

Schedule "A"

Surplus Farm Dwelling Consent / Severance and Zoning By-Law Amendment Application

Information contained within this box is for office use only			
Consent file number	BNPL2015145	Application fee	<input checked="" type="checkbox"/>
Zoning file number	ZNPL2015150	Conservation authority fee	N/A
Pre-consultation meeting on	July 2015	OSSD form provided	<input checked="" type="checkbox"/>
Application submitted on	Aug. 11/15	Sign issued	
Complete application on	Aug. 13/15		

KR.

Property assessment roll number: 3310- 491-018-14000-0000

A. Applicant Information

Applicant name (if the applicant is a numbered company provide the name of a principal of the company)

R+A KUKIELKA FARMS LTD

Address

992 WINDHAM Rd #7 VANESSA ONTARIO NOE1V0

Email address

myankukielka@yahoo.ca

Phone number

5198610720

Agent name

JAMES A BOLL

Address

21 NORFOLK ST N Simcoe Ont N3Y4L1

Email address

jboll@brumage.com

Phone number

5194265840

Owner name

R+A KUKIELKA FARMS LTD.

Address

992 WINDHAM Rd #7 VANESSA ONTARIO NOE1V0

Email address

myankukielka@yahoo.ca

Phone number

5198610720

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Names and addresses of any holders of any mortgagees, charges or other encumbrances on the subject lands. If there are no mortgagees, charges or other encumbrances please indicate NONE:

FARM CREDIT CORPORATION

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B. Location and Legal Description Of Subject Lands

Geographic township	WINDHAM	Urban or hamlet area	
Concession number	9	Lot number	11
Registered plan number		Lot or block number	
Reference plan number		Part number	
Frontage	295 ±	Depth	406 ±
Width	irregular (SEE SKETCH)	Lot Area	52.6
Municipal civic address	1056 WINDHAM Rd #9 -		

Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes

☒ No

If yes, describe the easement or covenant and its effect:

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C. Purpose Of The Development Application

Please explain what you propose to do on the subject lands and premises that make this development application necessary and include the nature and extent of the amendment requested:

SEVER A SURPLUS RESIDENTIAL DWELLING

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

UNKNOWN

Please list all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:

Table 1 List of Owned and Farmed Properties Within Norfolk County

Owners Name (including those with part interest) Assessment Roll Number Civic Address	Total Acreage (individual property)	Workable Acreage (individual property)	Existing Farm Type (corn, orchard, tobacco)	Dwelling Present <input type="checkbox"/> Yes <input type="checkbox"/> No	Year Dwelling Built
1056 WINDHAM Rd #9	130	100	Pumpkins	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1950
999 WINDHAM Rd #7	146	130	CORN	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2014
				<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	

Description of land intended to be **SEVERED** in metric units:

Frontage 35.29 Depth 124.97
Width (IRREGULAR) 38.57 Lot Area 4749 Sq m.

Present use:

RESIDENTIAL

Proposed use:

RESIDENTIAL

Number, type of buildings and structures and dates **existing** buildings or structures were constructed 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 STOREY DWELLING BUILT (1950 ±)
1 STOREY VINYL SIDED GARAGE
(SEE SURVEYORS SKETCH)

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:

SAME AS EXISTING

Description of land intended to be **RETAINED** in metric units:

Frontage	295 ±	Depth	406.6 ±
Width	IRREGULAR	Lot Area	52.2 ±

Present use:

AGRICULTURAL

Proposed use:

AGRICULTURAL

Number, type of buildings and structures and dates **existing** buildings or structures were constructed 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 STOREY DWELLING BUILT (1950 ±)
1 STOREY VINYL SIDED GARAGE

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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

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D. Property Information

Present official plan designation:

AGRICULTURAL

Present zoning:

AGRICULTURAL

Is there a site specific zone on the subject lands?

no

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:

The date the subject lands was acquired by the current owner:

Uses of the subject lands:

If known, the length of time the existing uses have continued on the subject lands:

If this application proposes to sever a dwelling made surplus through farm amalgamation, when were the farm properties amalgamated?

Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant?

