



**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:

**November 14, 2007**

**FILE NO.: BN-061-2007**

**ASSESSMENT ROLL NO.: 3310-401-014-05600**

**APPLICANT:**

Landon's Nursery c/o Barbara Bennett, R R # 5, Simcoe, ON N3Y 4K4

**AGENT:**

N/A,

**LOCATION:**

PT Lot 7 & 8, Plan 37R5844 SIMCOE (17 Evergreen Hill Road, Simcoe)

**PROPOSAL:**

Sever a parcel having a frontage of 39.62 m (130 ft.) a depth of 72.76 m. (238.7 ft.) and having an area of 0.71 ha. (1.75 ac.) and retain a parcel having an area 1.62 ha. (4 ac.) more or less

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Building Department  | <input checked="" type="checkbox"/> GIS Section     |
| <input checked="" type="checkbox"/> Building Inspector (Sewage System Review)  | <input checked="" 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     |

**CIRCULATION DATE: October 31, 2007**

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

Shirley Cater, Planner

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

(519) 426-5870 ext 1290

**FAX: (519) 428-3069 EMAIL: [shirley.cater@norfolkcounty.ca](mailto:shirley.cater@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 consent, you must make a written request to: Larry Dawson, 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: [larry.dawson@norfolkcounty.ca](mailto:larry.dawson@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.

## CONSENT / SEVERANCE

### Office Use:

File Number: BW-061/2007  
Related File: 2N-039/2007  
Fees Submitted: Aug 16, 2007  
Application Submitted: Aug 16, 2007  
Sign Issued: Aug 16, 2007  
Complete Application: Aug 16, 2007 held for zoning  
decided not to proceed Sept 25, 2007 HZ.

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- 401.014.05600.000

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

### A. APPLICANT INFORMATION

Name of Applicant <sup>1</sup> Landon's Nursery & Barbara Bennett Phone # 519-426-6282  
Address RR5 Fax # \_\_\_\_\_  
Town / Postal Code Simcoe N3Y 4K4 E-mail \_\_\_\_\_

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

Name of Agent same Phone # \_\_\_\_\_  
Address \_\_\_\_\_ Fax # \_\_\_\_\_  
Town / Postal Code \_\_\_\_\_ E-mail \_\_\_\_\_

Name of Owner <sup>2</sup> 40 Barbara Bennett Estate of Robert Landon Phone # \_\_\_\_\_  
Address RR5 Fax # \_\_\_\_\_  
Town / Postal Code Simcoe N3Y 4K4 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	<u>Norfolk</u>	Urban Area or Hamlet	<u>Simcoe</u>
Concession Number		Lot Number(s)	<u>part of Part 7 and 8</u>
Registered Plan Number	<u>37R5844</u>	Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	<u>7 &amp; 8</u>
Frontage (metres/feet)	<u>130 ft</u>	Depth (metres/feet)	<u>(238.7 ft.) 72.76m</u>
Width (metres/feet)	<u>(130 ft at narrowest width) 39.62m</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>(.07 acres) 0.287ha</u>
Municipal Civic Address	<u>17 Evergreen Hill Rd. Simcoe, Ont.</u>		

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 use as nursery and separate from remainder of  
property and add to part 5 & 6 of plan.

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:

401.014.04700.000

\* Barbara & Douglas Bennett (owners).

## 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	

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)

130 ft. at narrowest width

Depth (metres/feet)

(238.7 ft) 72.76 m

Width (metres/feet)

↓ 39.62 m

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

0.71 ha (1.75 Ac)

Existing use:

nursery and hoop house

Proposed use:

same

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:

hoop house

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 — note: moving hoop house away from lot lines

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

Frontage (metres/feet)

100 ft

Depth (metres/feet)

(Deepest depth) 600 ft plus or minus irregular

Width (metres/feet)

316 ft. plus or minus

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

(4 acres) (1.62 ha)

Existing use:

vacant

Proposed use:

same

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:

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):

residential

Present zoning:

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:

23 Evergreen Hill Rd, residential lot #1 on John Street.

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:

2

Date(s) these parcels were created:

not sure

Name of the transferee for each parcel:

unknown

Uses of the severed lands:

residential

## CONSENT / SEVERANCE

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

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Date of construction of the dwelling proposed to be severed:

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Date of purchase of subject lands:

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### 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:

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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:

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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

## 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

ZONING Amendment

2 Consents - 1. 23 Evergreen Hill  
2 John Street.

If yes, indicate the following information about **each application**:

File number:

not known

Land it affects:

part 5 & 6 of plan 37R5844

Purpose:

to recognize an existing use for 50+ years.

