



Committee of Adjustment Application to Planning Department

Complete Application

A complete Committee of Adjustment application consists of the following:

1. A properly completed and signed application form (signature must on original version);
2. Supporting information adequate to illustrate your proposal as listed in **Section H** of this application form (plans are required in paper copy and digital PDF format);
3. Written authorization from all registered owners of the subject lands where the applicant is not the owner as per Section N; and,
4. Cash, debit or cheque payable to Norfolk County in the amount set out in the Norfolk County User Fees By-Law.

Planning application development fees are not required with the submission of your completed and signed development application. Your planning application fee will be determined by the planner when your application has been verified and deemed complete. Prepayments will not be accepted.

5. Completed applications are to be mailed to the attention of **Secretary Treasurer – Committee of Adjustment**: 185 Robinson Street, Suite 200, Simcoe, ON N3Y 5L6 or email your application committee.of.adjustment@norfolkcounty.ca. Make sure submissions are clearly labelled including address, name, and application type. Failure to do so may impact the timing of your application.

The above listed items are required to ensure that your application is given full consideration. An incomplete or improperly prepared application will not be accepted and may result in delays during the processing of the application. This application must be typed or printed in ink and completed in full.

Please review all of the important information summarised below.

Before your Application is Submitted

A pre-consultation meeting is not usually required for Committee of Adjustment applications; however, discussion with Planning Department staff prior to the submission of an application is **strongly encouraged**. The purpose of communicating with a planner **before** you submit your application is: to review your proposal / application, to discuss potential issues; and to determine the required supporting information and materials to be submitted with your application before it can be considered complete by staff. You might find it helpful to retain the services of an independent professional (such as a registered professional planner) to help you with your application. Information about the Official Plan and Zoning By-law can be found on the County website: www.norfolkcounty.ca/planning



After Your Application is Submitted

Once your payment has been received and the application submitted, in order for your application to be deemed complete all of the components noted above are required.

Incomplete applications will be identified and returned to the applicant. The *Planning Act* permits up to 30 days to review and deem an application complete.

Once your application has been deemed complete by the Planning Department, it is then circulated to public agencies and County departments for review and comment. A sign is also provided that is required to be posted on the subject lands that summarizes the application and identifies the committee meeting date. The comments received from members of the community will be included in the planning report and will inform any recommendations in relation to the application.

If the subject lands are located in an area that is regulated by either the Long Point Region Conservation Authority or by the Grand River Conservation Authority an additional fee will be required if review by the applicable agency is deemed necessary. A separate cheque payable to the Long Point Region Conservation Authority or the Grand River Conservation Authority is required in accordance with their fee schedule at the same time your application is submitted.

Additional studies required as part of the complete application shall be at the sole expense of the applicant. In some instances peer reviews may be necessary to review particular studies and that the cost shall be at the expense of the applicant. The company to complete the peer review shall be selected by the County.

If the application is withdrawn prior to the circulation to commenting agencies, the entire original fee will be refunded. If withdrawn after the circulation to agencies, half the original fee will be refunded. No refund is available after the public meeting and/or approval of application.

Notification Sign Requirements

Planning Department staff may post a notification sign on your property in advance of the public meeting on your behalf. Please keep this sign posted until you have received a notice in the mail indicating that the Secretary Treasurer received no appeals. However, it is the applicant's responsibility to ensure that the sign is correctly posted within the statutory timeframes, according to the *Planning Act*. Failure to post a sign in advance of the public meeting in accordance with statutory requirements will impact the timing of your application at the Committee of Adjustment meeting. Applicants are responsible for removal of the sign following the appeal period. The signs are recyclable and can be placed in your blue box.

Contact Us

For additional information or assistance in completing this application, please contact a planner at 519-426-5870 ext. 1842 or Committee.of.Adjustment@NorfolkCounty.ca



For Office Use Only:

File Number	_____	Application Fee	_____
Related File Number	_____	Conservation Authority Fee	_____
Pre-consultation Meeting	_____	Well & Septic Info Provided	_____
Application Submitted	_____	Planner	_____
Complete Application	_____	Public Notice Sign	_____

Check the type of planning application(s) you are submitting.

- ☐ Consent/Severance/Boundary Adjustment
- ☐ Surplus Farm Dwelling Severance and Zoning By-law Amendment
- ☒ Minor Variance
- ☐ Easement/Right-of-Way

Property Assessment Roll Number: _____

A. Applicant Information

Name of Owner CHERYL MURPHY-SWAY

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.

Address _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

Name of Applicant

Address DARRELL LAGAN (CONSTRUCTION)

Town and Postal Code 1724 EAST QUARTERLINE RD

Phone Number WINDHAM NOE 2A0

Cell Number 519 428 7350

Email SAME

Name of Agent

Address

Town and Postal Code

Phone Number

Cell Number

Email

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices in respect of this application will be forwarded to the owner and agent noted above.

☐ Owner

☒ Agent

☐ Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

B. Location, Legal Description and Property Information

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):

CHARLOTTETOWN, LOT 28 RP133 LOT 43 RP301
#65

Municipal Civic Address:

65 ORDONANCE AVE.

Present Official Plan Designation(s):

RESORT RESIDENTIAL

Present Zoning:

RR (SEASONAL)

2. Is there a special provision or site specific zone on the subject lands?

☐ Yes ☒ No If yes, please specify:

3. Present use of the subject lands:

SEASONAL COTTAGE 60+ YEARS OLD

4. 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, and height on your attached sketch which must be included with your application:

EXISTING 111' x 26' (1200 SQ') SEASONAL COTTAGE - 1 STOREY
11 26' x 26' (280 SQ') STORAGE GARAGE
1 STOREY
SEASONAL COTTAGE - REMOVED GARAGE RETAINED

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example a bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

NA

6. 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, and height on your attached sketch which must be included with your application:

NEW SEASONAL RESIDENCE 117' x 11' (1250 SQ')
PARTIAL - 2-STOREY

7. 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:

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

60+ YEARS

9. Existing use of abutting properties:

R.R. ZONE SEASONAL COTTAGES

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

☒ Yes ☐ No If yes, describe the easement or restrictive covenant and its effect:

HYDRO ONE REAL ESTATE EASEMENT
(NO NEW STRUCTURES TO BE BUILT ON)

C. Purpose of Development Application

Note: Please complete all that apply. **Failure to complete this section will result in an incomplete application.**

1. Site Information (Please refer to Zoning By-law to confirm permitted dimensions)

	Existing	Permitted	Provision	Proposed	Deficiency
Lot frontage	12.2 ^m (40')				
Lot depth	104 ^m (344')				
Lot width	12.2 ^m (40')				
Lot area	1269 ^{m²} (13,680) ^{sq'}				
Lot coverage	9.3%			10%	
Front yard	1.5 M.			3 M.	3 M.
Rear yard	9 M.			8.5 M.	
Height	5.5 M.			8.5 M.	
Left Interior side yard	3 M. 3 M.			3 M.	
Right Interior side yard	1.5 M. 0.03 (8 in.)			1.4 M	
Exterior side yard (corner lot)	—				
Parking Spaces (number)	3+			3+	
Aisle width					
Stall size	3 M x 6 M (10' x 20')			3 M x 6 M (10' x 20')	
Loading Spaces					
Other					

2. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law:

ALLOWANCE OF ORIGINAL RESIDENCES
BEING CONSTRUCTED TOO CLOSE TO FRONT
LOT LINE, PROPOSING TO INCREASE
EXISTING BY 3M.