☐ Yes

☐ No

If yes, identify and provide details of the building:

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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:

PERSONAL KNOWLEDGE OF PROPERTY

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

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F. Status Of Other Planning Development Applications

Has the subject land or land within 120 metres of it been or is now the subject to a development application under the *Planning Act* 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;
3. Approval of a plan of subdivision or condominium or a site plan?

☐ Yes

☒ No

☐ Unknown

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If yes, indicate the following information about each development application:

File number:

Land it affects:

Purpose:

Status or decision:

Effect on the requested amendment:

Is the above information for other development applications attached?

☐ Yes

☐ No

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G. Provincial Policy

Is the requested consent / severance and zoning by-law amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act*?

☒ 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 amendment 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 of the subject lands? Please check the appropriate boxes.

If there are no identified uses or features and this does not apply to the subject lands or within 500 metres of the subject lands please check No.

Table 2 Uses and Features on or Adjacent to the Subject Lands

Use or Feature	On the Subject Lands	Within 500 Metres of Subject Lands (Indicate Distance)
Livestock facility or stockyard (if yes, complete MDS 1 – 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 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

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H. Servicing And Access

Indicate the existing and proposed type of water supply on the severed lands
(example: municipal piped water, communal wells, individual wells):

DUG WELL

Indicate the existing and proposed type of sewage treatment on the severed lands
(example: municipal sewers, communal system, septic tank and tile bed):

PRIVATE Septic System

Indicate the existing and proposed type of storm drainage on the severed lands
(example: storm sewers, open ditches):

NONE

Indicate the existing and proposed type of water supply on the retained lands
(example: municipal piped water, communal wells, individual wells):

None

Indicate the existing and proposed type of sewage treatment on the retained lands
(example: municipal sewers, communal system, septic tank and tile bed):

None.

Indicate the existing and proposed type of storm drainage on the retained lands
(example: storm sewers, open ditches):

None.

Other:

Will the requested amendment permit development on a privately owned and operated individual or communal septic system that produces more than 4,500 litres of effluent per day as a result of the development being completed?

☐ Yes

☒ No

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If yes, the following reports will be required: a servicing options report and a hydrogeological report.

Have you consulted with Public Works & Environmental Services concerning stormwater management?

☐ Yes

☒ No

Has the existing drainage on the subject lands been altered? If so, explain:

Does a legal and adequate outlet for storm drainage exist?

☐ Yes

☐ No

☒ Unknown

Existing and proposed access to severed lands (example: unopened road, municipal road (maintained all year), municipal road (maintained seasonally), right of way, provincial highway):

Municipal Road - Windham Rd #9

Name of road or street:

WINDHAM ROAD #9

Existing and proposed access to retained lands (example: unopened road, municipal road (maintained all year), municipal road (maintained seasonally), right of way, provincial highway):

WINDHAM ROAD #9 - MUNICIPAL ROAD

Name of road or street:

WINDHAM ROAD #9

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I. Other Information

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

☒ Yes

☐ No

If yes, describe:

PROPOSED SALE TO Complete ANOTHER
FARM Purchase IN November 2015

Is there any other information that you think may be useful in the review of this development application?

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J. Supporting Material To Be Submitted By Applicant

In order for your development application to be considered complete, **one 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 one surveyor 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. The topographical features;
3. 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 severed and retained lands;
4. The location of any existing and proposed wells, septic systems and tile beds that are located on the severed and retained lands;
5. The distance between the subject lands and the nearest municipal lot line or landmark, such as a railway crossing or bridge;
6. The location, name, status and width of any roads, lanes, highways, railways, driveways or encroachments, both existing and proposed, on the severed and retained lands, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
7. The location and nature of any restrictive covenants or easements affecting the severed and retained lands;
8. The location, size, height and type of all **existing** and **proposed** buildings and structures on the severed and retained lands, indicating their distance from the



