



**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:

December 3, 2007

FILE NO.: BN-085/2007

ASSESSMENT ROLL NO.: 3310-541-030-11200

APPLICANT:

Charles & Marie Botzang, R.R. #3, 1545 Highway #3, Delhi, ON N4B 2W6

AGENT:

N/A

LOCATION:

Part Lot 35, Concessiion 1 NTR MID (1525 Highway #3)

PROPOSAL:

Sever a parcel having no frontage, a width of 43 m. (141.28 ft.) an irregular depth of approximately 28.9 m. (96 ft.) and having an area of 0.1 ha. (0.25 ac.) and retain a parcel having an area of 29.9 ha. (74 ac.) more or less as a boundary adjustment to create a parcel having a final area of 0.4 ha. (1.0 ac.)

- | | |
|--|---|
| <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 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: November 19, 2007

PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:

Shirley Cater, MCIP, RPP

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

(519) 426-5870 ext 1290

FAX: (519) 428-3069 EMAIL: shirley.cater@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 Secretary-Treasurer, P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0 • Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789; Email: 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.

CONSENT / SEVERANCE

Office Use:

File Number:

BN-085/2007

Related File:

Fees Submitted:

675.00

Application Submitted:

Nov. 8/07

Sign Issued:

Nov. 8/07

Complete Application:

Yes

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.

Mr. & Mrs. Chennak's Property

Property assessment roll number: 3310-541.030.11200.0000

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

A. APPLICANT INFORMATION

Name of Applicant¹: Charles & Marie Botzang Phone #: 519-582-0922

Address: RR#3 HWY3 1545 Hwy3. Fax #: _____

Town / Postal Code: DELHI ONT. N4B2W6 E-mail: _____

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

Name of Agent: _____ Phone #: _____

Address: _____ Fax #: _____

Town / Postal Code: _____ E-mail: _____

* Name of Owner²: Charles & Marianne Chennak Phone #: 519-582-3238

Address: RR#3 HWY3 1525 Fax #: _____

Town / Postal Code: DELHI ONT. N4B2W6 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 sent³: ☒ 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:



CONSENT / SEVERANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Middleton</u>	Urban Area or Hamlet	<u></u>
Concession Number	<u>1 NTR</u>	Lot Number(s)	<u>Pt. Lot 35</u>
Registered Plan Number	<u></u>	Lot(s) or Block Number(s)	<u></u>
Reference Plan Number	<u></u>	Part Number(s)	<u></u>
Frontage (metres/feet)	<u>200'</u>	Depth (metres/feet)	<u></u>
Width (metres/feet)	<u></u>	Lot area (m ² / ft ² or hectares/acres)	<u></u>
Municipal Civic Address	<u>1525 HIGHWAY 3</u>		

For questions regarding requirements for a municipal civic address please contact 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):

Boundary Adjustment to enlarge existing residential lot

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

to self - Charles & Marie Bolzang

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

Roll No: 541-030-11100

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	
					<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 ² / ft ² or hectares/acres)	Lands to be Retained (m ² / ft ² 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		

Note: ... nat lot size: 1.0 ac
~~200' fr. (120') back~~ (.4 ha)
see notes on back

CONSENT / SEVERANCE

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

~~150' x 120'~~
Frontage (metres/feet) 141.28' (43m) Depth (metres/feet) (22.8m) (28.9m)
75' & 95'
Width (metres/feet) ~~45' & 95'~~ 120' (36.6m) Lot area (m² / ft² or hectares/acres) .25ac (.1 ha)
Existing use: FARM LAND

Proposed use:

ADDITION TO 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:

none.

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

Frontage (metres/feet) 572.5 ft (174.4 m) Depth (metres/feet) irregular
Width (metres/feet) _____ Lot area (m² / ft² or hectares/acres) ±.74 ac (29.9 ha)
Existing use: farm

Proposed use:

no change

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:

1 house, 1 large barn, 1 L-shaped barn, Kiln (garage) 1 small garage, 2-3 bulk Kilns, 1 storage Kiln.

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 new buildings proposed.

CONSENT / SEVERANCE

Description of proposed RIGHT OF WAY/EASEMENT:

NA

Frontage (metres/feet)

Depth (metres/feet)

Width (metres/feet)

Lot area (m² / ft²)

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? (previous owner)

☒ Yes ☐ No ☐ Unknown

If yes, indicate the file number and the status/decision:

- approx. 1994 - lot was enlarged slightly.

Has any land been severed from the parcel originally acquired by the owner of the subject lands?

