



COMMENT REQUEST FORM

FILE NO.: BN-027/2010

ROLL NO.: 3310-336-010-04400

- ☒ Building Department
- ☒ Building Inspector (Sewage System Review)
- ☒ Forestry Division
- ☒ Treasury Department
- ☒ Public Works > NOTE: If an agreement is required please attach the clauses you require in the agreement.

- ☒ GIS Section
- ☒ Norfolk Power
- ☐ Ministry of Transportation
- ☐ Railway
- ☐ Conservation Authority
- ☒ Brant County

This Committee has received a consent/minor variance application concerning land within your jurisdiction. 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 of Adjustment** requires your comments by:

APRIL 5TH, 2010

APPLICANT:

Thomas Komienksi, 4665 Highway 24 RR 3 Scotland, ON N0E 1R0

AGENT:

Paul Stillman, 120-B Market Street Brantford, ON N3T 3A1

LOCATION:

Pt Lot 2, Concession 1 TWN (101 Concession 2 Townsend)

PROPOSAL:

Sever a parcel having a frontage of 35.97 m. (118 ft.) a depth of 112.78 m. (370 ft.) and having an area of 0.40 ha (1.0 ac.) and retain a parcel having an area of 41.28 ha (102 ac.) as the severance of a dwelling made surplus through farm amalgamation.

PLEASE REPLY BY EMAIL DIRECTLY TO:

SHIRLEY CATER, SENIOR PLANNER, MCIP, RPP

Norfolk County, 60 Colborne Street, South, Simcoe, ON N3Y 4N5
(519) 426-5870 ext 1341

EMAIL: shirley.cater@norfolkcounty.ca

COMMITTEE OF ADJUSTMENT DECISION:

If you wish to be notified of the Decision of Norfolk County, Committee of Adjustment in respect of the proposed consent, you must make a written request to:

Karen Judd, ACST, Secretary-Treasurer
P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0
Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789
karen.judd@norfolkcounty.ca

APPEALS TO THE ONTARIO MUNICIPAL BOARD:

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

CIRCULATION DATE: March 22nd, 2010

CONSENT / SEVERANCE**Office Use:**

File Number: BN-027/2010
Related File: _____
Fees Submitted: March 3, 2010
Application Submitted: 1
Sign Issued: 1
Complete Application: March 3, 2010 *ARZ*

This development application must be typed or printed in ink and completed in full. An incomplete or improperly prepared application may not be accepted and could result in processing delays.

Property assessment roll number: 3310-336.010.04400.0000

- | | |
|--|--|
| <input type="checkbox"/> Creation of a new lot | <input type="checkbox"/> Boundary adjustment |
| <input checked="" type="checkbox"/> Surplus Dwelling | <input type="checkbox"/> Easement |
| <input type="checkbox"/> Farm Split | <input type="checkbox"/> Right-of-way |
| <input type="checkbox"/> Other (lease / charge) | |

A. APPLICANT INFORMATION

Name of Applicant ¹ THOMAS KOMIENSKI Phone # (519) 446-2315
Address RR3#(4665 HWY 24#) Fax # (519) 446-2549
Town / Postal Code SCOTLAND NOEIRO E-mail _____

¹ If the applicant is a numbered company provide the name of a principal of the company.

AGENT INFORMATION

Name of Agent PAUL STILLMAN Phone # (519) 756-5800
Address 120-B MARKET ST Fax # _____
Town / Postal Code BRANTFORD E-mail _____

OWNER(S) INFORMATION Please indicate name(s) exactly as shown on the Transfer/Deed of Land

Name of Owners ² KOMIENSKI THOMAS Phone # (519) 446-2315
Address RR3#(4665 HWY 24#) Fax # (519) 446-2549
Town / Postal Code SCOTLAND NOEIRO E-mail _____

² 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.

Please specify to whom all communications should be sent ³: ☒ Applicant ☐ Agent ☒ Owner

³ Unless otherwise directed, all correspondence, notices, etc., in respect of this development application will be forwarded to the Applicant noted above, except where an Agent is employed, then such will be forwarded to the Applicant and Agent.

Names and addresses of any holders of any mortgagees, charges or other encumbrances on the subject lands:

FARM CREDIT CORP. 721 QUEENSWAY W. SIMCOE (519) 426-3312
ALICE KOMIENSKI RR3# SCOTLAND (519) 446-2497

CONSENT / SEVERANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>TOWNSHEND</u>	Urban Area or Hamlet	
Concession Number	<u>1 (ONE)</u>	Lot Number(s)	<u>2 (PART TWO)</u>
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number	<u>(more than 304 metres)</u>	Part Number(s)	
Frontage (metres/feet)	<u>1000' PLUS</u>	Depth (metres/feet)	<u>1000' PLUS.</u>
Width (metres/feet)	<u>1000' PLUS.</u>	Lot area (m ² / ft ² or hectares/acres)	<u>41.68ha (103 ACRES)</u>
Municipal Civic Address	<u>101. CON 2 TWO TOWNSHEND.</u>		

For questions regarding requirements for a municipal civic address please contact NorfolkGIS@norfolkcounty.ca.

