



THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT

## COMMENT REQUEST FORM

**FILE NO: BNPL2012264**

☒ Building Department  
☒ Health Unit  
☒ Forestry Division  
☒ GIS Section  
☒ Fire/EMS  
☒ Public Works NOTE: If an agreement is req'd please  
attach the clauses you require in the agreement.

☐ Railway  
☐ Norfolk Power  
☒ Hydro One  
☐ 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 7, 2013**

**APPLICANT:** SCHONBERGER FAMILY FARMS LIMITED, 1412 1ST CONC RD ENR RR 5 LANGTON, ON N0E 1G0

**AGENT:** LISA GILVESY, P.O. Box 280 TILLSONBURG, ON N4G4H5

**LOCATION:** HGN CON ENR PT LOT 14 RP, 37R10276 PARTS 1 TO 3 (1275 1st Concession Road, ENR)

**ASSESSMENT ROLL NO.:** 3310545010236000000

**PROPOSAL:**

An application has been received to sever a parcel of land having no frontage, an irregular depth of 59.47m (195.13 ft), an irregular width of 8.75m (28.7 ft) and having an area of 397.16 m sq (0.09 acres) for the purposes of an easement to provide access to an existing irrigation system

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**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)

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**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:

Meghan Gelinas, Secretary-Treasurer  
P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0  
Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789  
[meghan.gelinas@norfolkcounty.ca](mailto:meghan.gelinas@norfolkcounty.ca)

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**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: December 19, 2012**

## CONSENT / SEVERANCE

### Office Use:

File Number: BN-PL2012264  
Related File: BNPL2010145  
Fees Submitted: Nov. 28<sup>th</sup> 2012  
Application Submitted: Nov. 27<sup>th</sup> 2012  
Sign Issued: Dec. 10<sup>th</sup> 2012  
Complete Application: Dec. 11<sup>th</sup> 2012 KR

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- 545 010 23600

- |   |  |
|---|--|
| <input type="checkbox"/> Creation of a new lot  | <input type="checkbox"/> Boundary adjustment |
| <input type="checkbox"/> Surplus Dwelling       | <input checked="" 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> Schonberger Family Farms Limited Phone # 519-875-2988  
Address 1412 Concession 1 ENR RR5 Fax # \_\_\_\_\_  
Town / Postal Code Langton, ON N0E 1G0 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 Lisa C. Gilvesy Phone # 519-842-9017  
Address Box 280 Fax # 519-842-3394  
[lisa@jenkins-gilvesy.com](mailto:lisa@jenkins-gilvesy.com) AND  
Town / Postal Code Tillsonburg, ON N4G 4H5 E-mail [stacy@jenkins-gilvesy.com](mailto:stacy@jenkins-gilvesy.com)

### OWNER(S) INFORMATION

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

Name of Owners <sup>2</sup> Kenneth James and Jamila Heera Axtmann Phone # \_\_\_\_\_  
Address 23 Greencroft Court Fax # \_\_\_\_\_  
Town / Postal Code Kitchener, ON N2N 3H6 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 mortgagees, charges or other encumbrances on the subject lands:  
none



## CONSENT / SEVERANCE

### LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Houghton</u>	Urban Area or Hamlet	
Concession Number	<u>1 ENR</u>	Lot Number(s)	<u>Part Lot 14</u>
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number	<u>37R-10276</u>	Part Number(s)	<u>1,2 &amp; 3</u>
Frontage (metres/feet)	<u>1351.08 ft irregular</u>	Depth (metres/feet)	<u>955 ft irregular</u>
Width (metres/feet)	<u>1351.08 ft irregular</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>14.5 acres</u>
Municipal Civic Address	<u>RR#5 Langton, ON N0E 1G0 (vacant lands not assigned)</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:

Easement over Part Lot 14, PART 1 on 37R-10250 to operate and maintain underground irrigation system

## B. 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):

Define Easement located on the lands where an irrigation system/pump and water control structure(s)/dam are located, which provides a water supply to the adjoining farm lands .

