



## Committee of Adjustment Application to Planning Department

### Complete Application

A complete development application consists of the following:

1. A properly completed and signed application form (signature must be original in planners file);
2. Supporting information adequate to illustrate your proposal as indicated 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 user fees By-Law.

The above information is 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.

### Pre-Consultation

A pre-consultation meeting is not 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 a pre-consultation meeting is to provide the applicant with an opportunity to present the proposed application, to discuss potential issues and to determine the required information and materials to be submitted with the application in order for it to be considered complete by staff. The applicant has the opportunity to make revisions to the application prior to submission, without the additional costs of recirculation fees. It may be appropriate to seek the assistance of independent professional help (for example a planning consultant or engineer) for complex applications.

### Processing the Development Application

Once an application has been deemed complete by a planner, it will be circulated to public agencies and County departments for review and comments. Notice of the application is also provided to adjacent land owners. The comments received assist the planner with the review and recommendation/approval of your application. The time involved in processing an application varies depending upon its complexity and its acceptability to the other agencies.

An additional fee will be required if a review by the Long Point Region Conservation Authority or by the Grand River Conservation Authority is deemed necessary by planning staff and/or by the Authority. 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. It should also be noted that 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 will post a notification sign on your property in advance of the public meeting. Please keep this sign posted until you have received a notice in the mail indicating that no appeals were filed.

### **Contact Us**

For additional information or assistance in completing this application, please contact a planner at 519-426-5870 or 519-875-4485 extension 1290 or [planning@norfolkcounty.ca](mailto:planning@norfolkcounty.ca).

Please submit the completed application and fees to:

185 Robinson Street, Suite 200, Simcoe, ON N3Y 5L6

or

22 Albert Street, Langton, ON N0E 1G0

**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:** 33605062868**A. Applicant Information****Name of Owner** Verlinda Homes (C/O Thomas O'Hara)

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** 26 Main St S Box 1152  
**Town and Postal Code** Waterford, ON N0E 1Y0  
**Phone Number** 1-866-781-7653  
**Cell Number** 705-205-3235  
**Email** tom@teamohara.com

**Name of Applicant** Verlinda Homes (C/O Thomas O'Hara)  
**Address** Same as above  
**Town and Postal Code** Same as above  
**Phone Number** 1-866-781-7653  
**Cell Number** 705-205-3235  
**Email** tom@teamohara.com

Name of Agent G. Douglas Vallee Limited  
Address 2 Talbot St. North  
Town and Postal Code Simcoe N3Y 3W4  
Phone Number 519-426-6270  
Cell Number \_\_\_\_\_  
Email Johnvallee@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 agent noted above.

☐ Owner ☒ Agent ☐ Applicant

Names and addresses of any holder of any mortgages, 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 37M-57 Block 61

Municipal Civic Address: 750 Main Street South, Waterford

Present Official Plan Designation(s): Urban Residential and Commercial

Present Zoning: R5(H) and CS

2. Is there a special provision or site specific zone on the subject lands?

☒ Yes ☐ No If yes, please specify:

14.845

3. Present use of the subject lands:

Vacant

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:

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.

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:

See Site Plan

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:

Vacant

9. Existing use of abutting properties:

Parkland and Residential

10. Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes ☒ No If yes, describe the easement or restrictive covenant and its effect:

### C. Purpose of Development Application

Note: Please complete all that apply.

#### 1. Site Information

#### Existing

#### Proposed

Please indicate unit of measurement, for example: m, m<sup>2</sup> or %

Lot frontage	<u>140m</u>	<u>75m</u>
Lot depth	<u>94m</u>	<u>94m</u>
Lot width	<u>140m</u>	<u>75m</u>
Lot area	<u>13,102m<sup>2</sup></u>	<u>7,068.86m<sup>2</sup></u>
Lot coverage	<u>0%</u>	<u>35%</u>
Front yard	<u>n/a</u>	<u>8.9m</u>
Rear yard	<u>n/a</u>	<u>9m</u>
Left Interior side yard	<u>n/a</u>	<u>N/A</u>
Right Interior side yard	<u>n/a</u>	<u>11m</u>
Exterior side yard (corner lot)	<u>n/a</u>	<u>12.6m</u>

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

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

The property is designated as Service Commercial Zone(CS) which does not include retail as a permitted use.

