

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: 3310-335-030-09500**A. Applicant Information****Name of Owner** Earl and Patricia Utley

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 128 Washington Street**Town and Postal Code** Waterford, ON N0E 1Y0**Phone Number** _____**Cell Number** 519-443-8748**Email** triciautley.forbeshomedesign@gmail.com**Name of Applicant** Agent**Address** _____**Town and Postal Code** _____**Phone Number** _____**Cell Number** _____**Email** _____

Name of Agent David McPherson
Address 8 Culver Lane
Town and Postal Code Simcoe, ON N3Y 5C8
Phone Number _____
Cell Number 519-427-6483
Email david-a-mcpherson@hotmail.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 mortgages, charges or other encumbrances on the subject lands:

n/a

B. Location, Legal Description and Property Information

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

Lot 13 Plan 35B

Municipal Civic Address: 128 Washington Street, Waterford

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:

Existing structures are shown on the attached sketch and consist of a single family dwelling a detached garage and small accessory buildings.

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:

The existing SFD will remain on the retained lot. The existing garage will be retained on the severed lot. Proposed on the severed lot is a new SFD of about 102 sqm.

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:

75+ years

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**PROPOSED SEVERED LOT**

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	26.213m	15m	5.1.2b)i)	24.383m	
Lot depth	45.719m			25.086m	
Lot width					
Lot area	1192.11sqm	450sqm	5.1.2a)i)	604.26sqm	
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					

C. Purpose of Development Application*RETAINED LOT*

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	26.213m	18m	5.1.2b)ii)	21.336m	
Lot depth	45.719m			26.213m	
Lot width					
Lot area	1172.1sqm	560sqm	5.1.2a)ii)	567.85sqm	
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:

Our proposed severance complies with the R1-A zone provisions.

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

Frontage: 24.38 m
Depth: 25.086m
Width: 24.38m
Lot Area: 604.26 sqm
Present Use: Residential
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: n/a

Description of land intended to be retained in metric units:

Frontage: 21.336m
Depth: 25.661mm
Width: 21.336m
Lot Area: 587.85 sqm
Present Use: Residential
Proposed Use: Residential

Buildings on retained land: Single Family Dwelling

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

Frontage: n/a
Depth:

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

Our proposed severance complies with the R1-A zone provisions.

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

Frontage: 24.38 m

Depth: 25.086m

Width: 24.38m

Lot Area: 604.26 sqm

Present Use: Residential

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: n/a

Description of land intended to be retained in metric units:

Frontage: 21.336m

Depth: 25.661mm

Width: 21.336m

Lot Area: 587.85 sqm

Present Use: Residential

Proposed Use: Residential

Buildings on retained land: Single Family Dwelling

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

Frontage: n/a

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: n/a
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:

Information provided by owner.

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:

Property is not within a WHPA

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

☐ Individual wells

☐ Communal wells

☐ Other (describe below)

Sewage Treatment

☒ Municipal sewers

☐ Septic tank and tile bed in good working order

☐ Communal system

☐ Other (describe below)

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:

West Church Street and Washington 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.

Premise and Justification report is attached

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

May 14, 2025
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 EARL UTLEY
PATRICIA UTLEY am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize David McPherson 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.

PATRICIA C. Utley
Owner

MAY 14/25
Date

Patricia Utley
Owner

May 14/25
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, David McPherson of Simcoe

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

SIMCOE ONT.

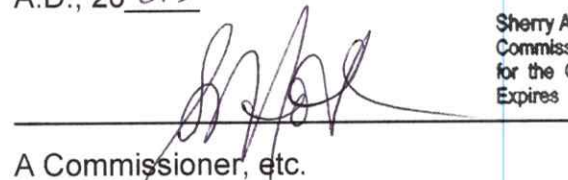


~~Owner/Applicant~~/Agent Signature

In NORFOLK ONT.

This 13th day of NOVEMBER 2025

A.D., 20 25



A Commissioner, etc.

Sherry Ann Mott, a
Commissioner, etc., Province of Ontario.
for the Corporation of Norfolk County.
Expires March 16, 2026.

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: 3310-335-030-09500

A. Applicant Information

Name of Owner Earl and Patricia Utley

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 128 Washington Street

Town and Postal Code Waterford, ON N0E 1Y0

Phone Number _____

Cell Number 519-443-8748

Email triciautley.forbeshomedesign@gmail.com

Name of Applicant Agent

Address _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

Name of Agent David McPherson
Address 8 Culver Lane
Town and Postal Code Simcoe, ON N3Y 5C8
Phone Number _____
Cell Number 519-427-6483
Email david-a-mcpherson@hotmail.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:

n/a

B. Location, Legal Description and Property Information

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

Lot 13 Plan 35B

Municipal Civic Address: 128 Washington Street, Waterford

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:

Existing structures are shown on the attached sketch and consist of a single family dwelling a detached garage and small accessory buildings. The shed and hot tubs are to be removed.

