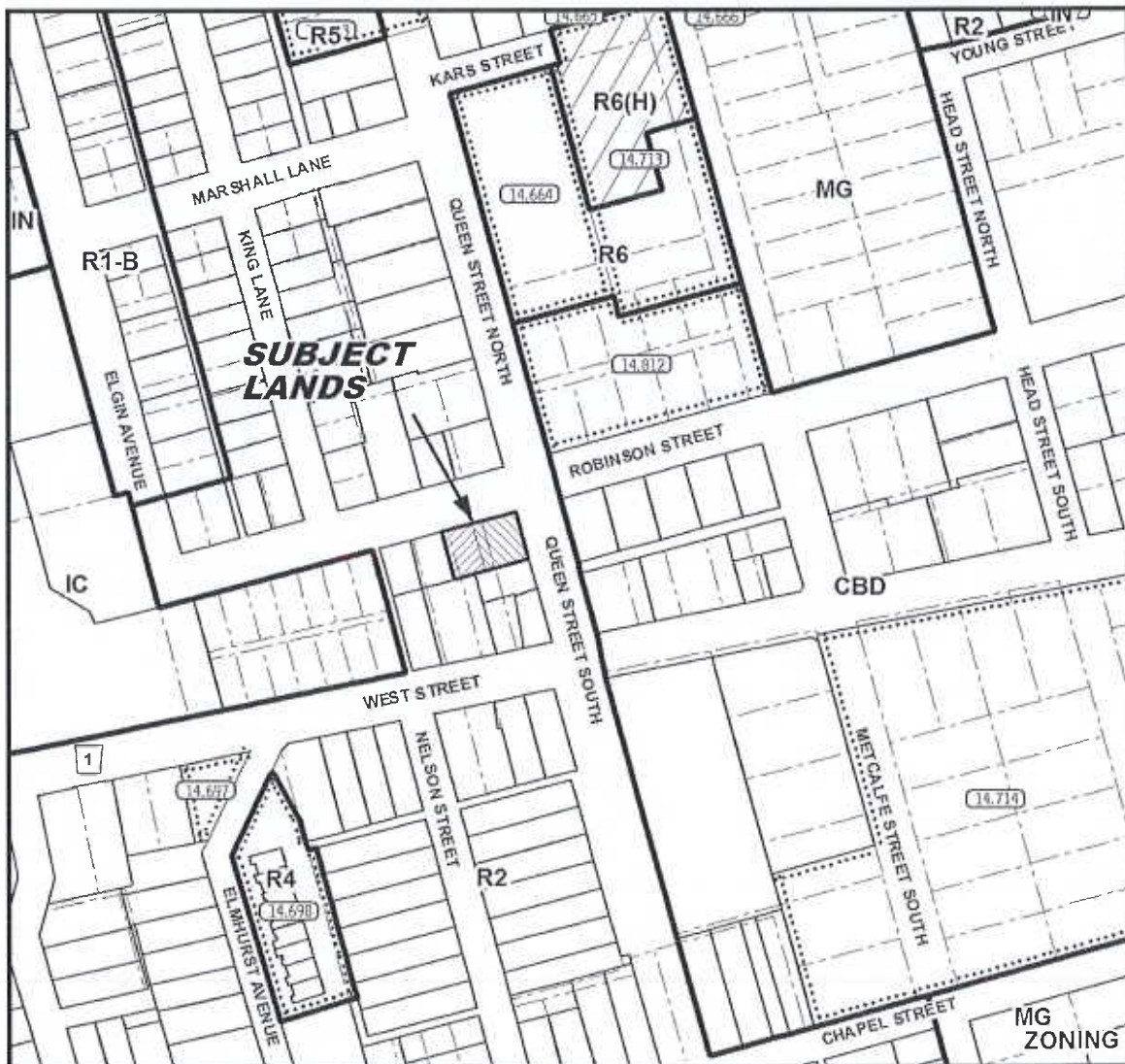
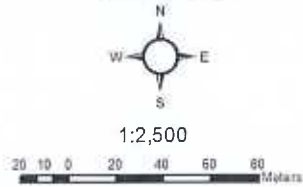
Reviewed and Submitted By:

