



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO: BNPL2012089

☒ 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:**

July 3rd, 2012

APPLICANT:

PEACE LUTHERAN CHURCH, 60 YOUNG ST TILLSONBURG, ON N4G3H7

AGENT:

MARTIN THEISSLER, 23 WINDEMERE AVE TILLSONBURG, ON N4G5M9

LOCATION: MIDDLETON CON 1 STR PT LOT 177 (2151 1st Conc Rd STR)

ASSESSMENT ROLL NO.: 3310541030246000000

PROPOSAL:

An application has been received to sever a parcel with a frontage of 169.62m (556.50 ft.), an irregular depth of 82.93m (272.07 ft.), a width of 100.93m (331.13 ft.) and having an area of 0.92 ha (2.29 acres) as the severance of a former church from the remaining cemetery.

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: June 18, 2012

CONSENT / SEVERANCE

Office Use:

File Number: BN-PL2012089
Related File: 0
Fees Submitted: May 9th 2012
Application Submitted: " "
Signed: " "
Complete Application: " "

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.

KR

Property assessment roll number: **3310-** 541-030-24600

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

A. APPLICANT INFORMATION

Name of Applicant ¹ PEACE LUTHERAN CHURCH Phone # 519-842-8331
Address 60 YOUNG ST. Fax # _____
Town / Postal Code TILLSONBURG N4G 3H7 E-mail _____

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

AGENT INFORMATION

Name of Agent MARTIN THEISSLER Phone # 519-842-8988
Address 23 WINDEMERE AVE. Fax # _____
Town / Postal Code TILLSONBURG N4G 5M9 E-mail mtysler@sympatico.ca

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

Name of Owners ² PEACE LUTHERAN CHURCH Phone # 519-842-8331
Address 60 YOUNG ST. Fax # _____
Town / Postal Code TILLSONBURG N4G 3H7 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 mortgages, charges or other encumbrances on the subject lands:

NONE

CONSENT / SEVERANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>MIDDLETON</u>	Urban Area or Hamlet	_____
Concession Number	<u>CONC. 1 S.T.R.</u>	Lot Number(s)	<u>PART OF LOT 177</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 / ft ² or hectares/acres)	<u>3.17 ACRES (1.27 HECTARES)</u>
Municipal Civic Address	<u>2151 1ST. CONC. RD. S.T.R.</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 land?

☐ 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):

TO SEVER THE EXISTING CEMETERY FROM THE BALANCE OF THE
PROPERTY. NOTE: (CHURCH NO LONGER USED AS A CHURCH)

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)	<u>556.50 FT (169.62M)</u>	Depth (metres/feet)	<u>IRREG. 272.07' (82.93M)</u>
Width (metres/feet)	<u>IRREG. 331.13 FT (100.93M)</u>	Lot area (m ² / ft ² or hectares/acres)	<u>2.29 ACRES (.92 HECT.)</u>
		PROPOSED FINAL LOT SIZE (if boundary adjustment)	<u>2.29 ACRES (.92 HECT.)</u>

Existing use: FORMER CHURCH AND HOUSE

Proposed use: PRIVATE RESIDENCE

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:

FORMER CHURCH, HOUSE + GARAGE (2 1/2 STORY BRICK HOUSE) (FRAME GARAGE)
(CONCRETE BLOCK + BRICK CHURCH)

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:

NO ADDITIONAL STRUCTURES PROPOSED

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

Frontage (metres/feet)	<u>228.56 FT (69.67M)</u>	Depth (metres/feet)	<u>IRREG. 147.84 FT (45.06M)</u>
Width (metres/feet)	<u>IRREG. 169.67 FT (51.72M)</u>	Lot area (m ² / ft ² or hectares/acres)	<u>.87 ACRES (.35 HECTARE)</u>

Existing use: CEMETERY

Proposed use: CEMETERY

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:

NONE

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

D. PROPERTY INFORMATION

Present official plan designation(s): AGRICULTURAL

Present zoning: RURAL INSTITUTIONAL

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: _____

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: FORMER COUNTRY BUILT 1912, REBUILT 1937
HOUSE BUILT 1905

Date of purchase of subject lands: APPROX 1850.

