



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO: ANPL2014018

☒ 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:**

March 3, 2014

APPLICANT: POSTILL RICHARD WILLIAM, 111 CULTUS RD GD CLEAR CREEK, ON N0E 1C0

LOCATION: HGN CON 6 PT LOT 8 (111 Cultus Road)

ASSESSMENT ROLL NO.: 3310545020178000000

PROPOSAL:

CONSTRUCT A 2.44 m DEEP DECK ACROSS THE FRONT OF AN EXISTING DWELLING REQUIRING RELIEF OF: 7.6 m from the minimum front yard setback of 11.5 m to permit a decreased front yard setback of 3.9 m.

PLEASE REPLY BY EMAIL DIRECTLY TO:

MARY ELDER, MCIP, RPP

PO Box 128, 22 Albert Street, Langton ON N0E 1G0
(519) 426-5870 ext: 1341

EMAIL: mary.elder@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:

Sherry Mott, Secretary-Treasurer
P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0
Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789
sherry.mott@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: February 18, 2014

MINOR VARIANCE

File Number ANPL2014018
 Related File Number _____
 Pre-consultation Meeting On January 21, 2014
 Application Submitted On January 27, 2014
 Complete Application On January 27, 2014

Application Fee January 27, 2014
 Conservation Authority Fee _____
 OSSD Form Provided _____
 Sign Issued January 27, 2014

m2

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-

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 Applicant¹ Same as owner Phone # _____
 Address _____ 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 Same as owner Phone # _____
 Address _____ Fax # _____
 Town / Postal Code _____ E-mail _____

Name of Owner² Rick Postill Phone # 519 902 41265
 Address 111 Cuthus Road Fax # _____
 Town / Postal Code N0E 1C0 E-mail ricpostill@hotmail.com

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:

Royal Bank - Tillsonburg Ont.

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

| | | | |
|-------------------------|---------------------------|---|------------------------|
| Geographic Township | <u>HOUGHTON</u> | Urban Area or Hamlet | <u></u> |
| Concession Number | <u>CON 6</u> | Lot Number(s) | <u>PT 8</u> |
| Registered Plan Number | <u>37R5885</u> | Lot(s) or Block Number(s) | <u>PART 1</u> |
| Reference Plan Number | <u></u> | Part Number(s) | <u></u> |
| Frontage (metres/feet) | <u>134.82 feet</u> | Depth (metres/feet) | <u>96.42 ft IRREG.</u> |
| Width (metres/feet) | <u>145.11 feet IRREG.</u> | Lot area (m ² / ft ² or hectares/acres) | <u>0.29 ac</u> |
| Municipal Civic Address | <u>111 CULTUS ROAD</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):

RE BUILD AND EXPAND THE FRONT DECK #

- ④ Please explain the nature and extent of the amendment requested (assistance is available):

7.6m
RELIEF OF THE REQUIRED 11.5m FRONT YARDED SETBACK
TO PERMIT A 3.9m SETBACK. THE 1.5m PROJECTION OF
THE FRONT PORCH INTO THE SETBACK HAS BEEN INCLUDED.

- ④ Please explain why it is not possible to comply with the provision of the zoning by-law:

LOCATION OF HOUSE
Repair existing deck.

D. PROPERTY INFORMATION

Present official plan designation(s):

Agriculture

Present zoning:

Agriculture

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:

house - 23 x 23 ?Shed^s - 1 - 12 x 12, 2 - 14 x 19.

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

1 shed 2013 - OTHER'S 1990 ?

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.

RELAXING

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:

DECK - 8 ft wide, SOUTH & WEST SIDE.

MINOR VARIANCE

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

July 2013.

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:

2012

Present use of the subject lands:

residential

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

1945.

Existing use of abutting properties:

crops, residences

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:

Living there

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) | <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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No ____ distance |
| Municipal landfill | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" 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:

sand point

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:

Cullers Road.

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.

J. SUPPORTING MATERIAL TO BE SUBMITTED BY APPLICANT

In order for your development application to be considered complete, a **sketch**, in metric units, drawn to scale, must be included as part of the development application, which shows:

1. The boundaries and dimensions of the subject lands
2. The topographical features
3. The approximate location of all natural and artificial features including but not limited to, buildings, railways, roads, watercourses, municipal drains, drainage ditches, banks of rivers or streams, pipelines, gas wells, wetlands, wooded areas that are located on the subject land and on land that is adjacent to it and may affect the application
4. The location of any existing and proposed wells, septic systems and tile beds that is located on the subject land and on land that is adjacent to it and may affect the application
5. The location, name, status and width of any road, lanes, highways, railways, driveways or encroachments, both existing and proposed, within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
6. The location and nature of any restrictive covenant or easements affecting the subject land
7. The location, size and type of all **existing** and **proposed** buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines, also including building dimensions, height and groupings for each building on the site
8. Location and dimensions of off-street parking, parking structures and aisles, the number of parking spaces to be provided and location of accesses
9. Any proposed subdivision of the subject lands
10. Current uses of land that is adjacent to the subject land
11. The legal description of the subject lands in question (lot, concession, registered plan no., geographic township)

The Committee of Adjustment may require that an Ontario land surveyor sign the plan.