Mat Vaughan, BES, MCIP, RPP

Senior Planner

MAP 1 **File Number: ANPL2015224 &** **ANPL2015225 & BNPL2015226**

Urban Area of
SIMCOE



Date: 02/12/2015

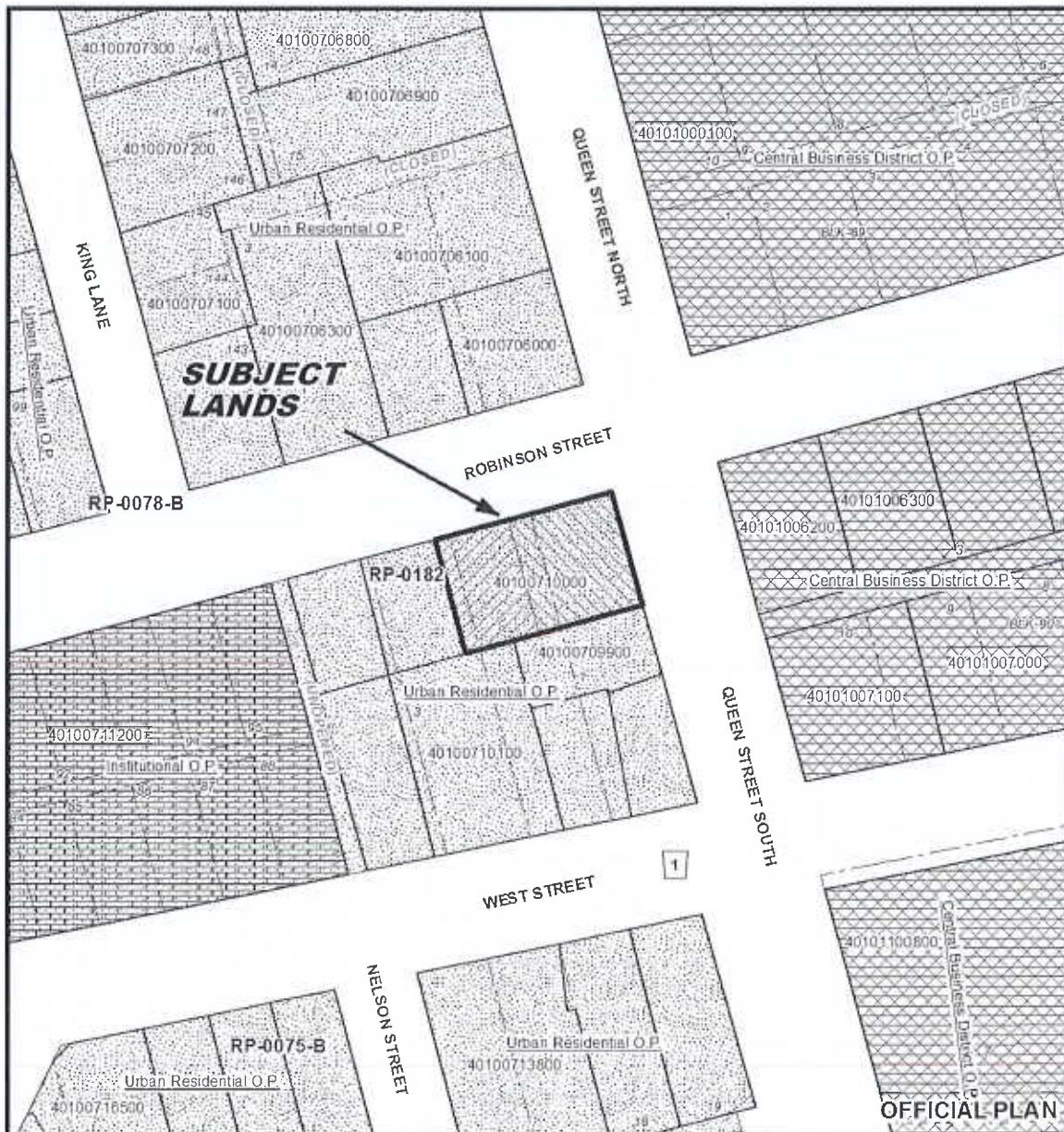
MAP 2

File Number: ANPL2015224 & ANPL2015225
& BNPL2015226

Urban Area of SIMCOE



1:1,000

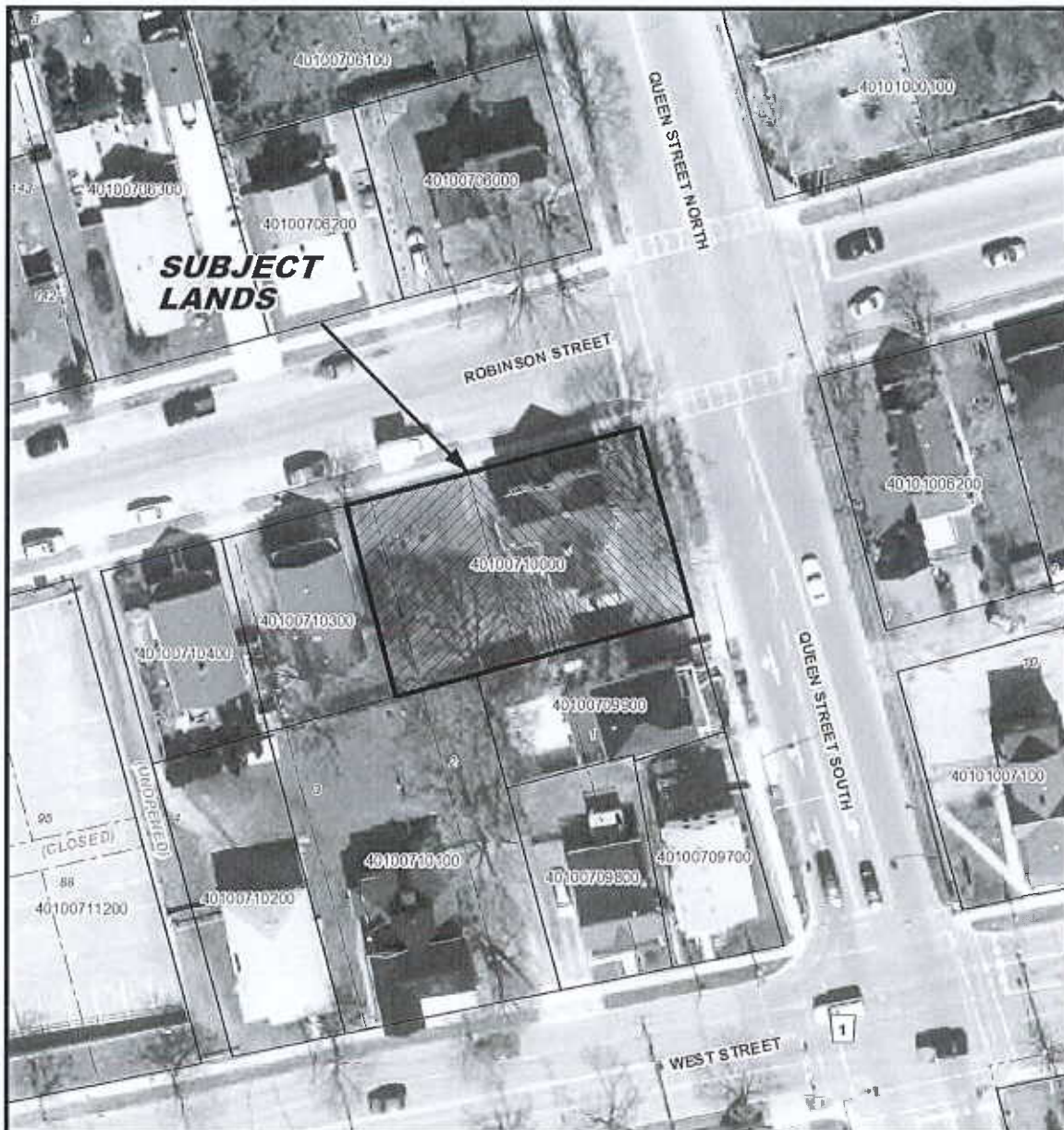


Date: 02/12/2015

MAP 3

File Number: ANPL2015224 & ANPL2015225
& BNPL2015226

Urban Area of SIMCOE

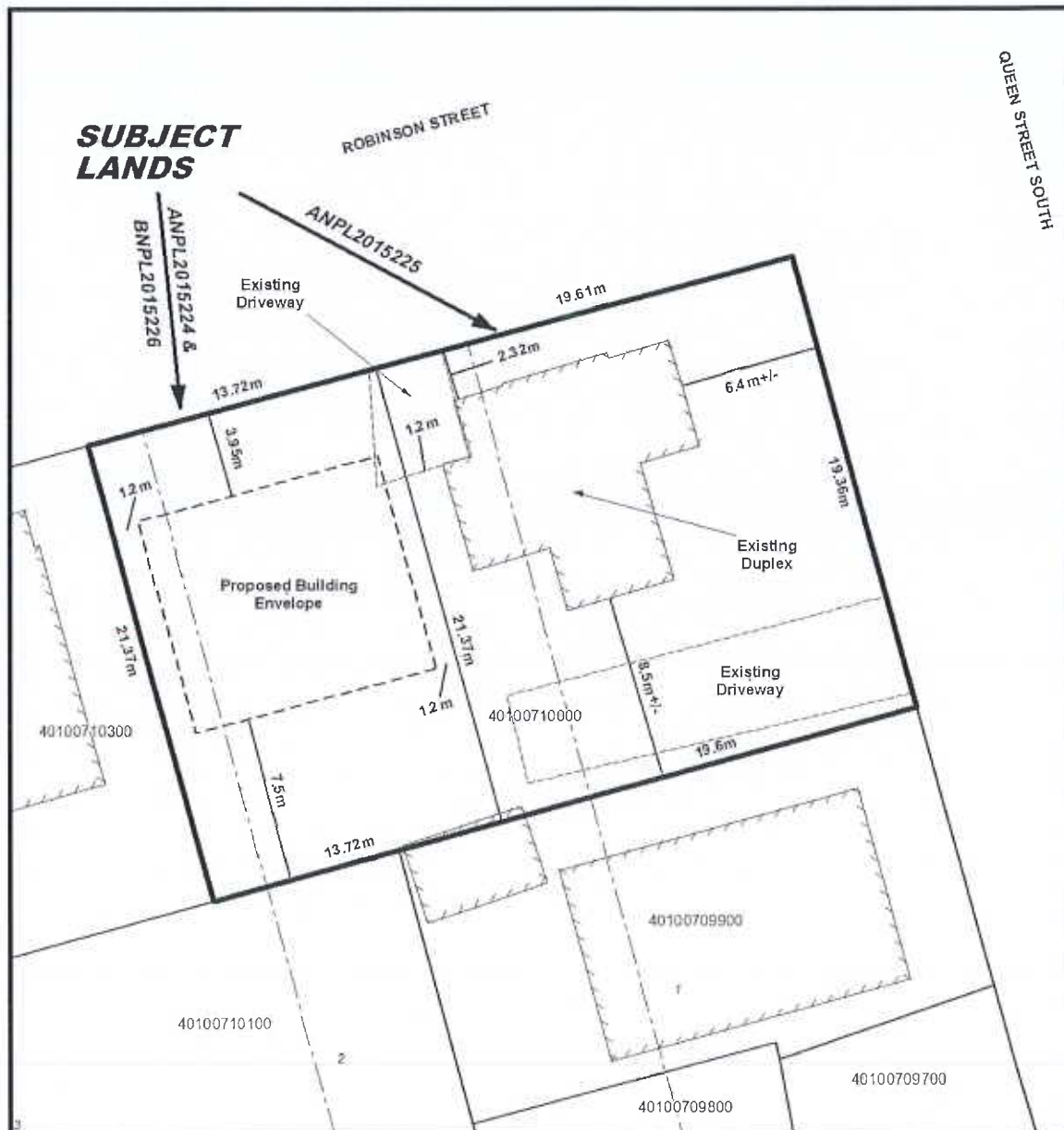


Date: 02/12/2015

Urban Area of SIMCOE



1:250



Date: 08/12/2015



Development and Cultural Services
Community Planning Division
185 Robinson Street, Suite 200 Simcoe ON N3Y 5L6
519-426-5870 519-875-4485 519-582-2100

COMMITTEE OF ADJUSTMENT DECISION FILE NUMBER: ANPL2015224

APPLICANT: EARL AND MARY-LOU LUKE

ROLL NUMBER: 3310401007100000000
LOCATION: PLAN 182 BLK 89 PT LOT 1 (252 Robinson Street, Simcoe)
DECISION DATE: February 17, 2016

DECISION: APPROVED

In the case of an Application for Minor Variance as made under Section 45 of the Planning Act, R.S.O., 1990, as amended:

PROPOSAL:


An application has been received recognize deficiencies created through Consent Application BNPL2015226 requiring relief of:

156.5 sq m from the permitted lot area of 450 sq m to allow a lot area of 293.5 sq m;

2.05 m from the required front yard setback of 6 m to permit a setback of 3.95 m;

1.28 m from the required lot frontage of 15 m to permit a lot frontage of 13.72 m.

MOVED BY: 
DENNIS

SECONDED BY: 
MARCEL

MEMBERS CONCURRING IN THE ABOVE RULING:


MARCEL VANHOOREN


DENNIS TSCHIRHART


RUDY STUCKE


LARRY DAWSON


DAN CIONA


ERIC GILBERT

MOTION CARRIED: 
CHAIRMAN: RICHARD BARKER

REASON:

In accordance with Section 45(1) of the Planning Act, the proposed development and requested relief is considered appropriate development, minor in nature and it maintains the general intent of the Official Plan and Zoning By-law.

CERTIFICATION:

I hereby certify this to be a true copy of the Committee of Adjustment decision and this decision was concurred with by a majority of the members who heard the application at a meeting duly held on February 17, 2016:

APPEALS:

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice may be filed in the name of an individual who is a member of the association or group.



**COMMITTEE OF ADJUSTMENT
REPORT REGARDING AN APPLICATION FOR
MINOR VARIANCE**

FILE NUMBER: ANPL2015225

MEETING DATE: February 17, 2016
APPLICANT(S): LUKE EARL and MARY-LOU
ROLL NUMBER: 3310401007100000000
LOCATION: PLAN 182 BLK 89 PT LOT 1 (252 Robinson Street, Simcoe)

PROPOSAL:

An application has been received to recognize deficiencies created through Consent Application BNPL2015226 requiring relief of:
119.30 sq m from the minimum required lot area of 540 sq m to permit a lot area of 420.7 sq m;
3.68 m from the minimum exterior side yard setback (Robinson) of 6 m to permit a side yard setback of 2.32 m;
6.30 m from the minimum rear yard setback of 7.5 m to permit a setback of 1.2 m.

PLANNING STAFF RECOMMENDATION:

That Application **ANPL2015225 BE APPROVED.**

REASON: In accordance with Section 45(1) of the Planning Act, the proposed development and requested relief is considered appropriate development, minor in nature and it maintains the general intent of the Official Plan and Zoning By-law.

SITE FEATURES AND LAND USE: The subject lands contain a duplex dwelling and front onto the south side of Queen Street in the Urban Area of Simcoe. Surrounding land uses are generally residential in nature, with Norfolk General Hospital located at the west end of Robinson Street, within the same block as the subject lands.

PERTINENT CIRCULATION COMMENTS:

Building Inspector (Sewage System Review) – Reviewed – No comment at this time.

Fire – Reviewed – No comment at this time.

Forestry Division – No comments received.

GIS Section – Reviewed – No comment at this time.

EMS – Norfolk County EMS can foresee no issues with this application at this time.

Hydro One – No comments received.

Public Works and Environmental Services

- The existing sanitary sewer lateral to the retained parcel is across the severed parcel as per Norfolk County information. The Applicant is required to disconnect the existing sanitary sewer lateral to the retained parcel at the main and install a new sanitary service on the retained parcel.
- The existing driveway on the retained parcel on Robinson Street will not be wide enough or possibly deep enough to park a vehicle with the current east severance line proposed.
- Road Restoration will be required at the Applicant's cost as per Norfolk County Approval.
- Any damage done to Norfolk County property (i. e. curbs, sidewalk, boulevard, etc.) during construction will be restored at the Applicant's cost as per Norfolk County Approval.
- One or possibly two parking spaces will be eliminated on Robinson Street due to this severance.
- Severed parcel requires installation of municipal water service to property line.
- Severed parcel requires installation of municipal sanitary sewer service to property line.
- Municipal services must be a minimum of 3 metres away from side property line.
- Municipal water service must be a minimum of 2.5 metres away from sanitary/storm sewer service lateral.
- Severed parcel requires an entrance permit.

Union Gas – No comments received.

Health and Social Services - As stated in the 10-Year Housing and Homelessness plan, it is our mission that residents find and retain safe, clean and affordable housing regardless of income or economic circumstances. To this end, Social Housing staff is supportive of the addition of housing options, in particular rental units within the Simcoe Urban Area, that are affordable and provide an appropriate alternative to alleviate pressures on the existing social housing waitlist.

It was unclear from the information provided in the application / circulation notification if the proposed development will be a single or duplex unit or if it will be rental or owned. However, it is important to ensure that there is appropriate parking and some type of amenity space for the residential use.

It is hoped that this proposed development will offer affordable rental rates. Social Housing staff is happy to discuss future options with the applicant if they would like additional information in this regard.

