

**For Office Use Only:**

File Number

Related File Number

Pre-consultation Meeting

Application Submitted

Complete Application

BNP2623184

Application Fee

Conservation Authority Fee

Well & Septic Info Provided

Planner

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:** 331049404007700000

**A. Applicant Information**

**Name of Owner** 1033097 Ontario Inc.

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** 133 Highway 59 Unit 00159

**Town and Postal Code** Delhi Ont. N4B2W5

**Phone Number** 519-427-8883

**Cell Number** Same as above

**Email** Kenbigcreek@gmail.com

**Name of Applicant**

**Address** Same as above

**Town and Postal Code**

**Phone Number**

**Cell Number**

**Email**

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:

no mortgages on property.

## B. Location, Legal Description and Property Information

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

MID CON 1 NTR PT Lots 43,44,45 (133 HWY 59 Unit 00159  
Delhi Ont)

Municipal Civic Address: 133 Hwy 59 N Delhi N4B2W5

Present Official Plan Designation(s):

Present Zoning: Agr.

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 farmland.

- All described buildings to be retained. 2 houses, Pack Barn, old barn, 3 utility sheds, 4 standard Kilns. All buildings are existing and meet existing setbacks. As per attached schedule. "A"

- no changes to buildings

- no changes to buildings

- [illegible]

- Agricultural use 80+ years

- residential to East, Commercial to South.

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



### 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					
Lot depth					
Lot width					
Lot area	36.31 H	40.00 H min	12-1-2 a	36.24 H	3.76 H.
Lot coverage			minimum lot area in zone A		
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:

minimum lot area for A Zone is recommended at 40 Hectars my lot was reduced to 36.31 H. several years ago when Scotts Canada bought land from us that was approved by Norfolk County.

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

Frontage: as per File # BNPL 2023184

Depth: as approved on Dec 20/2023.

Width: \_\_\_\_\_

Lot Area: .07 H.

Present Use: Agr.

Proposed Use: residential

Proposed final lot size (if boundary adjustment): (36.24 H. farm) (res. 705 A.C.)

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: 129 HWY 59.

Description of land intended to be retained in metric units:

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Lot Area: 36.24 H.

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):

Scotts soil plant, adjacent

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:

Scotts land was purchased from us several yrs ago.  
2018.



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:

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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:

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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:

intake protection zone 2 epz.2

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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 on subject lands

**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 Scotts Soil Plant

**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  
☐ Individual wells

- ☐ Communal wells  
☐ Other (describe below)

*n/a*

### Sewage Treatment

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

*n/a*

### Storm Drainage

- ☐ Storm sewers  
☐ Other (describe below)

- ☐ Open ditches

*n/a*

2. Existing or proposed access to subject lands:

- ☐ Municipal road  
☐ Unopened road

- ☐ Provincial highway  
☐ Other (describe below)

Name of road/street:

*N/a*

## 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.

*Scotts Canada purchased land from this parcel in 2018 creating a deficiency of 3.69 H. This application increases the deficiency to 3.76 H. for a difference of .07 H.*



## **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.

Ken Person Kelly Person

Owner/Applicant/Agent Signature

Dec 11 / 2024

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.

**K. Declaration**

I, Ken Person Kelly Person of Norfolk County Ont.

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:

\_\_\_\_\_

X Ken Person

Owner/Applicant/Agent Signature

In NORFOLK COUNTY

This 23<sup>rd</sup> day of December 2024

A.D., 20\_\_\_\_

[Signature]

Sherry Ann Mott, a  
Commissioner, etc., Province of Ontario,  
for the Corporation of Norfolk County.  
Expires March 16, 2026.

A Commissioner, etc.

Sherry Ann Mott, a  
Commissioner, etc., Province of Ontario,  
for the Corporation of Norfolk County.  
Expires March 16, 2026.



