



**THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT  
COMMENT REQUEST FORM**

This Committee has received a consent/minor variance application concerning land within your jurisdiction. The proposal is explained on the attached application. If you require further information, please feel free to contact this office.

In order to properly consider this application, the Committee of Adjustment would appreciate your comments or recommendation before the date below:

**October 10th, 2007**

**FILE NO.: BN-067-2007**

**ASSESSMENT ROLL NO.: 3310-002-03600-0000**

**APPLICANT:**

Josef Hubinger, 90 King St., Box 183, Delhi, ON N4B 2W9

**AGENT:**

N/A

**LOCATION:**

Lot 2, Plan 189 Delhi (90 King St Delhi)

**PROPOSAL:**

Sever a parcel having a frontage of 4.57 m. (15 ft.) a depth of 49.88 m. (163.68 ft.) and having an area of 2281 m.2 ( 24,552 sq ft) and retain a parcel having an area of 775.49 m. (8347.68 sq. ft) more or less as the creation of a lot in the urban area.

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Building Department  | <input checked="" type="checkbox"/> GIS Section     |
| <input checked="" type="checkbox"/> Building Inspector (Sewage System Review)  | <input type="checkbox"/> Norfolk Power              |
| <input checked="" type="checkbox"/> Forestry Division  | <input type="checkbox"/> Ministry of Transportation |
| <input checked="" type="checkbox"/> Treasury Department  | <input type="checkbox"/> Railway                    |
| <input checked="" type="checkbox"/> Public Works > NOTE: If an agreement is required please attach the clauses you require in the agreement. | <input type="checkbox"/> Conservation Authority     |

**CIRCULATION DATE: September 26th, 2007**

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**PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:**

Mary Elder  
Norfolk County, 60 Colborne Street, South, Simcoe, ON N3Y 4N5  
(519) 426-5870 ext 1341

**FAX: (519) 428-3069 EMAIL: [mary.elder@norfolkcounty.ca](mailto:mary.elder@norfolkcounty.ca)**

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**COMMITTEE OF ADJUSTMENT DECISION:**

If you wish to be notified of the Decision of Norfolk County, Committee of Adjustment in respect of the proposed consent, you must make a written request to: Larry Dawson, Acting Secretary-Treasurer, P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0 • Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789; Email: [larry.dawson@norfolkcounty.ca](mailto:larry.dawson@norfolkcounty.ca)

**APPEALS TO THE ONTARIO MUNICIPAL BOARD:**

If a person or public body that files an appeal of a Decision of Norfolk County Committee of Adjustment in respect of the proposed consent or variance does not make written submission to the Norfolk County Committee of Adjustment, before it gives or refuses to give a provisional consent or variance, the Ontario Municipal Board may dismiss the appeal.

## CONSENT / SEVERANCE

### Office Use:

File Number: BN 67/2007  
Related File: \_\_\_\_\_  
Fees Submitted: YES  
Application Submitted: AUG 21/07  
Sign Issued: AUG 21/07  
Complete Application: AUG 21/07

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-** 492.002.03600.0000 (~~RESERVED~~ SEVERED PARCEL)

- ☒ Creation of a new lot  
☐ Boundary adjustment  
☐ Easement/right-of-way  
☐ Other (lease / charge)

492.002.03600.0000 (~~SEVERED~~ PARCEL  
- 03500 - RETAINED)

## A. APPLICANT INFORMATION

Name of Applicant <sup>1</sup> JOSEF HUBINGER Phone # 519-582-2092  
Address 90 King St. P.O. Box 183 Fax # \_\_\_\_\_  
Town / Postal Code DELHI, ONT. E-mail \_\_\_\_\_

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

Name of Agent \_\_\_\_\_ Phone # \_\_\_\_\_  
Address \_\_\_\_\_ Fax # \_\_\_\_\_  
Town / Postal Code \_\_\_\_\_ E-mail \_\_\_\_\_

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:

NONE



## CONSENT / SEVERANCE

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

Geographic Township	Urban Area or Hamlet	DELU
Concession Number	Lot Number(s)	
Registered Plan Number	Lot(s) or Block Number(s)	LOT 2 BLOCK 16
Reference Plan Number	Part Number(s)	
Frontage (metres/feet)	Depth (metres/feet)	163.68' 15.20 m
Width (metres/feet)	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	10,802.88' (1003.59 m <sup>2</sup> )
Municipal Civic Address		88 KING (SEVER) 90 KING (RETAIN)

For questions regarding requirements for a municipal civic address please contact [NorfolkGIS@norfolkcounty.on.ca](mailto:NorfolkGIS@norfolkcounty.on.ca).