Mike Auld, 258 Robinson Street – I have no concerns about the side yard setback on Robinson Street as this building has been located here for decades and been used in such a manner that it predates current building requirements. I do have a concern about the minimum rear yard setback of only 1.2 metres when the by-law requires 7.5 metres and it currently meets that requirement. If the lot is to be severed, then it should still at least maintain what is legally required for a back yard setback. A corner duplex lot without a backyard is not feasible in residential areas.

COMMUNITY PLANNING COMMENTS

The subject lands are designated Urban Residential in the Norfolk County Official Plan, and are zoned "Residential Type 2 (R2)" in the Norfolk County Zoning By-law 1-Z-2014.

The applicant is requesting relief of:

- 119.30 sq m from the minimum required lot area of 540 sq m to permit a lot area of 420.7 sq m;
- 3.68 m from the minimum exterior side yard setback (Robinson) of 6 m to permit a side yard setback of 2.32 m;
- 6.30 m from the minimum rear yard setback of 7.5 m to permit a setback of 1.2 m.

These deficiencies are a result of related consent application BNPL2015226.

Endangered and threatened species and their habitat are protected under the provinces Endangered Species Act, 2007 (ESA). The Act prohibits development or site alteration within areas of significant habitat for endangered or threatened species without demonstrating that no negative impacts will occur. The Ministry of Natural Resources (MNR), Aylmer District provides the service of responding to species at risk information requests and project screenings. The applicant has been directed to discuss the proposed activity and have their project screened with MNR.

Please be advised that 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.

Section 45(1) of the Planning Act sets out the criteria for minor variances: that the requested relief be minor, the proposed development be appropriate and compatible with surrounding development, and that the general intent of the Official Plan and Zoning By-law be maintained.

The applicant is proposing to sever a vacant lot through related consent application BNPL2015226. This variance applies to the retained parcel. Planning staff have conducted a site inspection and are of the opinion that the requested relief for the minimum permitted lot area, minimum required rear yard setback, and minimum required exterior side yard setback are minor and appropriate in this instance. The existing lot is approximately twice as large as many of the surrounding lots. The proposed severed and retained lots, and the requested variances, would be compatible with the character of the neighbourhood. The R2 zoning would permit a single detached, semi-detached, or duplex dwelling, and allowing for infill within this neighbourhood conforms to the intent of Section 7.3.1 of the Official Plan. Subsection a) states that "Housing shall, in part, be provided through urban residential intensification, which may include... ii) infill development and residential development of vacant land or underutilized land in existing neighbourhoods." Further, this section states that "The County shall target 20 percent of its growth in the Urban Areas to be accommodated through infill, intensification and redevelopment." The subject application will assist with meeting this objective.

Section 4.9(a) of the Zoning By-law indicates that two parking spaces for each dwelling unit is required for single detached, semi-detached, and duplex dwellings. During site inspections, it appeared that four parking spaces were available for the subject lands for the existing duplex.

Overall, the requested relief can be considered minor in nature, appropriate development and generally meets the intent of the Norfolk County Official Plan and Norfolk County Zoning By-law; as such, planning staff support this application and recommend that it be approved.

Prepared and Written By:

Alisha Cull, BES

Planner

For more information, call:

519.426.5870 ext. 1893

Reviewed and Submitted By:

Mat Vaughan, BES, MCIP, RPP

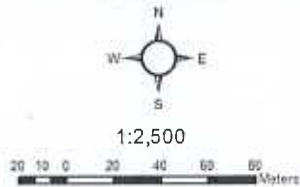
Senior Planner

For more information, call:

519.426.5870 ext. 1840

MAP 1 **File Number: ANPL2015224 &** **ANPL2015225 & BNPL2015226**

Urban Area of
SIMCOE

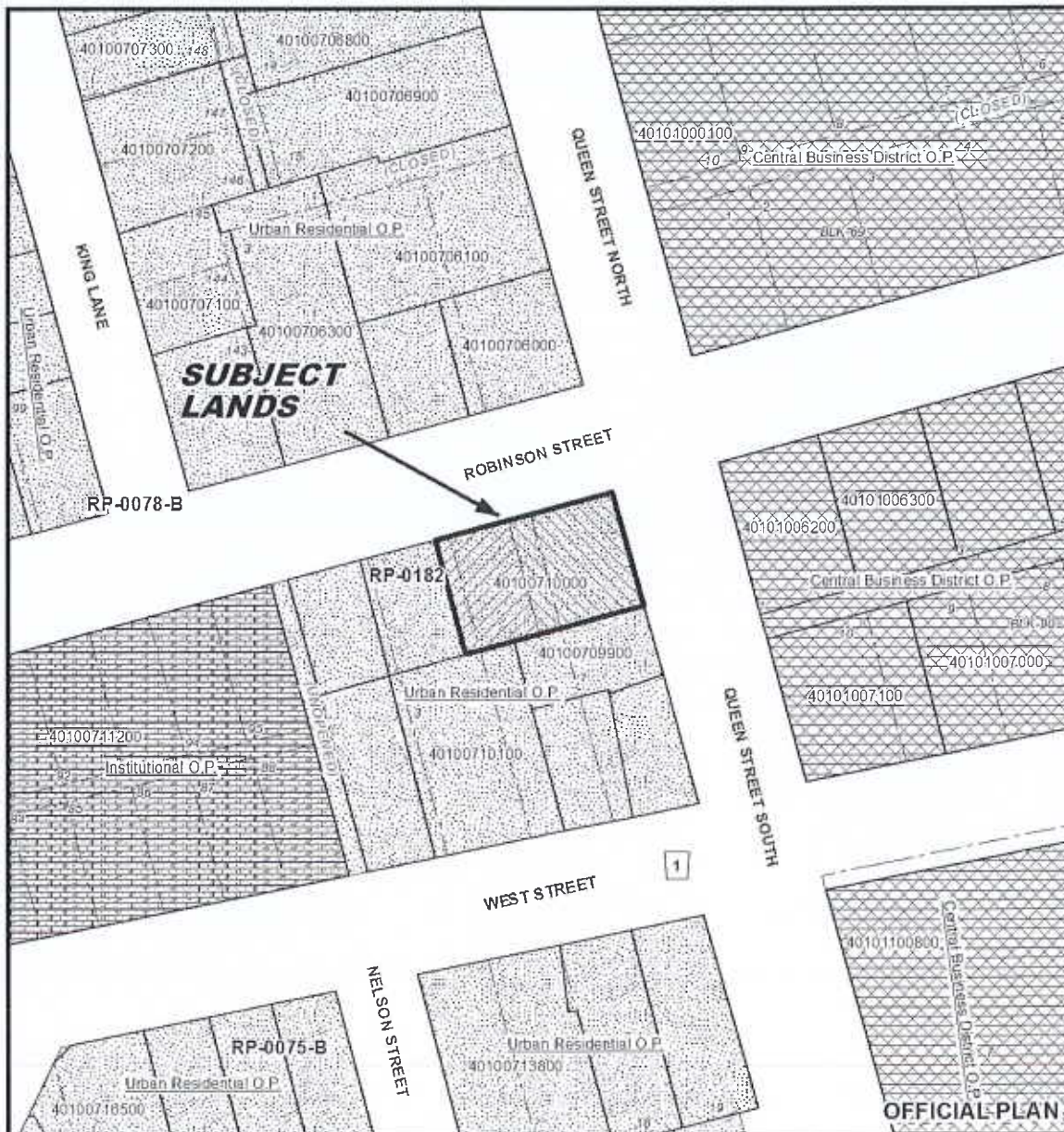


Date: 02/12/2015

Urban Area of SIMCOE



1:1,000



Date: 02/12/2015

MAP 3

File Number: ANPL2015224 & ANPL2015225
& BNPL2015226

Urban Area of SIMCOE



Date: 02/12/2015

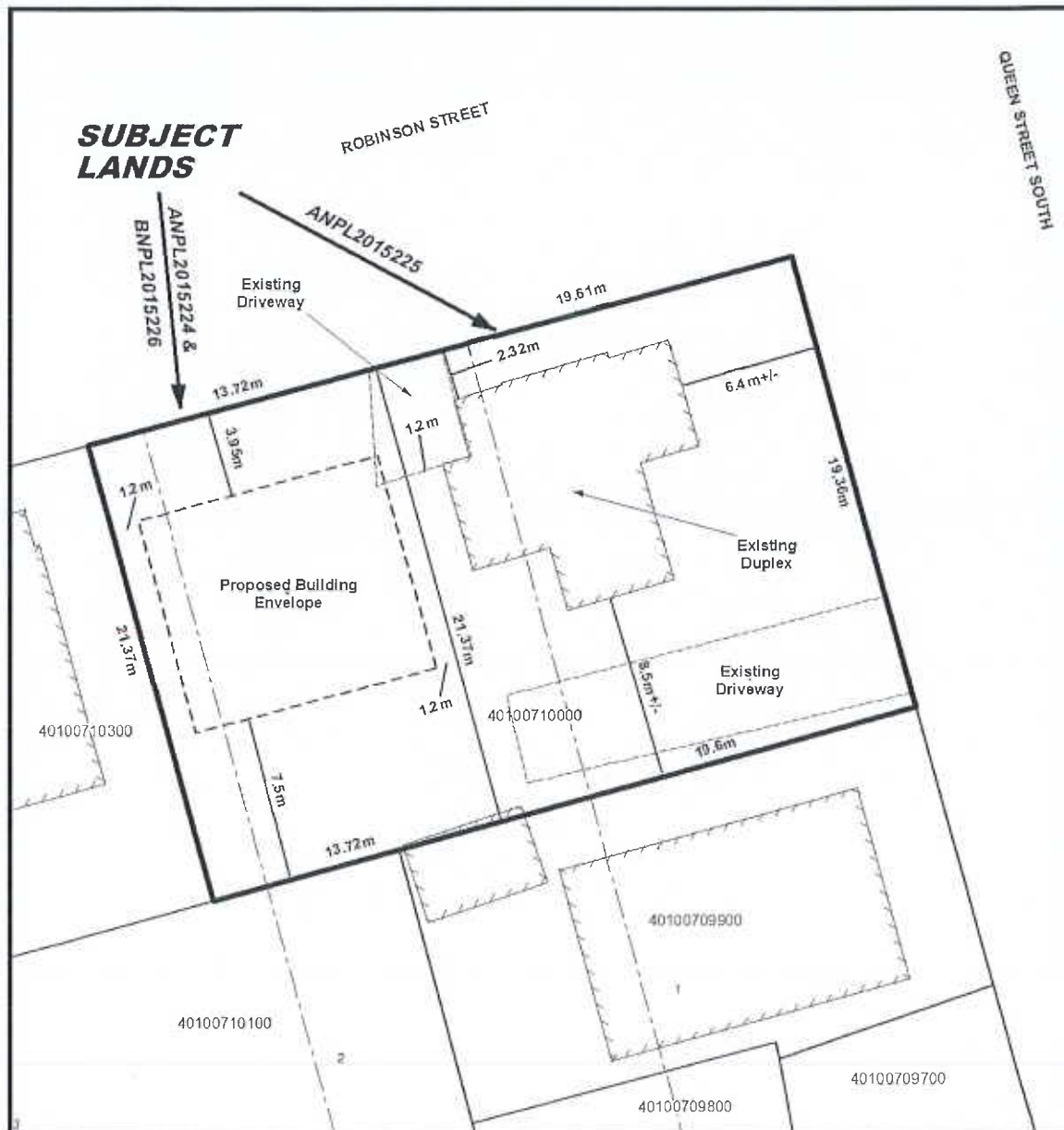
MAP 4

File Number: ANPL2015224 & ANPL2015225
& BNPL2015226

Urban Area of SIMCOE



1:250



Date: 08/12/2015



Development and Cultural Services
Community Planning Division
185 Robinson Street, Suite 200 Simcoe ON N3Y 5L6
519-426-5870 519-875-4485 519-582-2100

