

**OFFICIAL PLAN AMENDMENT OR COMBINED OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS**

**2NOL 2016 294**  
**OPNPL2016 293**

File Number	<u>OPNPL2016 293</u>	Application Fee	_____
Related File Number	_____	Conservation Authority Fee	_____
Pre-consultation Meeting On	_____	OSSD Form Provided	_____
Application Submitted On	<u>Oct. 3, 2016.</u>	Sign Issued	_____
Complete Application On	_____		

This development application must be typed or printed in ink and completed in full. An incomplete or improperly prepared application may not be accepted and could result in processing delays.

**Property assessment roll number: 3310-33403075500**

Check whether this development application is for approval of:

- ☐ Official plan amendment  
☒ Combined official plan and zoning By-Law amendments

**A. APPLICANT INFORMATION**

Name of Applicant <sup>1</sup>	<u>Jacob J. Kolomaya</u>	Phone #	<u>(519) 429-1848</u>
Address	<u>130 Brown Street</u>	Fax #	<u>N/A</u>
Town / Postal Code	<u>Port Dover, ON N0A 1N7</u>	E-mail	<u>jacobkolomaya@gmail.com</u>

<sup>1</sup> If the applicant is a numbered company provide the name of a principal of the company.

Name of Agent	<u>Brimage Law Group c/o Nathan A. Kolomaya</u>	Phone #	<u>(519) 426-5840</u>
Address	<u>21 Norfolk Street N.</u>	Fax #	<u>(519) 426-7515</u>
Town / Postal Code	<u>Simcoe, ON N3Y</u>	E-mail	<u>nkolomaya@brimage.com</u>

Name of Owner <sup>2</sup>	<u>Jacob J. Kolomaya</u>	Phone #	<u>(519) 429-1848</u>
Address	<u>130 Brown Street</u>	Fax #	<u>N/A</u>
Town / Postal Code	<u>Port Dover, ON N0A 1N7</u>	E-mail	<u>jacobkolomaya@gmail.com</u>

<sup>2</sup> 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.

Please specify to whom all communications should be sent <sup>3</sup>: ☒ Applicant ☒ Agent ☐ Owner

<sup>3</sup> Unless otherwise directed, all correspondence, notices, etc., in respect of this development application will be forwarded to the Applicant noted above, except where an Agent is employed, then such will be forwarded to the Applicant and Agent.

Names and addresses of any holders of any mortgagees, charges or other encumbrances on the subject lands:  
The Bank of Nova Scotia - Simcoe Branch: 54 Norfolk St N, Simcoe, ON N3Y 3N7

**B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS**

Geographic Township	<u>Woodhouse</u>	Urban Area or Hamlet	<u>Port Dover</u>
Concession Number	<u></u>	Lot Number(s)	<u>26</u>
Registered Plan Number	<u>118</u>	Lot(s) or Block Number(s)	<u></u>
Reference Plan Number	<u></u>	Part Number(s)	<u></u>
Frontage (metres/feet)	<u></u>	Depth (metres/feet)	<u></u>
Width (metres/feet)	<u></u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u></u>
Municipal Civic Address	<u>130 Brown Street, Port Dover</u>		

For questions regarding requirements for a municipal civic address please contact [NorfolkGIS@norfolkcounty.ca](mailto:NorfolkGIS@norfolkcounty.ca).

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

☐ Yes ☒ No

If yes, describe the easement or covenant and its effect:

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Does the requested amendment alter all or any part of the boundary of an area of settlement in the municipality or implement a new area of settlement in the municipality?

☐ Yes ☒ No

If yes, please describe its effect:

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Does the requested amendment remove the subject land from an area of employment?

☐ Yes ☒ No

If yes, please describe its effect:

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### C. PURPOSE OF DEVELOPMENT APPLICATION

Please explain what you propose to do on the subject lands/premises which makes this development application necessary and include the nature and extent of the amendment requested (if additional space is required, please attach a separate sheet):

The residential dwelling presently located on the subject lands has been in its present form and location on the  
subject lands in excess of 45 years and encroaches upon the adjacent lands to the west (128 Brown St/ LT 25 PL 188).