Status/decision:

approved.

Effect on the requested amendment:

continued nursery & floral business

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:



076-06170  
325

See  
land

Retained  
Lands

D14-05600  
77



Hoop House  
100' X 18'





4.04 Ac  
100F Rented

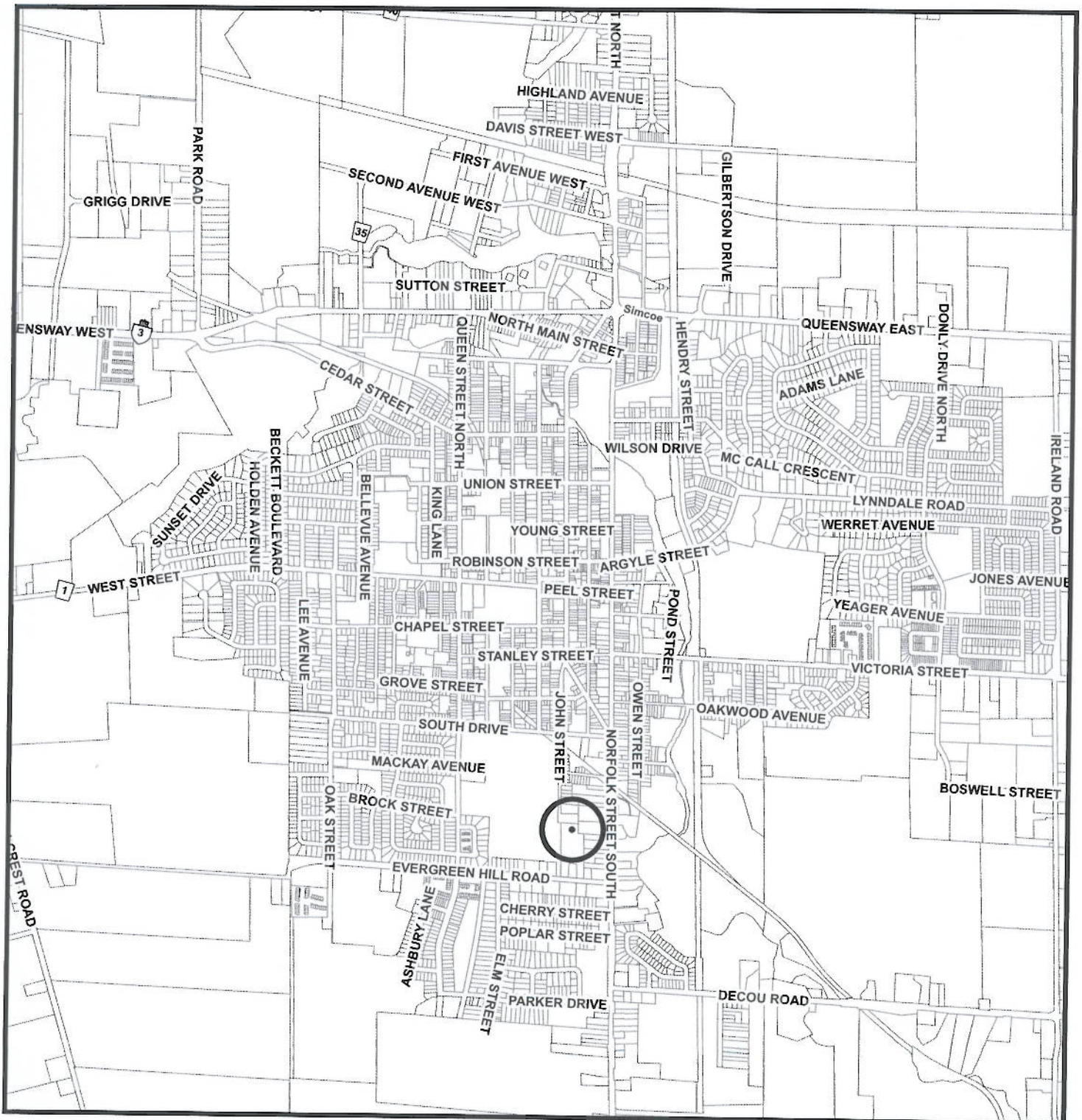
