



Norfolk County
Planning Department
Robinson Administration Building
185 Robinson Street, Suite 200
Simcoe, Ontario N3Y 5L6

Hand-delivered

19th May, 2023

Attention: Andrew Wallace, Planner

Dear Mr. Wallace,

RE: Miranda-Peacock Boundary Adjustment
2530 Highway 24 N, Simcoe, Ontario

We are the solicitors for the owner, Robert Peacock, as well as the applicants, David and Silvina Miranda.

Please find enclosed:

1. Our clients' bank draft for \$4,800.00 being the required combined application fee (severance and minor variance);
2. Completed severance consent application;
3. Completed minor variance application; and
4. GIS Mapping showing retained lands, benefitting lands, and lands to be adjusted.

The purpose of the boundary adjustment is to facilitate the installation of a new septic system at the Miranda property.

My understanding is that my client has already been in contact with you as well as the Building Department with respect to the proposed septic system.

The result of the applications will be the severance of the land identified as Part 2 on the attached Sketch prepared by Jewitt and Dixon (lands to be adjusted) from the land owned by Robert Peacock (retained lands) and addition of same to the land owned by the applicants, the Mirandas.

Please process this application and schedule it for the earliest possible Committee of Adjustment meeting date.

Please contact the undersigned if you require any further information.

Yours truly,

BRIMAGE LAW GROUP

Per:

A handwritten signature in blue ink, appearing to read 'Nathan Kolomaya', is written over the 'Per:' line.

Nathan Kolomaya

NK

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: 33 10 336 070 46100

A. Applicant Information

Name of Owner Robert Peacock

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 1633 Windham Road 12

Town and Postal Code Simcoe, Ontario N3Y 4K3

Phone Number _____

Cell Number 519-410-8482

Email _____

Name of Applicant David Miranda and Silvina Miranda

Address 263 Metcalfe Street North

Town and Postal Code Simcoe, Ontario N3Y 3Y1

Phone Number _____

Cell Number 519-420-0068

Email _____

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:

Subject area to be adjusted is vacant land

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.

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:

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:

9. Existing use of abutting properties:

Agricultural and residential

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 Easement as in NR184557 - please see sketch

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	~443m (Hwy 24)	30m	12.1.2	~431m	None
Lot depth	Irregular				
Lot width	~285m				
Lot area	~178000sqm	~400000sqm	12.1.2	~177500sqm	222,500sqm
Lot coverage					
Front yard					
Rear yard					
Height					
Left Interior side yard					
Right Interior side yard					
Exterior side yard (corner lot)					
Parking Spaces (number)					
Aisle width					
Stall size					
Loading Spaces					
Other					

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

The Zoning By-Law requires a minimum lot size of 40ha (400,000sqm). After the related boundary adjustment, the retained lands, although already undersized, will be further undersized.

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

Frontage: _____

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: _____

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: _____

Depth: _____

Width: _____
Area: _____
Proposed Use: _____

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: _____
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: _____

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:

Minor variance with no resulting new development proposed on retained land

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:

Minor variance with no resulting new development proposed on retained land

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 ~421m

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) |
-

Sewage Treatment

- | | |
|--|---|
| ☐ Municipal sewers | ☐ Communal system |
| ☒ Septic tank and tile bed in good working order | ☐ Other (describe below) |
-

Storm Drainage

- | | |
|---|--|
| ☐ Storm sewers | ☒ Open ditches |
| ☐ Other (describe below) | |
-

2. Existing or proposed access to subject lands:

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

Name of road/street:

Highway 24

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.

Please see related boundary adjustment application

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.

I. Transfers, Easements and Postponement of Interest

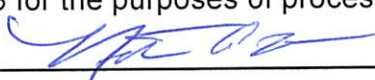
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

2023/05/19

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 Robert Peacock am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize David and Silvina Miranda and agent Brimage Law Group 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

2023/05/12

Date

Owner

Date

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

K. Declaration

I, Nathan Kolomaya of Norfolk County, Province of Ontario

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:

Norfolk County


Owner/Applicant/Agent Signature

In the Province of Ontario

This 19th day of May

A.D., 2023



A Commissioner, etc.