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:

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

Municipal piped water

SEVERED

☐

RETAINED

☐

Communal Wells

☐☐

Individual Wells

☒☐

Other means (describe) _____ NONE

CONSENT / SEVERANCE

SEWAGE TREATMENT

SEVERED

RETAINED

Municipal Sewers

☐☐

Communal System

☐☐

Septic tank and tile bed

☒☐

Other means (describe) _____

NONE

STORM DRAINAGE

SEVERED

RETAINED

Storm Sewers

☐☐

Open ditches

☒☐

Other (describe) _____

NONE

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: _____

RITINGLAND 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: _____

1ST. CONC. RD. STR.

I. OTHER INFORMATION

Is there a time limit that affects the processing of this development application? ☒ Yes ☐ No

If yes, describe: PROPOSED SALE OF SEVERED PARCEL CLOSING DATE OCT. 1, 2012

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.

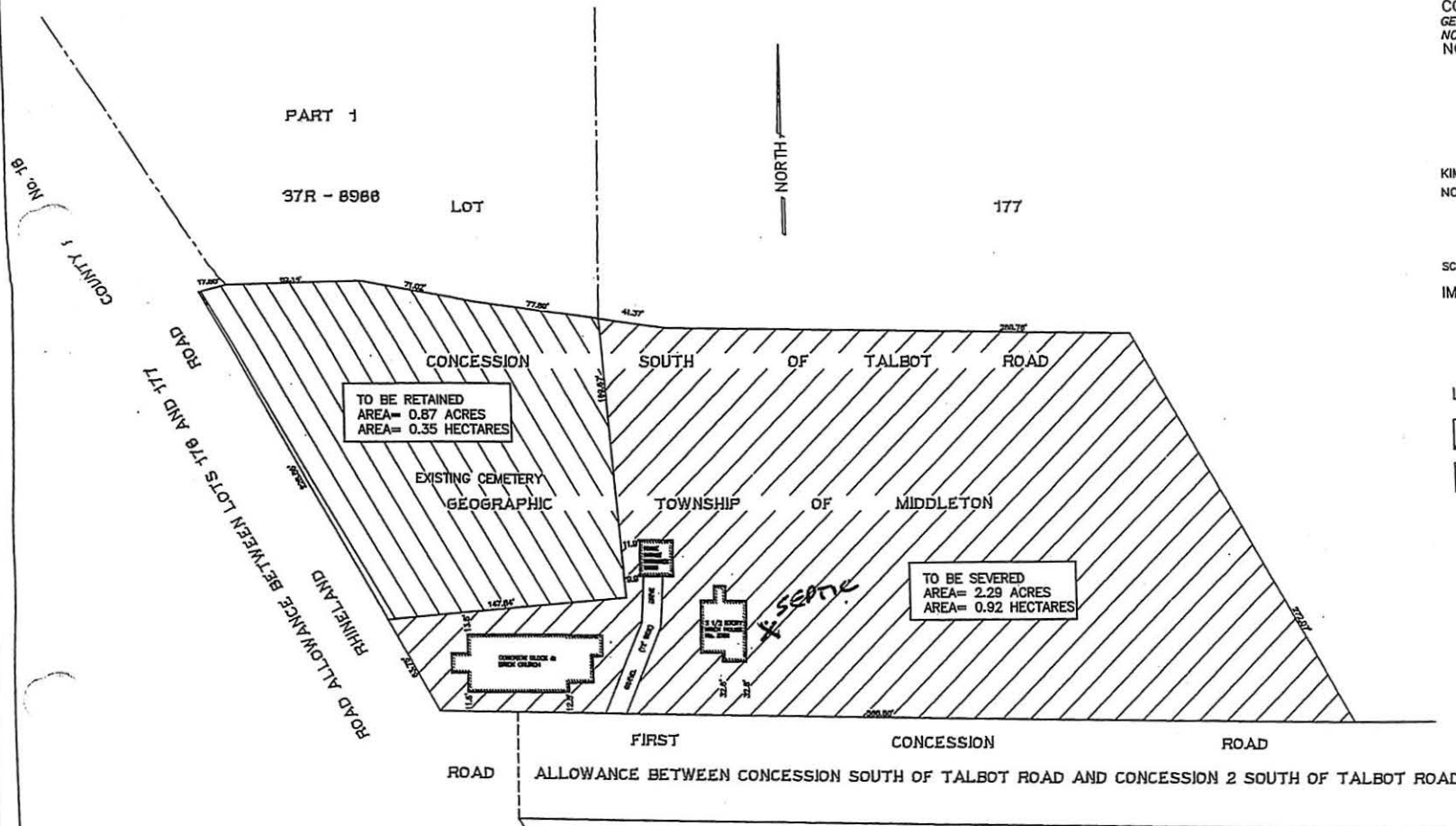
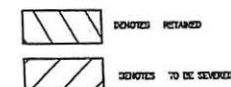
AN ARCHAEOLOGICAL ASSESSMENT HAS BEEN COMPLETED ON THE LOT TO BE SEVERED. (CEMETERY)

