



COMMENT REQUEST FORM

FILE NO: BNPL2013175

☒ 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:**

November 4, 2013

APPLICANT: HIEBERT BARRY GARTH & ELSIE, 500 NORFOLK CTY RD 23 RR 1, PORT ROWAN, ON N0E 1M0

LOCATION: HGN CON NLR PT LOT 16 RP, 37R9074 PARTS 1 AND 2 (1369 Lakeshore Road)

ASSESSMENT ROLL NO.: 3310545040116000000

PROPOSAL:

An application has been received to sever a parcel having a frontage of 71.28 m, a depth of 56.35 m, a width of 61.37 m, having an area of 3720 sq m (0.91 ac) and retain a parcel having an area of 20.24 ha (50 acres) as the severance of a dwelling made surplus through farm amalgamation.

PLEASE REPLY BY EMAIL DIRECTLY TO:

MARY ELDER, MCIP, RPP

PO Box 128, 22 Albert Street, Langton ON N0E 1G0
(519) 426-5870 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:

Meghan Steinhoff, Secretary-Treasurer
P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0
Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789
meghan.steinhoff@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: October 18, 2013

CONSENT / SEVERANCE

File Number BNPL2013175 Application Fee Sept 30/2013
 Related File Number BNPL2009 + ZN051/2009 Conservation Authority Fee ✓
 Pre-consultation Meeting On May 2013 OSSD Form Provided ✓
 Application Submitted On Sep. 12 2013 Sign Issued ✓
 Complete Application On Sep. 30/2013

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.

LPRCA \$270.00

Property assessment roll number: 3310-545-040-116-00 \$1089.00

- | | |
|--|--|
| ☐ Creation of a new lot | ☐ Boundary adjustment |
| ☒ Surplus Dwelling | ☐ Easement |
| ☐ Farm Split (form to be completed) | ☐ Right-of-way |
| ☐ Other (lease / charge) | |

A. APPLICANT INFORMATION

Name of Applicant Barry Hiebert Phone # 519-718-1235
 Address 500 Norfolk City Road 23 RR1 Fax # 519-586-7876
 Town / Postal Code Port Rowan NOE1M0 E-mail hiebertfarms@live.ca

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

AGENT INFORMATION

Name of Agent _____ Phone # _____
 Address _____ Fax # _____
 Town / Postal Code _____ E-mail _____

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

Name of Owners ² Barry Garth Hiebert Elsie Hiebert Phone # 519-718-1235
 Address 500 Norfolk City Road 23 RR1 Fax # 519-586-7876
 Town / Postal Code Port Rowan NOE1M0 E-mail hiebertfarms@live.ca

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:

FCC 4-421 Queensway W Simcoe, ON N3Y 2N4

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS *entire farm parcel*

Geographic Township Norfolk (Houghton) Urban Area or Hamlet _____
 Concession Number Concession North of Lake Road Lot Number(s) Part Lot 16
 Registered Plan Number _____ Lot(s) or Block Number(s) _____
 Reference Plan Number _____ Part Number(s) _____
 Frontage (metres/feet) 304.076 metres Depth (metres/feet) 666.875 metres
 Width (metres/feet) 312.359 metres Lot area (m² / ft² or hectares/acres) 50.92 acre
 Municipal Civic Address 1369 Lakeshore Road Clear Creek, ON

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:

Instrument 275 995 easement for use of a well.

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):

I am proposing to sever off the house that is a surplus dwelling due to farm amalgamation. I plan on selling the house, as I would rather put the money back in the farm, than be a landlord renting out the house.