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:

The existing SFD will remain on the retained lot. The existing garage will be retained on the severed lot. Proposed on the severed lot is a new SFD of about 102 sqm.

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:

75+ years

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 *PROPOSED SEVERED LOT*

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	26.213m	15m	5.1.2b)i)	24.383m	
Lot depth	45.719m			25.086m	
Lot width					
Lot area	1192.11sqm	450sqm	5.1.2a)i)	604.26sqm	
Lot coverage	<i>ACCESSORY</i> 11.52%	10%	3.2.(g)	11.52%	1.52%
Front yard					
Rear yard					
Height	5.8m	5m		5.8m	0.8m
Left Interior side yard					
Right Interior side yard					
Exterior side yard (corner lot)					
Parking Spaces (number)					
Aisle width					
Stall size					
<i>ACCESSORY</i> Loading Spaces	69.65 x 2 sqm (2 STOREYS)	55 sqm	3.2.(g)	139.30 sqm	84.3sqm
<i>Other EXISTING</i>	existing detached garage		3.2.1 h)		existing detached garage

GARAGE TO BE RETAINED FOR USE BY NEW HOUSE

C. Purpose of Development Application*RETAINED LOT c/w EXISTING HOUSE*

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	26.213m	18m	5.1.2b)ii)	21.336m	
Lot depth	45.719m			26.213m	
Lot width					
Lot area	1172.1sqm	560sqm	5.1.2a)ii)	567.85sqm	
Lot coverage					
Front yard	6.32m	6m		6.32m	
Rear yard	1.74m	7.5m		1.74m	5.76m
Height	8m	11m		8m	
Left Interior side yard	porch 3.14m	4.5m		3.14m	1.36m
Right Interior side yard	7.58m	1.2m		7.58m	
Exterior side yard (corner lot)	4.68m	6m		4.68m	1.32m
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:

The existing 75 year old house will become deficient in setbacks on the retained lot.

The existing 2 storey detached garage of about same vintage, is to be retained and used by the proposed new house on the severed lot. It becomes deficient in usable floor area because it is 2 storeys in height.

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

Frontage: n/a

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

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: _____

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Buildings on retained land: _____

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

Frontage: n/a

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: n/a
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:

Information provided by owner.

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:

Property is not within a WHPA

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

☐ Individual wells

☐ Communal wells

☐ Other (describe below)

Sewage Treatment

☒ Municipal sewers

☐ Septic tank and tile bed in good working order

☐ Communal system

☐ Other (describe below)

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:

West Church Street and Washington 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.

Premise and Justification report is attached

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

May 14, 2025
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 EARL UTLEY
PATRICIA UTLEY am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize David McPherson 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.

PATRICIA C. Utley
Owner

MAY 14/25
Date

Patricia Utley
Owner

May 14/25
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, David McPherson of Simcoe

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

SIMCOE, ONT

In NORFOLK COUNTY


Owner/Applicant/Agent Signature

This 13th day of NOVEMBER 2025

A.D., 20 25


A Commissioner, etc.

Sherry Ann Mott, a
Commissioner, etc., Province of Ontario.
for the Corporation of Norfolk County.
Expires March 16, 2026.

**Premise and Justification of
Minor Variance Application
at 128 Washington Street, Waterford**

This application is to regularize deficiencies to an existing house setback and to an existing detached garage created by Severance Application BNPL2025~~354~~.

Firstly, the existing detached 2-storey garage, of some 50+ years, is to be retained and used on the severed lot by a proposed new house. Permission is needed for relief of article 3.2.1(h) to permit the garage to exist on the lot prior to construction of the house. The garage also, because of it being 2 storeys in height, also exceeds current height restrictions and usable floor area maximums, and relief is sought to regularize these deficiencies.

Secondly, though the existing house is some 75 years old, the proposed severance will, because of the definition of lot frontage, change its frontage orientation from Washington Street to West Church Street. This change in orientation makes several existing setbacks to become non-compliant. We seek relief from the new exterior side yard setback on Washington Street to regularize a deficiency of 1.32 m to the house proper and a deficiency of 1.36 m to the front porch. The carport, accessed from the Washington Street driveway, had a compliant side yard setback of 1.74 m, but now that side yard becomes a rear yard and will be deficient by 5.76 m.

The property owners reside in the house on site and have both recently retired. As part of their retirement plan, they propose severing the rather large side yard on Washington Street and to construct a new, single storey, much smaller retirement home, and to retain the existing detached garage as an accessory structure to their new home.

