



THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT

## COMMENT REQUEST FORM

**FILE NO: BNPL2010195**

☒ 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  
☒ Union Gas  
☒ Norfolk Heritage Committee  
☐ 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:**

**JANUARY 3<sup>RD</sup>, 2010**

**APPLICANT:**

MAGALAS EUGENE DANIEL, 228 MCMICHAEL RD RR 4 WATERFORD, ON N0E 1Y0

**AGENT:**

R.C. DIXON, O.L.S. - JEWIT AND DIXON LTD., 51 PARK ROAD SIMCOE, ON N3Y4J9

**LOCATION:** TWN CON 6 PT LOT 11 (349 McMichael Road)

**ASSESSMENT ROLL NO.:** 3310336030420000000

**PROPOSAL:**

An application has been received to sever a parcel having a frontage of 61.97m (203.3 ft) a depth of 121.6m (399 ft) and having an area of 1.94 ac (0.79 ha) and retain an area of 32.7 ac (13.23 ha) as the severance of a dwelling made surplus through farm amalgamation.

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**PLEASE REPLY BY EMAIL DIRECTLY TO:**

**SHIRLEY CATER, MCIP, RPP, ECD**

60 Colborne Street South, Simcoe ON N3Y 4H3  
(519) 426-5870 ext: 1290

**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 application, you must make a written request to:

Karen Judd, ACST, Secretary-Treasurer  
P.O. Box 128, 22 Alberf Street, Longton 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.

**CIRCULATION DATE: December 20<sup>th</sup>, 2010**

**CONSENT / SEVERANCE****Office Use:**

File Number: BN- PL 2010 195  
 Related File: ✓  
 Fees Submitted: Dec 3 2010  
 Application Submitted: Dec 3 2010  
 Sign Issued: Dec 6 2010  
 Complete Application: Dec 6 2010

33505 reminder

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 03042 000

- |  |  |
|--|--|
| <input type="checkbox"/> Creation of a new lot       | <input type="checkbox"/> Boundary adjustment |
| <input checked="" 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)      |  |

**A. APPLICANT INFORMATION**

Name of Applicant <sup>1</sup> Eugene Magalas Phone # (519) 443-7218  
 Address R.R. 4 Fax # \_\_\_\_\_  
 Town / Postal Code Waterford, On E-mail \_\_\_\_\_

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

**AGENT INFORMATION**

Name of Agent R. C. Dixon, D.L.S. Phone # (519) 426-0842  
 Address 51 Park Road Fax # (519) 426-1034  
 Town / Postal Code Simcoe N3Y 4J9 E-mail surveyors@amtelecom.net

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

Name of Owners <sup>2</sup> ROBERT / CAROL HALCOOP Phone # 519. 443. 4528  
 Address # 349 NEWMICHAEL RD, RR#4 Fax # \_\_\_\_\_  
 Town / Postal Code WATERFORD NOB-1Y0 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:



## CONSENT / SEVERANCE

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

Geographic Township	<u>Townsend</u>	Urban Area or Hamlet	_____
Concession Number	<u>VI</u>	Lot Number(s)	<u>11</u>
Registered Plan Number	_____	Lot(s) or Block Number(s)	_____
Reference Plan Number	_____	Port Number(s)	_____
Frontage (metres/feet)	<u>538.3 m ± / 1766' ±</u>	Depth (metres/feet)	<u>variable - see sketch</u>
Width (metres/feet)	<u>599.2 m ± / 1966' ±</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>14.00 ha / 34.6 ac. ±</u>
Municipal Civic Address	<u>349 McMichael Road</u>		

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):

The 34.6 acre agricultural parcel is being purchased by the applicant and being added to his adjacent land holding. The current owner will end up with the lot and surplus dwelling.

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:

will be retained by current owner.

## 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 interests)	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	
see attached list.					<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) 61.97m / 203 ft Depth (metres/feet) 121.6m / 399' ±  
 Width (metres/feet) 61.97m / 203 ft Lot area (m<sup>2</sup> / ft<sup>2</sup> or hectares/acres) 6.79 ha. / 1.94 ac.  
 PROPOSED FINAL LOT SIZE (if boundary adjustment) \_\_\_\_\_

Existing use: Agriculture

Proposed use: 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:

see attached sketch

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:

nil

Description of land intended to be RETAINED:

Frontage (metres/feet) 477.9m E / 1568' E Depth (metres/feet) variable - see sketch  
 Width (metres/feet) 477.9m E / 1568' E Lot area (m<sup>2</sup> / ft<sup>2</sup> or hectares/acres) 13.23 ha / 32.7 ac. ±

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:

nil

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:

nil

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: \_\_\_\_\_

## CONSENT / SEVERANCE

### D. PROPERTY INFORMATION

Present official plan designation(s): Agriculture

Present zoning: Agriculture

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: appears that 37R4124 was a previous sev.