To obtain your municipal civic address for the severed lands please contact your local building inspector.

Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes

☒ No

IF YES, describe the easement or covenant and its effect:

C. PURPOSE OF DEVELOPMENT APPLICATION

Please explain what you propose to do on the subject lands/premises which makes this development application necessary (if additional space is required, please attach a separate sheet):

SEVERE EXCESS DWELLING.

Name of person(s), if known, to whom lands or interest in lands is to be transferred, leased or charged (if known):

?

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

?

CONSENT / SEVERANCE

If the application involves the severance of a surplus farmhouse (through farm amalgamation), please list all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:

Owners Name and Address (including those with part interest) Assessment Roll No. (obtained from your tax bill)	Geographic Township Concession and Lot #	Total Acreage (individual property)	Acres Workable (individual property)	Existing Farm Type (individual property e.g. corn production, orchard, tobacco)	Dwelling Present	Year Dwelling Built
SUBJECT LANDS						
KOMIENSKI THOMAS TOWNSENA 12C1 OTHER	103	80		FRUIT + VEG.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	40 PLUS
KOMIENSKI T.	WINDHAM 41C1	49	35	FRUIT + VEG.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
KOMIENSKI LIMITED.	WINDHAM 41C1	69	50	FRUIT + VEG.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	20 PLUS
KOMIENSKI J.	WINDHAM 41C1	25	10	FRUIT + VEG.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	35 PLUS
KOMIENSKI T	WINDHAM C241	73	55	FRUIT + VEG.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
KOMIENSKI T	TOWNSENA 12B3C1	99	85	FRUIT + VEG.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

If the application proposes to divide a farm into two smaller agricultural parcels, please complete the following:

Description of Land	Lands to be Severed	Lands to be Retained
Area under cultivation	(m ² / ft ² or hectares/acres)	(m ² / ft ² or hectares/acres)
Woodlot area	(m ² / ft ² or hectares/acres)	(m ² / ft ² or hectares/acres)
Existing crops grown (type and area)		
Proposed crops grown (type and area)		

Description of Existing Buildings	Lands to be Severed	Lands to be Retained
Residence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Livestock barn	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Type of livestock		
Capacity of barn		
Manure storage	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Type of manure storage		

CONSENT / SEVERANCE

Description of land intended to be **SEVERED**:

Frontage (metres/feet)

(118') 35.97m

Depth (metres/feet)

(370') 112.78m

Width (metres/feet)

(118') 35.97m

Lot area (m² / ft² or hectares/acres)

43,660 (1 ACRE)

PROPOSED FINAL LOT SIZE
(if boundary adjustment)

0.40 ha

Existing use: SINGLE FAMILY DWELLING.

Proposed use: SAME

Number and type of buildings and structures **EXISTING** on the land to be severed, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

See attached drawing & notes below (m²)

Number and type of buildings and structures **PROPOSED** on the land to be severed, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

SINGLE FAMILY DWELLING 859², AUTO GARAGE 240² OUTER BUILDING 2268²

Description of land intended to be **RETAINED**:

Frontage (metres/feet)

1000' PLUS

Depth (metres/feet)

(more than 304.8 metres)

1000' PLUS

Width (metres/feet)

1000' PLUS

Lot area (m² / ft² or hectares/acres)

41.28 (102 ACRES)

Existing use: AGRICULTURE

Proposed use: AGRICULTURE

Number and type of buildings and structures **EXISTING** on the land to be retained, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

NONE

Number and type of buildings and structures **PROPOSED** on the land to be retained, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

Description of proposed **RIGHT OF WAY/EASEMENT**:

Frontage (metres/feet)

Depth (metres/feet)

Width (metres/feet)

Lot area (m² / ft²)

Proposed use:

CONSENT / SEVERANCE

D. PROPERTY INFORMATION

Present official plan designation(s): AGRICULTURE

Present zoning: AGRICULTURE

Has the owner previously severed any lands from this subject land holding or any other lands the owner has interest in since August 24, 1978?

☐ Yes ☒ No ☐ Unknown

If yes, indicate the file number and the status/decision: _____

Has any land been severed from the parcel originally acquired by the owner of the subject lands?

