



**THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT**

**COMMENT REQUEST FORM**

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 would appreciate your comments or recommendation before the date below:

**May 16<sup>TH</sup>, 2007**

**FILE NO.: BN-030/2007**

**ASSESSMENT ROLL NO.: 3310-541-030-09600**

**APPLICANT:**

David Bakos, Dianne Cloet, Valerie Foerster, Barry Bakos, 77 Dalton Road, Delhi, ON N4B 2W4

**AGENT:**

David Bakos, 77 Dalton Road, Delhi, ON N4B 2W4

**LOCATION:**

Concession 1, NTR, Part Lot 36 MID (1639 Hwy 3, Courtland)

**PROPOSAL:**

Sever a parcel having a frontage of 22.86 m (75 ft) a depth of 67 m (220 ft) and having an area of 2,171 m<sup>2</sup> (23,375 ft<sup>2</sup>) and retain a parcel having an area of 38.76 ha (95.78 ac) more or less as a boundary adjustment.

- |  |  |
|--|--|
| <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 checked="" type="checkbox"/> Ministry of Transportation |
| <input checked="" type="checkbox"/> Treasury Department  | <input checked="" 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                |

**CIRCULATION DATE: May 2<sup>nd</sup>, 2007**

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**PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:**

Mary Elder, MCIP, RPP

Norfolk County, 60 Colborne Street, South, Simcoe, ON N3Y 4N5

(519) 426-5870 ext 1341

**FAX: (519) 428-3069 EMAIL: [mary.elder@norfolkcounty.on.ca](mailto:mary.elder@norfolkcounty.on.ca)**

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**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: Stephanie Godby, Acting Secretary-Treasurer, P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0 • Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789; Email: [stephanie.godby@norfolkcounty.on.ca](mailto:stephanie.godby@norfolkcounty.on.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.

# CONSENT / SEVERANCE

Office Use:

File Number:

Related File:

Date Submitted:

Date Received:

Sign Issued:

BN-030/2007

April 20, 2007

April 20, 2007

April 20, 2007

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- 541.030.09600.0000

THE CORPORATION OF  
NORFOLK COUNTY

RECEIVED  
APR 24 2007

- ☐ Creation of a new lot
- ☒ Boundary adjustment
- ☐ Easement/right-of-way
- ☐ Other (lease / charge)

## A. APPLICANT INFORMATION

PLANNING DEPT.

Name of Applicant <sup>1</sup> DAVID BAIKOS, DIANNE CLOET  
VALERIE FOERSTER, BARRY BAIKOS  
Address 77 DALTON RD DELHI ONT  
N4B 2W4  
E-mail \_\_\_\_\_

HOME  
519 582 1594 - 519 909 1594 (CELL)

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

Name of Agent DAVID BAIKOS  
Address 77 DALTON RD DELHI  
E-mail \_\_\_\_\_

Name of Owner <sup>2</sup> SAME AS ABOVE  
Address \_\_\_\_\_  
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:



CONSENT / SEVERANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township MIDDLETON Urban Area or Hamlet \_\_\_\_\_  
Concession Number CON 1 NTR Lot Number(s) \_\_\_\_\_  
Registered Plan Number 37R-6939 Lot(s) or Block Number(s) PART LOT 36  
Reference Plan Number \_\_\_\_\_ Part Number(s) PART 1  
Frontage (metres/feet) Severing 22.86m (75 ft) Depth (metres/feet) Severing 67m (220 ft.) see page 4  
Width (metres/feet) Varies from 60.96m to 114.3m Lot area (m<sup>2</sup> / ft<sup>2</sup> or hectares/acres) 95.78 AC (38.76 ha)  
Municipal Civic Address NOT ASSIGNED YET AS A VACANT LOT. (farm 1639)  
DIRECTLY N-EAST OF CANDLE FACTORY. Highway 3  
To obtain your municipal civic address for the severed lands please contact [NorfolkGIS@norfolkcounty.on.ca](mailto:NorfolkGIS@norfolkcounty.on.ca).