3. **Consent/Severance/Boundary Adjustment:** Description of land intended to be severed in metric units:

Frontage: NA.

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Proposed final lot size (if boundary adjustment): _____

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: _____

Description of land intended to be retained in metric units:

Frontage: N/A

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Buildings on retained land: _____

4. **Easement/Right-of-Way:** Description of proposed right-of-way/easement in metric units:

Frontage: EXISTING 4000 EASEMENT

Depth: 5.5M WIDE 33.5M FRONT FRONT
LOT LINE

Width: _____
Area: 675^m
Proposed Use: NO ENCROACHMENT PROPOSED
ON EASEMENT

5. Surplus Farm Dwelling Severances Only: List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation

Owners Name: N/A
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____
Date of Land Purchase: _____

Owners Name: N/A
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____
Date of Land Purchase: _____

Owners Name: N/A
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____
Date of Land Purchase: _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____
Date of Land Purchase: _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (for example: corn, orchard, livestock) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____
Date of Land Purchase: _____

Note: If additional space is needed please attach a separate sheet.

D. All Applications: Previous Use of the Property

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☐ Yes ☐ No ☒ Unknown

If yes, specify the uses (for example: gas station, or petroleum storage):

2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown

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

4. If you answered yes to any of the above questions in Section D, 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

E. All Applications: Provincial Policy

1. 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

If no, please explain:

2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? ☒ Yes ☐ No

If no, please explain:

NO CHANGE TO PROPERTY USE FROM
PRESENT MINIMAL IMPACT.

3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? ☒ Yes ☐ No

If no, please explain:

ELEVATION PROPOSAL'S OF STRUCTURE
SEWAGE SEPTIC SYSTEM ETC TO MEET SPECIFIED
HIGHS
DESIGNED.

Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. All Applications: Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

Livestock facility or stockyard (submit MDS Calculation with application)

☐ On the subject lands or ☐ within 500 meters – distance _____

Wooded area

☐ On the subject lands or ☒ within 500 meters – distance _____

Municipal Landfill

☐ On the subject lands or ☐ within 500 meters – distance _____

Sewage treatment plant or waste stabilization plant

☐ On the subject lands or ☐ within 500 meters – distance _____

Provincially significant wetland (class 1, 2 or 3) or other environmental feature

☐ On the subject lands or ☐ within 500 meters – distance _____

Floodplain

☐ On the subject lands or ☐ within 500 meters – distance _____

Rehabilitated mine site

☐ On the subject lands or ☐ within 500 meters – distance _____

Non-operating mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Active mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Industrial or commercial use (specify the use(s))

☐ On the subject lands or ☐ within 500 meters – distance _____

Active railway line

☐ On the subject lands or ☐ within 500 meters – distance _____

Seasonal wetness of lands

☐ On the subject lands or ☒ within 500 meters – distance _____

Erosion

☐ On the subject lands or ☐ within 500 meters – distance _____

Abandoned gas wells

☐ On the subject lands or ☐ within 500 meters – distance _____

F. All Applications: Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- ☐ Municipal piped water ☐ Communal wells
☐ Individual wells ☒ Other (describe below)
- PRIVATE TREATED
PIPED SUPPLY*

Sewage Treatment

- ☐ Municipal sewers ☐ Communal system
☒ Septic tank and tile bed in good working order ☐ Other (describe below)
- NEW SYSTEM TO BE INSTALLED*

Storm Drainage

- ☐ Storm sewers ☐ Open ditches
☐ Other (describe below) *NO MUNICIPAL SYSTEM.*

2. Existing or proposed access to subject lands:

- ☒ Municipal road ☐ Provincial highway
☐ Unopened road ☐ Other (describe below)

Name of road/street:

ORDOVANCE AVE / CEDAR DRIVE / TURKEY POINT RD.

G. All Applications: Other Information

1. Does the application involve a local business? ☐ Yes ☒ No

If yes, how many people are employed on the subject lands?

2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.

*REPLACE EXISTING 60+ YEAR OLD RESIDENCE
TO MEET MUNICIPAL REQS. & O.B. CODE.
ONE MINOR VARIANCE RELIEF REQUEST OF
3M. TO MOVE BACK 2.5M FROM EXISTING
STRUCTURE*

H. Supporting Material to be submitted by Applicant

In order for your application to be considered complete, folded hard copies (number of paper copies as directed by the planner) and an **electronic version (PDF) of the site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

- ✓ 1. Concept/Layout Plan
- ✓ 2. All measurements in metric
- ✓ 3. Existing and proposed easements and right of ways
- ✓ 4. Parking space totals – required and proposed
- ✓ 5. All dimensions of the subject lands
- ✓ 6. Dimensions and setbacks of all buildings and structures
- ✓ 7. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
- ✓ 8. Names of adjacent streets
- ✓ 9. Natural features, watercourses and trees

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- ☐ On-Site Sewage Disposal System Evaluation Form (to verify location and condition)
- ☐ Environmental Impact Study
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Record of Site Condition

Your development approval might also be dependent on Ministry of Environment Conservation and Parks, Ministry of Transportation or other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

All final plans must include the owner's signature as well as the engineer's signature and seal.

K. Declaration

I, _____ of _____

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:

Owner/Applicant/Agent Signature

In _____

This 20 day of OCTOBER

A.D., 20 24

A Commissioner, etc.

I. Transfers, Easements and Postponement of Interest

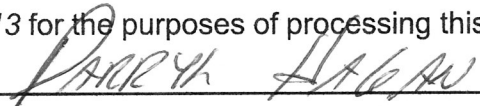
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

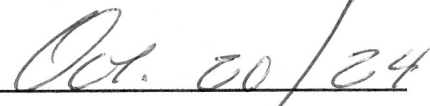
Permission to Enter Subject Lands

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

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 application.

