



**LandPro Planning Solutions Inc.**  
110 James St., Suite 204      28 Colborne St. N.  
St. Catharines, ON L2R 7E8      Simcoe, ON, N3Y 3T9

November 21, 2023

Attn: Fabian Serra & Secretary-Treasurer  
Planning Department  
85 Robinson Street, Suite 200  
Simcoe, ON N3Y 5L6

Email: [Fabian.Serra@norfolkcounty.ca](mailto:Fabian.Serra@norfolkcounty.ca)  
[committee.of.adjustment@norfolkcounty.ca](mailto:committee.of.adjustment@norfolkcounty.ca)

Re: **Zoning By-Law Amendment & Consent Applications**  
60 Prospect Street, Port Dover  
Norfolk County

LandPro Planning Solutions Inc. ("Agent") has been retained by Fergco Investment Management Inc. ("Owner") c/o Mr. Paul Breedyk ("Applicant") to assist in obtaining the required planning approvals to rezone and permit the construction of a semi-detached dwelling.

**Please note** the rezoning (ZBA) application is to be processed and approved first, prior to the consent application. However, for ease of processing, both applications are being submitted concurrently under the same submission.

This letter introduces the submission of these applications which comprises of the following:

1. Zoning By-Law Amendment Application Form
2. Committee of Adjustment (Consent) Application Form
3. Survey (Jewitt & Dixon, October 2023)
4. Planning Justification Brief (LandPro Planning Solutions Inc., November 2023)
5. Pre-consultation Meeting Notes (June 2023)
6. Associated Application fee(s) (client to pay directly to County)

We trust this submission fulfills the County's requirements for a complete application and look forward to receiving confirmation of the same.

You are welcome to call our office at 289-687-3730 or by email at [mitchell@landproplan.ca](mailto:mitchell@landproplan.ca) with any questions or concerns.



Sincerely,

LANDPRO PLANNING SOLUTIONS Inc.



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Mitchell Baker, BES  
Planner | Project Manager



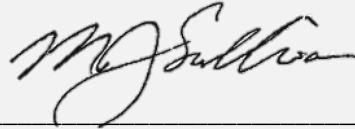
289-680-3164



[mitchell@landproplan.ca](mailto:mitchell@landproplan.ca)



[landproplan.ca](http://landproplan.ca)



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Michael Sullivan, M.Pl., RPP, MCIP  
President | Founder



289-687-3730



[mike@landproplan.ca](mailto:mike@landproplan.ca)



[landproplan.ca](http://landproplan.ca)

## **Planning Department Development Application Form**

### **Complete Application**

A complete development application consists of the following:

1. A completed, signed, and notarized application form
2. Supporting information adequate to illustrate your proposal as indicated in **Section H** of this application form
3. Written authorization from the registered owner of the subject lands where the applicant is not the owner as per Section N
4. Cash, debit, credit or cheque payable to Norfolk County in the amount set out in the user fees By-Law that will be accepted and deposited once the application has been deemed complete.

### **Pre-Submission Consultation:**

Norfolk County requires a Pre-Consultation Meeting for all applications; however, minor applications may be exempted depending on the nature of the proposal. The purpose of a Pre-Consultation Meeting is to provide the applicant with an opportunity to present the proposed application, discuss potential issues, and for the Norfolk County and Agency staff to identify the application requirements. Application requirements, as detailed in the Pre-Consultation Meeting Comments, are valid for one year after the meeting date.

### **Development Application Process**

Once an application has been deemed complete by a Planner, Norfolk County staff will circulate the application to adjacent landowners, public agencies, and internal departments for comment. The time involved in application processing varies depending on its complexity, acceptability to the other agencies, and statutory Planning Act decision time-frames.

Payment is required once your application is deemed complete. Pre-payments will not be accepted.

Norfolk County collects personal information submitted through this form under the Municipal Freedom of Information and Protection Act's authority. Norfolk County will use this information for the purposes indicated or implied by this form. You can direct questions about collecting personal information to Norfolk GIS Services at [NorfolkGIS@norfolkcounty.ca](mailto:NorfolkGIS@norfolkcounty.ca).

Additional studies required for the complete application shall be at the applicant's sole expense. Sometimes, peer reviews may be necessary to review particular studies at the applicant's expense. In these cases, Norfolk County staff will select the company to complete the peer review.

Norfolk County will refund the original fee if applicants withdraw their applications before circulation. If Norfolk County must recirculate your drawings, there will be an additional fee. If Norfolk County must do more than three reviews of engineering drawings due to revisions by the owner or failure to revise engineering drawings as requested, Norfolk County will charge an additional fee. Full refunds are only available before Norfolk County has circulated the application.

### **Notification Sign Requirements**

For public notification, Norfolk County will provide you with 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 and not on a tree.
3. Notify the Planner when the sign is in place.
4. Maintain the sign until the development application is finalized and, after that, remove it.

### **Contact Us**

For additional information or assistance completing this application, please contact a Planner at 519-426-5870 or 519-875-4485 extension 1842 or [planning@norfolkcounty.ca](mailto:planning@norfolkcounty.ca). Please submit the completed application and fees to the attention of the Planning Department at 185 Robinson Street, Suite 200, Simcoe, ON N3Y 5L6.



**For Office Use Only:**

File Number ZNPL2023394  
Related File Number \_\_\_\_\_  
Pre-consultation Meeting \_\_\_\_\_  
Application Submitted \_\_\_\_\_  
Complete Application \_\_\_\_\_

Public Notice Sign \_\_\_\_\_  
Application Fee \_\_\_\_\_  
Conservation Authority Fee \_\_\_\_\_  
Well & Septic Info Provided \_\_\_\_\_  
Planner \_\_\_\_\_

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

The Zoning By-law Amendment application intends to rezone the western portion of the property to Urban Residential Type 1 (R1-A) with site specific exceptions and the eastern portion to Urban Residential Type 2 (R2) with site specific exceptions. The application intends to recognize all zoning deficiencies on both the retained lot and severed lot through site-specific provisions.

This ZBA application will be followed by a consent application to sever the eastern portion of the property to facilitate the construction of a semi detached dwelling.

**Property Assessment Roll Number:** 33403006600

**A. Applicant Information**

**Name of Owner** Fergco Investment Management Inc.

**Address** 60 Prospect Street

**Town and Postal Code** Port Dover, N0A 1N6

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

**Cell Number** (519)410-8122

**Email** breedyk@hotmail.com

**Name of Applicant** Breedyk Homes c/o Paul Breedyk

**Address** 605 Lynn Valley Road

**Town and Postal Code** Port Dover, N0A 1N2

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

**Cell Number** (519)410-8122

**Email** breedyk@hotmail.com

**Name of Agent** LandPro Planning Solutions Inc c/o Mitchell Baker

**Address** 204-110 James St

**Town and Postal Code** St Catharines, L2R 7E8

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

**Cell Number** 289-680-6134

**Email** mitchell@landproplan.ca

Unless otherwise directed, Norfolk County will forward all correspondence and notices regarding this application to both owner and agent noted above.

☒ Owner

☒ Agent

☒ Applicant

X

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):

PDOV PLAN 295 LOT 9, Port Dover

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Municipal Civic Address: 60 Prospect Street

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Present Official Plan Designation(s): Urban Residential

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Present Zoning: Urban Residential Type 1 (R1-A)

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

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

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3. Present use of the subject lands:

Residential

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4. Please describe **all existing** buildings or structures on the subject lands and whether they will 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 the 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:

Dwelling and detached garage (to be demolished). Please refer to attached survey and Planning Justification Brief.

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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.

N/A

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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:

Semi-detached dwelling. Please refer to attached survey, floor plans and Planning Justification Brief.

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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:

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

Unknown

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9. Existing use of abutting properties:

Residential

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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:

Rezoned the western portion of the property to Urban Residential Type 1 (R1-A) with site specific exceptions to recognize the reduced rear yard setback, interior side yard setback, and exterior side yard setback. The eastern portion is proposed to be rezoned to Urban Residential Type 2 (R2) with site specific exceptions to recognize the reduced rear yard setback and reduced lot area. This application will be followed by a consent application to sever the eastern portion of the property to construct a semi detached dwelling.

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

Existing dwelling is non-conforming and the proposed lot depth is shallow. Please refer to attached Planning Justification Brief.

