



**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-071/2007

ASSESSMENT ROLL NO.: 3310-491-024-5000

APPLICANT:

Lorraine Smith, 410 Church Street, East, Delhi, ON N4B 1V1

AGENT:

Faustin D'Costa & Melinda D'Costa, Owners, 44 Spanhouse Crescent, Markham, ON L3R 4E3

LOCATION:

Lot 3, Plan 303 WDM (410 Church Street, East, Delhi)

PROPOSAL:

- Relief of 0.52 m. (1.7 ft) from the required setback (interior side yard) for an accessory structure (garage) of 1.2 m. (3.9 ft.) to permit a setback of 0.68 m. (2.25 ft.)
- Relief from Section 6.22b to permit eave projection of 0.3 m. (1 ft.) into interior sideyard for accessory structure (garage)
- Relief of 0.4 m. (1.3 ft.) from the required setback in a rear yard for an accessory structure (cabana) of 1.0 m. (3.28 ft.) to permit a setback of 0.6 m. (2.0 ft.) to recognize existing deficiency.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Building Department | |
| <input checked="" type="checkbox"/> Building Inspector (Sewage System Review) | |
| <input checked="" type="checkbox"/> Forestry Division | |
| <input checked="" type="checkbox"/> Treasury Department | |
| <input checked="" type="checkbox"/> Public Works | NOTE: If an agreement is required please attach the clauses you require in the agreement. |

- | |
|---|
| <input checked="" type="checkbox"/> GIS Section |
| <input type="checkbox"/> Norfolk Power |
| <input type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> Railway |
| <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

Office Use:

File Number:

AN-071/2007

Related File:

Fees Submitted:

\$580.00 ✓

Application Submitted:

Nov 8/07

Sign Issued:

Nov 8/07

Complete Application:

Yh

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: 3310-491-024-500

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-DE-80

A. APPLICANT INFORMATION

(Previous owner)
Name of Applicant¹ LORRAINE Smith Phone # 519-582-1089
Address 410 Church St E Fax # 519-582-3433
Town / Postal Code Delhi Ont N4B 1V1 E-mail
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 Owner² FAUSTIN D'Costa + Melinda D'Costa Phone # 905-480-0777
Address 44 Spanhouse Cres Fax #
Town / Postal Code Markham Ont L3R 4E3 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:

Scotiabank

MINOR VARIANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Windham / Norfolk</u>	Urban Area or Hamlet	
Concession Number		Lot Number(s)	<u>3</u>
Registered Plan Number	<u>303</u>	Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	<u>58'</u>	Depth (metres/feet)	<u>159.60'</u>
Width (metres/feet)	<u>58'</u>	Lot area (m ² / ft ² or hectares/acres)	
Municipal Civic Address	<u>410 Church St E, Delhi, Ont N4B 1V1</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):

the relocation of 2-car garage to south-west corner of lot due to fire of house.

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

- Section 6.8b
- Section 6.8.2
- ① Relief of .52m (1.7 ft) from the required setback for an accessory structure (garage) of 1.2m (3.9 ft) to permit a setback of .68m (2.25 ft)
 - ② Relief of .4m (1.3 ft) from the required setback in a rear yard for an accessory structure (cabana) of 1.0m (3.28 ft) to permit a setback of .6m (2.0 ft)
 - ③ Relief from Section 6.22b to permit eave projection of 1 ft (.3m) into intention sideyard for accessory structure (garage).



Note: Garage & Cabana are already there
So: To recognize existing deficiencies

MINOR VARIANCE

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

Garage set down 2' from west property line
in order to have vehicle access to garage.

D. PROPERTY INFORMATION

Present official plan designation(s):

Plan 303

Present zoning:

Residential

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:

1 Storey Brick Home.

2-CAR garage.

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

House 2001

Garage Originally Built 1985 - Moved 2001

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

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:

1992

Present use of the subject lands:

Residence.

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

Existing use of abutting properties:

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



to accommodate asphalt

Revised 04.2007

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

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:

Church St EAST

MINOR VARIANCE

I. OTHER INFORMATION

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

☒ Yes ☐ No

If yes, describe:

ASAP

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.

- Note - the garage was relocated to make room for
reconstruction of house and applicants didn't realize
it needed to be 4 ft. from lot line.



Zoning Deficiency

Norfolk CityView Web

Roll Number 33-10-491-024-500-00-0000

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 SMITH LORRAINE MADELINE
SMITH HARLEY CARSON

Property Lot

Former Municipality

Block

Plan

Part

Reference Plan

Civic Address 410 CHURCH ST E

Legal Description WDM PLAN 303 LOT 3

Concession

Extension to a Non-conforming use?

