

Planning Department Development Application Form

Complete Application

A complete development application consists of the following:

1. A completed, signed, and notarized application form
2. Supporting information adequate to illustrate your proposal as indicated in **Section H** of this application form
3. Written authorization from the registered owner of the subject lands where the applicant is not the owner as per Section N
4. Cash, debit, credit or cheque payable to Norfolk County in the amount set out in the user fees By-Law that will be accepted and deposited once the application has been deemed complete.

Pre-Submission Consultation:

Norfolk County requires a Pre-Consultation Meeting for all applications; however, minor applications may be exempted depending on the nature of the proposal. The purpose of a Pre-Consultation Meeting is to provide the applicant with an opportunity to present the proposed application, discuss potential issues, and for the Norfolk County and Agency staff to identify the application requirements. Application requirements, as detailed in the Pre-Consultation Meeting Comments, are valid for one year after the meeting date.

Development Application Process

Once an application has been deemed complete by a Planner, Norfolk County staff will circulate the application to adjacent landowners, public agencies, and internal departments for comment. The time involved in application processing varies depending on its complexity, acceptability to the other agencies, and statutory Planning Act decision time-frames.

Payment is required once your application is deemed complete. Pre-payments will not be accepted.

Norfolk County collects personal information submitted through this form under the Municipal Freedom of Information and Protection Act's authority. Norfolk County will use this information for the purposes indicated or implied by this form. You can direct questions about collecting personal information to Norfolk GIS Services at NorfolkGIS@norfolkcounty.ca.

Additional studies required for the complete application shall be at the applicant's sole expense. Sometimes, peer reviews may be necessary to review particular studies at the applicant's expense. In these cases, Norfolk County staff will select the company to complete the peer review.

Norfolk County will refund the original fee if applicants withdraw their applications before circulation. If Norfolk County must recirculate your drawings, there will be an additional fee. If Norfolk County must do more than three reviews of engineering drawings due to revisions by the owner or failure to revise engineering drawings as requested, Norfolk County will charge an additional fee. Full refunds are only available before Norfolk County has circulated the application.

Notification Sign Requirements

For public notification, Norfolk County will provide you with a sign to indicate the intent and purpose of your development application. It is your responsibility to:

1. Post one sign per frontage in a conspicuous location on the subject lands.
2. Ensure one sign is posted at the front of the subject lands at least three feet above ground level and not on a tree.
3. Notify the Planner when the sign is in place.
4. Maintain the sign until the development application is finalized and, after that, remove it.

Contact Us

For additional information or assistance completing this application, please contact a Planner at 519-426-5870 or 519-875-4485 extension 1842 or planning@norfolkcounty.ca. Please submit the completed application and fees to the attention of the Planning Department at 185 Robinson Street, Suite 200, Simcoe, ON N3Y 5L6.

For Office Use Only:

File Number	_____	Public Notice Sign	_____
Related File Number	_____	Application Fee	_____
Pre-consultation Meeting	_____	Conservation Authority Fee	_____
Application Submitted	_____	Well & Septic Info Provided	_____
Complete Application	_____	Planner	_____

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

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

Please summarize the desired result of this application (for example, a special zoning provision on the subject lands to include additional use(s), changing the zone or official plan designation of the subject lands, creating a certain number of lots, or similar)

changing the zone or official plan designation

Parking lot zoned R2 to become Community Institutional

Property Assessment Roll Number: 33 10 334 010 54300 0000

A. Applicant Information

Name of Owner

Royal Canadian Legion

Address

212 Market St EAST

Town and Postal Code

Port Dover Ont. N0A 2N0

Phone Number

~~519~~ 226 931 4155

Cell Number

226 931 4155

Email

ronrayer331@gmail.com

Name of Applicant

Ron Rayer

Address

30 Harder Ave

Town and Postal Code

Port Dover Ont N0A 2N8

Phone Number

226 931 4155

Cell Number

226 931 4155

Email

ronrayer331@gmail.com

Name of Agent

Same as Applicant

Address

Town and Postal Code

Phone Number

Cell Number

Email

Unless otherwise directed, Norfolk County will forward all correspondence and notices regarding this application to both 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 17 Block 52 Port Dover
Norfolk County

Municipal Civic Address: ~~202~~ 208 Market St EAST

Present Official Plan Designation(s): Attached Plan 207

Present Zoning: R2

2. Is there a special provision or site specific zone on the subject lands?

Yes No If yes, please specify corresponding number:

3. Present use of the subject lands:

Parking lot

4. Please describe **all existing** buildings or structures on the subject lands and whether they will 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 the 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

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:

1983 until present

9. Existing use of abutting properties:

R2

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.

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

Outdoor Patio and entertainment

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

The Existing Zoning does not permit amplified music or outdoor entertainment

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):

R2 to Community Institutional

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

Frontage: _____

Depth: _____

Width: N/A

Lot Area: _____

Present Use: Parking Lot

Proposed Use: Outdoor patio and entertainment

Proposed final lot size (if boundary adjustment): no change

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

Description of land intended to be retained in metric units: Attached.

Frontage: _____

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Buildings on retained land: _____

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

Frontage: _____

Depth: _____

Width: N/A

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

see Plan 207 attached.

