

**For Office Use Only:**

File Number ZNPL2018075  
Related File Number —  
Pre-consultation Meeting —  
Application Submitted Nov. 6/18  
Complete Application Nov. 13/18  
Public Notice Sign ✓

SPRT Meeting ✓  
Application Fee ✓  
Conservation Authority Fee ✓  
OSSD Form Provided New system  
Planner Kayla DeLuge

**Check the type of planning application(s) you are submitting.**

- ☐ Official Plan Amendment
- ☒ Zoning By-Law Amendment
- ☐ Temporary Use By-law
- ☐ Draft Plan of Subdivision/Vacant Land Condominium
- ☐ Condominium Exemption
- ☐ Site Plan Application
- ☐ Consent/Severance
- ☐ Minor Variance
- ☐ Easement/Right-of-Way
- ☐ Extension of a Temporary Use By-law
- ☐ Part Lot Control
- ☐ Cash-in-Lieu of Parking
- ☐ Renewable Energy Project or Radio Communication Tower

**Property Assessment Roll Number:** 3310-491-020-20000

**A. Applicant Information**

**Name of Owner** Richard Kinsey & Bonny Roarke

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 71 Imperial Street  
Town and Postal Code Delhi, ON N4B 1G8  
Phone Number 519-582-0258  
Cell Number \_\_\_\_\_  
Email rickkinsey2015@gmail.com

**Name of Applicant** MHBC Planning c/o Pierre Chauvin  
**Address** 540 Bingemans Centre Drive  
**Town and Postal Code** Kitchener ON N2B 3X9  
**Phone Number** 519-576-3650  
**Cell Number** \_\_\_\_\_  
**Email** pchauvin@mhbcplan.com/ rmartin@mhbcplan.com

**Name of Agent** Dalm Construction Ltd. c/o Henry Dalm  
**Address** 41 King Street  
**Town and Postal Code** Tillsonburg ON N4G 3E6  
**Phone Number** 519-688-0228  
**Cell Number** \_\_\_\_\_  
**Email** office@dalm.ca

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

☐ Owner

☐ Agent

☒ Applicant

Names and addresses of any holder of any mortgagees, 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):

Municipal Civic Address: 82 Windham Road 10

Present Official Plan Designation(s): Hazard Land

Present Zoning: Hazard Land

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:

Subject lands currently contain a vacant single detached dwelling.

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, height, etc. on your attached sketch which must be included with your application:

Existing Structure to be removed: Single Detached Dwelling; 8m x 12m; 1000sqft

5. If an addition to an existing building is being proposed, please explain what will it be used for (e.g. bedroom, kitchen, bathroom, etc.). 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, height, etc. on your attached sketch which must be included with your application:

Proposed Structure: New single detached dwelling; total GFA 2531sqft; 1.5 storeys above ground; no basement; attached 2 car garage.

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes ☐ No ☒

If yes, identify and provide details of the building:

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

Unknown

9. Existing use of abutting properties:

Agricultural and Wetland (PSW)

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:

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### C. Purpose of Development Application

Note: Please complete all that apply.

1. Please explain what you propose to do on the subject lands/premises which makes this development application necessary:

Property owner proposes to replace the existing abandoned dwelling with a new dwelling and septic system.

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

Prior to 2014, the lands were zoned Agricultural which permitted a residential use. The lands are now zoned Hazard Land which does not permit a residential use.

3. 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, describe its effect:

4. Does the requested amendment remove the subject land from an area of employment? ☐ Yes ☒ No If yes, describe its effect:

5. Does the requested amendment alter, replace, or delete a policy of the Official Plan? ☐ Yes ☒ No If yes, identify the policy, and also include a proposed text of the policy amendment (if additional space is required, please attach a separate sheet):

6. Description of land intended to be severed in metric units: **Not Applicable**

Frontage: \_\_\_\_\_

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: \_\_\_\_\_

7. Description of proposed right-of-way/easement: **Not Applicable**

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Area: \_\_\_\_\_

Proposed use: \_\_\_\_\_

8. Name of person(s), if known, to whom lands or interest in lands to be transferred, leased or charged (if known): **Not Applicable**

\_\_\_\_\_

**9. Site Information****Existing****Proposed**

Please indicate unit of measurement, i.e. m, m<sup>2</sup> or %, etc.

