

**REPORT REGARDING AN APPLICATION TO
THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT FOR MINOR VARIANCE**

MEETING DATE: July 25, 2002

FILE NO. AN-44/02

APPLICANT(S):

Randy & Wilma Bouwheer, R.R. #2, Tillsonburg, ON, N4G 4G7

LOCATION:

Part of Lot 16, Concession 2, N.T.R. (Middleton/Norfolk)

PROPOSAL:

Relief of 3.75 ft. from the required 14 ft. 9 in. height of building (Relief of Section 6.7.1 (a) maximum building height for an accessory building) to permit the construction of a garage.

PLANNING STAFF RECOMMENDATION:

That Application AN-44/02 **BE APPROVED**

REASON:

The application conforms to all relevant criteria set out in Section 45(1) of the Planning Act.

SITE FEATURES AND LAND USE:

The subject property is located on the east side of the 2nd Concession Road, NTR north of Highway No. 3. The subject lands are approximately 1.43 acres in area and contain one single-family dwelling. Surrounding land uses are predominately agricultural with the exception of industrial lands on the south side of Highway No. 3.

RELEVANT CIRCULATION COMMENTS:

Finance Department – This application, if approved, would not attract any new development charges or Cash in Lieu of Parklands.

Forestry Division – No objections

Health Department – Ensure garage is at least 17 ft. from existing sewage system.

Long Point Region Conservation Authority – Have reviewed the above noted application and have no comments to make regarding them.

Public Works and Environmental Services – No requirements

PLANNING STAFF COMMENTS:

The applicant proposes to construct an accessory building on the subject lands to be used for storage of a boat, snowmobiles and ATV's. The proposed structure will have an approximate area of 3000 square feet and a height of 18 feet. Zoning provisions allow an accessory building to a residential use to have an area of 10% of the lot area. In this case, the building could have an area of approximately 6000 square feet and be in compliance with the zone provisions. As such, the area of the proposed building is not an issue.

The request for relief relates to the height of the building. Zoning provisions for an accessory building to a residential use allow for a height of 4.5 metres (14 ft., 9 inches). The applicant is proposing a building height of 18 ft. and as such, is deficient by 3 ft. 3 inches. According to the application, the variance to the height is required to accommodate a boat to be stored in the building.

During the site review of the property, planning staff noted concrete forming boards on site and noted that the applicant operates a concrete forming business. Staff were concerned that the building was being constructed to facilitate the storage of equipment from the concrete business. The applicant was contacted and it was confirmed that the building is to be used for the storage of recreational equipment and it will not be used for the concrete business. Planning staff further advised that the zoning of the property does not permit the use of the subject lands for a concrete forming business and such a use on the property would be in conflict with the requirements of By-law 1-NO 85. Based on the above, planning staff support the requested variance.

Scott Peck, MCIP, RPP
Planner

A handwritten signature in black ink, appearing to be 'SP' or similar initials, written over a horizontal line.

August 18, 2002

Randy & Wilma Bouwheer
R.R. #2
Tillsonburg, ON, N4G 4G7

Sir/Madam:

RE: MINOR VARIANCE APPLICATION NO. AN-44/02
DECISION: APPROVED

Pursuant to Section 45(14) of The Planning Act, you are hereby notified that since there have been no appeals received within the twenty day waiting period after giving the Notice of Decision of the Committee of Adjustment, the aforementioned decision made on July 25, 2002 is final and binding.

As well, please keep in mind that the decision of the Committee of Adjustment does not allow you to proceed with the construction/reconstruction of any buildings on the property involved. The County Building Inspector and the Health Inspector who have their offices in the Norfolk County Municipal Building should be contacted in order to obtain the necessary permits for this purpose.

Would you please take down the yellow notification sign in the event that the sign should still be posted.

Vera Fish
Secretary-Treasurer
Committee of Adjustment
Norfolk County
p.c.

Office Use Only	
File No.	AN-44/02
Roll No.	33 10 54 020 04900
Date Submitted	June 4, 2002
Date Received	June 12, 2002
Sign Issued	June 12, 2002

NORFOLK COUNTY APPLICATION FOR 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-NO 85.

