



COMMENT REQUEST FORM

FILE NO: BNPL2012051

☒ 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:**

May 7th, 2012

APPLICANT:

2154069 ONTARIO INC, C/O JOHN A RYAN 1080 CONC 14 TOWNSEND RR 4 SIMCOE, ON N3Y 4K3

AGENT:

CLINE BACKUS NIGHTINGALE & MCARTHUR - MARIA KINKEL, 39 COLBORNE STREET NORTH SIMCOE, ON N3Y4N5

LOCATION: WINDHAM CON 7 PT LOT 12 AND, PLAN 48B BLK 8 PT LOTS 2 7, AND 12 (1009 WINDHAM ROAD 9)

ASSESSMENT ROLL NO.: 3310491014235000000

PROPOSAL:

An application has been received to sever a parcel having a frontage of 718.06 m (2355.84 ft.) a depth of 592.98 m (1945.47 ft.) and having an area of 41.68 ha (103 ac.) and retain a parcel having an area of 15.48 ha (38.25 ac.) as a farm split.

PLEASE REPLY BY EMAIL DIRECTLY TO:

MARY ELDER, MCIP, RPP

PO Box 128, 22 Albert Street, Langton ON N0E 1G0
(519) 875-4485 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: April 23rd, 2012

CONSENT / SEVERANCE**Office Use:**

File Number: BN-PL 2012 051
Related File: _____
Fees Submitted: March 19 2012
Application Submitted: "
Sign Issued: "
Complete Application: "

LPRCA fee attached

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: 3310-49101 423500

- | | |
|---|--|
| <input type="checkbox"/> Creation of a new lot | <input type="checkbox"/> Boundary adjustment |
| <input type="checkbox"/> Surplus Dwelling | <input type="checkbox"/> Easement |
| <input checked="" type="checkbox"/> Farm Split | <input type="checkbox"/> Right-of-way |
| <input type="checkbox"/> Other (lease / charge) | |

A. APPLICANT INFORMATION

Name of Applicant ¹ 2154069 Ontario Inc. Phone # 519-428-5327
Address 1080 Concession 4 RR#4 Fax # _____
Town / Postal Code Simcoe E-mail _____

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

AGENT INFORMATION

Name of Agent Cline, Backus et al. Attn: Maria Kinkel Phone # 519-426-6763
Address 39 Colborne St. N., P.O. Box 528 Fax # 519-426-2055
Town / Postal Code Simcoe N3Y 4N5 E-mail kinkel@clinebackus.com

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

Name of Owners ² 2154069 Ontario Inc. Phone # 519-428-5327
Address 1080 Concession 4 RR#4 Fax # _____
Town / Postal Code Simcoe 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:



B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	Windham	Urban Area or Hamlet	Windham Centre
Concession Number	Concession 7	Lot Number(s)	Pt Lot 13, Pt of Road Allowance btwn Lots 12 & 13
Registered Plan Number	48-B	Lot(s) or Block Number(s)	Pt Lots 2 & 7
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	103.2 m	Depth (metres/feet)	674.25 m to 1,362.41 m
Width (metres/feet)	103.2 m to 592.98 m	Lot area (m ² / ft ² or hectares/acres)	141.25
Municipal Civic Address	1009 Windham Road 9, Windham Centre, Ontario		

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):

division of the farm for the purposes of sale of approximately a 100 acre parcel for the agricultural purposes

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

R & A Kukielka Farm Ltd.

