

ANPL2023288

For Office Use Only:	ANPL2023288	Application Fee	\$2743.00
File Number	-	Conservation Authority Fee	N/A
Related File Number	-	Well & Septic Info Provided	N/A
Pre-consultation Meeting	-	Planner	Hanne Yager
Application Submitted	Sept.6.2023	Public Notice Sign	
Complete Application	Sept.15.2023		

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: 54102041850

A. Applicant Information

Name of Owner

Rick & Shelley Boyd

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

39 Adams Street, Courtland

Town and Postal Code

N0J 1E0

Phone Number

519-983-8657

Cell Number

" "

Email

rick.boyd@execulink.com

Name of Applicant

Jennifer Catarino

Address

154 Colborne Street North

Town and Postal Code

Simcoe N3Y 3V3

Phone Number

905 978-0692

Cell Number

905 978-0692

Email

jencatarino@gmail.com

Name of Agent The Permit Shoppe c/o Kim Dziegiel
Address _____
Town and Postal Code _____
Phone Number 226-931-2262
Cell Number _____
Email Kim@thepermitshoppe.com

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices in respect of this application will be forwarded to 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):

Municipal Civic Address: 39 Adams Street

Present Official Plan Designation(s): Urban Residential

Present Zoning: Hamlet Residential

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 - single detached dwelling

4. Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

single detached dwelling and small shed

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:

new accessory structure to be used for personal storage of outdoor equipment and vehicles

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

If yes, identify and provide details of the building:

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

unknown

9. Existing use of abutting properties:

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. 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	Deficiency
Lot frontage	34.973 m	30 m			-
Lot depth	71.491 m				
Lot width	34.973 m				
Lot area	0.41 ha	0.4 ha			-
Lot coverage					
Front yard					
Rear yard					
Height					
Left Interior side yard					
Right Interior side yard					
Exterior side yard (corner lot)					
Parking Spaces (number)					
Aisle width					
Stall size					
Loading Spaces					
Other	see attached letter for	accessory structure	zoning table		

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

the accessory structure is proposed to store large equipment to be used for maintenance of the 1 acre property as well as provide space for personal storage.

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

Frontage: _____

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Proposed final lot size (if boundary adjustment): _____

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: _____

Description of land intended to be retained in metric units:

Frontage: _____

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Buildings on retained land: _____

4. **Easement/Right-of-Way:** Description of proposed right-of-way/easement in metric units:

Frontage: _____

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: _____
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:
local knowledge

4. If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached? ☐ Yes ☐ No

E. 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:

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:

the area proposed to accommodate the structure is currently grass and respects the location of the existing woodlot.

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 _____

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. All Applications: Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- ☒ Municipal piped water
☐ Individual wells

- ☐ Communal wells
☐ Other (describe below)

Sewage Treatment

- ☐ Municipal sewers

- ☐ Communal system

- ☒ Septic tank and tile bed in good working order ☐ Other (describe below)

Storm Drainage

- ☐ Storm sewers

- ☒ Open ditches

- ☐ Other (describe below)

2. Existing or proposed access to subject lands:

- ☒ Municipal road

- ☐ Provincial highway

- ☐ Unopened road

- ☐ Other (describe below)

Name of road/street:

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?

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 letter

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.

Shelley Boyd
Owner/Applicant/Agent Signature

Sept 6/23
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 Rick & Shelley am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Kim Dziegiele 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.

Rick Boyd
Owner

Sept 6/23
Date

Shelley Boyd
Owner

Sept 6/23
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, Kim Dziegiel of Simcoe

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:

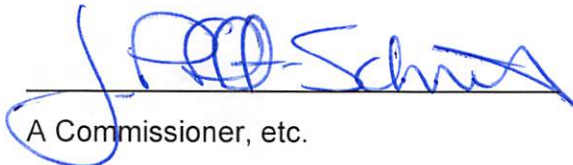
Simcoe


Owner/Applicant/Agent Signature

In Norfolk County

This 6 day of Sept

A.D., 2023


A Commissioner, etc.

Jodi Lynn Pfaff-Schimus, a
Commissioner, etc., Province of Ontario.
for the Corporation of Norfolk County.
Expires March 1, 2025.

Jennifer Catarino
154 Colborne St N
Simcoe, ON N3Y 3V3

September 5, 2023

To Norfolk County Committee of Adjustment:

Re: Minor Variance Application – 39 Adams Street, Courtland

Introduction

The Permit Shoppe was retained as the Agent to process a minor variance application affecting 39 Adams Street in Courtland. The owners are proposing to construct a detached accessory structure to be used for residential storage. The new building is intended to store lawn equipment, a motorcycle, etc. The design of the new structure accommodates large roll up doors to ensure that equipment and machines can maneuver through the property for maintenance purposes given the septic system is in the rear yard. In addition, the washroom provides some flexibility to the owners when working to access facilities without relying on accessing the single detached dwelling. The subject lands contain a single detached dwelling and small detached accessory structure in the rear yard. A portion of the site contains a woodlot. To facilitate the development, relief of the Norfolk County Zoning By-law regarding the useable floor area and building height for an accessory structure is required.

The subject lands are designated 'Urban Residential' in the Norfolk County Official Plan and zoned 'Hamlet Residential (RH)' by Zoning By-law 1-Z-2014.