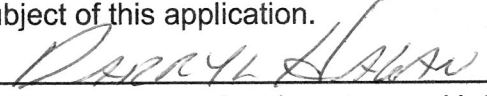

Owner/Applicant/Agent Signature

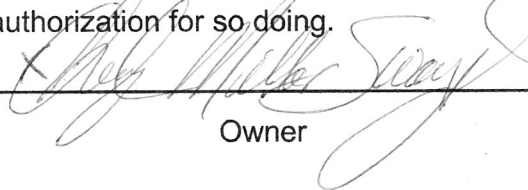

Date

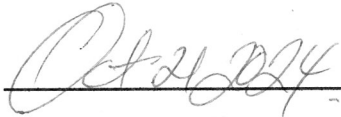
J. Owner's Authorization

If the applicant/agent is not the registered owner of the lands that is the subject of this 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 application.

I/We authorize  to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.


Owner


Date

Owner

Date

***Note:** If property is owned by an Ontario Ltd. Corporation, Articles of Incorporation are required to be attached to the application.



Permit Applicant Authorization

This form must be completed for all building permit applications where the applicant is the Owner's Agent

A. Project Information			
Property Address <u>65 ORDWANCE AVE. T.P.</u>		Unit number	Lot/con. <u>28/RP133</u>
Municipality <u>NORFOLK COUNTY</u>	Postal Code <u>4B/301</u>		
B. Property Owner(s)			
Last name <u>MILLAR-SWAY</u>	First name <u>CHERYL</u>	Corporation or partnership	
Street address		Unit number	
Municipality	Postal code	Province	E-mail <u>cheri millarsway@gmail.com</u>
Telephone number <u>905 466 6970</u>		Cell number <u>9711</u>	
C. Second Property Owner(s)			
Last name	First name	Corporation or partnership	
Street address		Unit number	
Municipality	Postal code	Province	E-mail
Telephone number		Cell number	
D. Declaration of Property Owner(s)			
I <u>CHERYL MILLAR-SWAY</u> , hereby Name of Property Owner(s) (please print)			
authorize and appoint the party stated in Section C of this form as my agent for the purposes of the submitted permit application. I understand that all communications and correspondence regarding this application shall be directed to the applicant.			
<u>Oct. 19/04</u> Date		<u>[Signature]</u> Signature of Property Owner(s)	

Note:

1. The Ontario Building Code states that "owner includes, in respect of the property on which the construction or demolition will take place, the registered owner, a lessee or mortgagee in possession".

Personal information contained in this form is collected under the authority of Subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*.

SURVEYOR'S REAL PROPERTY REPORT
PART 1) PLAN
OF
LOT 28
REGISTERED PLAN 133
AND
LOT 43
REGISTERED PLAN 301
IN THE GEOGRAPHIC
TOWNSHIP OF CHARLOTTEVILLE
IN THE
COUNTY OF NORFOLK
NOW IN THE
TOWNSHIP OF DELHI
IN THE REGIONAL MUNICIPALITY OF
HALDIMAND - NORFOLK
SCALE: 1" = 20'



JEWITT AND DIXON LTD.
1997

SURVEYOR'S REAL PROPERTY REPORT
PART 2) REPORT SUMMARY

DESCRIPTION OF LAND

BEING LOT 28, REGISTERED PLAN 133, AND LOT 43, REGISTERED PLAN 301,
IN THE GEOGRAPHIC TOWNSHIP OF CHARLOTTEVILLE, BEING INSTRUMENT No. 342295
MUNICIPAL No. 65 ORDANCE AVENUE

REGISTERED EASEMENTS AND / OR RIGHTS OF WAY

TOGETHER WITH A RIGHT-OF-WAY AS SET OUT IN INSTRUMENT No. 342295

ENCROACHMENTS

PLEASE NOTE THE LOCATION OF THE HYDRO POLE AND OVERHEAD HYDRO
LINES, ALSO ALONG THE NORTHERLY PROPERTY LIMIT NOTE THE POSITION OF
THE ASPHALT DRIVEWAY AND THE OVERHANGS

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS

NOT CERTIFIED BY THIS REPORT.

COVERAGE

LOT AREA = 13,680 SQ. FT.
BLDGS. AREA = 1269 SQ. FT.
LOT COVERAGE = 9.3 %

ADDITIONAL REMARKS

301 - 42

432708
OF - WAY)

43

342295

WAY, SEE INST. 342295)

44

501863

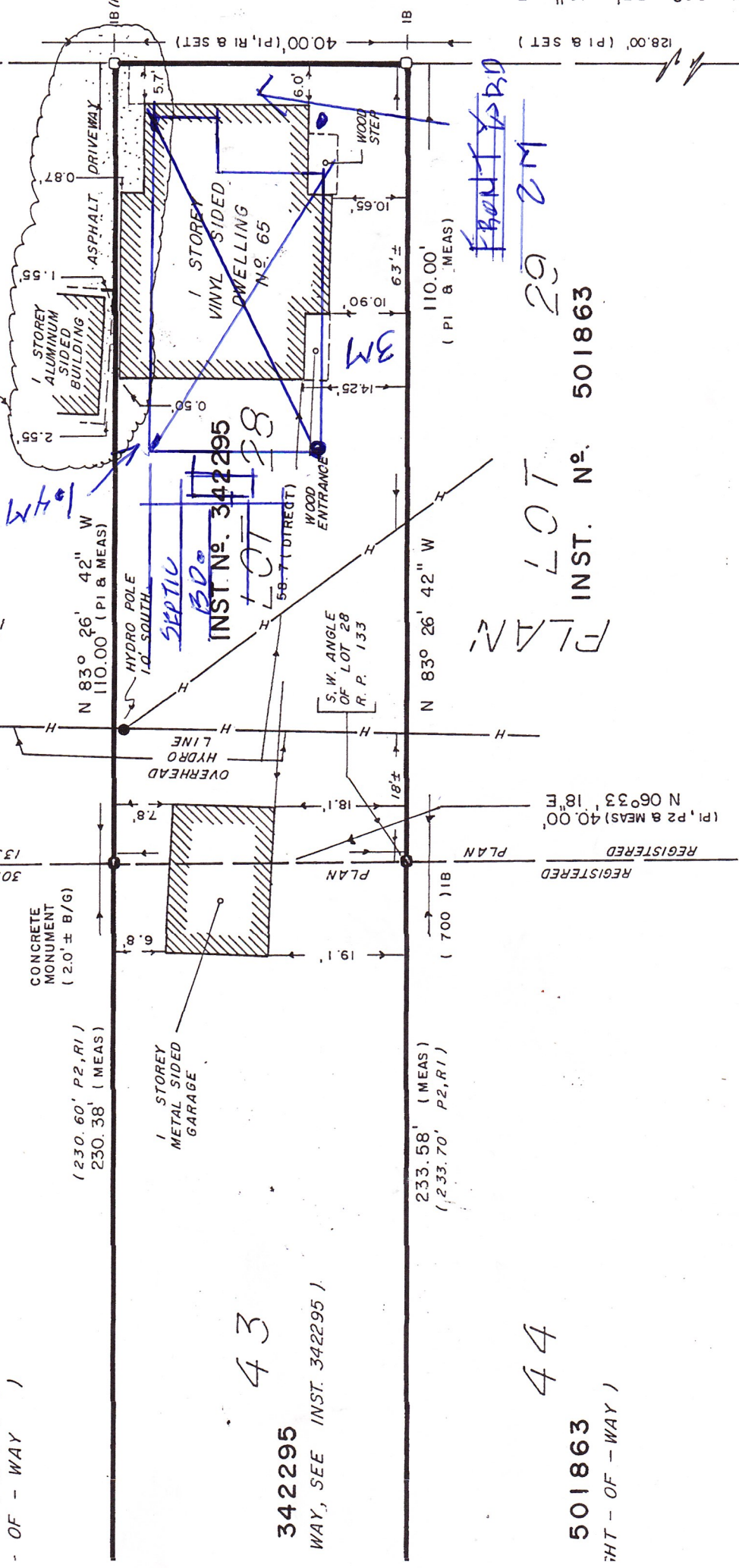
HT - OF - WAY)

