



FILE NO. B-33/99

ROLL NO. 060.010.25100.

THE PLANNING ACT

CITY OF NANTICOKE

APPLICATION FOR CONSENT

A. APPLICANT INFORMATION

1. Name of Owner Procyk Farms Limited Phone No. 443-8954
Address R.R. 1 Wilsonville Postal Code _____

Fax No. _____
2. Owner's Solicitor or Authorized Agent R.C. Dixon, O.L.S. Phone No. 426-0842
Address 51 Park Road (R.R. 1) Postal Code N3Y 4J9
Simcoe Fax No. 426-1034

Please specify to whom all communications be sent:

☐ Owner ☒ Solicitor/Agent

B. LOCATION/LEGAL DESCRIPTION OF PROPERTY

1. Former Municipality Townsend
Town or Village _____
Concession Number III Lot Number 10
Registered Plan Number _____ Lot(s)/Block(s) _____
Reference Plan Number _____ Part Number(s) _____
Number and Name of Street/Road Third Con. Road

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: Bill Procyk

3. If a boundary adjustment, identify the Assessment Roll No. of the lands to which the parcel will be added. 10-252

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: 100' Depth: 540' (Irreg.) Area: 1.7 ac.±

Existing Use: Agriculture Proposed Use: Agriculture

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

see attached sketch

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

major addition to barn

2. Description of land intended to be RETAINED: irregular see att. sketch.

Frontage: _____ Depth: _____ Area: _____

Existing Use: _____ Proposed Use: _____

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

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

3. Access to land intended to be SEVERED:

☐ Unopened Road ☒ Municipal Road ☐ Regional Road

☐ Provincial Highway ☐ Other (specify) _____

Name of Road/Street Third Con. Road

4. Access to land intended to be RETAINED:

☐ Unopened Road ☒ Municipal Road ☐ Regional Road

☐ Provincial Highway ☐ Other (specify) _____

Name of Road/Street Third Con. Road

5. Services

☐ 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: Agriculture
2. What is the zoning of the lands: Agriculture
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)	<input type="checkbox"/>	<input type="checkbox"/>
A Municipal Landfill	<input type="checkbox"/>	<input type="checkbox"/>
A Sewage Treatment Plant or Waste Stabilization Plant	<input type="checkbox"/>	<input type="checkbox"/>
A Provincially significant wetland (Class 1, 2 or 3 wetland) or a provincially significant wetland within 120 metres of the subject lands. (400 feet)	<input type="checkbox"/>	<input type="checkbox"/>
Floodplain	<input type="checkbox"/>	<input type="checkbox"/>
A Rehabilitated Mine Site	<input type="checkbox"/>	<input type="checkbox"/>
A Non-Operating Mine Site within 1 Kilometre	<input type="checkbox"/>	<input type="checkbox"/>
An Active Mine Site	<input type="checkbox"/>	<input type="checkbox"/>
An Industrial or commercial use and specify the use(s)	<input type="checkbox"/>	<input type="checkbox"/>
An Active Railway Line	<input type="checkbox"/>	<input type="checkbox"/>
Seasonal Wetness of land	<input type="checkbox"/>	<input type="checkbox"/>
Erosion	<input type="checkbox"/>	<input type="checkbox"/>
Abandoned Gas Wells	<input type="checkbox"/>	<input type="checkbox"/>

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?

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 _____

5. How many years has the owner farmed?: _____

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 _____


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.

I. FREEDOM OF INFORMATION

PAGE SEVEN

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.



Owner/Applicant/Agent Signature May 19, 1999
Date

- J. For the purposes of this application, the Owner/Applicant/Agent grants permission to the members of the Planning Committee to enter upon the said property for inspection purposes, and the owner will not be held responsible or liable if any accident or injury occurs.

K. DECLARATION

I, Richard Dixon of the Town of Simcoe
in the Reg. Mun. of Hald.-Nort. 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

City of Nanticoke

in the Region of

Haldemond-Norfolk

this 21st day of

May, A.D., 1999


A Commissioner, etc.

SHIRLEY ANNE LAUNDRIE,
A COMMISSIONER, ETC.,
REGIONAL MUNICIPALITY OF
HALDIMAND-NORFOLK FOR
THE CORPORATION OF THE
CITY OF NANTICOKE.
EXPIRES MAY 21, 2002.