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 RAUDY & WILMA BOOWHEER Phone No. 519-842-5900
 Address RR # 2 Fax No. 519-842-4327
TILLSONBURG Postal Code N4G-4G7

E-mail _____

2. Agent (if any) _____ Phone No. _____

Address _____ Fax No. _____

Postal Code _____

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:

FIRST ONTARIO CREDIT UNION
157 BROADWAY, TILLSONBURG N4G 3P7

B. LOCATION/LEGAL DESCRIPTION OF PROPERTY

1. Geographic Township NORFOLK (MIDDLETON)
Urban Area or Hamlet _____
Concession Number 2 Lot Number PT LT 16
Registered Plan Number _____ Lot(s) Block(s) _____
Reference Plan Number 32R-7082 Part Number(s) A1
32R-7409 PT 2
911 Number and Name of Street/Road 696 Cow. 2 NTR

2. Dimensions of Land Affected:

Frontage 300' Depth 290' Area 62,293 SQ FT.
Width _____ Width of Street _____

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

☐ Yes ☒ No If yes, describe the easement or covenant and its effect:

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)

PROPOSING TO BUILDING GARAGE.

2. Nature and extent of relief applied for:

PLAN TO HAVE GARAGE 18' HIGH TO
ACCOMADATE A 14' HIGH DOOR.

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

NEED 14' HIGH TO ALLOW ROOM
FOR BOAT INSIDE.

D. **PROPERTY, SERVICING AND ACCESS INFORMATION**

1. LOCATION AND PARTICULARS of ALL buildings 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)

SINGLE STORY HOME 1600 sq ft (148 sq m) WITH DOUBLE
GARAGE.

Date of Construction of all buildings and structures on the subject land: 1997

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)

SINGLE STORY STORAGE GARAGE. 3000 SQ FT; 278 SQ M
FLOOR AREA. 18 FT - 5.5 M HIGH.

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

3. Date of acquisition of the subject land: 1997
4. Existing use of the subject property: RESIDENT
5. Length of time the existing uses of the subject property have continued: 5 YRS
6. Existing use of abutting properties: FARM LAND.

7. Servicing:

Indicate what services are available or proposed:

<u>Water Supply</u>		<u>Sewage Treatment</u>		<u>Storm Drainage</u>	
Piped Water	()	Sewers	()	Storm Sewers	()
Individual Wells	(X)	Communal System	()	Open Ditches	()
Other (describe)	()	Septic Tank & Tile Bed	(X)	Other (describe)	()
		Other (describe)	()		

* Have you consulted with the _____ concerning stormwater management? Yes _____ No (X) _____

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

Yes (X) _____ No _____ Unknown _____

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

Yes _____ No (X) _____ Unknown _____

8. Existing or proposed access to subject land:

☐ Unopened Road ☒ Municipal Road ☐ Provincial Hwy.

☐ Other (specify)

Name of Road/Street CON 2 NTR.

E. LAND USE

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

2. What is the existing zoning of the subject land: Agricultural

(if required, assistance is available for questions 1 and 2 above)

F. STATUS OF OTHER PLANNING APPLICATIONS

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

☐ Yes ☒ No If yes, describe briefly:

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. B - _____ / _____

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.

If other documentation/supporting material becomes necessary, you will be contacted and this information must be submitted prior to your application proceeding.

REGIONAL MUNICIPALITY OF HALDIMAND-NORFOLK
DEPARTMENT OF PLANNING & DEVELOPMENT - BUILDING DIVISION

SHADED AREA FOR OFFICE USE ONLY

ZONING DEFICIENCY FORM

Date: MAY 30/2002

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

PROPOSAL FAILS TO MEET DEVELOPMENT STANDARDS

Assessment Roll # 3310-541-020-049-00 (can be obtained from Tax Notices)
Owner/Applicant RANDY BOWWHEER. Municipality NORFOLK.
Location of Property: Lot R16 Conc. 2NTR. Block _____ Plan _____
Part _____ Reference Plan _____ Former Municipality M. DOLETON.
Civic Address 696-2ND CON NTR.