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

Easement in favour of Schonberger Family Farms Limited.

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)	_____	Depth (metres/feet)	_____
Width (metres/feet)	_____	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	_____
		PROPOSED FINAL LOT SIZE (if boundary adjustment)	_____

Existing use: Agricultural

Proposed use: Agricultural

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)	_____	Depth (metres/feet)	_____
Width (metres/feet)	_____	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	_____

Existing use: \_\_\_\_\_

Proposed use: \_\_\_\_\_

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)	<u>---</u>	Depth (metres/feet)	<u>195.13 ft irregular</u>
Width (metres/feet)	<u>28.7 ft irregular</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> )	<u>4,275 sq ft</u>

Proposed use: Provide Easement for existing irrigation system/pump and water control structure(s)/dam, which provides water to adjoining farm owner.



## CONSENT / SEVERANCE

### C. PROPERTY INFORMATION

Present official plan designation(s): Agricultural

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: \_\_\_\_\_

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: \_\_\_\_\_

Date of purchase of subject lands: \_\_\_\_\_

### D. 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:

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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

## E. 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: BNPL2010145

Land it affects: Part Lot 14, Concession ENR Houghton PART 1 on 37R-10250

Purpose: Easement Creation

Status/decision: Approved

Effect on the requested amendment: n/a

Is the above information for other planning developments applications attached? ☐ Yes ☒ No

## CONSENT / SEVERANCE

### F. 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:

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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:

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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 checked="" type="checkbox"/> Yes	<input 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

