



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO: BNPL2012004

☒ 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 30th, 2012

APPLICANT:

BRENNER BRENDA MARGARET, 3 WILLOW AVE RR 3 PORT ROWAN, ON N0E 1M0

AGENT:

CLINE BACKUS NIGHTINGALE MCARTHUR - PETER KARSTEN, 39 COLBORNE ST. N. SIMCOE, ON N3Y4N5

LOCATION: SWAL PLAN 429 PT LOT 30 PT, LOT 31 PLUS R O W (1 Willow Ave)

ASSESSMENT ROLL NO.: 3310543060071000000

PROPOSAL:

An application has been received to sever a parcel having no frontage, a width of 0.858 m (2.79 ft.) a depth of 34.87 m (114.41 ft.) and having an area of 0.28 sq.m. (93 sq.ft.) and retain a parcel having an area of 0.07 ha (0.17 ac) as a boundary adjustment. Lands to be added to: 130 Erie Blvd) Final Lot Size: 0.07 ha (0.17 ac)

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

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 16, 2012

CONSENT / SEVERANCE

Circ. to LPRCA
 L.P. fee waived
 No OSDSS reg'd.

Office Use:

File Number:

BN-PL 2012 004

Related file:

BNPL 2012 005

Fees Submitted:

Jan 5/11

Application Submitted:

11

Sign Issued:

11

Complete Application:

AB

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: 3310-54306007100

- | | |
|--|---|
| <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	<u>Brenda Margaret Ness</u>	Phone #	<u>519-586-3987</u>
Address	<u>3 Willow Avenue, R.R. #3</u>	Fax #	
Town / Postal Code	<u>Port Rowan, ON N0E 1M0</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>Peter Karsten</u>	Phone #	<u>519-426-6763</u>
Address	<u>39 Colborne Street North</u>	Fax #	<u>519-426-2055</u>
Town / Postal Code	<u>Simcoe, ON N3Y 4N5</u>	E-mail	<u>karsten@clinebackus.com</u>

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

Name of Owners ²	<u>Brenda Margaret Ness</u>	Phone #	<u>519-586-3987</u>
Address	<u>3 Willow Avenue, R.R. #3</u>	Fax #	
Town / Postal Code	<u>Port Rowan, ON N0E 1M0</u>	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 sent³: ☐ 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:
Royal Bank of Canada, 180 Wellington Street West, 12 Floor, Toronto, ON M5J 1J1

CONSENT / SEVERANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>South Walsingham</u>	Urban Area or Hamlet	<u>Port Rowan</u>
Concession Number		Lot Number(s)	<u>PT LT 30-31</u>
Registered Plan Number	<u>429</u>	Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	<u>56 feet</u>	Depth (metres/feet)	<u>135 feet</u>
Width (metres/feet)	<u>56 feet</u>	Lot area (m ² / ft ² or hectares/acres)	<u>7,560 square feet</u>
Municipal Civic Address	<u>1 Willow Avenue, Port Rowan, ON N0E 1M0</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):

The purpose of this Development Application is to adjust the current registered property line between the Applicant's property as noted above and the property owned by Edward and Rosemary Erdelac, the municipal civic address being 130 Erie Boulevard, Highway #59, Port Rowan, ON – to reflect the actual property line between the foregoing properties.

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

Edward Erdelac and Rosemary Erdelac

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

Edward Erdelac and Rosemary Erdelac – Assessment Roll Number: 331054306007200

130 Erie Blvd

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						
					<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	

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

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

Frontage (metres/feet)	-----	Depth (metres/feet)	(114.41 feet) <u>34.87m</u>
Width (metres/feet)	0 - (2.79 feet) <u>0.85m</u>	Lot area (m ² / ft ² or hectares/acres)	(93 square feet) <u>0.28 m²</u>
		PROPOSED FINAL LOT SIZE (if boundary adjustment)	<u>7,467 square feet</u>

Existing use: Lawn, garden and walkway

Proposed use: Will not change; lawn, garden and walkway

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)	<u>56 feet</u>	Depth (metres/feet)	<u>135 feet</u>
Width (metres/feet)	<u>53.21 - 56 feet</u>	Lot area (m ² / ft ² or hectares/acres)	(7,467 square feet) <u>693.68 m²</u>

Existing use: Property for garage

Proposed use: Will not change; property for garage

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:

One accessory building (garage)

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:

One accessory building (garage)

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

Frontage (metres/feet)	_____	Depth (metres/feet)	_____
Width (metres/feet)	_____	Lot area (m ² / ft ²)	_____

Proposed use: _____

D. PROPERTY INFORMATION

Present official plan designation(s): Resort Residential

Present zoning: Long Point

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: _____

CONSENT / SEVERANCE

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 X 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 X No ☐ Unknown

Has a gas station been located on the subject lands or adjacent lands at any time?