A **Zoning Deficiency Form** completed by the Building Inspector must accompany this application. A Zoning Deficiency Form can be obtained from Norfolk County Building Inspector at 22 Albert Street, Langton, ON or 8 Schellburg Avenue, Simcoe.

Five (5) copies of any applicable information/reports indicated in the development application form.

If other documentation/supporting material become necessary, you will be contacted. This information must be submitted prior to your development application proceeding.

K. NOTIFICATION SIGN REQUIREMENTS

For the purpose of public notification and in order for staff to locate your lands, you will be given a sign to indicate the intent and purpose of your development application. It is your responsibility to:

1. Post one sign per frontage in a conspicuous location on the subject lands
2. Ensure one sign is posted at the front of the subject lands at least three feet above ground level
3. Notify the Planner when the sign is in place in order to avoid processing delays
4. Maintain the sign until the development application is finalized and thereafter removed

L. PERMISSION TO ENTER SUBJECT LANDS

Permission is hereby granted to Norfolk County staff and to members of the Committee of Adjustment to enter the premises subject to this development application for the purposes of making inspections associated with this application, during normal and reasonable working hours.



Owner/Applicant/Agent Signature

27 / 1 / 14
Date

M. FREEDOM OF INFORMATION

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P. 13 for the purposes of processing this development application.



Owner/Applicant/Agent Signature

27 / 1 / 14
Date

N. DECLARATION

I, RICKY POSTILL of NORFOLK COUNTY solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

Langton

In Norfolk County

This 27 day of January

A.D., 20 14

Mary S. Elder
A Commissioner, etc.

[Signature]
Owner/Applicant/Agent Signature

MARY EDITH ELDER, a
Commissioner, etc., Norfolk County, for
the Corporation of Norfolk County.
Expires November 8, 2016.

O. OWNER'S AUTHORIZATION

If the applicant is not the registered owner of the lands that is the subject of this development application, the owner must complete the authorization set out below.

I/We RICK POSTILL am/are the registered owner(s) of the lands that is the subject of this development application for a minor variance.

I/We authorize DARLENE HORVATH to make this development application on my/our behalf and to provide any of my/our personal information necessary for the processing of this development application. Moreover, this shall be your good and sufficient authorization for so doing.

[Signature]
Owner

27 JAN 14
Date

Owner

Date



ZONING DEFICIENCY PRZDF20140080

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 # 111

ROLL No. 3310545020178000000

LEGAL DESCRIPTION:
HGN CON 6 PT LOT 8 RP, 37R5885
PART 1, IRREG, 0.29AC 134.82FR D

UNIT #

TOWNSHIP Norfolk - Houghton

STREET NAME CULTUS ROAD

ZONING A

ZONING DEFICIENCY

| DEVELOPMENT STANDARD | REQUIRED (m / m.sq) | | PROPOSED (m / m.sq) | | DEFICIENCY (m / m.sq) | |
|---------------------------------|---------------------|--|---------------------|--|-----------------------|--|
| LOT AREA | 1173.78 | | | | | |
| LOT FRONTAGE | 41.10 | | | | | |
| X FRONT YARD SETBACK | 11.5* | | 3.90 | | 7.6 | |
| EXTERIOR SIDE YARD | n/a | | | | | |
| INTERIOR SIDE YARD (RIGHT) | 3 | | | | | |
| INTERIOR SIDE YARD (LEFT) | 3 | | | | | |
| REAR YARD SETBACK | n/a | | | | | |
| DWELLING UNIT AREA | 55.18 | | | | | |
| % LOT COVERAGE | 4.7% | | | | | |
| BUILDING HEIGHT | | | | | | |
| ACCESSORY BUILDING | | | | | | |
| ACCESSORY BUILDING COMMENTS | | | | | | |
| PARKING SPACES | | | | | | |

ADDITIONAL COMMENTS: Numbers provided to Building Division through an email from Mary Elder from phone conversations with the property owner Rick Posthill.

Left side 3.90m from front property line to the deck, 6.40m from property line to existing house.

Right side 4.50m from front property line to the deck. 7.00m from property line to existing house.

