



THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT

## COMMENT REQUEST FORM

**FILE NO.: BN-093/2008**

**ROLL NO.: 3310-336-040-47900**

- ☒ 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
- ☒ Haldimand County

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:

# September 3, 2008

**APPLICANT:**

Nicole Haupt & Ian Carpenter, 2225 County Line Road, R.R. #1 Hagersville, ON N0A 1H0

**AGENT:**

C. Edward McCarthy (McCarthy & Fowler), 17 Main Street, South Hagersville, ON N0A 1H0

**LOCATION:**

Part Lot 24, Conc 6 TWN (2225 County Line Road)

**PROPOSAL:**

Sever a parcel having a frontage of 73.15 m. (240 ft.) a depth of 67.06 m. (220 ft.) and having an area of 0.49 ha. (1.21 ac.) and retain a parcel having an area of 32.38 ha. (80 ac.) more or less as a boundary adjustment.

**PLEASE REPLY BY EMAIL DIRECTLY TO:**

**SHIRLEY CATER, MCIP, RPP**

Norfolk County, 60 Colborne Street, South, Simcoe, ON N3Y 4N5  
(519) 426-5870 ext 1+290

**EMAIL: [shirley.cater@norfolkcounty.ca](mailto: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, 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: August 20, 2008**



## GUIDE FOR THE SUBMISSION OF AN APPLICATION FOR A CONSENT / SEVERANCE

### DEVELOPMENT APPLICATION

A complete development application for a consent / severance consists of the following:

- a. A properly completed and signed development application form;
- b. Supporting information adequate to illustrate your proposal as indicated in Section J. of this development application form;
- c. Consent from the registered owner of the subject lands where the applicant is not the owner; and,
- d. A cheque payable to Norfolk County in the amount set out in the fees by-law.

The above information is required to ensure that your development application is given full consideration. An incomplete or improperly prepared development application may not be accepted or may result in delays during the processing of the development application.

### PROCESSING THE DEVELOPMENT APPLICATION

Upon receipt of a completed development application, it will be sent to other public agencies for their comments and recommendations. The comments received from these other public agencies assist planning staff with the preparation of the report and recommendation.

The time involved in processing a development application varies depending upon its complexity and its acceptability to the other public agencies and local residents. If objections are received during the appeal period for the decision, an Ontario Municipal Board hearing must be held which can add considerable time to the process.

At the appropriate times, the applicant, owner or agent, as the case may be, will receive the following:

- a. Written acknowledgement of receipt of the completed development application;
- b. Written notice of the date and time of the public meeting when the Committee of Adjustment will be considering the development application (the applicant, owner, agent and the public will have the opportunity to make a verbal presentation at the meeting);
- c. A copy of the staff report; and
- d. Written decision of the Committee of Adjustment.

### ASSISTANCE

Before submitting a development application, it is recommended that you contact a Planner to arrange an appointment to discuss your development application. Time is often saved by these preliminary discussions. It may be necessary to seek the assistance of independent professional help (e.g. planning consultant, engineer, etc.) for complex development applications. For additional information or assistance in completing this development application, please contact a Planner at 519.426.5870 ext. 1340 or 519.875.4485 ext. 1834.

## NOTIFICATION SIGN REQUIREMENTS

For the purpose of public notification and in order for staff to locate your lands, you will be given a sign to indicate the intent and purpose of your development application. It is your responsibility to:

1. Post one sign per frontage in a conspicuous location on the subject lands
2. Ensure one sign is posted at the front of the subject lands at least three feet above ground level
3. Notify the Planner when the sign is in place in order to avoid processing delays
4. Maintain the sign until the development application is finalized and thereafter removed

## FEES AND SUBMISSION

The following is required in order for the development application to be considered complete: one copy of this development application, information stated in Section J, and the required application fee as set out below. Cheques can be made payable to Norfolk County. Additional fees or legal costs may apply if an Ontario Municipal Board hearing is held.

The application fee is calculated as follows:

Base fee

\$ 695

Private services

Total

\$ 695

An additional fee may be required if a review by the Long Point Region Conservation Authority or by the Grand River Conservation Authority is deemed necessary by planning staff and/or by the Authority. A separate cheque payable to the Long Point Region Conservation Authority or the Grand River Conservation Authority is required in accordance with their fee schedule, at the same time your application is submitted.

