



**THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT
COMMENT REQUEST FORM**

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 would appreciate your comments or recommendation before the date below:

February 7TH, 2007

FILE NO.: AN-012/2007

ASSESSMENT ROLL NO.: 3310-493-110-13000

APPLICANT:

Kevin and Carolynne Hall, 1 Coates Drive, Burford, ON N0E 1A0

AGENT:

Snodgrass Consulting, 125 West Street, Brantford, ON N3T 3G2

LOCATION:

Part Lots 143, 144, 145, 146, Plan 128 (Turkey Point)

PROPOSAL:

- Reduce/vary lot coverage to permit a replacement cottage of 93.64 m² (1008 ft²) plus deck of 39.39 m² (424 ft²) to equal 133.03 m² (1432 ft²) (34% lot coverage)
- Need for variance recently found by building department

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

- | |
|---|
| <input type="checkbox"/> Norfolk Power |
| <input type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> Railway |
| <input checked="" type="checkbox"/> Building Department |
| <input checked="" type="checkbox"/> GIS Section |

CIRCULATION DATE: January 24th, 2007

PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:

Lucy Hives

Norfolk County, 60 Colborne Street, South, Simcoe, ON N3Y 4N5

(519) 426-5870 ext 1234

FAX: (519) 428-3069 EMAIL: lucy.hives@norfolkcounty.on.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: Stephanie Godby, Acting Secretary-Treasurer, P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0 • Phone: (519) 875-4485 ext 235; Fax: (519) 875-4789; Email: stephanie.godby@norfolkcounty.on.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.

Property Assessment Roll Number:

33-10- 493 110 13000
(to be provided by applicant/agent)

Office Use

File No. AN-12/07
Date Submitted January 12/07
Date Received January 12/07
Sign Issued January 12/07



XF with 47-Z-2006
ZN-20/06

APPLICATION FOR A MINOR VARIANCE

The undersigned hereby applies to the Committee of Adjustment for Norfolk County under Section 45 of the Planning Act, for relief as described in this application from By-law No. 1- DE 80.

NOTE: This 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.

A. APPLICANT INFORMATION

1. Name of Owner KEVIN & CAROLYNNE HALL Phone No. 519-449-2401 (BUS)
Address 1 COATES DRIVE Fax No. _____
BRADFORD ONT Postal Code _____
N0E 1A0 E-mail _____
2. Agent (if any) SNODGRASS CONSULTING Phone No. 519-753-7242
Address 125 WEST ST Fax No. 519-756-3323
BRADFORD ONT Postal Code N3T 3G2
N3T 3G2 E-mail _____

Please specify to whom all communications be sent:

☒ Owner

☐ Agent

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

NONE

B. LOCATION/LEGAL DESCRIPTION OF PROPERTY

1. Geographic Township _____

Urban Area or Hamlet TURKEY POINT

Concession Number _____ Lot Number _____

Registered Plan Number 128 Lot(s)/Block(s) PT 143/144/145 & 146

Reference Plan Number _____ Part Number(s) _____

Civic Address _____

2. Dimensions of Land Affected:

Frontage: m. ft.

Depth: _____ m.

101.6 ft.

Width: _____ m.

44' ft.Area: _____ m².4444 ft².

3. Are there any easements or restrictive covenants affecting the property?

☒ Yes ☐ No

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

ACCESS LANE - SEE ATTACHED SKETCHES

C. PURPOSE OF APPLICATION

1. Please explain what you propose to do on the land/premises which makes this application necessary. (If additional space is required, please attach a separate sheet.)

BY-LAW NO. 47-7-2006 PASSED BY

COUNCIL DID NOT INCLUDE RELIEF FROM LOT

COVERAGE TO PERMIT ENLARGED COTTAGE

TO BE RECONSTRUCTED \Rightarrow THEREFORE VARIANCE

2. Nature and extent of relief applied for: (assistance is available)

APPLICATION IS BEING
SUBMITTED

• REDUCE/VARY LOT COVERAGE TO

TO PERMIT REPLACEMENT COTTAGE 1008^{sq} PLUS

DECK OF 424^{sq} EQUALS 1432^{sq} (34% LOT COV.)

• NEED FOR VARIANCE RECENTLY FOUND

BY BUILDING DEPARTMENT

3. Why is it not possible to comply with the provision of the by-law?

EXISTING LOT AREA AS RECOGNIZED

BY BY-LAW # 47-7-2006 PERMITS

LOT AREA AS IS.

D. PROPERTY, SERVICING AND ACCESS INFORMATION

1. LOCATION AND PARTICULARS of ALL building or structures EXISTING on the subject land. (Specify distance from side, rear and front lot lines, ground floor area, gross floor area, number of storeys, width, length, height, etc., in metres) (this must also be included on the attached sketch)

SEE ATTACHED PLANS

Date of Construction of all building and structures on the subject land: _____

2. LOCATION AND PARTICULARS of ALL buildings or structures PROPOSED on the subject land (Specify distance from side, rear and front lot lines, ground floor area, gross floor area, number of storeys, width, length, height, etc., in metres) (this must also be included on the attached sketch)

SEE ATTACHED PLANS

If an addition to an existing building is proposed, what will it be used for? (i.e., bedroom, kitchen, bathroom, etc.)

