

AREA: \_\_\_\_\_

FILE NO.: A 22/86-W

PROPERTY NO. \_\_\_\_\_

**FORM 1  
THE PLANNING ACT  
COMMITTEE OF ADJUSTMENT  
THE CORPORATION OF THE TOWNSHIP OF NORFOLK**

**APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION**

The undersigned hereby applies to the Committee of Adjustment of the Township of Norfolk under Subsection 44 of The Planning Act, R.S.O. 1990, c.p. 13 for relief as described in this application, from By-Law No. 1-NO 85, as amended.

1. Name of Owner: Joe & Carol Faria Phone No.: 443-5634  
Address: 267 College St Waterford Postal Code: N0E 1Y0
2. Name of Agent: \_\_\_\_\_ Phone No.: \_\_\_\_\_  
Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_
3. Names and addresses of any mortgagees, holders of charges or encumbrances:  
\_\_\_\_\_  
\_\_\_\_\_
4. Nature and extent of relief applied for:  
Relief of 1177  $\pi$  from the maximum 323  $\pi$  floor area for home occupation  
to permit cabinet making shop  
\_\_\_\_\_  
\_\_\_\_\_
5. Why is it not possible to comply with the provisions of the by-law?  
Home Occupation provision  
\_\_\_\_\_
6. Legal description of subject lands (lot and concession number or lot and registered plan number and where applicable, street and street number):  
lot 45 Con 1 N.T.R. Middleton  
\_\_\_\_\_
7. Dimensions of lands affected:  
Frontage: 200' Depth: 204 Area: 39732  
Width of Street: \_\_\_\_\_

8. Particulars of all buildings and structures on or proposed the subject lands (specify ground floor area, gross floor area, number of storeys, width, length, etc.):

Existing: None

Proposed: See attache/sketch

9. Location of all buildings and structures on or proposed for the subject lands (specify distance from side, rear and front lot lines):

Existing: None

Proposed: See Attacher sketch

10. Date of purchase of subject lands: NOV. 8 / 96

11. If an addition to existing building is proposed, what will it be used for?

12. Date of construction of all buildings and structures on subject lands: UNKNOWN

13. Existing uses of the subject property: Vacant

14. Existing uses of abutting properties: Residential

15. Length of time the existing uses of the subject property have continued:

16. Municipal services available:
- |  |                                    |
|--|------------------------------------|
| <input type="checkbox"/> Water           | <input type="checkbox"/> Connected |
| <input type="checkbox"/> Sanitary Sewers | <input type="checkbox"/> Connected |
| <input type="checkbox"/> Storm Sewers    |                                    |
17. The current designation of the subject land in any applicable official plan \_\_\_\_\_  
Agriculture
18. What is the subject property presently zoned: Agriculture
19. Has the owner previously applied for relief in respect of the subject property?
- |                              |  |
|------------------------------|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
|------------------------------|--|
- If yes, describe briefly: \_\_\_\_\_
20. Is the subject property the subject of a current application for consent to sever under Section 53 of The Planning Act, R.S.O. 1990, c.p. 13?
- |                              |  |
|------------------------------|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
|------------------------------|--|
- If yes, give File No.: \_\_\_\_\_

Joseph Lania  
Signature of applicant or authorized agent.

Dated at the TOWNSHIP of NORFOLK  
this 8 day of Nov 19 96.

Note:

The applicant shall attach to each copy of this application, a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all existing and proposed buildings and structures on the subject and abutting lands. Where required by the Committee of Adjustment, such plan shall be signed by an Ontario Land Surveyor.

It is required that one copy of this application be filed together with a copy of a sketch, with the responsible person, accompanied by a fee of \$390.00 in cash or by cheque payable to the Township of Norfolk.

Note:

A completed "Zoning Deficiency Form" must accompany this application - obtained from the area Building Inspector.

I, \_\_\_\_\_ of the City  
of Nanticoke in the Region  
of Haldimand-Norfolk solemnly declare that all the statements contained in this application 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 the Township  
of Windsor  
in the Region  
of Haldimand-Norfolk  
this 8  
day of November 1996

)  
)  
)  
)  
)  
Joseph Jania  
)  
)  
)

Vera Fish

VERA MAXINE FISH, a Commissioner, etc., Regional Municipality of Haldimand-Norfolk, for the Corporation of the Township of Norfolk.  
Expires July 17, 1998.