This application will facilitate the removal of the encroaching dwelling and its subsequent replacement with a dwelling  
properly located within the boundaries of the subject lands.

Current official plan policy:  
Hazard Land (HL)

The land uses that the current policy authorizes:  
See Norfolk County Official Plan s. 4.3

The land uses that the requested amendment policy authorizes:  
See Norfolk County Official Plan s. 4.7 (Urban Residential, subject of course to other OP provisions,  
Lakeshore Secondary Plan, etc.)

Does the requested amendment delete a policy of the official plan?

☐ Yes ☒ No

If yes, identify the policy to be deleted:

Does the requested amendment change or replace a policy in the official plan?

☐ Yes ☒ No

If yes, identify the policy to be changed or replaced, also include the proposed text of the policy amendment (if additional space is required, please attach a separate sheet):

### D. PROPERTY INFORMATION

Present use of the subject lands:  
Single-family residential dwelling

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Proposed use of the subject lands:

Single-family residential dwelling

Present use of adjacent properties:

North: Norfolk County Roads (Brown St); East: vacant land; South: Lake Erie waterfront; West: Single-family dwelling

Are there any existing buildings or structures on the subject lands?

☒ Yes ☐ No

If yes, please describe the type of building or structure and in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

See attached Schedule "A" hereto

Are there any buildings or structures proposed to be built on the subject lands?

☒ Yes ☐ No

If yes, please describe the type of building or structure and in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

See attached Schedule "B" hereto

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:

The date the subject lands was acquired by the current owner:

5 October 2012

If known, the date existing buildings or structures were constructed on the subject lands:

Exact date unknown, but understood to be in excess of 45 years

If known, the length of time the existing uses have continued on the subject lands:

Unknown

## E. PREVIOUS USE OF THE PROPERTY

Has there been an industrial or commercial use on the subject lands or adjacent lands?

☐ Yes ☒ No ☐ Unknown

If yes, specify the uses:

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Has the grading of the subject lands been changed through excavation or the addition of earth or other material?

☐ Yes ☐ No ☒ Unknown

Has a gas station been located on the subject lands or adjacent lands at any time?

☐ Yes ☒ No ☐ Unknown

Has there been petroleum or other fuel stored on the subject lands or adjacent lands at any time?

☐ Yes ☐ No ☒ Unknown

Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites?

☐ Yes ☒ No ☐ Unknown

Provide the information you used to determine the answers to the above questions:

Applicant's personal knowledge of the subject lands

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If you answered yes to any of the above questions, 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 - Not Applicable

## F. STATUS OF OTHER PLANNING DEVELOPMENT APPLICATIONS

Has the subject land or land within 120 metres of it been or is now the subject of an application under the *Planning Act, R.S.O. 1990, c. P. 13* for:

1. a minor variance or a consent;
2. an amendment to an official plan, a zoning by-law or a Minister's zoning order; or
3. approval of a plan of subdivision or a site plan?

☒ Yes ☐ No ☐ Unknown

If yes, indicate the following information about **each application**:

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File number: AN-036-2005; attached as Schedule "C" hereto

Land it affects: 130 Brown Street, Port Dover

Purpose: Minor Variance

Status/decision: Deferred

Effect on the requested amendment: N/A

If additional space is required, please attach a separate sheet.

Is the above information for other planning developments applications attached?

☒ Yes ☐ No

**G. PROVINCIAL POLICY**

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:

Are the subject lands within an area of land designated under any provincial plan or plans?

