For Office Use Only:			
File Number	BNPL2022017, ANPL2022019, ANPL2022018	Application Fee	$2886.00 - consent $3,198 - minor variance x 2
Related File Number	-	Conservation Authority Fee	N/A
Pre-consultation Meeting	N/A	Well & Septic Info Provided	Geotech and Nitrate
Application Submitted	Dec 23, 2021	Planner	Hanne Yager
Complete Application	Feb 1, 2022	Public Notice Sign	-

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

- [x] Consent/Severance/Boundary Adjustment
- [ ] Surplus Farm Dwelling Severance and Zoning By-law Amendment
- [x] Minor Variance
- [ ] Easement/Right-of-Way

Property Assessment Roll Number: 54106016900

A. Applicant Information

Name of Owner Jacob & Susana Martens

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 955 Middleton North Walsingham Townline Road

Town and Postal Code Courtland, ON N0J 1E0

Phone Number

Cell Number 905-359-8760

Email jmartens417@gmail.com

Name of Applicant

Address

Town and Postal Code

Phone Number

Cell Number

Email

Name of Agent	Adam Moote, LandPro Planning Solutions Inc.
Address	110 James St. Suite 403
Town and Postal Code	St. Catharines, ON L2R 7E9
Phone Number	
Cell Number	905-734-0056
Email	adam@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 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):
   MID CON 4 STR PT LOT 18

   Municipal Civic Address: 955 Middleton North Walsingham Townline Road
   Present Official Plan Designation(s): Hamlet (Schedule B-5)
   Present Zoning: RH - Hamlet Residential (Schedule A-41)
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:
   Single detached dwelling exists on the property. Zoned Hamlet 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:

   1- single detached dwelling; 1 - detached garage.

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:

   N/A. Severed lot will be vacant and subject to a future Building Permit 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:
   1960's

9. Existing use of abutting properties:
   West = Residential; North = Residential; East = Residential; South = Residential

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

    ◯ Yes ◉ No If yes, describe the easement or restrictive covenant and its effect:

C. Purpose of Development Application

Note: Please complete all that apply.

1. Site Information	Existing	Proposed	
Please indicate unit of measurement, for example: m, m^2 or %		Lot 1 - Severed	Lot 2 - Retained
Lot frontage	30m +/-	51 m +/-	30 m+/-
Lot depth	78m +/- to 96m +/-	29.15 - 34 m+/-	45 m+/-
Lot width	30m +/- to 34m +/-	34 - 51 m +/-	30 m +/-
Lot area	2,538 m2	1,218 m2 +/-	1,319 m2 +/-
Lot coverage	7% approx	N/A	7% +/-
Front yard	2 m	N/A	2 m
Rear yard	65 m	N/A	31 m
Left Interior side yard	0.7 m	N/A	0.7 m
Right Interior side yard		N/A	N/A
Exterior side yard (corner lot)	5.5 m	N/A	5.5 m

2. Please outline the relief requested (assistance is available):

Minimum Front Yard setback 4 m deficieny
Minimum Exterior Side Yard setback 0.5 m deficieny
Minimum Interior Side Yard (Detached Garage) setback
Minimum lot area deficienies: Lot 1, 0.28 ha deficient; Lot 2, 0.27 ha deficient

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

The Minimum Front Yard, the Minimum Exterior Side Yard, and the Minimum Interior Side Yard (Detached Garage) of the existing building doesn't comply.This is due to historical development of the property. The minimum lot size is permitted subject to a private servicing evaluation which has been conducted and submitted with this application.

4. Description of land intended to be severed in metric units:

Frontage: 51.5 m +/-
Depth: 29 m +/- to 34 m +/-
Width: 34 m +/- to 51.5 m +/-
Lot Area: ~ 1,218.6 sqm
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: 30 m +/-

Depth: 45 m +/-

Width: 30 m +/-

Lot Area: ~ 1,319.4 sqm

Present Use: Residential

Proposed Use: Residential

Buildings on retained land: 1 - single detached dwelling; 1 detached garage

5. Description of proposed right-of-way/easement in metric units:

Frontage: N/A

Depth: _____

Width: _____

Area: _____

Proposed Use: _____

6. 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 _____

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 _____

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 _____

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 _____

Note: If additional space is needed please attach a separate sheet.

