

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: 3310-493-070-14000

A. Applicant Information

Name of Owner Brian + Gaelen Adams

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 252 Townline St

Town and Postal Code St Williams NDE 1P0

Phone Number _____

Cell Number 519-420-7906

Email brianatconvertaboat@yahoo.ca

Name of Applicant AGENT

Address _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

Name of Agent Dave 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:
SCOTIA BANK

B. Location, Legal Description and Property Information

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

CHR CON A Part Lot 1
Parts 1-3 of 37R-2298, Part 1 of 37R-6092

Municipal Civic Address: 252 Towline St

Present Official Plan Designation(s): Agricultural

Present Zoning: 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:

SFD - 2295 ft², with attached garage.

Accessory building 616 ft²

Accessory building - 2000 ft²

SEE ATTACHED

Cover all - 1200 ft²

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.

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 single storey detached accessory building

40' x 80', 3200 ft² usable floor area.

SEE ATTACHED

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:

Since 1997

9. Existing use of abutting properties:

Trailer park, residential, agricultural

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	109 m	30 m			
Lot depth	IRREGULAR				
Lot width	IRREGULAR				
Lot area	3.45 AC				
Lot coverage	2.5%	10%	3.2.1g)	3.9%	
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 MAX	243.2 m ²	200 m ²	3.2.1g)	541 m ²	341 m ²

USEABLE FLOOR AREA

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

By-law:

Existing legal non-conforming accessory building lot coverage already exceeds max.

New building required for personal storage purposes to accommodate boat, travel trailer and recreational vehicle.

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:

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 120m

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
- Septic tank and tile bed in good working order
- Communal system
- Other (describe below)

Storm Drainage

- Storm sewers
- Open ditches
- Other (describe below)

2. Existing or proposed access to subject lands:

- Municipal road
- Unopened road
- Provincial highway
- Other (describe below)

Name of road/street:

Townline St.

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 justification 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

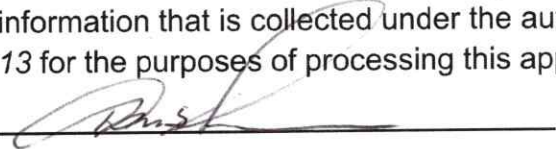
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

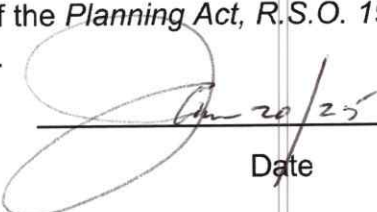
Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

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.



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 Brian + Gaelen Adams am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Dave 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



Owner

Jan 20/25

Date

Jan 20/25

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


Owner/Applicant/Agent Signature

In Norfolk County

This 28 day of January

A.D., 20 25

Olivia Davies

A Commissioner, etc.

Olivia Catherine Davies, a
Commissioner, etc., Province of Ontario,
for the Corporation of Norfolk County.
Expires May 23, 2027.

January 20, 2025

Norfolk County Planning Department

**RE: Planning Justification Report
Minor Variance Application
252 Townline Street, St. Williams, Norfolk County**

This planning justification report is intended to provide justification and supporting information respecting a minor variance application, submitted pursuant to Section 45 (2) of the Planning Act, for a proposed accessory building for personal storage purposes at lands known as 252 Townline Street, St Williams (herein referred to as the "Site").

The Owners are proposing to replace an existing cover-all tarpaulin structure with an area of 111 m² (1200 ft²) with a new single storey detached storage building with an area of 297 m² (3200 ft²). The purpose of the replacement building is to replace the existing cover-all tarpaulin in poor condition, and to provide enclosed and secure personal storage space for boats, ATVs, and a large fifth wheel toy hauler travel trailer.

Excluding the above noted existing coverall building, the subject lands contain a 186 m² (2000 ft²) detached accessory building and a 57.2 m² (616 ft²) storage building, for a total accessory building coverage of 243.2 m² (2616 ft²).

The overall intent is to replace the existing coverall structure in need of significant repairs with a new larger structure to accommodate personal storage needs in approximately the same location.

