

For Office Use Only:

File Number

ZNR 2017 238

Related File Number

ZNR 2014 242

Pre-consultation Meeting

OCT 19 17

Application Submitted

OCT 23 17

Complete Application

Public Notice Sign

SPRT Meeting

Application Fee

Conservation Authority Fee

OSSD Form Provided

Planner

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\$326

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Alisha

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

☐
☒
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Official Plan Amendment

Zoning By-Law Amendment

Draft Plan of Subdivision/Vacant Land Condominium

Condominium Exemption

Site Plan Application

Consent/Severance

Minor Variance

Extension of a Temporary Use By-law

Part Lot Control

Cash-in-Lieu of Parking

Renewable Energy Project or Radio Communication Tower

Property Assessment Roll Number:

3310 493 030 19110

A. Applicant Information

Name of Owner

Dan Val Smith

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

650-7th Con Rd. R.R.#6, Simcoe

Town and Postal Code

N3Y 4K5

Phone Number

519-582-0489

Cell Number

Email

—
—

5. 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, height, etc. on your attached sketch which must be included with your application:

Shop retained tool shed & storage buildings
retained

6. If known, the date existing buildings or structures were constructed on the subject lands: _____
7. If an addition to an existing building is being proposed, please explain what will it be used for (e.g. bedroom, kitchen, bathroom, etc.). If new fixtures are proposed, please describe.

N/A.

8. 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, height, etc. on your attached sketch which must be included with your application:

N/A.

9. If known, the date the proposed buildings or structures will be constructed on the subject lands:

N/A.

10. 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:

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

12 years

12. Existing use of abutting properties:

Res. & Ag.

Number of buildings proposed: _____

Is this a conversion or addition to an existing building? ☐ Yes ☐ No

If yes, describe: _____

Type

Number of Units

Floor Area per Unit in m²

Bachelor _____

One bedroom _____

Two bedroom _____

Three bedroom _____

Townhouse _____

Other facilities provided (e.g. play facilities, underground parking, games room, swimming pool etc.):

13. Commercial/Industrial Uses (if applicable)

Number of buildings existing: _____

Number of buildings proposed: _____

Is this a conversion or addition to an existing building? ☐ Yes ☐ No

If yes, describe:

Indicate the gross floor area by the type of use (e.g. office, retail, storage, etc.):

Seating Capacity (for assembly halls, etc.): _____

Total number of fixed seats: _____

Describe the type of business(es) proposed: _____

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 (example: gas station, petroleum storage, etc.):

2. Has the grading of the subject lands been changed through excavation or the addition of earth or other material? ☐ Yes ☒ No ☐ Unknown

3. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown

4. Provide the information you used to determine the answers to the above questions:

Personal knowledge.

5. 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

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 _____

OK!

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 _____

6. Existing or proposed access to subject lands:

☒ Municipal road

☐ Provincial highway

☐ Unopened road

☐ Other (describe below)

Name of road/street:

Charlottesville Rd 7

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.

33. Signs
34. Sidewalks and walkways with dimensions
35. Pedestrian access routes into site and around site
36. Bicycle parking
37. Professional engineer's stamp

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
- ☐ Architectural Plan
- ☐ Buildings Elevation Plan
- ☐ Cut and Fill Plan
- ☐ Erosion and Sediment Control Plan
- ☐ Grading and Drainage Control Plan (around perimeter and within site) (existing and proposed)
- ☐ Landscape Plan
- ☐ Photometric (Lighting) Plan
- ☐ Plan and Profile Drawings
- ☐ Site Servicing Plan
- ☐ Storm water Management Plan
- ☐ Street Sign and Traffic Plan
- ☐ Street Tree Planting Plan
- ☐ Tree Preservation Plan
- ☐ Archaeological Assessment
- ☐ Environmental Impact Study
- ☐ Functional Servicing Report
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Noise or Vibration Study
- ☐ Record of Site Condition
- ☐ Storm water Management Report

L. Freedom of Information

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act, R.S.O. 1990, c. P. 13* for the purposes of processing this application.

X Valerie Smith
Owner/Applicant Signature

Oct 19/17
Date

M. Owner's Authorization

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

I/We DONALD & VALERIE SMITH am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

I/We authorize JANET MACROIX-HOWDEN 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.

Valerie Smith
Owner

Oct 19/17
Date

Don Smith
Owner

Oct 19/17
Date

N. Declaration of Applicant and Agent

I hereby apply for development approval and declare that all of the above statements and the statements contained in all of the exhibits transmitted herewith are accurate and true. I understand that site plan approval is required before a building permit can be issued.