☐ Yes ☒ No ☐ Unknown

If yes, indicate the file number and the status/decision: _____

Number of separate parcels that have been created: _____

Date(s) these parcels were created: _____

Name of the transferee for each parcel: _____

Uses of the severed lands: _____

If this application proposes to sever a dwelling made surplus through farm amalgamation, when were the farm properties amalgamated? OCT 1/2007

Date of construction of the dwelling proposed to be severed: BEFORE 1960.

Date of purchase of subject lands: OCT 1/2007

E. PREVIOUS USE OF THE PROPERTY

Has there been an industrial or commercial use on the subject lands or adjacent lands?

☐ Yes ☒ No ☐ Unknown

If yes, specify the uses: _____

Has the grading of the subject lands been changed through excavation or the addition of earth or other material?

☐ Yes ☒ No ☐ Unknown

Has a gas station been located on the subject lands or adjacent lands at any time?

☐ Yes ☒ No ☐ Unknown

Has there been petroleum or other fuel stored on the subject lands or adjacent lands at any time?

CONSENT / SEVERANCE

☐ Yes ☒ No ☐ Unknown

Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites?

☐ Yes ☒ No ☐ Unknown

Provide the information you used to determine the answers to the above questions:

PREVIOUS OWNER

If you answered yes to any of the above questions, 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

F. STATUS OF OTHER PLANNING DEVELOPMENT APPLICATIONS

Has the subject land or land within 120 metres of it been or is now the subject of an application under the *Planning Act, R.S.O. 1990, c. P. 13* for:

- (a) a minor variance or a consent;
- (b) an amendment to an official plan, a zoning by-law or a Minister's zoning order; or
- (c) approval of a plan of subdivision or a site plan?

☐ Yes ☒ No ☐ Unknown

If yes, indicate the following information about **each application**: If additional space is required, attach a separate sheet.

File number: _____

Land it affects: _____

Purpose: _____

Status/decision: _____

Effect on the requested amendment: _____

Is the above information for other planning developments applications attached? ☐ Yes ☐ No

CONSENT / SEVERANCE

G. PROVINCIAL POLICY

Is the requested application 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:

Are the subject lands within an area of land designated under any provincial plan or plans?

☐ Yes ☒ No

If yes, does the requested application conform to or does not conflict with the provincial plan or plans:

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)
Livestock facility or stockyard (if yes, complete Form 3 – available upon request)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Wooded area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>400m</u> distance
Municipal landfill	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Sewage treatment plant or waste stabilization plant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Floodplain	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Rehabilitated mine site	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Non-operating mine site within one kilometre	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Active mine site within one kilometre	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Industrial or commercial use (specify the use(s))	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Active railway line	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Seasonal wetness of lands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Erosion	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Abandoned gas wells	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance

H. SERVICING AND ACCESS

WATER SUPPLY

Municipal piped water

SEVERED

☐

RETAINED

☐

Communal Wells

☐☐

Individual Wells

☒☐

Other means (describe) _____



CONSENT / SEVERANCE

SEWAGE TREATMENT

SEVERED

RETAINED

Municipal Sewers

☐☐

Communal System

☐☐

Septic tank and tile bed

☒☐

Other means (describe) _____

STORM DRAINAGE

SEVERED

RETAINED

Storm Sewers

☐☐

Open ditches

☒☒

Other (describe) _____

Have you consulted with Public Works & Environmental Services concerning stormwater management?

☐

Yes

☒

No

Has the existing drainage on the subject lands been altered?

☐

Yes

☒

No

Does a legal and adequate outlet for storm drainage exist?

☒

Yes

☐

No

☐ Unknown

Existing or proposed access to the **RETAINED** lands:

☐ Unopened road

☐ Provincial highway

☒ Municipal road maintained all year

☐ Right-of-way

☐ Municipal road maintained seasonally

☐ Other (describe below)

If other, describe: _____

Name of road/street: CONS. 2 TOWNSEND.

Existing or proposed access to **SEVERED** lands:

☐ Unopened road

☐ Provincial highway

☒ Municipal road maintained all year

☐ Right-of-way

☐ Municipal road maintained seasonally

☐ Other (describe below)

If other, describe: _____

Name of road/street: CONS. 2 (TWO) TOWNSEND.

I. OTHER INFORMATION

Is there a time limit that affects the processing of this development application?

