



THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT

## COMMENT REQUEST FORM

**FILE NO: ANPL2010134**

☒ Building Department  
☒ Building Inspector (Sewage System Review)  
☒ Forestry Division  
☒ GIS Section  
☒ Fire/EMS  
☒ Public Works NOTE: If an agreement is required  
please attach the clauses you require in the  
agreement.

☐ Railway  
☐ Norfolk Power  
☐ Ministry of Transportation  
☐ 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:**

**OCTOBER 4<sup>TH</sup>, 2010**

**APPLICANT:**

JENKINS GEORGE DAVID LEE  
C/O JENKINS & GILVESY, PO BOX 280 STN MAIN TILLSONBURG, ON N4G 4H5

**LOCATION:** SWAL CON 5 PT LOT 13 & 14 (12 South Street)

**ASSESSMENT ROLL NO.:** 3310543020107000000

**PROPOSAL:**

An application has been received to facilitate the severance of a dwelling made surplus through farm amalgamation requiring relief of:

Section 6.1.5 and 11.2b)- 12.33 metres (42') from required 30 metres (100') to permit a lot frontage on an open and improved street of 17.67 metres (58');

Section 24.2b)- To permit a lot frontage of 0 metres for the portion of the lot zoned 'Agricultural (A)'.

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**PLEASE REPLY BY EMAIL DIRECTLY TO:**

**MARY ELDER, MCIP, RPP**

60 Colborne Street South, Simcoe ON N3Y 4H3  
(519) 426-5870 ext: 1341

**EMAIL:** [mary.elder@norfolkcounty.ca](mailto:mary.elder@norfolkcounty.ca)

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**COMMITTEE OF ADJUSTMENT DECISION:**

If you wish to be notified of the Decision of Norfolk County, Committee of Adjustment in respect of the proposed application, 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:** September 20<sup>th</sup>, 2010

MINOR VARIANCE

Off Use:

File Number:

ANPL2010134

Related File:

3NPL2010004

Fees Submitted:

Sept. 9, 2010

Application Submitted:

Sept. 9, 2010

Sign Issued:

Sept. 9, 2010

Complete Application:

Sept. 9, 2010

EE

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: 3310-543020107000000

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-NO 85

**A. APPLICANT INFORMATION**

Name of Applicant <sup>1</sup>	<u>George Jenkins</u>	Phone #	<u>519-842-9017</u>
Address	<u>Box 280</u>	Fax #	<u>519-842-3394</u>
Town / Postal Code	<u>Tillsonburg, ON N4G 4H5</u>	E-mail	<u>george@jenkins-gilvesy.com</u>

<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>	<u>George Jenkins</u>	Phone #	<u>519-842-9017</u>
Address	<u>Box 280</u>	Fax #	<u>519-842-3394</u>
Town / Postal Code	<u>Tillsonburg, ON N4G 4H5</u>	E-mail	<u>george@jenkins-gilvesy.com</u>

<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 mortgagees, charges or other encumbrances on the subject lands:

Mortgage-Farm Credit Canada-200-1133 Saint George Blvd, Moncton, NB E1E 4E1

Lease-Leader Energy Corp c/o Elexco Ltd. 555 Southdale Rd E London, ON N6E 1A2



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

Geographic Township	<u>South Walsingham</u>	Urban Area or Hamlet	<u>Walsingham</u>
Concession Number	<u>5</u>	Lot Number(s)	<u>13</u>
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)		Depth (metres/feet)	
Width (metres/feet)		Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	
Municipal Civic Address	<u>12 South St Walsingham, ON NOE 1X0</u>		

Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes ☒ No

If yes, describe the easement or covenant and its effect:

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**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):

In process of severing existing dwelling from farm lands, Application BNPL2010004

By-Law required entire lot frontage to be located on a publically MAINTAINED road

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

Approximately 58 feet of the lot frontage of the proposed severed lot is located on  
a publically MAINTAINED road. The entire lot frontage is 158.63 feet. Making application  
to reduce requirement that entire lot frontage needs to be located on a publically  
MAINTAINED road to allowing for 58 feet of the lot frontage to be located on a publically  
MAINTAINED road. See Sketch #1 attached.

