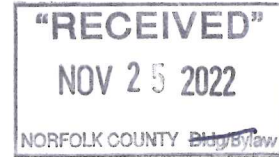


MHN

LAWYERS LLP

November 25th, 2022



ORIGINALS BY COURIER, COPY BY EMAIL

Norfolk County
185 Robinson Street
Simcoe, Ontario
N3Y 5L6

Attention: Sherry Mott
Secretary-Treasurer, Committee of Adjustment

Dear Madam:

Re: Applicant: Stephaney Jaff Junior Rowe
Property: 199 Wellington Street, Waterford, Ontario

This is further to your October 3rd, 2022 email for this matter.

As you are aware, severance and minor variance consents were given for the above property on December 18th, 2019 (refer to Committee of Adjustment File Numbers: BNPL2019306 and ANPL2019304). The severance was not implemented by the lapse date because of misunderstanding regarding the satisfaction of conditions 4. and 5. in the severance decision.

Norfolk County has agreed to allow my client to file a new Application with the application fee waived.

I therefore enclose an executed Committee of Adjustment Application to Planning Department. I kept the content identical to that in the 2019 Application (since it was previously approved as complete).

Please place this Application on the next available hearing date. **Please ensure the assigned Planner lets the Committee know that severance approval was already provided per the above file numbers.**

39 Colborne Street North Simcoe Ontario N3Y 3T8

R. Paul Hosack~
Chris Nunn
Jamie Pereira~

Maria Kinkel~
Peter Karsten~

Emma Brown
Josh Herter

www.mhnlawyers.com

Phone: 519.426.6763

Fax: 519.426.2055

~ Professional Corporation

Thank you.

Yours truly,

MHN LAWYERS LLP


W. Christopher Nunn

WCN/jm
Encl.

39 Colborne Street North Simcoe Ontario N3Y 3T8

R. Paul Hosack~
Chris Nunn
Jamie Pereira~

Maria Kinkel~
Peter Karsten~
Helen Button

Emma Brown
Stacey Weatherbee*

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Phone: 519.426.6763

Fax: 519.426.2055

*~ Professional Corporation, *Paralegal*

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 responsibly 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:	ANPL2023024		
File Number	BNPL2023023	Application Fee	Waived
Related File Number	BNPL2019306	Conservation Authority Fee	
Pre-consultation Meeting	ANPL2019204	Well & Septic Info Provided	N/A
Application Submitted	Resub. Jan 16, 2022	Planner	Hanne Yager
Complete Application	Jan 17, 2023	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: 33-10-335-030-20100-0000

A. Applicant Information

Name of Owner Stephaney Jaff Junior Rowe and Karlene Lana Rowe (deceased, to be removed from title)

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 74 Auty Street

Town and Postal Code Waterford, Ontario N0E 1Y0

Phone Number _____

Cell Number 519-802-4405

Email _____

Name of Applicant Same

Address _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

Name of Agent W. Christopher Nunn

Address 39 Colborne Street North

Town and Postal Code Simcoe, Ontario N3Y 3T8

Phone Number 519-426-6763

Cell Number _____

Email nunn@mhnlawyers.com

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

☐ Owner ☒ Agent ☐ Applicant

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

None.

B. Location, Legal Description and Property Information

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

Part Lot 2, Block 35, Plan 19B, as in NR396827; Norfolk County (P.I.N. 50280-0155 (LT))

Municipal Civic Address: 199 Wellington Street, Waterford, Ontario

Present Official Plan Designation(s): Urban Residential

Present Zoning: R1-A

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

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 Schedule "A" attached. House to remain on "RETAINED PARCEL".

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 detached dwelling to be constructed on "SEVERED PARCEL", the details of the construction have yet to be determined.

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:

Unknown

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	See Sketch attached				
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)	See Sketch attached				
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:

A severance is required to comply with the Planning Act and to avoid two (2) detached dwellings being on the same parcel of land. Minor variances required.