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? \_\_\_\_\_

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?



## Property in Eugene Magalas name

① Home Farm South side.

Pt Lt 10 Con 6 = 87.53 Ac roll# 336 03043900.0000

② Home Farm North

Pt Lt 10 Con 6 = 104.02 Acres roll# 336 030 43800.0000

③ Kopper Farm

Pt Lot 14 Con 7 = 73.07 Acres roll# 336 040 69200.0000  
+ 15

④ Chicken Farm

Pt Lot 7 Con 6 = 29.86 Acres roll# 336.030.56800.0000

⑤ Corn Dyer

Pt 7 Con 6 = 39.82 Acres roll# 336 030 56100 0000

⑥ Nemerovski Farm

Pt Lot 5 Con. 1 = 115.32 Acres roll# 337 030 26500.0000

⑦ Pinky Farm

Lot 13 Con 10 = 53.97 Acres roll# 336 060 69900.0000

⑧ ODersko Farm

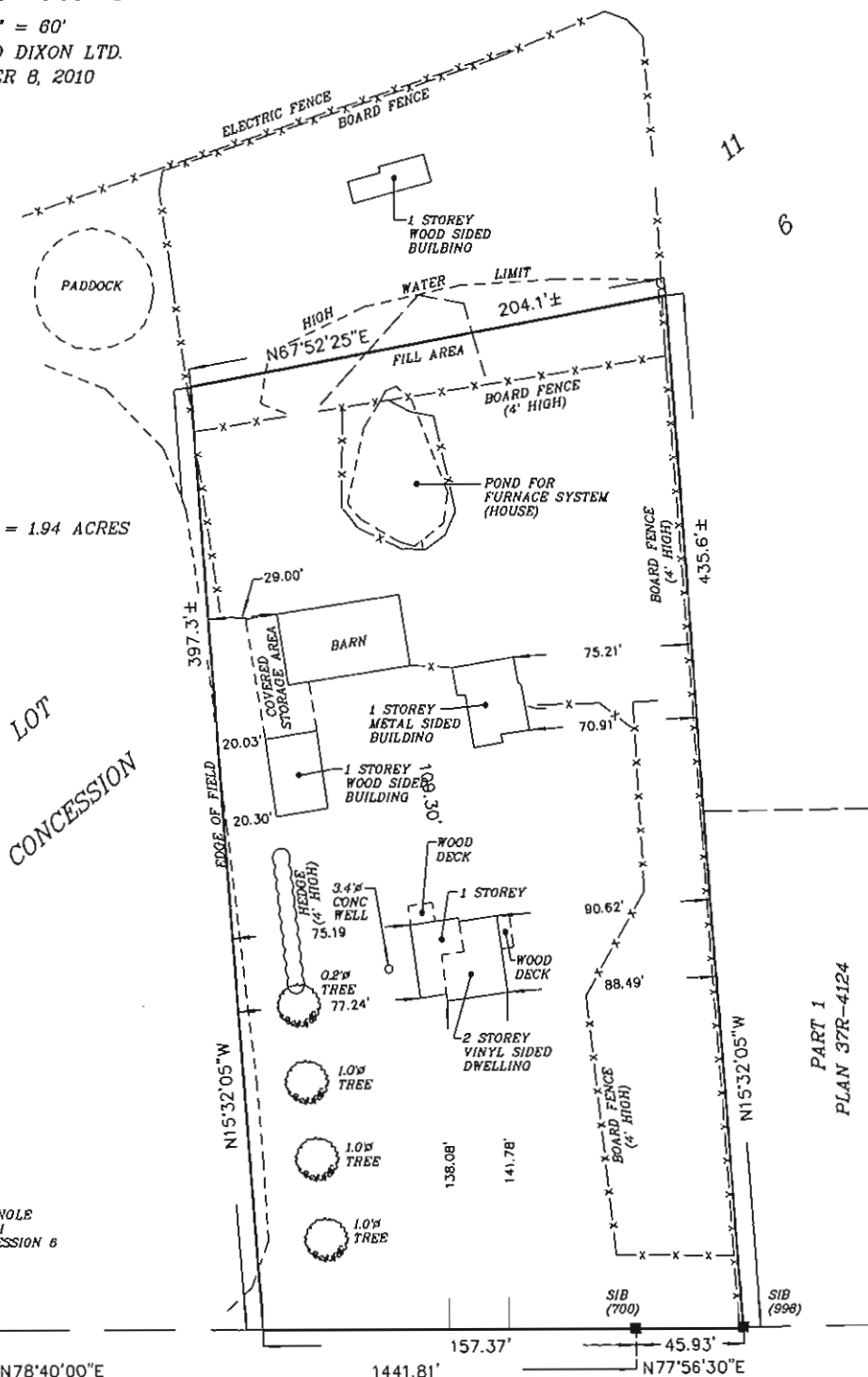
Lot 15 Con 10 = 68.87 Acres <sup>roll</sup># 336.060 49900.0000