The proposed severance will not result in either the new lot or the retained lot deficient in lot frontage or lot area. Both the severed lot and the retained lot comply with the R1-A zone provision respecting lot frontage and lot area.

The Provincial Planning Statement 2024 promotes residential intensification and the development of new housing options in Sections 2.2.1 a) and 2.2.1 b), along with 2.3.1.3.

This application also has regard for Section 2 of the Planning Act.

Under Section 45(1) of the Planning Act there are four tests a minor variance must meet. In order to be considered the application must meet all four tests:

- Does the application conform to the general intent and purpose of the Official Plan.
- Does the application conform to the general intent and purpose of the Zoning Bylaw.
- Is the application desirable for the appropriate development of the lands in question.
- Is the application minor.

Norfolk County Official Plan

The subject property is designated as Urban Residential in the Norfolk County Official Plan. Permitted uses within this designation include single detached dwellings and accessory structures thereto, including detached garages. This application enables the continued use of the existing dwelling and affords the retired couple the ability to construct a new home on land they already own. The application therefore conforms to the general intent and purpose of the Official Plan.

Norfolk County Zoning By-law 1-Z-2014

Zoning By-law 1-Z-2014 zones the property as R1-A. Article 5.1.1 a) permits single detached dwellings within the R1-A zone. Article 3.2.1 permits detached accessory structures, such as detached garages, in the R1-A zone.

The general intent and purpose of the Norfolk County Zoning By-law is to maintain the character of the neighborhood. Washington Street and West Church Street are characterized as a residential neighborhood of single detached dwellings c/w their appurtenant accessory structures.

The requested variances to the existing structures will maintain the general intent and purpose of the Zoning By-law and will promote the continued and better use of the property.

Both the existing use and proposed use conform to the Zoning By-law.

Is the Variance Desirable and Appropriate

The continued use of this property, along with the proposed new house, is compatible with and fits within the existing neighbourhood. This proposal is an improvement of the property in that the retention of the existing dwelling, the existing detached garage, and the proposed new dwelling is desirable as an appropriate reflection of the Washington and West Church streetscapes.

Is the Variance Minor in Nature

The application is minor in nature because it was triggered solely on account of the definition of lot frontage, which reorientates the existing house from Washington Street to West Church Street, which then impacts how setbacks are calculated. The detached garage exists and its footprint is only 1.5% over the regulated maximum. There is no perceptible impact on the existing streetscapes of either Washington or West Church, and nothing will change, other than the introduction of a new house on the flanking street.

Conclusion

This proposal meets the overall intent and purpose of the Planning Act, the Provincial Planning Statement, the Norfolk County Official Plan, and the Norfolk County Zoning By-law. The application is minor and desirable for the appropriate development of the lands.

David McPherson

SKETCH SHOWING PROPOSED SEVERANCE OF PART OF LOT 13, REGISTERED PLAN 35-B

(WATERFORD)

SCALE: 1 : 250



JEWITT AND DIXON LTD.

