



COMMENT REQUEST FORM

FILE NO: BNPL2011026

☒ 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

☒ Oxford 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:**

MARCH 7TH, 2011

APPLICANT:

WINDHAM POULTRY LTD., C/O SUSAN MAGALAS, PRESIDENT WINDHAM CENTRE, ON N0E 2A0

AGENT:

BRIMAGE, TYRRELL, VANSEVEREN & HOMENIUK, LLP - RICHARD VANSEVEREN, BOX 188, 21 NORFOLK ST. NORTH SIMCOE, ON N3Y4L1

LOCATION: MID CON 2 NTR LOT 41 (904 Schaefer Side Road)

ASSESSMENT ROLL NO.: 3310541040026000000

PROPOSAL:

An application has been received to sever a parcel having a frontage of 68.58 m. (225'), depth of 47.85 m. (157'), and having an area of 0.32 ha. (0.80 ac.) and retain a parcel having an area of 43.71 ha. (108 ac.) as the severance of a dwelling made surplus through farm amalgamation.

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
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: February 21st, 2011

CONSENT / SEVERANCE

Office Use.

File Number: BN-PL2011 026
 Related File: BN-015 12010
 Fees Submitted: Feb 3 / 11
 Application Submitted: Feb 3 / 11
 Sign Issued: Feb 3 / 11
 Complete Application: Feb 3 / 11

66.

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- 541-040-02600

- | | |
|--|--|
| ☐ Creation of a new lot | ☐ Boundary adjustment |
| ☒ Surplus Dwelling | ☒ Easement |
| ☐ Farm Split | ☐ Right-of-way |
| ☐ Other (lease / charge) | |

A. APPLICANT INFORMATION

Name of Applicant: Windham Poultry Ltd.
Susan Magalus President
 Address: 1078 Windham Rd 10
Rt 1, Windham Centre, Ont.
 Town / Postal Code: NOE 2A0
 Phone #: 519 443-4217
 Fax #: 519 443-7690
 E-mail: lakeshorelady@hotmail.com

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

AGENT INFORMATION

Name of Agent: Richard Van Severen
 Address: 21 Norfolk St N.
 Town / Postal Code: Simcoe, Ont. N3Y 4L1
 Phone #: 519 426-5840
 Fax #: 519 426-5572
 E-mail: rvanseveren@brimage.com

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

Name of Owner: Windham Poultry Ltd.
 Address: 1078 Windham Road 10
Rt 1, Windham Centre
 Town / Postal Code: NOE 2A0
 Phone #: 519 443-7690
 Fax #:
 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: ☒ 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:

The Toronto Dominion Bank.

Deed # 459728 shows owner as R.T. Riple Farms Ltd.
 But R.T. Riple Farms amalgamated with Windham Poultry Farms Ltd
 to become Windham Poultry Ltd.
 Registration # NK30417.



Revised 24.200

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B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Middleton</u>	Urban Area or Hamlet	
Concession Number	<u>Cmc¹ - 2 NTR</u>	Lot Number(s)	<u>41</u>
Registered Plan Number	<u>—</u>	Lot(s) or Block Number(s)	
Reference Plan Number	<u>—</u>	Part Number(s)	
Frontage (metres/feet)	<u>225' ±</u>	Depth (metres/feet)	<u>157' ±</u>
Width (metres/feet)	<u>221.5 average</u>	Lot area (m ² / ft ² or hectares/acres)	<u>.80 Ac ±</u>
Municipal Civic Address	<u>904 NTR Schuster Side road</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):

Severe 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:

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	Middleton	69	78	Broiler Barn		1970?
Windham Poultry Ltd.					☐ Yes ☐ No	
OTHER 1078 Windham Rd. 10					☐ Yes ☐ No	
R#1, Windham Centre					☐ Yes ☐ No	
NOTE 2 to					☐ Yes ☐ No	
3349101847500000 L11, C10		50	1850	"	☐ Yes ☐ No	1987.
3349101847300000		49	27	"	☐ Yes ☐ No	
3349101710500000 L3, C19		12	8	"	☐ Yes ☐ No	

All R#1, Windham Centre, Ont.

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)		
Proposed crops grown (type and area)		

N/A.

