



## COMMENT REQUEST FORM

**FILE NO.: BN-029/2010**

**ROLL NO.: 3310-541-050-00200**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Building Department  | <input checked="" type="checkbox"/> GIS Section     |
| <input checked="" type="checkbox"/> Building Inspector (Sewage System Review)  | <input type="checkbox"/> Norfolk Power              |
| <input checked="" type="checkbox"/> Forestry Division  | <input type="checkbox"/> Ministry of Transportation |
| <input checked="" type="checkbox"/> Treasury Department  | <input type="checkbox"/> Railway                    |
| <input checked="" type="checkbox"/> Public Works > NOTE: If an agreement is required please attach the clauses you require in the agreement. | <input type="checkbox"/> Conservation Authority     |

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 5<sup>TH</sup>, 2010

**APPLICANT:**

Willow Hawk Farms  
c/o Eric Van Moerkerke, R.R. #7 Tillsonburg, ON N4G 4H1

**LOCATION:**

Part Lot 3, Concession 1 NTR (265 Carson Side Rd)

**PROPOSAL:**

Sever a parcel having a frontage of 103.94 m. (341.8 ft.) a varying depth of 143.26 m. (470 ft.) on the east side and 93.27 m. (306 ft.) on the west side and having an area of 1.08 ha (2.67 ac.) and retain a parcel having an area of 11.06 ha (27.33 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](mailto: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](mailto: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 22<sup>nd</sup>, 2010**

**CONSENT / SEVERANCE****Office Use:**

File Number: BN- 029 / 2010  
 Related File:                       
 Fees Submitted: March 4, 2010  
 Application Submitted: March 4, 2010  
 Sign Issued: March 4, 2010  
 Complete Application: March 4, 2010

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- 541-050-00200.0000**

- |  |  |
|--|--|
| <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**

WILLOW HAWK FARMS INC.

Name of Applicant <sup>1</sup> ERIC VAN MOERKERKE Phone # 519-877-2355  
 Address RR#7 Fax # 519-877-2355  
 Town / Postal Code TILLSONBURG E-mail vanm@execulink.com

<sup>1</sup> If the applicant is a numbered company provide the name of a principal of the company.

**AGENT INFORMATION**

Name of Agent ERIC VAN MOERKERKE Phone # 519-877-2355  
 Address RR#7 Fax # 519-877-2355  
 Town / Postal Code TILLSONBURG N46-441 E-mail vanm@execulink.com

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

Name of Owners <sup>2</sup> ALLEN EUGENE MOORE Phone # 519-842-5236  
 Address RR#6 Fax #                       
 Town / Postal Code TILLSONBURG N46-469 E-mail                     

<sup>2</sup> 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 <sup>3</sup>: ☒ Applicant ☒ Agent ☒ Owner

<sup>3</sup> 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:

MRS. BETTY DEAN, RR#6 TILLSONBURG N46-469  
C/O JOHN DEAN



## CONSENT / SEVERANCE

### B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	_____	Urban Area or Hamlet	_____
Concession Number	<u>CON 1 NTR</u>	Lot Number(s)	<u>PT LOT 3</u>
Registered Plan Number	_____	Lot(s) or Block Number(s)	_____
Reference Plan Number	_____	Part Number(s)	_____
Frontage (metres/feet)	<u>730.55'</u>	Depth (metres/feet)	<u><del>1365.43'</del> 1913' 2026' irregular</u>
Width (metres/feet)	_____	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>30 Acres</u>
Municipal Civic Address	<u>265 CARSON SIDE RD. RR#6 TILSONBURG N46-469</u>		

For questions regarding requirements for a municipal civic address please contact [NorfolkGIS@norfolkcounty.ca](mailto: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 surplus farm dwelling and out building  
made surplus through farm amalgamation

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

Allen Moore.