9. Site Information

Zoning

Proposed

Please indicate unit of measurement, for example: m, m² 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	N/A	_____
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	N/A	_____
Number of visitor parking spaces		_____
Number of accessible parking spaces		_____
Number of off street loading facilities		_____

12. Residential (if applicable)

Number of buildings existing: 0

Number of buildings proposed: 0

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
Single Detached	<u>N/A</u>	_____
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: N/A

Number of buildings proposed: N/A

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, or storage):

N/A

N/A

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: Outdoor Patio / music

Seating capacity (if applicable): 180 with extension

Number of beds (if applicable): N/A

Total number of staff proposed initially: N/A

Total number of staff proposed in five years: N/A

Maximum number of staff on the largest shift: N/A

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

N/A

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

Outdoor Patio with extension with
entertainment on Sunday 2-6 and every
other Tuesday 4-8

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):

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:

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 *N/A*

If no, please explain:

Its a parking Lot

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

Livestock facility or stockyard (submit MDS Calculation with application)

On the subject lands or within 500 meters – distance _____

Wooded area

On the subject lands or within 500 meters – distance _____

Municipal Landfill

On the subject lands or within 500 meters – distance _____

Sewage treatment plant or waste stabilization plant

On the subject lands or within 500 meters – distance _____

Provincially significant wetland (class 1, 2 or 3) or other environmental feature

On the subject lands or within 500 meters – distance _____

Floodplain

On the subject lands or within 500 meters – distance _____

Rehabilitated mine site

On the subject lands or within 500 meters – distance _____

Non-operating mine site within one kilometre

On the subject lands or within 500 meters – distance _____

Active mine site within one kilometre

On the subject lands or within 500 meters – distance _____

Industrial or commercial use (specify the use(s))

On the subject lands or within 500 meters – distance _____

Active railway line

On the subject lands or within 500 meters – distance _____

Seasonal wetness of lands

On the subject lands or within 500 meters – distance _____

Erosion

On the subject lands or within 500 meters – distance _____

Abandoned gas wells

On the subject lands or within 500 meters – distance _____

F. Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- Municipal piped water *N/A* Communal wells
 Individual wells Other (describe below)
-

Sewage Treatment

- N/A*
 Municipal sewers Communal system
 Septic tank and tile bed in good working order Other (describe below)
-

Storm Drainage

- N/A*
 Storm sewers Open ditches
 Other (describe below)
-

2. Existing or proposed access to subject lands:

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

Name of road/street: _____

G. 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.

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 *Existing 20*
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. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
19. Gross, ground and useable floor area
20. Lot coverage
21. Floor area ratio
22. Building entrances, building type, height, grades and extent of overhangs
23. Names, dimensions and location of adjacent streets including daylighting triangles
24. Driveways, curbs, drop curbs, pavement markings, widths, radii and traffic directional signs
25. All exterior stairways and ramps with dimensions and setbacks
26. Retaining walls including materials proposed
27. Fire access and routes
28. Location, dimensions and number of parking spaces (including visitor and accessible) and drive aisles
29. Location of mechanical room, and other building services (e.g. A/C, HRV)
30. Refuse disposal and storage areas including any related screening (if indoors, need notation on site plan)
31. Winter snow storage location

32. Landscape areas with dimensions
33. Natural features, watercourses and trees
34. Fire hydrants and utilities location
35. Fencing, screening and buffering – size, type and location
36. All hard surface materials
37. Light standards and wall mounted lights (plus a note on the site plan that all outdoor lighting is to be dark sky compliant)
38. Business signs (make sure they are not in sight lines)
39. Sidewalks and walkways with dimensions
40. Pedestrian access routes into site and around site
41. Bicycle parking
42. Architectural elevations of all building sides
43. 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 (to verify location and condition)
- 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 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 site plan approval, 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, to disclose the registration of all transfer(s) of land and/or 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.

[Signature]
Owner/Applicant Signature

March 27 / 2025
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.

I/We Royal Canadian Legion am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Ron Rayner (USO) 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.

Ron Rayner
Owner

March 27 / 2025
Date

[Signature]
Owner

March 27 / 2025
Date

N. Declaration

I, Bon Rayner (VSO) of Royal Canadian Legion
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:

Port Dover

[Signature]