SKETCH SHOWING  
SEVERANCE APPLICATION  
OF PART OF  
LOT 11, CONCESSION 6  
IN THE  
TOWNSHIP OF TOWNSEND  
IN  
NORFOLK COUNTY

SCALE: 1" = 60'  
JEWITT AND DIXON LTD.  
DECEMBER 8, 2010



AREA OF PARCEL = 1.94 ACRES



GIVEN ROAD  
(66.00' WIDE)  
(KNOWN AS McMICHAEL ROAD)

NOTE:

THIS PLAN IS IN FEET AND CAN BE CONVERTED  
TO METRIC BY DIVIDING BY 3.2808

CAUTION:

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT  
BE USED FOR PURPOSES OTHER THAN THE  
PURPOSE INDICATED IN THE TITLE BLOCK.

**JEWITT AND DIXON LTD.**  
**ONTARIO LAND SURVEYORS**

R.R.1, SIMCOE, ONTARIO, N3Y 4J9  
(51 PARK ROAD)

PHONE: (519) 426-0842 FAX: (519) 426-1034  
E-mail: surveyors@amtelecom.net



## 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:

Local 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

## 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)	
Livestock facility or stockyard (if yes, complete Form 3 – available upon request) (3 horses)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ____ distance
Wooded area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input 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

#### WATER SUPPLY

Municipal piped water

SEVERED

☐

RETAINED (n/a)

☐

Communal Wells

☐☐

Individual Wells

☒☐

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



## CONSENT / SEVERANCE

### SEWAGE TREATMENT

#### SEVERED

#### RETAINED

n/a

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: \_\_\_\_\_

McMichael Road

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: \_\_\_\_\_

McMichael Road

## 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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FORM 3**

**INFORMATION FORM – MDS CALCULATION**

Name: \_\_\_\_\_ File No.: \_\_\_\_\_  
Lot: \_\_\_\_\_ Concession: \_\_\_\_\_ Township: \_\_\_\_\_  
Total Acreage of Subject Lands: \_\_\_\_\_ Total Acres Workable: \_\_\_\_\_  
Distance from barn to nearest dwelling: \_\_\_\_\_ feet / metres  
Distance from manure storage area to nearest dwelling: \_\_\_\_\_ feet / metres

<u>TYPE OF LIVESTOCK</u>	<u>EXISTING CAPACITY</u> (of barn)	<u>PROPOSED CAPACITY</u> (of barn)
<b>POULTRY</b>		
-laying hens		
-breeders		
-pullets		
-chicken broilers		
-turkey broilers		
-turkey hens		
-turkey toms		
-roasters		
<b>SWINE</b>		
-sows		
-boars		
-weanlings		
-feeders		
<b>BEEF</b>		
-cows		
-calves		
-feeders		
(400-750 lb)		
(400-1100lb)		
(750-1100lb)		
<b>DAIRY</b>		
-cows		
-heifers		
-calves		
<b>MINK – females</b>		
<b>HORSES</b> → 1 gelding, 3 mares		
<b>SHEEP</b> - rams		