SEE PLANS - EXISTING REMOVED

& NEW CONSTRUCTION TO OCCUR

3. Date of acquisition of the subject land: 1999 +/-
4. Existing use of the subject property: COTTAGE
5. Length of time the existing uses of the subject property have continued: SEVERAL DECADES
6. Existing use of abutting properties: COTTAGES + BUSH

7. Servicing:

Indicate what services are available or proposed:

Water Supply

Piped Water ☒
 Individual Wells ☐
 Other (describe) ☐

Sewage Treatment

Sewers ☐
 Communal System ☐
 Septic Tank & Tile Bed ☒
 Other (describe) ☐

Storm Drainage*

Storm Sewers ☐
 Open Ditches ☒
 Other (describe) ☐

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

Yes ☒ No ☐

* Has the existing drainage on the subject land been altered?

Yes ☐ No ☒

* Does a legal and adequate outlet for storm drainage exist?

Yes ☐ No ☐ Unknown ☒

8. Existing or proposed access to the subject land:

☐ Unopened Road ☐ Municipal Road

☐ Provincial Highway ☒ Other (specify) EASEMENT

Name of Road/Street ELM

E. LAND USE

1. What is the existing Official Plan designation(s) of the subject land: HANGET - SEASONAL

2. What is the existing zoning of the subject land: L AS MODIFIED BY SITE

(if required, assistance is available for questions 1 and 2 above) PERFIC BY-LAW AMENDMENT

47-2-2006

F. STATUS OF OTHER PLANNING APPLICATIONS

1. Has the owner previously applied for relief in respect of the subject property?

Yes ☒ No ☐ If yes, record file number and briefly describe

ZONING AMDT

2. Is this property the subject of a current application for consent under Section 53 of the Planning Act, R.S.O., 1990, as amended?

Yes ☐ No ☒ If yes, File No. _____

3. Is this property part of a current application for a plan of subdivision under Section 51 of the Planning Act, R.S.O., 1990, as amended?

Yes ☐ No ☒ If yes, File No. _____

4. Is there any other application on this property that could affect this application?

Yes ☐ No ☒ If yes, describe

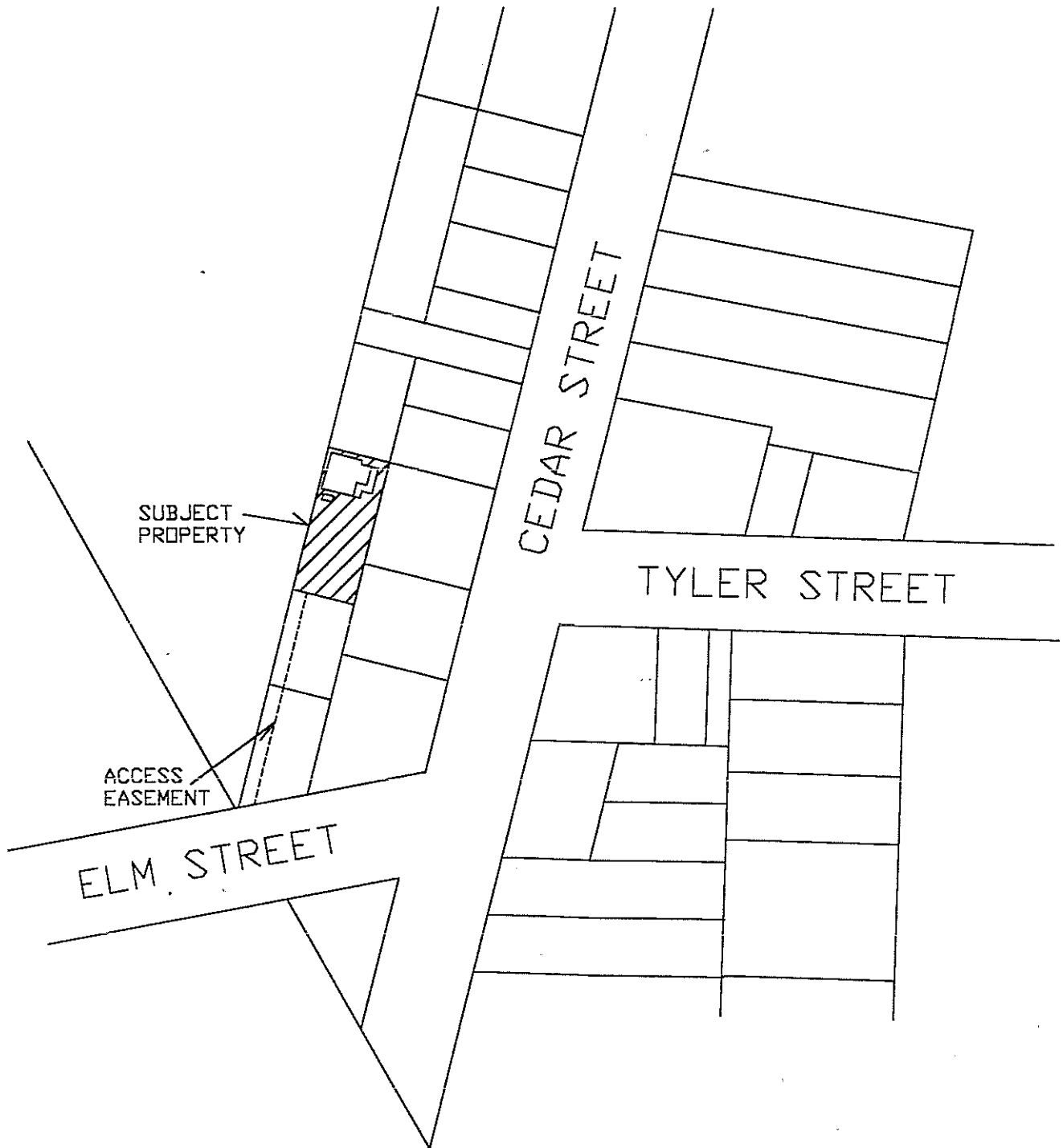
G. SUPPORTING MATERIAL TO BE SUBMITTED BY APPLICANT

