



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO: BNPL2011028

☒ 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:

COURTLEA FARMS LIMITED, RR 3 STN MAIN DELHI, ON N4B 2W6

AGENT:

BEUMER JOHN, 1227 HIGHWAY 3 RR 3 STN MAIN DELHI, ON N4B 2W6

LOCATION: MIDDLETON CON NTR PT LOT 171, CON STR PT LOT 171 (1265 Highway #3)

ASSESSMENT ROLL NO.: 3310541030141100000

PROPOSAL:

An application has been received to sever a parcel having a frontage of 176.48 m. (579'), irregular depth of 975.36 m. (3200'), having an area of 10.89 ha. (26.92 ac.) and retain a parcel having an area of 41.29 ha. (102.2 ac.) as a boundary adjustment. Lands to be added to 1227 Highway 3. Retained lands proposed to be merged with adjacent livestock operation located at 3310-541-030-04500

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, Longton 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

OSSDS not required.

Office Use:

File Number: BN-PL2011028
Related File: BNPL2010077
Fees Submitted: Feb-3/11
Application Submitted: Feb-3/11
Sign Issued: Feb-3/11
Complete Application: Feb-3/11

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- 541 030 14110 & 541 030 04300
(lands have merged)

- | | |
|---|---|
| <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) | |

A. APPLICANT INFORMATION

Name of Applicant ¹ Courtlea Farms Ltd. Phone # 519-582-1906
Address RR # 3 Fax # _____
Town / Postal Code Delhi, ON N4B 2W6 E-mail _____

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

AGENT INFORMATION

Name of Agent John Beumer Phone # 529-582-1906
Address 1227 Hwy 3 Fax # _____
Town / Postal Code Delhi, ON N4B 2W6 E-mail jbeumer@xplornet.com

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

Name of Owners ² John Beumer and Lois Beumer Phone # _____
Address 1227 Hwy 3 Fax # _____
Town / Postal Code Delhi, ON N4B 2W6 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 mortgagees, charges or other encumbrances on the subject lands:

None



B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Middleton</u>	Urban Area or Hamlet	
Concession Number		Lot Number(s)	<u>Pt lot 29 , 30</u>
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)		Depth (metres/feet)	
Width (metres/feet)		Lot area (m ² / IP or hectares/acres)	<u>26.92 acres</u>
Municipal Civic Address	<u>1265 Hwy 3 , Delhi, ON N4B 2W6</u>		

For questions regarding requirements for a municipal civic address please contact NorfolkGIS@norfolkcounty.co.

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:
easement for Fernlea Flowers gas line - no 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):

29.92 acres to be amalgamated through boundary adjustment with existing farm residence lot owned by John and Lois Beumer, after which the remaining 102.02 acres of agricultural land owned by Courtlea Farms Ltd. will be sold and amalgamated with neighbouring farm land/poultry farm owner 1330555 Ontario Inc. (Caskenette Farms Ltd.) via the sale of the shares of Courtlea Farms Ltd.

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

Retained lands:
1330555 Ontario Inc. (Caskenette Farms Ltd.) (541-030-04500)

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

3310 541 030 17100 John and Lois Beumer

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 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					<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)		
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

- PART 2, 2, 3 of 372-10261

Description of land intended to be SEVERED:

Frontage (metres/feet)	579' (176.48m)	Depth (metres/feet)	3200' (975.36m)
Width (metres/feet)		Lot area (m ² / ft ² or hectares/acres)	26.92 acres (10.89ha)
		PROPOSED FINAL LOT SIZE (if boundary adjustment)	27.42 acres (11.10ha)

Existing use: agricultural crops/bush

Proposed use: agricultural crops/bush

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)	3300' (1005.84m)
Width (metres/feet)	1440' (438.91m)	Lot area (m ² / ft ² or hectares/acres)	102.02 acres (41.29ha)

Existing use: agricultural land/bush

Proposed use: agricultural land/bush



CONSENT / SEVERANCE

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:

none

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:

see attached note

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

Frontage (metres/feet)

Depth (metres/feet)

Width (metres/feet)

Lot area (m² / ft²)

Proposed use: none

D. PROPERTY INFORMATION

Present official plan designation(s): agriculture/hamlet

Present zoning: agriculture/~~hamlet~~

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

CONSENT / SEVERANCE

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? _____

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?