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

Frontage:	<u>65m</u>
Depth:	<u>94m</u>
Width:	<u>65m</u>
Lot Area:	<u>6034m<sup>2</sup></u>
Present Use:	<u>Vacant</u>
Proposed Use:	<u>Residential as per current zoning</u>

Proposed final lot size (if boundary adjustment): Approximately 6,034 m<sup>2</sup>

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

Description of land intended to be retained in metric units: Commercial Lot

Frontage: 75m

Depth: 94m

Width: 75m

Lot Area: 7069m<sup>2</sup>

Present Use: Vacant

Proposed Use: Commercial

Buildings on retained land: No existing buildings on site.

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

Frontage: Two easements side by side, each 3.7m wide for total of 7.4 m

Depth: Approx 59 m

Width: Two easements side by side, each 3.7m for total of 7.4 m

Area: 7.4 x 59 = 437m<sup>2</sup>

Proposed Use: Mutual shared driveway access

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

Owners Name: n/a

Roll Number: n/a

Total Acreage: n/a

Workable Acreage: n/a

Existing Farm Type: (for example: corn, orchard, livestock) n/a

Dwelling Present?: ☐ Yes ☒ No If yes, year dwelling built n/a

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

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

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

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

#### **D. Previous Use of the Property**

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☐ Yes ☒ No ☐ Unknown  
If yes, specify the uses (for example: gas station, or petroleum storage):
  
2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown
  
3. Provide the information you used to determine the answers to the above questions:  
Known as vacant lands.



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

**E. Provincial Policy**

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

If no, please explain:

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

If no, please explain:

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 in wellhead protection 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. 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 60m

**Active railway line**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Seasonal wetness of lands**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Erosion**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Abandoned gas wells**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

## F. Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- ☒ Municipal piped water  
☐ Individual wells

- ☐ Communal wells  
☐ Other (describe below)

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Sewage Treatment

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

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Storm Drainage

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

- 
2. Existing or proposed access to subject lands

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

Name of road/street:

Old Highway 24 and Lam Blvd.

## G. Other Information

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

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

Subject lands are vacant

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

## **H. Supporting Material to be submitted by Applicant**

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

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

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

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

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

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

## I. Transfers, Easements and Postponement of Interest

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

### Permission to Enter Subject Lands

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

### Freedom of Information

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

  
\_\_\_\_\_  
Owner/Applicant/Agent Signature  
Tom O'Hara

  
\_\_\_\_\_  
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 Verlinda Thomas 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

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

**K. Declaration**

I, Thomas O'Hara of Waterford, ON

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*.

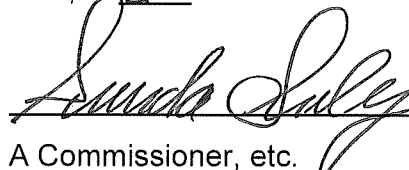
Declared before me at:

Brenda Joanne Bruley, a  
Commissioner, etc., Province of Ontario.  
for the Corporation of Norfolk County.  
Expires September 2, 2024.  
In \_\_\_\_\_

