



## COMMENT REQUEST FORM

**FILE NO.: BN-054/2008**

**ROLL NO.: 3310-543-010-03000**

- ☒ 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

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:

# AUGUST 6<sup>TH</sup>, 2008

**APPLICANT:**

Dan & Pam Provoost, 1549 NWALS-SWALS Townline Road Langton, ON N0E 1G0

**AGENT:**

Richard VanSeveren, PO Box 188 Simcoe, ON N3Y 4L1

**LOCATION:**

Lot 9, Con 6 SWAL (971 Hazen Road)

**PROPOSAL:**

Sever a parcel having a frontage of 63.10 m. (207 ft.) a depth of 171 m. (561 ft.) and having an area of approximately 1.08 ha. (2.67 ac.) and retain a parcel having an area of 41 ha. (101.43 ac.) more or less as the severance of a dwelling made surplus through farm amalgamation.

**PLEASE REPLY BY EMAIL DIRECTLY TO:**

**SCOTT PECK, MCIP, RPP**

Norfolk County, 22 Albert Street, Langton, ON N0E 1G0  
(519) 875-4485 ext 1834

**EMAIL: [t.scott.peck@norfolkcounty.ca](mailto:t.scott.peck@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 (A), 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.

**NOTE: ANY DEPARTMENT OR AGENCY THAT HAS NOT PROVIDED THEIR COMMENTS BY THE DEADLINE DATE WILL BE CONSIDERED AS HAVING NO COMMENT**

**CIRCULATION DATE: July 23<sup>rd</sup>, 2008**

## CONSENT / SEVERANCE

### Office Use:

File Number: BN-54/88  
Related File: \_\_\_\_\_  
Fees Submitted: May 12/08  
Application Submitted: May 12/08  
Sign Issued: May 12/08  
Complete Application: May 12/08

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-** 543-010-03000

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

### A. APPLICANT INFORMATION

Name of Applicant <sup>1</sup> DAN PROVOOST  
PAM PROVOOST Phone # (519) 875-4392  
Address 1549. NWALS-SWALS TADOLINE RD Fax # \_\_\_\_\_  
Town / Postal Code NOE-1G0 LANGTON E-mail \_\_\_\_\_  
<sup>1</sup> If the applicant is a numbered company provide the name of a principal or the company.

Name of Agent Richard Van Severen Phone # 519-426-5840  
Address P.O. Box 188 Fax # 519-426-5572  
Town / Postal Code Simcoe, ON N3Y 4L1 E-mail rvanseveren@brimage.com  
Name of Owner <sup>2</sup> Andrew George Nagy and  
Debbie Carolyn Nagy Phone # 519-586-7573  
Address R-R #1 Fax # \_\_\_\_\_  
Town / Postal Code Walsingham, ON NOE 1X0 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 mortgages, charges or other encumbrances on the subject lands:  
None

## CONSENT / SEVERANCE

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

Geographic Township South Walsingham Urban Area or Hamlet Urban  
Concession Number 6 Lot Number(s) PART LOT 9  
Registered Plan Number \_\_\_\_\_ Lot(s) or Block Number(s) \_\_\_\_\_  
Reference Plan Number \_\_\_\_\_ Part Number(s) \_\_\_\_\_  
Frontage (metres/feet) 258 feet Depth (metres/feet) 650 feet  
Width (metres/feet) 258 feet Lot area (m<sup>2</sup> / ft<sup>2</sup> or hectares/acres) 4.10 acres, subject to survey  
Municipal Civic Address 971 Hazen Rd.

shown outlined in red on attached sketch, together with a 20 foot easement existing waterline and water points located on the farm lands intended to be sold to allow water to be drawn from same + with easement to allow for repair and/or replacement of existing underground waterline and water points, shown outlined in green on attached sketch.

For questions regarding requirements for a municipal civic address please contact [NorfolkGIS@norfolkcounty.on.ca](mailto:NorfolkGIS@norfolkcounty.on.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):

to sever a home made surplus through farm amalgamation plus two easements for water wells and water lines.

