



THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT

## COMMENT REQUEST FORM

# FILE NO: BNPL2012143

☒ 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:**

## August 7<sup>th</sup>, 2012

### APPLICANT:

NORFOLK CHERRY COMPANY LTD, 383 FOURTEENTH ST E SIMCOE, ON N3Y 4K3

### AGENT:

R.C. DIXON, O.L.S. - JEWIT AND DIXON LTD., 51 PARK ROAD SIMCOE, ON N3Y4J9

**LOCATION:** TWN CON 12 PT LOT 8 (551 Concession 13 Road)

**ASSESSMENT ROLL NO.:** 3310336070278000000

### PROPOSAL:

An application has been received to sever a parcel with a frontage of 68.58 m. (225 ft.) a depth of 123.75 m. (406 ft.) and having an area of approximately 0.85 ha. (2.1 ac.) and retain a parcel having an area of approximately 7.19ha. (22.10ac.) as the relocation of an existing buildable lot having an area of 0.85 ha. (2.1 ac.) in order to reduce potential impact of the neighbouring agricultural operation located to the west of the existing buildable lot. NOTE: As a condition of severance, the 0.85 ha (2.1 ac.) buildable lot to the east of the subject lands and identified as roll number 3310-336-070-27920 will be merged back to the farm identified as roll number 3310-336-070-27800.

---

### 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](mailto: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](mailto: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: July 23, 2012**

**CONSENT / SEVERANCE****Office Use:**

File Number: BN-PL 2012143  
Related File: BN14312005  
Fees Submitted: \$1089.00 JY  
Application Submitted: July 11, 2012.  
Sign Issued: July 12, 2012.  
Complete Application: July 11, 2012 JY.

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- 336-070-27800 ~~28155~~

- |   |  |
|---|--|
| <input 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 <sup>1</sup> Norfolk Cherry Company /o  
Schwylar Farms Limited Phone # (519) 426-5784  
Address 383 Concession Road 14 East Fax # \_\_\_\_\_  
Town / Postal Code RR#4 Simcoe, N3Y4K3 E-mail \_\_\_\_\_

<sup>1</sup> If the applicant is a numbered company provide the name of a principal of the company.

**AGENT INFORMATION**

Name of Agent R.C. Dixon, O.L.S. Phone # (519) 426-0842  
Address 51 Park Road Fax # 426-1034  
Town / Postal Code Simcoe, On N3Y4J9 E-mail surveyors@amtelecom.net

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

Name of Owners <sup>2</sup> \_\_\_\_\_ Phone # \_\_\_\_\_  
Address \_\_\_\_\_ Fax # \_\_\_\_\_  
Town / Postal Code \_\_\_\_\_ E-mail \_\_\_\_\_

<sup>2</sup> 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 <sup>3</sup>: ☐ Applicant ☒ Agent ☐ Owner

<sup>3</sup> 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:



## CONSENT / SEVERANCE

### B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Townsend</u>	Urban Area or Hamlet	
Concession Number	<u>XII</u>	Lot Number(s)	<u>8</u>
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number	<u>37R 8914, 7199, 3410</u>	Part Number(s)	<u>1 plus</u>
Frontage (metres/feet)	<u>1318 m ± 4153' / 4324' ±</u>	Depth (metres/feet)	<u>variable</u>
Width (metres/feet)	<u>variable - see sketch</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	
Municipal Civic Address	<u>551 Concession 13 Road</u>		

For questions regarding requirements for a municipal civic address please contact [NorfolkGIS@norfolkcounty.ca](mailto: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:

yes on the retained but does not affect the proposed severance

### 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 move an existing 2.10 ac buildable lot to the east as illustrated. The existing 2.10 ac lot is a former gravel pit site, rehabilitated by the applicant - the Agricultural Operation could be dramatically impacted by residential on the existing lot.

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	
					<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 <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	(m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)
Woodlot area	(m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	(m <sup>2</sup> / ft <sup>2</sup> 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) 68.58 m / 225' Depth (metres/feet) 123.75m / 406'  
Width (metres/feet) / 225' Lot area (m<sup>2</sup> / ft<sup>2</sup> or hectares/acres) 0.85ha / 2.10 ac.  
PROPOSED FINAL LOT SIZE (if boundary adjustment) \_\_\_\_\_

Existing use: Agriculture  
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: nil

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: not determined as yet

Description of land intended to be **RETAINED**: (irregular - see sketch)

Frontage (metres/feet) \_\_\_\_\_ Depth (metres/feet) \_\_\_\_\_  
Width (metres/feet) \_\_\_\_\_ Lot area (m<sup>2</sup> / ft<sup>2</sup> or hectares/acres) 22.956 ac / 9.29 ha  
Existing use: \_\_\_\_\_ - 0.85 - 2.10  
Proposed use: \_\_\_\_\_ = 22.106 ac = 7.19 ha

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: \_\_\_\_\_

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 change

Description of proposed **RIGHT OF WAY/EASEMENT**: n/a  
Frontage (metres/feet) \_\_\_\_\_ Depth (metres/feet) \_\_\_\_\_  
Width (metres/feet) \_\_\_\_\_ Lot area (m<sup>2</sup> / ft<sup>2</sup>) \_\_\_\_\_  
Proposed use: \_\_\_\_\_