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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:

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

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- 
- 
- 

Frontage:	25.17m
Depth:	20.12m
Width:	25.17m
Lot Area:	506.4m2 (252.7m2 per unit)
Present Use:	Residential
Proposed Use:	Residential

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Frontage:	20.12m
Depth:	29.69m
Width:	20.12m
Lot Area:	598.43m <sup>2</sup>
Present Use:	Residential
Proposed Use:	Residential

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Frontage: N/A

Depth:

Width:

Area:

Proposed use:

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**9. Site Information****Zoning****Proposed**

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

Lot frontage	R1-A: 18m, R2: 8.5m/unit	R1-A: 20.12m, R2: 12.5m/unit
Lot depth	-	R1-A: 29.6m, R2: 20.1m
Lot width	-	R1-A: 20.12m, R2: 12.5m
Lot area	R1-A: 560m <sup>2</sup> , R2: 255m <sup>2</sup> /unit	R1-A: 598.4m <sup>2</sup> , R2: 252.7m <sup>2</sup> /unit
Lot coverage	-	-
Front yard	6.0m	R1-A: 9.95m, R2: 6.02m
Rear yard	7.50m	R1-A: 6.10m, R2: 3.13m
Left Interior side yard	R1-A: 3.0m, R2: 1.2m	R1-A: 2.71m, R2: 1.59m
Right Interior side yard	R1-A: N/A, R2: 1.2m	R2: 1.6m
Exterior side yard (corner lot)	R1-A: 6.0m, R2: N/A	R1-A: 4.69m
Landscaped open space	-	-
Entrance access width	-	4m
Exit access width	-	-
Size of fencing or screening	-	-
Type of fencing	-	-

**10. Building Size**

Number of storeys	-	2-storeys
Building height	11m	+/-17ft (5.5m)
Total ground floor area	-	920sqft (per unit)
Total gross floor area	-	1569sqft (per unit)
Total useable floor area	-	3138sqft (TOTAL)

**11. Off Street Parking and Loading Facilities**

Number of off street parking spaces	_____	2 per unit
Number of visitor parking spaces	_____	-
Number of accessible parking spaces	_____	-
Number of off street loading facilities	_____	-

12. Residential (if applicable)

Number of buildings existing: 1

Number of buildings proposed: 1

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	<u>1 (existing)</u>	<u>Existing (no change)</u>
Semi-Detached	<u>2</u>	<u>146m2 (1569sqft) per unit</u>
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: N/A

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



Seating Capacity (for assembly halls or similar): \_\_\_\_\_

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)

Describe the type of use proposed: N/A

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):

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

15. Describe Recreational or Other Use(s) (if 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 (for example: gas station or petroleum storage):

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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:

Owner

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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:

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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:

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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:

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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 \_\_\_\_\_

**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 150m

**Floodplain**

☐ On the subject lands or ☒ within 500 meters – distance 150m

**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)

Cistern until Municipal water servicing is available

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### 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: Prospect Street & Maple Street

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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.

Please refer to attached Planning Justification Brief.

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## **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 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 site plan approval, 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, to disclose the registration of all transfer(s) of land and/or 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.

X

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

Nov 15 / 2023  
\_\_\_\_\_  
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.

X

I/We Eneco Investment management am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize LandPro Planning Solutions Inc c/o Mitchell Baker 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

Nov 15 / 2023  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

**K. Declaration**

I, Mitchell Baker of city of Waterloo

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:

Waterloo

M. Baker  
Owner/Applicant/Agent Signature

In Province of Ontario

This 21<sup>st</sup> day of November

A.D., 2023

Anita Mary Samuel

A Commissioner, etc.

Anita Mary Samuel  
Barrister & Solicitor  
Notary Public and Commissioner of Oaths  
in and for the Province of Ontario.  
My commission is of unlimited duration.  
No legal advice given.

**Walk-In Notary**  
22 King Street South, 3rd floor  
Waterloo, ON., N2J 1N8  
226-899-4479  
[www.walkinnotary.com](http://www.walkinnotary.com)

## Committee of Adjustment Application to Planning Department

### Complete Application

A complete Committee of Adjustment application consists of the following:

1. A properly completed and signed application form (signature must on original version);
2. Supporting information adequate to illustrate your proposal as listed in **Section H** of this application form (plans are required in paper copy and digital PDF format);
3. Written authorization from all registered owners of the subject lands where the applicant is not the owner as per Section N; and,
4. Cash, debit or cheque payable to Norfolk County in the amount set out in the Norfolk County User Fees By-Law.
5. The completed application and fees are to be mailed to the attention of **Secretary Treasurer – Committee of Adjustment**: 185 Robinson Street, Suite 200, Simcoe, ON N3Y 5L6 or email your application [committee.of.adjustment@norfolkcounty.ca](mailto:committee.of.adjustment@norfolkcounty.ca). Make sure submissions are clearly labelled including address, name, and application type. Failure to do so may impact the timing of your application.

The above listed items are required to ensure that your application is given full consideration. An incomplete or improperly prepared application will not be accepted and may result in delays during the processing of the application. This application must be typed or printed in ink and completed in full.

Please review all of the important information summarised below.

### Before your Application is Submitted

A pre-consultation meeting is not usually required for Committee of Adjustment applications; however, discussion with Planning Department staff prior to the submission of an application is **strongly encouraged**. The purpose of communicating with a planner **before** you submit your application is: to review your proposal / application, to discuss potential issues; and to determine the required supporting information and materials to be submitted with your application before it can be considered complete by staff. You might find it helpful to retain the services of an independent professional (such as a registered professional planner) to help you with your application. Information about the Official Plan and Zoning By-law can be found on the County website: [www.norfolkcounty.ca/planning](http://www.norfolkcounty.ca/planning)

### After Your Application is Submitted

Once your payment has been received and the application submitted, in order for your application to be deemed complete all of the components noted above are required.



Incomplete applications will be identified and returned to the applicant. The *Planning Act* permits up to 30 days to review and deem an application complete.

Once your application has been deemed complete by the Planning Department, it is then circulated to public agencies and County departments for review and comment. A sign is also provided that is required to be posted on the subject lands that summarizes the application and identifies the committee meeting date. The comments received from members of the community will be included in the planning report and will inform any recommendations in relation to the application.

If the subject lands are located in an area that is regulated by either the Long Point Region Conservation Authority or by the Grand River Conservation Authority an additional fee will be required if review by the applicable agency is deemed necessary. A separate cheque payable to the Long Point Region Conservation Authority or the Grand River Conservation Authority is required in accordance with their fee schedule at the same time your application is submitted.

**Additional studies** required as part of the complete application shall be at the sole expense of the applicant. In some instances peer reviews may be necessary to review particular studies and that the cost shall be at the expense of the applicant. The company to complete the peer review shall be selected by the County.

If the application is withdrawn prior to the circulation to commenting agencies, the entire original fee will be refunded. If withdrawn after the circulation to agencies, half the original fee will be refunded. No refund is available after the public meeting and/or approval of application.

### **Notification Sign Requirements**

Planning Department staff may post a notification sign on your property in advance of the public meeting on your behalf. Please keep this sign posted until you have received a notice in the mail indicating that the Secretary Treasurer received no appeals. However, it is the applicant's responsibility to ensure that the sign is correctly posted within the statutory timeframes, according to the *Planning Act*. Failure to post a sign in advance of the public meeting in accordance with statutory requirements will impact the timing of your application at the Committee of Adjustment meeting. Applicants are responsible for removal of the sign following the appeal period. The signs are recyclable and can be placed in your blue box.

### **Contact Us**

For additional information or assistance in completing this application, please contact a planner at 519-426-5870 ext. 1842 or [Committee.of.Adjustment@NorfolkCounty.ca](mailto:Committee.of.Adjustment@NorfolkCounty.ca)

**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:** 33403006600**A. Applicant Information****Name of Owner** Fergco Investment Management Inc.

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** 60 Prospect Street

**Town and Postal Code** Port Dover, N0A 1N6

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

**Cell Number** (519)410-8122

**Email** breedyk@hotmail.com

**Name of Applicant** Breedyk Homes c/o Paul Breedyk

**Address** 605 Lynn Valley Road

**Town and Postal Code** Port Dover, N0A 1N2

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

**Cell Number** (519)410-8122

**Email** breedyk@hotmail.com

**Name of Agent** LandPro Planning Solutions Inc c/o Mitchell Baker

**Address** 204-110 James St

**Town and Postal Code** St Catharines, L2R 7E8

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

**Cell Number** 289-680-6134

**Email** mitchell@landproplan.ca

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:

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

## **B. Location, Legal Description and Property Information**

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

PDOV PLAN 295 LOT 9, Port Dover

**Municipal Civic Address:** 60 Prospect Street

**Present Official Plan Designation(s):** Urban Residential

**Present Zoning:** Urban Residential Type 1 (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:

Dwelling and detached garage (to be demolished). Please refer to attached survey and Planning Justification Brief.

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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:

Semi-detached dwelling. Please refer to attached survey, floor plans and Planning Justification Brief.

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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:

---

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

Owner

---

9. Existing use of abutting properties:

Residential

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

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

---



### C. Purpose of Development Application

Note: Please complete all that apply. **Failure to complete this section will result in an incomplete application.**

#### 1. Site Information (Please refer to Zoning By-law to confirm permitted dimensions)

	Existing	Permitted	Provision	Proposed Severed (R2) Retained (R1-A)	Deficiency
Lot frontage	20.12m	R1-A: 18m, R2: 8.5m/unit		R1-A: 20.12m, R2: 12.5m/unit	
Lot depth	54.86m	-		R1-A: 29.6m, R2: 20.1m	
Lot width	20.12m	-		R1-A: 20.12m, R2: 12.5m	
Lot area	1104.8m <sup>2</sup>	R1-A: 560m <sup>2</sup> , R2: 255m <sup>2</sup> /unit		R1-A: 598.4m <sup>2</sup> , R2: 252.7m <sup>2</sup> /unit	R2: -2.3m <sup>2</sup>
Lot coverage	-	-			
Front yard	9.95m	6.0m		R1-A: 9.95m, R2: 6.02m	
Rear yard	14.16m	7.50m		R1-A: 6.10m, R2: 3.13m	R1-A: -1.4m, R2: -4.37m
Height	1-storey	11m			
Left Interior side yard	2.71m	R1-A: 3.0m, R2: 1.2m		R1-A: 2.71m, R2: 1.59m	R1-A: -0.29m
Right Interior side yard	-	R1-A: N/A, R2: 1.2m		R2: 1.6m	
Exterior side yard (corner lot)	4.69m	R1-A: 6.0m, R2: N/A		R1-A: 4.69m	R1-A: 1.31m
Parking Spaces (number)	2+	1		2	
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:

Existing dwelling is non-conforming and the proposed lot depth is shallow. Please refer to attached Planning Justification Brief.