A Commissioner

Mail to: Committee of Adjustment  
Township of Norfolk  
P.O. Box 128  
22 Albert Street  
Langton, ON  
N0E 1G0

Phone No. (519) 875-4485  
Fax No. (519) 875-4789

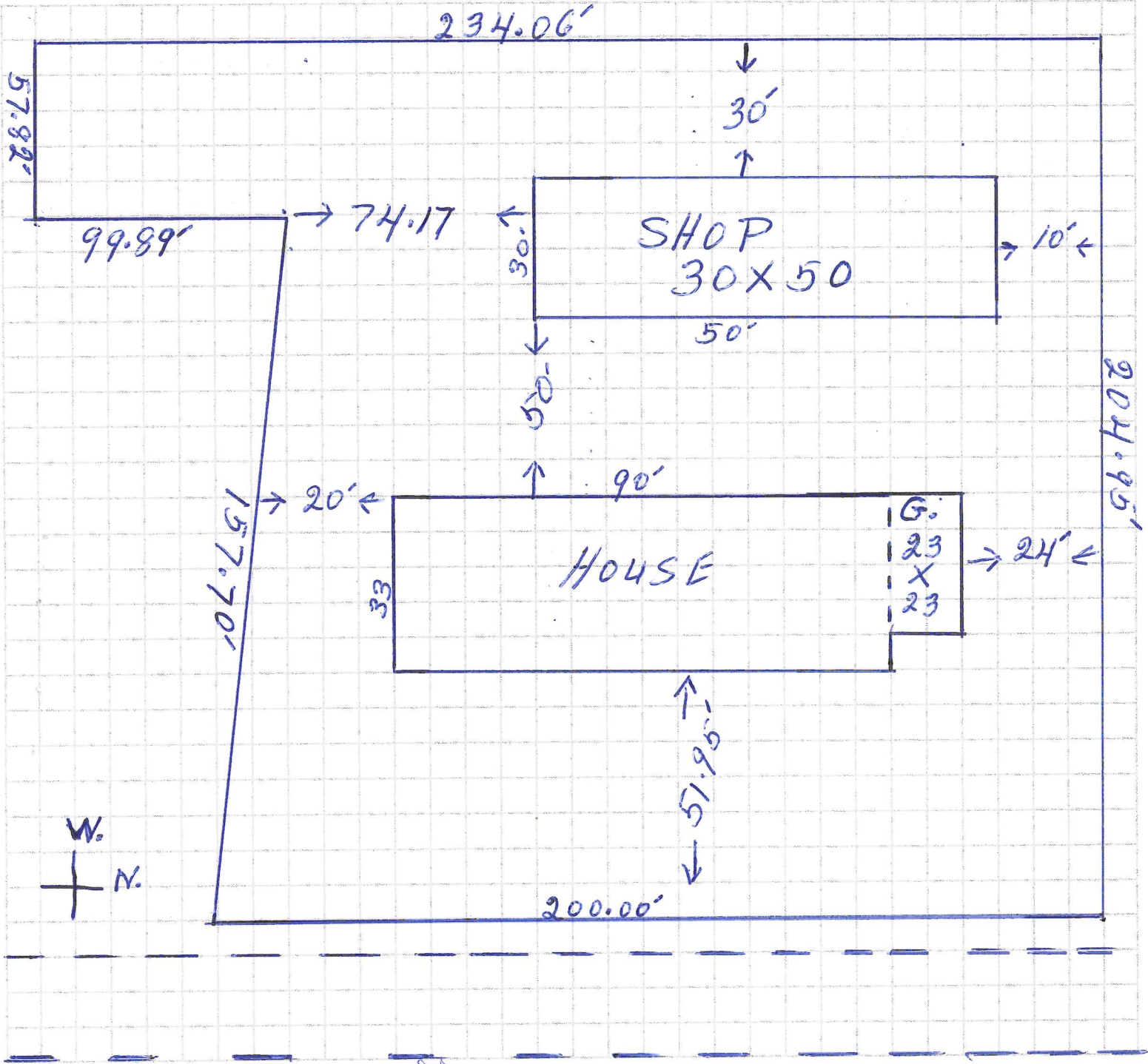


REGIONAL MUNICIPALITY OF HALDIMAND-NORFOLK  
DEPARTMENT OF PLANNING & DEVELOPMENT - BUILDING DIVISION

LOT DIAGRAM PLAN

- INSTRUCTIONS:
- 1. To be completed by Owner/Applicant.
  - 2. Indicate all lot dimensions.
  - 3. Indicate all structures/buildings on the lot and their dimensions.
  - 4. Indicate use of all buildings/structures on the lot ie. (single family dwelling, garage, etc.)
  - 5. Indicate horizontal distances from all structures/buildings on the lot to line boundaries.
  - 6. Indicate topography features ie. location of street, roads, etc.

