

**COMMITTEE OF ADJUSTMENT  
TOWN OF SIMCOE**

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**NOTICE OF CONSENT APPLICATION**

**TAKE NOTICE THAT A PUBLIC MEETING WILL BE HELD BY THE COMMITTEE OF  
ADJUSTMENT OF THE TOWN OF SIMCOE:**

**DATE:** Monday, October 4, 1999  
**TIME:** 6:30 P.M.  
**PLACE:** Committee Room "A", Simcoe Town Hall, 50 Colborne Street South,  
Simcoe, Ontario (Upstairs - Talbot Street Entrance)

**TO CONSIDER THE APPLICATION OF:**

**APPLICANT:**

David Vincent Mullins and  
Kimberley Sue Mullins  
675 West Street / R. R. #6  
Simcoe, Ontario N3Y 4K5

**FILE NO:** B-6/99-S

**AGENT:**

Keith M. Jones  
Cobb and Jones  
2 Talbot Street North  
Simcoe, Ontario N3Y 4N5

**LOCATION OF LANDS:**

Part Lot 48, Registered Plan 427, (Charlotteville), 675 West Street / R. R. #6, Town of Simcoe.

**PURPOSE AND EFFECT OF APPLICATION:**

To sever an irregular shape parcel of land with an approximate area of 9,000 square feet for a boundary adjustment to an existing residential lot.

**ADDITIONAL INFORMATION:**

Additional information regarding the application is available to the public for inspection at the Clerk's Department, Simcoe Town Hall, 50 Colborne Street South, Simcoe between 8:30 A.M. and 4:30 P.M. Mondays to Fridays.

**NOTICE OF DECISION:**

If you wish to be notified of the decision of the Town of Simcoe Committee of Adjustment in respect to the proposed consent, you must make a written request to Cathy Balcomb, Secretary-Treasurer, Town of Simcoe, Committee of Adjustment, P.O. Box 545, 50 Colborne Street South, Simcoe, Ontario, N3Y 4N5.

**APPEAL:**

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

**DATED AT THE TOWN OF SIMCOE**, in the Regional Municipality of Haldimand-Norfolk this 10th day of September, 1999.

Cathy Balcomb  
Secretary-Treasurer  
Committee of Adjustment  
Town of Simcoe  
Phone (519) 426-5870

**SEE THE ATTACHED KEY MAP SHOWING THE LOCATION OF THE SUBJECT LANDS**

OFFICE USE ONLY	
FILE NO.	<u>B-6/99-S.</u>
ROLL NO.	<u>28-40-050-020-19200</u>
DATE SUBMITTED	<u>Sept 3/99</u>
DATE ACCEPTED	<u>Sept 7/99</u>
SIGN ISSUED	<u>Sept 3/99</u>

## THE PLANNING ACT

### TOWN OF SIMCOE

### APPLICATION FOR CONSENT

#### A. APPLICANT INFORMATION

1. Name of  
 Owner David Vincent Mullins Phone No. 426-9776  
and Kimberley Sue Mullins  
 Address 675 West Street, R.R. #6 Postal Code N3Y 4K5  
Simcoe, ON Fax No. \_\_\_\_\_
  
2. Owner's Solicitor Keith M. Jones Phone No. 428-0170  
 or Authorized Agent COBB & JONES  
 Address Two Talbot St. N. Postal Code N3Y 4N5  
Simcoe, ON Fax No. 428-3105

Please specify to whom all communications be sent:

☐ Owner ☒ Solicitor/Agent

#### B. LOCATION / LEGAL DESCRIPTION OF PROPERTY

1. Former Municipality Charlotteville  
 Town or Village Simcoe  
 Concession Number \_\_\_\_\_ Pt. Lot Number 48  
 Registered Plan Number 427 Lot(s)/Block(s) \_\_\_\_\_  
 Reference Plan Number \_\_\_\_\_ Part Number(s) \_\_\_\_\_  
 Number and Name of Street/Road 675 West Street

B. LOCATION/LEGAL DESCRIPTION OF PROPERTY (Continued)

PAGE TWO

2. Are there any easements or restrictive covenants affecting the property?

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

\_\_\_\_\_

C. PURPOSE OF APPLICATION

1. Type and purpose of proposed transaction: (check the appropriate space)

Transfer: ☐ creation of a new lot

Other: ☐ a charge

☒ boundary adjustment

☐ a lease

☐ an easement/right-of-way

☐ a correction of title

2. Name of persons(s), if known, to whom land or interest in land is to be transferred,

leased or charged: Terrance Boswell and Kathy Hammond

3. If a boundary adjustment, identify the Assessment Roll No. of the lands to which the parcel will be added. 28 40 050 020 19000

4. If application involves a residential lot in a rural/agricultural area, please complete Form 1 which is available upon request.

