

MINOR VARIANCE

Alisha

\$

File Number ANPL2016331
 Related File Number _____
 Pre-cancellation Meeting On _____
 Application Submitted On 31/10/16
 Complete Application On NOV 7/16

Application Fee

Conservation Authority Fee

OSSD Form Provided

Sign Issued

~~\$ 997.~~ ^{\$} 977.⁰⁰
 n/a
 n/a

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- 411-028-05654

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. J-2-2014

A. APPLICANT INFORMATION

Name of Applicant¹ RANDY CASIER Phone # (519) 428-6652
 Address 406 Courtland Street Fax # _____
 Town / Postal Code Delhi ON E-mail rcasier65@gmail.com

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

Name of Agent ED DeBusschere Phone # 519-427-9917
 Address DELHI, ON (516 HWY 3) Fax # _____
 Town / Postal Code N4B 2W6 E-mail edh@kwic.com

Name of Owner² Maureen O'Donoghue Rich Phone # (519) 427-9917
 Address 5 Arnet Street Fax # _____
 Town / Postal Code Brentford, ON N3A6T5 E-mail maureen.o.rich@rogers.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:

INVESTORS GROUP (Greg Harvey) (519) 420-8545
(SIMCOE)

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township NORFOLK Urban Area or Hamlet Delhi
 Concession Number 13 PT LOT 24 Lot Number(s) 46
 Registered Plan Number 1199 Lot(s) or Block Number(s) 325
 Reference Plan Number _____ Part Number(s) PT LOT 24
 Frontage (metres/feet) 18 M Depth (metres/feet) 35.54 m
 Width (metres/feet) 18 M Lot area (m² / ft² or hectares/acres) 647.5 m²
 Municipal Civic Address 23 VIOLA COURT

Are there any easements or restrictive covenants affecting the subject lands?

☒ Yes ☒ No

If yes, describe the easement or covenant and its effect:

Attached / application

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):

THIS IS A CORNER LOT. THE EXISTING REQUIREMENT IS 6 METRES FOR R.S. SETBACK.
WE ARE ASKING TO CHANGE TO 4.25 M TO ALLOW WIDER HOUSE
FACING FRONTAGE ON VIOLA COURT
 Please explain the nature and extent of the amendment requested (assistance is available):

relief of 1.75 m from the required exterior side
yard setback of 6 m to permit 4.25m

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

WE ARE UNABLE TO BUILD A 1650 SQ FT HOUSE
WITH THE EXISTING SETBACKS DUE TO - LOT 46,
BEING A CORNER LOT. FRONT, REAR LSY ARE
ALL COMPLIANT, BUT RSY WILL NOT WORK AT 6M

D. PROPERTY INFORMATION

Present official plan designation(s):

Urban Residential

Present zoning:

R 1-A

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:

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

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:

see attached drawing

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

AS SOON AS WE CAN APPLY FOR BUILDING PERMIT
OR A.S.A.P.

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:

EMPTY BUILDING LOT

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

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

personal knowledge

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>adj.</i> distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature <i>(PUMPING STATION)</i>	<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

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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:

CORNER OF VIOLA COURT & 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.

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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.

Maureen O'Donoghue
Owner/Applicant/Agent Signature

30/10/16
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.

Maureen O'Donoghue
Owner/Applicant/Agent Signature

30/10/16
Date

N. DECLARATION

I, RANDY CASIER of DELHON 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, ON

In Norfolk County

This 7th day of November

A.D., 20 16

[Signature]

A Commissioner, etc.

[Signature]

Owner/Applicant/Agent Signature

[Signature] (Agent)

ALISHA KATHLEEN CULL, a
Commissioner, etc., Province of Ontario.
for the Corporation of Norfolk County.
Expires April 28, 2019.

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

I/We authorize _____ 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.

Owner

Date

Owner

Date



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

FAIRWAY HEIGHTS ESTATES INC.

