



COMMENT REQUEST FORM

FILE NO.: AN-031/2010

ROLL NO.: 3310-334-010-12800

- | | |
|--|---|
| <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:

MAY 3RD, 2010

APPLICANT:

Mary-Jane Marshall, 17 Prospect Street Port Dover, ON N0A 1N6

AGENT:

LOCATION:

Lot 30, Plan 207, PDOV (9 Regent Ave, Port Dover)

PROPOSAL:

CONSTRUCT A FENCE REQUIRING RELIEF OF:

- Section 4.2.3 (a) to permit 2 parking spaces in the front yard setback;
- Section 3.12 (a) to permit a 1.8 m (6 ft.) fence within the required exterior side yard (excluding sight triangle)

PLEASE REPLY BY EMAIL DIRECTLY TO:

EMAIL:

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: April 19th, 2010

MINOR VARIANCE

Office Use:

File Number:

AN-031/2010

Related File:

Fees Submitted:

April 8, 2010

Application Submitted:

" "

Sign Issued:

" "

Complete Application:

April 8, 2010*me*

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: 3310-334.010.12800.0000

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. NW 1-2000

A. APPLICANT INFORMATION

Name of Applicant ¹	<u>Mary-Jane Marshall</u>	Phone #	<u>905-730-2437/519-583-1853</u>
Address	<u>17 Prospect Street</u>	Fax #	<u></u>
Town / Postal Code	<u>Port Dover N0A 1N6</u>	E-mail	<u>mjmarshall@carstar.ca</u>

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

Name of Agent	<u></u>	Phone #	<u></u>
Address	<u></u>	Fax #	<u></u>
Town / Postal Code	<u></u>	E-mail	<u></u>

Name of Owner ²	<u>Gary Goettsch</u>	Phone #	<u>519-583-1853 or 416-606-8944</u>
Address	<u>9 Regent Ave</u>	Fax #	<u></u>
Town / Postal Code	<u>Port Dover N0A 1N0</u>	E-mail	<u>yesguybl@hotmail.com</u>

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 sent ³: ☒ 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:
CIBC (Canadian Imperial Bank of Commerce)

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	_____	Urban Area or Hamlet	<u>Port Dover</u>
Concession Number	_____	Lot Number(s)	<u>LT 30, PL 207</u>
Registered Plan Number	_____	Lot(s) or Block Number(s)	<u>BLK 29</u>
Reference Plan Number	_____	Part Number(s)	_____
Frontage (metres/feet)	<u>25.91 m (85 ft)</u>	Depth (metres/feet)	<u>(170 ft) 51.82 m.</u>
Width (metres/feet)	<u>(85 ft) 25.91 m</u>	Lot area (m ² / ft ² or hectares/acres)	<u>0.13 ha (0.33 ac.)</u>
Municipal Civic Address	<u>9 Regent Ave., Port Dover, ON</u>		

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

☐ Yes ☐ No

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

Unknown

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):

Owner would like to erect a 6 ft privacy fence along exterior side yard of his property up to where the sight triangle commences, at which spot the height of the fence will drop to 3 ft.

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

Allow fence on exterior side yard to be 6 ft high with the exception of a 3 ft high sight triangle.

Relief from Section 4.2.3(a) to permit 2 parking spaces in the front yard setback

Relief from section 3.12(a) to permit a 1.8m (6ft) within the required exterior side yard (excluding sight triangle)

MINOR VARIANCE

Please explain why it is not possible to comply with the provision of the zoning by-law:
Current by-law allows for only 3ft high fence along exterior side yard.

D. PROPERTY INFORMATION

Present official plan designation(s):

Urban Residential

Present zoning:

R2

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 three structures on the subject land:

A house circa 1925 will be completely renovated and will remain.

A small unsightly shed in the rear yard will be removed this summer. A larger more stylish shed/pool house will be erected. A permit will be required for this. There is currently no swimming pool on this property but it is contemplated that one might be installed within 5 years.

An unsightly carport on the exterior side yard will also be removed. Parking will be provided for via a driveway at the front of the house.

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

House: Approximately 1925-30, Garden shed: unknown age, Carport: unknown age

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.

Not applicable

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:

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

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:

October 9, 2009

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

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:

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

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:

Intersection of Regent Ave and Crescent Pk

I. OTHER INFORMATION

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

☒ Yes ☐ No

If yes, describe:

Owner would like to obtain a dog from a shelter - the existing chain link fence is only 3 ft high and is inadequate fencing to contain a dog in the yard.

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.

