



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO: BNPL2014056

☒ 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:**

May 5, 2014,

APPLICANT: SHABATURA FARMS LTD, 1815 WINDHAM ROAD 9 RR 1, WINDHAM CENTRE, ON N0E 2A0

LOCATION: WDM CON 9 PT LOT 10(1130 WINDHAM RD 9, DELHI)

ASSESSMENT ROLL NO.: 3310491018120000000

PROPOSAL:

An application has been received to sever a parcel having a frontage of 5.711m, an irregular depth of 228.82m, and having an area of 0.2837ha (0.701acres) and retaining a parcel having an area of 39.78 ha (98.29 acres) as the severance of a dwelling made surplus through farm amalgamation.

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

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:

Sherry Mott, Secretary-Treasurer
P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0
Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789
sherry.mott@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 17, 2014

CONSENT / SEVERANCE

File Number BNPL2014056
 Related File Number —
 Pre-consultation Meeting On March 31/2014
 Application Submitted On March 31/2014
 Complete Application On April 2/2014

Application Fee \$1,066.⁰⁰ + \$45.⁰⁰ = \$1,111.⁰⁰

Conservation Authority Fee —
 OSSD Form Provided ✓
 Sign Issued April 2/2014

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- 491 - 018- 12000 - 0000

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



A. APPLICANT INFORMATION

Name of Applicant ¹ SHABATURA FARMS LTD. Phone # 519-443-5919
 Address 1815 Windham Rd 9. Fax # 519-443-4643
 Town / Postal Code Windham Centre, ONT NOE 2A0 E-mail mary@shabaturaproduce.com

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 SHABATURA FARMS LTD. Phone # 519-443-5919
 Address 1815 Windham Rd 9 Fax # 519-443-4643
 Town / Postal Code Windham Centre, ONT NOE 2A0 E-mail mary@shabaturaproduce.com

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:

RBC - Royal Bank 55 Norfolk St. S. Simcoe, ONT

RECEIVED

APR - 3 2014



Revised 10.2012

NORFOLK COUNTY
 LANGTON ADMINISTRATION BUILDING

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 491.018.12000.0000	Wdm Con 9 PT Lot 10	99 ac	69.67 ac	Fruit & Vegetable	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Circa 1960
OTHER 491.013.30000.0000	Wdm Con 8 PT Lot 2	48.42 ac	38.47 ac	Fruit & Vegetable	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
491.013.26500.0000	Wdm Con 8 PT Lot 1	89.51 ac	53.69 ac	Fruit & Vegetable	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
491.013.37000.0000	Wdm Con 8 PT Lot 4	99 ac	61.80 ac	Fruit & Vegetable	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
491.013.29000.0000	Wdm Con 8 PT Lot 2	47.52 ac	42.73 ac	Fruit & Vegetable	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
491.014.36000.0000	Wdm Con 8 PT Lot 9 & 10	77.44 ac	40.6 ac	Fruit & Vegetable	<input type="checkbox"/> Yes <input checked="" 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)

NIL

CABBAGE / MELONS

Description of Existing Buildings	Lands to be Severed	Lands to be Retained
Residence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" 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		

Description of land intended to be SEVERED:

Frontage (metres/feet)	5.711 m	Depth (metres/feet)	228.48 m
Width (metres/feet)	41.12 m	Lot area (m ² / ft ² or hectares/acres)	0.2837 ha
		PROPOSED FINAL LOT SIZE (if boundary adjustment)	

Existing use: RESIDENCE

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.

Present zoning:

Agricultural.

Is there a site specific zone on the subject lands?

NIL

Date of purchase of subject lands: Feb 28, 2014.