Owner/Applicant Signature

In Norfolk County

This 27 day of March

A.D., 20 25

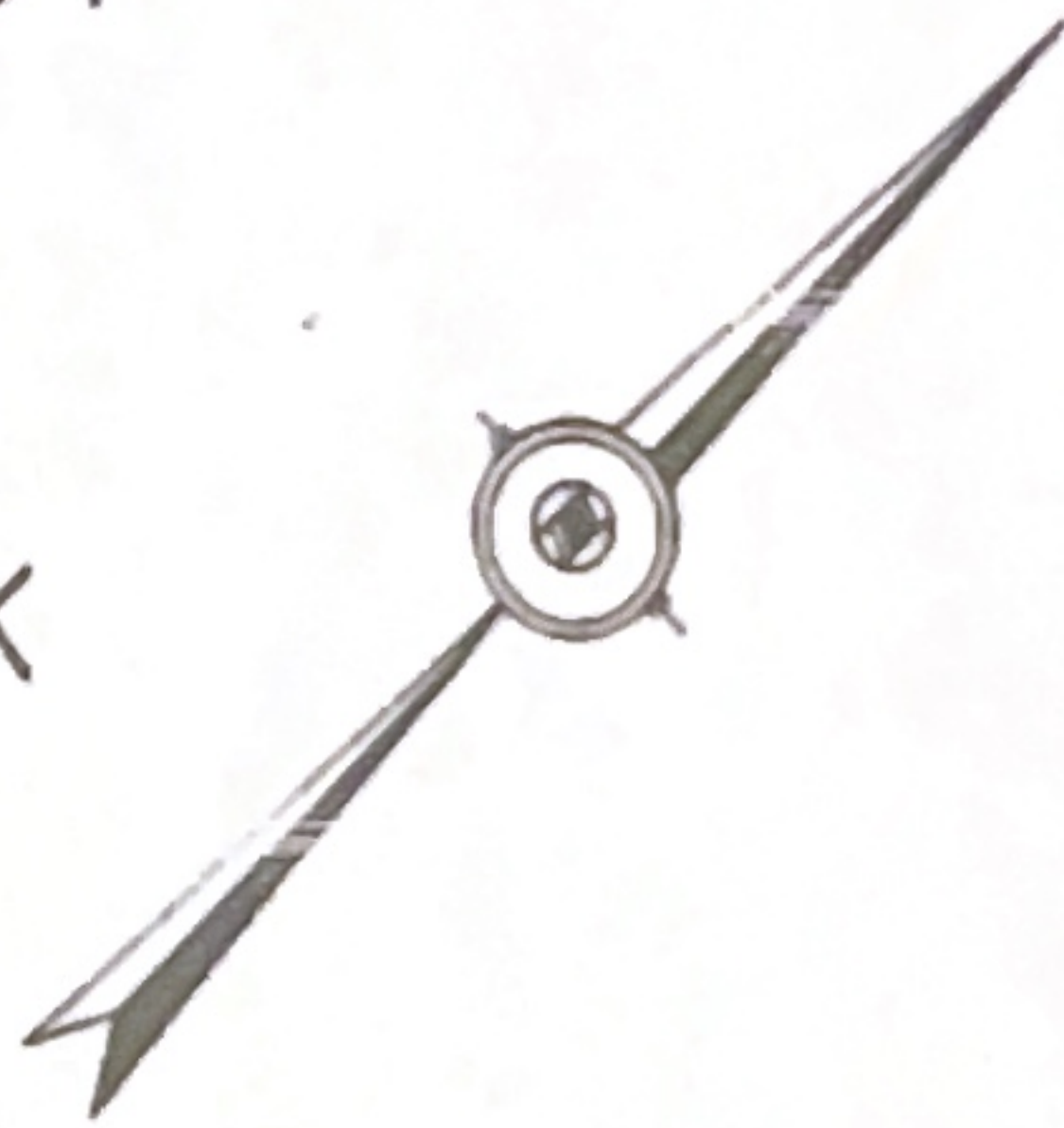
[Signature]

A Commissioner, etc.

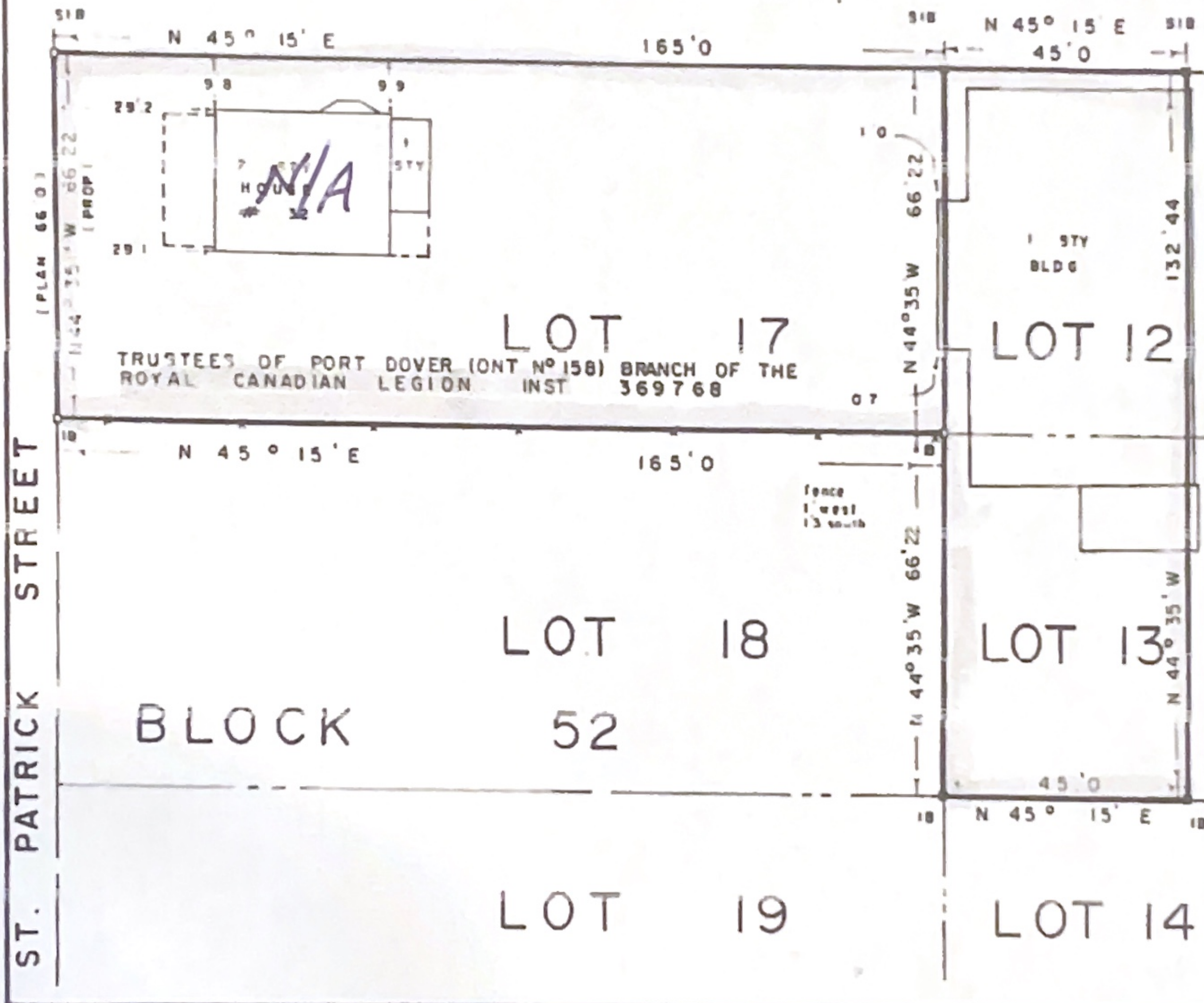
Lorie Anne Mills, a Commissioner, etc.,
Province of Ontario, for Stahl & Bowyer,
Barristers and Solicitors.
Expires May 31, 2025