The variance requested is minor in nature. The owner is NOT requesting a 6ft high fence at the area of the contemplated sight triangle at the corner of Regent and Crescent Pk. Owner has no desire to impede public safety in this regard and would like to install a 3ft high fence at the location of the sight triangle. Owner wishes to install a 6ft privacy fence along the exterior side yard up to the point of the sight triangle. Owner will be replacing a dilapidated chain link fence with said 6ft high fence. Owner also will be removing an unsightly carport from the exterior side yard the height of which is 14ft at the apex of the roof. (a parking pad will be installed on the front lawn, thereby continuing to allow public parking across the frontage). This structure, combined with several tall trees on the exterior side yard all exceed the contemplated 6 ft high privacy fence that would take its place.

The variance will have a desirable result. The owner has purchased a once stately (circa late 1920's) home that has fallen into disrepair. Having already invested over \$40,000 into this home, the owner has designed a sophisticated and decorative fence that he feels will accentuate the neighbourhood and add to the appeal of his home. The owner plans to maintain the opposite side of the fence (i.e. the side closest to the road) with plantings of a small but tasteful nature.

The variance maintains the general intent and purpose of the bylaw. The obvious intent of the bylaw is to ensure that a sight triangle exists at traffic intersections. The owner will uphold the intent of the bylaw by reducing the height of the fence at the sight triangle to 3ft. The owner has also further conceded that he will erect the new fence in the place of the existing chain link fence although this is approximately 7 feet inside of his property line. He is willing to sacrifice this 7 ft of his property for the occupants on the street, allowing them sufficient room to turn around, back out of their driveways, etc.

The variance maintains the general intent and purpose of the official plan. The Official Plan signed May 9, 2006 makes multiple references to improving and revitalizing the area (pg 2-4), encourage beautification (pg 2-5), protect and improve heritage resources (pg 2-6). The owner hopes that pride of ownership will become contagious in the neighbourhood and others on the street will follow suit. This increases house values and the tax base.

Roll Number 33103340101128000000

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: <u>GOETTSCHE</u> <u>Gary Walter</u>	Property Lot: <u>30</u>	Former Municipality: <u></u>
Civic Address: <u>9 Regent Ave.</u>	Block: <u>29</u>	Plan: <u>207</u>
Legal Description: <u>PDOV PLAN 207 Bk 29 Lot 30</u>	Parcel: <u></u>	Reference Plan: <u></u>
Zoning: <u>R-2</u>	Concessor: <u></u>	Extension to a Non-conforming use? <u></u>
By-law: <u>NW1-2000</u>	Current Use of Property: <u></u>	Township: <u></u>
	Proposed Use of Property: <u></u>	

Zoning Deficiency

DEVELOPMENT STANDARDS

Required (Meters/Feet)

Proposed

Deficiency

a) Lot Area						
b) Lot Frontage						
c) Front Yard Setback						
d) Exterior Side Yard						
e) Interior Side Yard (Rt)						
f) Interior Side Yard (Lt)						
g) Rear Yard						
h) Dwelling Unit Area						
i) % Lot Coverage						
j) Height of Building						
k) Accessory Building						

Accessory Building Comment:

<input checked="" type="checkbox"/> Parking	<u>1 space</u>	<u>2 spaces</u>	<u>1 space</u>
<input checked="" type="checkbox"/> Other Fence	<u>1m</u>	<u>2m</u>	<u>1m</u>

Other Clause: 3.12(a)
4.2.3.(a)

Other Description: excluding sight triangle
located exterior side yard.
two required spaces requested

