



**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:

June 13TH, 2007

FILE NO.: BN-034/2007

ASSESSMENT ROLL NO.: 3310-541-070-17700

APPLICANT:

Estate of Anna Viszkd, c/o Mr. Steve Viszkd, RR #1, Delhi, ON N4B 2W4

AGENT:

John A. Backus, c/o Cline, Backus, Nightingale, McArthur LLP, Box 528, 39 Colborne Street North, Simcoe, ON N3Y 4N5

LOCATION:

Part Lot 32, Concession 2 STR MID (1211 2nd Concession Rd, Delhi)

PROPOSAL:

Sever a parcel having a frontage of 3.66 m (12 ft) a depth of 68.58 m (225 ft) and having an area of 250.83 m² (2,700 ft²) and retain a parcel having an approximate area of 60.71 ha (150 ac) more or less as a boundary adjustment.

- ☒ 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

CIRCULATION DATE: May 30th, 2007

PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:

Scott Peck, MCIP, RPP
Norfolk County, 60 Colborne Street, South, Simcoe, ON N3Y 4N5
(519) 875-4485 ext 1834

FAX: (519) 875-4789 EMAIL: t.scott.peck@norfolkcounty.on.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: 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

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.

675
CONSENT / SEVERANCE

Office Use:

File Number: BN-34107
Related File: -
Date Submitted: May 4/07
Date Received: May 4/07
Sign Issued: May 4/07

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: 3310-541-070-17700

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

A. APPLICANT INFORMATION

Name of Applicant ¹ Estate of Anna Viszke Phone # 519-582-2027
Address c/o Mr. Steve Viszke Fax # _____
R. R. # 1, Delhi, ON E-mail _____

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

Name of Agent John A. Backus Phone # 519-426-6763
Address c/o Cline, Backus, Nightingale, McArthur
LLP Fax # 519-426-2055
Box 528, 39 Colborne St. N., Simcoe, ON E-mail backus@clinebackus.com
N3Y 4N5

Name of Owner ² _____ Phone # _____
Address _____ Fax # _____
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:
none



CONSENT / SEVERANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	Middleton	Urban Area or Hamlet	
Concession Number	Conc. 2, S.T.R.	Lot Number(s)	Part Lot 32
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)		Depth (metres/feet)	
Width (metres/feet)		Lot area (m ² / ft ² or hectares/acres)	
Municipal Civic Address			

To obtain your municipal civic address for the severed lands please contact 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):

The Applicant wishes to sever a small portion of its farm properties adjacent to the abutting neighbours residence to facilitate a boundary adjustment to the said neighbour - see sketch attached

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

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

33-10-541-070-17610 - Leslie Viszkd

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					<input type="checkbox"/> Yes <input type="checkbox"/> No	
OTHER					<input type="checkbox"/> Yes <input type="checkbox"/> No	
N/A					<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	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 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)	<u>12 feet</u>	Depth (metres/feet)	<u>225 feet</u>
Width (metres/feet)	<u></u>	Lot area (m ² / ft ² or hectares/acres)	<u></u>

Existing use:

Vacant

Proposed use:

Vacant - to be added to abutting property

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:

None

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

Frontage (metres/feet)	<u>Farm property</u>	Depth (metres/feet)	<u></u>
Width (metres/feet)	<u></u>	Lot area (m ² / ft ² or hectares/acres)	<u>150 +/- acres</u>

Existing use:

Agricultural

Proposed use:

Agricultural

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:

House and Barn

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:

no change

CONSENT / SEVERANCE

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

Frontage (metres/feet)	<u>N/A</u>	Depth (metres/feet)	<u></u>
Width (metres/feet)	<u></u>	Lot area (m ² / ft ²)	<u></u>

Proposed use:

D. PROPERTY INFORMATION

Present official plan designation(s):

Agricultural

Present zoning:

Agricultural

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:

N/A

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:

N/A

Number of separate parcels that have been created:

N/A

Date(s) these parcels were created:

N/A

Name of the transferee for each parcel:

N/A

Uses of the severed lands:

N/A

CONSENT / SEVERANCE

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

N/A

Date of construction of the dwelling proposed to be severed:

N/A

Date of purchase of subject lands:

N/A

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:

Land it affects:

Purpose:

Status/decision:

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 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 type="checkbox"/> No	<input 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:

- | | |
|--|---|
| <input type="checkbox"/> Unopened road | <input type="checkbox"/> Provincial highway |
| <input checked="" type="checkbox"/> Municipal road | <input type="checkbox"/> Other (describe below) |

If other, describe:

Road Allowance between Concession 2 and 3, S.T.R. Middleton

Name of road/street:

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

- | | |
|---|---|
| <input type="checkbox"/> Unopened road | <input type="checkbox"/> Provincial highway |
| <input type="checkbox"/> Municipal road | <input type="checkbox"/> Other (describe below) |

If other, describe:

N/A

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.

