

# Township of DELHI



P.O. Box 182 • 183 Main Street • Delhi, Ontario CANADA N4B 2W9  
Tel: (519) 582-2100 Fax: (519) 582-4571

## COMMITTEE OF ADJUSTMENT COMMENT REQUEST FORM

<input checked="" type="checkbox"/> Regional Planner	<input checked="" type="checkbox"/> Regional Health Unit
<input checked="" type="checkbox"/> Regional Roads	<input checked="" type="checkbox"/> Conservation Authority
<input checked="" type="checkbox"/> Environmental Services	<input checked="" type="checkbox"/> Min. of Municipal Affairs & Housing
<input checked="" type="checkbox"/> Public Works	<input type="checkbox"/> CN Rail
<input type="checkbox"/> T.P.P.O.A	<input type="checkbox"/> Regional Treasury Department
<input type="checkbox"/> Township Treasury Department	<input type="checkbox"/> Ministry of Transportation

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This Committee has received a consent/minor variance application concerning land within your jurisdiction.

File No. B-15/99-DE

The proposal is explained on the attached application. If you require further information, please feel free to contact this office Monday to Friday between the hours of 8:30 a.m. and 4:30 p.m.

In order to properly consider this application, the Committee would appreciate your comments or recommendation before the date below:

April 16, 1999

Date: April 1, 1999

Reply to: Lucy Hives, Planner  
or  
Sally Harrison  
Secretary-Treasurer  
Township of Delhi

This property is also the subject of an application for (Zoning Amendment, Official Plan Amendment, Minor Variance, Consent) File No. \_\_\_\_\_.

If you wish to be notified of the decision of the Township of Delhi Committee of Adjustment in respect of the proposed application and in order to be kept advised of a possible Ontario Municipal Board hearing, you must make a written request to the Secretary-Treasurer.

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

An Agency shall be considered as having no objection if it does not reply by the above due date.

FILE NO. 3-15/99-DEROLL NO. 010-022-200 00\*mail report to applicant  
in advance.**THE PLANNING ACT****TOWNSHIP OF DELHI****APPLICATION FOR CONSENT****A. APPLICANT INFORMATION**1. Name of Owner Randy VanDenHeede Farms Inc.Address c/o Randy VanDenHeedeR. R. # 1, Windham Centre, OntarioPhone No. 426-6848Postal Code N0E 2A0

Fax No. \_\_\_\_\_

2. Owner's Solicitor  
or Authorized Agent John A. BackusAddress 28 Colborne St. N.,Simcoe, OntarioPhone No. 426-6763Postal Code N3Y 4N5Fax No. 426-2055

Please specify to whom all communications be sent:

☒ Owner☒ Solicitor/Agent**B. LOCATION/LEGAL DESCRIPTION OF PROPERTY**1. Former Municipality Windham

Town or Village \_\_\_\_\_

Concession Number 11Lot Number Part Lot 9

Registered Plan Number \_\_\_\_\_

Lot(s)/Block(s) \_\_\_\_\_

Reference Plan Number \_\_\_\_\_

Part Number(s) \_\_\_\_\_

Number and Name of Street/Road Windham Road # 11

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 (See Explanatory Note)
- ☐ 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: Applicant or as directed to implement severance
- see explanation → merging old lots
3. If a boundary adjustment, identify the Assessment Roll No. of the lands to which the
- parcel will be added. n/a
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:
- Frontage: 240 feet Depth: 210 feet Area: 1.2 acres (approx)
- Existing Use: Agricultural Proposed Use: Residential in agricultural zone
- Number and type of buildings and structures existing on land to be severed:
- none
- \_\_\_\_\_

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

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

2. Description of land intended to be **RETAINED**: See Sketch - Existing tobacco and ginseng farm  
Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_ Area: 110 Acres (Approx.)  
Existing Use: Agricultural Proposed Use: Agricultural

Number and type of buildings and structures existing on land to be retained:  
House, 2 barns, kilns, greenhouse and ancillary farm buildings

Number and type of buildings and structures proposed on land to be retained  
no change proposed

3. Are any parts of the severed or retained lands within 400 metres of a Provincial Highway?

Yes \_\_\_\_\_ No x

If yes, have you consulted with the Ministry of Transportation about this proposal?