LOT 27
INST.

No. 428647

27

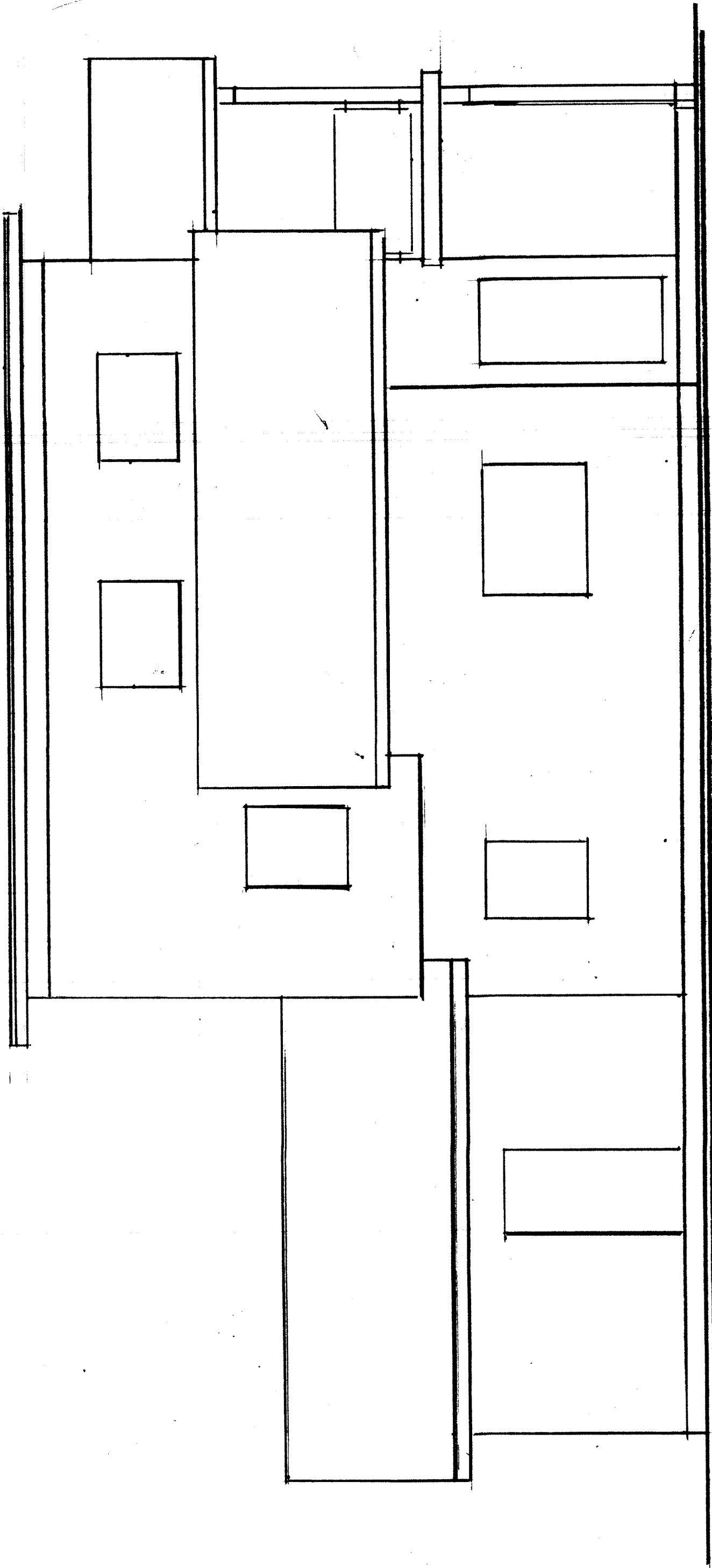
"SEE ENLARGEMENT"



