



**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-071-2007

ASSESSMENT ROLL NO.: 3310-334-030-01900

APPLICANT:

Isobel Murray Gunn, 1350 Highway 54 East, Caledonia, ON N3Y 1V9

AGENT:

R. C Dixon, O.L.S., 51 Park Road, Simcoe, ON N3Y 4J9

LOCATION:

Lot 5, Plan 207, PTDOV (Between 33 & 34 Prospect St. Port Dover)

PROPOSAL:

To sever a parcel of land with a frontage of 3.04 m. (10 ft.) a depth irregular, having an area of 290 m.2 (3127 ft2) to create a right-of-way purpose

- ☒ Building Department
- ☒ Building Inspector (Sewage System Review)
- ☒ Forestry Division
- ☒ Treasury Department
- ☒ Public Works > NOTE: If an agreement is required please attach the clauses you require in the agreement.

- ☒ GIS Section
- ☒ Norfolk Power
- ☐ Ministry of Transportation
- ☐ Railway
- ☐ Conservation Authority

CIRCULATION DATE: August 29th, 2007

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

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

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:

Related File:

Fees Submitted:

Application Submitted:

Sign Issued:

Complete Application:

BN-071/2007
BN-10/2001
not applicable
Sept 17, 2007
Sept 17, 2007
Sept 17, 2007
me

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- 334 - 030 - 01900

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

A. APPLICANT INFORMATION

Name of Applicant¹ Isobel Murray Gunn Phone # (905) 765-5775
Address 1350 Highway 54 East Fax # _____
Town / Postal Code Caledonia, On. N3Y 1V9 E-mail _____

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

Name of Agent R. C. Dixon, O.L.S. Phone # (519) 426-0842
Address 51 Park Road Fax # (519) 426-1034
Town / Postal Code Simcoe N3Y 4J9 E-mail surveyors@antelcom.net

Name of Owner² _____ Phone # _____
Address _____ Fax # _____
Town / Postal Code _____ E-mail _____

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:

Easement (former City of Nanticoke) Norfolk County - Part 2 Plan 37R6616



CONSENT / SEVERANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township		Urban Area or Hamlet	Port Dover
Concession Number		Lot Number(s)	
Registered Plan Number	207	Lot(s) or Block Number(s)	Lot 5 Block 59
Reference Plan Number	3TR 6616	Part Number(s)	Part 1
Frontage (metres/feet)	30.48 m / 100'	Depth (metres/feet)	226'.12 ±
Width (metres/feet)	30.48 m / 100'	Lot area (m² / ft² or hectares/acres)	23,683 ft² ±
Municipal Civic Address	between 33445 Prospect Street.		

For questions regarding requirements for a municipal civic address please contact 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:

Stormwater easement - Norfolk County

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):

An access lane/R.O.W has existed on this property which allows access to the rear of the property to the north. This application would formalize a permanent R.O.W.

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

Amelia Martino

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

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
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 (m ² / ft ² or hectares/acres)	Lands to be Retained (m ² / ft ² or hectares/acres)
Area under cultivation		
Woodlot area		
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

Not
Applicable

Description of land intended to be SEVERED: (Easement) irregular see attached sketch

Frontage (metres/feet) 3.06m / 10.05 Depth (metres/feet) variable
Width (metres/feet) variable Lot area (m² / ft² or hectares/acres) 290m² / 3127 ft²

Existing use: vacant residential / access lane

Proposed use: Easement / Right-of-Way to access rear yards of this as well as adjacent lands to north.

