



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO: ANPL2012259

<input checked="" type="checkbox"/> Building Department	<input type="checkbox"/> Railway
<input checked="" type="checkbox"/> Health Unit	<input type="checkbox"/> Norfolk Power
<input checked="" type="checkbox"/> Forestry Division	<input checked="" type="checkbox"/> Hydro One
<input checked="" type="checkbox"/> GIS Section	<input type="checkbox"/> Ministry of Transportation
<input checked="" type="checkbox"/> Fire/EMS	<input checked="" type="checkbox"/> Union Gas
<input checked="" type="checkbox"/> Public Works NOTE: If an agreement is req'd please attach the clauses you require in the agreement.	<input checked="" type="checkbox"/> Norfolk Heritage Committee
	<input checked="" type="checkbox"/> 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 7, 2013

APPLICANT: HELMECZY ERNIE AND FRANCES, 346 CHAR'VILLE RD 8 RR 1 STN MAIN SIMCOE, ON N3Y 4J9

LOCATION: CHR PLAN 253 BLK C LOT 14 (218 Hillside Ave)

ASSESSMENT ROLL NO.: 3310493080203000000

PROPOSAL:

An application has been received for a minor variance to permit the replacement of an existing deck requiring relief of: 1.2 m (4 ft) from the minimum required interior side yard of 1.2 m (4 ft) to permit an interior side yard setback of 0;
2.9 M (9.5 ft) from the minimum required rear yard setback of 7.5 m (24.6 ft) to permit a rear yard setback of 4.6 m (15 ft);
relief from provision 6.16 of the Zoning Bylaw requiring lot frontage on an improved street to recognize an existing use.

PLEASE REPLY BY EMAIL DIRECTLY TO:

TRICIA GIVENS, M.SC.(PL), MCIP, RPP
60 Colborne Street South, Simcoe ON N3Y 4H3
(519) 426-5870 ext: 1834
EMAIL: tricia.givens@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:

Meghan Gelinias, Secretary-Treasurer
P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0
Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789
meghan.gelinias@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: December 19, 2012

MINOR VARIANCE

TLPRCIA
for \$270

Office Use:

File Number:

AMPL2012259

Related File:

Fees Submitted:

Application Submitted:

Sign Issued:

Complete Application:

✓

DEC 3, 2012

✓

DEC 3, 2012
(for sign up)

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: 3310-493-080-203-00-0000

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. IDE-80

A. APPLICANT INFORMATION

Name of Applicant¹

ERNIE HELMECZY

Phone #

Address

AS BELOW

Fax #

Town / Postal Code

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

ERNIE AND FRANCES HELMECZY

Phone #

519-582-2644

Address

R.R. 1 S/MCOE

Fax #

Town / Postal Code

N34-4 J9

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 mortgagees, charges or other encumbrances on the subject lands:

MINOR VARIANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>DELHI</u>	Urban Area or Hamlet	<u>NORMANDALE</u>
Concession Number		Lot Number(s)	<u>14</u>
Registered Plan Number	<u>253 CHARLOTTEVILLE</u>	Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	<u>45 feet</u>	Depth (metres/feet)	<u>79.75 feet</u>
Width (metres/feet)	<u>45 feet</u>	Lot area (m ² / ft ² or hectares/acres)	
Municipal Civic Address	<u>218 HILLSIDE AV. NORMANDALE</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):

DUE TO SAFETY ISSUES IN MARCH OF 2012 I REPLACED
ROTTEN BOARD'S AND POSTS ON DECK THAT WAS
RE-BUILT 36 YEARS AGO (1976)

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

DECK HAS ALWAYS BEEN ON THE PROPERTY LINE
SINCE I PURCHASED THE PROPERTY IN 1973
I NEED THE ZONING REGULARIZED

Summary: 1) INTERIOR SIDE YARD DEFICIENCY
2) REAR YARD SET BACK DEFICIENCY
3) FRONTAGE ONTO IMPROVED STREET
MINOR VARIANCE