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

Not 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
Barry + Elsie Niebert 1369 Lakeshore Rd. OTHER Barry + Elsie Niebert 543 010 24600 0000	Houghton, Norfolk Part lot 16 N15 Lake Road S Wal Con 2 Part Lot 1	50.92 acre	43	Corn/soybean production	☒ Yes ☐ No	1950
Barry + Elsie Niebert 543 070 11900 0000	S Wal Con A Part Lot 1	70.4 ac	50	Corn/soybean production	☒ Yes ☐ No	1992
Barry + Elsie Niebert 543 070 11900 0000	Part Lot 1	74 ac	70	Corn/soybean production	☐ Yes ☒ No	
Barry + Elsie Niebert 545 040 18910 0000	Hgn Con 8 Pt Lot 1	48.02 ac	47	Corn/soybean production	☐ Yes ☒ 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	☐ Yes ☐ No	☐ Yes ☐ No
Livestock barn	☐ Yes ☐ No	☐ Yes ☐ No
Type of livestock		
Capacity of barn		
Manure storage	☐ Yes ☐ No	☐ Yes ☐ No
Type of manure storage		

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

Frontage (metres/feet)	71.283 metres	Depth (metres/feet)	56.351 metres
Width (metres/feet)	61.370 metres	Lot area (m ² / ft ² or hectares/acres)	3720 m ²
		PROPOSED FINAL LOT SIZE (if boundary adjustment)	N/A

Existing use: Single family dwelling

Proposed use: Single family dwelling

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:

1 house 4.88m high 1 storage shed 3.29m high
 21.47m front 11.25m west 18.94m rear 16.9m west 2.85m rear
 139.35m² floor area 39.57m east 37.62m east 48.66m front
~~1500 ft²~~

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:

It is intended to keep the two existing buildings.

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

Frontage (metres/feet)	<u>237.885 metres</u>	Depth (metres/feet)	<u>666.875 metres</u>
Width (metres/feet)	<u>312.359 metres</u>	Lot area (m ² / ft ² or hectares/acres)	<u>50 acres</u>

Existing use: Corn / soybean production

Proposed use: Corn / soybean production

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:

25.908m X 8.334m 10.9m X 7.3m 18.288m X 7.315m
 1 Barn 5.18m high 1 Frame kiln 7.00m high 1 Metal Clad Building
 3.96m high
 56.899m front

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:

Just planning on keeping the above described 1 Barn 5.18m high.
The other two buildings are to be removed.

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

Frontage (metres/feet) _____ Depth (metres/feet) _____

Width (metres/feet) _____ Lot area (m² / ft²) _____

Proposed use: _____

D. PROPERTY INFORMATION

Present official plan designation(s): Agricultural

Present zoning: Agricultural

Is there a site specific zone on the subject lands?

CONSENT / SEVERANCE

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

BN-069/2009 passed

If yes, indicate the file number and the status/decision: ZN-051/2009 passed

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? April 15, 2013

Date of construction of the dwelling proposed to be severed: 1950

Date of purchase of subject lands: April 15 / 2013

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?

☐ 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 the area, asking previous 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:

1. a minor variance or a consent;
2. an amendment to an official plan, a zoning by-law or a Minister's zoning order; or
3. 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

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 MDS 1 Calculation Form)	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance
Wooded area	☒ Yes	☐ No	☒ Yes	☐ No	100 distance
Municipal landfill	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance
Sewage treatment plant or waste stabilization plant	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature	☒ Yes	☒ No	☒ Yes	☒ No	500m distance
Floodplain	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance
Rehabilitated mine site	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance
Non-operating mine site within one kilometre	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance
Active mine site within one kilometre	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance
Industrial or commercial use (specify the use(s))	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance
Active railway line	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance
Seasonal wetness of lands	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance
Erosion	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance
Abandoned gas wells	☐ Yes	☒ No	☐ Yes	☒ No	_____ distance

H. SERVICING AND ACCESS

WATER SUPPLY

Municipal piped water



SEVERED

☐

RETAINED

☐

CONSENT / SEVERANCE

Communal Wells	☐	☐
Individual Wells	☒	☐

Other means (describe) New well to be installed on severed (add condition)

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: Regional Road 42 Lakeshore 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: Regional Road 42 Lakeshore 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.