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:

nil

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:

nil

Description of land intended to be RETAINED: (Parts 1 and 2 Plan 3TR 6616)

Frontage (metres/feet) 3.04 m / 10' Depth (metres/feet)
Width (metres/feet) 3.04 m - Lot area (m² / ft² or hectares/acres)

Existing use: vacant residential lot currently utilizing R-O-W access to rear

Proposed use: no change - permanent R-O-W

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:

nil

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:

ultimately a single family dwelling

CONSENT / SEVERANCE

Description of proposed RIGHT OF WAY/EASEMENT:

(see attached sketch)

Frontage (metres/feet)

3.04m / 10'

Depth (metres/feet)

variable

Width (metres/feet)

3.64m -

Lot area (m² / ft²)

290m² / 3127 ft²

Proposed use:

access R-O-W (formalize existing)

D. PROPERTY INFORMATION

Present official plan designation(s):

Urban Residential

Present zoning:

R1-A and HL

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:

B-53/93-CN approved (created this parcel)

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:

B-53/93-CN approved

Number of separate parcels that have been created:

1

Date(s) these parcels were created:

1993

Name of the transferee for each parcel:

Isobel Gunn

Uses of the severed lands:

currently vacant residential lot

CONSENT / SEVERANCE

If this application proposes to sever a dwelling made surplus through farm amalgamation, when were the farm properties amalgamated?

n/a

Date of construction of the dwelling proposed to be severed:

n/a

Date of purchase of subject lands:

1994

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

(over the years - fill added & retaining wall)

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

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

local 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

CONSENT / SEVERANCE

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:

- (a) a minor variance or a consent;
- (b) an amendment to an official plan, a zoning by-law or a Minister's zoning order; or
- (c) 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 application 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:

Are the subject lands within an area of land designated under any provincial plan or plans?

☐ Yes

☒ No

If yes, does the requested application conform to or does not conflict with the provincial plan or plans:

Lucy Hives

To: Shirley Cater; Mary Elder; Shawni Lo; Scott Peck
Cc: Jim McIntosh; Stephanie Godby
Subject: heads up - Gunn application from 2001 (File BN-010/2001)

Hi everyone, I just talked to Rick Dixon about this application (remember this was the one for a right of way over lands next to the Painters and across from the Ventins) ---both of which objected to the application etc. etc. It was deferred twice because none of the parties (including the party who benefitted from the right of way) could agree, planning staff had no objections and supported the application in principal...

Anyway, Rick is going to submit an application in time for the August meeting but rather than carry on with the old file from 2001, he is going to resubmit a new application---the proposal has changed slightly as the right of way is now 10 ft. wide rather than 8 ft. wide. I looked at the old file and the abutting property to the north has now changed hands, the right of way has been modified slightly so I told him to submit a new application, we will start fresh with this one but there will be no fee for it as the Gunn's have kept the proposal active by paying the \$100.00 inactive fee a few times. The objectors will have to write new letters of objection if they still object to the proposal. However, whoever is doing that meeting will likely want to refer to the previous application and could mention that there were objections at that time...just do not think there is any point going forward with a 2001 file as it is so old, best to close it and move on...

If there is a problem with this approach, am sure Jim will let me know when he is back from holidays...

Lucy Hives, B.A. M.A.
Planner
Planning & Economic Development Services
22 Albert Street
Langton, ON N0E 1G0
Tel. 519-426-5870 or 519-875-4485 ext. 1837
Fax. 519-875-4789
lucy.hives@norfolkcounty.on.ca