X Valerie Smith
Applicant Signature

Oct 19/17
Date

X Janet Macroix-Howden
Agent Signature

Oct 19/17
Date



Norfolk County
Development and Cultural Services Department
185 Robinson Street – Suite 200, Simcoe, Ontario N3Y 5L6
519-426-5870 ext. 1893
Fax: 519-427-5901
alisha.cull@norfolkcounty.ca

Date: June 8, 2017

Attention:

Donald and Valerie Smith & Janet Lacroix-Lowden
650 Charlotteville Road 7, Simcoe
Ontario, N3Y 4K5

Re: Garden Suite

Dear Mr. and Ms. Smith and Ms. Lacroix-Lowden:

The purpose of this letter is to inform you that the Temporary Use By-law that permits a garden suite on your property will expire at the end of this calendar year (December 31, 2017).

The Norfolk County Official Plan Section 7.3.3.2 e) states: garden suites shall be permitted by way of Temporary Use By-law, in accordance with the policies of Section 9.4.4 (Temporary Use By-laws) of this Plan and Section 39 of the *Planning Act*. In addition to the requirements of Section 9.4.4, prior to approval of the Temporary Use By-law, the County shall be satisfied that:

- i) a legitimate and justified need exists to accommodate a person, who is most likely disabled or elderly, in a separate garden suite unit that is in close proximity to the principal unit;
- ii) the use is temporary and shall be required for a limited period of time; and
- iii) the unit must be removed once the legitimate need no longer exists.

If you require the continued use of the garden suite, Norfolk County's Community Planning staff requires that you submit a Temporary Use Extension Zoning By-law Amendment application to extend the use **before** the expiry date. The fee for this application is **\$326.00**. If you submit an application **after** the expiry date, you will be required to submit a regular Zoning By-law Amendment application and will be charged the full Zoning By-law Amendment application fee, which is \$2,230.00. This fee is subject to change in 2018.



The Corporation of Norfolk County

By-Law 7-Z-2015

Being a By-Law to Amend Zoning By-Law 1-DE 80, as amended, of the former Township of Delhi for property described as Part Lot 9, Concession 6, Geographic Township of Charlotteville, Norfolk County in the Name of Janet Lacroix-Lowden, Donald Edward and Valerie Smith.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 and 39 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

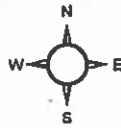
AND WHEREAS this By-Law conforms to the Norfolk County Official Plan.

NOW THEREFORE the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That this By-Law shall apply to the subject lands identified on Map "A" (attached to and forming part of this By-Law);
2. That for the purpose of this By-Law a temporary *dwelling unit* shall be defined as follows: "a detached *mobile home* unit that is placed on the same lot as a *single detached dwelling* where such a unit is established on a temporary basis to be occupied only by a person giving care, supervision or common living to the occupants of the existing permanent dwelling";
3. That in addition to the uses *permitted* in the Agricultural Zone (subsection 27.1) a temporary *dwelling unit* may be *permitted* for a temporary period of time commencing at the time of passing of this By-Law and to expire on December 31, 2017;
4. That this By-Law shall be deemed to be a part of Zoning By-Law 1-Z-2014 ("The Zoning By-Law of Norfolk County") and to amend the By-Law 1-Z-2014 at such time as the Sections, Subsections and Schedules of By-Law 1-Z-2014 that are being amended by this By-Law are proclaimed to be in full force and effect by the Ontario Municipal Board;