Working together with our community
to provide quality services

Evaluation Form for Existing On-Site Sewage Systems

Date: July 2009

OFFICE USE ONLY		FILE NO.	DATE RECEIVED
PROPERTY INFORMATION		Municipal Address: <i>1056 Windam Rd. 9</i>	
Owner <i>Ryan Kukielka</i>	Lot: <i>part H</i>	Concession: <i>9</i>	
Lot Area <i>1.17 Ac.</i>	Lot Frontage: <i>115.8'</i>	Assessment Roll No.	
PURPOSE OF EVALUATION	<input type="checkbox"/> Consent <input type="checkbox"/> Minor Variance <input type="checkbox"/> Site Plan <input type="checkbox"/> Zoning <input type="checkbox"/> Other _____		
BUILDING INFORMATION	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Agricultural		
Building Area:	No. of Bedrooms	No. of Fixture Units:	
EVALUATOR'S INFORMATION	Evaluator's Name: <i>Larry Dedrick</i>		Company Name: <i>Dedrick Bros Excavating LTD.</i>
Address: <i>370 Lynedoch Rd., Pelki</i>	Postal Code: <i>N4B2W4</i>		Phone: <i>519-572-2069</i>
ail	BCIN # <i>16930</i>		
SITE EVALUATION	Ground Cover (trees, bushes, grass, impermeable surface): <i>Grass</i>		Soil Type: <i>Sand</i>
Site Slope <input type="checkbox"/> Flat <input type="checkbox"/> Moderate <input type="checkbox"/> Steep	Soil Conditions: <input type="checkbox"/> Wet <input type="checkbox"/> Dry		Depth of Water Table: _____ ft.
Surface Discharge Observed: Yes No	Odour Detected: Yes No		Current Weather (at time of evaluation): <i>Sunny</i>
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 _____	Size: <i>900</i> Gal.		Pump: Yes No
Distribution System: Area: <input type="checkbox"/> Trench Bed <input type="checkbox"/> Filter Medium	No. of Tile Runs: <i>4</i>	Total Length of Tile: <i>60'</i>	Distance Between Tile Runs: <i>6'</i>
Tile Material: <input checked="" type="checkbox"/> PVC <input type="checkbox"/> Clay <input type="checkbox"/> Other	Ends: <input checked="" type="checkbox"/> Capped <input type="checkbox"/> Joined	Cover: <input type="checkbox"/> Filter Cloth <input type="checkbox"/> Sand <input type="checkbox"/> Top Soil <input checked="" type="checkbox"/> Seeded	
Setbacks:	Tank		Distribution Pipe
Distance to Buildings & Structures (ft)	<i>12' From House</i>		
Distance to Bodies of Water (ft)			
Distance to Nearest Well (ft)			
Distance to Proposed Property Lines	Front <i>50'</i> Rear <i>110'</i> Side <i>17'</i> Side <i>110'</i>		Front _____ Rear <i>140'</i> Side <i>20'</i> Side <i>50'</i>

OVERALL SYSTEM RATING

- ☒ System Working Properly / No Work Required
- ☐ System Functioning / Maintenance Required
- ☐ System Not Functioning / Minor Repair Required
- ☐ System Failure/Major Repair / Replacement Required

Note:

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.

Additional Comments:

VERIFICATION**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.

I, Ryan Kukielka (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.


Owner Signature

July 31/15
Date

EVALUATOR:

1. I, Larry Dedrick 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


Evaluator Signature

July 31/15
Date

BUILDING DIVISION COMMENTS

Comments: _____

I, _____ have reviewed the information contained in this form as submitted.

