



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:

**MARCH 5<sup>th</sup>, 2008**

**FILE NO.: AN-012/2008**

**ROLL NO.: 3310-491-024-04500**

**APPLICANT:**

Jacob & Anna Hildebrandt, 10 Cairns Road, LaSalette, ON N0E 1H0

**AGENT:**

Jake Doerksen, 267 Line 8, R.R. #4, Niagara-on-the-Lake, ON L0S 1J0

**LOCATION:**

Lot 21, Conc 10 WDM  
(252 Windham Road 11)

**PROPOSAL:**

- Relief of 268 sq. m. (2884 sq. ft.) from the required lot area of 1390 sq.m. (14962 sq. ft.) to allow a lot area of 1122 sq. m. (12078 sq. ft.);
- Relief of 5.8 m. (19 ft.) from the required front yard setback of 13 m. (43 ft.) to allow a front yard setback of 7.3 m. (24 ft.);
- Relief of 6.7 m. (22 ft.) from the required rear yard of 11 m. (30 ft.) to allow a rear yard of 2.4 m. (8 ft.) to permit the re-construction of a single detached dwelling.

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Building Department  | <input checked="" type="checkbox"/> GIS Section     |
| <input checked="" type="checkbox"/> Building Inspector (Sewage System Review)  | <input 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     |



**CIRCULATION DATE: February 20<sup>th</sup>, 2008**

**PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:**

Shirley Cater

Norfolk County, 60 Colborne Street, South, Simcoe, ON N3Y 4N5  
(519) 426-5870 ext 1290

**FAX: (519) 428-3069**

**EMAIL: [shirley.cater@norfolkcounty.ca](mailto:shirley.cater@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 Secretary-Treasurer, P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0 • Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789; Email: [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.

597.00

## MINOR VARIANCE

### Office Use:

File Number: AN-12/2008  
Related File: —  
Fees Submitted: Feb 8/08  
Application Submitted: Feb 8/08  
Sign Issued: Feb 8/08  
Complete Application: Feb 8/08

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- 491 024 04500

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-DE 88

### A. APPLICANT INFORMATION

Name of Applicant<sup>1</sup> Jacob & Anna Hildebrandt Phone # 519 875 4398  
Address 10. Cairns Rd. Norfolk. Fax # —  
Town / Postal Code NOE 1B0 E-mail —

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

Name of Agent Take Doerkssen Phone # 905 685 0020  
Address 267 Line 8 RD. RR 4. Fax # 905 685 7570  
Town / Postal Code N-O-T-L Ont. E-mail Cell 905 658 1173  
L0S 1J0.

Name of Owner<sup>2</sup> Jane as. Phone # —  
Address applicant Fax # —  
Town / Postal Code — E-mail —

<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:

TD Canada Trust Kingst Delhi Ont





## MINOR VARIANCE

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

Geographic Township	<u>Delhi</u>	Urban Area or Hamlet	
Concession Number	<u>10.</u>	Lot Number(s)	<u>21.</u>
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number	<u>87 R - 3441</u>	Part Number(s)	
Frontage (metres/feet)	<u>150 Ft.</u>	Depth (metres/feet)	
Width (metres/feet)	<u>66 Ft.</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>12.375 Sq ft.</u>
Municipal Civic Address	<u>252 Windham Rd. 11</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):

Built a Single family Dwelling, One Story.  
The Existing One and a Half Story Home is Burned.  
Down.

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

relief of front yard req 13m (43 ft) propose 7.3m (24 ft) deficient 5.8m (19 ft)  
relief of rear yard req 11m (36 ft) propose 2.4m (8 ft) deficient 6.7m (22 ft)  
relief of lot area required 1390m<sup>2</sup> - (14962 ft<sup>2</sup>) - propose 1122m<sup>2</sup> - (12078 ft<sup>2</sup>)  
deficient 268m<sup>2</sup> (2884 ft<sup>2</sup>)

## MINOR VARIANCE

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

<sup>70</sup>  
~~Recess~~ Because Set Back. is 42' Frontage 30' Rear.  
The Lot is Only 66 Ft. Deep.

## D. PROPERTY INFORMATION

Present official plan designation(s):

Agriculture

Present zoning:

Residential Agriculture

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:

The garage is Completely Burnt, Parts of the 1 1/2 Story House is still Standing, Propose to be demolished and Rebuild a One Story Home, Existing House Set Backs are as follows Front 16 Ft. Rear 11 Ft. East side 44 Ft. West side approx. 14 Ft.

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

? unknown.