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

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)	<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 500m 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

☐

Existing or proposed access to SEVERED lands:

- | | |
|--|---|
| <input type="checkbox"/> Unopened road | <input type="checkbox"/> Provincial highway |
| <input checked="" type="checkbox"/> Municipal road maintained all year | <input type="checkbox"/> Right-of-way |
| <input type="checkbox"/> Municipal road maintained seasonally | <input type="checkbox"/> Other (describe below) |

If other, describe: _____

Name of road/street: Windham Rd 9

I. OTHER INFORMATION

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

If yes, describe: _____

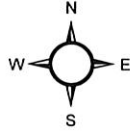
Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

MAP 1

File Number: BNPL2014056

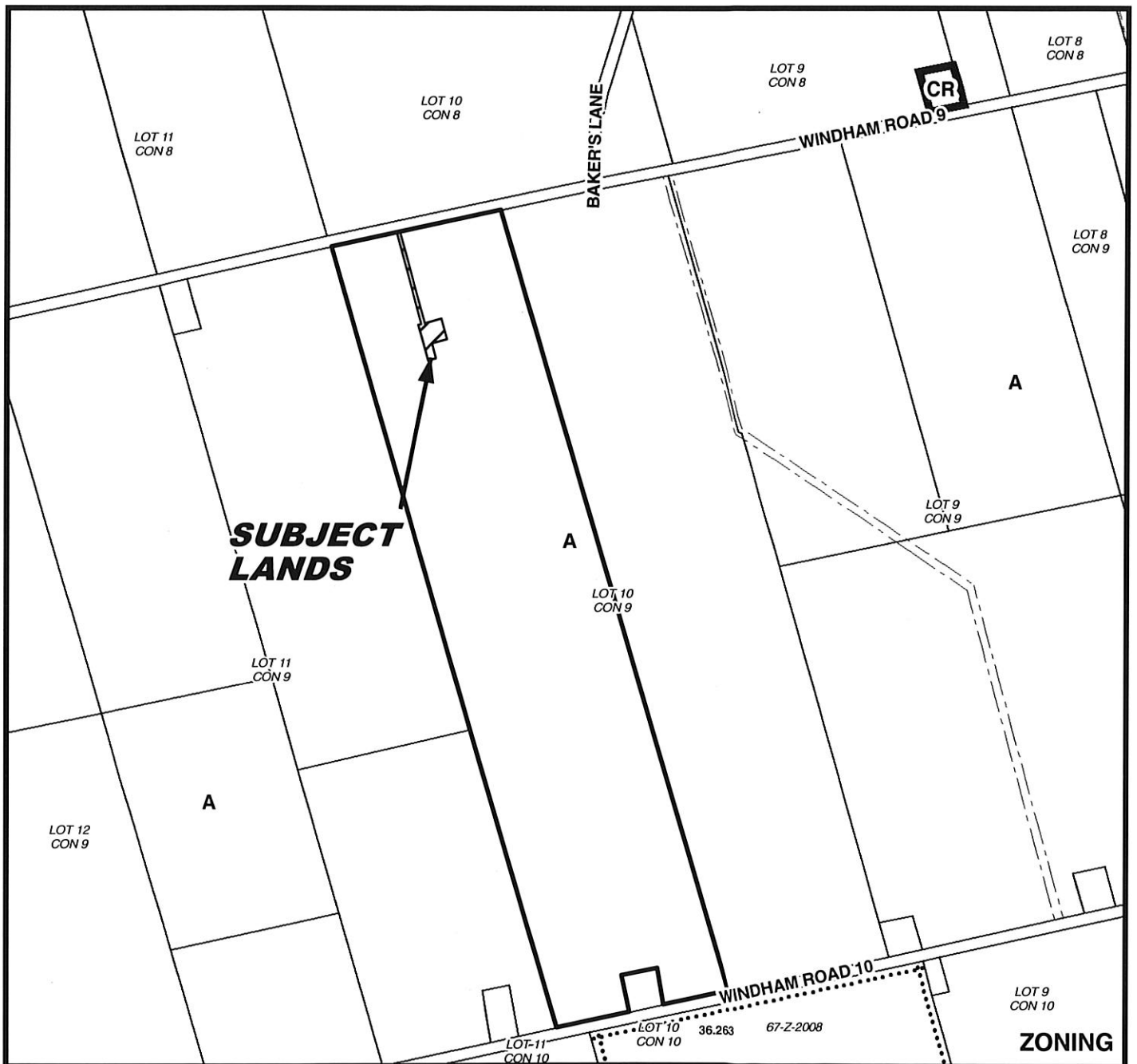
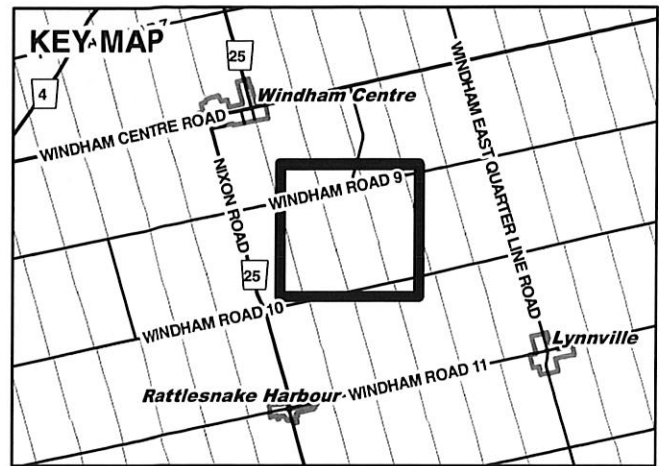
Geographic Township of