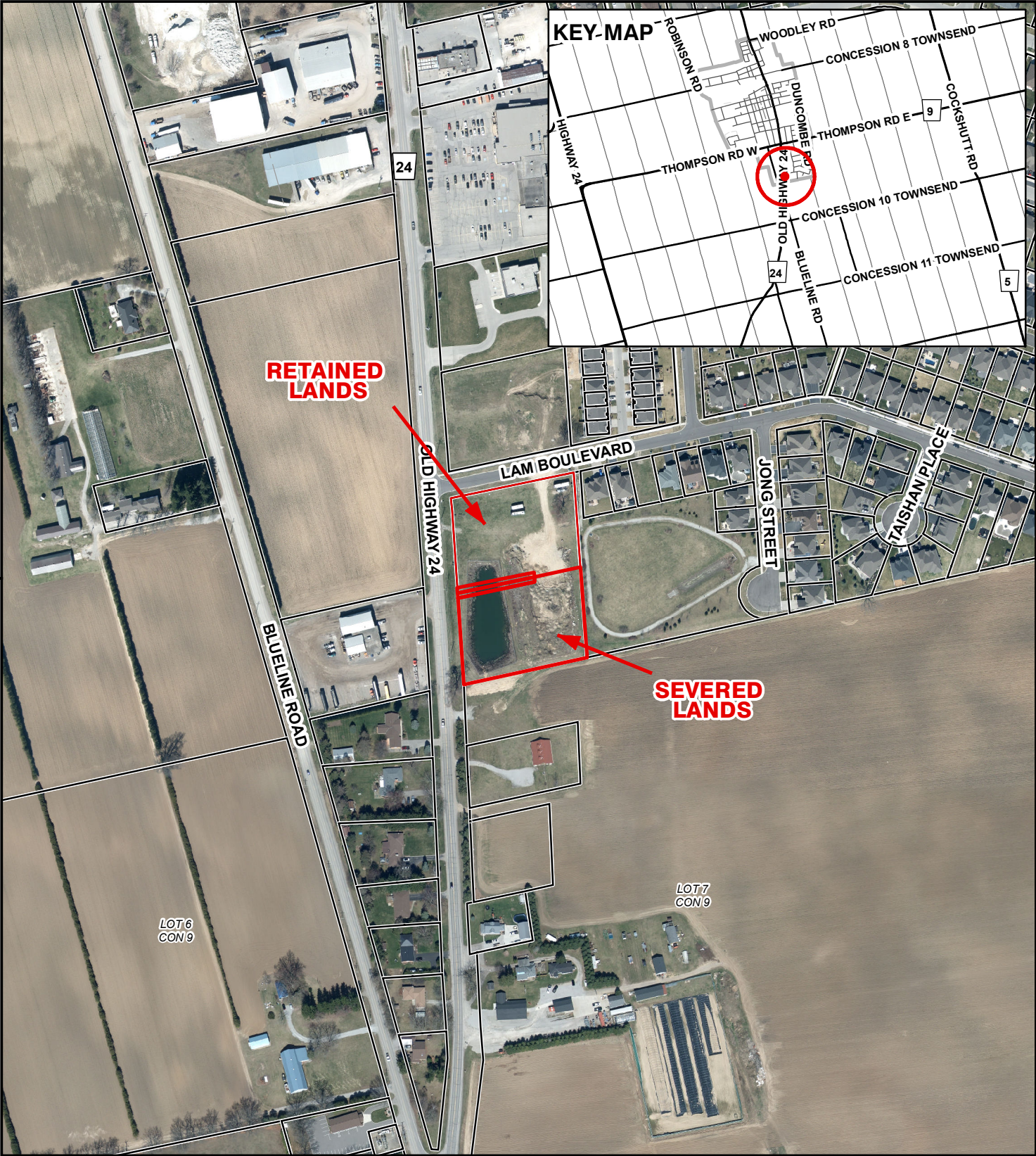
  
Owner/Applicant/Agent Signature

This 3 day of Aug

A.D., 2023

  
A Commissioner, etc.



