



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO: BNPL2010202

☒ 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 31ST, 2011

APPLICANT:

DEPAUW GARY SOLOMAN & DEPAUW SHIRLEY BETTY, RR 1 WINDHAM CENTRE, ON N0E 2A0

AGENT:

CLINE BACKUS NIGHTINGALE MCARTHUR - THOMAS A. CLINE, PO BOX 528 SIMCOE, ON N3Y4N5

LOCATION: WDM CON 11 PT LOT 6 (1462 Windham Road 11)

ASSESSMENT ROLL NO.: 3310491021160000000

PROPOSAL:

An application has been received to sever a parcel having a frontage of 44.20 m. (145'), depth of 129.54 m. (425'), area of 0.61 ha. (1.5 ac.) and retain a parcel having an area of 38.45 ha. (95 ac.) as the creation of a lot in the agricultural area.

PLEASE REPLY BY EMAIL DIRECTLY TO:

PAM DUESLING, MCIP, RPP, EC.D
60 Colborne Street S., Simcoe ON N3Y 4H3
(519) 426-5870 ext: 1342
EMAIL: pam.duesling@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
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: January 17th, 2011

CONSENT / SEVERANCE**Office Use:**

File Number: BN-PL 2010 202
Related File: OPNPL2010 ⁹⁴ ~~202~~
Fees Submitted: _____
Application Submitted: Dec. 21 / 10
Sign Issued: Dec. 21 / 10
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: 3310-49-102-116-000

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

A. APPLICANT INFORMATION

Name of Applicant ¹	<u>GARY & SHIRLEY DePAUW</u>	Phone #	<u>519-428-3634</u>
Address	<u>1462 Windham Rd. 11, R. R. # 1</u>	Fax #	_____
Town / Postal Code	<u>Windham Centre, ON. N0E 2A0</u>	E-mail	_____

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

AGENT INFORMATION

Name of Agent	<u>THOMAS A. CLINE</u>	Phone #	<u>519-426-6763</u>
Address	<u>39 Colborne St. N., P. O. Box 528</u>	Fax #	<u>519-426-2055</u>
Town / Postal Code	<u>Simcoe, ON. N3Y 4N5</u>	E-mail	<u>cline@clinebackus.com</u>

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

Name of Owners ²	_____	Phone #	_____
Address	_____	Fax #	_____
Town / Postal Code	_____	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:
Farm Credit Corporation, 421 Queensway W., Simcoe, ON. N3Y 2N4



B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Windham</u>	Urban Area or Hamlet	<u></u>
Concession Number	<u>11</u>	Lot Number(s)	<u>Part Lot 6</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>+/- 1,675 ft.</u>	Depth (metres/feet)	<u>+/- 1,980 ft.</u>
Width (metres/feet)	<u>+/- 1,675 ft.</u>	Lot area (m ² / ft ² or hectares/acres)	<u>+/- 96.5 acres</u>
Municipal Civic Address	<u>1462 Windham Rd. 11, R.R.#1, Windham Centre, ON. N0E 2A0</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:

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):

Situate on the subject lands is a single family residence, which the Applicants propose to sever from a larger parcel of land.

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						
NOT APPLICABLE					<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	
					<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 ² / ft ² or hectares/acres)	(m ² / ft ² or hectares/acres)
Woodlot area	(m ² / ft ² or hectares/acres)	(m ² / ft ² 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	NOT APPLICABLE	
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)	145 ft. (44.20 m)	Depth (metres/feet)	425 ft. 129.54 m
Width (metres/feet)	145 ft.	Lot area (m ² / ft ² or hectares/acres)	1.5 acres 0.61 ha
		PROPOSED FINAL LOT SIZE (if boundary adjustment)	

Existing use: Residential

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:

Existing residence and outbuilding: Setback +/- 46 m.; interior sideyard - +/- 23 m.; exterior sideyard - +/- 6 m.; rear yard - +/- 70 m.

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:

No change

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

Frontage (metres/feet)	1,675 ft.	Depth (metres/feet)	1,980 ft.
Width (metres/feet)	1,675 ft.	Lot area (m ² / ft ² or hectares/acres)	+/- 95 acres (38.45 ha)

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:

Barn - 400 ft. from the southwest angle of property - height 20 ft.

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:

Single Family residence with attached garage in area where existing outbuildings are located. Final building envelope not determined yet.