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):

INCREASE LOT SIZE TO ONE ACRE

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:

ROLL NO. 541.030.100.10.0000 DAVID BAKOS BARRY BAKOS  
VALERIE FOESTER DIANNE CLOET.

## 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
<b>SUBJECT LANDS</b>					<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>OTHER</b>					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input 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 (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	Lands to be Retained (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)
Area under cultivation		
Woodlot area		
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) 2286m (75 ft) Depth (metres/feet) 67m (220 ft)  
Width (metres/feet) (2007 ft AT REAR) 60.96m Lot area (m<sup>2</sup> / ft<sup>2</sup> or hectares/acres) 2171 SQ METERS. (23,375 SQ FT)  
Existing use: VACANT LAND

Proposed use:

RURAL RESIDENTIAL LOT.

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:

NONE

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

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

Frontage (metres/feet) farm Depth (metres/feet) \_\_\_\_\_  
Width (metres/feet) \_\_\_\_\_ Lot area (m<sup>2</sup> / ft<sup>2</sup> or hectares/acres) 95.78 ACRES

Existing use:

FARMING. - HOUSE & OUT BUILDINGS

Proposed use:

TOBACCO & CASH CROPS.

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:

SAME AS ABOVE - SEE AIR PHOTO.

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:

NONE

## CONSENT / SEVERANCE

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: \_\_\_\_\_

### 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:

BIN - 44-94N

APPROVED

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:

SEE ABOVE

Number of separate parcels that have been created:

ONE

Date(s) these parcels were created:

1995

Name of the transferee for each parcel:

DAVID BAKOS, DIANNE CLOET, BARRY BAKOS, VALERIE FOESTER

Uses of the severed lands:

VACANT RESIDENTIAL LOT

## CONSENT / SEVERANCE

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

Date of construction of the dwelling proposed to be severed:

Date of purchase of subject lands:

*Approx 1987*

### 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?

☐ 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:

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

## CONSENT / SEVERANCE

### 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:

File number:

BN 44-94N

CANDLE FACTORY

ABUTTING LOT

Land it affects:

LOT 030-10010

FILE NO. UNKNOWN

Purpose:

ONE LOT OFF OF FARM

PERMITTING BYLAW  
290-NO-94

Status/decision:

APPROVED

APPROVED.

Effect on the requested amendment:

If additional space is required, please attach a separate sheet.

Is the above information for other planning developments applications attached?

☐ Yes      ☒ No

### 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:



## CONSENT / SEVERANCE

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 type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Wooded area	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Municipal landfill	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Sewage treatment plant or waste stabilization plant	<input type="checkbox"/> Yes	<input 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 type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Floodplain	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Rehabilitated mine site	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Non-operating mine site within one kilometre	<input type="checkbox"/> Yes	<input 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)) (CANDLE FACTORY)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Active railway line	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Seasonal wetness of lands	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Erosion	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance
Abandoned gas wells	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No _____ distance

## H. SERVICING AND ACCESS

Indicate what services are available or proposed:

### Water Supply

- ☐ Municipal piped water  
☐ Communal wells  
☒ Individual wells  
☐ Other (describe below)

### Sewage Treatment

- ☐ Municipal sewers  
☐ Communal system  
☒ Septic tank and tile bed  
☐ Other (describe below)

### Storm Drainage

- ☐ Storm sewers  
☐ Open ditches  
☒ Other (describe below)

If 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



## CONSENT / SEVERANCE

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

- ☐ Unopened road ☒ Provincial highway  
☐ Municipal road ☐ Other (describe below)

If other, describe:

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Name of road/street:

HIGHWAY 3

---

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

- ☐ Unopened road ☐ Provincial highway  
☒ Municipal road ☐ Other (describe below)

If other, describe:

---

Name of road/street:

CHURCH RD.

---

### I. OTHER INFORMATION

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

- ☐ Yes ☒ No

If yes, describe:

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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.