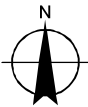


Legend

- Subject Lands
- Lands Owned

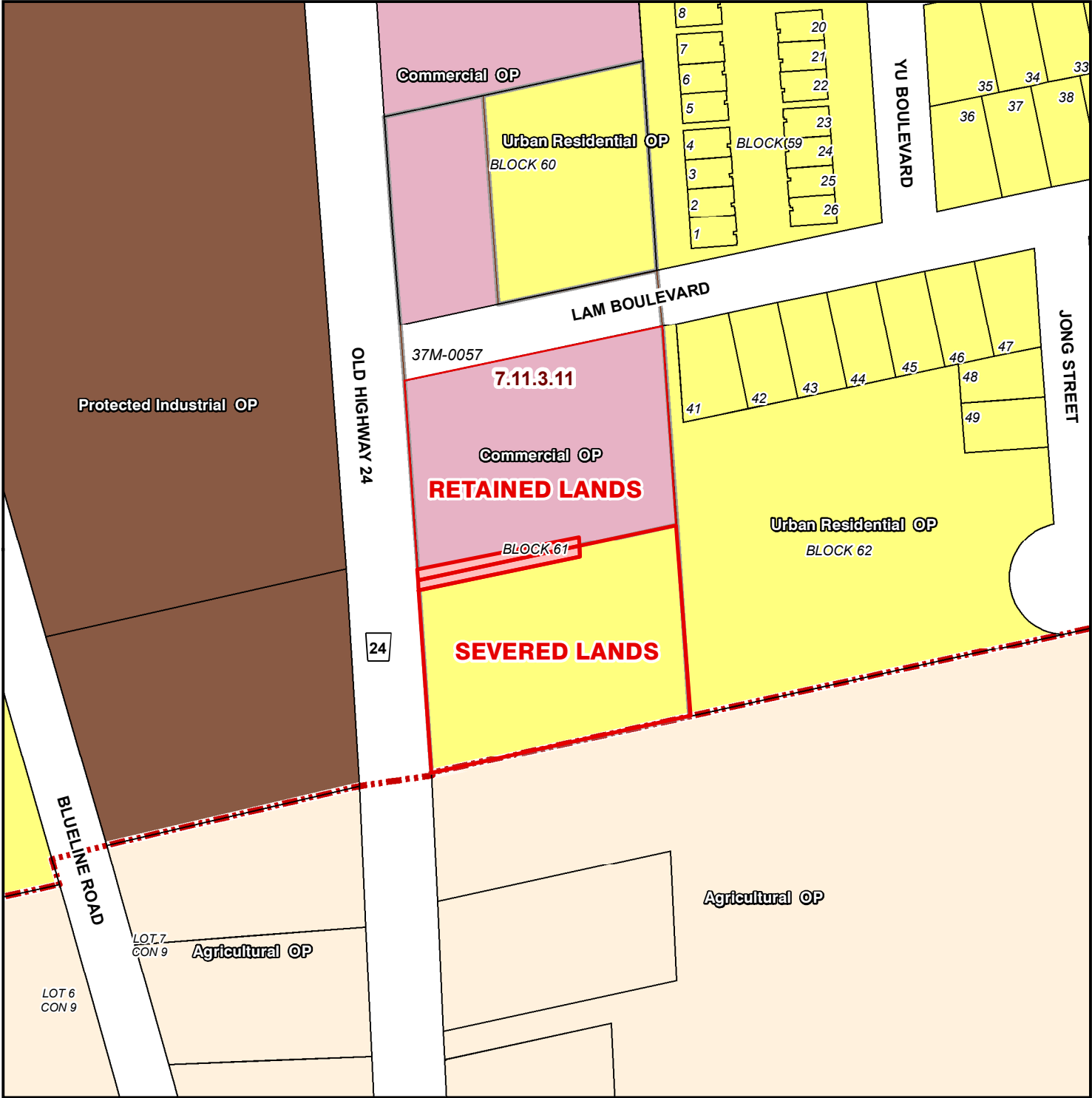
2020 Air Photo

9/8/2023



30 15 0 30 60 90 120  
Meters





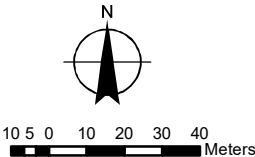
**Legend**

- Subject Lands
- Lands Owned
- Proposed Easement

**Official Plan Designations**

- Agricultural
- Urban Residential
- Commercial
- Protected Industrial
- Urban Area Boundary

