



## COMMENT REQUEST FORM

**FILE NO.: AN-006/2010**

**ROLL NO.: 3310-337-060-06200**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Building Department  | <input checked="" type="checkbox"/> GIS Section     |
| <input checked="" type="checkbox"/> Building Inspector (Sewage System Review)  | <input checked="" type="checkbox"/> Norfolk Power   |
| <input checked="" type="checkbox"/> Forestry Division  | <input type="checkbox"/> Ministry of Transportation |
| <input checked="" type="checkbox"/> Treasury Department  | <input type="checkbox"/> Railway                    |
| <input checked="" type="checkbox"/> Public Works ➤ NOTE: If an agreement is required please attach the clauses you require in the agreement. | <input type="checkbox"/> Conservation Authority     |

This Committee has received a consent/minor variance application concerning land within your jurisdiction. The proposal is explained on the attached application. If you require further information, please feel free to contact this office. In order to properly consider this application, the **Committee of Adjustment** requires your comments by:

# JANUARY 4<sup>th</sup>, 2010

**APPLICANT:**

Wayne Baker, 75 Lynn Valley Rd Simcoe, ON N3Y 4K1

**LOCATION:**

Pt Lot 8, Pt Lot 2, Concession Broken Front, Plan 125 WDH (512 Ryerse Blvd)

**PROPOSAL:**

RECONSTRUCTION OF A COTTAGE REQUIRING RELIEF OF:

- 2.76 m. (9.06 ft.) from the required lot frontage of 18 m. (59.06 ft.) to permit a lot frontage of 15.24 m. (50 ft.);
- 3.21 m. (10.53 ft.) from the required front yard setback of 9 m. (29.53 ft.) to permit a front yard setback of 5.79 m. (19 ft.);
- Relief of Section 3.13 as there is not frontage on an open and maintained street.

**PLEASE REPLY BY EMAIL DIRECTLY TO:**

**SCOTT PECK, SENIOR PLANNER, MCIP, RPP**

Norfolk County, 22 Albert Street, Langton, ON N0E 1G0  
(519) 875-4485 ext 1234

**EMAIL: [t.scott.peck@norfolkcounty.ca](mailto:t.scott.peck@norfolkcounty.ca)**

**COMMITTEE OF ADJUSTMENT DECISION:**

If you wish to be notified of the Decision of Norfolk County, Committee of Adjustment in respect of the proposed consent, you must make a written request to:

Karen Judd, ACST, Secretary-Treasurer  
P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0  
Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789  
[karen.judd@norfolkcounty.ca](mailto:karen.judd@norfolkcounty.ca)

**APPEALS TO THE ONTARIO MUNICIPAL BOARD:**

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

**CIRCULATION DATE: December 14<sup>th</sup>, 2009**

## MINOR VARIANCE

### Office Use:

File Number:

AN-006/2010

Related File:

Fees Submitted:

Application Submitted:

Sign Issued:

Complete Application:

Dec 2, 2009Dec 3, 2009Dec 2, 2009Dec 3, 20091182

This development application must be typed or printed in ink and completed in full. An incomplete or improperly prepared application may not be accepted and could result in processing delays.

Property assessment roll number: **3310- 337-060-062-00-0000**

The undersigned hereby applies to the Committee of Adjustment under Section 45 of the Planning Act, R.S.O. 1990, c. P. 13, for relief as described in this application from by-law no. NW1-2000

### A. APPLICANT INFORMATION

Name of Applicant <sup>1</sup>Wayne Baker

Phone #

519-426-6756

Address

75 Lynn Valley Rd

Fax #

Town / Postal Code

Simcoe N3Y 4K1

E-mail

juway@execulink.com

<sup>1</sup> If the applicant is a numbered company provide the name of a principal of the company.

Name of Agent

Phone #

Address

Fax #

Town / Postal Code

E-mail

Name of Owner <sup>2</sup>Wayne Baker

Phone #

519-426-6756

Address

75 Lynn Valley Rd

Fax #

Town / Postal Code

Simcoe N3Y 4K1

E-mail

juway@execulink.com

<sup>2</sup> 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.

