

For Office Use Only:	
File Number	ANPL2024125
Related File Number	-
Pre-consultation Meeting	-
Application Submitted	April 8, 2024
Complete Application	
Application Fee	2743.00
Conservation Authority Fee	N/A
Well & Septic Info Provided	N/A
Planner	Hanne Yager
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: 3310-336-070-34000

A. Applicant Information

Name of Owner Anita & Steven Buehner

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 30 Kloet Road

Town and Postal Code Simcoe, ON N3Y 4K3

Phone Number

Cell Number 519-420-1161

Email buehner@kwic.com

Name of Applicant agent

Address

Town and Postal Code

Phone Number

Cell Number

Email

Name of Agent	David McPherson
Address	8 Culver Lane
Town and Postal Code	Simcoe ON N3Y 5C8
Phone Number	
Cell Number	519-427-6483
Email	david-a-mcpherson@hotmail.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:

n/a

B. Location, Legal Description and Property Information

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

Lot 3 Concession 12 Townsend

Municipal Civic Address: 30 Kloet Road

Present Official Plan Designation(s): Agricultural

Present Zoning: Agricultural

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:

Site plan attached c/w setbacks. Situate on the property is a single storey house of 144.28 sq.m.

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.

Proposed is a roofed but unenclosed front deck at the entrance door to the house.

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:

Unenclosed front deck is 2.4m x 4.3m. Area is 10.4 sq.m. and height to peak of roof is 4m.

Setbacks are shown on attached sketch.

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:

75 + years

9. Existing use of abutting properties:

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:
6.115m gas easement across frontage, shown on attached site plan

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	30.48m	30m			
Lot depth	45.84m				
Lot width	30.48m				
Lot area	1,393.54 sq.m.				
Lot coverage	11.1%				
Front yard	10.58m	13m		8.23m	4.77m
Rear yard	18.9m	9m		18.9m	
Height	5m	11m		4m	
Left Interior side yard	5.64m	3m		5.64	
Right Interior side yard	7.75m	3m		7.75m	
Exterior side yard (corner lot)					
Parking Spaces (number)					
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 house is on a very small lot and was built only 10.5m from the the front property line.

The owners propose a modest covered front entry that will reduce the existing front yard setback.

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

Frontage: n/a

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: gas easement is across the entire lot frontage

Depth: 6.115m wide

Revised April 2023

Committee of Adjustment Development Application

Page 5 of 13

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:
Owner supplied information

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:

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:

This property is not within a WHPA

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 _____

Solar farm to rear

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)

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:

Kloet Road

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.

Please see attached premis and justification

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

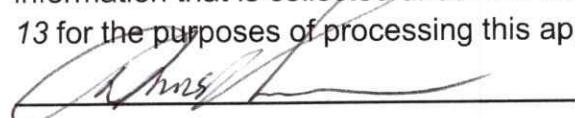
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

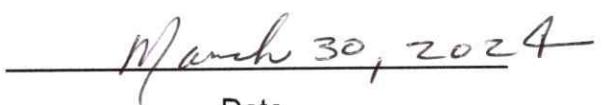
Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

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.



Owner/Applicant/Agent Signature



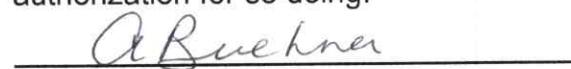
Date

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 Steve & Anita Buehner am/are the registered owner(s) of the lands that is the subject of this application.

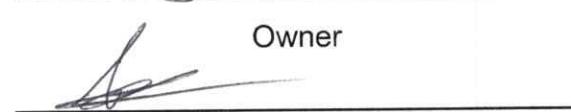
I/We authorize David McPherson to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.



Owner



Date



Owner



Date

***Note: If property is owned by an Ontario Ltd. Corporation, Articles of Incorporation are required to be attached to the application.**

K. Declaration

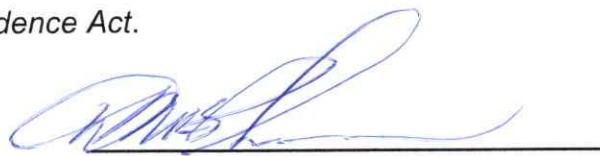
I, David McPherson of Simcoe

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, ONT.



