



THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT

## COMMENT REQUEST FORM

**FILE NO: ANPL2012239**

☒ Building Department  
☒ Health Unit  
☒ Forestry Division  
☒ GIS Section  
☒ Fire/EMS  
☒ Public Works NOTE: If an agreement is req'd please  
attach the clauses you require in the agreement.

☐ Railway  
☒ Norfolk Power  
☐ Hydro One  
☒ 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:**

**December 3, 2012**

**APPLICANT:**

MARK BENNETT AND 2304882 ONTARIO INC., 32 CHARING CROSS STREET BRANTFORD, ON N3R2H2

**LOCATION:** PDOV PL 207 BLK 75 PT LTS5&6, BLK 75A LOT 3,5,6,8,9,10,11,12&13 PT LOT 1,2,4,75&80 RP 37R4927 PARTS 1 TO 6 RP 37R2650 PARTS 1 AND 2 RP 37R5236 PART 1 SUBJECT TO R O W (1 Grand St and 15 Old Hamilton Road)

**ASSESSMENT ROLL NO.:** 3310334030356000000

**PROPOSAL:**

An application has been received to permit an increased maximum floor area ratio of 0.95 from the maximum permitted floor area ratio of 0.79 for a five story apartment building to be located at the north end of the property in the 'Urban Residential (R5) zone' of the City of Nanticoke Zoning By-law NW 1-2000. The subject lands are designated "Urban Waterfront" in the Norfolk County Official Plan.

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**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](mailto:shirley.cater@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:

Meghan Gelinis, Secretary-Treasurer  
P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0  
Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789  
[meghan.gelinis@norfolkcounty.ca](mailto:meghan.gelinis@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 19, 2012**

# MINOR VARIANCE

## Office Use:

File Number:

ANPL 2012 239

Related File:

Fees Submitted:

November 7, 2012

Application Submitted:

November 7, 2012

Sign Issued:

November 7, 2012

Complete Application:

Nov. 7, 2012

me.

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.

334-030-356-00

334-030-358-00

Property assessment roll number: 3310- 334-030-361-00

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 1-200

## A. APPLICANT INFORMATION

Name of Applicant <sup>1</sup>	Mark Bennett and 2304882 Ont. Inc.	Phone #	1.519.770.8442
Address	32 Charing Cross St.	Fax #	1.519.756.3114
Town / Postal Code	Brantford, Ont. N3R 2H2	E-mail	markbennett@gmail.com

<sup>1</sup> If the applicant is a numbered company provide the name of a principal of the company.

Name of Agent	Mark Bennett and 2304882 Ont. Inc.	Phone #	1.519.770.8442
Address	32 Charing Cross St.	Fax #	1.519.756.3114
Town / Postal Code	Brantford, Ont. N3R 2H2	E-mail	markbennett@gmail.com
Name of Owner <sup>2</sup>	Harry Lloyd Gamble Marry Jane Gamble	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 mortgagees, charges or other encumbrances on the subject lands:  
Harry Lloyd Gamble and Marry Jane Gamble

## MINOR VARIANCE

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

Geographic Township	Township of Norfolk	Urban Area or Hamlet	Port Dover
Concession Number	Concession 2	Lot Number(s)	3,4, 5, 6, 8, 9, 10, 11, 12 and 13 and part lots 1 and 2 and 80 in block 75-A and part lots 4, 5 and 6 in block 75
Registered Plan Number	207	Lot(s) or Block Number(s)	
Reference Plan Number	37R4927	Part Number(s)	1 to 5
Frontage (metres/feet)	73/239.5	Depth (metres/feet)	64/210
Width (metres/feet)	153.5/503.6	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	7001.6/75,364.6 m/ft
Municipal Civic Address	1 Grand Street, Port Dover		

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

☒ Yes ☐ No

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

Holding provision

### 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 proposal is for a five story apartment with a mixture of 1, 2 and 3 bedroom units.

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

The proposed amendment is to increase the permitted FAR from .79 to .95 for a five story building.