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04/07/2007

MAP 1

File Number: BN-071/2007

Urban Area of PORT DOVER

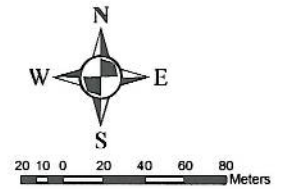


Lake Erie

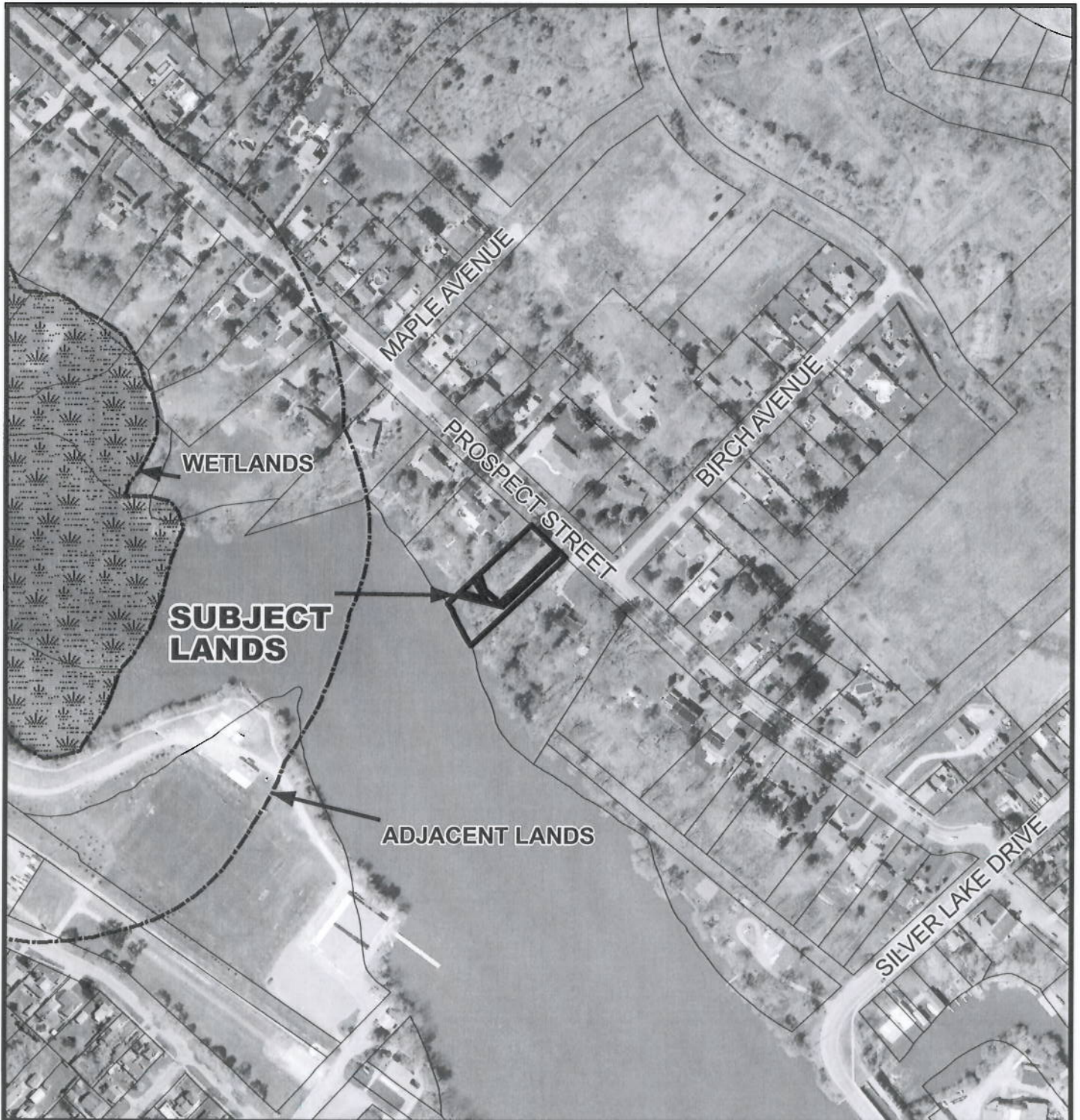
MAP 2

File Number: BN-071/2007

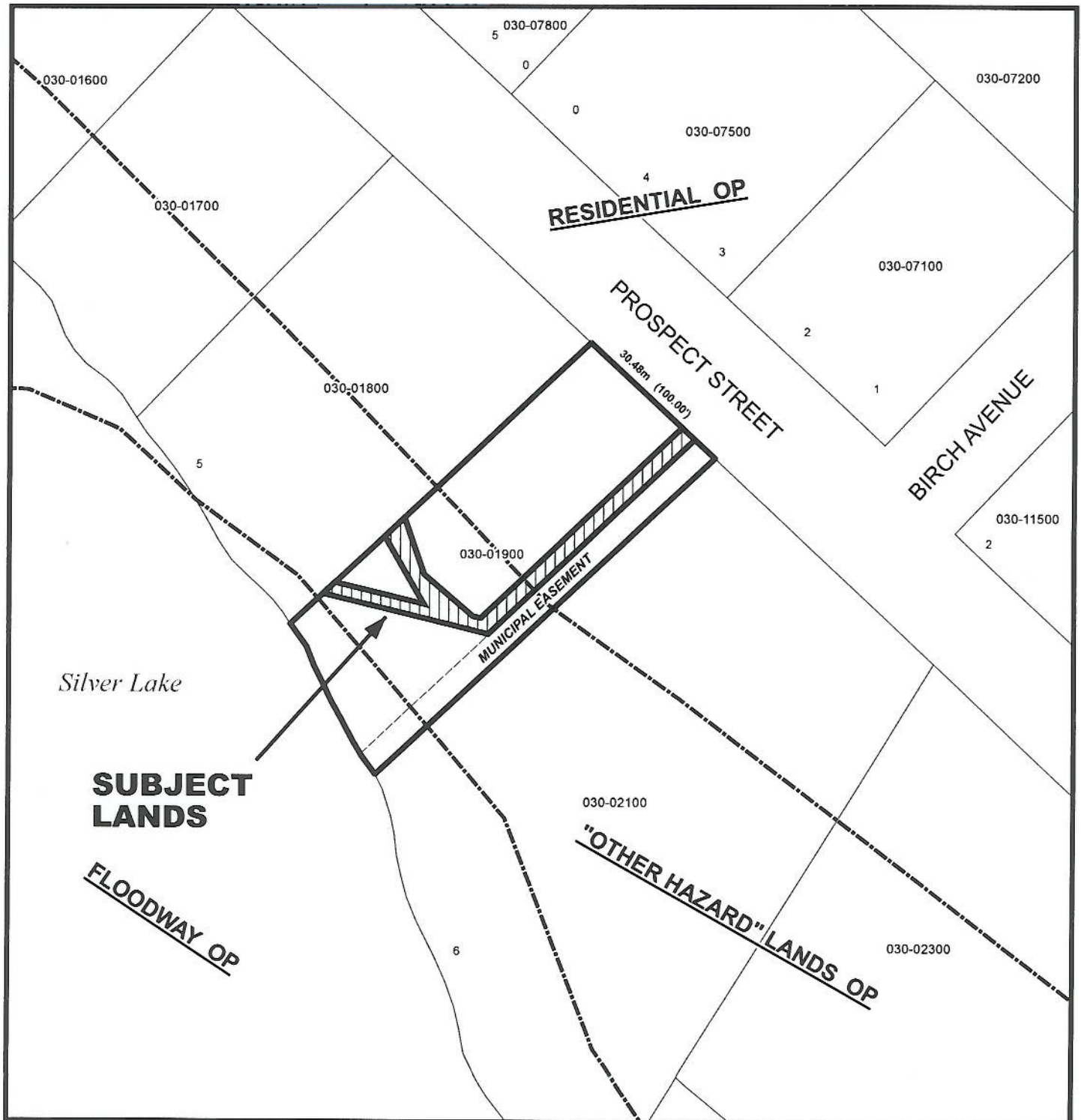
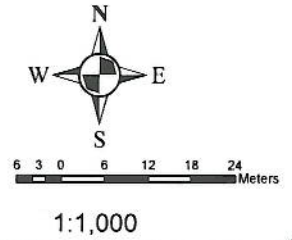
Urban Area of PORT DOVER