WINDHAM



1:10,000

80 40 0 80 160 240 320 Meters

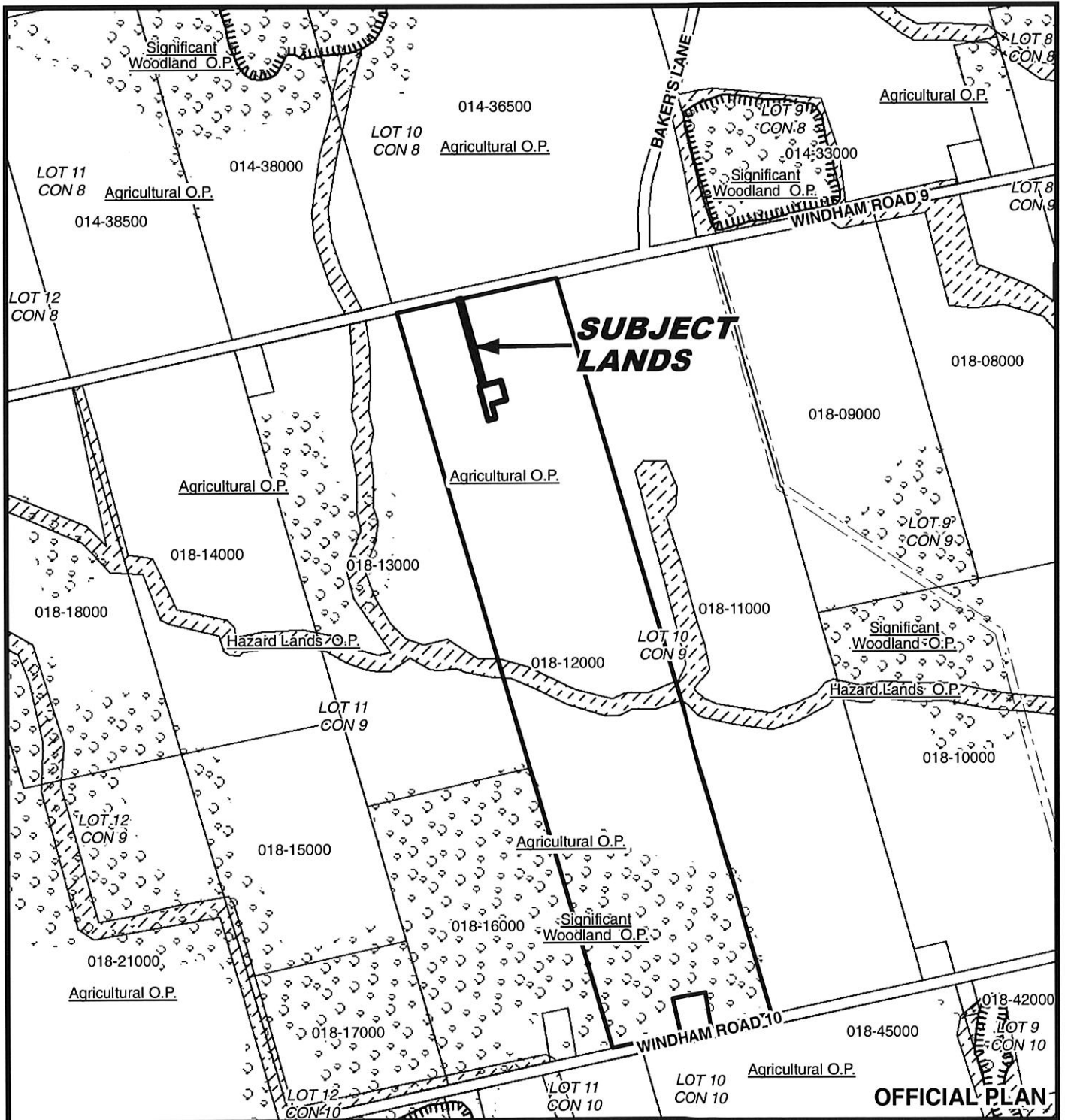
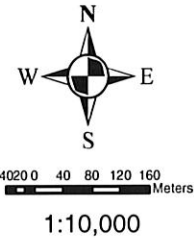