☐ Yes ☒ No

If yes, does the requested amendment conform to or does not conflict with the provincial plan or plans:

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Are any of the following uses or features on the subject lands or within 500 metres (1,640 feet) of the subject lands, unless otherwise specified? Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Lands		Within 500 Metres (1,640 feet) of Subject Lands (Indicate Distance)	
Livestock facility or stockyard (If yes, complete Form 3 – available upon request)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Wooded area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Municipal landfill	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Sewage treatment plant or waste stabilization plant	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Floodplain	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Rehabilitated mine site	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Non-operating mine site within one kilometre	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Active mine site within one kilometre	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Industrial or commercial use (specify the use(s))	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Active railway line	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Seasonal wetness of lands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Erosion	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Abandoned gas wells	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance

## H. SERVICING AND ACCESS

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
- ☐ Other (describe below)

### Storm Drainage

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

If other, describe:

Will the requested amendment permit development on a privately owned and operated individual or communal septic system that produces more than 4500 litres of effluent per day as a result of the development being completed?

☐ Yes ☒ No

If yes, the following reports will be required: a servicing options report and a hydrogeological report.

Have you consulted with Public Works & Environmental Services concerning stormwater management?

☐ Yes ☒ No

Has the existing drainage on the subject lands been altered?

☐ Yes ☒ No

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Does a legal and adequate outlet for storm drainage exist?

☒ Yes      ☐ No      ☐ Unknown

Existing or proposed access to subject lands:

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

If other, describe:

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Name of road/street:

Brown Street

**I. OTHER INFORMATION**

Is there a time limit that affects the processing of this development application?

☐ Yes      ☒ No

If yes, describe:

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

The Agent and/or Applicant have participated in consultations with Norfolk County Planning Staff as well as

Planning Staff at Long Point Region Conservation Authority. This application will be pursued concurrently with a

permit application to the Long Point Region Conservation Authority which includes a request to amend the

Hazard Line for the subject lands.

## J. SUPPORTING MATERIAL TO BE SUBMITTED BY APPLICANT

In order for your development application to be considered complete, **two (2) copies of the plan(s) (folded to 8 ½" x 11")** must be submitted, in metric units, drawn to scale, as part of the development application, which shows:

1. The boundaries and dimensions of the subject lands
2. The topographical features
3. The approximate location of all natural and artificial features including but not limited to, buildings, railways, roads, watercourses, municipal drains, drainage ditches, banks of rivers or streams, pipelines, gas wells, wetlands, wooded areas that are located on the subject land and on land that is adjacent to it and may affect the application
4. The location of any existing and proposed wells, septic systems and tile beds that is located on the subject land and on land that is adjacent to it and may affect the application
5. The location, name, status and width of any road, lanes, highways, railways, driveways or encroachments, both existing and proposed, within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
6. The location and nature of any easements affecting the subject land
7. The location, size and type of all **existing** and **proposed** buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines, also including building dimensions, height and groupings for each building on the site
8. Outlines of all planting beds, buffer planting, lawn areas, areas to be seeded and sodded and any other landscaping or site improvements
9. Location and dimensions of off-street parking, parking structures and aisles, the number of parking spaces to be provided and location of accesses
10. Any pylon signs, fascia signs, etc., any lighting facilities and their location
11. Any proposed subdivision of the subject lands
12. Current uses of land that is adjacent to the subject land
13. Location of outside storage, refuse storage and disposal facilities
14. The legal description of the subject lands in question (lot, concession, registered plan no., geographic township)

**Five (5) copies of any applicable information/reports** indicated in the development application form.

If other documentation/supporting material become necessary, you will be contacted. This information must be submitted prior to your development application proceeding.

