



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO.: AN-007/2010

ROLL NO.: 3310-401-009-24056

- ☒ Building Department
☒ Building Inspector (Sewage System Review)
☒ Forestry Division
☒ Treasury Department
☒ Public Works ➤ **NOTE:** If an agreement is required please attach the clauses you require in the agreement.

- ☒ GIS Section
☒ Norfolk Power
☐ Ministry of Transportation
☐ Railway
☐ 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 4th, 2010

APPLICANT:

Gordon & Suzanne Rae, 32 Angle Street Simcoe, ON N3Y 5G6

LOCATION:

Lot 19, Plan 1221 (32 Angle St.)

PROPOSAL:

RECOGNIZE DEFICIENCY IN FENCE HEIGHT REQUIRING RELIEF OF:
▪ Section 3.12 to allow fence 2.0 m high in exterior side yard.

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

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

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 14th, 2009

NOR VARIANCE**Office Use:**

File Number:

AN-007/2010

Related File:

Fees Submitted:

December 4, 2009

Application Submitted:

December 4, 2009

Sign Issued:

December 4, 2009

Complete Application:

December 4, 2009MR

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- 40100924056

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. 1-1999

A. APPLICANT INFORMATION

Name of Applicant¹ Gordon & Suzanne Rae Phone # 519-426-7039

Address 32 Angle Street Fax # _____

Town / Postal Code Simcoe, ON N3Y 5G6 E-mail gordon.rae@camtelcom.net

¹ If the applicant is a numbered company provide the name of a principal of the company.

suzanne.rae@camtelcom.net
gordon.rae@cpj.com

Name of Agent Same Phone # _____

Address _____ Fax # _____

Town / Postal Code _____ E-mail _____

Name of Owner² Same Phone # _____

Address _____ Fax # _____

Town / Postal Code _____ E-mail _____

² 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 sent³: ☒ Applicant ☐ Agent ☐ Owner

³ 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:

Royal Bank - Mortgage

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	Urban Area or Hamlet	<u>Simcoe</u>
Concession Number	Lot Number(s)	<u>Lot 19</u>
Registered Plan Number	Lot(s) or Block Number(s)	
Reference Plan Number	Part Number(s)	
Frontage (metres/feet)	Depth (metres/feet)	<u>(121.39 ft.) 37 m</u>
Width (metres/feet)	Lot area (m ² / ft ² or hectares/acres)	<u>(0.22 Ac) 0.09 ha</u>
Municipal Civic Address	<u>32 Angle Street, Simcoe, Ontario</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):

Provide privacy in Backyard from view of Yeager Avenue
and mailbox on Yeager ~~Street~~ ^{Avenue}. Backyard being used for
Family Leisure activities and adhere to Pool Bylaw for
existing above ground pool (requirement on 2 meter high fence)
 Please explain the nature and extent of the amendment requested (assistance is available):

- X
- 1) Relief of Section 3.12 to allow fence 2.0 m. high in exterior side yard
- 2) Relief of Section 5.1.2(d) exterior side yard ^{to permit} 0m setback rather than 6m minimum required w/ 2 Bc. For the fence to extend n(60ft) from the rear lot line along the exterior side lot line.
- m2

FOR VARIANCE

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

Fence (2 meter high), and Deck are existing within the setback area

D. PROPERTY INFORMATION

Present official plan designation(s):

Residential.

Present zoning:

Residential R1-A.

