

For Office Use Only:

File Number

BNPL2018332

Public Notice Sign

Related File Number

ZNPL2018333

Application Fee

BN: 2216.00 ZN: 2676.00

Pre-consultation Meeting

Conservation Authority Fee

Application Submitted

Dec. 24. 2018

OSSD Form Provided

Complete Application

Dec. 24. 2018

Planner

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

| | |
|-------------------------------------|---|
| <input type="checkbox"/> | Official Plan Amendment |
| <input checked="" type="checkbox"/> | Zoning By-Law Amendment |
| <input type="checkbox"/> | Temporary Use By-law |
| <input type="checkbox"/> | Draft Plan of Subdivision/Vacant Land Condominium |
| <input type="checkbox"/> | Condominium Exemption |
| <input type="checkbox"/> | Site Plan Application |
| <input checked="" type="checkbox"/> | Consent/Severance |
| <input type="checkbox"/> | Minor Variance |
| <input type="checkbox"/> | Easement/Right-of-Way |
| <input type="checkbox"/> | Extension of a Temporary Use By-law |
| <input type="checkbox"/> | Part Lot Control |
| <input type="checkbox"/> | Cash-in-Lieu of Parking |
| <input type="checkbox"/> | Renewable Energy Project or Radio Communication Tower |

- Official Plan Amendment
- Zoning By-Law Amendment
- Temporary Use By-law
- Draft Plan of Subdivision/Vacant Land Condominium
- Condominium Exemption
- Site Plan Application
- Consent/Severance
- Minor Variance
- Easement/Right-of-Way
- Extension of a Temporary Use By-law
- Part Lot Control
- Cash-in-Lieu of Parking
- Renewable Energy Project or Radio Communication Tower

RECEIVED

JAN - 3 2019

NORFOLK COUNTY
LANGTON ADMINISTRATION BUILDING

Please explain the desired end result of this application (for example: a special zoning provision on the subject lands, changing the zone and/or official plan designation of the subject lands, creating a certain number of lots, or similar)

Severance of the subject lands (33701025600) from adjacent property (33701025400) and site-specific zoning amendment to correct historical inadvertent and unintended merger and to permit the operation of a landscaping services and supply business. See attached sketch.

Property Assessment Roll Number: 33701025600

A. Applicant Information

Name of Owner Robert Walker Smythe (Estate)

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 c/o Brimage Law Group - Robert S. Fuller
Town and Postal Code 21 Norfolk St. N., Simcoe N3Y 4L1
Phone Number (519) 426-5840
Cell Number
Email rfuller@brimage.com

Name of Applicant Bill and Celina Thompson
Address 372 St. John's Road East
Town and Postal Code Simcoe N3Y 4K2
Phone Number (519) 429-1026
Cell Number
Email

Name of Agent Brimage Law Group - Nathan Kolomaya
Address 21 Norfolk Street North
Town and Postal Code Simcoe N3Y 4L1
Phone Number (519) 426-5840
Cell Number N/A
Email nkolomaya@brimage.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 agent noted above.

Owner

Agent

Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

None

B. Location, Legal Description and Property Information

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

PT LT 5 CON 3 WOODHOUSE AS IN NR263610 & NR501058 EXCEPT PT 4 & 7
37R7552; T/W NR263610; NORFOLK COUNTY (PIN: 50209-0215 (LT))

Municipal Civic Address: 329 St. John's Road East, Simcoe N3Y 4K2

Present Official Plan Designation(s): Agricultural/Hazard

Present Zoning: Agricultural/Hazard

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:

Agricultural

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:

Subject lands are vacant

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example: bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

N/A

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

N/A

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:

30+ years

9. Existing use of abutting properties:

Agricultural and aggregates

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

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

Note: Please complete all that apply.

1. Please explain what you propose to do on the subject lands/premises which makes this development application necessary:

Operation of landscaping services and supply business.

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

Current zoning may not permit intended operation of landscaping services and supply business.