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

Andrew George Nagy and Debbie Carolyn Nagy. The remaining farmlands are to be transferred to Ambrosia Produce Inc., which is aware of the fact that Norfolk County will, in conjunction with the severance of the retained lands, \*see below  
If a boundary adjustment, identify the **assessment roll number** and **property owner** of the lands to which the parcel will be added:

\* zone the lands being purchased to prohibit the lands from having a house constructed thereon in perpetuity, and has agreed to accept the land on that basis.

## 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: *n/a*

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 543-010-03000	Gen 6	99	86	tobacco	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<i>rebuild</i> 1997-19
OTHER					<input type="checkbox"/> Yes <input type="checkbox"/> No	
542-040-25100	Gen 7, Lot 2	74	50	carrots - sweet potatoes	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1985
					<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: *n/a*

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)

~~78.6m~~

~~258 ft~~

Depth (metres/feet)

~~192.8m~~

~~649 ft~~

Width (metres/feet)

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

~~1.66 ha~~

~~4.1 acres~~

Existing use:

Residential and ancillary buildings - barn, greenhouse -

~~1.08 ha (2.67 ac)~~

Proposed use:

Residential and ancillary buildings, barn, greenhouse -

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)

561m

1841 ft

Depth (metres/feet)

Width (metres/feet)

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

101.43 ac

41 ha

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:

Vacant

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:

Vacant

**CONSENT / SEVERANCE**Description of proposed **RIGHT OF WAY/EASEMENT:** <sup>(2)</sup>

Frontage (metres/feet)

Depth (metres/feet)

Width (metres/feet)

6.096m 20'

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

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:

*Stake complete - Part 1, 37R 5604 & Part 1 37R 9743 both conveyed to Stephen Joseph & Teresa Nagy & merged*

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:

*Part 1, 37R 5604 merged with Part 1 37R 9743*  
*↳ 1990* *↳ 2008*

Date(s) these parcels were created:

Name of the transferee for each parcel:

*Stephen Joseph & Teresa Nagy*

Uses of the severed lands:

*Personal Residence*

## CONSENT / SEVERANCE

If this application proposes to sever a dwelling made surplus through farm amalgamation, when were the farm properties amalgamated? A surplus dwelling would happen when the farm is sold on August 29, 2008 to Ambrosia Produce Inc.

Date of construction of the dwelling proposed to be severed: n/a

Date of purchase of subject lands:

The remaining farmlands are scheduled for August 29, 2008.

## 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:

Applicants' own knowledge.

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. n/a

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:

New, being filed simultaneously with this application for a right of way for water line and points to property owned by Stephen Joseph Nagy and Teresa Nagy -

Land it affects:

See sketch attached

Purpose: To sell farm to neighbouring farmer and for whom the retained lot would be classified as a surplus dwelling -

Status/decision:

New

Effect on the requested amendment:

None

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 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ 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 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

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:

Water points located on the right-of-way which forms part of this application.

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:

Hazen Road

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

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

If other, describe:

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Name of road/street:

Road allowance between Concessions 5 and 6, geographic Township of South Walsingham

## I. OTHER INFORMATION

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

- ☒ Yes
 ☐ No

If yes, describe:

The remaining farmlands have been sold subject to the severance with a closing scheduled for August 29, 2008.

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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# MAP 1