Please specify to whom all communications should be sent <sup>3</sup>:



Applicant



Agent



Owner

<sup>3</sup> Unless otherwise directed, all correspondence, notices, etc., in respect of this development application will be forwarded to the Applicant noted above, except where an Agent is employed, then such will be forwarded to the Applicant and Agent.

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

## MINOR VARIANCE

### B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Woodhouse</u>	Urban Area or Hamlet	<u>Port Ryerse</u>
Concession Number	<u>Broken Front</u>	Lot Number(s)	<u>8</u>
Registered Plan Number	<u>125</u>	Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	<u>2</u>
Frontage (metres/feet)	<u>(50') 15.24m</u>	Depth (metres/feet)	<u>72.2m (237')</u>
Width (metres/feet)	<u>(50') 15.24m</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>1,100m<sup>2</sup> (11,850 ft<sup>2</sup>) (0.27 Ac) 0.11 ha</u>
Municipal Civic Address	<u>512 Ryerse Blvd Unit 00000</u>		

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

☐ Yes ☒ No

If yes, describe the easement or covenant and its effect:

### C. PURPOSE OF DEVELOPMENT APPLICATION

Please explain what you propose to do on the subject lands/premises which makes this development application necessary (if additional space is required, please attach a separate sheet):

see attached & attach to  
planner's report

Please explain the nature and extent of the amendment requested (assistance is available):

Relief of: (to permit replace of a cottage)

- ① 2.76m (9.06') from required lot frontage of 18m (59.06') to permit lot frontage of 15.24m (50').
- ② 3.21m (10.53') from required front yard setback of 9m (29.53') to permit front yard setback of 5.79m (19').
- ③ Relief from section 3.13 as there is no frontage on an open and maintained street.

### **C. Purpose of Development Application**

The purpose of this development application is to maintain the long-standing and present use of the property, that is, as a vacation property. This application results from the need for minor variances. The need for a minor variance arose when the LPRCA required a significantly increased TOB setback: it changed from the existing 10m to a recommended 20m.

The amendments that are requested:

1. To locate the proposed cottage with a 3m setback from the lane, instead of the required 9m
2. That the proposed cottage be a storey-and-a-half structure, thereby increasing the volume of the original cottage

The increased setback requirement by the LPRCA doesn't leave sufficient room for the proposed cottage. Complying with the existing provision of the zoning by-law would result in the proposed cottage being about 3m long.

## MINOR VARIANCE

Please explain why it is not possible to comply with the provision of the zoning by-law:

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### D. PROPERTY INFORMATION

Present official plan designation(s): Hamlet & Hazard Land

Present zoning: RV & Hazard Land

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:

There are no existing buildings. The garage was removed in December 08 due to its dilapidated, and potentially hazardous, condition. The cottage was removed upon the direction of the Norfolk County Building Department.

If known, the date existing buildings or structures were constructed on the subject lands:  
The buildings had been built in 1946.

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.

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## MINOR VARIANCE

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:

Cottage - 30' x 30' - 1½ storey - Top-of-Bank setback of 20m -  
West setback 14' - East setback 6' - Front setback 9.84'

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

Spring 2010

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:

The date the subject lands was acquired by the current owner:

July 1980

Present use of the subject lands:

Cottage - vacation

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

63 years

Existing use of abutting properties:

Cottage - vacation

## E. PREVIOUS USE OF THE PROPERTY

Has there been an industrial or commercial use on the subject lands or adjacent lands?

☐ Yes ☐ No ☒ Unknown

If yes, specify the uses:

Has the grading of the subject lands been changed through excavation or the addition of earth or other material?

☐ Yes ☐ No ☒ Unknown

not by present owner

## MINOR VARIANCE

Has a gas station been located on the subject lands or adjacent lands at any time?

☐ Yes

☒ No

☐ Unknown

Has there been petroleum or other fuel stored on the subject lands or adjacent lands at any time?

☐ Yes

☐ No

☒ Unknown

*not on the subject lands*

Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites?

☐ Yes

☒ No

☐ Unknown

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

*Knowledge of subject and adjacent lands over past 29 years. Conversations with neighbours who have lived in Port Ryerse since early 1960s.*

If you answered yes to any of the above questions, 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

## F. STATUS OF OTHER PLANNING DEVELOPMENT APPLICATIONS

Has the subject land or land within 120 metres of it been or is now the subject of an application under the Planning Act, R.S.O. 1990, c. P. 13 for:

- (a) a minor variance or a consent;
- (b) an amendment to an official plan, a zoning by-law or a Minister's zoning order; or
- (c) approval of a plan of subdivision or a site plan?