Chief Building Official or designate

Date

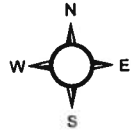
Revised: October 5, 2009



MAP 1
**File Number: BNPL2015145 &
ZNPL2015150**

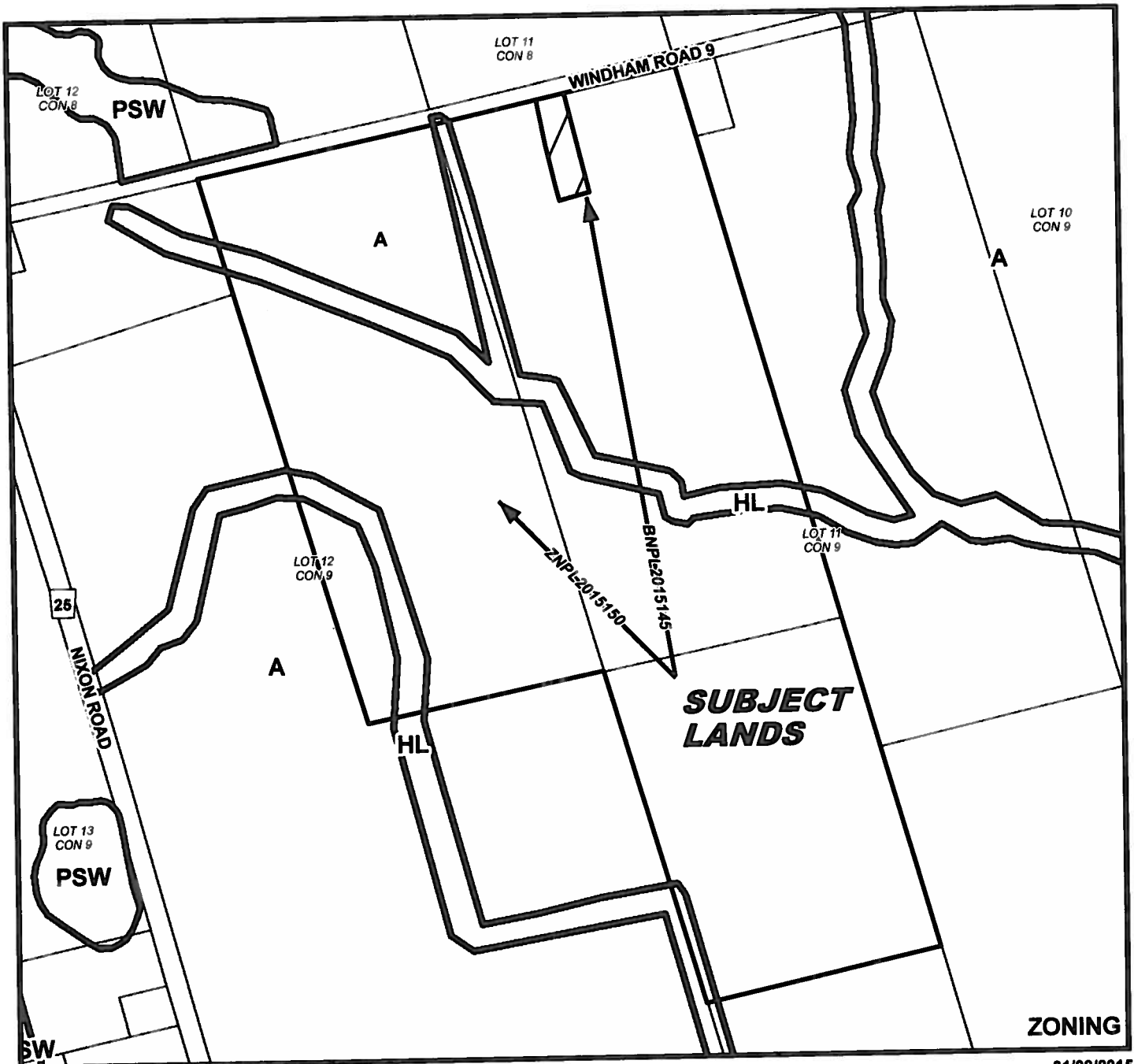
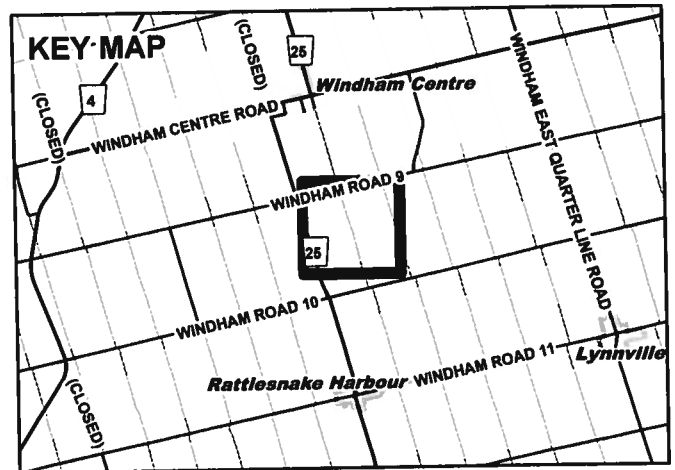
Geographic Township of