SURVEY

LOT 17
 BLOCK 52
 REGISTERED PLAN 207
 FORMERLY IN THE TOWN OF PORT DOVER
 IN THE COUNTY OF NORFOLK
 NOW IN THE
 CITY OF NANTICOKE
 IN THE REGIONAL MUNICIPALITY OF
 HALDIMAND - NORFOLK
 SCALE 1" = 30'
 JEWITT AND DIXON LTD.
 1983



MARKET STREET



<p>LEGEND</p> <ol style="list-style-type: none"> 1" x 1" x 48" STANDARD IRON BARS SHOWN 3/4" x 3/4" x 24" IRON BARS SHOWN 5/8" x 5/8" x 24" ROUND IRON BARS SHOWN LOT LINES SHOWN HALF LOT LINES SHOWN DEED LINES SHOWN FENCE SHOWN FOUND IRON BARS SHOWN PLANTED IRON BARS SHOWN 	<p>I HEREBY CERTIFY THAT:</p> <ol style="list-style-type: none"> 1 THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER. 2 THE SURVEY WAS COMPLETED ON THE 16 DAY OF MAY, 1983. <p>18 05 83</p> <p>H. V. Jewitt</p> <p>H. V. JEWITT O.L.S. JEWITT AND DIXON LTD. ONTARIO LAND SURVEYORS, 90 KENT ST. E., SIMCOE, ONTARIO.</p> <p>REPRODUCTIONS OF THIS PLAN ARE NOT VALID UNLESS BEARING THE SURVEYORS SEAL.</p>
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Legion

Sports Room

6400

Outdoor Storage

7350

Permanent Outdoor Patio

Temporary Outdoor Patio

Parking lot

1050
13.800
7300

2500

6.015

16.764

7.620

16.764

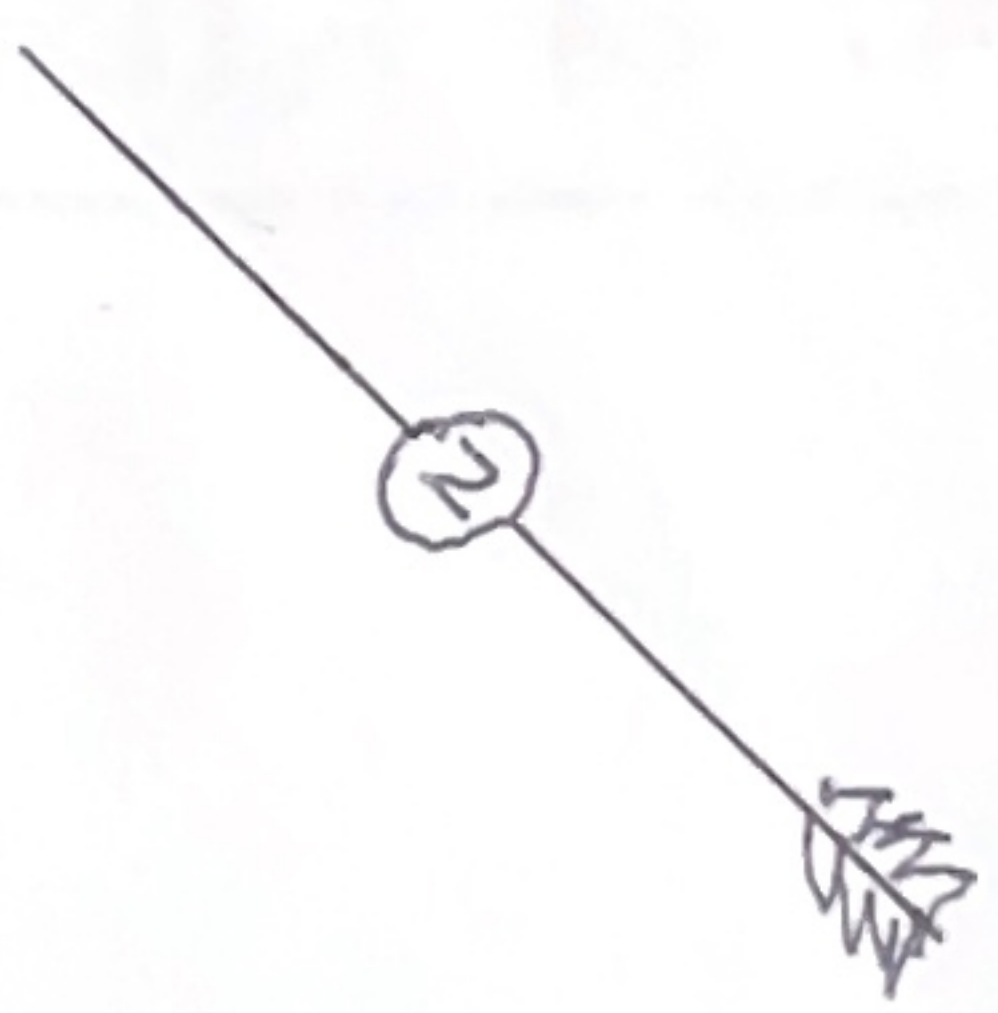
50.290

Driveway

Lot 17
Block 52

Drawing in mm

Not to Scale.