1.0 Site Overview

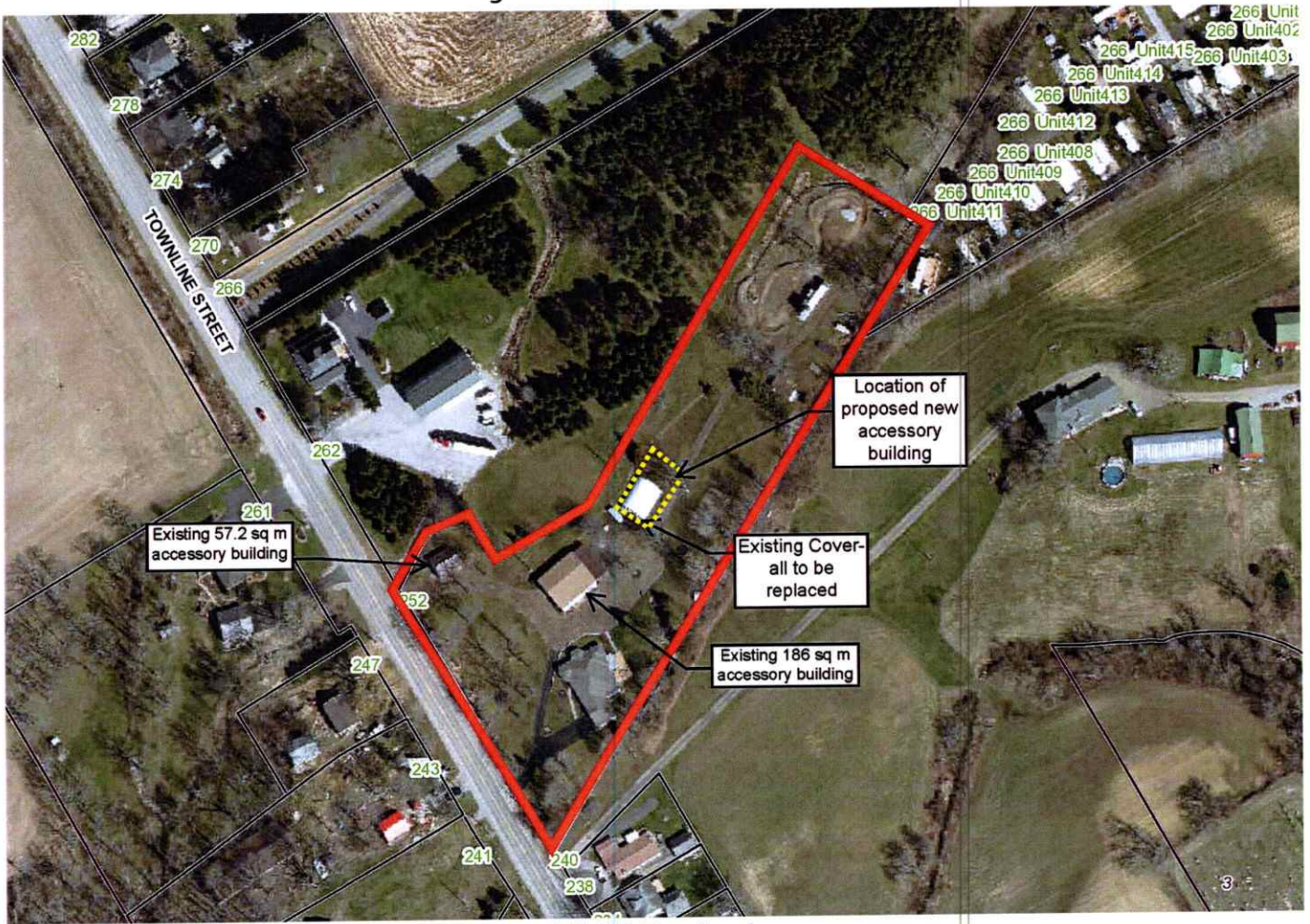
The Site is location on the east side of Townline Street, north of the hamlet of St. Williams, and has an area of 1.4 hectares (3.48 ac). The Site is legally described as Pt Lot 1, Concession A, Charlotteville, Parts 1-3 of 37R-2298 and Parts 1 of 37R-6092. The Site is irregular in shape with frontage on Townline Street and has 2 existing driveway entrances to Townline Street. The lands contain the three accessory buildings noted above, and a single detached dwelling (circ. 1999).

The smaller existing accessory building with an area of 57.2 m² (616 ft²) was previously used as a former PUC water pumphouse and according to MPAC structure data, was constructed in 1980.

The larger existing accessory building has an area of 186 m² (2000 ft²) and according to MPAC structure data, was constructed in 1997.