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		141.25	135-140	Ginseng/cash crop	<input type="checkbox"/> Yes <input checked="" 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)	Ginseng, cash crops	Cash crops
Proposed crops grown (type and area)	Ginseng, vegetable crops	Ginseng,

Description of Existing Buildings	Lands to be Severed	Lands to be Retained
Residence	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Livestock barn	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Type of livestock		
Capacity of barn		
Manure storage	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Type of manure storage		

CONSENT / SEVERANCE

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

Frontage (metres/feet) 718.06 m (County Rd. 25) (2355.84')

Depth (metres/feet) 592.98 m (1945.47')

Width (metres/feet) 674.25 - 718.06 m

Lot area (m² / ft² or hectares/acres)

103 acres (41.68 ha)

PROPOSED FINAL LOT SIZE
(if boundary adjustment)

Existing use: Cash crops, ginseng

Proposed use: Ginseng, vegetable crops

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) 103.20 m

Depth (metres/feet)

688.16 m

Width (metres/feet) 290.86 m

Lot area (m² / ft² or hectares/acres)

38.25 acres (15.21 ha)

Existing use: Cash crops

Proposed use: Ginseng, horses (Max 6)

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 greenhouse, 2 barns, 1 kiln, 2 bunkhouses

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:

No additional buildings

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

Frontage (metres/feet)

Depth (metres/feet)

Width (metres/feet)

Lot area (m² / ft²)

Proposed use:

D. PROPERTY INFORMATION

Present official plan designation(s): Agricultural, primarily, some of the retained lands Hamlet

Present zoning: Agricultural

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: BNPL2010022 - approved

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: BNPL2010022 - approved

Number of separate parcels that have been created: 1

Date(s) these parcels were created: July 22, 2010

Name of the transferee for each parcel: Trendovation Properties Inc.

Uses of the severed lands: Hamlet Residential

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?



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:

Knowledge of principals 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: BNPL2010022

Land it affects: Part 1 on 37R-10266

Purpose: creation of a lot within the Hamlet of Windham Centre

Status/decision: approved

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:
conforms

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 type="checkbox"/> No	____ distance
Wooded area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ distance
Municipal landfill	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input 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 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 type="checkbox"/> No	____ distance
Floodplain	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ distance
Rehabilitated mine site	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input 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 type="checkbox"/> No	____ distance
Active mine site within one kilometre	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input 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 type="checkbox"/> No	____ distance
Active railway line	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ distance
Seasonal wetness of lands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ distance
Erosion	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ distance
Abandoned gas wells	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ distance