NOTE: If this lot diagram plan is inappropriate due to its size, please submit 3 detailed lot diagram plans to the satisfaction of the Building Inspector.





REGIONAL MUNICIPALITY OF HALDIMAND-NORFOLK
DEPARTMENT OF PLANNING & DEVELOPMENT - BUILDING DIVISION

SHADED AREA FOR OFFICE USE ONLY

ZONING DEFICIENCY FORM
PROPOSAL FAILS TO MEET DEVELOPMENT STANDARDS

Date: Nov 8/96

Assessment Roll # 10-30-07320 (can be obtained from Tax Notices)
Owner/Applicant PAUL ERHARDT Municipality MIDDLETON
Location of Property: Lot PT40 Conc. LNTB Block Plan
Part Reference Plan Former Municipality
Civic Address
Applicable Land Use By-Law 10085 (Separate sheet for each By-Law)
Current Zoning ALR Proposed Use wood working shop (home occupation) Existing Use vacant land

Table with 4 columns: DEVELOPMENT STANDARDS, REQ'D, "PROPOSED" (Based on Plot Plan), DEFICIENCY. Rows include Lot Area, Frontage, Setback, Yard, etc.

The "PROPOSED" information and any supporting documents have been provided by the owner/applicant. The above information is only in respect to "Zoning" (Minor Variance, Zone Change, etc.) and does not relieve the applicant/owner from obtaining all other permits and/or approvals, such as Health Approval, Entrance Permits, Building Permit, etc.
I, the owner/applicant take full responsibility for the accuracy of the "PROPOSED" information provided on this form.

Signatures: Owner/Applicant, Building Inspector

Instructions:
1. Owner/Applicant to complete unshaded areas.
2. Building Inspector to complete shaded areas.
3. The Owner/Applicant to submit completed form to the Area Regional Planner or the Secretary to Committee of Adjustment. Your contact is this regard is:

NAME ADDRESS



**REPORT REGARDING AN APPLICATION TO  
THE CORPORATION OF THE TOWNSHIP OF NORFOLK  
COMMITTEE OF ADJUSTMENT FOR MINOR VARIANCE**

**MEETING DATE:** December 11, 1996

**FILE NO.:** A-23/96-

**APPLICANT:**

Paul Frederick & Marilyn Rose Ann Erhardt  
R.R. #1  
Delhi, ON  
N4B 2W4

**AGENTS:**

Joe & Carol Faria  
267 College Street  
Waterford, ON  
N0E 1Y0

**LOCATION:**

Part of Lot 40, Concession 1, N.T.R., Township of Norfolk (Middleton).

**PROPOSAL:**

The applicants are requesting relief of 1177 sq. ft. from the maximum 323 sq. ft. floor area for home occupation to permit a cabinet making workshop.

**PLANNING STAFF RECOMMENDATION:**

That the application BE APPROVED subject to the following conditions:

- a) That there be no openings in either the north or south wall.
- b) That the shop be located at least 36 m. from the street line.
- c) That there be no one employed other than the owner.

**SITE FEATURES AND LAND USE:**

The subject lands is presently vacant, generally level at the same grade as the roadway. Access is onto Concession 1, S.T.R. a two lane paved Township roadway.

Surrounding land uses are predominantly agricultural and rural. A number of residential lots exist in the immediate area.

**RELEVANT CIRCULATION COMMENTS:**

The Township of Norfolk Drainage Superintendent and Roads Superintendent have requested a lot grading and drainage be completed as a condition of approval.

The Ministry of Transportation has considered and reviewed this application in accordance with the requirements of the Provincial Highway Access Control policy. The application does not affect the highway system.

- Ministry permits will be available.
- Ministry building and land use and sign permits will be required.

The Haldimand-Norfolk Regional Health Department advised that they have no objection provided there is adequate area maintained within the lot to fully contain a Class 4 or 6 sewage disposal system.

