



## COMMENT REQUEST FORM

**FILE NO.: AN-060/2009**

**ROLL NO.: 3310-401-009-23824**

- ☒ 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 30<sup>th</sup>, 2009

**APPLICANT:**

John J. Barron, 137 Mann Ave Simcoe, ON N3Y 0A5

**AGENT:**

N/A

**LOCATION:**

Lot 12 Concession 6 WDH (137 Mann Ave)

**PROPOSAL:**

REMOVAL AND RELOCATION OF A FENCE REQUIRING RELIEF OF:

- Section 3.12 A: 1 m. (3.28 ft.) from the 1 m (3.28 ft) maximum fence height to allow a fence height of 2 m. (6.56 ft.)

**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](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.

**CIRCULATION DATE: November 16<sup>th</sup>, 2009**

## MINOR VARIANCE

### Office Use:

File Number: AN-60109  
Related File: Nov. 5/09  
Fees Submitted: "  
Application Submitted: "  
Sign Issued: "  
Complete Application: " *Ab.*

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-** 401-009-238-24

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. 1-1999

### A. APPLICANT INFORMATION

Name of Applicant<sup>1</sup> JOHN J. BARRON Phone # (519) 428-0795  
Address<sup>1</sup> 137 MANN AVE. Fax # \_\_\_\_\_  
Town / Postal Code SIMCOE, ON. N3Y0A5. E-mail john.barron@ontario.ca  
<sup>1</sup> 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<sup>2</sup> \_\_\_\_\_ Phone # \_\_\_\_\_  
Address \_\_\_\_\_ 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 mortgages, charges or other encumbrances on the subject lands:

FIRST NATIONAL BANK - MORTGAGE.

## MINOR VARIANCE

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

Geographic Township	Woodhouse Twp.	Urban Area or Hamlet	
Concession Number	6	Lot Number(s)	12
Registered Plan Number	37R-9483	Lot(s) or Block Number(s)	
Reference Plan Number	009-23824	Part Number(s)	
Frontage (metres/feet)	17.167 m	Depth (metres/feet)	44.276 m
Width (metres/feet)	32.297	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	
Municipal Civic Address	137 MANN AVE, SIMCOE, ON. N3Y 0A5		

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):

- Sight triangles:  
As a result of receiving a by-law infraction (Zoning)  
1-1999 Section 3.12, the height of the side fence  
was to be reduced to 1.0 m from current height of 6'6".

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

\* After speaking to planner Shirley Cater, request keeping  
fence height the same for purposes of meeting by-law require-  
ments for having a swimming pool in the backyard. To meet  
sight-line requirements, to cut corner of fence on corner where  
stop sign on Mann Ave at Ireland Rd is erected. ie) To  
bring fence in 9 m from side lot marker (irregular shape) on  
south side of house and 9 m west from back marker to  
meet at an intersecting point and fence to be moved along those  
points. (See accompanying diagram with measurements)

**MINOR VARIANCE**

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

- A 1.0 m fence on side lot would not comply with requirements for a swimming pool in backyard. Reducing height of fence would require raising it again. Also side lot has self-locking gate in place that would comply with above.

**D. PROPERTY INFORMATION**

Present official plan designation(s):

urb. Res.

Present zoning:

R1-B.3

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:

\*

dwelling

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

Nov. 2007

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:

none - maybe a pool

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

Immediately after approval of the minor variance.

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:

27 NOV 2007.

Present use of the subject lands:

RESIDENCE.

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

FENCE BUILT IN JUL 2008 - SO ONE YEAR PRE-EXISTING.

Existing use of abutting properties:

res.

## 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:

New home - 27 NOV 07. EMPTY LOT PRIOR TO THAT.

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
- ☐ Provincial highway
- ☐ Municipal road
- ☐ Other (describe below)

If other, describe:

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Name of road/street:

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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.

- Fence existing from Jan 108 - no complaints until 1 yr later?  
- Fence built by a professional contractor (Outdoor Spaces)  
Yo - Paul Meiklejohn - 519-427-3311. Property owner was not aware  
of by-law and not investigated by fence builder.

Roll Number

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>Mr J J. Barron</u>	Property Lot: <u>          </u>	Former Municipalit: <u>          </u>
	Block: <u>          </u>	Plan: <u>          </u>
Civic Address: <u>137 Main Avenue</u>	Part: <u>          </u>	Reference Plat: <u>          </u>
Legal Description: <u>          </u>	Concessior: <u>          </u>	Extension to a Non-conforming use? <u>          </u>
Zoning: <u>          </u>	Current Use of Property: <u>Residential</u>	Township: <u>          </u>
By-law: <u>1-99</u>	Proposed Use of Property: <u>Residential</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:

l) Parking

m) Other

Other Clause:

3.12.1.  
rule of max height requirement  
1m to 1.5m fence to be  
2m in height

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.