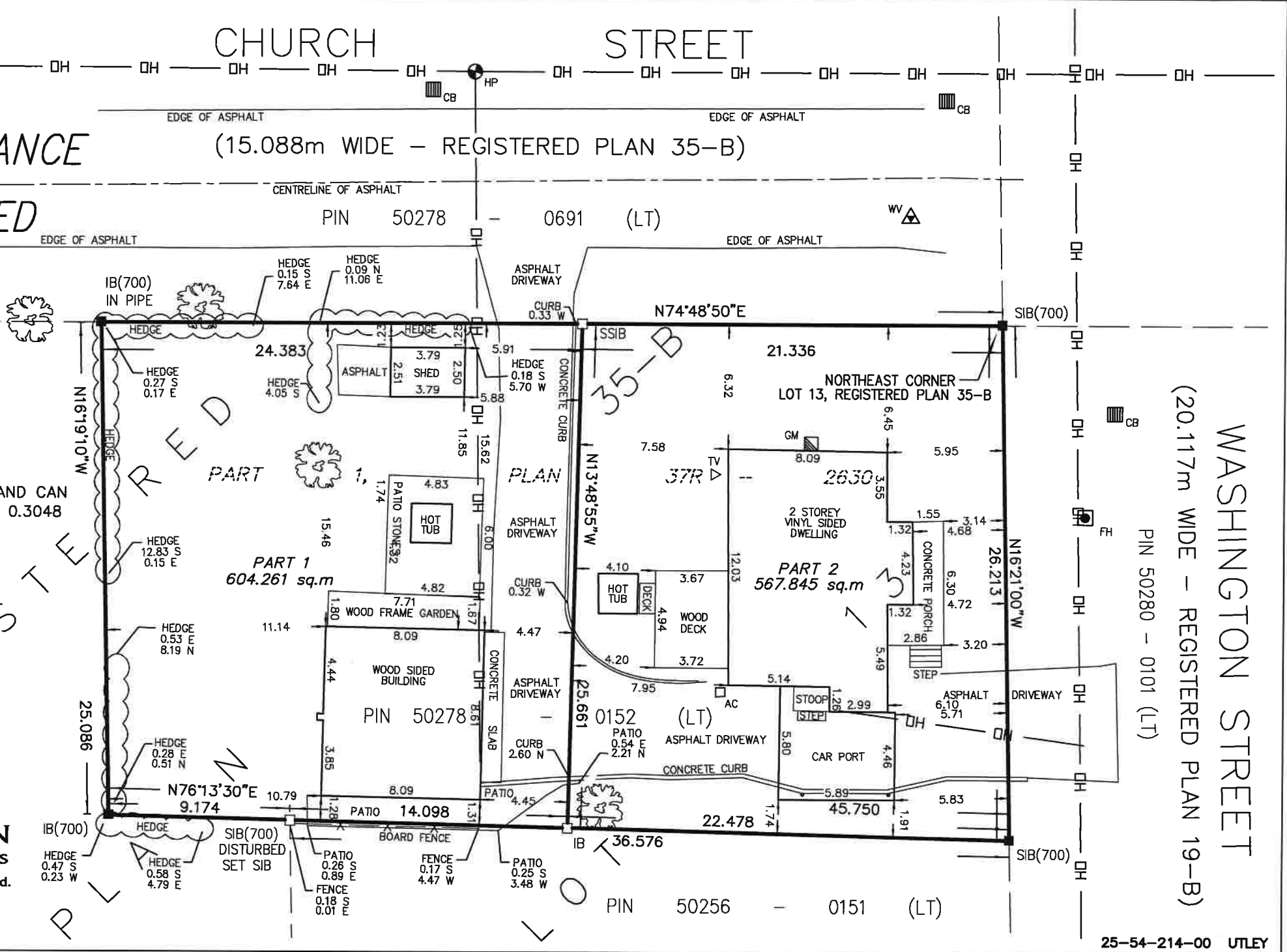
METRIC NOTE:

DISTANCES AND COORDINATES ARE METRIC AND CAN
BE CONVERTED TO IMPERIAL BY DIVIDING BY 0.3048

JEWITT AND DIXON
ONTARIO LAND SURVEYORS
A Division of Klm Husted Surveying Ltd.

