



COMMENT REQUEST FORM

FILE NO: ANPL2011270

☒ 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
☒ Union Gas
☒ Norfolk Heritage Committee
☒ 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:**

January 30th, 2012

APPLICANT:

PROCYK DANNY RICHARD
PROCYK TANIA LOUISE, 1461 WINDHAM ROAD 5 RR 3 VANESSA, ON N0E 1V0

AGENT:

R.C. DIXON, O.L.S., - JEWIT AND DIXON LTD., 51 PARK ROAD SIMCOE, ON N3Y4J9

LOCATION: WDM CON 4 PT LOT 4 (1461 Windham Road 5)

ASSESSMENT ROLL NO.: 3310491005470500000

PROPOSAL:

CONSTRUCT AN ACCESSORY BUILDING ON A RESIDENTIAL LOT REQUIRING RELIEF OF:
1.9m (6.23 ft) from the maximum allowable building height of 4.5 m. (14.76 ft.) to permit the construction of an accessory building having a height of 6.4 m. (21 ft.)

PLEASE REPLY BY EMAIL DIRECTLY TO:

SHIRLEY CATER, MCIP, RPP, ECD

60 Colborne Street South, Simcoe ON N3Y 4H3
(519) 426-5870 ext: 1290

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 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

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: January 16, 2012

MINOR VARIANCE

no OSSDS Reg'd.
 inc to LPRCA
 chg. att'd.

Office Use:

File Number:

AN PL 2011270

Report No.

BN-18/09

Fees Submitted:

Dec 22/11 (Receipt not done)

Application Submitted:

11

Signature:

11

Complete Application:

11

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- 491-005-4705

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

Name of Applicant¹

Danny + Tania Proyk

Phone #

(519) 443-8159 / 427-8011

Address

1461 Windham Rd. 5

Fax #

Town / Postal Code

RR3 Vanessa NOBIVO

E-mail

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

Name of Agent

R.C. Dixon, Q.L.S.

Phone #

(519) 426-0842

Address

51 Park Road

Fax #

426-1034

Town / Postal Code

Simcoe, On

E-mail

surveyors@amtelecom.net

Name of Owner²

Phone #

Address

Fax #

Town / Postal Code

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 sent³:

☐ 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 mortgages, charges or other encumbrances on the subject lands:



MINOR VARIANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Windham</u>	Urban Area or Hamlet	
Concession Number	<u>4</u>	Lot Number(s)	<u>4</u>
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number	<u>37R 8447 & (37R 10139)</u>	Part Number(s)	<u>37R 8447-Pt 1 less Pt 2 on 37R 10139</u> <u>with Pt 1 on 37R 10139</u>
Frontage (metres/feet)	<u>79.25m / 260'</u>	Depth (metres/feet)	<u>227'</u>
Width (metres/feet)	<u>79.25m / 260'</u>	Lot area (m ² / ft ² or hectares/acres)	<u>0.549 ha / 1.35 ac</u>
Municipal Civic Address	<u>1461 Windham Road S</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 owners wish to build a garage on the easterly side of their property. While the garage is somewhat higher than the by-law, the garage would sit at a lower elevation than the dwelling but the size and style is compatible and aesthetically similar to the dwelling.

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

The only deficiency would be for height as the required max. height is 4.5m and the proposed is 6.4m being a difference of 1.9m

Proposal: to construct an Accessory Building on a Residential Lot requiring relief of 1.9m. (6.23 ft.) from the required max. height of 4.5m. (14.76 ft.) to permit an Acc. Bldg. with a height of 6.4m. (21 ft.)

MINOR VARIANCE

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

The garage is designed to compliment the large existing dwelling, would sit lower (at ground level) and is compatible with the dwelling. Surrounding land is owned by Procy Farms. Upper level of garage to be used for miscellaneous storage only.

D. PROPERTY INFORMATION

Present official plan designation(s):

Agriculture

Present zoning:

Agriculture

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:

There is currently an existing brick dwelling.

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

2002

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.

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:

The proposed new garage is to be 13.7 m x 11.6 m and would have an area of 151.4 m². It would be brick, matching the house.

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

A.S.A.P.

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:

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

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:

Local Knowledge

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:

B-28/00 DE and BN-018/2009

Land it affects:

subject lands created then added to

Purpose:

include occupied/improved land and allow for garage

Status/decision:

approved.