**PLANNING STAFF COMMENTS:**

The Township of Norfolk Zoning By-Law would permit a home occupation which is defined as being an occupation, trade, business, profession or craft carried on as a secondary use provided that the person carrying on the activity resides in a dwelling located on the same lot and provided that the home occupation is carried on entirely within a building.

Section 6.8 of the By-Law states that no home occupations shall occupy more than 30 square metres (322.9 sq. ft.) of accessory buildings.

The purpose of a restriction on floor area is to control activities to a scale which would not have an adverse impact on sensitive residential uses. The standard maximum floor area applies the same to small urban residential lots as it would to a rural residential lot which could be larger or more isolated. It is therefore considered reasonable to consider the merits of proposed variances based on location and individual circumstances. In this case the subject property is just under 1 acre in size with residential lots existing to the north and south. The primary concern with the proposal would be the potential for conflict due to noise, dust or other emissions. It would be expected that any such potential effects inherent to the cabinet making activity would exist in any case and would not necessarily increase proportional to building size.



It is suggested that with the following conditions the proposed variances would be consistent with the general intent and purpose of the Zoning By-Law and an appropriate development for the site.

- a) That there be no openings in either the north or south wall of the proposed shop
- b) That the shop be located at least 36 m. from the street line
- c) That there be no one employed other than the owner.

**Jim McIntosh**  
**Planner**

THE CORPORATION OF THE TOWNSHIP OF NORFOLK  
COMMITTEE OF ADJUSTMENT

NOTICE OF HEARING

FILE NO. A-22/96-N

TAKE NOTICE THAT A PUBLIC MEETING WILL BE HELD OF THE COMMITTEE OF ADJUSTMENT FOR THE TOWNSHIP OF NORFOLK:  
Wednesday, December 11, 1996  
at 9 o'clock in the forenoon  
in the Township of Norfolk Municipal Building  
Langton, Ontario.

TO CONSIDER THE APPLICATION OF:

**APPLICANTS:**

Paul Frederick & Marilyn Rose Ann Erhardt  
R.R. #1  
Delhi, ON  
N4B 2W4

**AGENT:**

Joe & Carol Faria  
267 College Street  
Waterford, ON  
N0E 1Y0

For lands consisting of Part of Lot 40, Concession 1, N.T.R., Township of Norfolk (Middleton).

The applicants are requesting relief of 1177 sq. ft. from the maximum 323 sq. ft. floor area for home occupation to permit a cabinet making workshop.

Since you are a property owner within 60 metres of the above, you have the opportunity to express an opinion for or against the application at the hearing or in writing before the above-noted meeting date. Please respond to:

COMMITTEE OF ADJUSTMENT, BOX 128, LANGTON, ONTARIO, N0E 1G0.

Additional information regarding the application is available to the public for inspection at the Township of Norfolk, Box 128, 22 Albert Street, Langton, Ontario, N0E 1G0 during normal working hours Monday to Friday (8:30 - 4:30).

If a person or public body that files an appeal of a Decision of the Township of Norfolk Committee of Adjustment in respect of the proposed consent does not make written submission to the Township of Norfolk Committee of Adjustment before it gives or refuses to give provisional consent, the Ontario Municipal Board may dismiss the appeal.

The lands subject to this application are also the subject of an application to \_\_\_\_\_

If you wish to be notified of the Decision of the Township of Norfolk Committee of Adjustment in respect to the proposed consent, you must make a written request to Vera Fish, Secretary-Treasurer, Township of Norfolk, Committee of Adjustment, P.O. Box 128, 22 Albert Street, Langton, Ontario, N0E 1G0.

DATED AT LANGTON, in the Township of Norfolk in the Regional Municipality of Haldimand-Norfolk this 26th day of November, 1996.



Phone: (519) 875-4485  
Fax: (519) 875-4789

Vera Fish,  
Secretary-Treasurer,  
Committee of Adjustment,  
Township of Norfolk.