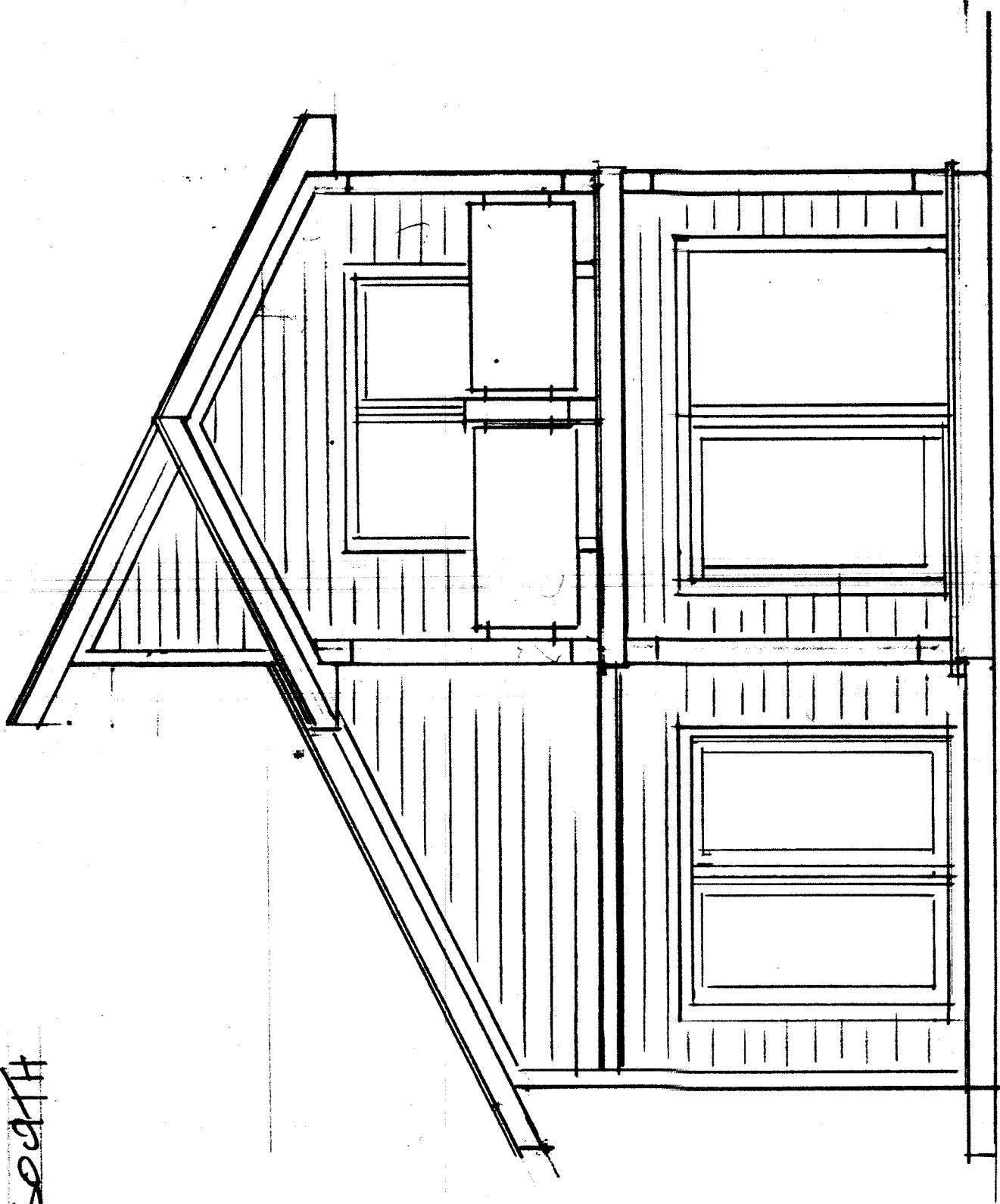
PLAN

LOT 29 2M
INST. No. 501863

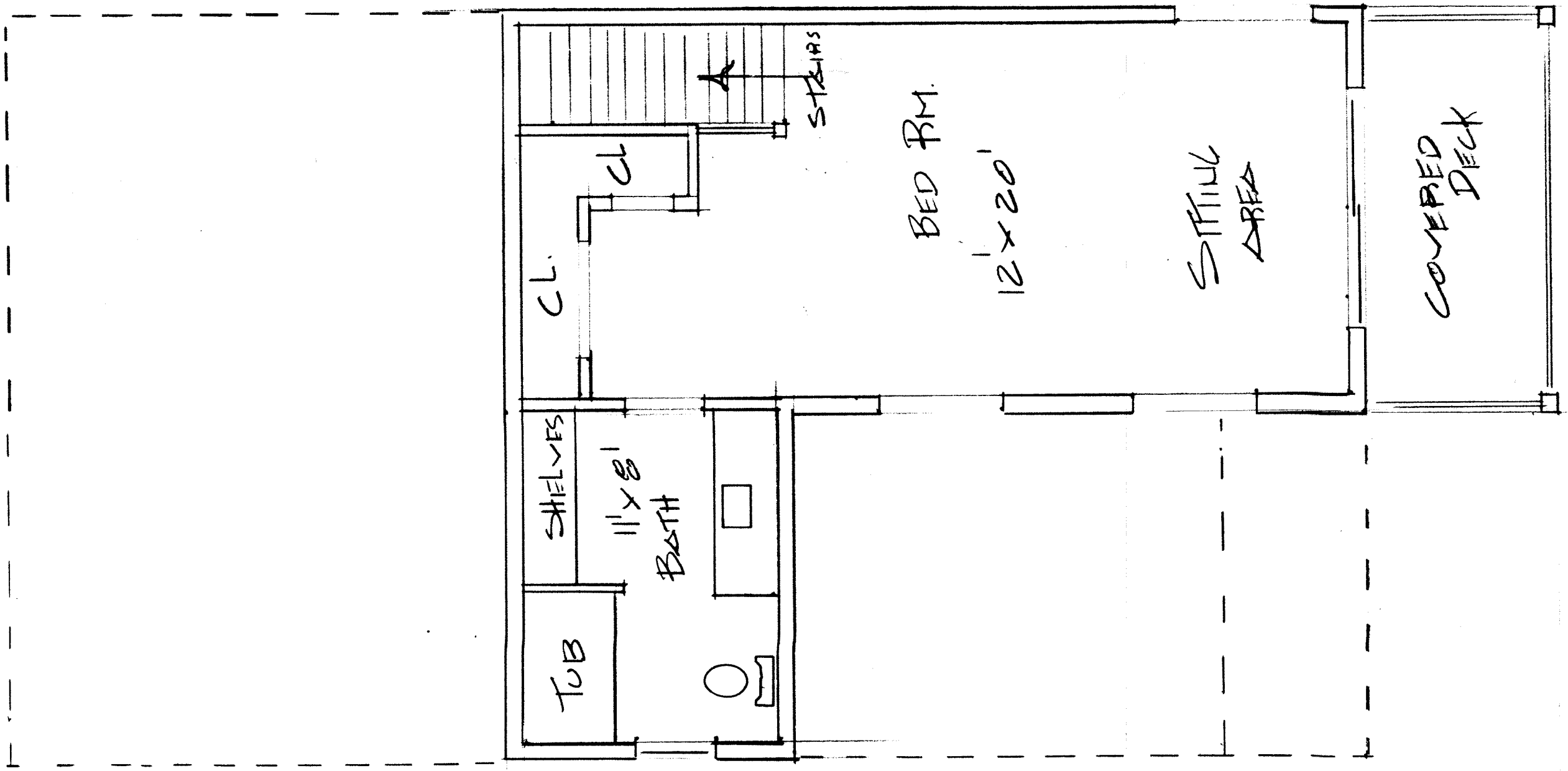
STERED



LEFT SIDE (South)