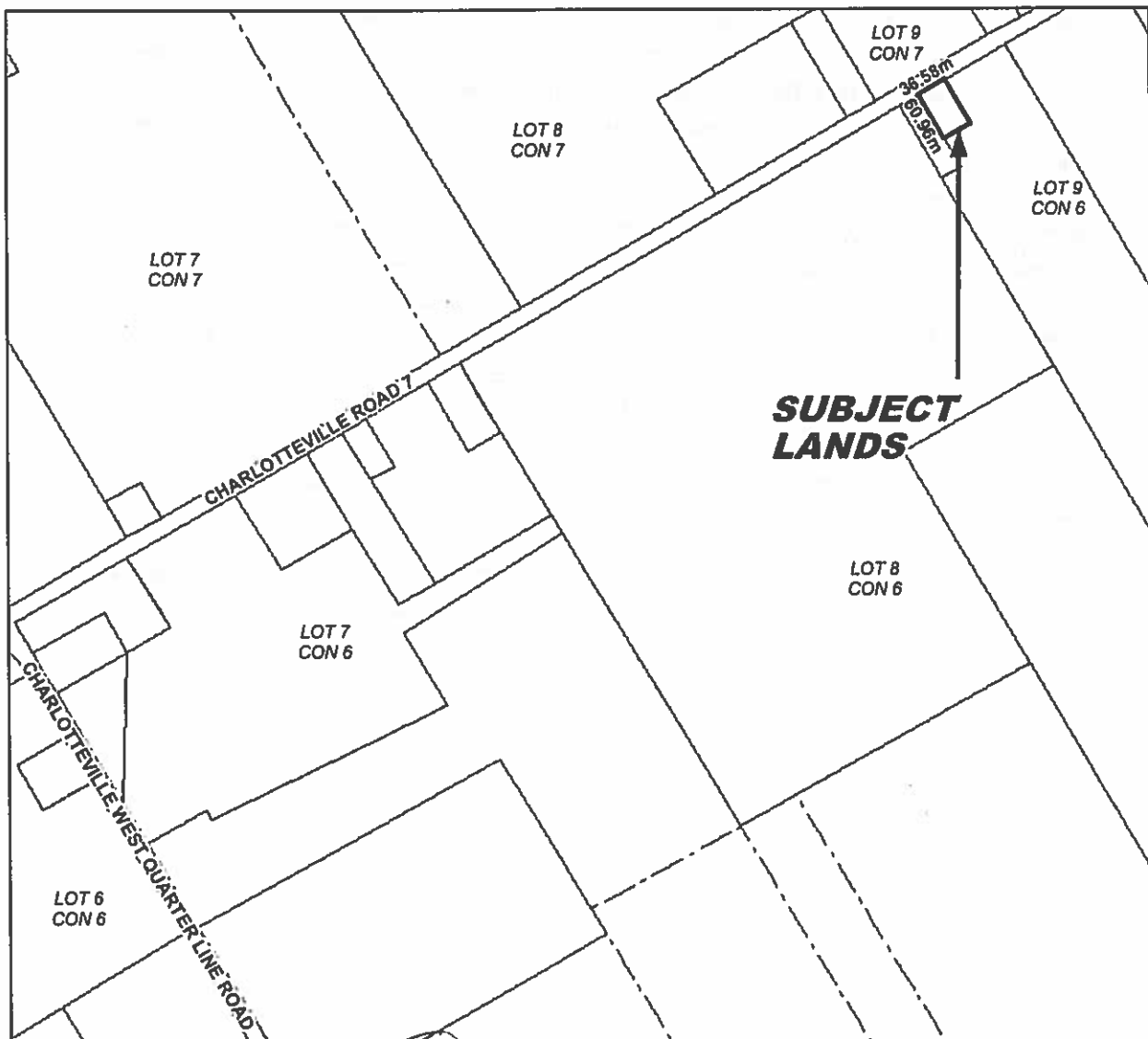
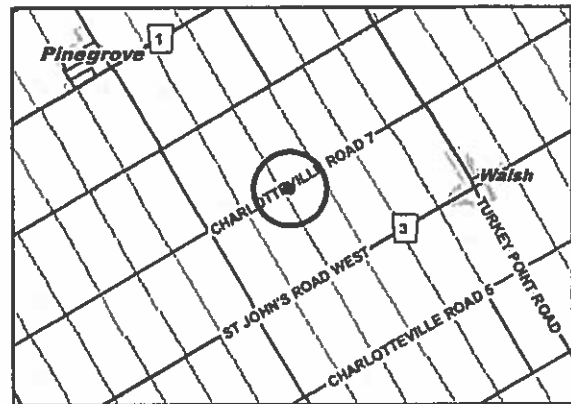
Norfolk County

Geographic Township of Charlottetville



1:7,500

50 25 0 50 100 150 200
Meters



This is Map A to Temporary Use By-law 7-Z-2015 Passed the 10TH day of FEBRUARY 2015.

MAYOR

CLERK

Council Meeting Date: February 10, 2015

Subject: ZNPL2014242 and ZN-023/2009 – Application by JANET LACROIX-LOWDEN on behalf of DONALD EDWARD & VALERIE SMITH to amend the Township of Delhi Zoning By-Law 1-DE 80 affecting the lands described as 650 Charlotteville Road 7 to establish a temporary use by-law to extend the use of a Garden Suite for a period of three years on the subject lands.