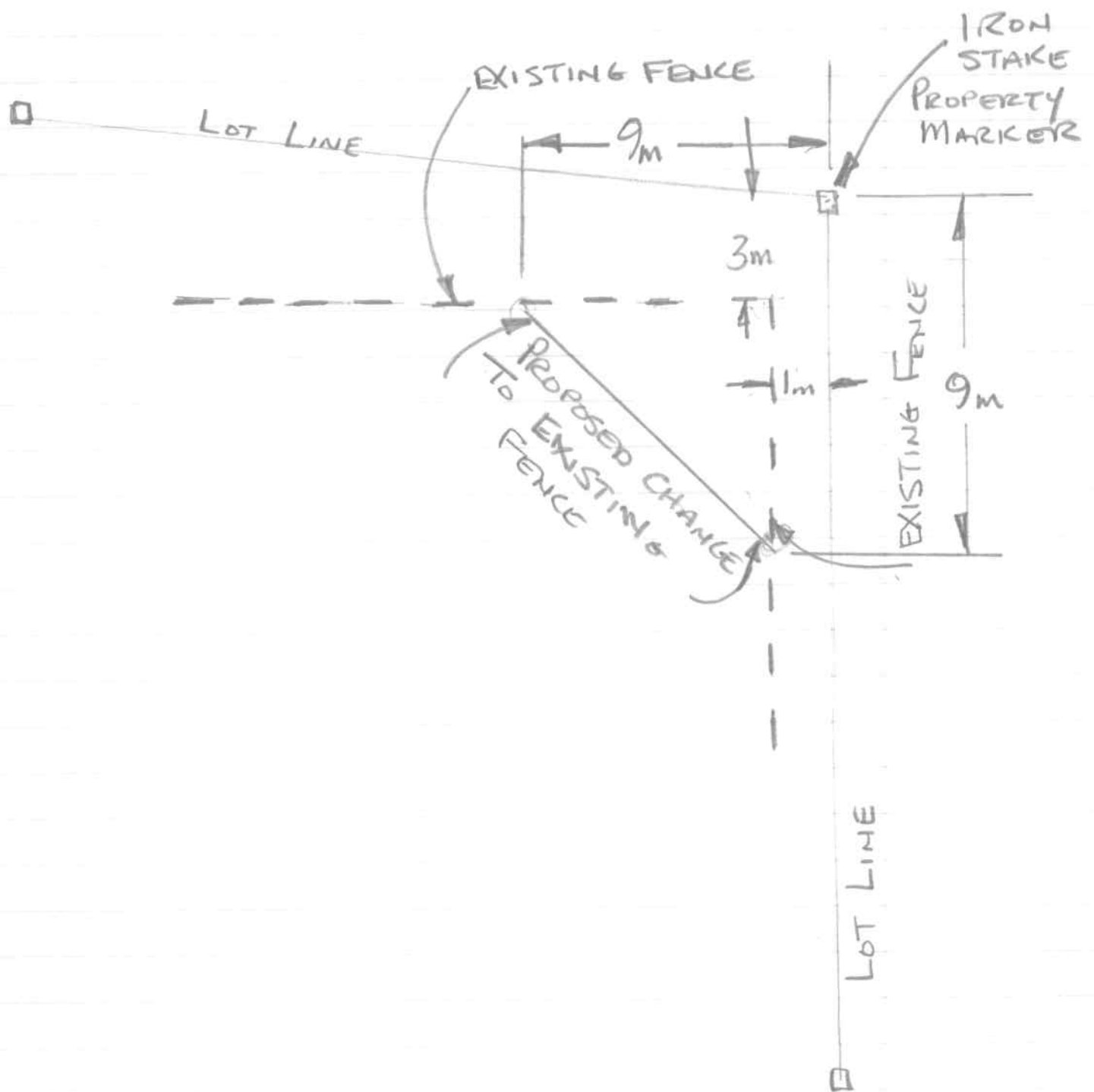
I, the Owner/Applicant take full responsibility for the accuracy of the "PROPOSED" information provided on this form.