3. Does the requested amendment alter all or any part of the boundary of an area of settlement in the municipality or implement a new area of settlement in the municipality? Yes No If yes, describe its effect:

4. Does the requested amendment remove the subject land from an area of employment? Yes No If yes, describe its effect:

5. Does the requested amendment alter, replace, or delete a policy of the Official Plan?

Yes No If yes, identify the policy, and also include a proposed text of the policy amendment (if additional space is required, please attach a separate sheet):

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

Frontage: ~203m

Depth: Variable: ~761m (east boundary); ~804m (west)

Width: ~203m

Lot Area: ~39.75ac

Present Use: Agricultural

Proposed Use: Agricultural and landscape supply/services

Proposed final lot size (if boundary adjustment): ~39.75ac

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: ~320m (broken frontage)

Depth: Variable: ~880m on east side; ~1,114m on west side

Width: ~409m

Lot Area: ~93ac

Present Use: Agricultural

Proposed Use: Agricultural (no change)

Buildings on retained land: Agricultural accessory buildings

7. Description of proposed right-of-way/easement:

Frontage: _____

Depth: _____

Width: _____

Area: _____

Proposed use: _____

8. Name of person(s), if known, to whom lands or interest in lands to be transferred, leased or charged (if known):

N/A

| 9. Site Information | Existing | Proposed |
|--|----------|----------|
| Please indicate unit of measurement, for example: m, m ² or % | | |
| Lot frontage | _____ | _____ |
| Lot depth | _____ | _____ |
| Lot width | _____ | _____ |
| Lot area | _____ | _____ |
| Lot coverage | _____ | _____ |
| Front yard | _____ | _____ |
| Rear yard | _____ | _____ |
| Left Interior side yard | _____ | _____ |
| Right Interior side yard | _____ | _____ |
| Exterior side yard (corner lot) | _____ | _____ |
| Landscaped open space | _____ | _____ |
| Entrance access width | _____ | _____ |
| Exit access width | _____ | _____ |
| Size of fencing or screening | _____ | _____ |
| Type of fencing | _____ | _____ |
| 10. Building Size | | |
| Number of storeys | _____ | _____ |
| Building height | _____ | _____ |
| Total ground floor area | _____ | _____ |
| Total gross floor area | _____ | _____ |
| Total useable floor area | _____ | _____ |
| 11. Off Street Parking and Loading Facilities | | |
| Number of off street parking spaces | _____ | _____ |
| Number of visitor parking spaces | _____ | _____ |
| Number of accessible parking spaces | _____ | _____ |
| Number of off street loading facilities | _____ | _____ |

12. Residential (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: _____

| Type | Number of Units | Floor Area per Unit in m ² |
|---------------------------|-----------------|---------------------------------------|
| Single Detached | _____ | _____ |
| Semi-Detached | _____ | _____ |
| Duplex | _____ | _____ |
| Triplex | _____ | _____ |
| Four-plex | _____ | _____ |
| Street Townhouse | _____ | _____ |
| Stacked Townhouse | _____ | _____ |
| Apartment - Bachelor | _____ | _____ |
| Apartment - One bedroom | _____ | _____ |
| Apartment - Two bedroom | _____ | _____ |
| Apartment - Three bedroom | _____ | _____ |

Other facilities provided (for example: play facilities, underground parking, games room, or swimming pool): _____

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 (for example: office, retail, storage):

Seating Capacity (for assembly halls or similar): _____

Total number of fixed seats: _____

Describe the type of business(es) proposed: _____

Total number of staff proposed initially: _____

Total number of staff proposed in five years: _____

Maximum number of staff on the largest shift: _____

Is open storage required: Yes No

Is a residential use proposed as part of, or accessory to commercial/industrial use?