Applicable Land Use By-Law Agri. 1N0-85 (Separate sheet for each By-Law)

Current Zoning Agri. Proposed Use SFD

☐ Permitted
☐ Not Permitted

Existing Use _____

DEVELOPMENT STANDARDS

REQ'D

"PROPOSED"
(Based on Plot Plan)

DEFICIENCY

- a) Lot Area
- b) Lot Frontage
- c) Front Yard Setback
- d) Exterior Side Yard
- e) Interior Side Yard (Rt)
(Facing Building)
- f) Interior Side Yard (Lt)
- g) Rear Yard
- h) Dwelling Unit Area
- i) Landscape Open Space
- j) % Lot Coverage
- K) Height of Building
- l) Houses Per Lot
- m) Accessory Bldg.
- n) Parking
- o) Other

4.5m (14'-9")

18' FT.

3.25 FT.

RELIEF OF SECTION 6.7.1.(a) MAX BLDG HT FOR ACC. BLDG.

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]
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 is this regard is:

NAME

ADDRESS

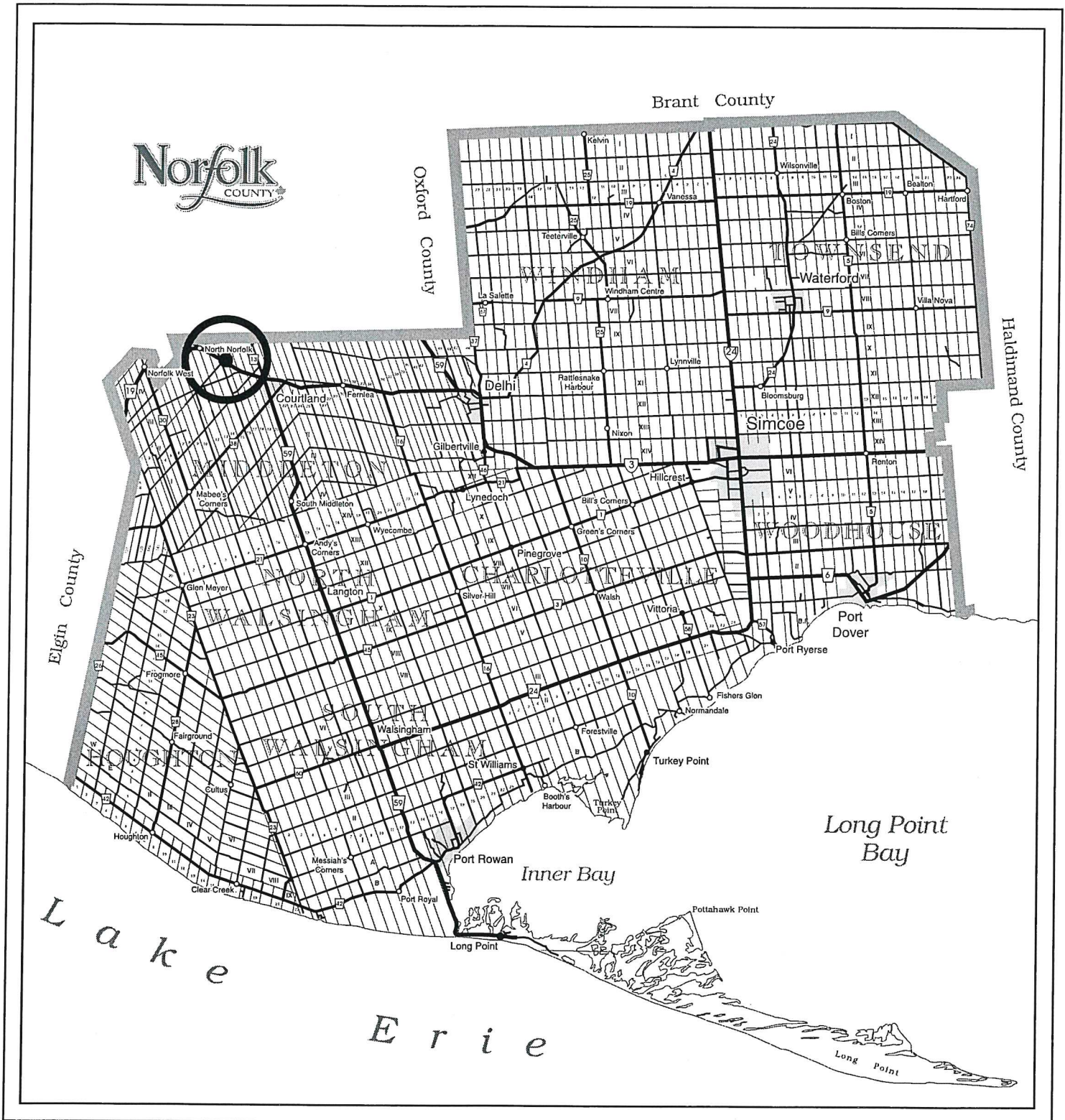
Should you wish an appointment please call either the Region at 587-4911 or

