



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO: BNPL2010133

☒ 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
☐ 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:**

OCTOBER 4TH, 2010

APPLICANT:

ATCHISON JOHN DOUGLAS, 14-ALLAN ST RR 1 WALSINGHAM, ON N0E 1X0

AGENT:

SMELKO LAW OFFICE

ATTN: ALBERT SMELKO, 25 NORFOLK STREET NORTH SIMCOE, ON N3Y 3N6

LOCATION: SWAL PLAN 31B BLK 1 LOT 14, TO LOT 16 PT LOT 13 PT LOT 3 (10 Milne Street)

ASSESSMENT ROLL NO.: 3310543020034000000

PROPOSAL:

An application has been received to sever a parcel having a frontage of 12.27 m (40.26 ft.), an irregular width of 92.55 m (303.65 ft.), a depth of 64.69 m (212.24 ft.) and having an area of 0.32 ha (0.8 ac.) and retain a parcel having an area of 0.35 ha (0.86 ac.) as a boundary adjustment. Lands to be added to 14 Allan Street. Final Lot Size: 0.48 ha (1.19 ac.)

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

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
koren.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: September 20th, 2010

CONSENT / SEVERANCE

Office use:

File Number: BN-PL2010133
Related File: N/A
Fees Submitted: Sept 8, 2010
Application Submitted: 11
Sign Issued: _____
Complete Application: _____

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- 543-020-03400

- | | |
|---|---|
| <input type="checkbox"/> Creation of a new lot | <input checked="" type="checkbox"/> Boundary adjustment |
| <input type="checkbox"/> Surplus Dwelling | <input type="checkbox"/> Easement |
| <input type="checkbox"/> Farm Split | <input type="checkbox"/> Right-of-way |
| <input type="checkbox"/> Other (lease / charge) | |

H. APPLICANT INFORMATION

Name of Applicant ¹ Gerald Atchison & John Douglas Atchison Phone # 519-586-8461
Address 14 Allan Street, RR #1 Fax # _____
Town / Postal Code Walsingham, Ontario N0E 1X0 E-mail _____

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

AGENT INFORMATION

Name of Agent Albert Smelko, SMELKO LAW OFFICE Phone # 519-426-1711
Address 25 Norfolk Street North Fax # 519-426-7863
Town / Postal Code Simcoe, Ontario N3Y 3N6 E-mail cjudd@smelkolaw.com

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

Name of Owners ² Gerald Edmond Atchison Phone # 905-876-5331
Address 10 Milne Street Fax # _____
Town / Postal Code Walsingham, Ontario N0E 1X0 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 sent ³: ☐ 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 mortgages, charges or other encumbrances on the subject lands:

No mortgages currently registered on title.

I. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>South Walsingham</u>	Urban Area or Hamlet	<u>Hamlet of Walsingham</u>
Concession Number		Lot Number(s)	<u>Lots 3, 13, 14, 15, 16</u>
Registered Plan Number	<u>Plan 31B</u>	Lot(s) or Block Number(s)	<u>Block 1</u>
Reference Plan Number	<u>37R-6354</u>	Part Number(s)	<u>Parts 1 & 2</u>
Frontage (metres/feet)	<u>irregular lot - see plan attached</u>	Depth (metres/feet)	<u>irregular lot - see plan</u>
Width (metres/feet)	<u>irregular lot - see plan attached</u>	Lot area (m ² / ft ² or hectares/acres)	<u>1.66 Acres</u>
Municipal Civic Address	<u>10 Milne Street, Walsingham, Ontario</u>		

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

J. 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):

Transfer of a portion of land (PART 1) to allow assess to Allan Street, Walsingham Ontario and to resolve the
encroachments and recognize the possessory title of John Douglas Atchison onto those lands owned
Gerald Edmond Atchison and set out as PART 1 on PLAN 37R-6354.

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

Co-Applicant, John Douglas ATCHISON

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

John Douglas ATCHISON (By Transfer/Deed of Land #NK10063)

(owner of abutting lands set out in Assessment Roll #33-10-543-020-03410)

- 14 ALLAN ST.

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)	Geographic Township	Total Acreage (Individual property)	Acres Workable (Individual property)	Existing Farm Type (Individual property e.g. corn production, orchard, tobacco)	Dwelling Present	Year Dwelling Built
Assessment Roll No. (obtained from your tax bill)	Concession and Lot #					
SUBJECT LANDS					<input type="checkbox"/> Yes <input type="checkbox"/> No	
OTHER					<input type="checkbox"/> Yes <input type="checkbox"/> No	
NOT APPLICABLE					<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)	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**: PART 1 on REFERENCE PLAN #37R-6354 - attached.