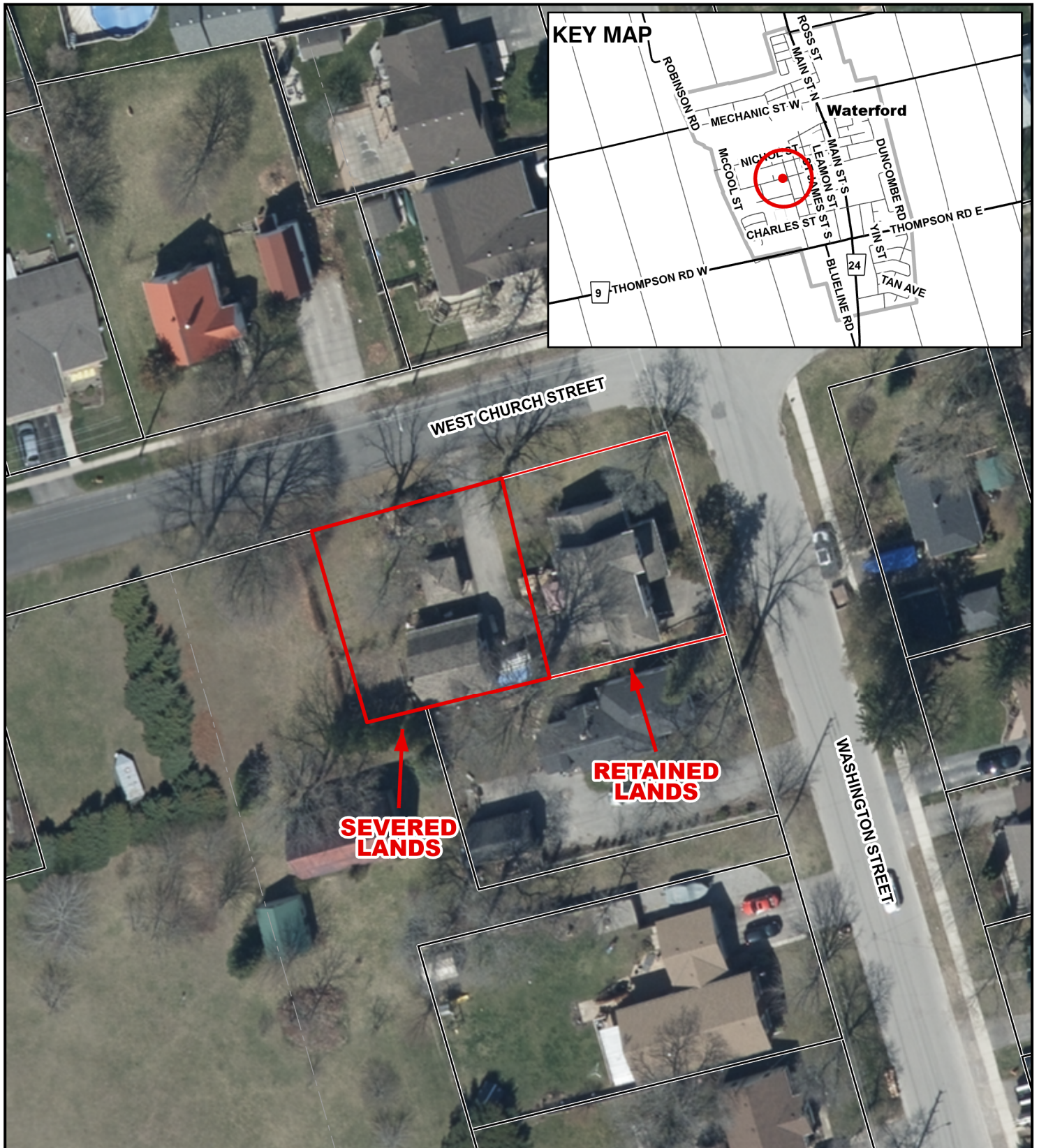


650 Ireland Rd., Simcoe, ON N3Y 4K2
T: (519) 426-0842 info@jewittdixon.com



MAP A
CONTEXT MAP
Urban Area of WATERFORD

BNPL2025354
ANPL2024355

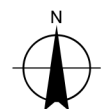


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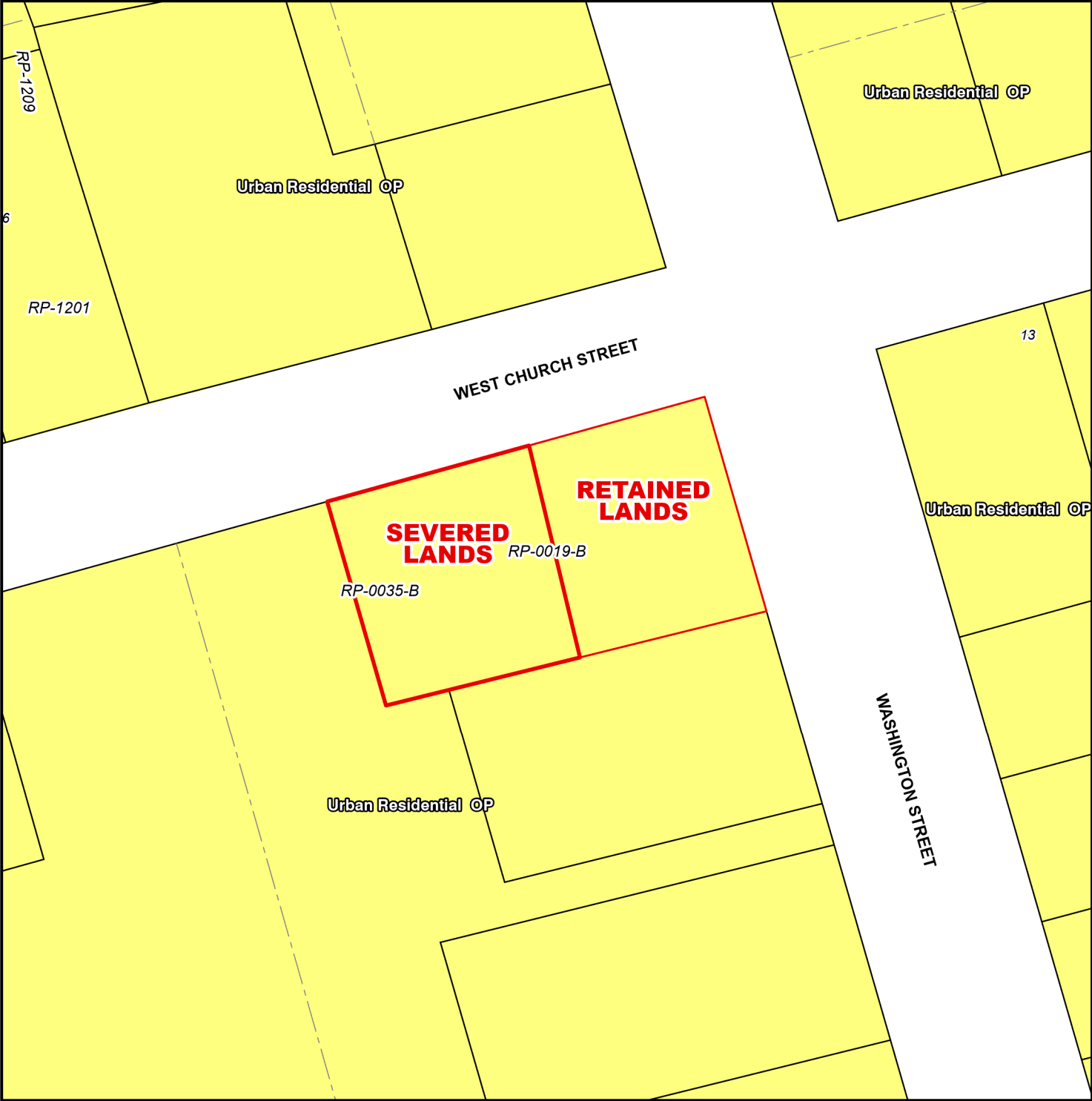
-  Subject Lands
-  Lands Owned