Lot frontage	328m	same
Lot depth	107m	same
Lot width	328m	same
Lot area	981m	same
Lot coverage	~9%	~13%
Front yard	12.69m	~12.67m
Rear yard	76.2m	~85.24m
Left Interior side yard	213.4m	~235.23m
Right Interior side yard	61m	~64.33m
Exterior side yard (corner lot)	n/a	n/a
Landscaped open space	885 sqm	~856 sqm
Entrance access width	6.1m	7.3m
Exit access width	6.1m	7.3m
Size of fencing or screening	n/a	n/a
Type of fencing	n/a	n/a

**10. Building Size**

Number of storeys	2	1.5
Building height	9.1m	23 ft 8 in
Total ground floor area	96 sqm	1346 sqft/ 125 sqm
Total gross floor area	192 sqm	2381 sqft/ 221 sqm
Total useable floor area	192 sqm	2381 sqft/ 221 sqm

**11. Off Street Parking and Loading Facilities** Not Applicable

Number of off street parking spaces \_\_\_\_\_

Number of visitor parking spaces \_\_\_\_\_

Number of accessible parking spaces \_\_\_\_\_

Number of off street loading facilities \_\_\_\_\_

**12. Multiple Family Residential (if applicable)** Not Applicable

Number of buildings existing: \_\_\_\_\_

Number of buildings proposed: \_\_\_\_\_

Is this a conversion or addition to an existing building? ☐ Yes ☒ No

If yes, describe: \_\_\_\_\_

### Type

### Number of Units

### Floor Area per Unit in m<sup>2</sup>

Bachelor	_____	_____
One bedroom	_____	_____
Two bedroom	_____	_____
Three bedroom	_____	_____
Townhouse	_____	_____

Other facilities provided (e.g. play facilities, underground parking, games room, swimming pool etc.):

### 13. Commercial/Industrial Uses (if applicable)    Not Applicable

Number of buildings existing: \_\_\_\_\_

Number of buildings proposed: \_\_\_\_\_

Is this a conversion or addition to an existing building? ☐ Yes ☐ No

If yes, describe:

Indicate the gross floor area by the type of use (e.g. office, retail, storage, etc.):

Seating Capacity (for assembly halls, etc.): \_\_\_\_\_

Total number of fixed seats: \_\_\_\_\_

Describe the type of business(es) proposed: \_\_\_\_\_

Total number of staff proposed initially: \_\_\_\_\_

Total number of staff proposed in five years: \_\_\_\_\_

Maximum number of staff on the largest shift: \_\_\_\_\_

Is open storage required: ☐ Yes ☐ No

Is a residential use proposed as part of, or accessory to commercial/industrial use?

☐ Yes ☐ No If yes please describe:

**14. Institutional (if applicable)      Not Applicable**

Describe the type of use proposed: \_\_\_\_\_

Seating capacity (if applicable): \_\_\_\_\_

Number of beds (if applicable): \_\_\_\_\_

Total number of staff proposed initially: \_\_\_\_\_

Total number of staff proposed in five years: \_\_\_\_\_

Maximum number of staff on the largest shift: \_\_\_\_\_

Indicate the gross floor area by the type of use (e.g. office, retail, storage, etc.):

**15. Describe Recreational or Other Use(s) (if applicable)      Not Applicable**



#### 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 (example: gas station, petroleum storage, etc.):

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:

Lands in area are historically known to be agricultural and/or wetland

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:

Note: If in an area of source water 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 \_\_\_\_\_ adjacent/across road

**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 approx 130m

**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. 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  
☐ 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:

Windham Road 10

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#### G. Other Information

1. Does the application involve a local business? ☐ Yes ☒ No  
If yes, how many people are employed on the subject lands?

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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.

The LPRCA has issued permits for the lands. Permit No.

LPRCA-86/17 & 84/16; A Flood Impact Study has been completed.