PART #1

Frontage (metres/feet)

(40.26') 12.27m

Depth (metres/feet)

64.69m
(212.24')

Width (metres/feet)

irregular (303.65')
92.55m

Lot area (m² / ft² or
hectares/acres)

(0.8ac) 0.32ha

PROPOSED FINAL LOT SIZE
(if boundary adjustment)

(1.19ac.)

0.48 ha

PART #2

Frontage (metres/feet)

Diagram showing frontage and width lines for Part #2.

Depth (metres/feet)

Diagram showing depth and width lines for Part #2.

Width (metres/feet)

Lot area (m² / ft² or
hectares/acres)

PROPOSED FINAL LOT SIZE
(if boundary adjustment)

Existing use: Hamlet Residential

Proposed use: Hamlet Residential

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:

Lands to be severed are vacant lands, subject to front porch easement & well located thereon.

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:

Lands to be severed will merge with abutting lands set out in Assessment Roll #33-10-543-020-03410, which

currently contain a single family dwelling owned and occupied by John Douglas Atchison.

CONSENT / SEVERANCE

Description of land intended to be **RETAINED**: PART 2 on REFERENCE PLAN #37R-6354

Frontage (metres/feet) Approx 184' Depth (metres/feet) Approx 208.56'

Width (metres/feet) Approx 184' Lot area (m² / ft² or hectares/acres) (0.86 acres) 0.35 ha

Existing use: Hamlet Residential

Proposed use: Hamlet Residential

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:

Part 2 contains a single family residence.

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:

Part 2 will continue to contain a single family residence.

Description of proposed **RIGHT OF WAY/EASEMENT**: **NOT APPLICABLE**

Frontage (metres/feet) _____ Depth (metres/feet) _____

Width (metres/feet) _____ Lot area (m² / ft²) _____

Proposed use: _____

CONSENT / SEVERANCE

K. PROPERTY INFORMATION

Present official plan designation(s): Hamlet Residential

Present zoning: Hamlet Residential

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: N/A

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: N/A

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: Hamlet Residential

CONSENT / SEVERANCE

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

properties amalgamated? Not Applicable

Date of construction of the dwelling proposed to be severed: Not Applicable

Date of purchase of subject lands: Not Applicable

L. 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

CONSENT / SEVERANCE

Provide the information you used to determine the answers to the above questions:

Obtained from vendors and realtors at time purchased lands in question.

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.

NOT APPLICABLE

Is the previous use inventory attached?

☐ Yes ☐ No

M. 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: _____

CONSENT / SEVERANCE

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)) <i>Mussel's Trucking</i>	<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

E. SERVICING AND ACCESS

WATER SUPPLY

SEVERED

RETAINED

Municipal piped water

☐
☐

Communal Wells

☐
☐

Individual Wells

X

X

Other means (describe) _____

SEWAGE TREATMENT

SEVERED

RETAINED

Municipal Sewers

☐
☐

Communal System

☐
☐

Septic tank and tile bed

X

X

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

X

No

Has the existing drainage on the subject lands been altered?

☐

Yes

X

No

Does a legal and adequate outlet for storm drainage exist?

☐

Yes

☐

No

X Unknown

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

☐ Unopened road

☐ Provincial highway

CONSENT / SEVERANCE

☒ Municipal road maintained all year

☐ Right-of-way

☐ Municipal road maintained seasonally

☐ Other (describe below)

If other, describe: _____

Name of road/street: Allan Street and Milne Street, Walsingham Ontario

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: Allan Street, Walsingham Ontario