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

Frontage: _____

Depth: _____

Width: See Sketch attached

Lot Area: See Sketch attached

Present Use: Vacant

Proposed Use: Residential

Proposed final lot size (if boundary adjustment): N/A

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

Description of land intended to be retained in metric units:

Frontage: _____

Depth: See Sketch attached

Width: See Sketch attached

Lot Area: See Sketch attached

Present Use: Residential

Proposed Use: Same

Buildings on retained land: _____

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

Frontage: _____

Depth: _____

Width: _____
Area: _____
Proposed Use: _____

5. Surplus Farm Dwelling Severances Only: List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation

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

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

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

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

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

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

D. All Applications: Previous Use of the Property

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☐ Yes ☒ No ☐ Unknown

If yes, specify the uses (for example: gas station, or petroleum storage):

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

3. Provide the information you used to determine the answers to the above questions:
Owner's personal 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:

Not required.

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:

Not required

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:

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.

Karlene Lana Rowe is deceased. She will be removed from title.

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

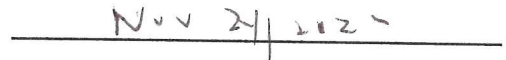
Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

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



Date

J. Owner's Authorization

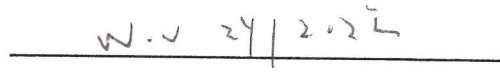
If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We Stephaney Jaff Junior Rowe am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize W. Christopher Nunn 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



Date

Owner

Date

***Note:** If property is owned by an Ontario Ltd. Corporation, Articles of Incorporation are required to be attached to the application.

I, Stephaney Jaff Junior Rowe of Norfolk County

Norfolk County



In the Province of Ontario

This 24th day of November,

A.D., 2022

Norfolk
COUNTY

PURPOSE OF DEVELOPMENT APPLICATION

The Applicant/Owner intends to construct a single detached dwelling on the "SEVERED PARCEL" and will obtain a building permit for that purpose. The Applicant/Owner also requires minor variances as follows from the applicable R1-A zone provisions:

- a) Seek relief of 123 square metres from the "minimum lot area" of 450 square metres (the Severed Parcel will have a lot area of 327 square metres).
- b) Seek relief of 1.2 metres from the "minimum front yard" of 6 metres (the proposed dwelling to be constructed on the Severed Parcel will have a front yard of 4.8 metres).
- c) Seek relief of 1.7 metres from the "minimum rear yard" of 7.5 metres (the proposed dwelling to be constructed on the Severed Parcel will have a rear yard of 5.8 metres).

SKETCH OF
PART OF LOT 2, BLOCK 35
REGISTERED PLAN 19B
NORFOLK COUNTY
SCALE 1:300



MacAULAY, WHITE & MUIR LTD.

REGISTERED

LOT
BLOCK



WELLINGTON STREET

1 STOREY
BRICK HOUSE
CIVIC No. 193

PARKING 1
PARKING 2

1 1/2 STOREY
VINYL SIDED HOUSE
CIVIC No. 199

RETAINED PARCEL

SEVERED PARCEL

PROPOSED
BUILDING

PARKING 1

PARKING 2

HALL STREET

NOTE:

THE PURPOSE OF THIS SKETCH IS TO ASSIST IN OBTAINING A SEVERANCE.

AREA OF THE RETAINED PARCEL IS 427 SQUARE METRES.

THE AREA OF THE PROPOSED SEVERANCE IS 327 SQUARE METRES.

MAY 31, 2018

MacAULAY, WHITE & MUIR LTD.