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

All digital files must be received in the following naming format:

Developmentname Plannname Engineersplannumber yr.m.da [date received or stamped]

For example: DairyQueenPD Site 11979-1 17.12.21

Reports and studies can be renamed in the following format:

Developmentname Reportname Reportpreparer yr.m.da [date received or created]

For example: DairyQueenPD Traffic WSP 17.12.15

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 properly named 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. Key map
4. Scale, legend and north arrow
5. Legal description and municipal address
6. Development name
7. Drawing title, number, original date and revision dates
8. Owner's name, address and telephone number



9. Engineer's name, address and telephone number
10. Professional engineer's stamp
11. Existing and proposed easements and right of ways
12. Zoning compliance table – required versus proposed
13. Parking space totals – required and proposed
14. All entrances to parking areas marked with directional arrows
15. Loading spaces, facilities and routes (for commercial developments)
16. All dimensions of the subject lands
17. Dimensions and setbacks of all buildings and structures
18. Gross, ground and useable floor area
19. Lot coverage
20. Floor area ratio
21. Building entrances, building type, height, grades and extent of overhangs
22. Names, dimensions and location of adjacent streets including daylighting triangles
23. Driveways, curbs, drop curbs, pavement markings, widths, radii and traffic directional signs
24. All exterior stairways and ramps with dimensions and setbacks
25. Retaining walls including materials proposed
26. Fire access and routes
27. Location, dimensions and number of parking spaces (including visitor and accessible) and drive aisles
28. Location of mechanical room, and other building services (e.g. A/C, HRV)
29. Refuse disposal and storage areas including any related screening (if indoors, need notation on site plan)
30. Winter snow storage location
31. Landscape areas with dimensions
32. Natural features, watercourses and trees
33. Fire hydrants and utilities location
34. Fencing, screening and buffering – size, type and location
35. All hard surface materials
36. Light standards and wall mounted lights (plus a note on the site plan that all outdoor lighting is to be dark sky compliant)
37. Business signs (make sure they are not in sight lines)
38. Sidewalks and walkways with dimensions
39. Pedestrian access routes into site and around site
40. Bicycle parking
41. Architectural elevations of all building sides
42. All other requirements as per the pre-consultation meeting

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
- ☐ Architectural Plan
- ☐ Buildings Elevation Plan
- ☐ Cut and Fill Plan
- ☐ Erosion and Sediment Control Plan
- ☐ Grading and Drainage Control Plan (around perimeter and within site) (existing and proposed)
- ☐ Landscape Plan
- ☐ Photometric (Lighting) Plan
- ☐ Plan and Profile Drawings
- ☐ Site Servicing Plan
- ☐ Storm water Management Plan
- ☐ Street Sign and Traffic Plan
- ☐ Street Tree Planting Plan
- ☐ Tree Preservation Plan
- ☐ Archaeological Assessment
- ☐ Environmental Impact Study
- ☐ Functional Servicing Report
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Noise or Vibration Study
- ☐ Record of Site Condition
- ☐ Storm water Management Report
- ☐ Traffic Impact Study – please contact the Planner to verify the scope required Site

Plan applications will require the following supporting materials:

1. Three (3) complete sets of the site plan drawings folded to 8½ x 11 and an electronic version in PDF format
2. Letter requesting that the Holding be removed (if applicable)
3. A cost estimate prepared by the applicant's engineer
4. An estimate for Parkland dedication by a certified land appraiser
5. Proof that property taxes to be paid up to date



6. Proof of insurance:

- a. Commercial General Liability satisfactory to the County must include:
  - i. A limit of liability not less than two million dollars (\$2,000,000) per occurrence
  - ii. The Corporation of Norfolk County shall be named as an additional insurer
  - iii. The policy shall contain a provision for cross liability in respect of the name insurer
  - iv. Non-owned automobile coverage with a limit of at least two million dollars (\$2,000,000) including contractual non-owned coverage
  - v. Errors and omissions liability with a limit of at least two million dollars (\$2,000,000)
  - vi. Products and completed operations coverage
  - vii. Certificate of Insurance must be in the same name as that on the PIN and site plan agreement
- b. Certificate of Insurance for Professional
- c. Certificate of Insurance for Owner