5. If application proposes to divide a farm into two smaller agricultural parcels, please complete Form 2 which is available upon request.

D. PROPERTY AND SERVICING INFORMATION:

1. Description of land intended to be SEVERED: See attached diagram.

Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_ Area: \_\_\_\_\_

Existing Use: residential Proposed Use: residential

Number and type of buildings and structures existing on land to be severed:

Barn

D. **PROPERTY AND SERVICING INFORMATION:** (Continued)

PAGE THREE

Number and type of buildings and structures proposed on land to be severed:

Unchanged

2. Description of land intended to be RETAINED: See diagram attached

Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_ Area: \_\_\_\_\_

Existing Use: residential Proposed Use: residential

Number and type of buildings and structures existing on land to be retained:

Residence and Shed

Number and type of buildings and structures proposed on land to be retained

Unchanged

3. Access to land intended to be SEVERED:

☐ Unopened Road      ☐ Municipal Road      ☒ Regional Road

☐ Provincial Highway      ☐ Other (specify) \_\_\_\_\_

Name of Road/Street West Street

4. Access to land intended to be RETAINED:

☐ Unopened Road      ☐ Municipal Road      ☒ Regional Road

☐ Provincial Highway      ☐ Other (specify) \_\_\_\_\_

Name of Road/Street West Street

5. Services Not applicable

☐ Municipal Water and Sewer      ☐ Municipal Water and Private Sewage

☐ Municipal Sewer and Well      ☐ Private Sewage System and Well

☐ Other (specify) \_\_\_\_\_

E. **LAND USE**

PAGE FOUR

1. What is the existing official plan designation(s) of the lands: \_\_\_\_\_
2. What is the zoning of the lands: RA Single Residential
3. 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)
An Agricultural Operation, including livestock facility or stockyard (See 4)		
A Municipal Landfill		
A Sewage Treatment Plant or Waste Stabilization Plant		
A Provincially significant wetland (Class 1, 2 or 3 wetland) or a provincially significant wetland within 120 metres of the subject lands. (400 feet)		
Floodplain		
A Rehabilitated Mine Site		
A Non-Operating Mine Site within 1 Kilometre		
An Active Mine Site		
An Industrial or commercial use and specify the use(s)		
An Active Railway Line		
Seasonal Wetness of land		
Erosion		
Abandoned Gas Wells		

4. If there are any livestock operations within 500 metres (1640 feet) of the subject lands, please complete Form 3 which is available upon request.

F. **HISTORY OF PROPERTY:**

1. Has the owner previously severed any land from this land holding or any other land the owner has interest in since August 24, 1978?  
☐ Yes                      ☒ No

If the answer to the above question is yes:

How many separate parcels have been created: \_\_\_\_\_

Dates(s) these parcels were created: \_\_\_\_\_

The name of the transferee for each parcel: \_\_\_\_\_

For what uses? \_\_\_\_\_

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

Not applicable

Construction Date of Dwelling to be severed: \_\_\_\_\_

3. Have the lands subject of this application ever been the subject of an application for approval of a Plan of Subdivision or Consent under the Planning Act?

☐ Yes ☒ No ☐ Unknown

If YES, provide the File number, if known and the decision made on the application.

File No.: \_\_\_\_\_ Decision: \_\_\_\_\_

4. Date of purchase of subject lands August 26, 1996

5. How many years has the owner farmed?: Not applicable

In Ontario? \_\_\_\_\_ In the Region? \_\_\_\_\_ On this Farm Holding? \_\_\_\_\_

G. **CURRENT APPLICATION:**

1. Are the subject lands currently the subject of a proposed Official Plan or Official Plan Amendment that has been submitted for approval?

☐ Yes ☒ No ☐ Unknown

If Yes, and if known, specify the appropriate file number and status of the

application \_\_\_\_\_

2. Are the subject lands the subject of an application for a Zoning By-Law Amendment, Minister's Zoning Order Amendment, Minor Variance, Consent or Plan of Subdivision?