### G. SERVICING AND ACCESS

#### WATER SUPPLY

Municipal piped water

#### SEVERED

☐

#### RETAINED

☐

Communal Wells

☐☐

Individual Wells

☐☐

Other means (describe) Not Serviced





## CONSENT / SEVERANCE

### SEWAGE TREATMENT

#### SEVERED

#### RETAINED

Municipal Sewers

☐☐

Communal System

☐☐

Septic tank and tile bed

☐☐

Other means (describe) Not Serviced

### 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: Norfolk County Rd 45 & 1st Concession Road ENR

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 Concession Road ENR

## H. OTHER INFORMATION

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

☐

Yes

☒

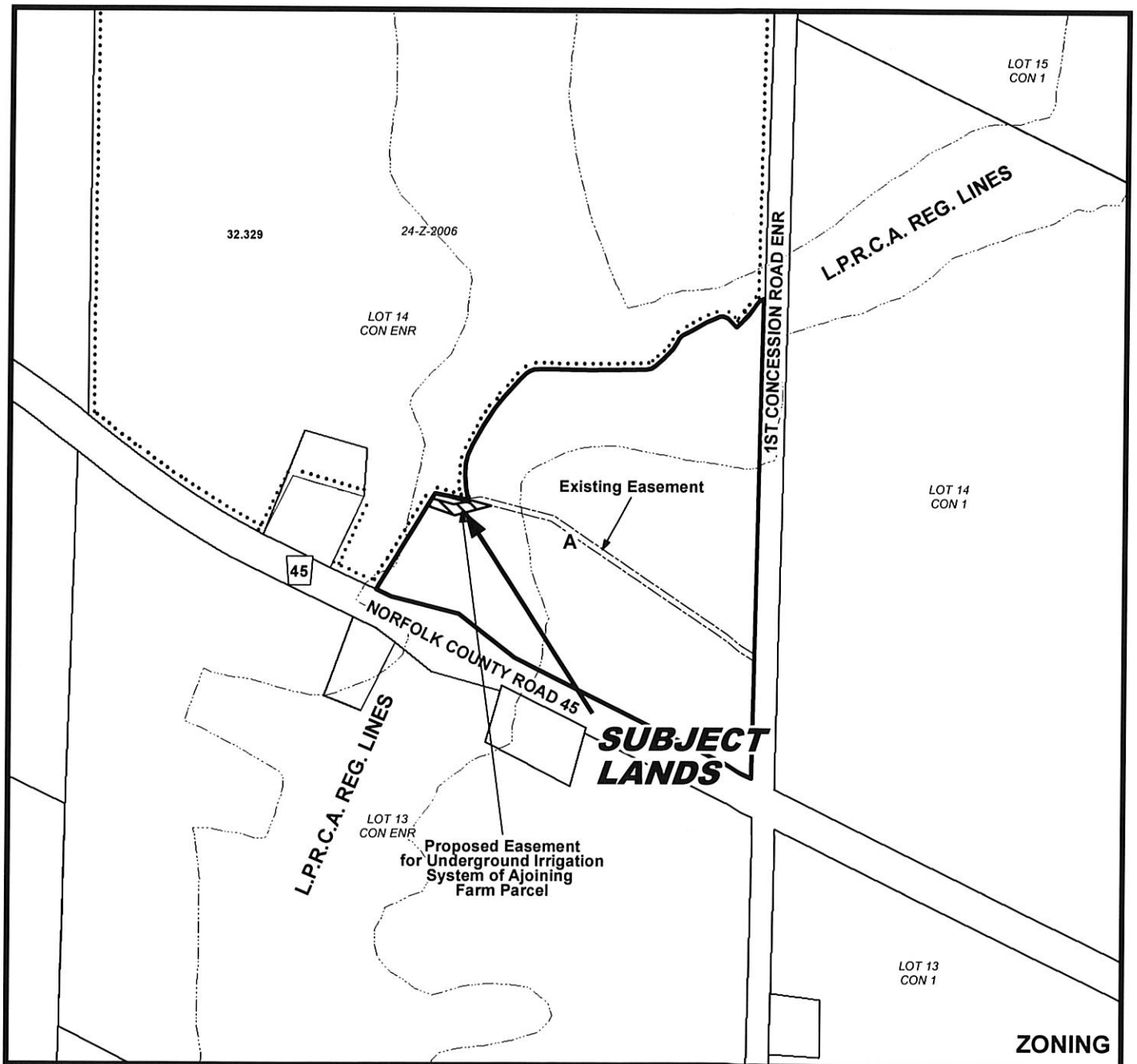
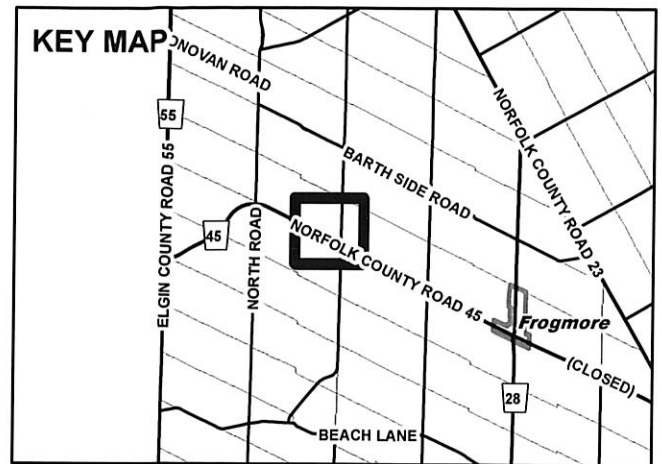
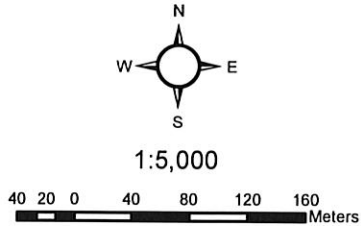
No