Entrance

07H



36.24 H.

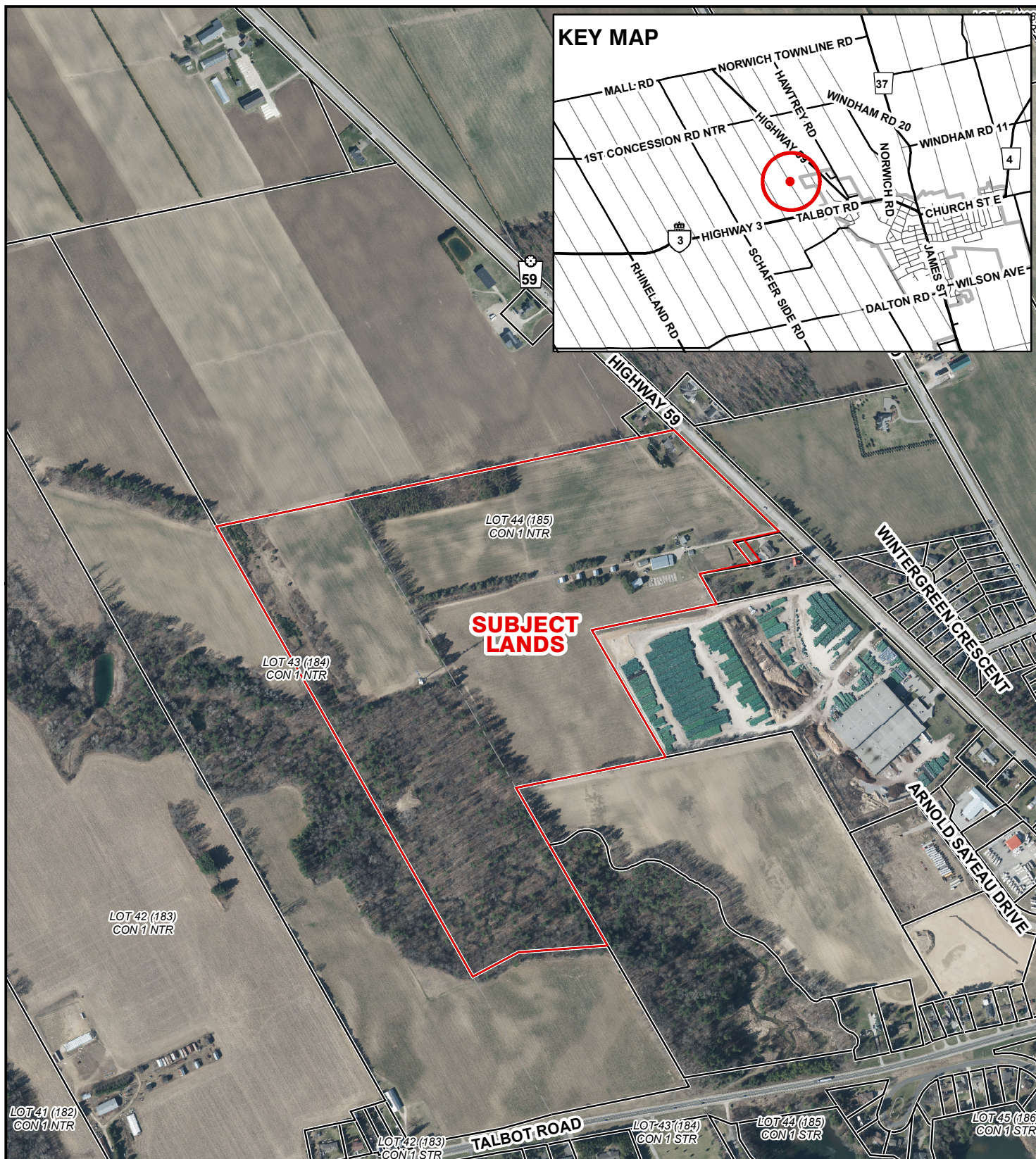
Hazard  
land

1481X132 Nov.

inner part of the parcel. nothing

17.5 ~~10~~ meters set back 11 meters side inward



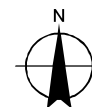


### Legend

☐ Subject Lands

2020 Air Photo

**1/6/2025**



A horizontal scale bar with markings at 60, 30, 0, 60, 120, 180, and 240 meters. The bar is divided into segments by vertical lines, with the word "Meters" at the right end.