## K. NOTIFICATION SIGN REQUIREMENTS

For the purpose of public notification and in order for staff to locate your lands, you will be given a sign to indicate the intent and purpose of your development application. It is your responsibility to:

1. Post one sign per frontage in a conspicuous location on the subject lands
2. Ensure one sign is posted at the front of the subject lands at least three feet above ground level
3. Notify the Planner when the sign is in place in order to avoid processing delays
4. Maintain the sign until the development application is finalized and thereafter removed

## L. PERMISSION TO ENTER SUBJECT LANDS

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

  
\_\_\_\_\_  
Owner/Applicant/Agent Signature

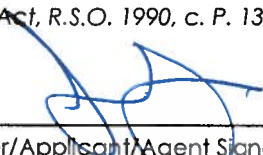
Jacob Jonathan Kolomaya

29th September, 2016  
\_\_\_\_\_

Date

## M. 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 development application.

  
\_\_\_\_\_  
Owner/Applicant/Agent Signature

Jacob Jonathan Kolomaya

29th September, 2016  
\_\_\_\_\_

Date

## N. DECLARATION

I, Jacob Jonathan Kolomaya of Port Dover in the County of Norfolk 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*.

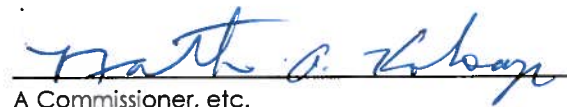
Declared before me at:

Port Dover

In Norfolk County

This 29th day of September

A.D., 20 16



A Commissioner, etc.  
Nathan A. Kolomaya  
Brimage Law Group

  
\_\_\_\_\_  
Owner/Applicant/Agent Signature  
Jacob Jonathan Kolomaya

## O. OWNER'S AUTHORIZATION

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

I/We Jacob Jonathan Kolomaya am/are the registered owner(s) of the lands that is the subject of this development application for a zoning by-law amendment.

I/We authorize The Brimage Law Group to make this development application on my/our behalf and to provide any of my/our personal information necessary for the processing of this development application. Moreover, this shall be your good and sufficient authorization for so doing.