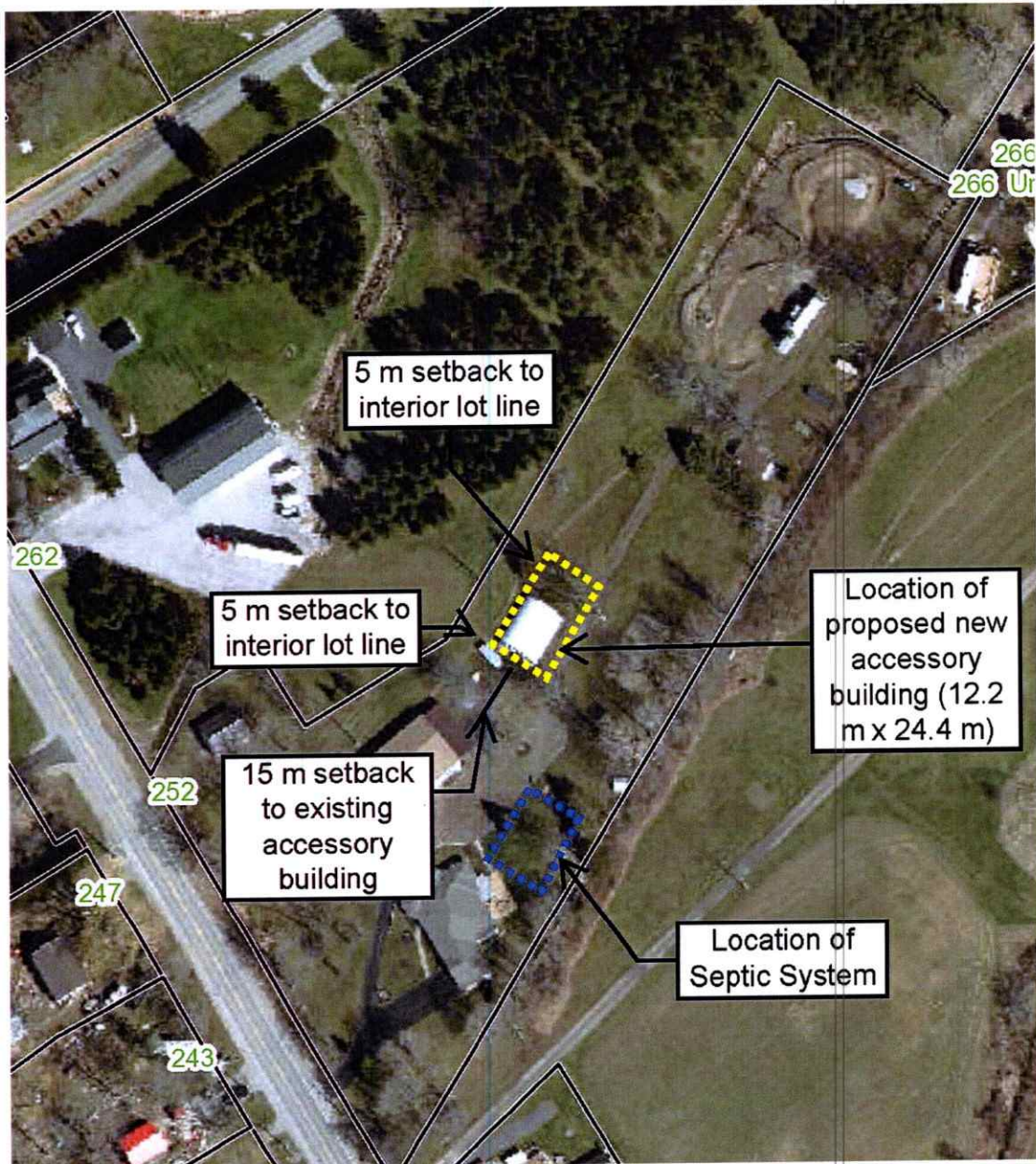
The land uses surrounding the Site consist of an abutting 2.43 ha (6 ac) property to the north containing a single detached dwelling and large accessory building (approx. 270 m² (2906 ft²), a trailer park (Woodland RV Park) to the east, and agricultural uses to the south and east and hamlet residential development to the south and west associated with the hamlet of St Williams.