Yes \_\_\_\_\_ No \_\_\_\_\_

4. Access to land intended to be **SEVERED**:

☐ Unopened Road ☒ Municipal Road ☐ Regional

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

Name of Road/Street Windham Road # 11

5. Access to land intended to be **RETAINED**:

☐ Unopened Road ☒ Municipal Road ☐ Regional

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

Name of Road/Street Windham Road # 11



## 6. Services

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- ☐ Municipal Water and Sewer ☐ Municipal Water and Private Sewage  
☐ Municipal Sewer and Well ☒ Private Sewage System and Well  
☐ Other (specify) \_\_\_\_\_

E. LAND USE

1. What is the existing official plan designation(s) of the lands: Agricultural  
 2. What is the zoning of the lands: Agricultural  
 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)	No	yes - tobacco/ginseng
A Municipal Landfill	No	No
A Sewage Treatment Plant or Waste Stabilization Plant	No	No
A Provincially significant wetland (Class 1, 2 or 3 wetland) or a provincially significant wetland within 120 metres of the subject lands. (400 feet)	No	No
Floodplain	No	No
A Rehabilitated Mine Site	No	No
A Non-Operating Mine Site within 1 Kilometre	No	No
An Active Mine Site	No	No
An Industrial or commercial use and specify the use(s)	No	No
An Active Railway Line	No	No
Seasonal Wetness of land	No	No
Erosion	No	No
Abandoned Gas Wells	No	No

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:**

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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

See Explanatory Note

F. **HISTORY OF PROPERTY:** (Continued)

If the answer to the above question is yes:

How many separate parcels have been created: twoDates(s) these parcels were created: --The name of the transferee for each parcel: Camiel VanDenHeede Farms LimitedFor what uses? one time severance of lot

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

noConstruction Date of Dwelling to be severed: no

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 1994

5. How many years has the owner farmed?: 20 years plus

In Ontario? X In the Region? X On this Farm Holding? XG. **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

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

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 \_\_\_\_\_

#### 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



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- 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.

# I. FREEDOM OF INFORMATION

For the purposes of the 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 for the purposes of processing this application.

Randy VanDenHeede Farms Inc.

Per: 

Owner/Applicant/Agent Signature

March 22, 1999

Date

# J. DECLARATION

I, Randy VanDenHeede of the Township of Delhi

in the Regional Municipality of Haldimand-Norfolk 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.

Declared before me at the )  
Town of Simcoe )

in the Regional Municipality )

of Haldimand-Norfolk )

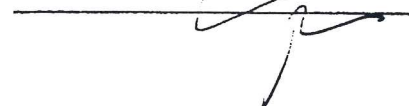
this 22 day of )

March, A.D., 1999 )

A Commissioner, etc. )



Owner/Applicant/Agent  
Signature





LOT SIZE CREATED 240' X 210'  
ASSESSMENT ROLL NO. \_\_\_\_\_

ASSESSMENT ROLL NO.

1. One lot from a farm holding
  2. Estate lot
  3. Surplus farm house (through farm amalgamation)
  4. Infilling lot
  5. Residential lot involved in a boundary adjustment
  6. Existing second dwelling from a non-viable rural property or industrial use in the rural area.
2. If the lot type is a "one lot from a farm holding", a surplus farm house", or an "infilling lot", please list the applicant which are involved in the farm operation. Properties located in rural/agricultural area, together with