## MINOR VARIANCE

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

The public road known as South Street runs along the entire frontage of the proposed  
severed lot, but is not entirely maintained. Only approximately 58 feet of the  
frontage is located on a publically MAINTAINED road.

### D. PROPERTY INFORMATION

Present official plan designation(s):

Agricultural

Present zoning:

Agricultural

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:

Lands subject to proposed severance- 1 house and 1 garage which are to remain

See Sketch 2 attached

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

1950

If an addition to an existing building is being proposed, please explain what it will 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, grass floor area, lot coverage, number of storeys, width, length, height, etc. on your attached sketch which must be included with your application:

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:

Father purchased property in 1980, transferred to son George Jenkins in 1999

Present use of the subject lands:

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

Existing use of abutting properties:

Farm Lands

### 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:

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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) on 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:

BNPL2010004

Land it affects:

lands herein

Purpose:

sever exisiting dwelling made surplus through farm amalgamation

Status/decision:

currently deferred until Minor Variance is approved.

## MINOR VARIANCE

Effect on the requested amendment:

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If additional space is required, please attach a separate sheet.

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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)	
	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No _____ 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 &amp; 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:

Name of road/street:

South Street

I. OTHER INFORMATION

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

☐ Yes

☒ No

If yes, describe:

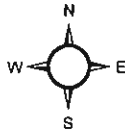
Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