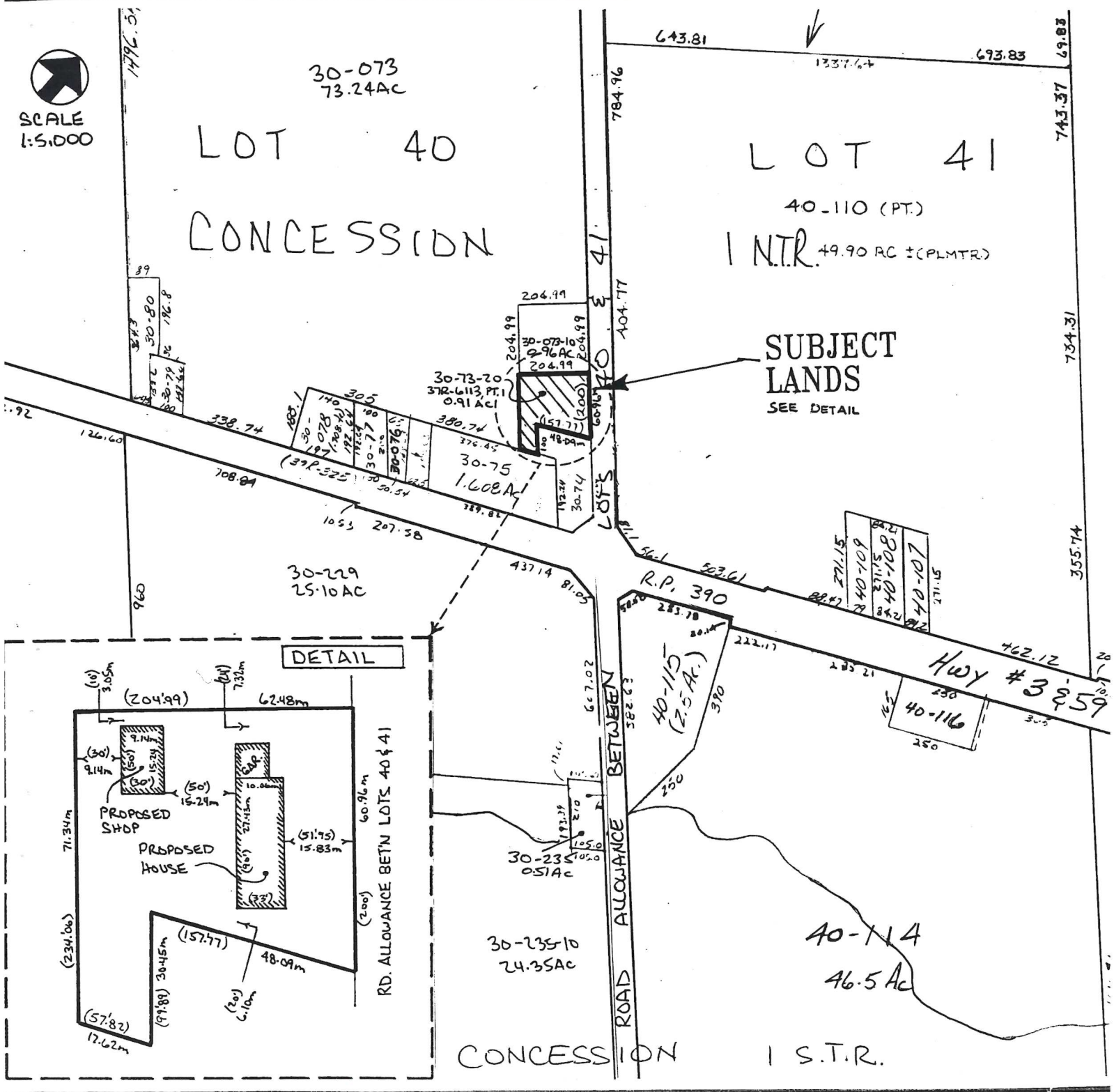
\*A copy of the Committee's decision must be requested in writing

\*\*If the applicant and/or agent are not present at the hearing Committee may defer their decision