MINOR VARIANCE

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

REMOVAL OF FOUR FEET OF DECK WOULD LEAVE A FIVE FOOT DEEP
BY FIFTEEN FOOT LONG EMPTY SPACE IN LAWN THAT CANNOT
BE FILLED IN WITH DIRT. I WOULD HAVE TO FILL THIS AREA IN WITH
BOARDS TO PREVENT SOMEONE FALLING IN. THIS DECK HAS BEEN THERE
D. PROPERTY INFORMATION BEFORE BY-LAW IN PLACE.

Present official plan designation(s):

RESORT RESIDENTIAL

Present zoning:

LAKE SHORE

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:

3 BEDROOM 1 BATHROOM WOODEN COTTAGE 7.3m x 9.1m.

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

1920's or 30's

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:

REPALEMENT DECK ALREADY CONSTRUCTED

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

ROTTEN DECK WAS REPLACED AND MADE SMALLER IN MARCH 2012

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:

1973

Present use of the subject lands:

SUMMER COTTAGE

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

Existing use of abutting properties:

SUMMER COTTAGE'S AND VACANT LOT

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

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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:

USED AS SUMMER COTTAGE

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 checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	____ distance
Floodplain <i>IN CA. REGULATED AREA</i>	<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

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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:

STAIRS FROM MUNICIPAL ROAD

Name of road/street:

HILLSIDE AV.

MINOR VARIANCE

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.

NO ONE HAS COMPLAINED THAT THE DECK HAD BEEN BUILT TO
THE PROPERTY LINE SINCE I BOUGHT THE PLACE IN 1973
UNTIL I REPLACED THE ROTTEN BOARDS IN MARCH OF THIS YEAR.



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 # 218' HILLSIDE AVE ZONING L

493-080-20300

ZONING DEFICIENCY

DEVELOPMENT STANDARD	REQUIRED (m/ft)		PROPOSED (m/ft)		DEFICIENCY (m/ft)	
LOT AREA	<u>700</u>			<u>—</u>		<u>—</u>
LOT FRONTAGE	<u>15</u>					
FRONT YARD SETBACK	<u>6</u>					
EXTERIOR SIDE YARD						
INTERIOR SIDE YARD (RIGHT) <u>West</u>	<u>3</u>	<u>—</u>				
INTERIOR SIDE YARD (LEFT) <u>West</u>	<u>1.2</u>	<u>4.0</u>	<u>0.0</u>	<u>0.0</u>	<u>1.2m</u>	<u>4</u>
REAR YARD SETBACK <u>Deck</u>	<u>7.5</u>	<u>24.6</u>	<u>4.6m</u>	<u>20.0</u>	<u>1.4</u>	<u>4.6</u>
DWELLING UNIT AREA				<u>15</u>	<u>2.9m</u>	<u>9.5</u>
% LOT COVERAGE <u>(Deck)</u>	<u>10%</u>					
BUILDING HEIGHT	<u>5</u>					
ACCESSORY BUILDING						
ACCESSORY BUILDING COMMENTS						
PARKING SPACES						

ADDITIONAL COMMENTS: Deck encroaching into west side and south rear yard
no frontage on a improved St. (6.16)

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.