If the application is withdrawn prior to the circulation to commenting agencies, the entire original fee will be refunded. If withdrawn after the circulation to public agencies, but before the public notice being sent, half the original fee will be refunded. If withdrawn after the public notice has been circulated but prior to the report preparation, one quarter of the original fee will be refunded. If the application is withdrawn after the report has been prepared, no fee will be refunded.

For additional information or assistance in completing this development application, please contact a Planner at 519.426.5870 ext. 1340 or 519.875.4485 ext. 1834.

Please submit the completed development application and fees to Norfolk County, Planning & Economic Development Department, 60 Colborne Street South, PO Box 545 Simcoe, ON N3Y 4N5 or 22 Albert Street, PO Box 128, Langton, ON N0E 1G0.

## CONSENT / SEVERANCE

### Office Use:

File Number:

Related File:

Fees Submitted:

Application Submitted:

Sign Issued:

Complete Application:

BN-093/2008  
#  
Aug 8/08  
Aug 8/08  
Aug 8/08

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- 336 040 47900

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

### A. APPLICANT INFORMATION

Name of Applicant<sup>1</sup> Nicole Haupt & Ian Carpenter Phone # (905) 768-5229  
Address 2225 County Line Road, R.R. #1 Fax # \_\_\_\_\_  
Town / Postal Code Hagersville, Ont NOA 1H0 E-mail \_\_\_\_\_

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

Name of Agent C. Edward McCarthy (McCarthy & Fowler) Phone # (905) 768-3553  
Address 17 Main Street South Fax # (905) 768-1567  
Town / Postal Code Hagersville, Ont NOA 1H0 E-mail cemccarthy@mountaincable.net

Name of Owner<sup>2</sup> Peter & Kathleen Attwell Phone # (519) 443-6293  
Address R.R. #1 Fax # \_\_\_\_\_  
Town / Postal Code Wilsonville, Ont NOE 1Z0 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	<u>Townsend</u>	Urban Area or Hamlet	<u></u>
Concession Number	<u>Con. 6</u>	Lot Number(s)	<u>Pt Lot 24</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></u>	Depth (metres/feet)	<u></u>
Width (metres/feet)	<u></u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u></u>
Municipal Civic Address	<u>2225 County Line Road, R.R. #1, Hagersville, Ontario NOA 1H0</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:

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### 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 purpose of the application is to sever the existing dwelling as a surplus farm house.

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

Nicole Haupt & Ian Carpenter

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

N/A

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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>						
Peter & Kathleen Attwell R.N. 33 10 336 040 47900 OTHER	Lot 24, Con. 6 Townsend	81 ac.		Crops	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1973
Peter & Kathleen Attwell R.N. 33 10 336 020 59700	Pt. Lot 23, Con. 4 Townsend	73 ac.	70 ac.	Dairy Farm	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Unknown 40+ years
					<input type="checkbox"/> Yes <input type="checkbox"/> No	
Peter & Kathleen Attwell	Pt. Lot 6, Con. 4 Windham	18+ ac.	18 ac.	Crops	<input type="checkbox"/> Yes <input checked="" 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 checked="" 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)	240 feet (73.15m)	Depth (metres/feet)	220 <del>xxx</del> feet (67.06m)
Width (metres/feet)	240 feet (73.15m)	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	52,800 ft <sup>2</sup> (1.21 acres)

Existing use:

Residential Dwelling

Proposed use:

Residential Dwelling

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:

1. House with pool - Height 6.09m, front yard 36.58m, Rear yard 16.46m, side yards 13.12m & 38.1m, Dimensions 21.34 x 14.02m
2. Garden Shed - Height 2.44m, Front yard 61.57m, Rear yard 3.66m, side yards 18.29m & 51.82m, Dimensions 3.05 x 1.83m

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:

Same as above

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

Frontage (metres/feet)	855 ft (260.60m)	Depth (metres/feet)	irregular
Width (metres/feet)	irregular	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	80 acres approx.

Existing use:

Agricultural (Crops)

Proposed use:

Agricultural (Crops)

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):

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:

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?

April 30, 2008

Date of construction of the dwelling proposed to be severed:

1973

Date of purchase of subject lands:

April 30, 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:

Personal 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.

Is the previous use inventory attached?

☐ Yes ☐ No N/A

## 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:

N/A

Land it affects:

N/A

Purpose:

N/A

Status/decision:

N/A

Effect on the requested amendment:

N/A

If additional space is required, please attach a separate sheet.

Is the above information for other planning developments applications attached?