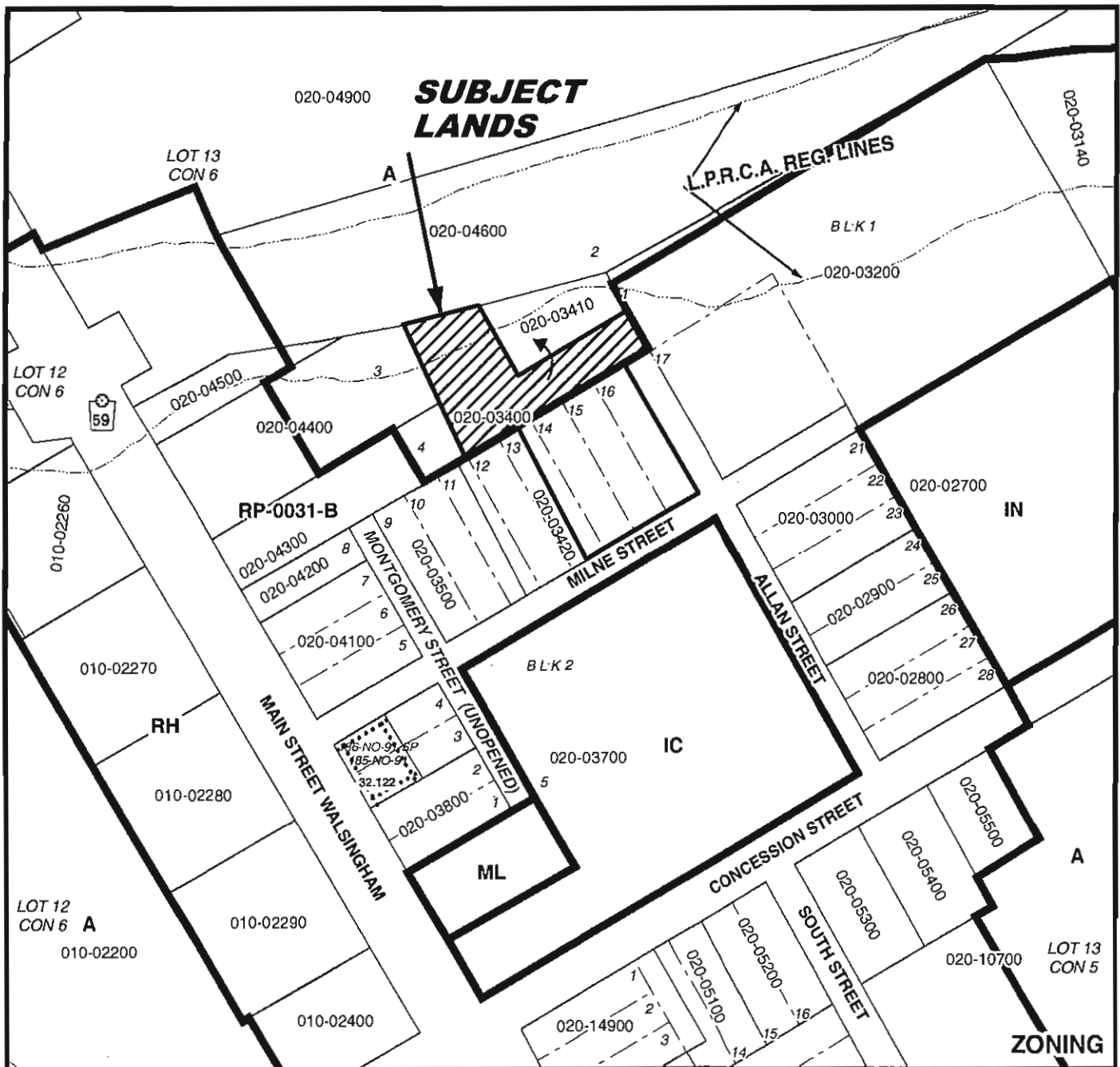
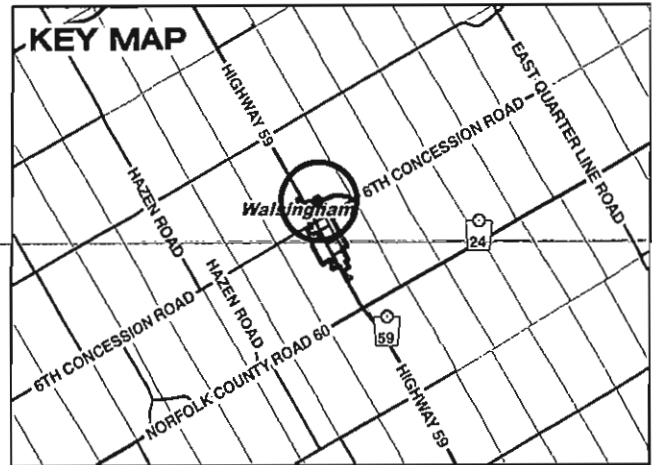
F. OTHER INFORMATION

Is there a time limit that affects the processing of this development application? ☐ Yes ☒ No

If yes, describe: N/A

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.

