



THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT  
**COMMENT REQUEST FORM**

**FILE NO: BNPL2010020**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Building Department  | <input type="checkbox"/> Railway                    |
| <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"/> GIS Section  | <input type="checkbox"/> Conservation Authority     |
| <input checked="" type="checkbox"/> Fire/EMS   |   |
| <input checked="" type="checkbox"/> Public Works - NOTE: If an agreement is required please attach the clauses you require in the agreement. |   |

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:**

**May 31, 2010**

**APPLICANT:**

CEDARHOLME FARMS LIMITED, C/O PAUL ARTHUR, RR 1, SCOTLAND, ON N0E 1R0

**AGENT:**

CLINE, BACKUS, NIGHTINGALE & MCARTHUR, THOMAS A. CLINE,  
39 COLBORNE STREET, NORTH, PO BOX 528, SIMCOE, ON N3Y4N5

**LOCATION:** WDM CON 4 PT LOT 11 (917 WINDHAM ROAD 5)

**ASSESSMENT ROLL NO.:** 3310491006520000000

**PROPOSAL:**

An application has been received to sever a parcel having a frontage of 60.96 metres (200'), a depth of 49.38 metres (162'), and an area of 0.30 hectares (0.74 ac) and retain a parcel having an area of 38 hectares (94 acres) as the severance of a dwelling made surplus through farm amalgamation.

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**PLEASE REPLY BY EMAIL DIRECTLY TO:**

**Mary Elder, MCIP, RPP**

60 Colborne Street South, Simcoe ON N3Y 4H3  
519-426-5870 Ext. 1341

**EMAIL: [mary.elder@norfolkcounty.ca](mailto:mary.elder@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:

Karen 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)

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**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:** May 17, 2010

## Office Use:

File Number: BN-PL2010 020

Related File: \_\_\_\_\_

Fees Submitted: April 30, 2010

Application Submitted: April 30, 2010

Sign Issued: April 30, 2010

Complete Application: April 30, 2010

Property assessment roll number: 3310-491-00652000

- ## A. APPLICANT INFORMATION

## AGENT INFORMATION

**OWNER(S) INFORMATION** Please indicate name(s) *exactly* as shown on the Transfer/Deed of Land

Page 1 of 10

## CONSENT / SEVERANCE

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

Geographic Township	Windham	Urban Area or Hamlet	Hamlet
Concession Number	4	Lot Number(s)	Part Lot 11
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	1,908 ft.	Depth (metres/feet)	2,200 ft.
Width (metres/feet)	1,908 ft.	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	95 acres
Municipal Civic Address	917 Windham Rd. 5		

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

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

UNKNOWN

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

NOT APPLICABLE

## 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							
3310-491-0065200	Pt.L.11, C.4, Windham	95	94	Cash Crops	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	1920's
OTHER							
336-010-034-000	Pt.L.4, C.1, Townsend	7.1	7.1	Cash Crops	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	1950's
336-010-030000	Pt.L.6, C.1, Townsend	50	50	Cash Crops	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
334-910-1521000	Pt.L.17 & 18, C.7, Windham	33	33	Cash Crops & Wood	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
336-010-033-000	Pt.L.5, C.1, Townsend	97.5	97.5	Cash Crops	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
336-010-033-000	Pt.L.5, C.1, Townsend	2.5	NIL	NIL	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	1980's
2920-009-010-272500	Pt. L.1, C. 1, Brant	2	NIL	NIL	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
320-203-010-011000	Pt.L.4, C.6, South Norwich	100	100	Cash Crops	<input checked="" 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)

NOT APPLICABLE

Proposed crops grown (type and area)

NOT APPLICABLE

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)	200 ft. (60.96m)	Depth (metres/feet)	162 ft. (49.38m)
Width (metres/feet)	200 ft.	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	32,400 sq. ft. (0.74ac)
		PROPOSED FINAL LOT SIZE (if boundary adjustment)	(0.30ha)

Existing use: Single Family Residence

Proposed use: Single Family Residence

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:

Single Family Residence

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:

Single Family Residence

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

Frontage (metres/feet)	1,780 ft.	Depth (metres/feet)	2,200
Width (metres/feet)	1,780 ft.	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	+ /- 94 acres

Existing use: Agriculture

Proposed use: Agriculture

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:

2 barns

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 change

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

Frontage (metres/feet)	NOT APPLICABLE	Depth (metres/feet)	
Width (metres/feet)		Lot area (m <sup>2</sup> / ft <sup>2</sup> )	

Proposed use: \_\_\_\_\_



## CONSENT / SEVERANCE

### 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: \_\_\_\_\_

Date(s) these parcels were created: \_\_\_\_\_

Name of the transferee for each parcel: \_\_\_\_\_

Uses of the severed lands: \_\_\_\_\_

If this application proposes to sever a dwelling made surplus through farm amalgamation, when were the farm properties amalgamated? 2010