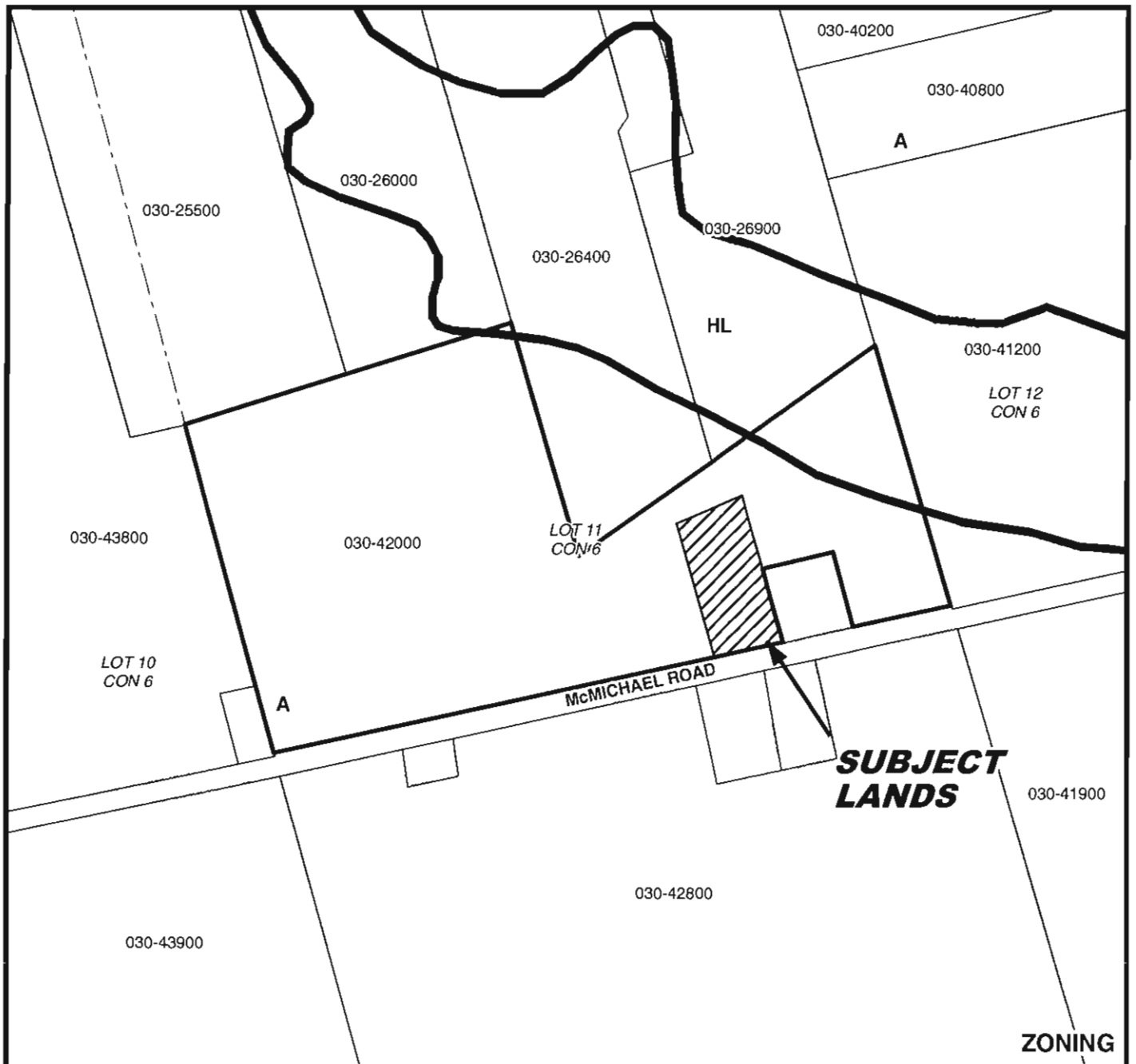
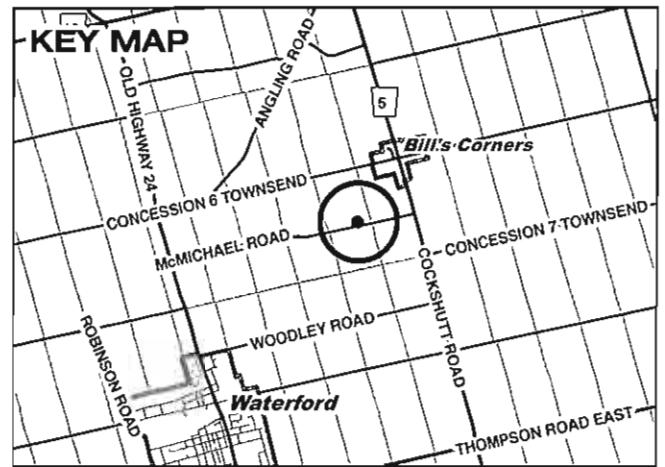
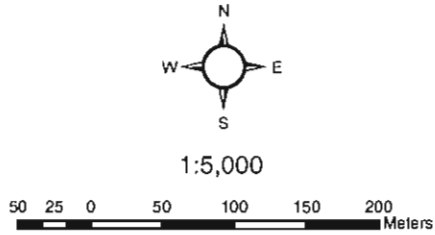
**MANURE STORAGE**

DRY	Open pile	<input checked="" type="checkbox"/>
	Covered pile	<input type="checkbox"/>
SEMI SOLID	Open pile	<input type="checkbox"/>
	Storage with buck walls	<input type="checkbox"/>
LIQUID	Covered tank	<input type="checkbox"/>
	Above ground uncovered tank	<input type="checkbox"/>
	Below ground uncovered tank	<input type="checkbox"/>
	Open earth sided pit	<input type="checkbox"/>