COMMITTEE OF ADJUSTMENT DECISION FILE NUMBER: ANPL2015225

APPLICANT: EARL AND MARY-LOU LUKE

ROLL NUMBER: 3310401007100000000

LOCATION: PLAN 182 BLK 89 PT LOT 1 (252 Robinson Street, Simcoe)

DECISION DATE: February 17, 2016

APPROVED

DECISION:

In the case of an Application for Minor Variance as made under Section 45 of the Planning Act, R.S.O., 1990, as amended:

PROPOSAL:

An application has been received recognize deficiencies created through Consent Application BNPL2015226 requiring relief of:

119.30 sq m from the minimum required lot area of 540 sq m to permit a lot area of 420.7 sq m;

3.68 m from the minimum exterior side yard setback (Robinson) of 6 m to permit a side yard setback of 2.32 m;

6.30 m from the minimum rear yard setback of 7.5 m to permit a setback of 1.2 m.

^{LARRY}
MOVED BY: J. Larry Dawson

^{RUDY}
SECONDED BY: R. Stuckl

MEMBERS CONCURRING IN THE ABOVE RULING:

Marcel Vanhooren
MARCEL VANHOOREN

Dennis Tschirhart
DENNIS TSCHIRHART

R. Stuckl
RUDY STUCKL

J. Larry Dawson
LARRY DAWSON

Dan Cigna
DAN CIGNA

Eric Gilbert
ERIC GILBERT

MOTION CARRIED: Richard Barker
CHAIRMAN: RICHARD BARKER

REASON:

In accordance with Section 45(1) of the Planning Act, the proposed development and requested relief is considered appropriate development, minor in nature and it maintains the general intent of the Official Plan and Zoning By-law.

CERTIFICATION:

I hereby certify this to be a true copy of the Committee of Adjustment decision and this decision was concurred with by a majority of the members who heard the application at a meeting duly held on February 17, 2016:

APPEALS:

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice may be filed in the name of an individual who is a member of the association or group.



**COMMITTEE OF ADJUSTMENT
REPORT REGARDING AN APPLICATION FOR
CONSENT**

FILE NUMBER: BNPL2015226

MEETING DATE: January 20, 2016
APPLICANT(S): LUKE EARL and MARY-LOU
ROLL NUMBER: 3310401007100000000
LOCATION: PLAN 182 BLK 89 PT LOT 1 (252 Robinson Street, Simcoe)

PROPOSAL:

An application has been received to sever a parcel having a frontage of 13.72 m, a depth of 21.37 m, and a lot area of 293.5 sq m, and retain a parcel having a frontage of 19.36 m (Queen Street), a depth of 19.61 m, and a lot area of 420.70 sq m as the creation of a new lot within the Urban Area.

PLANNING STAFF RECOMMENDATION:

That Application **BNPL2015226 BE APPROVED**, subject to the attached conditions.

REASON: The subject application conforms to the intent of the Norfolk County Official Plan regarding lot creation in the urban area.

SITE FEATURES AND LAND USE: The subject lands front onto the south side of Robinson Street in the Urban Area of Simcoe, and also abut the west side of Queen Street South. The lands contain a duplex. Surrounding land uses are generally residential in nature, with Norfolk General Hospital located at the west end of the street, within the same block as the subject lands.

PERTINENT CIRCULATION COMMENTS:

Building Inspector (Sewage System Review) – Reviewed – No comment at this time.

Fire – Reviewed – No comment at this time.

Forestry Division – No comments received.

GIS Section - Required to apply for new civic addressing to the satisfaction of Norfolk County.

EMS - Norfolk County EMS can foresee no issues with this application at this time.

Hydro One - No comments or concerns at this time.

Public Works and Environmental Services

- The existing sanitary sewer lateral to the retained parcel is across the severed parcel as per Norfolk County

information. The Applicant is required to disconnect the existing sanitary sewer lateral to the retained parcel at the main and install a new sanitary service on the retained parcel.

- The existing driveway on the retained parcel on Robinson Street will not be wide enough or possibly deep enough to park a vehicle with the current east severance line proposed.
- Road Restoration will be required at the Applicant's cost as per Norfolk County Approval.
- Any damage done to Norfolk County property (i. e. curbs, sidewalk, boulevard, etc.) during construction will be restored at the Applicant's cost as per Norfolk County Approval.
- One or possibly two parking spaces will be eliminated on Robinson Street due to this severance.
- Severed parcel requires installation of municipal water service to property line.
- Severed parcel requires installation of municipal sanitary sewer service to property line.
- Municipal services must be a minimum of 3 metres away from side property line.
- Municipal water service must be a minimum of 2.5 metres away from sanitary/storm sewer service lateral.
- Severed parcel requires an entrance permit.

Union Gas – No comments received.

Health and Social Services

- As stated in the 10-Year Housing and Homelessness plan, it is our mission that residents find and retain safe, clean and affordable housing regardless of income or economic circumstances. To this end, Social Housing staff is supportive of the addition of housing options, in particular rental units within the Simcoe Urban Area, that are affordable and provide an appropriate alternative to alleviate pressures on the existing social housing waitlist.
- It was unclear from the information provided in the application / circulation notification if the proposed development will be a single or duplex unit or if it will be rental or owned. However, it is important to ensure that there is appropriate parking and some type of amenity space for the residential use.
- It is hoped that this proposed development will offer affordable rental rates. Social Housing staff is happy to discuss future options with the applicant if they would like additional information in this regard.

Mike Auld, 258 Robinson Street – My concern with this proposal is that subject to the duplex on the corner lot being required to have a 7.5 metre setback for the backyard, it would make the severed parcel even smaller than the proposed 293.5 square meters. This lot proposal even as presented does not meet the requirements of 405 square metres for a new building lot. *Staff note: The Zoning By-law requires 450 square metres for a new lot in the R2.*

COMMUNITY PLANNING COMMENTS

The applicant has proposed to create a new lot in the urban area of Simcoe. Two minor variance applications have been submitted in relation to this application to address zoning deficiencies which would be created should this application be approved.

The subject lands are designated "Urban Residential" in the Norfolk County Official Plan and zoned "Urban Residential Type 2 (R2)" in the Norfolk County Zoning By-law 1-Z-2014.

Section 4.7 of the Official Plan states, "The Urban Residential Designation applies to the Urban Areas of the County. The Urban Areas are expected to continue to accommodate attractive neighbourhoods which will provide for a variety of types of residential forms as well as neighbourhood facilities such as elementary schools, parks, places of worship and convenience commercial uses which are integral to and supportive of a residential environment. A variety of housing types are anticipated to be developed to meet the varying demands and characteristics of the population."

Section 4.7.1(a) states that in the Urban Residential designation, "The predominant use of land shall be a variety of urban dwelling types, including single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2 dwelling units per lot."

Section 4.7.2(1) states, "Single, semi-detached and duplex housing forms shall generally have an average net density of 15 units per hectare..."

Section 7.3.1(a) states that, "Housing shall, in part, be provided through urban residential intensification, which may include... ii) infill development and residential development of vacant land or underutilized land in existing neighbourhoods." Further, this section states that "The County shall target 20 percent of its growth in the Urban Areas to be accommodated through infill, intensification and redevelopment."

The applicant has not decided at this time what will be built on the severed lot in the future. Permitted uses in the R2 zone include the following:

- dwelling, single detached
- dwelling, semi-detached
- dwelling, duplex
- bed and breakfast, subject to Subsection 3.4
- day care nursery
- home occupation

The subject application assists with meeting the above objectives of the Official Plan regarding intensification and the provision of housing. The proposed severed and retained lots do not meet the requirements of the Zoning By-law; however, two minor variance applications have been submitted to address the deficiencies, both of which Planning staff are supportive.

Section 4.9(a) of the Zoning By-law indicates that two parking spaces for each dwelling unit are required for single detached, semi-detached, and duplex dwellings, one parking space is required per guest room for a bed and breakfast, one parking space plus one additional parking space is required for each employee of a home occupation, and for other non-residential uses, one parking space for every 35 square metres of usable floor area is required. During site inspections, it appeared that four parking spaces were available for the retained parcel (existing duplex). The minor variance application for the proposed severed parcel indicates that attached garages will be included for future development. It should be noted that a variance for parking has not been applied for, and therefore the requirements in the Zoning By-law will apply for future development on the subject lands.

Endangered and threatened species and their habitat are protected under the provinces Endangered Species Act, 2007 (ESA). The Act prohibits development or site alteration within areas of significant habitat for endangered or threatened species without demonstrating that no negative impacts will occur. The Ministry of Natural Resources (MNR), Aylmer District provides the service of responding to species at risk information requests and project screenings. The applicant has been directed to discuss the proposed activity and have their project screened with MNR.

Please be advised that 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.

The subject application conforms to the intent of the Official Plan regarding the creation of a lot in the Urban Area. Planning staff support this application and recommend that it be approved.