Planning Act

The *Planning Act* in Ontario provides the framework for planning and the process within the province. Section 2 outlines matters of provincial interest which includes the orderly development of safe and healthy communities, a full range of housing and the appropriate location of growth and development.

The application is consistent with the matters of provincial interest as the request for relief of height and useable floor area to accommodate an accessory structure in a settlement area.

Section 45(1) of the *Planning Act* provides outlines the powers of the Committee and lists criteria to evaluate a minor variance which include an opinion whether the request is desirable for the appropriate development, the general intent and purpose of the Official Plan is met and the general intent and purpose of the Zoning By-law is achieved. The policy tests relative to Section 45(1) will be summarized below.

Provincial Policy Statement, 2020 (PPS)

The Provincial Policy Statement, 2020 (PPS) provides overarching policy direction for planning and development within the Province of Ontario. Healthy, liveable and safe communities are sustained by promoting efficient development patterns that optimize land, resources and public investment. Settlement areas are the focus of growth and development and will accommodate a variety and range of housing options. The subject lands are located within a settlement area, which is the focus of growth and development.

Norfolk County Official Plan

The Official Plan designates the subject lands as "Urban Residential". The Urban Areas are expected to continue to accommodate attractive neighbourhoods which will provide for a variety of residential forms as well as neighbourhood facilities. Section 7.7.1 a) notes that the predominate land use shall be a variety of urban dwelling types, including single detached dwellings and Section 7.7.1 n) permits accessory uses to any of the permitted uses in the designation. The subject lands are located within an established neighbourhood and the lot contains a single detached dwelling and small detached accessory structure.

The proposed minor variance meets the intent of the Official Plan.

Zoning By-law 1-Z-2014

The subject lands are zoned "Hamlet Residential (RH)". Single detached dwellings and accessory structures are permitted uses. Accessory structures are subject to the provisions of Section 3.2.1. To facilitate the development relief is required as outlined in Table 1:

Table 1: Requested Relief of Zoning By-law 1-Z-2014

3.2 Accessory Uses to Residential Uses		Proposed	Relief Required
a)	exceed a building height of ... 6 metres in all other Zones	6.325 m	0.325 m
b)	occupy any part of a front yard	N/A	
c)	occupy any part of an exterior side yard	N/A	
d)	be nearer than 1.2 metres of a lot line within an interior side yard or 1.2 metres of an interior lot line within a front yard	4.5 m from interior side yard	
e)	be nearer than 1.2 metres of an interior lot line within a rear yard except:		
	i) in the case of a mutual private garage in the rear yard on a common interior side lot line, no separation distance is required;	N/A	

	ii) in the case of a rear lot line adjoining a private or public lane, no setback is required;	N/A	
f)	in the case of a through lot, be nearer than 6 metres from any street line or the average setback of the nearest structures whichever is less;	N/A	
g)	occupy more than 10 percent of the lot area, for all accessory buildings together, to a maximum of 55 square metres usable floor area in an Urban Residential Zone(R1 to R6) and 100 square metres usable floor area in all other Zones	13.4 m2 (existing shed) + 154 m2 (new accessory building) = 167.4 m2	67.4 m2
h)	be established on any lot until or unless the main building or use to which it is accessory is established	the single detached dwelling has been established	

The requested relief is consistent with the intent of the Zoning By-law and it is appropriate for the proposed development. The accessory structure is located in close proximity to existing structures and respects the location of the existing woodlot. The additional useable floor area will be utilized for personal storage to ensure that lawn equipment and mechanical equipment can be stored in an orderly fashion. The proposed relief for height is minor and permits a small pitch to the roof of the accessory structure and it is not anticipated to create visual impacts to the surrounding neighbours.

Therefore, the proposed minor variance meets the intent of the Zoning By-law, desirable for the appropriate development and considered minor in nature.

Conclusion

In conclusion, it is my professional opinion that the minor variance satisfies the requirements of *Planning Act* Section 45(1) as the proposed request is appropriate for the proposed development, conforms to the the Official Plan and meets the intent of the Zoning By-law. The overall relief is considered minor and will not impact the surrounding land uses for the reasons noted above.

Please do not hesitate to contact me if you have any questions or comments.