SKETCH ILLUSTRATING PROPOSED SEVERANCE'S
PART OF LOT 177
CONCESSION SOUTH OF TALBOT ROAD
GEOGRAPHIC TOWNSHIP OF MIDDLETON
NOW IN
NORFOLK COUNTY

KIM HUSTED SURVEYING LTD.
NOVEMBER

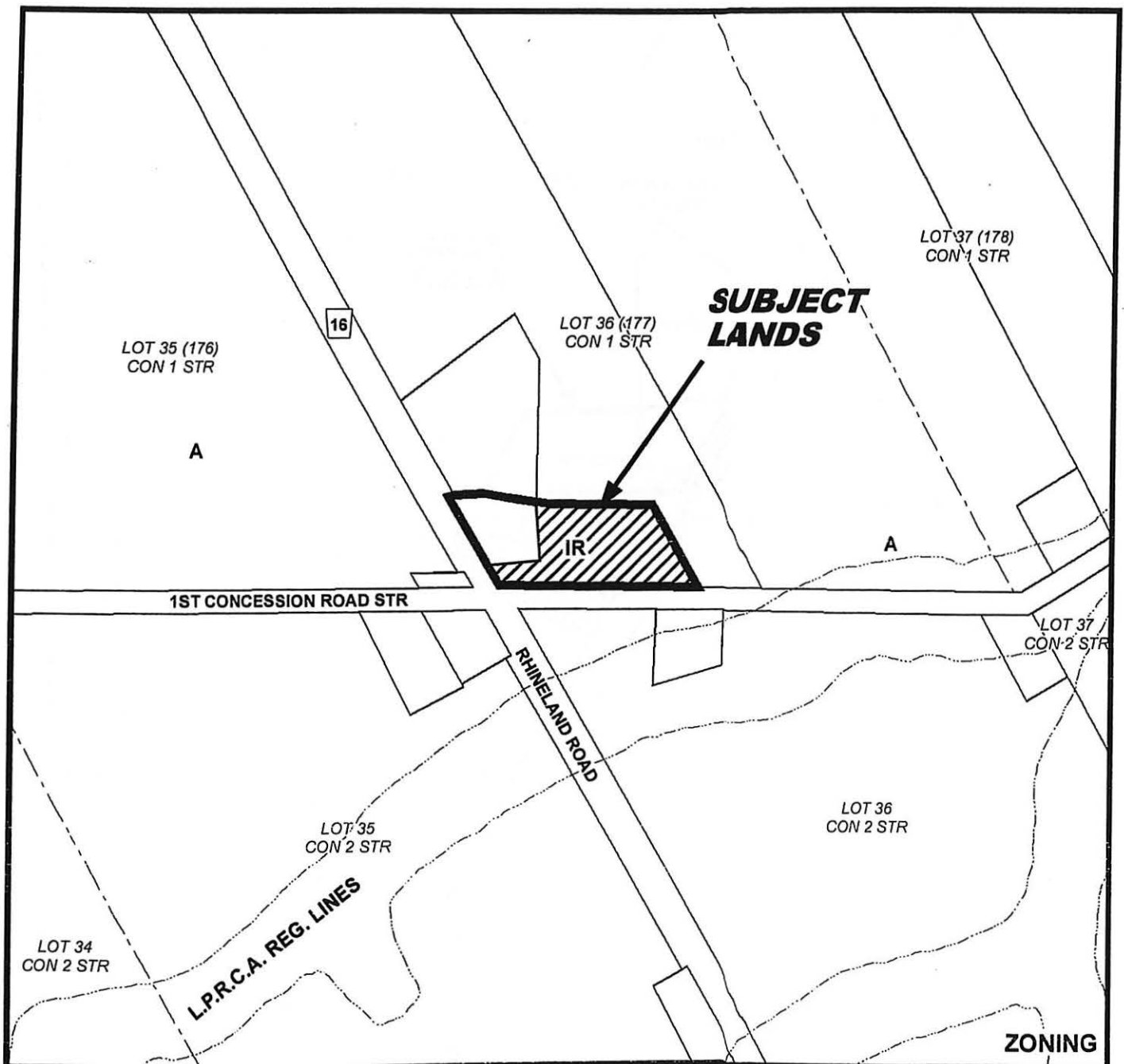