SOUTH WALSINGHAM



MAP 2

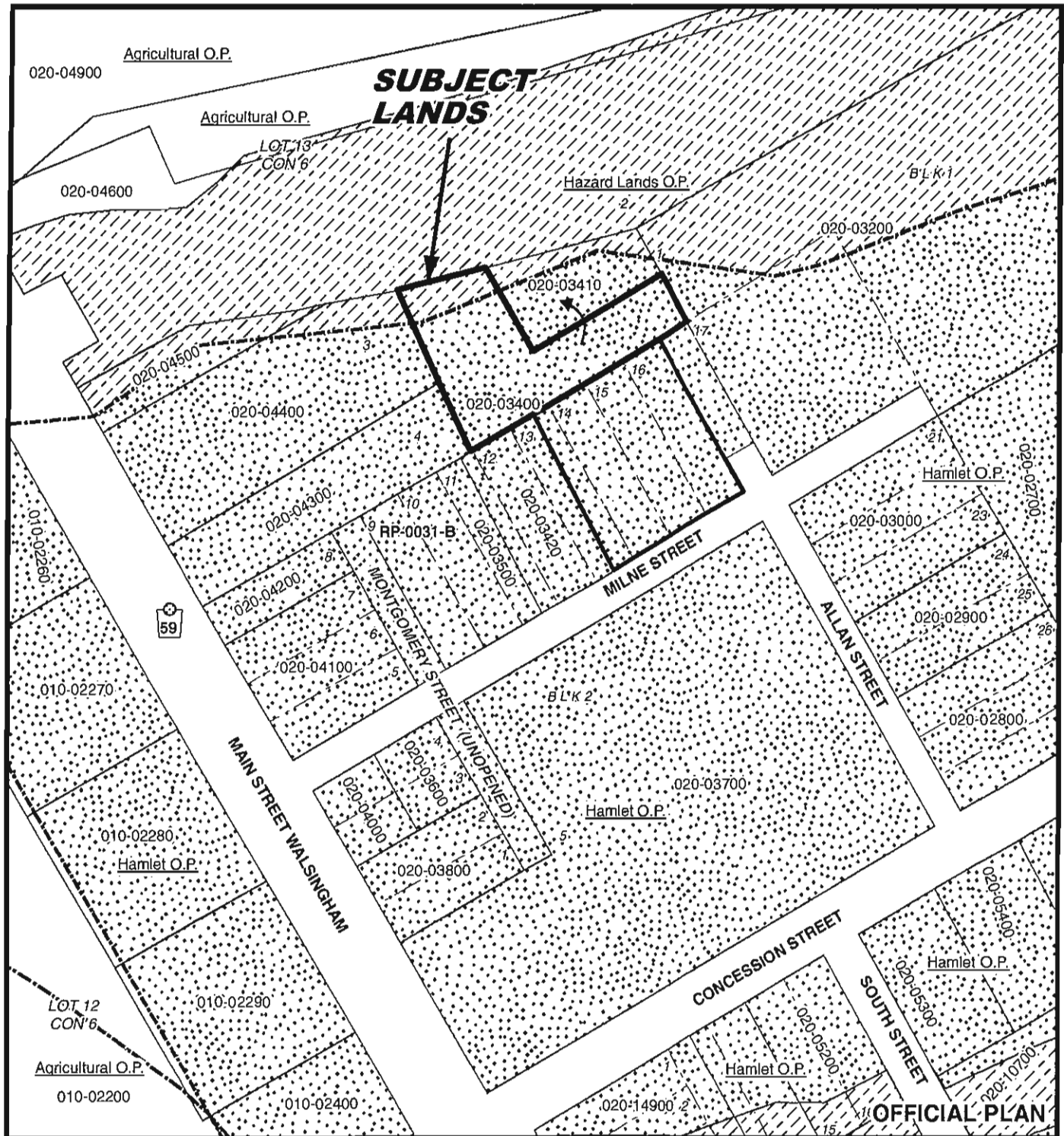
File Number: BNPL2010133

Geographic Township of SOUTH WALSINGHAM



9 4.5 0 9 18 27 36 Meters

1:2,000



MAP 3

File Number: BNPL2010133

Geographic Township of SOUTH WALSINGHAM



7.5 0 7 14 21 28 Meters

1:1,500



MAP 4

File Number: BNPL2010133

Geographic Township of SOUTH WALSINGHAM



7 3.5 0 7 14 21 28 Meters

1:1,500

