



COMMENT REQUEST FORM

FILE NO: BNPL2012009

☒ 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

☐ Railway
☒ Norfolk Power
☐ Ministry of Transportation
☒ Union Gas
☒ Norfolk Heritage Committee
☒ Conservation Authority -GRCA
☒ Six Nations

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 5th, 2012

APPLICANT:

FENIUK EDMOND, 1472 CONC 2 TOWNSEND RR 1 WILSONVILLE, ON N0E 1Z0

AGENT:

CIVIC PLANNING SOLUTIONS INC. - DAVID ROE, 599 LARCH STREET DELHI, ON N4B3A7

LOCATION: TWN CON 2 PT LOT 19 (1488 Concession 2)

ASSESSMENT ROLL NO.: 3310336020129000000

PROPOSAL:

An application has been received to sever a parcel of land with a frontage of 58.87m (193.14ft.) a depth of 150.88m (495.01 ft.) and having an area of 0.85 ha (2.1 ac) and retain a parcel having an area of 7.81 ha (19.3 ac.) as a technical severance of a previously severed lot (1967) that has merged in title.

PLEASE REPLY BY EMAIL DIRECTLY TO:

TRICIA GIVENS, M.SC.(PL), MCIP, RPP
60 Colborne Street South, Simcoe ON N3Y 4H3
(519) 426-5870 ext: 1834

EMAIL: tricia.givens@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 21, 2012

CONSENT / SEVERANCE

Office Use:

File Number: BN-PL2012009
Related File: —
Fees Submitted: Jan 9/2012
Application Submitted: Jan 9/2012
Sign Issued: Jan 9/2012
Complete Application: Jan 9/2012

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-** 336-020-129-00

- | | |
|--|--|
| <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 checked="" type="checkbox"/> Other (lease / charge) | |

A. APPLICANT INFORMATION

Name of Applicant ¹	<u>Edmond Feniuk</u>	Phone #	<u>519-445-2110</u>
Address	<u>RR #1</u>	Fax #	<u> </u>
Town / Postal Code	<u>Wilsonville, ON N0E 1Z0</u>	E-mail	<u> </u>

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

AGENT INFORMATION

Name of Agent	<u>David Roe</u>	Phone #	<u>519-582-1174</u>
Address	<u>599 Larch Street</u>	Fax #	<u>519-582-4616</u>
Town / Postal Code	<u>Delhi, ON N4B 3A7</u>	E-mail	<u> </u>

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

Name of Owners ²	<u>Same as applicant</u>	Phone #	<u> </u>
Address	<u> </u>	Fax #	<u> </u>
Town / Postal Code	<u> </u>	E-mail	<u> </u>

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:

CONSENT / SEVERANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	Townsend	Urban Area or Hamlet	
Concession Number	2	Lot Number(s)	19
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	542.08m	Depth (metres/feet)	199.65m
Width (metres/feet)	542.08m	Lot area (m ² / ft ² or hectares/acres)	21.4ac/8.66ha
Municipal Civic Address	1472 Concession 2 Townsend Road 1488 Concession 2 Rownsend Road		

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):

Technical severance to reinstate previously severed parcel which merged in title after death of owner (outlined later in application)

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:

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)	58.87m (193.14 ft)	Depth (metres/feet)	150.88m (495.01')
Width (metres/feet)	58.87m	Lot area (m ² / ft ² or hectares/acres)	8483m ² (2.1ac) 0.85ha
		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 1 story dwelling house and large metal clad former hog barn (set backs shown on 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:

None at this time

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

Frontage (metres/feet)	483.21m	Depth (metres/feet)	199.65m
Width (metres/feet)	542.08m	Lot area (m ² / ft ² or hectares/acres)	7.8ha (19.3ac) 7.81 ha

Existing use: Agricultural

Proposed use: Agricultural

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: Existing dwelling, garage and small 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 proposed at this time

None at this time

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

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

Proposed use:

CONSENT / SEVERANCE

Present official plan designation(s): Agricultural

Present zoning: A – Agricultural and HL – Hazard Land

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: Approved

Number of separate parcels that have been created: 2

Date(s) these parcels were created: 1967

Name of the transferee for each parcel: _____

Uses of the severed lands: Residential and Agricultural

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: The original severance deed #30432 dated April 13, 1967 from Van Der Wal to McGuire. Mr. Feniuk purchased both properties by two separate deeds - Deed # 418520 September 30, 1983 to himself and Deed # 499589 -registered November 1, 1993 from 750970 Ontario Inc. to Bonnie Tyler "In Trust" on his behalf. Bonnie Tyler died and her estate conveyed the severed lot to Mr. Feniuk by Deed # 567516 registered January 14, 2003 which then merged the titles to the two properties.

Mr Feniuk's lawyer should have made sure that the two lots did not merge but he did not. Mr. Feniuk subsequently discovered that the two lots has merged. The purpose of this application is to undo this error in transferring the previously severed lot.

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

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:

Knowledge of owner

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:

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 distance <input checked="" type="checkbox"/> No _____
Wooded area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes distance <input type="checkbox"/> No _____
Municipal landfill	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes distance <input checked="" type="checkbox"/> No _____
Sewage treatment plant or waste stabilization plant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes distance <input checked="" type="checkbox"/> No _____
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 distance <input checked="" type="checkbox"/> No _____
Floodplain	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes distance <input checked="" type="checkbox"/> No _____
Rehabilitated mine site	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes distance <input checked="" type="checkbox"/> No _____
Non-operating mine site within one kilometre	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes distance <input checked="" type="checkbox"/> No _____
Active mine site within one kilometre	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes distance <input checked="" type="checkbox"/> No _____
Industrial or commercial use (specify the use(s))	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes distance <input checked="" type="checkbox"/> No _____
Active railway line	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes distance <input checked="" type="checkbox"/> No _____
Seasonal wetness of lands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes distance <input checked="" type="checkbox"/> No _____
Erosion	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes distance <input checked="" type="checkbox"/> No _____

CONSENT / SEVERANCE

Abandoned gas wells	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes distance <input checked="" type="checkbox"/> No
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H. SERVICING AND ACCESS

WATER SUPPLY

	SEVERED	RETAINED
Municipal piped water	<input type="checkbox"/>	<input type="checkbox"/>
Communal Wells	<input type="checkbox"/>	<input type="checkbox"/>
Individual Wells	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Other means (describe) _____

SEWAGE TREATMENT

	SEVERED	RETAINED
Municipal Sewers	<input type="checkbox"/>	<input type="checkbox"/>
Communal System	<input type="checkbox"/>	<input type="checkbox"/>
Septic tank and tile bed	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Other means (describe) _____

STORM DRAINAGE

	SEVERED	RETAINED
Storm Sewers	<input type="checkbox"/>	<input type="checkbox"/>
Open ditches	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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:

- | | |
|--|---|
| <input type="checkbox"/> Unopened road | <input type="checkbox"/> Provincial highway |
| <input checked="" type="checkbox"/> Municipal road maintained all year | <input type="checkbox"/> Right-of-way |
| <input type="checkbox"/> Municipal road maintained seasonally | <input type="checkbox"/> Other (describe below) |

If other, describe: _____

Name of road/street: Concession 2 Townsend Road

Existing or proposed access to **SEVERED** lands: n/a

- | | |
|--|---|
| <input type="checkbox"/> Unopened road | <input type="checkbox"/> Provincial highway |
| <input checked="" type="checkbox"/> Municipal road maintained all year | <input type="checkbox"/> Right-of-way |
| <input type="checkbox"/> Municipal road maintained seasonally | <input type="checkbox"/> Other (describe below) |

If other, describe: _____

Name of road/street: Concession 2 Townsend Road

CONSENT / SEVERANCE

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.