To obtain your municipal civic address for the severed lands please contact your local building inspector.

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

☒ Yes ☐ No

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

3' RIGHT OF WAY ALONG EAST SIDE OF LANDS TO BE RETAINED

### 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):

SEVER COMMERCIAL PROPERTIES AS EXISTED PREVIOUS TO PURCHASE (RETAINED 1967  
& SEVED 1970)

Name of person(s), if known, to whom lands or interest in lands is to be transferred, leased or charged (if known):

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

N/A



## CONSENT / SEVERANCE

If the application involves the severance of a surplus farmhouse (through farm amalgamation), please list all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:

Owners Name and Address (including those with part interest) Assessment Roll No. (obtained from your tax bill)	Geographic Township Concession and Lot #	Total Acreage (individual property)	Acres Workable (individual property)	Existing Farm Type (individual property e.g. corn production, orchard, tobacco)	Dwelling Present	Year Dwelling Built
N/A	SUBJECT LANDS				<input type="checkbox"/> Yes <input type="checkbox"/> No	
	OTHER				<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	

If the application proposes to divide a farm into two smaller agricultural parcels, please complete the following:

Description of Land	Lands to be Severed	Lands to be Retained
Area under cultivation	(m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	(m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)
Woodlot area	(m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	(m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)
Existing crops grown (type and area)		
Proposed crops grown (type and area)		

Description of Existing Buildings	Lands to be Severed	Lands to be Retained
Residence	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Livestock barn	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of livestock		
Capacity of barn		
Manure storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of manure storage		

## CONSENT / SEVERANCE

### Description of land intended to be **SEVERED**:

Frontage (metres/feet)	15' (4.57m)	Depth (metres/feet)	163.68' 49.88m
Width (metres/feet)	15' (4.57m)	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	24552 sq. ft. (2280.8m <sup>2</sup> )

Existing use:

TAXI BUSINESS

Proposed use:

COMMERCIAL

Number and type of buildings and structures existing on the land to be severed, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

1 COMMERCIAL BLDG. 15,25' x 60' (SEE SURVEY)

Number and type of buildings and structures proposed on the land to be severed, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

SAME AS ABOVE

### Description of land intended to be **RETAINED**:

Frontage (metres/feet)	51' (4.74)	Depth (metres/feet)	163.68' 15.20
Width (metres/feet)	51' 4.74	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	8347.68' 775.49

Existing use:

COMMERCIAL BLDG + 2 dwelling units

Proposed use:

SAME AS ABOVE

Number and type of buildings and structures existing on the land to be retained, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

2 STOREY FRAME BLDG FRAME GARAGE AT REAR (SEE SURVEY)

Number and type of buildings and structures proposed on the land to be retained, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

SAME AS ABOVE

## CONSENT / SEVERANCE

Description of proposed **RIGHT OF WAY/EASEMENT**:

Frontage (metres/feet)

3'

Depth (metres/feet)

163.68

Width (metres/feet)

3'

Lot area (m<sup>2</sup> / ft<sup>2</sup>)

Proposed use:

REAR YARD ACCESS TO SEVERED PARCEL

## D. PROPERTY INFORMATION

Present official plan designation(s):

GENERAL COMMERCIAL (URBAN)

Present zoning:

GENERAL COMMERCIAL

Has the owner previously severed any lands from this subject land holding or any other lands the owner has interest in since August 24, 1978?

☐ Yes ☒ No ☐ Unknown

If yes, indicate the file number and the status/decision:

Has any land been severed from the parcel originally acquired by the owner of the subject lands?

☐ Yes ☒ No ☐ Unknown

If yes, indicate the file number and the status/decision:

Number of separate parcels that have been created:

N/A

Date(s) these parcels were created:

N/A

Name of the transferee for each parcel:

N/A

Uses of the severed lands:

N/A



Aug. 21-07

To  
whom it may concern!

Regarding the 88 King St. Property, which we purchased in 1970.

The Building was previously occupied by:

Jewellery Store  
Licence-Office  
Hair-Salon  
Artist Centre  
Computer Store  
Flower Shop  
Taxi-Office.

None of these mentioned Businesses ever needed a so-called special access!!

The access was via the front Door, Side-door and walkway between the Building 88 & 90 King St. Right of way for both Buildings is established.