WINDHAM



1:7,000

50 25 0 50 100 150 200
Meters



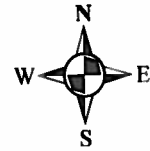
ZONING

31/08/2015

MAP 2

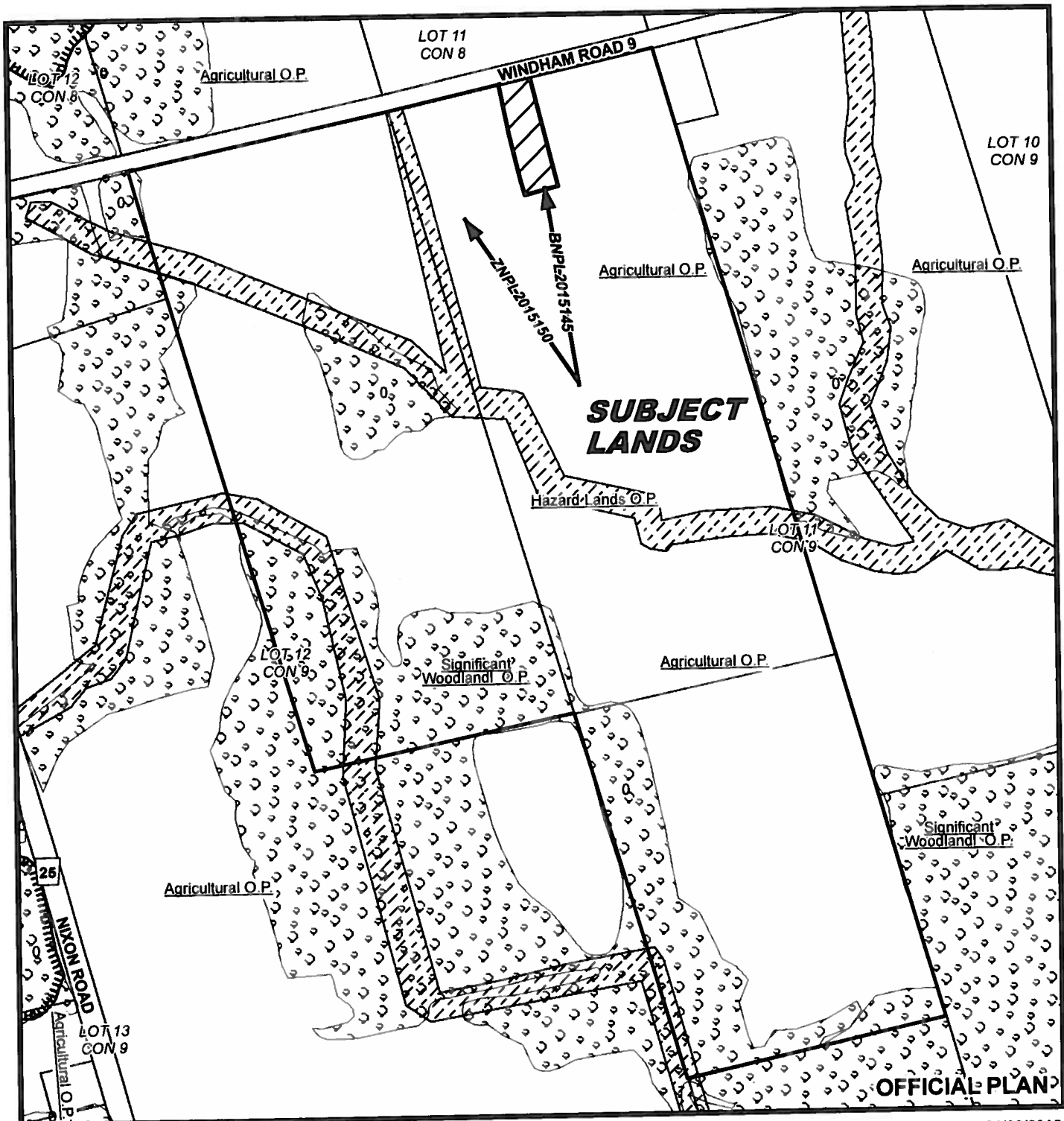
File Number: BNPL2015145 & ZNPL2015150

Geographic Township of WINDHAM



20 00 20 40 60 80
Meters

