

For Office Use Only:

File Number

INPL2021365

Related File Number

BNPL2021102

Pre-consultation Meeting

OCT 29/21

Application Submitted

Nov 16/21

Complete Application

Public Notice Sign

Application Fee

\$703.00

Conservation Authority Fee

Well & Septic Info Provided

Planner

MGoodBRAND

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
- ☐ Extension of a Temporary Use By-law
- ☐ Part Lot Control
- ☐ Cash-in-Lieu of Parking
- ☐ Renewable Energy Project or Radio Communication Tower

Please summarize the desired end result of this application (for example: a special zoning provision on the subject lands to include additional use(s), changing the zone and/or official plan designation of the subject lands, creating a certain number of lots, or similar)

RE ZONE TO SERVICE COMMERCIAL TO FACILITATE A  
BOUNDARY ADJUSTMENT - FILE BNPL 2021102

Property Assessment Roll Number: 33105 4400 100 200 0000

A. Applicant Information

Name of Owner JON KOZICKI

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 2513 Cockshutt Rd

Town and Postal Code WATERFORD ONT

Phone Number \_\_\_\_\_

Cell Number \_\_\_\_\_

Email JON@KOZICKIPRODUCE.COM

Name of Applicant JON KOZICKI

Address 2513 Cockshutt Rd

Town and Postal Code WATERFORD ONT

Phone Number \_\_\_\_\_

Cell Number \_\_\_\_\_

Email JON@KOZICKIPRODUCE.COM

Name of Agent JAMES BOIL

Address 21 NORFOLK ST N

Town and Postal Code Simcoe N3Y 4L1

Phone Number 519 426 5840

Cell Number \_\_\_\_\_

Email jboil@image.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 both 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):

FRWN PLAN 16 B Pt BLK 2 SWAL Con A Part  
14 RP 37K 9338 Part 1 1.15 AC

Municipal Civic Address: 1048 Highway 59

Present Official Plan Designation(s): ES

Present Zoning: AGRICULTURAL

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

☐ Yes ☒ No If yes, please specify corresponding number:

3. Present use of the subject lands:

DINER

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 ONE STOREY METAL SIDED DINER

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example: bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe:

NO NEW STRUCTURES PROPOSED.

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 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:

CS ZONES: NE side CS live-work; NORTH -CS: RETAIN SOUTH RIA

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

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

#### C. Purpose of Development Application

Note: Please complete all that apply.

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

BOUNDARY ADJUSTMENT SEVERANCE

REQUIRES THIS ZONING AMENDMENT.  
FILE BNPL 2021102

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

Same as #1

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: see attached sketch.

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:

Buildings on retained land:

7. Description of proposed right-of-way/easement:

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):

Norfolk  
COUNTY

# 9 Site Information

## Zoning

## Proposed

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

Lot frontage	_____	_____
Lot depth	_____	_____
Lot width	_____	_____
<input checked="" type="checkbox"/> Lot area	1480 <sup>2</sup>	1480 <sup>2</sup>
Lot coverage	_____	_____
Front yard	_____	_____
Rear yard	_____	_____
Left Interior side yard	_____	_____
Right Interior side yard	_____	_____
Exterior side yard (corner lot)	_____	_____
Landscaped open space	_____	_____
Entrance access width	_____	_____
Exit access width	_____	_____
Size of fencing or screening	_____	_____
Type of fencing	_____	_____
<input checked="" type="checkbox"/> 10 Building Size		
Number of storeys	NONE	_____
Building height	_____	_____
Total ground floor area	_____	_____
Total gross floor area	_____	_____
Total useable floor area	_____	_____
<input checked="" type="checkbox"/> 11 Off Street Parking and Loading Facilities		
Number of off street parking spaces	N/A	_____
Number of visitor parking spaces	_____	_____
Number of accessible parking spaces	_____	_____
Number of off street loading facilities	_____	_____