☐ 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

CONSENT / SEVERANCE

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 - 018 / 2009 BNYL2010077

Land it affects: add land to separate residential lot in hamlet / subject lands

Purpose: _____

Status/decision: approved Approved, but unable to complete conditions

Effect on the requested amendment: _____

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

G. PROVINCIAL POLICY



CONSENT / SEVERANCE

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)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No ____ distance
Wooded area	<input checked="" type="checkbox"/> Yes <input 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

SEVERED

RETAINED

Municipal piped water

☐☐

Communal Wells

☐☐

Individual Wells

☐☐

Other means (describe) none none

CONSENT / SEVERANCE

SEWAGE TREATMENT

SEVERED

RETAINED

Municipal Sewers
Communal System
Septic tank and tile bed

☐
☐
☐

☐
☐
☐

Other means (describe) none none

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: Fernlea Sq. Rd., Concession 1 NTR

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: _____

CONSENT / SEVERANCE

Name of road/street: _____ Highway # 3 _____

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.

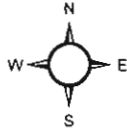
a similar application has already been approved that will have the same final result as this application, but the former application was worded such that it was not possible to be able to merge the 26.92 acres with the individual residential lot first, thus allowing the larger parcel to be sold to the neighbouring farm operation via the sale of shares of the Courtlea Farms Ltd. - the exact same net result will occur from this application as in the previous application from the County's perspective - this application simply allows the sale of the shares of Courtlea Farms Ltd. as a means of transferring and amalgamating the 102 acres to the neighbouring farm/land owner 1330555 Ontario Inc. (Caskenette Farms Ltd.) as in the previous application