1:6,000



MAP 3

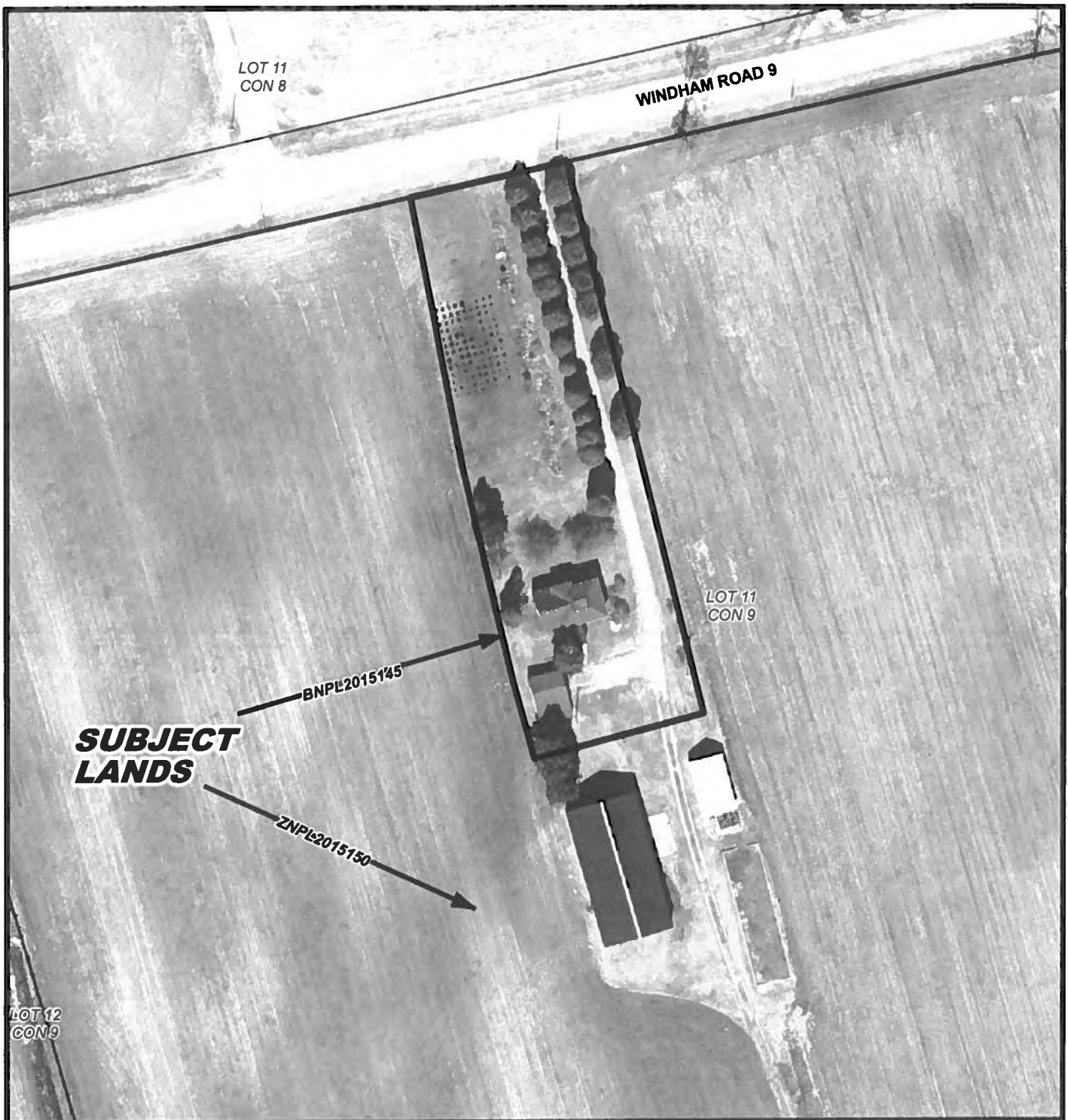
File Number: BNPL2015145 & ZNPL2015150

Geographic Township of WINDHAM



4.2 20 4.5 9 13.5 18 Meters

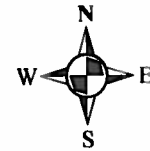
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MAP 4