☐ Yes                      ☒ No                      ☐ Unknown

If Yes, and if known, specify the appropriate file number and status of the application \_\_\_\_\_

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H. SKETCH

1. The application shall be accompanied by a sketch showing the following:
- the boundaries and dimensions of the subject lands including the part that is to be severed and the part that is to be retained.
  - the boundaries and dimensions of any land owned by the owner of the subject lands and that abuts the subject lands.
  - the distance between the subject lands and the nearest municipal lot line or landmark, such as a railway crossing or bridge.
  - the location of all land previously severed from the parcel originally acquired by the current owner of the subject lands.
  - the approximate location of all natural and artificial features on the subject lands and adjacent lands, including railways, highways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas.
  - the existing use(s) on adjacent lands.
  - the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
  - where access to the subject lands is by water only, the location of the parking and boat docking facilities to be used.
  - the location and nature of any restrictive covenant or easement affecting the subject land
  - if the severed parcel is to be conveyed to an abutting property owner, please identify the abutting property with name and instrument number exactly as now registered.
  - the location of any existing sewage system and well, on the lot to be created and/or retained.

# THE TOWN OF SIMCOE

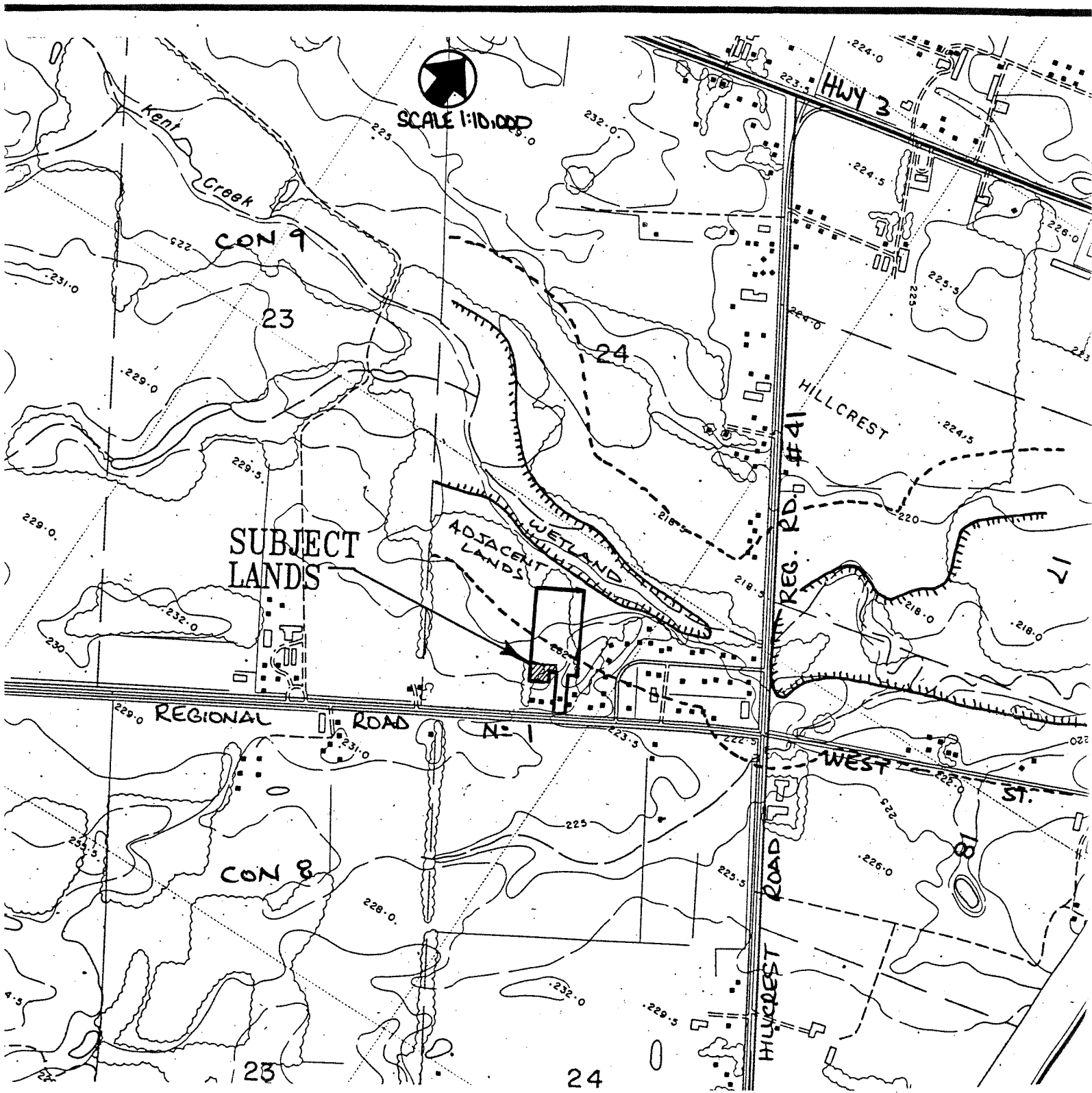


MAP No 1 TO FILE NUMBER B-6/99-S



MAP N° 2 TO FILE NUMBER B-6/99-S

FORMER MUNICIPALITY: CHARLOTTEVILLE



MAP N° 3 TO FILE NUMBER B-6/99-S

FORMER MUNICIPALITY: CHARLOTTEVILLE

  
SCALE 1:2400

**A**  
AGRICULTURAL  
O.P.

SUBJECT  
LANDS →

**RH.1**

**HL**  
PARKS & OPEN SPACE  
O.P.

**RH**

HILLCREST A

HAMLET

O.P.

REGIONAL

ROAD

No.

1

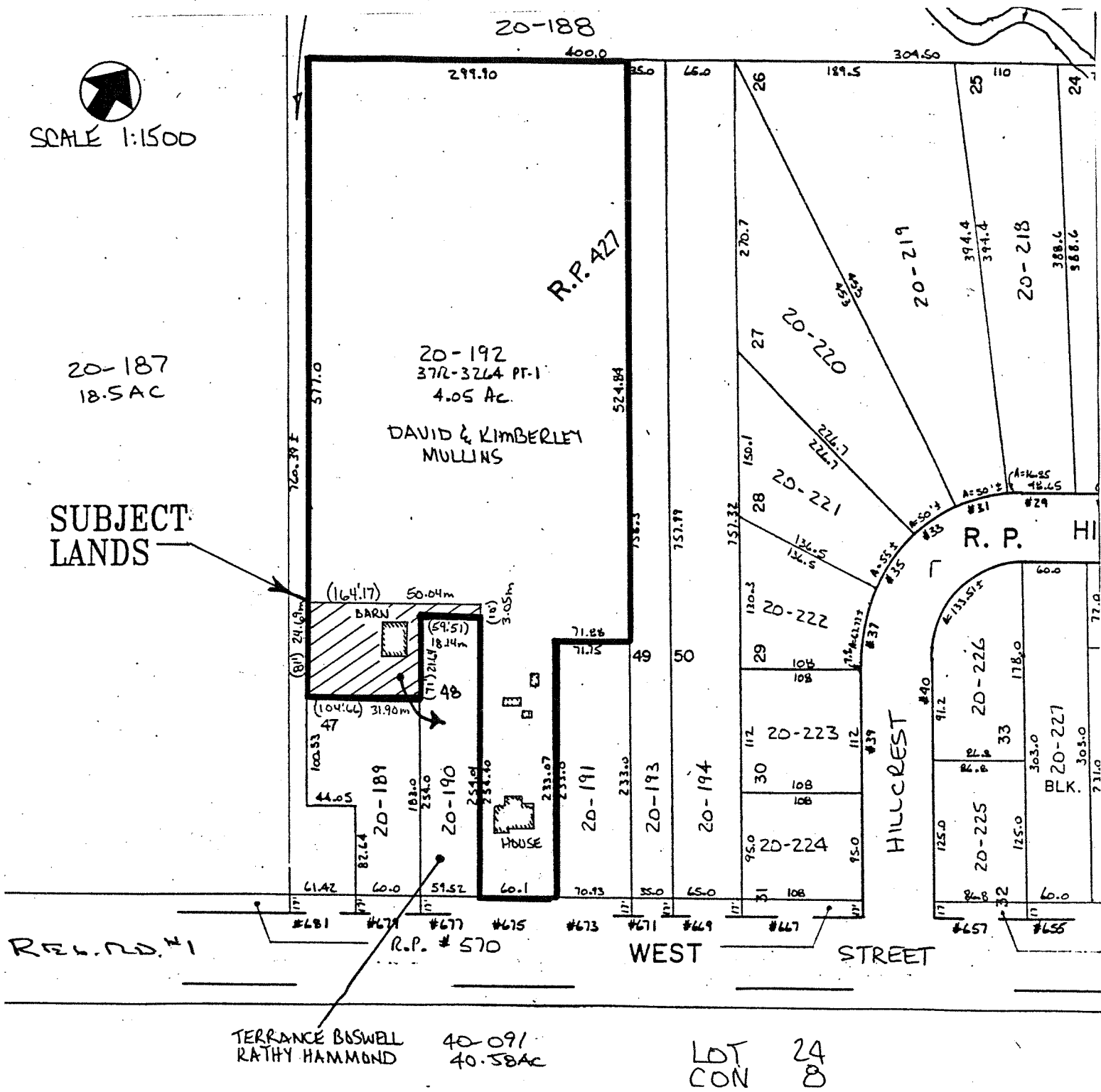
(WEST STREET)