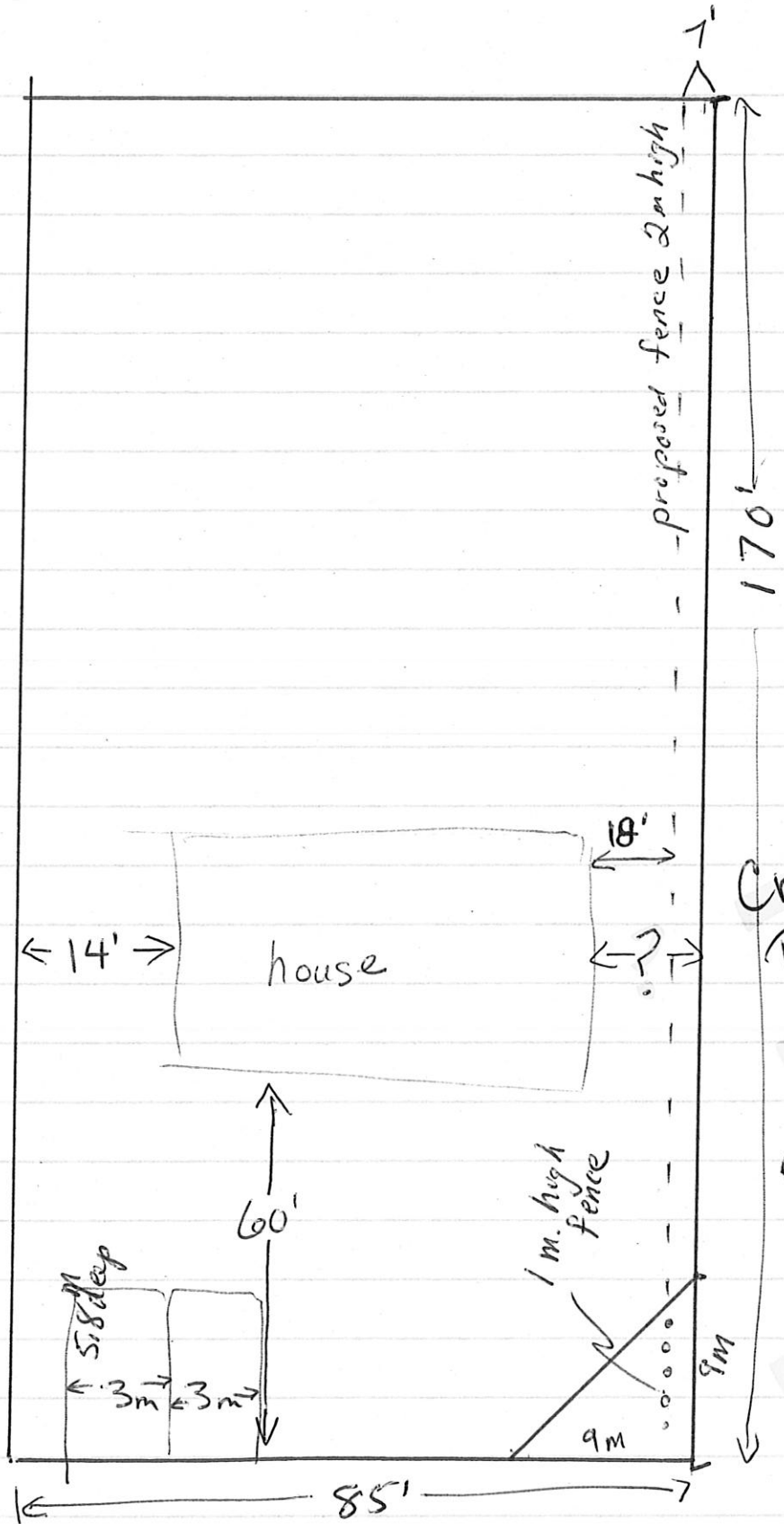
The "PROPOSED" information and any supporting documents have been provided by the owner/applicant. The above information is only in respect to "Zoning" (Minor Variance, Zone Change, etc.) and does not relieve the applicant/owner from obtaining all other permits and/or approvals, such as Health Approval,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

I, the Owner/Applicant take full responsibility for the accuracy of the "PROPOSED" information provided on this form.

Signatures:

[Signature]
Owner/Applicant

[Signature] April 08, 2010
Building Inspector

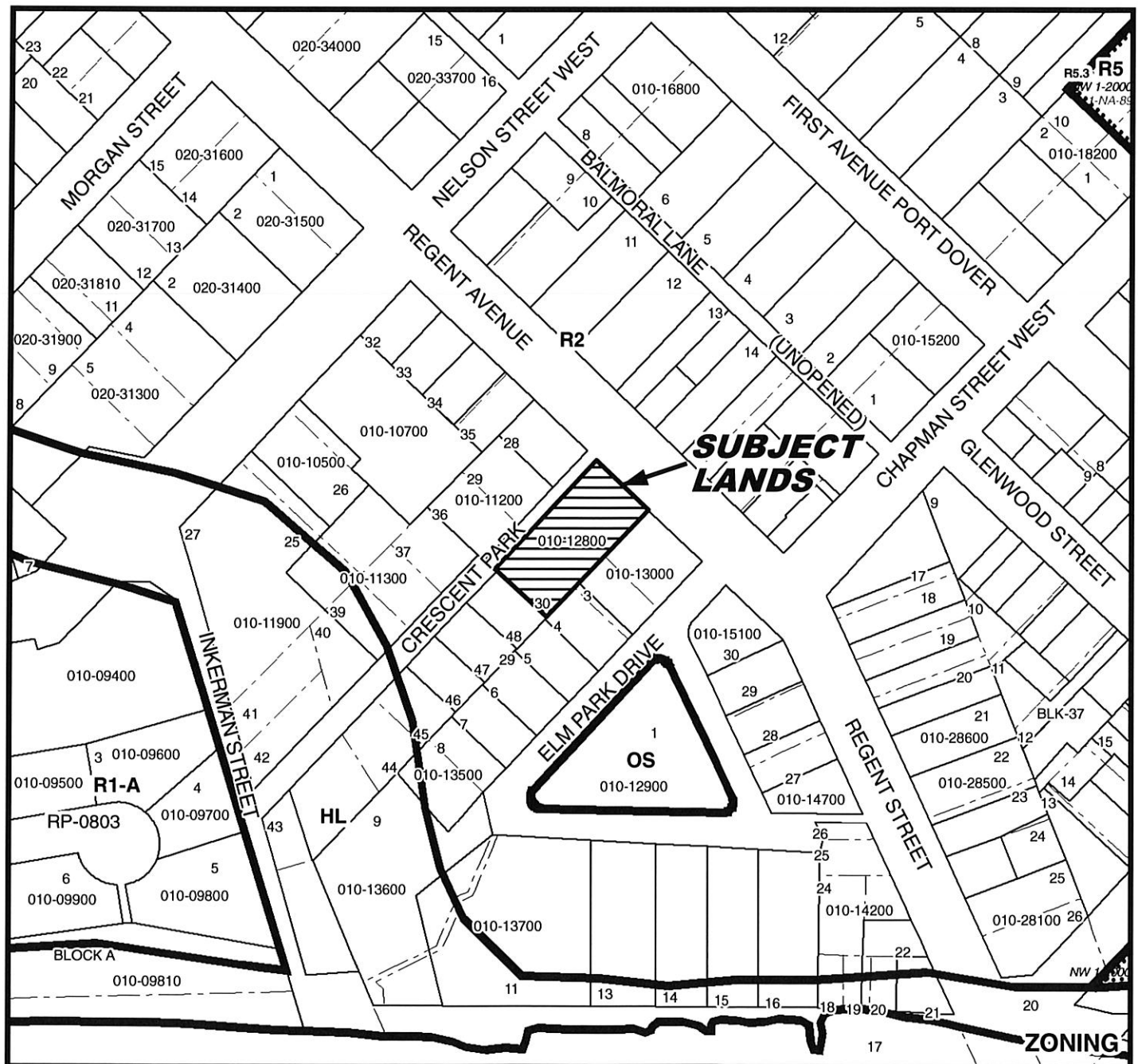
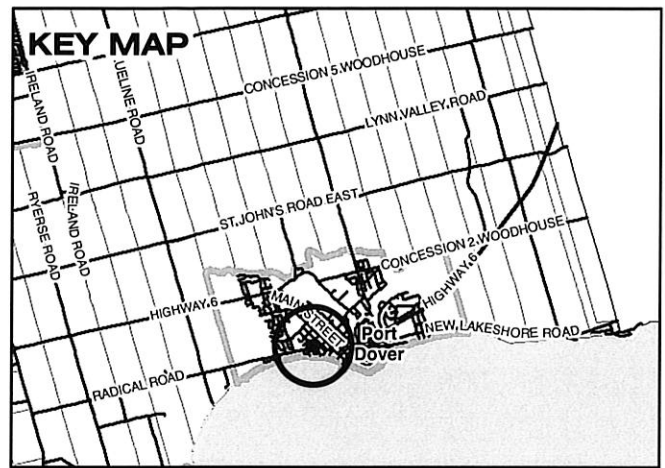
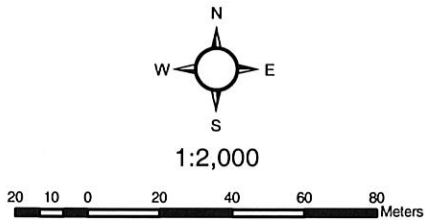