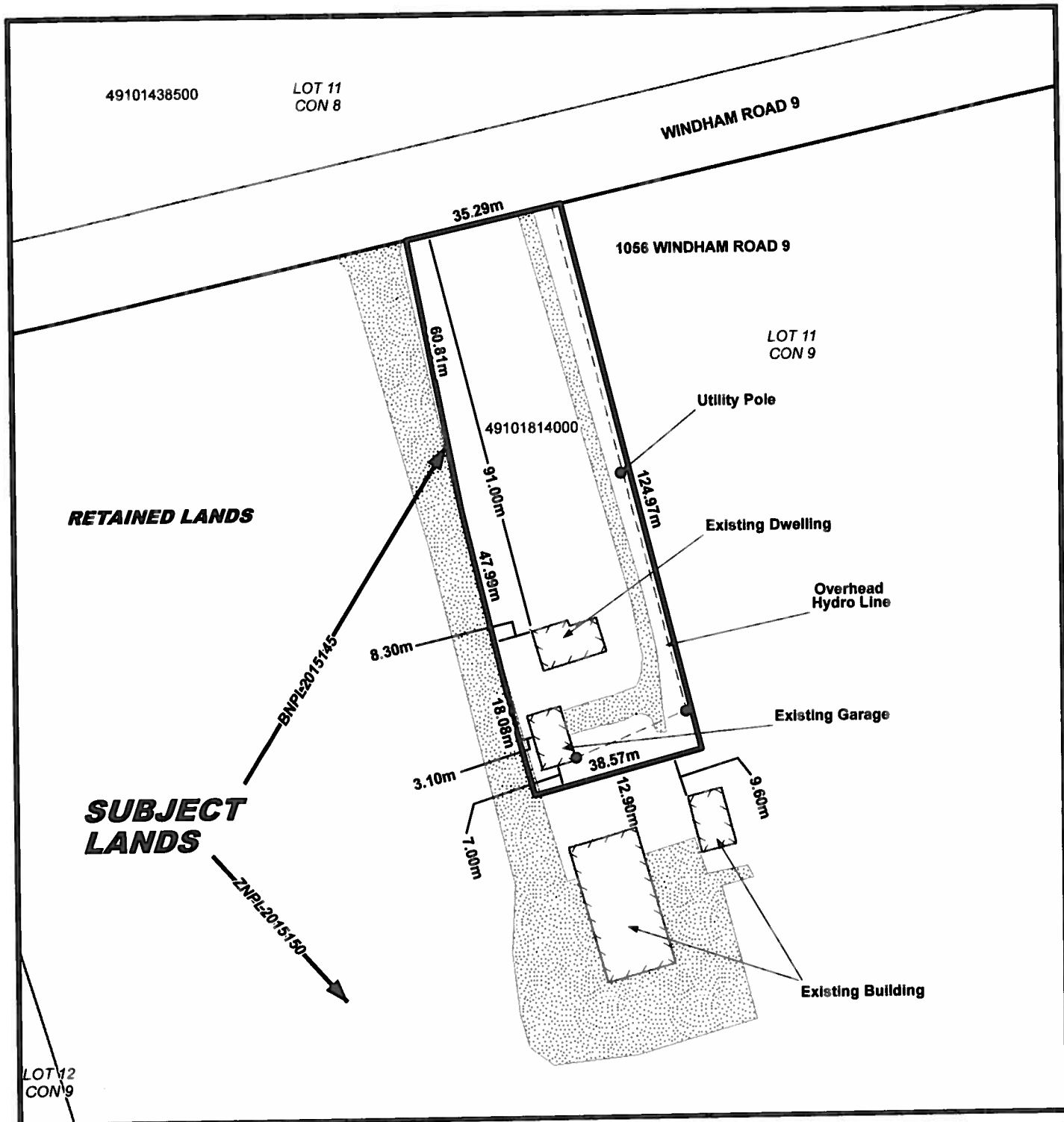
File Number: BNPL2015145 & ZNPL2015150

Geographic Township of WINDHAM



4.2 2.0 4.5 9 13.5 18 Meters

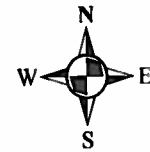
1:1,200



MAP 5

File Number: BNPL2015145 & ZNPL2015150

Geographic Township of WINDHAM



20 40 60 80
Meters

1:6,000