* Barn on the west side of severed
will require non-combustible cladding (condition)
* Barn to North to be removed (condition)

J. SUPPORTING MATERIAL TO BE SUBMITTED BY APPLICANT

In order for your development application to be considered complete, **a sketch**, in metric units, drawn to scale, must be included as part of the development application. **Any proposed changes to dimensions after the Committee of Adjustment's decision will require resubmission to the Committee. It is therefore strongly recommended that applications be accompanied with a surveyors sketch which shows:**

1. The boundaries and dimensions of the subject lands including the part that is intended to be severed and the part that is intended to be retained
2. Location, size, height and type of all existing and proposed buildings and structures on severed or retained lands, including the distance of the buildings or structures from the front yard lot line, rear yard lot line and side yard lot lines
3. The boundaries and dimensions of the lands owned by the owner, including the subject lands and abutting lands
4. The distance between the subject lands and the nearest municipal lot line or landmark, such as a railway crossing or bridge
5. The location of all lands previously severed from the parcel originally acquired by the current owner of the subject lands
6. The approximate location of all natural and artificial features including but not limited to, buildings, railways, roads, watercourses, municipal drains, drainage ditches, banks of rivers or streams, pipelines, gas wells, wetlands, wooded areas that are located on the subject land and on land that is adjacent to it and may affect the application
7. The current use(s) of the adjacent lands
8. The location, width and name of any roads within or abutting the subject lands. Indicate whether the road is an unopened road allowance, a public travelled road, a private road or a right-of-way
9. The location and nature of any restrictive covenant or easement affecting the subject lands
10. If the severed parcel is to be conveyed to an abutting property owner, please identify the abutting property with name and instrument number exactly as now registered
11. The location of any existing sewage system and well, on the lot to be created and/or retained

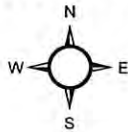
Five (5) copies of any applicable information/reports indicated in the development application.

If other documentation/supporting material become necessary, you will be contacted. This information must be submitted prior to your development application proceeding.