☐

Yes

☒

No

If yes, describe: _____

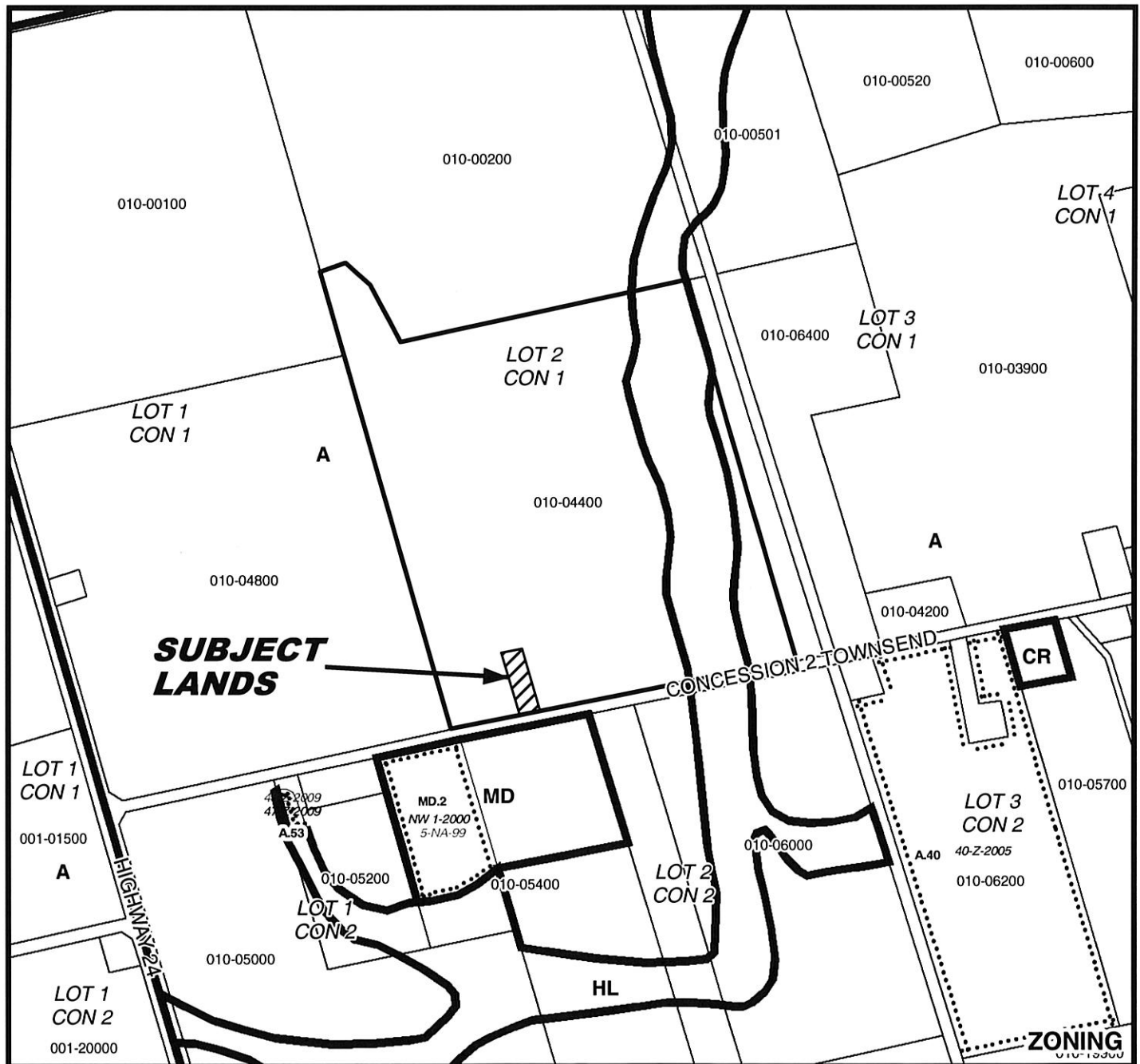
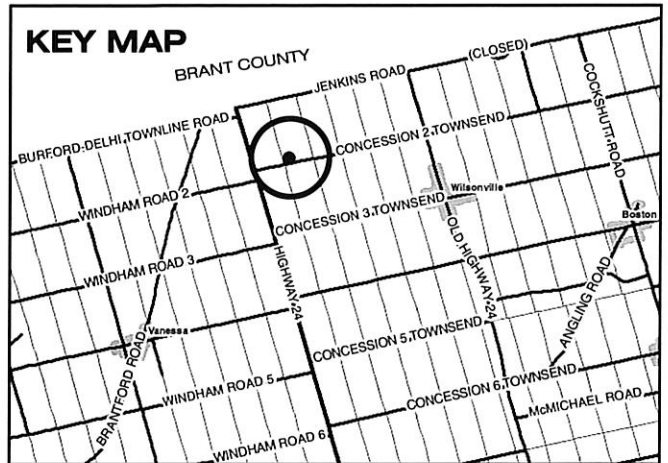
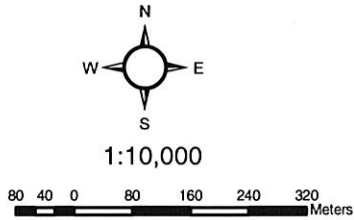
Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