Property owner.  
PDF: FBA/64SW

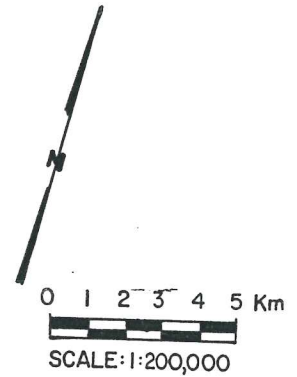
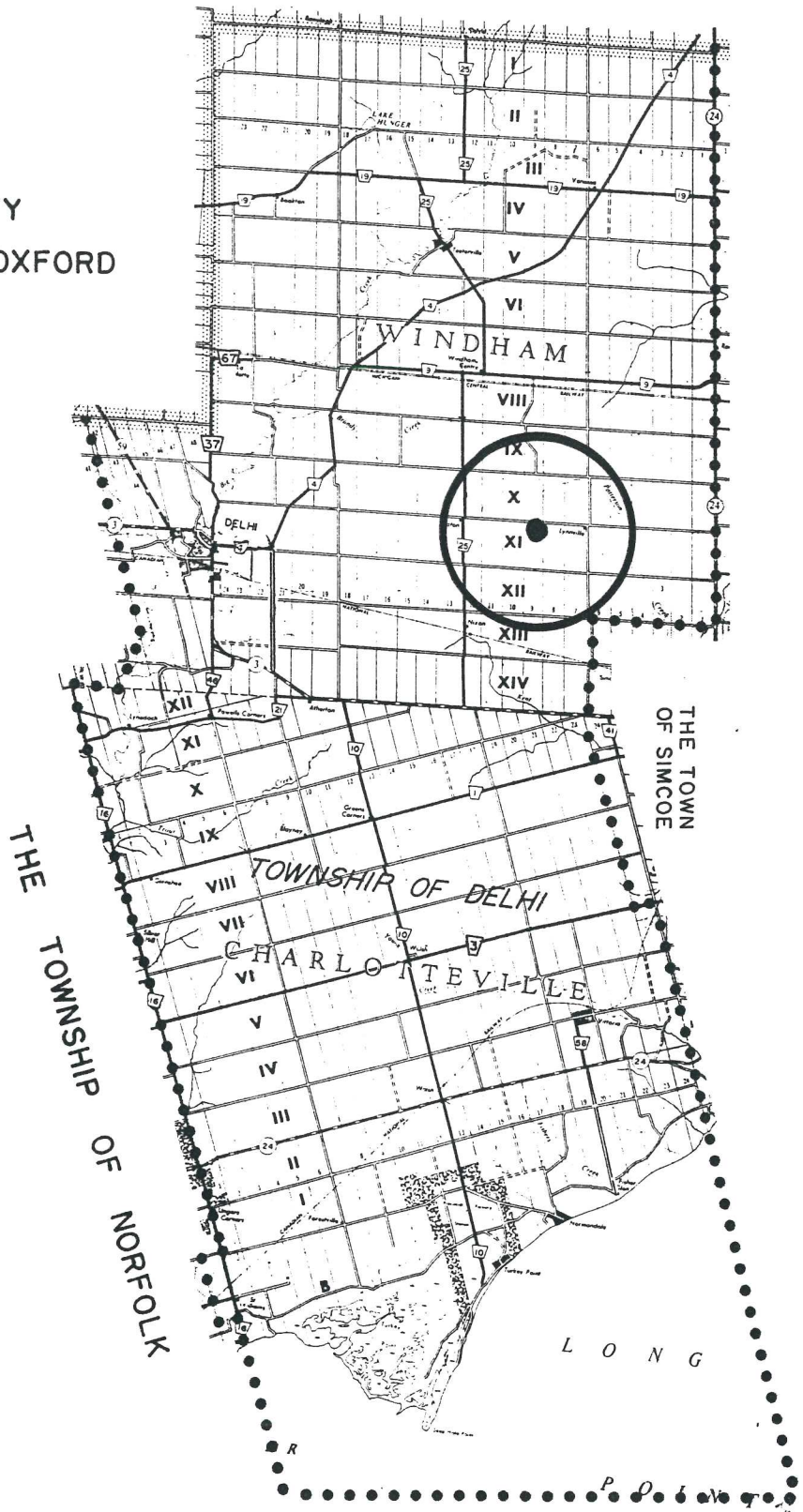
## EXPLANATORY NOTE

1. In 1983 Camiel VanDenHeede Farms Limited purchased the entire farm properties as illustrated on the attached sketch.
2. In 1988 Camiel VanDenHeede Farms Limited applied for and received the consent of the Township Committee of Adjustment to sever a vacant lot from the said Farm. (See Township File B-55/88 DE)
3. The severance was implemented by conveyance and the said Lot is described as Part 1 on Reference Plan 37R-4465 and illustrated on the attached sketch in yellow.
4. In 1994 Randy VanDenHeede Farms Inc. acquired the farm properties excluding the severed Lot.
5. Randy VanDenHeede Farms Inc. proposes to sever a new vacant lot from its farm holdings, said lot illustrated in red on the attached sketch.
6. The Applicant proposes that, if approved, the following conditions would apply to the consent of the Committee of Adjustment:
  - (a) That a one square foot portion of Part 1 on 37R-4465 fronting on Windham Road #12 be conveyed to the Township of Delhi for road widening purposes;
  - (b) That the balance of Part 1 on 37R-4465 (less the said one square foot) be conveyed to Randy VanDenHeede Farms Inc. whereby same would merge in title with the existing farm properties of the said Corporation;
  - (c) The conveyance implementing the proposed new severance (lands in red on sketch) be endorsed with the consent and registered subsequent to the completion of the foregoing.
7. The above-noted would have the effect of negating the previous severance obtained under file B-55/88 DE and allowing a relocation of the "one-time" severance to the lands illustrated in red on the attached sketch.
8. No additional lots would therefore be created to those as presently exist. For information purposes, we can advise that Camiel VanDenHeede Farms Limited is owned by William VanDenHeede (the father of Randy VanDenHeede) who is prepared to convey Part 1 on 37R-4465 as above-noted.