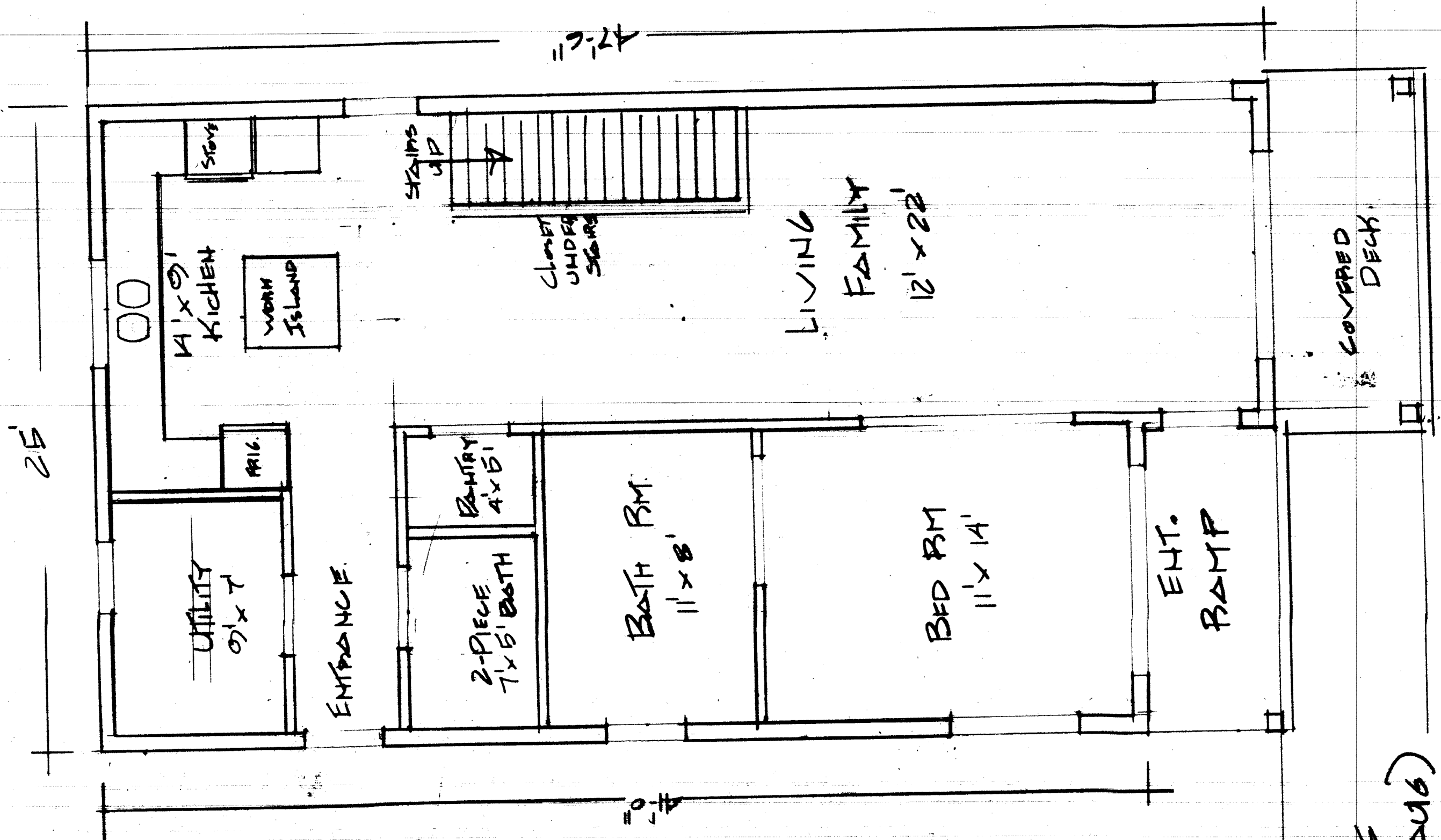


FRONT SIDE (East)