☒ Yes ☐ No ☐ Unknown

(original severance was in 1989?)

If yes, indicate the file number and the status/decision:

- past boundary adjustment, 1995.

Number of separate parcels that have been created:

- just the 1 lot.

Date(s) these parcels were created:

- 1989? approx B-065/89 - N

Name of the transferee for each parcel:

- Charles & Marie Botzang (this was the retirement lot)

Uses of the severed lands:

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:

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:

general knowledge of area

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: *existing*

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:

Name of road/street:

Hwy #3.

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

☐ Unopened road

☒ Provincial highway

☐ Municipal road

☐ Other (describe below)

If other, describe:

Name of road/street:

(~~No access~~) (severed parcel is at
Hwy #3 & back of residential lot)

I. OTHER INFORMATION

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

☐ Yes

☒ No

If yes, describe:

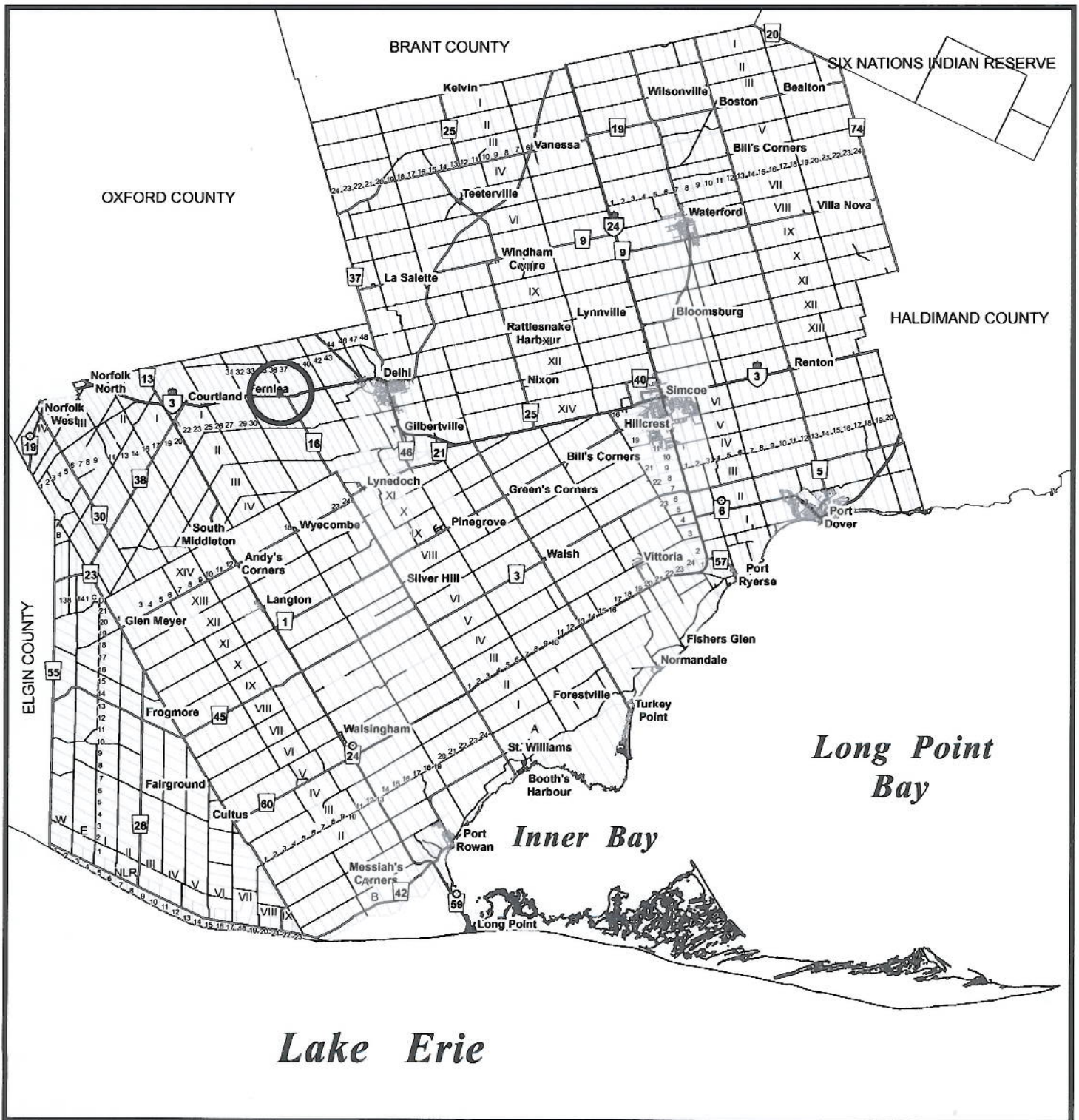
Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

- The boundary adjustment will enlarge the lot slightly & square off the field making it easier to work the land for the existing farmer.