Letter from lawyer is attached which explained the merging of the two properties

MAP 2

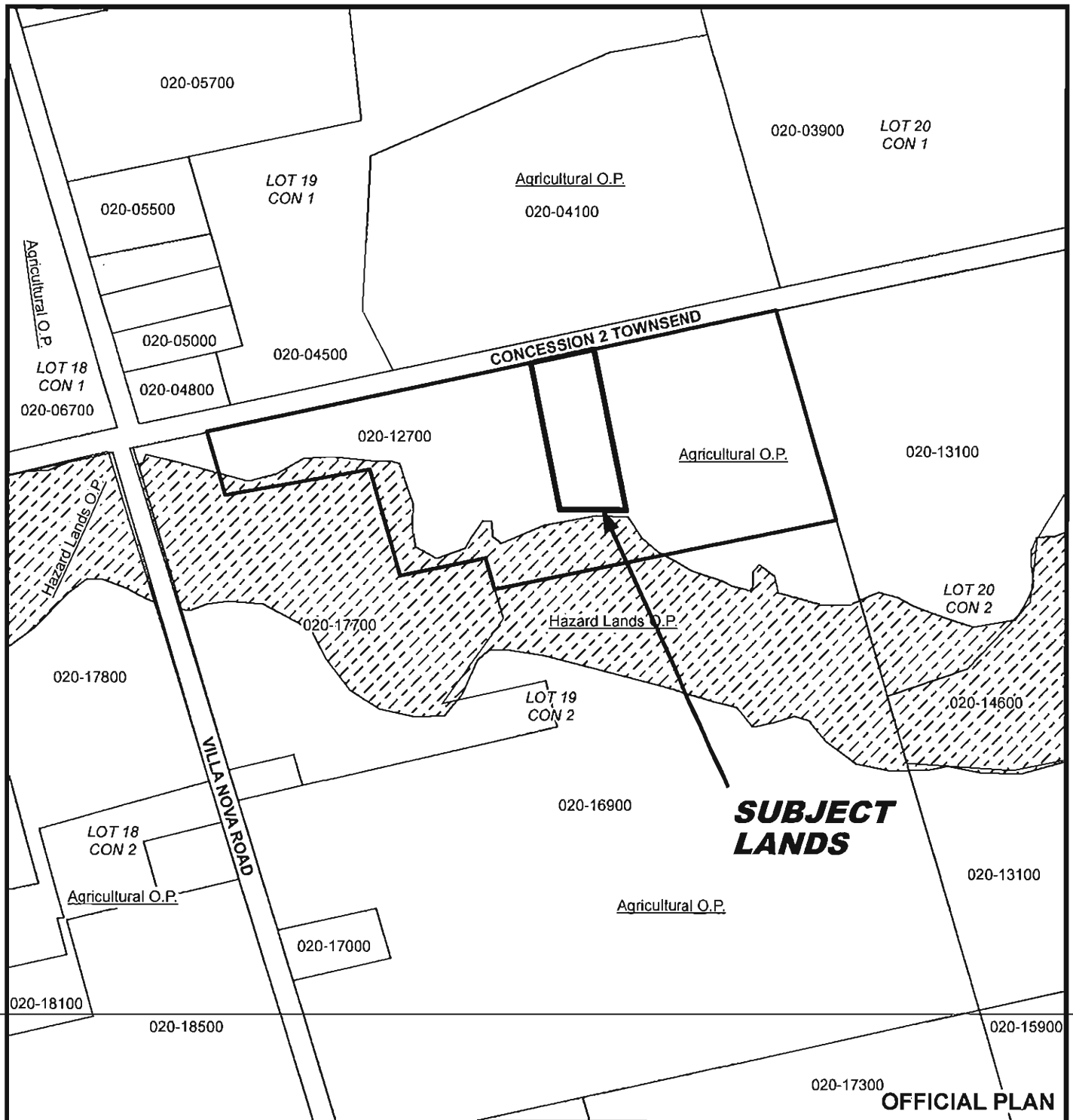
File Number: BNPL2012009

Geographic Township of TOWNSEND



20 40 60 80 Meters

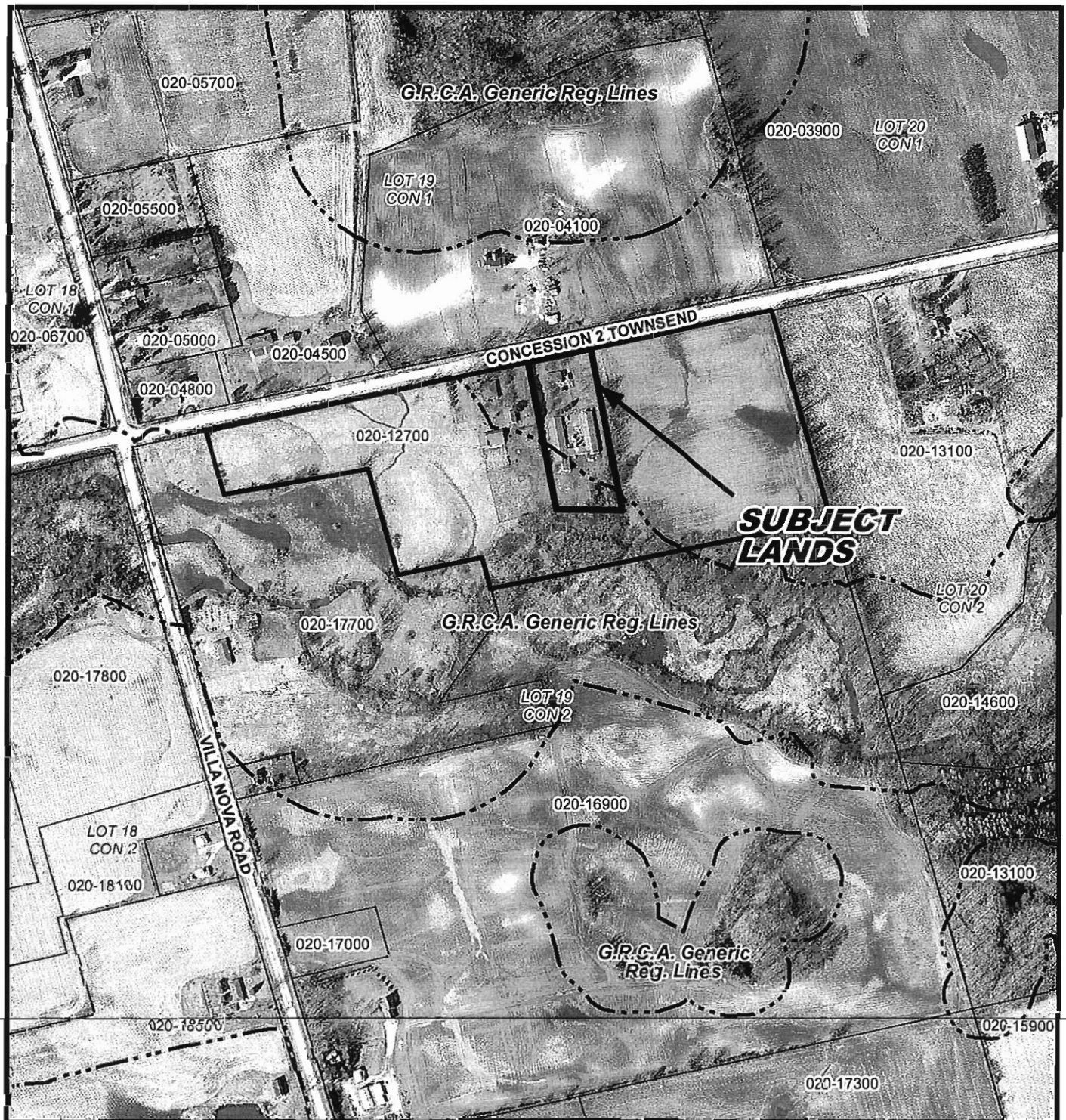
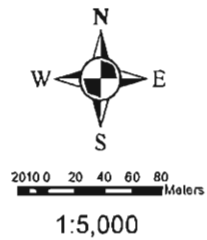
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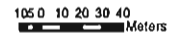
MAP 3

File Number: BNPL2012009

Geographic Township of TOWNSEND



Geographic Township of TOWNSEND



1:3,500