In order for your application to be considered complete, a sketch drawn to scale must be included as part of this application which shows:

1. The boundaries and dimensions of the subject land.
2. The location, size, height and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and side yard lot lines.
3. The approximate location of all natural and artificial features on the subject land and adjacent lands including buildings, railways, roads, watercourses, drainage ditches, irrigation ponds, river or stream banks, wetlands, wooded areas, wells and septic tanks.
4. The current use(s) of adjacent lands.
5. The location, width and name of any roads within or abutting the subject land. Indicate whether the road is an unopened road allowance, a public travelled road, a private road or right-of-way.
6. if access to the subject land is by water only, the location of the parking and docking facilities to be used.
7. The location and nature of any restrictive covenant or easement affecting the subject land.

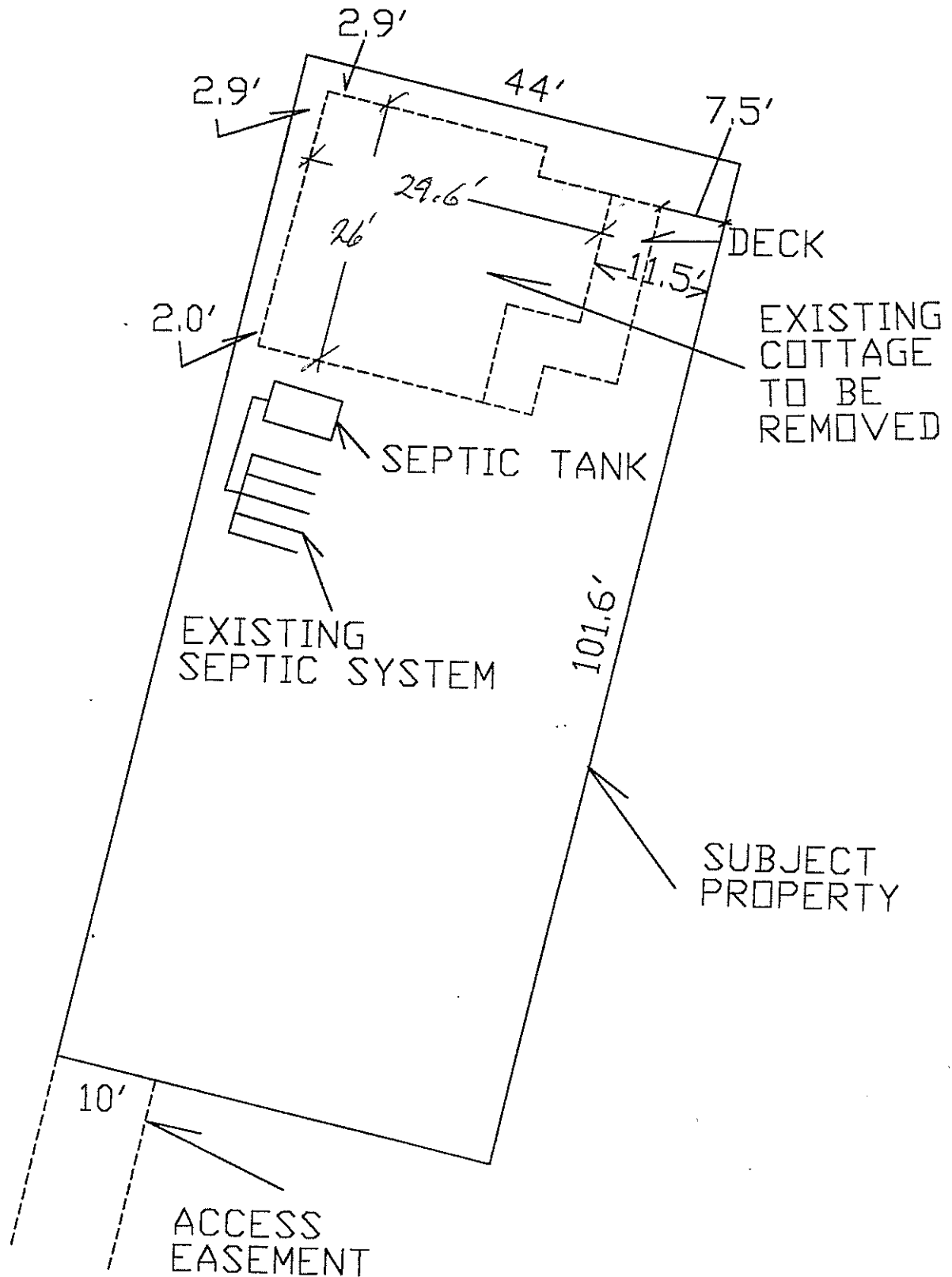
LOCATION MAP

IN TURKEY POINT



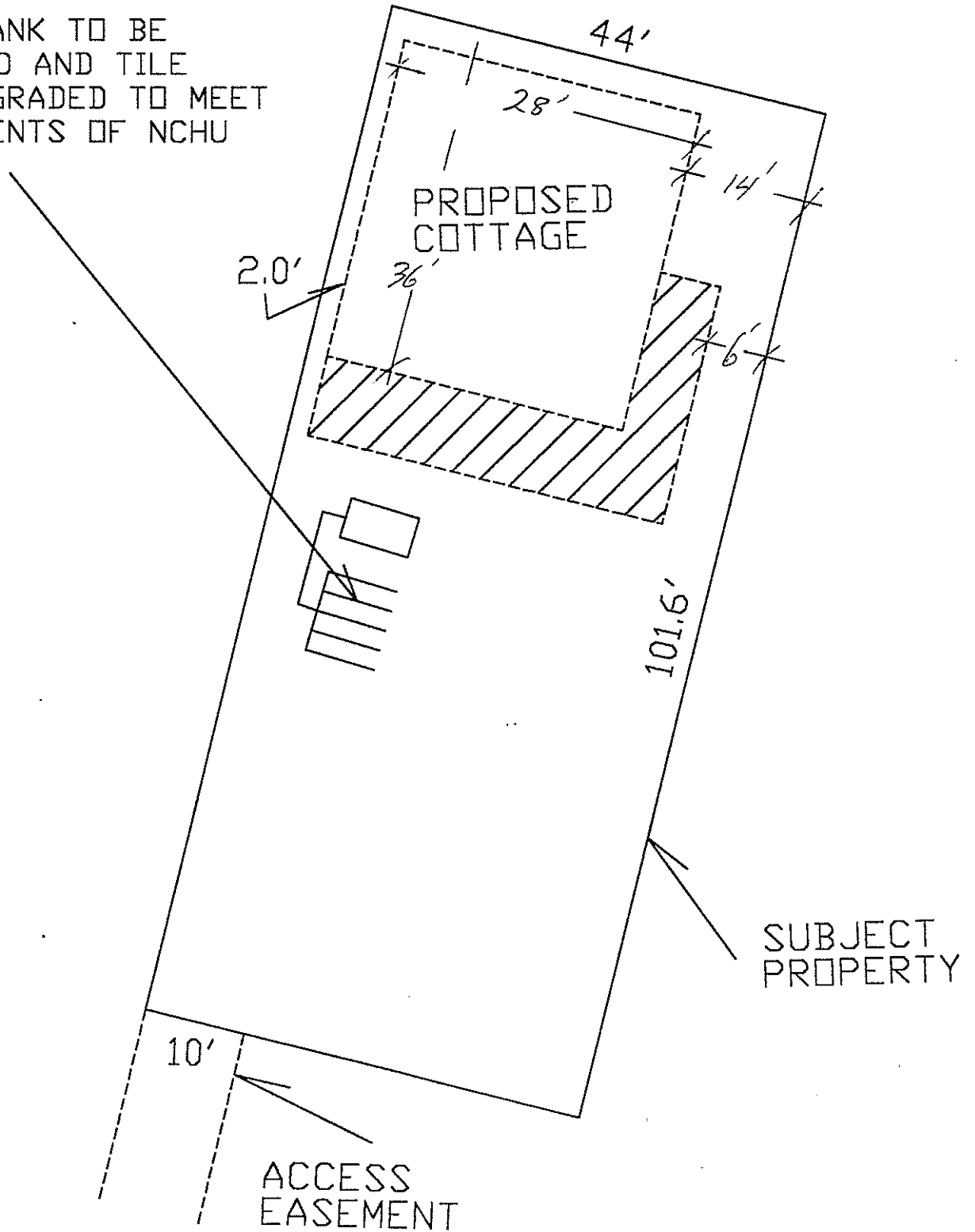
SITE MAP

EXISTING CONDITIONS

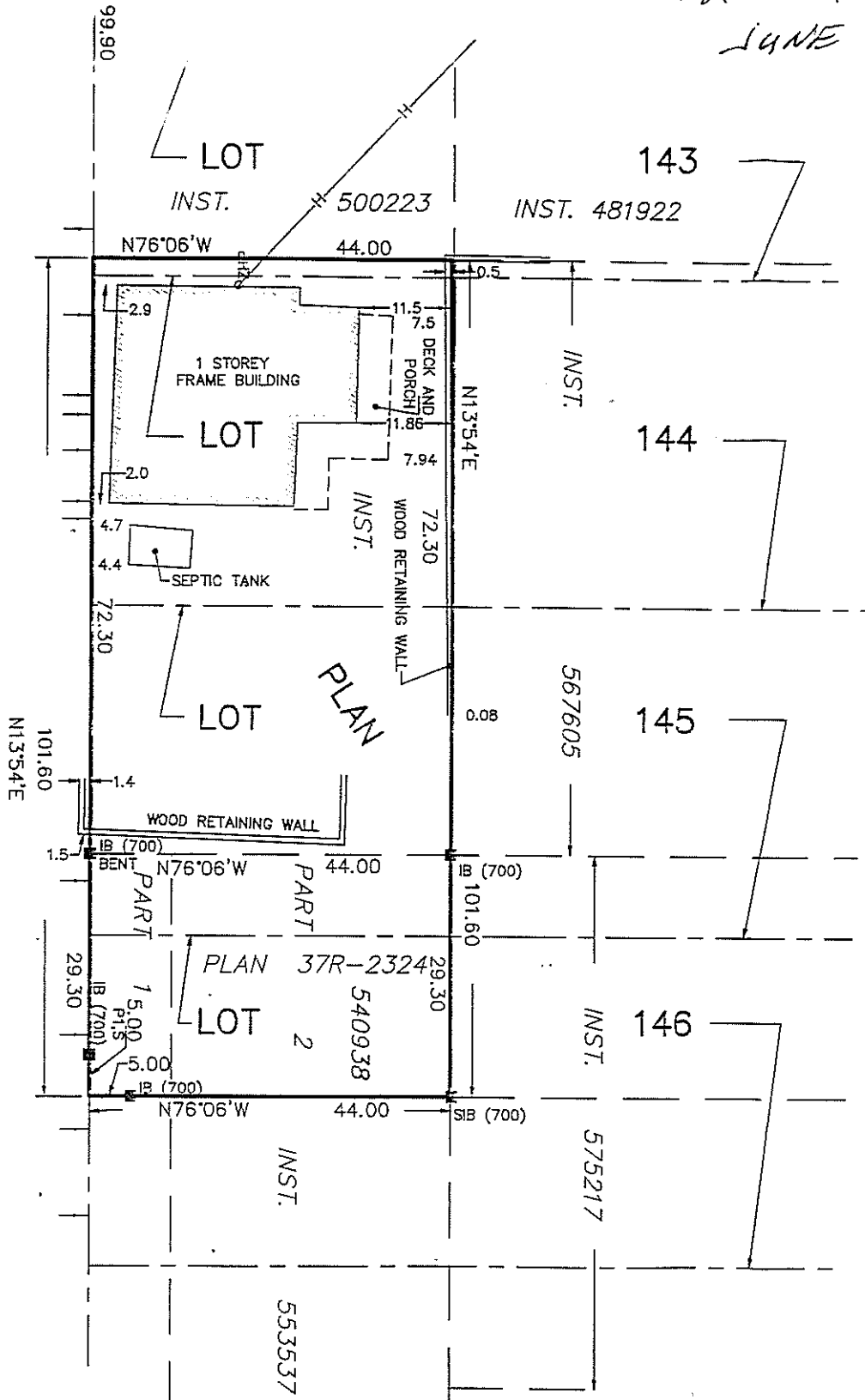


SITE MAP - PROPOSED

SEPTIC TANK TO BE
RELOCATED AND TILE
LINES UPGRADED TO MEET
REQUIREMENTS OF NCHU



EXTRACT - SURVEYOR'S
SKETCH
JUNE 24/05



Howard **SNODGRASS CONSULTING SERVICES Inc.**
Community Planning and Business Development Consultants
125 West Street, Brantford, Ontario, N3T 3G2
Bus. (519) 753-7242 - Fax. (519) 756-3323
E-mail hsnodgrass@sympatico.ca

THE CORPORATION OF
NORTHAMPTON COUNTY
RECEIVED
JAN 16 2007

FAX TRANSMISSION FROM: (519) 756-3323

TO:

SCOTT PECK

RE: HALL MV. APPLIC

FROM: H. T. Snodgrass
Howard Snodgrass Consulting Services Inc.
125 West Street
Brantford, Ontario N3T 3G2

Total Number of pages transmitted (including cover sheet)

If you do not receive the pages being transmitted or the pages are not coming through clearly, please call us immediately at (519) 753-7242.

