



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO.: AN-057/2009

ROLL NO.: 3310-491-028-05668

- ☒ 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:**

NOVEMBER 30th, 2009

APPLICANT:

Ash Design c/o Debra & Michael Ash, P.O. Box 427 Tillsonburg ON N4G 4H8

AGENT:

N/A

LOCATION:

Lot 53, Plan 1199 WDM (9 Viola Court)

PROPOSAL:

REMOVE EXISTING DECK AND CONSTRUCT COVERED SUNROOM AND DECK REQUIRING RELIEF OF:

- 0.77 m. (2.53 ft.) from the required rear yard setback of 9 m. (29.53 ft.) to allow a rear yard setback of 8.23 m. (27 ft.)

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: November 16th, 2009

Office Use:

File Number: AN-05712009

Related File: _____

Fees Submitted: NOV. 21 09

Application Submitted: NOV. 21 09

Sign Issued: NOV. 21 09

Complete Application: NOV. 21 09.

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Property assessment roll number: 3310-491028 05668 0000

A. APPLICANT INFORMATION

DEBRA ASH
Name of Applicant MICHAEL ASH - ASH DESIGN Phone # 519-688-3871
Address P.O. Box 427 Fax # 519-688-9794
Town / Postal Code TILLSONBURG N4B 4H8 E-mail mike.debash@yahoo.ca

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

Name of Agent	_____	Phone #	_____
Address	_____	Fax #	_____
Town / Postal Code	_____	E-mail	_____

Name of Owner ²	BOB & DOROTHY KNIAF	Phone #	519-582-2124
Address	9 VIOLA CRT	Fax #	
Town / Postal Code	DELHI N4B 3C9	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 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:

NONE

MINOR VARIANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>DELHI</u>	Urban Area or Hamlet	<u>Delhi</u>
Concession Number		Lot Number(s)	<u>53</u>
Registered Plan Number	<u>WDM PLAN 1199</u>	Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	<u>55.78 ft</u>	Depth (metres/feet)	<u>115.35 ft</u>
Width (metres/feet)		Lot area (m ² / ft ² or hectares/acres)	<u>6797 SF</u>
Municipal Civic Address	<u>9 VIOLA COURT DELHI</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):

REMOVE EXISTING 12X31' DECK & CONSTRUCT NEW
SUNROOM 12X16 WITH COVERED DECK ON 1 SIDE
& OPEN DECK ON OTHER SIDE

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

REAR YARD REQUIREMENT FOR ENCLOSED STRUCTURE
IS 29'6". PROPOSED ADDITION WILL LEAVE
ONLY 27' - 2'6" SHORT OF REQUIREMENT.

To permit construction of covered sunroom deck requiring relief of:
0.77m (2.53') from required 9m (29.53') to permit rear yard
setback of 8.23m (27').

MINOR VARIANCE

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

IN ORDER TO COMPLY THE
ROOM WOULD BE TOO NARROW.

D. PROPERTY INFORMATION

Present official plan designation(s):

SINGLE FAMILY (Urban Residential)

Present zoning:

R-1

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:

EXISTING SINGLE FAMILY HOME & GARAGE
EXISTING DECK → TO BE REMOVED & PUT
BACK AS PER PLAN

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

18 YEARS +/-

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.

SUNROOM & DECKS

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:

12' x 16' 10" SUNROOM
6' 8" x 12' COVERED DECK
7' x 16' OPEN DECK

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

JANUARY 2010

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:

Nov. 2006

Present use of the subject lands:

SINGLE FAMILY

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

(ELEVEN) yrs + 1-

Existing use of abutting properties:

SINGLE FAMILY

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:

FAIRLY NEW SUB-DIVISION & THESE ISSUES WOULD HAVE BEEN ADDRESSED.

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:

SUB-DIVISION PLAN

Purpose:

Status/decision:

MINOR VARIANCE

Effect on the requested amendment:

NONE

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:

VIOLA COURT

MINOR VARIANCE

I. OTHER INFORMATION

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

☒ Yes ☐ No

If yes, describe:

WOULD LIKE TO START DEC 1/09

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.



Zoning Deficiency

Norfolk CityView Web

Roll Number 33-10-491-028-056-68-0006

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: 10/27/2003

Owner	KNIPF ROBERT JOHN KNIPF DOROTHY JEANNE	Property Lot		Former Municipality	Delhi
Civic Address	9 VIOLA CRT Unit 00000	Block		Plan	
Legal Description	WDM PLAN 1199 LOT 53	Part		Reference Plan	
Zoning	R1	Concession		Extension to a Non-conforming use?	
By-law		Current Use of Property	Residential	Township	
		Proposed Use of Property	Residential		

Zoning Deficiency

DEVELOPMENT STANDARDS

Required (Meters/Feet)