When we bought the 88 King St. Bldg. in 1970 the Bldg. was occupied by a Jewellery-Store. They also lived in the back-part of the Bldg. and had use of a veget. garden in the back part of the lot. They could reach the garden via side-door and walkway. They never had need for a "special access"!!

Even though the 88 King St. Bldg. was in my name and my wife's, we always had separate Tax-Bills one for 88 King and one for 90 King St.

The two buildings were never considered one unit!

We want the 88 King St. Bldg. severed, officially, so that we can sell the Building!

J. Kumbier of Kumbier

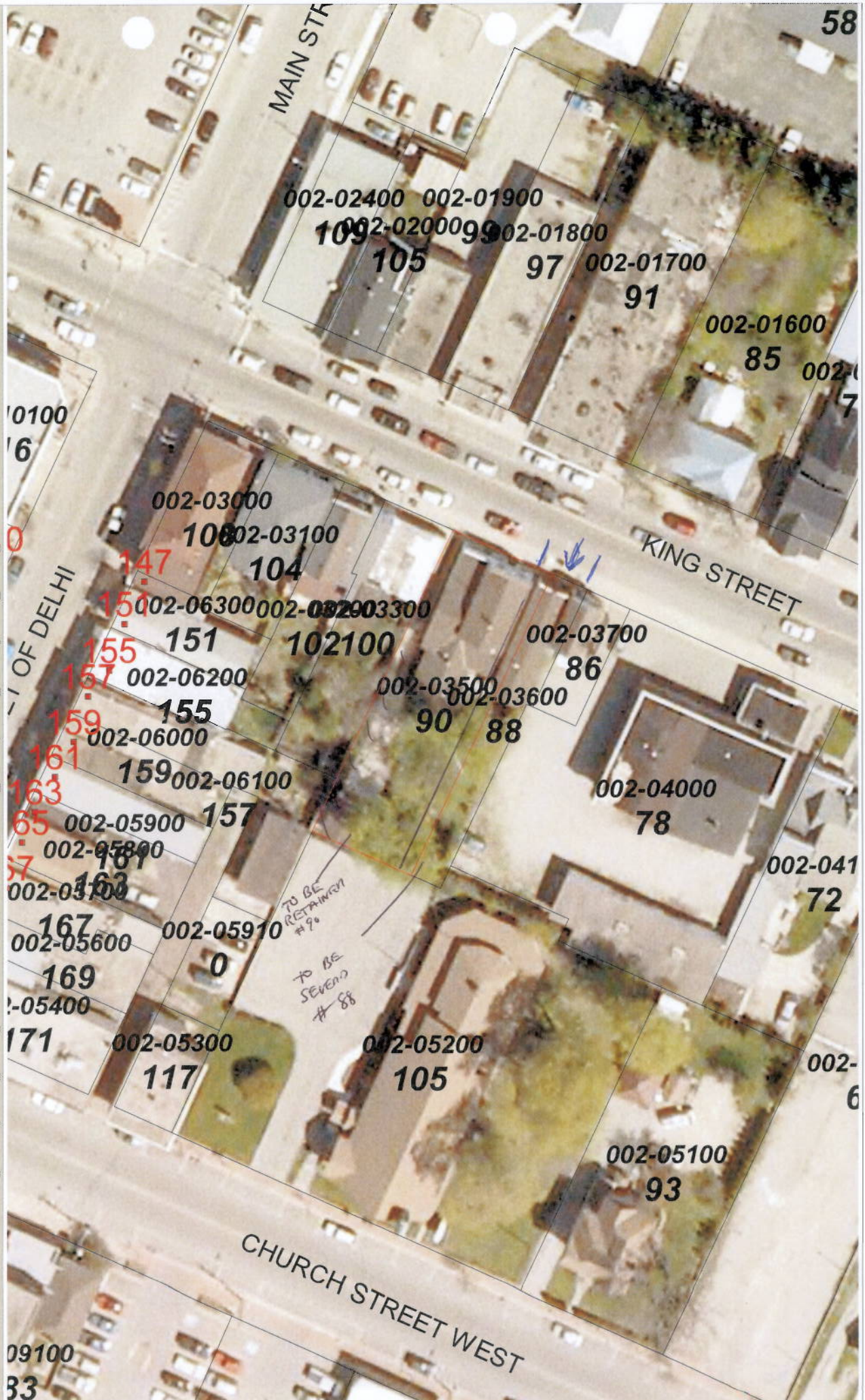




Scale 1:763

## Legend:

Txt	NGIS_Civic_Add_N
Txt	NGIS_Civic_Add_U
	NGIS_Civic_Add_P
Txt	Label Sm - Civic Ad
Txt	Label Sm - Roll Nur
Txt	Label XSm- Street I
	Property
	Hamlet Boundary
	Urban Boundary
	Lake Erie
	Municipal Boundari
Img	2006 Air Photo Wes
Img	2006 Air Photo Eas
Img	2006 Air Photo Cen
	County Boundary





