

MINOR VARIANCE

Office Use:

File Number:

ANPL2014106

Related File:

Fees Submitted:

✓

Application Submitted:

June 6, 2014

Sign Issued:

Complete Application:

No OSSD FORM - IN DOVER.

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- 3340 1030 9000 000

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. _____

A. APPLICANT INFORMATION

Name of Applicant¹ Michael & Robin Godelie Phone # 519 583 9301
 Address 200 Grace St Fax # 519 426 9753
 Town / Postal Code Port Dover N0A1W0 E-mail mikeygodelie@hotmail.com

¹ 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 Owner² Same as above 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:

BMD - Simcoe

MINOR VARIANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Port Dover</u>	Urban Area or Hamlet	
Concession Number		Lot Number(s)	<u>14-15</u>
Registered Plan Number	<u>207</u>	Lot(s) or Block Number(s)	<u>38</u>
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)		Depth (metres/feet)	<u>38.00'</u>
Width (metres/feet)	<u>111.4'</u>	Lot area (m ² / ft ² or hectares/acres)	<u>0.22 ac</u>
Municipal Civic Address	<u>200 Grace St.</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):

Maintain a 21' above ground swimming pool in
its existing location ~~of~~ with
1) a side yard of 0.94 m (3.08 ft) and
2) a rear yard of 3.8 m (12.66 ft).

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

Recognize an existing above-ground swimming
pool requiring relief of:
5.06 m. (16.92 ft.) from the minimum exterior side yard of
6 m. (20 ft.) to permit side yard of 0.94 m. (3.08 ft.); and
2.2 m. (7.34 ft.) from the minimum rear yard setback of
6 m. (20 ft.) to permit rear yard of 3.8 m. (12.66 ft.)

MINOR VARIANCE

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

Given the zoning restrictions, the area where a pool would be allowed would encroach on the back of our house and would require 2 mature trees be cut down (one of which is a Dogwood tree)

D. PROPERTY INFORMATION

Present official plan designation(s):

Urb Res

Present zoning:

R2

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:

2 1/2 story house, built in 1906, to be retained. #1 see attached Sketch #1

1 1/2 story garage (date unknown ? 1920's) to be retained. See #2 on Sketch #2

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.

No proposed additions

MINOR VARIANCE

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:

21' above ground swimming pool.
21' diameter x 4' high. w 0.94m side yard
setback and 3.8m rear yard setback.

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

2010

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:

Feb 2007.

Present use of the subject lands:

Dwelling.

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

Since 1906.

Existing use of abutting properties:

Dwellings

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

MINOR VARIANCE

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:

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:

- (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:

MINOR VARIANCE

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

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 type="checkbox"/> No ____ distance
Wooded area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No ____ distance
Municipal landfill	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input 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 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>500m</u> distance
Floodplain	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No ____ distance
Rehabilitated mine site	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input 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 type="checkbox"/> No ____ distance
Active mine site within one kilometre	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input 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 type="checkbox"/> No ____ distance
Active railway line	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No ____ distance
Seasonal wetness of lands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No ____ distance
Erosion	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No ____ distance
Abandoned gas wells	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No ____ distance

MINOR VARIANCE

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

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

If other, describe:

Name of road/street:

Grace Street / Glenwood Street

MINOR VARIANCE

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.

The orientation and location of the house on lot 15 is such that lot 15 acts as our back yard, not a side yard. The pool was positioned inside of the fenced area of what we consider to be our back yard so that it does not encroach on our back porch (on the ~~east~~^{west} side of the ~~east~~^{west} addition). If the pool had been placed in the area allowed in County by-laws, it would have blocked the view of the back yard. Also the Linden tree and possibly the Dogwood tree would have been in the way.



ZONING DEFICIENCY

Simcoe: 8 Schellburg Ave.
Simcoe, ON
N3Y 2J4
519-426-4377
Langton: 22 Albert St.
Langton, ON
N0E 1G0
519-875-4485

PROPERTY INFORMATION

STREET # 200

ROLL No. 3310334010309000000

LEGAL DESCRIPTION:
PDOV PLAN 207 BLK 38 LOT 14, TO
15, 0.22AC 111.40FR 88.00D

UNIT #

TOWNSHIP Nanticoke - Port Dover

STREET NAME GRACE ST

ZONING R2

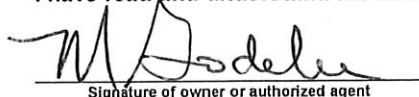
ZONING DEFICIENCY

DEVELOPMENT STANDARD	REQUIRED (m/ft)		PROPOSED (m/ft)		DEFICIENCY (m/ft)	
LOT AREA	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
LOT FRONTAGE	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
FRONT YARD SETBACK	6	20	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
EXTERIOR SIDE YARD	6	20	.94	3.08	5.06	16.92
INTERIOR SIDE YARD (RIGHT)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
INTERIOR SIDE YARD (LEFT)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
REAR YARD SETBACK	6	20	3.8	12.66	2.2	7.34
DWELLING UNIT AREA	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
% LOT COVERAGE	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
BUILDING HEIGHT	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
ACCESSORY BUILDING	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
ACCESSORY BUILDING COMMENTS	21 ft dia. above ground swimming pool - encroaching when property has three sides to a street.					
PARKING SPACES	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

ADDITIONAL 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
May 27/14
Date

PREPARED BY: ~~Devon Tisdale~~

AS PER:

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


Signature of building inspector
7-20-5/12
Date