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:

Proposed One Story Homes with attach. Garage. House - Sq. Ft. <sup>1824</sup> ~~1824~~ 00.  
Garage 624 Sq. Ft. Total <sup>2448</sup> ~~2448~~ Sq. Ft., Height appx. 16' to 19' Height,  
with about 30 Ft. Length 72 Ft. Front Set Back. Rear.  
East side West side

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

if possible in spring

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:

3 June 30 1995

Present use of the subject lands:

Residential

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

Unknown

Existing use of abutting properties:

Residential + Farm Land

## 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:

Just Knowledge

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:

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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:

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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:

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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:

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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:

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Name of road/street:

Windham Rd 11

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**MINOR VARIANCE**

**I. OTHER INFORMATION**

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

☐ Yes      ☒ No

If yes, describe:

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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.

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# Zoning Deficiency

Norfolk CityView Web

Roll Number 33-10-491-024-045-00-0000

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	HILDEBRANDT ANNA KALSSEN	Property Lot		Former Municipality	DRH1
Civic Address	252 WINDHAM ROAD 11	Block		Plan	
Legal Description	WDM CON 11 PT LOT 21	Part		Reference Plan	
Zoning	A	Concession		Extension to a Non-conforming use?	
By-law	1-DE-80	Current Use of Property	SFD	Township	WINDHAM
		Proposed Use of Property	SFD		

## Zoning Deficiency

### DEVELOPMENT STANDARDS

### Required (Meters/Feet)

### Proposed

### Deficiency

a) Lot Area	1390	14962	1122	12078	268	2884
b) Lot Frontage	1					
c) Front Yard Setback	13	43	7.3	24	5.8	19 FT
d) Exterior Side Yard						
e) Interior Side Yard (Rt)						
f) Interior Side Yard (Lt)						
g) Rear Yard	11	30	2.4	8	6.7	22 FT
h) Dwelling Unit Area						
i) % Lot Coverage						
j) Height of Building						
k) Accessory Building						
Accessory Building Comments						
l) Parking						
m) Other						

Other Clause:

Other Description:

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

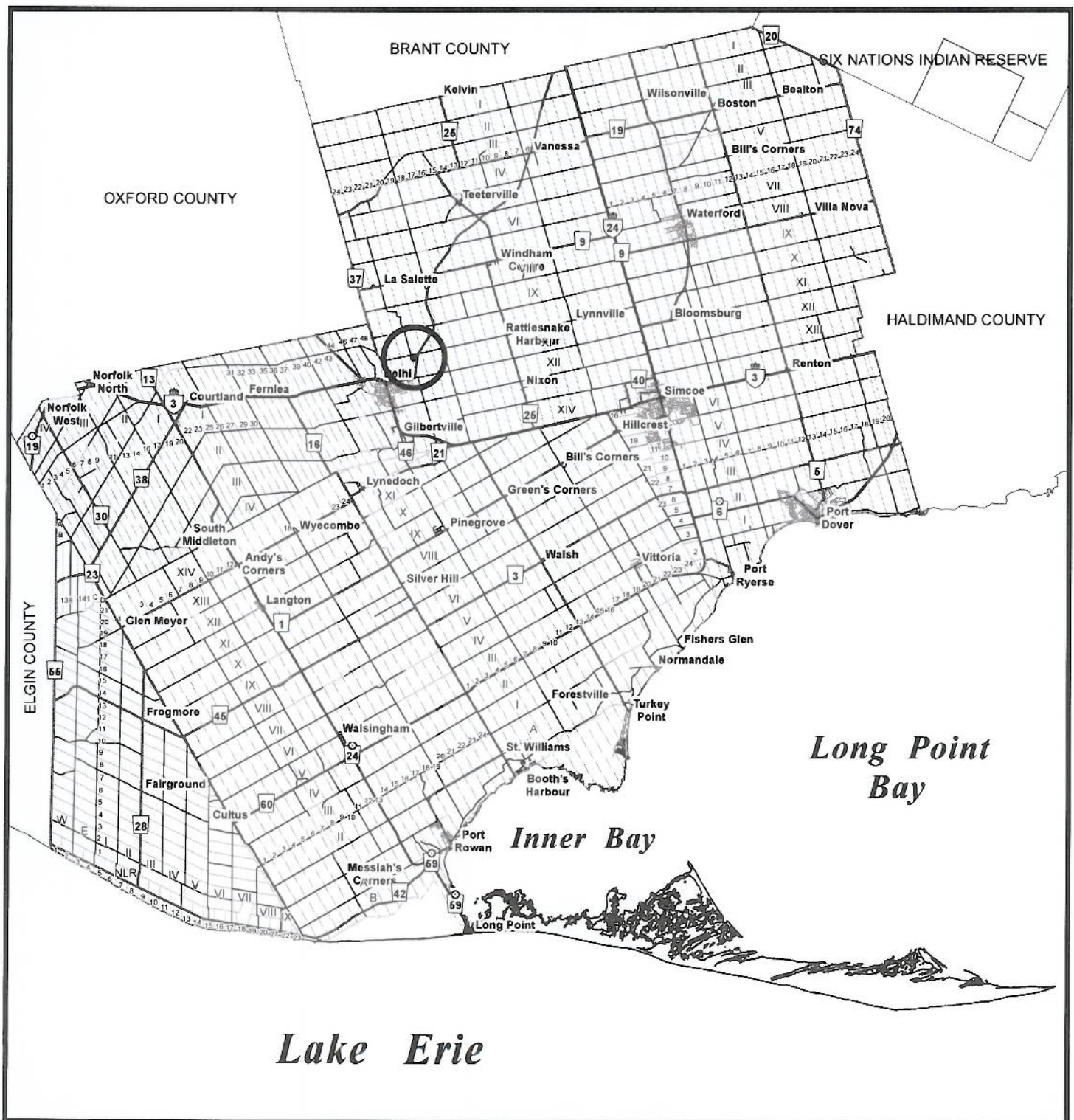




# MAP 1

File Number: AN-012/2008

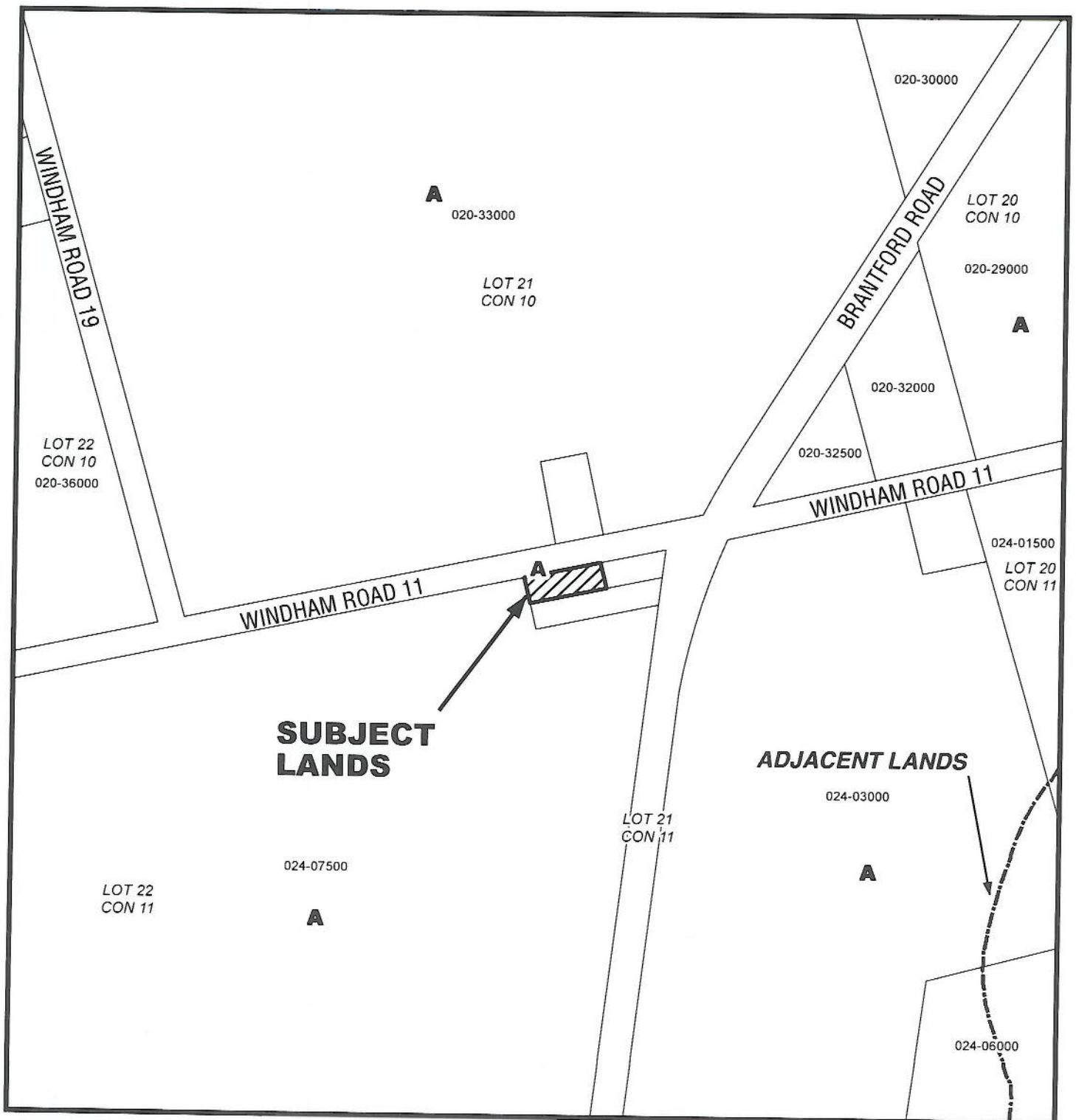
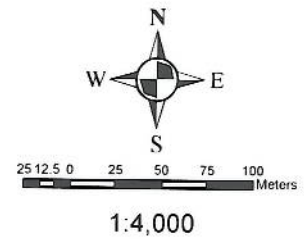
Geographic Township of WINDHAM