12. Residential (if applicable)

Number of buildings existing: NONE

Number of buildings proposed: NONE

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

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

Type	Number of Units	Floor Area per Unit in m2
Single Detached	_____	_____
Semi-Detached	_____	_____
Duplex	_____	_____
Triplex	_____	_____
Four-plex	_____	_____
Street Townhouse	_____	_____
Stacked Townhouse	_____	_____
Apartment - Bachelor	_____	_____
Apartment - One bedroom	_____	_____
Apartment - Two bedroom	_____	_____
Apartment - Three bedroom	_____	_____

Other facilities provided (for example: play facilities, underground parking, games room, or swimming pool): \_\_\_\_\_

13 Commercial/Industrial Uses (if applicable)

Number of buildings existing: NONE

Number of buildings proposed: NONE

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 (for example: office, retail, or storage):

N/A

X Seating Capacity (for assembly halls or similar): N/A

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:

\_\_\_\_\_  
\_\_\_\_\_

X Institutional (if applicable)

Describe the type of use proposed: N/A None

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 (for example: office, retail, or storage):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

X Describe Recreational or Other Use(s) (if applicable)

NA  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**D. Previous Use of the Property**

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☐ Yes ☒ No ☐ Unknown

If yes, specify the uses (for example: gas station or petroleum storage):

2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown

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

*CURRENT OWNERS KNOWLEDGE.*

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 Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

Livestock facility or stockyard (submit MDS Calculation with application)

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

Wooded area

☐ On the subject lands or ☒ within 500 meters – distance 240

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 0

Active railway line

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

Seasonal wetness of lands

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

Erosion

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

Abandoned gas wells

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

F. Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

☒ Municipal piped water

☐ Individual wells

☐ Communal wells

☐ Other (describe below)

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: Highway 59

G. 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.

No

#### 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 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. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
19. Gross, ground and useable floor area
20. Lot coverage
21. Floor area ratio
22. Building entrances, building type, height, grades and extent of overhangs
23. Names, dimensions and location of adjacent streets including daylighting triangles
24. Driveways, curbs, drop curbs, pavement markings, widths, radii and traffic directional signs
25. All exterior stairways and ramps with dimensions and setbacks
26. Retaining walls including materials proposed
27. Fire access and routes
28. Location, dimensions and number of parking spaces (including visitor and accessible) and drive aisles
29. Location of mechanical room, and other building services (e.g. A/C, HRV)
30. Refuse disposal and storage areas including any related screening (if indoors, need notation on site plan)
31. Winter snow storage location



32. Landscape areas with dimensions
33. Natural features, watercourses and trees
34. Fire hydrants and utilities location
35. Fencing, screening and buffering – size, type and location
36. All hard surface materials
37. Light standards and wall mounted lights (plus a note on the site plan that all outdoor lighting is to be dark sky compliant)
38. Business signs (make sure they are not in sight lines)
39. Sidewalks and walkways with dimensions
40. Pedestrian access routes into site and around site
41. Bicycle parking
42. Architectural elevations of all building sides
43. 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 (to verify location and condition)
- ☐ 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. Two (2) 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. Property Identification Number (PIN) printout

Standard condominium exemptions will require the following supporting materials:

- ☐ Plan of standard condominium (2 paper copies and 1 electronic copy)
- ☐ Draft condominium declaration
- ☐ Property Identification Number (PIN) printout

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**

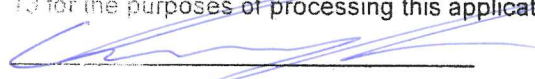
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

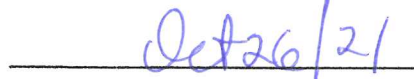
Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

**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



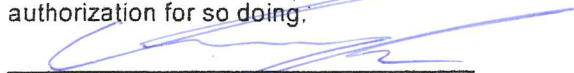
Date

**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 Jon Kozicki am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize JAMES BOH / BRIMAGE LAW GROUP to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.