Owner/Applicant/Agent Signature

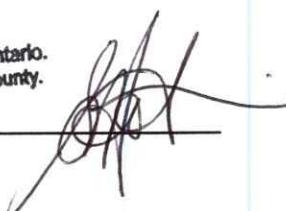
In Norfolk County

This 8th day of April

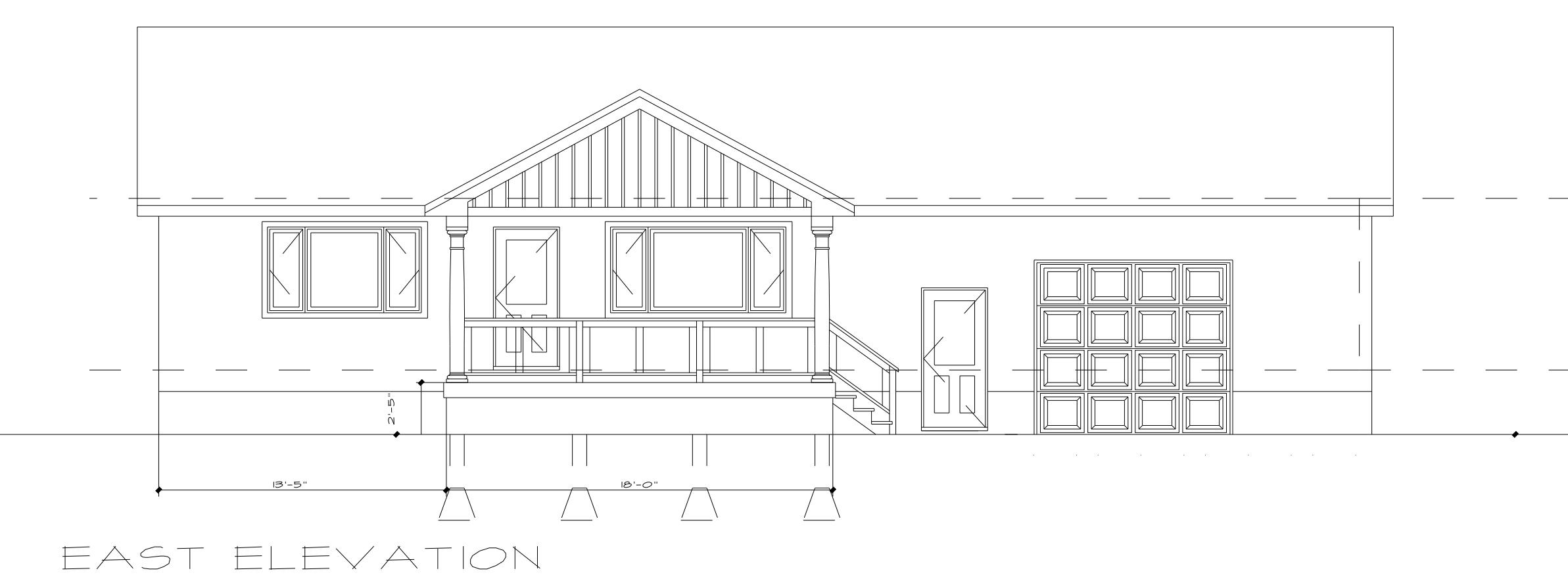
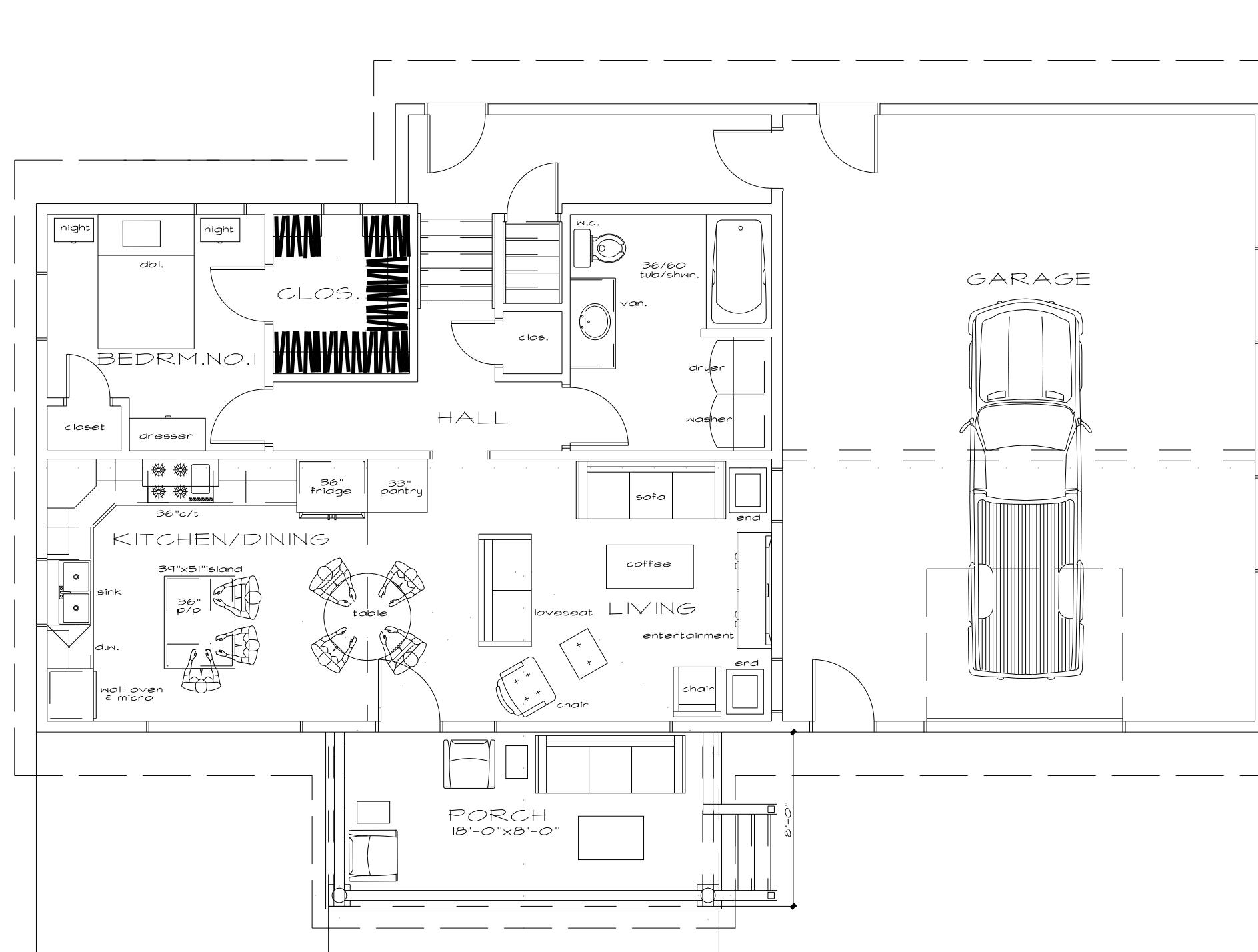
A.D., 2024