File Number: BN-054/2008

## Geographic Township of SOUTH WALSINGHAM



# MAP 2 \* REVISED \*

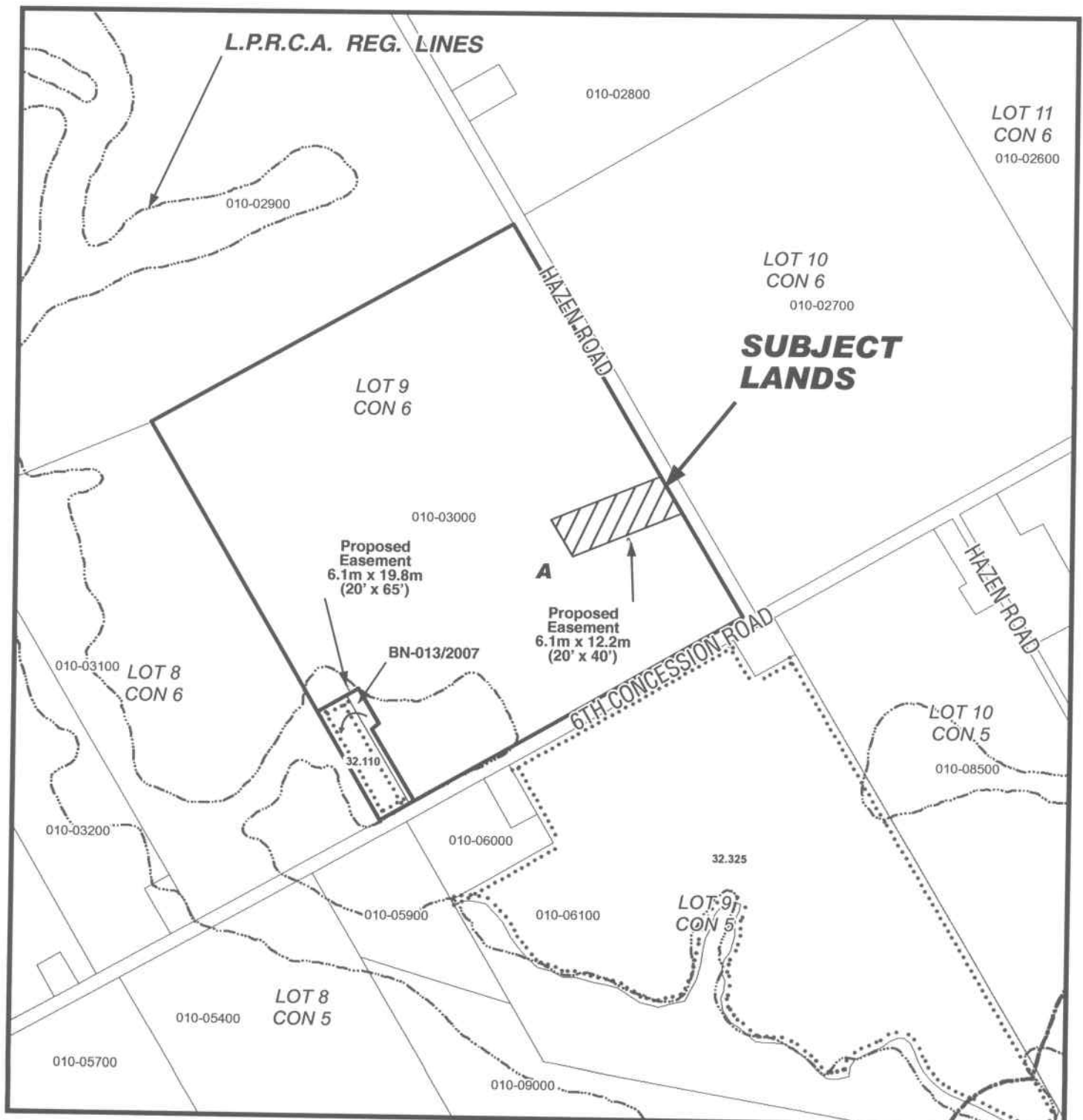
File Number: BN-054/2008

Geographic Township of SOUTH WALSHINGHAM



40 20 0 40 80 120 160 Meters