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

Frontage:	25.17m
Depth:	20.12m
Width:	25.17m
Lot Area:	506.4m <sup>2</sup> (252.7m <sup>2</sup> per unit)
Present Use:	Residential
Proposed Use:	Residential

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:	20.12m
Depth:	29.69m
Width:	20.12m
Lot Area:	598.43m <sup>2</sup>
Present Use:	Residential
Proposed Use:	Residential

Buildings on retained land: single-detached 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:

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

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:

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---

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:

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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. 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 150m

**Floodplain**

☐ On the subject lands or ☒ within 500 meters – distance 150m

**Rehabilitated mine site**

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

**Non-operating mine site within one kilometre**

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

**Active mine site within one kilometre**

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

**Industrial or commercial use (specify the use(s))**

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

**Active railway line**

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

**Seasonal wetness of lands**

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

**Erosion**

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

**Abandoned gas wells**

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

## F. All Applications: Servicing and Access

1. Indicate what services are available or proposed:

### Water Supply

- ☐ Municipal piped water ☐ Communal wells  
☐ Individual wells ☒ Other (describe below)

Cistern until Municipal water servicing is available

---

### 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:

Prospect Street & Maple 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?

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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.

Please refer to attached Planning Justification Brief.

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## **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.

X  \_\_\_\_\_ NOV 15/2023 \_\_\_\_\_  
Owner/Applicant/Agent Signature Date

## J. Owner's Authorization

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

X I/We Fernco Investment Management am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize LandPro Planning Solutions Inc c/o Mitchell Baker 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.

 \_\_\_\_\_ NOV 15/2023 \_\_\_\_\_  
Owner Date

\_\_\_\_\_  
Owner 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, Mitchell Baker of city of Waterloo

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:

Waterloo

M. Baker  
Owner/Applicant/Agent Signature

In Province of Ontario

This 21st day of November

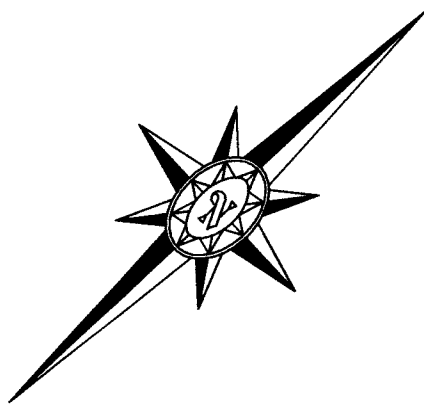
A.D., 2023

Anita Mary Samuel

A Commissioner, etc.

Anita Mary Samuel  
Barrister & Solicitor  
Notary Public and Commissioner of Oaths  
in and for the Province of Ontario.  
My commission is of unlimited duration.  
No legal advice given.

**Walk-In Notary**  
22 King Street South, 3rd floor  
Waterloo, ON., N2J 1N8  
226-899-4479  
[www.walkinnotary.com](http://www.walkinnotary.com)



ELEVATIONS SHOWN HEREON ARE IN METRES  
AND ARE BASED ON A GEODETIC DATUM.

**METRIC NOTE:**

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN  
BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**UTILITY NOTE:**

THE VARIOUS UTILITY LOCATIONS SHOWN ON THIS PLAN ARE  
BASED ON PHYSICAL LOCATES OF ABOVE GROUND SERVICES.

PRIOR TO ANY ON SITE CONSTRUCTION ACTIVITY A VERIFICATION  
LOCATE OF UNDERGROUND SERVICES IS BOTH RECOMMENDED  
AND ADVISED.

**SKETCH PREPARED FOR BUILDING  
PERMIT APPLICATION**

**FOR: PAUL BREEDYK  
#60 PROSPECT STREET  
PORT DOVER**

PIN 50254 - 0007 (LT)

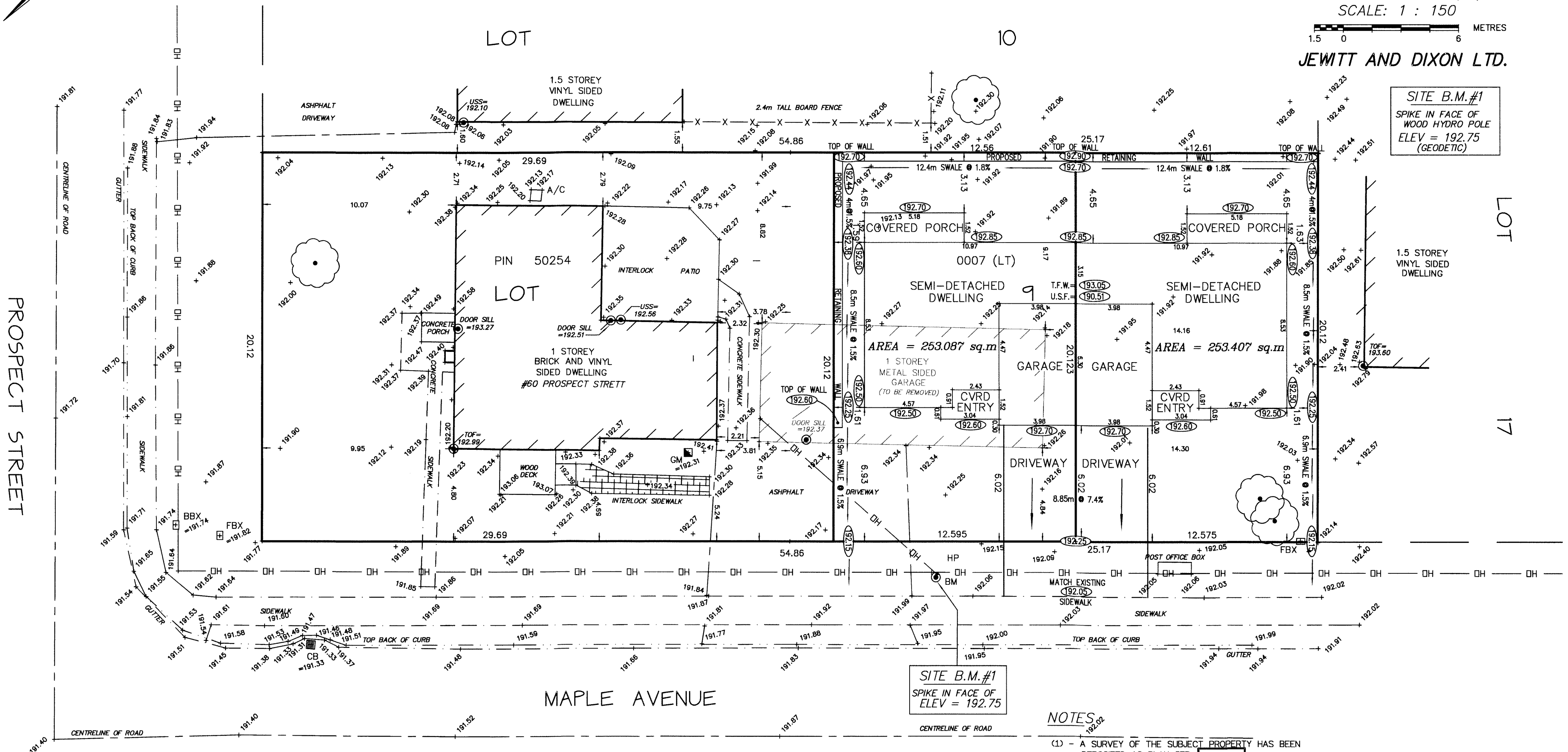
SCALE: 1 : 150

1.5 0 6 METRES

**JEWITT AND DIXON LTD.**

**SITE B.M.#1**

SPIKE IN FACE OF  
WOOD HYDRO POLE  
ELEV = 192.75  
(GEODETIC)



**SITE B.M.#1**  
SPIKE IN FACE OF  
ELEV = 192.75

**NOTES**

- (1) - A SURVEY OF THE SUBJECT PROPERTY HAS BEEN DEPOSITED AS PLAN 37R- [REDACTED]
- (2) - PROPOSED BUILDING POSITIONED BY CALCULATIONS, NOT BY ACTUAL SURVEY
- (3) - PROPOSED FINAL GRADES ARE SHOWN (999.99) AND ARE IN METERS
- (4) - T.F.W. DENOTES TOP OF FOUNDATION WALL
- (5) - U.S.F. DENOTES UNDERSIDE OF FOOTING
- (6) - F.F. DENOTES FINISHED FLOOR
- (7) - SITE BENCHMARK HAVING A GEODETIC ELEVATION OF 192.75 meters
- (8) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ELEVATION OF THE UPPER LIMIT OF THE GROUND WATER TABLE, SOIL BEARING CAPACITY AND THE ELEVATION OF THE UNDER SIDE OF FOOTING PRIOR TO EXCAVATION.
- (9) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE SITE BENCH MARK PRIOR TO EXCAVATION
- (10) - ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC DATUM, CGVD 1928 VERTICAL DATUM
- (11) - THIS SKETCH WAS COMPLETED FROM FIELD WORK COMPLETED ON THE [REDACTED]

**PROPERTY DESCRIPTION:**

ALL OF LOT 9  
REGISTERED PLAN 295  
GEOGRAPHIC TOWNSHIP OF WOODHOUSE  
COUNTY OF NORFOLK

**CAUTION**

THIS IS NOT A PLAN OF SURVEY OR SURVEYOR'S REPORT AND SHALL NOT BE USED  
FOR TRANSACTION OR FINANCING PURPOSES

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WITHOUT THE WRITTEN PERMISSION OF JEWITT AND DIXON LTD. IS STRICTLY PROHIBITED

**LEGEND**

BELL BOX  
FIBRE BOX  
BENCH MARK  
CATCH BASIN  
TOP OF FOUNDATION  
UNDERSIDE OF SIDING  
OVERHEAD HYDRO LINE  
HYDRO POLE  
GAS METER  
DECIDUOUS TREE

SHOWN  
SHOWN  
SHOWN  
SHOWN  
SHOWN  
SHOWN  
SHOWN  
SHOWN  
SHOWN  
SHOWN

BBX  
FBX  
BM  
CB  
TOF  
USS  
O/H  
HP  
GM

OCTOBER 16, 2023

**KIM HUSTED, O.L.S.**  
THIS COPY IS NOT VALID UNLESS  
EMBOSSED WITH THE SURVEYOR'S SEAL.

**JEWITT AND DIXON LTD.**  
**ONTARIO LAND SURVEYORS**

650 IRELAND ROAD

SIMCOE, ONTARIO, N3Y 4K2

PHONE: (519) 426-0842

E-mail: info@jewittdixon.com

F.W. - J.M.R.  
BOOK - LL-FILE  
CALC. - J.L.M.  
PLAN - M.T.C.  
CHECK - K.H.

