

MINOR VARIANCE

Alisha

File Number ANPL20160601
 Related File Number _____
 Pre-consultation Meeting On AUG 15/16
 Application Submitted On AUG 29/16
 Complete Application On AUG 30/16

Application Fee \$977
 Conservation Authority Fee n/a
 OSSD Form Provided n/a
 Sign Issued _____

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: **3310-491-015-39500**

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 ¹ MELANIE MIREAULT Phone # (905)-516-1326
 Address 249 CLEAVER RD Fax # _____
 Town / Postal Code BRANTFORD ON N3T 5L5 E-mail _____

¹ If the applicant is a numbered company provide the name of a principal of the company.

Name of Agent ROB DEKEERS Phone # (519) 758-4122
 Address 32 CHARING CROSS ST. Fax # _____
 Town / Postal Code BRANTFORD ON N3R 2H2 E-mail rob.dekeers@century21.ca

Name of Owner ² JANICE MARGARET PITRE Phone # (519) 443-5592
JOSEPH EUGENE PITRE Fax # _____
 Address 588 WINDHAM CENTRE RD E-mail _____
 Town / Postal Code RR#1 LASALETTE ON NOE1H0

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>Windham</u>	Urban Area or Hamlet	_____
Concession Number	<u>8</u>	Lot Number(s)	<u>PT LT 17</u>
Registered Plan Number	_____	Lot(s) or Block Number(s)	_____
Reference Plan Number	_____	Part Number(s)	<u>PT 1 37R5177</u>
Frontage (metres/feet)	<u>502.56 ft / 171.41m</u>	Depth (metres/feet)	<u>7-335.55 ft / 102.28m (irregular)</u>
Width (metres/feet)	<u>502.56 ft / 171.41m</u>	Lot area (m ² / ft ² or hectares/acres)	<u>4.33 acres</u>
Municipal Civic Address	<u>588 WINDHAM CENTRE RD. RR#1 LASALETTE ON NOE 140</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):

THE APPLICANT WOULD LIKE TO HAVE THREE HORSES ON THE
SUBJECT PROPERTY AND TO FENCE PADDOCKS.

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

THE PROPERTY DOES NOT COMPLY WITH ZONING REQUIREMENTS
ZONING REQUIRES 5.0 ac SUBJECT PROPERTY IS 4.33 ac
DEFICIENCY OF 0.67 ac

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

THE SUBJECT PROPERTY IS 4.33 ac
THE ZONING REQUIREMENT IS 5.0 ac
THERE IS A DEFICIENCY OF 0.67 ac

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:

RETAIN RAISED BUNGALO, SHOP, PUMPHOUSE SHED AND
TWO STORAGE SHEDS

dwelling 211.5m², Shop 71.4m²

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

10/08/1994

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:

n/a

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

N/A

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:

10/08/1993

The date the subject lands was acquired by the current owner:

10/08/1993

Present use of the subject lands:

RESIDENTIAL / AGRICULTURE

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

10/08/1993

Existing use of abutting properties:

AGRICULTURE / COMMERCIAL

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:

THE PROPERTY LOCATED TO THE WEST OF THE SUBJECT PROPERTY IS ZONED COMMERCIAL - USED TRACTOR AND PARTS SALES

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:

QUESTIONS SUPPLIED BY THE OWNERS ONTARIO REAL ESTATE ASSOCIATION

SELLER PROPERTY INFORMATION STATEMENTS FORMS 820-222

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:

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 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input 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

WESTERLY PORTION HAZARDOUS LAND

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:

3 SAND POINTS ON PROPERTY 1 FOR HOUSE; 1 FOR SHOP; 1 FOR GARDENS

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:

588 WINDHAM CENTRE RD. / REGIONAL ROAD 9

I. OTHER INFORMATION

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

☒ Yes ☐ No

If yes, describe:

THE APPLICANT HAS MADE AN OFFER TO PURCHASE THE PROPERTY SUBJECT TO CONSENT OF THIS MINOR VARIANCE.

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.



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

588 WINDHAM CENTRE ROAD #9

Legal Description: TWP. OF WINDHAM CON 8 PT. LOT 17
37R5177 PART 1

RP

ASSESSMENT # 331049101539500

Application #:

AGENT : ROB DEKEERS

Agricultural Zone (A)

Main Building	REQUIRED	PROPOSED	DEFICIENCY	UNITS
12.1 a) minimum lot area				
i) new lot	40.00		N/A	ha
ii) lot of record	1390.00		N/A	m.sq
b) minimum lot frontage				
i) interior corner lot s	30.00		N/A	m
ii) lot of record	18.00		N/A	m
c) minimum front yard	13.00		N/A	m
d) minimum exterior side yard	13.00		N/A	m
e) minimum interior side yard	3.00		N/A	m
	3.00		N/A	m
f) minimum rear yard	9.00		N/A	m
g) Minimum separation between a farm processing facility and a dwelling on an adjacent lot	30.00		N/A	m
h) maximum building height	11.00		N/A	m
Comments				