5500 3.450

Driveway

20.180

Legend
⊙ Survey Stake
++++ Permanent Fence
---- Temporary Fence
Drawing in mm
Not to Scale.



Clerks and Bylaw

13 February 2025

Royal Canadian Legion
Hugh Allen Branch 158
PO Box 12, Port Dover Ontario
N0A 1N0

Ref: Noise Complaint - Outdoor Bands/Music, Port Dover Legion

Dear Port Dover Legion Executive,

This letter is to inform you that Norfolk County has received a Noise bylaw complaint regarding one or more bands playing amplified music in the parking lot/patio area of the Port Dover Legion at 208 Market Street East. Specifically, it has been reported that the Legion has been providing entertainment on the outdoor licensed patio area of your parking lot; initially Sunday and holiday afternoons in 2022 and then as of 2023 and 2024 while hosting "Bike Nights" on Tuesdays from 5pm to 9pm, where amplified music has been played. Residents in the area have reported that the volume of the sound emanating from your property during these events has been excessive and has reduced the quality of life for those trying to enjoy their own properties. They also advise they have reached out to you to express their concern and that the issue was not resolved.

The complaint information, along with several provided videos, have been reviewed by Bylaw staff. We have also conducted a review of the applicable Zoning bylaw regulations for your property and followed-up with the Alcohol and Gaming Commission of Ontario (AGCO) for further understanding. This letter is provided so that the Port Dover Legion Executive can make an informed and appropriate decision regarding the use of your patio going forward.

For clarity, please note the following:

- 1) A municipality's Official Plan sets out general policies for land use. Zoning bylaws, enacted by County Council, put the Official Plan into effect and provide for its day-to-day administration. Zoning bylaws contain specific requirements and permissions for land use related to each zone which are legally enforceable.

○ Council
Services
Department

Office of the Chief Administrative Officer
50 Colborne St., S. · Simcoe ON N3Y 4H3 · T: 519.426.5870 · F: 519.426.8573 ·
norfolkcounty.ca

- 2) In the case of the Port Dover Legion your property zoning is split, with the building zoned as "Community Institutional" and the parking lot zoned "R2" or "Residential". An outdoor music venue or "place of entertainment" is not a permitted use in a Residential zone, therefore having amplified music in your parking lot has been a violation of the Zoning bylaw.
- 3) Norfolk County also has a Noise bylaw (2010-84) which states in section 3.1: "No person shall make, cause or permit to be made, any unusual noise or noise at any time which is likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants of the County. The sound being received by nearby residents has been found to be in violation of this section of the Noise bylaw.
- 4) The Noise bylaw also specifically prohibits "The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers...intended for the amplification of sound" in a Residential zone. As the music is being generated in your parking lot and patio (a Residential zone), this activity is in violation of that section of the Noise bylaw as well.
- 5) We are aware that the Port Dover Legion has an AGCO-issued permit allowing outdoor/patio alcohol service for up to 90 patrons. Please be aware that section 45 of the Liquor License and Control Act prohibits outdoor patio noise from disturbing nearby residents. Noise violations can result in the AGCO taking compliance action against the permit holder including monetary penalties, suspensions and licence revocation. The local AGCO Inspector was consulted about this issue and has advised that they will be monitoring it for compliance.
- 6) Section 46, subsection 1 of the Liquor Licence and Control Act also specifies that "The licensee shall ensure that the licenced premises (your patio) comply with the applicable zoning bylaws respecting the use of the premises". In your case that means that if the Zoning and Noise bylaws don't permit amplified music or place of entertainment outside, which they do not, then you may not have them or risk possible AGCO enforcement action.
- 7) As noted, your building is zoned "Community Institutional" which does permit use as a "place of entertainment". Amplified music could be played inside the building, up to 11:00 pm., as per the Noise bylaw however the same general provision in section 3.1 would still apply if the volume being played was reported as a violation and deemed excessive, which in turn could negatively affect your liquor licence.

Continued.....

Based on the aforementioned, please be advised that amplified sound/music is not a permitted use anywhere on the outdoor area of the Legion property at 208 Market Street East in Port Dover.

Going forward, if you decide that you still wish to continue having amplified music outside you could file a Planning Application with the Planning department seeking a zoning variance to permit an outdoor music venue or "place of entertainment" in your parking lot. If Planning approved the application would then go to area residents for their input and then to County Council for a decision on whether to enact a Special Provision or not. Once again, even if the zoning was varied by Council, you would still be subject to the Noise bylaw general prohibition under section 3.1., and possible AGCO intervention.

In closing, Friday the 13th is deemed a Special Event by the County and would be exempt from this, please follow the usual approval process for that event.