CLIENT - BREEDYK  
PROJECT No. - 22-3644

**22-3644-GP**





**LANDPRO**  
PLANNING SOLUTIONS

**LandPro Planning Solutions Inc.**  
110 James St., Suite 204, St. Catharines, ON. L2R 7E8

# PLANNING JUSTIFICATION BRIEF

## ZONING BY-LAW AMENDMENT & CONSENT APPLICATIONS



60 Prospect Street,  
Port Dover, ON

November 2023

Prepared For:

Fergco Investment Management Inc.

c/o Mr. Paul Breedyk

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## 1. INTRODUCTION

LandPro Planning Solutions Inc. (“Agent”) has been retained by Fergco Investment Management Inc. (“Owner”) c/o Mr. Paul Breedyk (“Applicant”) to assist in the preparation of a zoning by-law amendment and consent applications for the property located at 60 Prospect Street, Port Dover.

### 1.1 PURPOSE

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These applications intend to rezone the property with site-specific exceptions and create a new lot to facilitate the construction of a semi-detached dwelling.

This brief aims to provide justification for the proposed development and provide an overview of the planning merits of this application.

## 2 SITE CONTEXT

The subject property is located at 60 Prospect Street, Port Dover. The property is a corner lot on the corner of Prospect Street and Maple Avenue in a residential neighbourhood. Please refer to **Figure 1**.

### 2.1 SUBJECT PROPERTY

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The property is relatively flat and rectangular in shape, similar to the properties in the surrounding area. The total area of the property is approximately 1104m<sup>2</sup> (0.26ac). The property has frontage on Prospect Street and Maple Avenue, with an existing driveway access to Maple Avenue.

The property currently contains a single detached dwelling with a detached garage. The existing dwelling at 60 Prospect Street will remain in the west while the existing detached garage in the east is intended to be demolished.

### 2.2 SURROUNDING AREA

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The surrounding area is comprised of primarily single-detached residential. The immediate surrounding area contains low-density residential uses.

<b>NORTH</b>	Low-density residential (single detached dwellings). A newly approved (approx. 2018) 28-lot subdivision (PLAN 37M86) is further north.
<b>EAST</b>	Low-density residential (single detached dwellings).
<b>SOUTH</b>	Low density residential
<b>WEST</b>	Low density residential

Figure 1: Surrounding Uses



### 3 PROPOSED DEVELOPMENT

The Zoning By-law Amendment application intends to rezone the western portion of the property to *Urban Residential Type 1 (R1-A)* with site specific exceptions and the eastern portion to *Urban Residential Type 2 (R2)* with site specific exceptions. The site-specific exceptions intend to recognize all zoning deficiencies on both the retained lot and severed lot.

The Severance (consent) Application proposes to sever the eastern portion of the property to form a new lot. The existing detached garage will be demolished upon approval of this application to facilitate the construction of the proposed semi-detached dwelling. Please refer to **Figure 2**.

The proposed semi-detached dwelling water supply will be serviced through a private cistern until municipal water services have sufficient capacity and are made available at the property. Once municipal water servicing is available, the proposed dwelling will be required to connect to full municipal services (i.e. water supply, sanitary) to the satisfaction of Development Engineering.

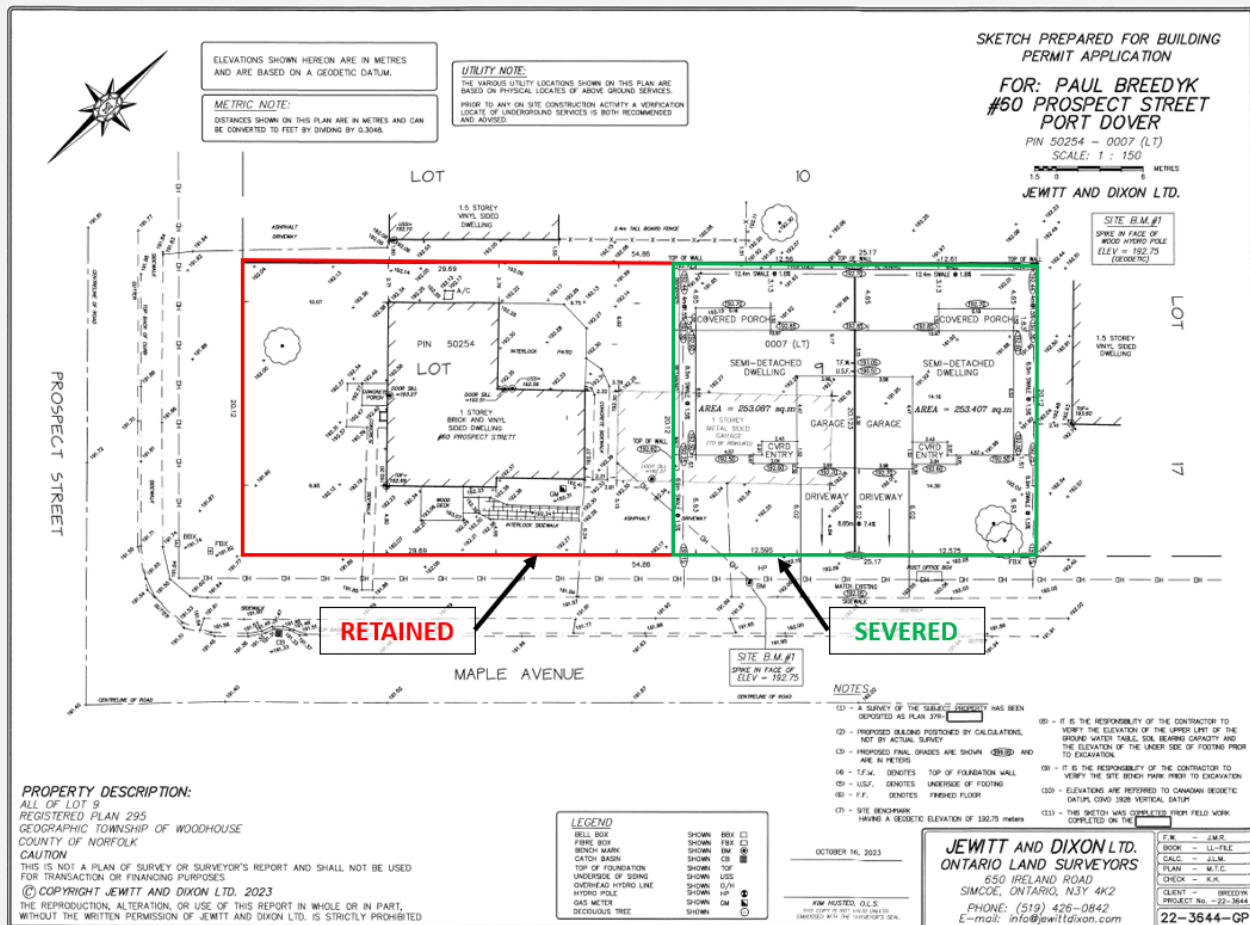
The proposed Severance and Building Footprint is shown below in **Figure 2**.



## 60 Prospect Street, Port Dover: Zoning By-Law Amendment &amp; Consent Applications

Fergco Investment Management Inc. c/o Mr. Paul Breedyk

Figure 2: Proposed Severance



## 4 LAND USE PLANNING FRAMEWORK

In preparing this application, several policy and regulatory documents were reviewed that need to be addressed to demonstrate good planning. They include the following:

1. Planning Act, R.S.O 1990 c.P.13
2. Provincial Policy Statement, 2020;
3. Norfolk County Official Plan, 2022;
4. Port Dover Secondary Plan, 2021;
5. Norfolk County Zoning By-Law 1-Z-2014

The proposed development was assessed against these regulations and associated policies. A detailed review is below.

### 4.1 PLANNING ACT, R.S.O 1990 c.P.13

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The *Planning Act* is the provincial legislation and provides the basis for land use planning in Ontario, identifying tools for managing how, where and when land use change occurs.

The purposes of the *Act* as outline in **Section 1.1** are **(a)** to promote sustainable economic development in a healthy natural environment, **(b)** to provide for a land use planning system led by provincial policy, **(c)** to integrate matters of provincial interest in provincial and municipal decisions, **(d)** to provide for planning processes that are fair, **(e)** to encourage co-operation and coordination among various interests, and **(f)** to recognize the decision-making authority and accountability of municipal councils in planning.

The matters of Provincial Interest are outlined in **Section 2** of the *Act*. This application *shall have regard to* the following matters: *a), b), c), e), f), g), h), h.1), j), l), m), n), o), p), q) and r)*. These applications also have regard for the criteria listed in **Section 51(24)**.

These applications have regard for the relevant sections of the *Planning Act*.

