

Norfolk County
Planning Department
12 Gilbertson Drive,
Simcoe, Ontario N3Y 3N3

Hand-delivered

October 16th, 2024

Attention: Committee of Adjustment Applications and Andrew Wallace, Planner

Dear Madam or Sir:

RE: Pereira Surplus Farm Dwelling Severance

3231 Nixon Road, La Salette

We are the solicitors for the owner-applicants, Jose and Maria Pereira.

Please find enclosed the surplus farm dwelling severance application and survey sketch.

Please contact the undersigned if you require any further information.

Yours truly,

BRIMAGE LAW GROUP

Per:

Nathan Kolomaya

NK

For Office Use Only: File Number Related File Number Pre-consultation Meeting Application Submitted Complete Application	Application Fee Conservation Authority Fee Well & Septic Info Provided Planner Public Notice Sign		
Check the type of plann	ning application(s) you are submitting.		
✓ Surplus Farm Dwellin☐ Minor Variance	☐ Minor Variance☐ Easement/Right-of-Way		
A. Applicant Information			
Name of Owner	Jose Pereira and Maria Pereira		
It is the responsibility of the ownership within 30 days	he owner or applicant to notify the planner of any changes in sof such a change.		
Address	3239 Nixon Road		
Town and Postal Code	La Salette, Ontario N0E 1H0		
Phone Number	519-429-0918		
Cell Number			
Email			
Name of Applicant	Same as owner		
Address			
Town and Postal Code			
Phone Number			
Cell Number			
Email			



Name of Agent	Brimage Law Group - Nathan Kolomaya
Address	21 Norfolk Street North
Town and Postal Code	Simcoe, Ontario N3Y 4L1
Phone Number	519-426-5840
Cell Number	
Email	nkolomaya@brimage.com
	all communications should be sent. Unless otherwise directed, notices in respect of this application will be forwarded to the above.
✓ Owner	☑ Agent ☐ Applicant
Names and addresses o encumbrances on the su	f any holder of any mortgagees, charges or other object lands:
Legal Description (inc Block Number and U	escription and Property Information Clude Geographic Township, Concession Number, Lot Number, rban Area or Hamlet): DHAM AS IN NR459431; LYING S OF NR29290; NORFOLK COUNTY
Municipal Civic Addre	ess: 3231 Nixon Road, La Salette
Present Official Plan Present Zoning: Agri	Designation(s): Agricultural cultural
2. Is there a special pro	vision or site specific zone on the subject lands?
☐ Yes ☑ No If yes	, please specify:
3. Present use of the su Agricultural and single	



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: Severed Lands: single-family dwelling. Retained Lands: barns, greenhouses, and kilns
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.
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:
7.	Are any existing buildings on the subject lands designated under the <i>Ontario</i> Heritage Act as being architecturally and/or historically significant? Yes □ No ☑ If yes, identify and provide details of the building:
8.	If known, the length of time the existing uses have continued on the subject lands:
9.	Existing use of abutting properties: Agricultural and single-family 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	1,071m (Nixon Road)	30m	12.1.2(b)(i)	1,001m	NIL
Lot depth	596m	N/A	N/A	596m	N/A
Lot width	596m	N/A	N/A	596m	N/A
Lot area	663,430sqm	400,000sqm	12.1.2(a)(i)	657,421sqm	NIL
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					



Please explain By-law:	why it is not possible to comply with the provision(s) of the Zoning
-	
Consent/Seve severed in met Frontage:	rance/Boundary Adjustment: Description of land intended to be ric units: 70.1m
Depth:	Irregular
Width:	Irregular
Lot Area:	6,009sqm
Present Use:	Single-family dwelling
Proposed Use:	Same as existing
Proposed final	lot size (if boundary adjustment): N/A
	djustment, identify the assessment roll number and property owner of
No. of the second residence of	ich the parcel will be added: N/A
Description of la	and intended to be retained in metric units: 1,001m
Depth:	596m
Width:	596m
Lot Area:	663,430sqm
Present Use:	Agricultural
Proposed Use:	Agricultural
Buildings on re	tained land: Barns, greenhouses, and kilns
	ht-of-Way: Description of proposed right-of-way/easement in metric
Depth:	