# MAP 1

File Number: ANPL2010134

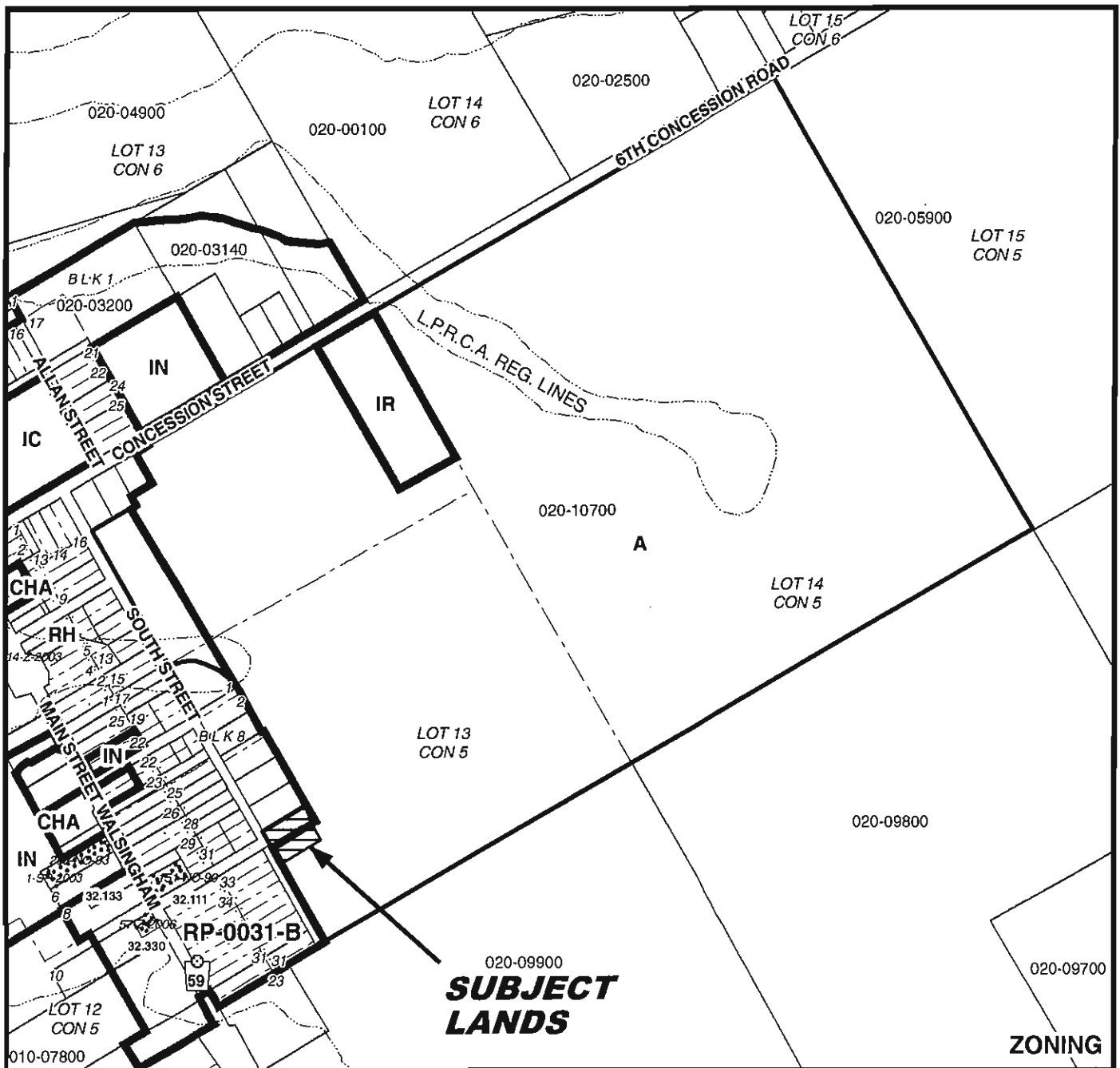
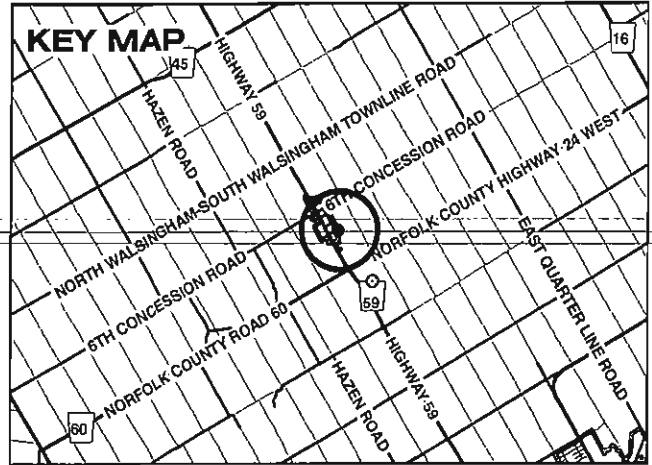
Geographic Township of