Owner



Date

\_\_\_\_\_

Owner

\_\_\_\_\_

Date

N. Declaration

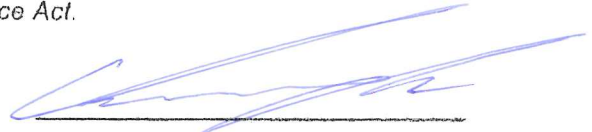
Jon Kozicki of Norfolk County

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

Town of Simcoe



Owner/Applicant Signature

County of Norfolk

This 26 day of Oct

A.D., 2021



A Commissioner, etc.



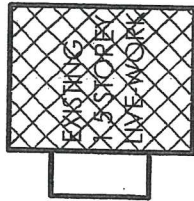
PROPERTY LINE 200'-0"

**ROLL NUMBER**  
**54400100300**

**TOWN OR TOWNSHIP**  
PORT ROWAN  
**STREET NUMBER**  
153  
**STREET NAME**  
FRONT RD

**LEGAL DESCRIPTION**  
PRWN PLAN 1.68 PT BLK 2 RP  
37R8189 PART 2  
0.33AC 80.00FR

BAY STREET



ZONED  
CS

80'-0"

PROPERTY LINE 117'-0"

49'-3" [15.010]



AREA OF BOUNDARY  
ADJUSTMENT *And REZONE*

83'-3" [25.340]

83'-0" PROPERTY LINE

50'-0"

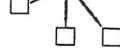
PROPERTY LINE

52' [15.840]

22'-2" [6.750]

211'-3" [64.380]

EX. SEPTIC TANK SYSTEM  
ACCESS



EXISTING ONE STOREY  
METAL SIDED DINER.  
ZONED  
CS

ZONED  
CS

146'-6" ±

PROPERTY LINE

APPROX. 9 EXISTING  
PARKING SPACES

APPROX. 5 EXISTING  
PARKING SPACES (218F)