MAP NUMBER 1



File Number: AN-44/02

Geographic Township of MIDDLETON



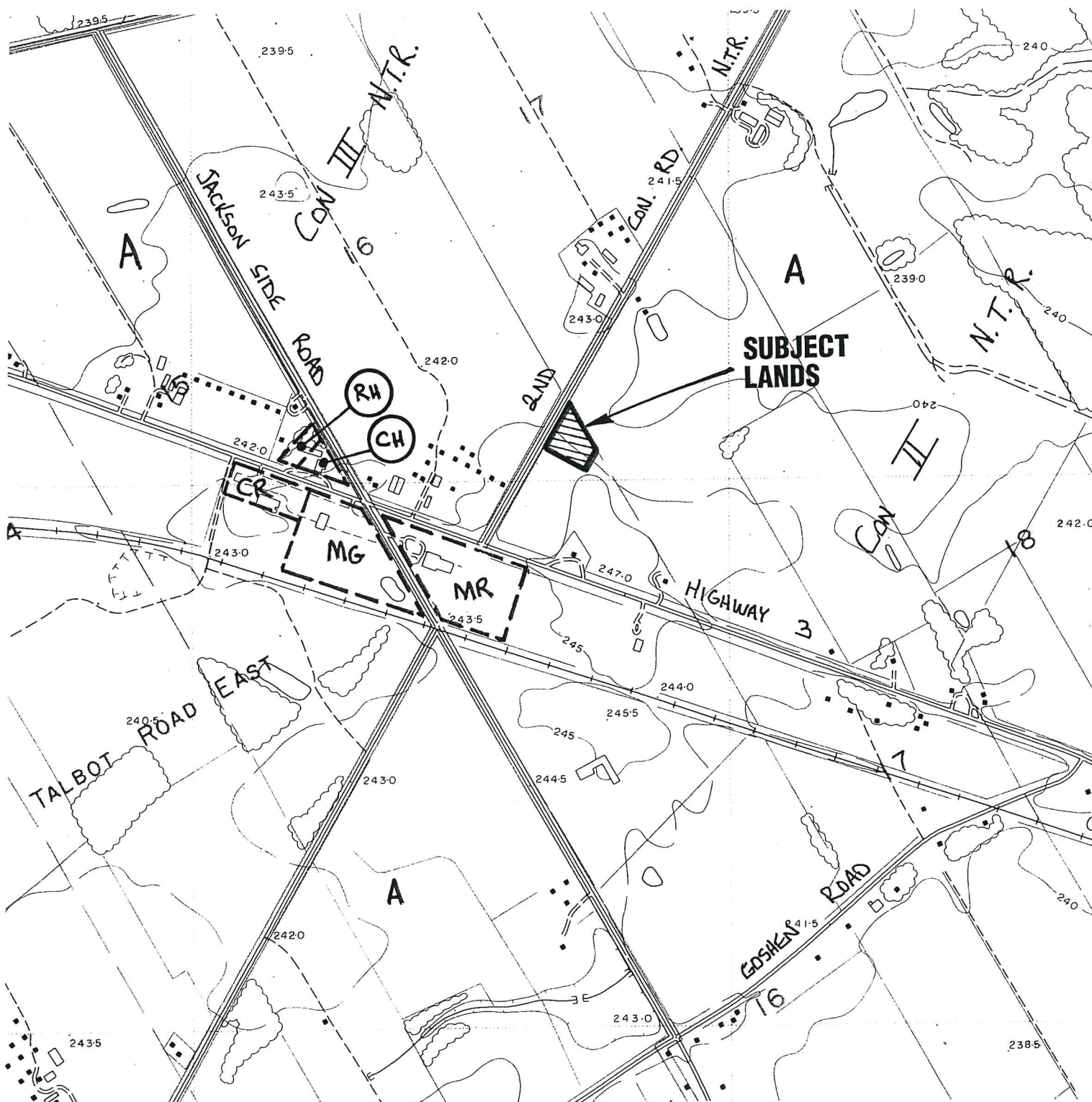
MAP NUMBER 2

File Number: AN-44/02