☐ Yes X No ☐ Unknown

Has there been petroleum or other fuel stored on the subject lands or adjacent lands at any time?

☐ Yes X No ☐ Unknown

Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites?

☐ Yes X 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?

X Yes ☐ No ☐ Unknown

If yes, indicate the following information about **each application**: If additional space is required, attach a separate sheet.

File number: Unknown: a second development application is being filed at the same time as this one

Land it affects: The foregoing two properties as mentioned above

Purpose: To transfer a portion of Edward and Rosemary Erdelac's property to the Applicant's property; again in an effort to

reflect the actual property line between the foregoing properties

Status/decision: To be determined

Effect on the requested amendment: The final lot size of the Applicant's property will be determined by the two

development applications

Is the above information for other planning developments applications attached? X 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 Form 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 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

☐

Communal Wells

☐☐

Individual Wells

☐☐

CONSENT / SEVERANCE

Other means (describe) Water service

SEWAGE TREATMENT

SEVERED

RETAINED

Municipal Sewers

☐☐

Communal System

☐☐

Septic tank and tile bed

☐

X

Other means (describe) _____

STORM DRAINAGE

SEVERED

RETAINED

Storm Sewers

☐☐

Open ditches

☐

X

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

XUnknown

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

☐ Unopened road

☐ Provincial highway

X Municipal road maintained all year

☐ Right-of-way

☐ Municipal road maintained seasonally

☐ Other (describe below)

If other, describe: _____

Name of road/street: Willow Avenue

Existing or proposed access to **SEVERED** lands:

☐ Unopened road

☐ Provincial highway

X Municipal road maintained all year

☐ Right-of-way



CONSENT / SEVERANCE

☐ Municipal road maintained seasonally ☐ Other (describe below)

If other, describe: _____

Name of road/street: Willow Avenue

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.

The PINS of the foregoing properties, a sketch and a draft reference plan are enclosed.

CONSENT / SEVERANCE

J. SUPPORTING MATERIAL TO BE SUBMITTED BY APPLICANT

In order for your development application to be considered complete, a **sketch**, in metric units, drawn to scale, must be included as part of the development application, which shows:

1. The boundaries and dimensions of the subject lands including the part that is intended to be severed and the part that is intended to be retained
2. Location, size, height and type of all existing and proposed buildings and structures on severed or retained lands, including the distance of the buildings or structures from the front yard lot line, rear yard lot line and side yard lot lines
3. The boundaries and dimensions of the lands owned by the owner, including the subject lands and abutting lands
4. The distance between the subject lands and the nearest municipal lot line or landmark, such as a railway crossing or bridge
5. The location of all lands previously severed from the parcel originally acquired by the current owner of the subject lands
6. The approximate location of all natural and artificial features including but not limited to, buildings, railways, roads, watercourses, municipal drains, drainage ditches, banks of rivers or streams, pipelines, gas wells, wetlands, wooded areas that are located on the subject land and on land that is adjacent to it and may affect the application
7. The current use(s) of the adjacent lands
8. The location, width and name of any roads within or abutting the subject lands. Indicate whether the road is an unopened road allowance, a public travelled road, a private road or a right-of-way
9. The location and nature of any restrictive covenant or easement affecting the subject lands
10. If the severed parcel is to be conveyed to an abutting property owner, please identify the abutting property with name and instrument number exactly as now registered
11. The location of any existing sewage system and well, on the lot to be created and/or retained

Five (5) copies of any applicable information/reports indicated in the development application.