## MINOR VARIANCE

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

The contemplated buildings as designed on the original proposed site plan do not meet the usable square footage in the by-law.

## D. PROPERTY INFORMATION

Present official plan designation(s):

Urban Waterfront

Present zoning:

R-4 and R-5

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 a steel clad shop building and single family house to be removed.

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

N/A

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:

Please refer to drawings included with application for all site and building information.

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If known, the date the proposed buildings or structures will be constructed on the subject lands:  
May 2013 - April 2014

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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:

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The date the subject lands was acquired by the current owner:

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Present use of the subject lands:  
Commercial and residential

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

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Existing use of abutting properties:  
Residential and marine outdoor storage

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## 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:

A portion of the adjoining property was used for marine storage and work shop.

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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:

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:

ZN-9/2004

Land it affects:

Purpose:

To change from Development (D) to "Urban Residential" Type 5 - Holding (R5) (H)

Status/decision:

Enacted and Passed

## MINOR VARIANCE

Effect on the requested amendment:  
No effect

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)) <b>Marine Storage</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>0</u> 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:

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

If other, describe:

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Name of road/street:

Grand Street and Old Port Dover and Hamilton Road

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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:

Meet Ministry of Transportation deadlines for spring construction on HWY #6

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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.

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# 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 # Grand Street

ROLL No. 3310334030358000000

LEGAL DESCRIPTION:  
PDOV PL 207 BLK 75 PT LTS5&6, BLK  
75A LOT 5,6,8,9,10,11,12, & 13 PT LOT  
4 PT LOT 75 RP, 37R4927 PARTS 1  
TO 6 SUBJECT, TO R O W

UNIT #

TOWNSHIP Nanticoke - Port Dover

STREET NAME

ZONING R5

Grand St.

## ZONING DEFICIENCY

DEVELOPMENT STANDARD	REQUIRED (m/ft)		PROPOSED (m/ft)		DEFICIENCY (m/ft)	
LOT AREA	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
LOT FRONTAGE	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
FRONT YARD SETBACK	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
EXTERIOR SIDE YARD	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
INTERIOR SIDE YARD (RIGHT)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
INTERIOR SIDE YARD (LEFT)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
REAR YARD SETBACK	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
DWELLING UNIT AREA	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
% LOT COVERAGE	<input type="text"/>		<input type="text"/>		<input type="text"/>	
BUILDING HEIGHT	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
ACCESSORY BUILDING	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
ACCESSORY BUILDING COMMENTS	<input type="text"/>					
PARKING SPACES	<input type="text"/>		<input type="text"/>		<input type="text"/>	

ADDITIONAL COMMENTS: ByLaw 5.5.5.2.e. Max. Floor Area Ratio required for a five storey building Max. permitted is .79 - Proposed is .91. 98  
Deficiency of .12 .16 m/s

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:

AS PER:

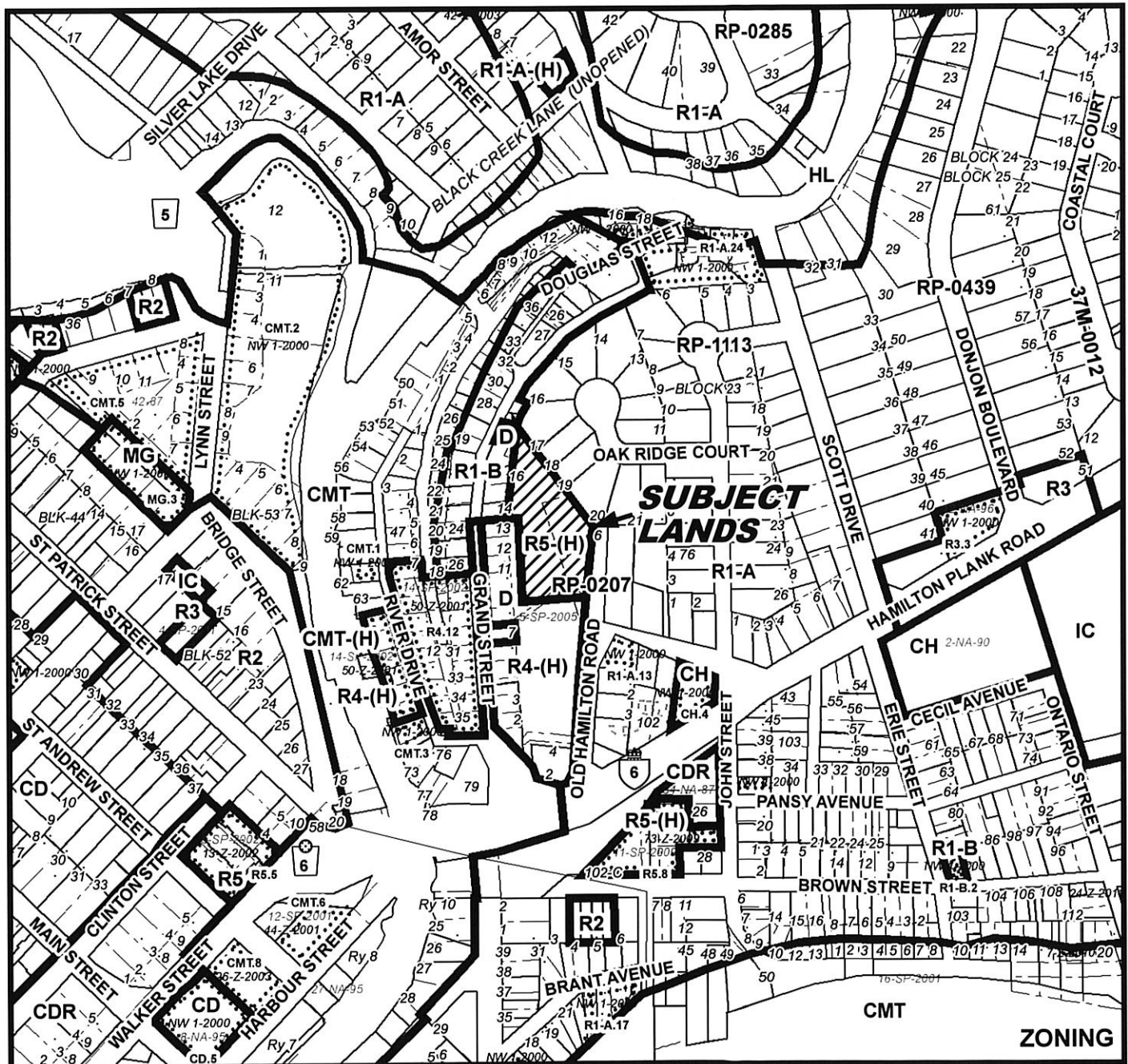
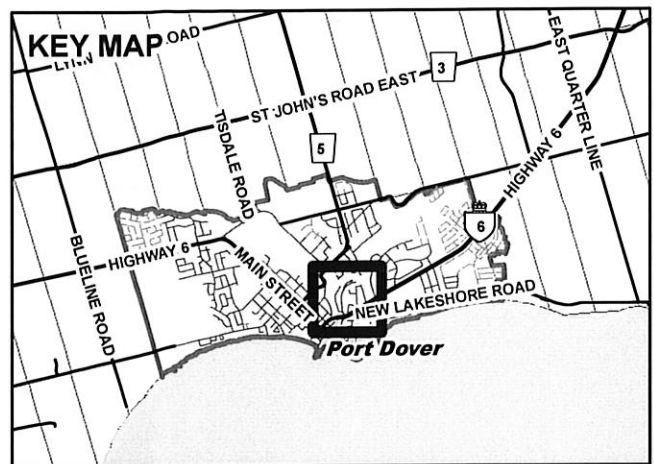
Laurel Lee Sowden