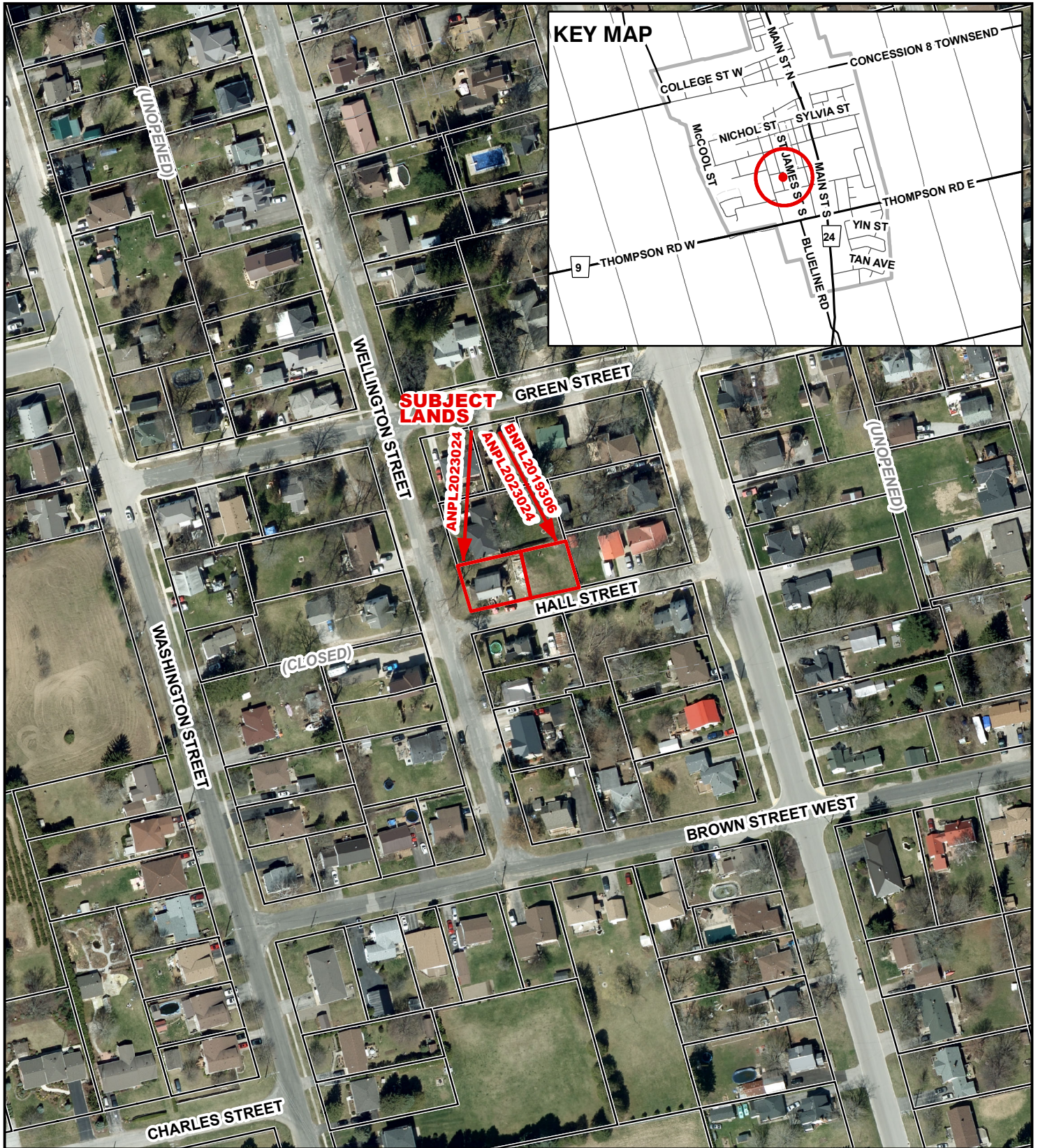
ONTARIO LAND SURVEYORS - CANADA LANDS SURVEYORS
440 HARDY ROAD, UNIT 2, BRANTFORD, ONTARIO, N3T 5L8
TEL 519-752-0040 FAX 519-752-0087 mwmssurvey@bellnet.co