Owner/Applicant/Agent Signature

L. AUTHORIZATION:

PAGE EIGHT

If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed by the owner.

AUTHORIZATION OF OWNER

I/We Procyk Farms Limited am/are the owner(s) of the land that is the
(Bill Procyk)
subject of this application for approval of a consent. I/We authorize R.C. Dixon,
Q.L.S. to make this application on my/our behalf and to provide any of
my/our personal information that will be included in this application or collected during
the processing of the application.

May 13/99
Date

[Signature]
Signature

M. NOTES TO APPLICANTS:

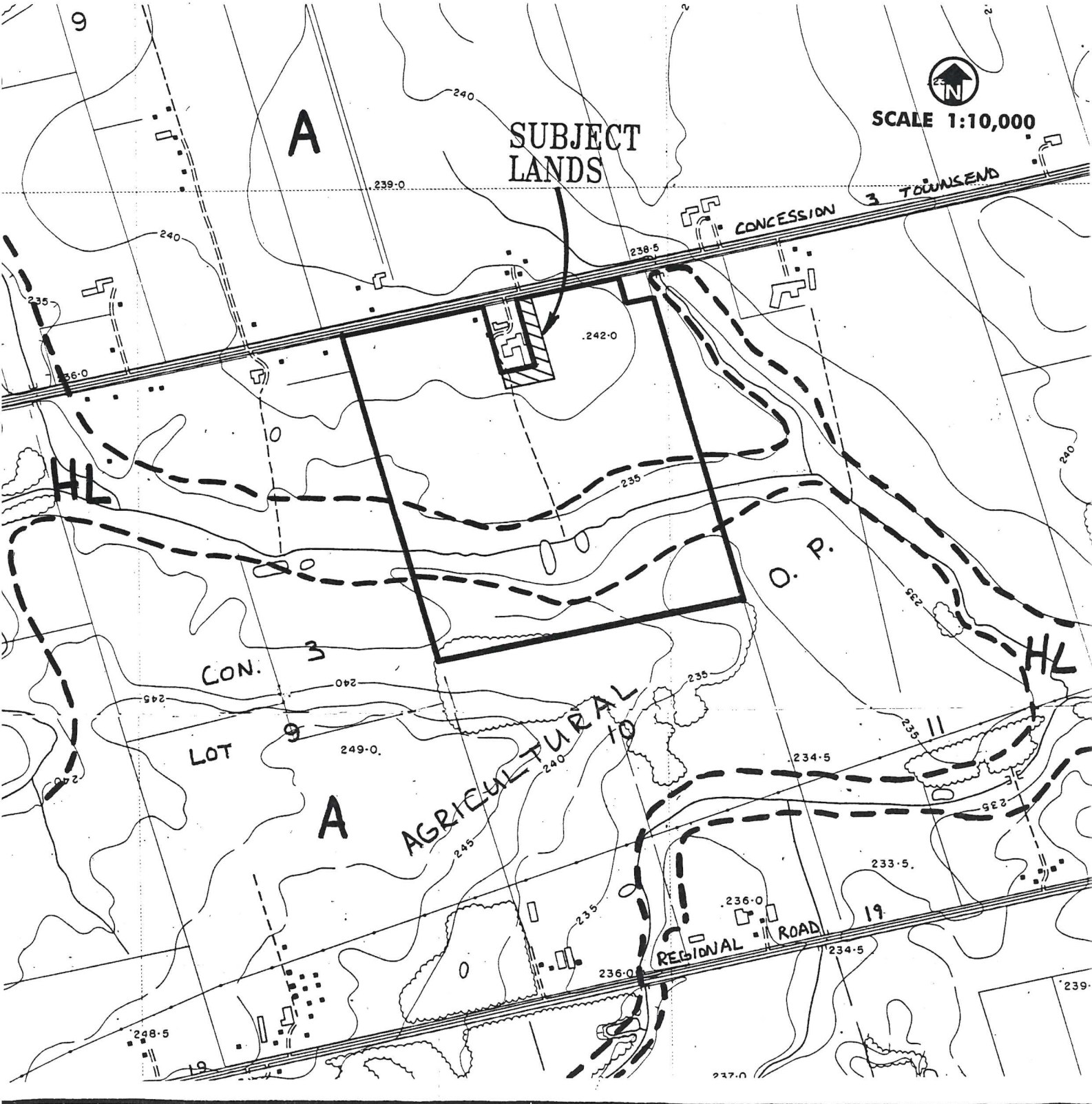
It is required that one copy of this application be filed together with a copy of a sketch, with the responsible person, accompanied by the appropriate fee, cheque made payable to the City of Nanticoke. (See fee schedule attached.)