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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)	☐ Yes	☒ No	☐ Yes	☒ No _____ distance
Wooded area	☒ Yes	☒ No	☒ Yes	☐ No _____ distance
Municipal landfill	☐ Yes	☒ No	☐ Yes	☒ No _____ distance
Sewage treatment plant or waste stabilization plant	☐ Yes	☒ No	☐ Yes	☒ No _____ distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature	☐ Yes	☒ No	☒ Yes	☒ No _____ distance
Floodplain	☐ Yes	☒ No	☐ Yes	☒ No _____ distance
Rehabilitated mine site	☐ Yes	☒ No	☐ Yes	☒ No _____ distance
Non-operating mine site within one kilometre	☐ Yes	☒ No	☐ Yes	☒ No _____ distance
Active mine site within one kilometre	☐ Yes	☒ No	☐ Yes	☒ No _____ distance
Industrial or commercial use (specify the use(s))	☐ Yes	☒ No	☐ Yes	☒ No _____ distance
Active railway line	☐ Yes	☒ No	☐ Yes	☒ No _____ distance
Seasonal wetness of lands	☐ Yes	☒ No	☐ Yes	☒ No _____ distance
Erosion	☐ Yes	☒ No	☐ Yes	☒ No _____ distance
Abandoned gas wells	☐ Yes	☒ No	☐ Yes	☒ No _____ distance

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

If other, describe:

Name of road/street:

Windham Road 5

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I. OTHER INFORMATION

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

☒ Yes ☐ No

If yes, describe:

wishes to build this fall

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

Simcoe: 8 Schellburg Ave.
Simcoe, ON
N3Y 2J4
519-426-4377
Langton: 22 Albert St.
Langton, ON
N0E 1G0
519-875-4485

PROPERTY INFORMATION

STREET # 1461

ROLL No. 3310491005470500000

LEGAL DESCRIPTION:
WDM CON 4 PT LOT 4 RP, 37R8447
PART 1, REG, 1.01AC 224.00FR D

UNIT #

TOWNSHIP Delhi - Windham

STREET NAME WINDHAM ROAD 5

ZONING AGR

ZONING DEFICIENCY

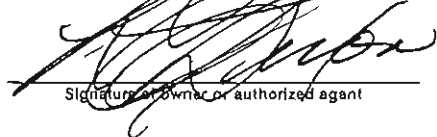
DEVELOPMENT STANDARD	REQUIRED (m/ft)		PROPOSED (m/ft)		DEFICIENCY (m/ft)	
LOT AREA						
LOT FRONTAGE						
FRONT YARD SETBACK						
EXTERIOR SIDE YARD						
INTERIOR SIDE YARD (RIGHT)						
INTERIOR SIDE YARD (LEFT)						
REAR YARD SETBACK						
DWELLING UNIT AREA						
% LOT COVERAGE						
BUILDING HEIGHT	4.5 M		6.4 M		1.9 M	
ACCESSORY BUILDING						
ACCESSORY BUILDING COMMENTS						
PARKING SPACES						

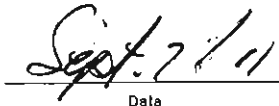
ADDITIONAL COMMENTS:

- PURPOSED DETACHED GARAGE.
- DELHI ZONING BY-LAW 1-DE 80 SECTION 6.8

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.

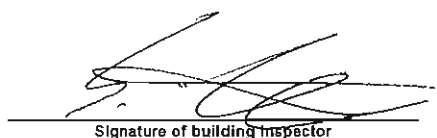
I have read and understand the above.

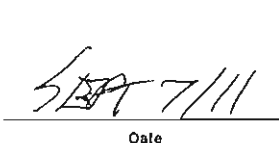

Signature of owner or authorized agent


Date

PREPARED BY: Steven Little

AS PER:


Signature of building inspector


Date

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

260.00' (MEAS)

N78°28'10"E

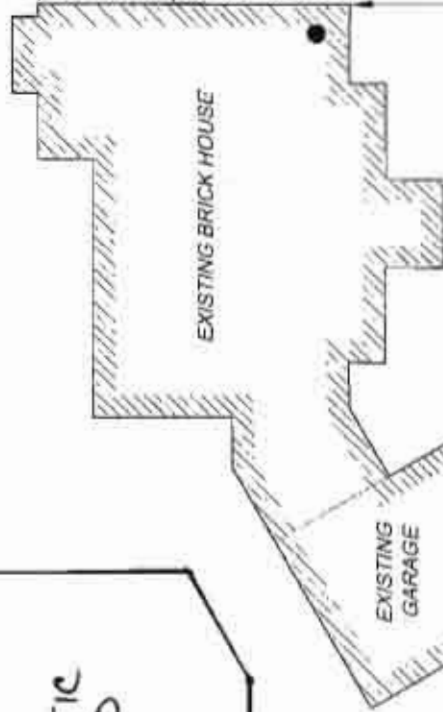
50179 PART 1

N78°28'10"E

225.00' (P1&MEAS)

IB (700)

32.00' (SET)
IB (700)



WELL



PART 1.