18-049
SKETCH

SCHEDULE 1A

MAP A
CONTEXT MAP
Urban Area of WATERFORD

BNPL2023023
ANPL2023024

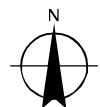


Legend

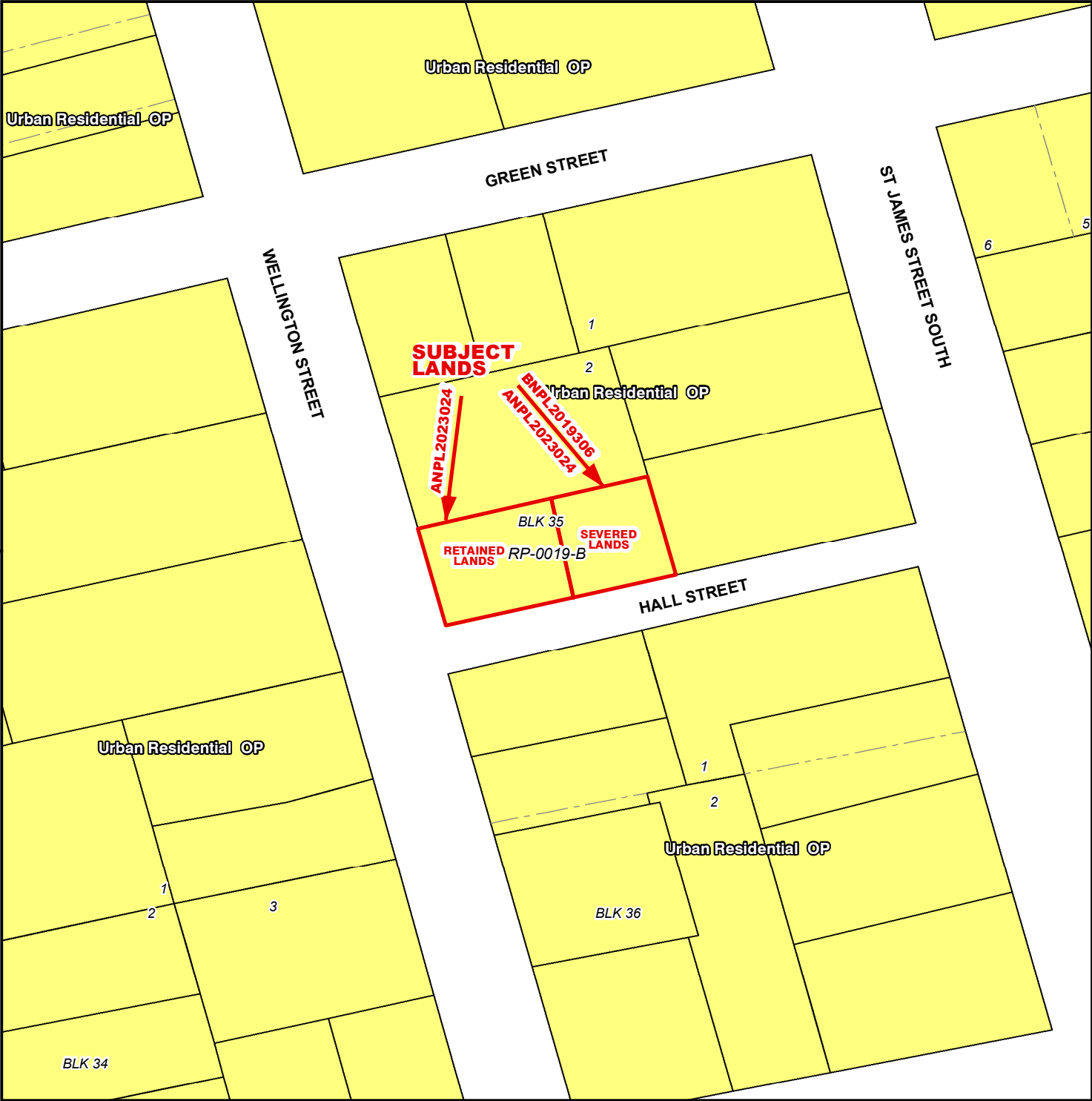
 Subject Lands

2020 Air Photo

1/19/2023



10 5 0 10 20 30 40