Mail to: City of Nanticoke Planning Department
101 Nanticoke Creek Parkway
Townsend, Ontario N0A 1S0

Phone: 587-4600 or 1-800-387-3790

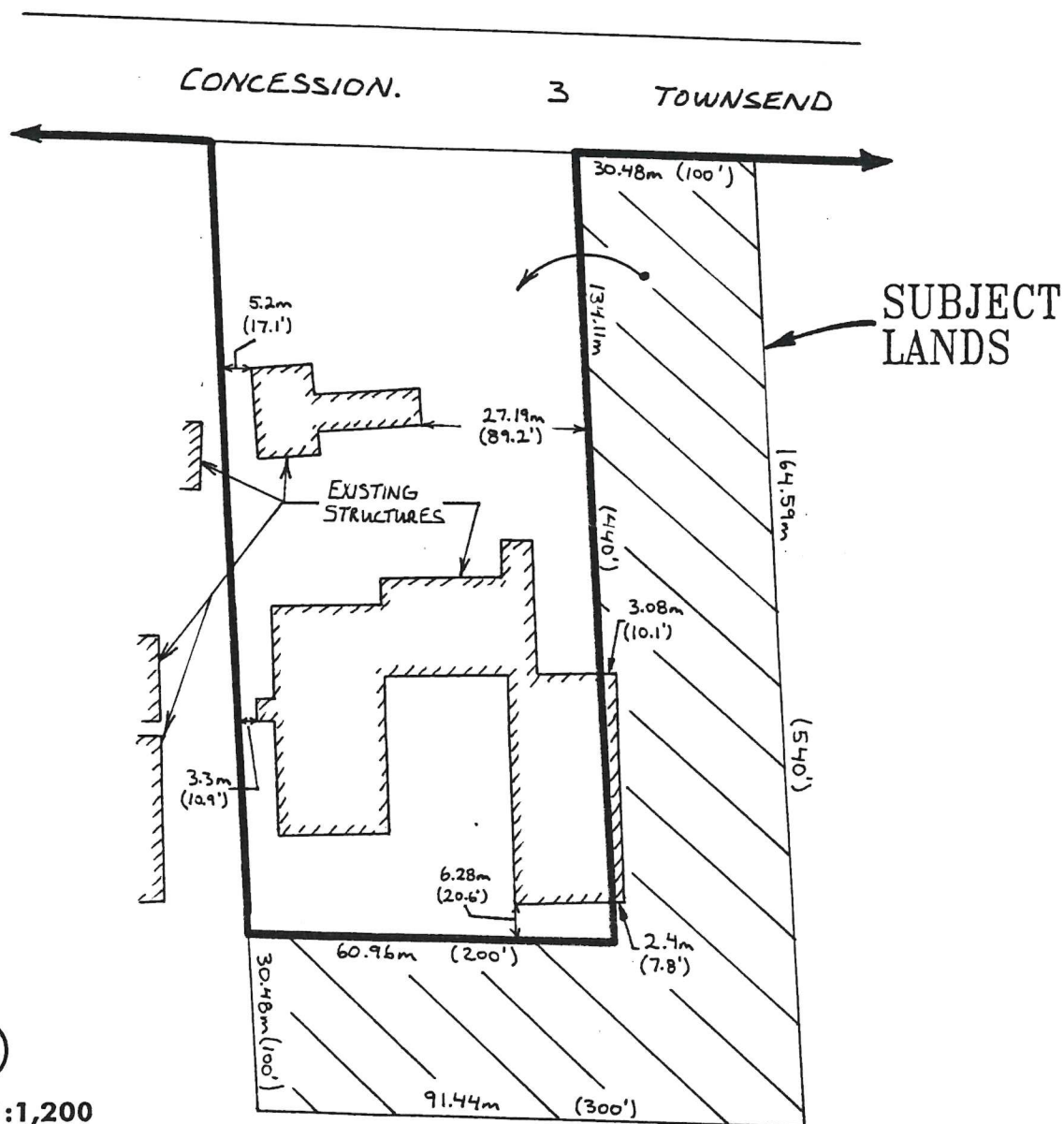
MAP Nº 2 TO FILE NUMBER B-33/99-CN

FORMER MUNICIPALITY: TOWNSEND.