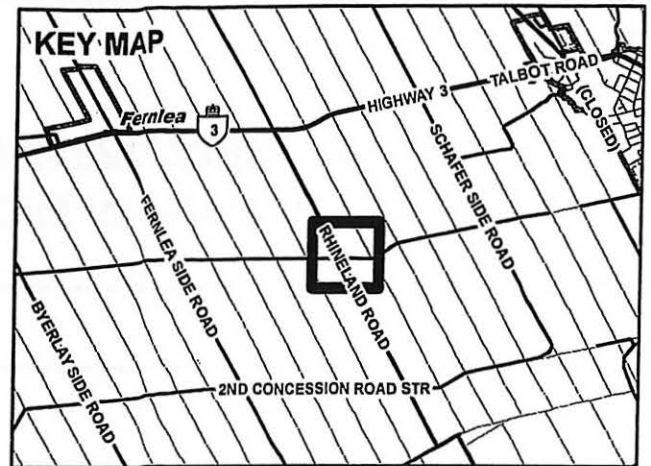
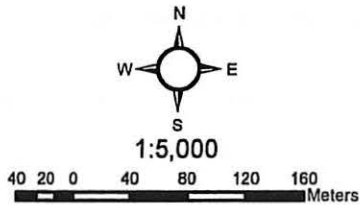
SCALE - 1 INCH = 40 FEET
IMPERIAL. DISTANCES SHOWN ON THIS PLAN ARE IN IMPERIAL UNITS AND
CAN BE CONVERTED TO METERS BY MULTIPLYING BY 0.3048