Meters



Legend

 Subject Lands

 Urban Area Boundary

Official Plan Designations

 Urban Residential

1/19/2023



8

4

0

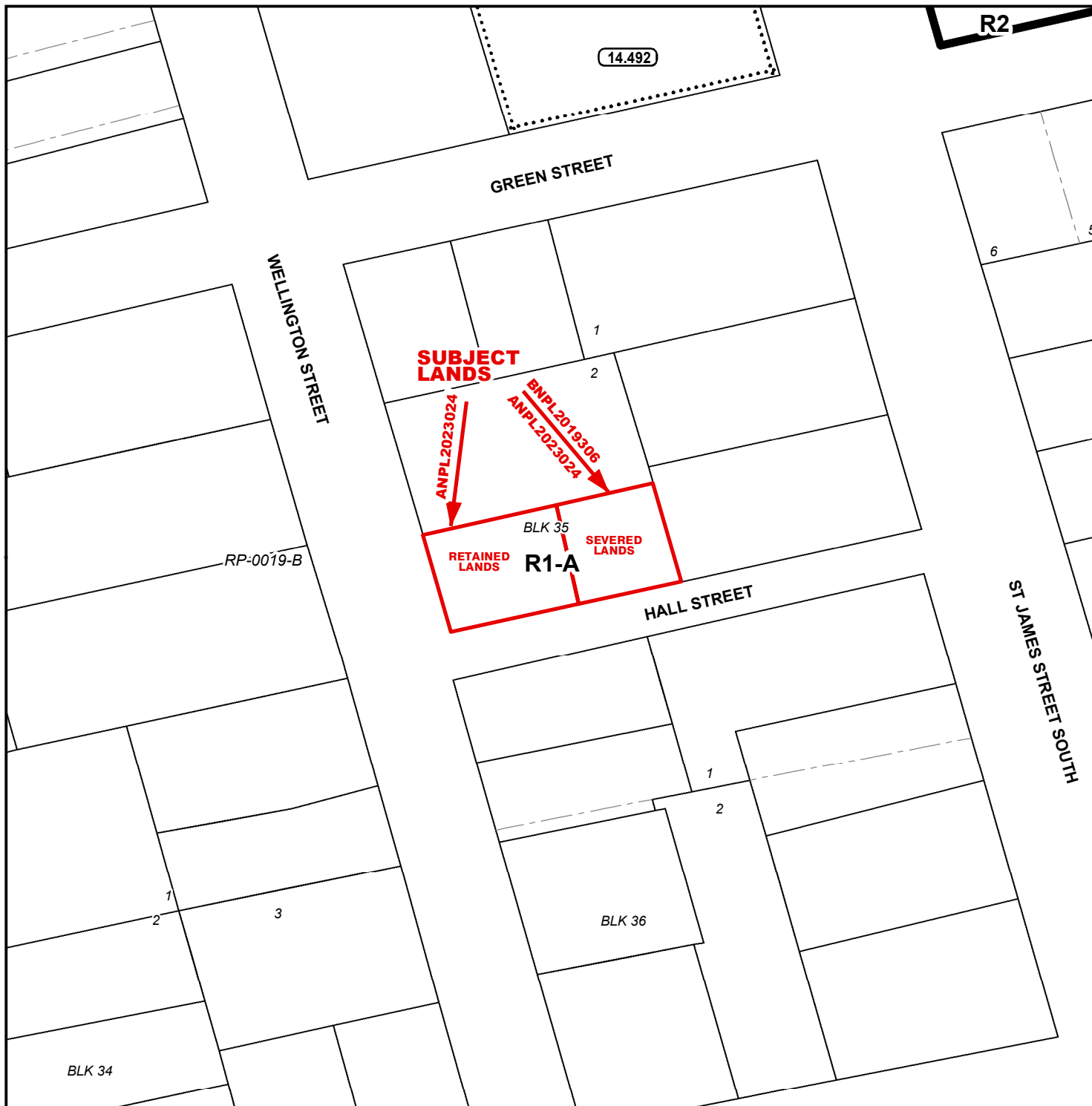
8

16

24

32

Meters



LEGEND

Subject Lands

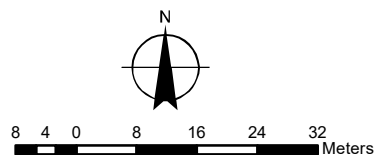
