

CITY OF NANTICOKE

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1989 NOV -9 AM 10:35

COMMENT REQUEST FORM

WILSON AND ROBERTSON
HEALTH UNIT

- | | |
|------------------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Regional Planning & Development | <input type="checkbox"/> Regional Treasury Department |
| <input type="checkbox"/> Ministry of Transportation & Communications | <input checked="" type="checkbox"/> Regional Health Department S |
| <input type="checkbox"/> Regional Engineering Department | <input type="checkbox"/> Ministry of Natural Resources |
| <input type="checkbox"/> Public Works Department | <input type="checkbox"/> Conservation Authority |
| <input type="checkbox"/> Ministry of Agriculture & Food
** see note below | <input type="checkbox"/> Ministry of Environment |
| <input type="checkbox"/> | <input type="checkbox"/> Hydro Electric Commission |

The City has received a consent/~~minor variance~~
application concerning land within your jurisdiction.

File No. B-303/89-CN

The proposal is explained on the attached application.
If you require further information, please feel free
to contact this office.

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

NOVEMBER 22, 1989

DATE: November 8, 1989

REPLY TO: Laurie Cronk,
Consent Secretary &
Assistant Secretary-Treasurer,
Committee of Adjustment
70 Town Centre Drive,
TOWNSEND, Ontario.
NOA 1SO

PLANNING REPORT DATE: November 29/89

MEETING DATE: December 7/89

PHONE: (519) 587-4911
(519) 428-0020
(519) 582-3620
(519) 443-8910
(416) 772-3571

NOTE: Agriculture & Food

- ☐ Comment on Viability
- ☐ State M.D.S. Formula Applicable if intensive animal operation nearby
- ☐ Retirement Lot

FORM 1

THE PLANNING ACT

CITY OF NANTICOKE

APPLICATION FOR CONSENT

1. Name of Owner Estate of Fern Austin Donald Robert Austin Phone No. (416)734-4501 (bus.)
(416)735-1147 (res.)
 Address 130 Pinehurst Dr., Welland, Ontario Postal Code L3C 3J1
2. Owner's Solicitor or authorized agent n/a Phone No.
 Address Postal Code
 Please specify to whom all communications be sent:
 owner ☒ solicitor ☐ agent ☐
3. a) Type and purpose of proposed transaction: ☒ Conveyance ☐ Other, please specify
one lot from a farm
- b) Name of person(s) to whom land or interest in land is to be conveyed, leased or mortgaged Donald Robert Austin & Allan McKenzie Austin
- c) Relationship (if any) of person(s) named in (b) to owner
sons of Fern Austin
4. Location of Land: Former Township Woodhouse
 Town or Village ---
 Lot & Concession Lot 14, Concession 5
 Lot & Reg. Plan No. ---
5. Number of new lots (not including retained lots) proposed one
6. Date of purchase of subject lands 1) Estate - before 1930 2) D. Austin - Feb. 1980
7. How long has owner farmed? 1) Estate - since 1935 2) D. Austin - do not farm
8. Dimensions of land intended to be SEVERED:
 FRONTAGE: ±200' DEPTH: ±440' AREA: 88,000 ft² (2 ac.)
 Existing Use agricultural Proposed Use residential
 Number and type of buildings and structures existing on land to be severed:
frame house, frame double garage, wooden barn
 Number and type of buildings and structures proposed on land to be severed:
same
9. Dimensions of land intended to be RETAINED:
 FRONTAGE: 750' DEPTH: 2300' AREA: 48 acres
 Existing use agricultural Proposed Use agricultural
 Number and type of buildings and structures existing on the land to be retained:
none
10. Access to land intended to be severed and retained:
☐ unopened road ☒ open Municipal Road ☐ Regional Road ☐ Provincial Highway
☒ other (specify)
 Name of Road/Street Scotch Line

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11. Services (proposed):

- ☐ Municipal Water & Sewer ☐ Municipal Water & Private Sewage System
☐ Municipal Sewer & Well ☒ Private Sewage System & Well
☐ Other (specify) _____

12. Is any part of the land swampy or subject to flooding, seasonal wetness or erosion?
If yes, give details.

no

13. Has the owner previously severed any land from the land holdings in which the land to be severed is situated?

☐ Yes

☒ No

If the answer to above question is yes,

How many separate parcels have been created? _____

Date(s) these parcels were created _____

For what uses? _____

Show these parcels on the required sketch.

14. Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision under Section 50 of the Planning Act, 1983 or its predecessors?

☐ Yes

☒ No

15. Is the owner, solicitor or agent applying for additional consents on this holding simultaneously with this application or considering applying for additional consents in the future?

☐ Yes

☒ No

If yes, give File No. _____

16. Is the owner, solicitor or agent applying for any minor variance or permission to extend or enlarge under Section 44 of the Planning Act, 1983 in relation to any land that is the subject of this application?

☐ Yes

☒ No

If yes, give File No. _____

Dated at the _____ of _____
this _____ day of _____, 19__.

(signature of applicant, agent or solicitor)

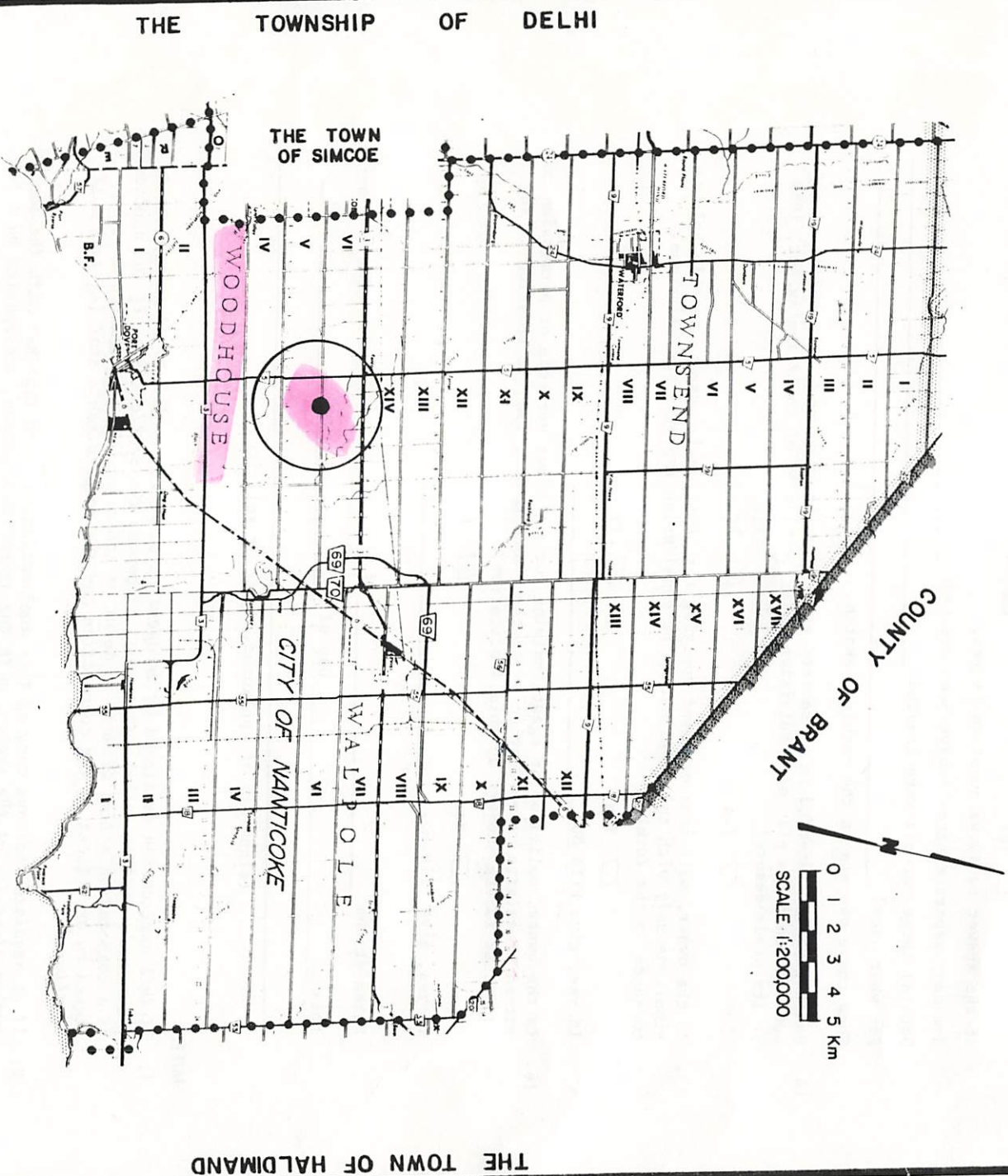
NOTES:

1. If this application is signed by an agent or solicitor on behalf of an applicant, the owner's written authorization must accompany the application. If the applicant is a corporation acting without an agent or solicitor, the application must be signed by an officer of the corporation and the corporation's seal (if any) must be affixed.
2. It is required that one copy of this application be filed together with the same number of copies of the sketch, with the responsible person, accompanied by a fee of \$235.00 in cash or by cheque made payable to the CITY OF NANTICOKE.
3. If this application involves an agricultural parcel, please complete Page 4. Planner's assistance is available in completing the form.

MAIL TO: Nanticoke Land Division Office
70 Town Centre Drive
Townsend, Ontario
NOA 1S0

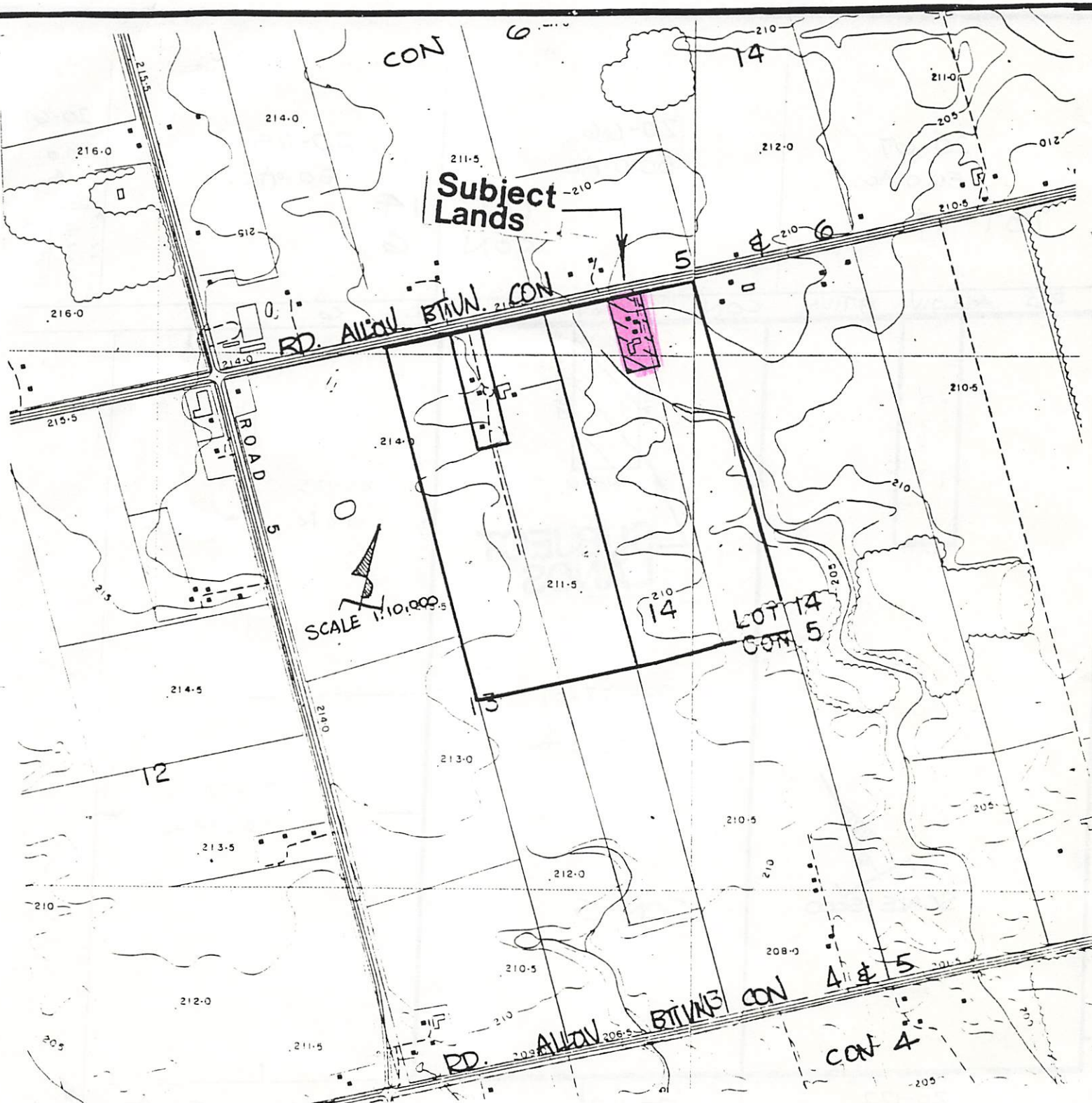
PHONE: (519) 587-4911 or toll free lines from Waterford - 443-8913; Simcoe - 428-0020
or Cayuga - 772-3571