LEGEND

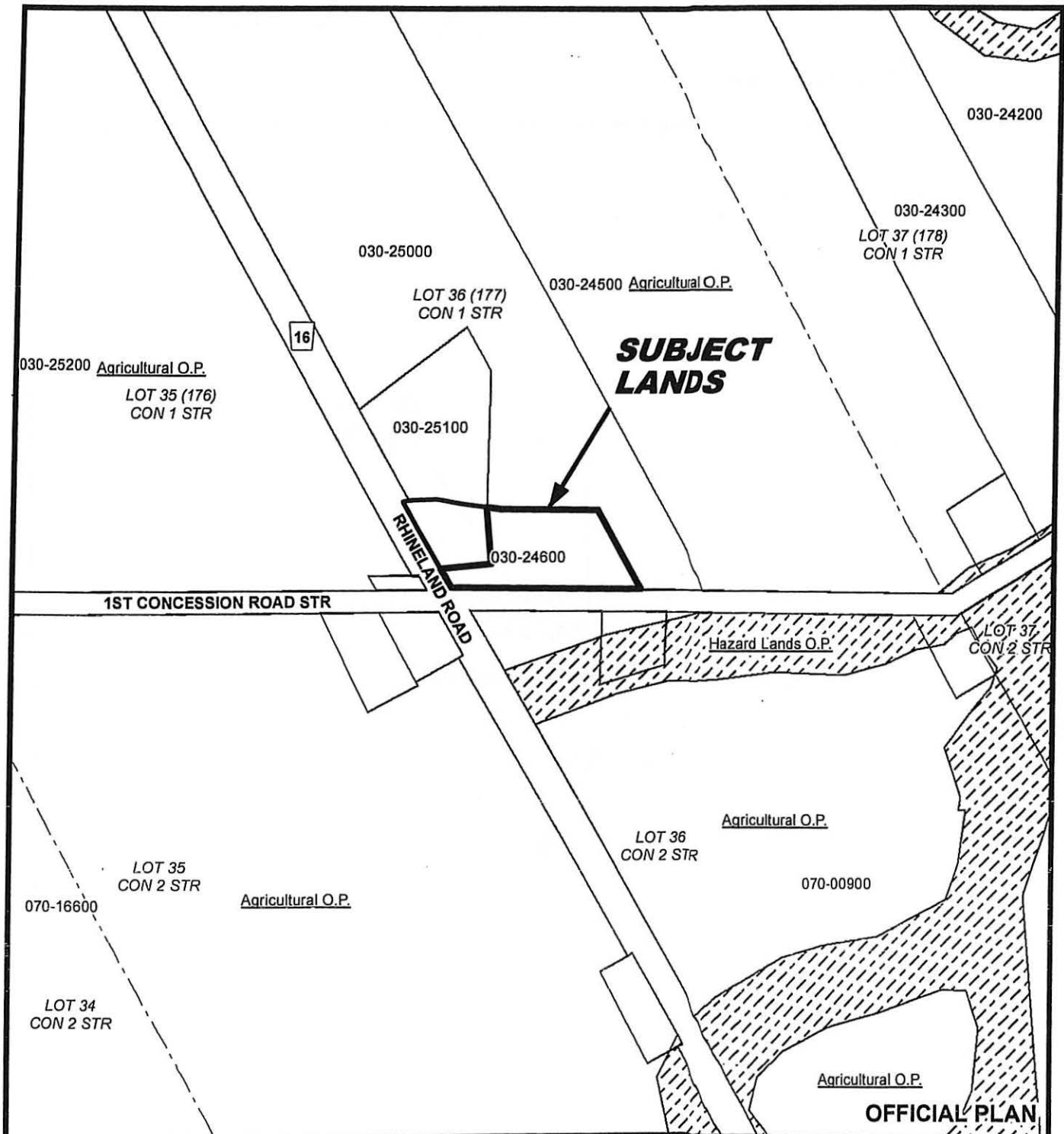
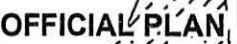