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:
   Discussion with owner. Site visit. Review of County GIS.

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:

   Hydrogeology Assessment prepared by Hydrogeological Consulting Services Inc. c/o Chris Helmer

   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 155

Municipal Landfill

☐ On the subject lands or ☐ within 500 meters – distance _____

Sewage treatment plant or waste stabilization plant

☐ On the subject lands or ☐ within 500 meters – distance _____

Provincially significant wetland (class 1, 2 or 3) or other environmental feature

☐ On the subject lands or ☐ within 500 meters – distance _____

Floodplain

☐ On the subject lands or ☐ within 500 meters – distance _____

Rehabilitated mine site

☐ On the subject lands or ☐ within 500 meters – distance _____

Non-operating mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Active mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

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

☐ On the subject lands or ☐ within 500 meters – distance _____

Active railway line

☐ On the subject lands or ☐ within 500 meters – distance _____

Seasonal wetness of lands

☐ On the subject lands or ☐ within 500 meters – distance _____

Erosion

☐ On the subject lands or ☐ within 500 meters – distance _____

Abandoned gas wells

☐ On the subject lands or ☐ within 500 meters – distance _____

F. Servicing and Access

1. Indicate what services are available or proposed:

   Water Supply

   ◯ Municipal piped water
   ◯ Communal wells
   ◉ Individual wells
   ◯ Other (describe below)

   _____

   Sewage Treatment

   ◯ Municipal sewers
   ◯ Communal system
   ◉ Septic tank and tile bed 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:

   _____

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.

   See attached Planning Letter from LandPro Planning.

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:

☐ Zoning Deficiency Form

☐ 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

☐ Agricultural Impact Assessment

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.

Adam Moote — December 20, 2021

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.

I/We Jacob & Susana Martens am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Adam Moote, LandPro Planning Solutions Inc. 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.

Jake Martens — December 20, 2021

Owner — Date

Susana Martens — December 20, 2021

Owner — Date

K. Declaration

I, Adam Moote of Welland, Ontario

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:

Thorold, Ont.