Required front yard setback decks $13m - 1.5m = 11.5m$ Township of Norfolk Zoning By-Law 1-NO 85 Sections 24.2 (c)(i) & 6.21 (c)

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

27 1 2014
Date

PREPARED BY: Scott Northcott

AS PER:

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

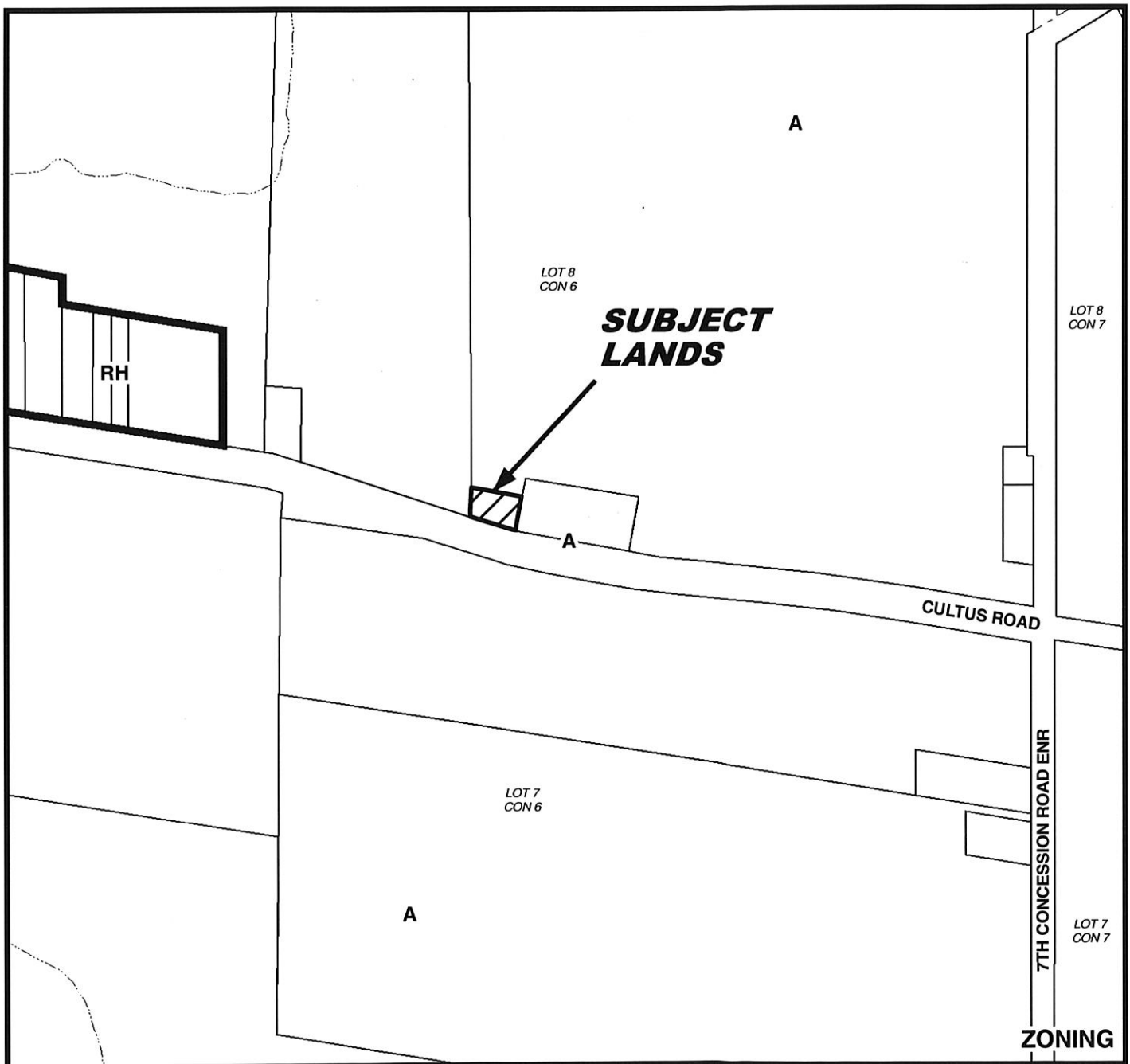
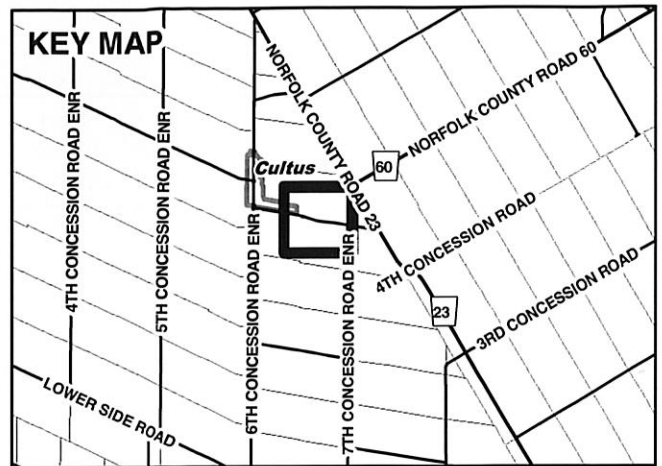
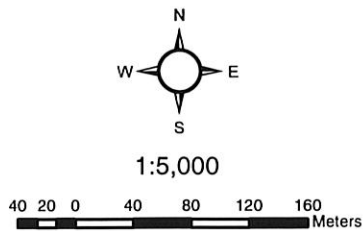