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

Frontage (metres/feet)	Not applicable	Depth (metres/feet)	
Width (metres/feet)		Lot area (m ² / ft ²)	

Proposed use:



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: Unk nown - finolized

Has any lond 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: Unknown - finalized

Number of separate parcels that have been created: 12 separate lots

Date(s) these parcels were created: 1991 - 2000

Name of the transferee for each parcel: Unknown

Uses of the severed lands: Residential

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

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

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:

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

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: OPNPL201 0094

Land it affects: Severed Parcel

Purpose: To facility severance

Status/decision: Finalized - OP Amendment approved

Effect on the requested amendment: Not applicable

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:

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:

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 Farm 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 type="checkbox"/> Yes	<input checked="" 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 wellhead (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

☐

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 East Quarterline 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: Windham Road 11

I. OTHER INFORMATION

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

☐

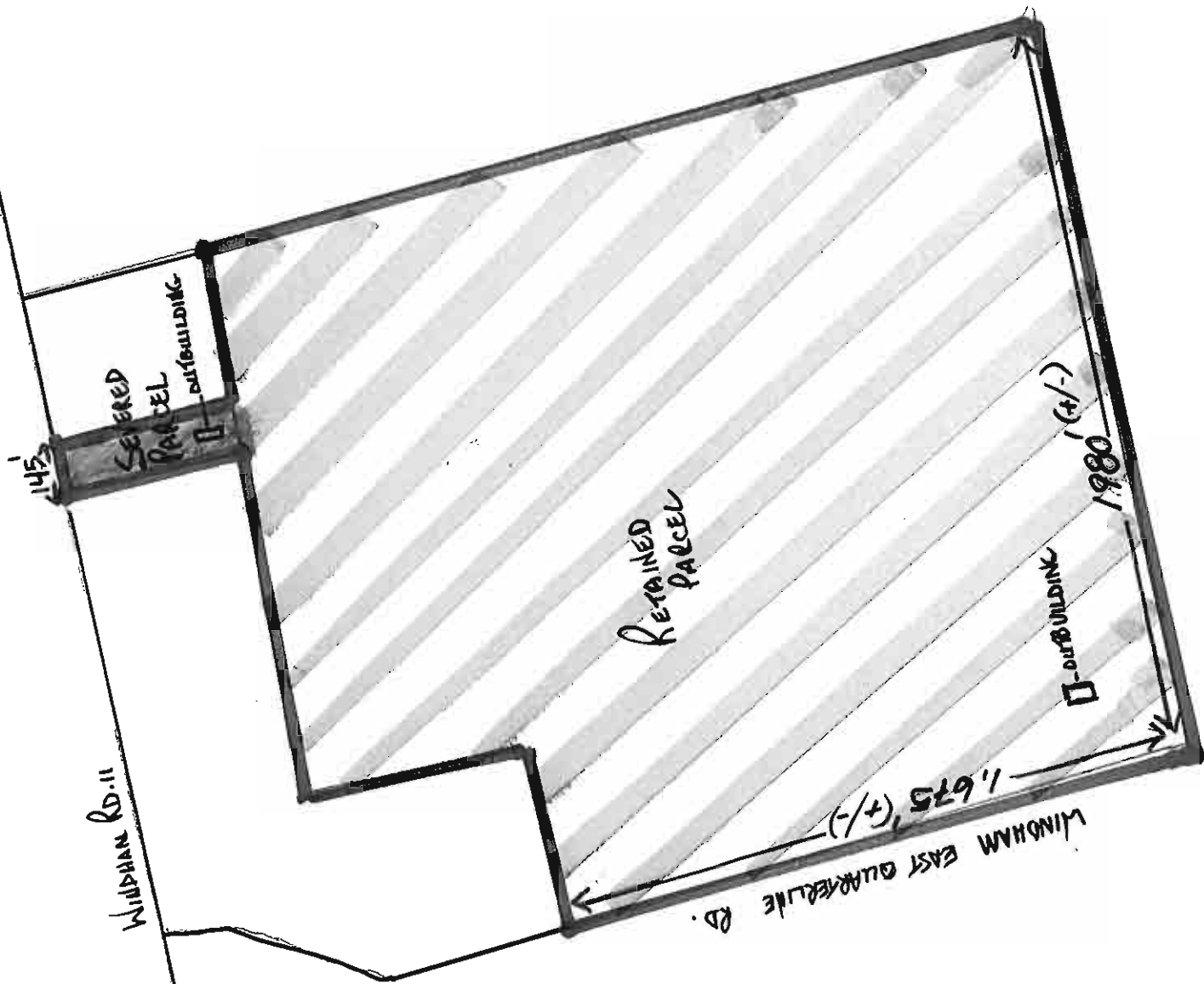
Yes

☒

No

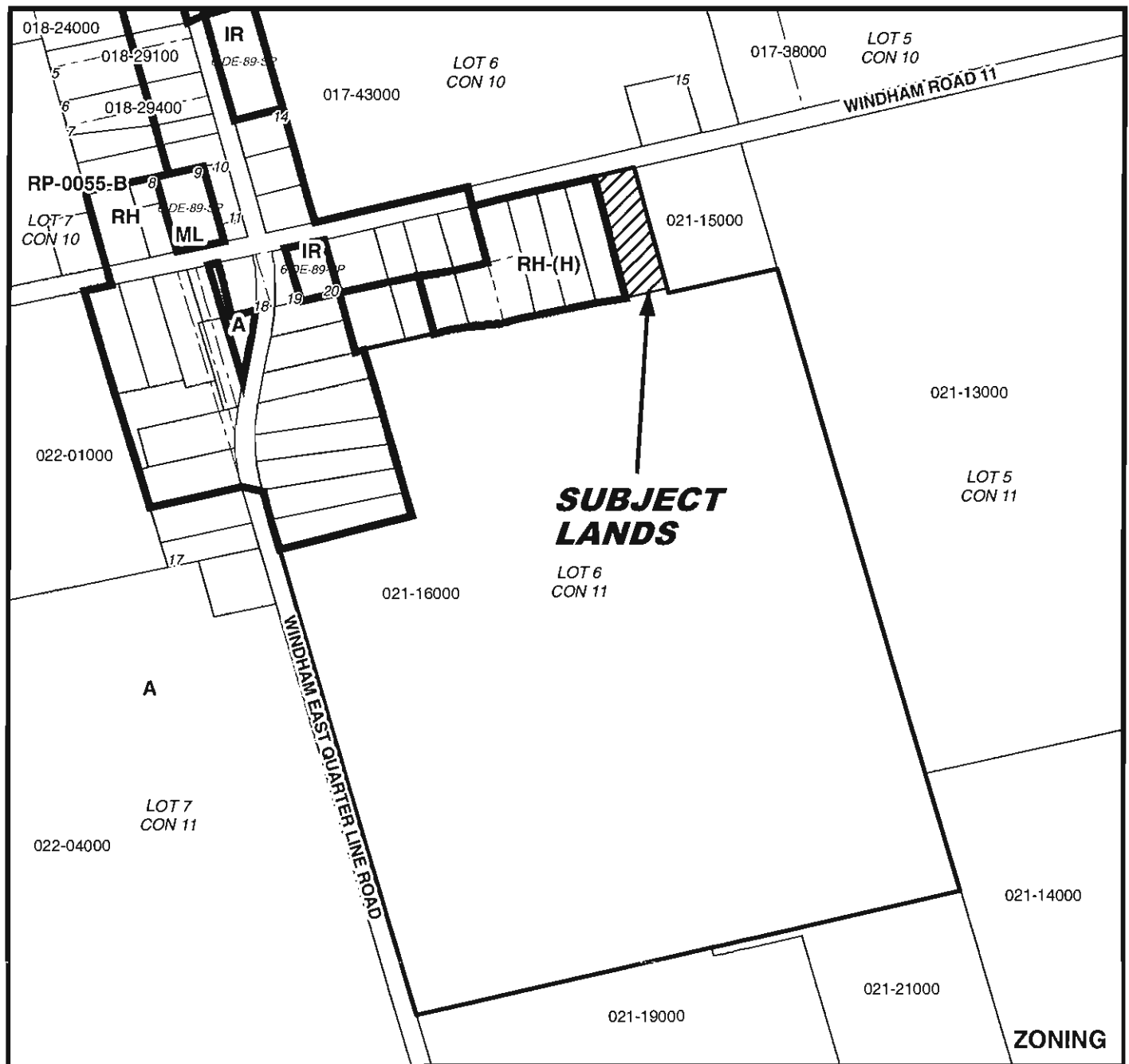
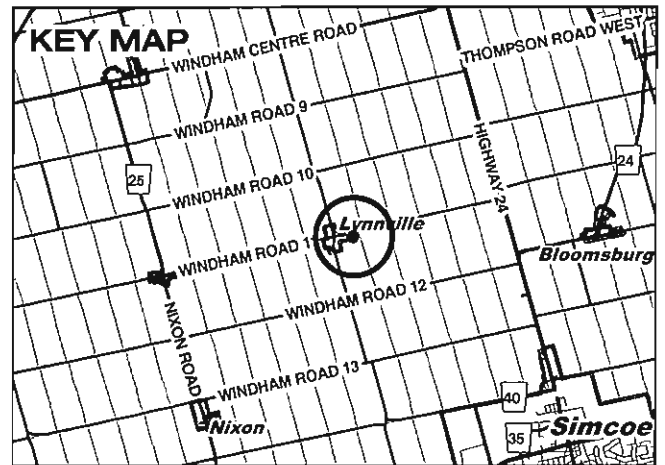
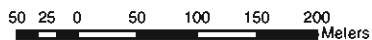
If yes, describe: _____

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.



