



THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT

## COMMENT REQUEST FORM

# FILE NO: BN-054/2009

☒ Building Department  
☒ Building Inspector (Sewage System Review)  
☒ Forestry Division  
☒ GIS Section  
☒ Fire/EMS  
☒ Public Works NOTE: If an agreement is required please attach the clauses you require in the agreement.

☐ Railway  
☒ Norfolk Power  
☐ Ministry of Transportation  
☒ Union Gas  
☒ Norfolk Heritage Committee  
☐ 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:**

## JANUARY 31<sup>ST</sup>, 2011

**APPLICANT:**

BEAM KEVIN GRANT, 49 NICHOL ST W WATERFORD, ON N0E 1Y0

**AGENT:**

SHEPPARD MACINTOSH LADOS & NUNN - CHRISTOPHER NUNN, 58 PEEL STREET SIMCOE, ON N3Y4T2

**LOCATION:** Lot 25 and Part Lot 10, Block 26, Plan 19B (49 Nichol Street, West)

**ASSESSMENT ROLL NO.:** 3310335020112000000

**PROPOSAL:**

Sever a parcel having a frontage of 5.03 m. (16.5ft.) a rear width of 4.57 m (15 ft.) and a depth of 55.76 m. (182.94 ft.) as the creation of a right of way to allow access.

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### PLEASE REPLY BY EMAIL DIRECTLY TO:

**PAM DUESLING, MCIP, RPP, EC.D**

60 Colborne Street S., Simcoe ON N3Y 4H3

(519) 426-5870 ext: 1342

**EMAIL:** [pam.duesling@norfolkcounty.ca](mailto:pam.duesling@norfolkcounty.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 application, you must make a written request to:

Koren 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:** January 17<sup>th</sup>, 2011

**CONSENT / SEVERANCE**

Office Use:

File Number:

Related File:

Fees Submitted:

Application Submitted:

Sign Issued:

Complete Application:

BN-54/09

May 7/09

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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: 3310-335-020-11200**

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

**A. APPLICANT INFORMATION**

Name of Applicant <sup>1</sup>	Kevin Grant Beam	Phone #	519-443-8338
Address	49 Nichol Street West	Fax #	
Town / Postal Code	Simcoe, Ontario, N0E 1Y0	E-mail	

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

Name of Agent	Sheppard MacIntosh Lados & Nunn LLP.	Phone #	519-426-1382
Address	58 Peel Street, P.O. Box 677	Fax #	519-426-1392
Town / Postal Code	Simcoe, Ontario, N3Y 4T2	E-mail	nunn@sheppardmacintosh.com

Name of Owner <sup>2</sup>	Same as above	Phone #	
Address		Fax #	
Town / Postal Code		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:  
MCAP Service Corporation, P.O. Box 351, Station C, Kitchener, Ontario, N2G 3Y9

## CONSENT / SEVERANCE

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

Geographic Township	Waterford	Urban Area or Hamlet	Urban Area
Concession Number		Lot Number(s)	Lot 25 and Part Lot 10
Registered Plan Number	Plan 19B	Lot(s) or Block Number(s)	Block 26
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	24.25 Metres/79.56 Feet	Depth (metres/feet)	Irregular
Width (metres/feet)	Irregular	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	12,894.65 ft.sq./1,197.95 m.sq.
Municipal Civic Address	49 Nichol Street West, Waterford, Ontario, N0E 1Y0		

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:

Easements registered as Instruments NR432432 and NR579022 excepting and reserving "for the use and benefit of the owners and occupants from time to time of the house and land immediately joining the hereinbefore described lands to the north a perpetual right-of-way ... for persons, animals and vehicles" over and along Part 2 on deposited Reference Plan 37R-2803 and Parts 1, 2, and 3 on deposited Reference Plan 37R-3035 of the Norfolk Land Registry Office.