  
\_\_\_\_\_  
Owner  
Jacob Jonathan Kolomaya

\_\_\_\_\_  
Owner

29th September, 2016

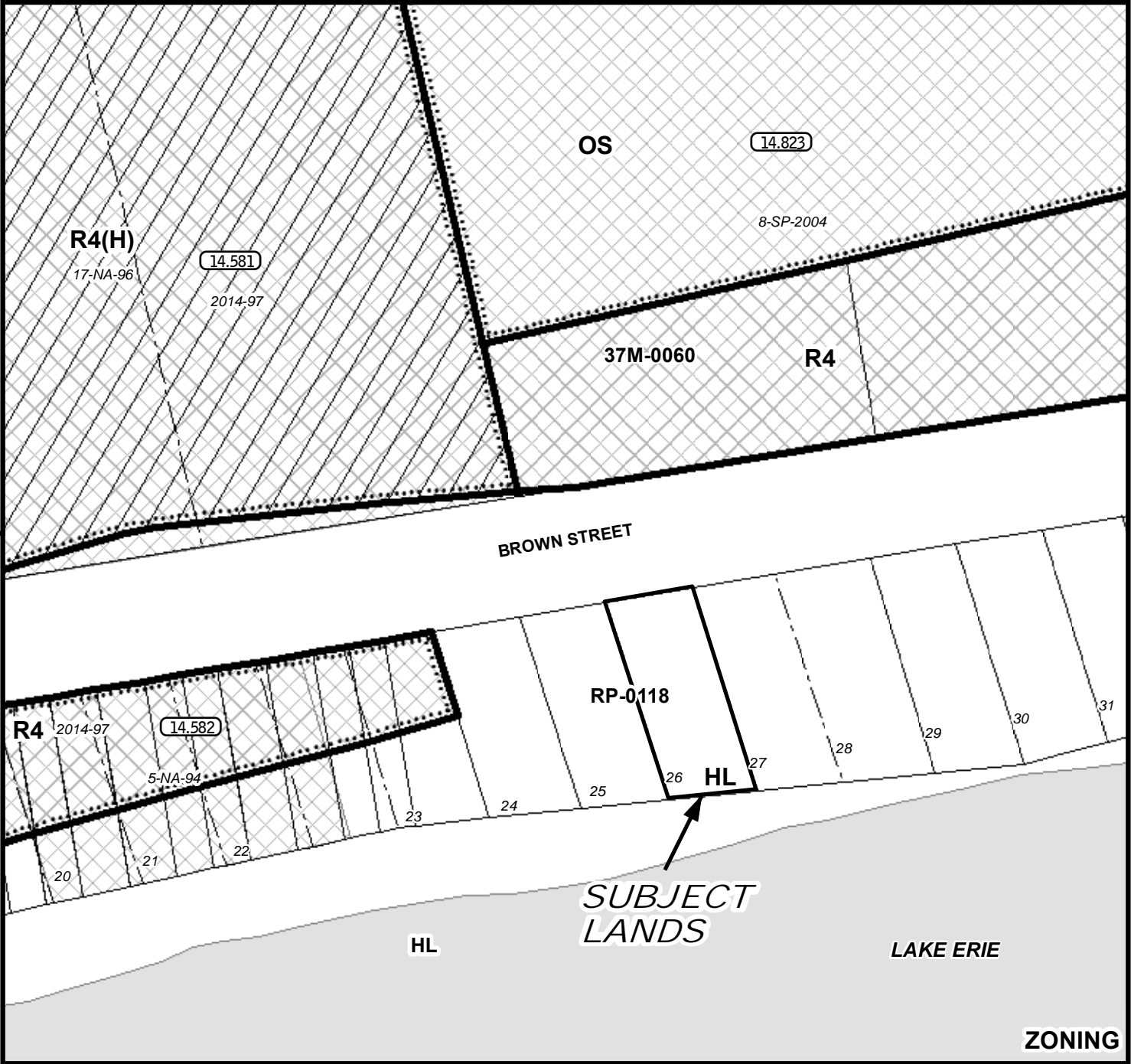
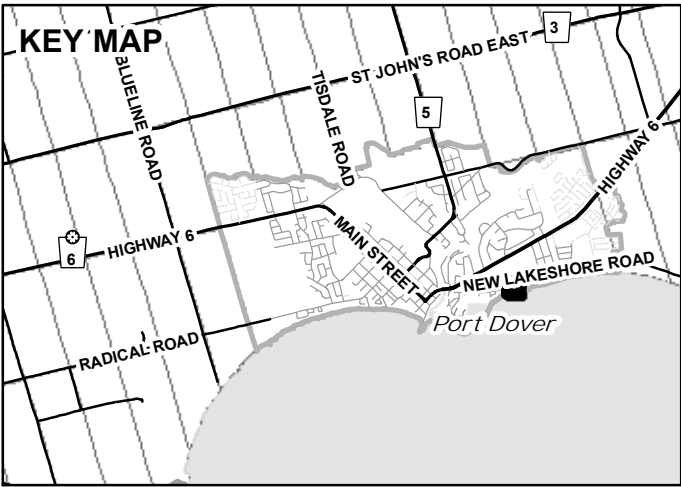
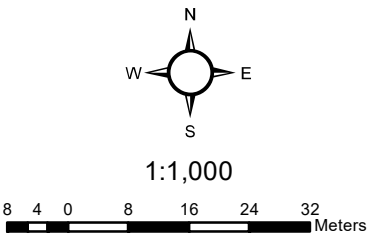
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# MAP 1

