

MINOR VARIANCE

Alisha

File Number	ANPL2016208	Application Fee	\$977
Related File Number		Conservation Authority Fee	n/a
Pre-consultation Meeting On	July 13/16	OSSD Form Provided	n/a
Application Submitted On	July 19/16	Sign Issued	
Complete Application On	July 21/16		

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: 3310-401-015-39010

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. 1-2-2014

A. APPLICANT INFORMATION

Name of Applicant <sup>1</sup>	Eastforest Homes	Phone #	(519) 742-2846
Address	155 Washburn Dr.	Fax #	(519) 742-9568
Town / Postal Code	Kitchener / N2R 1S1	E-mail	

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

Name of Agent	Mauricio Miranda	Phone #	(519) 742-2846 ext. 255
Address	155 Washburn Dr.	Fax #	(519) 742-9568
Town / Postal Code	Kitchener / N2R 1S1	E-mail	mauricio.miranda@eastforesthomes.com

Name of Owner <sup>2</sup>		Phone #	
Address		Fax #	
Town / Postal Code		E-mail	

<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:

RECEIVED

JUL 19 2016



B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township		Urban Area or Hamlet	Urban area - Simcoe
Concession Number		Lot Number(s)	10
Registered Plan Number	37M-70	Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	14.0m	Depth (metres/feet)	
Width (metres/feet)	14.0m	Lot area (m² / ft² or hectares/acres)	507.1 m²
Municipal Civic Address	217 Woodway Trails, Simcoe ON.		

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 mistakenly went over the maximum height allowed by 79.4 cm.

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

We are seeking relief from Section 5.1.2(c) where the minimum height allowed is 9.2 meters. Our current height is 9.9m.

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

The house is built as of now and the plans were interpreted wrong, and so the house was built without complying to the by-law.



D. PROPERTY INFORMATION

Present official plan designation(s):  
Residential Zone Urban Residential

Present zoning:  
R1 - B(H)

Is there a site specific zone on the subject lands?  
R1 - B(H)

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:

dwelling

If known, the date existing buildings or structures were constructed on the subject lands:  
2016

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:

none



MINOR VARIANCE

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

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:  
\_\_\_\_\_

Present use of the subject lands:  
Residential

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

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:

This is the first time the subject lands have been developed.

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 type="checkbox"/> Yes	<input 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:

Woodway Trails

I. OTHER INFORMATION

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

☒ Yes      ☐ No

If yes, describe:

Home owners would like to close as soon as they take possession.

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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Zoning Deficiency

Simcoe: 185 Robinson St.  
Simcoe, ON  
N3Y 5L6  
519-426-5870  
Langton: 22 Albert St.  
Langton, On.  
N0E 1G0  
519-875-4485

PROPERTY INFORMATION

SIMCOE PALN 37M70 LOT 10

Legal Decription: 3.3104E+16

217 WOODWAY TRAIL

Application #:

		Zoning	R1-B		
		REQUIRED	PROPOSED	DEFICIENCY	UNITS
Main Building					
5.1.2	a) minimum lot area				
	i) interior lot	360.00	507.15	N/A	m.sq
	ii) corner lot			N/A	m.sq
	iii) lot of record - interior lot			0.00	m.sq
	iv) lot of record - corner lot	0.00		N/A	m.sq
	b) minimum lot frontage	12.00	14	0.00	
	i) interior lot			N/A	m
	ii) corner lot	0.00		N/A	m
	iii) lot of record - interior lot	0.00		N/A	m
	iv) lot of record - corner lot	0.00		N/A	m
	c) minimum front yard	6.00	6.1	N/A	m
	i) detached garage with rear lane	0.00		N/A	m
	d)minimum exterior side yard	0.00		N/A	m
	e) minimum interior side yard	1.20	1.82		
	i) detached garage (3.0m)			N/A	m
	detached garage (1.2m)			N/A	m
	ii) detached garage with a rear lane ;	7.50	26.86	N/A	m
	attached garage	0.00		N/A	m
	f) minimum rear yard	7.50	11.98	N/A	m
	g) maximum building height	9.20	9.9	0.70	m
Comments					
Accessory Structure					
3.2.1	a) building height	6.00			m
	b) minimum front yard			N/A	m
	c) minimum exterior side yard			N/A	m
	d) minimum interior side yard	1.20		0.00	m
	e) minimum rear yard	1.20		N/A	m
	f) through lot distance to street line			N/A	m
	g) Lot coverage				
	i) lot coverage	10.00		0.00	%
	ii) usable floor area	100.00			m.sq
Comments					