### 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):

Please refer to "Schedule"

Name of person(s), if known, to whom lands or interest in lands is to be transferred, leased or charged (if known):  
Robert Leroy Heath and Jeanine Colette Heath (Grant of a Right-of-Way only)

## CONSENT / SEVERANCE

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

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## 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	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)

Depth (metres/feet)

Width (metres/feet)

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

Existing use:

Proposed use:

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:

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:

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

Frontage (metres/feet)

Depth (metres/feet)

Width (metres/feet)

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

Existing use:

Proposed use:

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:

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:

## CONSENT / SEVERANCE

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

Frontage (metres/feet)	<u>15.0 feet (4.57 meters)</u>	Depth (metres/feet)	<u>59.81 feet (18.23 meters)</u>
Width (metres/feet)	<u>15.0 feet (4.57 meters)</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> )	<u>897.15 ft. sq. (83.31 m. sq.)</u>

Proposed use:

Please refer to the Schedule

### D. PROPERTY INFORMATION

Present official plan designation(s):

Residential

Present zoning:

Urban Residential Type 2 Zone (R2)

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:

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:

The title history for the subject property shows that it was previously owned from 1936 to approximately 2003 by the Municipal Corporation of the Village of Waterford, by The Waterford Hydro-Electric Commission, and by those entities' successors on title. The parcel was likely used for hydro-electric services.

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:

Applicant/Owner's knowledge of the property.

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 N/A



## 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:

B59/85-CN

Land it affects:

The subject property and the northerly property owned by the Heath's

Purpose:

The Nanticoke Hydro Electric Commission granted an easement in favour of Robert Leroy Heath and Jeanine Colette Heath over Parts 1, 2 and 3 on Reference Plan 37R-3035, which is part of the subject property to allow the Heath's the right of ingress and egress over Parts 1, 2 and 3 on Plan 37R-3035 for persons, vehicles, and things as well as their employees or agents.

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:

## CONSENT / SEVERANCE

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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## 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 checked="" type="checkbox"/> No	_____ distance
Industrial or commercial use (specify the use(s)) *	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" 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 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

\* subject property located near commercial district of Waterford

## 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:

N/A

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

If other, describe:

N/A

Name of road/street:

N/A

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:

N/A

## I. OTHER INFORMATION

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

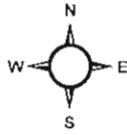
- ☐ Yes      ☒ No

If yes, describe:

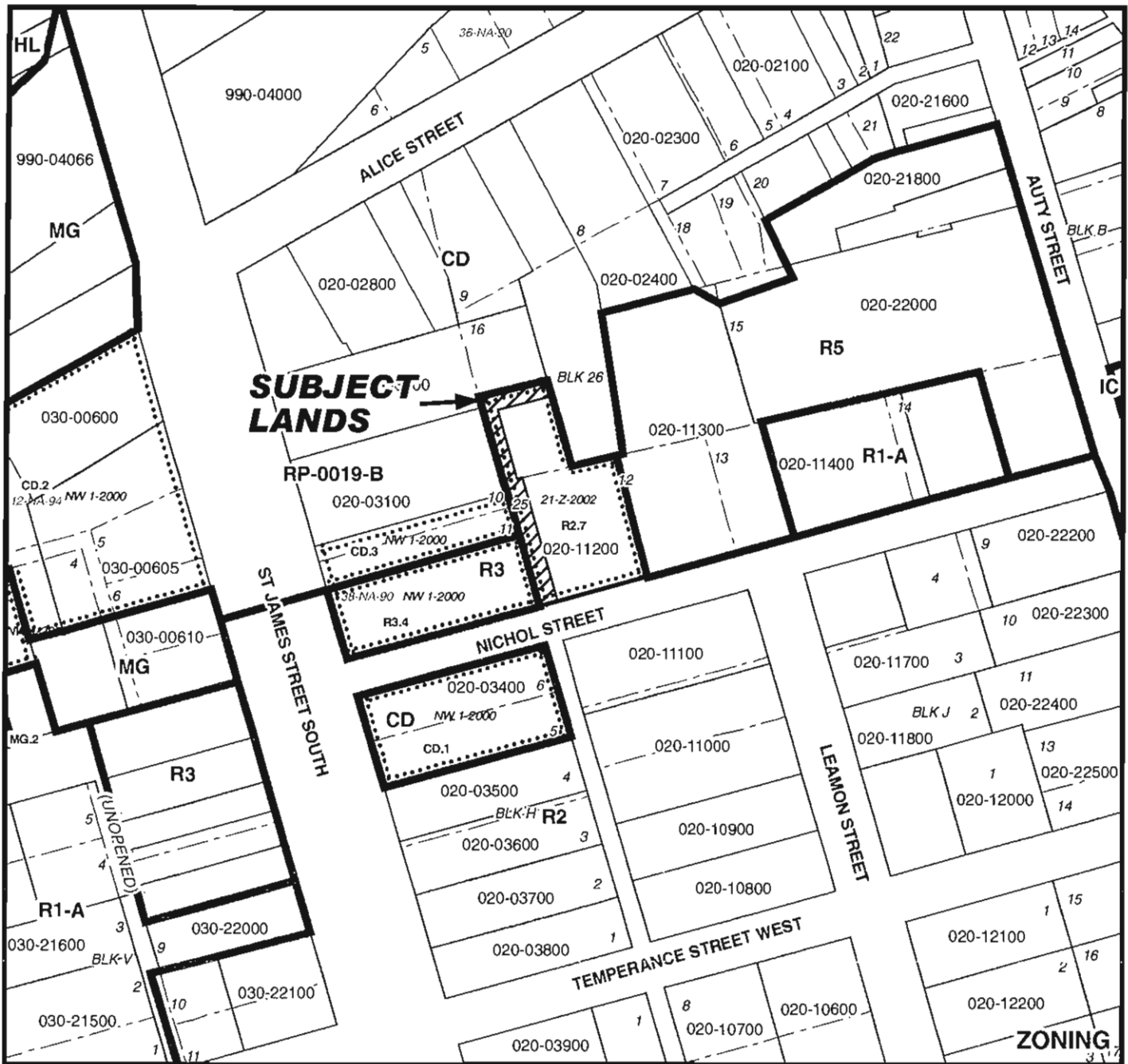
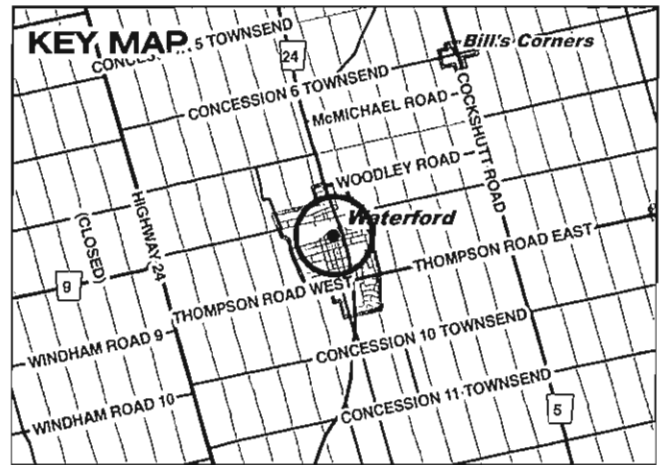
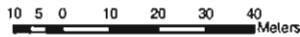
Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