07/04/2014

MAP 2

File Number: BNPL2014056

Geographic Township of WINDHAM



07/04/2014

MAP 3

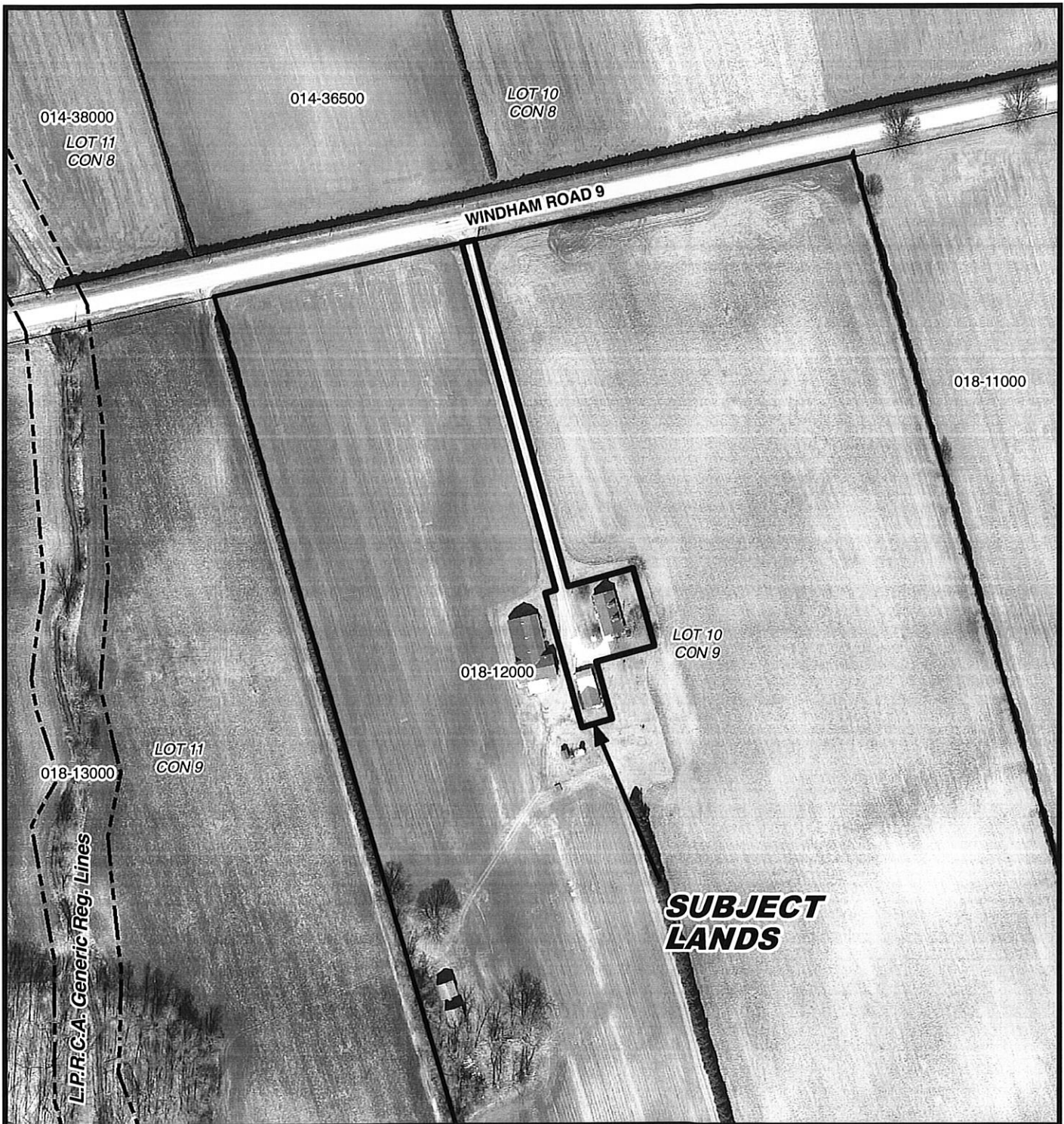
File Number: BNPL2014056

Geographic Township of WINDHAM

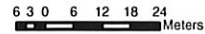


10 5 0 10 20 30 40 Meters

1:2,500



Geographic Township of WINDHAM





Evaluation Form for Existing On-Site Sewage Systems

NORFOLK COUNTY PLANNING DEPT.
MAR 31 2014
RECEIVED

Date: July 2009

OFFICE USE ONLY		FILE NO.	DATE RECEIVED
PROPERTY INFORMATION		Municipal Address: 1130 WINDHAM ROAD #9	
Owner: Shabatura Farms Ltd.		Lot: 10	Concession: 9
Lot Area: 1 ACRE	Lot Frontage: 5.711	Assessment Roll No. 491.018.12000.0000	
PURPOSE OF EVALUATION	<input type="checkbox"/> Consent <input type="checkbox"/> Minor Variance <input type="checkbox"/> Site Plan <input type="checkbox"/> Zoning <input checked="" type="checkbox"/> Other <u>Severance of surplus farmhouse</u>		
BUILDING INFORMATION	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Agricultural		
Building Area: 1,000 sq ft.	No. of Bedrooms: 3	No. of Fixture Units: 16	Is the building currently occupied? <u>Yes</u> / No If No, how long?
EVALUATOR'S INFORMATION	Evaluator's Name: ED DOVE	Company Name: Bill's Septic Ltd.	
Address: 17 BERKLEY CRESCENT	Postal Code: N3Y 2K3	Phone: 519-426-7108	
Email: billsseptic@sympatico.ca	BCIN # 38413		
SITE EVALUATION	Ground Cover (trees, bushes, grass, impermeable surface): GRASS		Soil Type: SAND
Site Slope: <input checked="" type="checkbox"/> Flat <input type="checkbox"/> Moderate <input type="checkbox"/> Steep	Soil Conditions: <input type="checkbox"/> Wet <input checked="" type="checkbox"/> Dry	Depth of Water Table: 20 ft.	