Ow	vners Name:
Ro	Il Number:
To	tal Acreage:
Wc	orkable Acreage:
Ex	isting Farm Type: (for example: corn, orchard, livestock)
Dw	velling Present?: Yes No If yes, year dwelling built
Da	te of Land Purchase:
Ои	vners Name:
Ro	Il Number:
To	tal Acreage:
Wc	orkable Acreage:
Ex	isting Farm Type: (for example: corn, orchard, livestock)
Dw	velling Present?: Yes No If yes, year dwelling built
Da	te of Land Purchase:
No	te: 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? \square Yes \square No \bowtie Unknown
3.	Provide the information you used to determine the answers to the above questions:



4.	If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached? \square Yes \square No
E.	All Applications: Provincial Policy
1.	Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the <i>Planning Act, R.S.O. 1990, c. P. 13</i> ? ☑ Yes ☐ No
	If no, please explain:
2.	It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? ☐ Yes ☑ No
	If no, please explain:
	No new development proposed
3.	Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? ☐ Yes ☑ No If no, please explain: No new development proposed
	Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C
	please attach relevant information and approved mitigation measures from the Risk Manager Official.



4.	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)
	\square On the subject lands or \square 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: Nixon Road and Windham Centre Road 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.

Mat Been	2024/06/17	_
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 <u>Jose Pereira and Maria Pereira</u> am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Brimage Law Group - Nathan Kolomaya 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.

Marca Pereiro 2024/06/17

Date 2024/06/17

Owner Date

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



Declaration

it. Decidiation	
_{I,} Nathan Kolomaya	of Norfolk County, Province of Ontario
solemnly declare that:	
all of the above statements and the state transmitted herewith are true and I make believing it to be true and knowing that it under oath and by virtue of <i>The Canada</i>	this solemn declaration conscientiously is of the same force and effect as if made
Declared before me at:	
Norfolk County	The a-a
	Owner/Applicant/Agent Signatu
In the Province of Ontario	

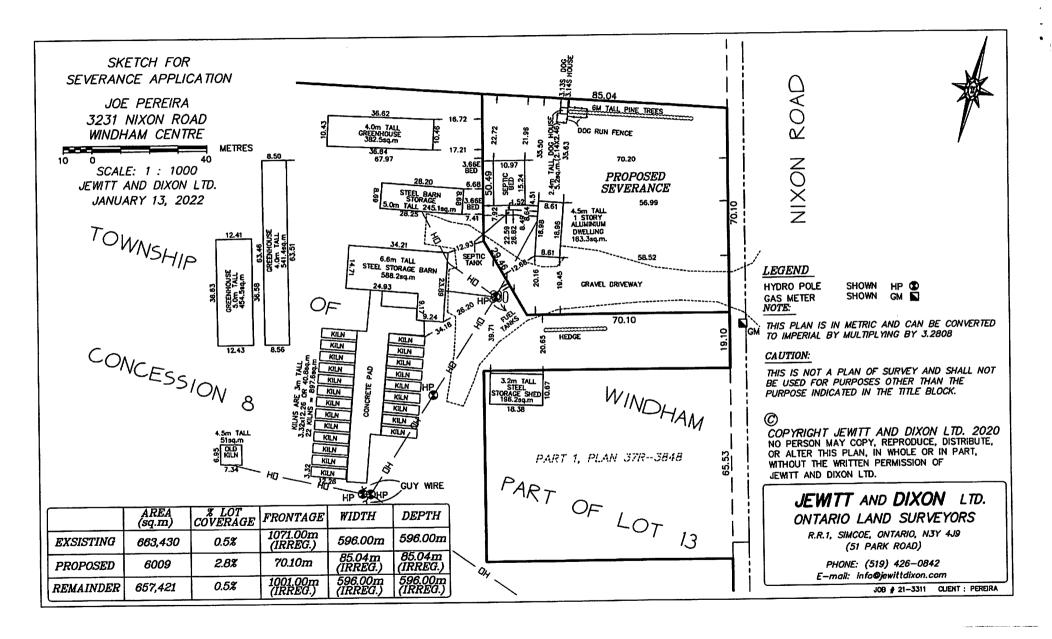
Owner/Applicant/Agent Signature

A.D., 2024

A Commissioner, etc.