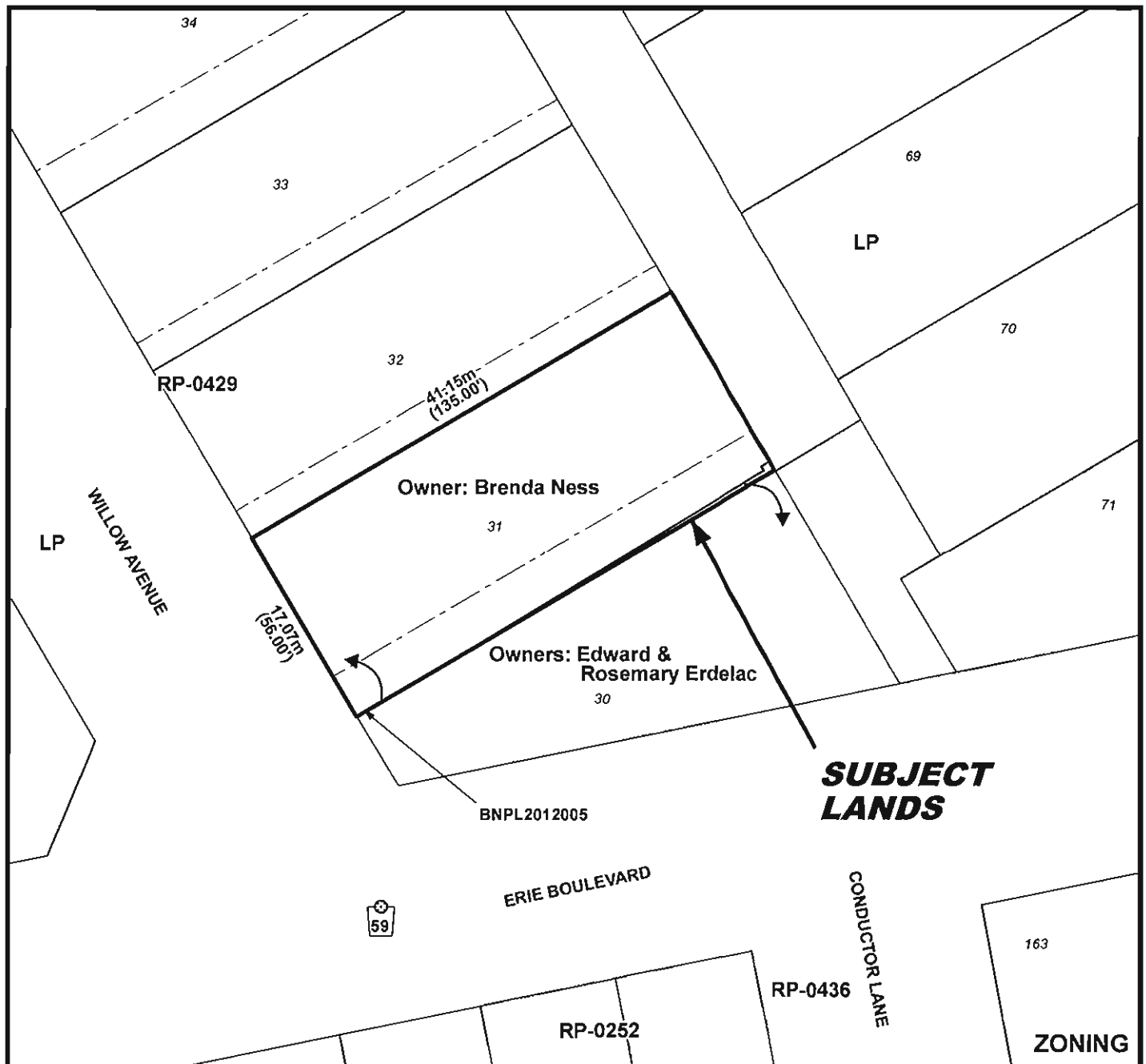
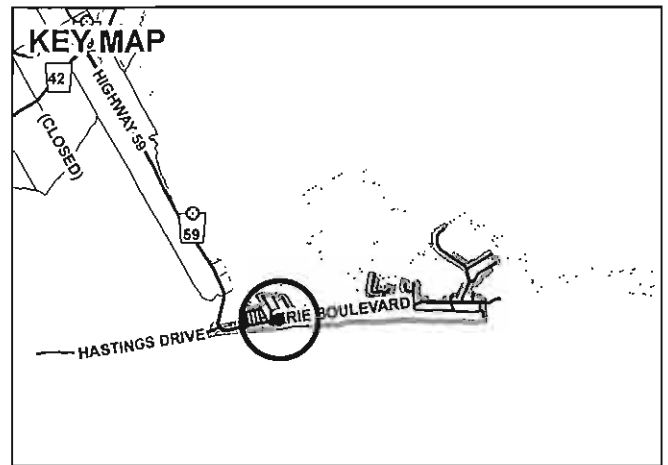
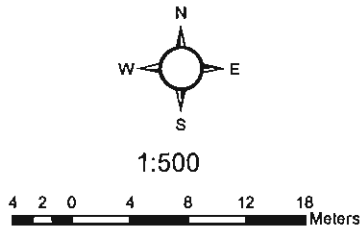
If other documentation/supporting material becomes necessary, you will be contacted. This information must be submitted prior to your development application proceeding.