MAP 1

File Number: BNPL2011028

Geographic Township of

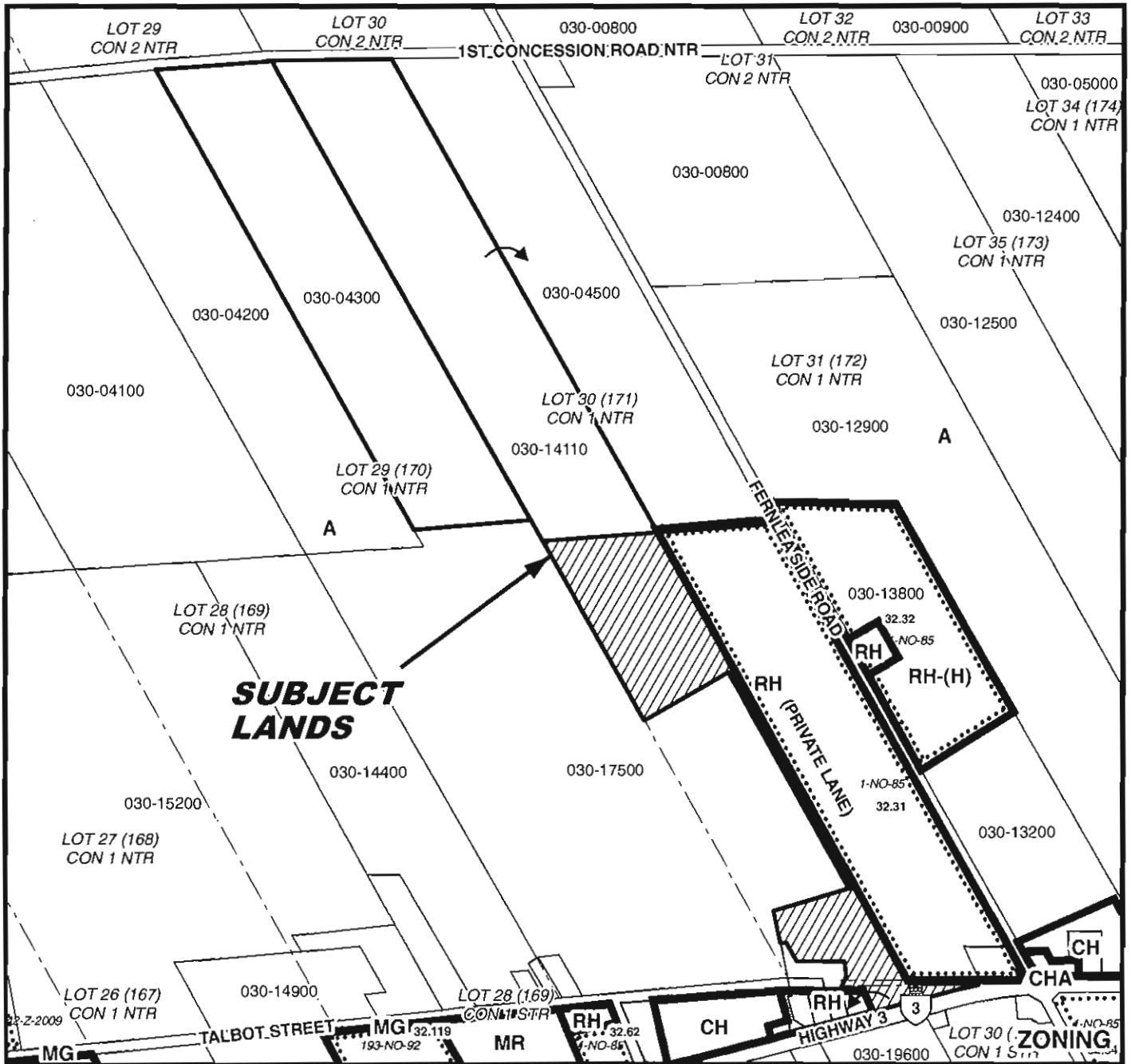
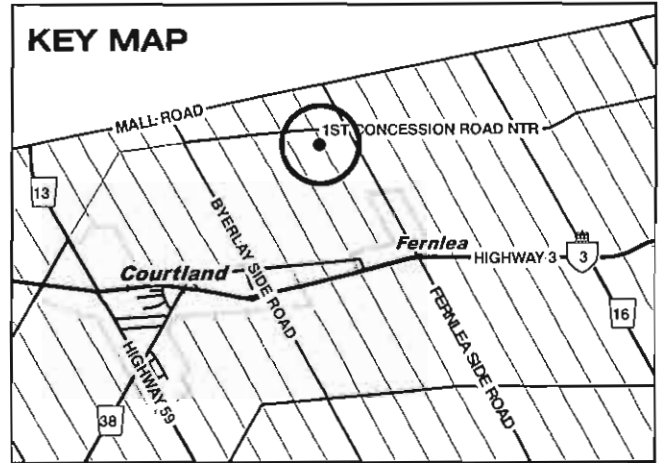
MIDDLETON