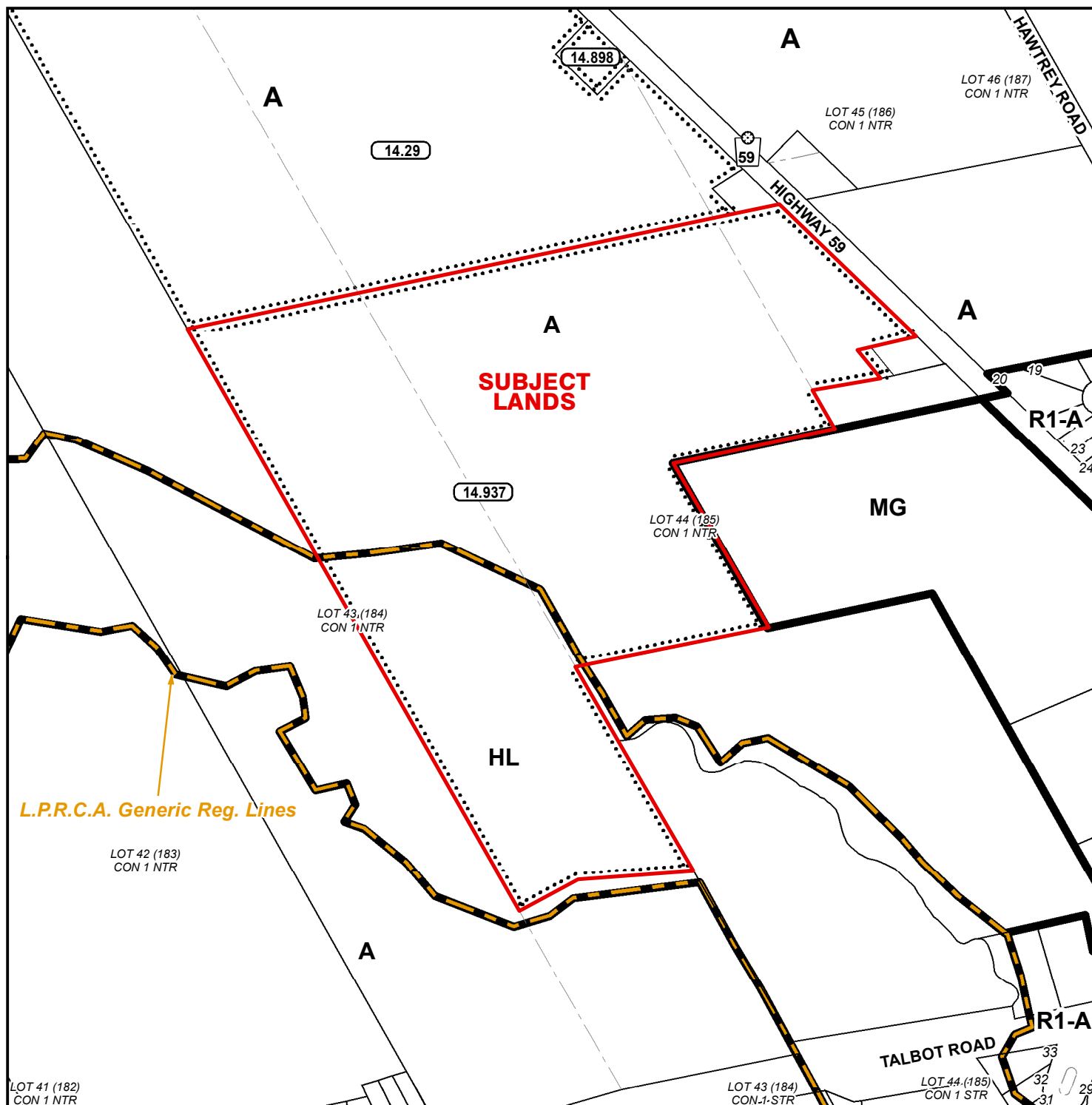


# MAP B

## ZONING BY-LAW MAP

Geographic Township of MIDDLETON

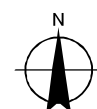
ANPL2024450



### LEGEND

- Subject Lands
- LPRCA Generic RegLines

- (H) - Holding
- A - Agricultural Zone
- MG - General Industrial Zone
- HL - Hazard Land Zone
- R1-A - Residential R1-A Zone