Signature of building inspector

JAN 21, 2014
Date

MAP 1
File Number: ANPL2014018

Geographic Township of

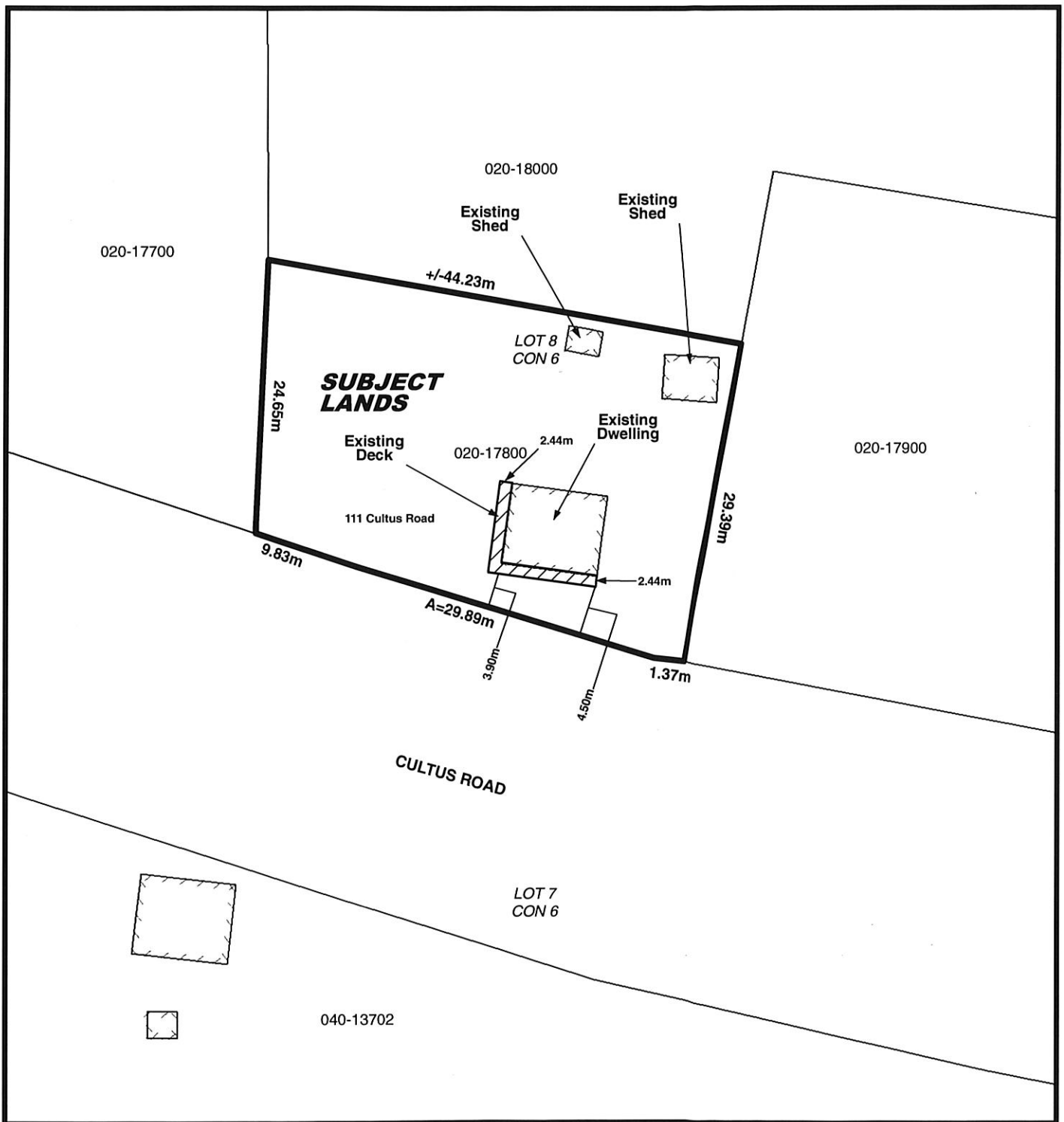
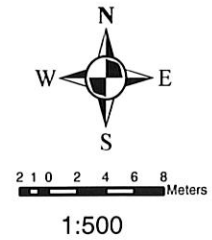
HOUGHTON



MAP 3

File Number: ANPL2014018

Geographic Township of HOUGHTON



MAP 2

File Number: ANPL2014018

Geographic Township of HOUGHTON