9/8/2023

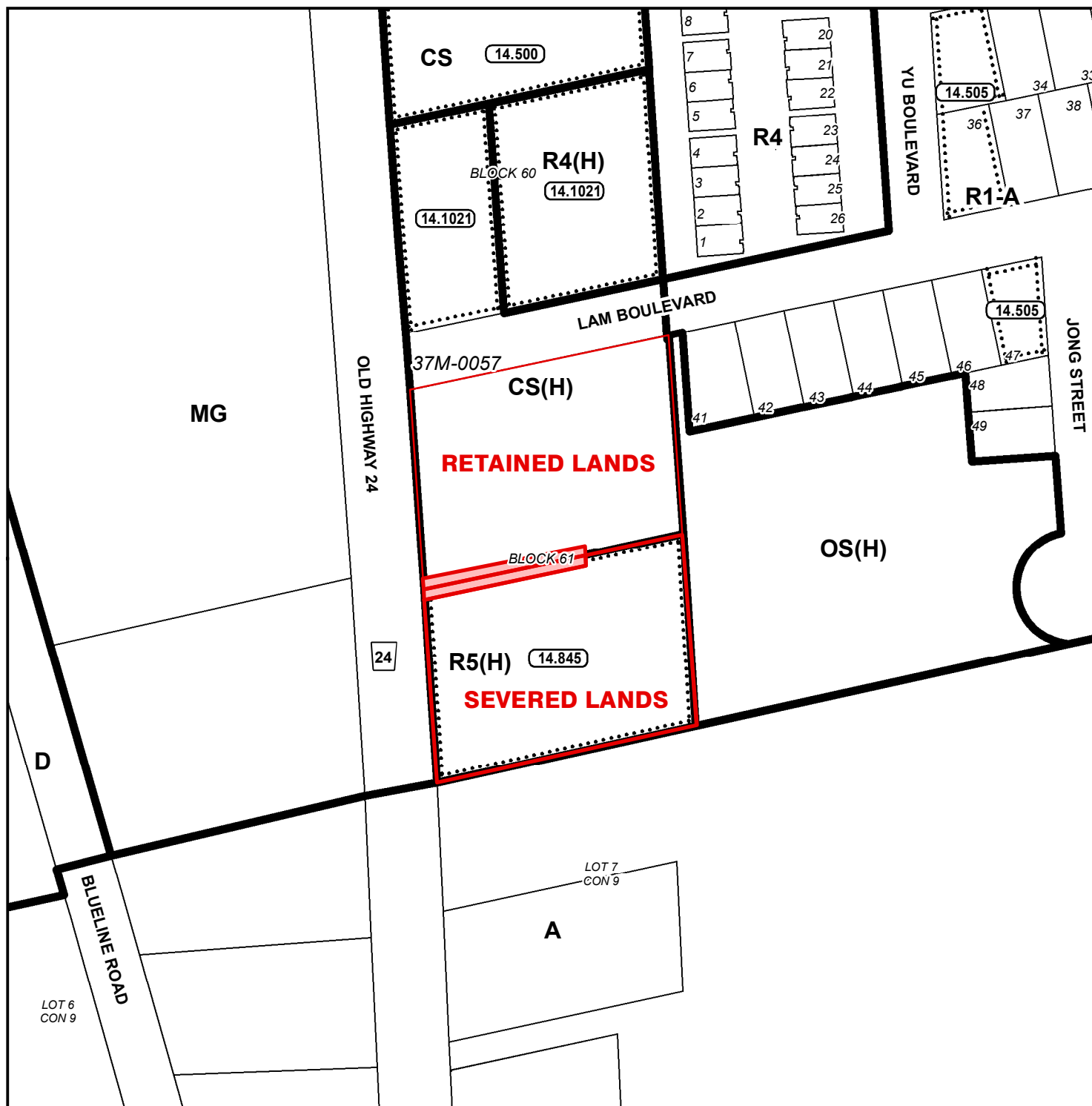







# PROPOSED ZONING BY-LAW AMENDMENT MAP

## Urban Area of WATERFORD

BNPL2023271



## LEGEND

-  Subject Lands
-  Lands Owned
-  Proposed Easement

ZONING BY-LAW 1-Z-2014

**9/8/2023**

(H) - Holding

A - Agricultural Zone

CS - Service Commercial Zone