Description of Existing Buildings	Lands to be Severed	Lands to be Retained
Residence	☒ Yes ☐ No	☐ Yes ☒ No
Livestock barn	☐ Yes ☒ No	☒ Yes ☐ No
Type of livestock		Poultry - Broiler Barn
Capacity of barn		23000 ft ²
Manure storage	☐ Yes ☒ No	☒ Yes ☐ No
Type of manure storage		Covered - cement pad.

CONSENT / SEVERANCE

Description of land intended to be SEVERED:

Frontage (metres/feet) 68.58m (225') Depth (metres/feet) 47.85m (157')
Width (metres/feet) _____ Lot area (m² / ft² or hectares/acres) 0.32 ha / 0.8 Ac.
PROPOSED FINAL LOT SIZE (if boundary adjustment) _____

Existing use: Residence
Proposed use: "

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:

None.

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:

None.

Description of land intended to be RETAINED:

Frontage (metres/feet) _____ Depth (metres/feet) _____
Width (metres/feet) _____ Lot area (m² / ft² or hectares/acres) (43.71 ha) 108 Acres

Existing use: Agriculture
Proposed use: "

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:

1 Briler Barn

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

Description of proposed RIGHT OF WAY/EASEMENT:

Frontage (metres/feet) _____ Depth (metres/feet) _____
Width (metres/feet) _____ Lot area (m² / ft²) _____
Proposed use: _____

CONSENT / SEVERANCE

D. PROPERTY INFORMATION

Present official plan designation(s): Agriculture

Present zoning: "

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: 1

Date(s) these parcels were created: 1989

Name of the transferee for each parcel: Steen, Louis + Theresa

Uses of the severed lands: Oct 1, 2008 Residence

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: 1970

Date of purchase of subject lands: October 01/2008

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

CONSENT / SEVERANCE

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:

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: BN 15-2010

Land it affects: _____

Purpose: Severe Surplus dwelling

Status/decision: Approved but lapsed

Effect on the requested amendment: _____

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

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 Form 3 – available upon request)	☐ Yes ☒ No	☒ Yes ☐ No ____ distance
Wooded area	☐ Yes ☒ No	☒ Yes ☐ No ____ distance
Municipal landfill	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Sewage treatment plant or waste stabilization plant	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Floodplain	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Rehabilitated mine site	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Non-operating mine site within one kilometre	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Active mine site within one kilometre	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Industrial or commercial use (specify the use(s))	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Active railway line	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Seasonal wetness of lands	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Erosion	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Abandoned gas wells	☐ Yes ☐ No	☐ Yes ☐ No ____ distance

H. SERVICING AND ACCESS

WATER SUPPLY

SEVERED

RETAINED

Municipal piped water

☐
☐

Communal Wells

☐
☐

Individual Wells

☐
☐

Other means (describe)

Intend to put a new well on the severed lands if and when sold

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: Schafer Side 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: Schafer Side Road