EXISTING GRAVEL  
PARKING LOT

APPROX. 13 EXISTING  
PARKING SPACES

ARC 212'-3" ±

114'-5" ±

15'-11" ±

EX. GRASS AREA

**ROLL NUMBE**  
**TOWN OR TOWNSH**  
**STREET NUMBER**  
**STREET NAME**  
**LEGAL DESCRIPTION**





**MAP A**  
**CONTEXT MAP**  
Urban Area of PORT ROWAN

ZNPL2021365

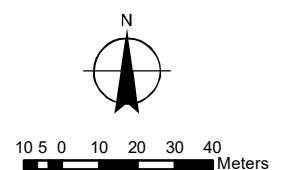


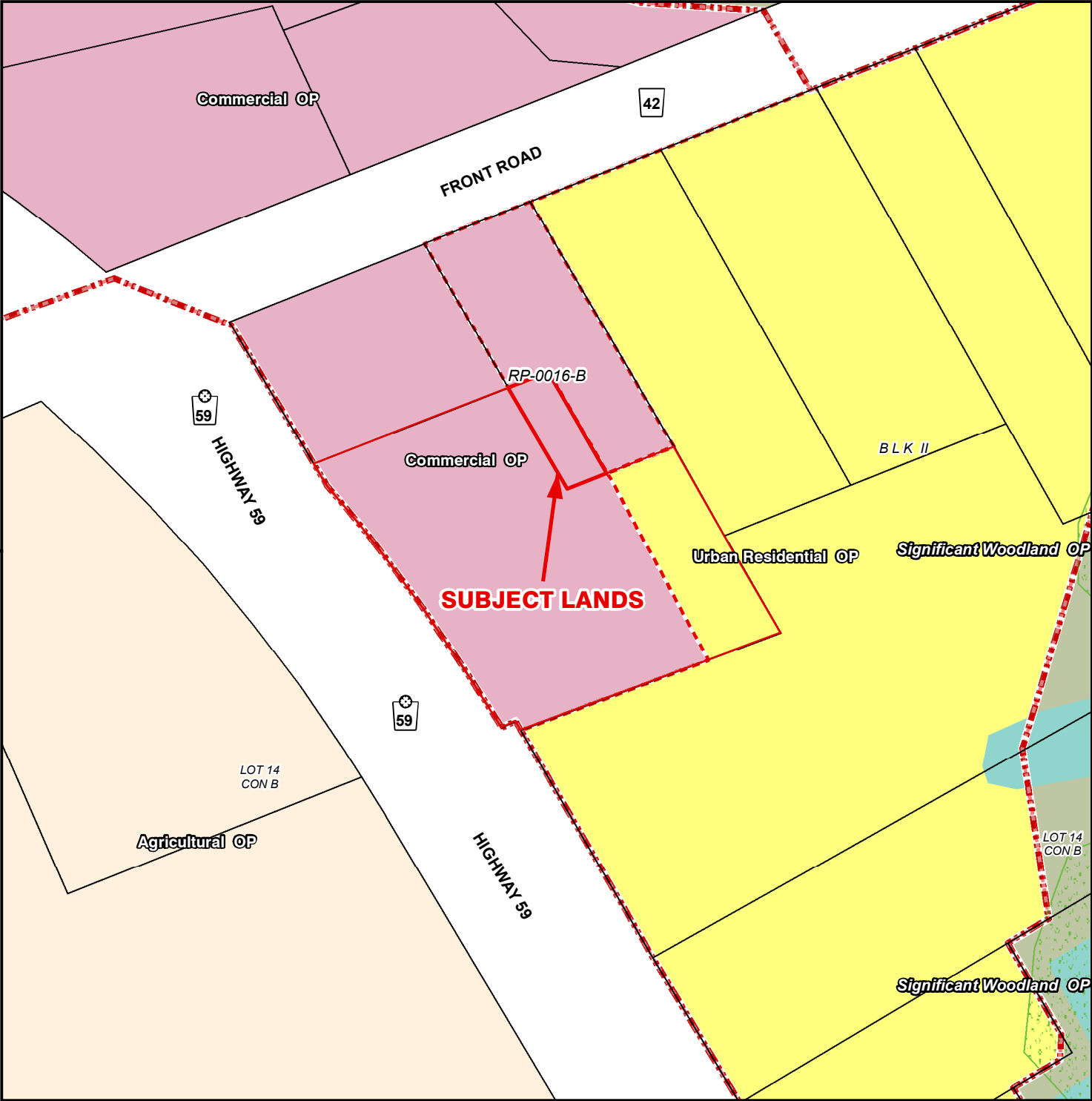
**Legend**

-  Subject Lands
-  Lands Owned

2020 Air Photo

2021-11-17





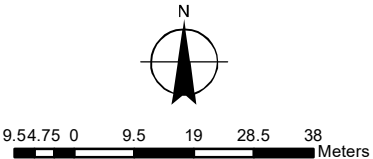
Legend

- Subject Lands
- Lands Owned

Official Plan Designations

- Agricultural
- Hazard Lands
- Provincially Significant Wetland
- Urban Residential
- Commercial
- Parks & Open Space
- Special Policy Area
- Urban Area Boundary
- Significant Woodland