MAP N° 4 TO FILE NUMBER B-33/99-CN

FORMER MUNICIPALITY: TOWNSEND



SCALE 1:1,200

CON. III
LOT 10

APPLICATION CIRCULATION FORM

B-33/99-CN

FILE NUMBER

28 | 33

AREA MUNICIPALITY CODE

PROCK FARMS LIMITED ✓

OWNERS NAME

NANTICOKE

AREA MUNICIPALITY

SEVERANCE

TYPE OF APPLICATION

TOWNSEND

FORMER MUNICIPALITY

NO.	FORMER MUN. CODE	AREA CODE	PROPERTY NO.	SUB. NO.	CHECK LIST CIR./EDIT
1	60	010	251	00	✓✓
2			252		✓✓
3			252	40	✓✓
4			253		✓✓
5			281		✓✓
6			284		✓✓
7			248		✓✓
8			250		✓✓
9			099		✓✓
10			098		✓✓
11			097	50	✓✓
12			097		✓✓
13			096		✓✓
14			095		✓✓
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					

OWNER

NO.	FORMER MUN. CODE	AREA CODE	PROPERTY NO.	SUB. NO.	CHECK LIST CIR./EDIT
34					
35					
36					
37					
38					
39					
40					
41					
42					
43					
44					
45					
46					
47					
48					
49					
50					
51					
52					
53					
54					
55					
56					
57					
58					
59					
60					
61					
62					
63					
64					
65					
66					

DATE: _____

FORM ___ OF ___

**DEVELOPMENT APPLICATION TO SEVER A LOT
IN THE CITY OF NANTICOKE**

FILE NO.: B-33/99-CN

DATE: June 24, 1999

APPLICANT: Procyk Farms Ltd.
R.R. #1
Wilsonville, Ontario
N0E 1Z0

Agent: R.C. Dixon
51 Park Road
Simcoe, Ontario
N3Y 4J9

LOCATION: Part Lot 10, Concession 3, former Township of Townsend, City of
Nanticoke

PROPOSAL: The applicant is proposing to sever a parcel of land to be added to
an abutting lot as a boundary adjustment:

Parcel to be conveyed:	Frontage -	± 30.48 m (100 ft)
	Depth -	± 164.6 m (540 ft)
	Area -	± 1.7 ac. (0.69 ha.)

Parcel to be retained:	Frontage-	± 442.6 m (1452 ft)
	Depth -	640.1 m (2100 ft)
	Area-	95.32 ac. (38.57 ha.)

PLANNING STAFF RECOMMENDATION:

THAT Severance Application be APPROVED subject to the attached conditions.

Reason: The proposal conforms with the intent of the Regional and Local Official
Plan respecting boundary adjustments.

SURROUNDING LAND USES:

The subject lands front onto the south side of Concession 3 Townsend Road. The lands are generally flat and are primarily under cultivation except for a portion of the lands that follow along a watercourse that transverses the southern portion of the property.

The lands are generally surrounded by agriculture and farm related uses as well as a number of non-farm related residential uses along the Concession 3 Road frontage. The lands to which the severance is proposed to be joined are currently occupied by a number of large farm buildings.

SUITABILITY OF SEVERANCE AREA AND LOCATION:

Provided the severed parcel is joined in title with the adjacent lot, the proposed boundary adjustment area and location are acceptable.

CIRCULATION COMMENTS:

- a) Nanticoke Public Works Dept. - No comments
- b) Nanticoke Clerks Dept. - No comments
- c) Conservation Authority - No comments
- d) Regional Health Department - No comments
- e) Drainage Superintendent - No comments

PLANNING STAFF COMMENTS:

The subject lands are designated Agriculture in the City of Nanticoke Official Plan and are zoned "Agricultural (A)" and "Hazard Lands (HL)" in City of Nanticoke Zoning By-law 1-NA 86.