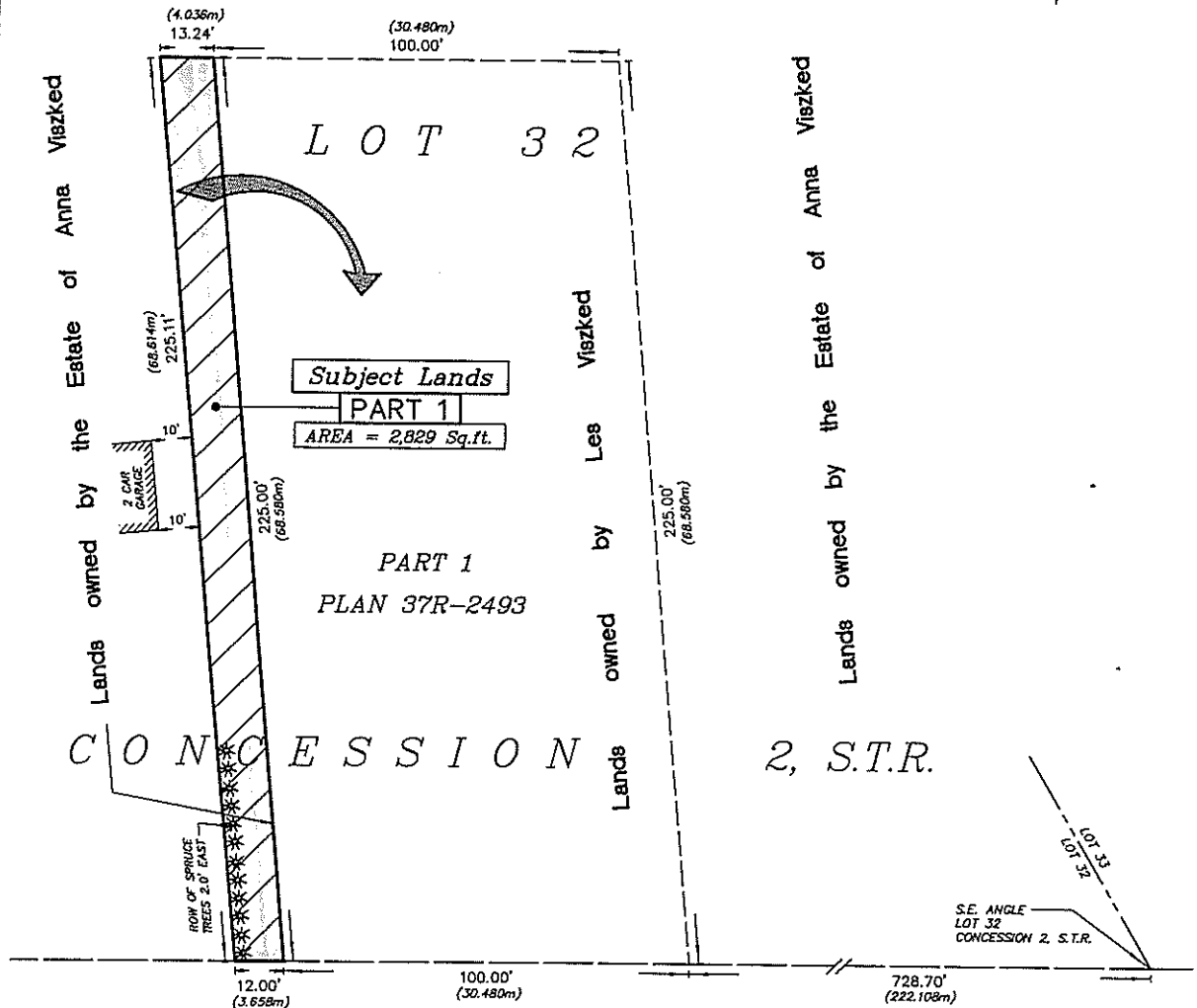
See Sktech - adding landscaped area to adjacent neighbour by merger and boundary adjustment

LOT 32
CONCESSION 2, S.T.R.
IN THE GEOGRAPHIC
TOWNSHIP OF MIDDLETON
IN
NORFOLK COUNTY

SCALE: 1" = 40'
JEWITT AND DIXON LTD.
APRIL 23, 2007



Lands owned by the Estate of Anna Viszke



66.00' ROAD ALLOWANCE BETWEEN CONCESSIONS 2, S.T.R AND 3, S.T.R.