Thank you,


Jennifer Catarino, MCIP, RPP

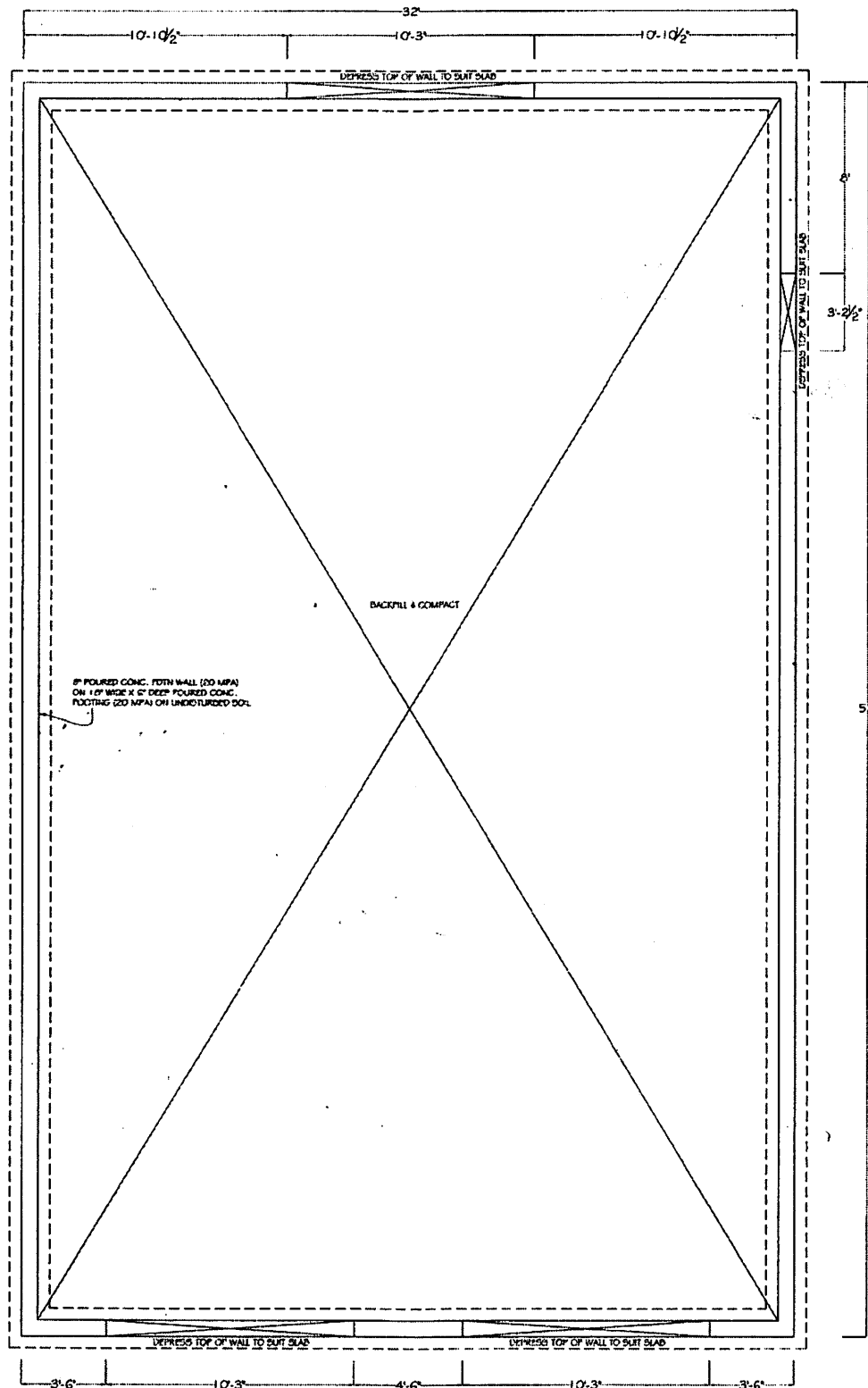
RICK BOYD

NEW 32' X 52' WOOD FRAME SHOP

39 ADAMS STREET, COURTLAND

ONTARIO, NOJ-1EO

SEPT 4/2023



SHOP FOUNDATION PLAN

NOT TO SCALE

WARREN BESELAERE

ECN 31025 INDIVIDUAL

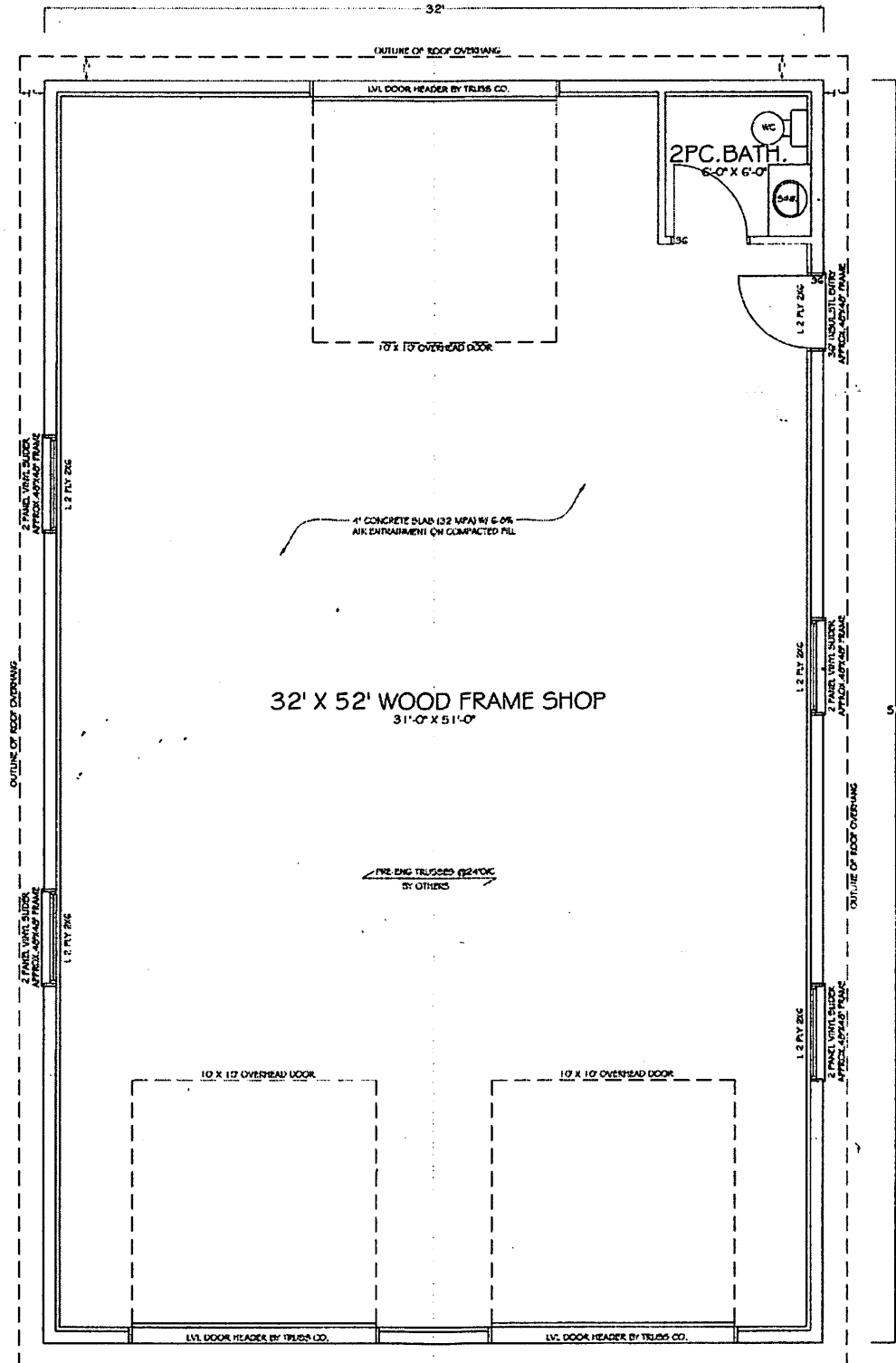
BCIN 53980 FIRM

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DO NOT SCALE DRAWINGS