Policy M.3 .1 of the City of Nanticoke Official Plan generally permits boundary adjustments where they are considered minor or do not create an additional separate lot. In the case of the subject severance, the purpose of the application is to add land to the adjacent parcel in order to acquire additional land area and, in turn, to facilitate the construction of additional farm buildings. The adjacent property for which the severed lands are proposed to be joined are used for the storage of the crops from the

lands subject to this application and other consolidated farmlands owned by the applicant.

Plans submitted along with the application indicate that the existing farm buildings located on the lands to which the conveyed portion is intended to be transferred encroach over the property line onto the subject lands to the east and do not currently meet the minimum rear yard requirements of the "Agricultural (A)" zone.

Building Department staff have confirmed that the use on the lands to which the severed lands will be transferred is permitted within the "Agriculture (A)" zone of Zoning By-law 1-NA 86. In addition the proposed boundary adjustment would bring the adjacent property into conformity with the yard requirements of the Agriculture zone.

Given the forgoing, Planning Staff are of the opinion that the boundary adjustment would facilitate the ability of the farm buildings to meet the requirements of the zoning by-law and would conform with the intent of the Official Plan. Provided the lands are joined in title with the adjacent parcel, it is recommended that the application be approved .



Christopher Bell, Planner

NOTE: This Decision must be confirmed by Nanticoke Council at its meeting of July 6, 1999. If you wish to attend the Council meeting as a delegation regarding this decision, please notify the Clerk's Office by 12:00 noon, June 30, 1999.

DATE: June 24, 1999

APPLICANT: Procyk Farms Limited

APPLICATION NO.: B-33/99-CN

PROPOSED BY:

SECONDED BY:

That we hereby recommend that this application be approved, conditional to:

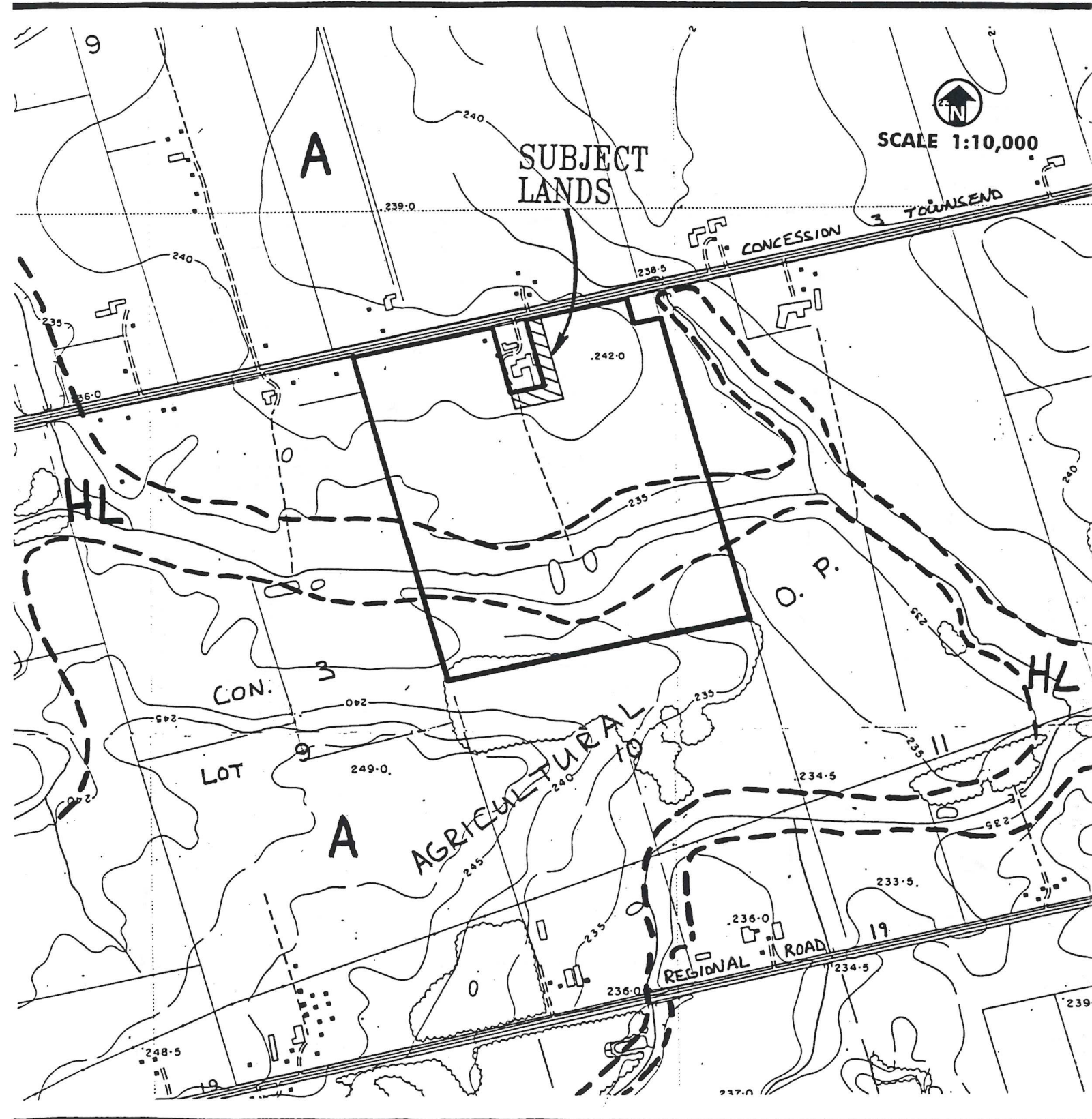
this application be refused,

this application be deferred,

- 1) Receipt of a letter from the City of Nanticoke indicating that all requirements, financial or otherwise, have been satisfied including a development charge of \$1,320.00 by cash, certified cheque or lawyer's trust cheque.
- 2) Receipt of a letter from the City of Nanticoke indicating that the Nanticoke Hydro Electric Commission development charge of \$1,020.00 by cash, certified cheque or lawyer's trust cheque has been paid.
- X 3) Receipt of a letter from the City of Nanticoke indicating that all requirements, financial or otherwise, have been satisfied.
- 4) The City of Nanticoke requirements for road widening being satisfied.
- 5) The City of Nanticoke requirements for grading/drainage being satisfied.
- 6) Receipt of a letter from the City of Nanticoke that the severed and retained lands have been placed under site plan control.
- 7) Receipt of final approval of the required zoning amendment or variances.
- X 8) Receipt of a copy of a registered reference plan of the severed parcel.
- X 9) Section 50(3) and (5) of the Planning Act, R.S.O. 1990, Chapter P.13, applying to any subsequent conveyance or transaction.
- X 10) The severed parcel becoming part and parcel of the abutting land presently owned by
- X 11) An undertaking being provided from the solicitor preparing the deeds that conditions 3 and 4 will be met.
- 12) Receipt of a letter from the Regional Roads Department indicating that their requirements have been satisfied concerning road widening.
- 13) Receipt of a letter from the Regional Municipality of Haldimand-Norfolk indicating an agreement has been entered into that no dwelling be built on the retained parcels on the land holding consisting specifically of Lot , Concession , , for a period of five years.
- 14) Receipt of a letter from the Environmental Services Department indicating that the requirements have been satisfied concerning separate water services.
- 15) Receipt of a letter from the Ministry of Transportation indicating that their requirements have been satisfied concerning access.
- 16) The City of Nanticoke requirements for Cash-in-Lieu of Parkland in the amount of \$350.00 being satisfied.
- 17) The severed and retained portions being reapportioned by a qualified Engineer, as the properties falls within the Hall Municipal Drain Drainage Area.
- 18) The applicant entering into a development agreement.
- X 19) The above conditions being fulfilled and the Certificate of Consent being issued on or before July 8, 2000 after which time this consent will lapse.