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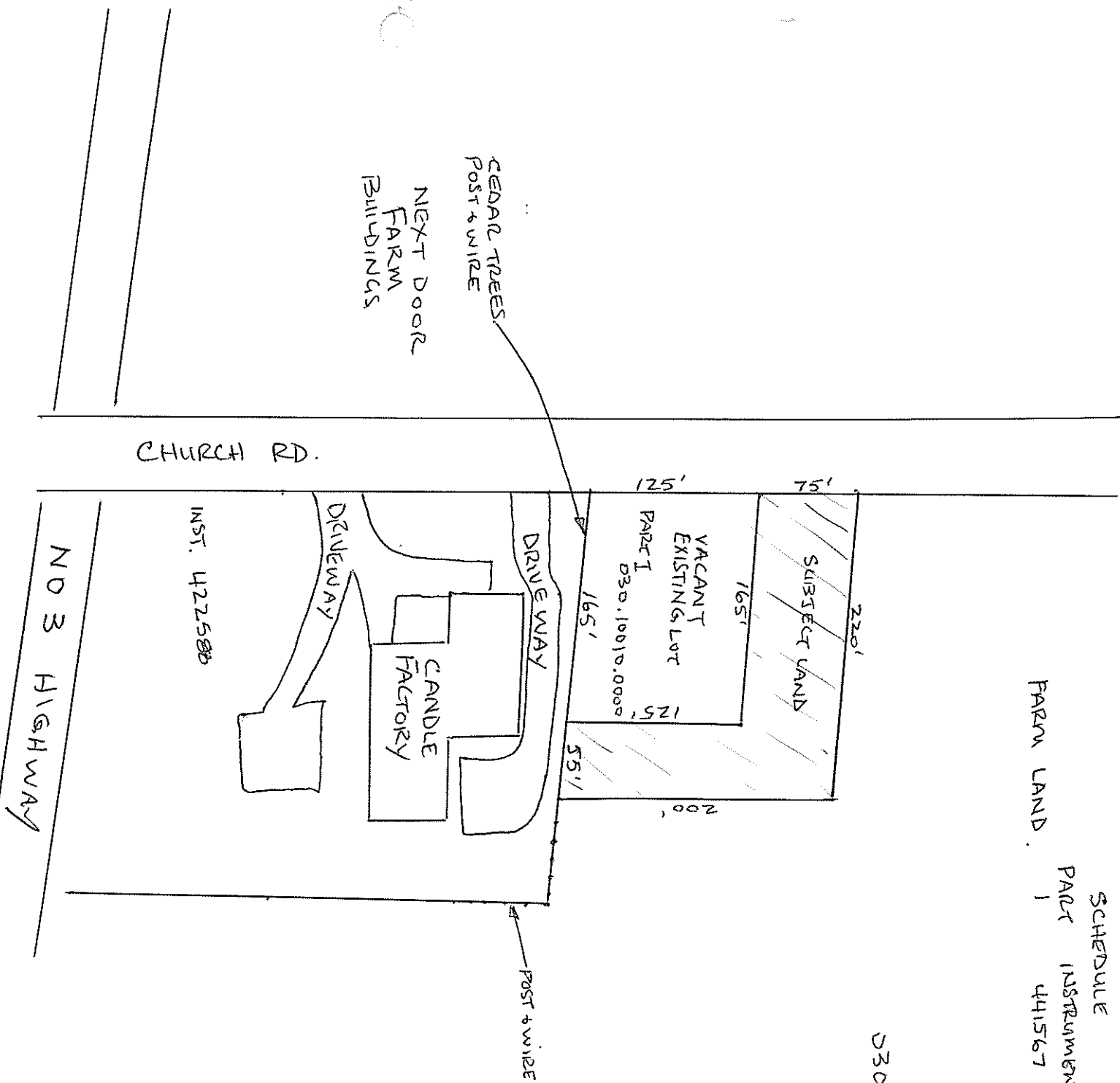
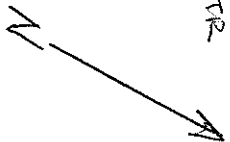