CONTRACTOR TO CHECK & VERIFY
ALL DIMENSIONS - ENDS

RICK BOYD

NEW 32' X 52' WOOD FRAME SHOP
39 ADAMS STREET, COURTLAND
ONTARIO, NOJ-1 E0
SEPT 4/2023



SHOP FLOOR PLAN

NOT TO SCALE

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BCIN 31005 INDIVIDUAL
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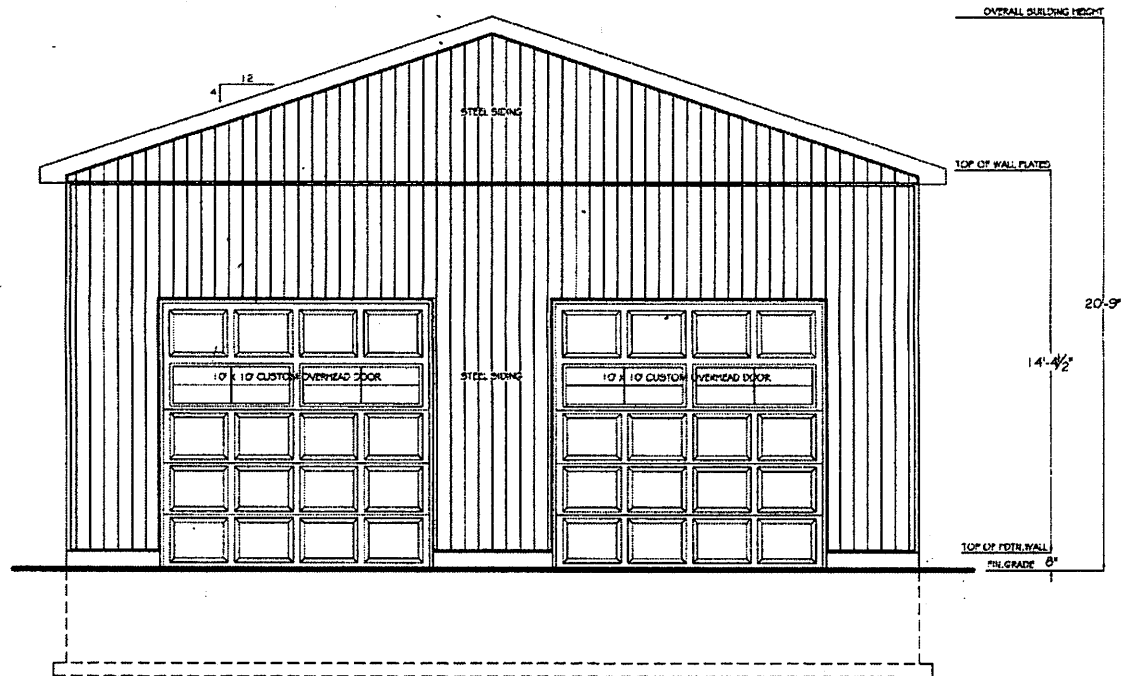
RICK BOYD