This _____day of _October







Norfolk County Planning Department 12 Gilbertson Drive, Simcoe, Ontario N3Y 3N3

Hand-delivered

October 25th, 2024

Attention: Committee of Adjustment Applications and Andrew Wallace, Planner

Dear Madam or Sir:

RE: Pereira Surplus Farm Dwelling Severance

3231 Nixon Road, La Salette

Further to our submitted application, please find enclosed the On-Site Sewage Evaluation.

Please contact the undersigned if you require any further information.

Yours truly,

BRIMAGE LAW GROUP

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Per:

Nathan Kolomaya

NK

Property Information	
Municipal Address	3231 Nixon Road La Salette
Assessment Roll Number	49101527020
Date of Evaluation	JULY 2/24

1 -- 14

Evaluators Information						
Evaluators Name:	^	DAN CZ	Ę			
Company Name:	SLLAN GEE					
Address:	91	BLA CHARLOTTEVILLE RUT SINCOG				
Phone:	51	9 478 9	998	JAMEDI	e .	
Email			TING & SIMPIL	100		
BCIN#		6332	111000 11-7011	.20.		
Purpose of Evaluation	Zor	nsent	□ Site Plan □ Building P □ Other	ermit Application		
Building Information		sidential mmercial	□ Industrial □ Agricultura	al		
Gross building area: (m ²):						
Number of bedrooms:				A STATE OF THE STA		
Number of fixture units:						
Daily Design Flow: (Litres)				16		
Is the building currently occupied?	X Ye	s 🗆 No If No, how	w long?			
Site Evaluation						
Soil type, percolation time (T)	1	8				
Site slope	≭Fla	★Flat □ Moderate □ Steep				
Soil condition:	□ We	□ Wet ⊅ory			19-11-03-04-04-04-04-04-04-04-04-04-04-04-04-04-	
Surface discharge observed	□ Ye	Yes No				
Odour detected:	□ Ye	s XNo				
Weather at time of evaluation:	2	7°C				
System Description						
□ Class 1 - Privy □ Class 2-	Greywa	iter Class 3 - C	Cesspool Class 4 - L	eaching Bed) □ Clas	ss 5 - Holding Tank	
Type of leaching bed. Class 4	-Leacl		Complete & attach v			
★A. Absorption Trench			L D. I IKO, Dod		C. Shallow Buried Trench	
□ D. Advance Treatment System	n	□ E. Type A Dis	spersal Bed	□ F. Type B Disp	ersai Bed	
Existing Tank Size (litres):						
★Pre-cast Concrete		□ Plastic		□ Fibreglass		
□ Wood		□ Other (specif	y):	Pump: Yes	No 	
∡In ground system		□ Raised Bed s Height raised a	system bove original grade (n	netres)		
Setbacks (metres)	acks (metres)		Tank		oution Pipe	
Distance to buildings & structur	es	8.	8.6 n		7	
Distance to bodies of water		6		0		
Distance to nearest well		43	~	42	>	
Distance to proposed property	lines	Front: 74~ Rear: 0~	Left: <u>17 -</u> Right: <u>40 -</u>	Front: <u>70-</u> Rear: <u>3</u> ~	Left: 38 L Right: 22L	

Worksheet A: Dwellings - Daily Design Flow Calculations (Q)

A) Reside	ntial Occupancy	(Q) Litres	Total
Number of	1 Bedroom	750	
Bedrooms	2 Bedrooms	1100	
	3 Bedrooms	1600	1600
	4 Bedrooms	2000	
	5 Bedrooms	2500	
		Subtotal (A)	