Respectfully,



Jim Millson, MLEO
Manager, Bylaw Services
Clerks and By-Law
Office of the CAO

Marie

MAP A

ZNPL2025120

CONTEXT MAP

Urban Area of PORT DOVER

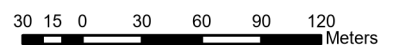
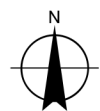


Legend

-  Subject Lands
-  Lands Owned

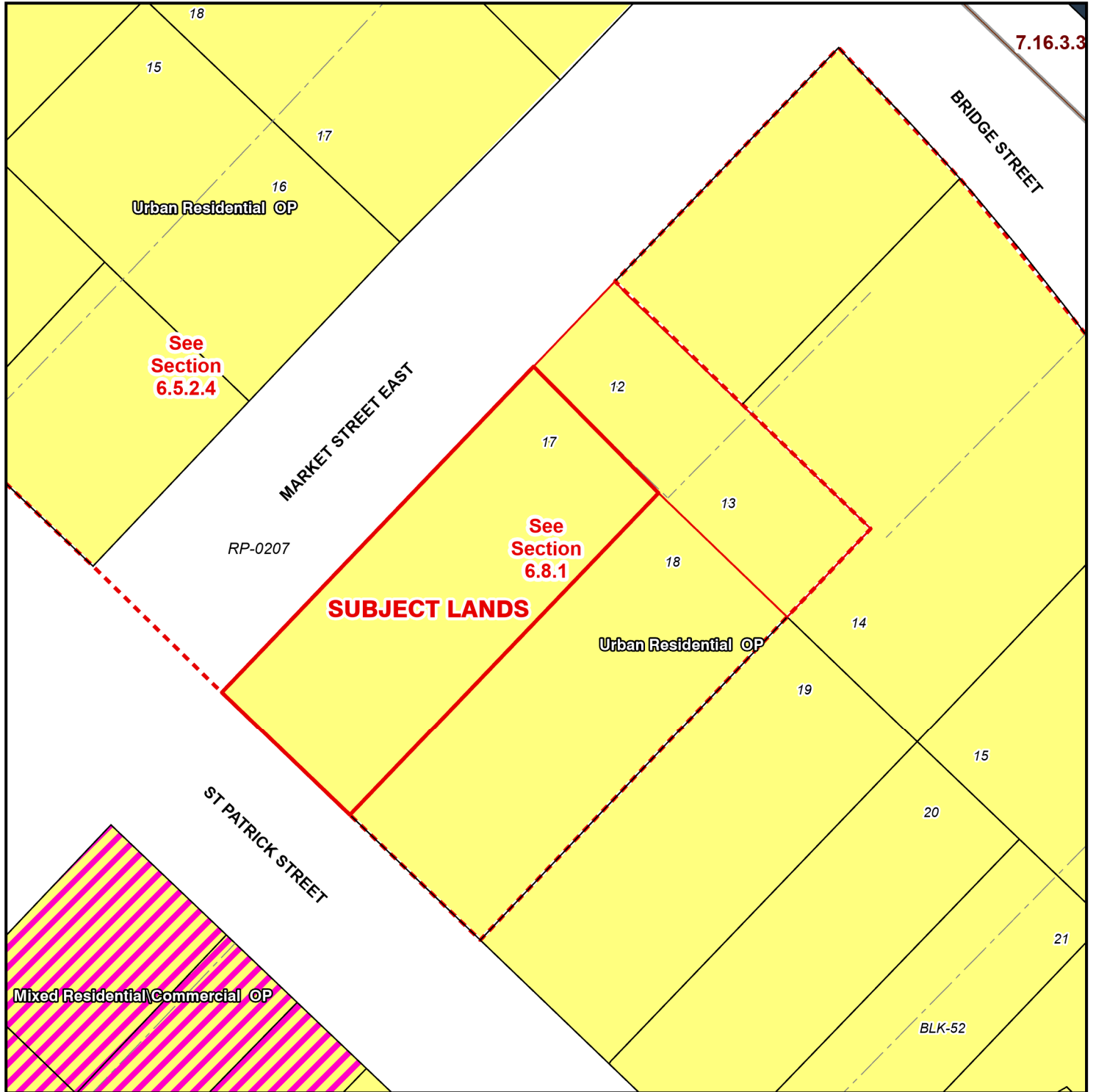
2020 Air Photo

4/14/2025





MAP B
OFFICIAL PLAN MAP
 Urban Area of PORT DOVER



ZNPL2025120



Legend

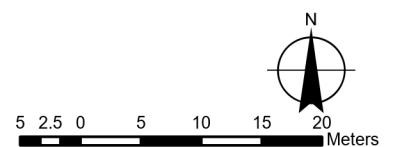
-  Subject Lands
-  Lands Owned

Official Plan Designations

-  Urban Residential
-  Mixed Residential/Commercial