NEW 32' X 52' WOOD FRAME SHOP

39 ADAMS STREET, COURTLAND

ONTARIO, NOJ-1E0

SEPT 4/2023



FRONT ELEVATION

NOT TO SCALE

WARREN BESELAERE

BCIN 31005 INDIVIDUAL

BCIN 93960 FIRM

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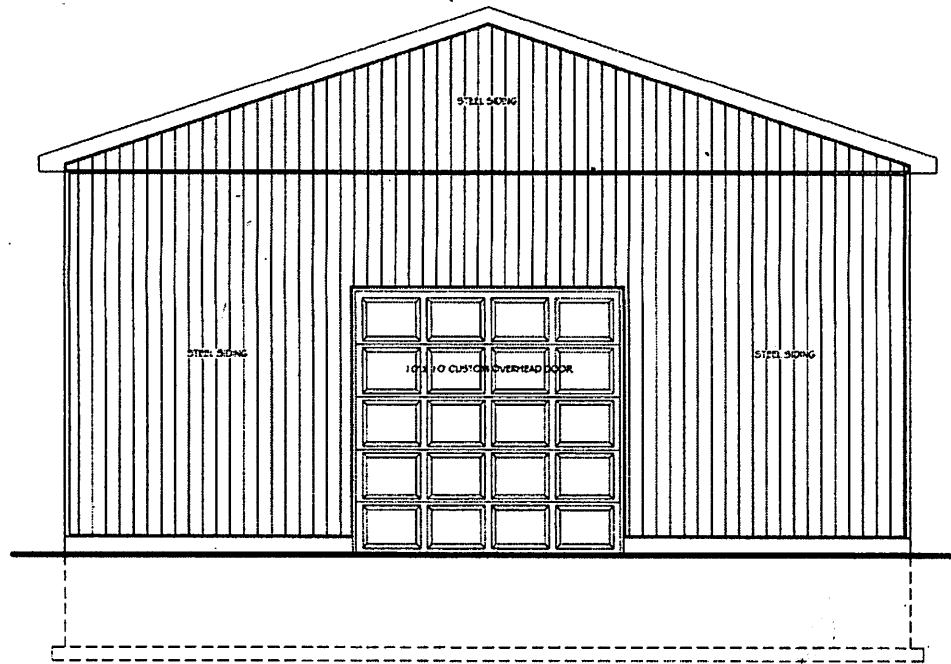
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RICK BOYD

NEW 32' X 52' WOOD FRAME SHOP
39 ADAMS STREET, COURTLAND
ONTARIO, NOJ-1 E0
SEPT 4/2023



REAR ELEVATION

NOT TO SCALE

WARREN BESELAERE
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BCIN 33980 FIRM
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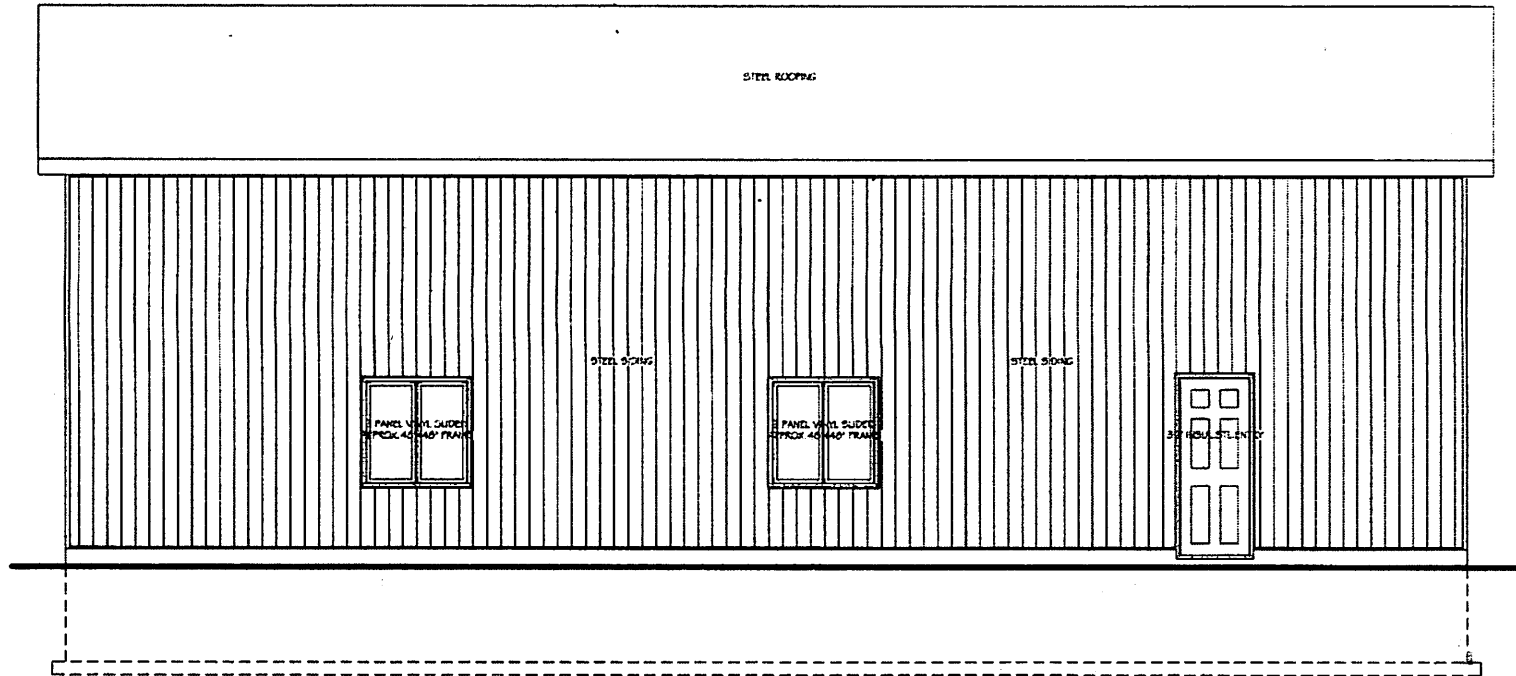
RICK BOYD