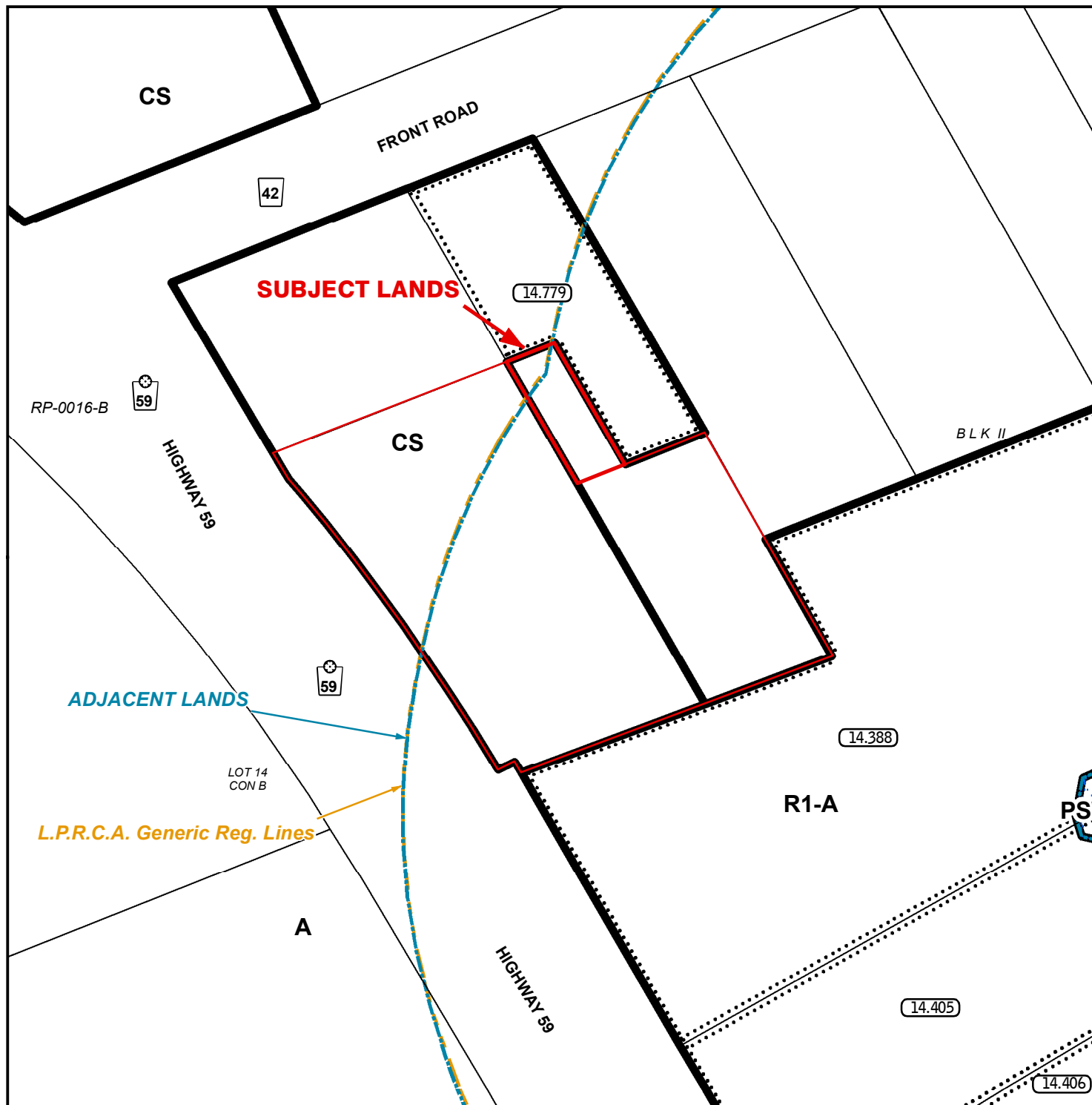
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**PROPOSED ZONING BY-LAW AMENDMENT MAP**

Urban Area of PORT ROWAN



2021-11-17

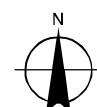
**LEGEND**

- Subject Lands
- Lands Owned
- Adjacent Lands
- Wetland
- LPRCA Generic RegLines

**ZONING BY-LAW 1-Z-2014**

- (H) - Holding
- A - Agricultural Zone
- CS - Service Commercial Zone
- PSW - Provincially Significant Wetland Zone
- R1-A - Residential R1-A Zone