Adam Moote

Owner/Applicant/Agent Signature

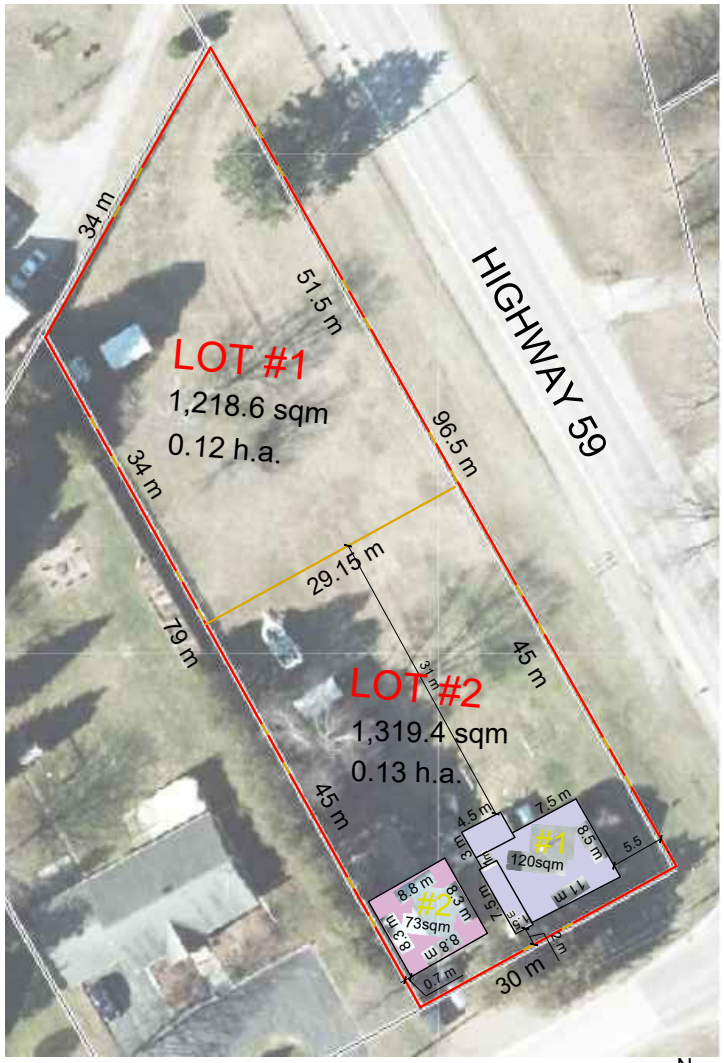
In Niagara

This 22nd day of December

A.D., 2021

CAROLE IDA SULLIVAN
a Commissioner, etc., Province of Ontario,
for LandPro Planning Solutions Inc.,
and limited to process serving only.
Expires July 17, 2024.

A Commissioner, etc.



SCALE BAR 1:300

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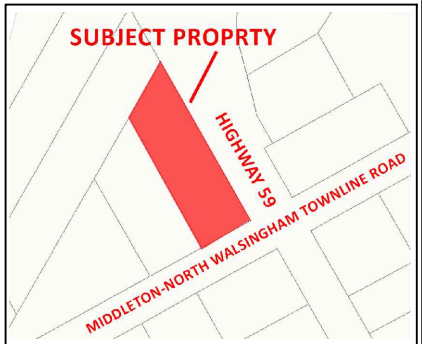


KEY MAP

LEGEND

PROPERTY LINE

SEVERANCE

ZONING BY-LAW PROVISIONS
HAMLET RESIDENTIAL (RH)

	REQUIRED
MINIMUM LOT AREA	0.4 h.a.
MIN LOT FRONTAGE	30 m
MIN FRONT YARD	6 m
MIN INTERIOR SIDE YARD DETACHED GARAGE	3 m & 1.2 m
MIN REAR YARD	9 m
TOTAL PROPERTY AREA	2,538 sqm / 0.25 h.a.