☒ Yes

☐ No

☐ Unknown

If yes, indicate the following information about **each** application:

File number:

*ZN-046/2009*

Land it affects:

*Part Lot 2, Concession BF, Parts 2,3,4 Plan 37R3244, Part Lot 2, Concession BF, Part 1 Plan 37R2203*

Purpose:

*zoning change - Agricultural to Hamlet Residential*

Status/decision:

*Approved*

## MINOR VARIANCE

Effect on the requested amendment:

none

If additional space is required, please attach a separate sheet.

Is the above information for other planning developments applications attached?

☐ Yes

☒ No

## G. PROVINCIAL POLICY

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:

Are the subject lands within an area of land designated under any provincial plan or plans?

☐ Yes

☒ No

If yes, does the requested amendment conform to or does not conflict with the provincial plan or plans:

Are any of the following uses or features on the subject lands or within 500 metres (1,640 feet) of the subject lands, unless otherwise specified? Please check the appropriate boxes, if any apply.

### Use or Feature

Livestock facility or stockyard (if yes, complete Form 3 – available upon request)

Wooded area

Municipal landfill

Sewage treatment plant or waste stabilization plant

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

Floodplain

Rehabilitated mine site

Non-operating mine site within one kilometre

Active mine site within one kilometre

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

Active railway line

Seasonal wetness of lands

Erosion

Abandoned gas wells

### On the Subject Lands

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☒ Yes ☐ No

☐ Yes ☒ No

### Within 500 Metres (1,640 feet) of Subject Lands (Indicate Distance)

☐ Yes ☒ No \_\_\_\_ distance

☐ Yes ☐ No \_\_\_\_ distance

☐ Yes ☒ No \_\_\_\_ distance

☐ Yes ☒ No \_\_\_\_ distance

☐ Yes ☒ No \_\_\_\_ distance

☐ Yes ☒ No \_\_\_\_ distance

☐ Yes ☒ No \_\_\_\_ distance

☐ Yes ☒ No \_\_\_\_ distance

☐ Yes ☒ No \_\_\_\_ distance

☐ Yes ☒ No \_\_\_\_ distance

☐ Yes ☒ No \_\_\_\_ distance

☐ Yes ☒ No \_\_\_\_ distance

☒ Yes ☐ No \_\_\_\_ distance

☐ Yes ☒ No \_\_\_\_ distance



## MINOR VARIANCE

### H. SERVICING AND ACCESS

Indicate what services are available or proposed:

#### Water Supply

- ☐ Municipal piped water
- ☐ Communal wells
- ☒ Individual wells (*Sulphur high in water*)
- ☒ Other (describe below)

#### Sewage Treatment

- ☐ Municipal sewers
- ☐ Communal system
- ☒ Septic tank and tile bed
- ☐ Other (describe below)

#### Storm Drainage

- ☐ Storm sewers
- ☒ Open ditches
- ☒ Other (describe below)  
*drainage culvert*

If other, describe:

*fireman/delivery*

Have you consulted with Public Works & Environmental Services concerning stormwater management?

- ☐ Yes ☒ No

Has the existing drainage on the subject lands been altered?

- ☐ Yes ☒ No

Does a legal and adequate outlet for storm drainage exist?

- ☒ Yes ☐ No ☐ Unknown

Existing or proposed access to subject lands:

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

If other, describe:

Name of road/street:

*Ryerse Blvd.*

## MINOR VARIANCE

### I. OTHER INFORMATION

Is there a time limit that affects the processing of this development application?