Surface Discharge Observed: Yes <u>No</u>	Odour Detected: Yes <u>No</u>	Current Weather (at time of evaluation): CLEAR & DRY	
SYSTEM EVALUATION	Class of System: <input type="checkbox"/> 1 (Privy) <input type="checkbox"/> 2 (Greywater) <input type="checkbox"/> 3 (Cesspool) <input checked="" type="checkbox"/> 4 (Leaching Bed) <input type="checkbox"/> 5 (Holding Tank)		
Tank: <input checked="" type="checkbox"/> Pre-cast <input type="checkbox"/> Plastic <input type="checkbox"/> Fibre Glass <input type="checkbox"/> Wood <input type="checkbox"/> Other	2 TANKS IN SERIES		Size: 1000 Gal. Pump: Yes <u>No</u>
Distribution System: <input checked="" type="checkbox"/> Trench Bed <input type="checkbox"/> Filter Medium	No. of Tile Runs: 4	Total Length of Tile: 150 - 200 ft	Distance Between Tile Runs: 6 FT
Tile Material: <input type="checkbox"/> PVC <input checked="" type="checkbox"/> Clay <input type="checkbox"/> Other	Ends: <input type="checkbox"/> Capped <input type="checkbox"/> Joined	Cover: <input type="checkbox"/> Filter Cloth <input type="checkbox"/> Sand <input checked="" type="checkbox"/> Top Soil <input type="checkbox"/> Seeded	
Setbacks:	Tank	Distribution Pipe	
Distance to Buildings & Structures (ft)	7 FT	20 FT	
Distance to Bodies of Water (ft)	N/A	N/A	
Distance to Nearest Well (ft)	N/A > 100 FT	> 100 FT	
Distance to Proposed Property Lines	Front 45 ft Rear 70 ft Side 7 ft Side 15 ft	Front 30 ft Rear 40 ft Side 7 ft Side 8 ft	