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:

House - to be retained - outside setback area

Pool - to be retained - outside setback area

Deck - to be retained - partly inside setback area

Fence - to be retained - partly inside setback area

Shed - to be retained - outside setback area

If known, the date existing buildings or structures were constructed on the subject lands:

House - 2005, Fence 2007, Pool 2007, Deck - 2008, Shed - 2008

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

N/A

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:

All structures are existing

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

N/A - all existing

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:

August 18, 2006

Present use of the subject lands:

Residential

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

44 years

Existing use of abutting properties:

Residential

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

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

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:

Unknown - not familiar with previous use prior to housing
development. know area was farming

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:

Land it affects:

Purpose:

Status/decision:

MINOR VARIANCE

Effect on the requested amendment:

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	On the Subject Lands		Within 500 Metres (1,640 feet) of Subject Lands (Indicate Distance)	
Livestock facility or stockyard (If yes, complete Form 3 – available upon request)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Wooded area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Municipal landfill	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Sewage treatment plant or waste stabilization plant	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Floodplain	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Rehabilitated mine site	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Non-operating mine site within one kilometre	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Active mine site within one kilometre	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Industrial or commercial use (specify the use(s))	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Active railway line	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Seasonal wetness of lands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Erosion	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance
Abandoned gas wells	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ distance

MINOR VARIANCE

H. SERVICING AND ACCESS

Indicate what services are available or proposed:

Water Supply

- ☒ Municipal piped water
- ☐ Communal wells
- ☐ Individual wells
- ☐ 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)

If other, describe:

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:

Yeager Avenue and Angk Street

MINOR VARIANCE

I. OTHER INFORMATION

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

☒ Yes ☐ No

If yes, describe:

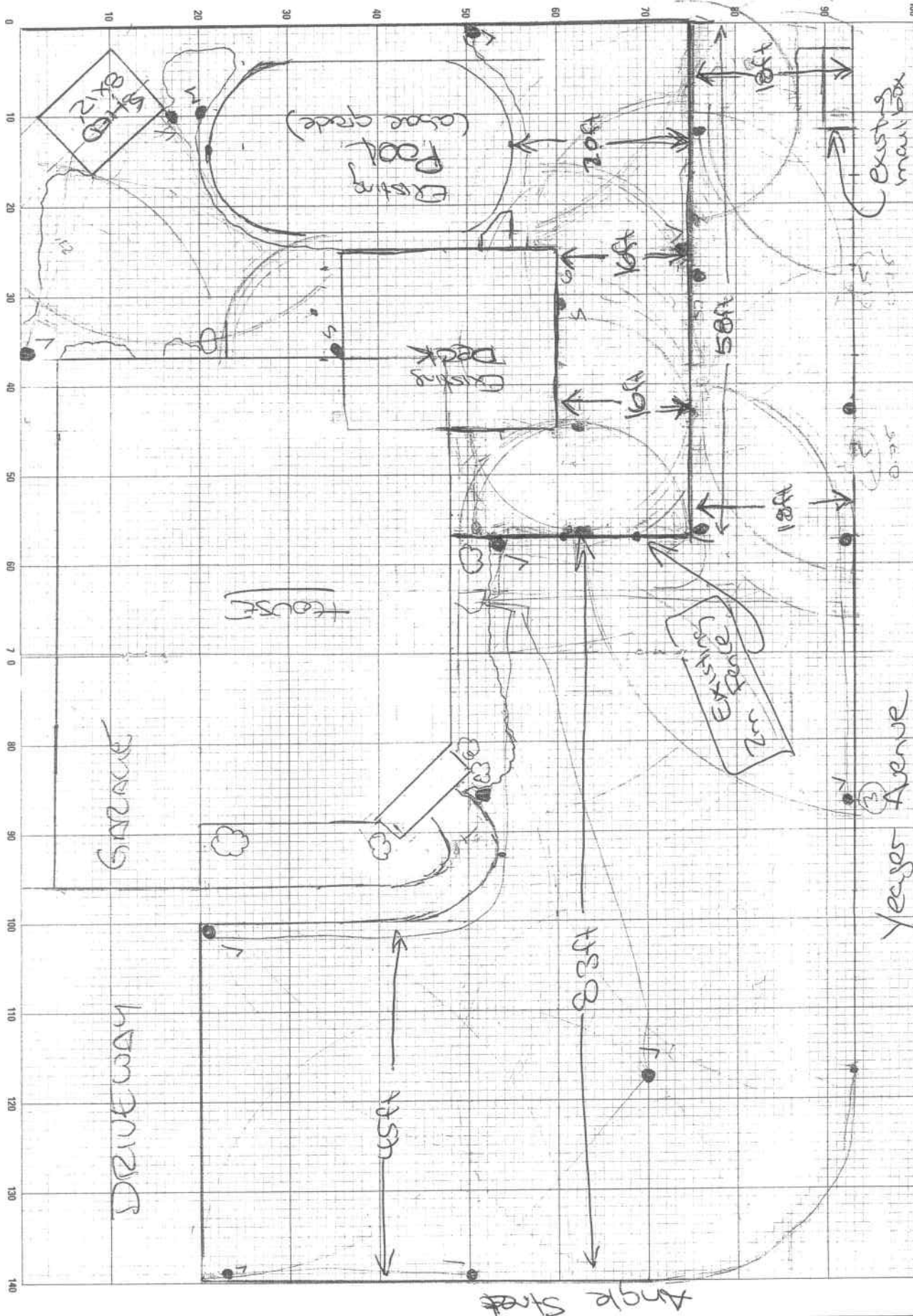
Putting House for sale due to company transfer. Applicant leaving since to move to North Bay on January 24, 2010. will delay purchase of new residence.