LOCATION OF LANDS AFFECTED BY APPLICATION A-22/96-N

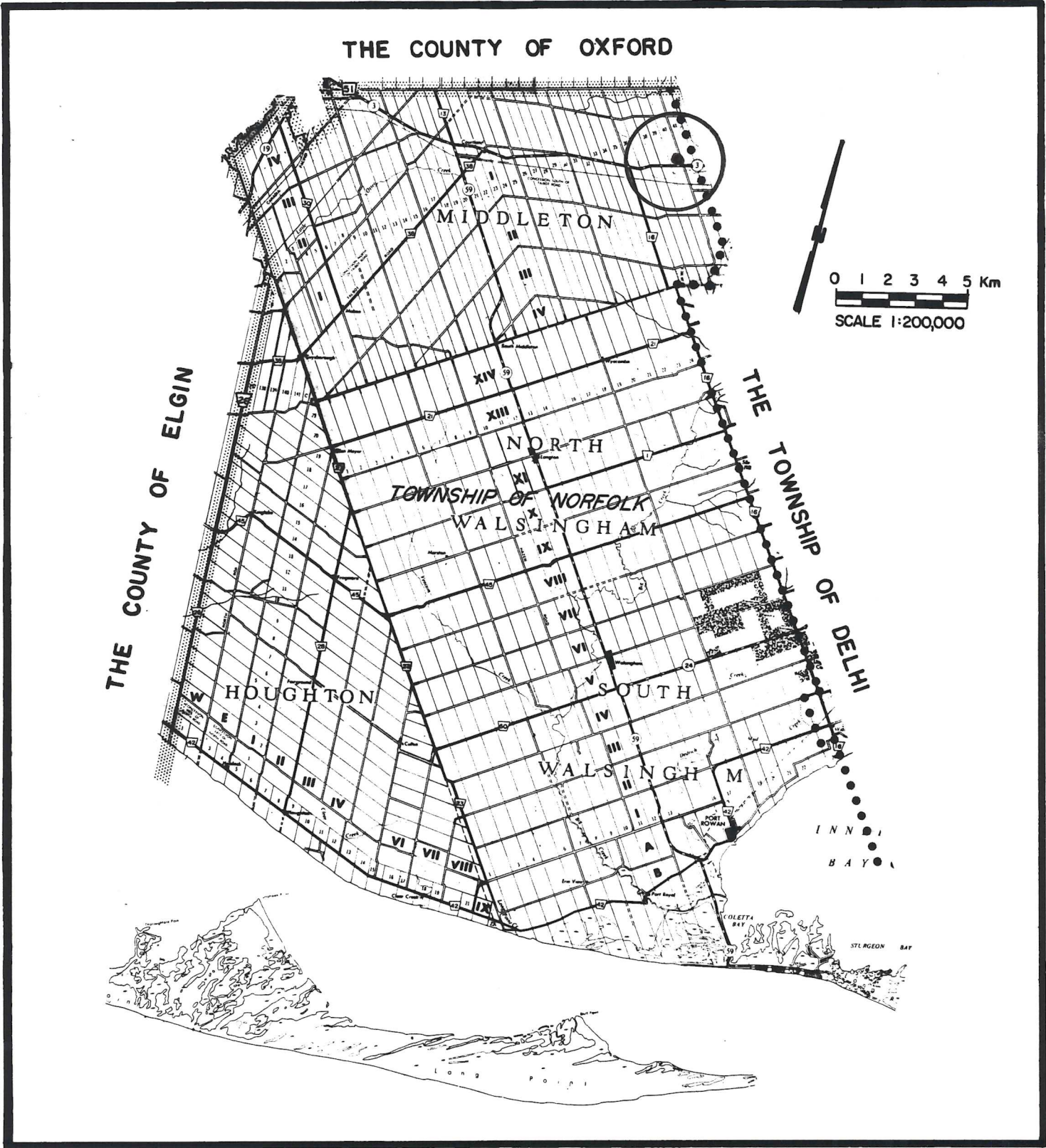
FORMER MUNICIPALITY: MIDDLETON

SCALE  
1:5,000



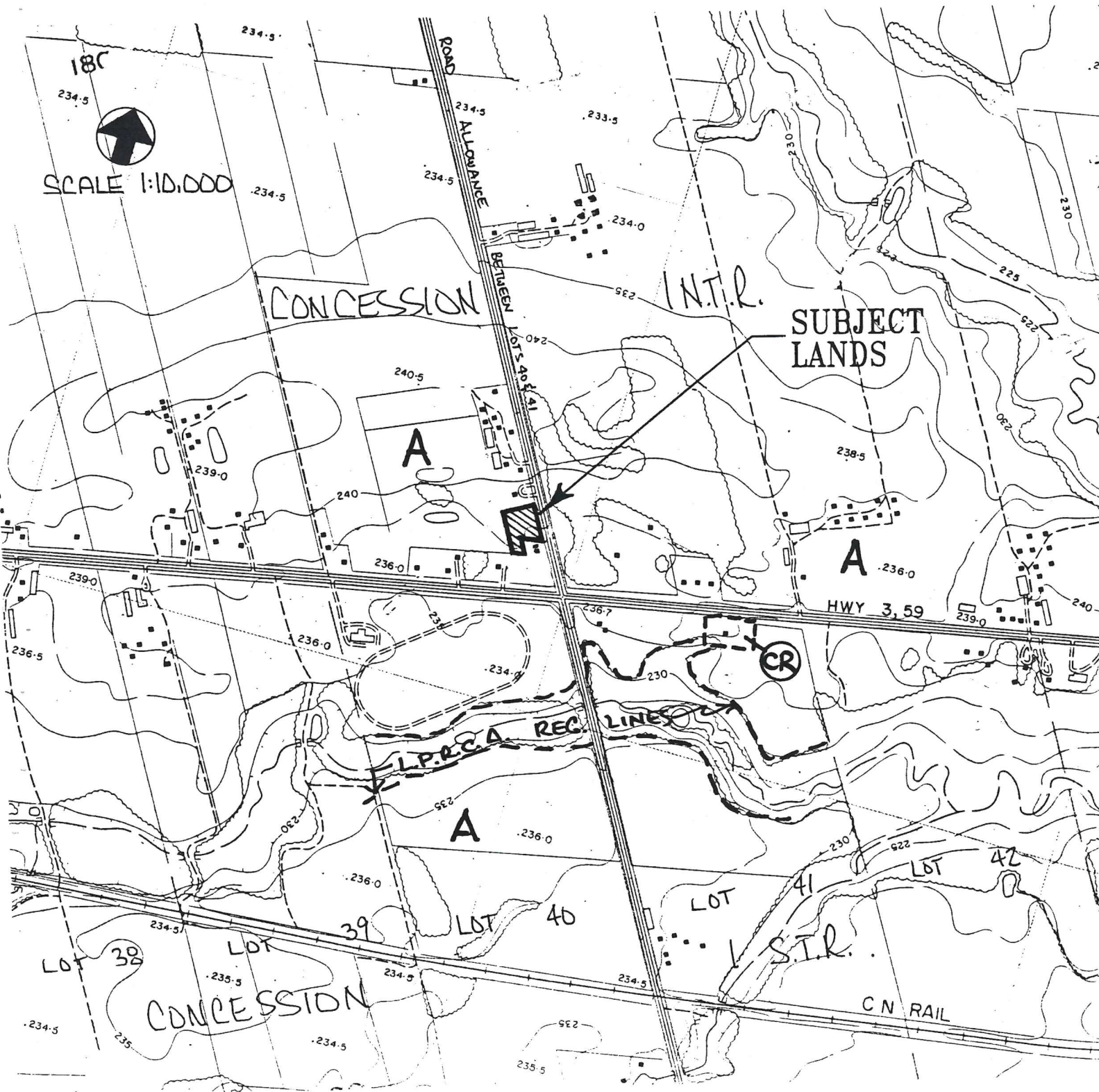






MAP Nº 2 TO FILE NUMBER A-22/96-N

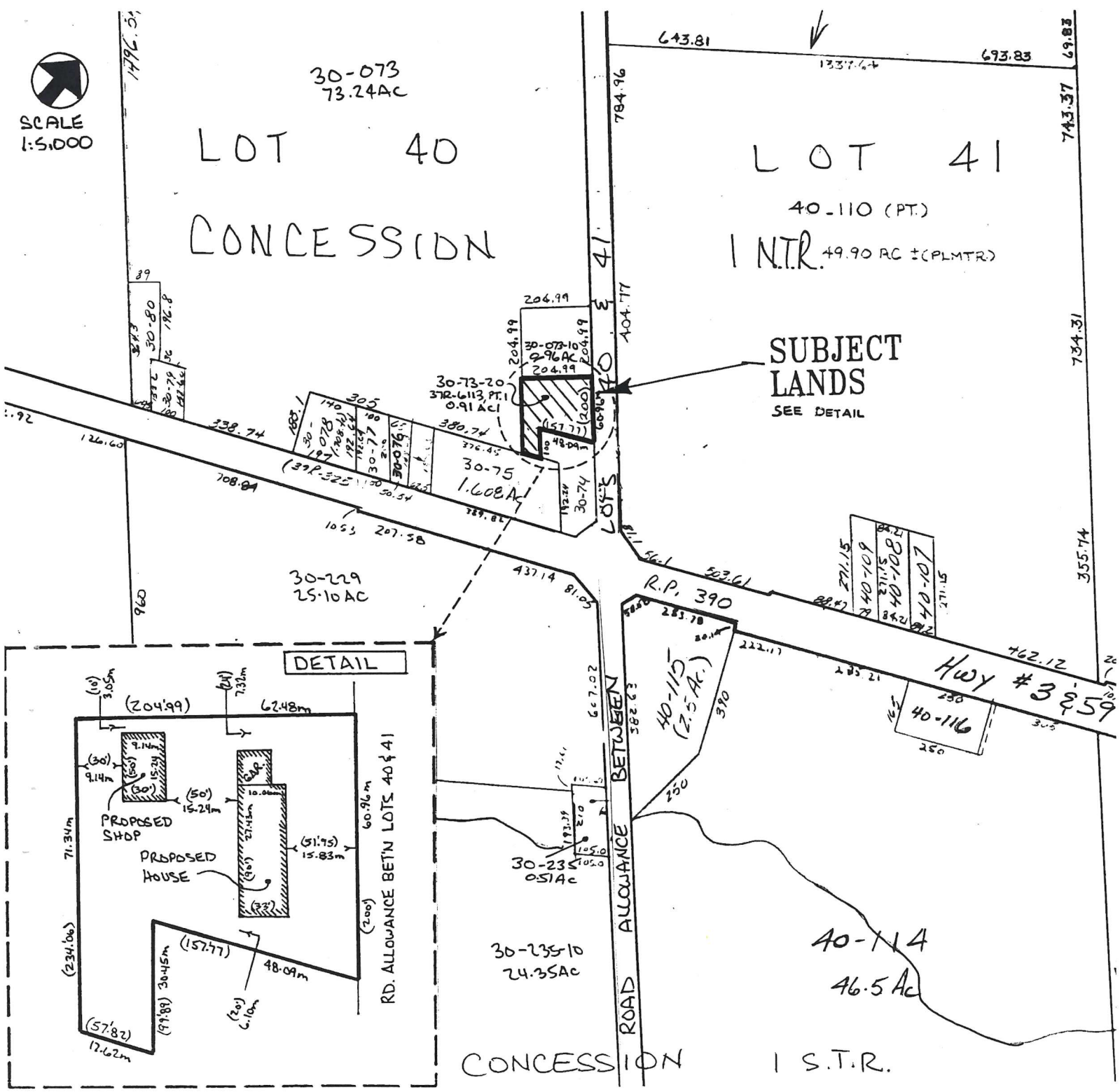
FORMER MUNICIPALITY: MIDDLETON





MAP N° 3 TO FILE NUMBER A-22/96-N

FORMER MUNICIPALITY: MIDDLETON



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Property Number 010.030.07320

**COMMITTEE OF ADJUSTMENT  
THE CORPORATION OF THE TOWNSHIP OF NORFOLK**

**DECISION OF COMMITTEE**

**DATE OF MEETING:** December 11, 1996

**FILE NO.:** A-22/96-N

**APPLICANT:** Paul Frederick & Marilyn Rose Ann Erhardt  
R.R. #1  
Delhi, ON  
N4B 2W4