Sherry Ann Mott, a
Commissioner, etc., Province of Ontario.
for the Corporation of Norfolk County.
Expires March 18, 2026.

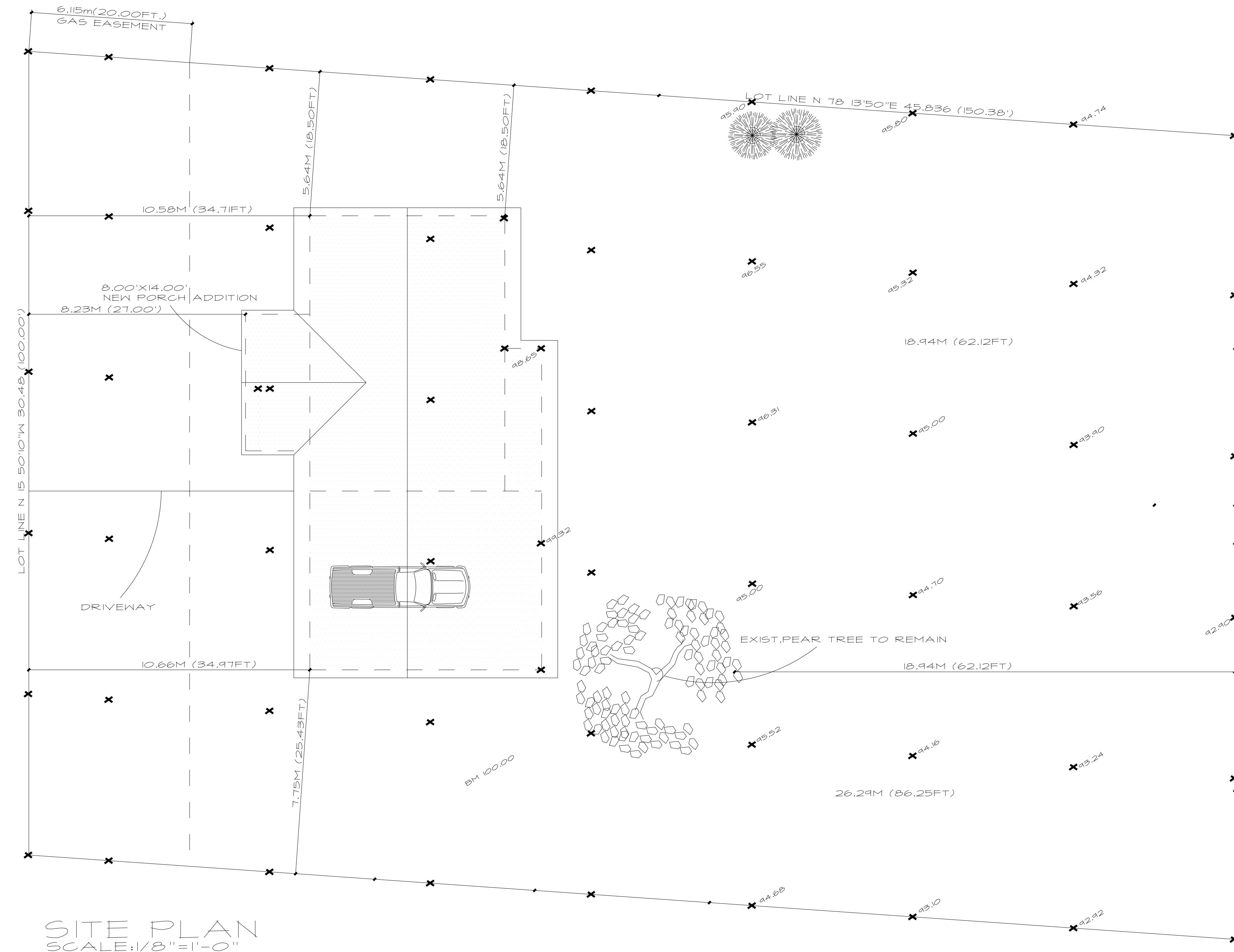
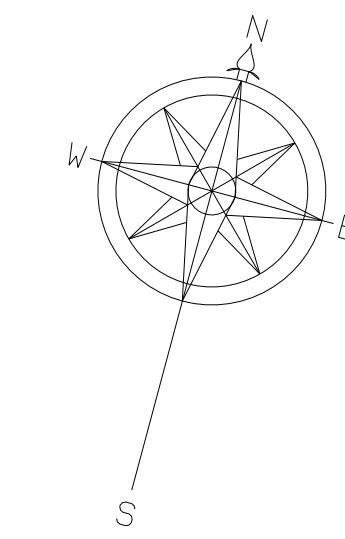
A Commissioner, etc.



Norfolk
COUNTY



AS-BUILT PLANS FOR STEVE &
ANITA BEUHNER
WATERFORD, ONT.
FLOOR PLANS
09/22 A.N. MAC A-3
REVISED



Premise and Justification of Minor Variance Application For 30 Cloet Road, Simcoe

This application is seeking relief of front yard setback to construct a modest, covered but not enclosed, front porch on an existing 75 year old house. The existing small house was constructed only 10m from the front property line and sits on a very small country lot.

Existing now, on the subject lands, is a single storey house, dating from the 1940's.

Proposed is to add a front covered entry of only 10.4 sq.m.

Relief is sought only for the front yard setback.

Attached is a site plan showing the existing dwelling, its' setbacks, and the proposed front entry and its' proposed setbacks.

Under Section 45(1) of the Planning Act there are four tests a minor variance must meet. In order to be considered the application must meet all four tests:

- Does the application conform to the general intent and purpose of the Official Plan.
- Does the application conform to the general intent and purpose of the Zoning Bylaw.
- Is the application desirable for the appropriate development of the lands in question.
- Is the application minor.

Norfolk County Official Plan

The subject property is designated as Agricultural in the Norfolk County Official Plan. Permitted uses within this designation include residences. The application enables the continued use of a residence in the Agricultural designation and therefore conforms to the general intent and purposes of the Norfolk County Official Plan.

Norfolk County Zoning By-law 1-Z-2014

Zoning By-law 1-Z-2014 zones the property Agricultural. Article 12.1.1 d) permits a single detached dwelling within the Agricultural Zone.

