

*Previous Severance lapsed
Same application as B.NPL2013093

CONSENT / SEVERANCE

File Number	<u>BNPL2014137</u>	Application Fee	<u>N/A</u>
Related File Number	<u>BNPL2013093</u>	Conservation Authority Fee	<u>N/A</u>
Pre-consultation Meeting On	<u>July 7/2014</u>	OSSD Form Provided	<u>N/A</u>
Application Submitted On	<u>" "</u>	Sign Issued	<u>✓</u>
Complete Application On	<u>" "</u>		

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: 3310-336-010-62000

- | | |
|--|--|
| <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 Magalas Produce Ltd. Phone # 519-443-4342
Address 337 Concession 6 RR#1 Fax # _____
Town / Postal Code Waterford, ON N0E 1Y0 E-mail _____

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

AGENT INFORMATION

Name of Agent Brett R. Kilian / Brimage Law Group Phone # 519-426-5840
Address Po Box 188, 21 Norfolk St N Fax # 519-426-5572
Town / Postal Code Simcoe ON N3Y 4L1 E-mail bKilian@Brimage.com

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

Name of Owners ² _____ Phone # _____
Address _____ Fax # _____
Town / Postal Code _____ 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:



B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Townsend</u>	Urban Area or Hamlet	<u>3</u>
Concession Number	<u>4</u>	Lot Number(s)	<u>3</u>
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number	<u>37R 4315</u>	Part Number(s)	<u>1</u>
Frontage (metres/feet)	<u>393.5m / 1291' (ft)</u>	Depth (metres/feet)	<u>676.7m / 2220' (ft)</u>
Width (metres/feet)	<u>439.2m / 1441' (ft)</u>	Lot area (m ² / ft ² or hectares/acres)	<u>28.3 ha / 70 ac.</u>
Municipal Civic Address	<u>229 Concession 5</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 lands?

☐ 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):

Sever a surplus dwelling through farm amalgamation

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						
336-010-62000 To Con 4 L3	70ac	65ac			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
OTHER						
336-030-18000 To Con 5 L5	96.44ac	75ac		All are for market garden	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
336-030-23100 To Con 6 L5	72.19ac	70ac		fruit + veg	<input type="checkbox"/> Yes <input type="checkbox"/> No	
336-030-04600 To Con 5 L9	20.01ac	20ac		Corn, canteloupe	<input type="checkbox"/> Yes <input type="checkbox"/> No	
336-030-04500 To Con 5 L9	49ac	45ac		strawberries etc	<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		

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

Frontage (metres/feet) 9.162m / 30' Depth (metres/feet) 162.1m / 548.2'
 Width (metres/feet) irregular Lot area (m² / ft² or hectares/acres) 0.48 ha / 1.18 ac.
 PROPOSED FINAL LOT SIZE (if boundary adjustment)

Existing use: Agriculture / Residential
 Proposed use: Residential - See Part 1 of 37R 10613

CONSENT / SEVERANCE

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:

2 Storey Stone dwelling, metal sided building + garage. Sketch previously provided with BNPPL2013093

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 change

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

Frontage (metres/feet)	384.4 m / 1261'	Depth (metres/feet)	676.7 m / 2220' ±
Width (metres/feet)	439.2 m / 1441'	Lot area (m² / ft² or hectares/acres)	27.9 ha / 68.8 ac ±

Existing use: Agriculture

Proposed use: Agriculture

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:

nil

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:

nil

Description of proposed **RIGHT OF WAY/EASEMENT**: N/A

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

Proposed use: _____

D. PROPERTY INFORMATION

Present official plan designation(s): Agriculture

Present zoning: Agriculture

Is there a site specific zone on the subject lands?
no

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

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: _____

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:

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:

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:

CONSENT / SEVERANCE

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 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

SEVERED

RETAINED

Municipal piped water

☐
☐

Communal Wells

☐
☐

Individual Wells

☒

☐ N/A

Other means (describe) _____

SEWAGE TREATMENT

SEVERED

RETAINED

Municipal Sewers

☐
☐

Communal System

☐
☐

Septic tank and tile bed

☒

☐ N/A

Other means (describe) _____

STORM DRAINAGE

SEVERED

RETAINED

Storm Sewers

☐
☐

Open ditches

☒
☒

Other (describe) _____



CONSENT / SEVERANCE

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 (severed land)

Does a legal and adequate outlet for storm drainage exist? ☒ Yes ☐ No ☐ Unknown

Existing or proposed access to the **RETAINED** 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: Concession 5 Road

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: Concession 5 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.

