

MINOR VARIANCE

File Number ANPL2014172.  
 Related File Number \_\_\_\_\_  
 Pre-consultation Meeting On \_\_\_\_\_  
 Application Submitted On Sept. 8th / 14.  
 Complete Application On Sept. 10th / 14

Application Fee \$678 + 45 ✓  
 Conservation Authority Fee \_\_\_\_\_  
 OSSD Form Provided N/A  
 Sign Issued \_\_\_\_\_

*[Handwritten signature]*

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: 3310-491.028.03028.0000

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. 1-DE-80 6.22

**A. APPLICANT INFORMATION**

Name of Applicant <sup>1</sup> Peter S. NAYLOR Phone # 519-582-1209  
 Address 135 St. Michaels St. Fax # \_\_\_\_\_  
 Town / Postal Code DELHI N4B 0A3 E-mail petersnaylor@hotmail.com

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

Name of Agent HERREWYNEN HOMES Phone # 519-426-7996  
 Address 663 Queensway West Fax # \_\_\_\_\_  
 Town / Postal Code SIMCOE N3Y 4J9 E-mail herrewynen@kwic.com

Name of Owner <sup>2</sup> Peter S. Naylor Phone # 519-582-1209  
 Address 135 St. Michaels St. Fax # \_\_\_\_\_  
 Town / Postal Code DELHI N4B 0A3 E-mail petersnaylor@hotmail.com

<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:

NONE

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

Geographic Township	<u>NORFOLK</u>	Urban Area or Hamlet	<u>DELHI</u>
Concession Number	<u>N/A</u>	Lot Number(s)	<u>28</u>
Registered Plan Number	<u>37R-9720</u>	Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	<u>45.93'</u>	Depth (metres/feet)	<u>103.36'</u>
Width (metres/feet)		Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>4746.88 m<sup>2</sup></u>
Municipal Civic Address	<u>135 St. MICHAELS STREET</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):

ROOF OVER EXISTING DECK

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

9m set back cannot be set  
Require 4.26m in order to complete  
Project.

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

existing deck does not comply w/ 9m  
set back. need variance of 4.26m

**D. PROPERTY INFORMATION**

Present official plan designation(s):

NORFOLK VACANT LAND CONDOMINIUM CORPORATION  
NO. 24

Present zoning:

Is there a site specific zone on the subject lands?

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:

N/A - only applying to add a roof  
over the existing DECK

If known, the date existing buildings or structures were constructed on the subject lands: 2009

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.

ROOF OVER ATTACHED TO EXISTING BLDG  
COVERING THE EXISTING DECK.  
- NO WINDOWS -

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:

ROOF OVER EXISTING DECK  
5m REAR yd. - 1.2m side - 336<sup>sq</sup>' ROOF OVER

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

DEC. 2014

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:

OCT. 2013

Present use of the subject lands:

Residential

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

5 years

Existing use of abutting properties:

Residential & golf course

**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

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

Property - vacant land owned by golf course

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

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If no, please explain:

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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:

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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))	<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:

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Have you consulted with Public Works & Environmental Services concerning stormwater management?

☐ Yes ☒ No

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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:

ST. MICHAELS STREET

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.