D - Development Zone

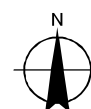
MG - General Industrial Zone

OS - Open Space Zone

R1-A - Residential R1-A Zone

#### R4 - Residential R4 Zone

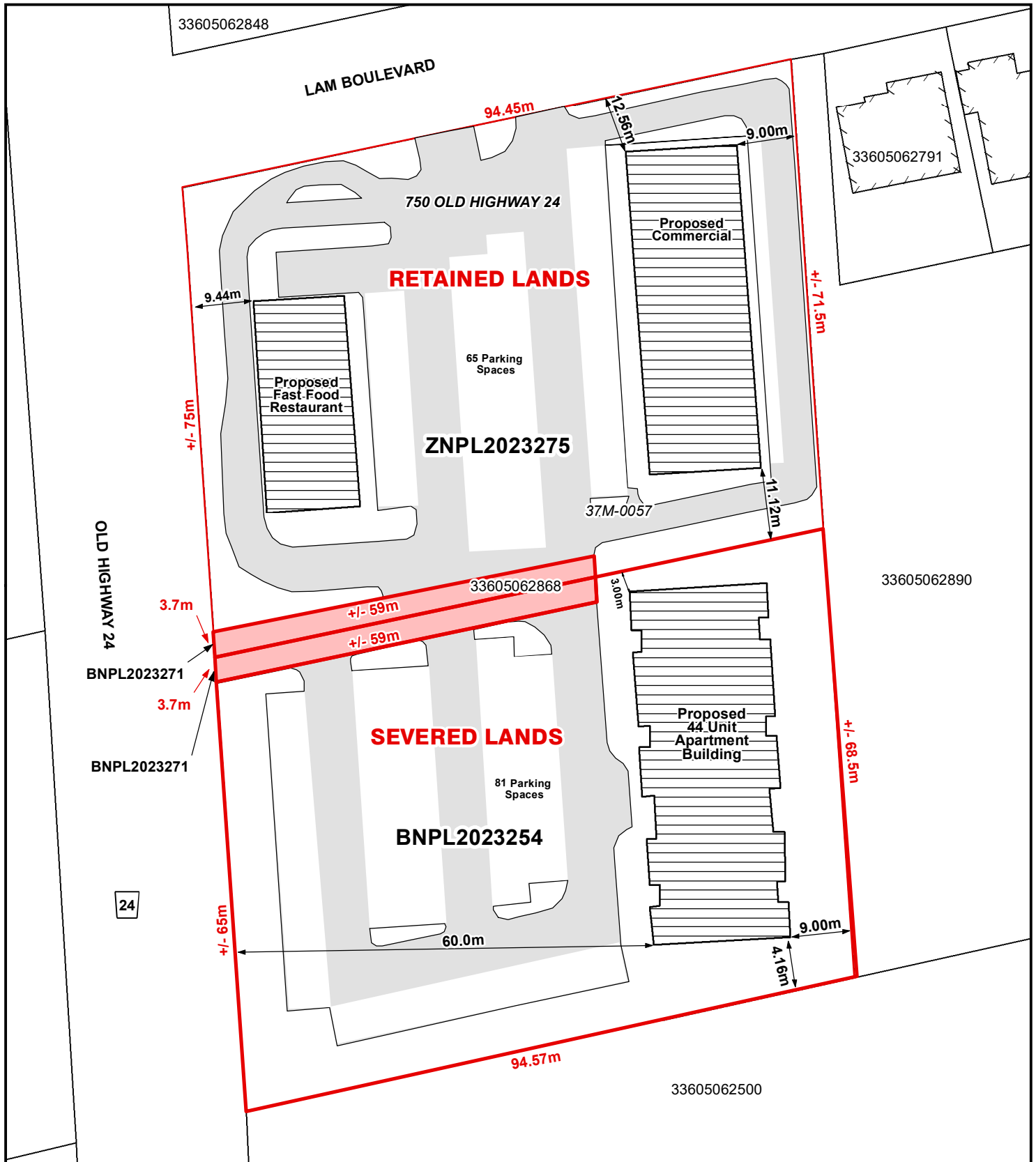
### R5 - Residential R5 Zone



A scale bar with markings at 10, 5, 0, 10, 20, 30, and 40 meters.

