



**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:

December 3, 2007

FILE NO.: AN-070/2007

ASSESSMENT ROLL NO.: 3310-334-030-46200

APPLICANT:

Sobeys, 6355 Viscount Road, Mississauga, ON L4V 1W2

AGENT:

Planning & Engineering Initiatives Ltd., 52 Village Centre Place, Mississauga, ON L4Z 1V9

LOCATION:

Part of Lot 13, Concession 1 PTDOV (71 Hamilton Plank Road)

PROPOSAL:

- Relief of 6 m. (19.69 ft.) from the require rear yard setback of 9 m. (29.53 ft.) to allow a rear yard setback of 3 m. (9.84 ft.)
- Relief of 0.1 m. (0.33 ft.) from the required parking aisle width of 7.3 m. (23.95 ft.) to allow a parking aisle width of 7.2 m. (23.62 ft.) to permit the construction of a grocery store.

- | | |
|--|---|
| <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: November 19, 2007

PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:

Shirley Cater, MCIP, RPP

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

FAX: (519) 428-3069 EMAIL: 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

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.

MINOR VARIANCE

THE CORPORATION OF
NORFOLK COUNTY

RECEIVED
NOV 02 2007

PLANNING DEPT.

Office Use:

File Number: AN-70107
Related File: CPN-12/05/2N-70105 SP-17757
Fees Submitted: NOV 7/07
Application Submitted: NOV 7/07
Sign Issued: NOV 7/07
Complete Application: NOV 7/07

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-** 334-030-46200

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 Sobeys Phone # _____
Address 6355 Viscount Rd. Fax # _____
Town / Postal Code Mississauga ON E-mail _____

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

Name of Agent Planning & Engineering Initiative Ltd. Phone # (905) 890-3550
Address 52 Village Centre Plc Fax # (905) 890-7081
Town / Postal Code Mississauga ON L4Z 1V9 E-mail _____

Name of Owner ² Sobeys Capital Inc. Phone # 4
Address 6355 Viscount Rd. Fax # _____
Town / Postal Code Mississauga ON L4V 1W2 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:

MINOR VARIANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township Woodhouse Port Dover Urban Area or Hamlet Port Dover
Concession Number 1 Lot Number(s) Part of lot 13 and Part of the
Registered Plan Number _____ Lot(s) or Block Number(s) road allowance btwn LT 12 & 13
Reference Plan Number _____ Part Number(s) _____
Frontage (metres/feet) _____ Depth (metres/feet) _____
Width (metres/feet) _____ Lot area (m² / ft² or hectares/acres) _____
Municipal Civic Address 71 HAMILTON PLANK RD. 19.

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):

Construction of a 2,351 sqm retail grocery store with loading
parking

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

- ① We request a variance to the rear yard setback of 6.0m
from the required 9.0m to 3.0m.
- ② Relief of aisle width requirement - Required 7.3m - proposed
7.2 - deficient 0.1 metre
to permit construction of grocery store.

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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:

One Storey, 2351 sqm retail grocery store
with on site parking & loading

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:

Present use of the subject lands:

Vacant

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

Existing use of abutting properties:

N, W, S Roads E, Park

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:

Owner

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:

SP 17/2007, OPN 012/2006, ZN 07/2006

Land it affects:

All files are for the same parcel of land

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:

Erie St. and Cecil Ave

MINOR VARIANCE

I. OTHER INFORMATION

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

☒ Yes ☐ No

If yes, describe:

Ongoing OMB Hearing ?

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 33-10-334-030-462-00-0000

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	SOBEYS CAPITAL INCORPORATED	Property Lot		Former Municipality	
Civic Address	00087-71 HAMILTON PLANK RD - Unit 00087	Block		Plan	
Legal Description	PDOV CON 1 PT LOT 13	Part		Reference Plan	
Zoning	HC	Concession		Extension to a Non-conforming use?	
By-law	NW-1-2000	Current Use of Property	Vacant Land	Township	
		Proposed Use of Property	Vacant Land SOBEYS		

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	9m	29.53	3m	9.84	6m	19.69ft
h) Dwelling Unit Area						
i) % Lot Coverage						
j) Height of Building						
k) Accessory Building						
Accessory Building Comments						
l) Parking AISLE WIDTH	7.3m	23.95	7.2	23.62	0.1m	.33
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