Accessory Structure				
3.2.1 a) building height	6.00		N/A	m
b) minimum front yard	13.00		N/A	m
c) minimum exterior side yard	6.00		N/A	m
d) minimum interior side yard	1.20		N/A	m
e) minimum rear yard	1.20		N/A	m
f) through lot distance to street line	6.00		N/A	m
g) Lot coverage				
i) lot coverage	10.00		N/A	%
ii) usable floor area	100.00		N/A	m.sq

Comments

CHANGING THE EXISTING ACCESSORY GARAGE TO A 3 STALL HORSE BARN ON A 4.33 AC. AND REQUIRES 5.0 ACRES FOR LIVESTOCK SECTION 3.17 DEF. 0.67 AC FOR A LIVESTOCK PARCEL. MEETS THE MDS SEPARATIONS.

RECEIVED

AUG 04 2016

NORFOLK COUNTY
LANGTON ADMINISTRATION BUILDING

Comments



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

588 WINDHAM CENTRE ROAD #9

Legal Description: TWP. OF WINDHAM CON 8 PT. LOT 17
37R5177 PART 1

RP

ASSESSMENT # 331049101539500

Application #:

AGENT : ROB DEKEERS

Agricultural Zone (A)

12.1.4 Location of an Animal Kennel

No land shall be used and no building or structure or part thereof shall be erected for the purpose of an animal kennel nearer

a) any Residential (R1-R6, RH) or development (D) zone.

300.00

N/A

m

b) any Rural Commercial Zone (CR), Institutional Zone (IC, IN, IR) or any

125.00

N/A

m

dwelling house located on a separate lot.

c) to any lot line

30.00

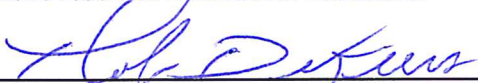
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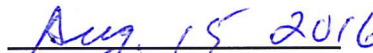
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Comments

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


date

Prepared By:


Signature of Building Inspector


date

AS PER:

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

Minimum Distance Separation II (MDS II) Report

MDS 1.0.2
02-Aug-2016 14:37
Page 1

Application Date: 02-Aug-2016

File Number: 588

Preparer Information

Laurel Sowden
Norfolk
44 burwell Road
Langton, ON, Canada

Calculation #1

Contact Information

Unspecified

Farm Location

County of Norfolk

Manure Form	Type of Livestock/Material	Existing Capacity	Existing NU	Total Capacity	Total NU	Estimated Barn Area
Solid	Horses; Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	3	3.0	3	3.0	70 m ²

Manure/Material Storage Type: V3. Solid, outside, no cover, >= 30% DM

Building Base Distance 'F' (A x B x C x D): 37 m (121 ft)

Storage Base Distance 'S': 37 m (121 ft)

Factor A (Odour Potential): 0.7

Factor B (Nutrient Units): 150

Factor C (Orderly Expansion): 0.5000

Factor D (Manure/Material Type): 0.7

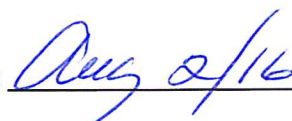
Total Nutrient Units: 3

Description	Multiplier	Required Barn Setback	Actual Barn Setback	Required Storage Setback	Actual Storage Setback
Nearest neighbour's dwelling	1.0	37 m 121 ft	167 m 548 ft	37 m 121 ft	167 m 548 ft
Type A land uses	1.0	37 m 121 ft		37 m 121 ft	
Type B land uses	2.0	74 m 241 ft		74 m 241 ft	
Nearest lot line (side or rear)	0.1	4 m 12 ft	21 m 67 ft	4 m 12 ft	18 m 59 ft
Nearest road allowance	0.2	7 m 24 ft	74 m 243 ft	7 m 24 ft	78 m 256 ft

Signature of Preparer:


Laurel Sowden, Norfolk

Date:



NOTE TO THE USER:

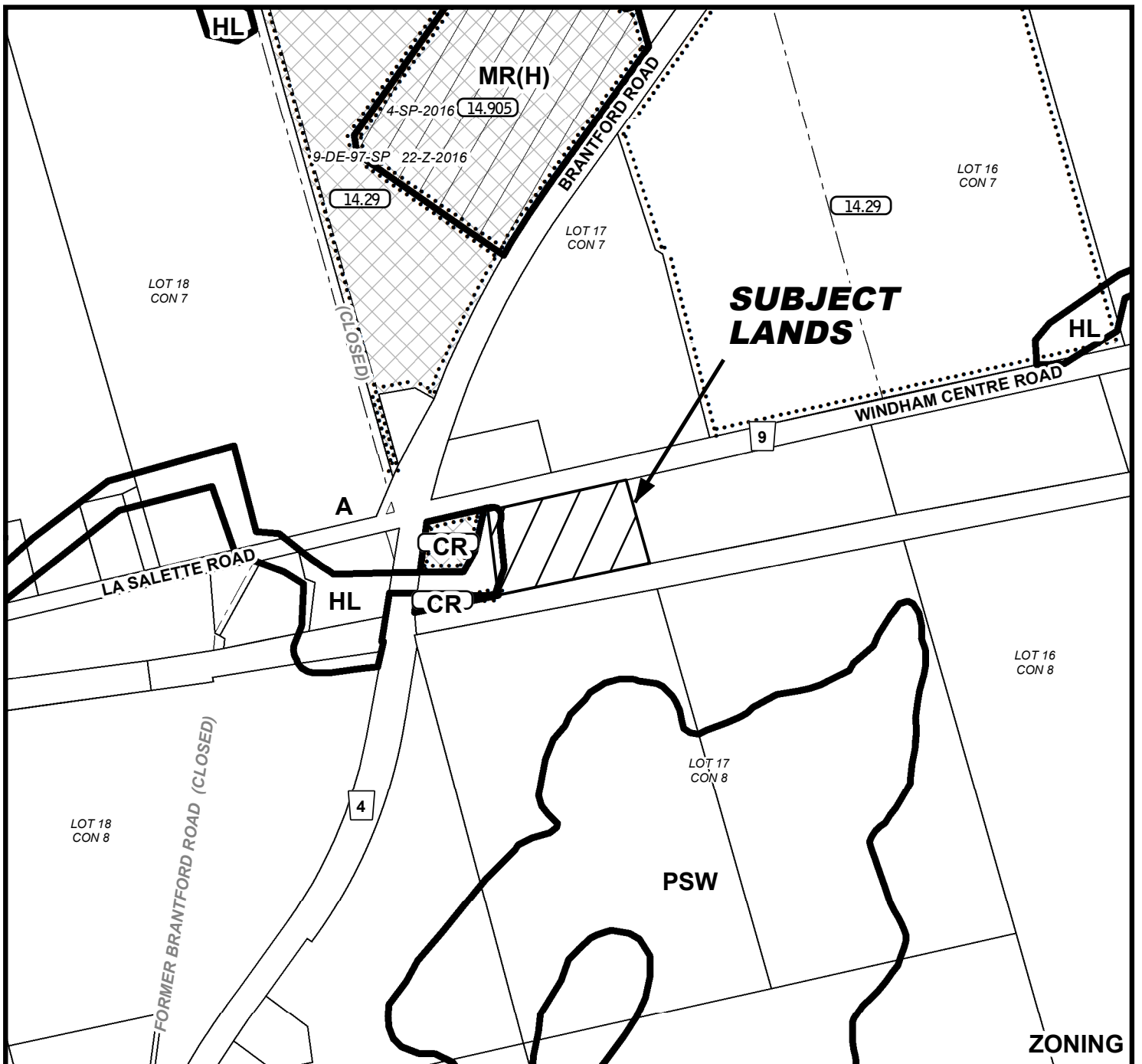
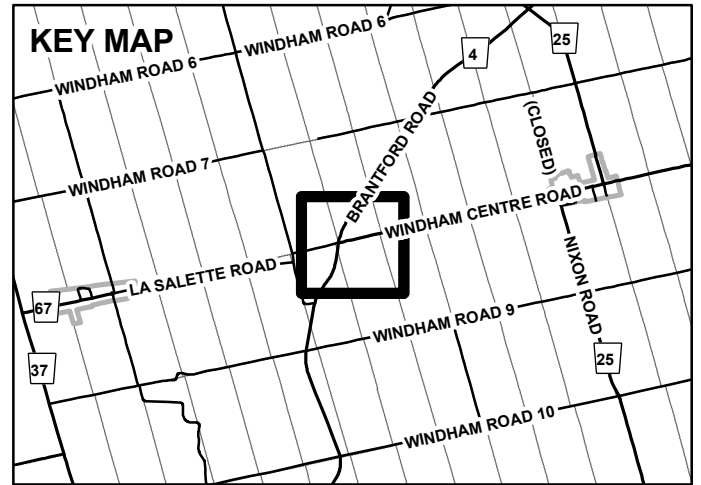
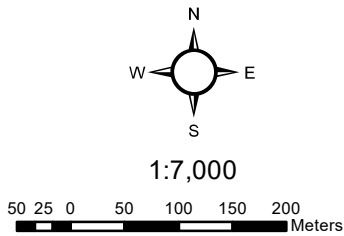
The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.