MAP 1

File Number: BN-085/2007

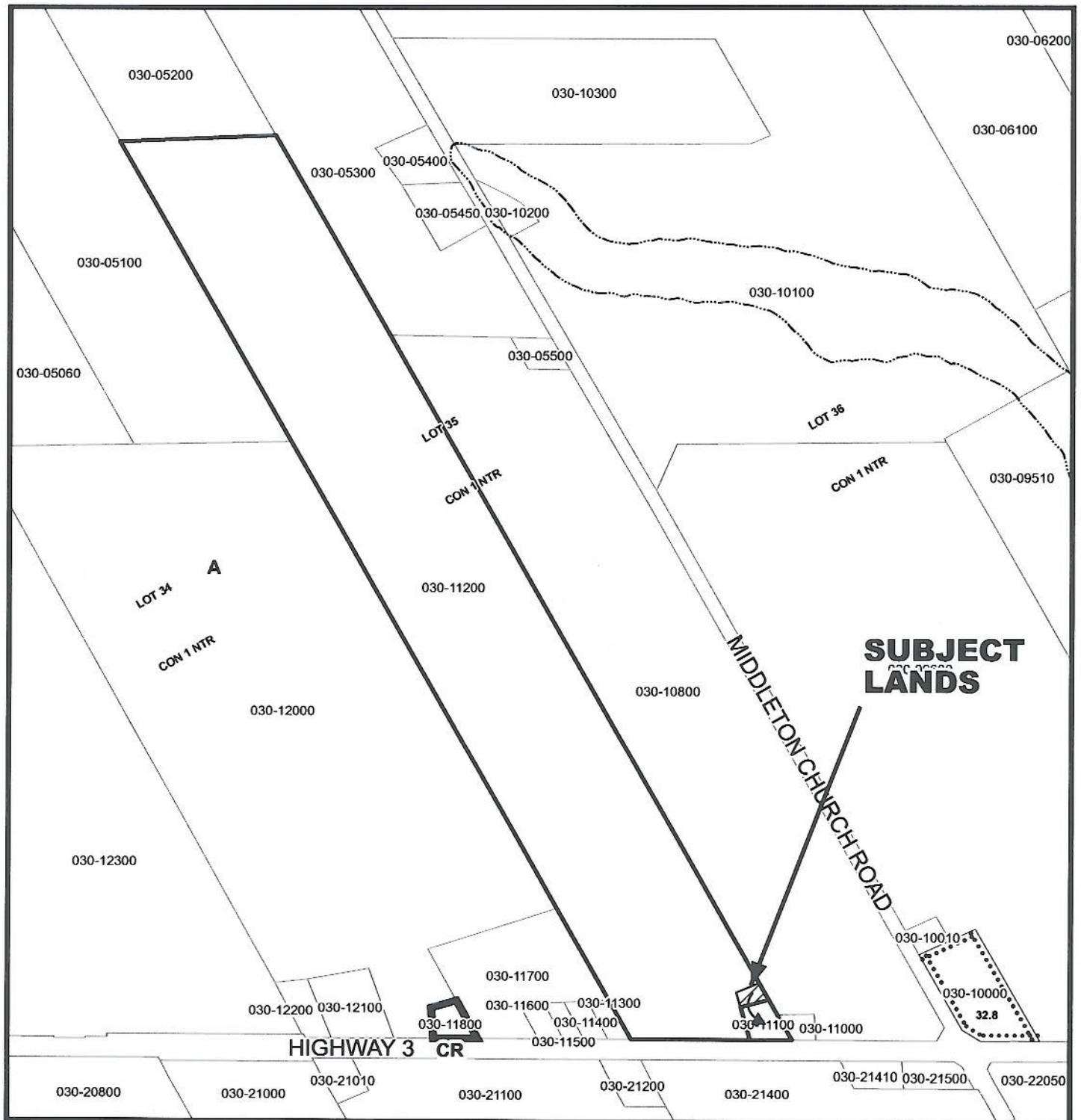
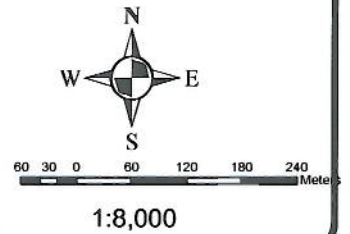
MIDDLETON