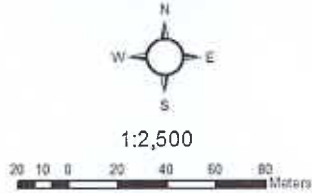
Prepared and Written By:
Alisha Cull, BES
Planner
For more information, call:
519.426.5870 ext. 1893

Reviewed and Submitted By:
Mat Vaughan, BES, MCIP, RPP
Senior Planner
For more information, call:
519.426.5870 ext. 1840

MAP 1

File Number: ANPL2015224 &
ANPL2015225 & BNPL2015226

Urban Area of
SIMCOE



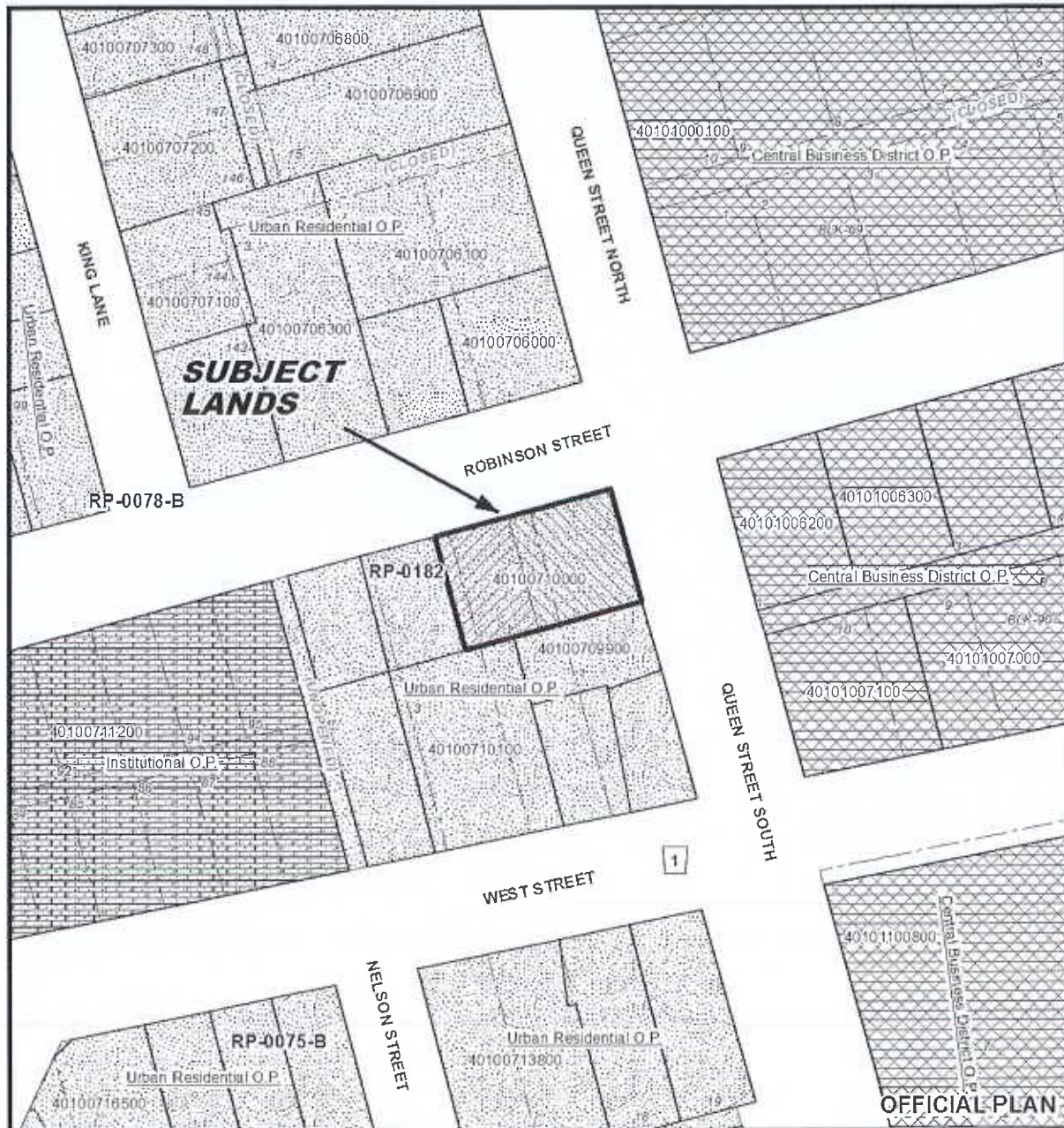
Date: 02/12/2015

MAP 2

File Number: ANPL2015224 & ANPL2015225
& BNPL2015226
Urban Area of SIMCOE



1:1,000



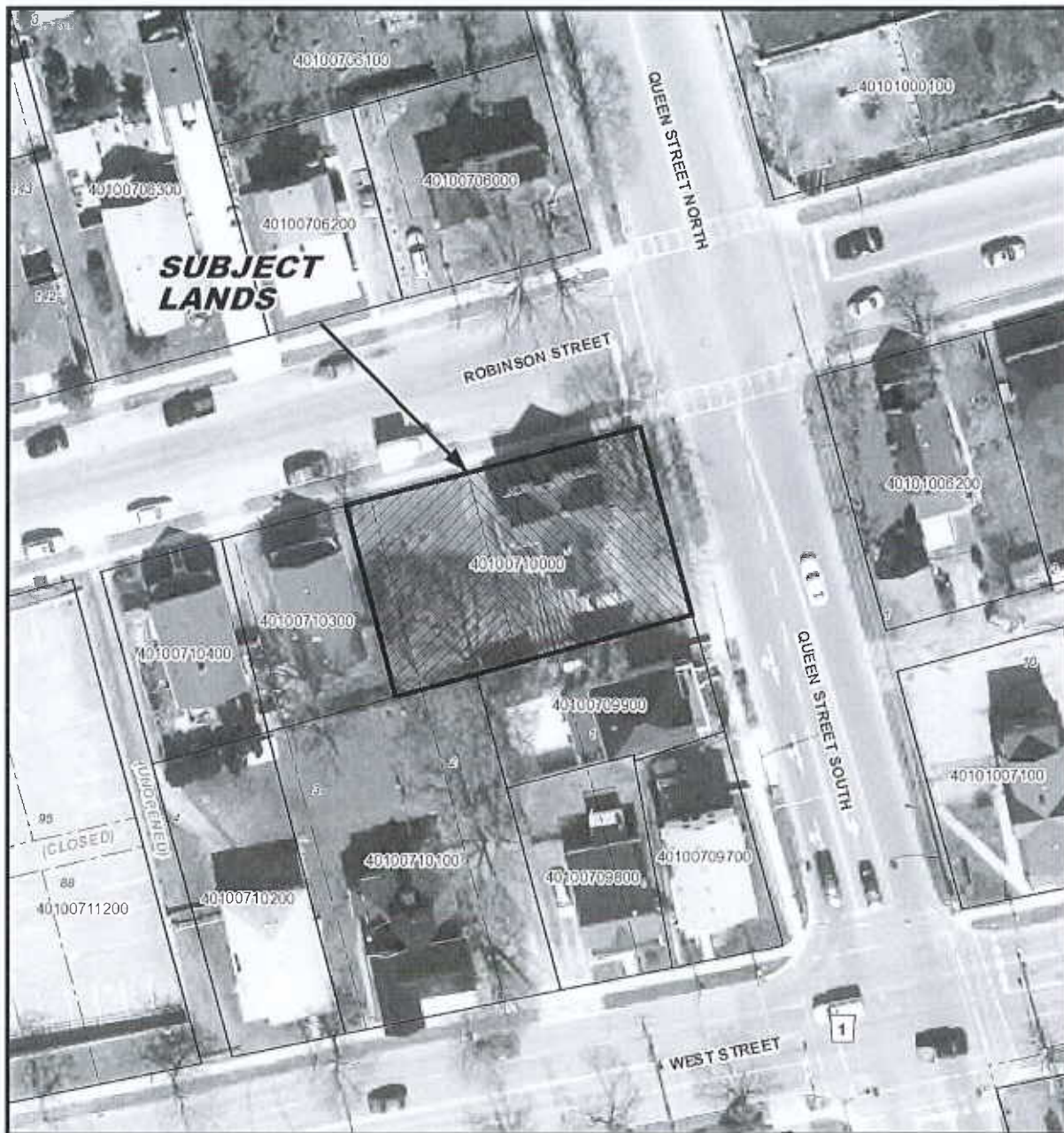
Date: 02/12/2015

MAP 3

File Number: ANPL2015224 & ANPL2015225
& BNPL2015226
Urban Area of SIMCOE



1:600

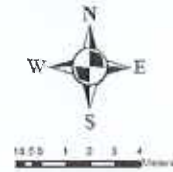


Date: 02/12/2015

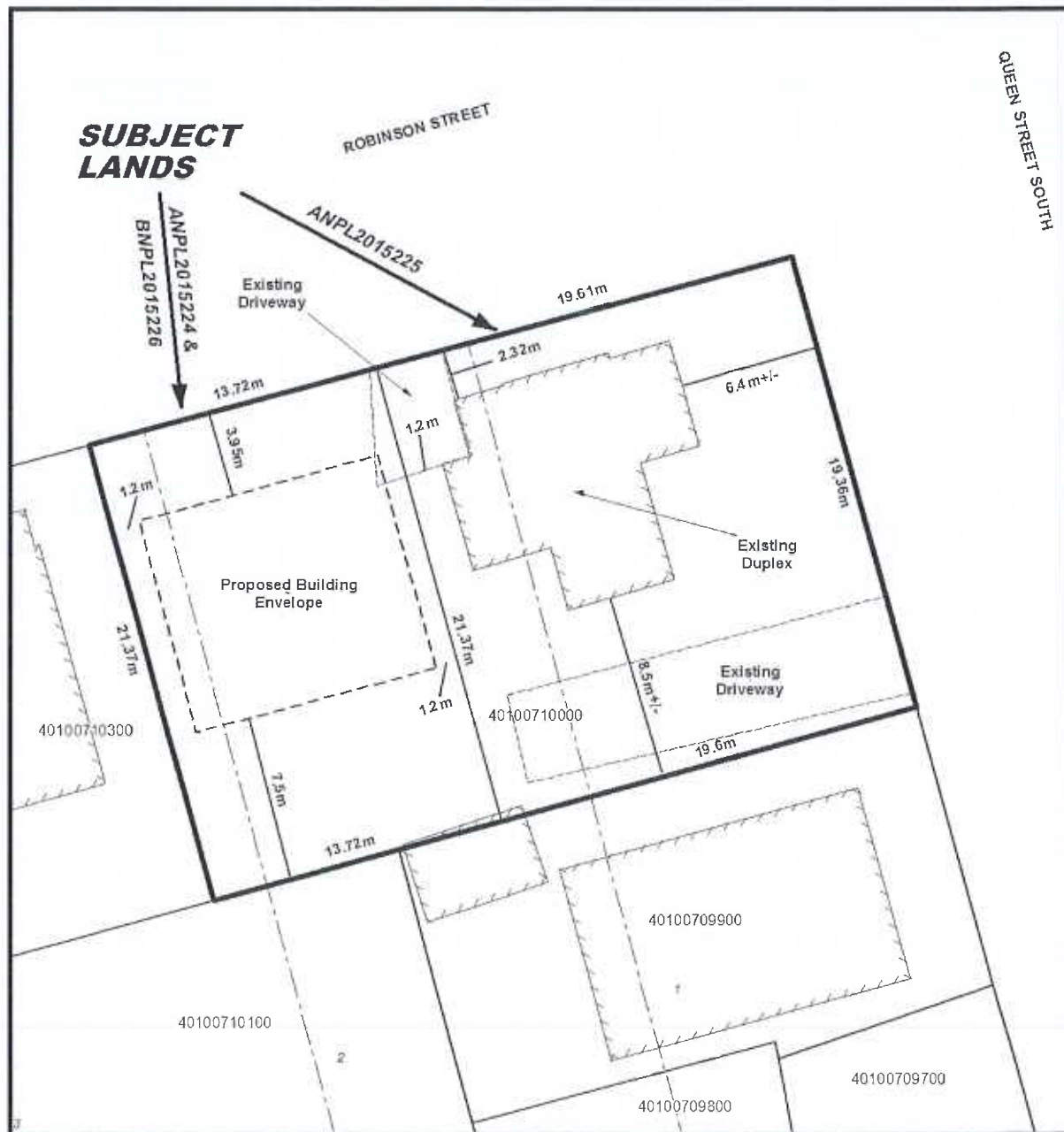
MAP 4

File Number: ANPL2015224 & ANPL2015225
& BNPL2015226

Urban Area of SIMCOE



1:250



Date: 08/12/2015

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Receipt of a letter from Norfolk County indicating that their requirements, financial or otherwise have been satisfied including:
 - a) ☒ Cash-in-lieu of parkland dedication be paid in accordance with Section 51.1 of the Planning Act, R.S.O. 1990, c.p. 13 (**\$350.00** – amount may be revised from time to time);
 - b) ☒ Payment of any outstanding taxes;
2. ☒ Receipt of a letter from the Public Works and Environmental Services Department indicating that their requirements have been satisfied concerning an entrance permit for the severed parcel.
3. ☒ Receipt of a letter from the Public Works and Environmental Services Department indicating that the applicant has disconnected the existing sanitary sewer lateral to the retained parcel at the main and installed a new sanitary service on the retained parcel
4. ☒ Receipt of a letter from the Secretary-Treasurer indicating that new civic addressing has been assigned to the satisfaction of the GIS Section.
5. ☒ Receipt of a letter from the Public Works and Environmental Services Department indicating that water and sewer connections have been installed to the severed parcel.
6. ☒ Receipt of five copies of the registered reference plan for the severed parcel of land.
7. ☒ Receipt of three copies of the deed for the severed parcel of land, or if filing by electronic registration, receipt of the PIN print-out and three copies of the Transfer in Preparation.
8. ☒ That the solicitor acting in the transfer provides an undertaking to provide the Secretary-Treasurer with a copy of the first page of the Receipted Transfer upon completion of the electronic registration.
9. ☒ That the above conditions must be fulfilled and the Certificate of Official for consent be issued on or before the lapsing date noted below after which time the consent will lapse.

LAPSING DATE: February 17, 2017



Development and Cultural Services
Community Planning Division
185 Robinson Street, Suite 200, Simcoe, ON N3Y 5L6
519-426-5870 519-875-4485 519-582-2100

COMMITTEE OF ADJUSTMENT DECISION FILE NUMBER: BNPL2015226

APPLICANT: EARL AND MARY-LOU LUKE

ROLL NUMBER: 3310401007100000000
LOCATION: PLAN 182 BLK 89 PT LOT 1 (252 Robinson Street, Simcoe)
DECISION DATE: February 17, 2016

DECISION:

APPROVED

In the case of an Application for Consent as made under Section 53 of the Planning Act, R.S.O., 1990, as amended:

PROPOSAL:

An application has been received to sever a parcel having a frontage of 13.72 m, a depth of 21.37 m, and a lot area of 293.5 sq m, and retain a parcel having a frontage of 19.36 m (Queen Street), a depth of 19.61 m, and a lot area of 420.70 sq m as the creation of a new lot within the Urban Area.

^{ERPC}
MOVED BY: Eric Gilbert

^{DAN}
SECONDED BY: [Signature]

MEMBERS CONCURRING IN THE ABOVE RULING:

[Signature]
MARCEL VANHOOREN

[Signature]
DENNIS TSCHIRHART

[Signature]
RUDY STICHEL

[Signature]
LARRY LAWSON

[Signature]
DAN CIONA

[Signature]
ERIC GILBERT

MOTION CARRIED: [Signature]
CHAIRMAN: RICHARD BARKER

REASON:

The subject application conforms to the intent of the Norfolk County Official Plan regarding lot creation in the urban area.

**IF APPROVED: IS SUBJECT TO THE CONDITIONS STATED ON THE REVERSE
OF THIS NOTICE OF DECISION OF THE COMMITTEE OF ADJUSTMENT.**

CERTIFICATION:

I hereby certify this to be a true copy of the Committee of Adjustment decision and this decision was concurred with by a majority of the members who heard the application at a meeting duly held on February 17, 2016:

SECRETARY-TREASURER:

[Signature]
SHERRY MOTT

APPEALS:

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice may be filed in the name of an individual who is a member of the association or group.

**NOTICE OF LAST DAY FOR FILING APPEAL TO THE ONTARIO
MUNICIPAL BOARD:**

(The Planning Act, R.S.O. 1990, as amended, c.p. 13, Section 53(19)) Any person or public body may, not later than twenty days after the giving of a written decision, appeal the decision and/or any condition imposed by Norfolk County, Committee of Adjustment to the Ontario Municipal Board. If you wish to appeal to the OMB, a copy of an appellant form is available

ADDITIONAL INFORMATION: If you require additional information

FILE NUMBER: BNPL2015226

APPLICANT: LUKE EARL and MARY-LOU

DECISION DATE: February 17, 2016

CONDITIONS:

1. Payment of any outstanding taxes
2. Receipt of a letter from the Public Works and Environmental Services Department indicating that their requirements have been satisfied concerning an entrance permit.
3. Cash-in-lieu of parkland dedication be paid in accordance w/Section 51.1 of the Planning Act, R.S.O. 1990, c.p. 13 (\$350.00 - amount may be revised from time to time).
4. Receipt of a letter from the Public Works and Environmental Services Department indicating that the applicant has disconnected the existing sanitary sewer lateral to the retained parcel at the main and installed a new sanitary service on the retained parcel.
5. Receipt of a letter from the Secretary-Treasurer indicating that a new civic address has been assigned to the satisfaction of the GIS Section-Division.
6. Receipt of a letter from the Public Works and Environmental Services Department indicating that water and sewer connections have been installed to the severed parcels.
7. Receipt of five copies of the registered reference plan for the severed parcel of land.
8. Receipt of three copies of the deed for the severed parcel of land, or if filing by electronic registration, receipt of the PIN print-out and three copies of the Transfer in Preparation.
9. That the solicitor acting in the transfer provide an undertaking to provide the Secretary-Treasurer with a copy of the first page of the Receipted Transfer upon completion of the electronic registration.
10. That the above conditions must be fulfilled and the Certificate for consent be issued on or before the lapsing date noted below after which time the consent will lapse.

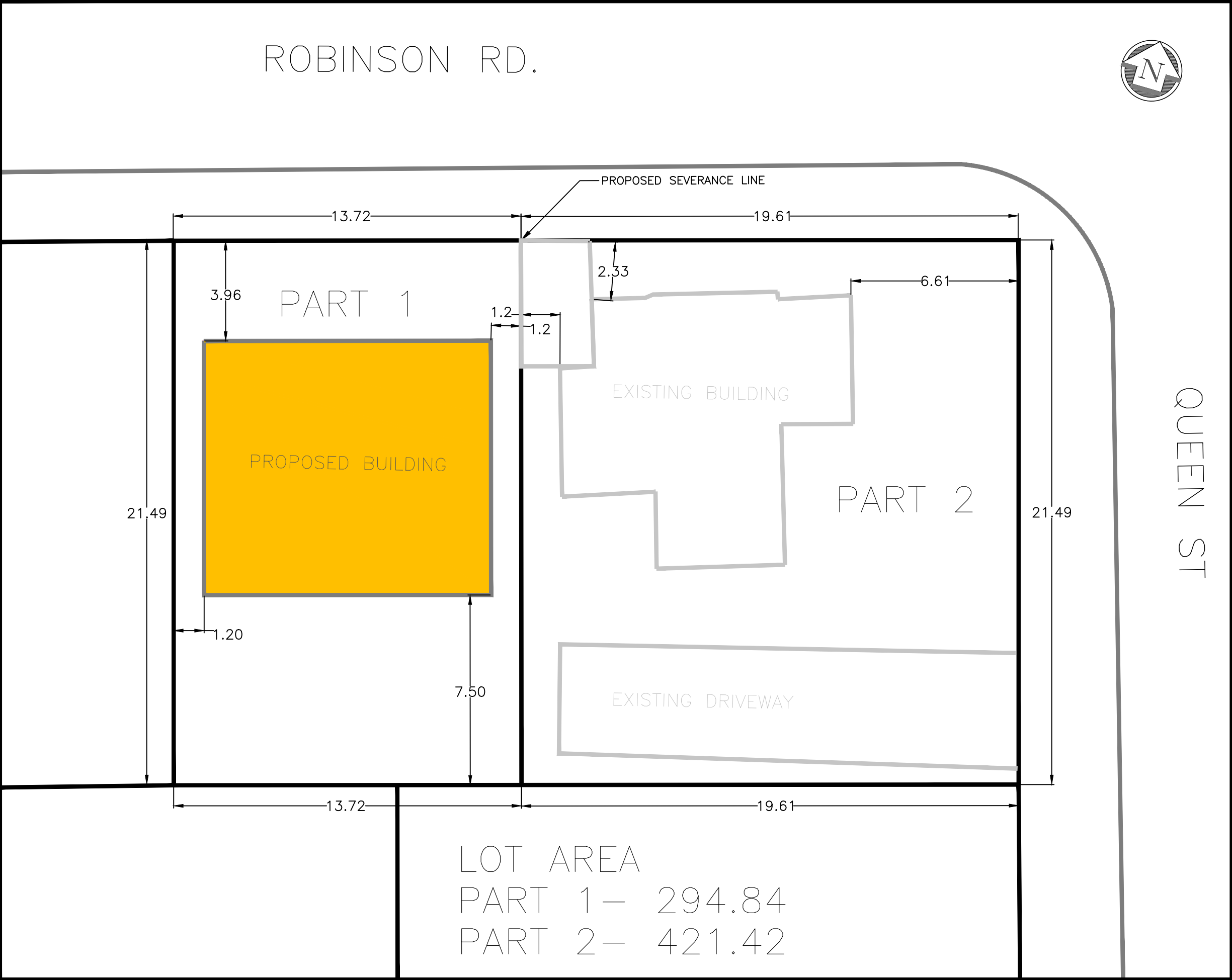
LAPSING DATE: February 17, 2017

ADDITIONAL INFORMATION

TO DISCUSS THE REQUIREMENTS OF YOUR CONDITIONS, PLEASE CONTACT:

Sherry Mott
Secretary-Treasurer, Committee of Adjustment
Norfolk County
185 Robinson Street, Suite 200
Simcoe, ON N3Y 5L6
519-426-5870 ext 1835
committee.of.adjustment@norfolkcounty.ca

DEADLINE FOR COMPLETING CONDITIONS: All conditions of approval, as specified in the decision of Committee of Adjustment, must be completed within 1 year of the date the decision was given (the deadline date for fulfilling conditions is noted on your copy of the decision). If conditions are not completed within the deadline date, pursuant to Section 53(41) of the Planning Act, RSO 1990, c.P.13, as amended, approval of the application will automatically be rescinded and the application deemed to be refused. Should this occur and you still wish to proceed with the application you will be required to file a new application and pay the associated application fee.