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

Signature of building inspector

Date

Urban Area of  
**PORT DOVER**



## MAP 2

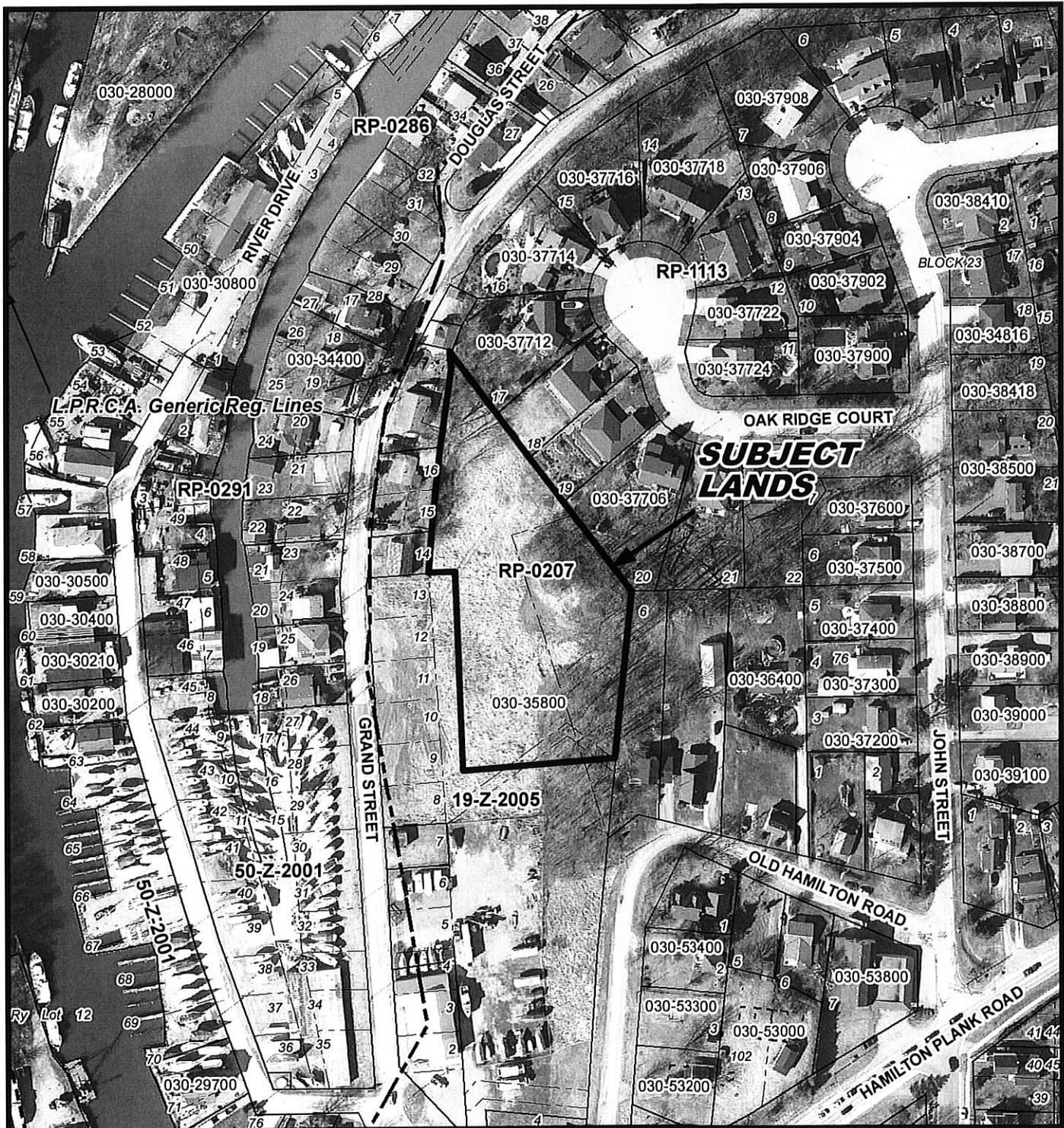
File Number: ANPL2012239

Urban Area of PORT DOVER



8 4 0 8 16 24 32 Meters

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# MAP 3

File Number: ANPL2012239

Urban Area of PORT DOVER