Date of construction of the dwelling proposed to be severed: +/- 50 years ago

Date of purchase of subject lands: 2010

### 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?



## CONSENT / SEVERANCE

☐ 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:

Lands have historically been used for farming purposes

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

## 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**: If additional space is required, attach a separate sheet.

File number: \_\_\_\_\_

Land it affects: \_\_\_\_\_

Purpose: \_\_\_\_\_

Status/decision: \_\_\_\_\_

Effect on the requested amendment: \_\_\_\_\_

Is the above information for other planning developments applications attached? ☐ Yes ☐ No

## CONSENT / SEVERANCE

### 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:

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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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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)	
	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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
Wooded area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Municipal landfill	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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
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
Floodplain	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Rehabilitated mine site	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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
Active mine site within one kilometre	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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
Active railway line	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Seasonal wetness of lands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Erosion	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Abandoned gas wells	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### H. SERVICING AND ACCESS

#### WATER SUPPLY

Municipal piped water

#### SEVERED

☐

#### RETAINED

☐

Communal Wells

☐☐

Individual Wells

☒☒

Other means (describe) \_\_\_\_\_





## CONSENT / SEVERANCE

### SEWAGE TREATMENT

#### SEVERED

#### RETAINED

Municipal Sewers

☐
☐

Communal System

☐
☐

Septic tank and tile bed

☒
☒

Other means (describe) \_\_\_\_\_

### STORM DRAINAGE

#### SEVERED

#### RETAINED

Storm Sewers

☐
☐

Open ditches

☐
☐

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

Existing or proposed access to the **RETAINED** lands:

☐ Unopened road

☐ Provincial highway

☒ Municipal road maintained all year

☐ Right-of-way

☐ Municipal road maintained seasonally

☐ Other (describe below)

If other, describe: \_\_\_\_\_

Name of road/street: Windham Centre Rd.

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

☐ Unopened road

☐ Provincial highway

☒ Municipal road maintained all year

☐ Right-of-way

☐ Municipal road maintained seasonally

☐ Other (describe below)

If other, describe: \_\_\_\_\_

Name of road/street: 9 17 Windham Rd. 5

## 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.

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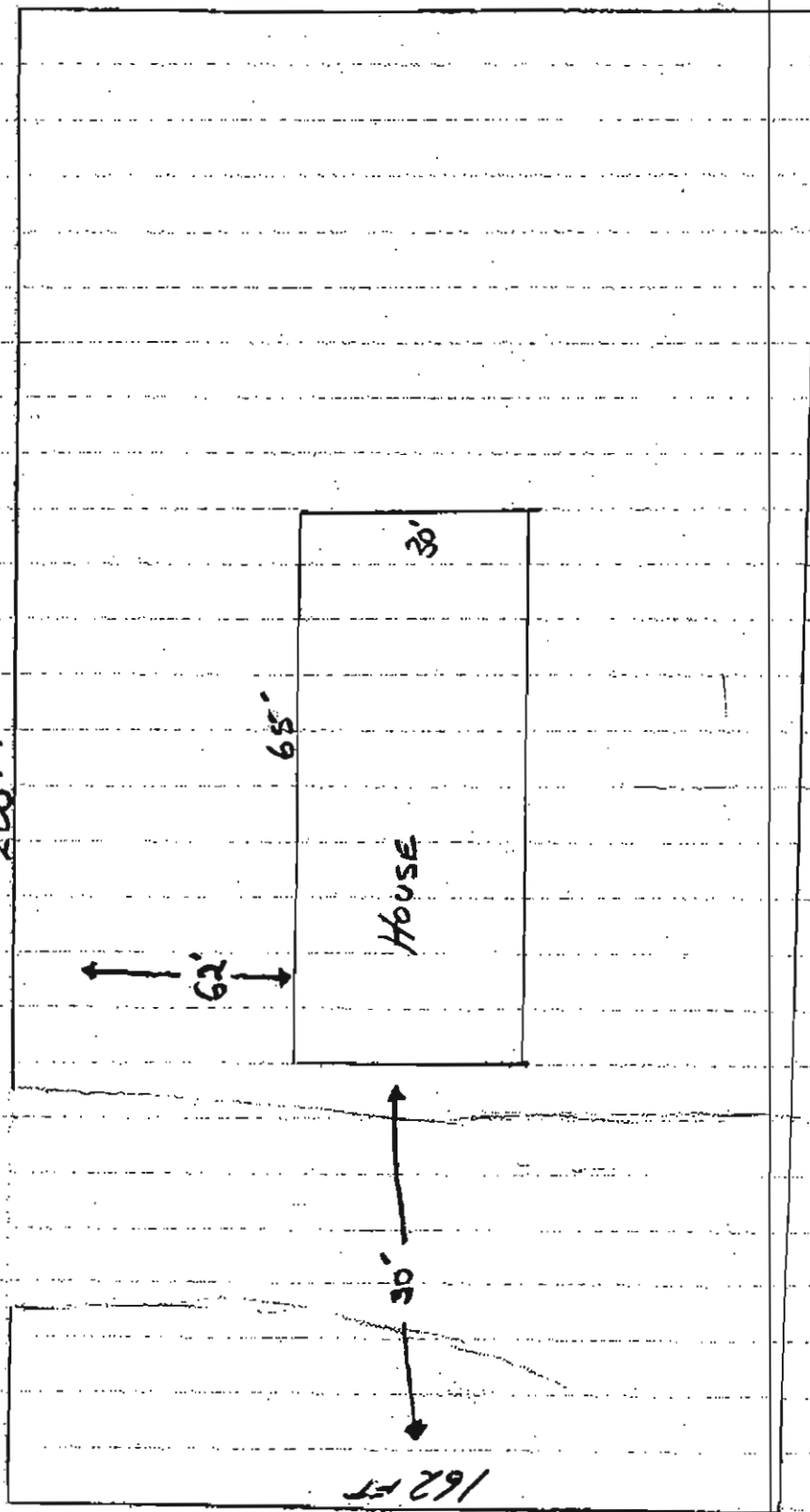