Yes No If yes please describe:

14. Institutional (if applicable)

Describe the type of use proposed: _____

Seating capacity (if applicable): _____

Number of beds (if applicable): _____

Total number of staff proposed initially: _____

Total number of staff proposed in five years: _____

Maximum number of staff on the largest shift: _____

Indicate the gross floor area by the type of use (for example: office, retail, or storage):

15. Describe Recreational or Other Use(s) (if applicable)

D. Previous Use of the Property

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? Yes No Unknown

If yes, specify the uses (for example: gas station or petroleum storage):

Agricultural and aggregate

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:

Personal knowledge of property

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

E. Provincial Policy

1. Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act*, R.S.O. 1990, c. P. 13? Yes No

If no, please explain:

2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? Yes No

If no, please explain:

N/A

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:

N/A

Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

Livestock facility or stockyard (submit MDS Calculation with application)

On the subject lands or within 500 meters – distance _____

Wooded area

On the subject lands or within 500 meters – distance _____

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 Adjacent property _____

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))

Adjacent aggregate

On the subject lands or within 500 meters – distance _____

Active railway line

On the subject lands or within 500 meters – distance _____

Seasonal wetness of lands

On the subject lands or within 500 meters – distance _____

Erosion

On the subject lands or within 500 meters – distance _____

Abandoned gas wells

On the subject lands or within 500 meters – distance _____

F. Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

Municipal piped water
 Communal wells
 Individual wells
 Other (please describe): _____

Sewage Treatment

Municipal sewers
 Communal system
 Septic tank and tile bed
 Other (please describe): _____

Storm Drainage

Storm sewers
 Open ditches
 Other (please describe): _____

2. Existing or proposed access to subject lands:

Municipal road Provincial highway
 Unopened road Other (describe below)

Name of road/street: St. John's Road East

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.
Subject property

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 properly named 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. Key map
4. Scale, legend and north arrow
5. Legal description and municipal address
6. Development name
7. Drawing title, number, original date and revision dates
8. Owner's name, address and telephone number
9. Engineer's name, address and telephone number
10. Professional engineer's stamp
11. Existing and proposed easements and right of ways
12. Zoning compliance table – required versus proposed
13. Parking space totals – required and proposed
14. All entrances to parking areas marked with directional arrows
15. Loading spaces, facilities and routes (for commercial developments)
16. All dimensions of the subject lands
17. Dimensions and setbacks of all buildings and structures
18. Gross, ground and useable floor area
19. Lot coverage
20. Floor area ratio
21. Building entrances, building type, height, grades and extent of overhangs
22. Names, dimensions and location of adjacent streets including daylighting triangles
23. Driveways, curbs, drop curbs, pavement markings, widths, radii and traffic directional signs
24. All exterior stairways and ramps with dimensions and setbacks
25. Retaining walls including materials proposed
26. Fire access and routes
27. Location, dimensions and number of parking spaces (including visitor and accessible) and drive aisles
28. Location of mechanical room, and other building services (e.g. A/C, HRV)
29. Refuse disposal and storage areas including any related screening (if indoors, need notation on site plan)
30. Winter snow storage location
31. Landscape areas with dimensions
32. Natural features, watercourses and trees

33. Fire hydrants and utilities location
34. Fencing, screening and buffering – size, type and location
35. All hard surface materials
36. Light standards and wall mounted lights (plus a note on the site plan that all outdoor lighting is to be dark sky compliant)
37. Business signs (make sure they are not in sight lines)
38. Sidewalks and walkways with dimensions
39. Pedestrian access routes into site and around site
40. Bicycle parking
41. Architectural elevations of all building sides
42. All other requirements as per the pre-consultation meeting

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
- Traffic Impact Study – please contact the Planner to verify the scope required

Site Plan applications will require the following supporting materials:

1. Two (2) complete sets of the site plan drawings folded to 8½ x 11 and an electronic version in PDF format
2. Letter requesting that the Holding be removed (if applicable)
3. A cost estimate prepared by the applicant's engineer
4. An estimate for Parkland dedication by a certified land appraiser
5. Property Identification Number (PIN) printout

Standard condominium exemptions will require the following supporting materials:

- Plan of standard condominium (2 paper copies and 1 electronic copy)
- Draft condominium declaration
- Property Identification Number (PIN) printout

Your development approval might also be dependent on Ministry of Environment and Climate Change, 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. Development Agreements

A development agreement may be required prior to approval for site plan, subdivision and condominium applications. Should this be necessary for your development, you will be contacted by the agreement administrator with further details of the requirements including but not limited to insurance coverage, professional liability for your engineer, additional fees and securities.