Report Number: DCS 15-19

Department: Development and Cultural Services

Division: Community Planning

Closed Session:	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
Budget Amendment:	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
Strategic Plan Linkage:	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

Recommendations:

THAT the application by JANET LACROIX-LOWDEN 650 CHARLOTTEVILLE RD 7 RR 6 STN MAIN SIMCOE ON N3Y 4K5 affecting lands described as Part Lot 9, Concession 6, Geographic Township of Charlotteville, Norfolk County to amend the Township of Delhi Zoning By-Law 1-DE 80 to extend a temporary use by-law to permit the use of a Garden Suite for a period of three years upon the subject lands to expire on December 31, 2017, File Number ZNPL2014242 and ZN-023/2009, BE APPROVED, for reasons set out in Report Number DCS 15-19.

Introduction and Background:

An application has been received to extend a temporary use by-law to permit the use of a Garden Suite for a period of three years upon the subject lands, designated and zoned "Agriculture" in the Norfolk County Official Plan and the Township of Delhi Zoning By-law 1-DE 80. On May 12, 2009, Norfolk County Council approved By-law 25-Z-2009 (File ZN-023/2009) which permitted the continued use of a mobile home to be utilized as a garden suite on a temporary basis on the subject lands. The original permitting by-law was passed in 2004 and was subsequently extended in 2009. Through this zoning amendment application, the applicants are seeking an extension for the temporary use to continue on the property for an additional three years. The use can be permitted for a maximum period of 20 years per Section 39.1(3) of the Planning Act.

The establishment and use of "garden suites" is identified in Section 39.1 of the *Planning Act*. The *Act* defines, gives the conditions, area and time in effect for the manner in which the temporary use may be permitted. The *Act* defines garden suite to "mean a one unit detached residential structure containing a bathroom and kitchen facilities that is ancillary to a residential structure and that is designed to be portable".

The *Planning Act* further outlines that the temporary by-law enacted by the municipality shall identify the area to which it applies. Norfolk County has typically approved these types of temporary by-laws for the maximum of three to five years, but consider the extension of the temporary by-law on a case-by-case basis.

The *Planning Act* is clear that the temporary use shall not exceed a maximum of 20-years from the passing of the first temporary by-law. In short, the temporary by-law can be extended multiple times, up to a maximum of 20 years. Furthermore, upon the expiry of the temporary by-law the use would not be considered a non-conforming use. In short the use is not considered a legally existing use when the temporary use by-law expires and the use has to be removed from the subject lands. Therefore this temporary use, which was originally permitted in 2004, can only be in place until 2024.