Geographic Township of MIDDLETON



Scale 1: 10000



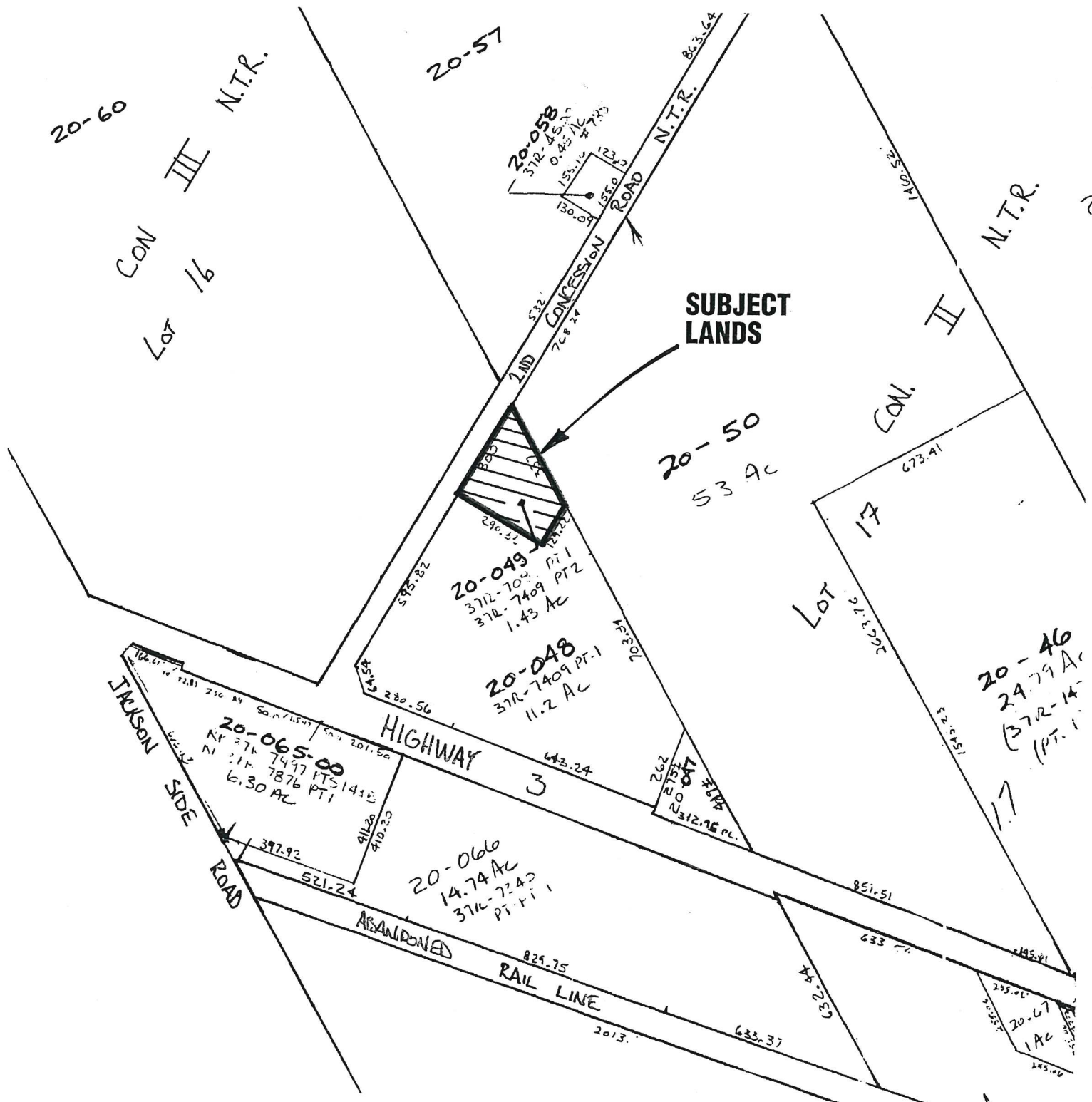
MAP NUMBER 3

File Number: AN-44/02

Geographic Township of MIDDLETON