☒ Yes ☐ No

If yes, describe:

*If building is to occur in Spring 2010, timely processing of this development application is important.*

Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

*(see attached x attach to Planner's Report)*

## I. Other Information

I am appealing to a sense of reasonableness on the behalf of the Committee of Adjustment, for the following reasons:

- \* there has been a cottage on my property for 63 years (29 years in my possession) - I want to continue that
- \* I wanted to refurbish/replace it because there was extensive water damage - it was not only an eyesore to my neighbours and a possible negative influence on their property values, but a potential hazard
- \* I have followed the direction of the Building Department throughout the process:
  - \* I conferred with the Long Point Region Conservation Authority - arranged an engineering report
  - \* I had several trees removed, as recommended by the engineer's report
  - \* **I was advised that there would be no problem in replacing the cottage...so I tore the old one down**
  - \* the footprint of the proposed cottage is smaller than that of the original cottage
  - \* a significantly increased setback requirement by the LPRCA created the need for a minor variance

If I had been directed to leave any portion of the existing cottage standing, I would have gladly done that...it would have saved me time, aggravation and money. But I wasn't, so now we have to deal with the situation at hand. I am asking for this Committee to arrive at a solution that reflects the sincerity of this application.



# Zoning Deficiency

Norfolk CityView Web

Roll Number 33-10-337-060-062-00-0000

IMPORTANT: THIS FORM IS NOT COMPLETE UNLESS IT IS ACCOMPANIED BY AN ATTACHED "LOT DIAGRAM PLAN" INDICATING ALL APPLICABLE SITE CONDITIONS.

## Property Information

Issue Date:

Owner	BAKER ROBERT WAYNE	Property Lot		Former Municipality	
		Block		Plan	
Civic Address	512 RYERSE BLVD Unit 00000	Part		Reference Plan	
Legal Description	CON BF PT LOT 2	Concession		Extension to a Non-conforming use?	
Zoning		Current Use of Property		Township	
By-law		Proposed Use of Property			

## Zoning Deficiency

### DEVELOPMENT STANDARDS

### Required (Meters/Feet)

### Proposed

### Deficiency

a) Lot Area	930.00	10,010.44	1,101.00	11,851.07	-171.00	-1,840.63
b) Lot Frontage	18.00	59.06	15.24	50.00	2.76	9.06
c) Front Yard Setback	9.00	29.53	5.79	19.00	0.00	3.21
d) Exterior Side Yard	0.00	0.00	0.00	0.00	0.00	0.00
e) Interior Side Yard (Rt)	0.00	0.00	0.00	0.00	0.00	0.00
f) Interior Side Yard (Lt)	0.00	0.00	0.00	0.00	0.00	0.00
g) Rear Yard	0.00	0.00	0.00	0.00	0.00	0.00
h) Dwelling Unit Area	0.00	0.00	0.00	0.00	0.00	0.00
i) % Lot Coverage					0.00	
j) Height of Building	0.00	0.00	0.00	0.00	0.00	
k) Accessory Building	0.00	0.00	0.00	0.00	0.00	0.00

Accessory Building Comments:

l) Parking	0.00	0.00	0.00	0.00	0.00	0.00
m) Other						

Other Clause:

Other Description:

WANTS TO ADD A 1/2 STOREY TO  
THE REPLACED BUILDING INCREASE  
VOLUME  
Revised December 8, 2009

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 in this regard is:

Name

Address

Revised

Proposed Cottage - <sup>Part of</sup> Lot 2 Concession  
(Wayne Baker) Broken Front  
Lot 8 Reg. Plan 125

File Number

AN-006/2010

Ryerson Blvd.