1:11,000

90 45 0 90 180 270 360 Meters

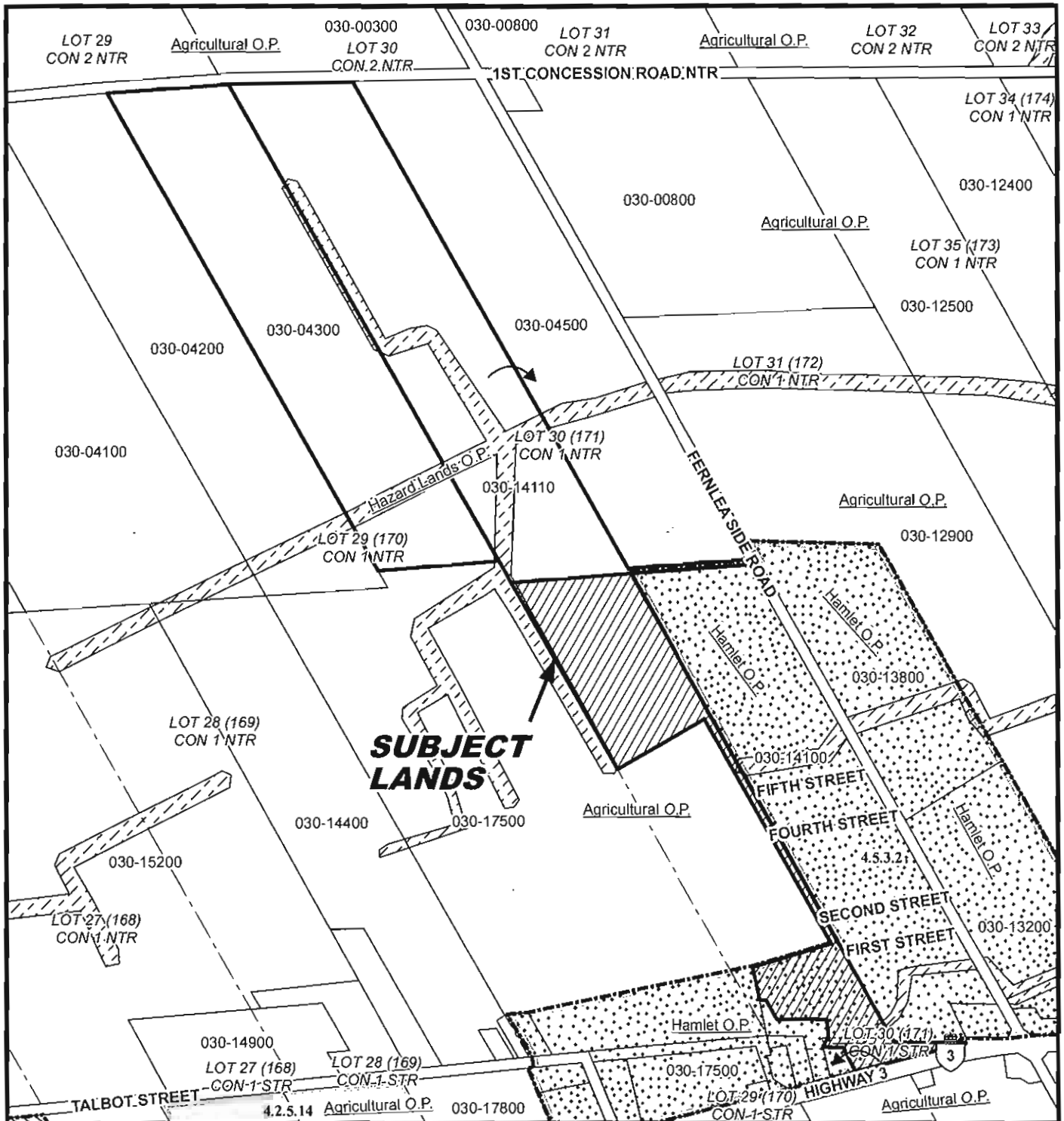
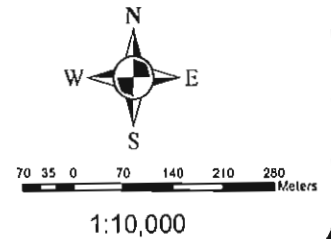
KEY MAP



MAP 2

File Number: BNPL2011028

Geographic Township of MIDDLETON



Geographic Township of MIDDLETON



MAP 4

File Number: BNPL2011028

Geographic Township of MIDDLETON