- 7. Written Legal Description of the Property and the Property Identification Number (PIN)
- 8. Postponement (if there are mortgagees)
- 9. Transfers/easements or agreements related to the subject lands

Standard condominium exemptions will require the following supporting materials:

- ☐ Plan of standard condominium (2 paper copies and 1 electronic copy)
- ☐ Draft condominium declaration

Your development approval might also be dependent on Ministry of Environment and Climate Change, 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. Development Agreements**

A development agreement may be required prior to approval for site plan, subdivision and condominium applications. Should this be necessary for your development, you will be contacted by the agreement administrator with further details of the requirements including but not limited to insurance coverage, professional liability for your engineer, additional fees and securities.

#### J. Transfers, Easements and Postponement of Interest

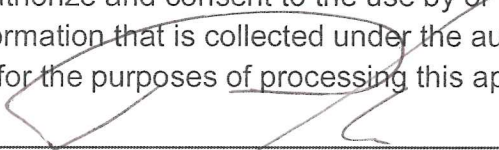
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

#### K. 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.

#### L. 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 Signature

Nov. 3, 2018

Date

#### M. Owner's Authorization

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

I/We Richard Kinsey & Bonny Roarke am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

I/We authorize MHBC Planning 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

Oct. 15/2018

Date



Owner

Oct. 15 2018

Date



**N. Declaration**

I, Pierre Chauvin of the Township of Centre Wellington

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:

City of Kitchener




Owner/Applicant Signature

In the Region of Waterloo

This 2nd day of November

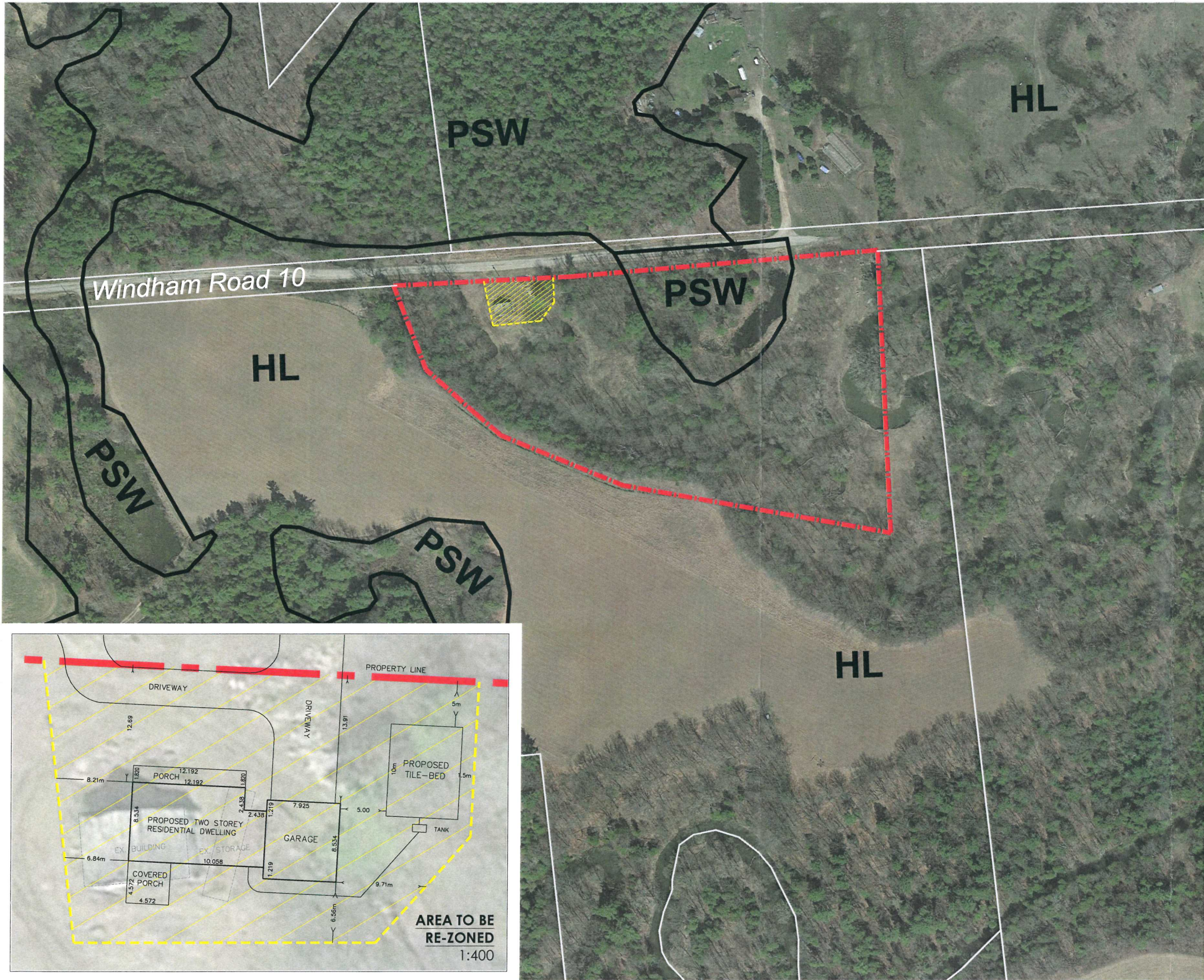
A.D., 20 18



A Commissioner, etc.

David William Aston, a Commissioner, etc.,  
Province of Ontario, for MacNaughton  
Hermesen Britton Clarkson Planning Limited.  
Expires October 11, 2019.





# Zoning Amendment Sketch

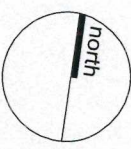
82 WINDHAM ROAD  
PT OF LOTS 23 & 24 CONCESSION 10  
TOWNSHIP OF WINDHAM  
NORFOLK COUNTY

## LEGEND:

- Subject Lands: 4.38 ha / 10.83 ac
- Area to be Rezoned with special regulations to permit a single detached dwelling and accessory uses (0.13ha / 0.31 ac)
- The Corporation of Norfolk County Zoning By-Law 1-Z-2014

**Notes:**  
•Areas Approximate  
•Vumap First Base Solutions/ Teranet parcel boundary

**Date:** October 2, 2018  
**Scale:** 1:2,500  
**File:** 16220B  
**Drawn:** GC



K:16220B- 82 WINDHAM ROAD/RPTZONING SKETCH.DWG



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

200-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9  
P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