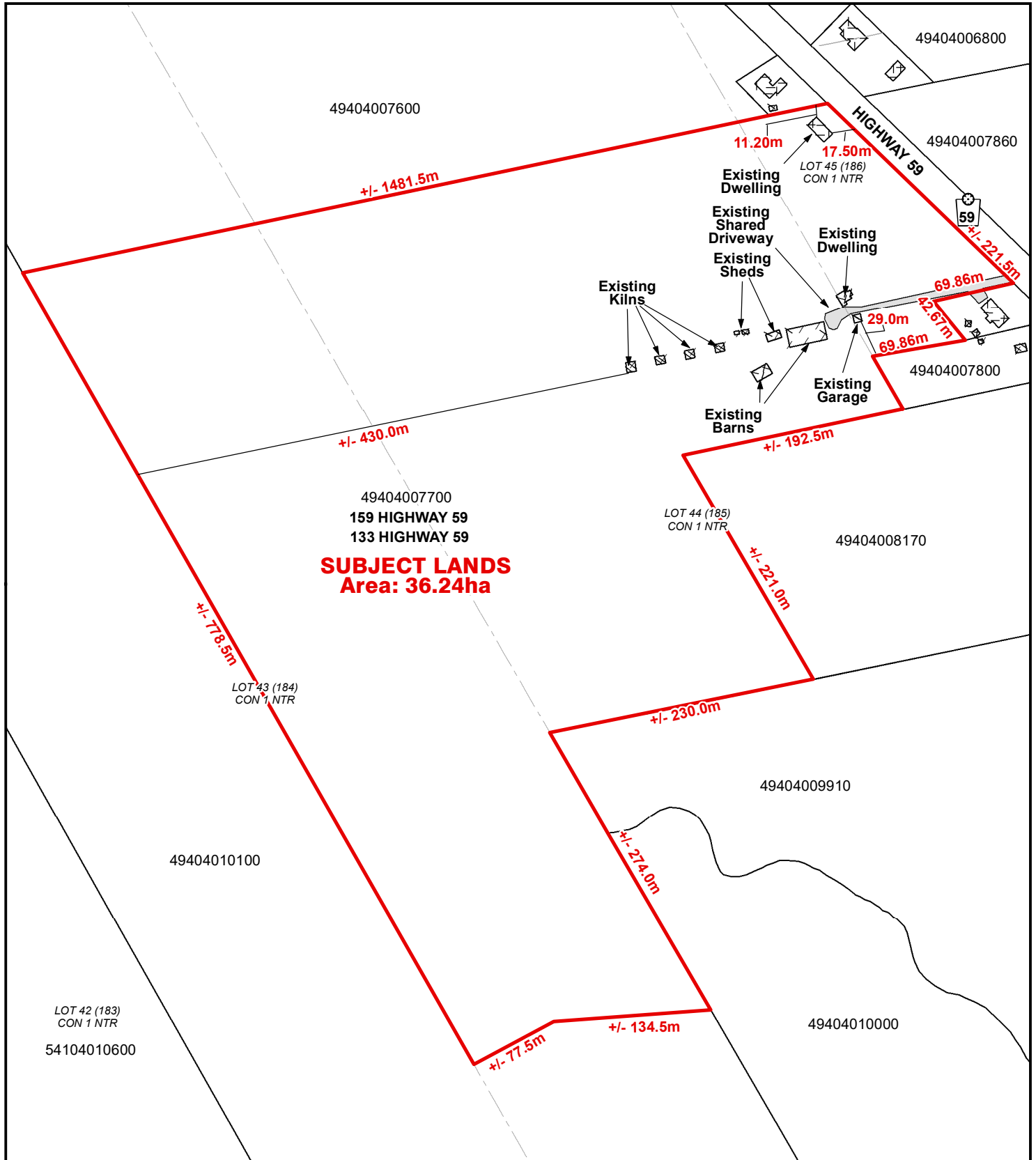


50 25 0 50 100 150 200 Meters



## CONCEPTUAL PLAN

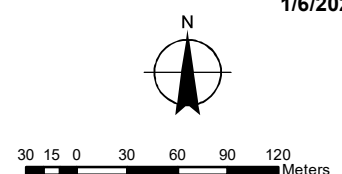
Geographic Township of MIDDLETON