## CONSENT / SEVERANCE

### D. PROPERTY INFORMATION

Present official plan designation(s): Agriculture

Present zoning: Agriculture

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: B 16/98 - CN

Number of separate parcels that have been created: 1

Date(s) these parcels were created: 1998

Name of the transferee for each parcel: Benko

Uses of the severed lands: 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:

Local Knowledge

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 checked="" 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 checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	200' 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) \_\_\_\_\_



## CONSENT / SEVERANCE

### SEWAGE TREATMENT

Municipal Sewers

#### SEVERED

☐

#### RETAINED

☐

Communal System

☐☐

Septic tank and tile bed

☒☒

Other means (describe) \_\_\_\_\_

### STORM DRAINAGE

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: Concession 13 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: Concession 13 Road

## 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.

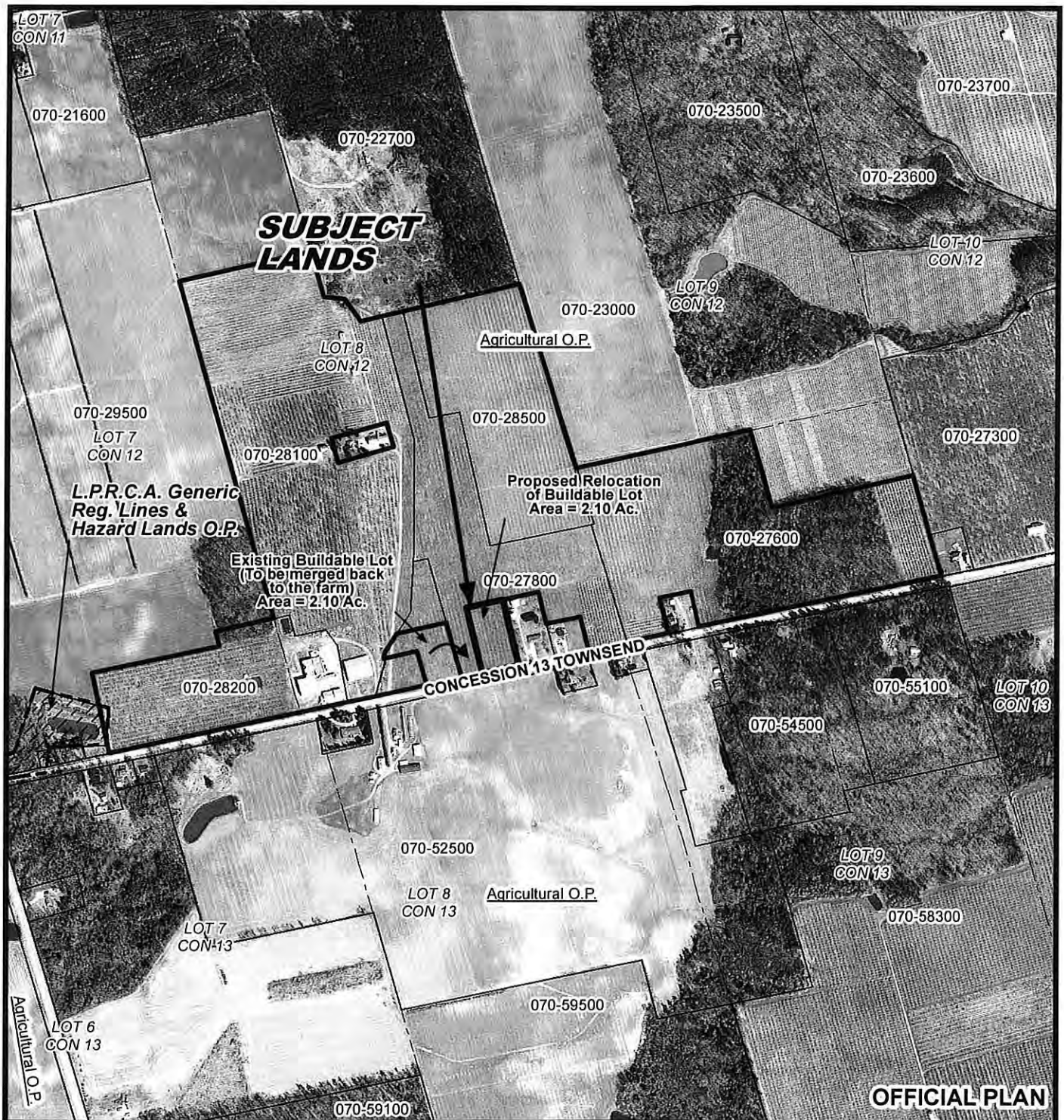
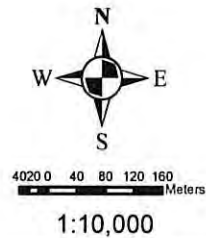
The majority of fruit trees existing on the proposed lot are to be removed for transplanting.



# MAP 2

File Number: BNPL2012143

Geographic Township of TOWNSEND



# MAP 3

File Number: BNPL2012143

Geographic Township of TOWNSEND



30 15 0 30 60 90 120 Meters

1:7,500