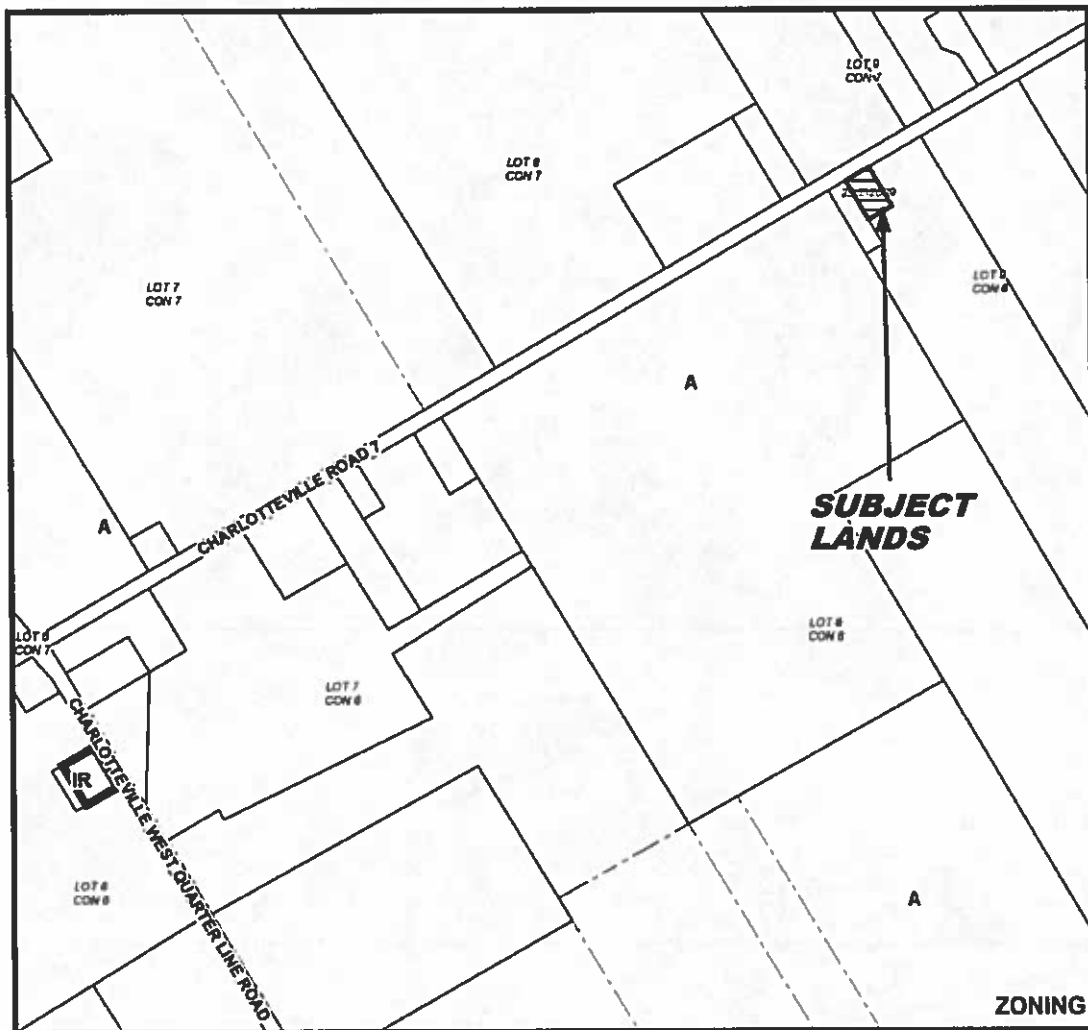
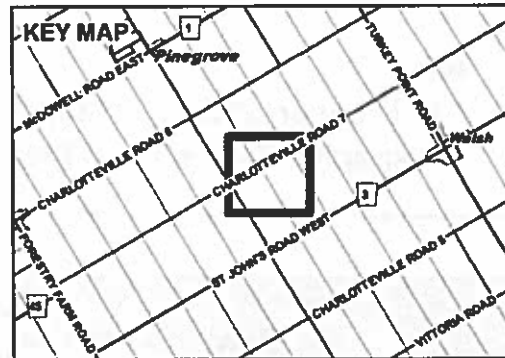
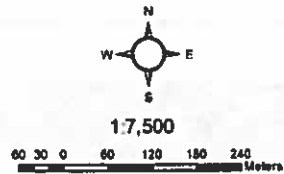
It is planning staff's professional opinion that this application conforms to the intent of the Norfolk County Official Plan and that there continues to be a legitimate need for the garden suite. Staff recommends that the application be approved for a period of three years, with the possibility for an additional three year extension in the future.

Staff recommends that the application be approved for a period of three years, with the possibility for an additional three year extension in the future. It should be noted however, that this temporary use, which was originally permitted in 2004, can only be in place until 2024.