Image 1: Overhead View of the Site



Source: Norfolk GIS Mapping, January 2025

Image 2: Proposed Structure Location



Proposed Development

The Owners are proposing to replace an existing cover-all tarpaulin structure with an area of 111 m² (1200 ft²) with a new single storey detached storage building with an area of 297 m² (3200 ft²). The purpose of the replacement building is to replace the existing cover-all tarpaulin in poor condition, and to provide enclosed and secure personal storage space for boats, ATVs, and a large fifth wheel toy hauler travel trailer.

When taken with the other existing accessory buildings on site, the total lot coverage for accessory buildings would

represent a lot coverage of 541 m² (5824 ft²), representing a total lot coverage of 3.9% of lot area.

2.0 Planning Policy Framework

The subject property is designated 'Agricultural' in the Norfolk County Official Plan, and are zoned 'Agricultural Zone (A)' in the Norfolk County Zoning By-Law.

The Agricultural designation applies to lands outside of settlements and hazards lands in the County.

Section 7.2.1 of the Official Plan provides for a range of permitted uses that are typical and supportive of agriculture, and recognizes non-farm related rural residential development on existing lots of record. The policies of this section also provide for limited non-farm business uses such as home occupations and home industries on existing lots of record

Permitted uses within the Agricultural zone include a variety of agricultural-related uses and a single detached dwelling and home industry. Properties zoned Agricultural require a minimum lot area of 40 ha, minimum lot frontage of 30 m, minimum front yard depth of 13 m, minimum interior side yard width of 3 m.

Provisions relating to structures accessory to a residential use are contained with Section 3.2- Accessory Uses to Residential Uses. These provisions provide that residential accessory buildings in the Agricultural Zone are limited to 8 m in height, setback 1.2 m from interior lot lines, prohibited in a front yard, and occupy more than 200 m² (2152 ft²) of usable floor area is permitted to a maximum of 10 percent of the lot area.

Planning Act

Section 34(9)(a) of the Planning Act creates an exemption to the scope of Zoning By-Laws that municipalities may enact. The effect of Section 34(9)(a) is to establish legal non-conforming uses which are lawful violations of current zoning by virtue of the fact that the use of land or structure existing in compliance with applicable by-laws before the by-laws with which there is non-compliance passed. Section 34(9)(a) provides:

34 (9) *No By-law passed under this section applies,*

(a) *To prevent the use of any land, building, or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose.*

Section 45 (2) of the Planning Act provides that the Committee of Adjustment, in addition to its powers under Section 45 (1) of the Planning Act, upon any such application,

a) *Where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit,*

(i) *The enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed, or a use permitted under subclause (ii) continued until the date of the application to the committee, but not permission may be given to enlarge or extend the building or structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed, or*

(ii) *The use of such land, building or structure for a purpose that, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed, if the use for a purpose prohibited by the by-law or another use for a purpose previous permitted by the*

committee continued until the date of the application to the committee.

Planning Analysis

The proposal to construct a new accessory structure can be contemplated by the Committee of Adjustment under the applicable section of 45 (2) of the Planning Act.

The existing accessory structures, constructed in 1980 and 1997 (as per MPAC assessment data), have a total accessory building lot coverage of 243.2 m², beyond the current permitted lot coverage of 200 m² for properties zoned Agricultural. The existing lot coverage was permitted by the former Township of Delhi Zoning By-Law 1-DE 80, which permitted residential accessory buildings to occupy up to 10 % of lot area. The passage of Norfolk County Zoning By-Law 1-Z-2014 implemented the maximum 200 m² cap for usable floor area for accessory buildings in the Agricultural Zone. Consequently, the current lot coverage for accessory structures can be considered to be legal non-conforming.

Section 45 (2) of the Planning Act differs from Section 45(1) in that there are no applicable statutory four tests that are required to be satisfied. The only criteria that needs to be satisfied is contained in Section 45(2)(a)(i) & (ii).

The enlargement and extension of the accessory building and resulting lot coverage can be considered appropriate as the existing accessory building lot coverage is considered legal non-conforming as it the cumulative lot coverage resulting from the existing accessory buildings constructed in 1980 and 1997 currently exceed the maximum permitted lot coverage for accessory structures, and the proposed development will further increase the overall lot coverage. home/boathouse since the structure was built in 1957, and that use of the property is proposed to continue into the future. There will be no extension beyond the limits of the subject lands.

With respect to Subsection 45 (2) (ii), the proposal is consistent with this subsection:

The use of such land, building or structure for a purpose that, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed ...