### 4.2 PROVINCIAL POLICY STATEMENT, 2020

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The *Provincial Policy Statement* (PPS) provides policy direction on matters of provincial interest for all land use development throughout Ontario. It provides direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

**Section 1.1** outlines sustained healthy, livable, and safe communities through efficient development and land use patterns **(1.1.1.a)**; accommodating a market-based range and mix of residential types **(1.1.1.b)**; development that avoids impacts the environment, public health and safety **(1.1.1.c)**; promotes integration of land use planning, growth management, intensification, minimizing land consumption and servicing

costs (1.1.1.e). **Section 1.1.3** supports the development through focusing growth and development to settlement areas (1.1.3.1); encouraging land use patterns based on densities and a mix of land uses (1.1.3.2); facilitating intensification, redevelopment and compact form (1.1.3.4); helping to achieve the Municipality's growth targets (1.1.3.5).

This application proposes to rezone the subject property, followed by a severance to create two separate lots. This will achieve a total of two (2) lots for which the severed lot will be developed into a semi-detached dwelling. The proposed development aims to intensify the neighbourhood, minimize land consumption and contribute to the range and mix of housing options.

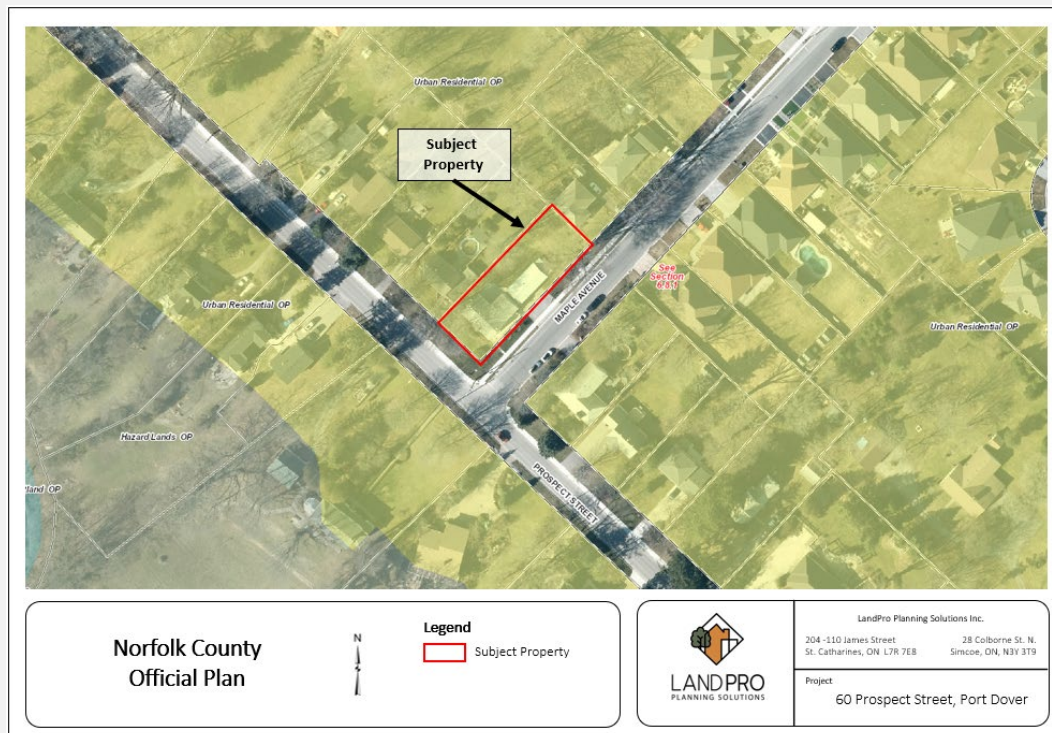
This proposed development is consistent with the PPS.

### 4.3 NORFOLK COUNTY OFFICIAL PLAN, 2022

The *Norfolk County Official Plan* contains objectives, policies and mapping that describe the County's vision for the next 20+ years, including their approach to guiding economic, environmental and social decisions that have implications for the use of land.

The subject property is designated as **Urban Residential** in the Norfolk County Official Plan. **Figure 3**, below, shows the property designation and surrounding land uses.

Figure 3: Norfolk County Official Plan



The Norfolk County Official Plan states that *“Norfolk County strives to balance a commitment to the land and emerging opportunities for growth and development.”* For which the themes applicable to the proposed project are as follows: c) maintaining and enhancing the rural and small-town character, d) maintaining a high quality of life, and f) a well governed, well planned, and sustainable County.

The objectives which intend to assist in maintaining and enhancing the rural and small-town character **(2.2.3.1)** include developing land use patterns in the urban areas that are compact and efficient **(2.2.3.1.e)**. Additionally, maintaining a high quality of life is important for Norfolk County, which includes providing for a variety of housing forms through development and intensification **(2.2.4.2.a)**.

Upon approval of these applications, the proposed development provides an opportunity for further development and housing options in the urban area and established neighbourhood, ensuring an efficient use of land.

The County is supportive of responsible and efficient use of land, while ensuring community and financial sustainability **(2.2.6.1)**, which includes directing new urban development in urban areas, ensuring a compact form and appropriate mix of land uses and densities, resulting in the efficient use of land **(2.2.6.2.e)**.

The Port Dover Urban Area is expected to grow by 9,380 people with 4,320 new households by 2036 **(6.3, Table 5)**. Urban Areas will incorporate the full municipal services as feasible and appropriate **(6.4.b.iii)** with intensification, infill and redevelopment of underutilized sites in the Urban Areas being encouraged **(6.4.h)**.

Also, the County will support and promote the continued development of Port Dover as a significant urban waterfront community and tourism node in the County **(6.5.2.1)**.

Furthermore, urban residential neighbourhoods in Port Dover *“are expected to continue to accommodate attractive neighbourhoods which will provide for a variety of residential forms”* **(7.7)**, which shall predominantly include residential uses such as single detached and semi-detached dwellings **(7.7.1. a.)**

The proposed development contributes to residential intensification through efficient land use practices and smart planning principles. The proposed development provides a unique opportunity to introduce a new infill residential lot which will facilitate a semi-detached dwelling, providing more of a range of housing options in an established neighbourhood. The proposed development will be serviced by a private water supply (i.e. cistern) until municipal servicing is available.

These applications conform with the Norfolk County Official Plan.

#### 4.4 PORT DOVER SECONDARY PLAN, 2021

The Port Dover Secondary Plan (2021) designates the subject property as **Existing Neighbourhood**.

The Port Dover Secondary Plan's vision statement is focused on the idea that new development will contribute to beautiful neighbourhoods while protecting natural spaces amongst other community aspects. More specifically, the proposed development reflects principles that guide how the community will be developed, including **Principle 1, Principle 4, and Principle 10**.

These applications also comply with land use specific policies, including those for Low Density Residential Use, **(5.3.1.a)**, which states low density residential uses shall include single detached and semi-detached units.

**Section 6.3** includes accommodating attractive neighbourhoods which provides a variety of residential forms and where a variety of housing types are needed to meet the needs of a diverse population. Furthermore, the intent with existing neighbourhoods is to include opportunities for intensification and that there are prime candidates for the introduction of additional residential units.

These applications conform with the Port Dover Secondary Plan.

#### 4.5 NORFOLK COUNTY ZONING BY-LAW 1-Z-2014

The Norfolk County Zoning By-Law 1-Z-2014 is used to manage land use compatibility, character, and appearance of communities; and to implement policies of the Official Plan.

The subject property is currently zoned as *Urban Residential (R1-A)* as shown in **Figure 5**. This application (ZBA) proposes to rezone the western property (retained lot) to *Urban Residential Type 1-A (R1-A)* with site specific exceptions and the eastern property (severed lot) to *Urban Residential Type 2 (R2)* with site-specific exceptions.

As shown in the table below, the rear yard, interior and exterior side yards of the retained lot will be deficient. As well as the rear yard and lot area will be deficient for the severed lot. The site-specific exceptions look to address all zoning deficiencies on both retained and severed lots (**See Table 1**).

*Table 1: Property Statistics*

Item	Required (R1-A)	Retained Lot	Required (R2)	Severed Lot
Front yard Setback	6.00m	9.95m	6.00m	6.02m
Rear yard Setback	7.50m	6.10m	7.50m	3.13m

<b>Interior Side yard</b>	3.00m	2.71m	1.20m, 1.20m	1.59m, 1.61m
<b>Exterior Side yard</b>	6.00m	4.69m	N/A	N/A
<b>Lot Frontage</b>	18.00m	20.12m	8.50m (per unit)	25.17m (total) 12.595m, 12.575m (per unit)
<b>Lot Area</b>	560m <sup>2</sup>	598.43m <sup>2</sup>	255m <sup>2</sup> (per unit)	506.4m <sup>2</sup> (total) 252.79m <sup>2</sup> (per unit)

The minimum yard setback requirements are unable to be met on the retained lot as the dwelling is existing. There are no changes proposed to the retained lot or existing dwelling as part of this application. The rear yard is deficient due to the proposed severance but remains large enough to maintain a buffer area between the proposed adjacent lot with semi-detached dwelling. These deficiencies are intended to be recognized through site-specific exceptions.

The rear yard setback is unable to be met on the severed lot as the lot depth is shallow. The front yard setbacks have been met to maintain the visual appearance of the new dwelling(s). The proposed dwelling(s) aims to be suitable square footage for the property and maintain functionality of the dwelling. The required lot area per unit is marginally deficient and aims to be recognized with the reduced rear yard setback through site-specific exceptions.



Figure 4: Norfolk County Zoning By-Law 1-Z-2014



Subject to the approval of this application, this property will conform to the Norfolk County Zoning By-Law 1-Z-2014.