Signatures:

Owner/Applicant

Building Inspector

Nov 05-09

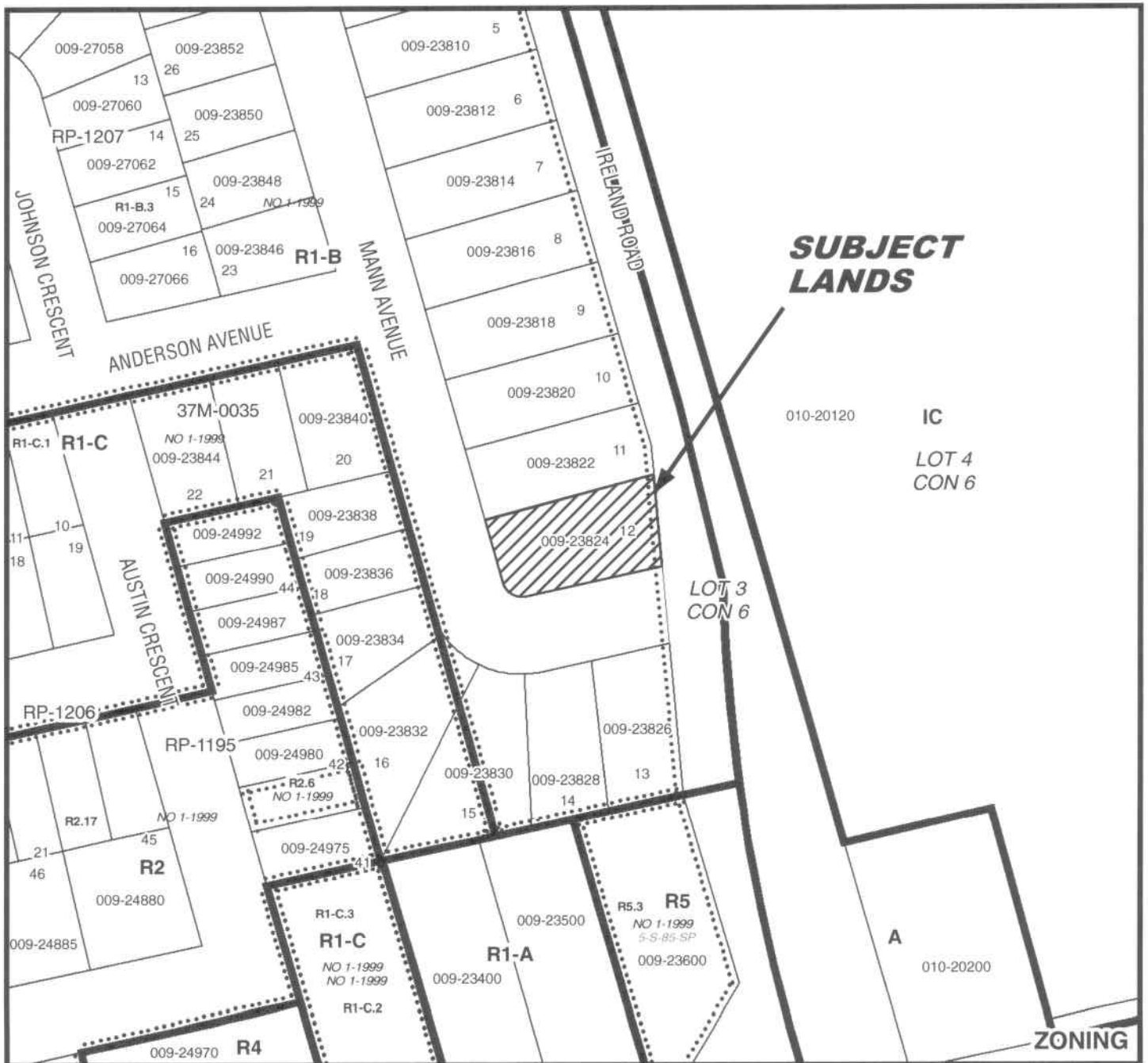
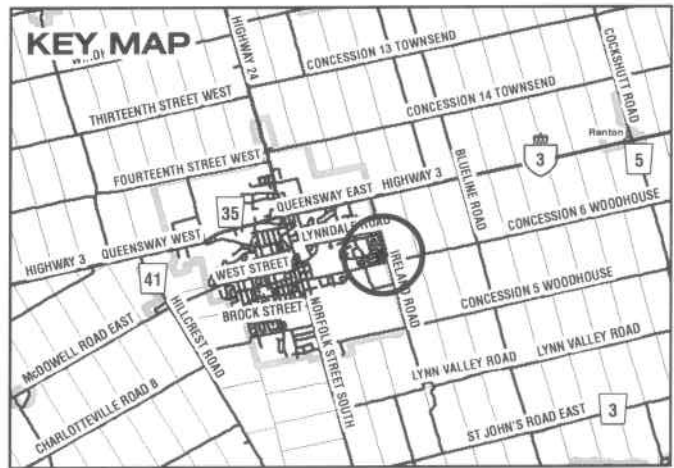
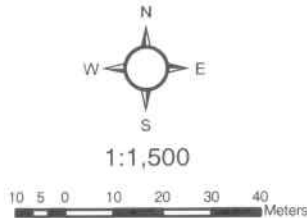