**PROPERTY:** Part of Lot 40, Concession 1, N.T.R., Township of Norfolk (Middleton).

**DECISION:** APPROVES

**RELIEF OF:** The applicants are requesting relief of 1177 sq. ft. from the maximum 323 sq. ft. floor area for home occupation to permit a cabinet making workshop.

**REASON:** The application is considered minor in nature and within the general intent of the Norfolk District Plan and Zoning By-Law and considered an appropriate development for the site.

**CONDITIONS:**

- a) That there be no openings in either the north or south wall of the proposed shop
- b) That the shop be located at least 36 m. from the street line
- c) That there be no one employed other than the owner.
- d) A lot grading and drainage plan to the satisfaction of the Township of Norfolk.

Lance J. Maray

Hector Verhoeve

Keith Woolley

B. L. Magnus  
Members

John Dean  
Chairman

**CERTIFICATION**

I hereby certify this to be a true copy of the Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application at a meeting duly held on December 11, 1996.

Veronica Fish  
Secretary-Treasurer

**NOTICE OF LAST DAY FOR APPEAL TO THE MUNICIPAL BOARD**

The Planning Act, Section 45(12) - The applicant, the Minister or any other person who has an interest in the matter may within twenty days of the decision date, appeal to the Ontario Municipal Board, against the decision of the Committee by filing with the Secretary-Treasurer, notice of Appeal with reasons, accompanied by appeal fee (\$125.00) payable to the Minister of Finance on or before the following date:

December 31, 1996