MAP No 1 TO FILE NUMBER B-303/88-21



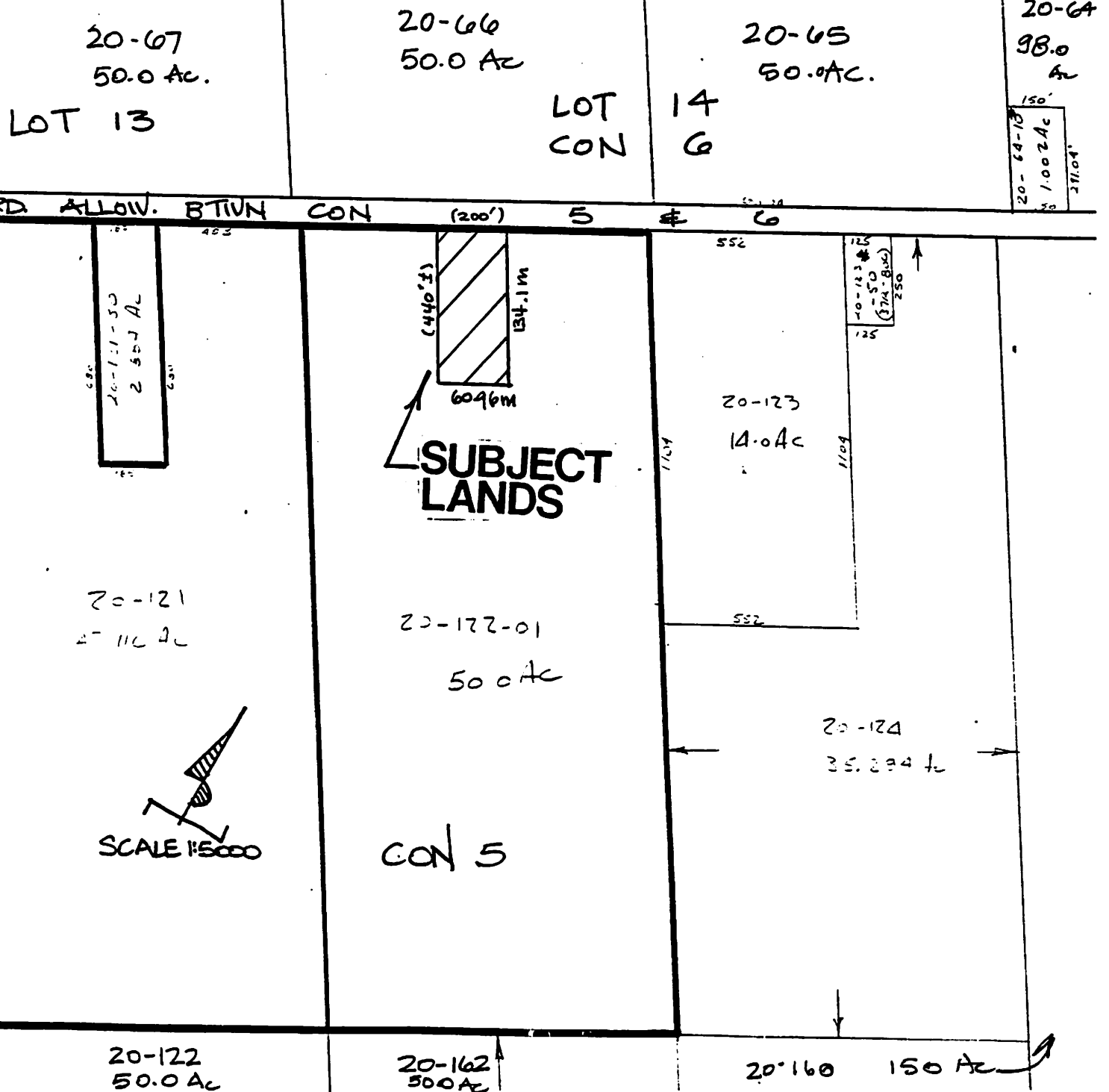
MAP Nº 2 TO FILE NUMBER B-303/89-CN

FORMER MUNICIPALITY: WOODHOUSE



MAP Nº 3 TO FILE NUMBER B-303/89-CN

FORMER MUNICIPALITY: WOODHOUSE



T A B L E D M A T E R I A L

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1990 JAN -8 AM 10:00


WELSH AND NORFOLK
HEALTH UNIT

Dr. Kettle

Meeting: PLANNING AND ECONOMIC DEVELOPMENT

Date: January 3, 1990

- (1) P.D. Report No. 15/90 - Report Recommending an Appeal of a Decision of the City of Nanticoke Council.

JHA / MWD 

P.D. REPORT NO. 15/90
FILE NO. 272
JANUARY 3, 1990

REGIONAL MUNICIPALITY OF HALDIMAND-NORFOLK
DEPARTMENT OF PLANNING AND DEVELOPMENT

REPORT RECOMMENDING AN APPEAL OF A
DECISION OF THE CITY OF NANTICOKE COUNCIL

SUBJECT:

The City of Nanticoke Council, on December 19, 1989 approved the application of Donald Robert Austin in the name of the Estate of Fern Austin to sever a residential lot. The proposal consisted on of severing a lot with an area of .809 hectares (2 acres) from a 20.24 hectare (50 acre) farm parcel.

The farm holding owned by the Estate of Fern Austin consists of two farm parcels totalling 39.3 hectares (97.12 acres).

RECOMMENDATION:

"THAT the decision of the City of Nanticoke Council dated December 19, 1989 to approve consent application B-303/89-CN in the name of Donald Robert Austin, Estate of Fern Austin, BE APPEALED to the Ontario Municipal Board."

PLANNING STAFF COMMENTS:

The subject lands are designated for Agricultural purposes in the City of Nanticoke District Plan and are zoned "Agricultural (A)" in By-law 1-NA 86.

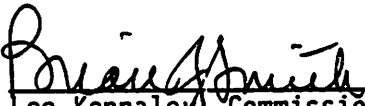
Under Section 5.D.2 of the Nanticoke District Plan one residential severance is permitted for persons who have farmed for 10 or more years per existing viable farm operation.

With regard to viability, the Ministry of Agriculture and Food has commented that the production of corn and hay on the applicant's land holdings does not constitute a viable farm unit.

The applicant, Donald Robert Austin, has indicated that he does not farm but has owned the subject lands in conjunction with his mother for approximately 9 years. The subject lands have been owned by the Austin family since 1935. Mr. Donald Robert Austin indicated that his mother worked the subject lands as a widow until her death in the spring of 1989. In this particular instance, the granting of a severance in the name of an estate to

a relative who does not, and has not farmed is considered to be the same as granting a severance of a non-farmer. In addition, staff feel that granting a severance in accordance with the abovementioned circumstances would be similar to granting a severance to a non-farmer who purchases a farm estate and then proceeds to utilize the former farmer's farming history as a basis for receiving a severance.