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						
49101424500 0000	CON 7 LOT 12 50	33	GINSENG	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
OTHER 54101034800 0000	CON 2 PRLot 4 63	—	BUSH LOT	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
54105000700 0000	CON 1 PRLot 148 98.47	87	CORN	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
54105000100 0000	CON 1 PRLot 213 117.22	100	CORN	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
54101014200 0000	CON 4 PRLot 6 43.94	35	CORN	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1945	
54101034700 0000	CON 2 PRLot 4 24.36	15	CORN	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
54101027300 0000	CON 3 PRLot 1074 79.21	60	CORN	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1948	
54101027510 0000	CON 3 PRLot 11 10.55	8	CORN	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
54503013000 0000	WNR LOT 1 73 65	65	CORN	<input checked="" type="checkbox"/> Yes <input 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 <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	(m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)
Woodlot area	(m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	(m <sup>2</sup> / ft <sup>2</sup> 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 type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Livestock barn	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of livestock		
Capacity of barn		
Manure storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of manure storage		

# CONSENT / SEVERANCE

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

Frontage (metres/feet)

~~341'8"~~ 341'8" 103.94m

Depth (metres/feet)

EAST - 470'  
WEST - 306'

143.26m  
143.27m

Width (metres/feet)

300'

324x 348

Lot area (m<sup>2</sup> / ft<sup>2</sup> or  
hectares/acres)

~~2.885 Acres~~ 2.67 acres

PROPOSED FINAL LOT SIZE  
(if boundary adjustment)

(1.08ha)

Existing use:

FARM

Proposed use:

Gravel

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:

METAL BARN (irregular 18,000 sq ft) METAL BUILDING 1) 20x40 = 800 sq ft 2) 25x25 = 625 sq ft.  
(SETBACK 4M) HOUSE - 1200 sq ft 5M (SIDE BACK) GARAGE 500 sq ft

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:

NONE

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

Frontage (metres/feet)

389'

Depth (metres/feet)

1970'

Width (metres/feet)

721.77'

Lot area (m<sup>2</sup> / ft<sup>2</sup> or  
hectares/acres)

27.33

~~2.885 Acres~~

(1.06 ha)

Existing use:

Ag.

Proposed use:

Ag.

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 (m<sup>2</sup> / ft<sup>2</sup>)

Proposed use:



## CONSENT / SEVERANCE

### D. PROPERTY INFORMATION

Present official plan designation(s): Agricultural

Present zoning: Ag.

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?

AT PRESENT

Date of construction of the dwelling proposed to be severed: PRIOR TO 1950

Date of purchase of subject lands: 2001

### 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

## CONSENT / SEVERANCE

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?

☐ 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:

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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:

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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:

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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 type="checkbox"/> No	_____ distance
Wooded area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	_____ distance
Municipal landfill	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input 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 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 type="checkbox"/> No	_____ distance
Floodplain	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	_____ distance
Rehabilitated mine site	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input 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 type="checkbox"/> No	_____ distance
Active mine site within one kilometre	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input 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 type="checkbox"/> No	_____ distance
Active railway line	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	_____ distance
Seasonal wetness of lands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	_____ distance
Erosion	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	_____ distance
Abandoned gas wells	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input 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: access is off of Plowman's line (culvert already exists)