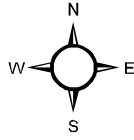


# MAP 1

## File Number: ZNPL2018275

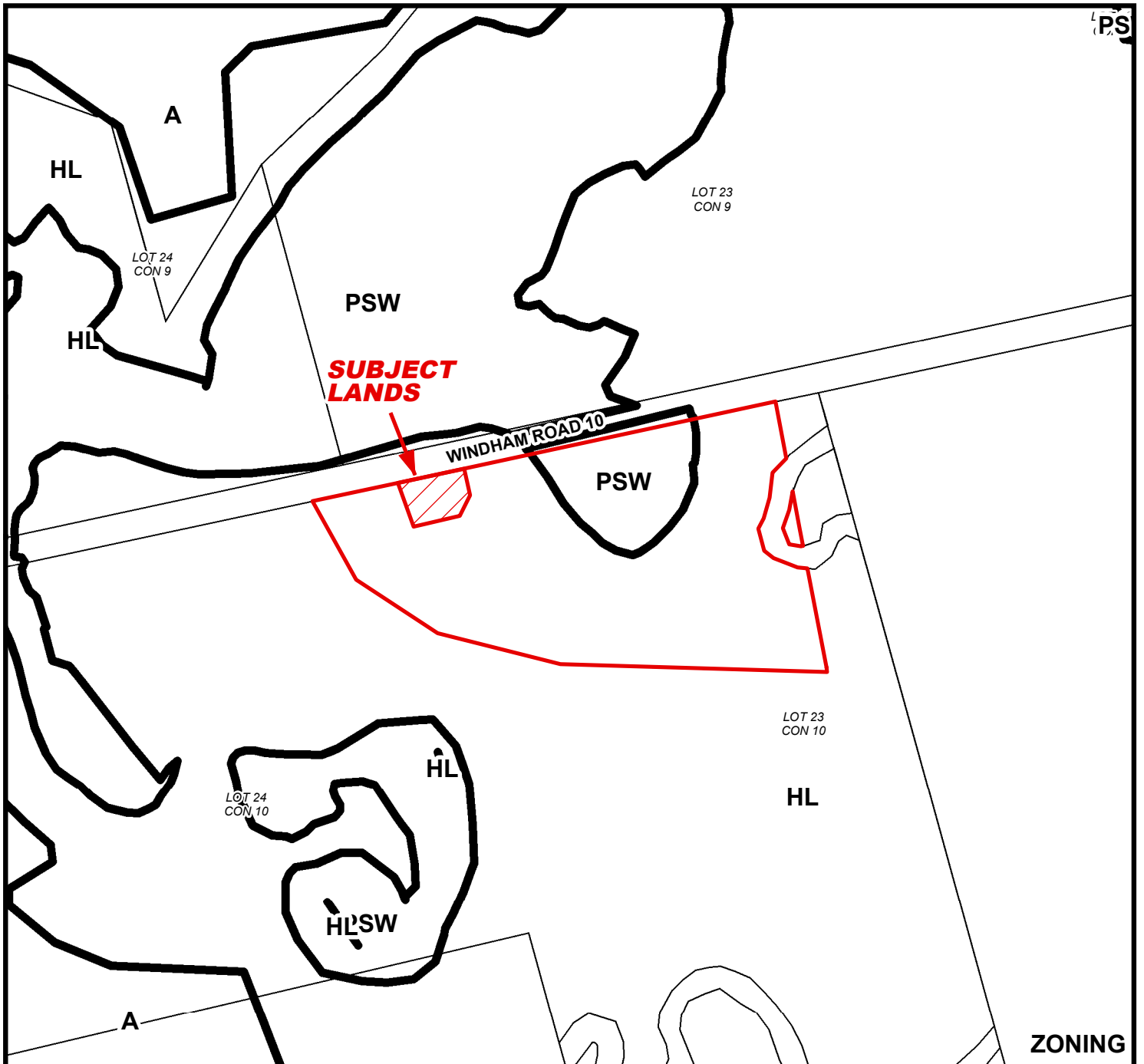
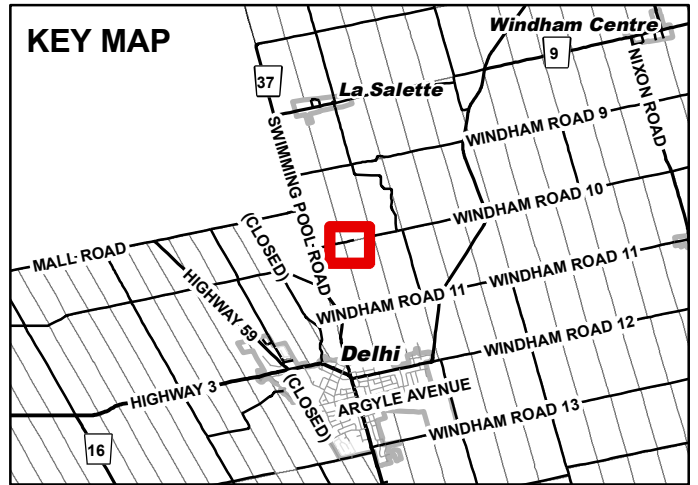
Geographic Township of