J. 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.

K. 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.

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.



Owner/Applicant Signature



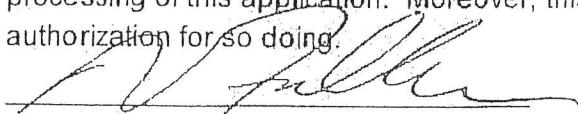
Date

M. Owner's Authorization

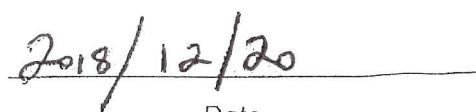
If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner(s) must complete the authorization set out below.

ROBERT S. FULLER and MARY Goldsberry
I/We ~~ESTATE TRUSTEE FOR ESTATE OF ROBERT S. FULLER~~ am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

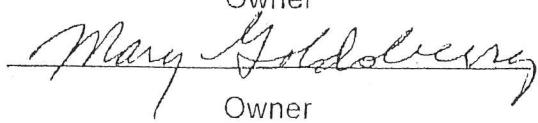
I/We authorize Brimage Law Group to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.



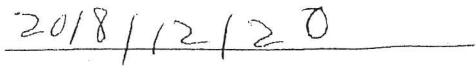
Owner



Date



Owner



Date

N. Declaration

I, William and Celina Thompson of Norfolk County, Province of Ontario

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

Norfolk County



Owner/Applicant Signature

In THE PROVINCE OF ONTARIO

This 18th day of DECEMBER

A.D., 20 18

Trott R. Koj

A Commissioner, etc.



PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 1 OF 1
PREPARED FOR Nathan01
50209-0215 (LT)
ON 2018/12/24 AT 11:06:08
* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

| PROPERTY DESCRIPTION: | PT LT 5 CON 3 WOODHOUSE AS IN NR263610 & NR501058 EXCEPT PT 4 & 7 37R752; T/W NR263610; NORFOLK COUNTY | | |
|---|--|--|--|
| PROPERTY REMARKS: | | | |
| ESTATE/QUALIFIER: | | | |
| FEE SIMPLE LT CONVERSION QUALIFIED | | | |
| OWNERS' NAMES: SMYTHE, ROBERT WALKER | | | |

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE

LT CONVERSION QUALIFIED

RECENTLY:

FIRST CONVERSION FROM BOOK

PIN CREATION DATE:

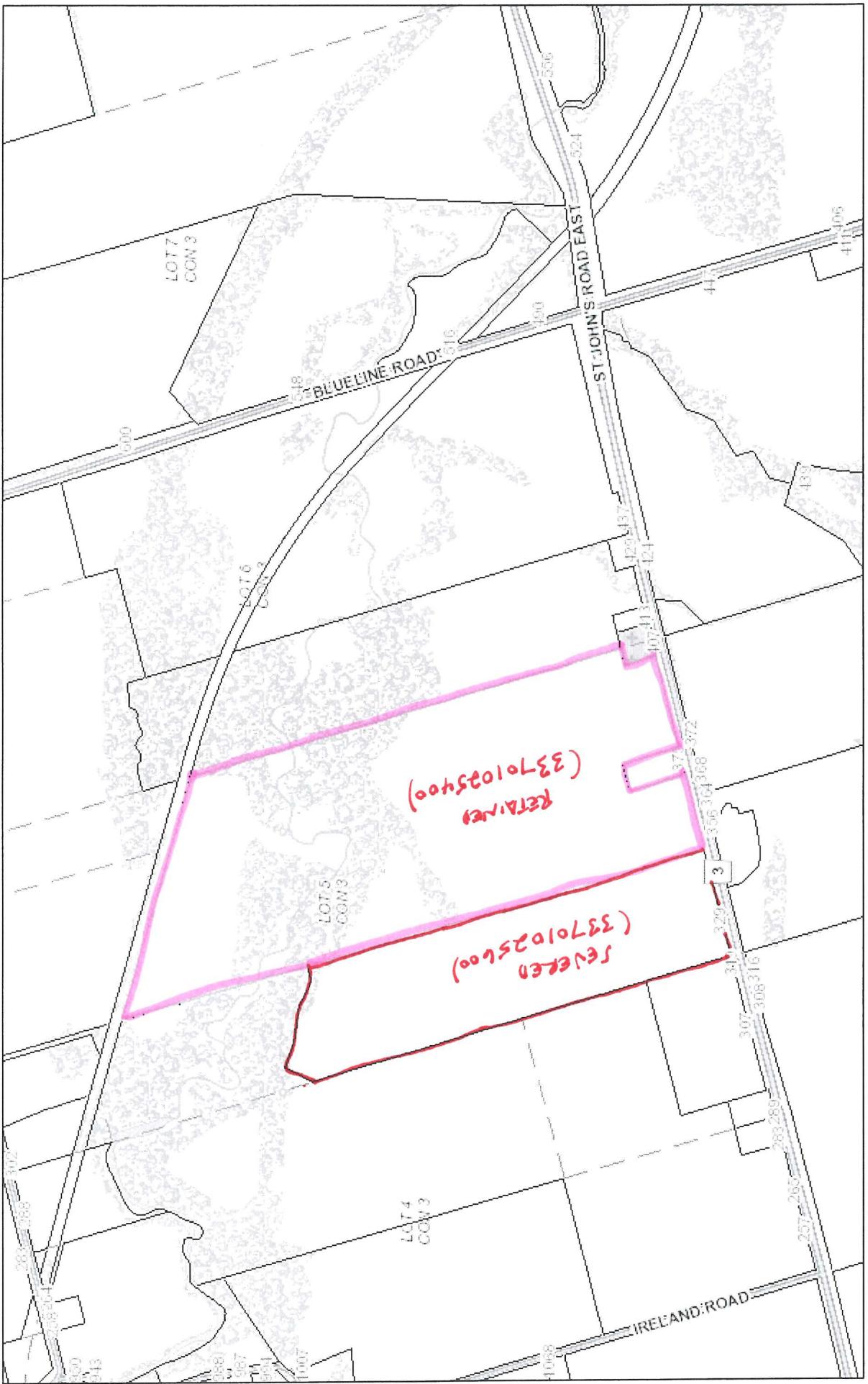
2007/08/20

| REG. NDM. | DATE | INSTRUMENT TYPE | AMOUNT | PARTIES FROM | PARTIES TO | CERT/CHRD |
|--|------------|-------------------|--------|---------------------------------|------------|-----------|
| ** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2007/08/17 * | | | | | | |
| ** SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO: | | | | | | |
| ** SUBSECTION 4(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES * | | | | | | |
| ** AND ESCHEATS OR FORFEITURE TO THE CROWN. | | | | | | |
| ** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF | | | | | | |
| ** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY | | | | | | |
| ** CONVENTION. | | | | | | |
| ** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES. | | | | | | |
| ** DATE OF CONVERSION TO LAND TITLES: 2007/08/20 ** | | | | | | |
| NR263610 | 1958/11/07 | TRANSFER | \$2 | SMYTHE, ROBERT WALKER | C | |
| NR430710 | 1985/10/10 | LEASE | \$2 | CHATAM, WILLIAM T. | C | |
| NR501058 | 1994/01/27 | TRANSFER | \$2 | SMYTHE, ROBERT WALKER | C | |
| NR567718 | 2003/01/27 | TRANSFER EASEMENT | | HYDRO ONE NETWORKS INC. | C | |
| NR567719 | 2003/01/27 | TRANSFER EASEMENT | | NORFOLK POWER DISTRIBUTION INC. | C | |
| NR85041 | 2015/12/01 | APL (GENERAL) | | HYDRO ONE NETWORKS INC. | C | |
| REMARKS: ASSIGNMENT OF NR567718, NR567719, NK66341 & NK66342 | | | | | | |

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.

NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

MAP NORFOLK - Community Web Map



12/24/2018, 11:10:54 AM

□ Land Parcels

— Plan Lines

Norfolk GIS

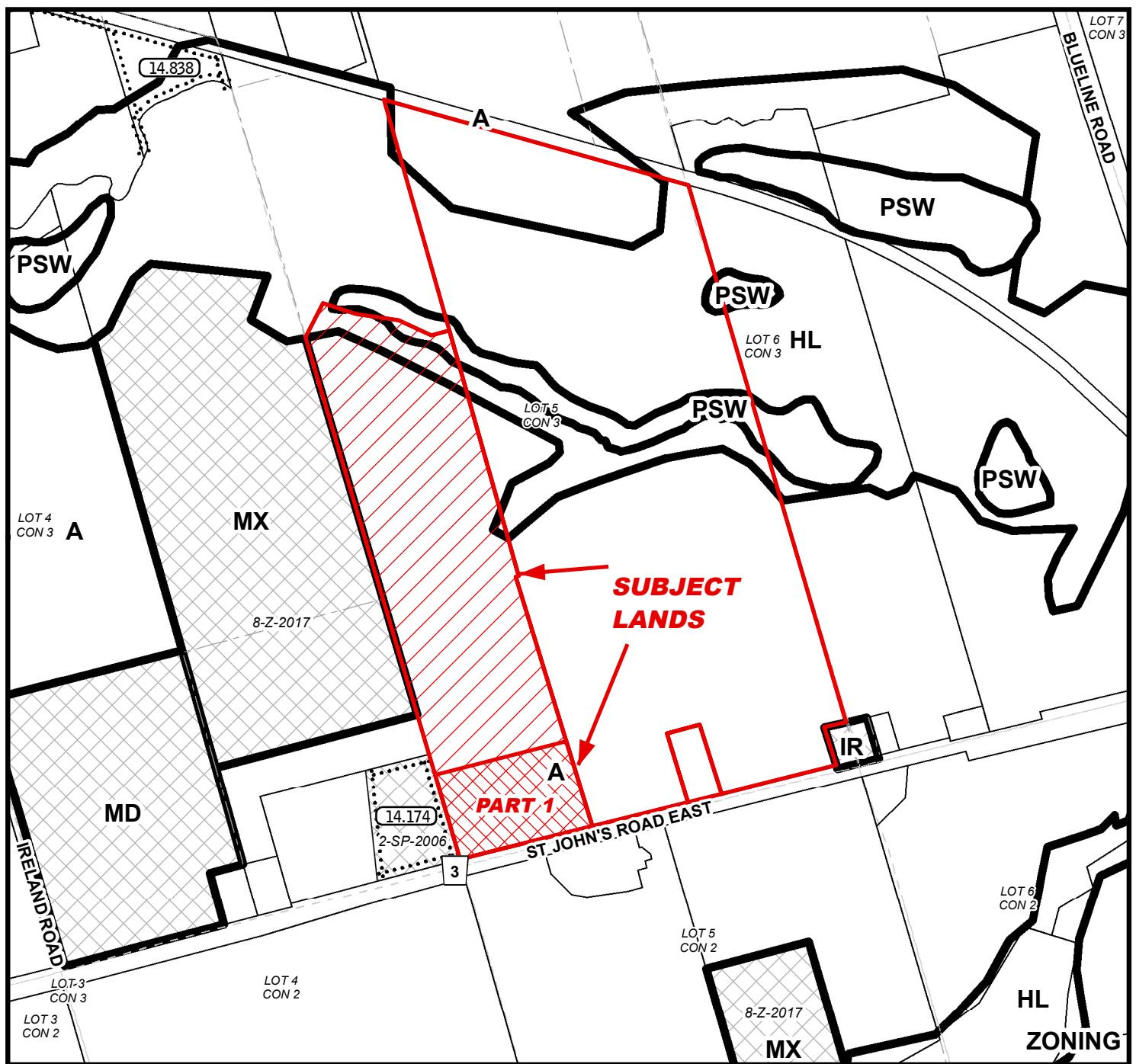
© Norfolk County

MAP 1
File Number: ZNPL2018333