PLAN 37R - 8447

PIN 50179- 0131 LT

N11°31'50"W

195.00' (P1&MEAS)

69.88'

76.09'

SIB (700)

N78°28'10"E

225.00' (P1&MEAS)

IB (700)

35.00' (SET)

N78°28'10"E

227.00' (P1&MEAS)

N11°31'50"W

104.18'

N11°31'50"W

195.00' (P1&MEAS)

107.19'

46.35'

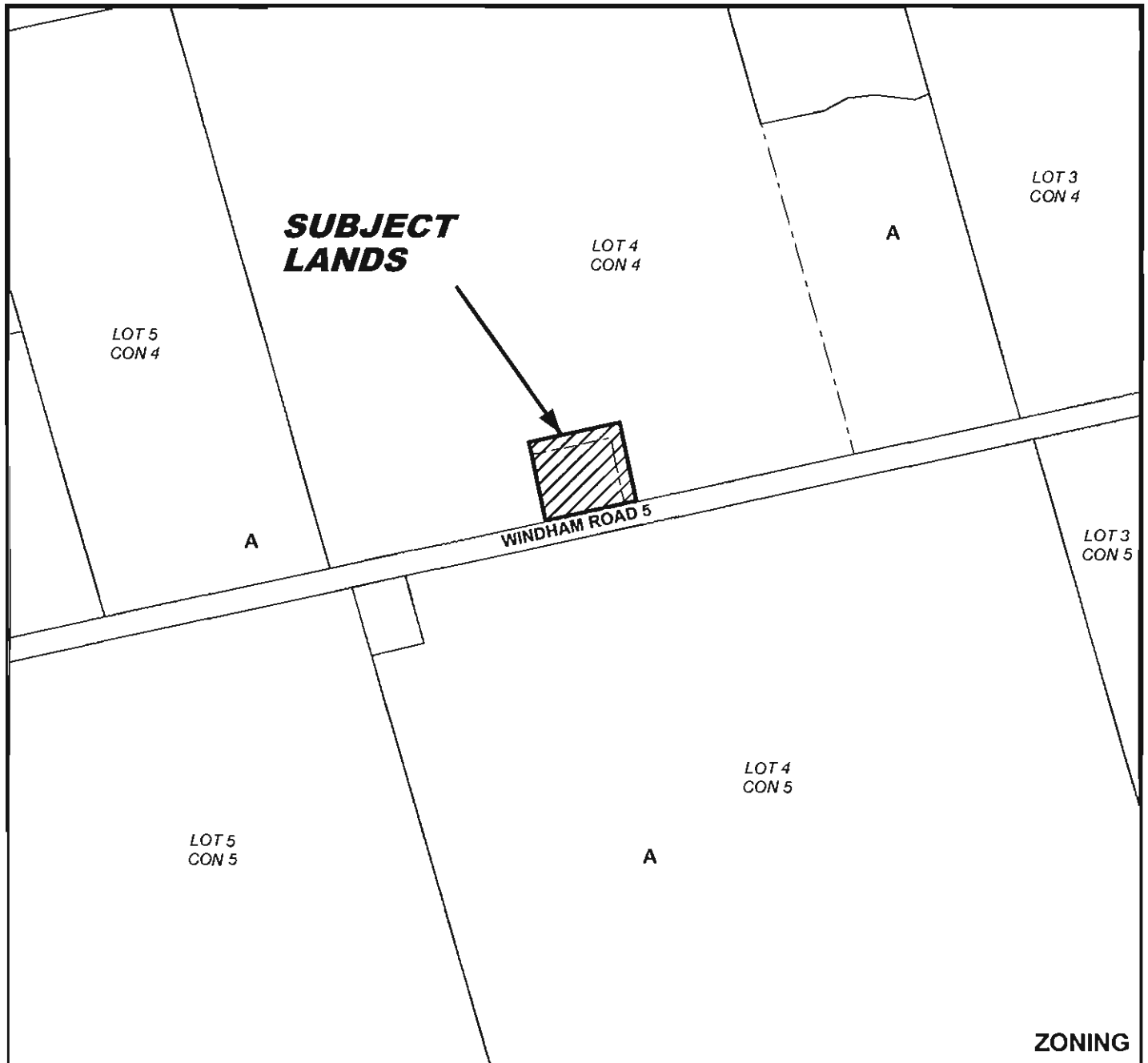
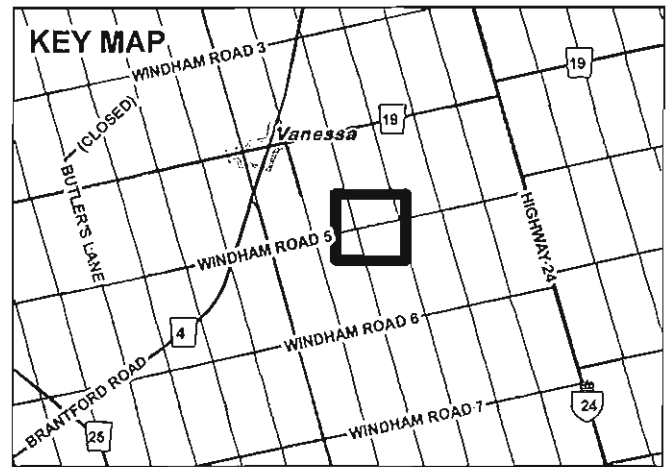
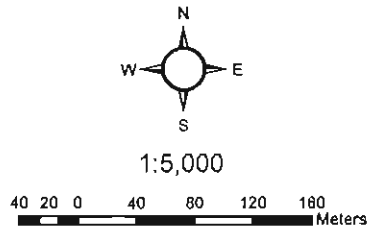
60.31'