MAP 1
File Number: BNPL2013175

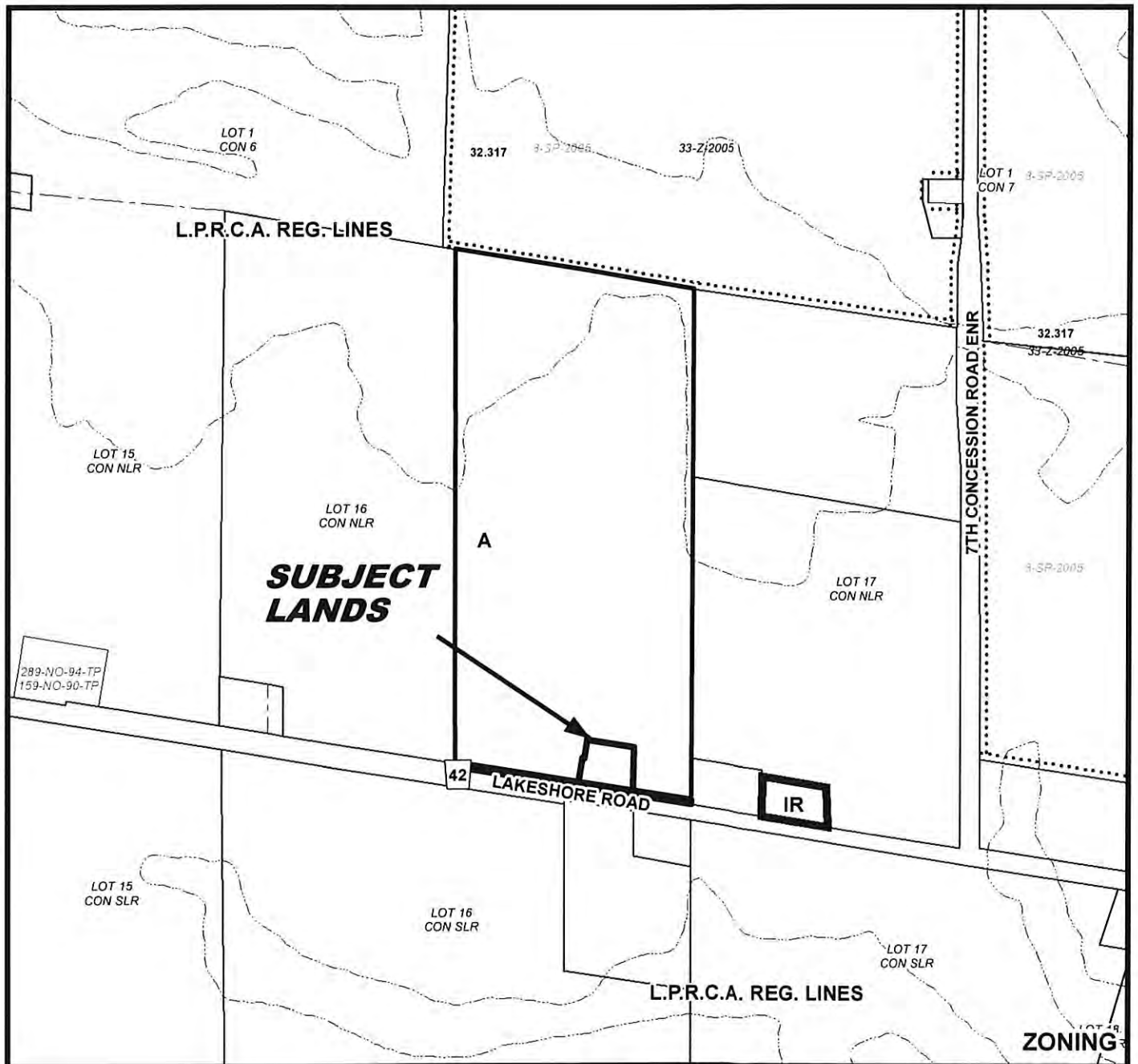
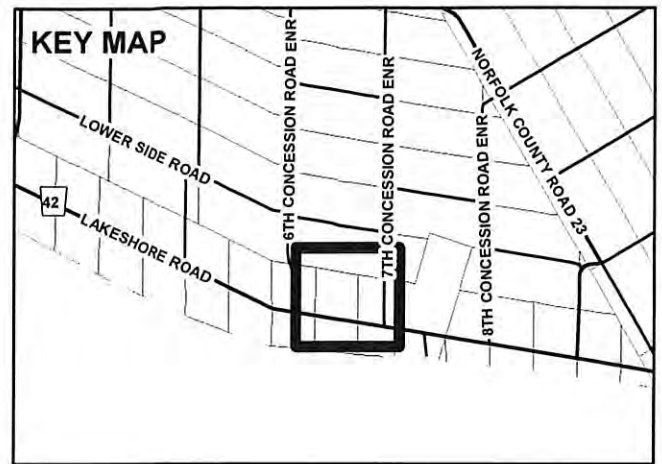
Geographic Township of