Scale 1:5000



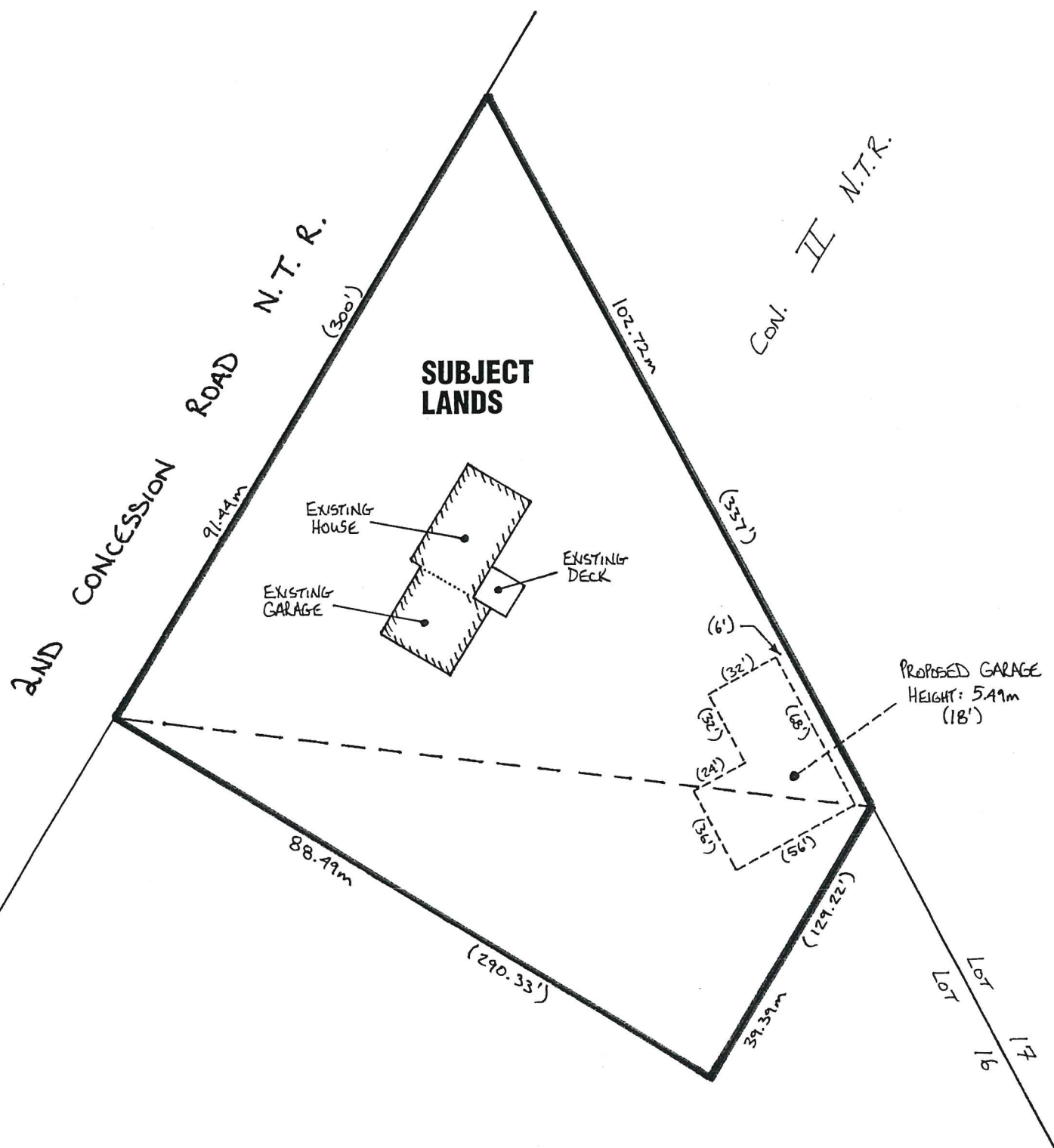
MAP NUMBER 4

File Number: AN-44/02

Geographic Township of MIDDLETON



Scale 1:720



746