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.

I Requested clarification on Building and Bylaw requirements in late April 2007 for erection of fence. Described plan for fence and was informed that a height of 2 meters was acceptable to property line at rear half of existing house as long as it did not block traffic sight triangle. I was told at that time I did not need to bring a drawing of the proposed fence to the building or planning department. At the time of request, there was a minimum of 3 fences constructed to the side (roadway) property line at 2m height on corner lots in the same development. The fence was erected in May 2007. The pool permit was approved in mid June 2007. During site inspection, I was informed that fence did not meet setback bylaw, but was fine as it was, and the pool permit was approved. Final inspection of pool install was conducted at end of June 2007, and fence installation was approved.

The Deck was erected in May 2008. It was unknown to applicant that building permit was required, and setbacks to be adhered to for 'at grade decks', based on information obtained and interpreted from Norfolk web site.

Address



MAP 1

File Number: AN-007/2010

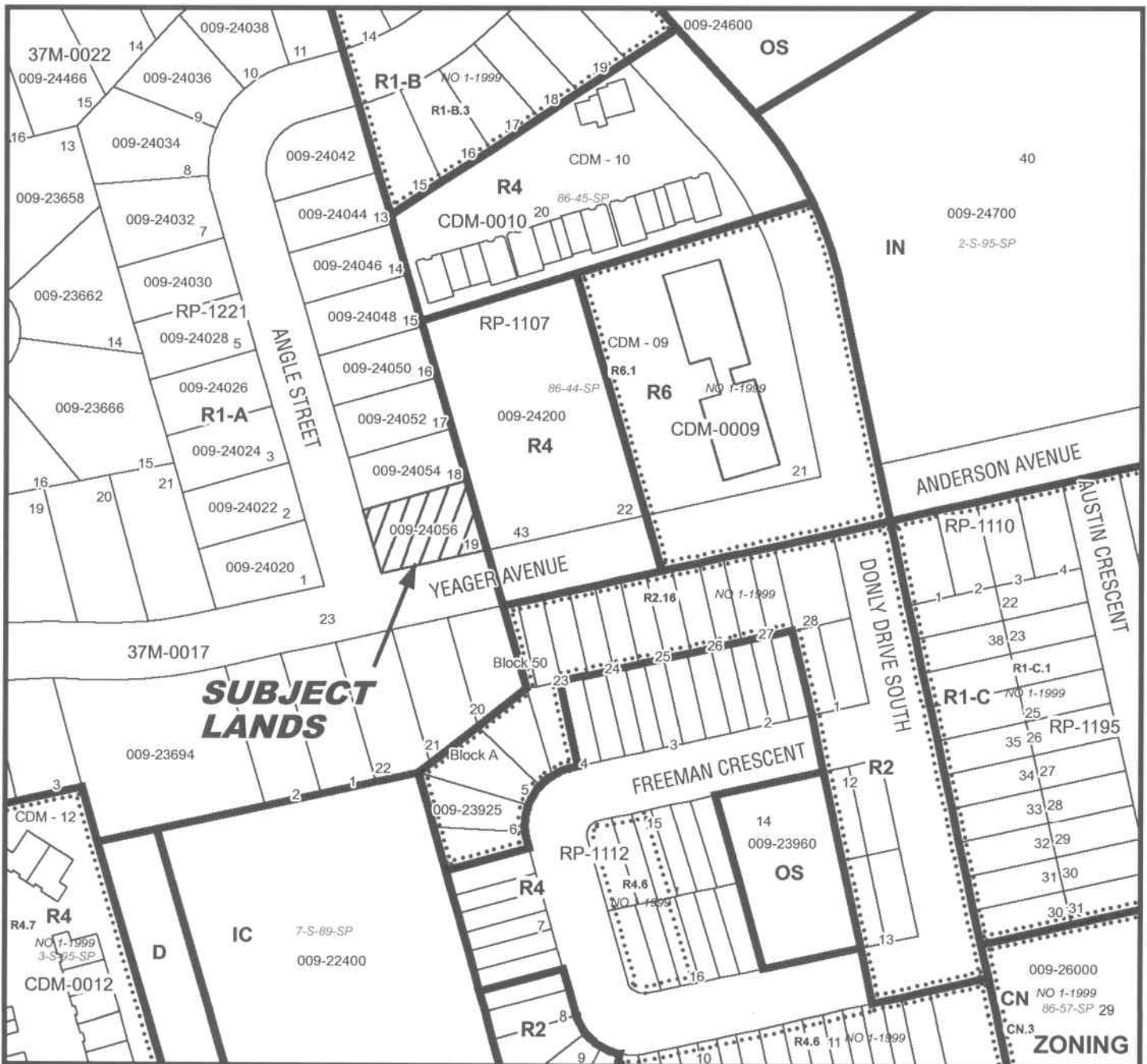
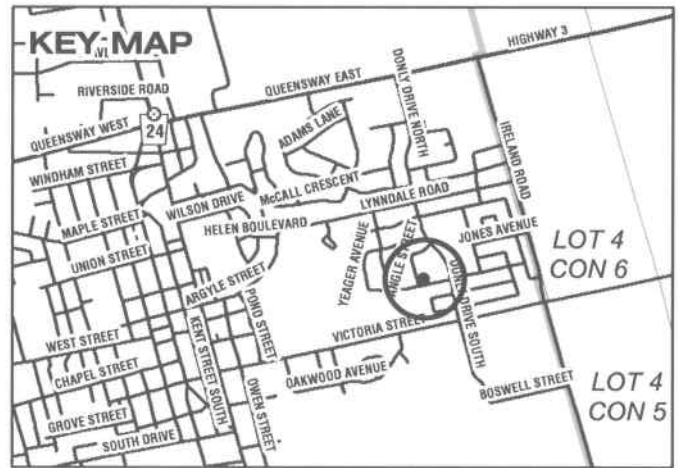
Urban Area of

SIMCOE



1:2,000

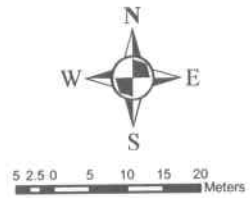
20 10 0 20 40 60 80 Meters



MAP 2

File Number: AN-007/2010

Urban Area of SIMCOE



1:1,000



MAP 3

File Number: AN-007/2010

Urban Area of SIMCOE