**SOUTH WALSINGHAM**



1:7,500

75 37.5 0 75 150 225 300 Meters



## MAP 2

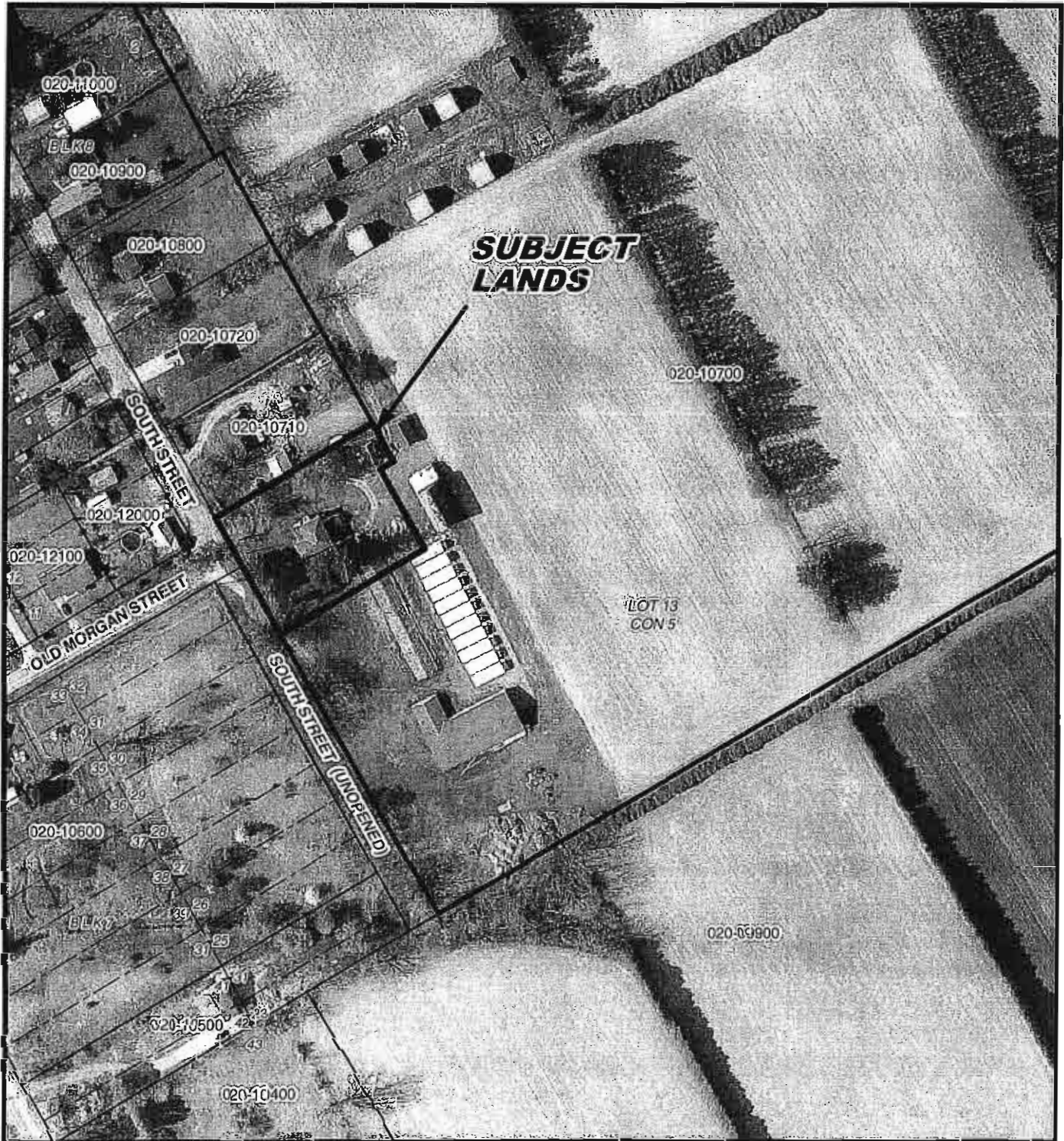
File Number: ANPL2010134

Geographic Township of SOUTH WALSINGHAM



10 5 0 10 20 30 40 Meters

1:2,000



# MAP 3

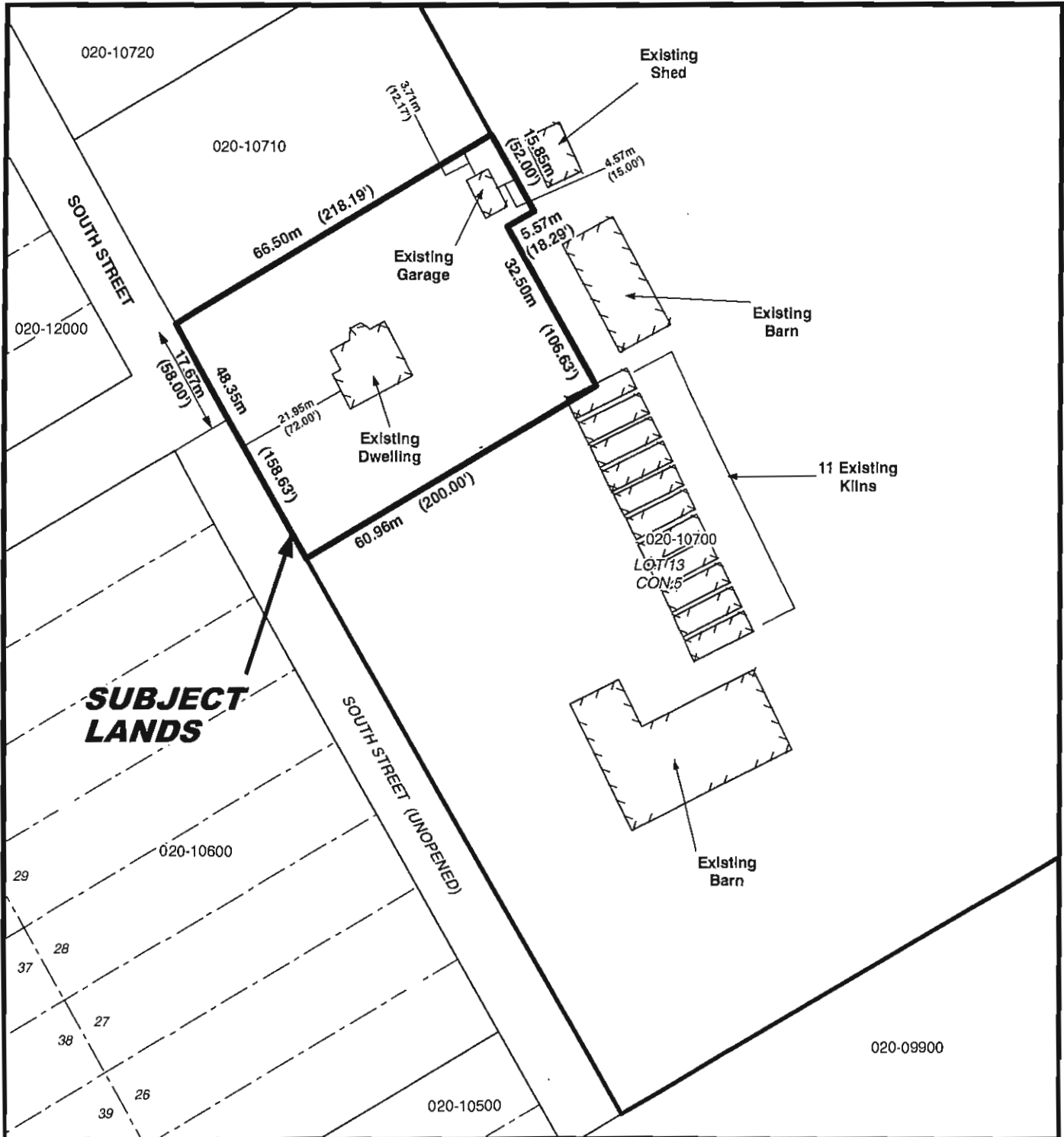
File Number: ANPL2010134

Geographic Township of SOUTH WALSINGHAM



6 3 0 6 12 18 24 Meters

1:1,000





THE CORPORATION  
NORFOLK COUNTY  
**RECEIVED**  
SEP 10 2010  
PLANNING DEPT.

ANPL 2010 \$34

Simcoe: 8 Schellburg Ave.  
Simcoe, ON  
N3Y 2J4  
619-426-4377  
Langton: 22 Albert St.  
Langton, ON  
N0E 1G0  
619-875-4485

## ZONING DEFICIENCY

### PROPERTY INFORMATION

STREET # 12

ROLL No. 3310543020107000000

LEGAL DESCRIPTION:  
SWAL CON 5 PT LOT 13 & 14 RP,  
37R1281 PART OF PART 1, REG,  
169.61AC FR D

UNIT #

TOWNSHIP Norfolk - S. Walsingham

STREET NAME SOUTH ST

ZONING

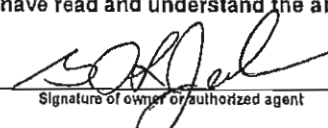
### ZONING DEFICIENCY

DEVELOPMENT STANDARD	REQUIRED (m/ft)		PROPOSED (m/ft)		DEFICIENCY (m/ft)	
LOT AREA						
LOT FRONTAGE	30		17.67		12.33	
FRONT YARD SETBACK						
EXTERIOR SIDE YARD						
INTERIOR SIDE YARD (RIGHT)						
INTERIOR SIDE YARD (LEFT)						
REAR YARD SETBACK						
DWELLING UNIT AREA						
% LOT COVERAGE						
BUILDING HEIGHT						
ACCESSORY BUILDING						
ACCESSORY BUILDING COMMENTS						
PARKING SPACES						