DATE	REVISION
SEPT 13TH, 2022	ISSUED TO CLIENT

Stamp



vallee
*Consulting Engineers,
Architects & Planners*

G. DOUGLAS VALLEE LIMITED
CONSULTING ENGINEERS AND ARCHITECT
2 TALBOT STREET NORTH
SIMCOE, ONTARIO N3Y 3W4
(519) 426-6270

Project Title

ROBINSON

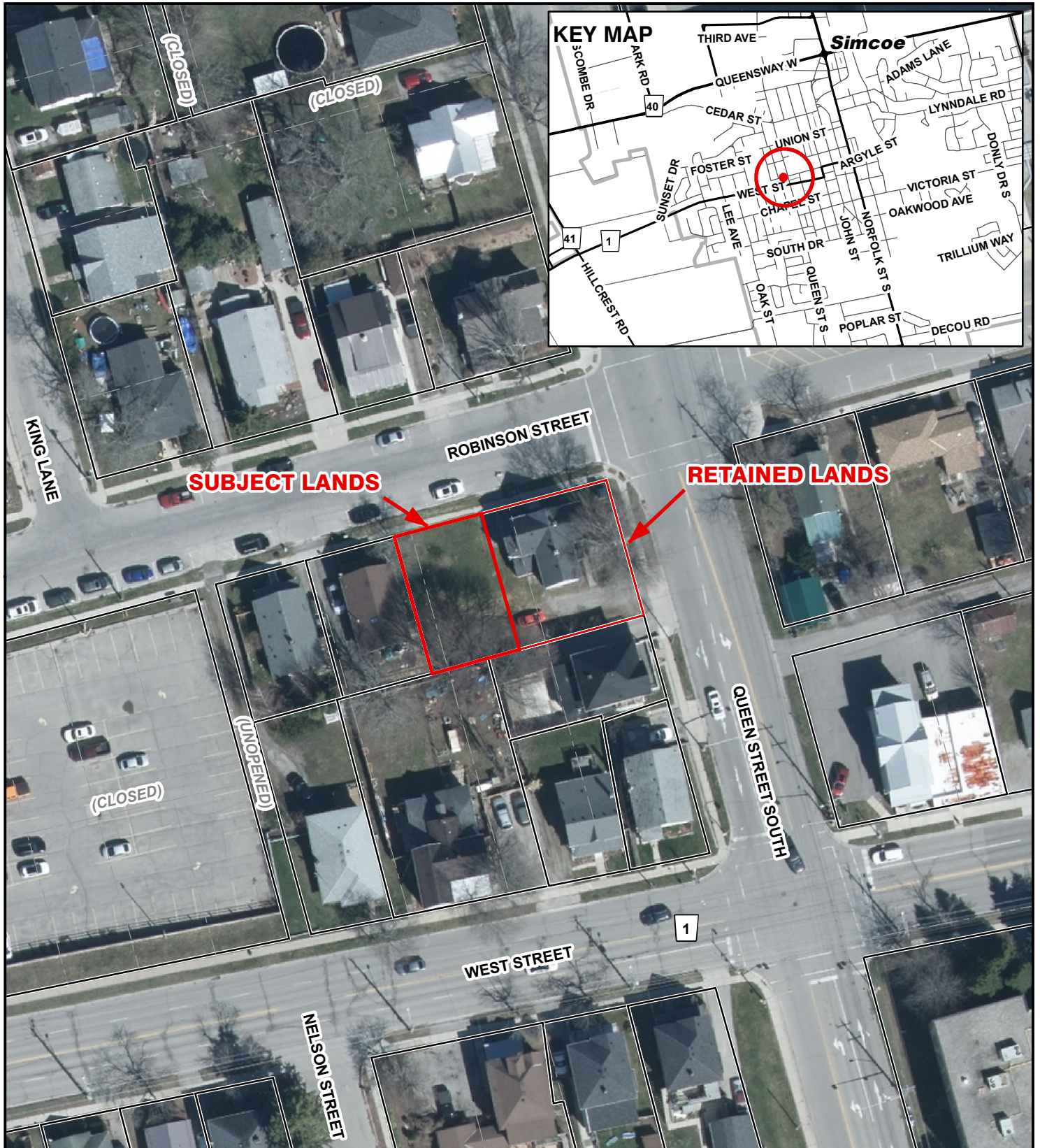
Drawing Title

SEVERANCE PLAN

Designed by : KRA	Drawn By : KRA	Checked By : JTI
Scale : 1:150	Date : SEPT 08, 2022	Drawing No. 01
Project No. 22-160		