NEW 32' X 52' WOOD FRAME SHOP

39 ADAMS STREET, COURTLAND

ONTARIO, NOJ-1 EO

SEPT 4/2023



SIDE ELEVATION

NOT TO SCALE

WARREN BESELAERE

BCIN 31605 INDIVIDUAL

BCIN 33960 FIRM

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CONTRACTOR TO CHECK & VERIFY
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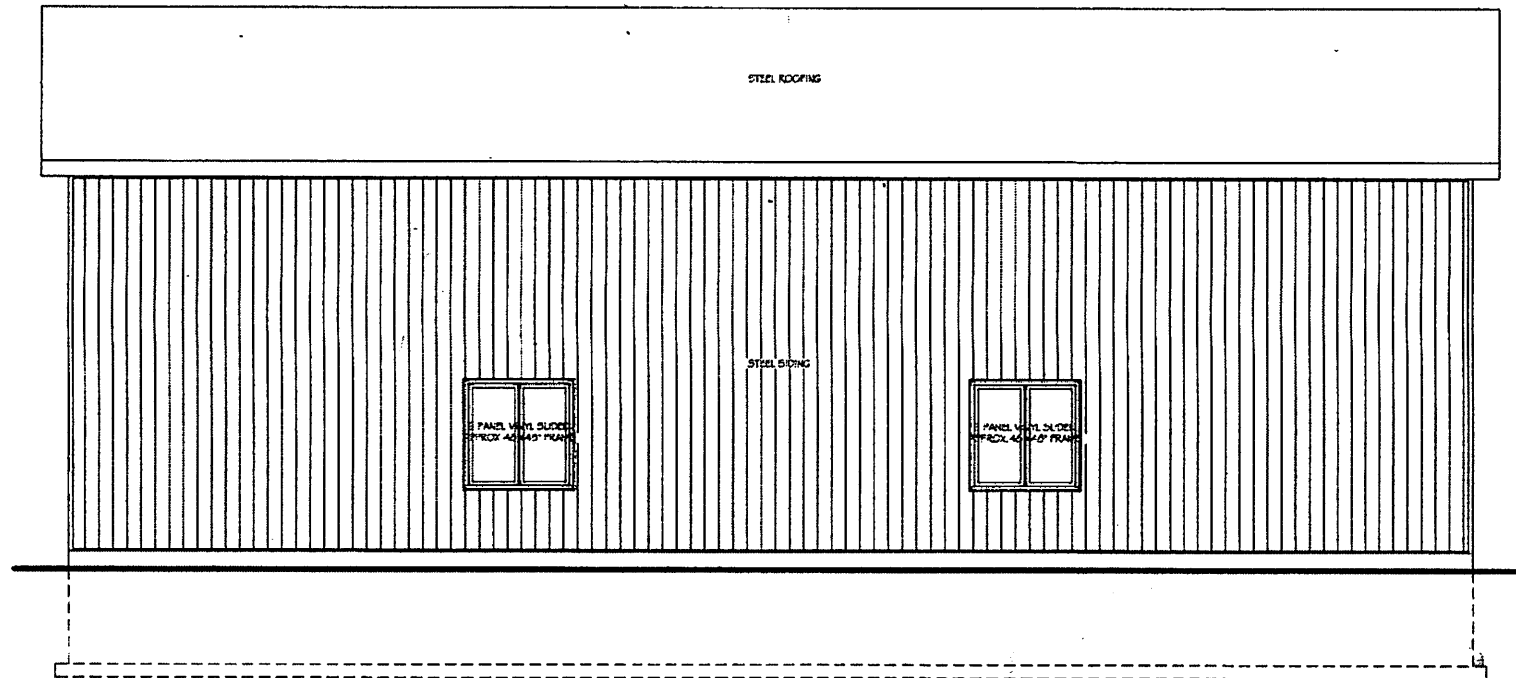
RICK BOYD