H. SERVICING AND ACCESS

WATER SUPPLY

Municipal piped water

SEVERED

☐

Communal Wells

☐

Individual Wells

☐

RETAINED

☐☐☒

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: _____

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: _____

I. OTHER INFORMATION

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

☐

Yes

☐

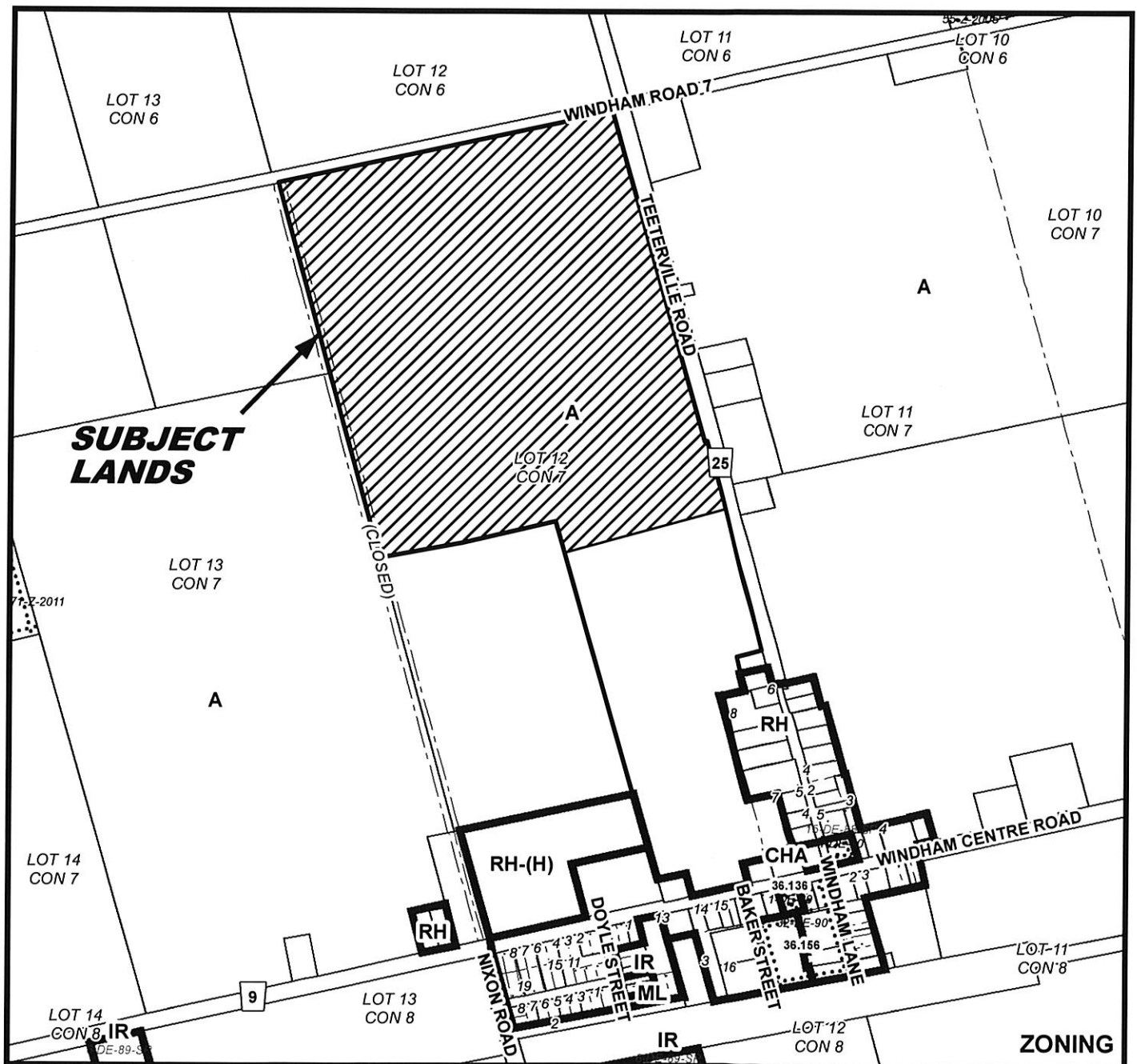
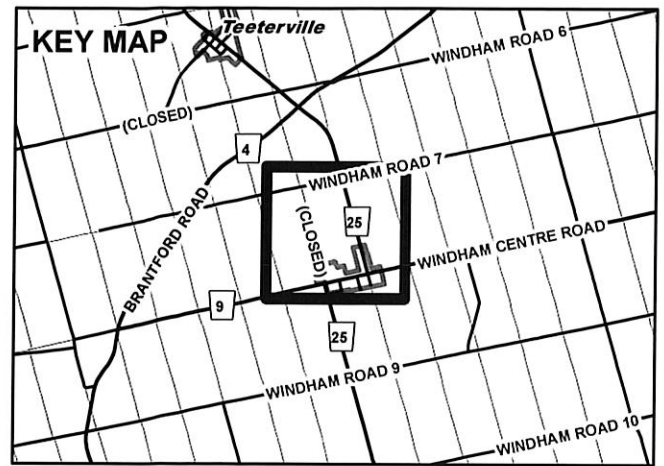
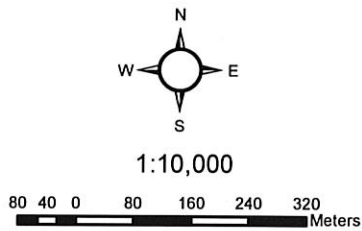
No

If yes, describe: _____

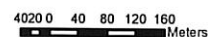
Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