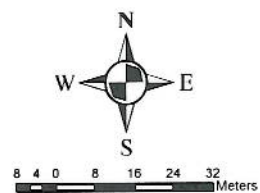
## Urban Area of DELHI



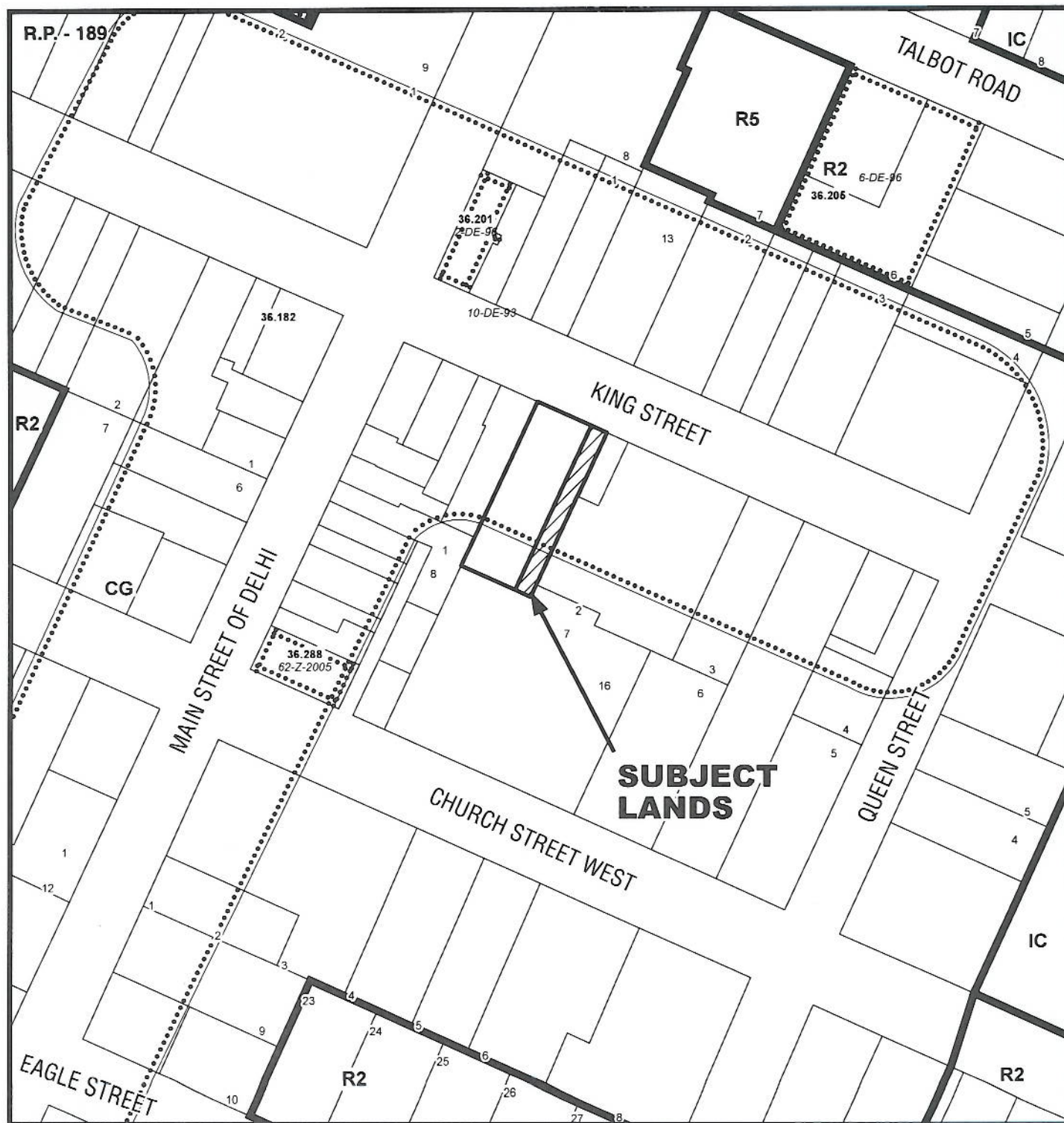
## MAP 2

File Number: BN-067/2007