MAP 1

File Number: BN-027/2010

Geographic Township of

TOWNSEND



MAP 2

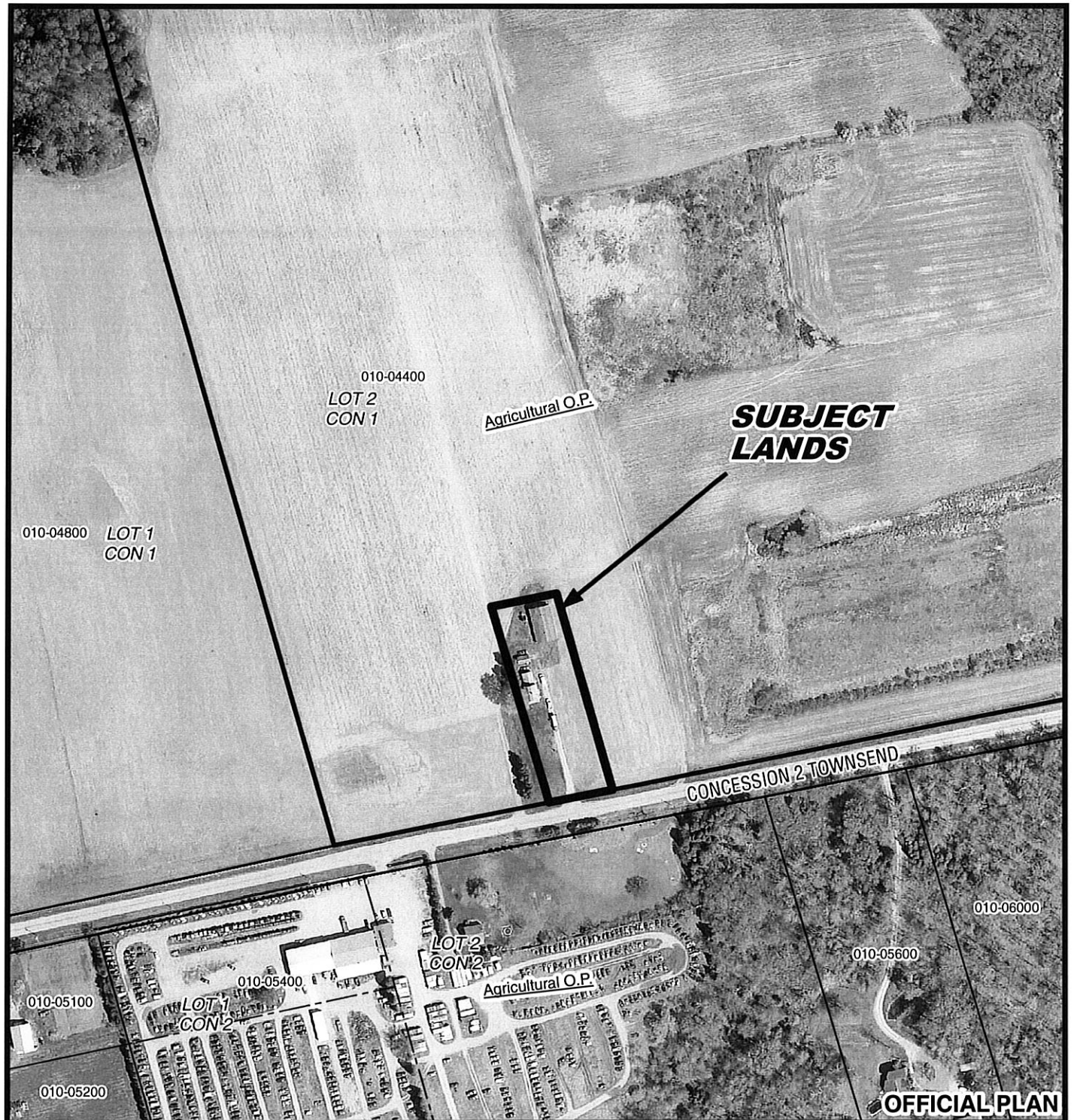
File Number: BN-027/2010

Geographic Township of TOWNSEND



20 10 0 20 40 60 80 Meters

1:3,000



MAP 3

File Number: BN-027/2010

Geographic Township of TOWNSEND