Crescent
Park
road
paving
encroaches
about 3ft
onto
property

Regent

File Number: AN-031/2010

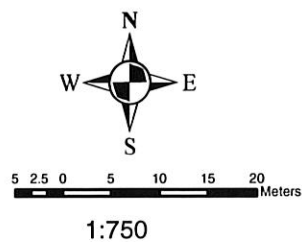
Urban Area of
PORT DOVER



MAP 2

File Number: AN-031/2010

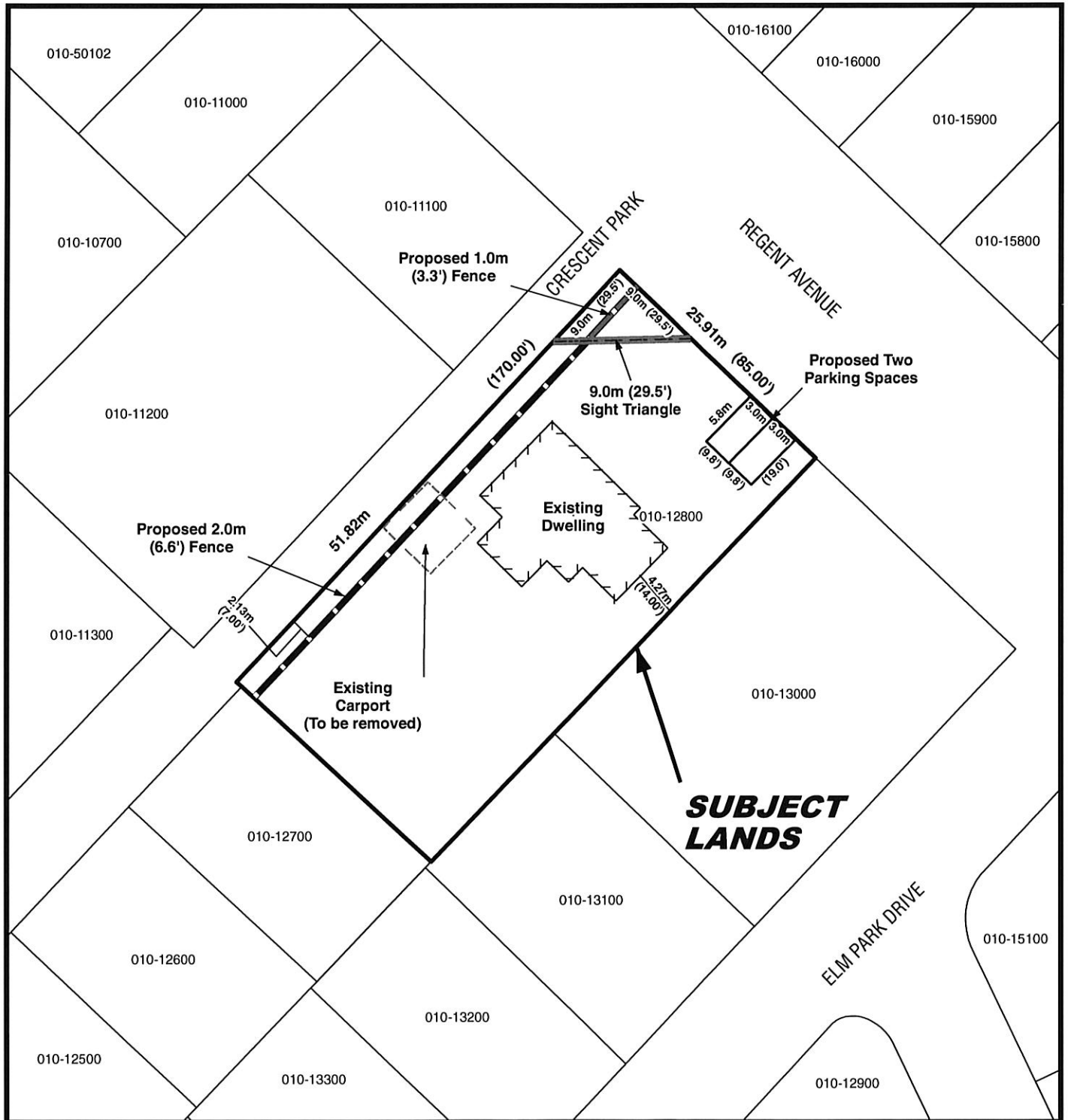
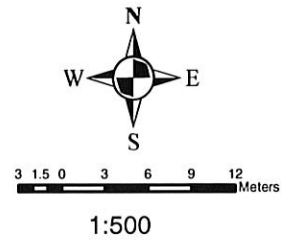
Urban Area of PORT DOVER



MAP 3

File Number: AN-031/2010

Urban Area of PORT DOVER



LOCATION OF LANDS AFFECTED

File Number: AN-031/2010

Urban Area of PORT DOVER