Name of road/street: \_\_\_\_\_

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: \_\_\_\_\_

## I. OTHER INFORMATION

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

☐

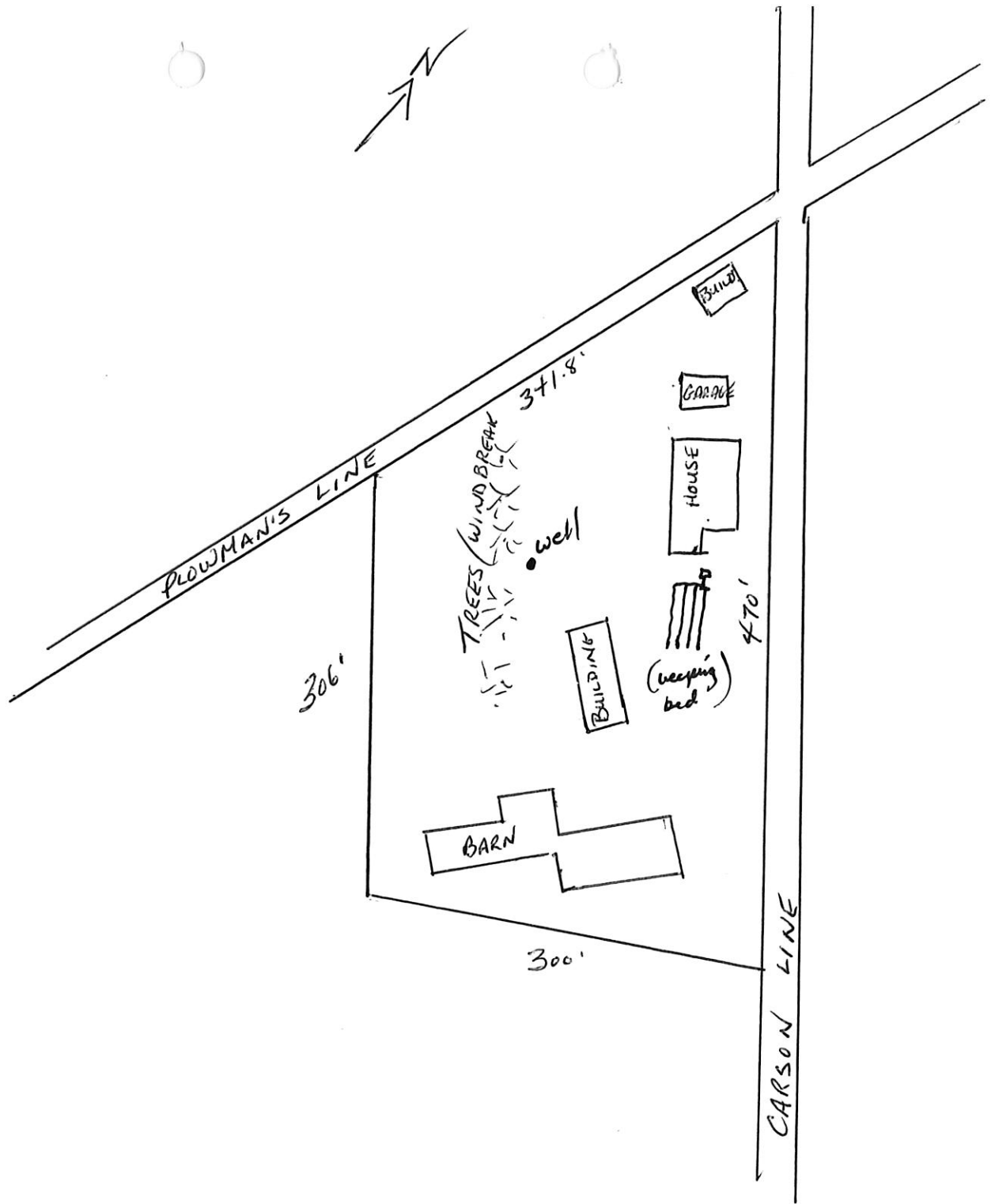
Yes

☒

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.