LANDPRO
PLANNING SOLUTIONS

CONCEPTUAL PLAN

955 Middleton North Walsingham

Norfolk County

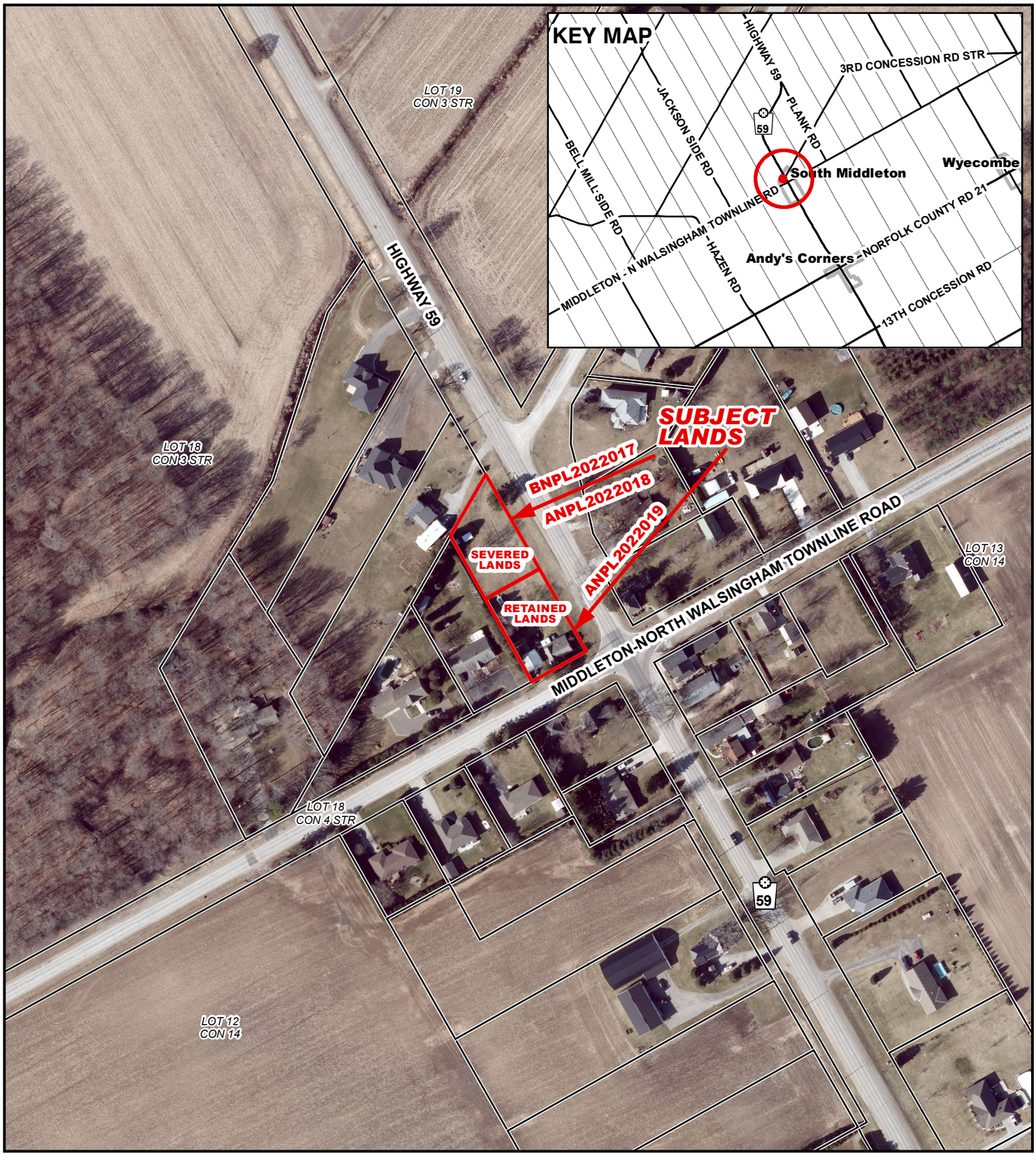
DATE: Jan. 31, 2021 SCALE: 1/300

MAP A

CONTEXT MAP

Geographic Township of MIDDLETON

BNPL2022017
ANPL2022018
ANPL2022019



Legend

Subject Lands

2020 Air Photo

2/2/2022

N