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Langton, On.  
N0E 1G0  
519-875-4485


PROPERTY INFORMATION

SIMCOE PALN 37M70 LOT 10  
Legal Decription: 3.3104E+16  
217 WOODWAY TRAIL  
Application #:

	Zoning	R1-B
Decks and Porches		
3.6 a) interior side lot line		N/A m
b) have a floor higher than the height, above finished grade, of the floor of the first storey of the main building on the lot.		N/A m
c) project more than 3 m into a required rear yard but in no circumstance be closer than 3m from the rear lot line.		N/A m
d) project more than 1.5m into the required front yard or required exterior side yard.		n/a m
e) sloping rear yard.		n/a m
i) interior lot line		n/a m
ii) rear lot line		n/a m
Comments		
Parking		
4.1 number of parking spaces		N/A
Comments		

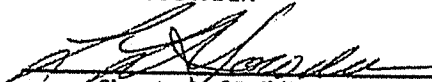
The proposed information and any supporting documents have been provided by the owner/applicant. The above information is only in respect to the associated planning application and does not relieve the owner/applicant from obtaining all other permits/approvals required. The owner/applicant hereby accepts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

July 21, 2016  
date

Prepared By:  
LAUREL LEE SOWDEN

  
Signature of Building Inspector

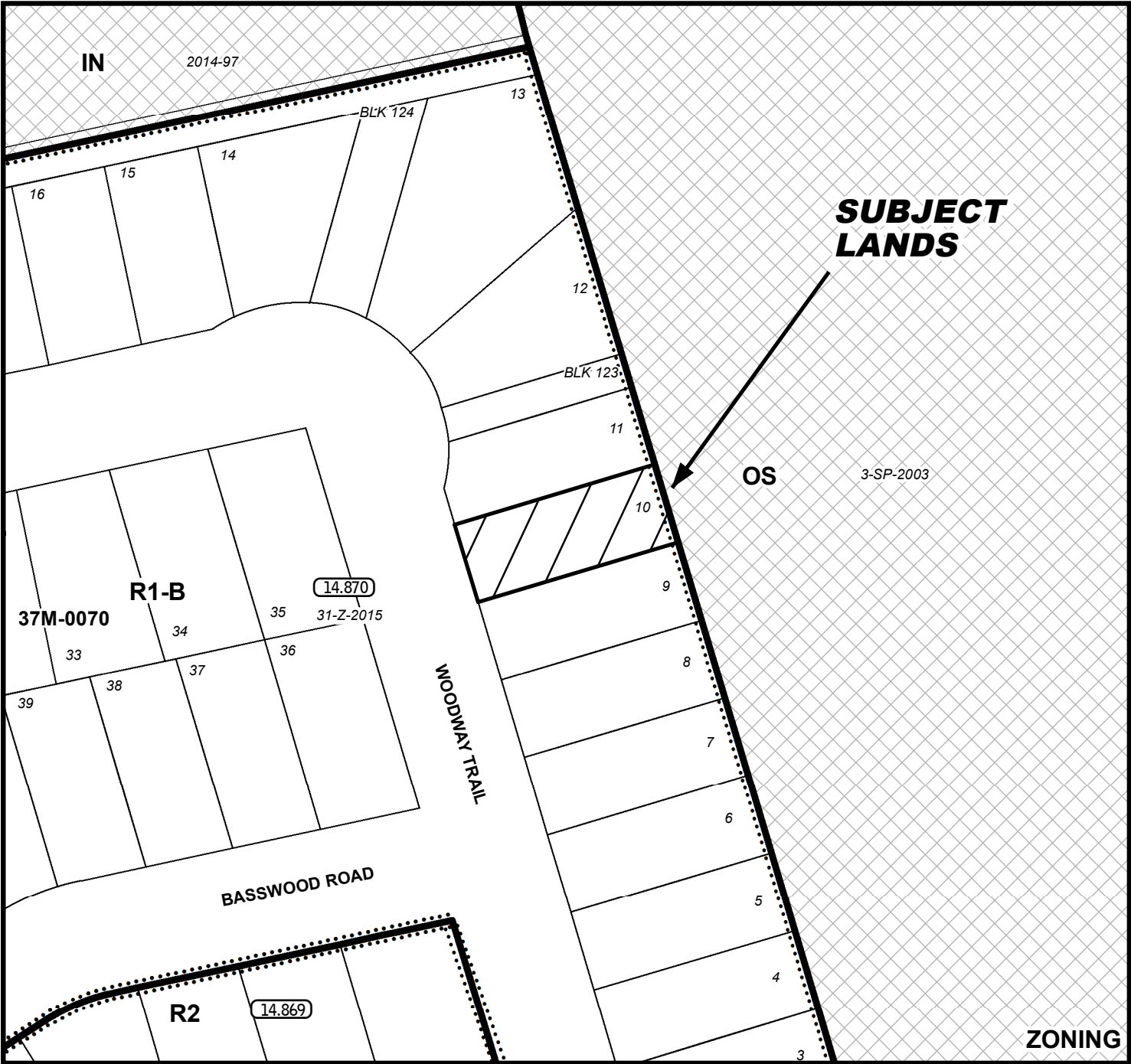
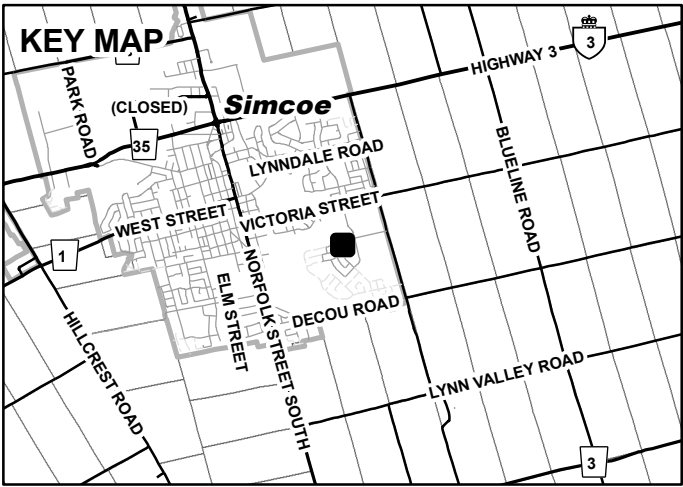
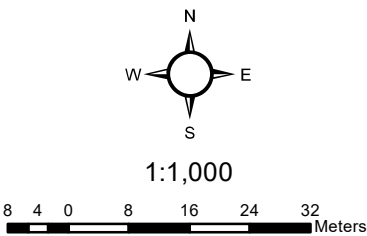
July 21/16  
date