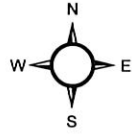


# MAP 1

File Number: BN-029/2010

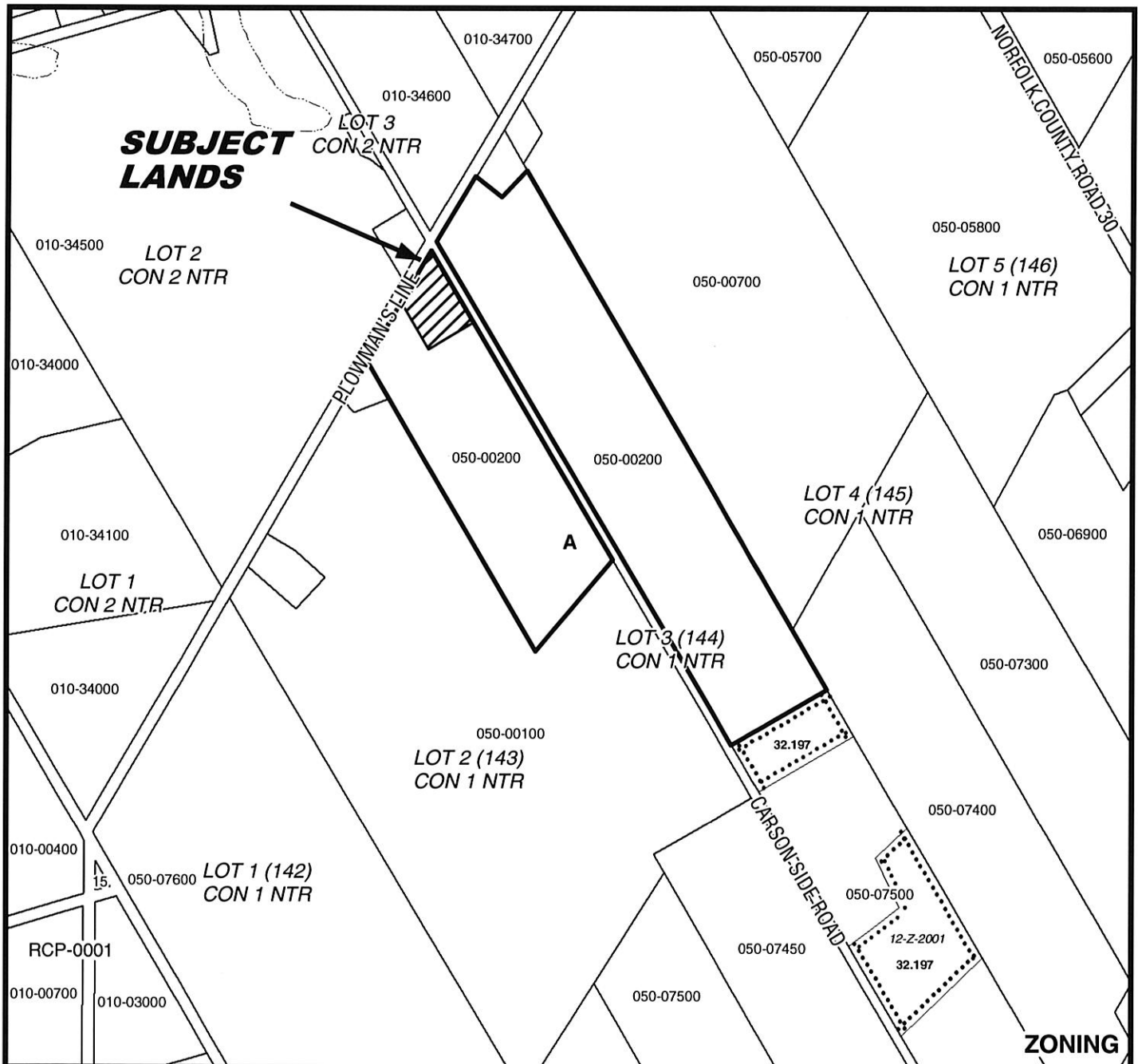
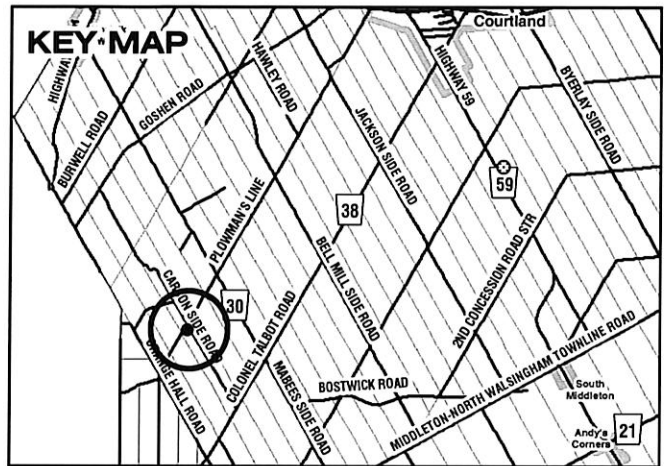
Geographic Township of