The proposed use for a new accessory building is substantially the same use and identical purpose to the use that occupies the site presently. The owners wish to replace the existing coverall building which has deteriorated with a larger more secure building to accommodate a large 5th wheel travel trailer, ATV, snowmobile and boats owned the owners. Although the proposed useable floor area is larger than what currently exists, and beyond what is permitted by the Norfolk County Zoning By-Law, the increased area can be considered appropriate for the following reasons:

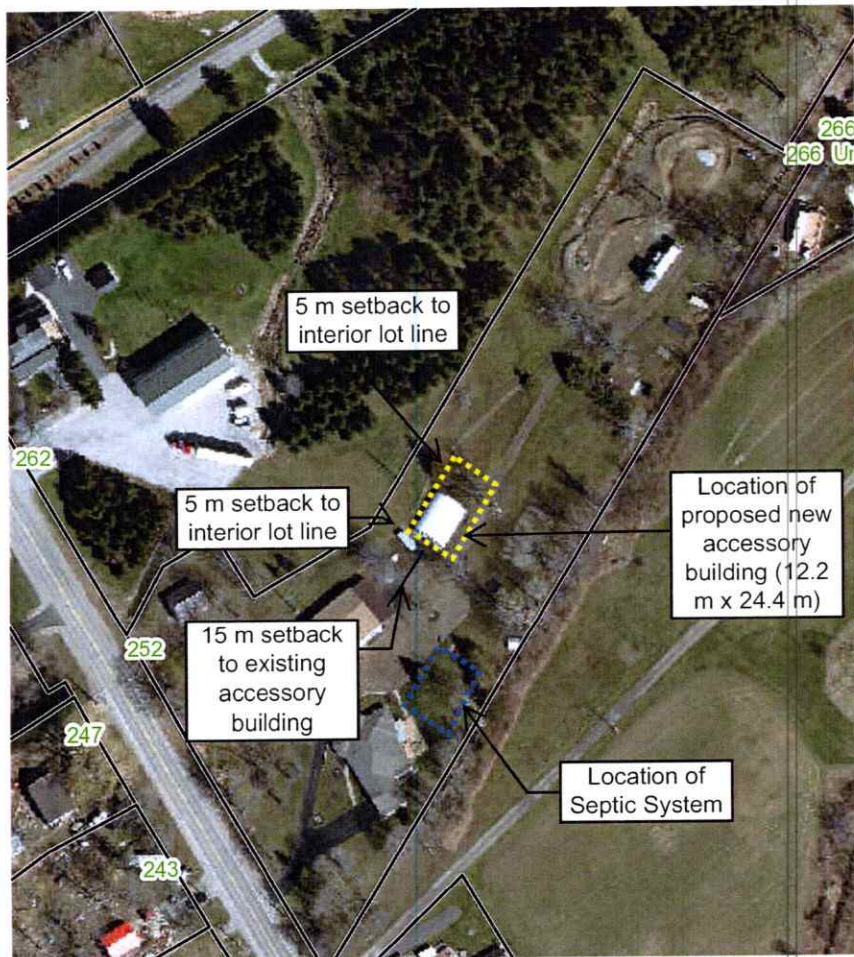
- The proposed accessory building will be 5 m from the northly interior lot line, which is fenced; the new building will not introduce any negative impacts on surrounding properties as the building will be used for storage purposes only and will allow the travel trailer and other recreational vehicles to be more securely accommodated within a building that is in-keeping with surrounding development.
- The proposed accessory building will be of a similar size to an accessory building existing on the abutting property to the north that can accommodate a transport trailer, the accessory building will remain compatible with surrounding development.
- The proposed accessory building will be constructed east of an existing accessory building and will remain

largely out of sight from the road, will make use of the existing graveled entrance and driveway serving the lands presently.

- Cumulatively, with the proposed new accessory building, the total lot coverage will be 541 m² (5824 ft²), representing a total lot coverage of 3.9% of lot area. Ample space will remain for amenity purposes, minimum landscaped open space, area for private servicing, and area for normal property maintenance. The property is sufficiently large to accommodate the structure without any impacts to surrounding properties.
- No change to overall lot grading is expected, no private services are required to service the proposed building. The overall character of the surrounding area will not be compromised.

3.0 Summary

The proposal to construct a new residential accessory building and increase the existing legal non-conforming accessory building lot coverage represents an appropriate extension to the existing legal non-conforming use and is consistent with the provisions and criteria contained within Section 45 (2) of the Planning Act.