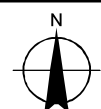
**MAP D**  
**CONCEPTUAL PLAN**  
 Urban Area of WATERFORD

BNPL2023254  
 BNPL2023270  
 BNPL2023271



**Legend**

- Subject Lands
- Proposed Easement
- Lands Owned



9/8/2023

6.5 3.25 0 6.5 13 19.5 26 Meters

# LOCATION OF LANDS AFFECTED

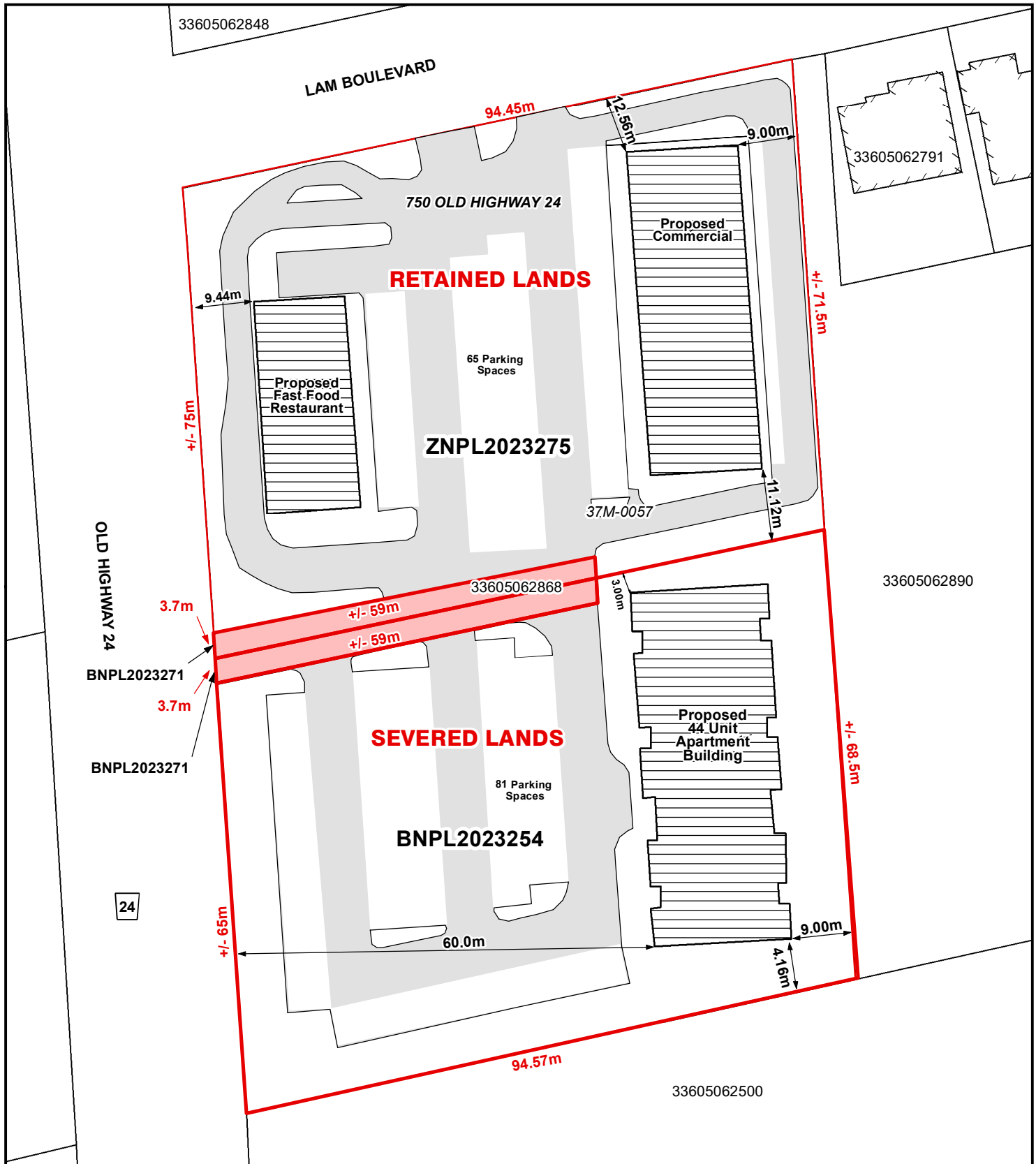
## CONCEPTUAL PLAN

Urban Area of WATERFORD

BNPL2023254

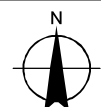
BNPL2023270

BNPL2023271



### Legend

- Subject Lands
- Lands Owned
- Proposed Easement



9/8/2023

6.5 3.25 0 6.5 13 19.5 26 Meters