The general intent and purpose of the Norfolk County Zoning By-law is to maintain the character of the neighborhood. Cloet Road runs between Old Highway 24 and Concession 13 Townsend. There are only 5 houses on the entirety of Cloet Road, 3 of which are on the same side of the road as the subject dwelling. The proposed covered front deck entryway fits well within the character of the Cloet Road neighborhood and is quite compatible with the established streetscape. The requested variance will maintain the general intent and purpose of the Zoning By-law and will promote continued and better use of the residential use established on this property.

Is the Variance Desirable and Appropriate

The continued use of this property, with a covered front entry, is compatible with and fits within the existing neighborhood. It is not desirable to fumble with keys at the front door in the rain. It is most desirable to stand under a covered entry out of the rain. This proposal is an improvement of the property and facilitates more enjoyed use of the home.

Is the Variance Minor in Nature

The application is minor in nature because it proposes a modest decrease of front yard setback on a straight road with long site lines in both directions. This front yard reduction poses no impediment to winter road clearing activities and no impediment to the site lines of the motoring public.

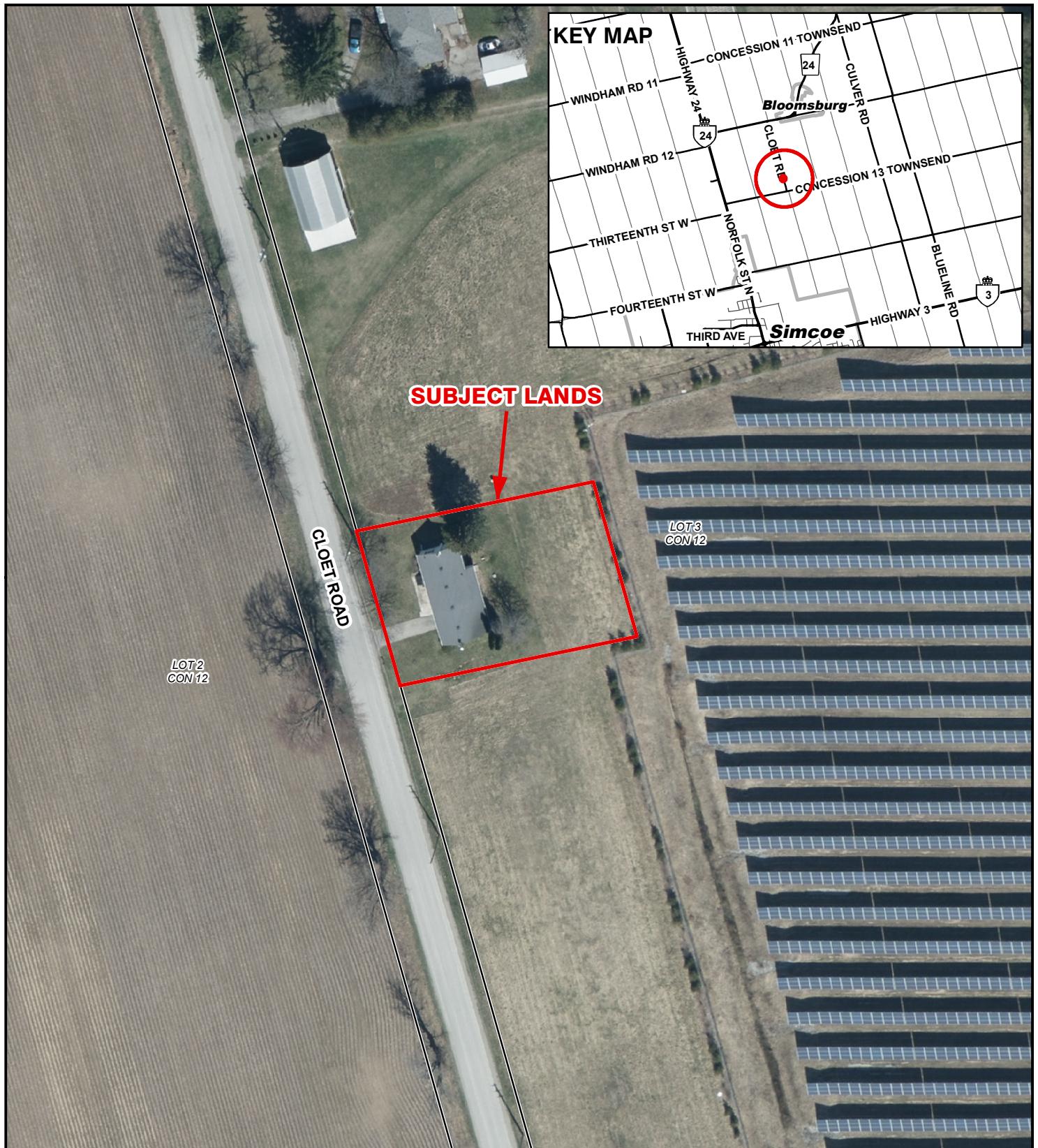
Conclusion

The requested relief of front yard setback is minor in nature, appropriate for the neighborhood, compatible with the existing streetscape, promotes continued use and enjoyment of the existing dwelling, and generally meets the intent of the Norfolk County Official Plan and the Norfolk County Zoning By-law