MAP Nº 1 TO FILE NUMBER B-15/99-DE

THE COUNTY OF BRANT

THE COUNTY  
OF OXFORD

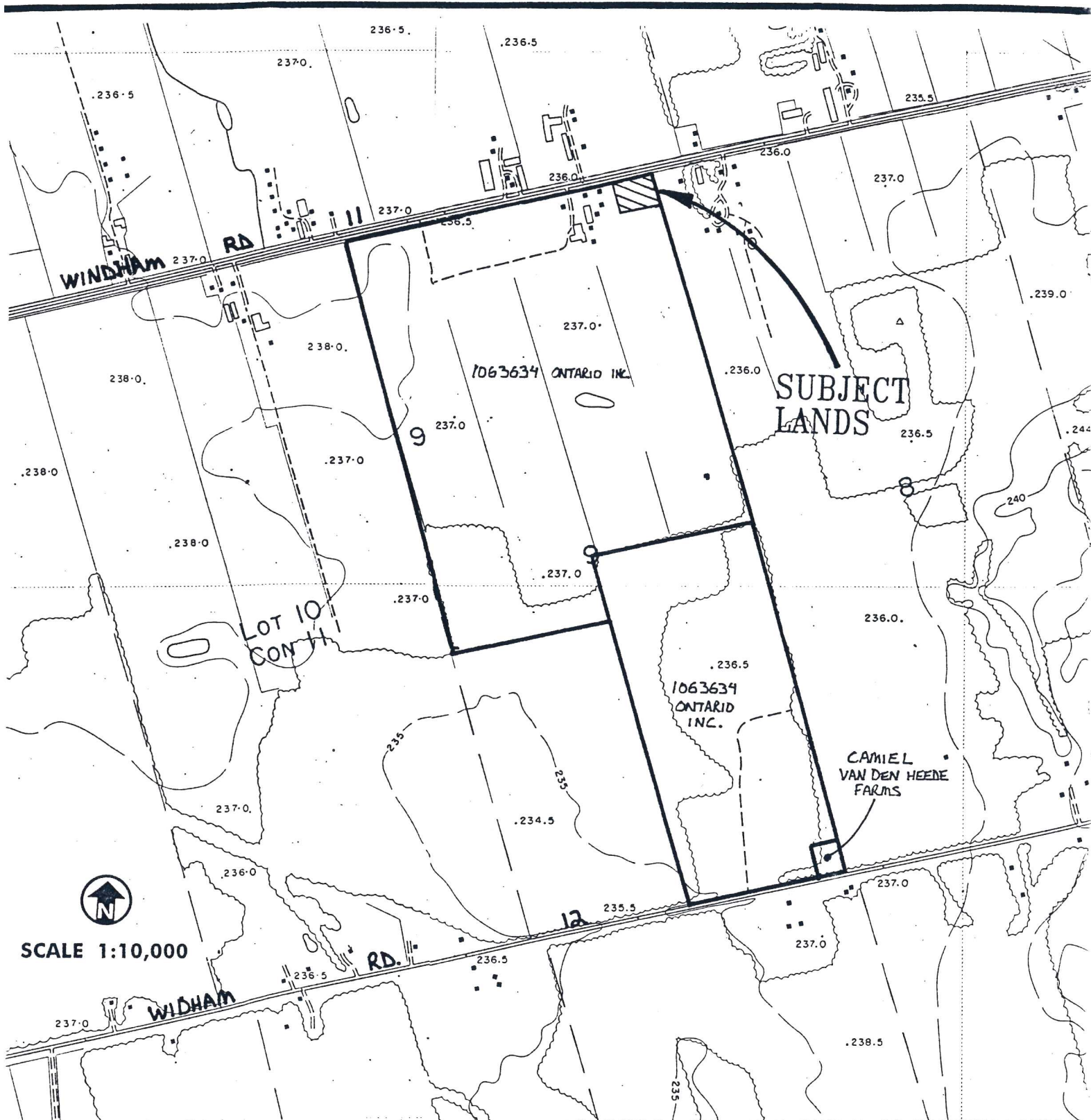


THE CITY OF NANTICOKE



# MAP N<sup>o</sup> 2 TO FILE NUMBER B-15/99-DE

FORMER MUNICIPALITY: WINDHAM



FORMER MUNICIPALITY: WINDHAM