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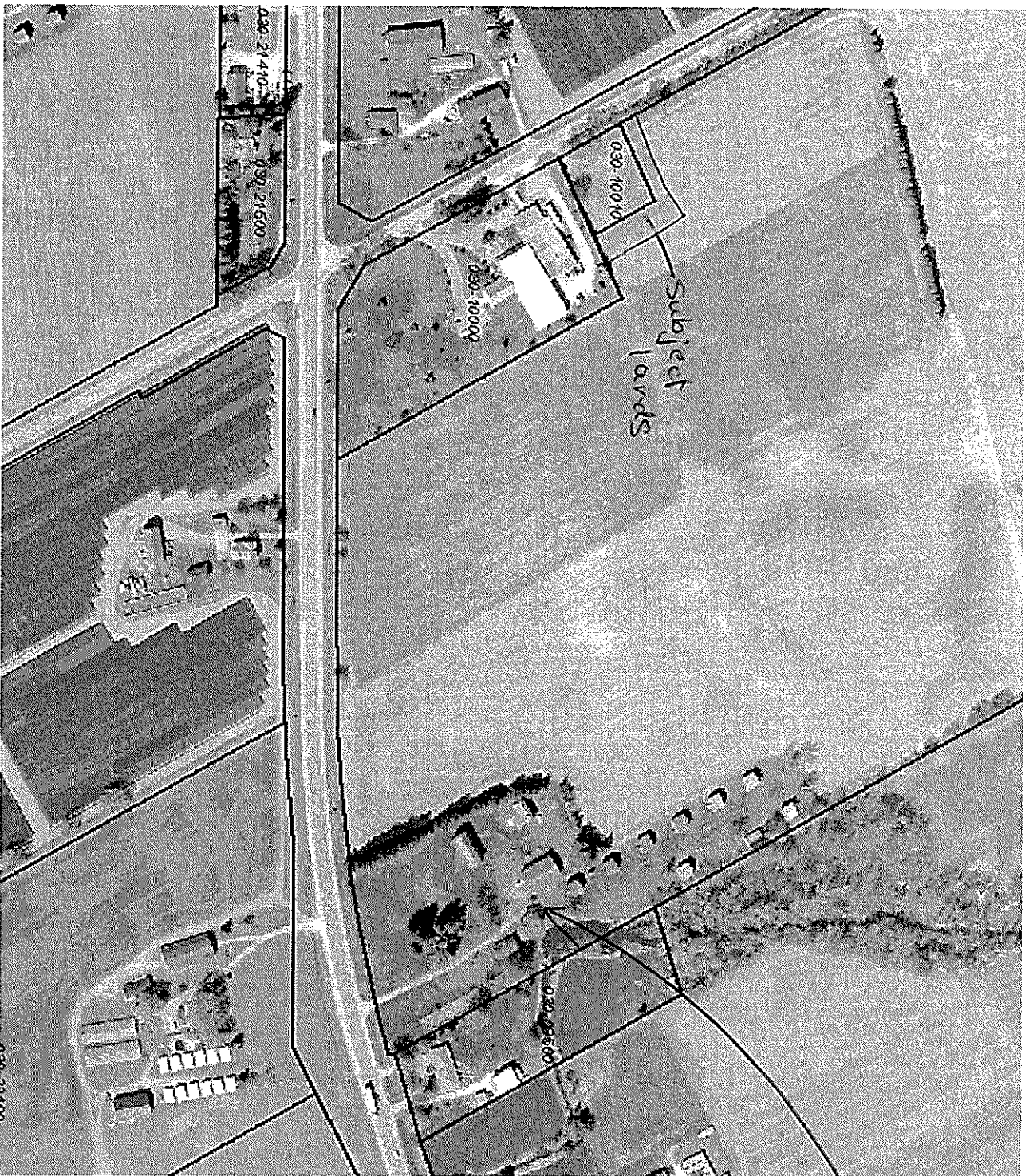
SCHEDULE  
PART INSTRUMENT. LOT CON  
FARM LAND. 1 441567 177(36) 1-NTR