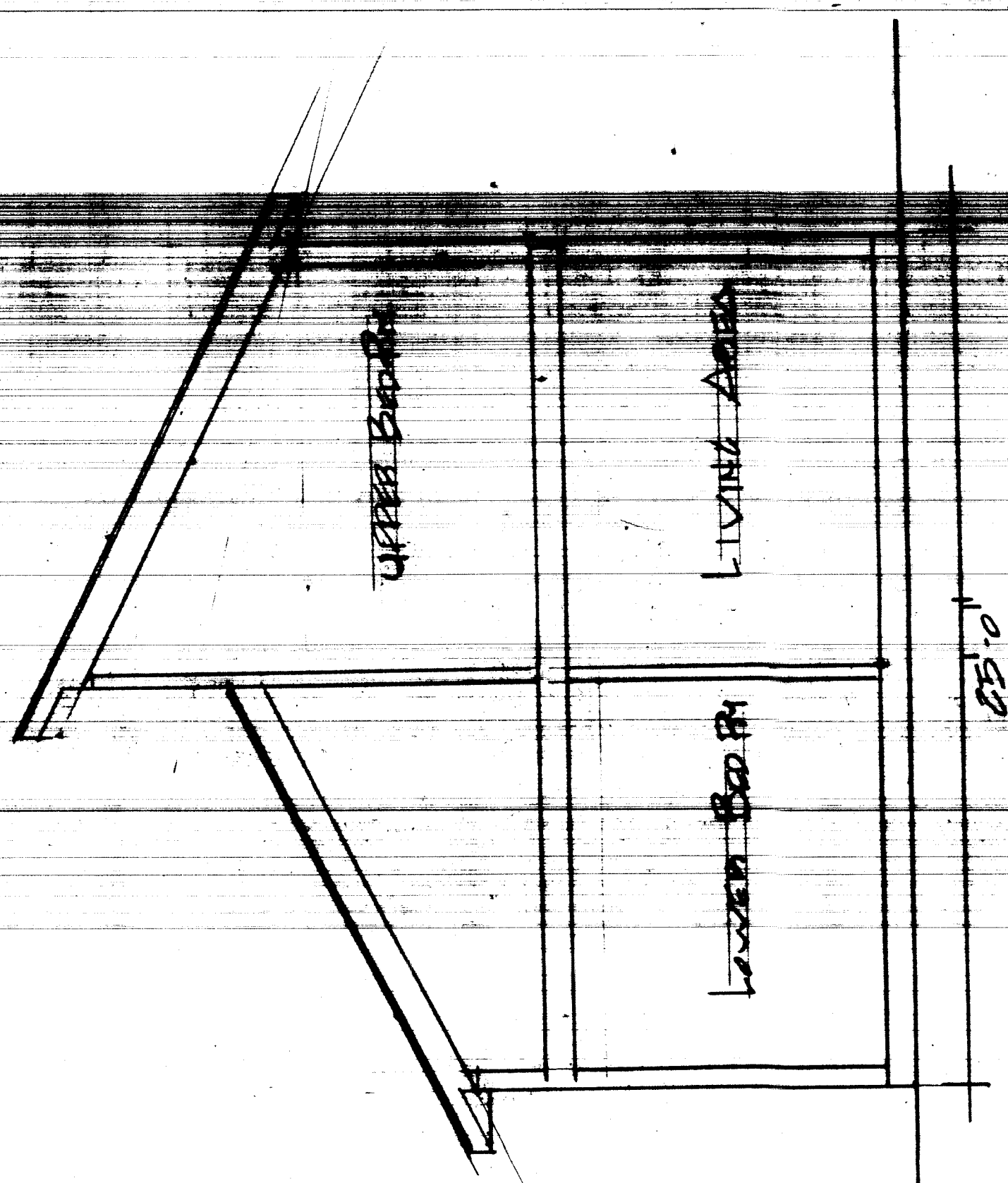


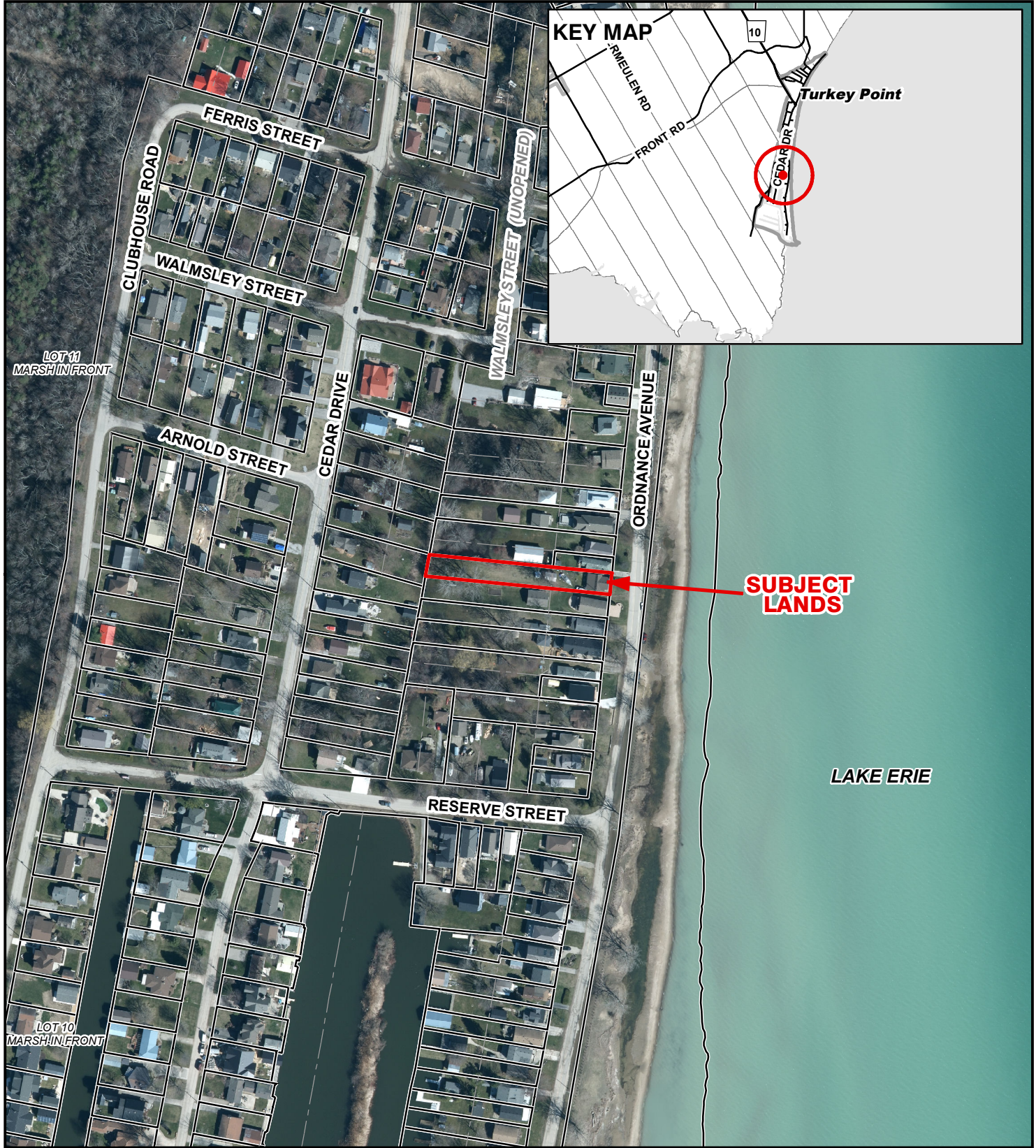
Hager
Ordinance Ave
Not starting job yet.

MILLER - SWAY
65 ORDINANCE AVE.
HAGEN AUG 2024



MILLER BLVD
 65 S. MILLER AVE
 HANCOCK 2024 (AUG)