NEW 32' X 52' WOOD FRAME SHOP

39 ADAMS STREET, COURTLAND

ONTARIO, NOJ-1 E0

SEPT 4/2023



SIDE ELEVATION

NOT TO SCALE

WARREN BESELAERE
BCIN 31005 INDIVIDUAL
BCIN 33900 FIRM
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DO NOT SCALE DRAWINGS
CONTRACTOR TO CHECK & VERIFY
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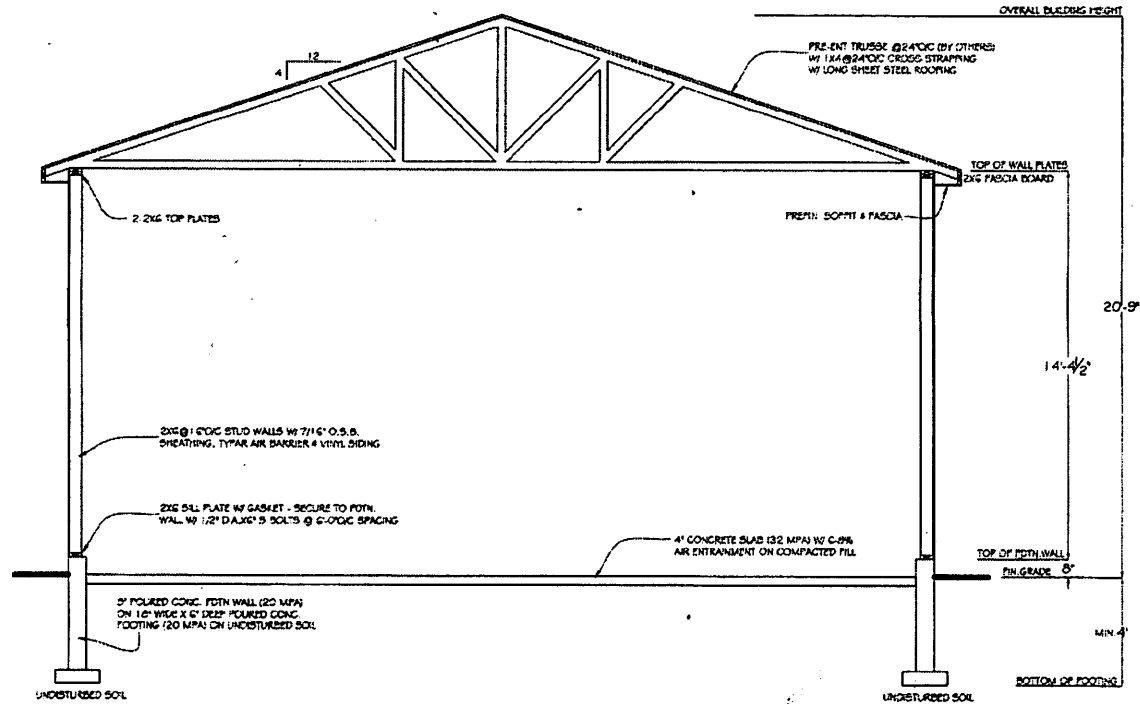
RICK BOYD

NEW 32' X 52' WOOD FRAME SHOP

39 ADAMS STREET, COURTLAND

ONTARIO, NOJ-1EO

SEPT 4/2023



SHOP CROSS SECTION

NOT TO SCALE

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BCIN 88880 FIRM
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ALL DIMENSIONS - S&OE



Legend

Subject Lands

2020 Air Photo

9/26/2023

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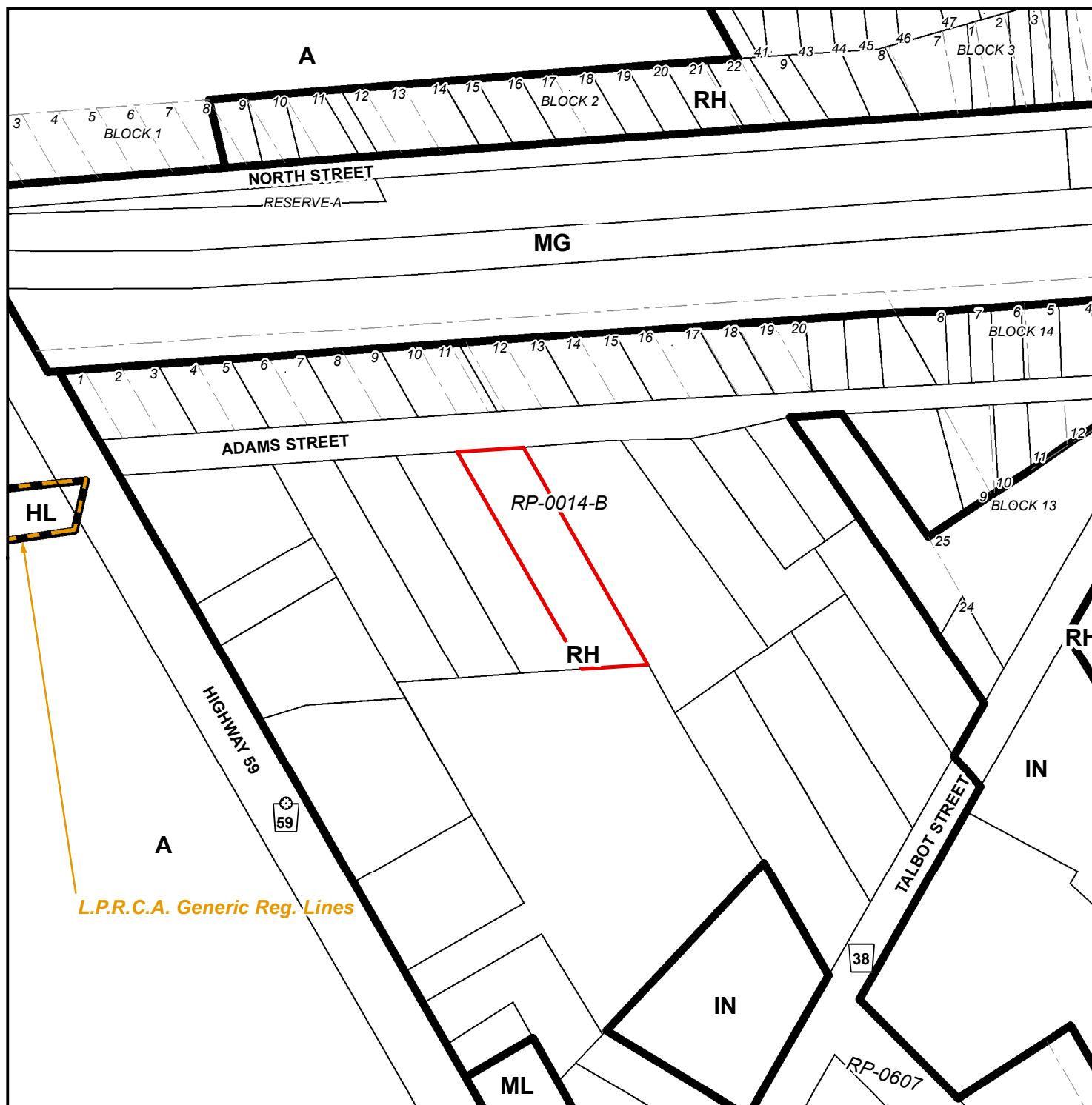
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MAP B