Urban Area of DELHI



1:1,500

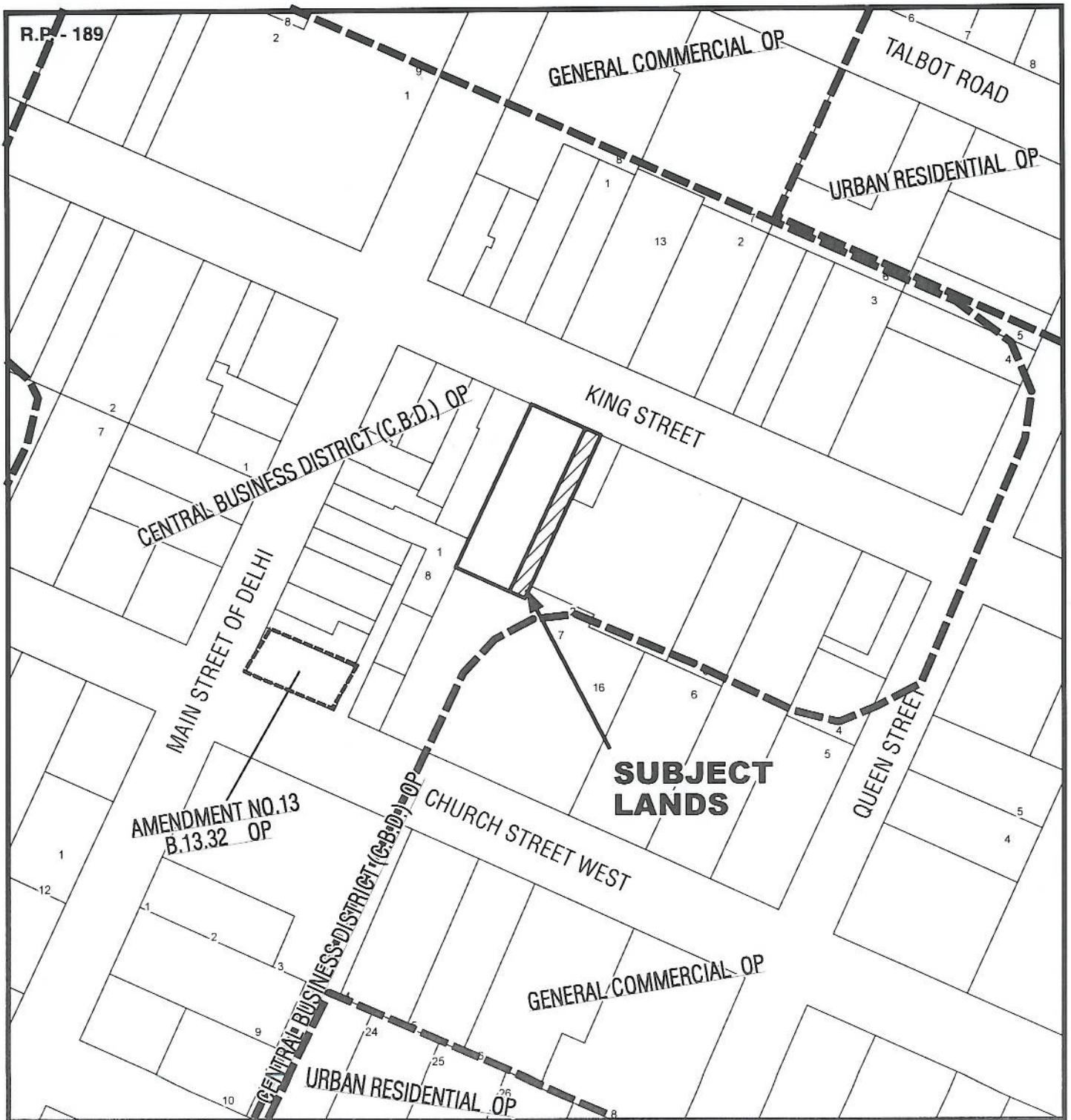
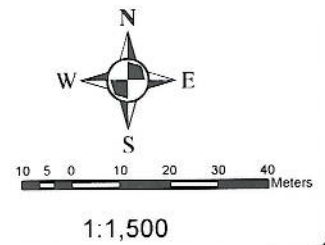