MAP 2

File Number: BN-085/2007

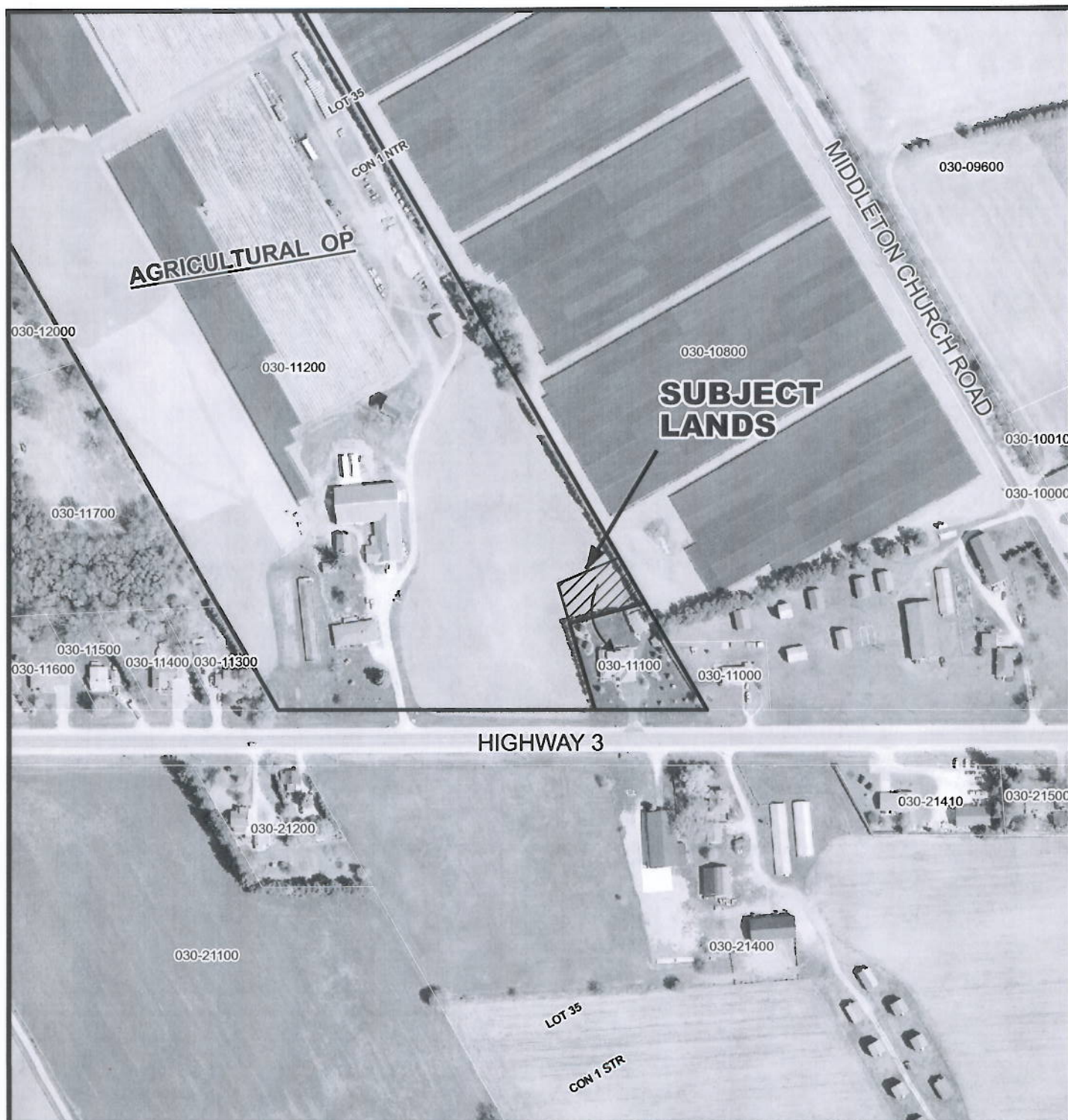
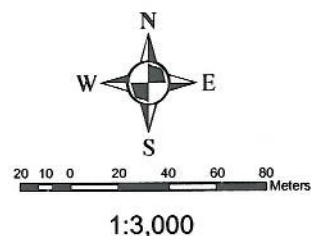
Geographic Township of MIDDLETON



MAP 3

File Number: BN-085/2007

Geographic Township of MIDDLETON



MAP 4

File Number: BN-085/2007

Geographic Township of MIDDLETON