**File Number: BN-054/2009**

Urban Area of  
**WATERFORD**



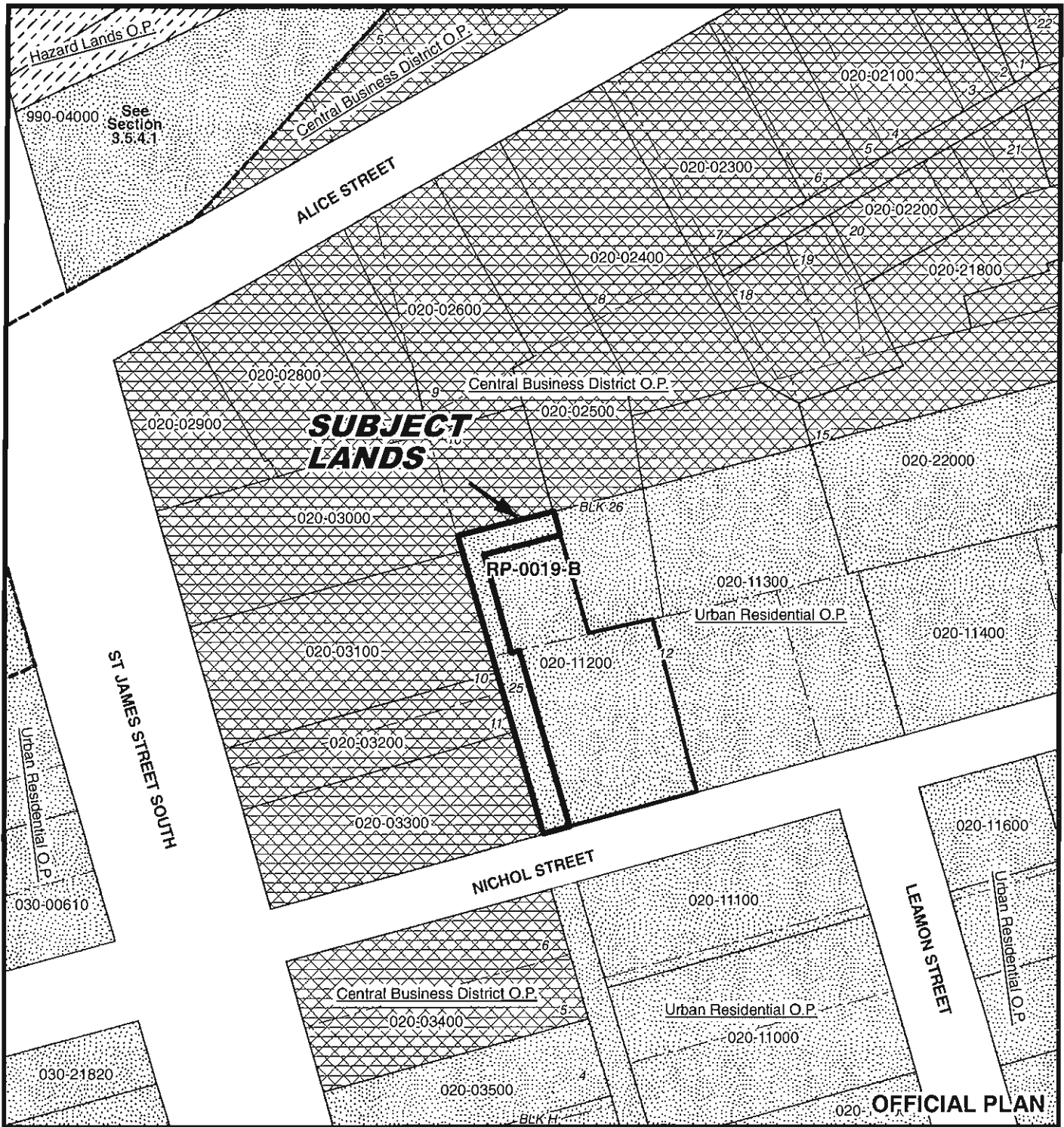
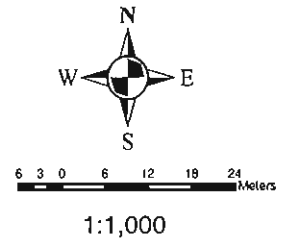
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## MAP 2