## MAP 2

File Number: AN-012/2008

Geographic Township of WINDHAM

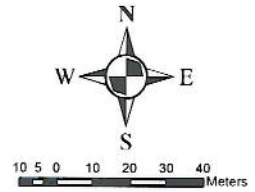




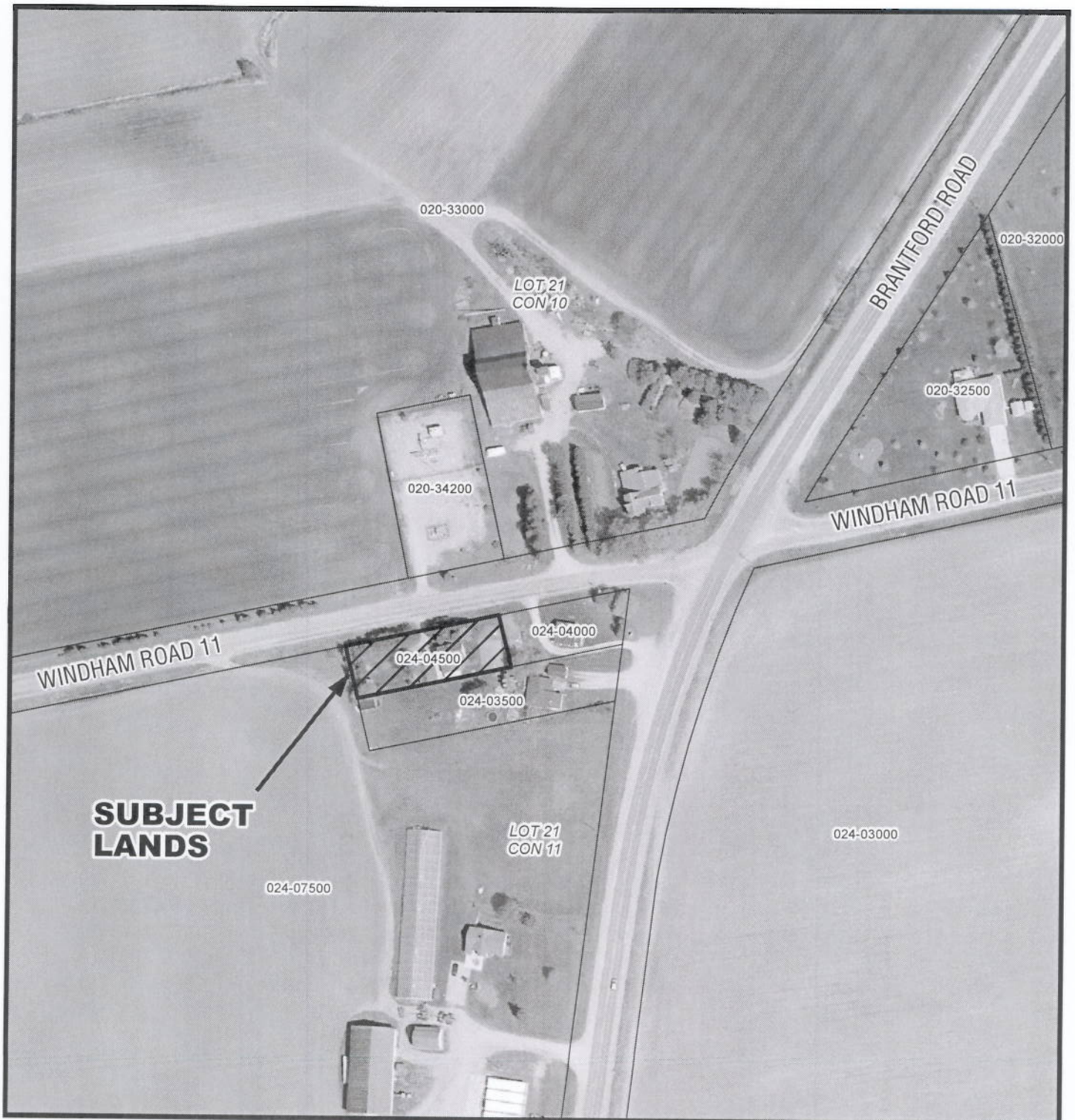
# MAP 3

File Number: AN-012/2008

Geographic Township of WINDHAM



1:2,000





# MAP 4

File Number: AN-012/2008

Geographic Township of WINDHAM