Remarks:

• ATTACHED IS A SEPARATE LETTER INCORPORATING ADDITIONAL THOUGHTS FOR SUPPORTING THE APPROVAL OF THE APPLICATION

• IF THERE ARE ANY OTHER

This Fax is Consultant-Client privileged and may contain confidential information intended only for the person(s) named above. Any other distribution, copying or disclosure is strictly prohibited. If you have received this Fax in error, please notify us immediately by telephone and return the original transmission to us by mail without making a copy.

PROVISIONS WHICH NEED VARYING —
PLEASE LET ME KNOW ASAP

~~_____~~

Howard **SNODGRASS CONSULTING SERVICES** Inc.
Community Planning and Business Development Consultants
125 West Street, Brantford, Ontario, N3T 3G2 - Bus. (519) 753-7242 Fax. (519) 756-3323
E-mail hsnodgrass@sympatico.ca

By Fax Only To: (519) 875-4789

January 15, 2007

The Chairman and Members of the
Committee of Adjustment of the County of Norfolk
c/o The County Planning Office
Langton, Ontario

Dear Chairman and Committee Members:

HALL MINOR VARIANCE APPLICATION
- TURKEY POINT

The purpose of this letter is to follow up on the submission of a Minor Variance Application by Kevin and Carolynne Hall, owners of property known municipally as 15 Elm Street in the Hamlet of Turkey Point, consisting of Part of Lots 143 to 146 inclusive of Registered Plan No. 128. I wish to confirm the following:

1. Snodgrass Consulting acts on behalf of the applicants – the applicable authorization is set out on the application form.
2. With reference to the application, it can be seen that relief is being sought from the provisions of Delhi Township Zoning By-law No. 1-DE 80 (which zones the subject property in a Lakeshore (L) zone as amended by Site Specific Provision 36-276) to vary the lot coverage provisions to 34% to permit the construction of a replacement cottage (including both the footprint of the main cottage and also the accessory deck area as shown on the site plans attached to the application).
3. It is respectfully submitted that the approvals of the variance application are reasonable and appropriate for reasons including the following:
 - a) As the Committee may be aware, a By-law Amendment application was previously dealt with by Norfolk Township Council in which By-law No. 47-Z-2006 was passed on the 29th day of August, 2006 amending the general "L" provisions to a Site Specific provision being 36.276 which recognized the non-conforming components of the subject property as follows:

- The existing lot area is 4,444 square feet;
- The lot has no frontage, however it does have a historical access lane – applicable exemptions in the By-law Amendment recognize this component;
- The varying of various interior side yards to recognize the historical component.

In amending these zone provisions, no relief was incorporated therein for the varying of lot coverage provisions. The County Building Department has recently determined that the proponents' request for a Building Permit to allow for the reconstruction of a similar sized cottage could not be fully dealt with until the question of lot coverage was dealt with. Accordingly, it became necessary to submit the variance request to recognize and provide relief for this one zone provision that was not dealt with in the original By-law Amendment request.

Since Council has already dealt with major zoning modifications (being lot frontage and lot area, as well as interior side yards), it is respectfully submitted that the request for varying the lot coverage is reasonable and appropriate.

- b) It is respectfully submitted that the approval of the variance application is minor in that the proposed replacement cottage will occupy the same general footprint as the historical cottage (which has since been removed). The historical cottage covered approximately 1,100 square feet on the property (a previous deck had been removed prior to the consideration of the By-law Amendment application and is therefore not shown on the site plans). Since the proposed replacement cottage is slightly larger, (being approximately 1,432 square feet with a significant portion thereof including an exterior deck) it is submitted that the increase is minor and can be accommodated on the property with the exemptions/relief that has already been incorporated in the approval of By-law No. 47-Z-2006.

Further, based on information submitted to the municipality to date (and presently being finalized in an engineered site grading and drainage plan), it is submitted that sufficient area is available for upgrading the septic disposal system to meet the requirements of the Ontario Building Code and to still have sufficient amenity area and for the parking of private vehicles thereon.

- c) It is respectfully submitted that the approval of variance is appropriate for the development of the subject property and that of neighbouring properties. With reference to the site plan, it can be seen that the access lane provides reasonable access and with sufficient area being available for the residential footprint of the cottage, the tile bed and room for other private amenity spaces, that all technical requirements of the subject lot and that of neighbouring properties can be met.

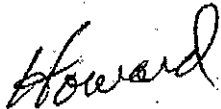
With reference to the site plan, it can be seen that the subject property is of similar shape, size and configuration to that of other properties in the general vicinity. In essence, most lots in this general area are undersized, compared with the By-law requirements as set out in the Zoning By-law for lot frontage and lot area, and accordingly, the reconstruction of any cottage occupying the same similar footprint is not going to adversely affect any neighbouring properties.