ZONING BY-LAW 1-Z-2014

1/19/2023

(H) - Holding

R1-A - Residential R1-A Zone

R2 - Residential R2 Zone



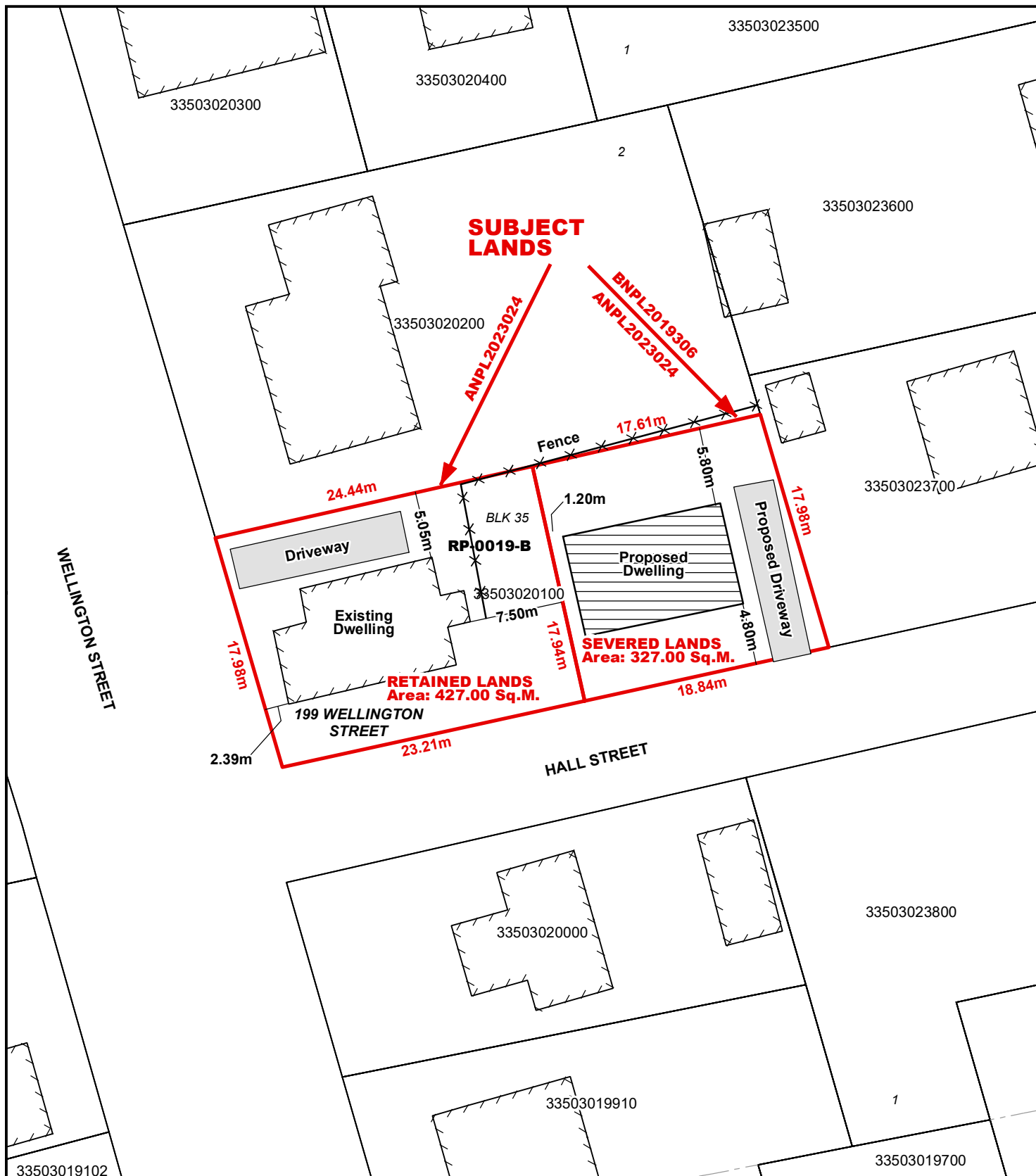
MAP D

CONCEPTUAL PLAN

Urban Area of WATERFORD

BNPL2023023