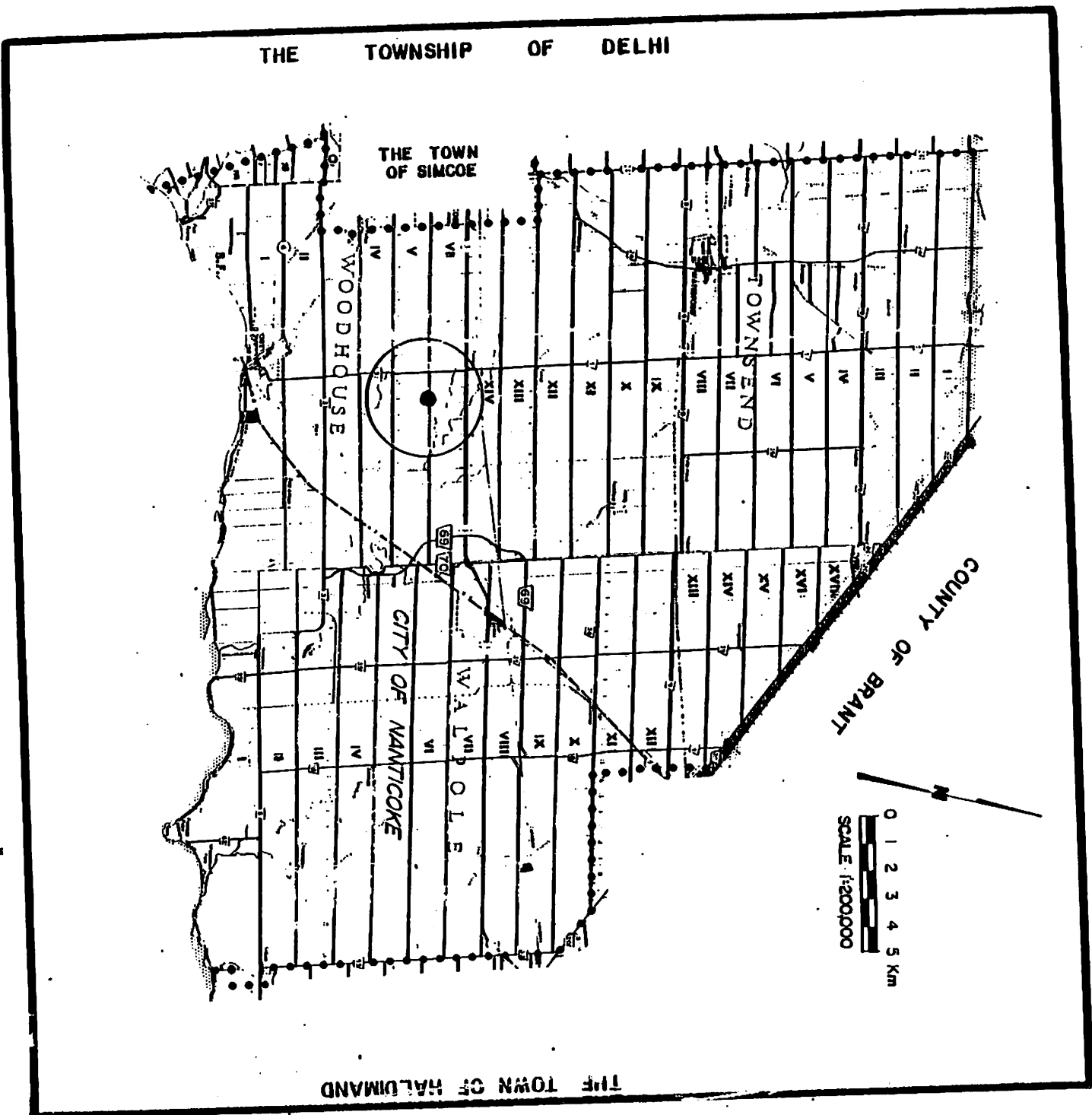
Staff do not feel that the severance granted in the name of the Estate of Fern Austin is in conformity with Section 5.C.2 of the Nanticoke District Plan.