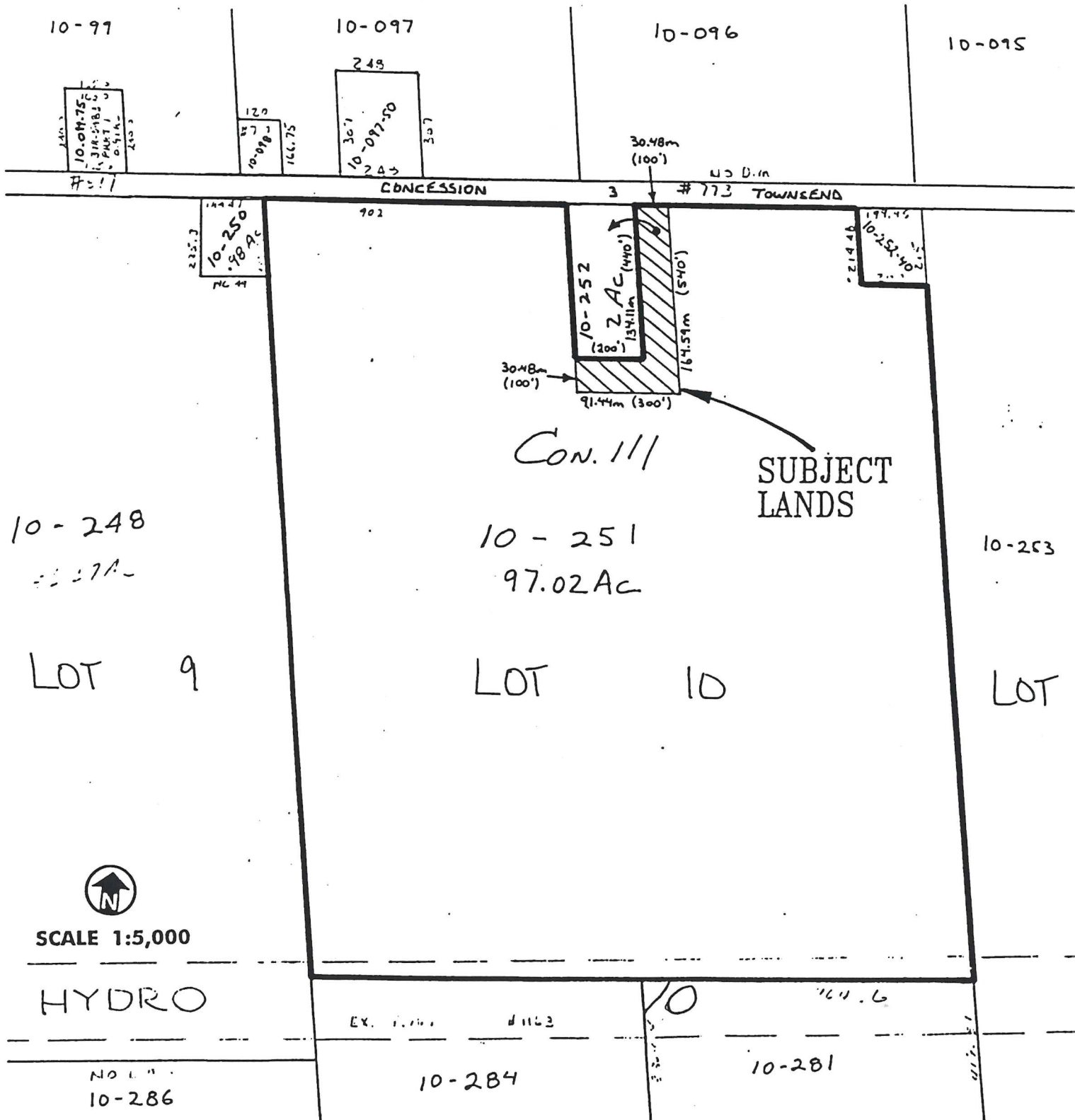
REASON: The proposal does/does not conform with the intent of the Regional and Local Official Plan respecting boundary adjustments.

FORMER MUNICIPALITY: TOWNSEND.