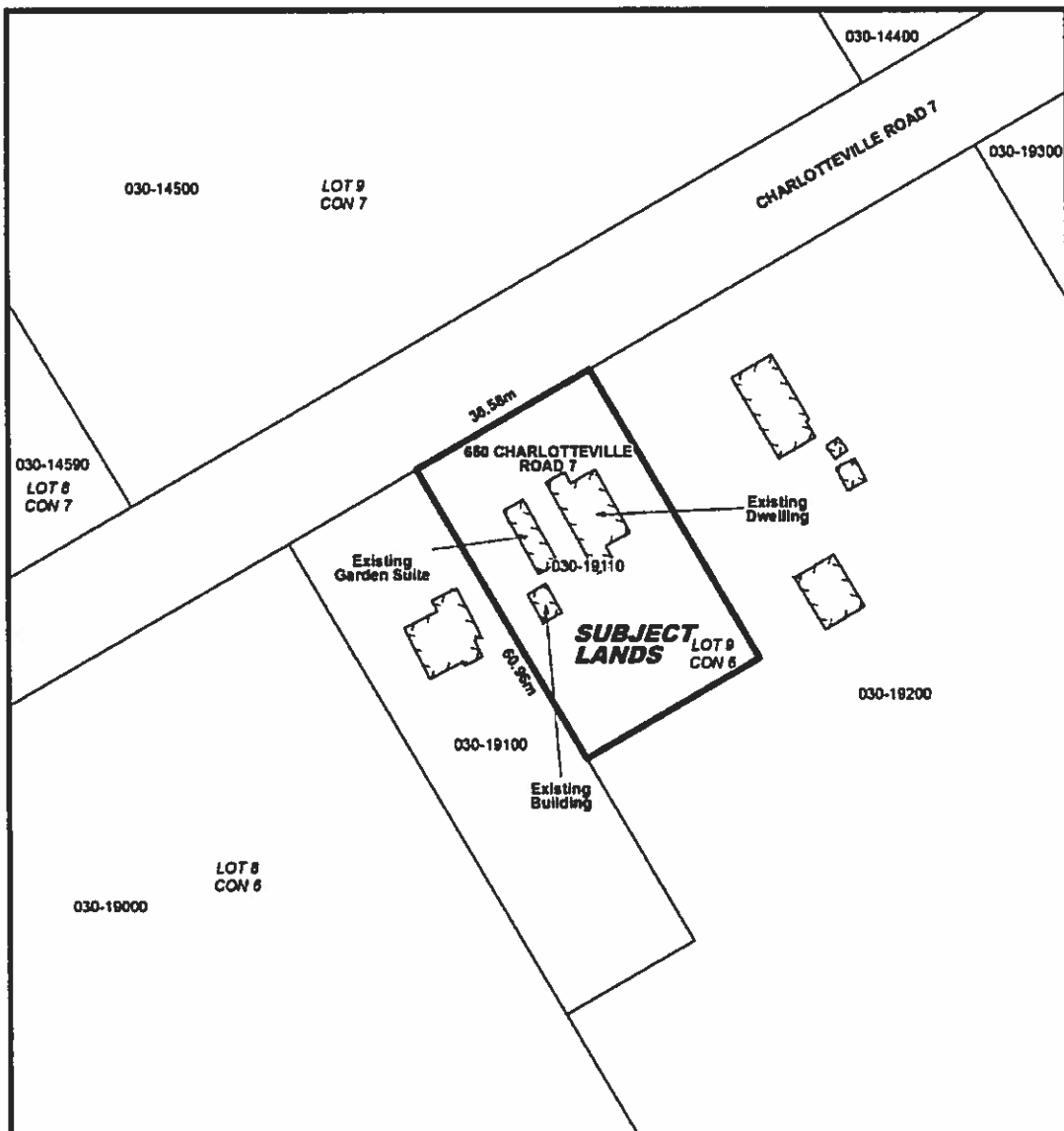
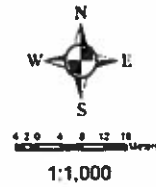
Conclusion:

Planning staff support this application and recommend that a temporary use by-law be approved for a period of three years to permit a garden suite as it is in conformity with Norfolk County Official Plan policies.