### Legend

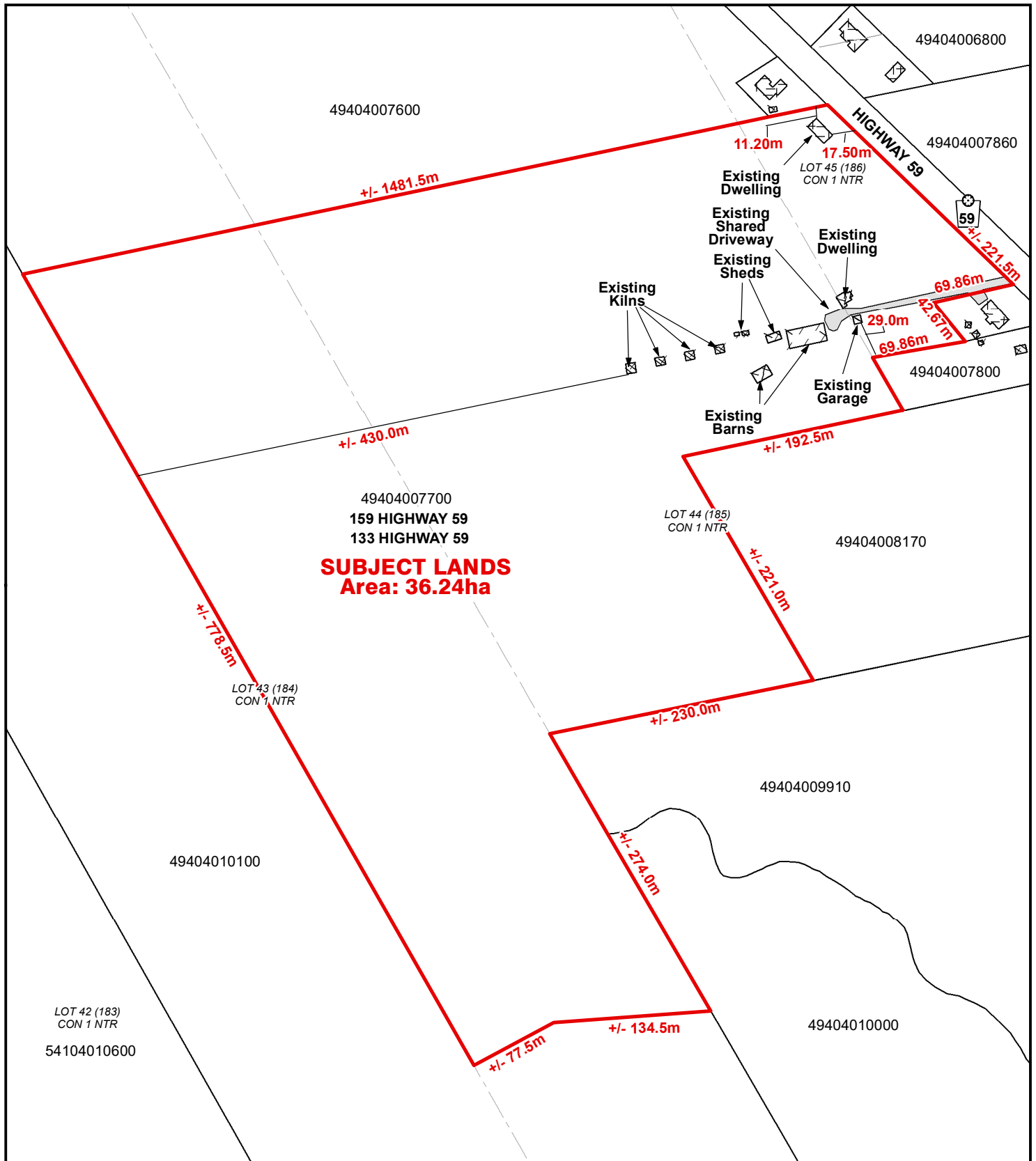
Subject Lands

1/6/2025



## CONCEPTUAL PLAN

Geographic Township of MIDDLETON



### Legend

Subject Lands

1/6/2025