2020 Air Photo



12/1/2025





5 2.5 0 5 10 15 20 Meters



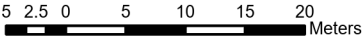
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-  Subject Lands
-  Lands Owned

Official Plan Designations

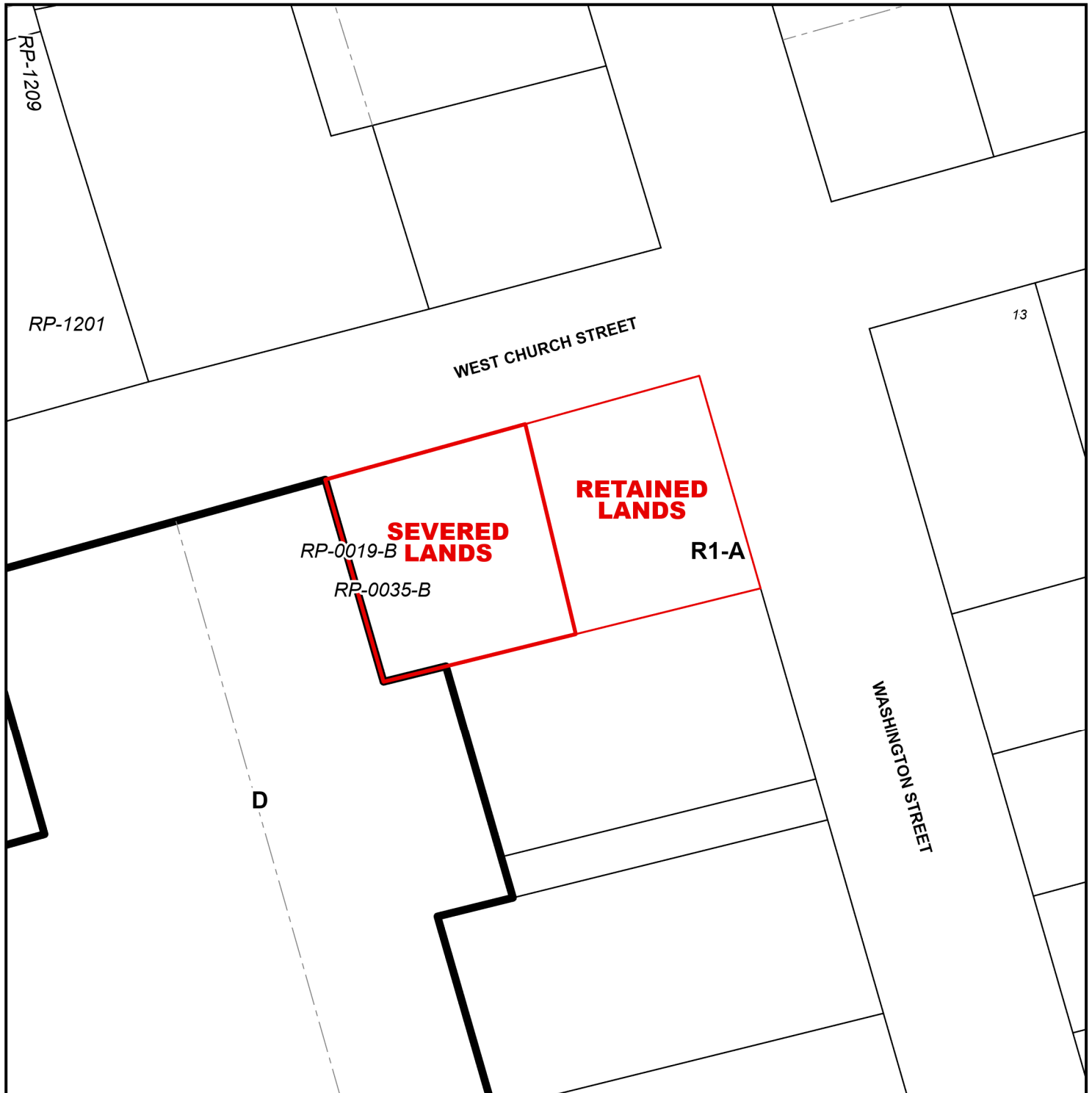
-  Urban Residential
-  Urban Area Boundary