ZONING BY-LAW MAP

Geographic Township of MIDDLETON

ANPL2023288



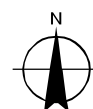
LEGEND

- Subject Lands
- LPRCA Generic RegLines

ZONING BY-LAW 1-Z-2014

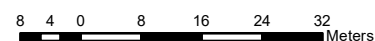
9/26/2023

- (H) - Holding
- A - Agricultural Zone
- MG - General Industrial Zone
- RH - Hamlet Residential Zone
- HL - Hazard Land Zone
- ML - Light Industrial Zone
- IN - Neighbourhood Institutional Zone



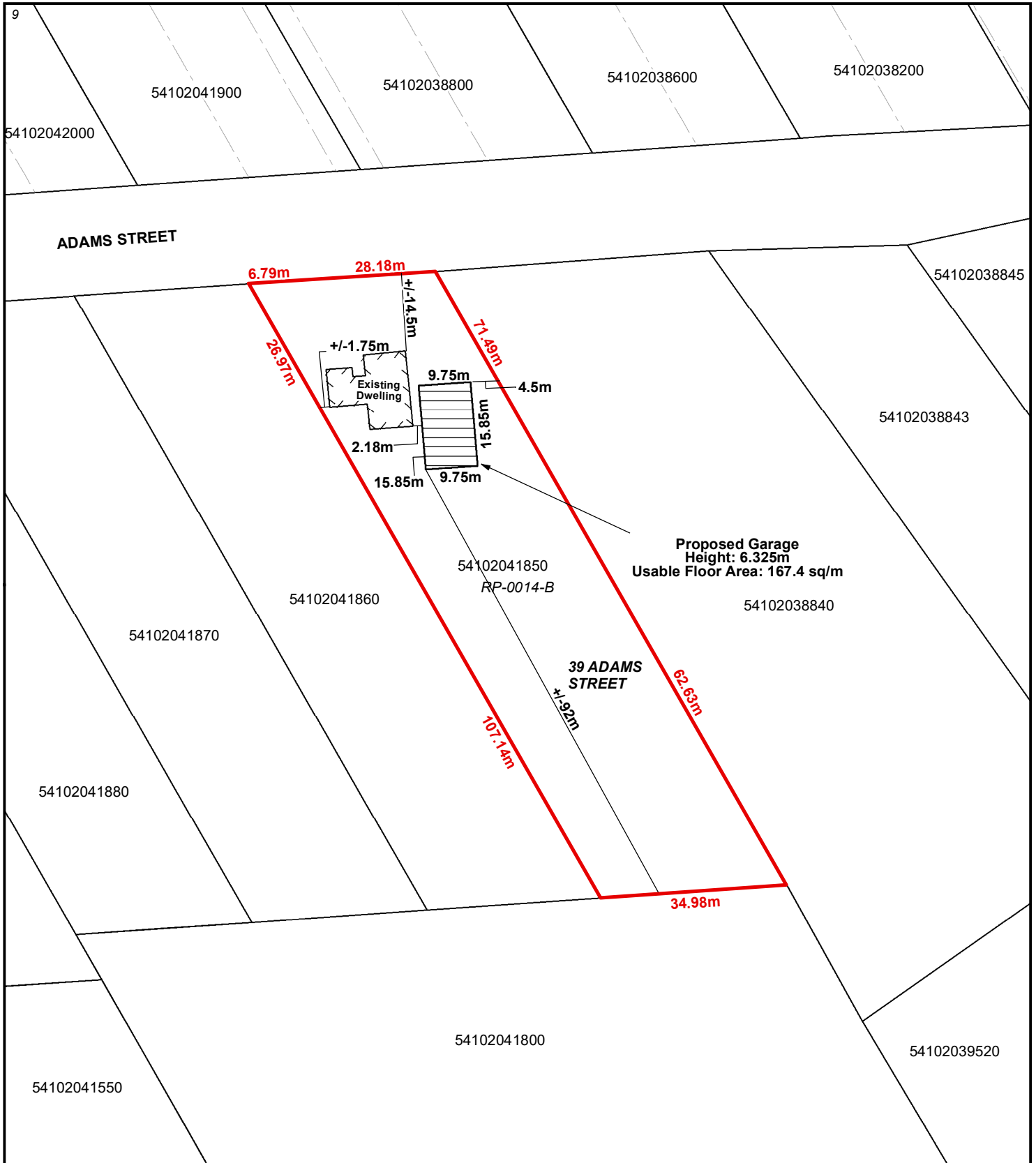
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Geographic Township of MIDDLETON



CONCEPTUAL PLAN

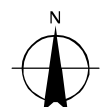
Geographic Township of MIDDLETON



Legend

Subject Lands

9/26/2023



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