MAP 1

File Number: ANPL2016261

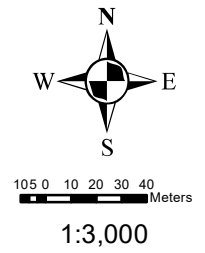
Geographic Township of
WINDHAM



MAP 2

File Number: ANPL2016261

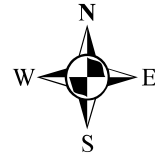
Geographic Township of WINDHAM



MAP 3

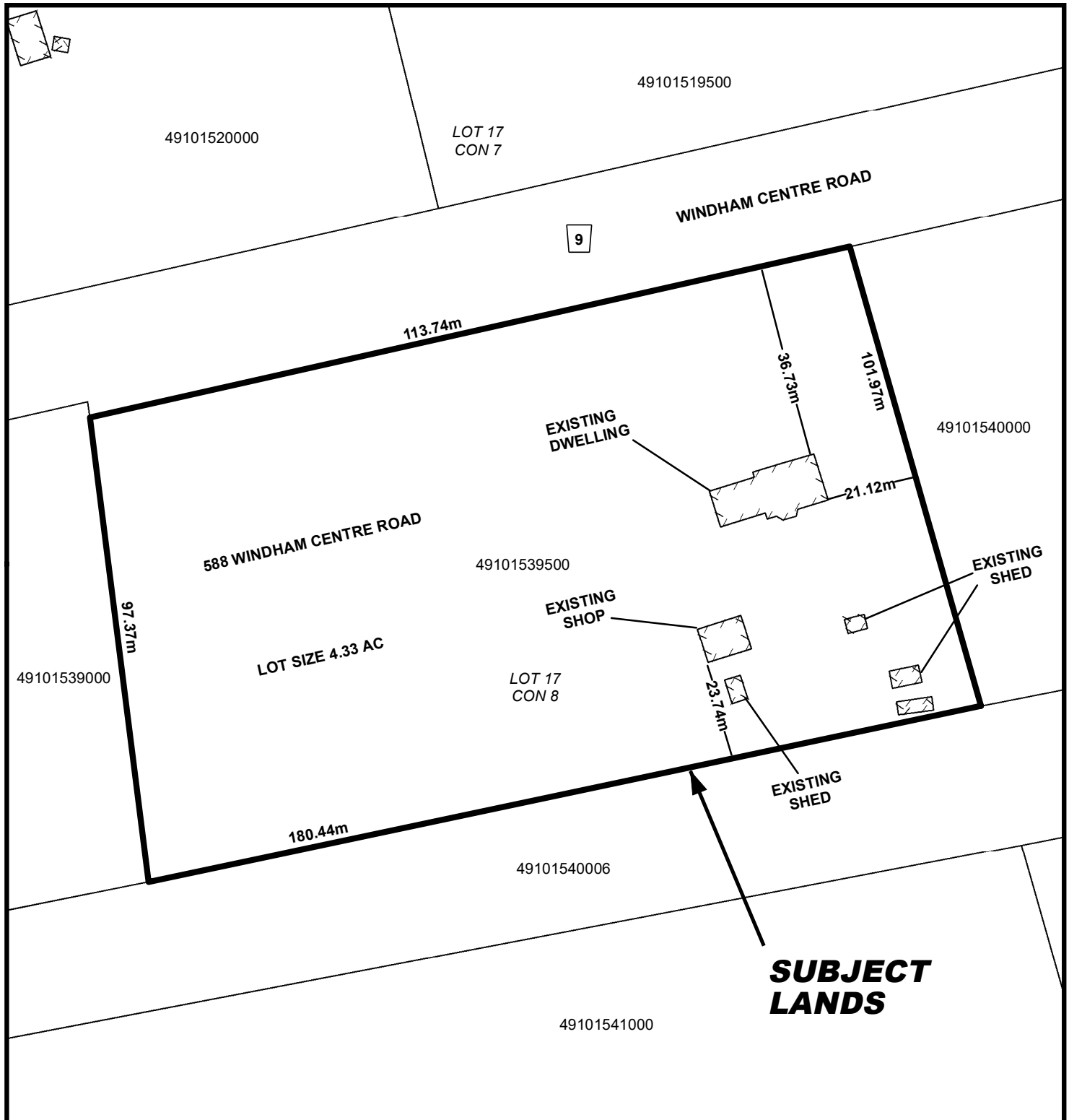
File Number: ANPL2016261

Geographic Township of WINDHAM



4.2 2D 4.5 9 13.5 18 Meters

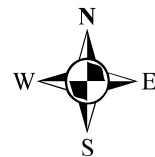
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LOCATION OF LANDS AFFECTED

File Number: ANPL2016261

Geographic Township of WINDHAM



4.2 2D 4.5 9 13.5 18 Meters

1:1,200