MAP A
CONTEXT MAP
 Urban Area of SIMCOE

BNPL2022316

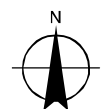


Legend

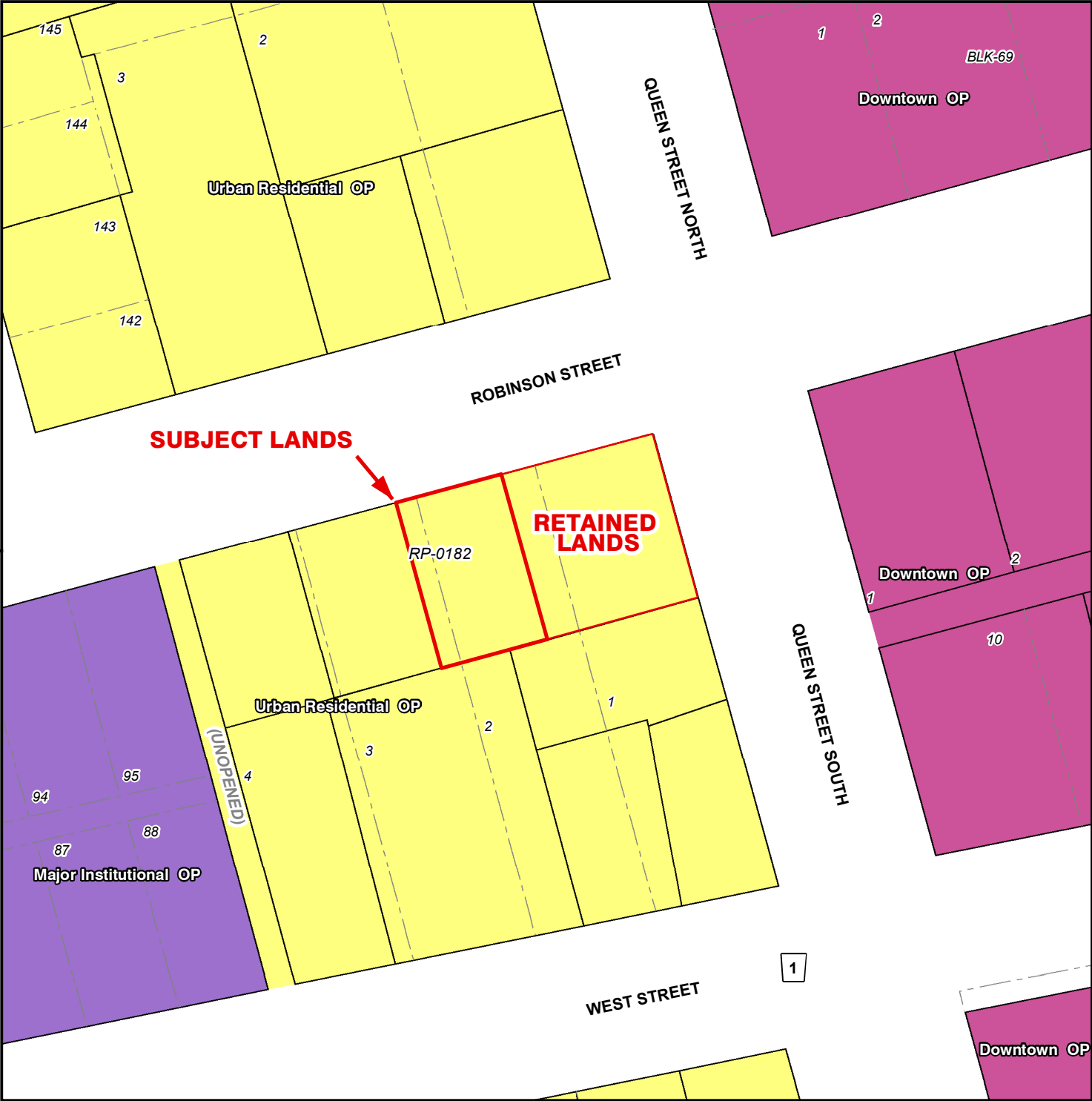
- Subject Lands
- Lands Owned

2020 Air Photo



10/28/2022







6.5 3.25 0 6.5 13 19.5 26 Meters



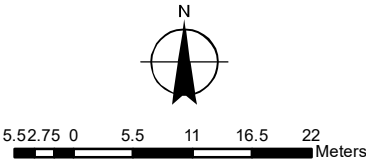
Legend

-  Subject Lands
-  Lands Owned

Official Plan Designations

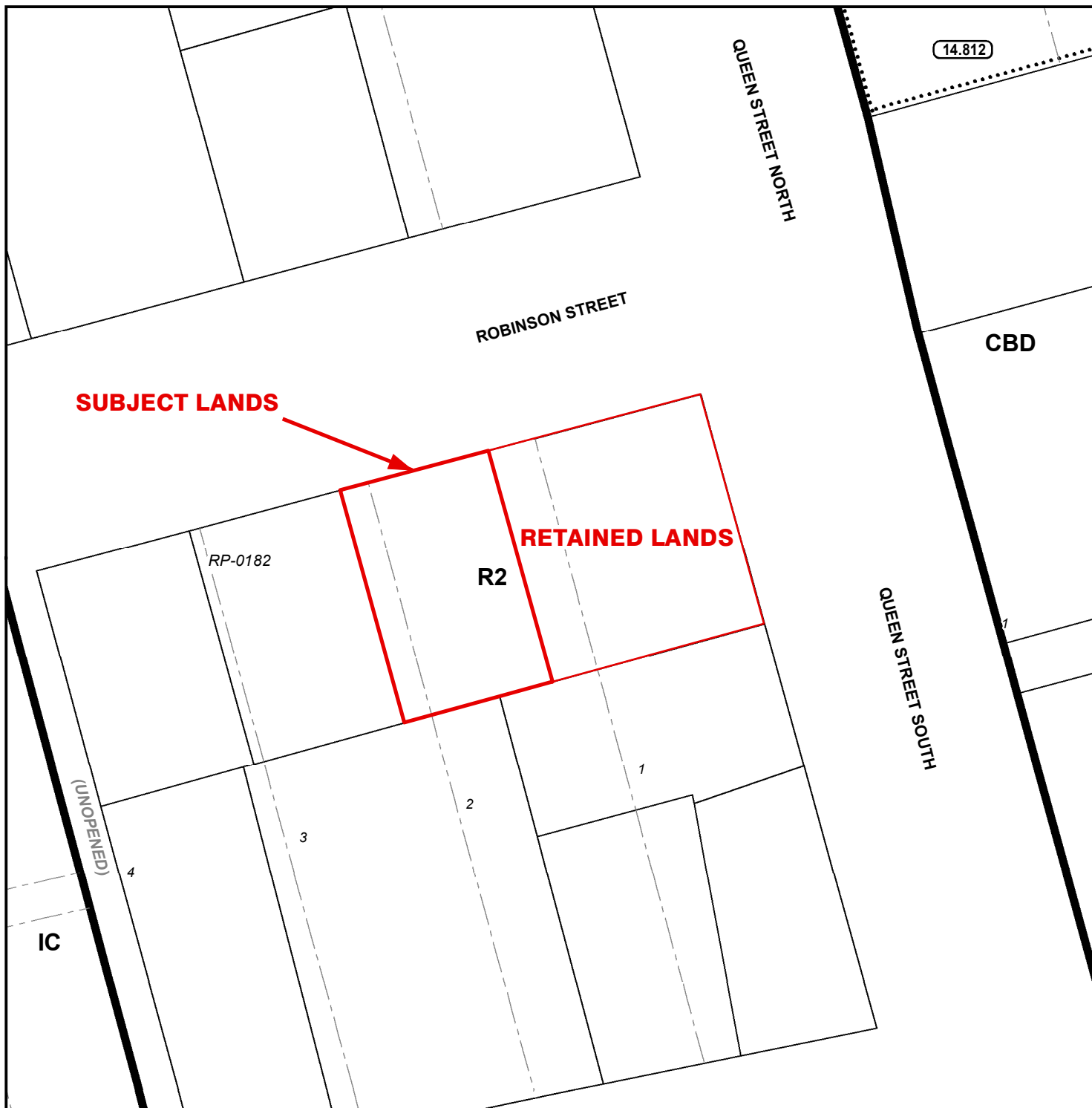
-  Urban Residential
-  Downtown
-  Major Institutional
-  Urban Area Boundary

10/28/2022



MAP C
ZONING BY-LAW MAP
Urban Area of SIMCOE

BNPL2022316



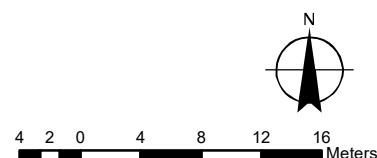
LEGEND

- Subject Lands
- Lands Owned

ZONING BY-LAW 1-Z-2014

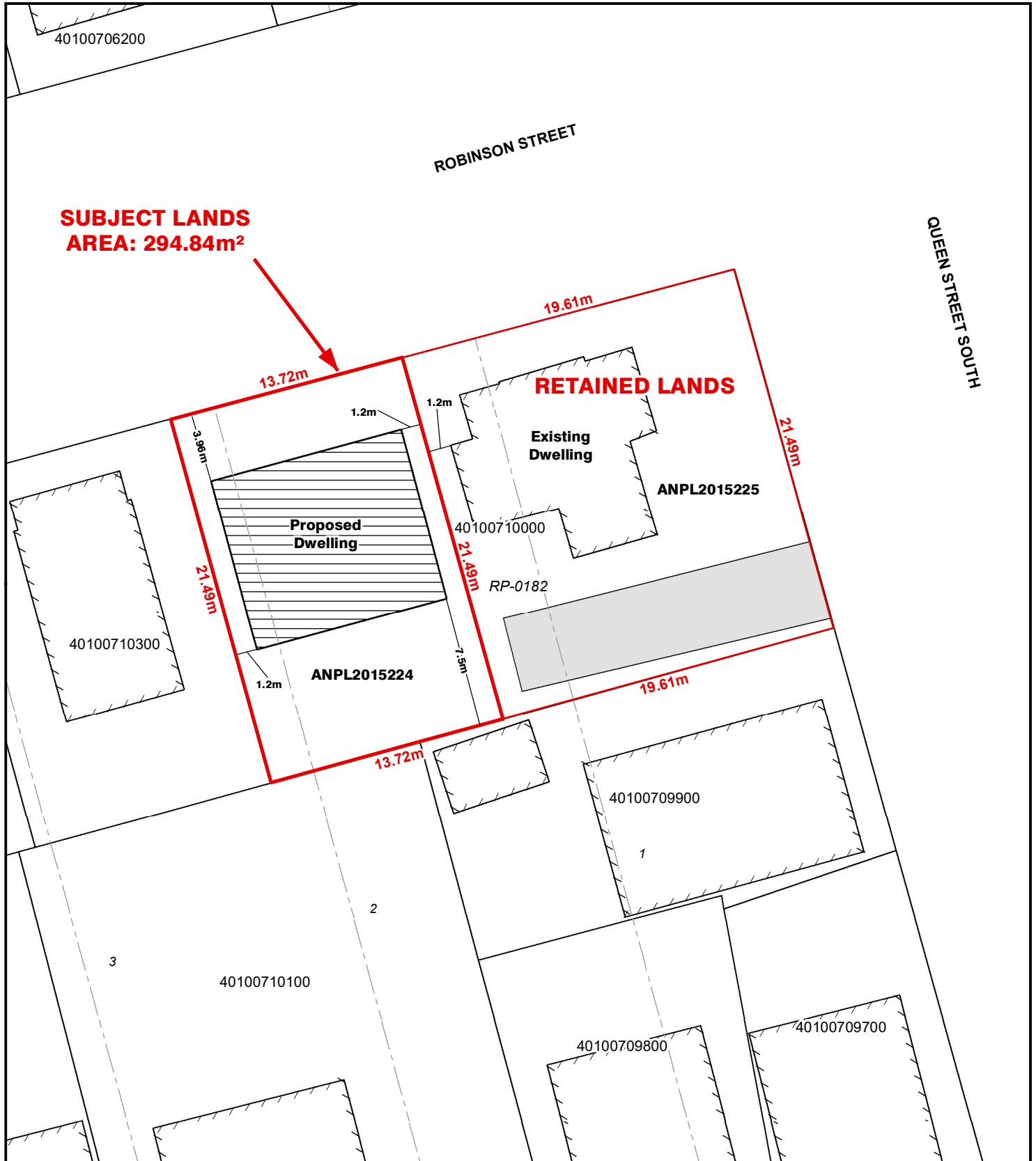
10/28/2022

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



CONCEPTUAL PLAN

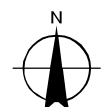
Urban Area of SIMCOE



Legend

- Subject Lands
- Lands Owned

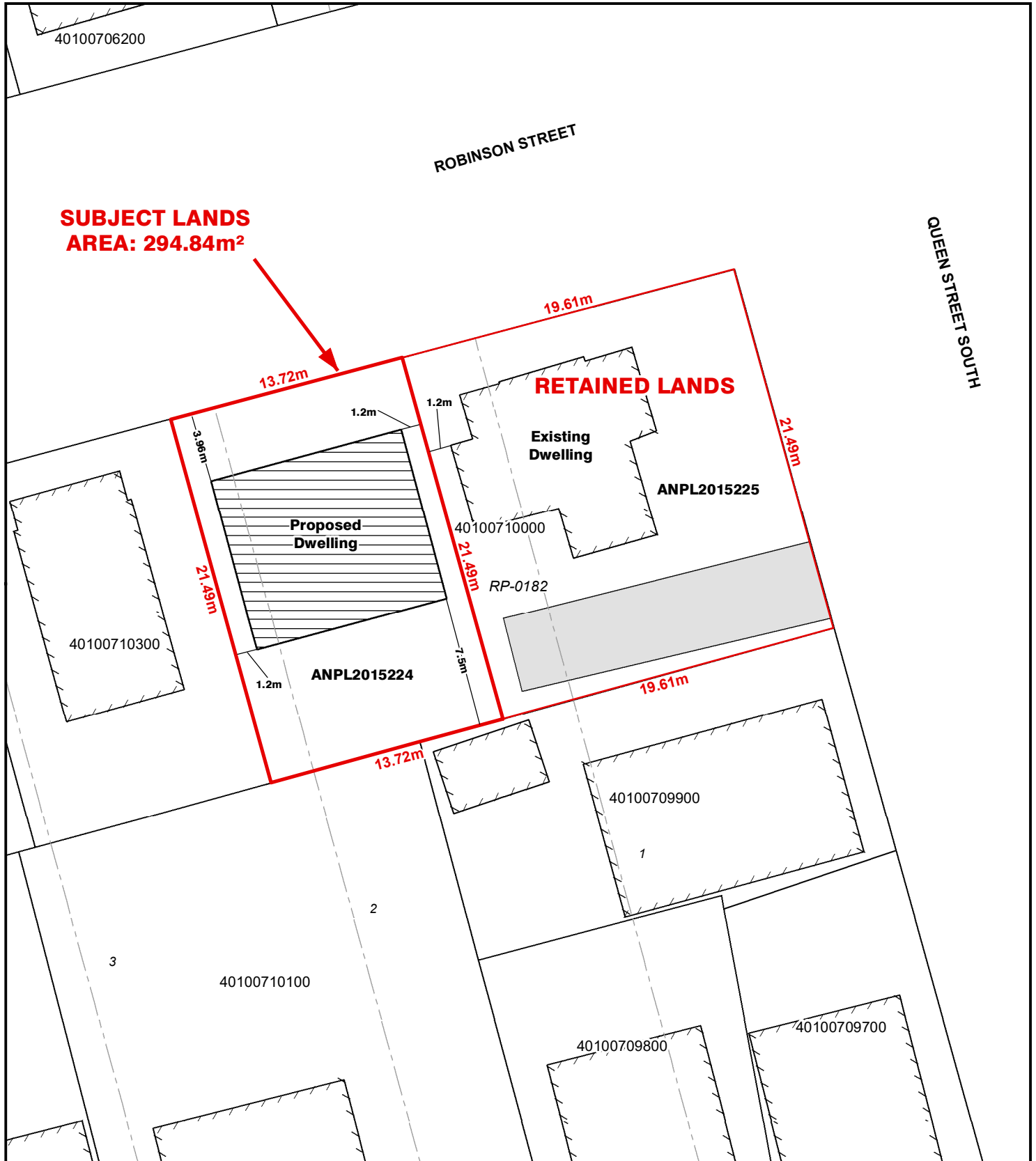
10/28/2022



2.5 1.25 0 2.5 5 7.5 10 Meters

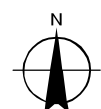
CONCEPTUAL PLAN

Urban Area of SIMCOE



Legend

- Subject Lands
- Lands Owned



10/28/2022

2.5 1.25 0 2.5 5 7.5 10 Meters