K. NOTIFICATION SIGN REQUIREMENTS

For the purpose of public notification and in order for staff to locate your lands, you will be given a sign to indicate the intent and purpose of your development application. It is your responsibility to:

1. Post one sign per frontage in a conspicuous location on the subject lands
2. Ensure one sign is posted at the front of the subject lands at least three feet above ground level
3. Notify the Planner when the sign is in place in order to avoid processing delays
4. Maintain the sign until the development application is finalized and thereafter removed

MAP 1
File Number: BNPL2012004
Geographic Township of
SOUTH WALSLINGHAM



MAP 2

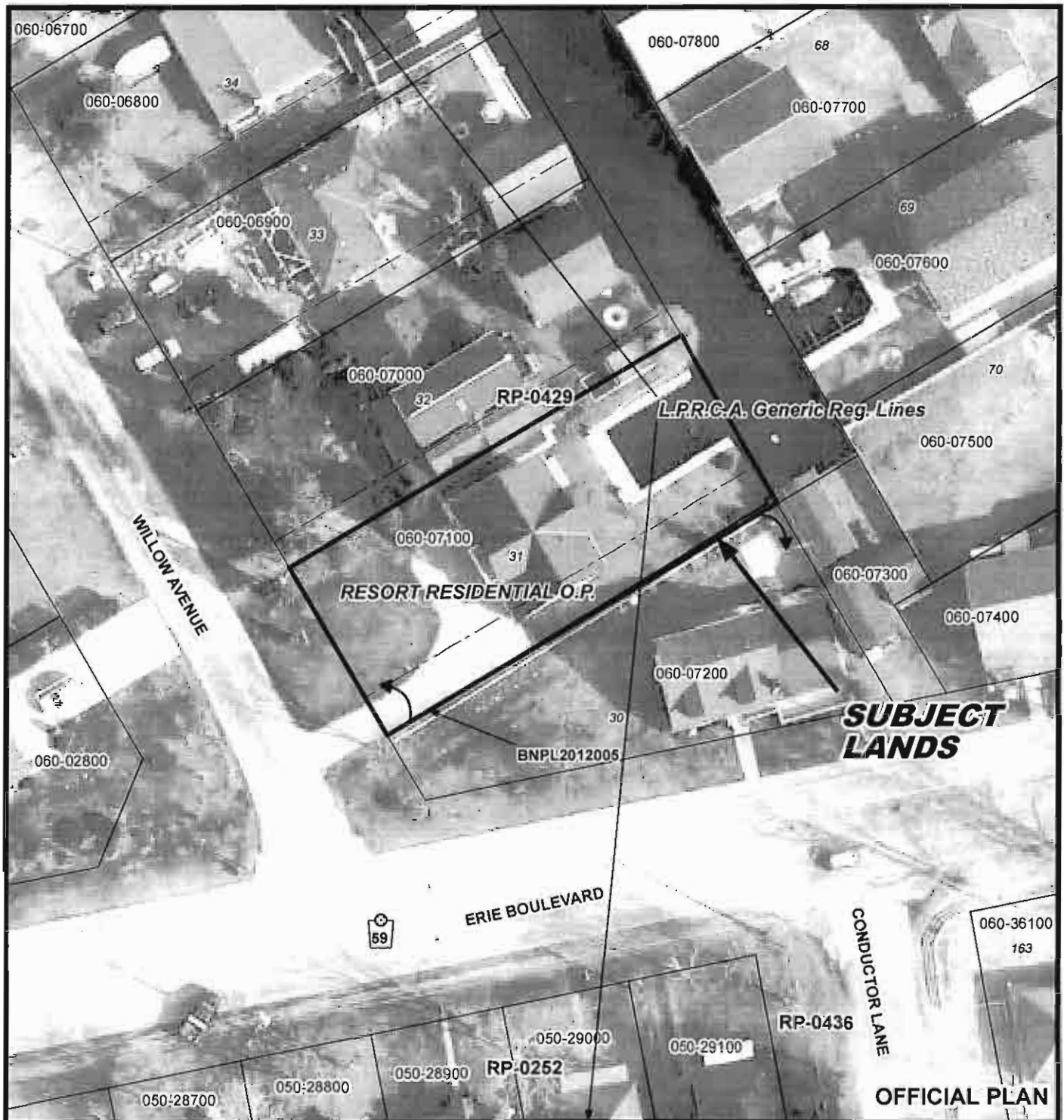
File Number: BNPL2012004

Geographic Township of SOUTH WALSINGHAM



2 1 0 2 4 6 8 Meters

1:500



Geographic Township of SOUTH WALSINGHAM

[illegible]

Source: Jewitt & Dixon Ltd.