Name of Agent Brimage Law Group - Nathan Kolomaya
Address 21 Norfolk Street North
Town and Postal Code Simcoe, Ontario N3Y 4L1
Phone Number 519-426-5840
Cell Number _____
Email nkolomaya@brimage.com

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:

Farm Credit Canada - 200-1133 St. George Blvd., Moncton, New Brunswick, E1E 4E1

B. Location, Legal Description and Property Information

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

See Schedule "A"

Municipal Civic Address: 2530 Highway 24 N, Simcoe, Ontario

Present Official Plan Designation(s): Agricultural

Present Zoning: Agricultural

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:

Agricultural

SCHEDULE "A"

Present Legal Description

PT LT 1 CON 12 TOWNSEND AS IN NR508481 EXCEPT PT 1-2 37R8315; S/T NR184557, NR195788; SUBJECT TO AN EASEMENT IN GROSS OVER PT 1 37R10358 AS IN NK48497; SUBJECT TO AN EASEMENT OVER PTS 1 & 2 37R10435 IN FAVOUR OF PT LT 1 CON 12 TOWNSEND PT 1 37R8315 & AS IN NR508480 EXCEPT PT 2 37R5275 AND PT LT 1 CON 12 TOWNSEND PT 2 37R8315 & PT 3 37R5275 AS IN NK54365; NORFOLK COUNTY

DAVID MIRANDA
#2556 THE KING'S HIGHWAY 24
SIMCOE

THE KING'S HIGHWAY
NO. 24

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT
BE USED FOR PURPOSES OTHER THAN THE
PURPOSE INDICATED IN THE TITLE BLOCK.

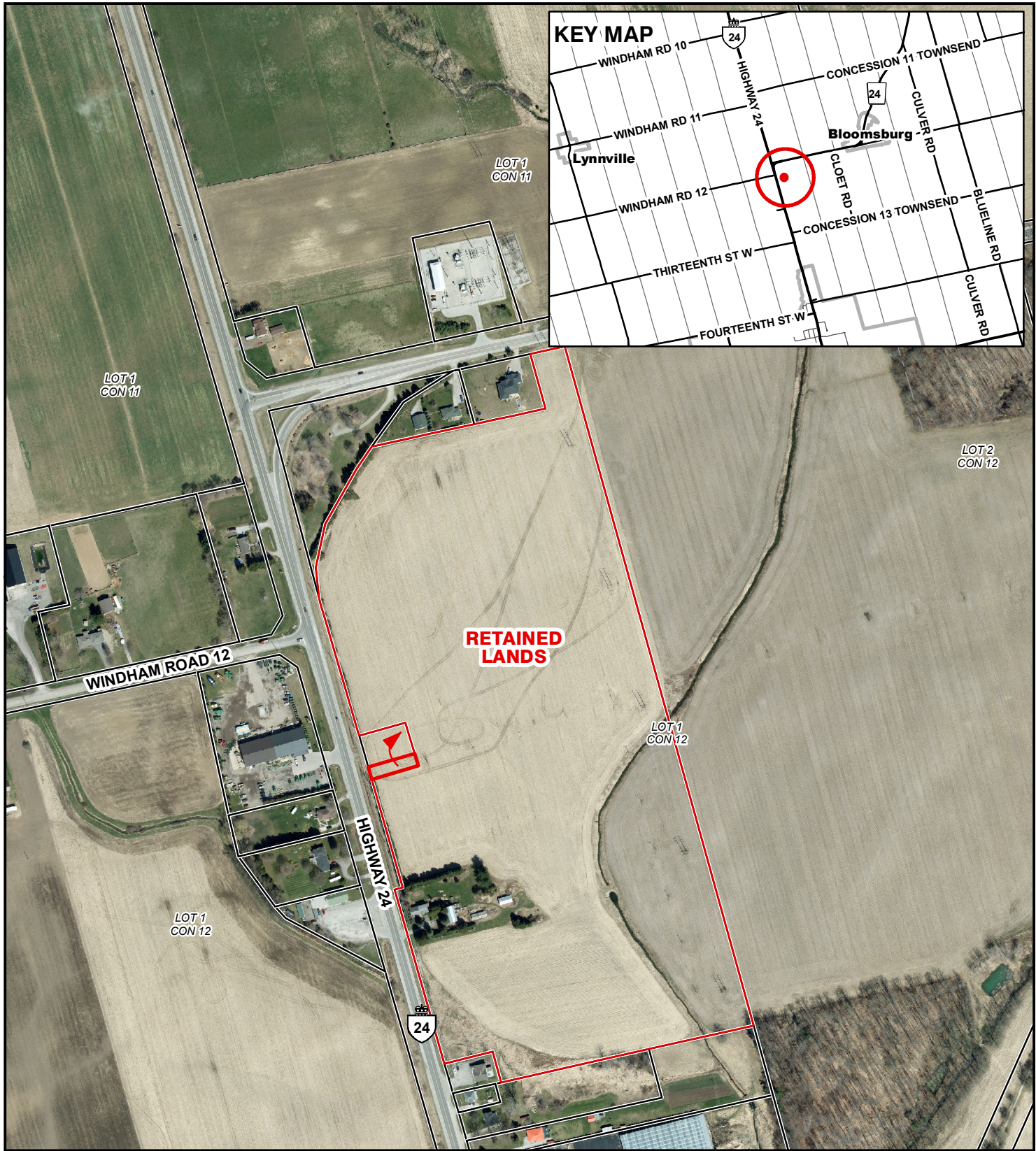
THIS PLAN IS IN METRIC AND CAN BE CONVERTED
TO IMPERIAL BY MULTIPLYING BY 3.2808