ADDITIONAL COMMENTS: This application requires relief from articles 6.15 and 11.2(b). Lot has 58 feet of frontage on an improved street and 100 is required. The lot is also split into two zones and according to article 5.4 it must satisfy the frontage requirements of both zones; hence requiring relief of 20 ft of frontage in the RH zone and 21.37 ft in the A zone.

The proposed information and any supporting documents have been provided by the owner/applicant. The above information is only in respect to the associated planning application and does not relieve the owner/applicant from obtaining all other permits/approvals required. The owner/applicant hereby accepts full responsibility for the accuracy of the proposed information provided on this form.

I have read and understand the above.

  
Signature of owner or authorized agent

  
Date

PREPARED BY: David McPherson

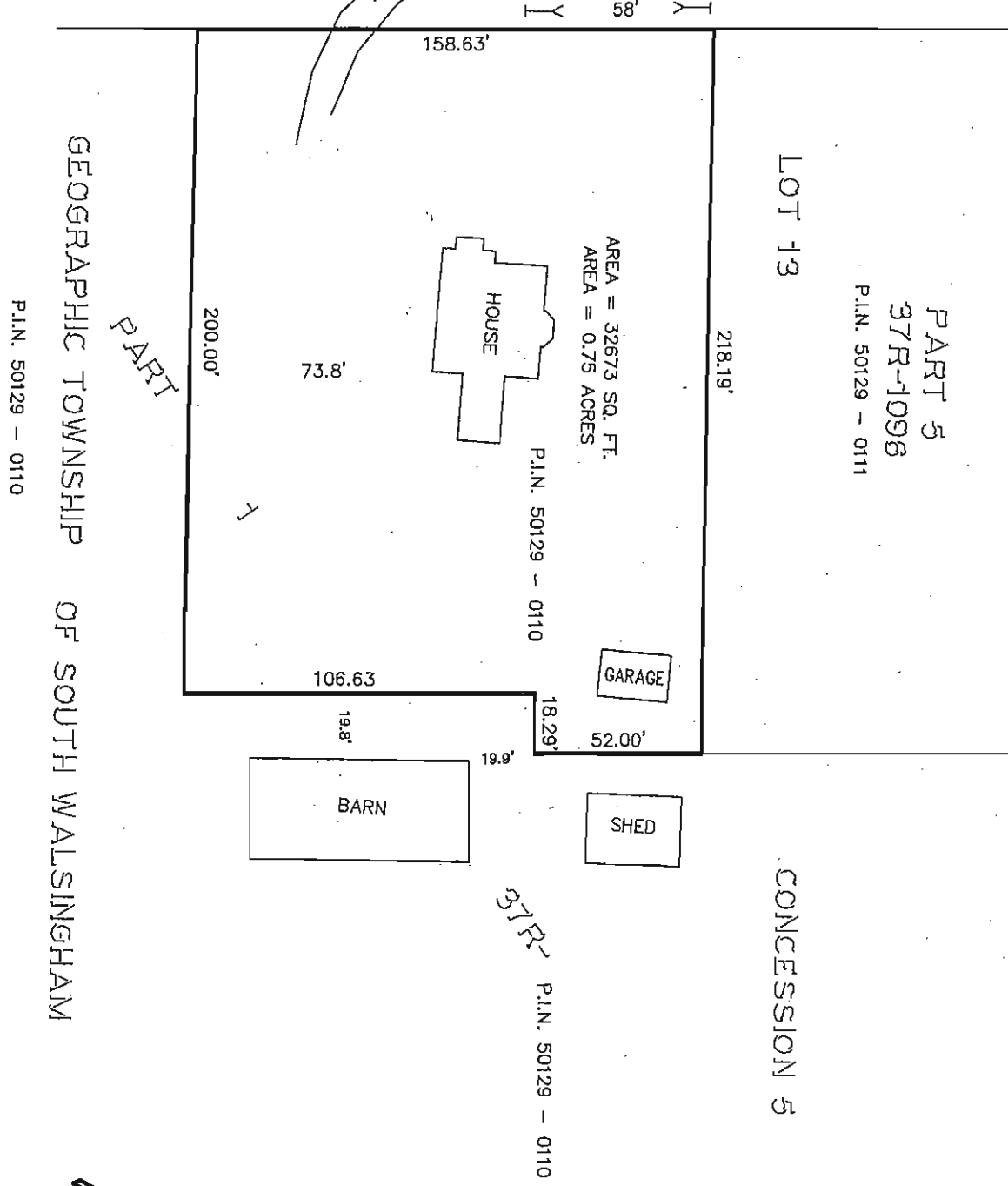
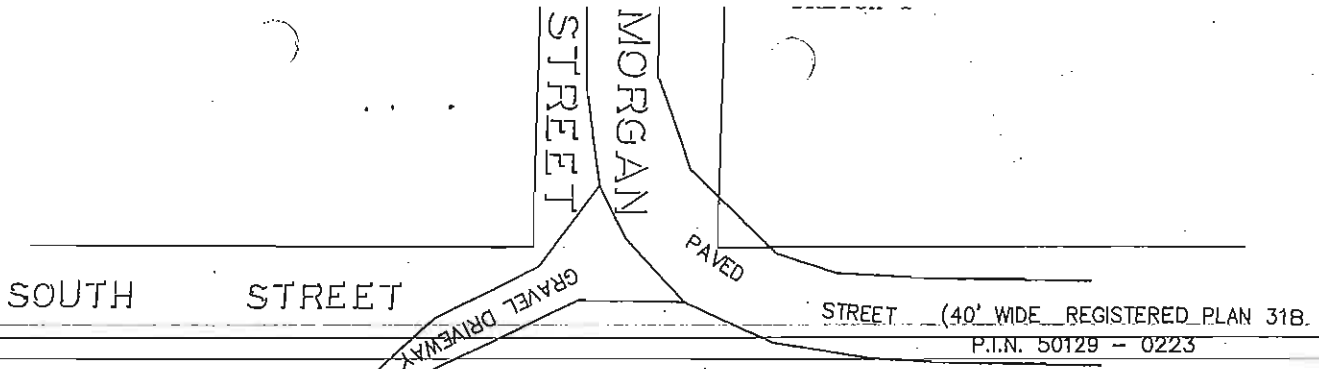
AS PER:

  
Signature of building inspector

  
Date

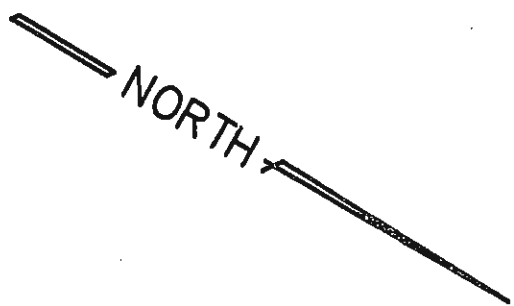
Fritz R. Enzlin CBCO, CRBO  
Chief Building Official  
Manager, Building & Bylaw Division  
Norfolk County

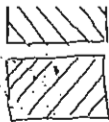
OFFICIAL RECORDING NO. 50129-0110



GEOGRAPHIC TOWNSHIP OF SOUTH WALSHINGHAM

P.L.N. 50129 - 0110





retained parcel

... SOUTH STREET

(40' WIDE REGISTERED PLAN 31B)

P.I.N. 50129 - 0223