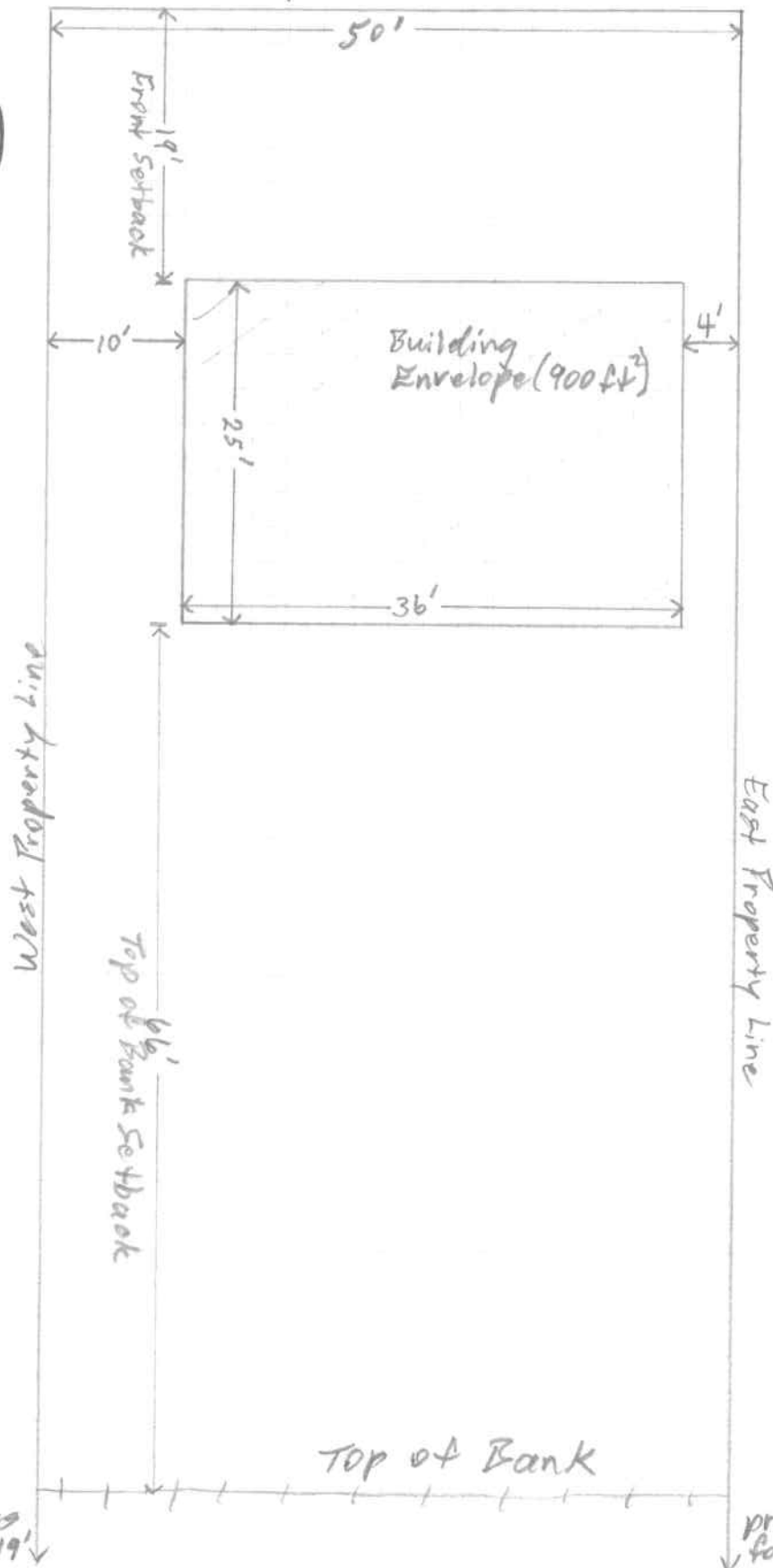
1 square = 2.5 ft

THE CORPORATION OF  
FOLK COUNTY

**RECEIVED**

DEC 07 2009

PLANNING DEPT.