030.09600.0000



BN-30/2007

farm  
buildings  
for  
page 4  
of application



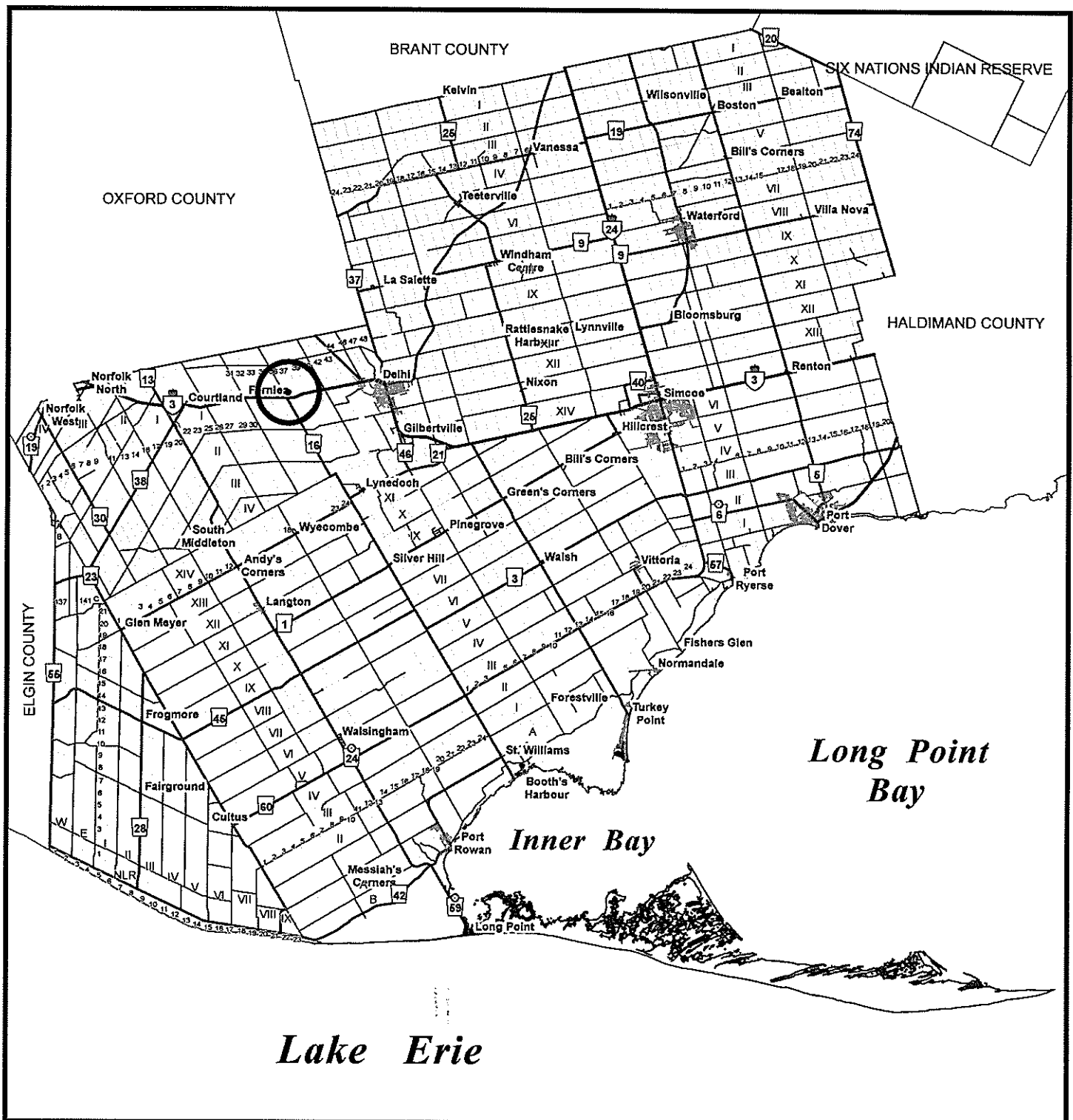


BN-30/2007

