



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO: ANPL2013040

☒ 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:**

June 3, 2013

APPLICANT: ROWE STEPHANEY JAFF JUNIOR, 2651 COCKSHUTT RD WATERFORD, ON N0E 1Y0

AGENT: Sheppard MacIntosh Lados & Nunn LLP c/o Michael Pass, 58 Peel Street, P.O. Box 677 Simcoe, ON N3Y4T2

LOCATION: WAT PLAN 19B BLK E PT LOTS 6, AND 7 RP 37R6492 PART 1 (7 West Church Street)

ASSESSMENT ROLL NO.: 3310335020197000000

PROPOSAL:

RECOGNIZE DEFICIENCIES CREATED THROUGH SEVERANCE APPLICATION BNPL2013038 REQUIRING RELIEF OF:
31 sq m from the minimum permitted lot area of 540 sq m to permit a lot area of 509 sq m;
0.65 m from the required lot frontage of 18 m to permit a lot frontage of 17.35 m;
6 m from the required exterior side yard setback (Left) of 6 m to permit a setback of 0 m;
1.22 m from the required interior side yard setback (Right) of 3 m to permit a setback of 1.78 m;
3.04 m from the minimum rear yard setback of 7.5 m to a permit a decreased rear yard setback of 4.46 m;
10 sq m from the minimum permitted dwelling unit area of 195 sq m to permit a dwelling unit area of 185 sq m;
1 parking spaces from the required 6 parking spaces to permit 5 on-site parking spaces;
Section 4.2.3 b) to permit 1 parking space in the required exterior side yard.

PLEASE REPLY BY EMAIL DIRECTLY TO:

PAM DUESLING, MCIP, RPP, EC.D

60 Colborne Street S., Simcoe ON N3Y 4H3
(519) 426-5870 ext: 1342

EMAIL: pam.duesling@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 Steinhoff, Secretary-Treasurer
P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0
Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789
meghan.steinhoff@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: May 16, 2013

MINOR VARIANCE

Revised - May 8, 2013

File Number ANPL2013039/ANPL2013040 Application Fee May 7, 2013
 Related File Number BNPL2013038
 Pre-consultation Meeting On May 7, 2013 Conservation Authority Fee May 8, 2013
 Application Submitted On May 8, 2013 OSSD Form Provided May 8, 2013
 Complete Application On May 8, 2013 Sign Issued May 8, 2013

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- 335 0201 9700

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. _____

A. APPLICANT INFORMATION

Name of Applicant ¹ Mr. Stephaney Jaff Junior Rowe Phone # 519-443-5328
 Address 2651 Cockshutt Road Fax # _____
 Town / Postal Code Waterford, ON N0E 1Y0 E-mail _____
¹ If the applicant is a numbered company provide the name of a principal of the company.

Name of Agent Michael J. Pass Phone # 519-426-1382
 Address 58 Peel Street, P.O. Box 677 Fax # 519-426-1392
 Town / Postal Code Simcoe, ON N3Y 4T2 E-mail michael@sheppardmacintosh.com

Name of Owner ² Stephaney Rowe & Karlene Lana Rowe Phone # 519-443-5328
 Address 2651 Cockshutt Road Fax # _____
 Town / Postal Code Waterford, ON N0E 1Y0 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:

Royal Bank of Canada - 180 Wellington Street West, 2nd Floor, Toronto, ON M5J 1J1

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township		Urban Area or Hamlet	Urban
Concession Number		Lot Number(s)	Part Lots 6-7
Registered Plan Number	Plan 19B	Lot(s) or Block Number(s)	Block E
Reference Plan Number	Plan 37R-6492	Part Number(s)	Part 1
Frontage (metres/feet)	17.35m	Depth (metres/feet)	42.11m
Width (metres/feet)	17.35m	Lot area (m ² / ft ² or hectares/acres)	754m squared
Municipal Civic Address	120 Main Street South, Waterford, ON N0E 1Y0		

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):

We are proposing that the subject lands be severed into 2 parcels (see Severance Application)

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

We are requesting a minor variance in respect of the following: lot size for both the retained and severed parcel, various yard requirements (see zoning deficiency sheet), and parking spaces for the retained parcel.

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

Please refer to attached sheet.

D. PROPERTY INFORMATION

Present official plan designation(s):

Present zoning: **R2**

Is there a site specific zone on the subject lands? **no**

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 single family dwelling, a triplex dwelling, and a shed on the subject property

Please refer to the attached sketch for details.