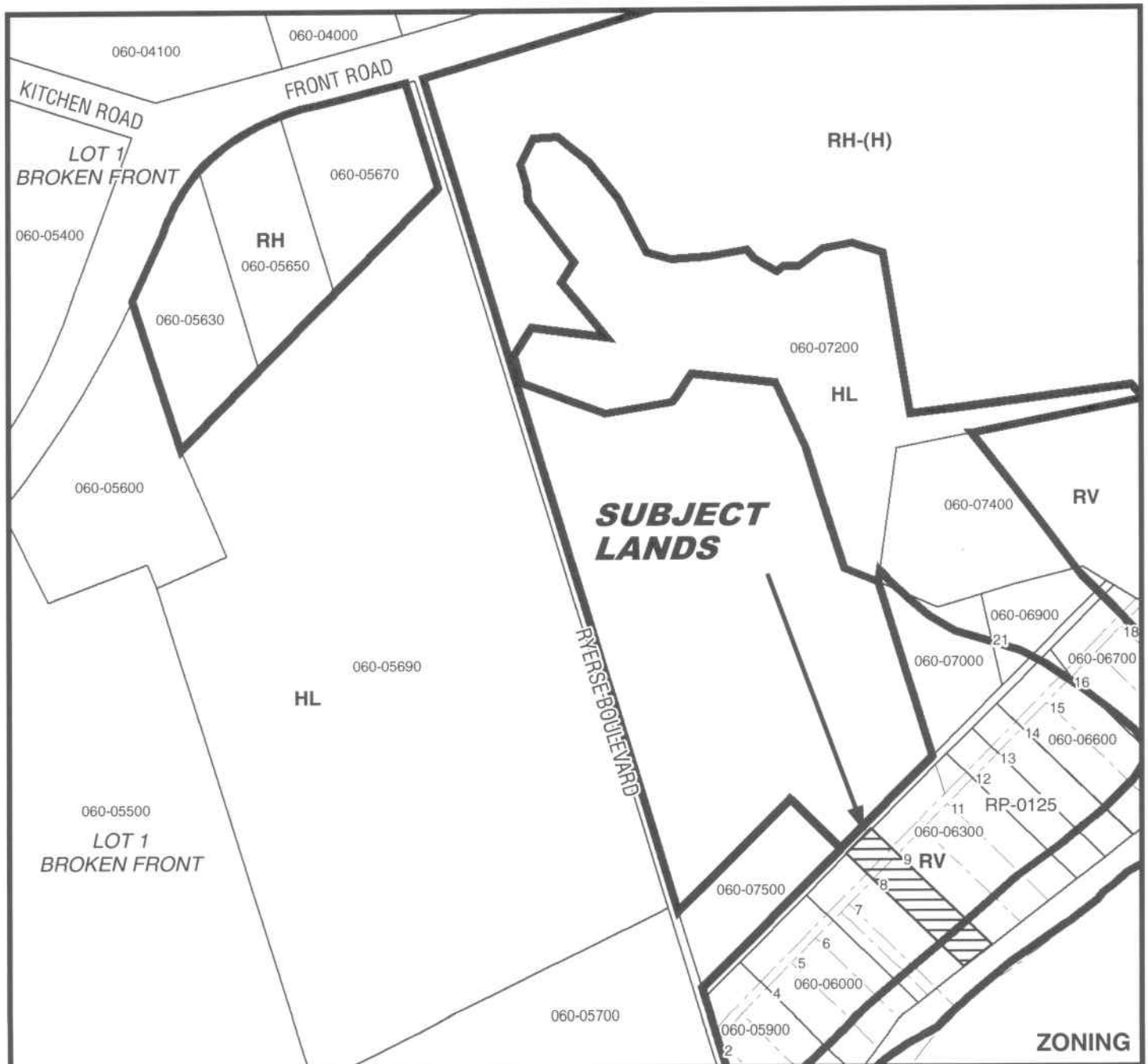
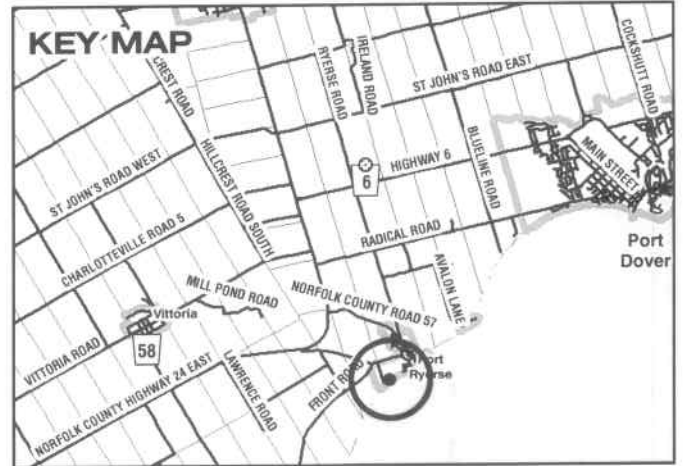
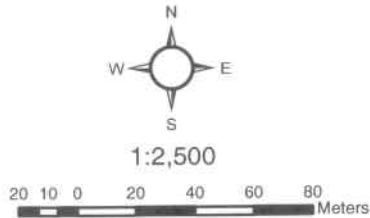