David McPherson

CONTEXT MAP

Geographic Township of TOWNSEND

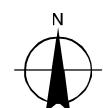


Legend

 Subject Lands

2020 Air Photo

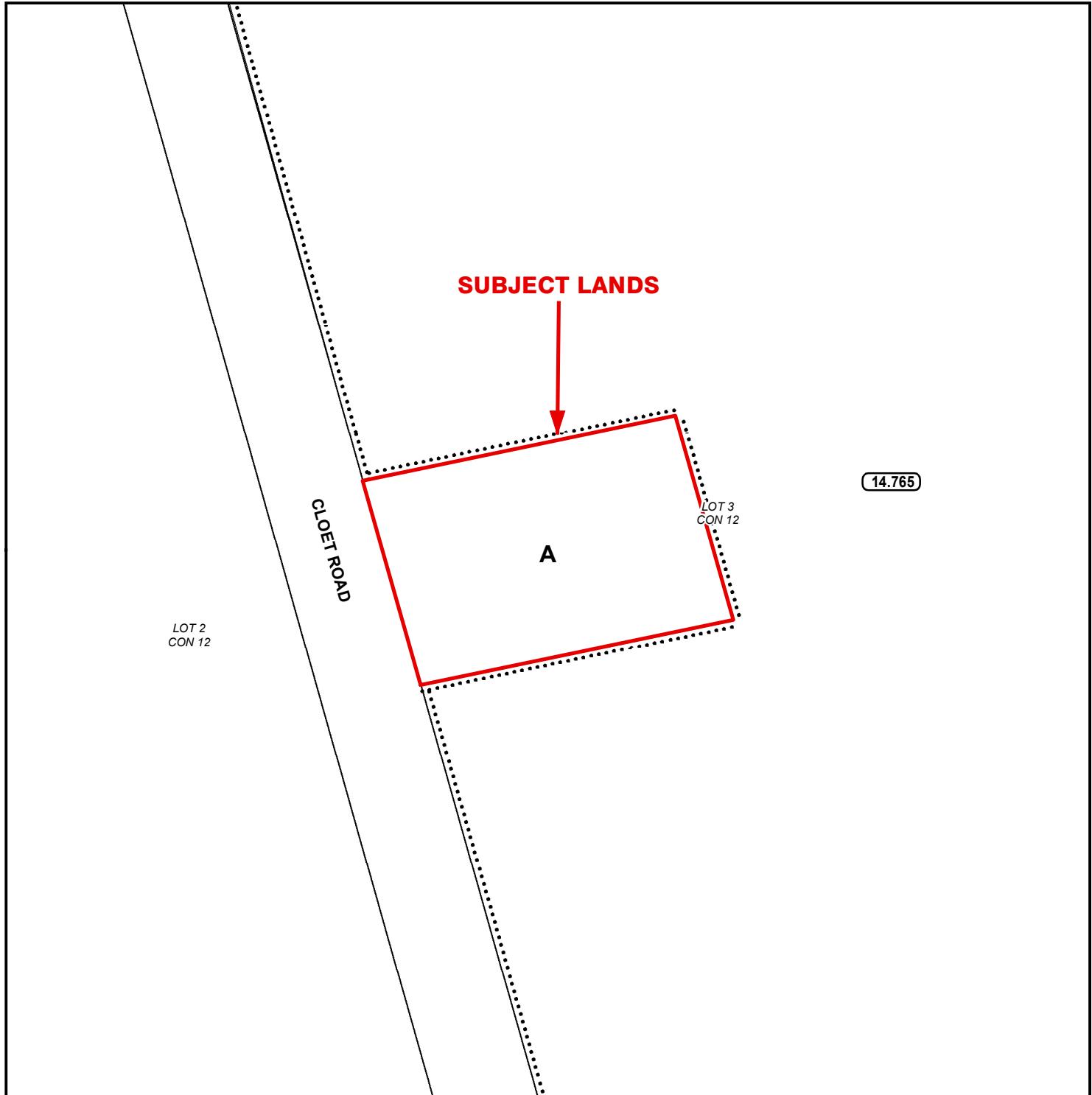
5/31/2024

A scale bar with markings at 8, 4, 0, 8, 16, and 24 meters.