for Lee Kennaley, Commissioner
Planning and Development

EBS/sb

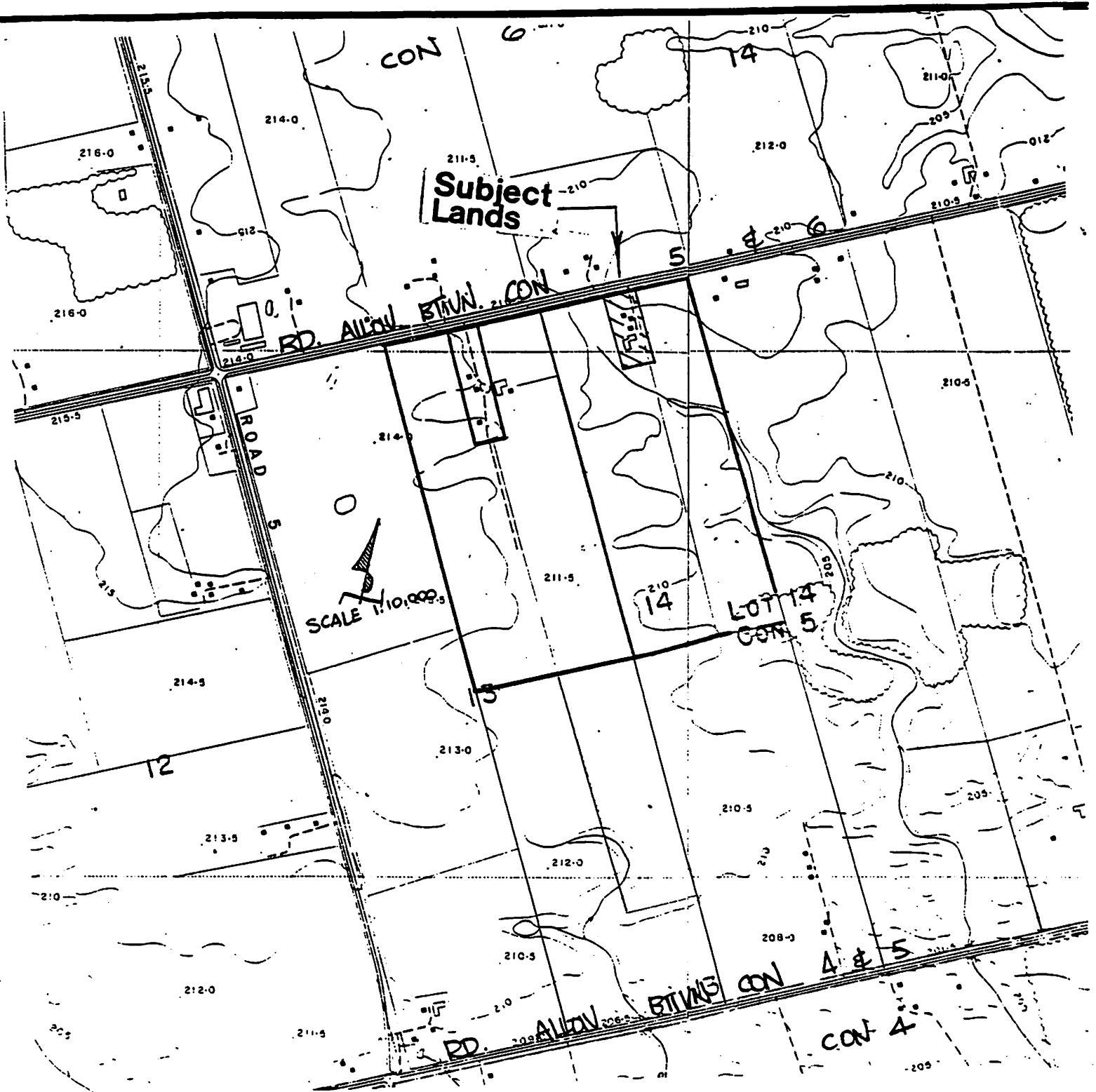
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MAP N° 1 TO FILE NUMBER B-303/69-21



MAP N^o 2 TO FILE NUMBER B-303/89-CN

FORMER MUNICIPALITY: WOODHOUSE



MAP N^o 3 TO FILE NUMBER B-303/89-CN

FORMER MUNICIPALITY: WOODHOUSE