I. OTHER INFORMATION

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

☐

Yes

☒

No

If yes, describe: _____

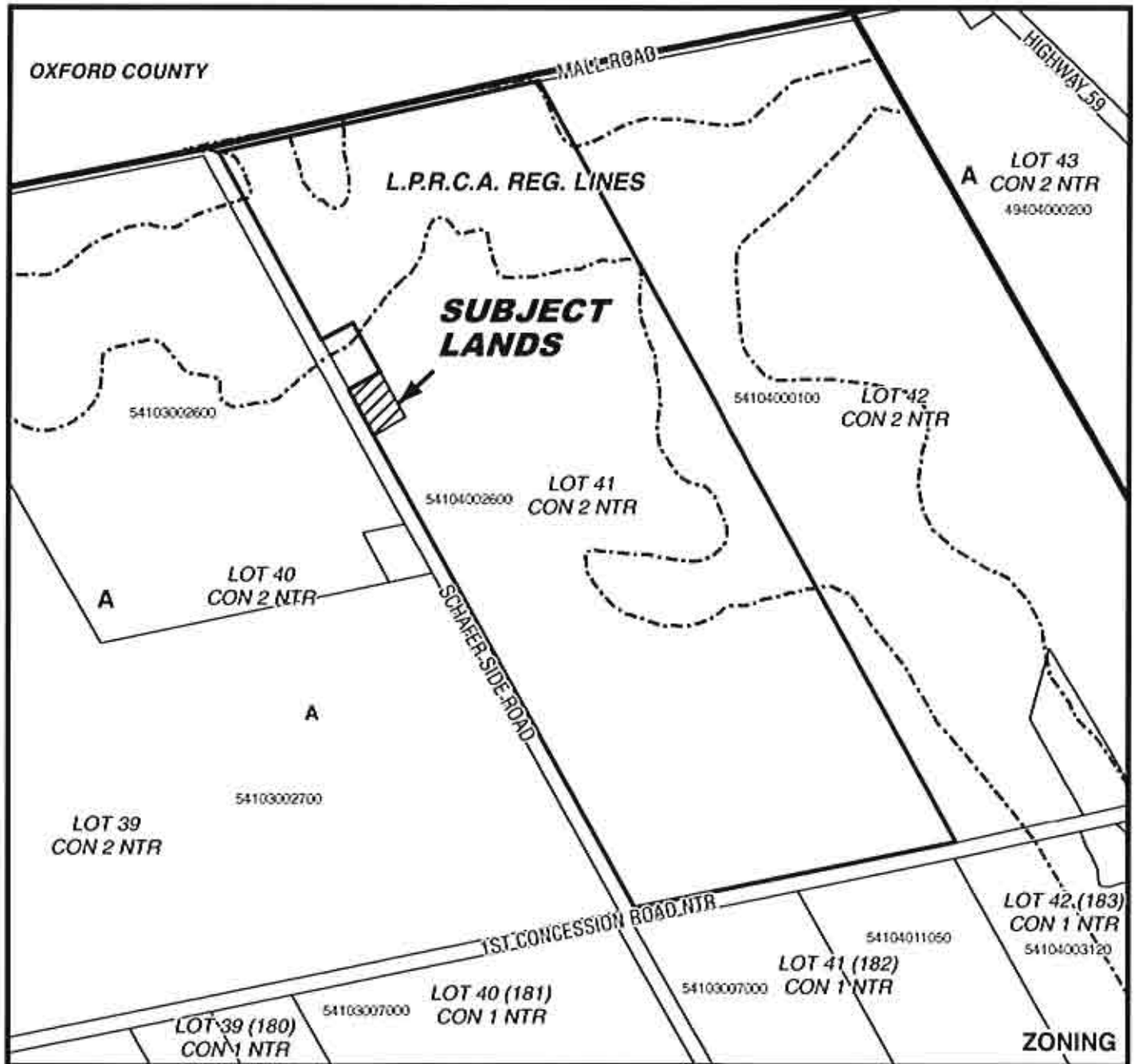
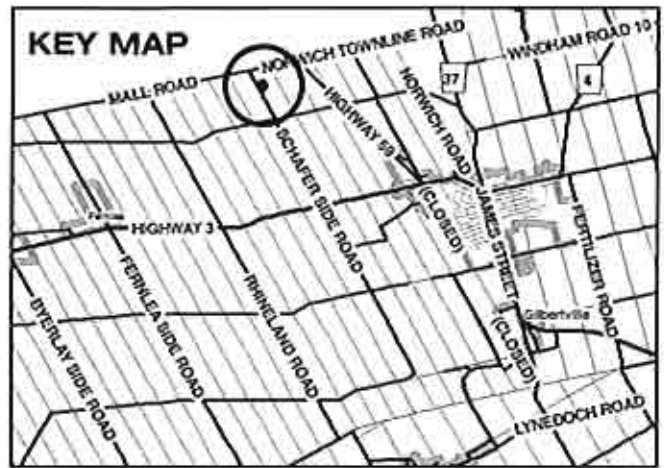
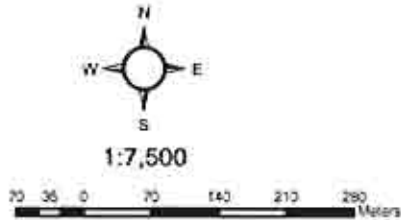
Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