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: BNPL2012264**

Geographic Township of  
**HOUGHTON**



# MAP 2

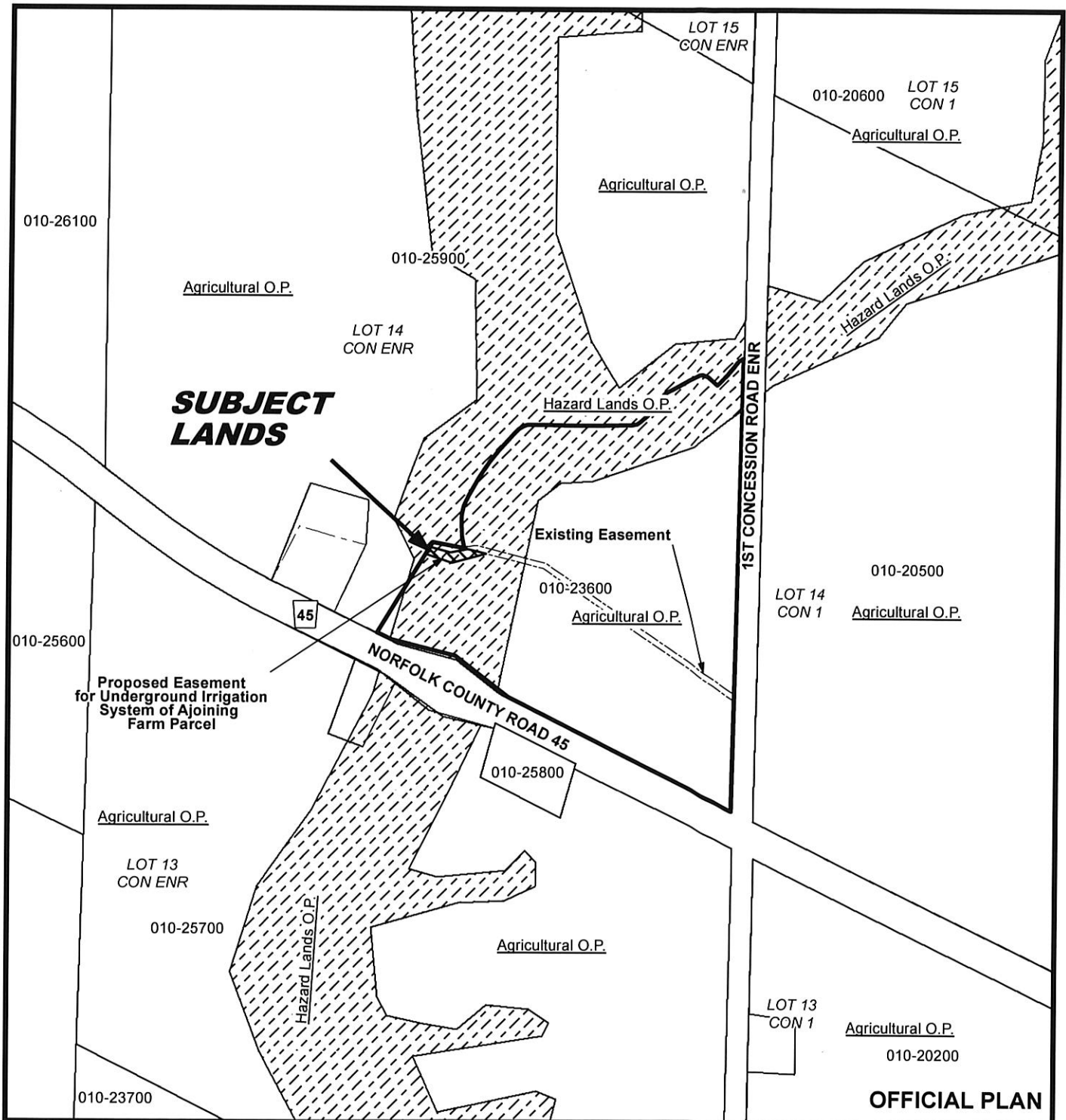
File Number: BNPL2012264

Geographic Township of HOUGHTON



2010 0 20 40 60 80 Meters

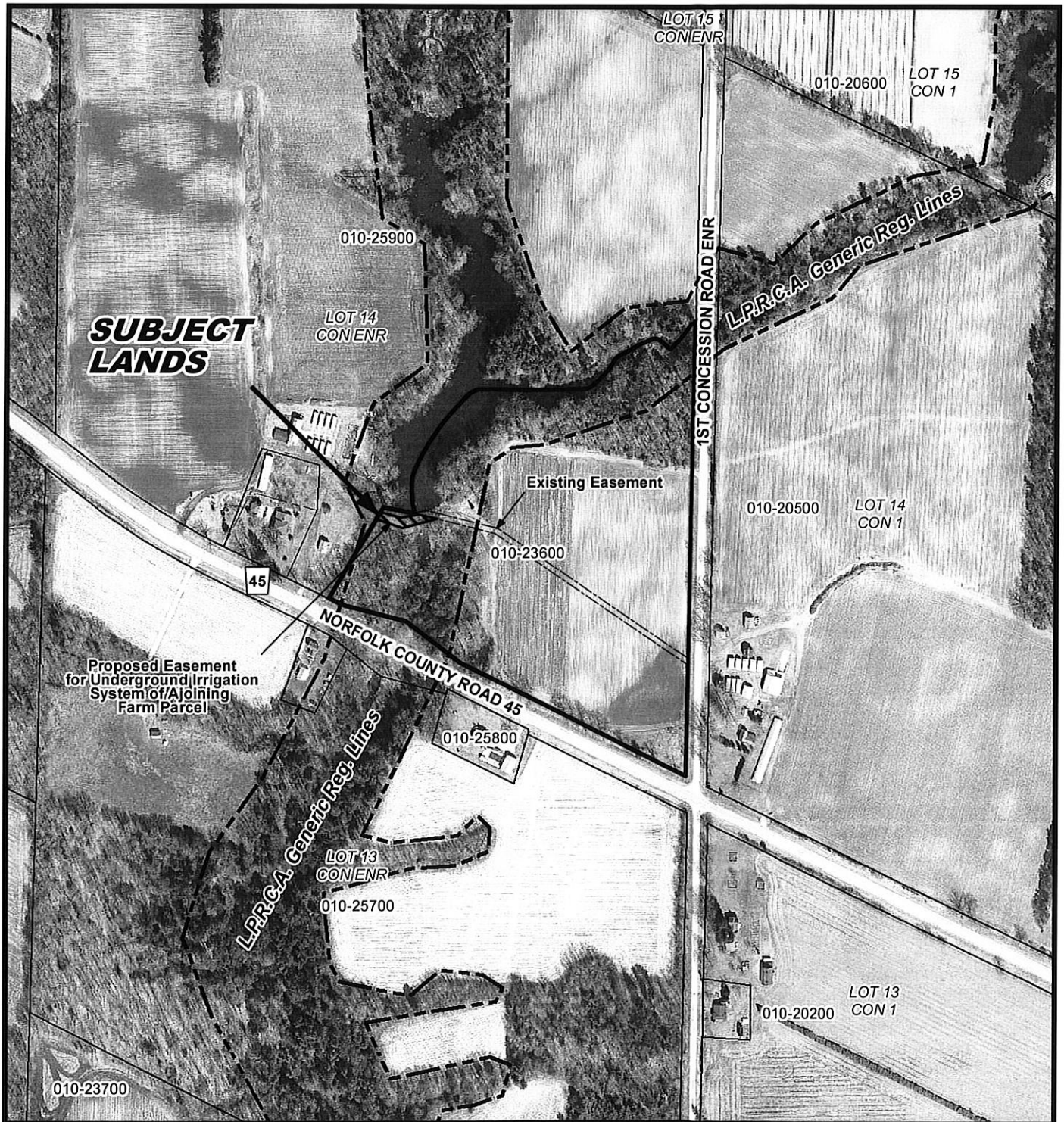
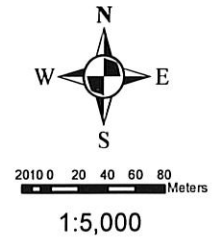
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# MAP 3

File Number: BNPL2012264

Geographic Township of HOUGHTON



# MAP 4

File Number: BNPL2012264

Geographic Township of HOUGHTON



10 5 0 10 20 30 40 Meters

1:2,500