B) Plus Add	itional Flow for:			
Note:		Quantity	(Q) Litres	Total
	dditional flow calculation to determine Daily Design		(- 4)	
Flow (Q). If none	apply Subtotal (B) is zero.		 	
Either	Each bedroom over 5		500	
Or	Floor space for each 10m ² over 200m ² up to 400m ²		100	
	Floor space for each 10m ² over 400m ² up to 600m ²		75	
	Floor space for each 10m ² over 600m ²		50	
Or	Each Fixture Unit over 20 fixture Units (Total of Worksheet B - 20 = Quantity)		50	
			Subtotal (B)	:
	Subtotal A+	B=Daily Des	ign Flow (Q)	

Worksheet B: Dwellings Fixture Unit Count

Fixtures	Units		How Many?		Total
Bath group (toilet, sink, tub or shower) with flush tank	6.0	Х		=	_6
Bathtub only(with or without shower)	1.5	X		=	
Shower stall	1.5	X		=	
Wash basin / Lavatory (1.5 inch trap)	1.5	Х		=	
Water closet (toilet) tank operated	4.0	Χ		=	
Bidet	1.0	Х		=	
Dishwasher	1.0	X		=	
Floor Drain (3 inch trap)	3.0	Χ		=	
Sink (with/without garbage grinder, domestic and other small type single, double or 2 single with a common trap)	1.5	Х		=	
Domestic washing machine	1.5	Х		=	1.5
Combination sink and laundry tray single or double (installed on 1.5 inch trap)	1.5	Х	1	=	1.5
Other:					
	Total	Numb	er of Fixture	Units:	10

- 1. Refer to Ontario Building Code Division B Table 7.4.9.3 for a complete listing of fixture types and units.
- 2. Where the laundry waste is not more than 20% of the total daily design flow, it may discharge to the sewage system. OBC 8.1.3.1(2)
- 3. Sump pumps are not to be connected to the sewage system. Connection to sewage system may lead to a hydraulic failure of the system.

Worksheet C: Other occupancies types

Camp for the Housing of Workers	Number of Employees	(Q) Litres	Total
Note: building size, number of bedrooms and fixture count are not required for a Camp for the Housing of Workers		250	
	Daily Desi	gn Flow (Q)	

Other Occupancy Daily Design Flow Calculation (Q)

To calculate the daily design flow for occupancies, please refer to Ontario Building Code Division B – Part 8 Table 8.2.1.3.B

Establishment	Operator Example: number of seats, per floor area, number of employees/students	Volume Litres	Total
Honsk	3 b&s	1620	1600
	Daily Design	gn Flow (Q)	1600

Work Sheet D: Septic Tank Size

Minimum septic tank size permitted by the Ontario Building Code is 3600 litres.

Minimum holding tank size permitted by the Ontario Building Code is 9000 litres.

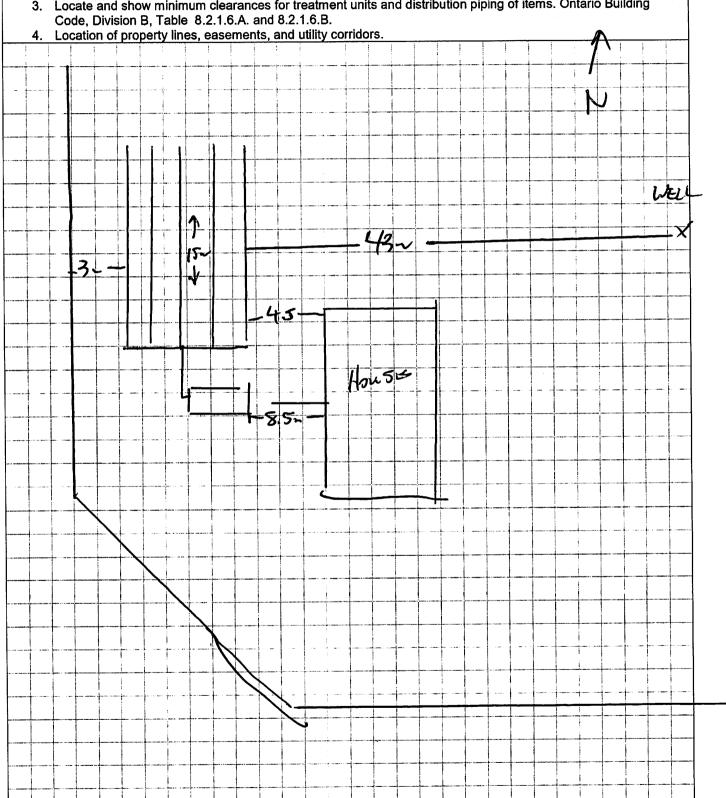
Occupancy type	Daily Design Flow (Q)			-	Minimum tank size (L)
Residential Occupancy house, apartment, camp for housing of workers	1600	×	2	=	3600
All Other Occupancies		X	3	=	
Holding Tank		X	7	=	