# MAP 1

File Number: AN-006/2010

Geographic Township of

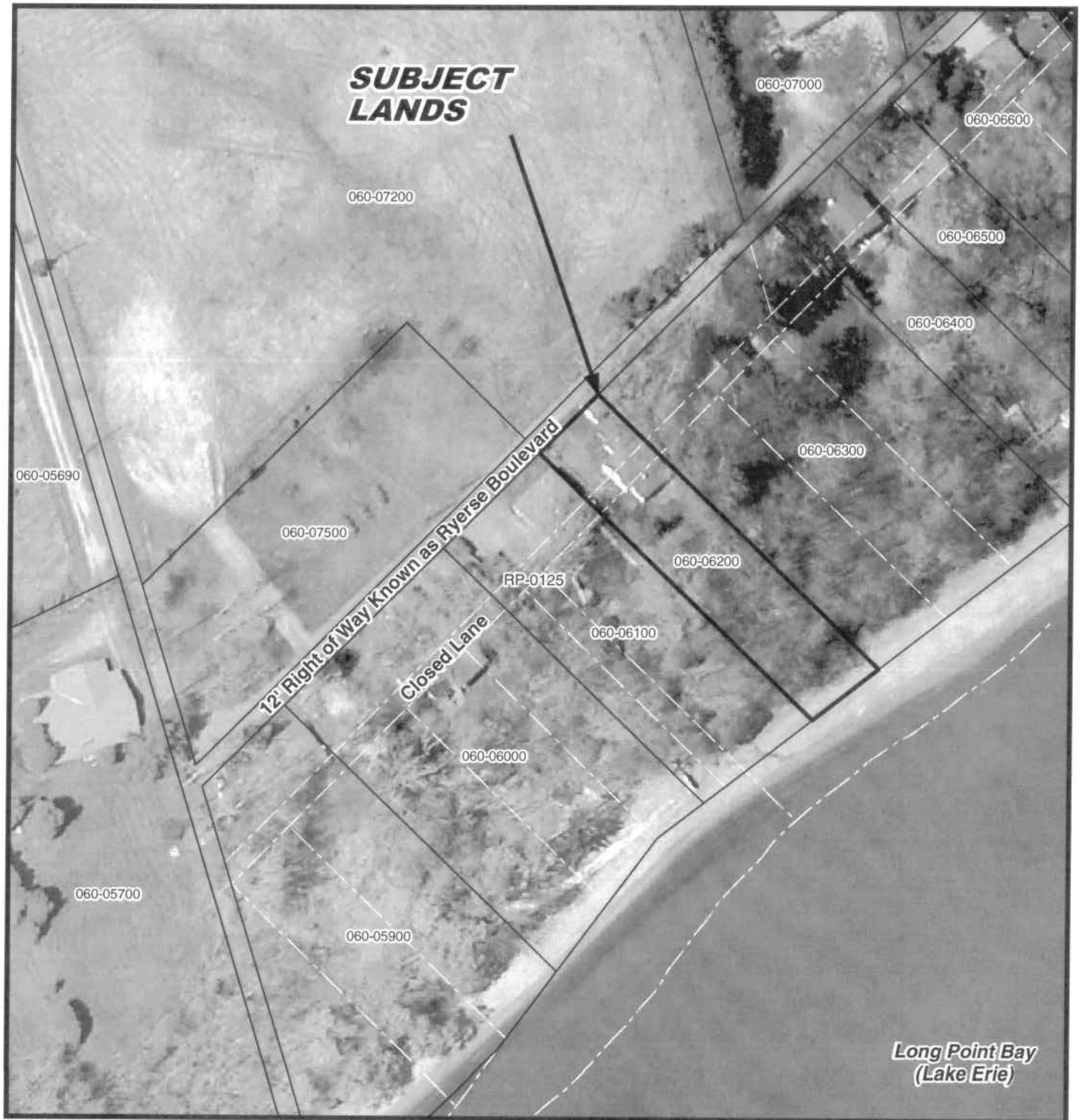
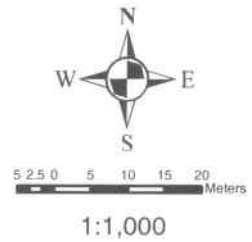
**WOODHOUSE**



## MAP 2

File Number: AN-006/2010

Geographic Township of WOODHOUSE



# MAP 3

File Number: AN-006/2010

Geographic Township of WOODHOUSE