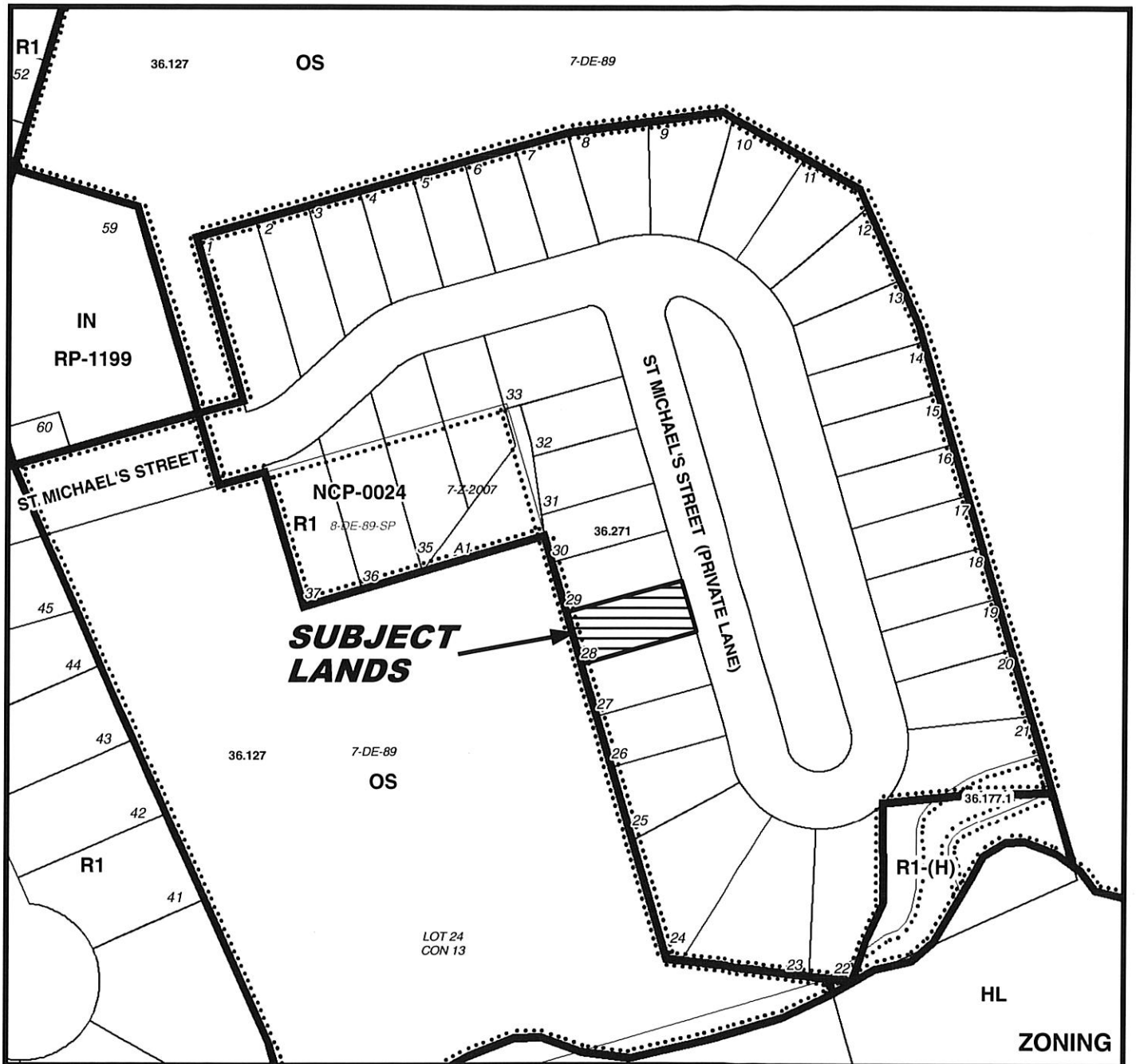
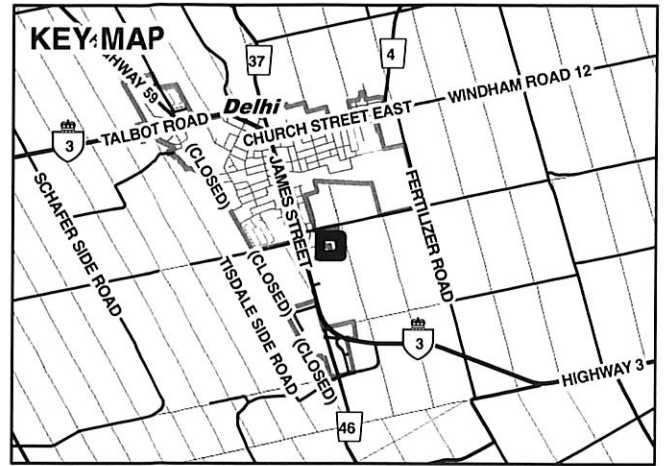
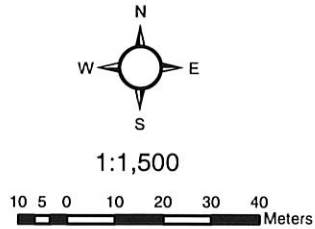
photo's & site plan attached