Legal Description: DELHI PLAN 1199 LOT 46

23 VIOLA CRT. DELHI

Application #:

ASSESSMENT # 331049102805654

Urban Residential Type R1 Zone

		Zoning	R1-A		
Main Building		REQUIRED	PROPOSED	DEFICIENCY	UNITS
5.1.2	a) minimum lot area				
	i) interior lot				m.sq
	ii) corner lot	560.00	647.50	N/A	m.sq
	iii) lot of record - interior lot			0.00	m.sq
	iv) lot of record - corner lot			N/A	m.sq
	b) minimum lot frontage			0.00	
	i) interior lot			N/A	m
	ii) corner lot	18.00	18.00	N/A	m
	iii) lot of record - interior lot			N/A	m
	iv) lot of record - corner lot			N/A	m
	c) minimum front yard	6.00	6.00	N/A	m
	i) detached garage with rear lane			N/A	m
	d) minimum exterior side yard	6.00	4.25	1.75	m
	e) minimum interior side yard	1.20	1.25		
	i) detached garage (3.0m)			N/A	m
	detached garage (1.2m)			N/A	m
	ii) detached garage with a rear lane ;			N/A	m
	attached garage			N/A	m
	f) minimum rear yard	7.50	7.50	N/A	m
	g) maximum building height	9.20	9.00	N/A	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



Zoning Deficiency

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Application #:

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Urban Residential Type R1 Zone

Zoning

R1-A

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. | | |
| 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

Prepared By:

LAUREL LEE SOWDEN

Signature of Building Inspector

Nov 7, 2016

date

OCT. 26, 2016

Oct 26/16

date

AS PER:

Fritz R. Enzlin. CBCO, CRBO

Chief Building Official

Manager, Building & Bylaw Division

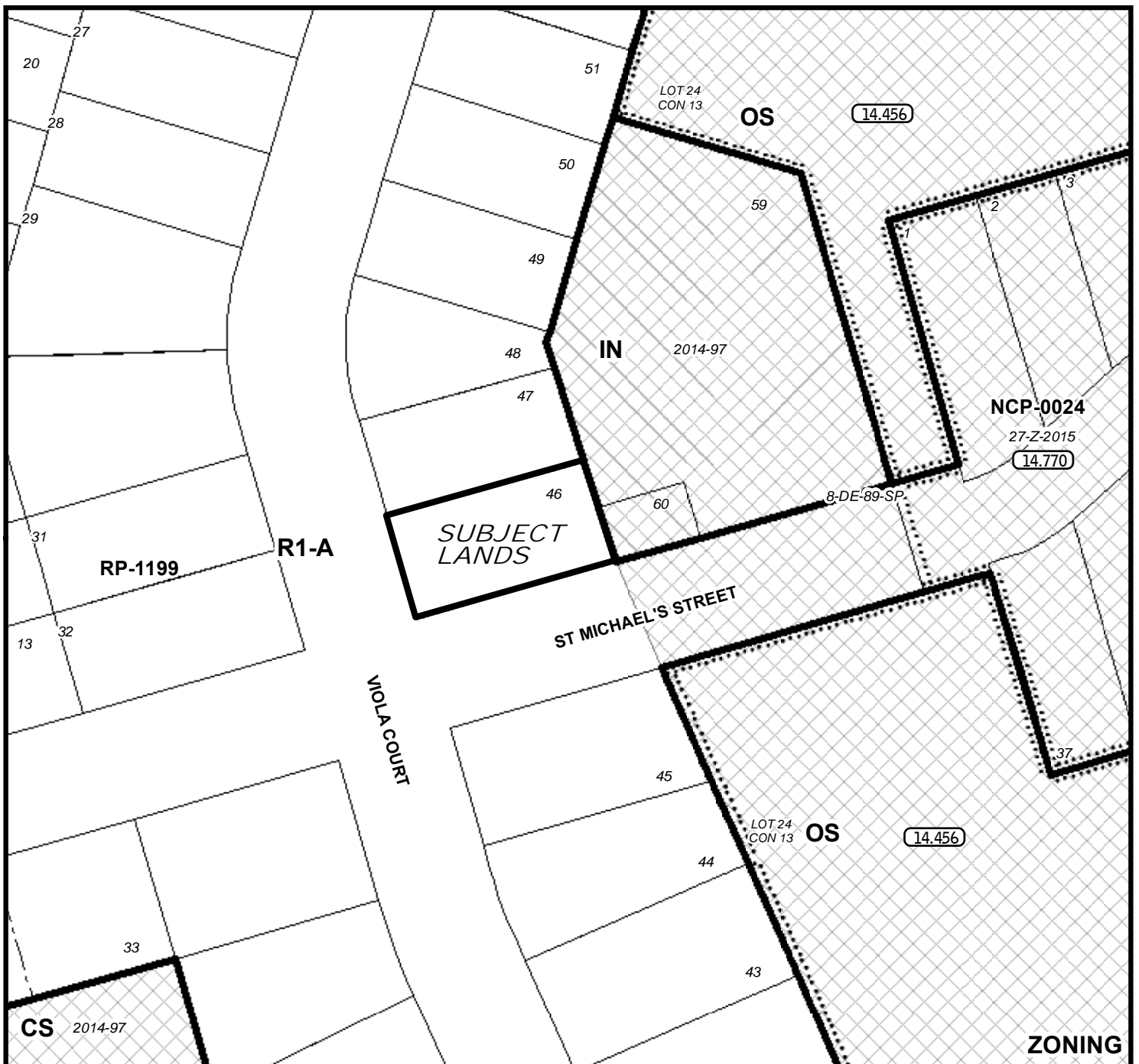
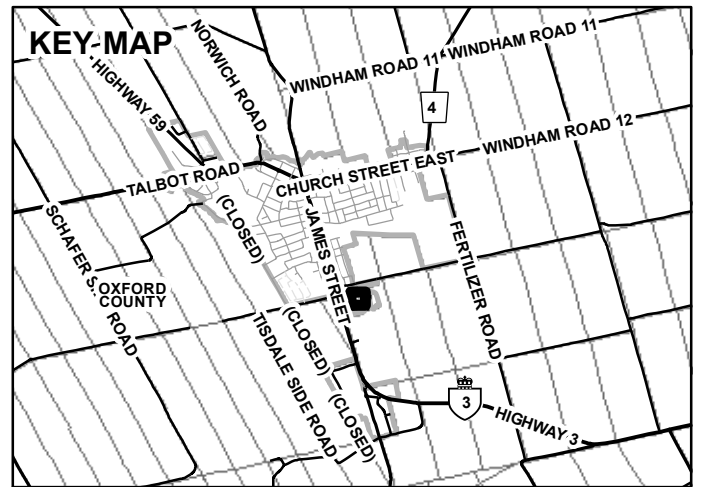
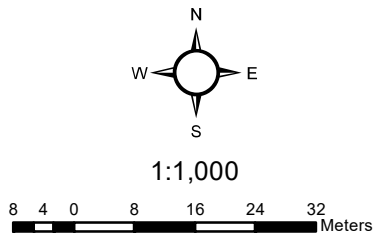
Norfolk County

MAP 1

File Number: ANPL2016331

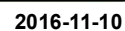
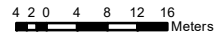
Geographic Township of