Meters

ZONING BY-LAW MAP

Geographic Township of TOWNSEND

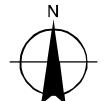
**LEGEND** Subject Lands

ZONING BY-LAW 1-Z-2014

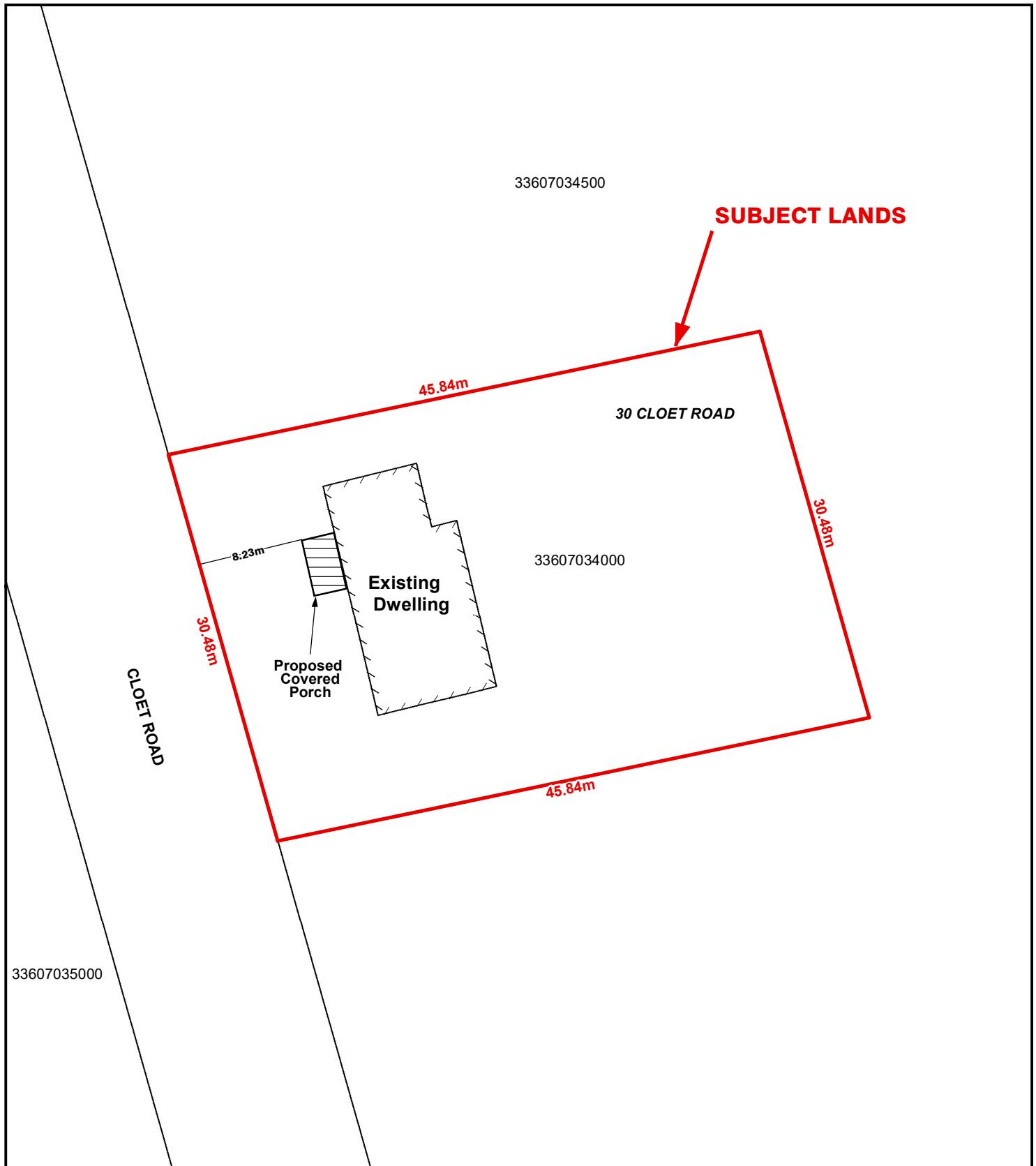
5/31/2024

(H) - Holding

A - Agricultural Zone



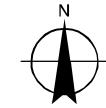
6.53.25 0 6.5 13 19.5 26 Meters