# MAP 1

File Number: AN-060/2009

Urban Area of

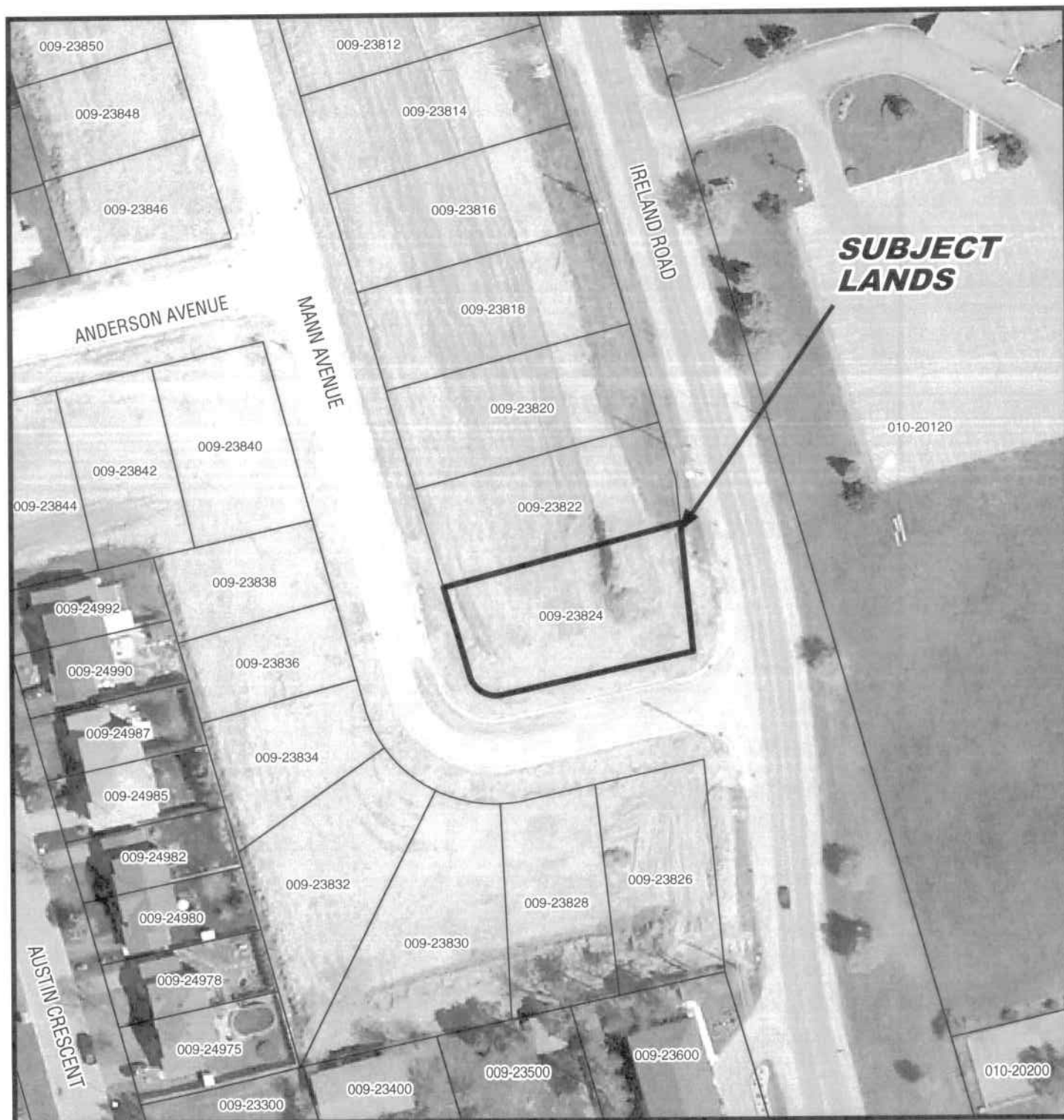
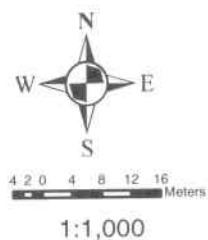
**SIMCOE**



## MAP 2

File Number: AN-060/2009

Urban Area of SIMCOE



# MAP 3

File Number: AN-060/2009

Urban Area of SIMCOE