File Number: BNPL2010202

WINDHAM



MAP 2

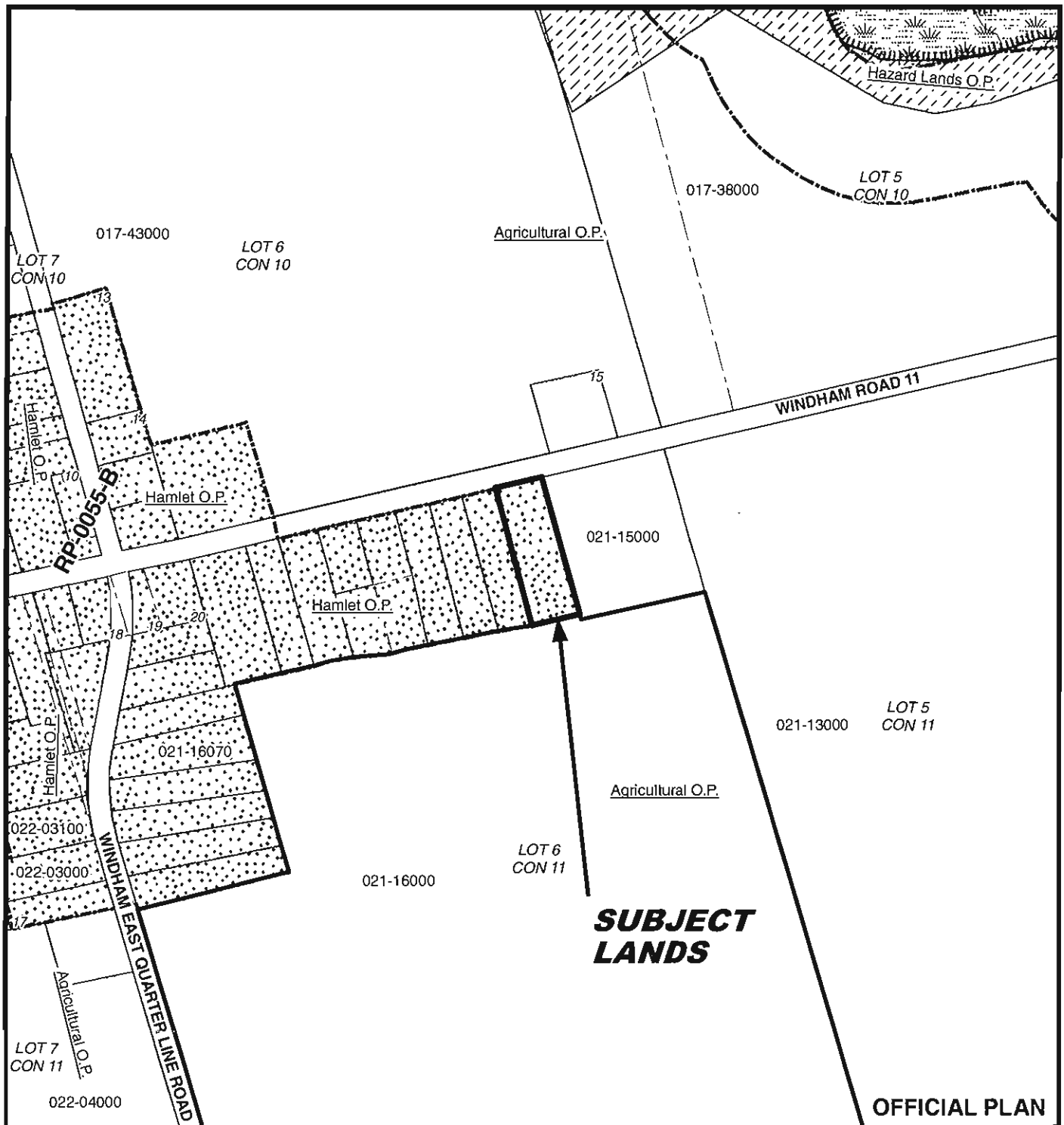
File Number: BNPL2010202

Geographic Township of WINDHAM



25 50 75 100 Meters

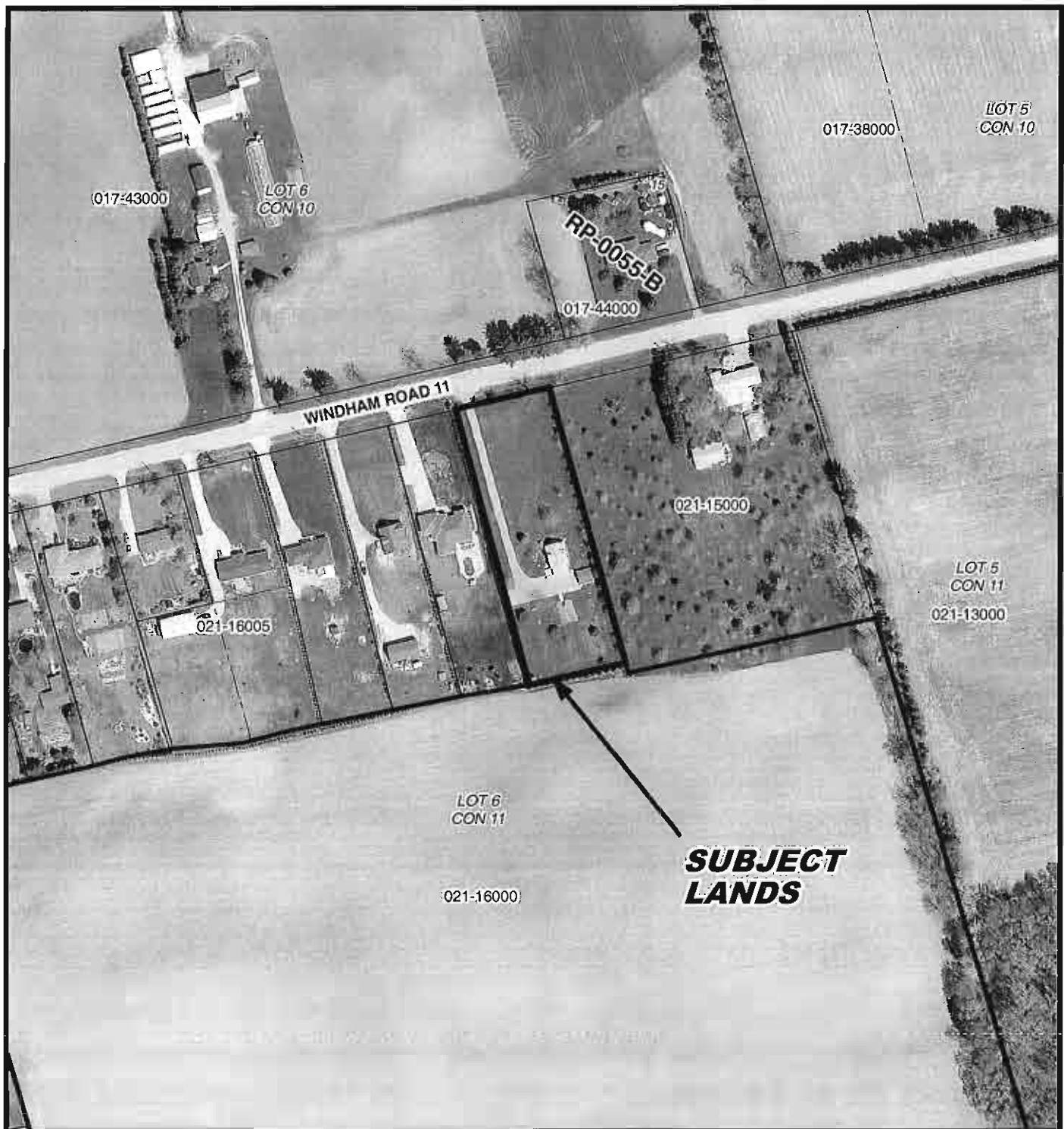
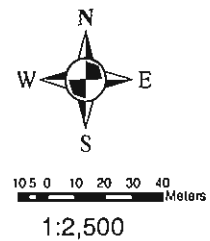
1:5,000



MAP 3

File Number: BNPL2010202

Geographic Township of WINDHAM



MAP 4

File Number: BNPL2010202

Geographic Township of WINDHAM



8 4 0 8 16 24 32 Meters

1:1,500