File Number: OPNPL2016293 &  
ZNPL2016294

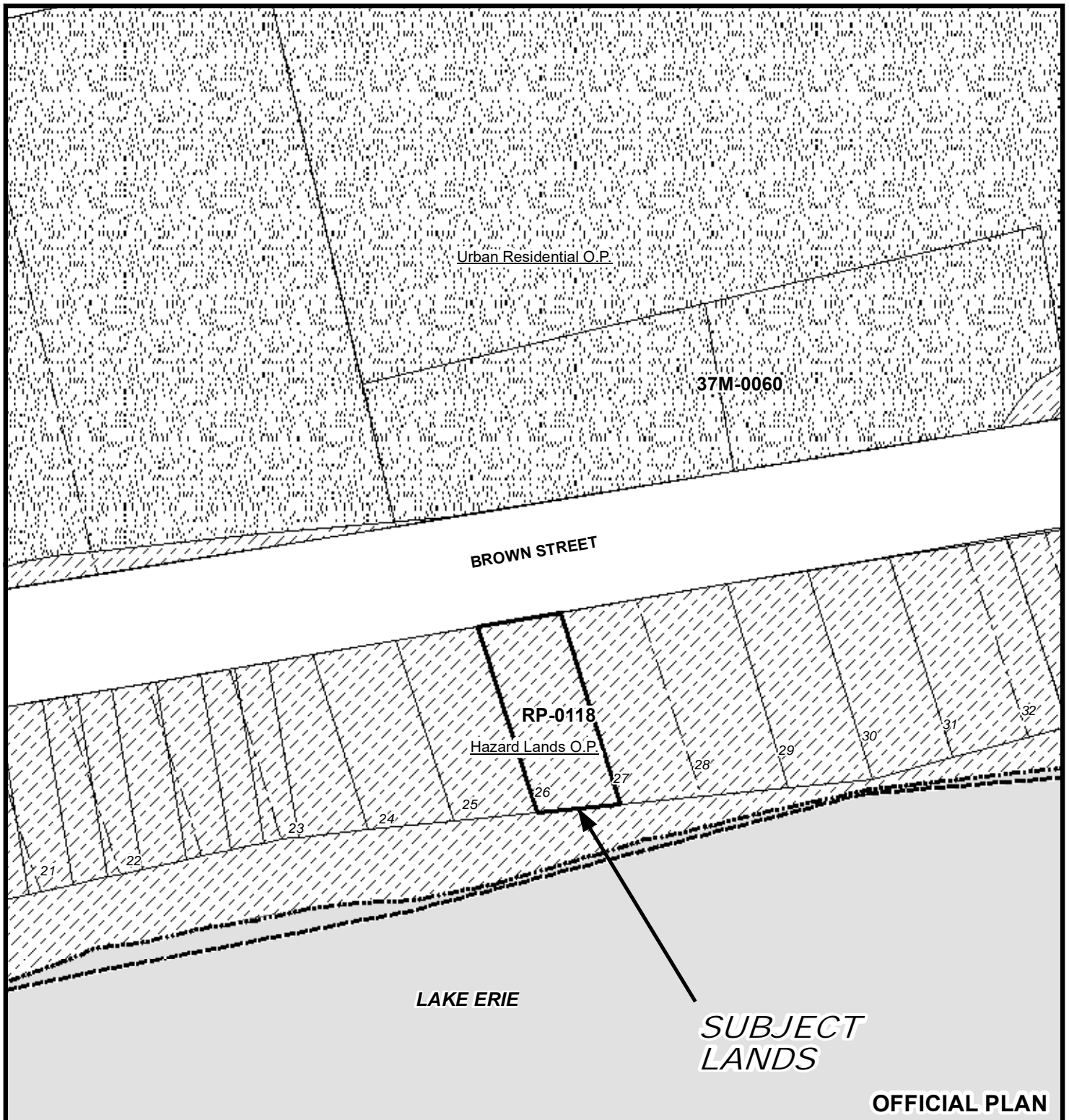
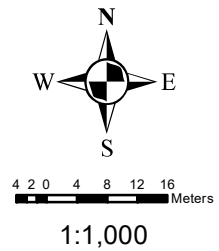
Urban Area of  
**PORT DOVER**



## MAP 2

File Number: OPNPL2016293 & ZNPL2016294

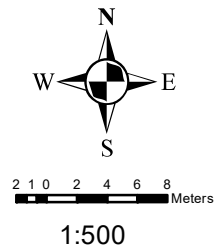
Urban Area of PORT DOVER



# MAP 3

File Number: OPNPL2016293 & ZNPL2016294

Urban Area of PORT DOVER



# MAP 4

File Number: OPNPL2016293 & ZNPL2016294

Urban Area of PORT DOVER