 Geographic Township of
WOODHOUSE

N
 W E
 S

1:8,500

60 30 0 60 120 180 240 Meters



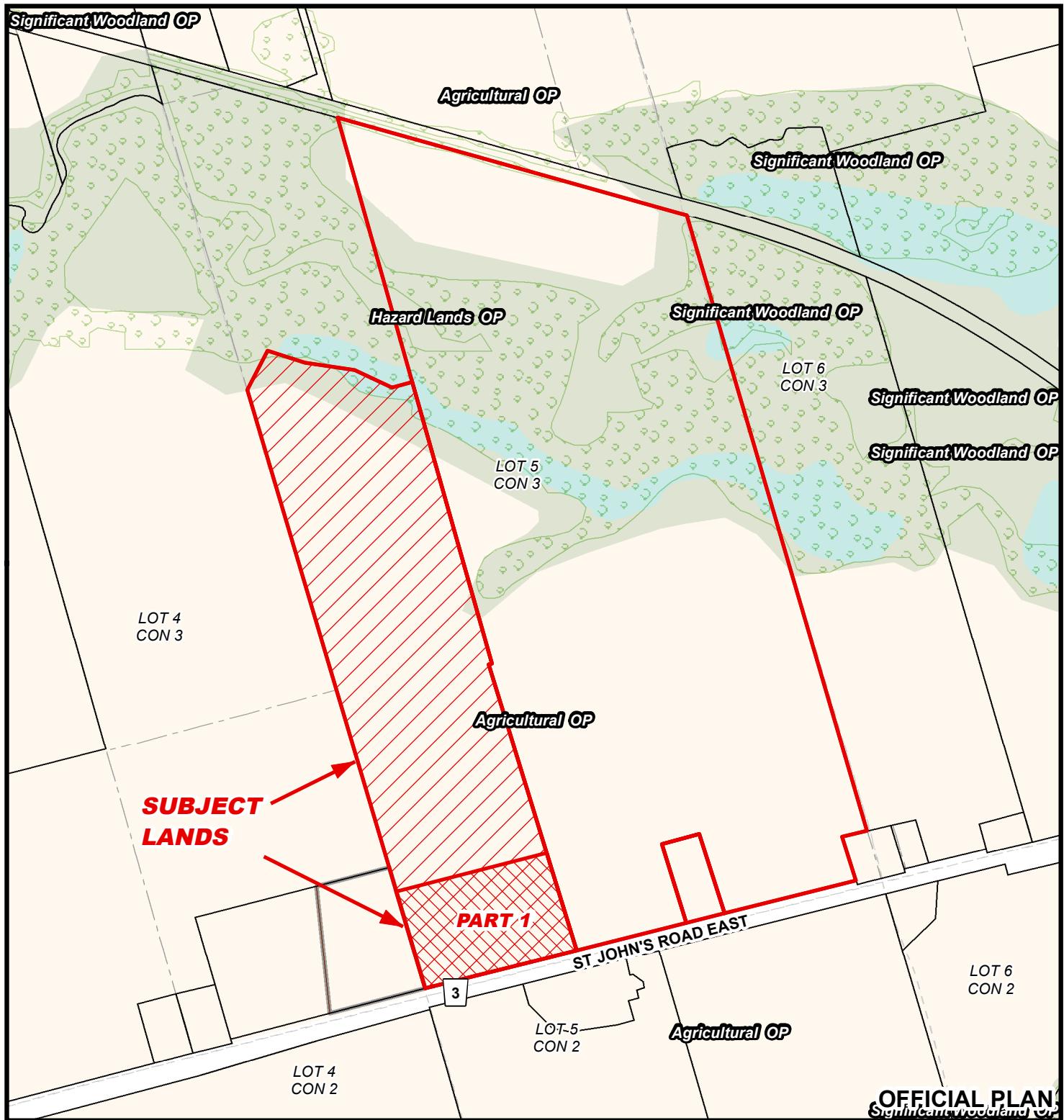
MAP 2

File Number: ZNPL2018333

Geographic Township of WOODHOUSE



1:7,000



OFFICIAL PLAN
Significant Woodland OP