### WINDHAM



1:4,000

30 15 0 30 60 90 120 Meters



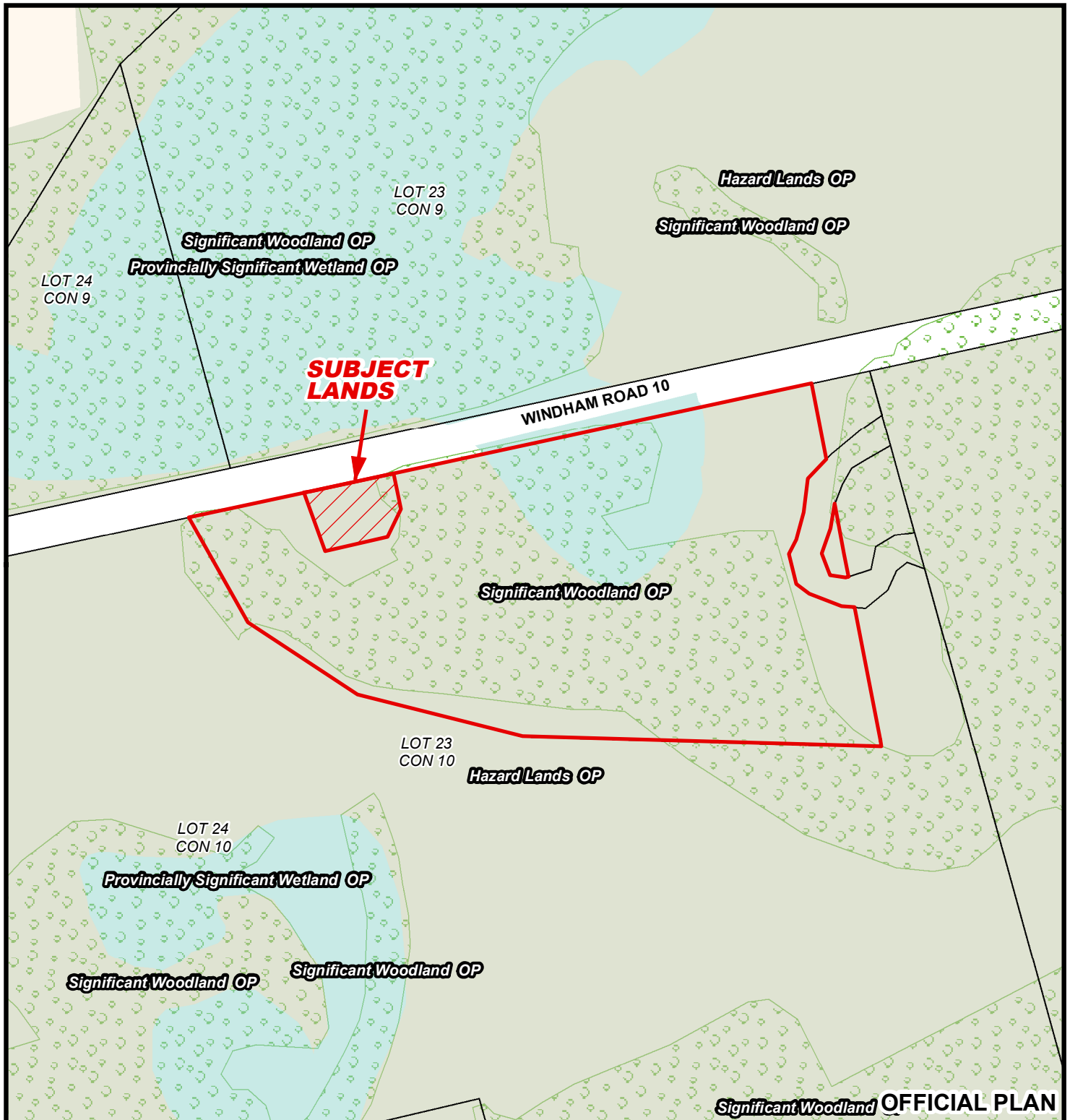
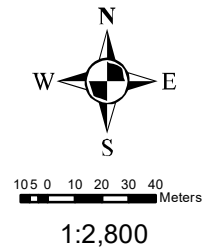
ZONING