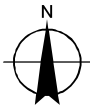


Legend

 Subject Lands

2020 Air Photo

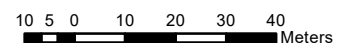
12/18/2024



20 10 0 20 40 60 80 Meters

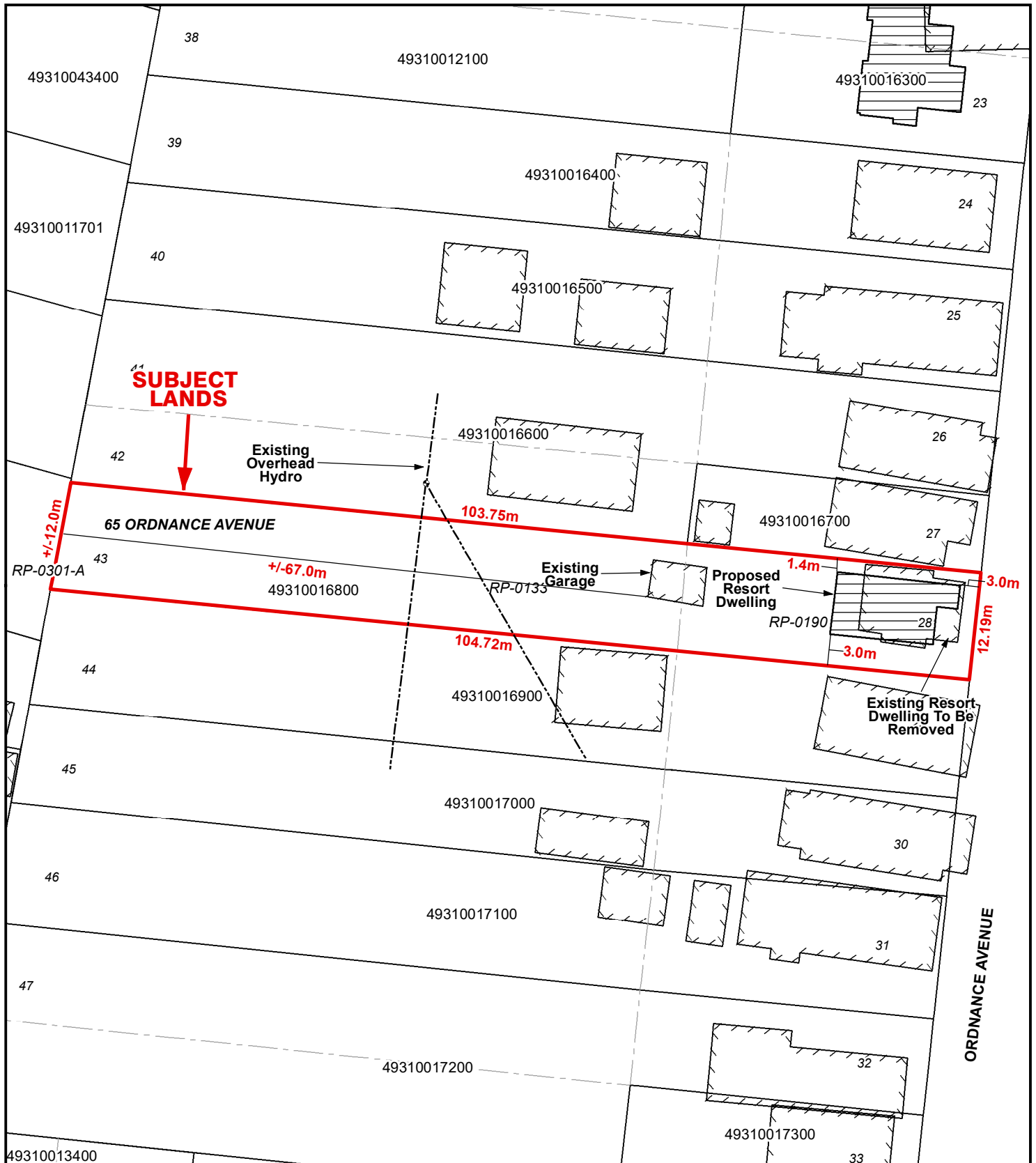
12/18/2024

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CONCEPTUAL PLAN

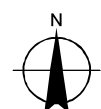
Geographic Township of CHARLOTTEVILLE



Legend

Subject Lands

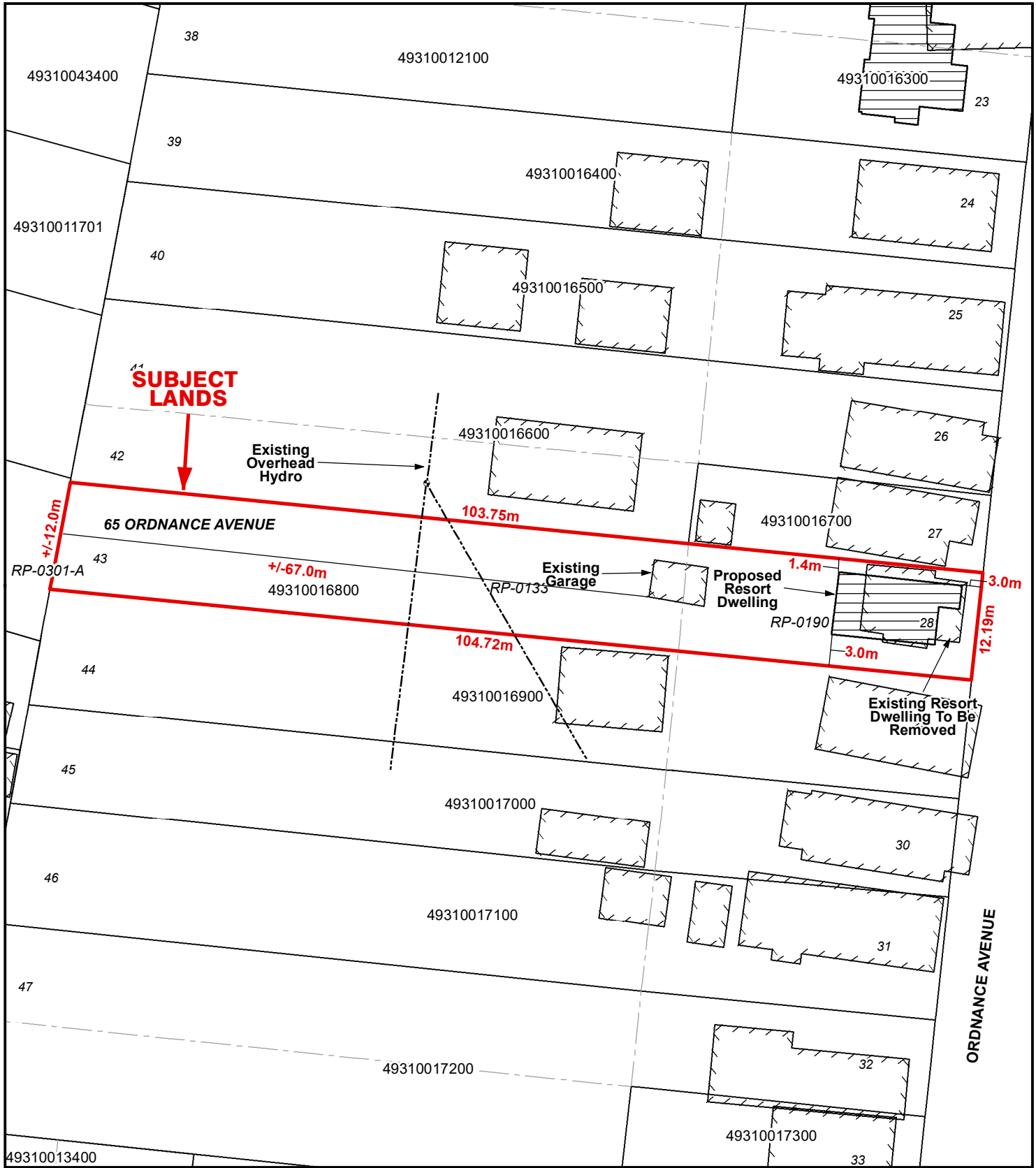
12/18/2024



5 2.5 0 5 10 15 20 Meters

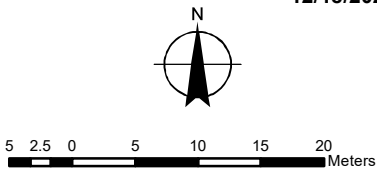
LOCATION OF LANDS AFFECTED
CONCEPTUAL PLAN
Geographic Township of CHARLOTTEVILLE

ANPL2024389



Legend

 Subject Lands



12/18/2024