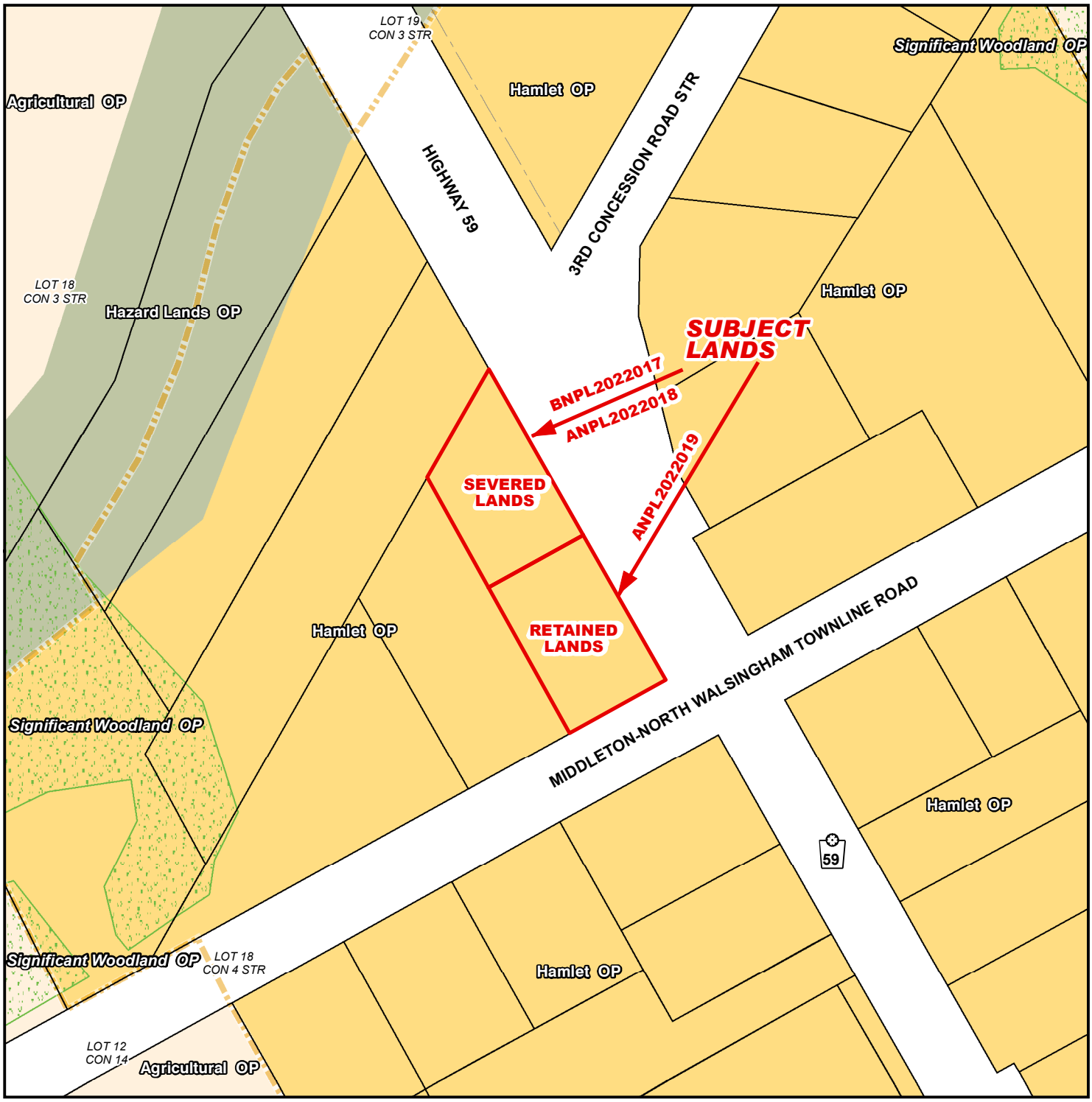
20 10 0 20 40 60 80 Meters

MAP B

OFFICIAL PLAN MAP

Geographic Township of MIDDLETON

BNPL2022017
ANPL2022018
ANPL2022019



2/2/2022

Legend

Subject Lands

Official Plan Designations

- Agricultural
- Hazard Lands
- Hamlet
- Hamlet Area Boundary
- Significant Woodland