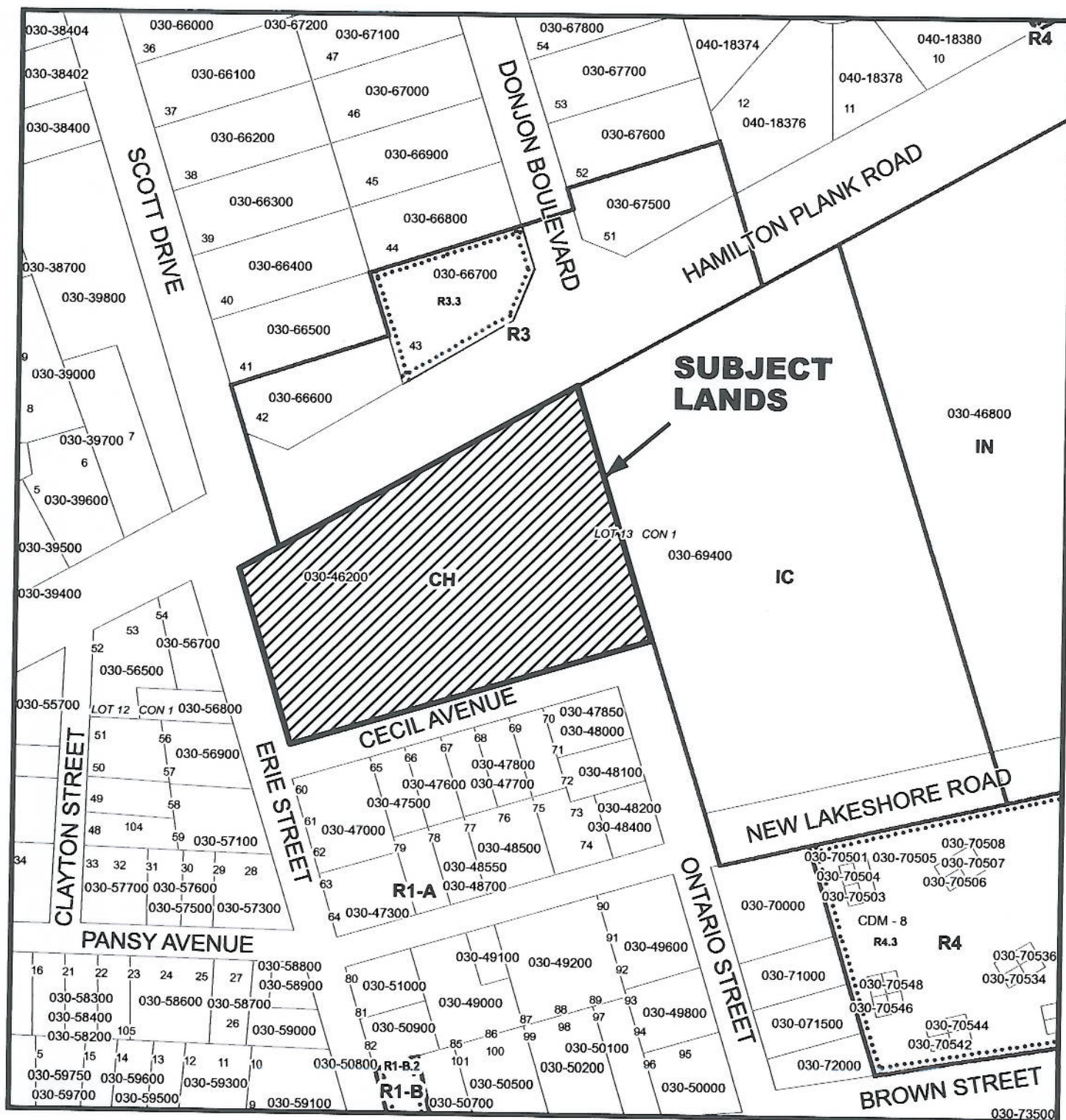
File Number: AN-070/2007

Urban Area of PORT DOVER

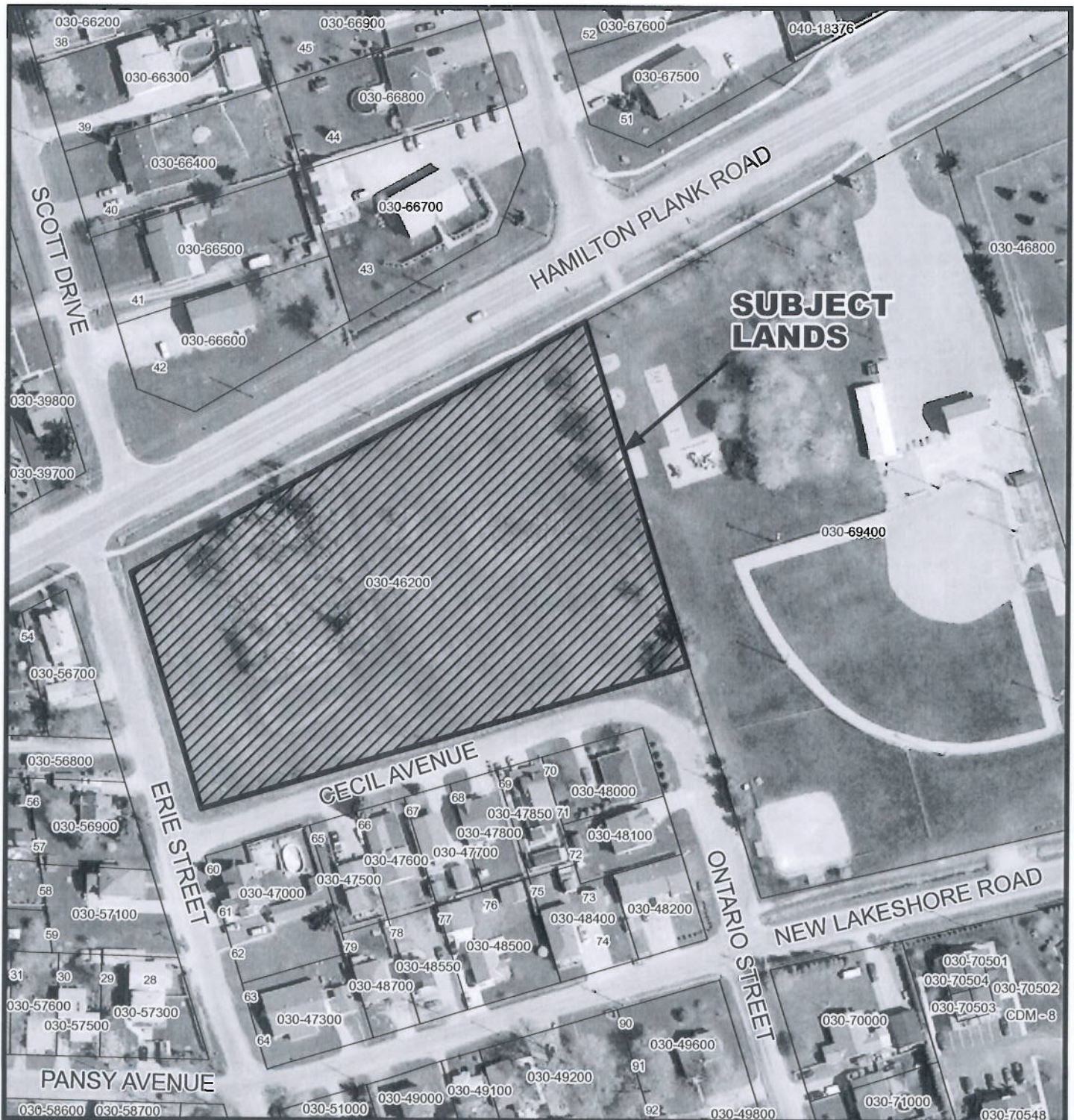
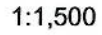


Lake Erie

Urban Area of PORT DOVER



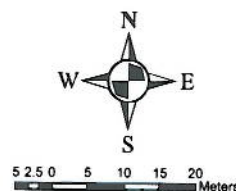
Urban Area of PORT DOVER



MAP 4

File Number: AN-070/2007

Urban Area of PORT DOVER



1:1,000