# MAP 1

File Number: BN-030/2007

Geographic Township of MIDDLETON

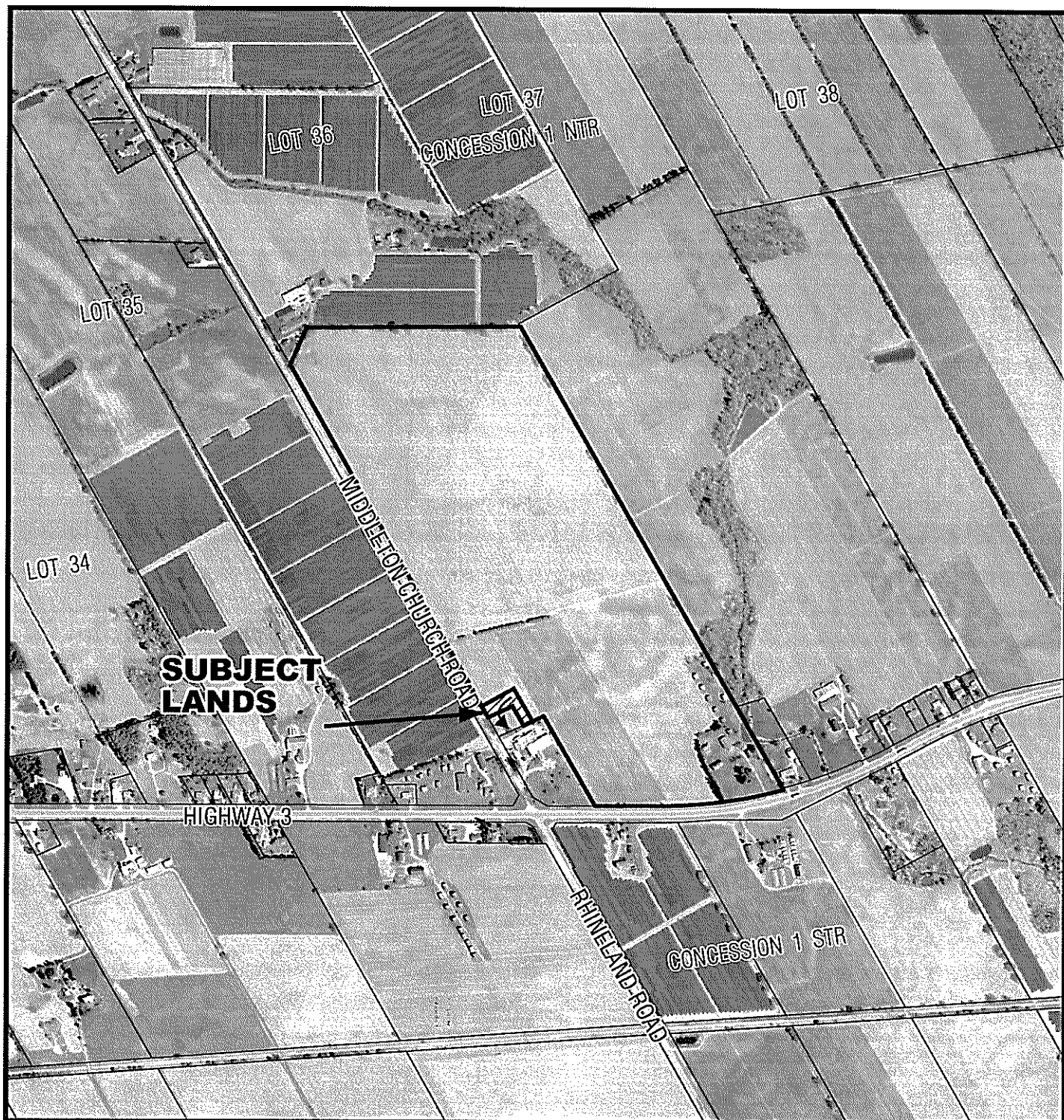
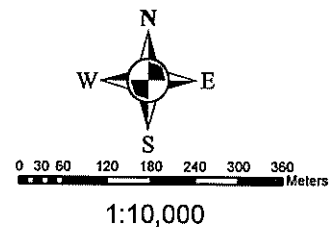