OVERALL SYSTEM RATING	<input checked="" type="checkbox"/> System Working Properly / No Work Required <input type="checkbox"/> System Functioning / Maintenance Required <input type="checkbox"/> System Not Functioning / Minor Repair Required <input type="checkbox"/> System Failure/Major Repair / Replacement Required <p><u>Note:</u> Any repair/replacement of an on site sewage system requires a building permit. Contact the Norfolk County Building Division at (519) 426-4377 for more information.</p> <p>Additional Comments: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> SYSTEM APPEARS TO BE FUNCTIONING PROPERLY AT THIS TIME </div> </p>
VERIFICATION	<p>OWNER: The owner is responsible for having a site evaluation conducted of the above mentioned property. Neither the evaluation nor the approval thereof shall in any way exempt the owner(s) from complying with the Ontario Building Code or any other applicable law.</p> <p>I, <u>Shabatura Farms Ltd.</u> (the owner of the subject property) hereby authorize the above mentioned evaluator to act on my behalf with respect to all matters pertaining to the existing on-site sewage system evaluation.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <u>Mary Shabatura</u> Owner Signature </div> <div style="width: 45%;"> <u>March 27, 2014</u> Date </div> </div>
EVALUATOR:	<p>1. I, <u>Ed Dove - Bills Septic Co</u> declare that this site evaluation is accurate as of the date of inspection. No determination of future performance can be made due to unknown conditions, future water usage over the life of the system, abuse of the system and/or inadequate maintenance, all of which may adversely affect the life of the system. This evaluation does not grant or imply any guarantee or warranty of the future performance of the sewage system. The undersigned takes no responsibility for the accuracy of existing or proposed property lines, whether measured or implied.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <u>[Signature]</u> Evaluator Signature </div> <div style="width: 45%;"> <u>MARCH 27/2014</u> Date </div> </div>
BUILDING DIVISION COMMENTS	<p>Comments: _____</p> <p>_____</p> <p>I, _____ have reviewed the information contained in this form as submitted.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> _____ Chief Building Official or designate </div> <div style="width: 45%;"> _____ Date </div> </div>