CONTEXT MAP

Geographic Township of CHARLOTTEVILLE

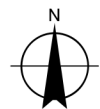


Legend

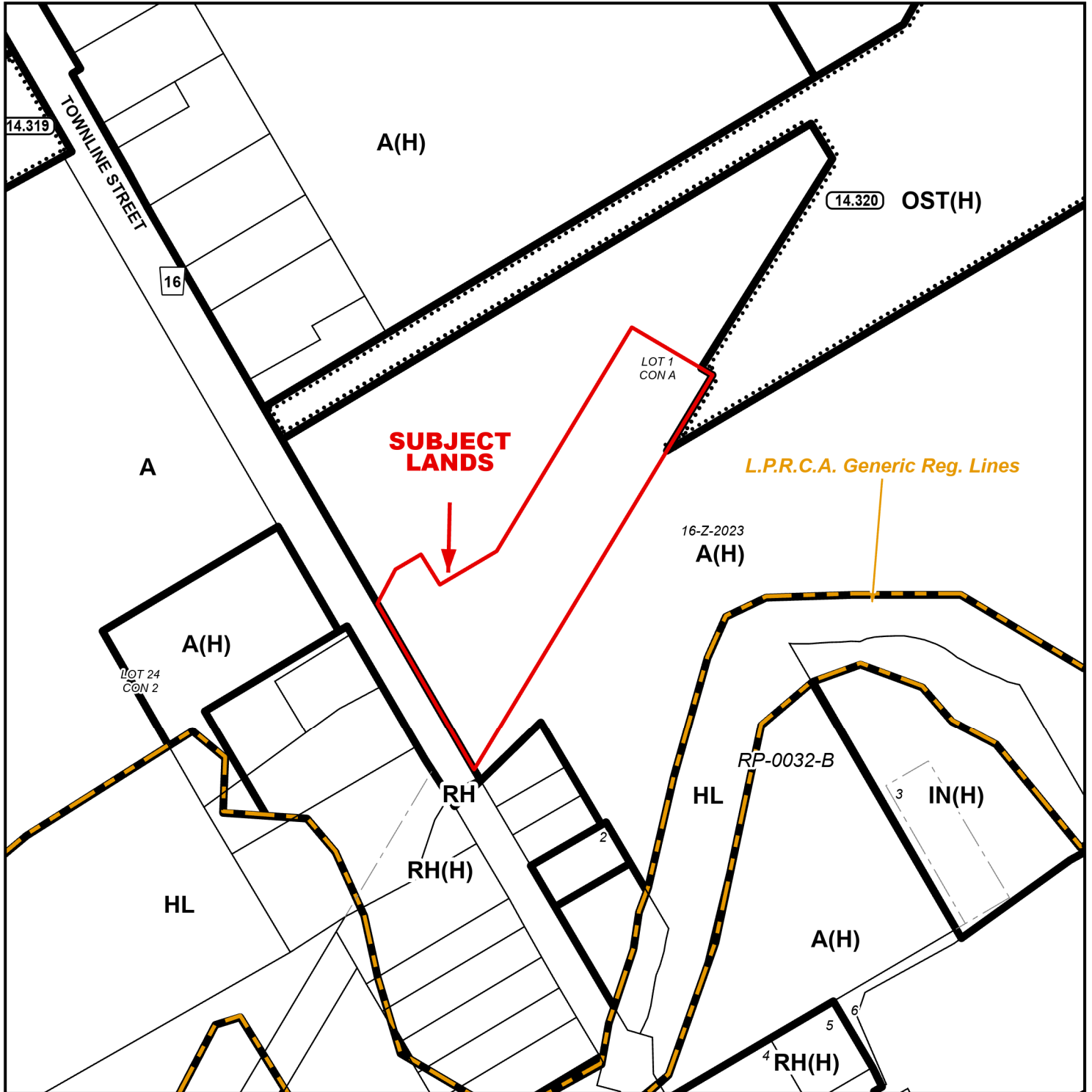
 Subject Lands

2020 Air Photo

3/6/2025



30 15 0 30 60 90 120
Meters



LEGEND

- Subject Lands
- LPRCA Generic RegLines

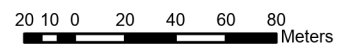
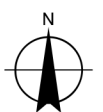
ZONING BY-LAW 1-Z-2014