Fairgrounds  
bordered



# MAP 1

File Number: BN-061/2007

Urban Area of SIMCOE

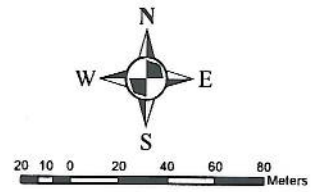




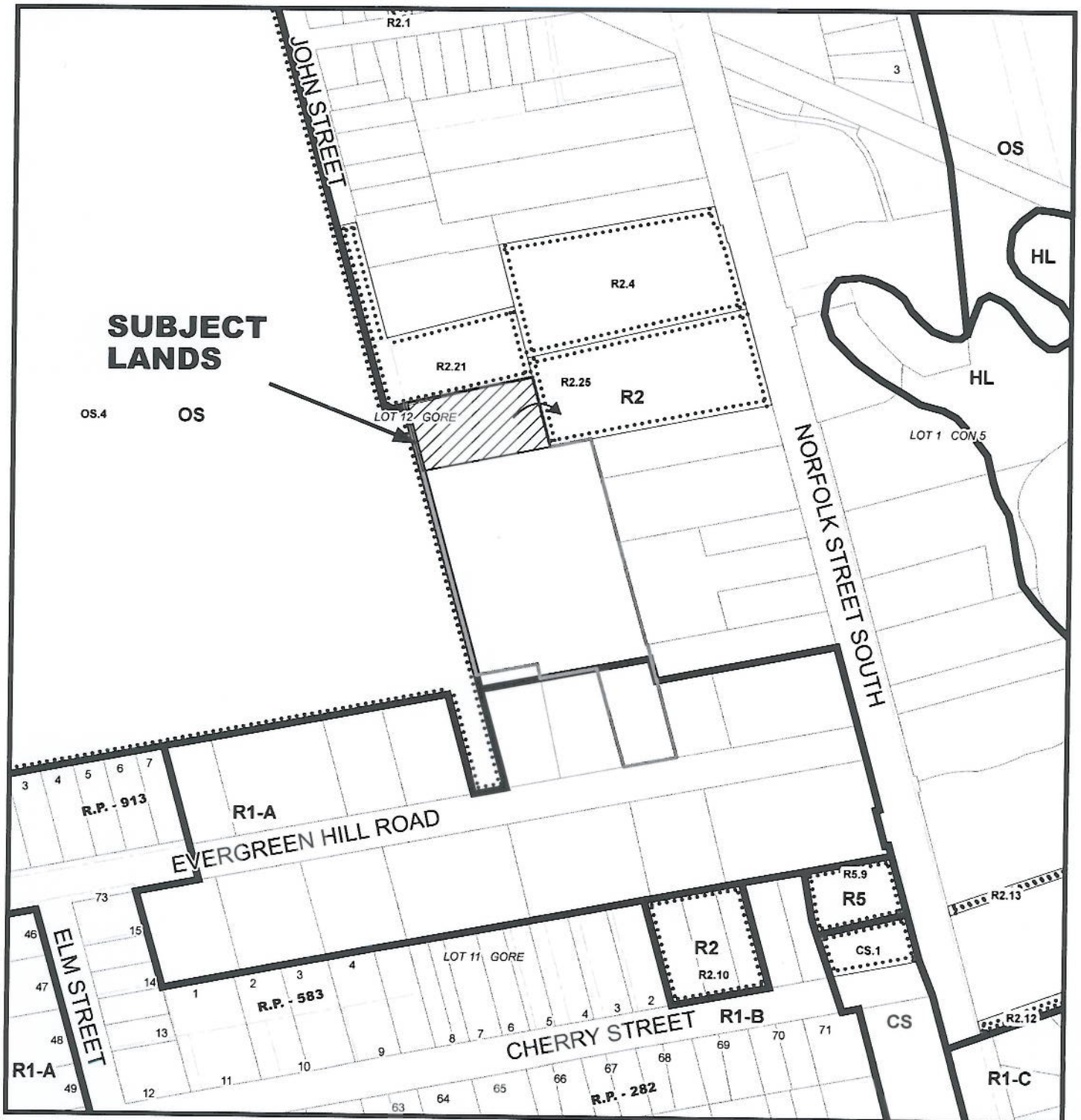
## MAP 2

File Number: BN-061/2007

Urban Area of SIMCOE



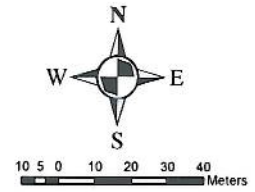
1:3,000



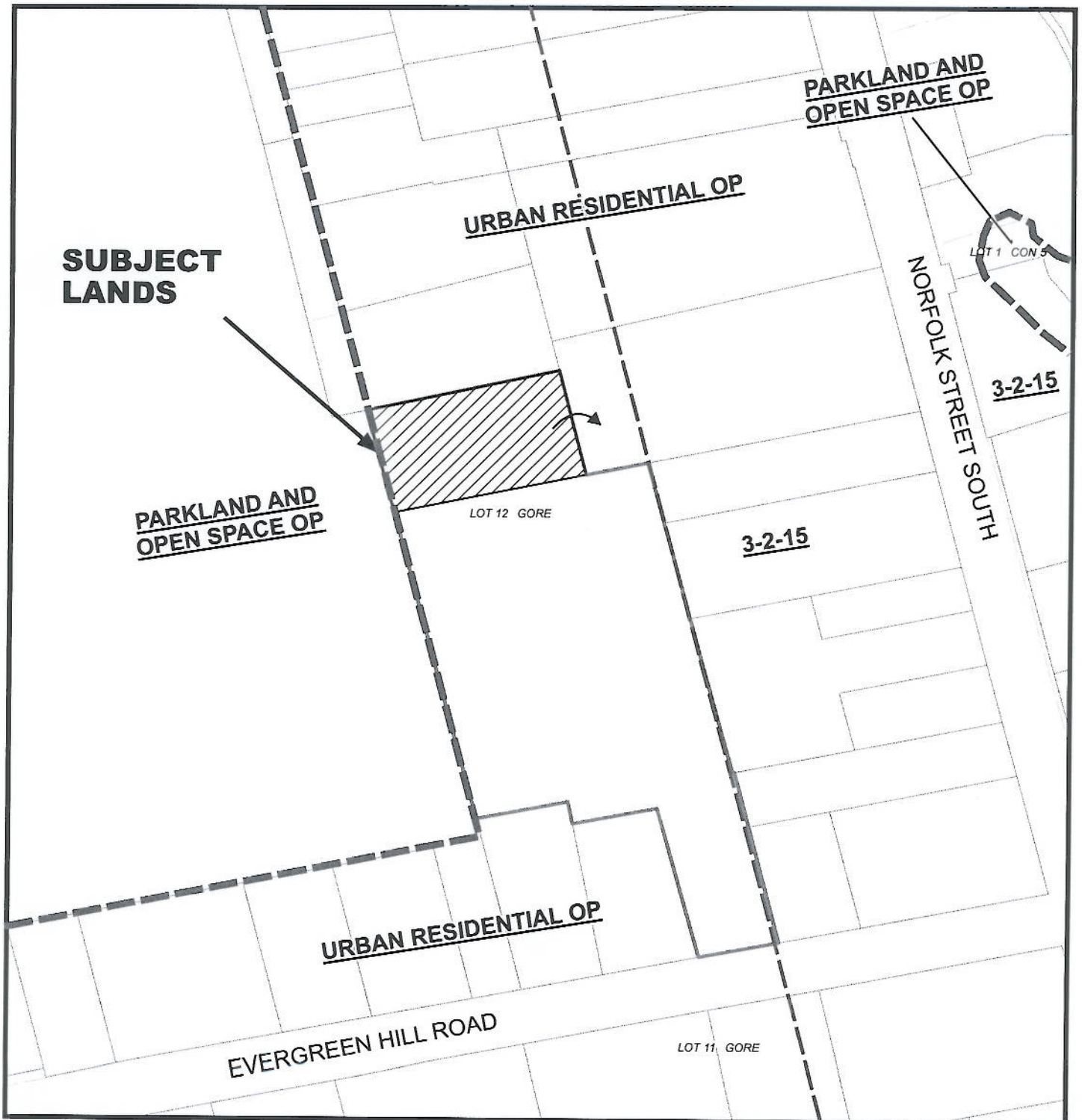
# MAP 3

File Number: BN-061/2007

Urban Area of SIMCOE



1:2,000

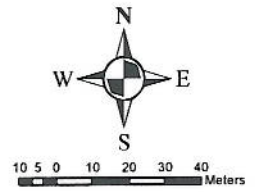




# MAP 4

File Number: BN-061/2007

Urban Area of SIMCOE



1:2,000

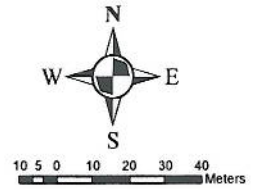




# MAP 5

File Number: BN-061/2007

Urban Area of SIMCOE



1:2,000