1:3,600



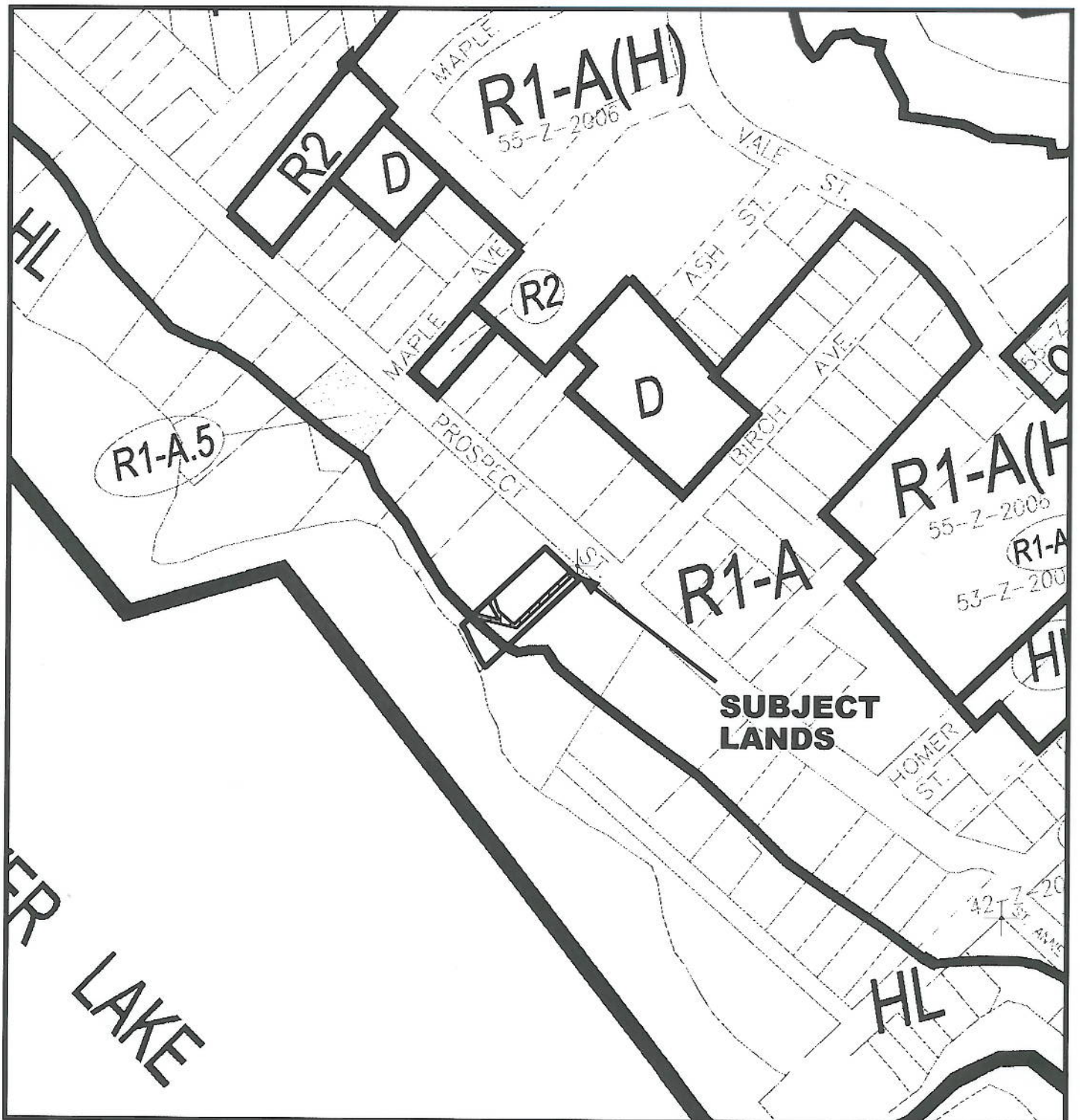
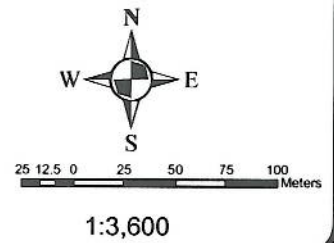
MAP 3
File Number: BN-071/2007
Urban Area of PORT DOVER



MAP 4

File Number: BN-071/2007

Urban Area of PORT DOVER



MAP 5

File Number: BN-071/2007

Urban Area of PORT DOVER



3 1.5 0 3 6 9 12 Meters

1:500