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

# MAP 1

File Number: ANPL2016208

Urban Area of  
**Simcoe**

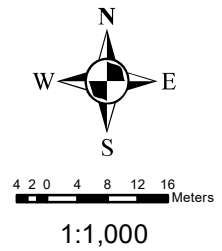




## MAP 2

File Number: ANPL2016208

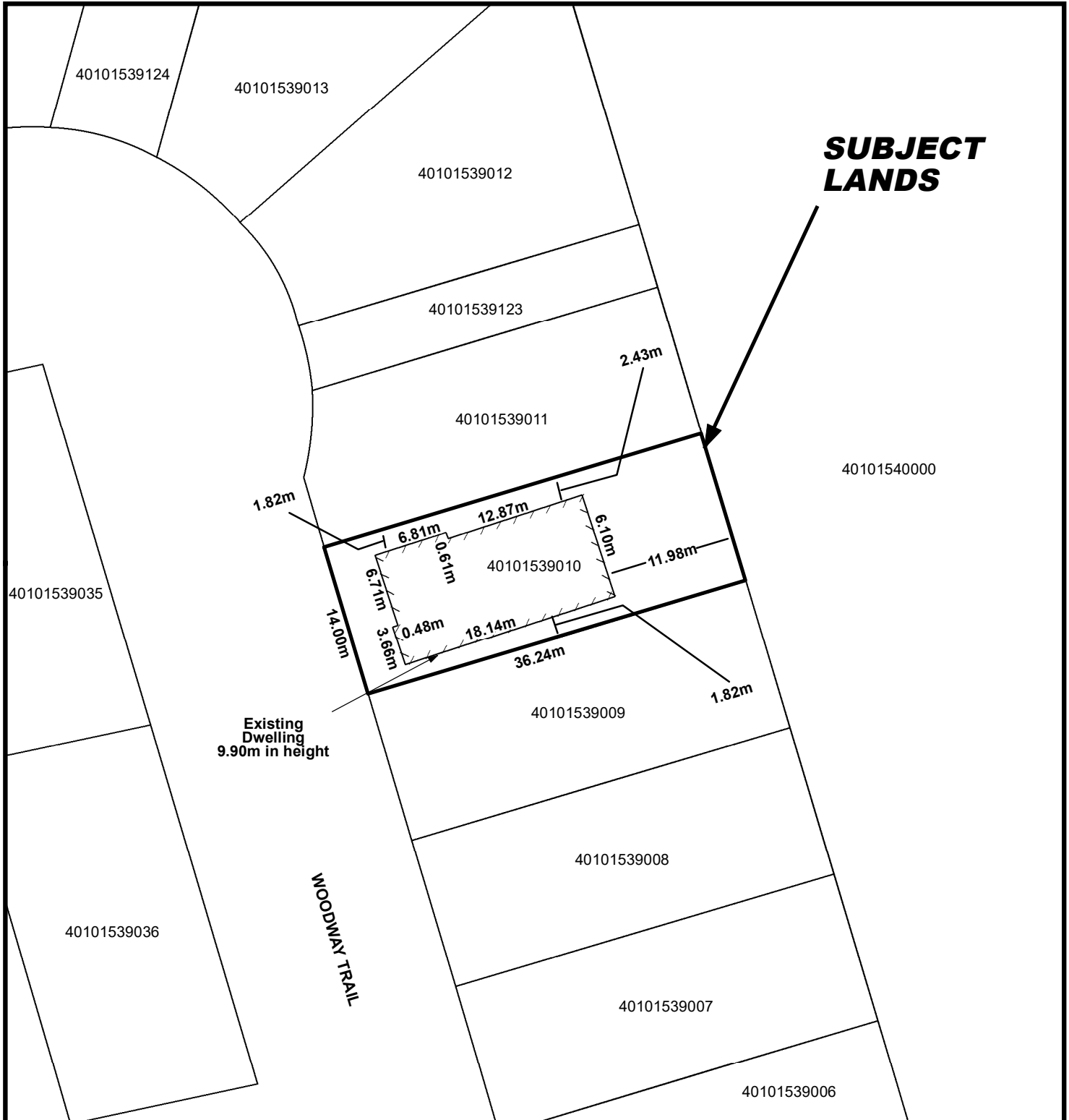
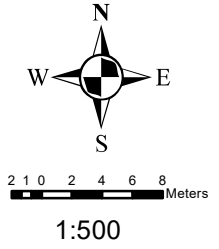
Urban Area of Simcoe



# MAP 3

File Number: ANPL2016208

Urban Area of Simcoe



# LOCATION OF LANDS AFFECTED

File Number: ANPL2016208

Urban Area of Simcoe