## MAP 2

File Number: BN-030/2007

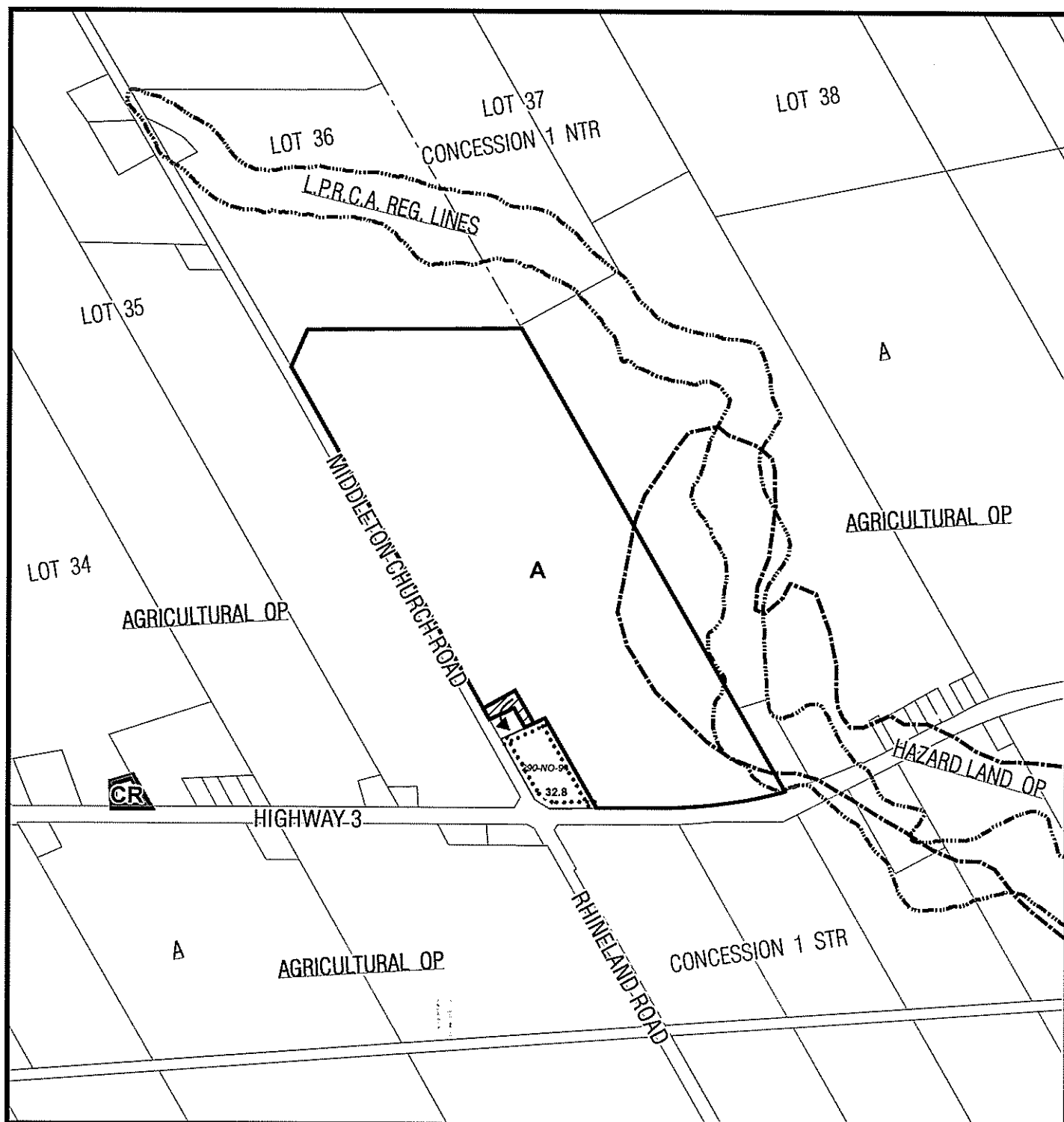
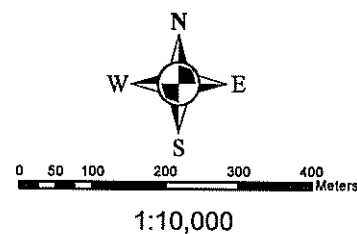
Geographic Township of MIDDLETON



# MAP 3

File Number: BN-030/2007

Geographic Township of MIDDLETON





# MAP 4

File Number: BN-030/2007

Geographic Township of MIDDLETON