CONCESSION

PART 1 PLAN 37R-2535

3, S.T.R.

CAUTION:

THIS IS NOT A PLAN OF SURVEY
AND SHALL NOT BE USED FOR
PURPOSES OTHER THAN THE
PURPOSE INDICATED IN THE
TITLE BLOCK.

NOTE:

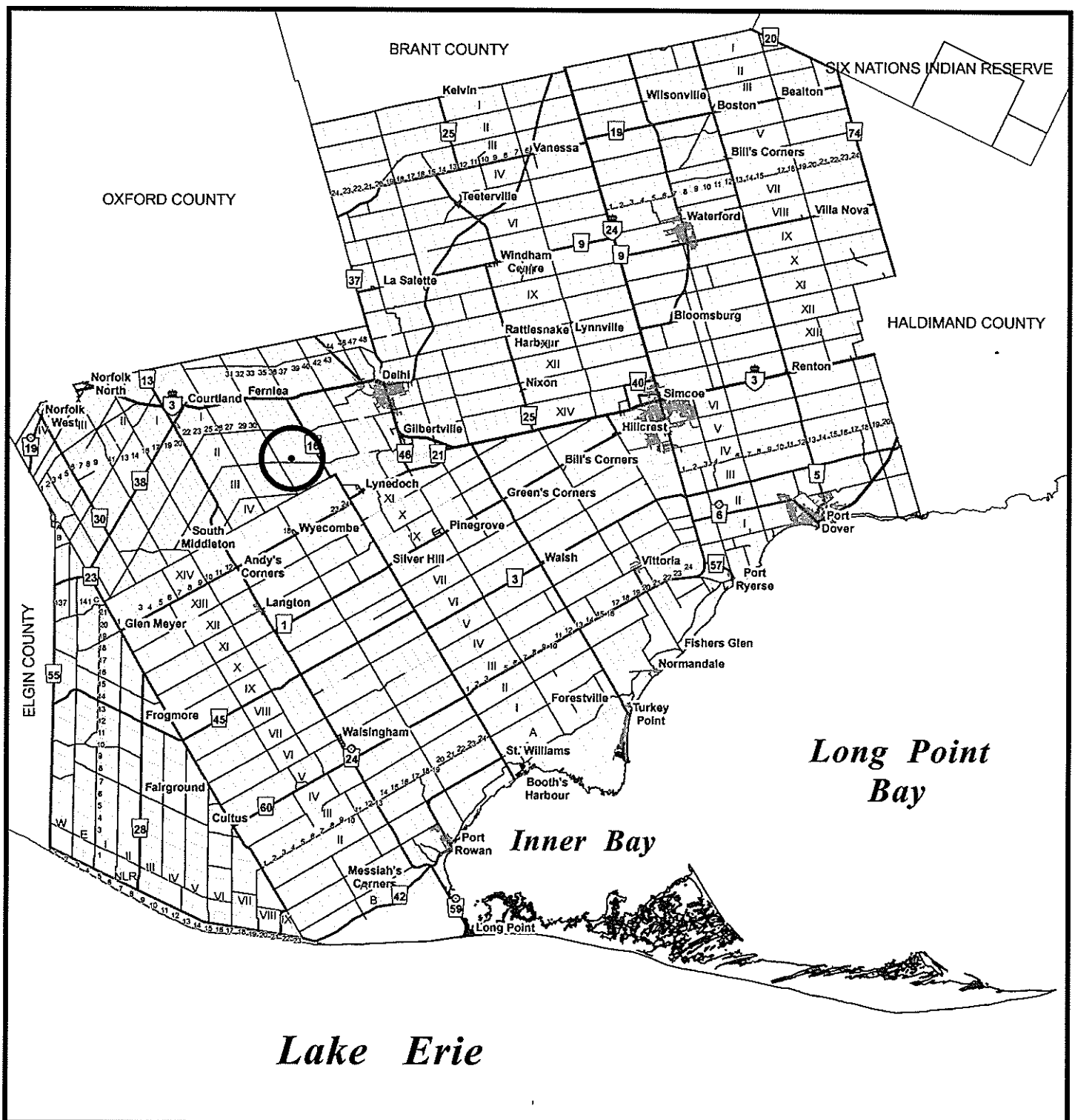
THIS COPY IS NOT VALID UNLESS
EMBOSSED WITH THE SURVEYOR'S
SEAL.