Proposed

Deficiency

a) Lot Area			574	6189		
b) Lot Frontage			13.712	45		
c) Front Yard Setback						
d) Exterior Side Yard						
e) Interior Side Yard (Rt)						
f) Interior Side Yard (Lt)						
g) Rear Yard	9.0	29.53	8.23	27.0	0.77m	2.53
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:

RELIEF FOR
COVERED REAR
SUNROOM

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] Nov 2/09
SCOTT HAMILL

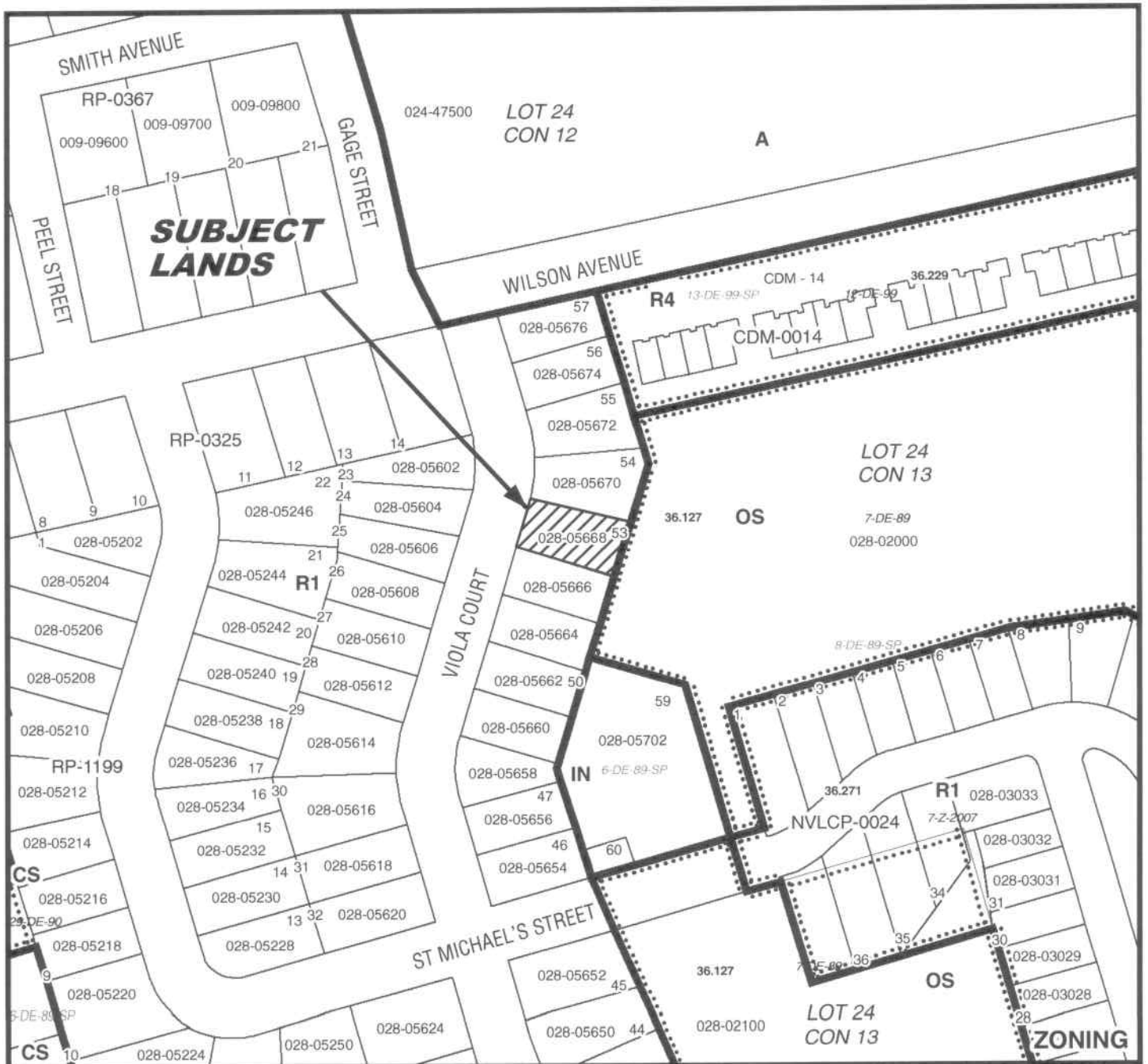
Building Inspector

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:

DEBRA ASH
Name

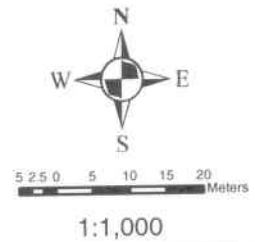
P.O. Box 427, Tillsonburg N46 4H8
Address



MAP 2

File Number: AN-057/2009

Geographic Township of WINDHAM



MAP 3

File Number: AN-057/2009

Geographic Township of WINDHAM