(H) - Holding

Layer

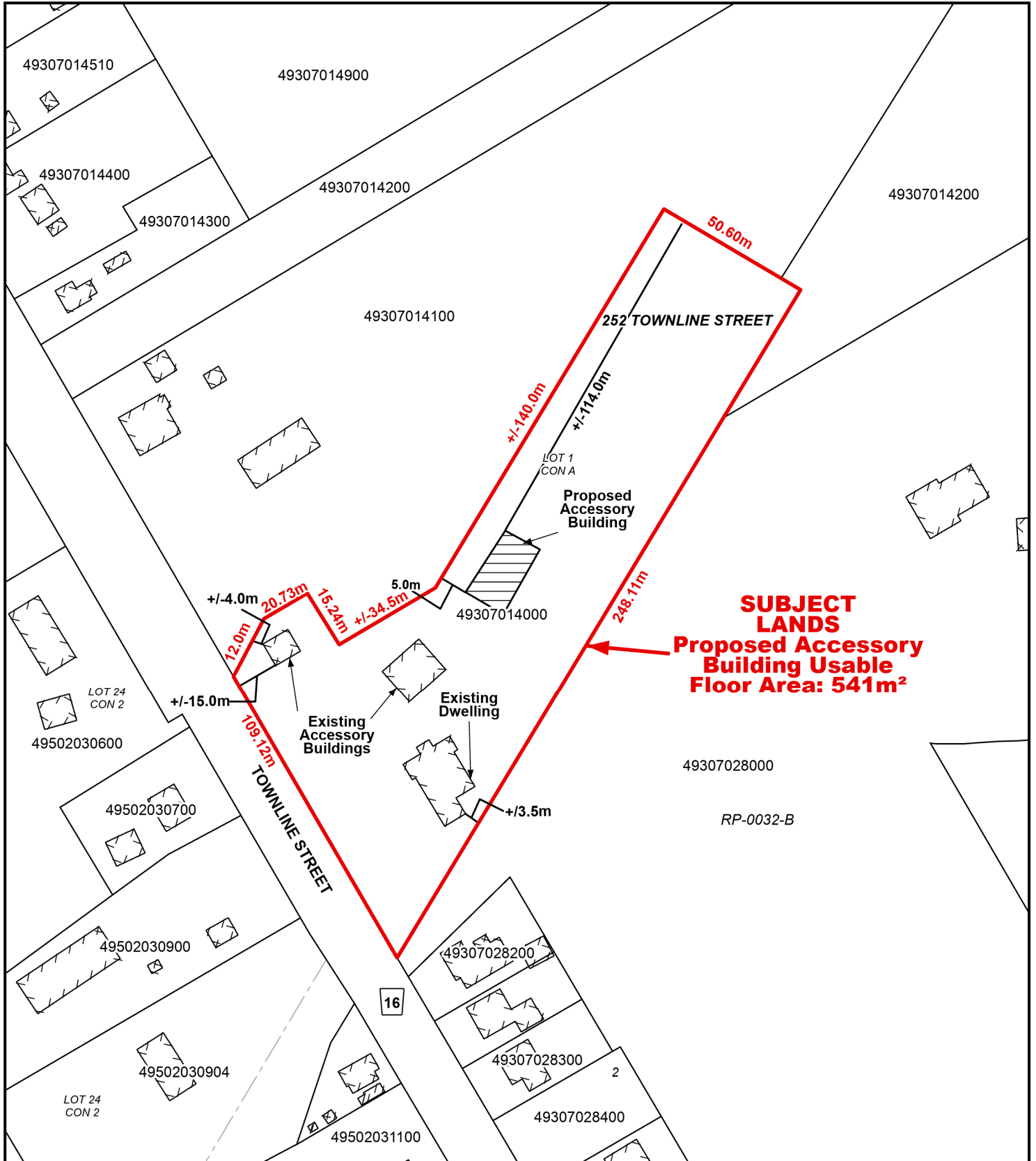
- A - Agricultural Zone
- CHA - Hamlet Commercial Zone
- CR - Rural Commercial Zone
- RH - Hamlet Residential Zone
- HL - Hazard Land Zone
- IN - Neighbourhood Institutional Zone
- OST - Open Space Tent & Trailer Zone

3/6/2025



CONCEPTUAL PLAN

Geographic Township of CHARLOTTEVILLE



Legend

Subject Lands

3/6/2025