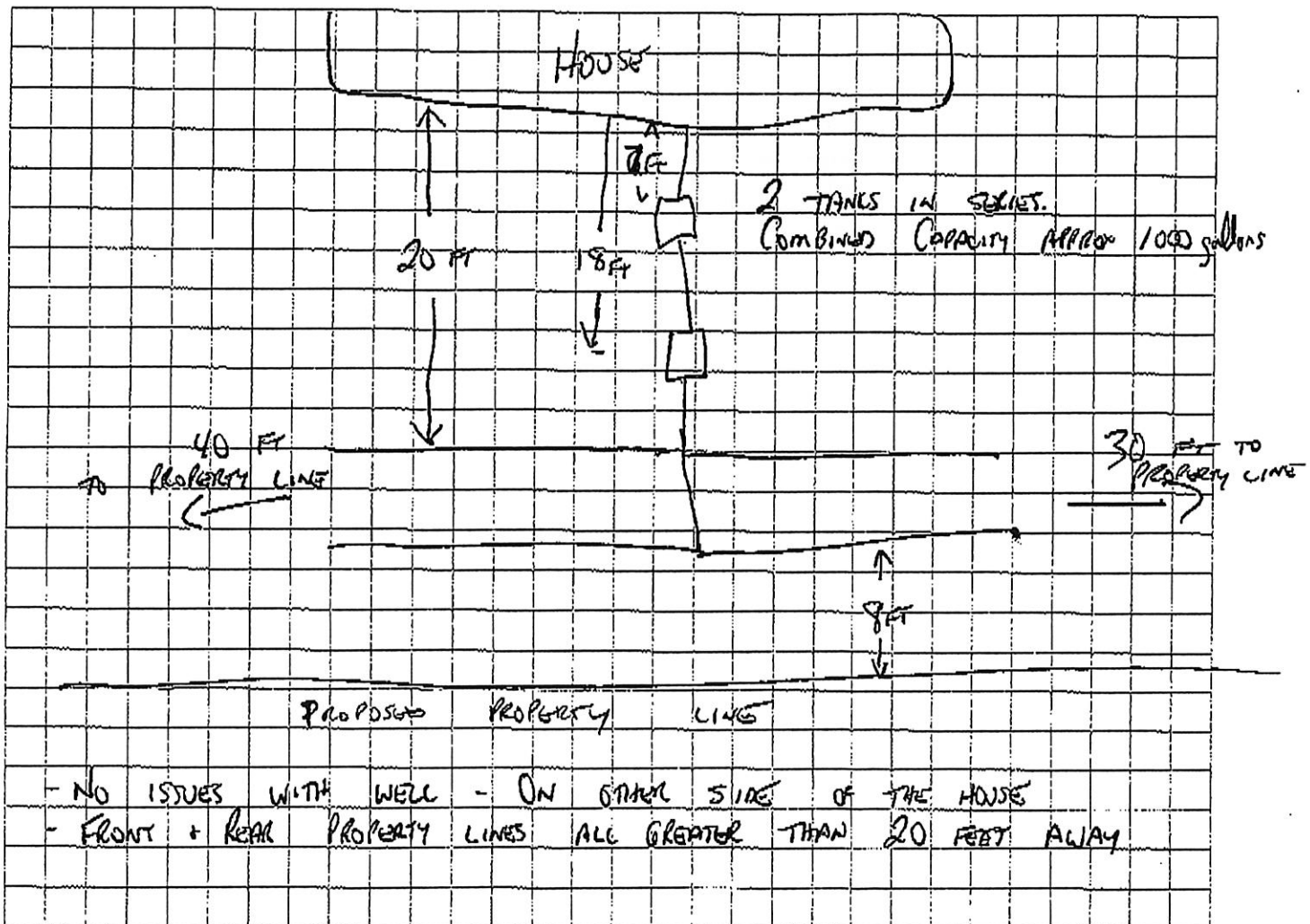
Revised: March 24, 2012

**On Site Sewage Disposal System Location Plan**DATE: MARCH 27/2014

APPLICATION NUMBER: _____

OWNER Shabatura Farm.EVALUATOR Ed Dove - Bill's Septic LtdPROPERTY ADDRESS 1130 WINDHAM ROAD #9

Please provide a DIMENSIONED sketch drawing indicating EXISTING AND PROPOSED property lines, existing roads and driveways, location of all existing buildings, location of existing wells, and location of existing septic tanks and tile beds.

PREPARED BY: Ed DoveNOTE: The above sketch is not to exact scale.