☐ Yes      ☒ No      N/A

### 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 checked="" type="checkbox"/> Yes <input 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 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:

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:

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Name of road/street:

~~XXXXXXXXXXXXXX~~ County Line Road

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Existing or proposed access to **severed** 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:

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Name of road/street:

County Line Road

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## I. OTHER INFORMATION

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

- ☐ Yes      ☒ No

If yes, describe:

N/A

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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-093/2008

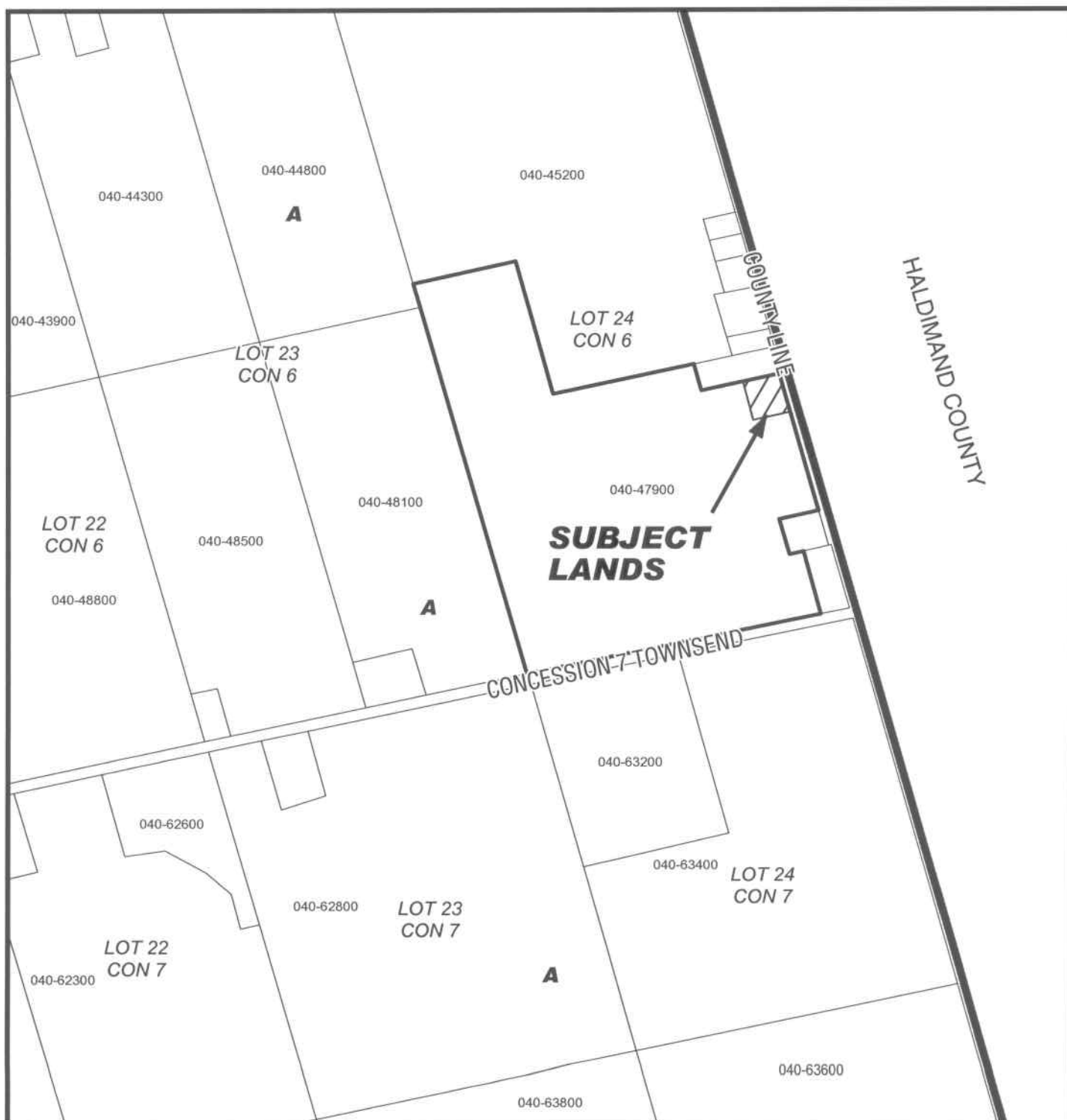
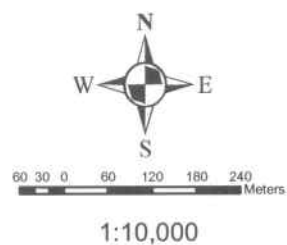
Geographic Township of TOWNSEND