MAP 1
File Number: ZNPL2014242
Geographic Township of
CHARLOTTEVILLE



18/12/2014

MAP 3**File Number: ZNPL2014242****Geographic Township of CHARLOTTEVILLE**

18/12/2014



Norfolk County
50 Colborne Street, South
Simcoe ON N3Y 4H3

RECEIPT OF PAYMENT

Page 1

LACROIX-LOWDEN JANET ROSEMARY
26C QUEEN ST
LANGTON, ON N0E 1G0

Receipt Number: 99352
Tax Number:
Date: October 19, 2017
Initials: LB

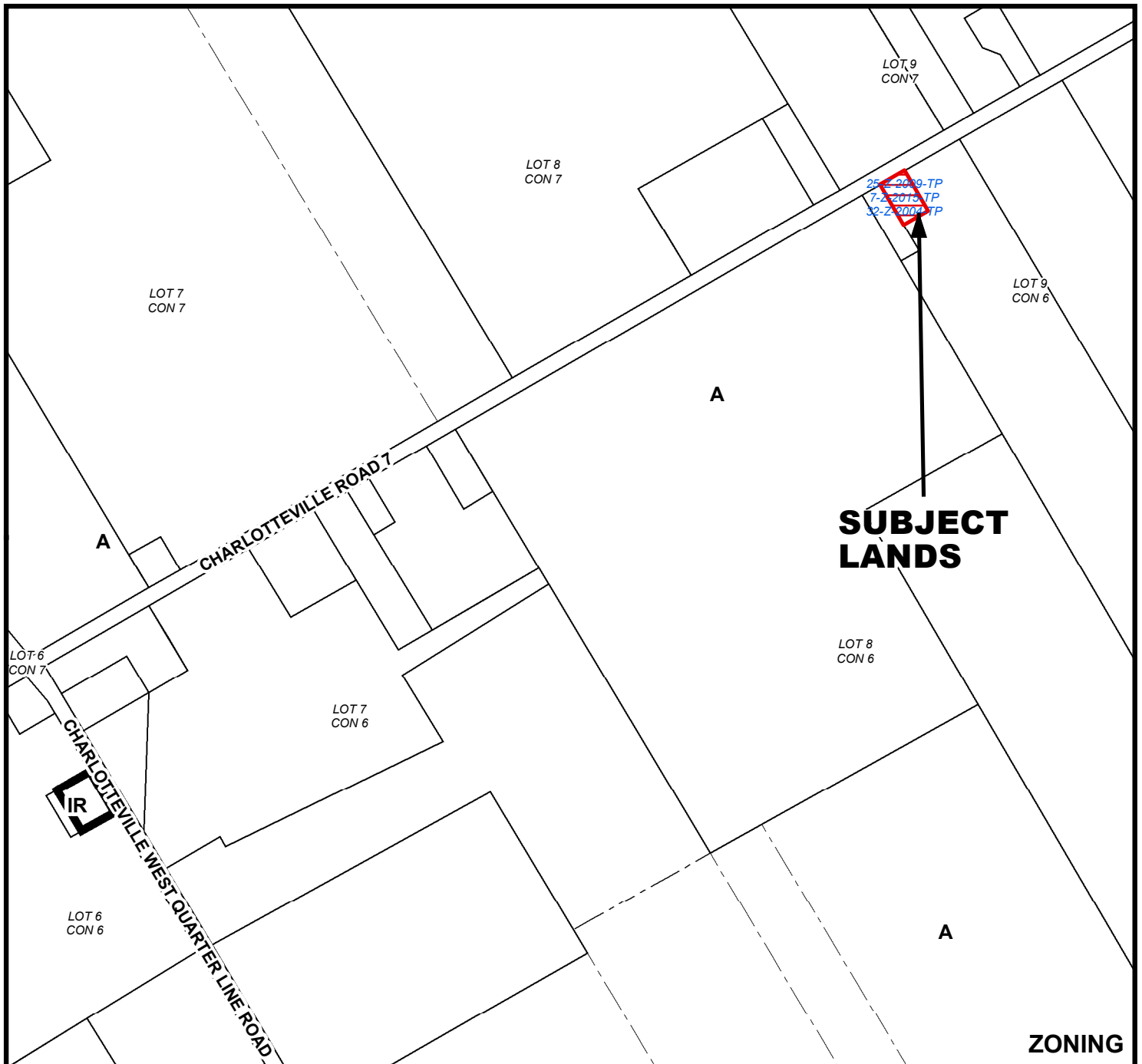
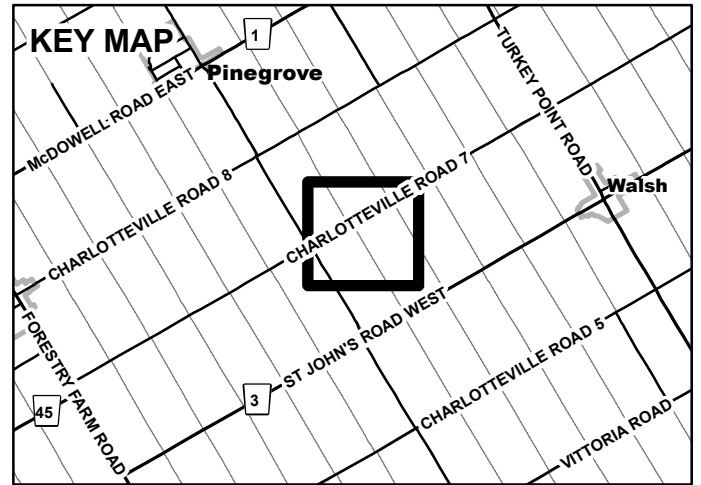
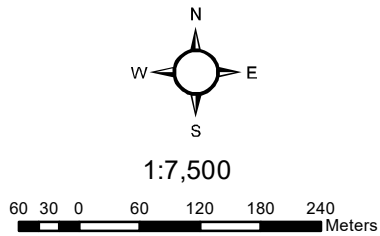
Type	Account / Ref. #	Description	Quantity	Amount Paid
General	DZART	ZNPL2014242	N/A	\$326.00
Subtotal:				\$326.00
Taxes:				\$0.00
Total Receipt:				\$326.00
Debit:				\$326.00