52.84'

84.81'

MAP 1
File Number: ANPL2011270

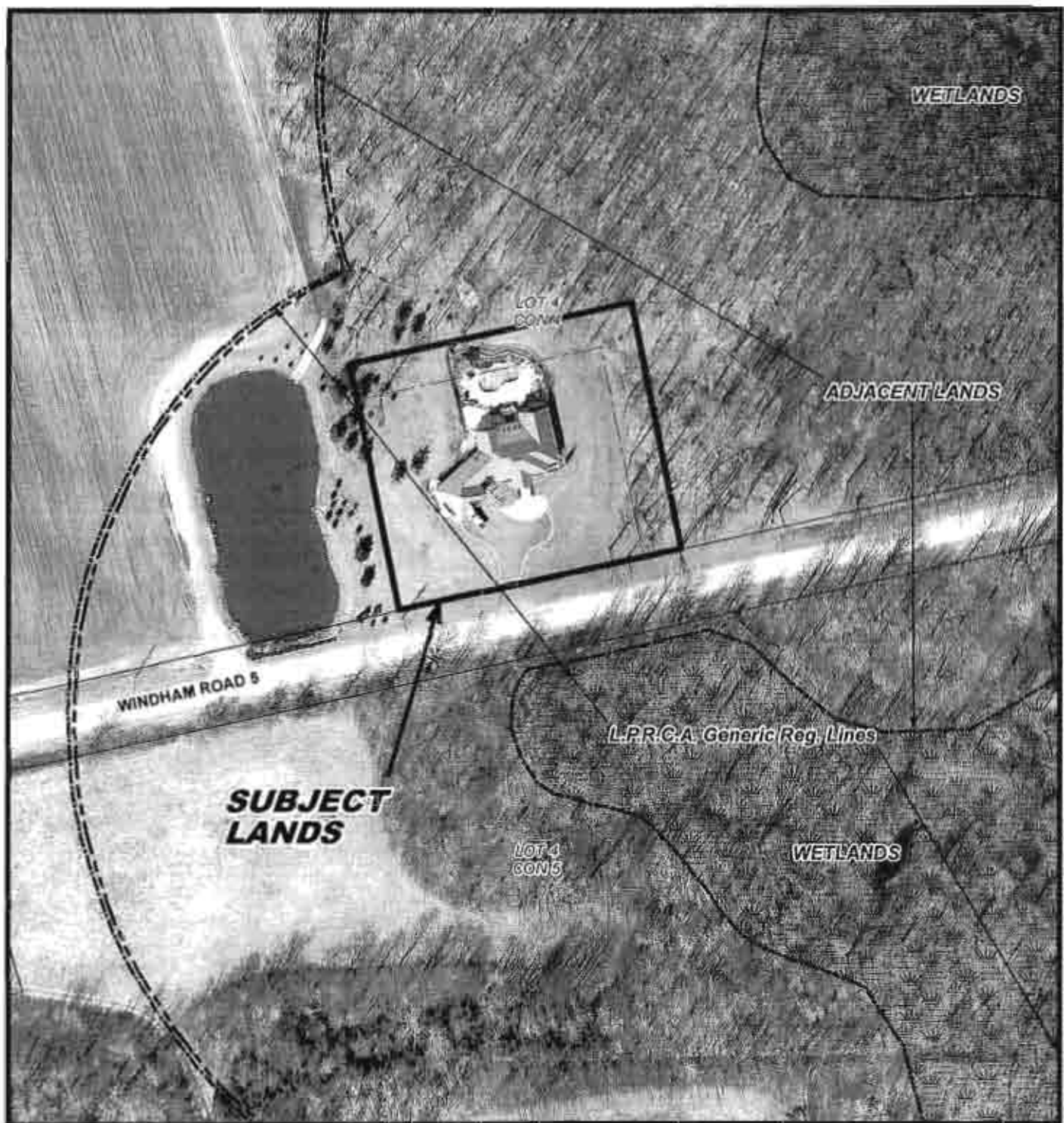
Geographic Township of
WINDHAM



MAP 2

File Number: ANPL2011270

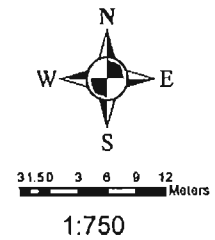