1:8,000



Revised on July 3, 2008

# MAP 3 \* REVISED \*

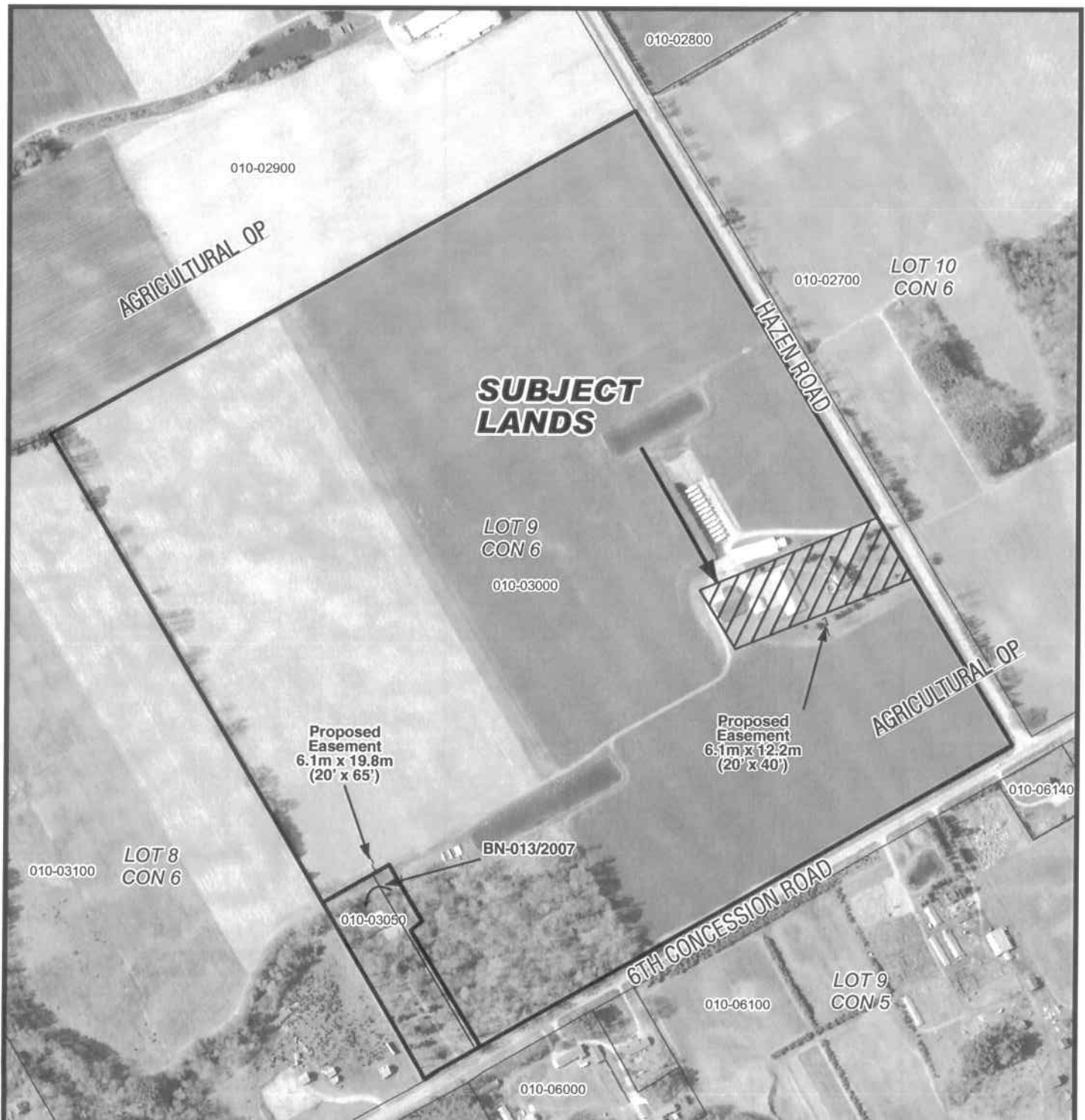
File Number: BN-054/2008

Geographic Township of SOUTH WALSINGHAM



25 50 75 100 Meters

1:5,000