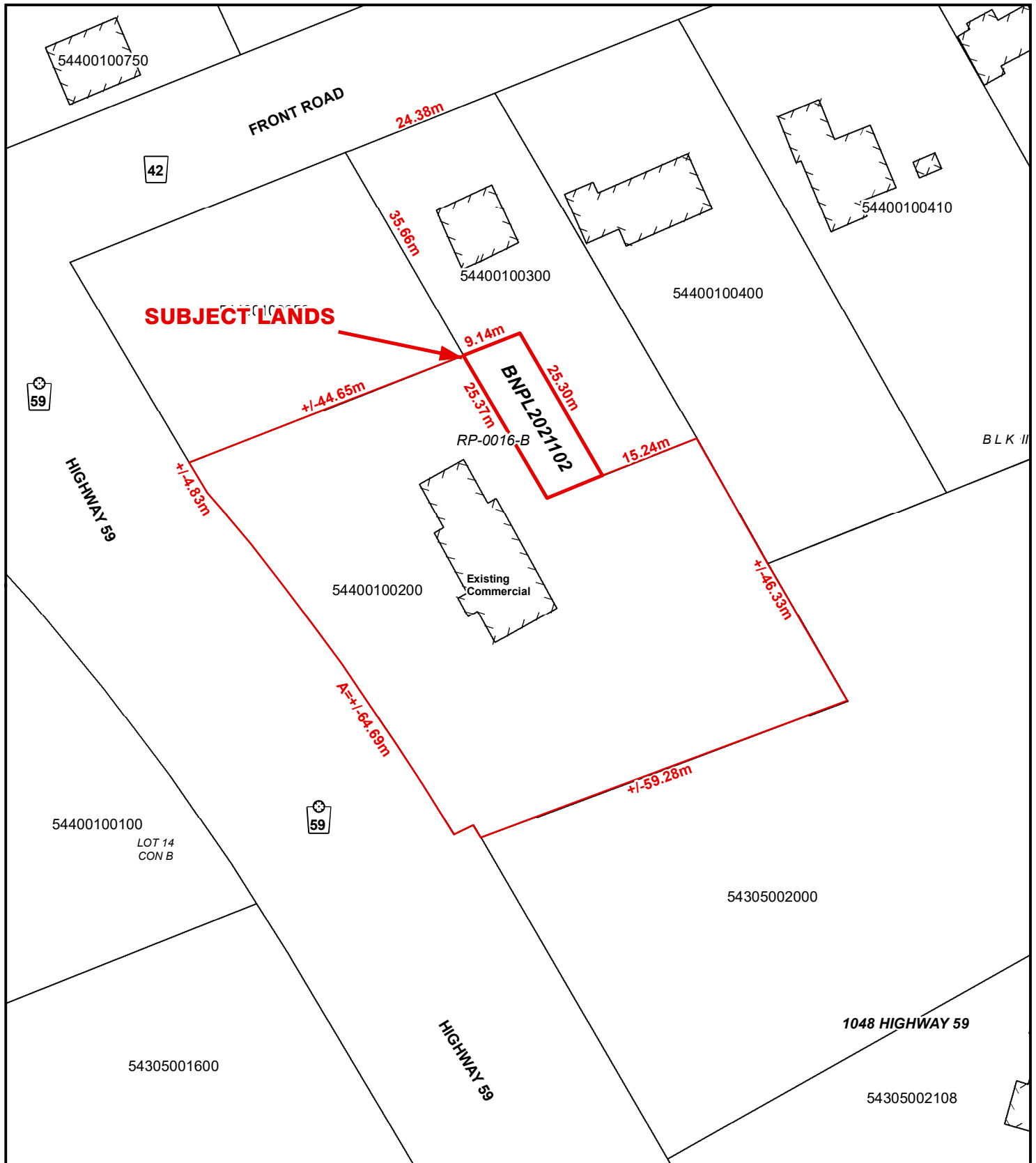
**From: Agricultural (A) zone  
To: Service Commercial (CS)**



8 4 0 8 16 24 32 Meters



CONCEPTUAL PLAN  
Urban Area of PORT ROWAN



Legend

- Subject Lands
- Lands Owned