# MAP 1

## File Number: ANPL2014172

Geographic Township of

### WINDHAM





## MAP 2

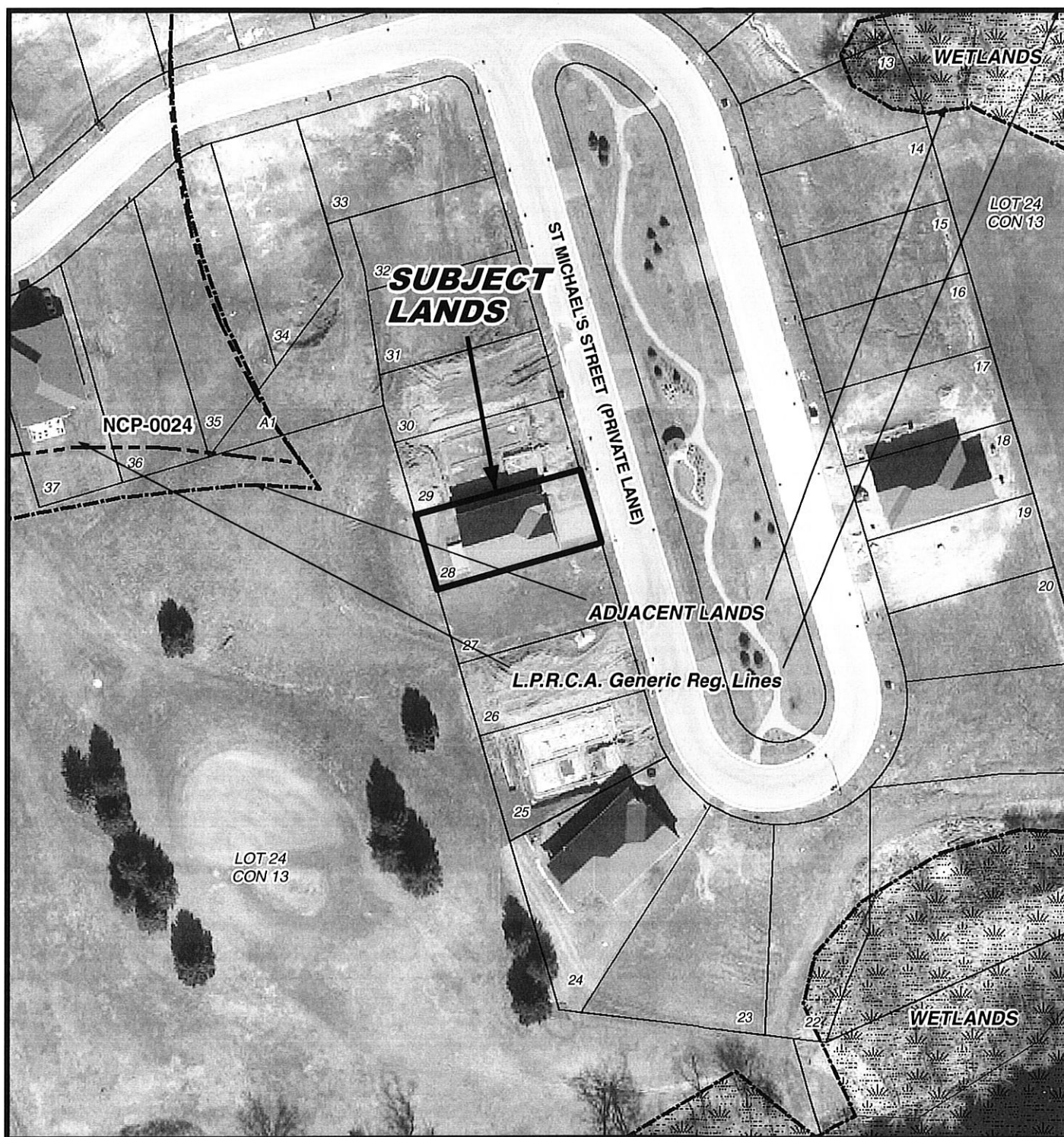
File Number: ANPL2014172

Geographic Township of WINDHAM



4 2 0 4 8 12 16  
Meters

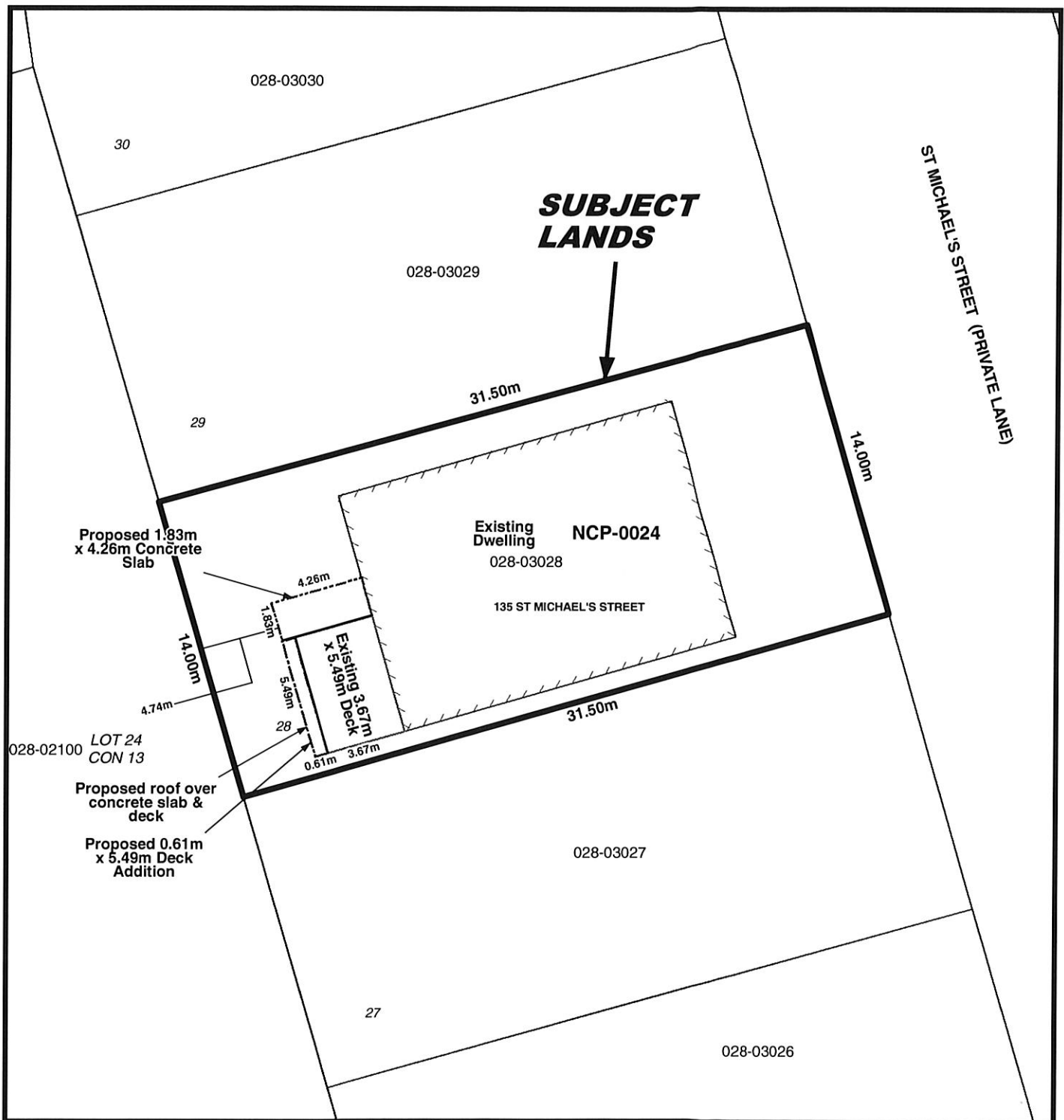
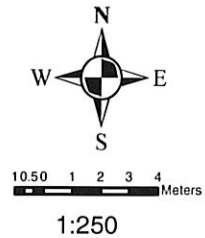
1:1,000



# MAP 3

File Number: ANPL2014172

Geographic Township of WINDHAM



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 PRZDF20141517

### PROPERTY INFORMATION

STREET # 135

ROLL No. 3310491028030280000

LEGAL DESCRIPTION:  
NVLCP 24 LEVEL 1 UNIT 28, REG,  
4746.88SF 45.93FR 103.35D

UNIT #

TOWNSHIP Delhi - Windham

STREET NAME ST MICHAEL'S STREET

ZONING R1

### ZONING DEFICIENCY

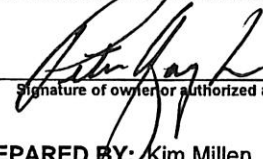
DEVELOPMENT STANDARD	REQUIRED (m/ft)		PROPOSED (m/ft)		DEFICIENCY (m/ft)	
LOT AREA	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
LOT FRONTAGE	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<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	9.0	<input type="text"/>	4.74	<input type="text"/>	4.26	<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:

CALCULATION DOES NOT INCLUDE ALLOWANCE OF 1.5M INTO REQUIRED REAR YARD SETBACK FOR DECKS (2.76M) 1-DE-80 6.22  
APPLICATION FOR ROOF OVER EXISTING DECK THAT WAS APPROVED UNDER MISINFORMATION AT TIME OF OCCUPANCY

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

09/05/2014  
Date

PREPARED BY: Kim Millen

AS PER:

  
Signature of building inspector

SEPT 3/14  
Date

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