## MAP 2

File Number: BN-093/2008

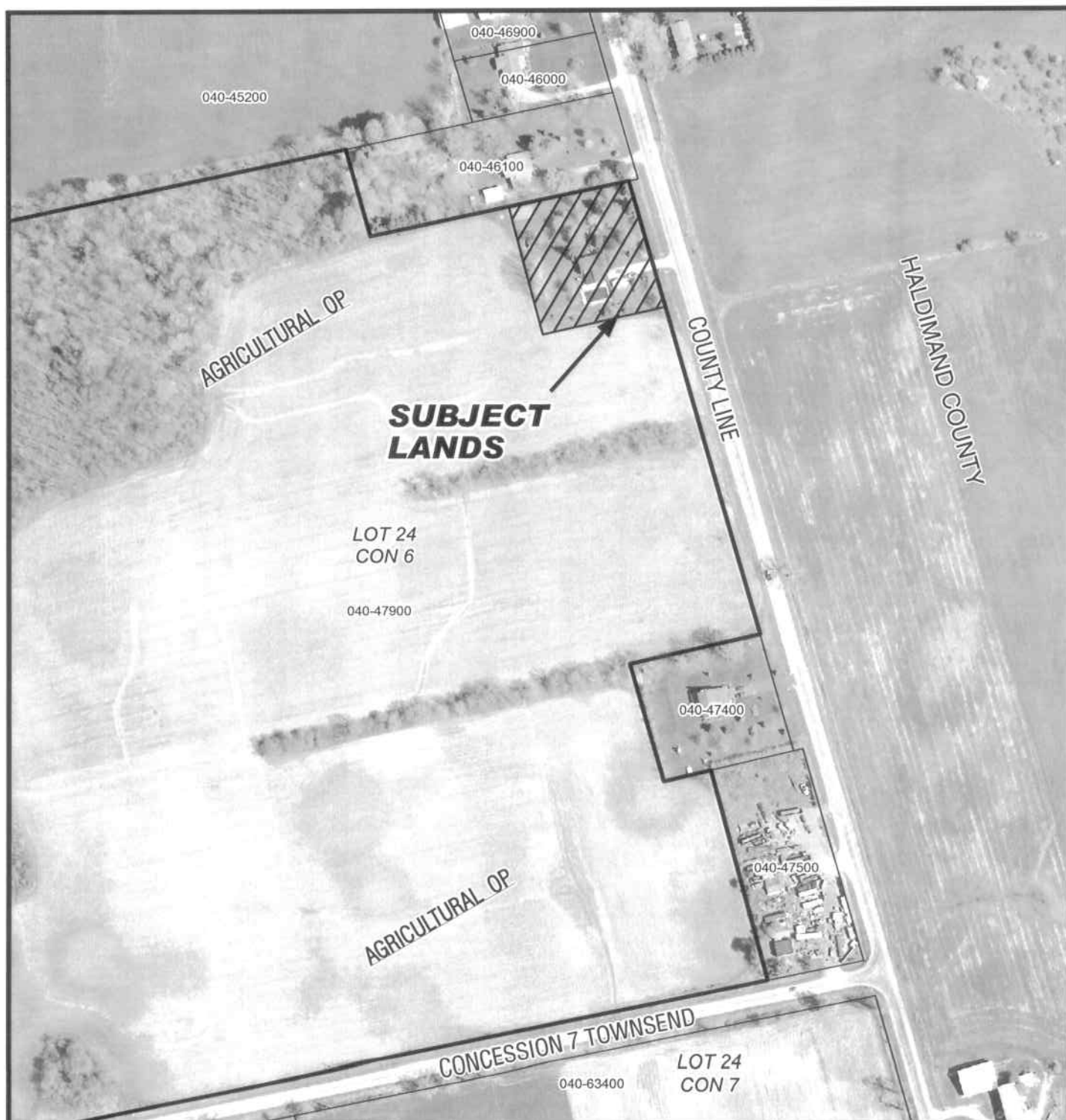
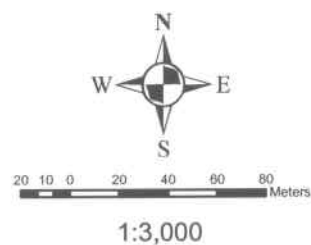
Geographic Township of TOWNSEND



# MAP 3

File Number: BN-093/2008

Geographic Township of TOWNSEND



# MAP 4

File Number: BN-093/2008

Geographic Township of TOWNSEND