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

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

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:

No new buildings or additions proposed

MINOR VARIANCE

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: **November 1st, 2011**

Present use of the subject lands: **residential rental property (single family dwelling and triplex)**

If known, the length of time the existing uses have continued on the subject lands:
unknown though the lands have been used in this fashion since at least 1958

Existing use of abutting properties: **Residential**

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

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

MINOR VARIANCE

Provide the information you used to determine the answers to the above questions:

Personal knowledge of the Applicant

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:

1. a minor variance or a consent;
2. an amendment to an official plan, a zoning by-law or a Minister's zoning order; or
3. 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:

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

MINOR VARIANCE

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

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

MINOR VARIANCE

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: Church Street for the single family dwelling and Main Street for the triplex

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.

As is stated in the attached sheet, the property as it is currently enjoys a legal non conforming use. The buildings have been in their present location since at least 1958 and are already in violation of several yard requirements for properties located in the R2 zone. While we are requesting minor variances in respect of the new violations that the proposed severance would create, it is our position that the remaining deficiencies need not be corrected as said deficiencies are already captured under the legal non conforming use that the property enjoys.



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 #

ZONING
G

ANPL2013040

ZONING DEFICIENCY

DEVELOPMENT STANDARD	REQUIRED (m/ft)		PROPOSED (m/ft)		DEFICIENCY (m/ft)	
LOT AREA	540		509		39	
LOT FRONTAGE	18		17.35		0.65	
FRONT YARD SETBACK	6		9.34			
EXTERIOR SIDE YARD	6		0		6	
INTERIOR SIDE YARD (RIGHT)	3		1.78		1.22	
INTERIOR SIDE YARD (LEFT)			3.57		3.93	
REAR YARD SETBACK	7.5		4.46		3.04	
DWELLING UNIT AREA	195		185		10	
% LOT COVERAGE			36			
BUILDING HEIGHT	< 11		6.1			
ACCESSORY BUILDING			0			
ACCESSORY BUILDING COMMENTS	none					
PARKING SPACES	6		5		1	

ADDITIONAL COMMENTS:

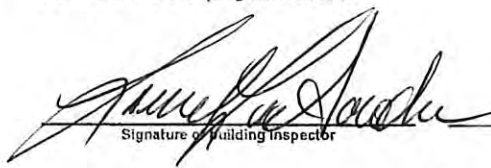
The proposed information and any supporting documents have been provided by the owner/applicant. The above information is only in respect to the associated planning application and does not relieve the owner/applicant from obtaining all other permits/approvals required. The owner/applicant hereby accepts 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
May 7, 13
Date

PREPARED BY: Ingram Loewe

AS PER:

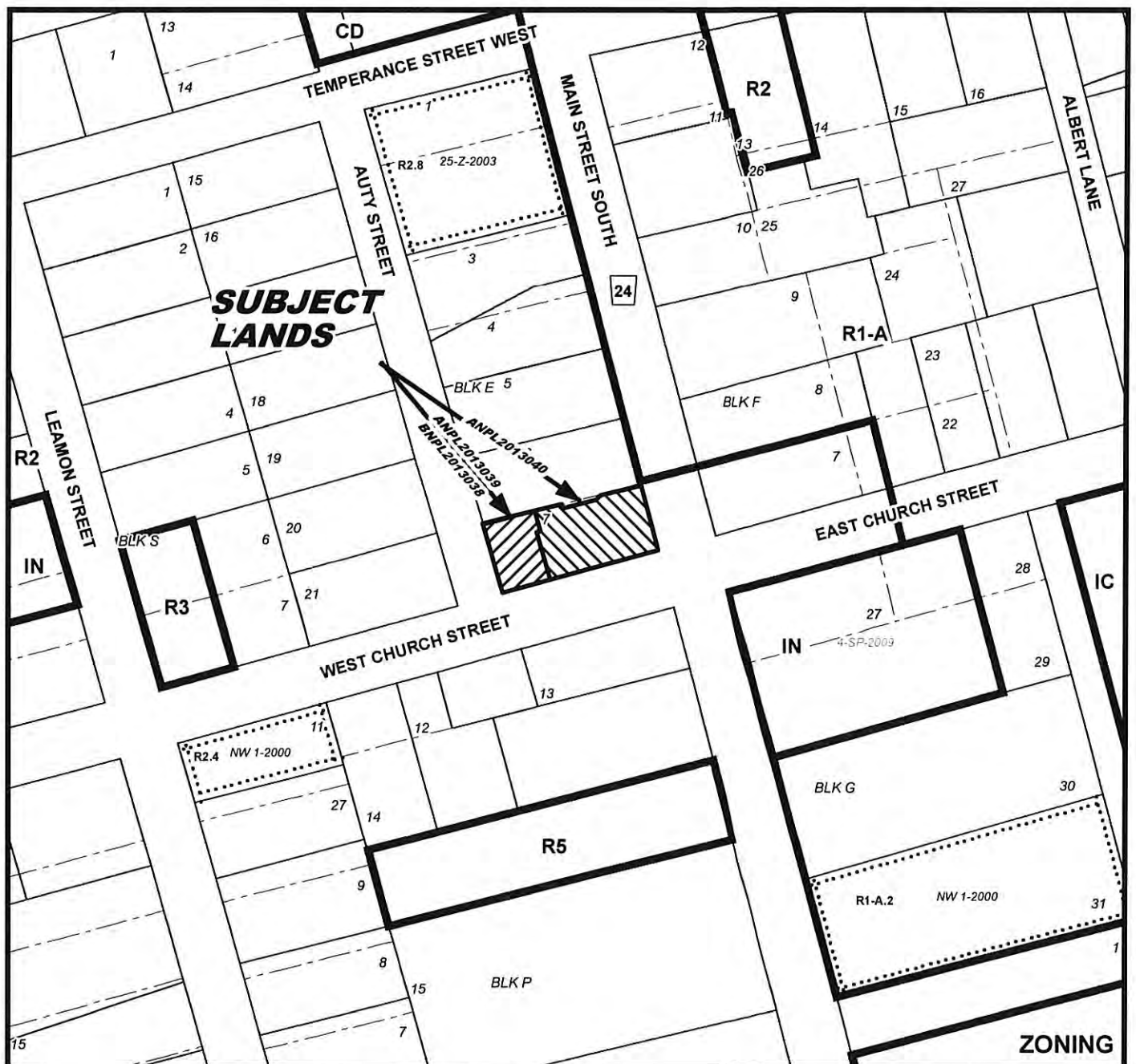
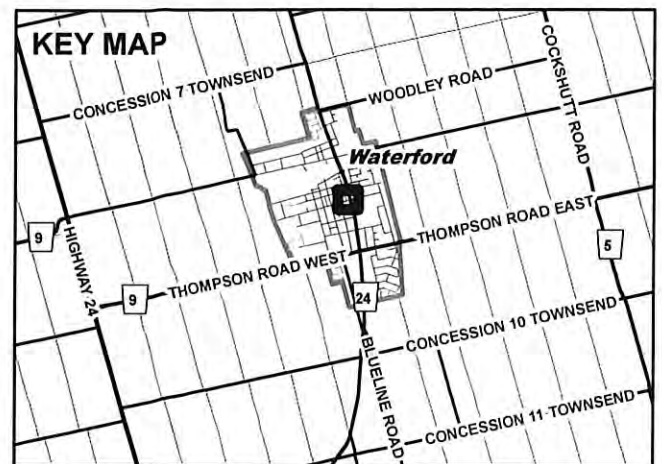
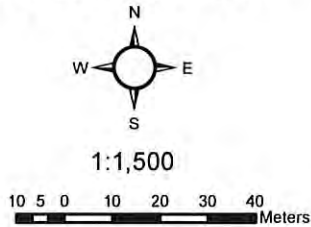

Signature of Building Inspector
May 7, 13
Date

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

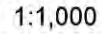
MAP 1

File Number: BNPL2013038,
ANPL2013039 & ANPL2013040

Urban Area of
WATERFORD



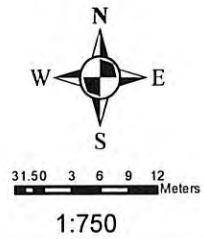
Urban Area of WATERFORD



MAP 3

File Number: BNPL2013038, ANPL2013039 &
ANPL2013040

Urban Area of WATERFORD



MAP 4

File Number: BNPL2013038, ANPL2013039 &
ANPL2013040

Urban Area of WATERFORD