-  Urban Waterfront
-  Special Policy Area
-  Urban Area Boundary

4/14/2025

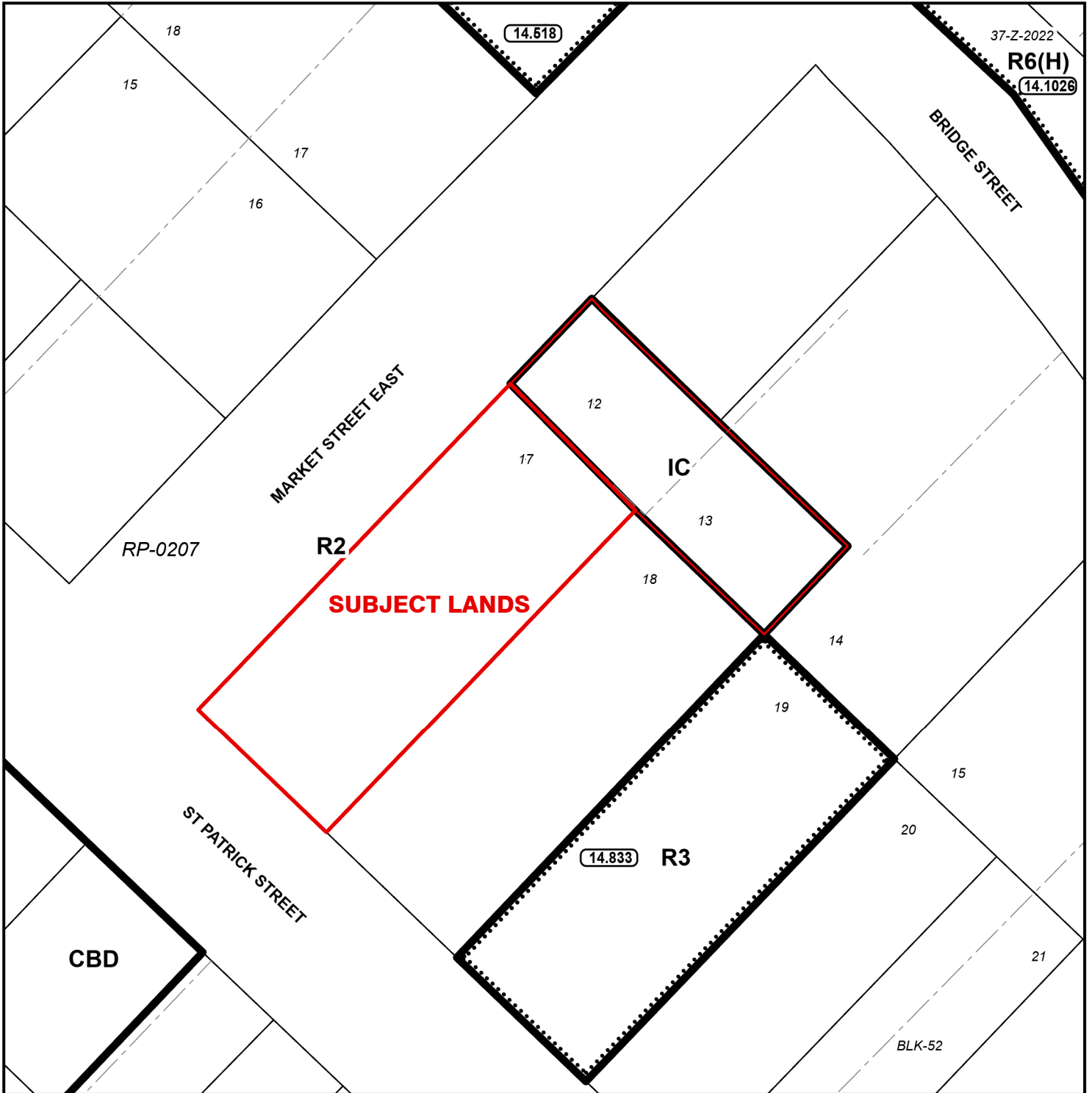


MAP C



ZNPL2025120

PROPOSED ZONING BY-LAW AMENDMENT MAP

Urban Area of PORT DOVER



LEGEND

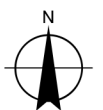
-  Subject Lands
-  Lands Owned

ZONING BY-LAW 1-Z-2014

4/14/2025

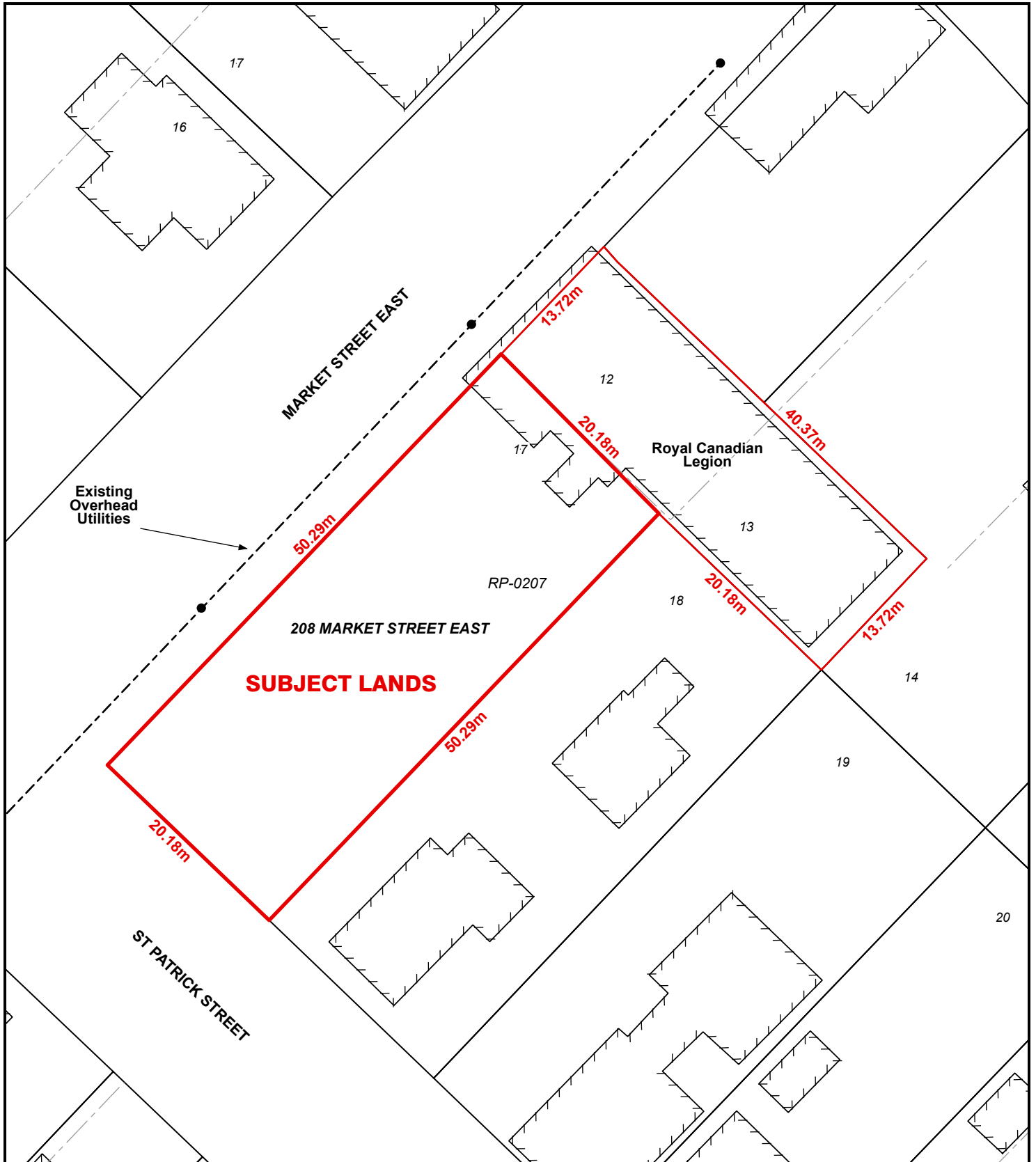
- (H) - Holding
- CBD - Central Business District Zone
- IC - Community Institutional Zone
- MG - General Industrial Zone
- R2 - Residential R2 Zone
- R3 - Residential R3 Zone
- R6 - Residential R6 Zone