- d) It is respectfully submitted that the approval of the variance is in keeping with the purpose and intent of the County Zoning By-law and the County Official Plan in that the replacement cottage is occupying the same general footprint as the historical cottage, that Norfolk Council has already dealt with major By-law provisions being frontage, area and side yard setbacks, and that the applicants have attempted to deal with all technical issues to ensure that they are addressed to the satisfaction of the County. Since the lands are designated in the Official Plan for cottage use and are currently zoned for the same use, it is submitted that the continuing use of this property and any applicable relief sought in the current variance application is reasonable and appropriate for the development of the property.

If you should have any questions or comments, please feel free to contact the undersigned at 519.753.7242.

Yours truly,

Howard Snodgrass Consulting Services Inc.



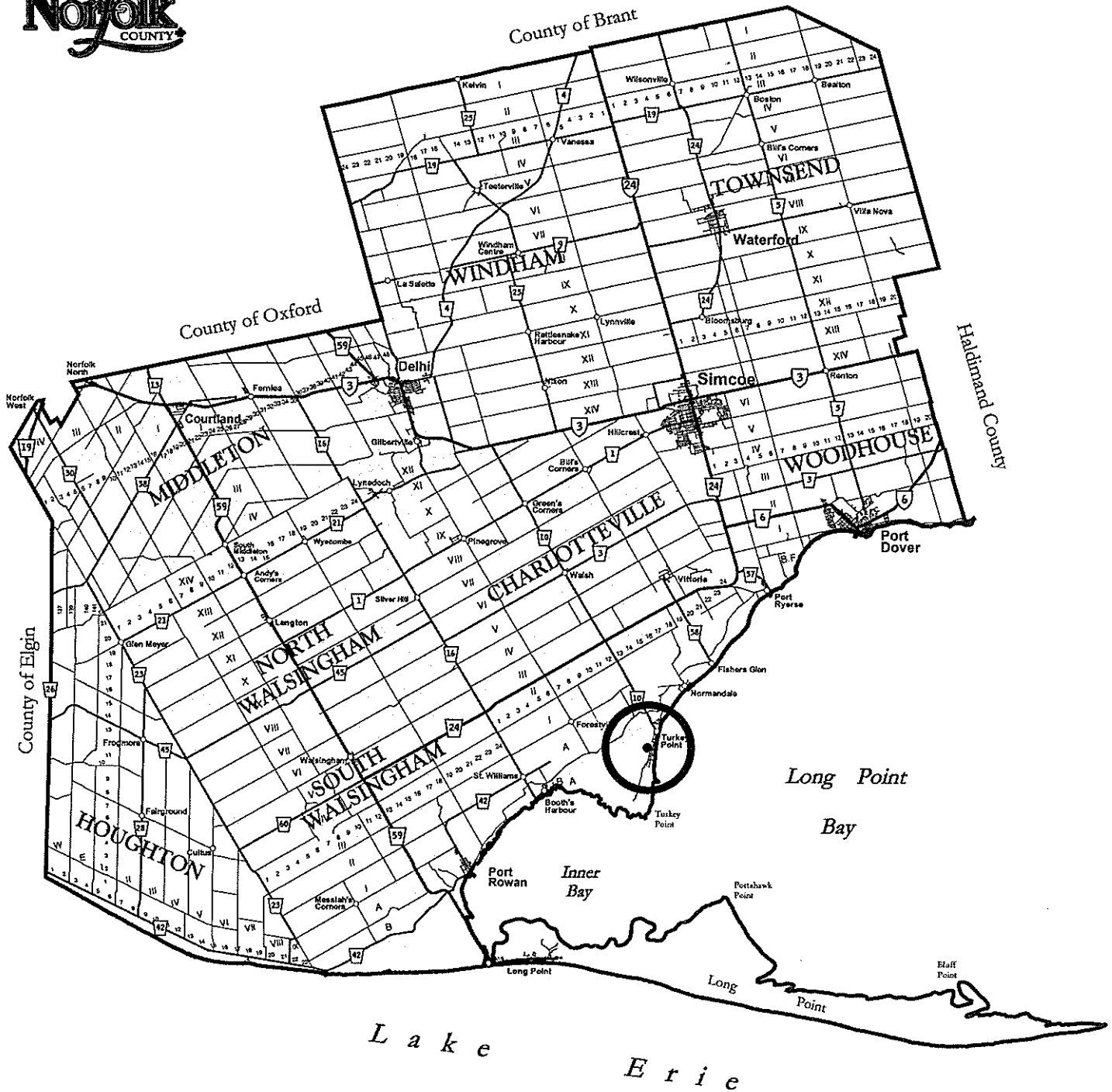
per: Howard Snodgrass
Planning Consultant