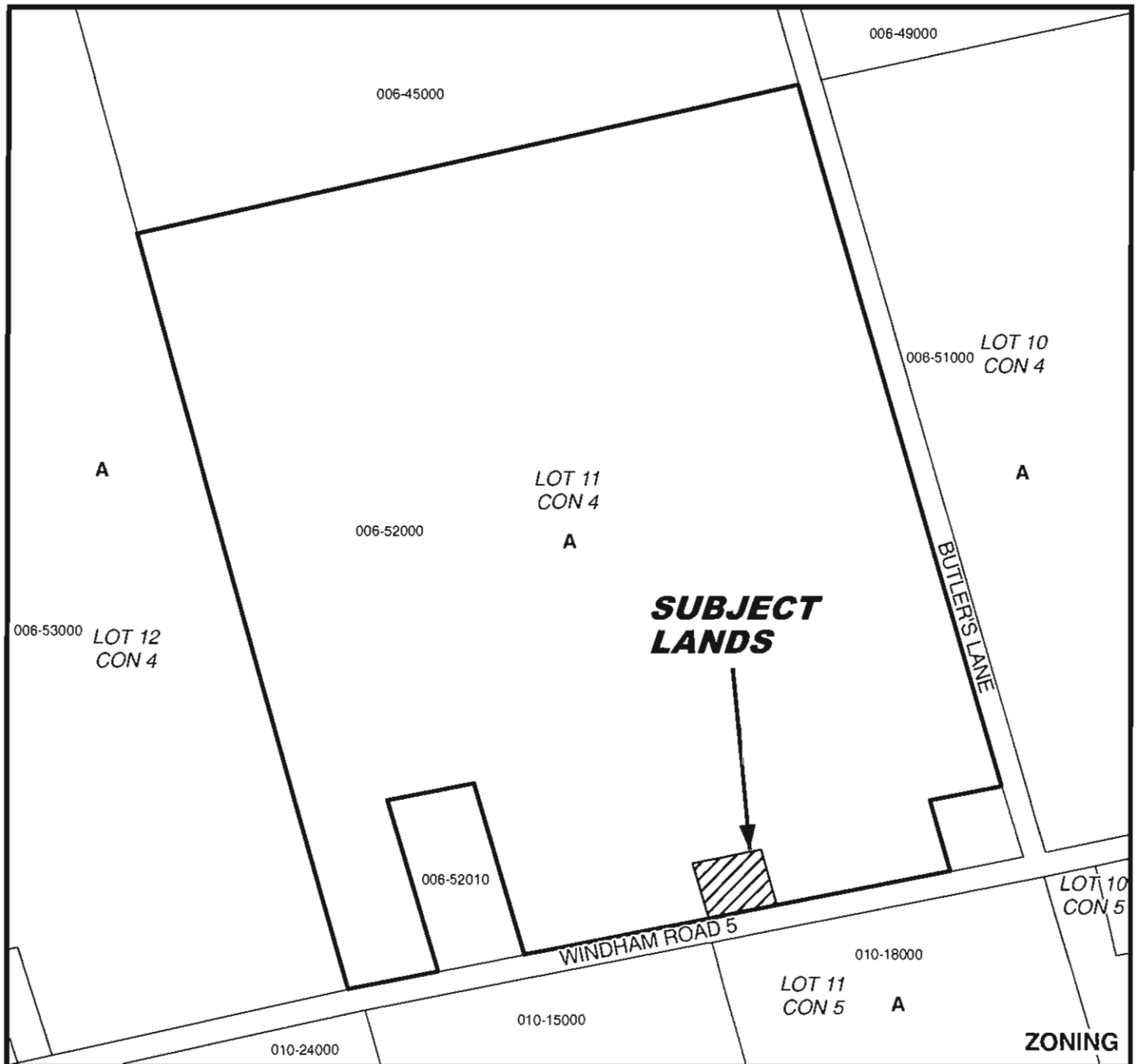
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MaHhys