11/27/2018

# MAP 2

File Number: ZNPL2018275

Geographic Township of WINDHAM

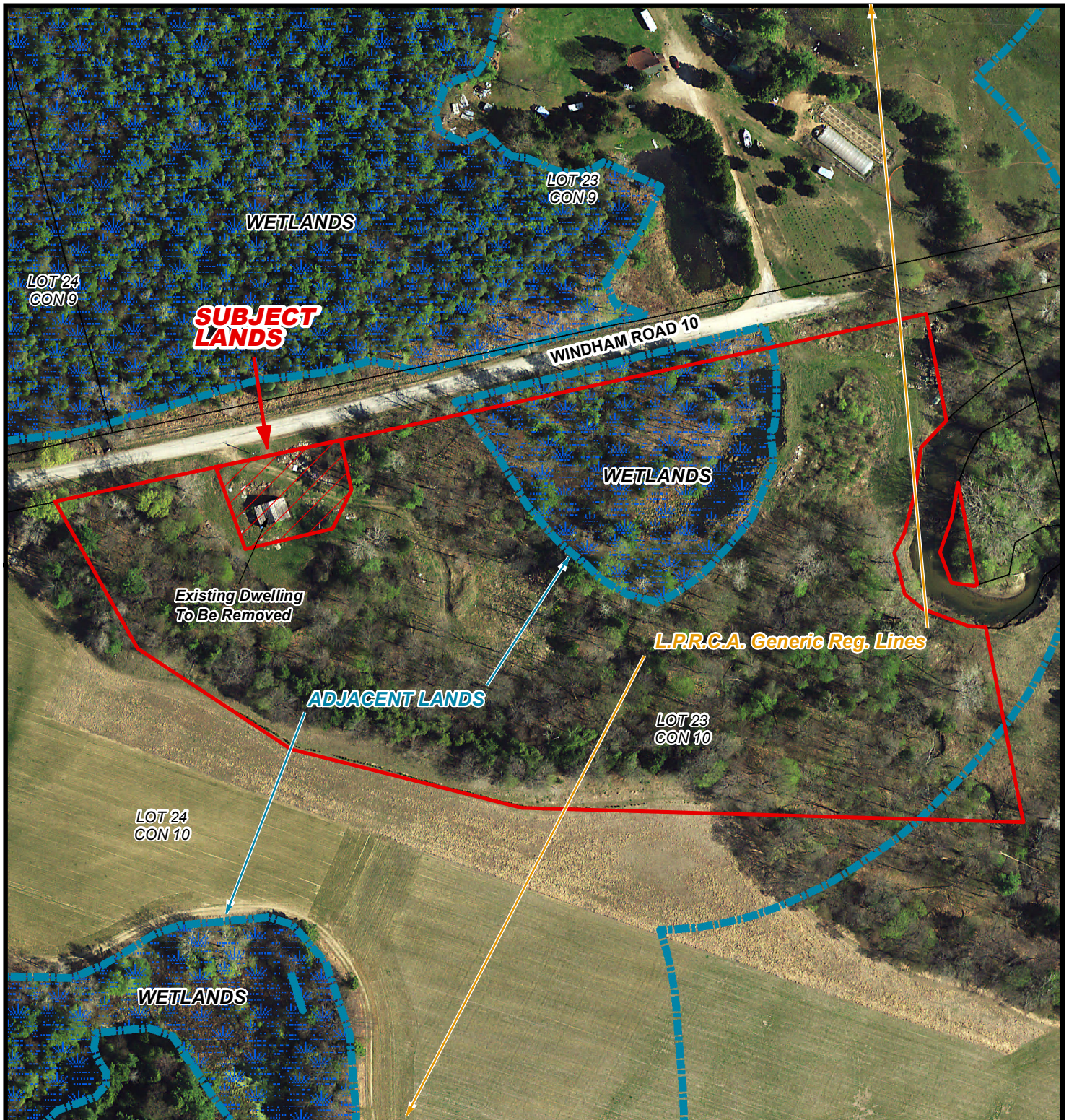
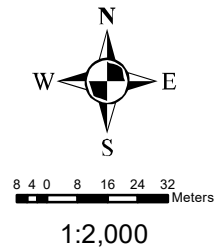




# MAP 3

File Number: ZNPL2018275

Geographic Township of WINDHAM





# MAP 4

File Number: ZNPL2018275

Geographic Township of WINDHAM



1 0.7 1.5 3 4.5 6 Meters

1:400