N

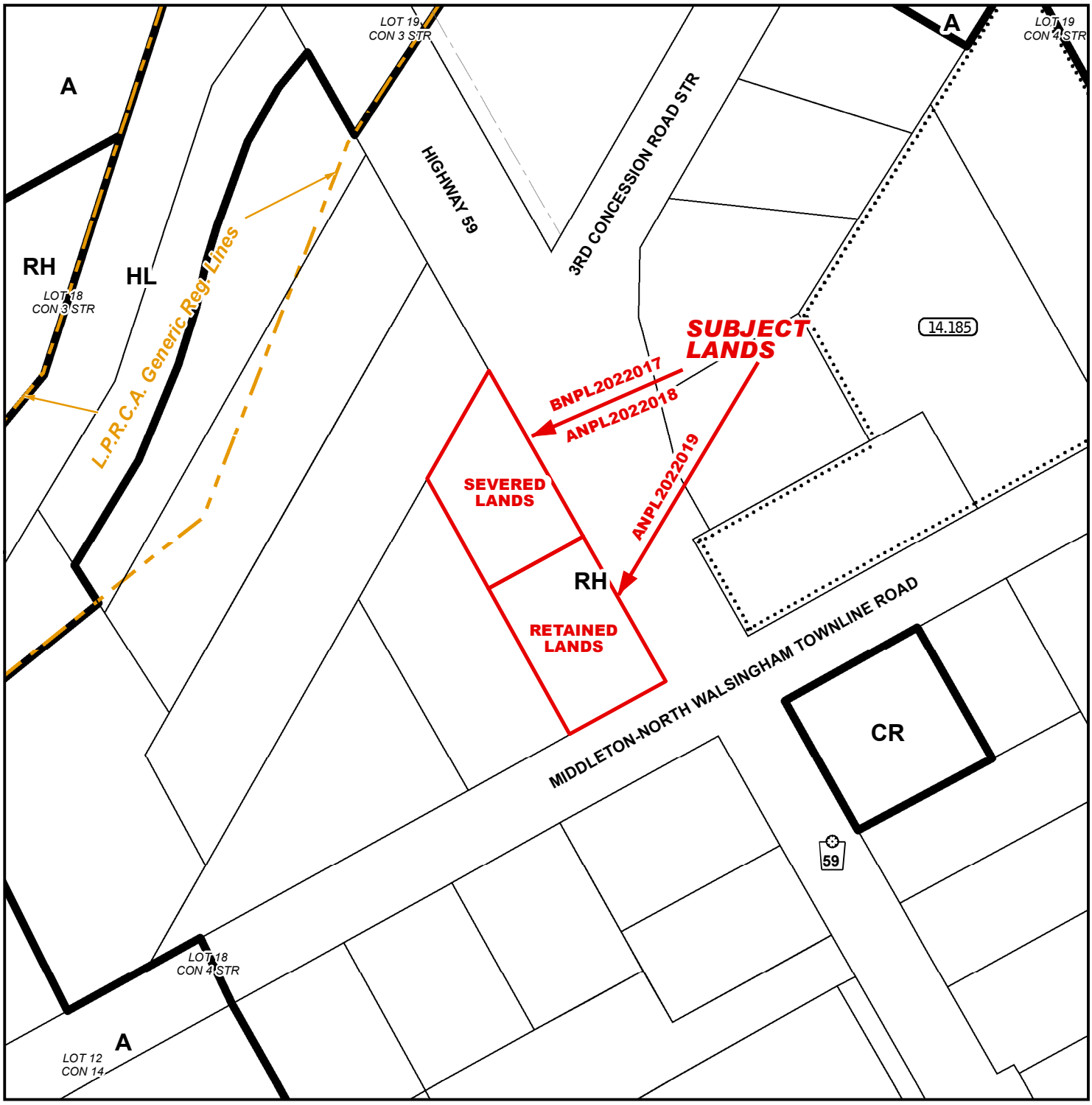
10 5 0 10 20 30 40 Meters

MAP C

ZONING BY-LAW MAP

Geographic Township of MIDDLETON

BNPL2022017
ANPL2022018
ANPL2022019



2/2/2022

LEGEND

- Subject Lands
- LPRCA Generic RegLines

ZONING BY-LAW 1-Z-2014

- (H) - Holding
- A - Agricultural Zone
- CR - Rural Commercial Zone
- RH - Hamlet Residential Zone
- HL - Hazard Land Zone