HOUGHTON



1:7,500

60 30 0 60 120 180 240 Meters



MAP 2

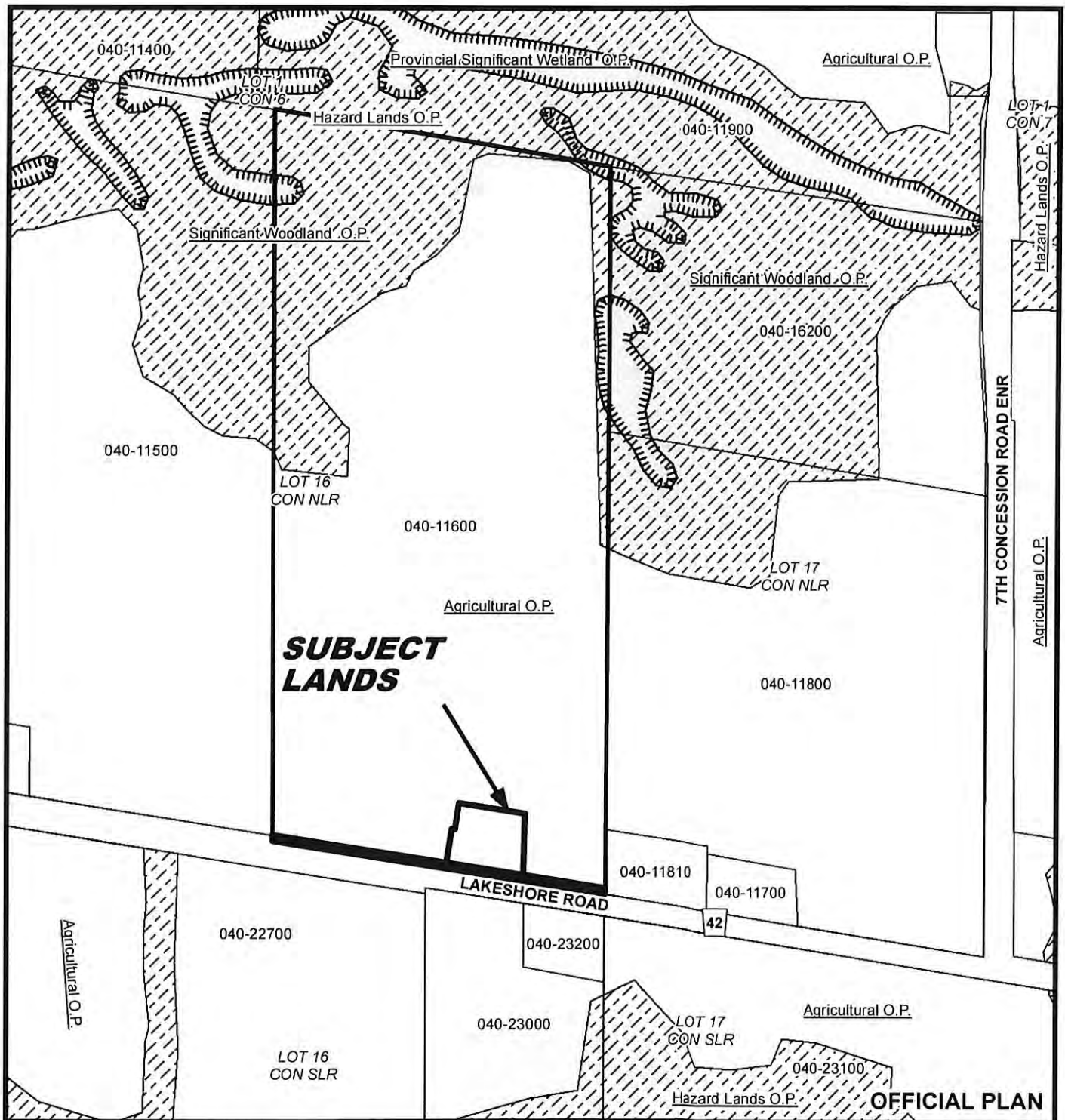
File Number: BNPL2013175

Geographic Township of HOUGHTON



20 40 60 80 Meters

1:5,000



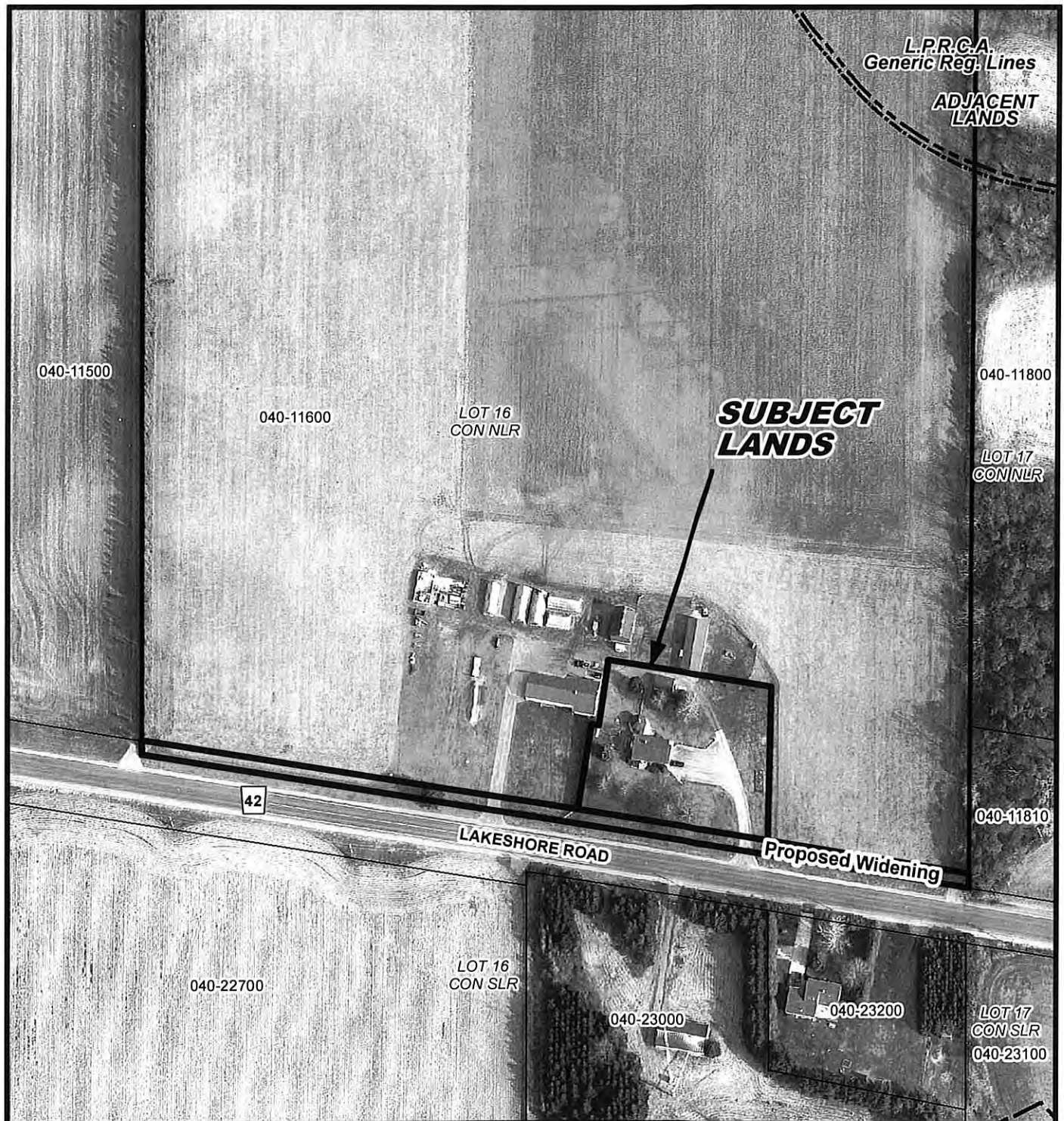
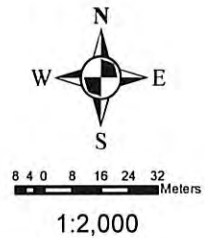
OFFICIAL PLAN

01/10/2013

MAP 3

File Number: BNPL2013175

Geographic Township of HOUGHTON



MAP 4

File Number: BNPL2013175

Geographic Township of HOUGHTON