CONCEPTUAL PLAN
Geographic Township of TOWNSEND

Legend

Subject Lands

5/31/2024

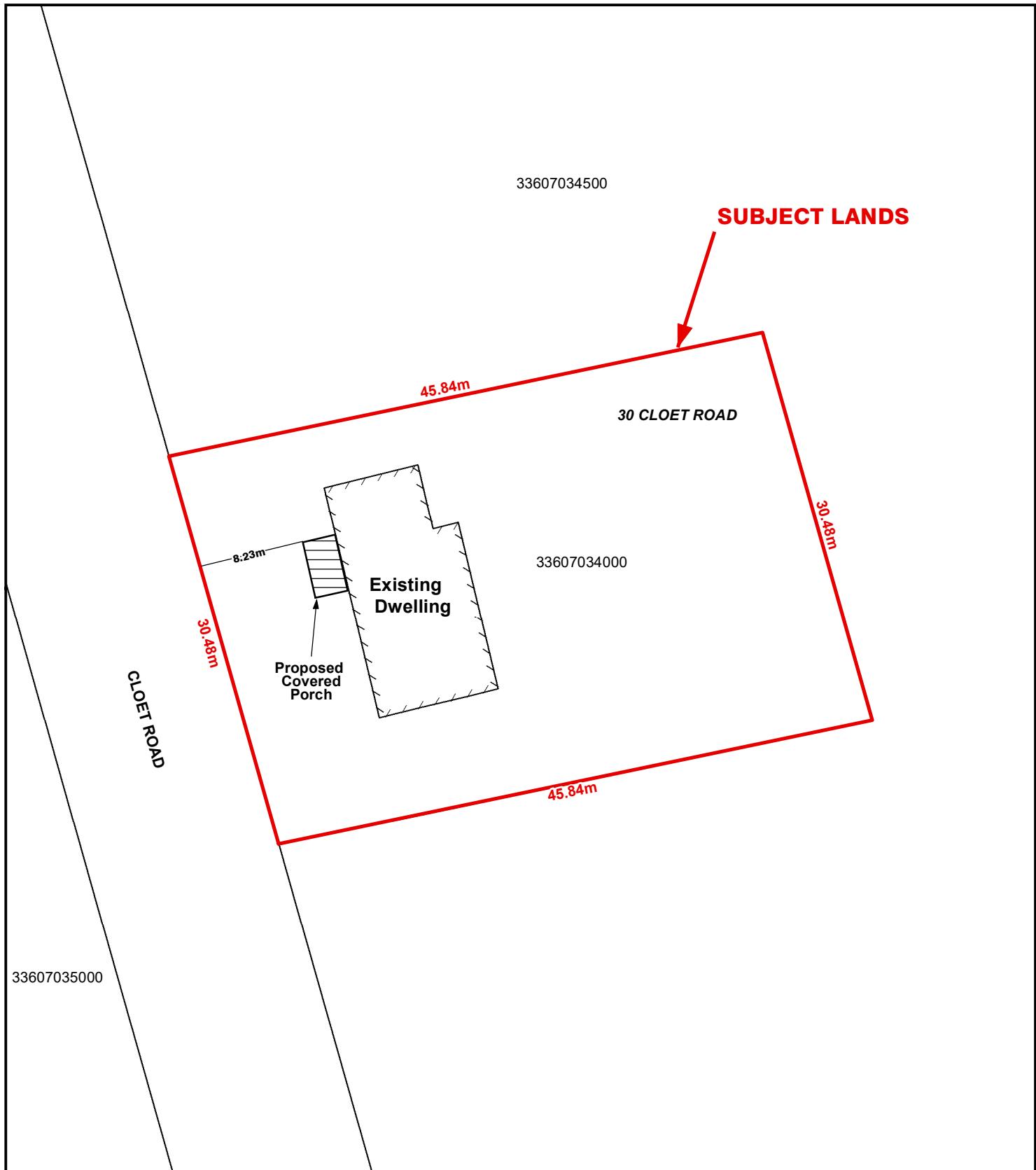


3 1.5 0 3 6 9 12 Meters

LOCATION OF LANDS AFFECTED

ANPL2024125

CONCEPTUAL PLAN Geographic Township of TOWNSEND



Legend

Subject Lands

5/31/2024



3 1.5 0 3 6 9 12 Meters