MAP 1
File Number: BNPL2012051

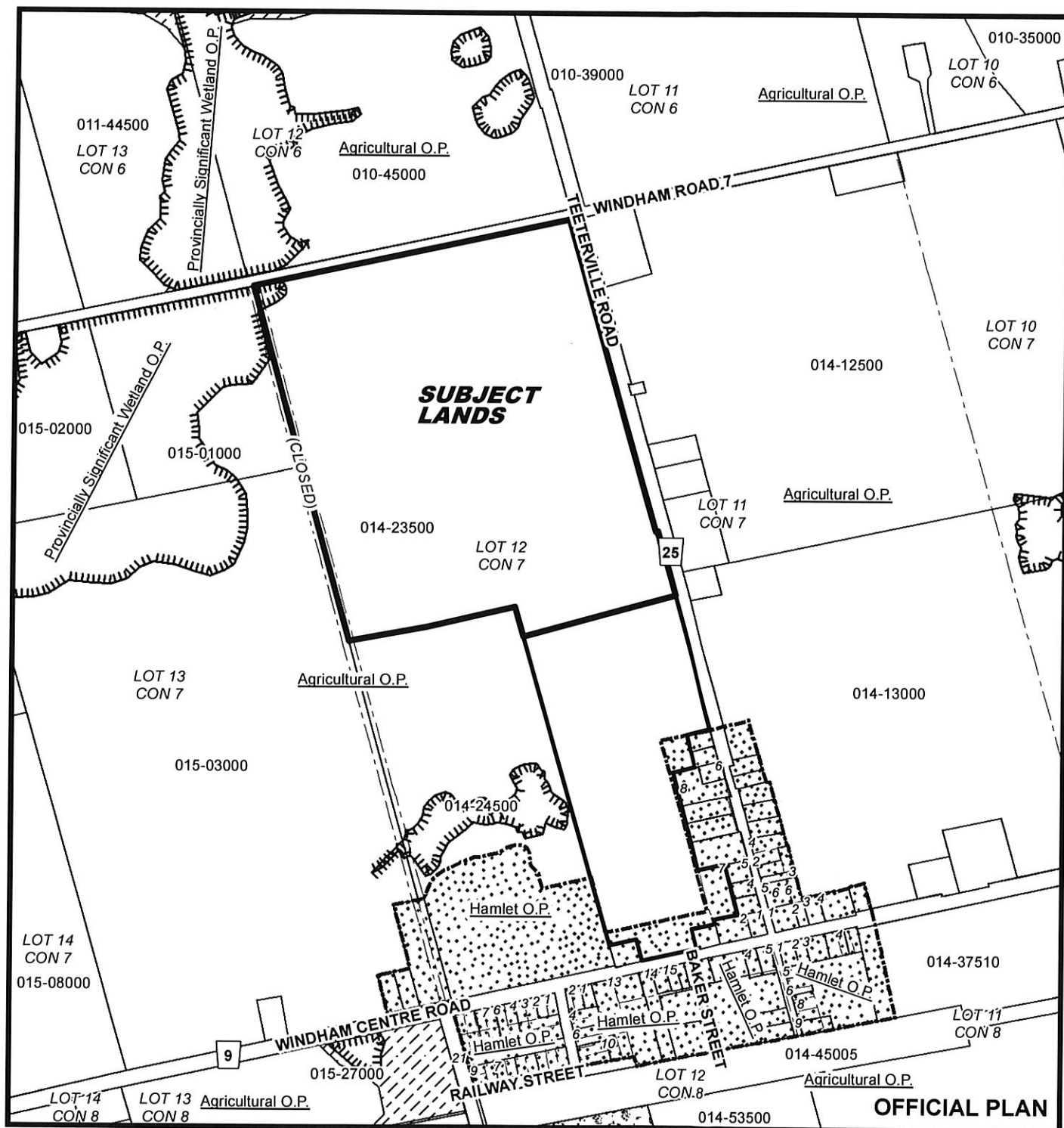
Geographic Township of
WINDHAM



Geographic Township of WINDHAM



1:10,000



MAP 3

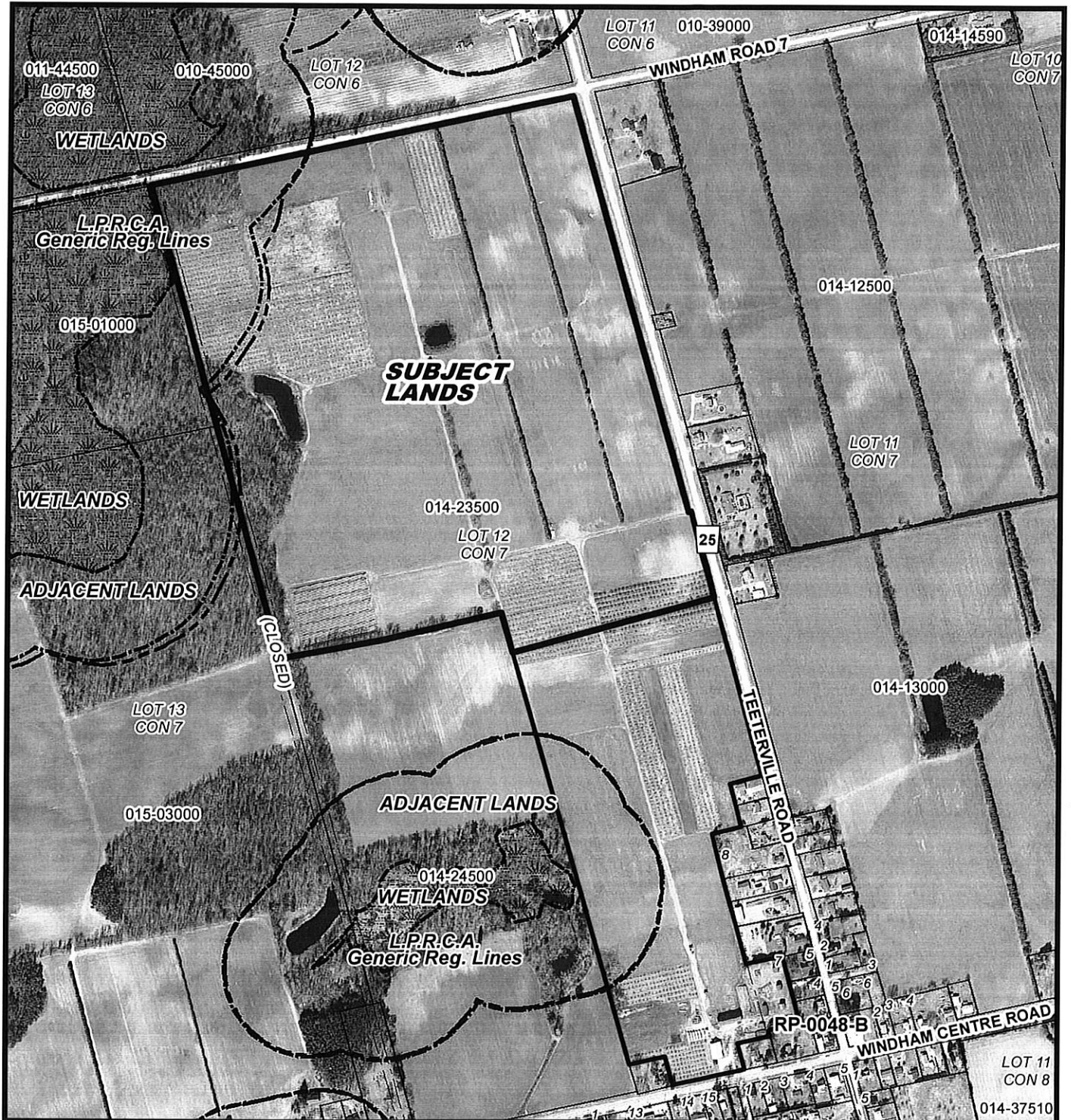
File Number: BNPL2012051

Geographic Township of WINDHAM



30 15 0 30 60 90 120
Meters

1:7,500



MAP 4

File Number: BNPL2012051

Geographic Township of WINDHAM



30 15 0 30 60 90 120 Meters

1:7,500