917 - Windham RD 5

200 FT

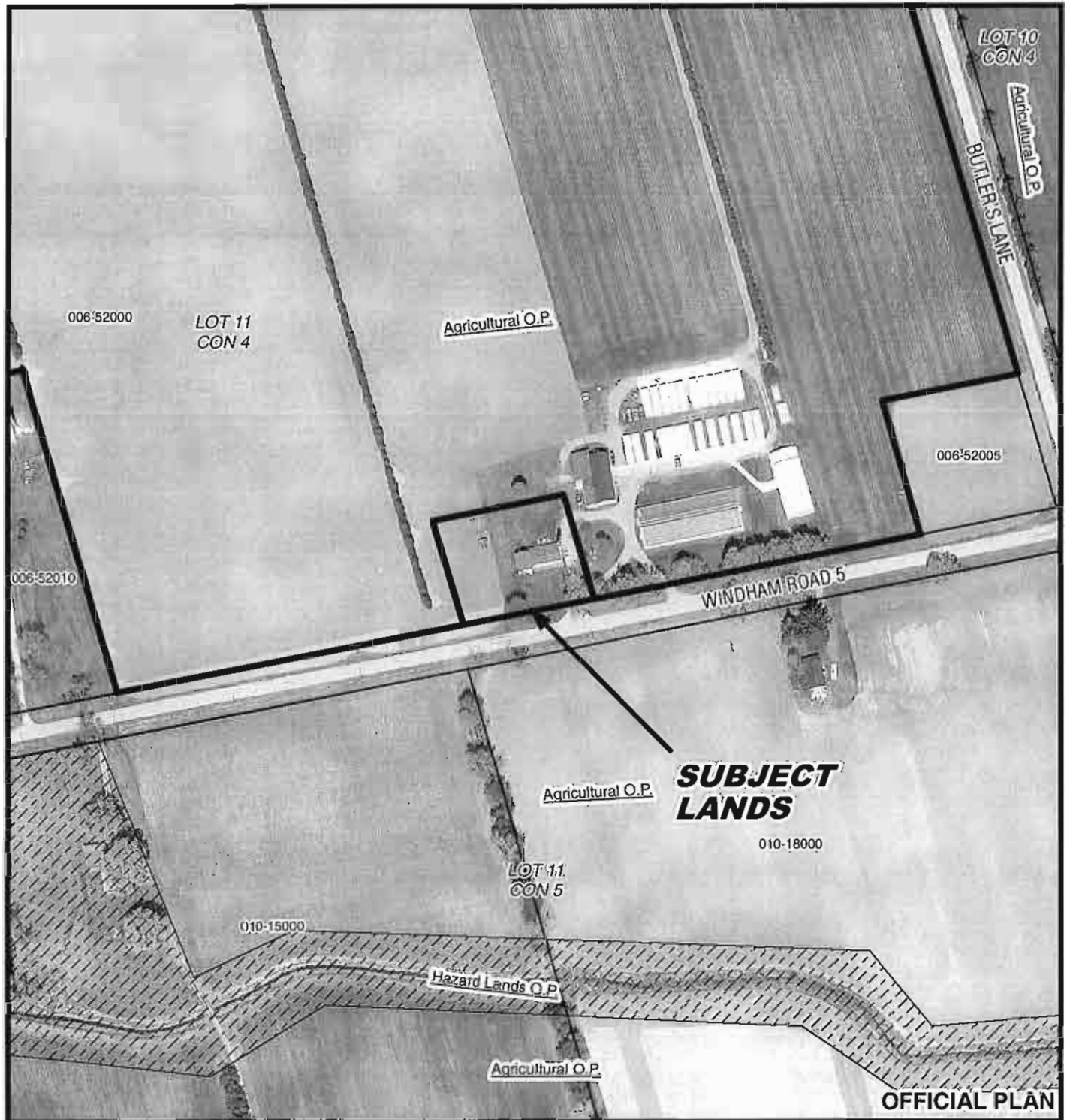
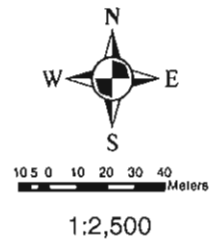




## MAP 2

File Number: BNPL2010020

Geographic Township of WINDHAM



# MAP 3

File Number: BNPL2010020

Geographic Township of WINDHAM