Revised on July 3, 2008

**MAP 4 \* REVISED \***

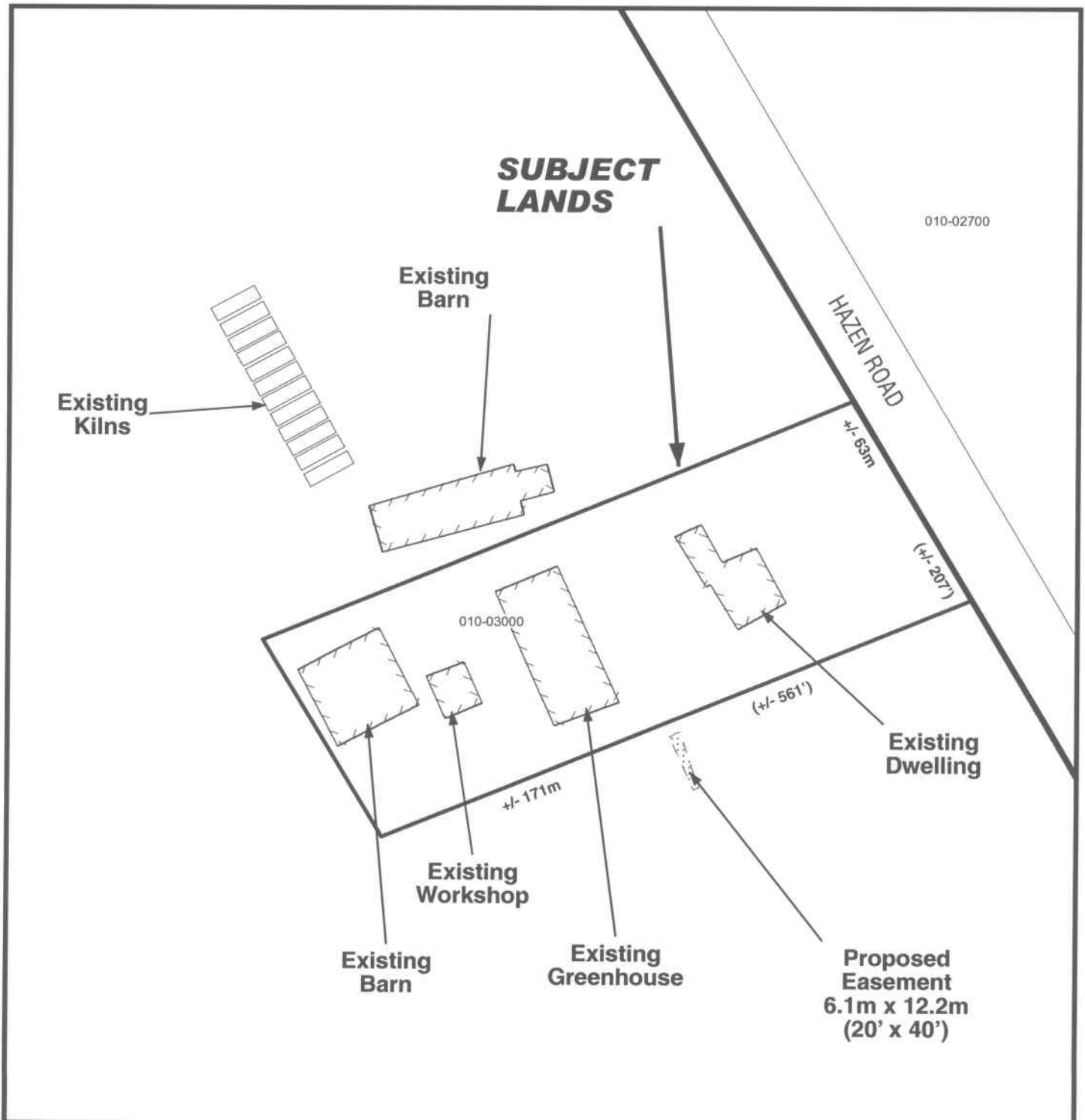
**File Number: BN-054/2008**

**Geographic Township of SOUTH WALSINGHAM**



8 4 0 8 16 24 32 Meters

1:1,500



Revised on July 3, 2008