Worksheet E: Leaching Bed Calculations (Class 4)

Complete One of A, B, C, D, E, F						
□ A. Absorption Trench						
Total length of dist	ribution pipe	Conventional (Q x T) ÷ 200 = 64				
B. Filter Bed						
Effective Area If Q ≤ 3000 litres p If Q > 3000 litres p Level II-IV treatme	er day use Q ÷ 50	Effective area: (Q) ÷ (75, 50, or 100) = Configured as: m x m Number of beds	_m²			
use Q ÷ 100 Distribution Pipe Contact Area = (Contact Area = (Contact Area)	2 x T) ÷ 850	Number of runs: Spacing of runs: (Q) X (T)) ÷ 850 =	_ m m²			
□ C. Shallow B						
20 < T ≤ 50	distribution pipe	(L) = (Q) ÷ (75, 50, 30) = m Configured as: runs of m Total: m				
D Advance	Treatment Syste	em				
Provide descriptio						
□ E. Type A Di						
Stone Layer If Q ≤ 3000 litres p	er day, use Q + 75	Stone Layer =(Q) ÷(75 or 50) =	m²			
If Q > 3000 litres p Sand Layer 1 < T ≤ 15 use (Q T > 15 use (Q x T		Sand Layer = ((Q) x (T)) + (850 or 400) =	m²			
F Type B Dispersal Bed						
Area = (Q X T) + 4 Linear Loading F T < 24 minutes, use If T ≥ 24 minutes,	100 Rate (LLR) se 50 L/min	Area = ((Q) x(T)) ÷ 400 = Pump chamber capacity = Length (Q ÷ LLR) =m xm = Number of Beds =m xm =	m			
Distribution Pipe		Configured as: runs of m Total:	_m			

Worksheet G: Septic Plot Plan

- Please provide the following information on this work sheet:
 1. Location of sewage system and its components (e.g. tank, leaching bed, pump chamber)
 - 2. Location of all buildings, pools and wells on the property and neighbouring properties
 - 3. Locate and show minimum clearances for treatment units and distribution piping of items. Ontario Building Code, Division B, Table 8.2.1.6.A. and 8.2.1.6.B.



Overall System Rating	
System working properly / no work required.	
□ System functioning / Maintenance required.	
□ System functioning / Minor repairs required	
□ System failure / Replacement required.	
Additional Comments:	
Note: Any repair or replacement of an on-site sewage s	ystem requires a building permit.
Contact the Norfolk County Building Department at (519	9) 426-5870 ext. 6016 for more information.
Verification	
Owner:	
The owner is responsible for having a site evaluation evaluation nor the approval thereof shall exempt the or any other applicable law.	on conducted of the above mentioned property. Neither the ne owner(s) from complying with the Ontario Building Code
I, Jose Peres (the owner of the subject to act on my behalf with respects to all matters per	t property) hereby authorize the above mentioned evaluator taining to the existing onsite sewage system evaluation.
Owners Signature: Jase Here	in
Owners Signature: Jase Roca Date: July/02/2024 Evaluator:	
Lvaluator.	
determination of future performance can be made of the system, abuse of the system and/or inadeque system. This evaluation does not grant or imply an sewage system. The undersigned takes no resportines, whether measured or implied.	aluation is accurate as of the date of inspection. No due to unknown conditions, future water usage over the life uate maintenance, all of which can affect the life of the by guarantee or warranty of the future performance of the his highest property of the accuracy of existing or proposed property
Evaluator Signature: Acha G	
Date: JULY 2/24	•