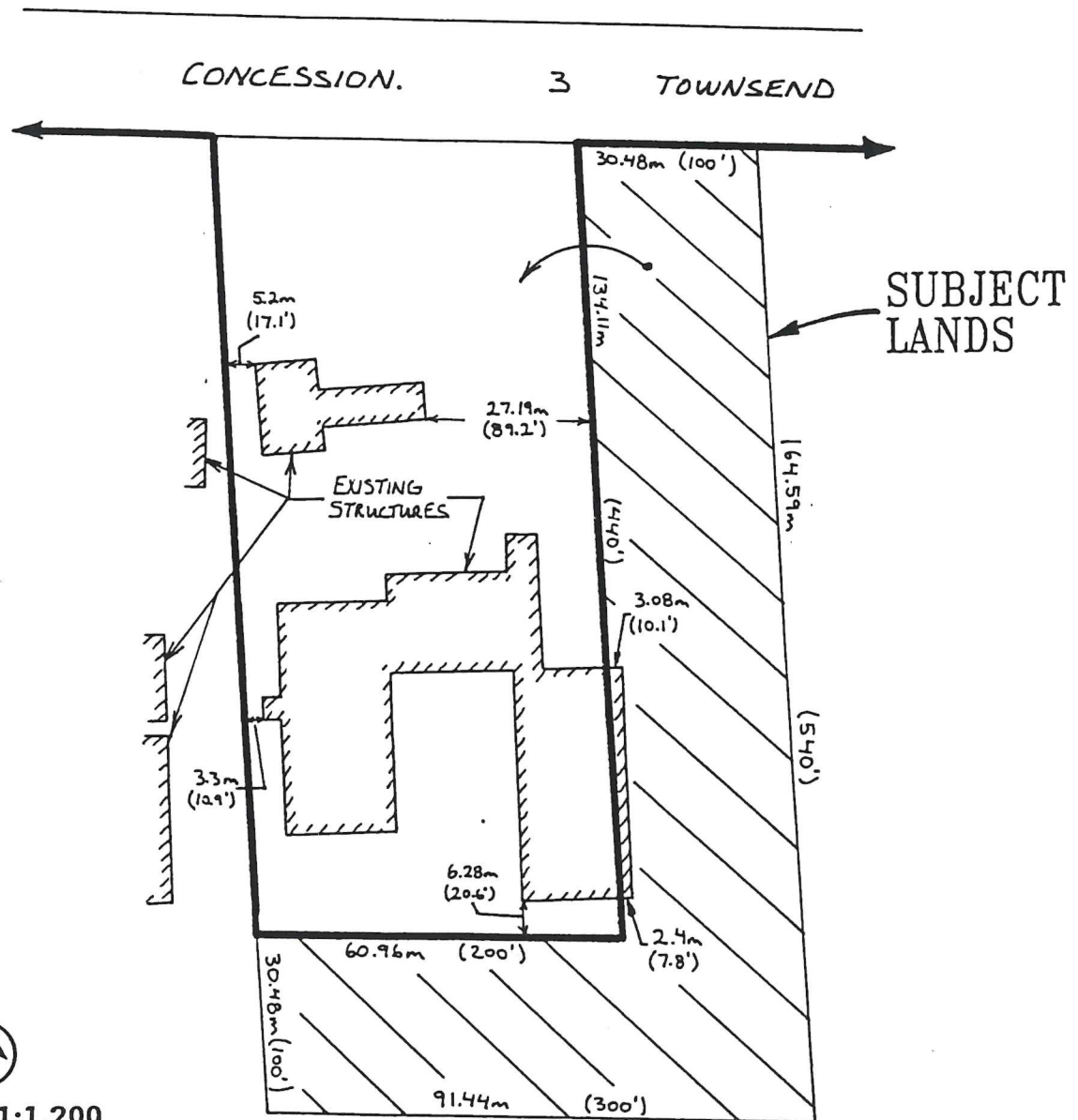
MAP N° 3 TO FILE NUMBER B-33/99-CN

FORMER MUNICIPALITY: TOWNSEND



MAP N° 4 TO FILE NUMBER B-33/99-CN

FORMER MUNICIPALITY: TOWNSEND



SCALE 1:1,200

CON.

///

LOT

10

Form 4

Planning Act

CERTIFICATE OF OFFICIAL

Under subsection 53 (42) of the Planning Act, I certify that the consent of the Council of the City of Nanticoke was given on July 6, 1999 to a conveyance of the following land:

Part Lot 10, Concession 3, Townsend , City of Nanticoke, Regional
Municipality of Haldimand-Norfolk

more particularly described as

Part 2 on Reference Plan 37R-8210.

Section 50(3) or (5), as the case may be of the Planning Act applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.



Ron Sinden, Deputy Clerk