4/17/2019

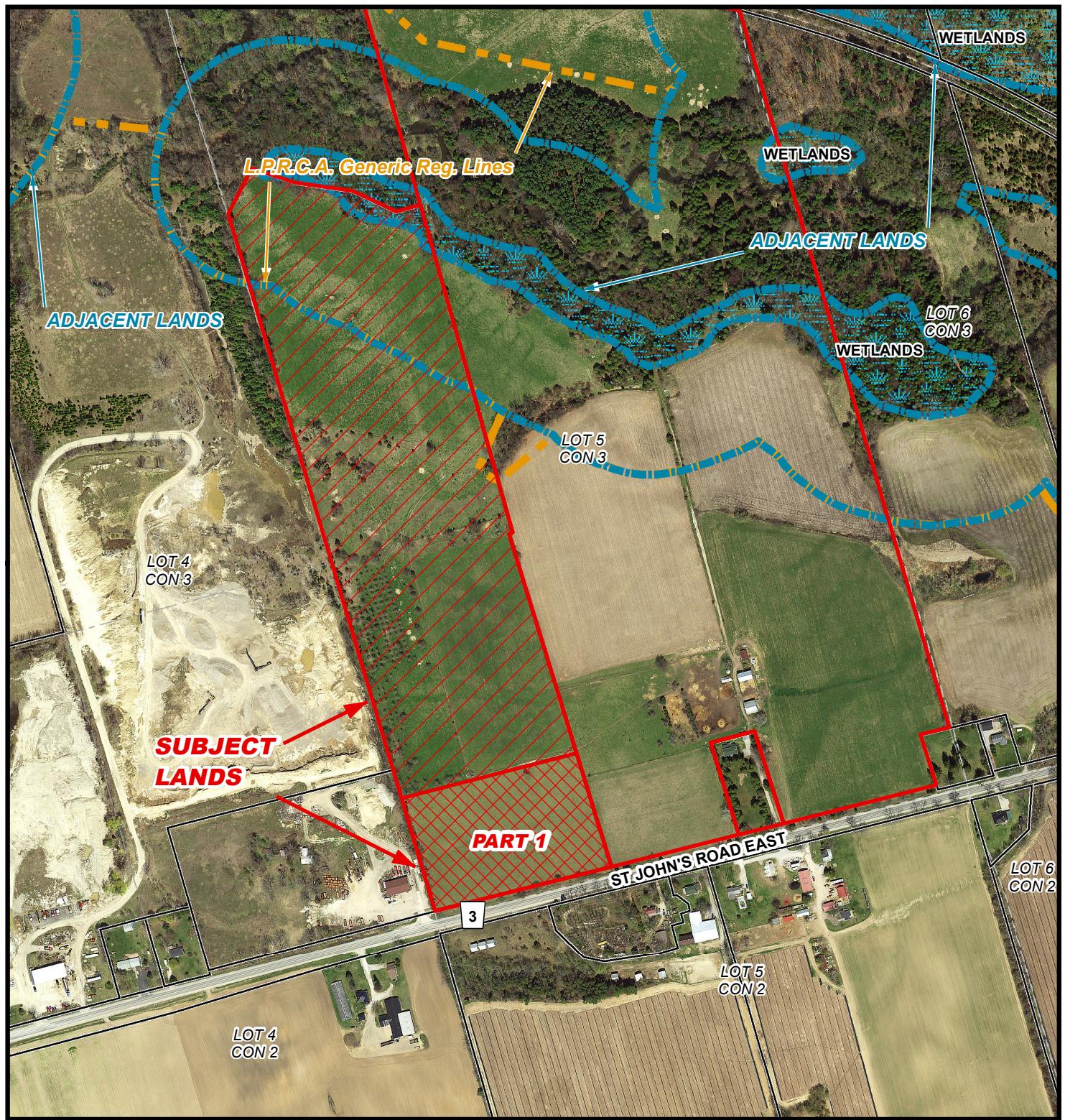
MAP 3

File Number: ZNPL2018333

Geographic Township of WOODHOUSE



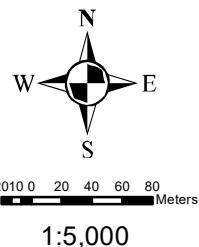
1:6,000



MAP 4

File Number: ZNPL2018333

Geographic Township of WOODHOUSE



1:5,000