WINDHAM



ZONING

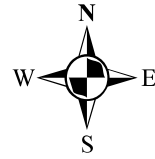
Geographic Township of WINDHAM



MAP 3

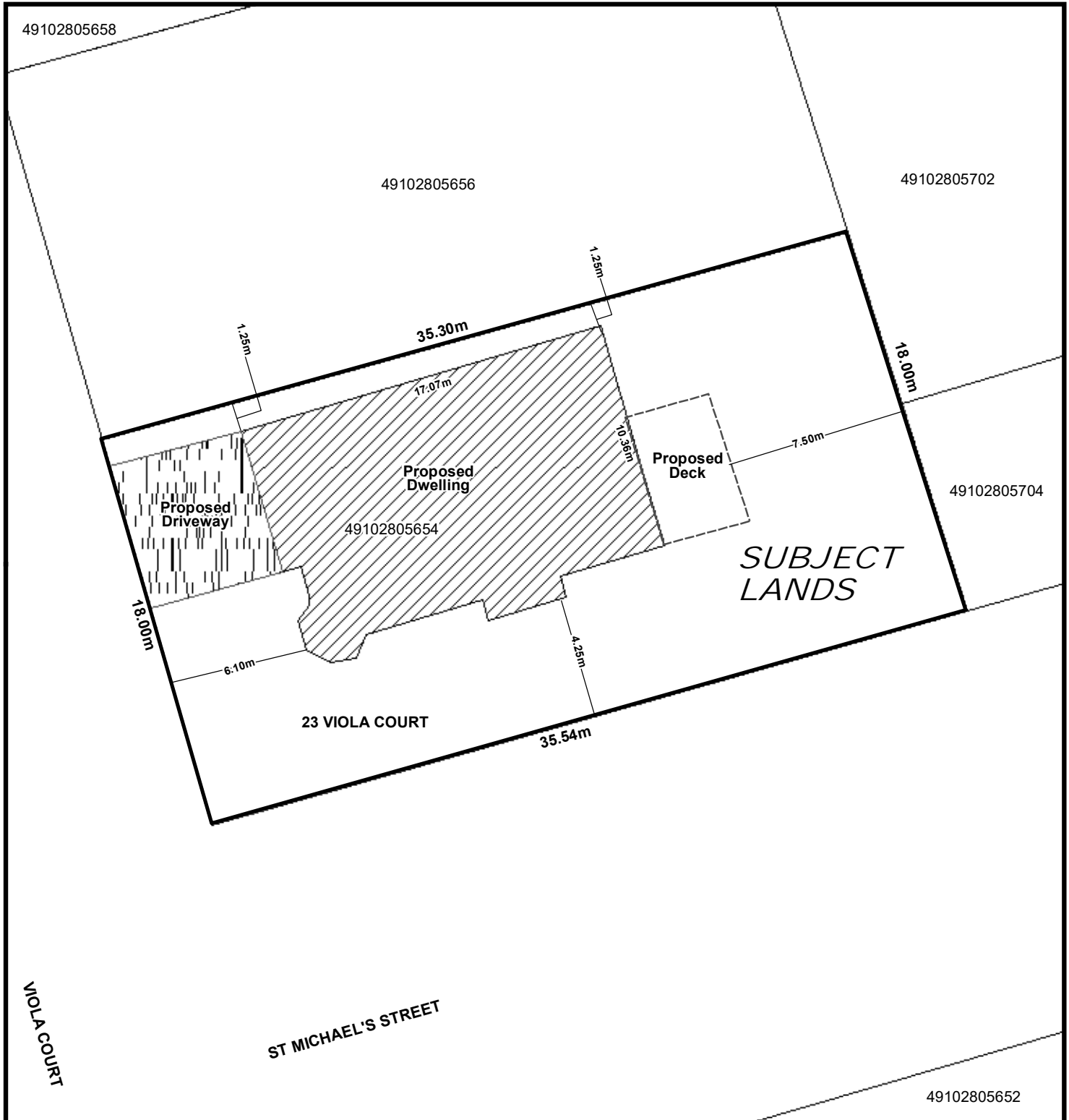
File Number: ANPL2016331

Geographic Township of WINDHAM



10.50 1 2 3 4 Meters

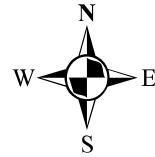
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LOCATION OF LANDS AFFECTED

File Number: ANPL2016331

Geographic Township of WINDHAM



10.50 1 2 3 4 Meters

1:250