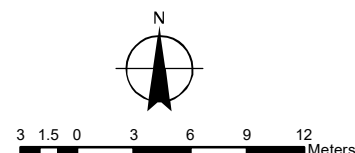
ANPL2023024



Legend

Subject Lands

1/19/2023



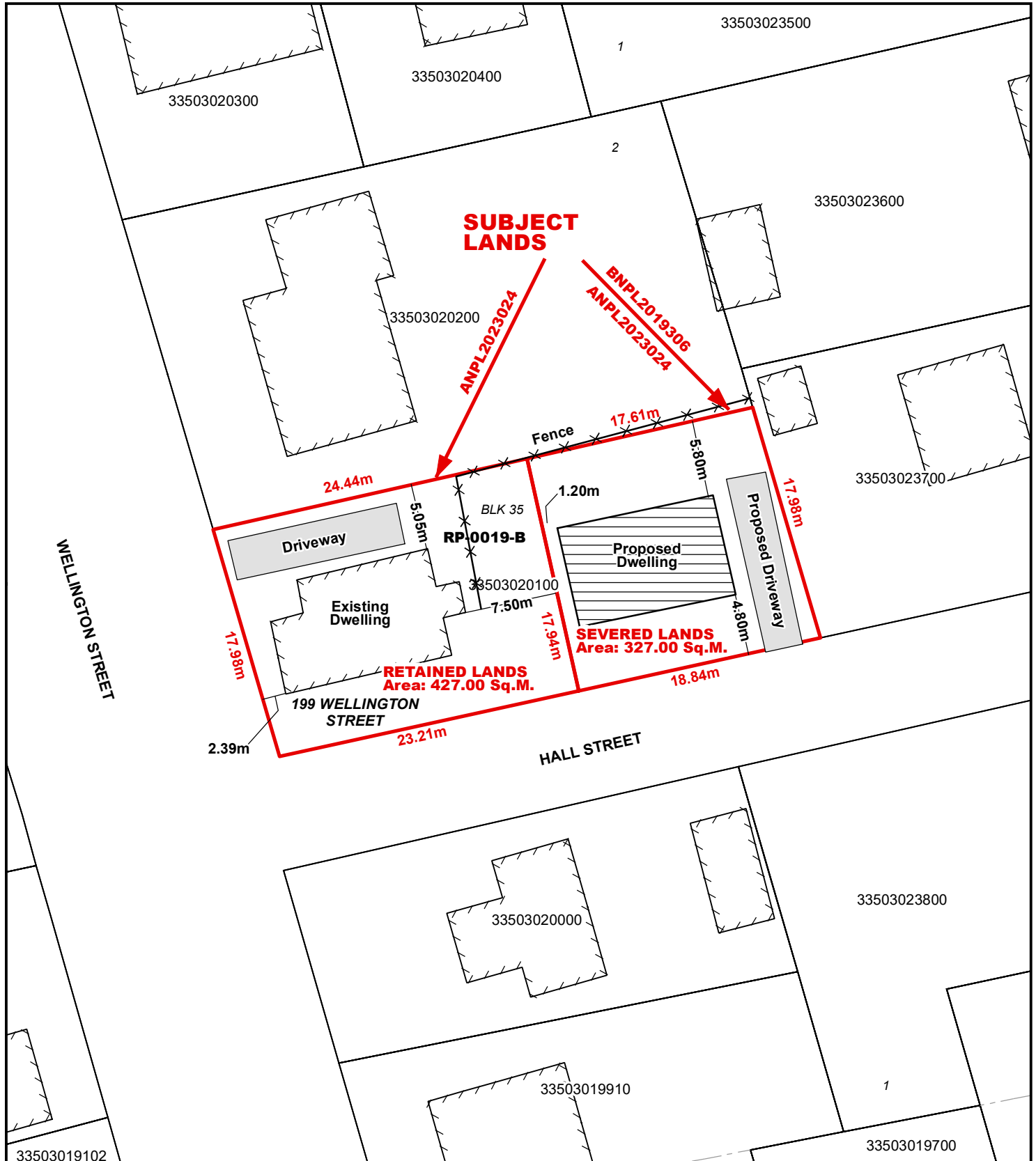
LOCATION OF LANDS AFFECTED

CONCEPTUAL PLAN

Urban Area of WATERFORD

BNPL2023023

ANPL2023024



Legend

Subject Lands

1/19/2023