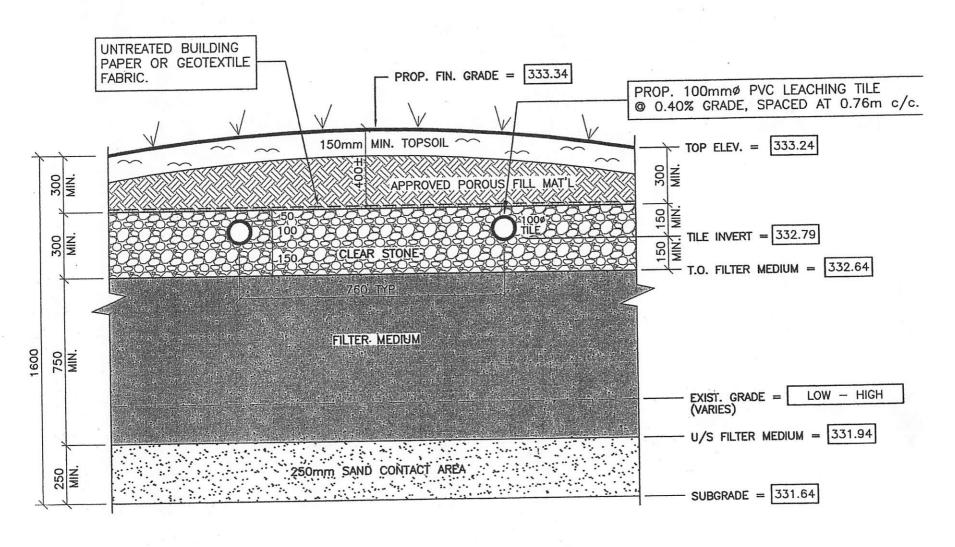
Building Department Review

Building Inspectors Name:

Building Inspector Signature:

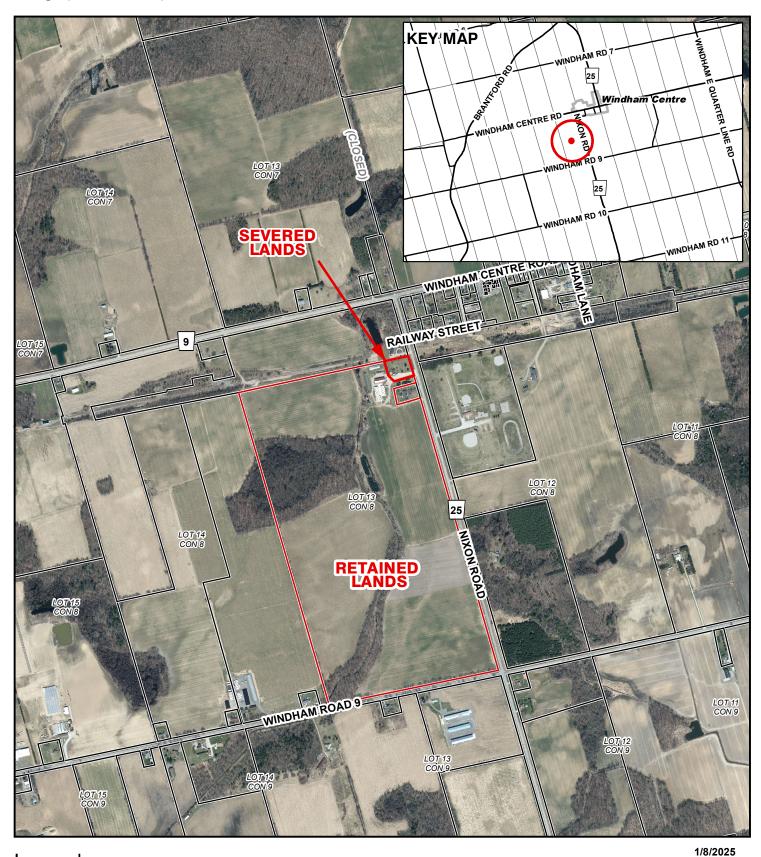
Comments:

Date:



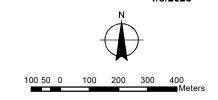
FILTER BED SECTION DETAIL

CONTEXT MAP

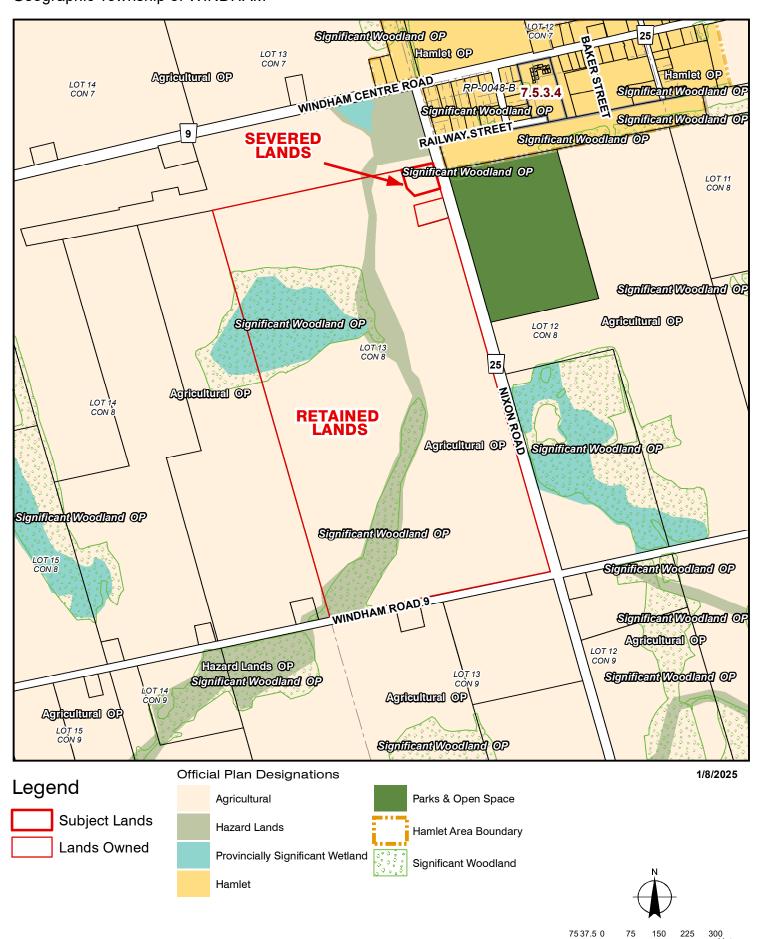




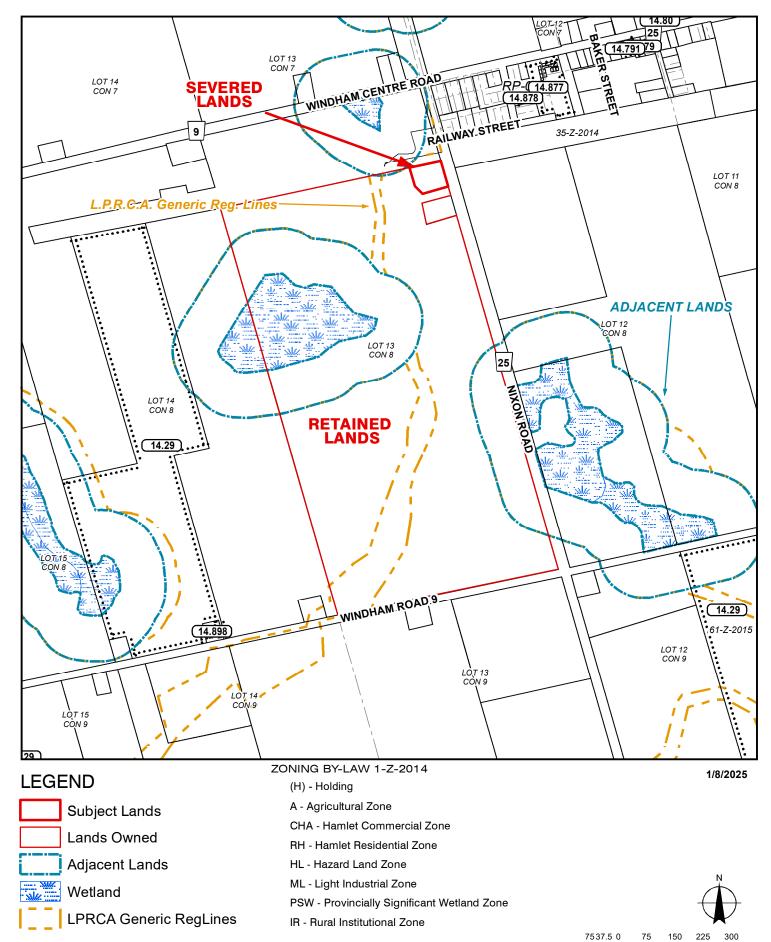