Ernie Kilmecy
Signature of owner or authorized agent

Nov 30/12
Date

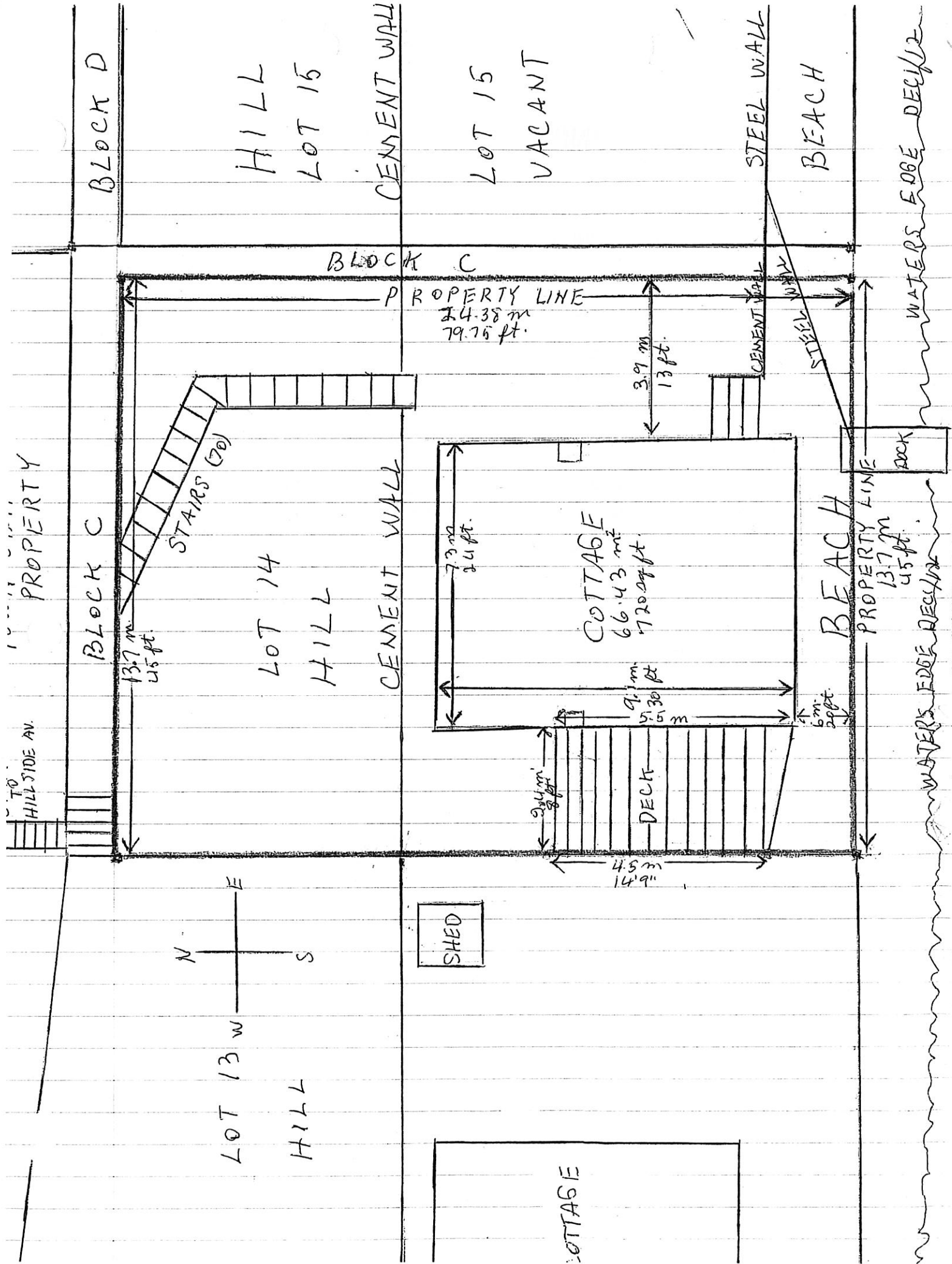
PREPARED BY: Ingram Loewe

AS PER:

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

[Signature]
Signature of building inspector

Nov 23/12
Date



MAP 2

File Number: ANPL2012259

Geographic Township of CHARLOTTEVILLE



2 1 0 2 4 6 8 Meters

1:500



MAP 3

File Number: ANPL2012259

Geographic Township of CHARLOTTEVILLE



2 1 0 2 4 6 8 Meters

1:500