# MAP N° 4 TO FILE NUMBER B-6/99-S

FORMER MUNICIPALITY: CHARLOTTEVILLE

SCALE 1:1500

SUBJECT  
LANDS



**TOWN OF SIMCOE  
COMMITTEE OF ADJUSTMENT  
NOTICE OF DECISION REGARDING CONSENT**

**FILE NO.** B-6/99-S

**DATE OF MEETING:** October 4 1999

**ROLL NO.** 28-40-050-020-19200

**APPLICANT:** David and Kimberley Mullins  
675 West Street, R. R. #6  
Simcoe, Ontario  
N3Y 4K5

**AGENT:** Keith M. Jones  
Cobb and Jones  
2 Talbot Street North  
Simcoe, Ont. N3Y 4N5

**LOCATION:** Part of Lot 48, Registered Plan 427, former Township of Charlotteville, 675 West Street, Town of Simcoe.

**PURPOSE:** To sever a parcel of land as a boundary adjustment to an adjacent residential lot.

**DECISION:** APPROVES


**CONDITIONS:**

1. Receipt of proof that all outstanding taxes on the subject lands have been paid to the Treasurer of the Town of Simcoe.
2. Receipt of copy of registered reference plan of the severed parcel.
3. Receipt of a letter from the Regional Health Department indicating that their requirements have been satisfied on both the severed and retained parcels.
4. Receipt of a letter from the Building Inspector advising that the barn on the severed parcel complies with the provisions of the Zoning By-Law(s) applicable or alternatively, confirmation that the existing barn is a legal non-conforming use once severed and joined to the adjacent property.
5. Receipt of a letter from Terrance Boswell and Kathy Hammond acknowledging that the barn can only be used as a residential accessory building in accordance with Comprehensive Zoning By-Law 1-1999.
6. That Section 50(3) or (5) of The Planning Act shall apply to any subsequent conveyance or transaction.
7. That the severed parcel become part and parcel of the abutting lands presently owned by Terrance Boswell and Kathy Hammond (Assessment Roll No. 28-40-050-020-19000).
8. That the solicitor acting in the transfer provide his undertaking in the following manner: in consideration of the Certificate by the Official I undertake to ensure by a subsearch of the abstract book that at the time of the registration of the said Certificate or deed upon which it has been affixed, the name of the registered owner of the abutting land is the same as that of the Grantee in the said deed.
9. That the above conditions must be fulfilled and the Document for Conveyance (in triplicate) be presented for stamping on or before October 5, 2000 after which time this consent will lapse.

**REASON:** The application conforms to the policies of the Town of Simcoe Official Plan and is an appropriate development of the lands.

**CERTIFICATION**

I hereby certify this to be a true copy of the Committee of Adjustment of the Town of Simcoe and this decision was concurred by a majority of the members who heard the application at a meeting duly held on the 7th day of June, 1999.

  
\_\_\_\_\_  
Secretary-Treasurer

SEE REVERSE FOR FURTHER INFORMATION

## **ADDITIONAL INFORMATION**

Additional information regarding the application is available to the public for inspection at the Clerk's Department, Simcoe Town Hall, 50 Colborne Street South, Simcoe between 8:30 A.M. and 4:30 P.M. Mondays to Fridays.

## **NOTICE OF CHANGES**

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

## **NOTICE TO PUBLIC BODIES**

Public bodies involved with the conditions are requested to respond directly to the Secretary Treasurer when the applicant has fulfilled their conditions.

## **APPEALS**

Only individuals, Corporations and Public Bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

## **NOTICE OF LAST DAY FOR FILING NOTICE OF APPEAL TO THE MUNICIPAL BOARD** (The Planning Act, c.P.13, R.S.O. 1990, as amended, Section 53(19)).

Any person or public body may, not later than 20 days after the giving of the written notice of decision is complete, appeal the decision and/or any condition imposed by the Committee, to the Municipal Board by filing with the Secretary-Treasurer a Notice of Appeal setting out the reasons for the appeal accompanied by the appeal fee of (\$125.00) payable to the Minister of Finance on or before the following date:

OCTOBER 25, 1999