cc. Kevin and Carolynne Hall

MAP 1

File Number: AN-012/2007

Geographic Township of CHARLOTTEVILLE



MAP 2

File Number: AN-012/2007

Geographic Township of CHARLOTTEVILLE

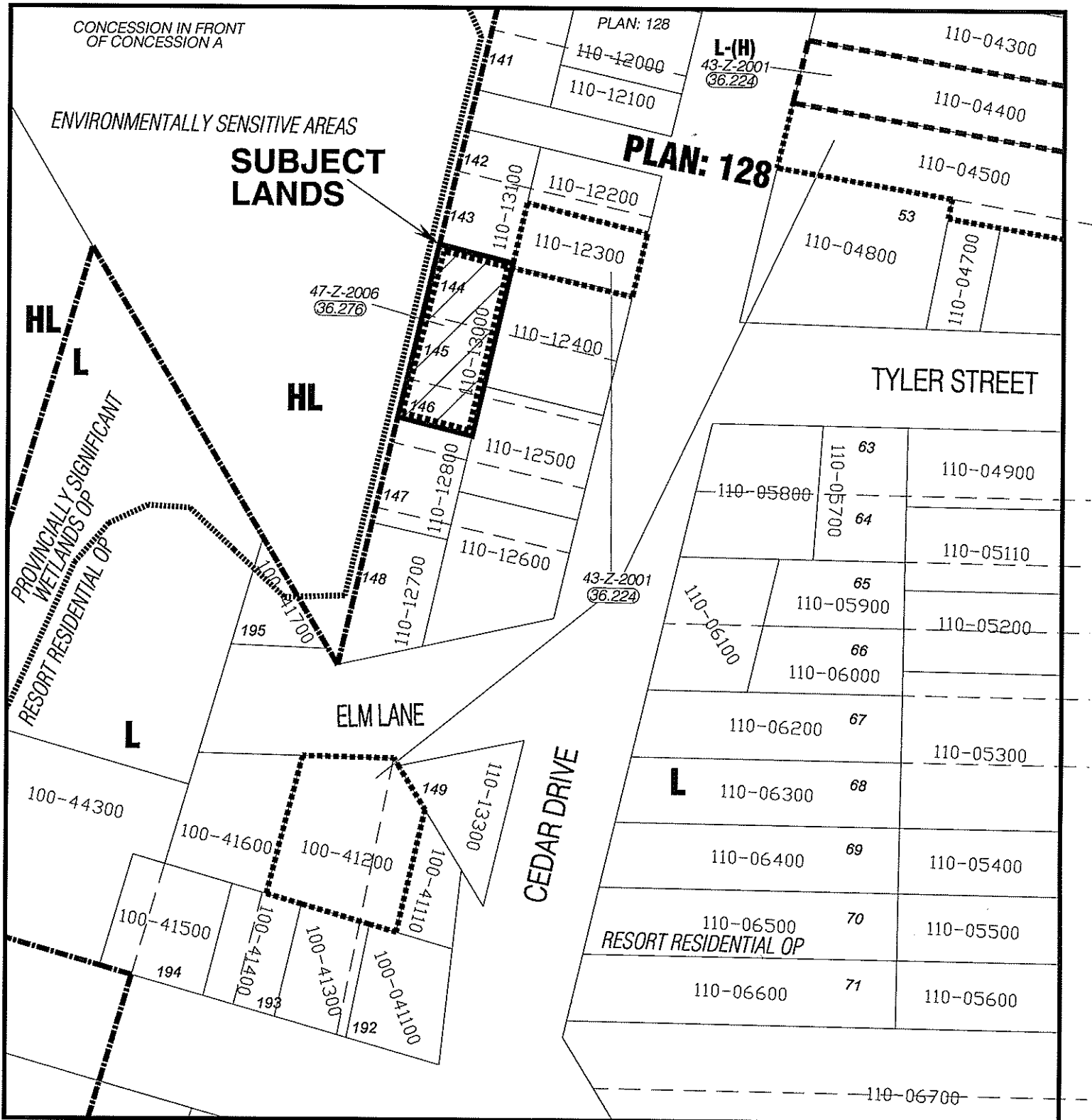


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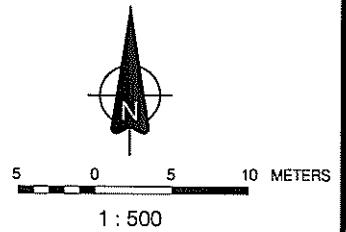
File Number: AN-012/2007
Geographic Township of CHARLOTTEVILLE



MAP 4

File Number: AN-012/2007

Geographic Township of CHARLOTTEVILLE



CONCESSION IN FRONT
OF CONCESSION A

PLAN: 128

SUBJECT LANDS

EXISTING
COTTAGE
(TO BE REMOVED)

0.61m
(2.00')

PROPOSED
COTTAGE
(28' x 36')

APPROX. LOCATION
OF SEPTIC TANK AND
UPGRADED TILE LINES

13.41m

30.97m

144

145

146

(44.00')

147

148

ELM LANE

CEDAR DRIVE

142

143

110-13100

110-12200

110-12300

4.27m
(14.00')

1.83m
(6.00')

110-12400

PROPOSED
DECK

110-13000

110-12500

110-12600

110-12800

110-12700

110-13400

100-41700

110-06100

195