R.C. DIXON
ONTARIO LAND SURVEYOR

MAP 1

File Number: BN-034/2007

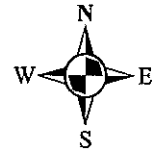
Geographic Township of MIDDLETON



MAP 2

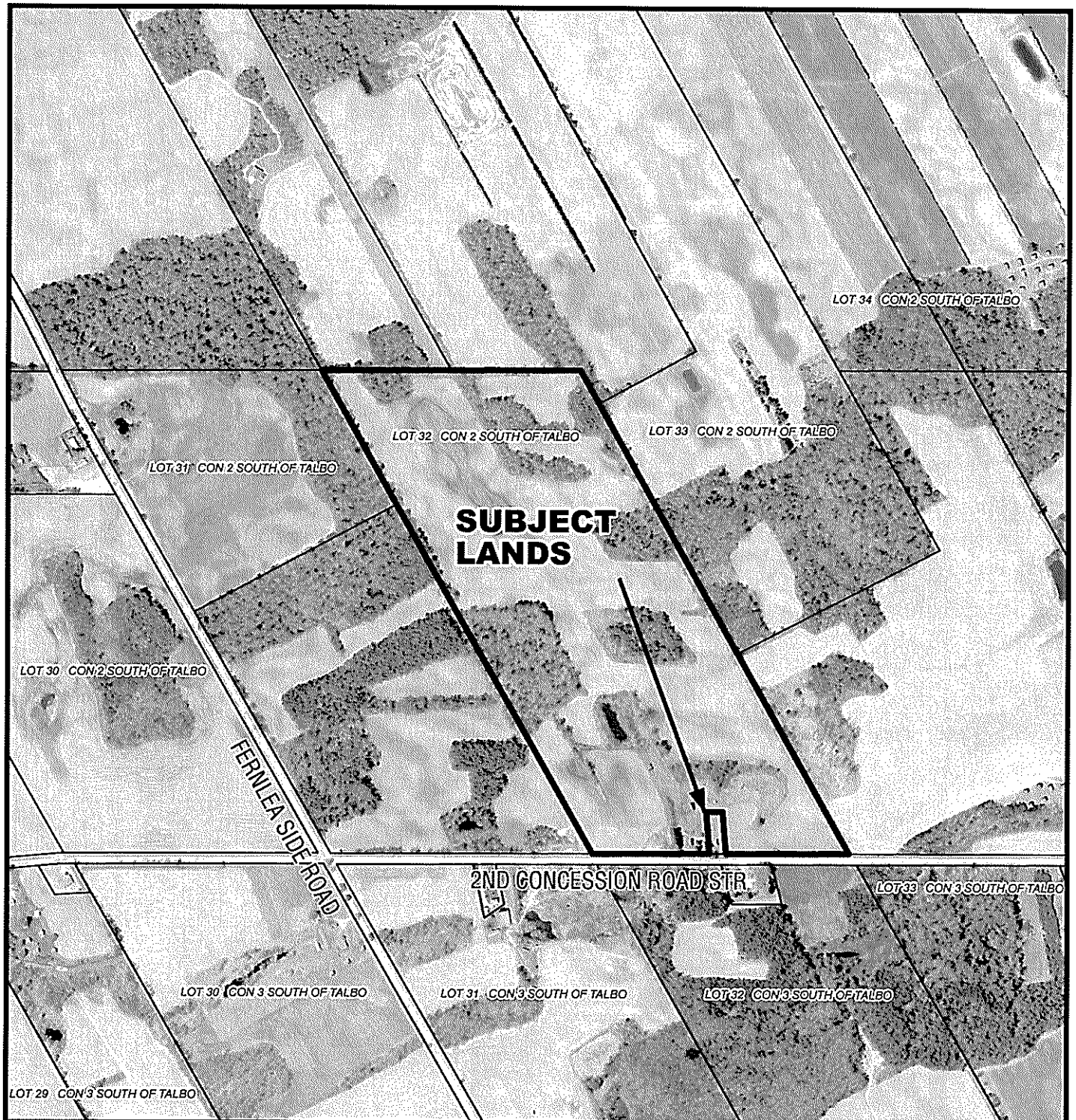
File Number: BN-034/2007

Geographic Township of MIDDLETON



0 30 60 120 180 240 300 360 Meters

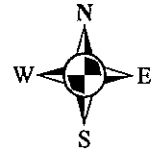
1:10,000



MAP 3

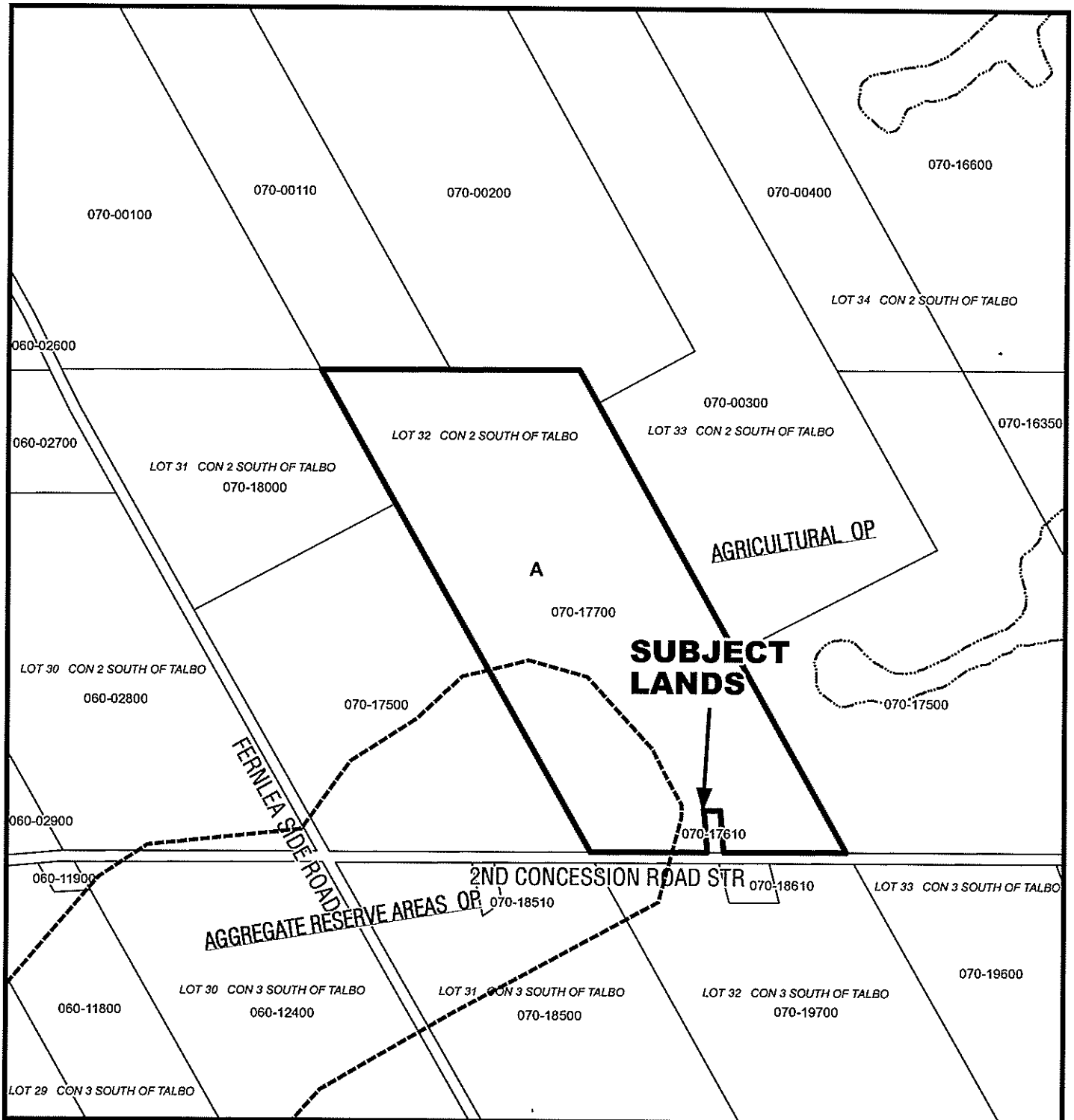
File Number: BN-034/2007

Geographic Township of MIDDLETON



0 30 60 120 180 240 300 360 Meters

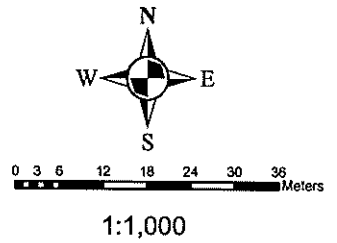
1:10,000



MAP 4

File Number: BN-034/2007

Geographic Township of MIDDLETON



LOT 32
CON 2 STR

070-17700

Estate of Anna Visked

**SUBJECT
LANDS**

(100') 30.48m

68.61m

(22.5, 11')

(10')
3.04m

Leslie Visked

070-17610

68.58m

(22.5')

68.58m

(22.5')

**EXISTING
GARAGE**

**EXISTING
DWELLING**

(12')
3.65m

2ND CONCESSION ROAD STR

070-19700

070-18610