	AREA (sq.m)	% LOT COVERAGE	FRONTAGE	WIDTH	DEPTH
EXISTING (PART 1)	1393.55	21.6%	30.48m	30.48m	45.72m
PROPOSED (PART 2)	557.41	0.0%	12.19m	12.19m	45.72m
TOTAL	1950.96	15.6%	42.67m	42.67m	45.72m

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE, OR ALTER THIS PLAN, IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF JEWITT AND DIXON LTD.

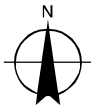
JOB # 21-2789 CLIENT: MIRANDA





Legend

-  Subject Lands
-  Lands Owned
- 2020 Air Photo



40 20 0 40 80 120 160 Meters



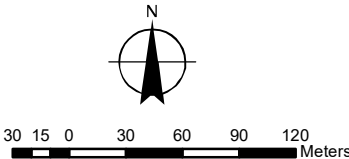
Legend

-  Subject Lands
-  Lands Owned

Official Plan Designations

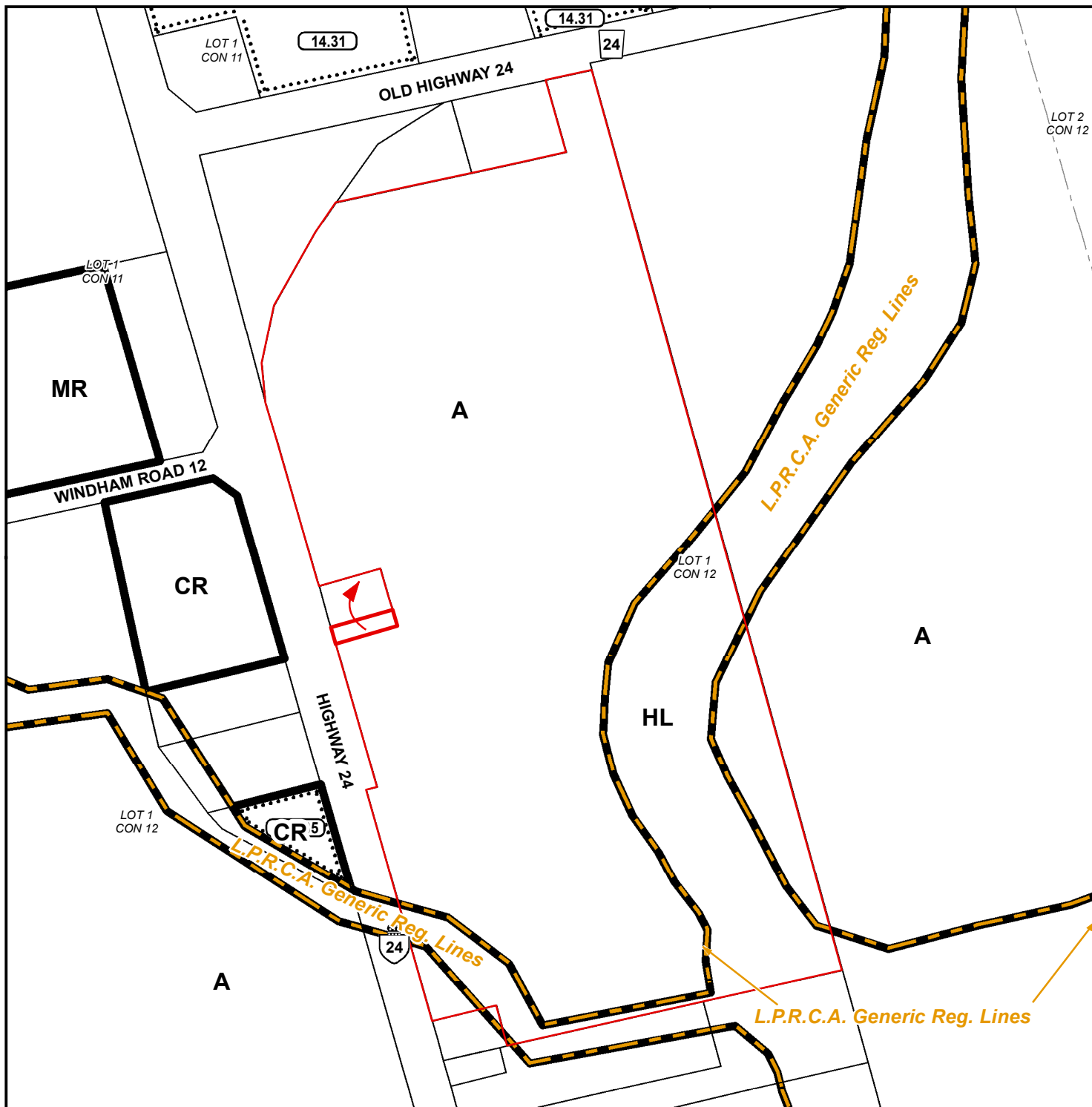
-  Agricultural
-  Hazard Lands
-  Significant Woodland

6/9/2023



MAP C
ZONING BY-LAW MAP
 Geographic Township of TOWNSEND

BNPL2023179
 ANPL2023180



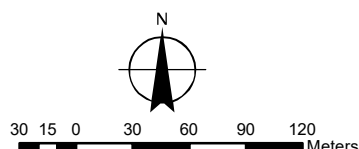
LEGEND

- Subject Lands
- Lands Owned
- LPRCA Generic Reg. Lines

ZONING BY-LAW 1-Z-2014

6/9/2023

- (H) - Holding
- A - Agricultural Zone
- CR - Rural Commercial Zone
- HL - Hazard Land Zone
- MR - Rural Industrial Zone