## 5 PLANNING ANALYSIS

The proposed applications intend to rezone the western portion of the property to *Urban Residential Type 1 (R1-A)* with site specific exceptions and the eastern portion to *Urban Residential Type 2 (R2)* with site specific exceptions. The re-zoning application intends to recognize all zoning deficiencies on both the retained lot and severed lot and is to be followed by a consent application to create a new lot to facilitate the construction of a semi-detached dwelling.

These applications have regard for Section 2 and Section 51(24) of the *Planning Act*. The matters of provincial interest that these applications have regard to are: a), b), c), e), f), g), h), h.1), j), l), m), n), o), p), q) and r).

The proposed development is consistent with the PPS as they enable growth within the urban boundary. The proposed semi-detached dwelling will contribute to the mix of residential types, which contributes to residential intensification of the urban area.

The proposed development provides a unique opportunity to introduce a new infill residential lot and semi-detached dwelling which aims to provide a range of housing options in an established neighbourhood. Upon approval of the applications, it will result in the efficient use of land on an underutilized property. The proposed development will be serviced by a private water supply (i.e. cistern) until municipal servicing is available. The proposed development conforms to the Norfolk County Official Plan.

The Zoning By-Law Amendment application proposes to rezone the western portion of the property to *Urban Residential Type 1 (R1-A)* with site-specific provisions and to rezone the eastern portion of the subject property to *Urban Residential Type 2 (R2)* with site-specific exceptions which intends to be severed upon approval. This will facilitate the construction of the new semi-detached dwelling.

The proposed retained lot requires relief from the rear yard setback, interior side yard setback, and exterior side yard setback. The proposed severed lot requires relief from the rear yard setback and lot area provision. Subject to approval of this application, this proposal will meet all provisions of the Norfolk County Consolidated Zoning By-Law.

Based on our review of the existing context, the proposed development and applicable policy, it is our opinion that the proposed Zoning By-Law Amendment and Consent applications are suitable for this property.

## 6 CLOSING

It is our opinion that this application represents good planning and should be approved because the application:

1. Has regard for the *Planning Act*;
2. Is consistent with the *Provincial Policy Statement (2020)*;
3. Conforms with the *Norfolk County Official Plan*;
4. Conforms to the *Port Dover Secondary Plan*, and;
5. Subject to Council's approval, conforms to the provisions within the *Norfolk County Consolidated Zoning By-Law 2021*

Please do not hesitate to contact the undersigned if you have any questions or concerns.



60 Prospect Street, Port Dover: **Zoning By-Law Amendment & Consent Applications**

Fergco Investment Management Inc. c/o Mr. Paul Breedyk

Sincerely,

**LANDPRO PLANNING SOLUTIONS INC.**



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Mitchell Baker, BES  
Planner | Project Manager



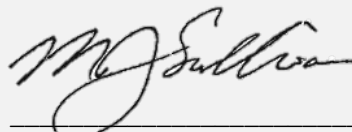
289-680-3164



[mitchell@landproplan.ca](mailto:mitchell@landproplan.ca)



[landproplan.ca](http://landproplan.ca)



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Michael Sullivan, M.Pl., RPP, MCIP  
President | Founder



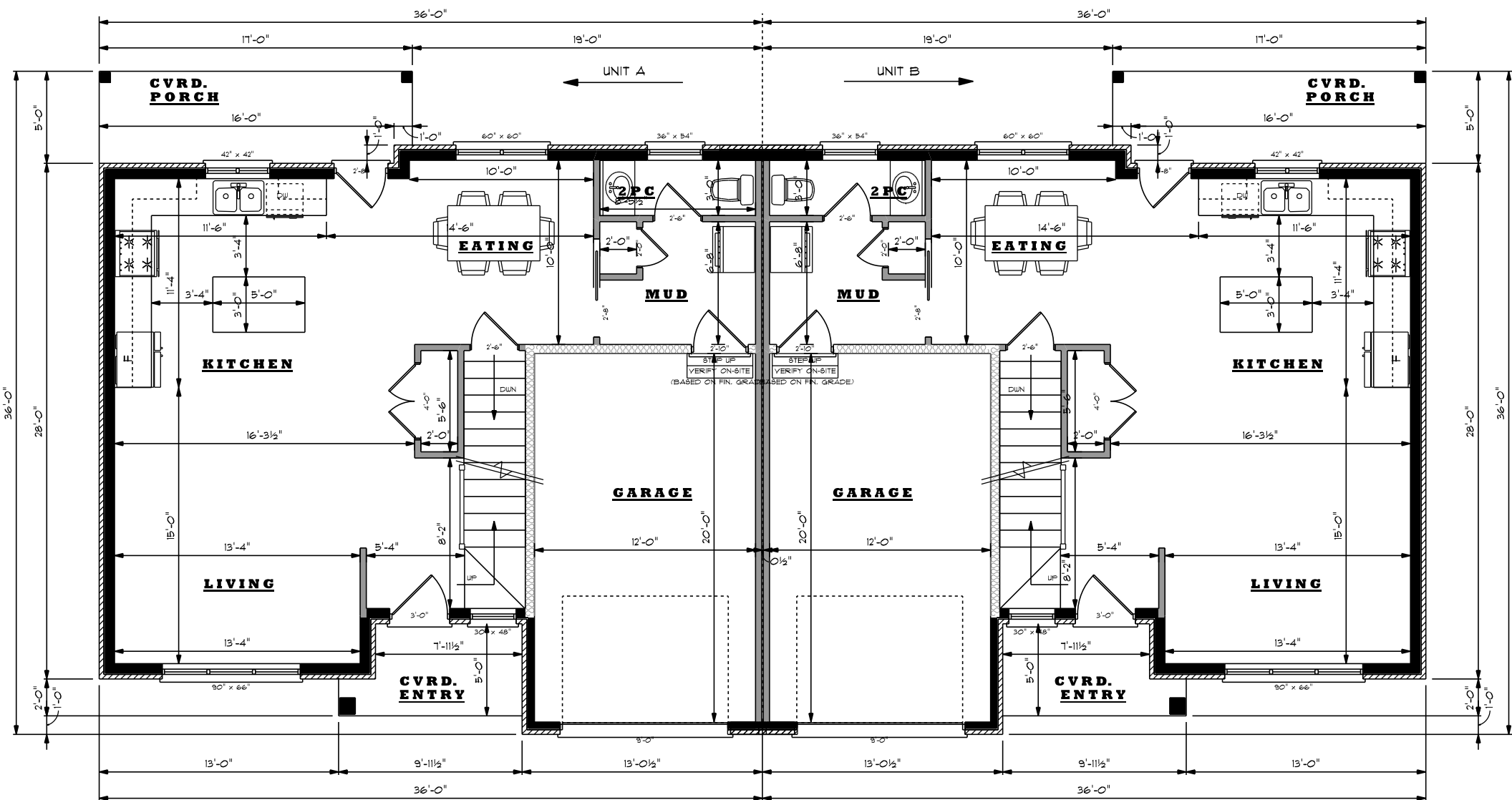
289-687-3730



[mike@landproplan.ca](mailto:mike@landproplan.ca)



[landproplan.ca](http://landproplan.ca)



## **MAIN FLOOR PLAN "A"**

(NOT FOR CONSTRUCTION)

Not to scale

S:\Projects\BREEDYK HOMES\Maple St Semi\

September-29-23

Square Footage: 1564.9 sq ft.

Client's Email:

Rijus Home Design Inc. rijus.com

Jason Schilstra (K.B) 905-701-1110

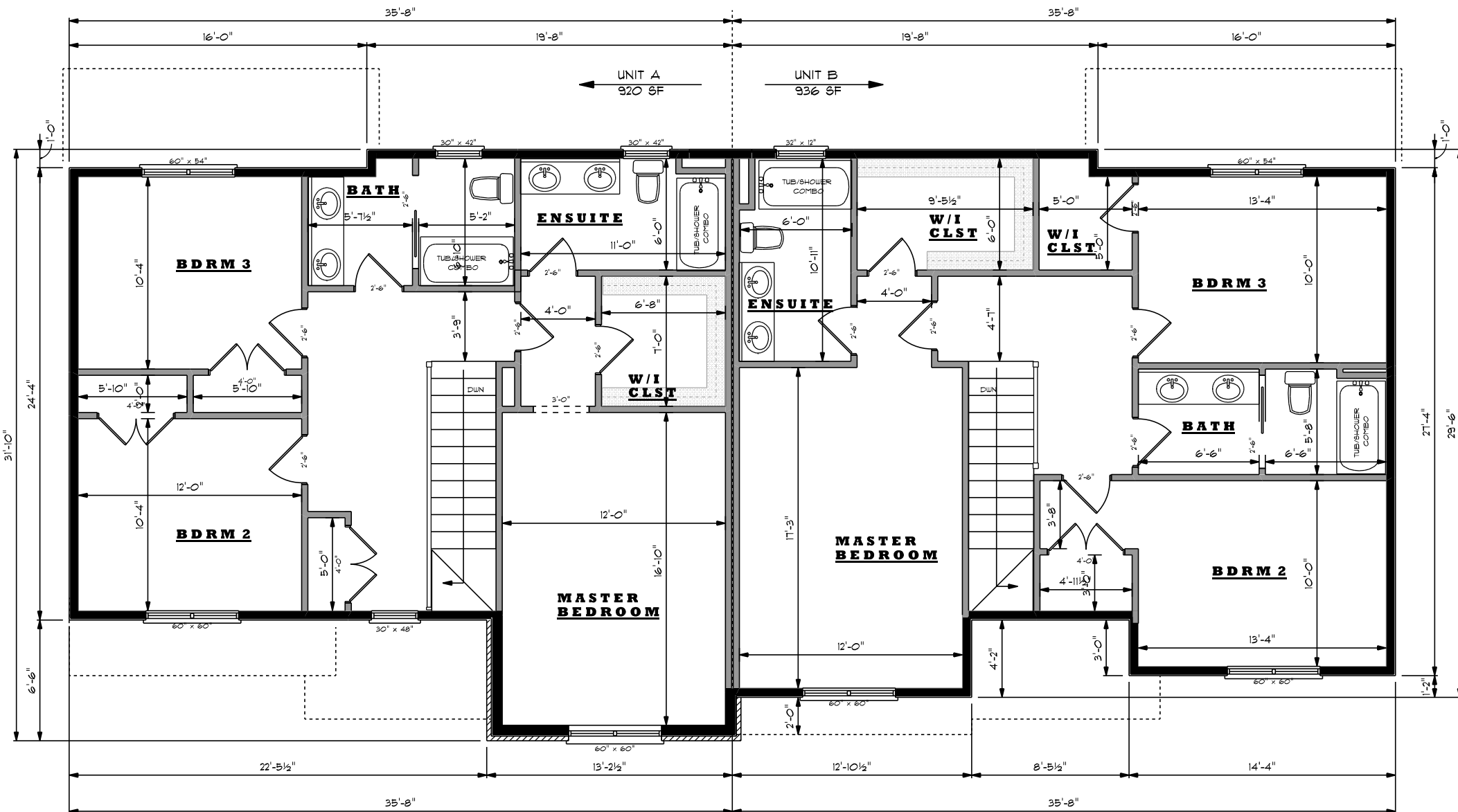
### **NOTES:**

8'-1" SECOND

9'-1" MAIN

9'-0" BSMT

BRICK MAIN VINYL SECOND



## 2ND FLOOR PLAN "A"

-NOT FOR CONSTRUCTION-

SCALE: NTS

0.0 sq ft.

S:\Projects\BREEDYK HOMES\Maple St Semi\

September-29-23

Rijus Home Design Inc. Jason Schilstra (K.B)

rijus.com

905-701-1110

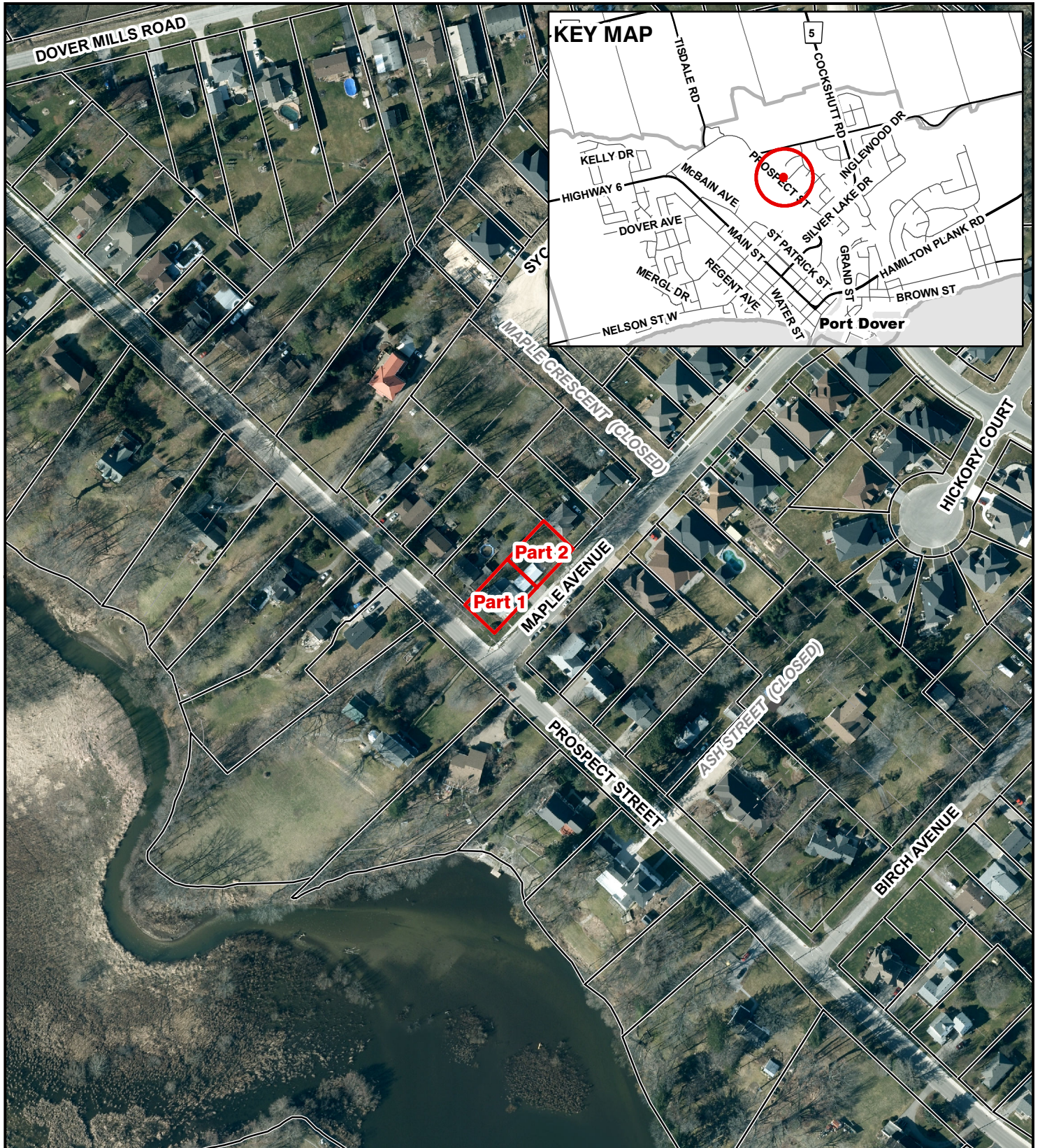
NOTES:

8'-1" SECOND FLOOR



CONTEXT MAP

Urban Area of PORT DOVER

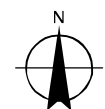


Legend

Subject Lands

2020 Air Photo

12/15/2023

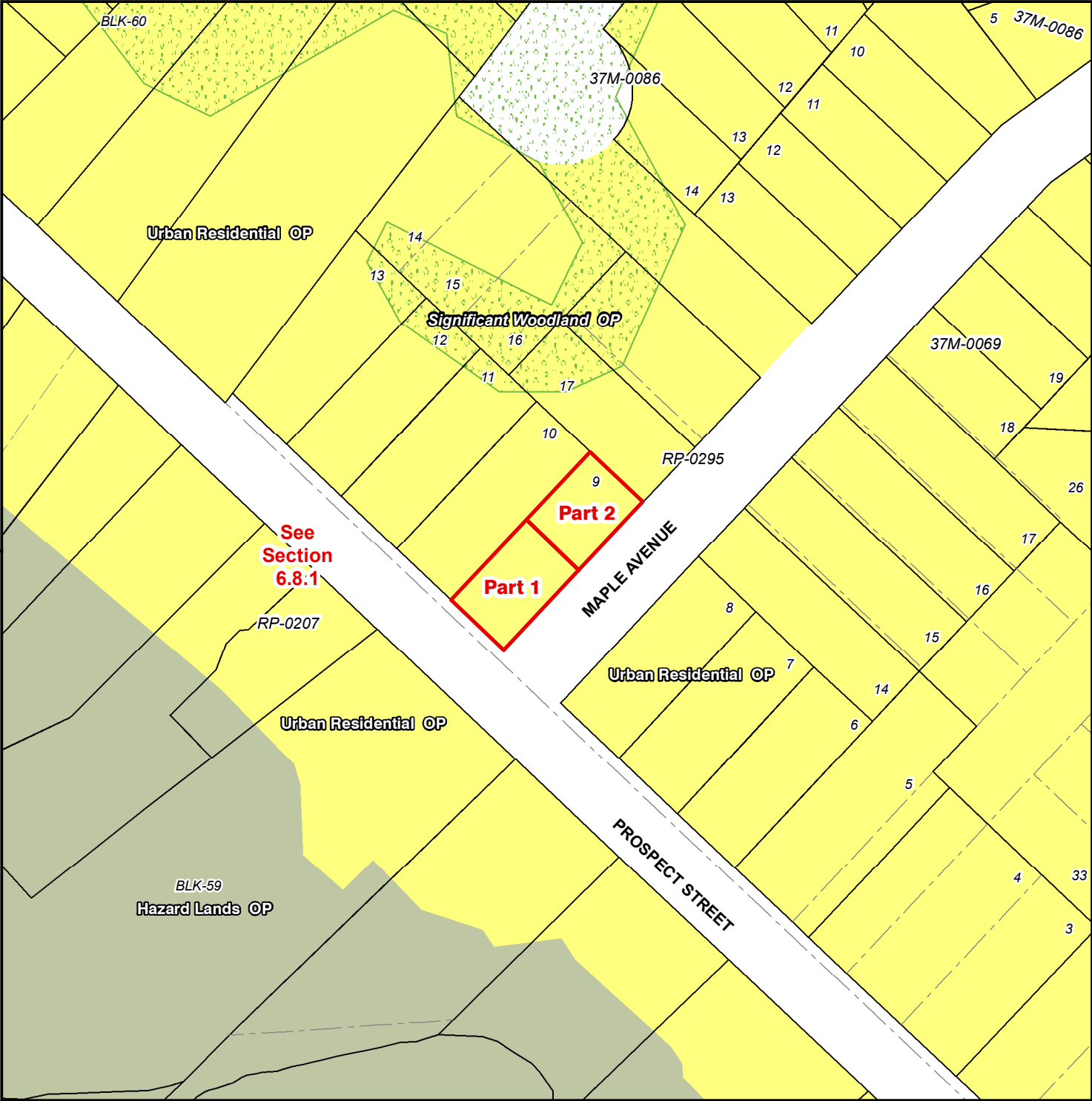


20 10 0 20 40 60 80 Meters



**MAP B**  
**OFFICIAL PLAN MAP**  
Urban Area of PORT DOVER

ZNPL2023394



**Legend**

Subject Lands

**Official Plan Designations**

Hazard Lands

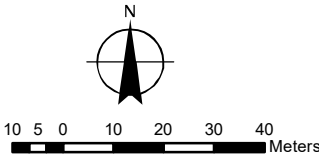
Urban Residential

Special Policy Area

Urban Area Boundary

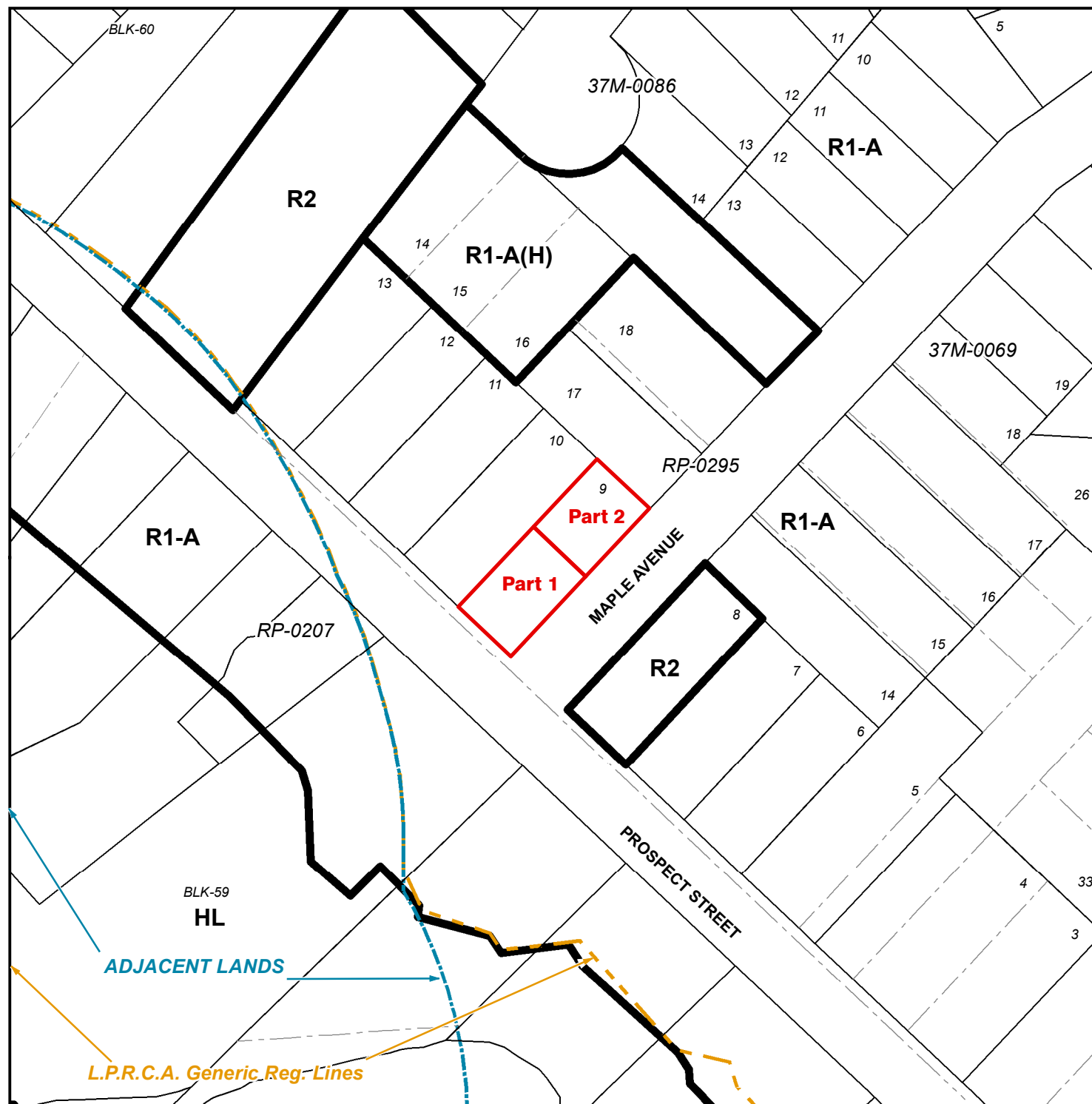
Significant Woodland

12/15/2023



**PROPOSED ZONING BY-LAW AMENDMENT MAP**

Urban Area of PORT DOVER



**LEGEND**

- Subject Lands
- Adjacent Lands
- LPRCA Generic RegLines

ZONING BY-LAW 1-Z-2014

- (H) - Holding
- HL - Hazard Land Zone
- PSW - Provincially Significant Wetland Zone
- R1-A - Residential R1-A Zone
- R2 - Residential R2 Zone

**Part 1**

**From: R1-A**

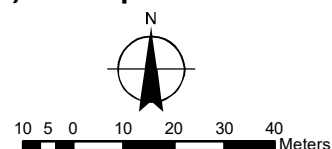
**To: R1-A with Special Provision**

**Part 2**

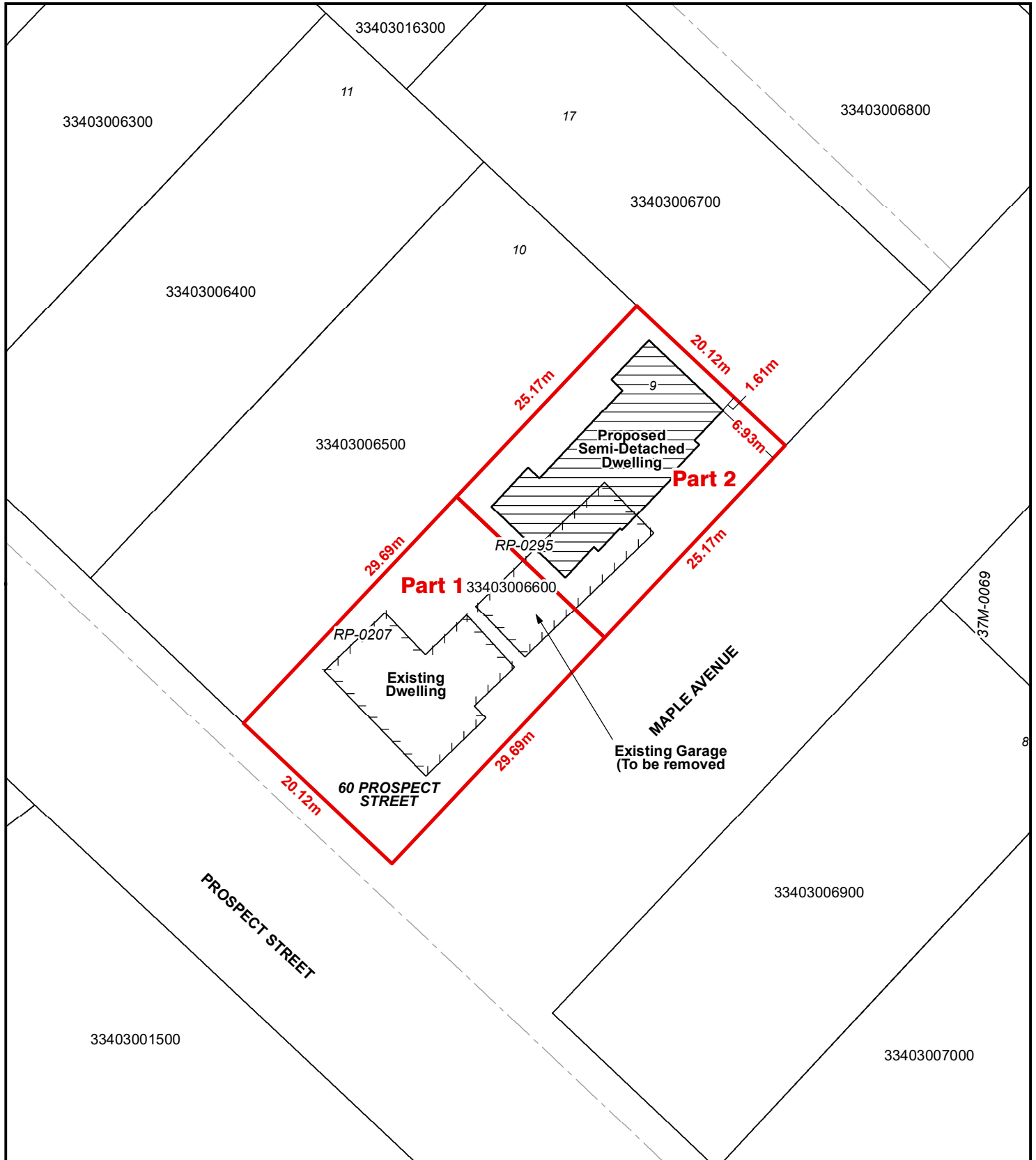
**From: R1-A**

**To: R2(H) with Special Provision**

12/15/2023



**CONCEPTUAL PLAN**  
Urban Area of PORT DOVER



**Legend**

Subject Lands

12/15/2023