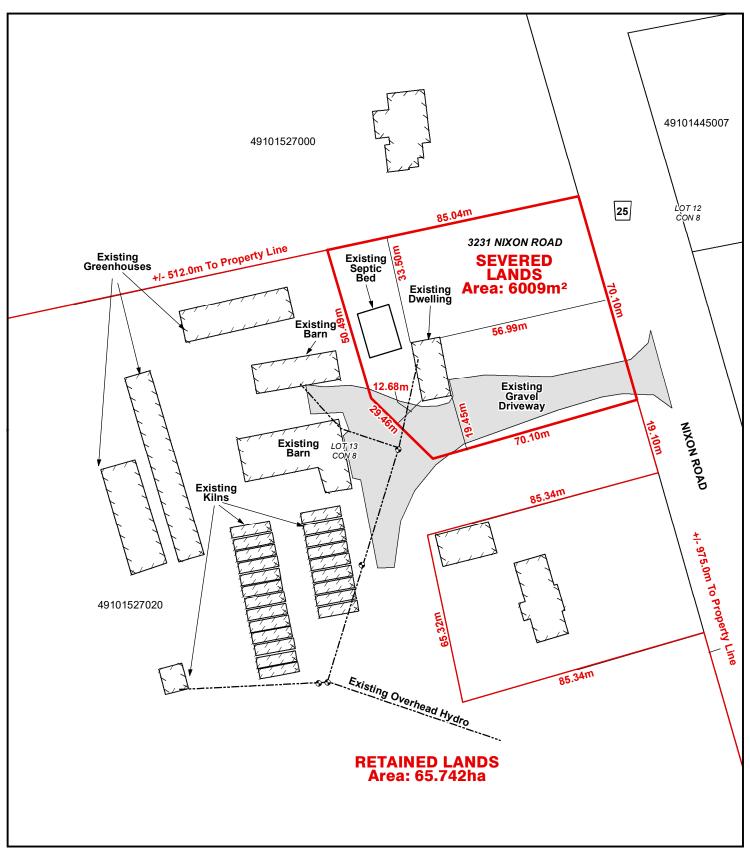
MAP B OFFICIAL PLAN MAP



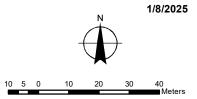
MAP C ZONING BY-LAW MAP



CONCEPTUAL PLAN







CONCEPTUAL PLAN