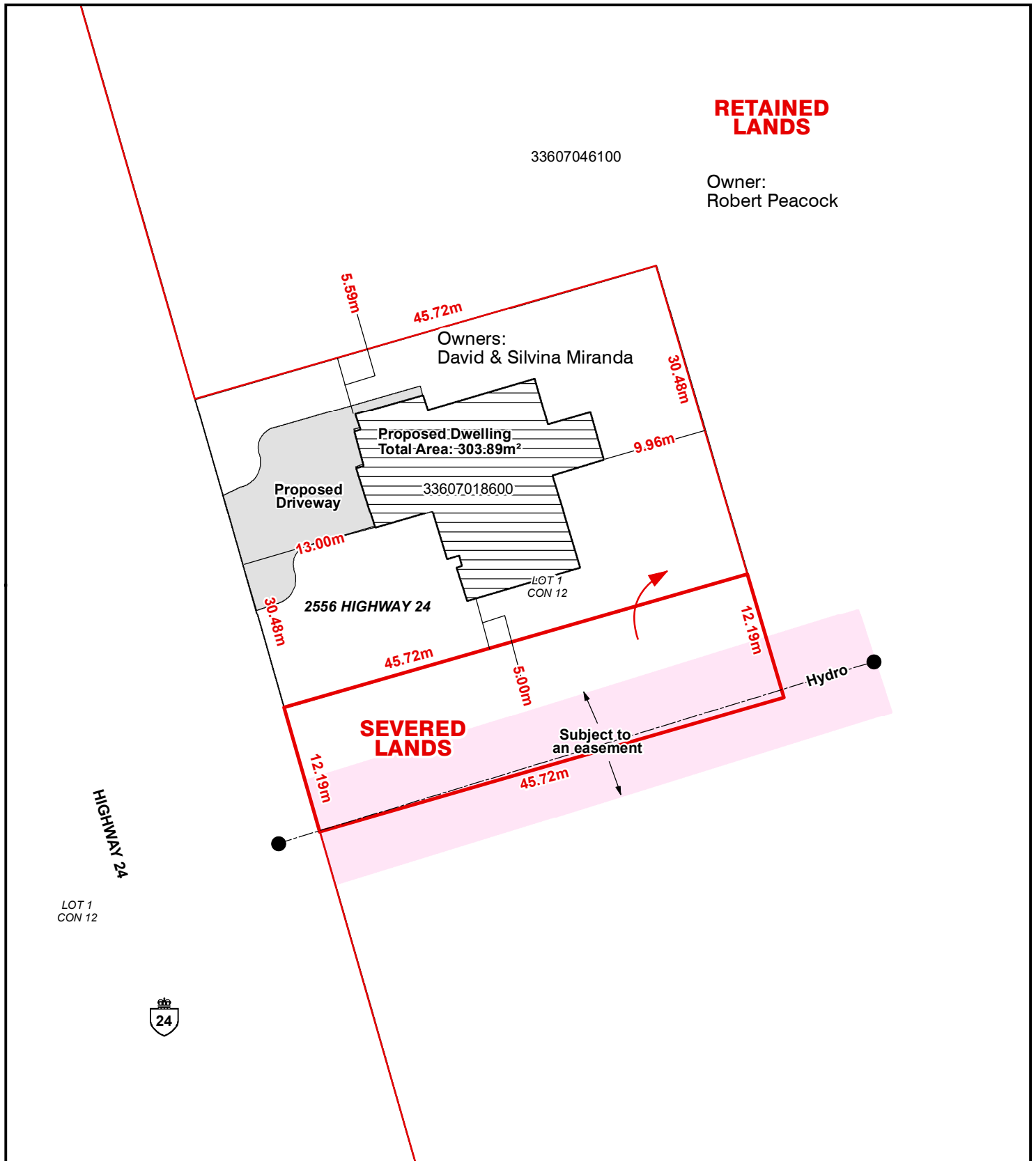
MAP D

CONCEPTUAL PLAN

Geographic Township of TOWNSEND

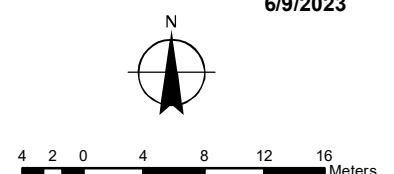
BNPL2023179

ANPL2023180



Legend

- Subject Lands
- Lands Owned



4 2 0 4 8 12 16 Meters