**MIDDLETON**

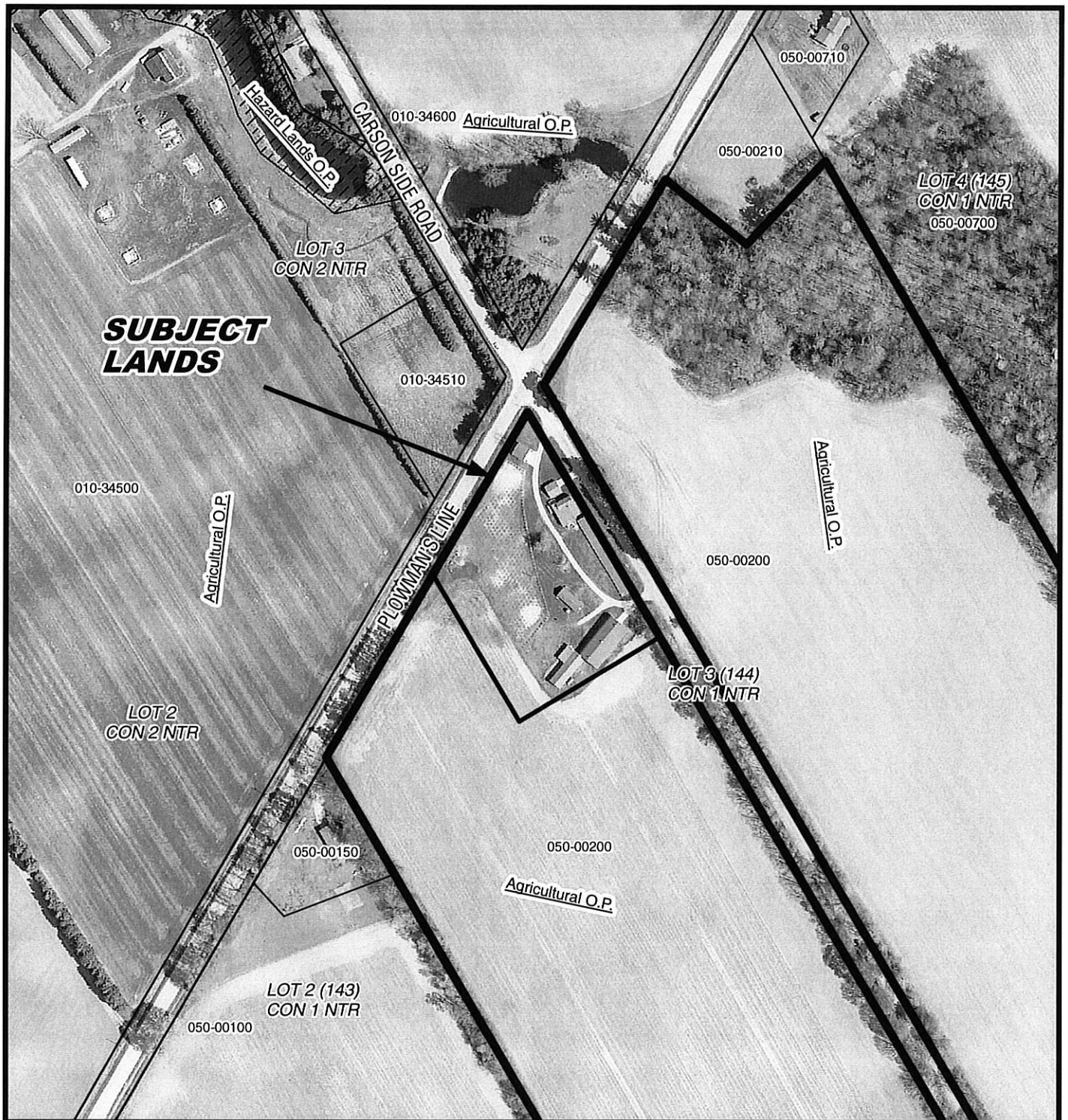


1:10,000

90 45 0 90 180 270 360 Meters



# Geographic Township of MIDDLETON



# MAP 3

File Number: BN-029/2010

Geographic Township of MIDDLETON