PLAN OF SURVEY
OF PART OF
LOT 3
CONCESSION 4
IN THE GEOGRAPHIC
TOWNSHIP OF TOWNSEND
IN
NORFOLK COUNTY

SCALE: 1 : 500

5 0 20 METRES

JEWITT AND DIXON LTD.



LOT

CONCESSION

GEOGRAPHIC

PIN

OF

TOWNSHIP

20.117 WIDE ROAD ALLOWANCE BETWEEN CONCESSIONS 4 & 5

PIN 50288-0159 (LT)

CONCESSION

5

LEGEND

2.5cm X 2.5cm X 1.2m STANDARD	IRON BARS	SHOWN	-□- SB
2.5cm X 2.5cm X 0.6m STANDARD	IRON BARS	SHOWN	-□- SSB
1.6cm X 1.6cm X 0.6m	IRON BARS	SHOWN	-□- IB
1.6cm ROUND X 0.6m	IRON BARS	SHOWN	-□- IB #
LOT LINES	SHOWN	---	---
DEED LINES	SHOWN	---	---
FENCE LINES	SHOWN	-X-X-	-X-X-
CENTRE LINES	SHOWN	---	---
ROAD LINES	SHOWN	---	---
FOUND IRON BARS	SHOWN	-■-	PLANTED IRON BARS SHOWN -□-

JEWITT AND DIXON LTD.
JEWITT AND DIXON LTD.
J. B. DODD, O.L.S.
K.S. HUSTED, O.L.S.
WITNESS MONUMENT
ORIGIN UNKNOWN
PLAN 37R-4315
PLAN 37R-1313

SHOWN (700)
SHOWN (1478)
SHOWN (998)
SHOWN (1582)
SHOWN (WIT)
SHOWN (OU)
SHOWN (P1)
SHOWN (P2)

I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER THE
LAND TITLES ACT.

DATED DECEMBER 17, 2013

J. J. Husted
JIM HUSTED
ONTARIO LAND SURVEYOR

PLAN 37R-10613

RECEIVED AND DEPOSITED

DATED Jan 9, 2014

K. Penduck
K. PENDUCK
REPRESENTATIVE FOR THE
LAND REGISTRAR FOR THE LAND
TITLES DIVISION OF NORFOLK (No. 37)

SCHEDULE

PART	PART LOT	CONCESSION	PIN No.	AREA (HA)
1	3	4	50288-0122 (LT)	0.4712

PART 1 COMPRISES PART OF PIN 50288-0122 (LT)

NOTE:

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 4 & 5 AS SHOWN ON PLAN 37R-4315, HAVING A BEARING OF N78°10'10"E, AND CAN BE CONVERTED TO GRID BY APPLYING A ROTATION OF 0°27'18" COUNTER CLOCKWISE. DISTANCES AND COORDINATES ARE METRIC GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999612, THEN DIVIDING BY 0.3048 TO CONVERT TO IMPERIAL. RESULTANT BEARINGS FROM COORDINATE TABLE ARE UTM GRID, DERIVED FROM SIMULTANEOUS GPS OBSERVATIONS ON MONUMENT A TO B, HAVING A BEARING OF N77°42'52"E, UTM ZONE 17, (81° WEST LONGITUDE) NAD83 (CSRS) (1997.0)

OBSERVED REFERENCE POINTS (ORP): DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK, UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (1997.0) COORDINATES ARE TO A RURAL ACCURACY AS PER SEC. 14 (2) OF OREG. 218/10

POINT ID	NORTHING	EASTING
ORP A	4757508.475	554141.960
ORP B	4757602.867	554570.754
ORP C	4757604.791	554578.647

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 12TH DAY OF DECEMBER, 2013

DATED: DECEMBER 14, 2013

J. J. Husted
JIM HUSTED, O.L.S.
FOR JEWITT & DIXON LTD.

JEWITT AND DIXON LTD.
ONTARIO LAND SURVEYORS
R.R.1, SIMCOE, ONTARIO, N5Y 4J9
(61 PARK ROAD)
PHONE (519) 426-0842 FAX (519) 426-1034
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F.W.	- J.P.H.
BOOK	- LL-FILE
CALC.	- J.L.M.
PLAN	- J.L.M.
CHECK	- K.H.
CLIENT	- MAGALAS
JOB No.	- 13-256

P13 03 A5401