12/1/2025





MAP C
ZONING BY-LAW MAP
Urban Area of WATERFORD

BNPL2025354
ANPL2024355



LEGEND

-  Subject Lands
-  Lands Owned

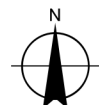
ZONING BY-LAW 1-Z-2014

12/1/2025

(H) - Holding

D - Development Zone

R1-A - Residential R1-A Zone



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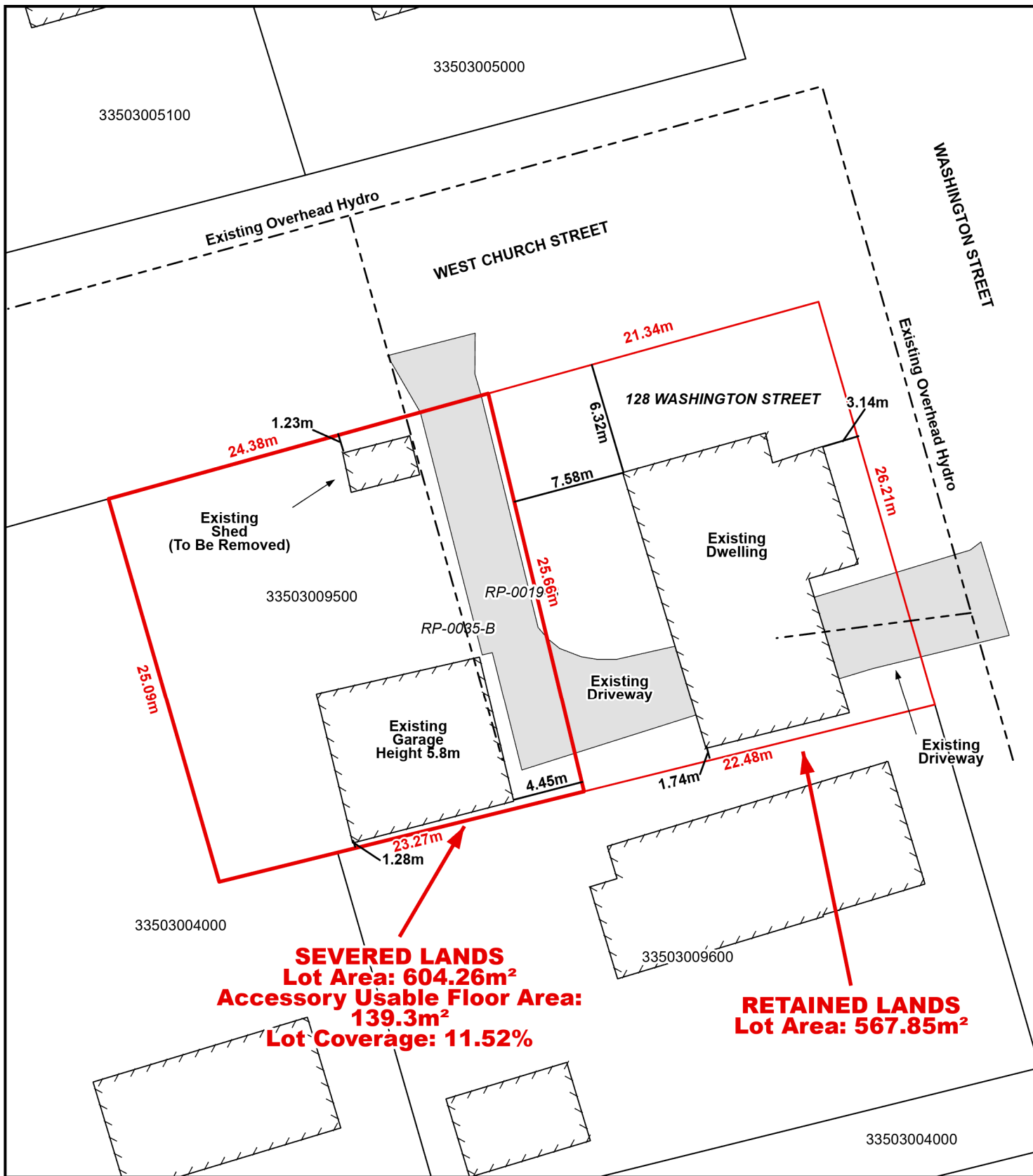
MAP D