Geographic Township of WINDHAM



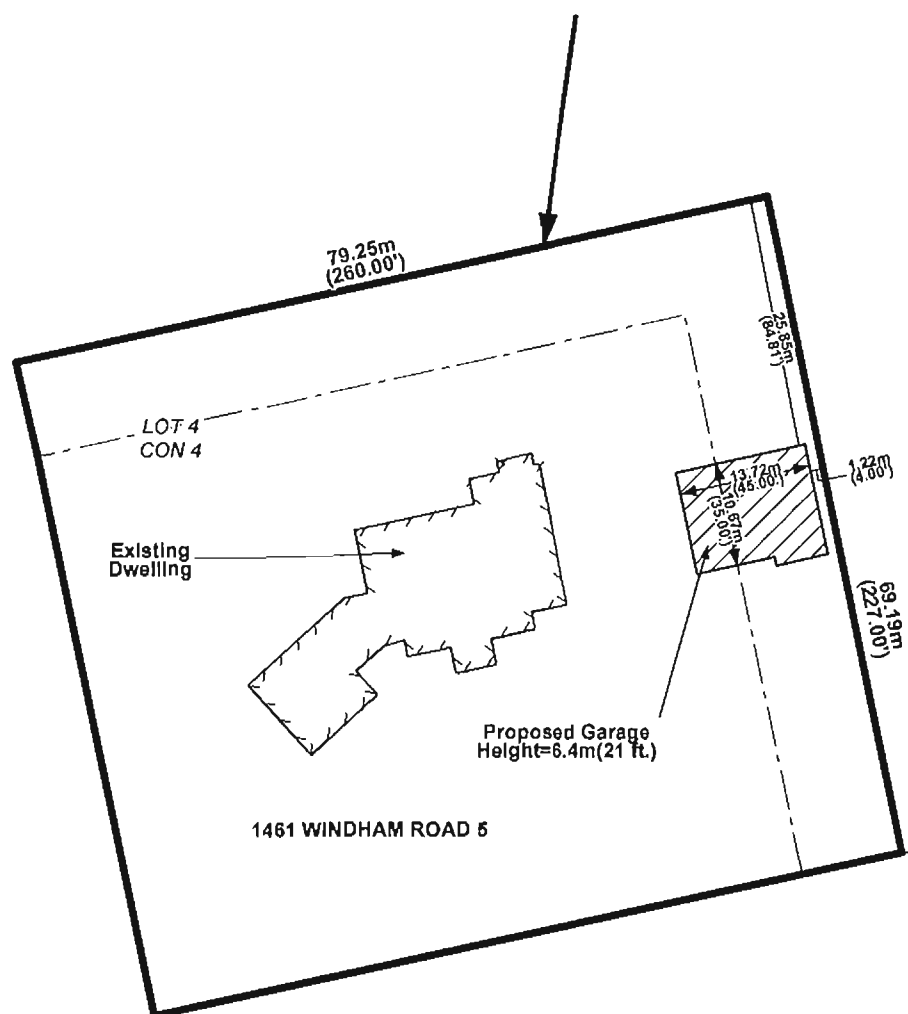
MAP 3

File Number: ANPL2011270

Geographic Township of WINDHAM



SUBJECT LANDS



1461 WINDHAM ROAD 5

WINDHAM ROAD 5

LOT 4
CON 5