MAP 1

File Number: BNPL2011026

Geographic Township of

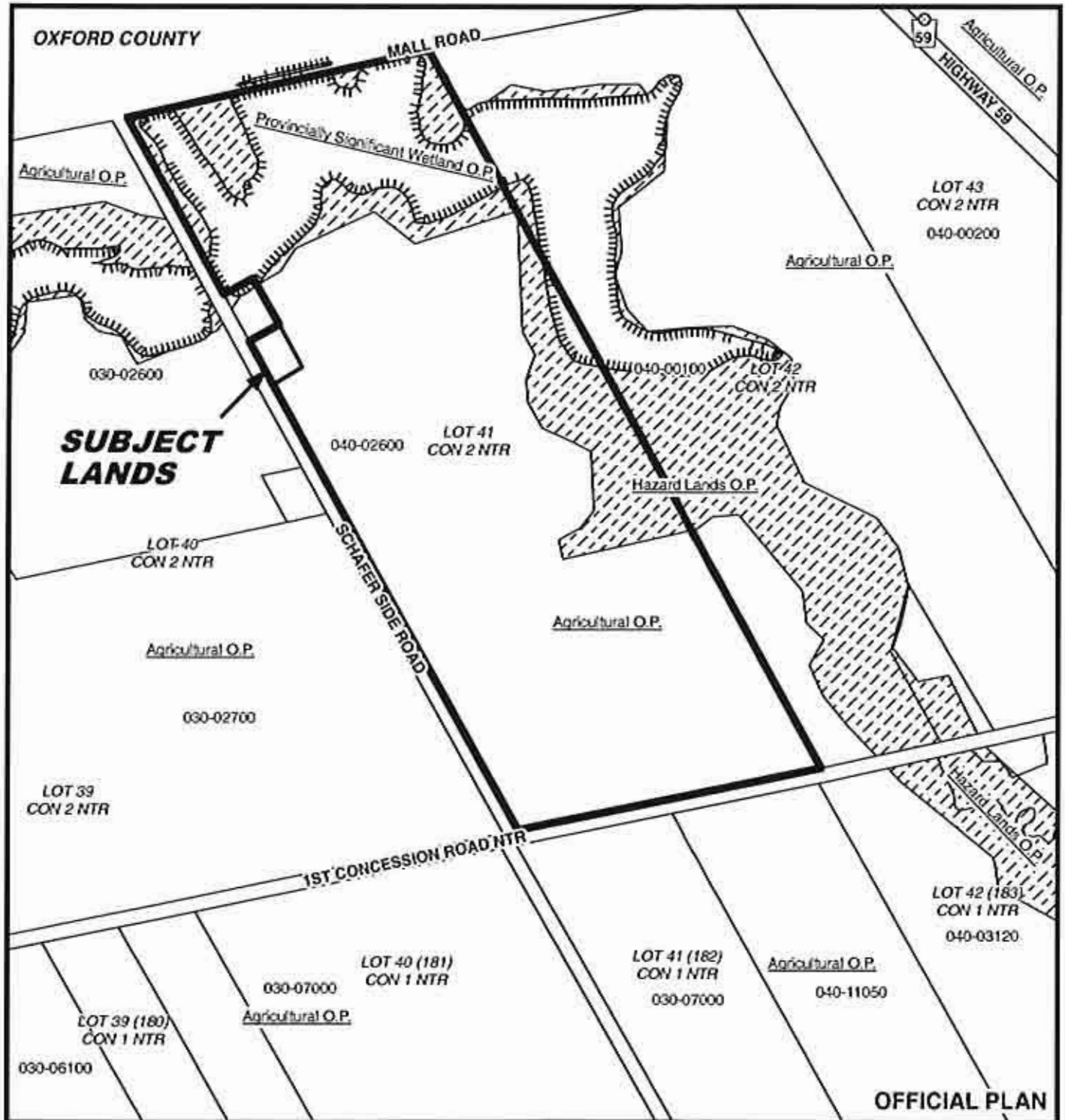
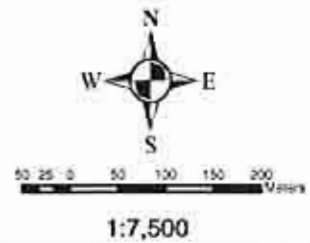
MIDDLETON