File Number: BN-054/2009

Urban Area of WATERFORD



Revised: January 12, 2011

## MAP 3

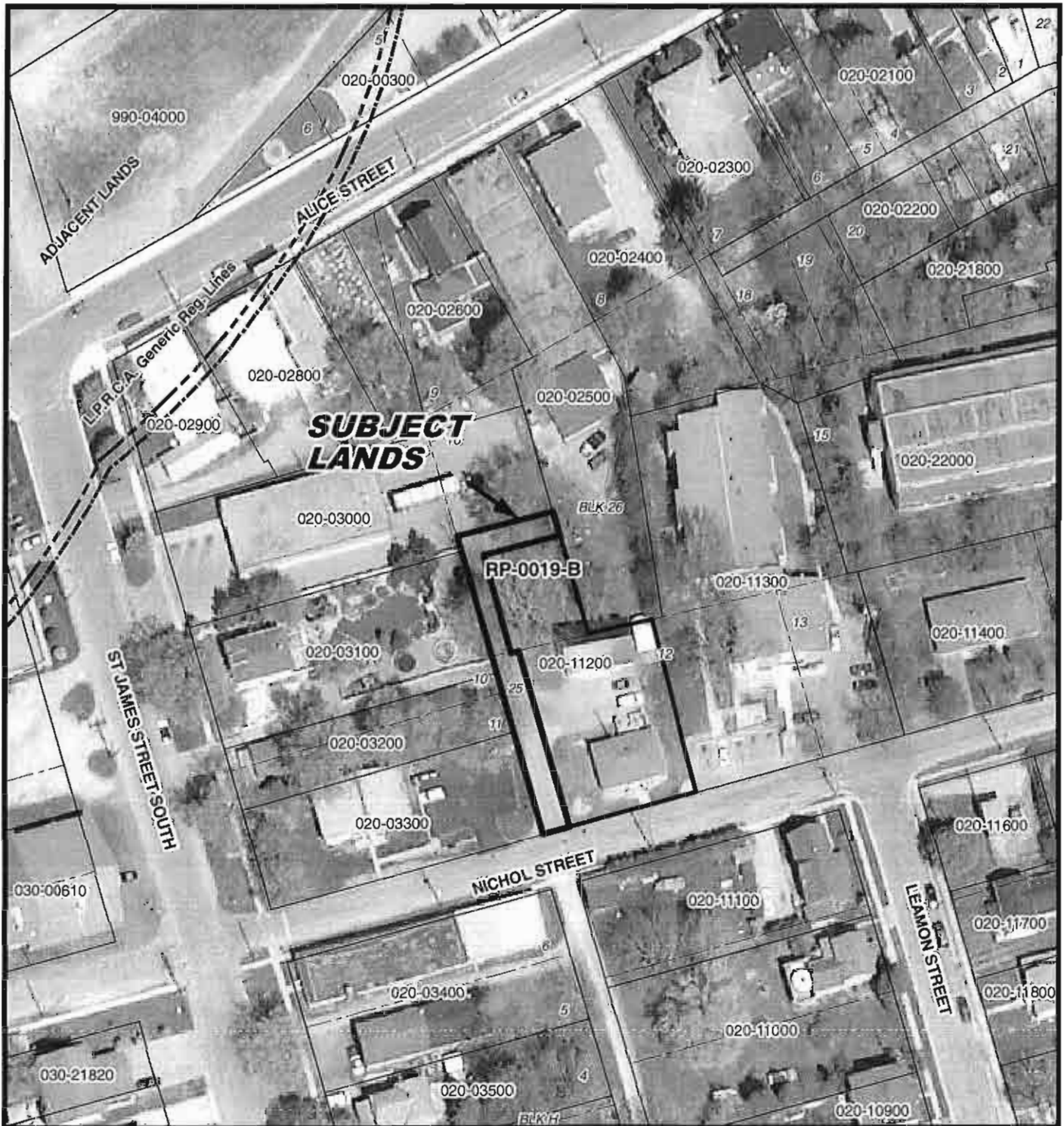
File Number: BN-054/2009

Urban Area of WATERFORD



7 3.5 0 7 14 21 28 Meters

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Revised: January 12, 2011

# MAP 4

File Number: BN-054/2009

Urban Area of WATERFORD