N

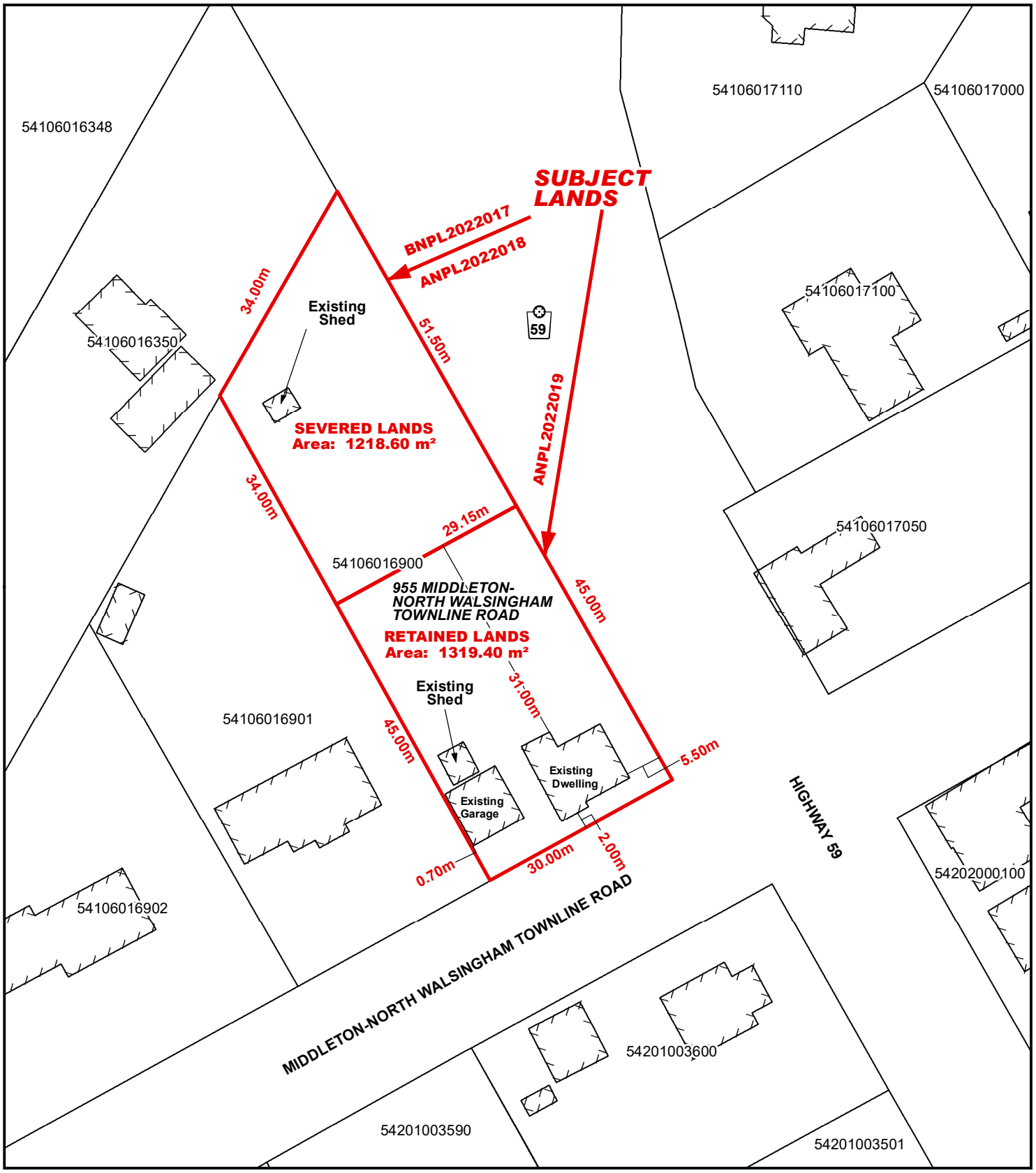
10 5 0 10 20 30 40 Meters

MAP D

CONCEPTUAL PLAN

Geographic Township of MIDDLETON

BNPL2022017
ANPL2022018
ANPL2022019



Legend

Subject Lands

2/2/2022

N