**MAP 1**  
**File Number: BNPL2010195**

Geographic Township of

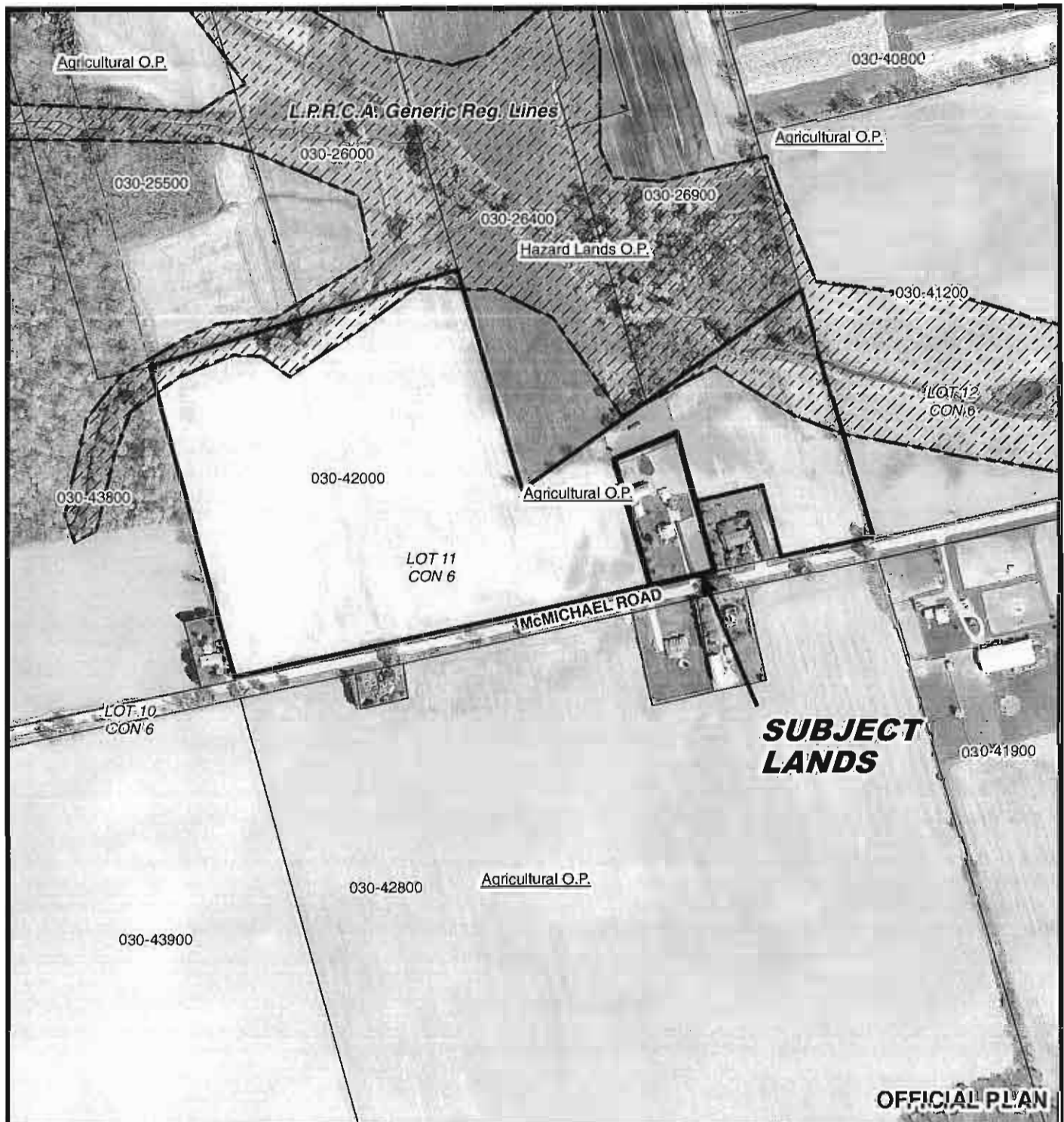
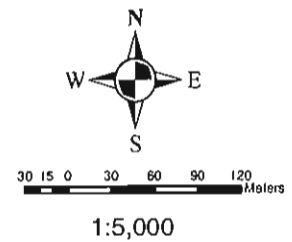
**TOWNSEND**



## MAP 2

File Number: BNPL2010195

Geographic Township of TOWNSEND



# MAP 3

File Number: BNPL2010195

Geographic Township of TOWNSEND