Total Amount Received:	\$326.00
Rounding:	\$0.00
Amount Returned:	\$0.00

MAP 1

File Number: ZNPL2017238

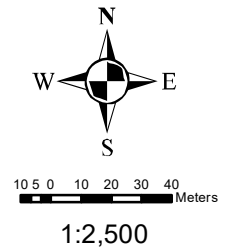
Geographic Township of
CHARLOTTEVILLE



MAP 2

File Number: ZNPL2017238

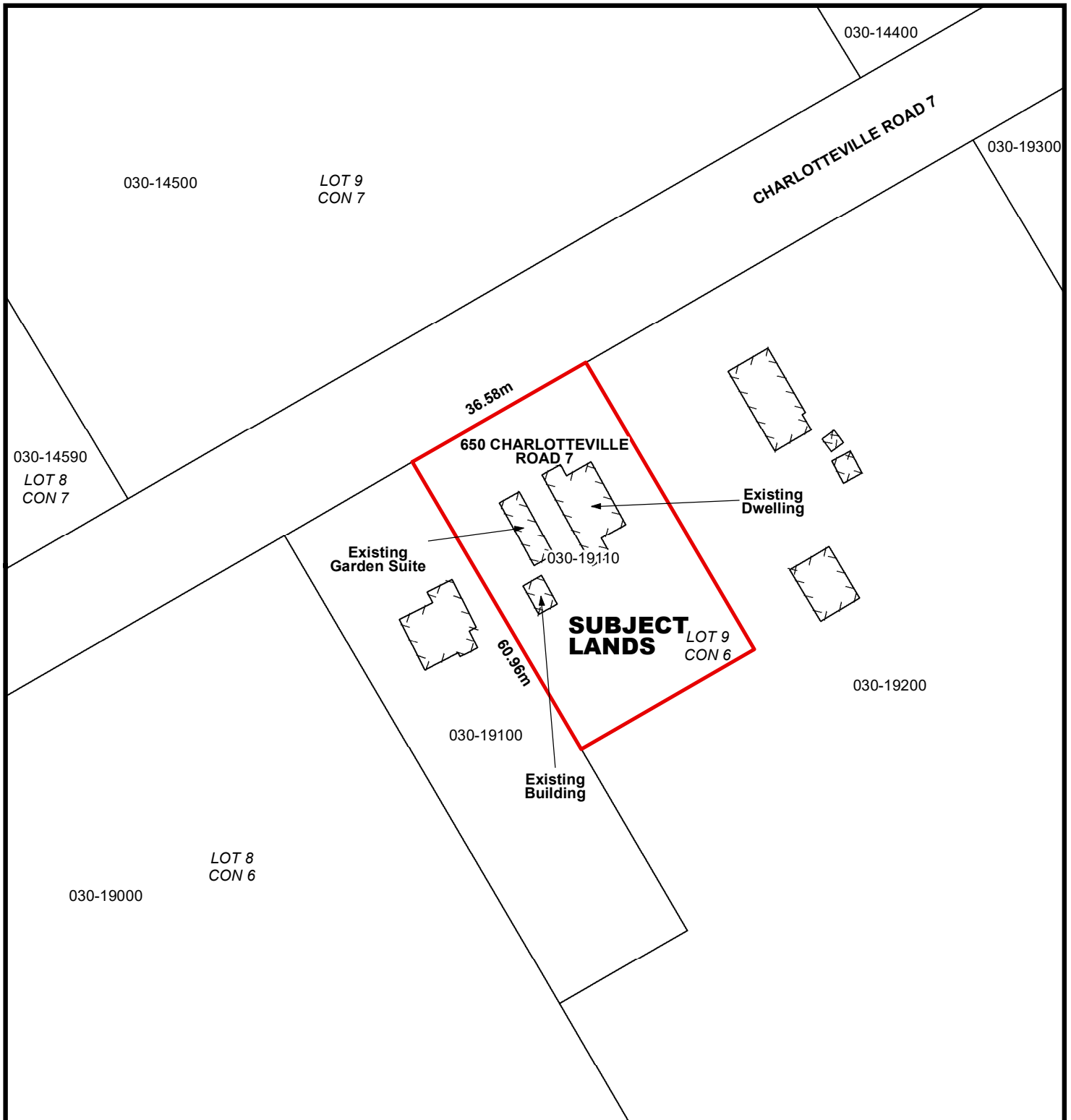
Geographic Township of CHARLOTTEVILLE



MAP 3

File Number: ZNPL2017238

Geographic Township of CHARLOTTEVILLE



LOCATION OF LANDS AFFECTED

File Number: ZNPL2017238

Geographic Township of CHARLOTTEVILLE