MAP 1
**File Number: BNPL2012089 &
ANPL2012107**

Geographic Township of
MIDDLETON



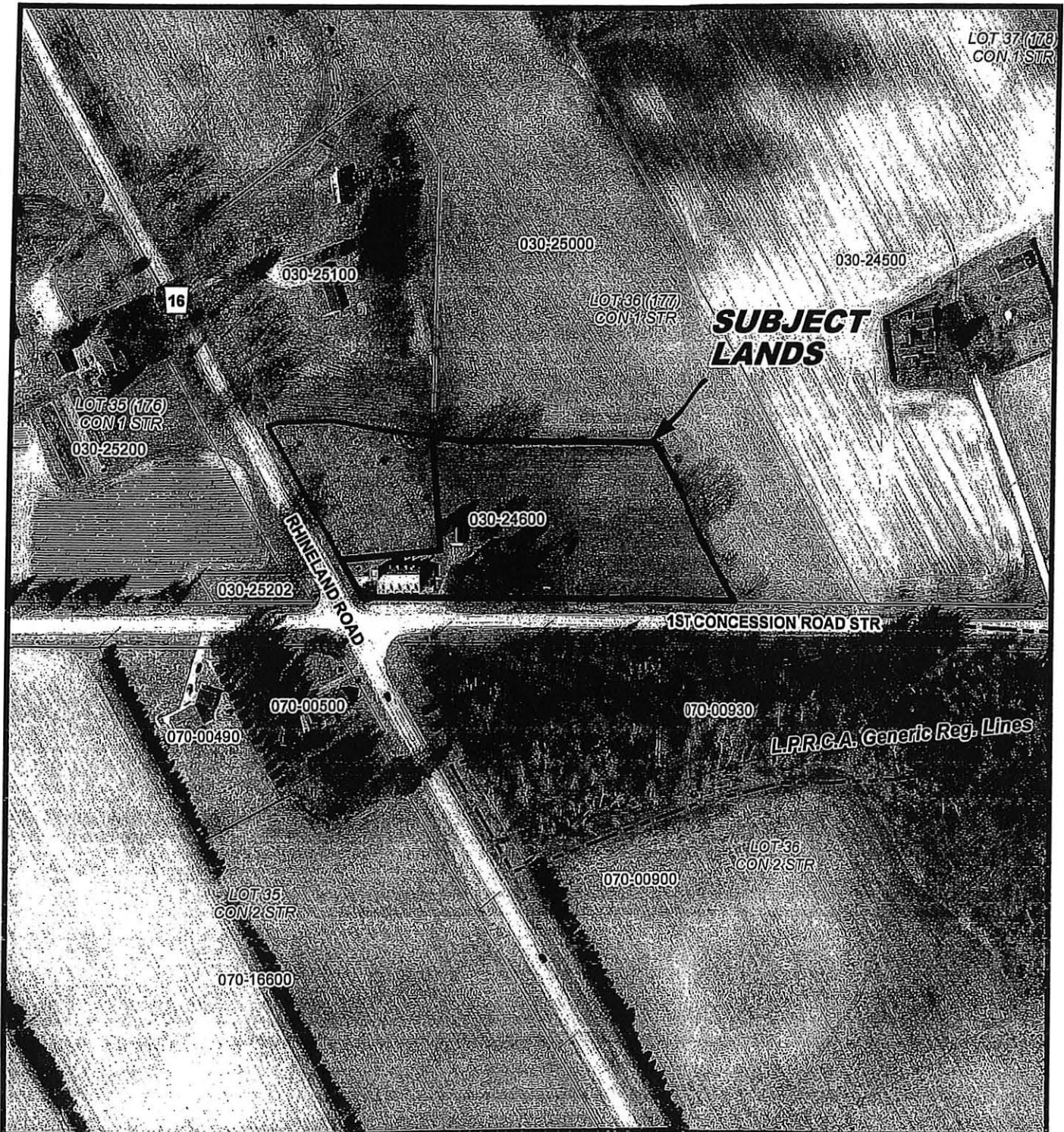
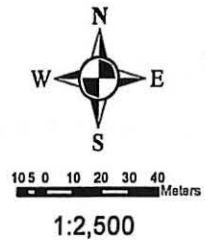
Geographic Township of MIDDLETON



MAP 3

File Number: BNPL2012089 & ANPL2012107

Geographic Township of MIDDLETON



MAP 4

File Number: BNPL2012089 & ANPL2012107

Geographic Township of MIDDLETON



6 3 0 6 12 18 24 Meters

1:1,500