Zoning

R1

Current Use of Property

Single Family Dwelling

Township

By-law

1-DE 80

Proposed Use of Property

Single Family Dwelling

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 (garage)	1.2m	3.9 ft	0.68m	2.25 ft	0.52m	1.7 ft
Accessory Building Comments	1.0m	3.28 ft	0.60m	2.0 ft	0.4m	1.3 ft
l) Parking						
m) Other						

Other Clause:

Note - To permit eave projection
of 1 ft (0.3 m) into interior
side yard.

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:

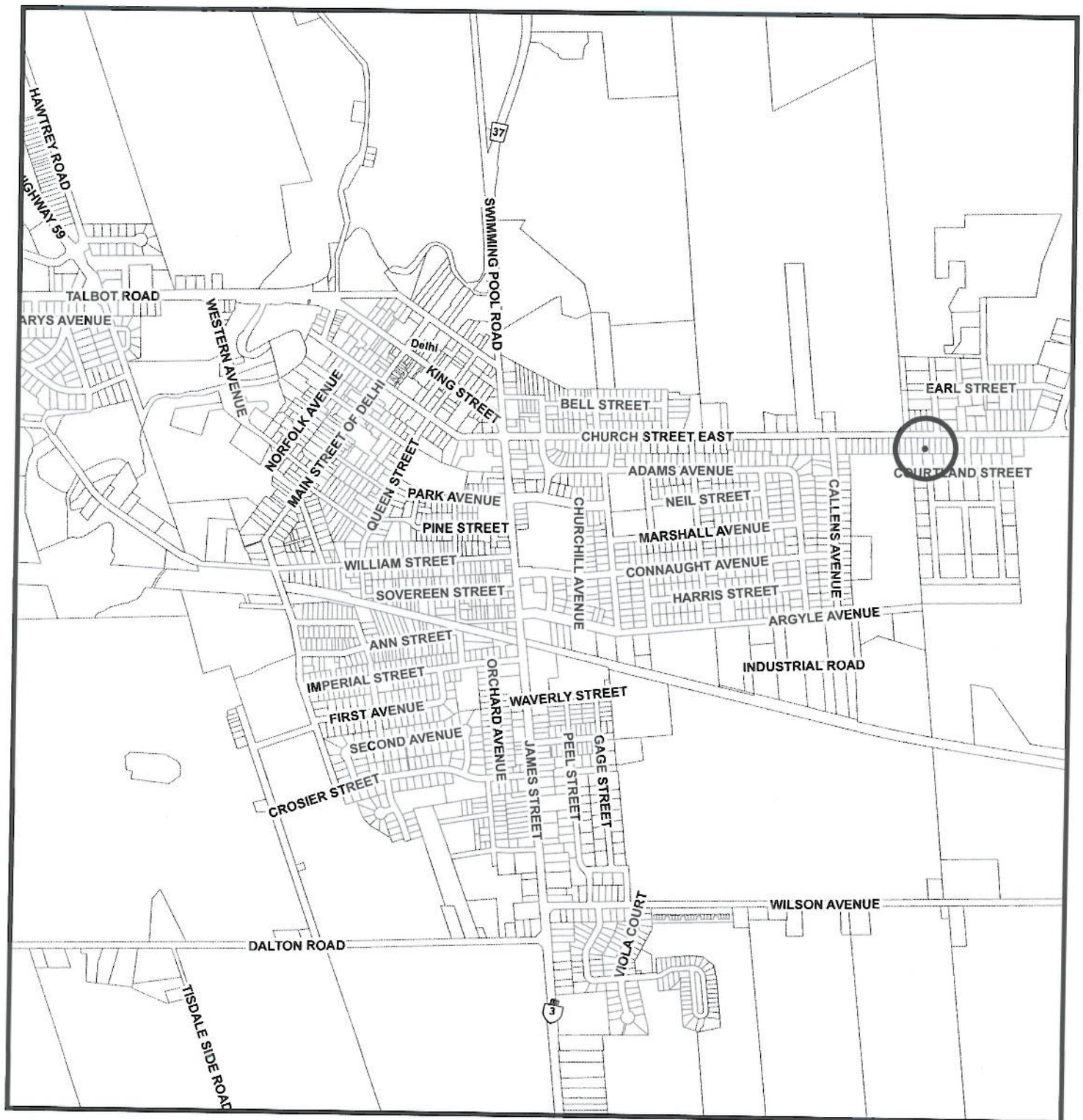
1. Owner/Applicant to complete unshaded areas.
2. Building Inspector to complete shaded areas.

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:

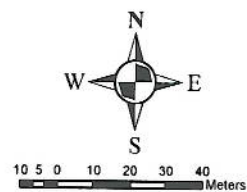
Name

Address

Geographic Township of WINDHAM



MAP 2
File Number: AN-071/2007
Geographic Township of WINDHAM



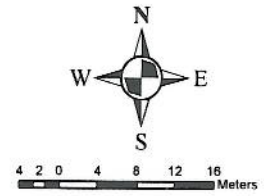
1:2,000



MAP 3

File Number: AN-071/2007

Geographic Township of WINDHAM



1:750