CONCEPTUAL PLAN

Urban Area of WATERFORD

BNPL2025354

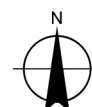
ANPL2024355



Legend

- Subject Lands
- Lands Owned

12/1/2025



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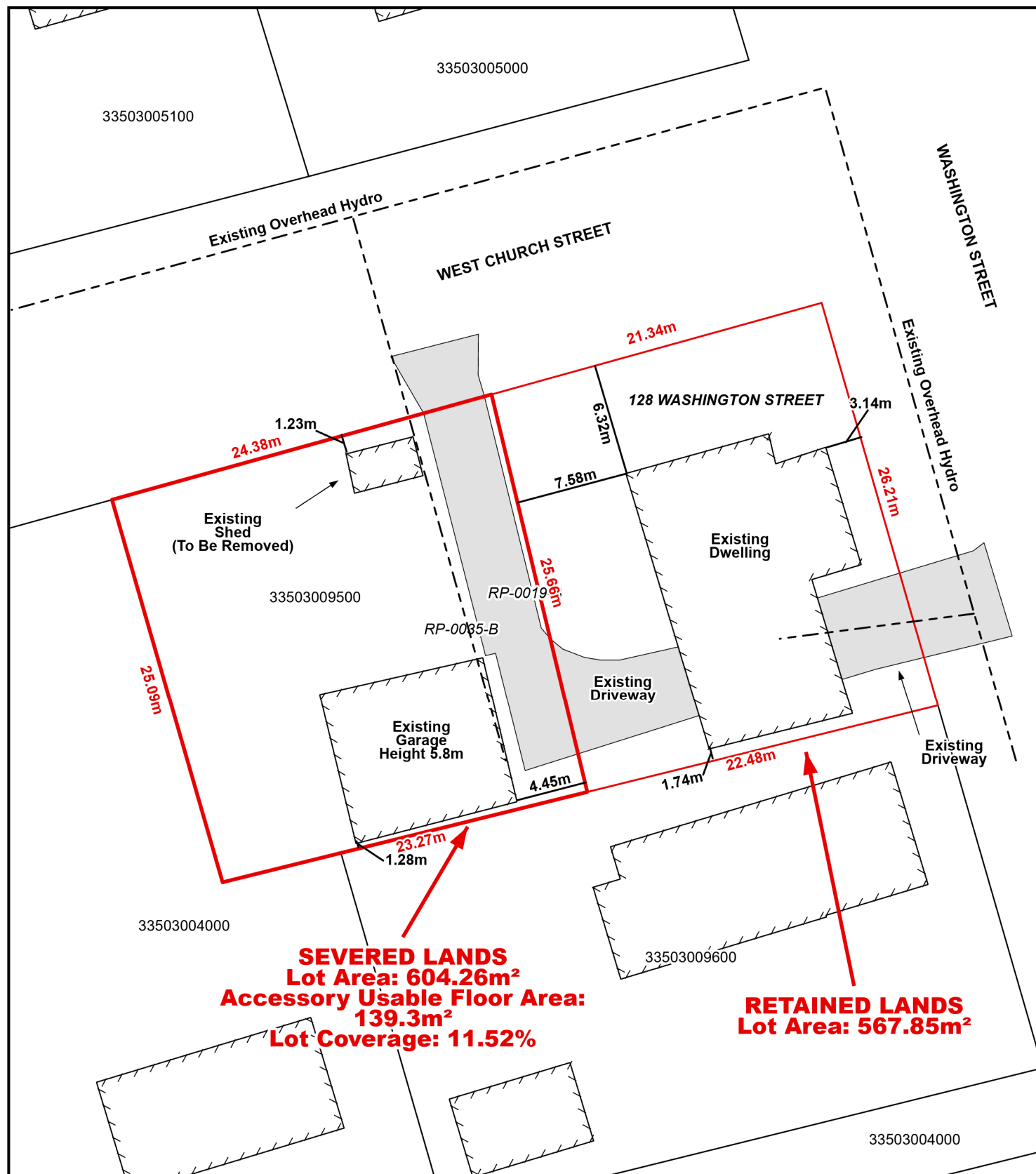
LOCATION OF LANDS AFFECTED

CONCEPTUAL PLAN

Urban Area of WATERFORD

BNPL2025354

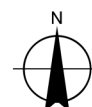
ANPL2024355



Legend

- Subject Lands
- Lands Owned

12/1/2025



2.5 1.25 0 2.5 5 7.5 10 Meters