

MINOR VARIANCE

File Number	<u>ANPL2014138</u>	Application Fee	<u>✓ + RPRCA</u>
Related File Number		Conservation Authority Fee	<u>✓</u>
Pre-consultation Meeting On	<u>July 4/14</u>	OSSD Form Provided	
Application Submitted On	<u>July 7/14</u>	Sign Issued	
Complete Application On			

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- 542040 171 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. _____

A. APPLICANT INFORMATION

Name of Applicant ¹	<u>Paul-Britman Rapai</u>	Phone #	<u>519-875-4564</u>
Address	<u>1545 conc. 8 rd.</u>	Fax #	<u>519-875-4026</u>
Town / Postal Code	<u>Langton, NOE 1G0</u>	E-mail	<u>paul@foxhollowfarms.ca</u>

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 Owner ²	<u>924570 Ont Ltd. Inc</u>	Phone #	<u>519-875-4564</u>
Address	<u>1545 conc. 8 rd.</u>	Fax #	<u>519-875-4026</u>
Town / Postal Code	<u>Langton, NOE 1G0</u>	E-mail	<u>_____</u>

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:

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>North Walsingham</u>	Urban Area or Hamlet	
Concession Number	<u>8</u>	Lot Number(s)	<u>Part lot 20</u>
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	<u>600m</u>	Depth (metres/feet)	<u>675m</u>
Width (metres/feet)	<u>600m</u>	Lot area (m ² / ft ² or hectares/acres)	<u>100 acres</u>
Municipal Civic Address	<u>1545 conc "</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):

I would like to rebuild the existing structure to continue my seedling production without interruption in the same spot. Require Relief of ... 10.57m from Required 13m front yard set back (see attached sheet.)
To permit 2.43m

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

I would like to erect the new greenhouse (shadehouse) on the same sight, widening the Structure to 52ft from the previous. 32ft and shortening the length from 120ft to 114ft

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

See attached sheet.

D. PROPERTY INFORMATION

Present official plan designation(s):

Agricultural

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 - 2 storey - 1938, South greenhouse 43, North greenhouse/cover all shed.
Pumphouse, Barn 61, Garage, office, water tower and mixing area.
Storage bays

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

See Above

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.

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:

In the near future build a bunkhouse.
at previous bunkhouse location

MINOR VARIANCE

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

Fall 2014 / Winter 2015

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:

Grandfather bought farm in 1964

Present use of the subject lands:

Agriculture

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

Tree Nursery since 1975

Existing use of abutting properties:

Agriculture

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 Farm use fuel.

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:

I've lived and worked here since 1978, family owned since 64
I know the area and its history. Spoke with neighbours

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. Agriculture

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 NA

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 checked="" type="checkbox"/> Yes <input 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))	<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:

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:

8th concession

I. OTHER INFORMATION

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

☒ Yes ☐ No

If yes, describe:

I'd like to be finished construction by March 2015

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.

See Attached

Paul Rapai
FoxHollow Farms
519-875-4564

PURPOSE OF DEVELOPMENT APPLICATION

My business is growing and I would like to expand seedling production to match this growth to ensure I have a steady supply of seedlings for the stability of the nursery. Not being allowed to continue my existing seedling production would be extremely detrimental to the business.

Having to conform to the 76 ft set back would cause me to lose about 35ft of productive greenhouse space, that I currently have in production. The result loss of greenhouse space would be about a \$15,000 - \$20,000 loss per year.

Having the greenhouse in the same orientation would be best since my services are already in place for the existing shade house that is to be rebuilt: underground waterlines coming in and leaving are all ready in the correct places, my electrical is in the right place. Moving location would be expensive.

Placing the greenhouse in the same place is best since every other area in the yard is used for other tasks.

- The site of the former bunkhouse is going to be a new bunkhouse.
- The grass area west of the driveway is tile bed for the bunkhouse.
- The area to the north is a storage area for inventory 6 months of the year, it is used as our shipping area and has other varied uses.

There is no other suitable alternative building site unless I forfeit productive farm land and with the price of land I would prefer not to lose any space elsewhere.

Greenhouses are typically oriented north and south for better production and the existing site has excellent sunlight.

The 8th concession is a small side road that is not likely to be widened. The road that would be widened is the 9th conc/45.

Turning the greenhouse to an East/West orientation would still require a minor variance, I'd lose the site for my future bunkhouse, it would waste space and having the door open on the west end would be inconvenient and unsafe. Currently everything in yard opens north to a central area.

Fox Hollow farms tree nursery is a viable asset to Norfolk county, servicing 1,000 of local customers, employing up to 12 local residents, improving the quality of Norfolk by planting trees and restoring habitat.

Building and By-Law Division
Simcoe: 8 Schellburg Ave.
Simcoe, ON
N3Y 2J4
519-426-4377

Langton: 22 Albert St.
Langton, ON
N0E 1G0
519-875-4485



ZONING DEFICIENCY PRZDF20141087

PROPERTY INFORMATION

STREET # 1536
UNIT #
STREET NAME 8th concession
ROLL No. 3310542040171000000
TOWNSHIP Norfolk - N. Walsingham
ZONING A

LEGAL DESCRIPTION:
NWAL CON 8 PT LOT 20, REG,
100.00AC FR D

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	13.0	<input type="text"/>	2.43	<input type="text"/>	10.57	<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"/>	<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"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

ADDITIONAL COMMENTS:

There is an existing greenhouse similar in size at this location

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:

Signature of building inspector

Date

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