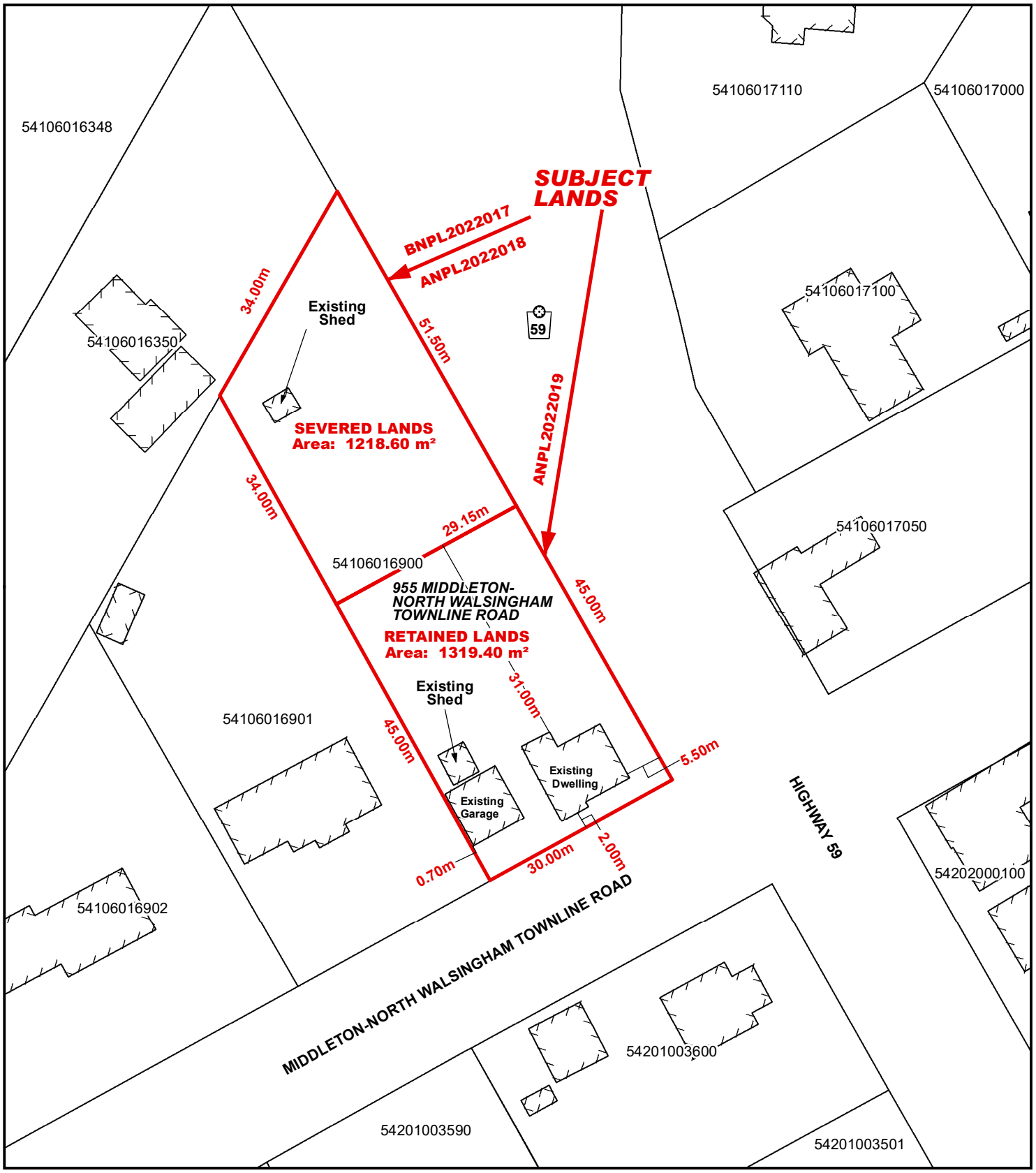
6 3 0 6 12 18 24 Meters

LOCATION OF LANDS AFFECTED

CONCEPTUAL PLAN

Geographic Township of MIDDLETON

BNPL2022017
ANPL2022018
ANPL2022019



Legend

Subject Lands

2/2/2022

N

6 3 0 6 12 18 24 Meters