**From: R2
To: IC**





5 2.5 0 5 10 15 20 Meters

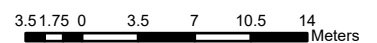
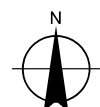
CONCEPTUAL PLAN
Urban Area of PORT DOVER



Legend

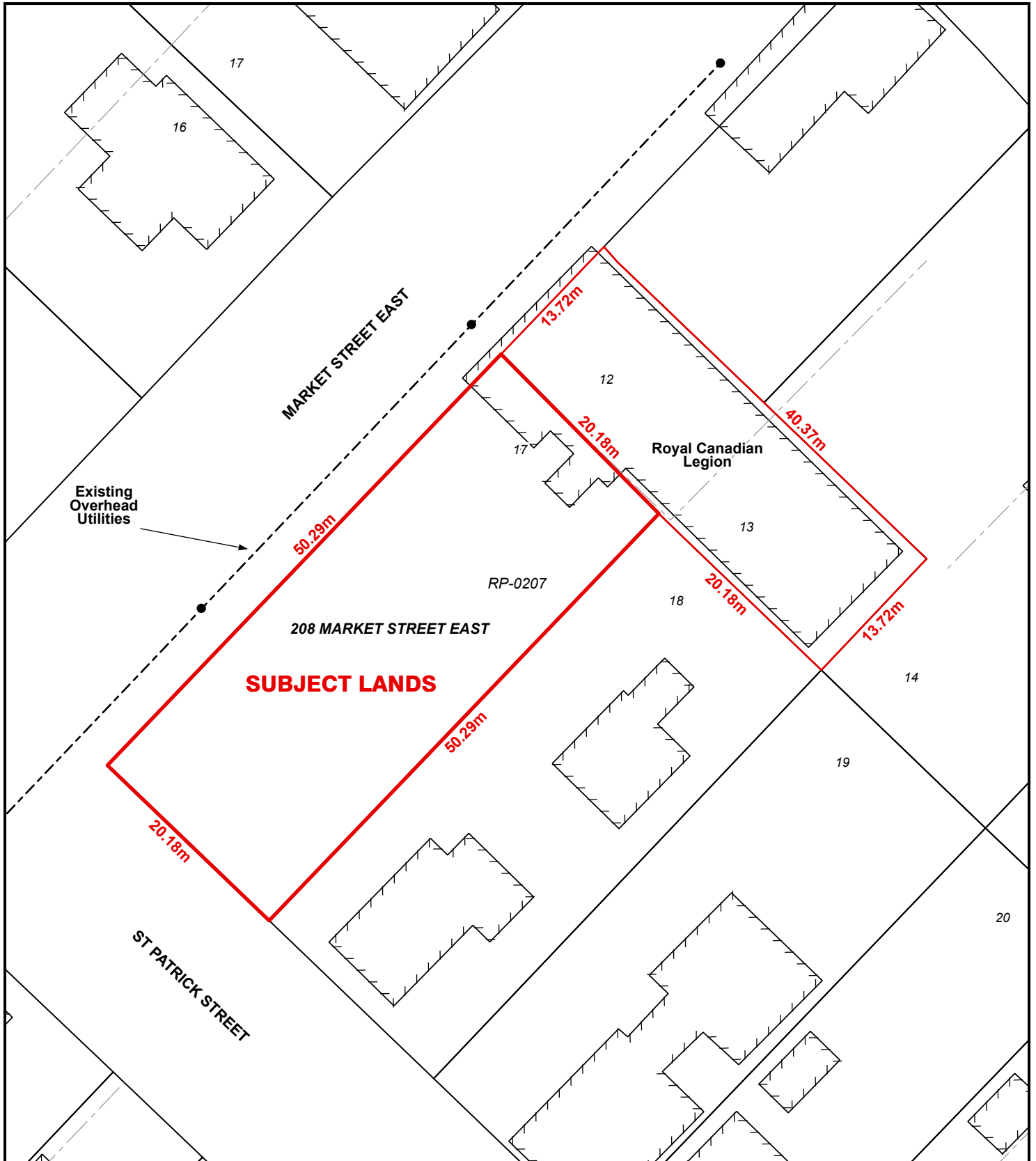
-  Subject Lands
-  Lands Owned

4/14/2025



CONCEPTUAL PLAN

Urban Area of PORT DOVER



Legend

-  Subject Lands
-  Lands Owned

4/14/2025