# MAP 3

File Number: BN-067/2007

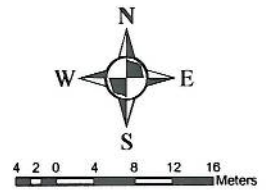
Urban Area of DELHI



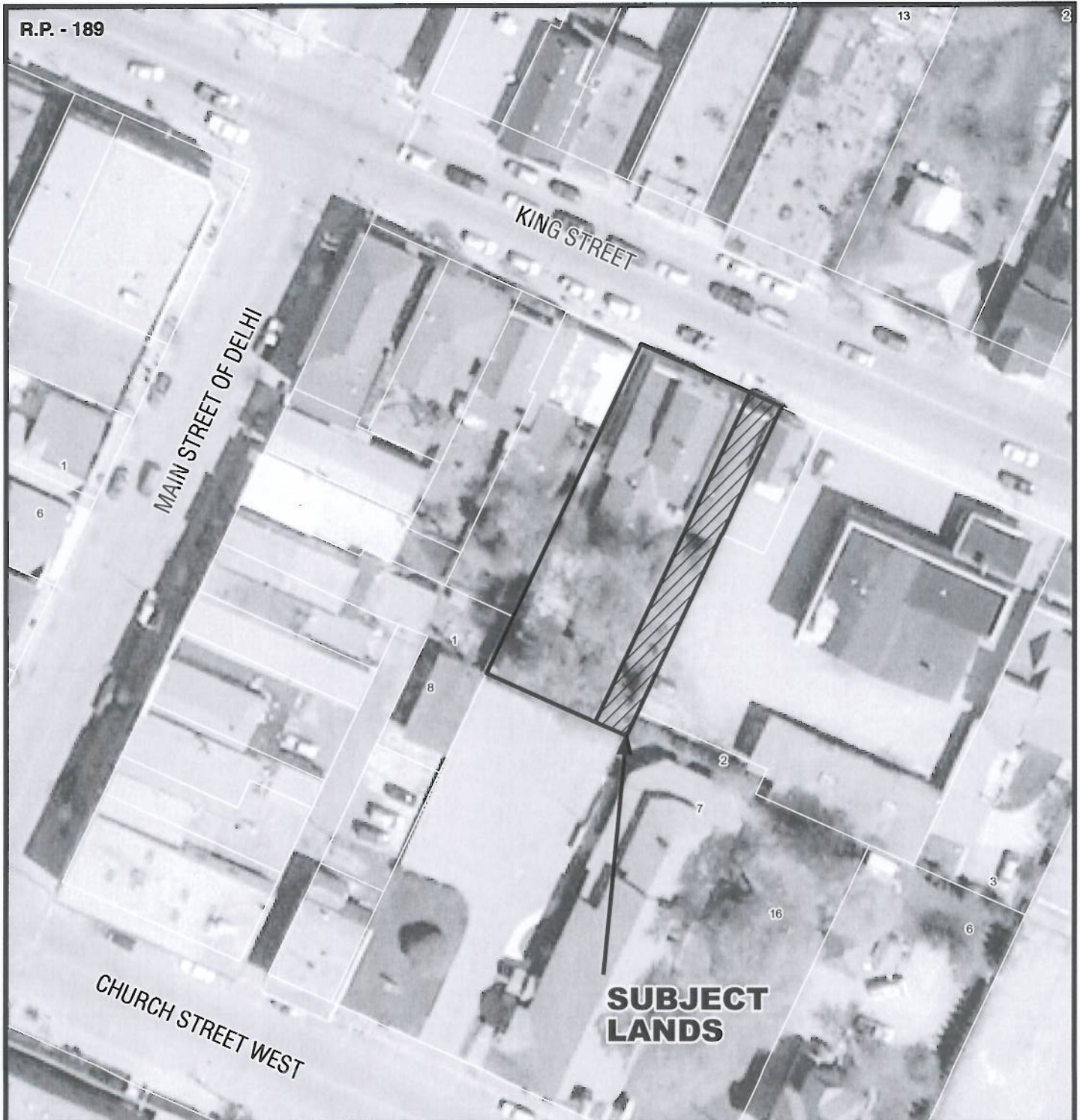
## MAP 4

File Number: BN-067/2007

Urban Area of DELHI



1:750

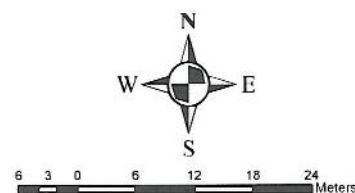




# MAP 5

File Number: BN-067/2007

Urban Area of DELHI



1:750

R.P. - 189