MAP 2

File Number: BNPL2011026

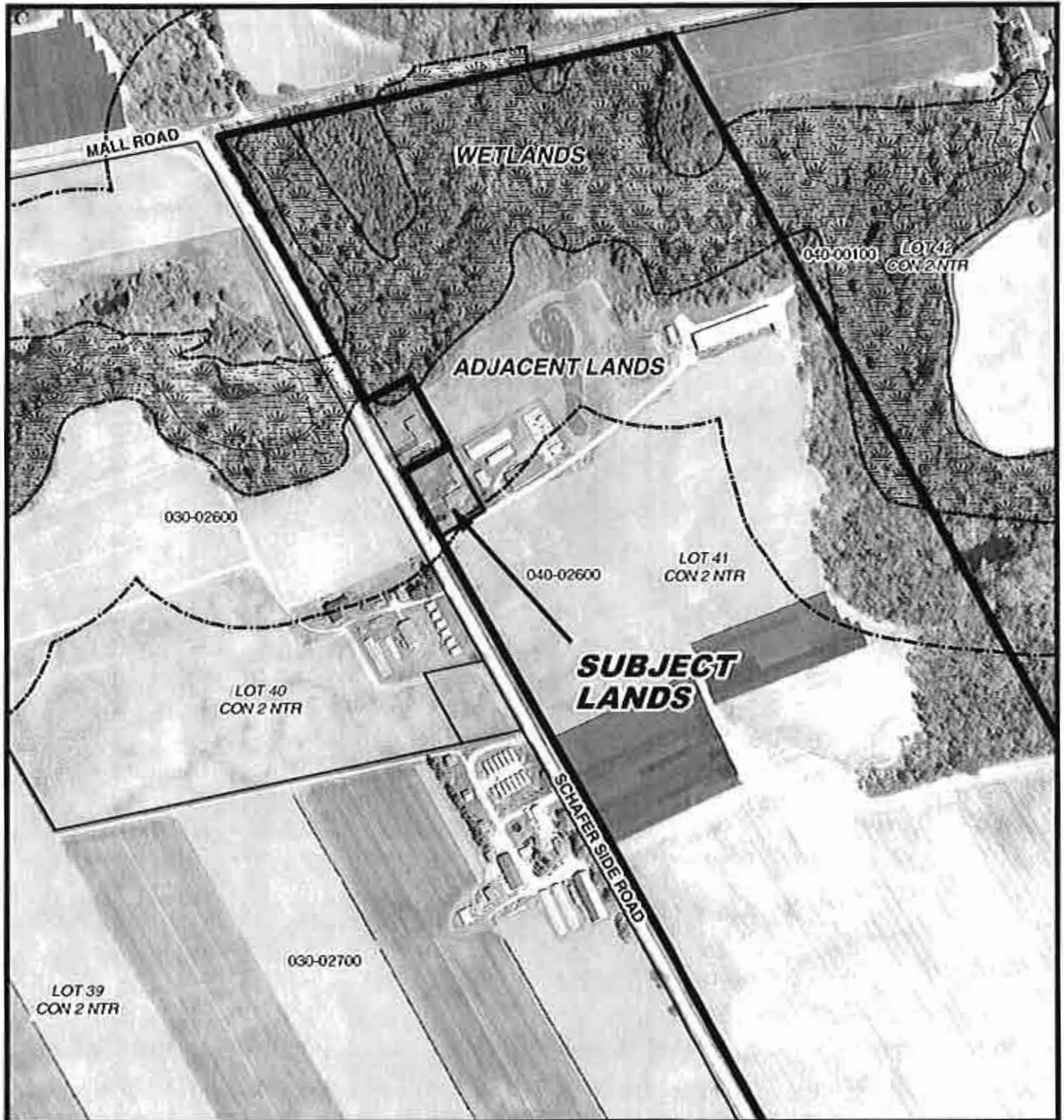
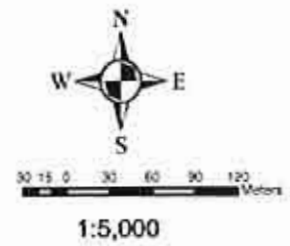
Geographic Township of MIDDLETON



MAP 3

File Number: BNPL2011026

Geographic Township of MIDDLETON



MAP 4

File Number: BNPL2011026

Geographic Township of MIDDLETON

