

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

Information contained within this box is for office use only

Consent file number BNPL2015191

Application fee

1854.00

Zoning file number ZNPL2015192

Conservation authority fee

N/A

Pre-consultation meeting on _____

OSSD form provided

In previous application

Application submitted on _____

Sign issued

Complete application on Oct 14, 2015

Property assessment roll number: 3310- 491-018-12000-0000

A. Applicant Information

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

Shabatura Farms Ltd.

Address

1815 Wom Rd. 9 RR#1 Windham Centre, ON N0E 2A0

Email address

mary@shabatura
produce.com

Phone number

519-443-5919

Agent name

Address

Email address

Phone number

Owner name

Shabatura Farms Ltd.

Address

1815 Wom Rd. 9 RR#1 Windham Centre, ON N0E 2A0

Email address

mary@shabaturaproduce
.com

Phone number

519-443-5919

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:

RBC Royal Bank Simcoe Branch

55 Norfolk St. S. Simcoe, ON N3Y 2W1

[Back to Table of Contents](#)

B. Location and Legal Description Of Subject Lands

Geographic township Windham Urban or hamlet area Windham Centre

Concession number 9 Lot number 10

Registered plan number _____ Lot or block number _____

Reference plan number _____ Part number _____

Frontage 300 m +/- Depth 1356 m +/-

Width 300 m +/- Lot Area 40.5 +/- ha

Municipal civic address

1130 Windham Road 9

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

☐ Yes

☒ No

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

[Back to Table of Contents](#)

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:

This house is a surplus dwelling.

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

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

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

Frontage 7.108 m Depth 228.93 m.

Width 45.102 m Lot Area 0.3782 ha.

Present use:

Residence

Proposed use:

Residence

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:

Dwelling + Shed

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:

Dwelling + shed

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

Frontage 293 +/- m. Depth 1,400 +/- m.

Width 300 +/- m. Lot Area 40 ha (90 ac.) approx.

Present use:

Agricultural Farm Land - Horticulture (fruit+veg)

Proposed use:

Agricultural Farm Land - Horticulture (fruit+veg)

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:

Pumphouse + Storage Building (no livestock)

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:

Pumphouse + Storage Building (no livestock)

[Back to Table of Contents](#)

D. Property Information

Present official plan designation:

Agricultural

Present zoning:

Agricultural

Is there a site specific zone on the subject lands?

—

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

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:

February 28, 2014

Uses of the subject lands:

Farming fruits + vegetables

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

12+ years.

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:

[Back to Table of Contents](#)

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:

Having been farming for approx 12+ years.

Local knowledge

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

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

[Back to Table of Contents](#)

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

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

File number:

ANPL2014170

Land it affects:

Purpose:

acknowledge reduced frontage.

Status or decision:

Approved.

Effect on the requested amendment:

Is the above information for other development applications attached?

☐ Yes

☐ No

[Back to Table of Contents](#)

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:

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, unless otherwise specified? Please check the appropriate boxes.

Please reply to all uses or features.

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 1 Uses or Features on or Within 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 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

[Back to Table of Contents](#)

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):

Individual well

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

Septic tank & tile bed.

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

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

NA

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

Individual well

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

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

open Ditch

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

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:

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

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 (maintained all year)

Name of road or street:

Windham Rd. Concession 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):

Name of road or street:

[Back to Table of Contents](#)

I. Other Information

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

☒ Yes

☐ No

If yes, describe:

Sale pending

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

[Back to Table of Contents](#)

J. Supporting Material To Be Submitted By Applicant

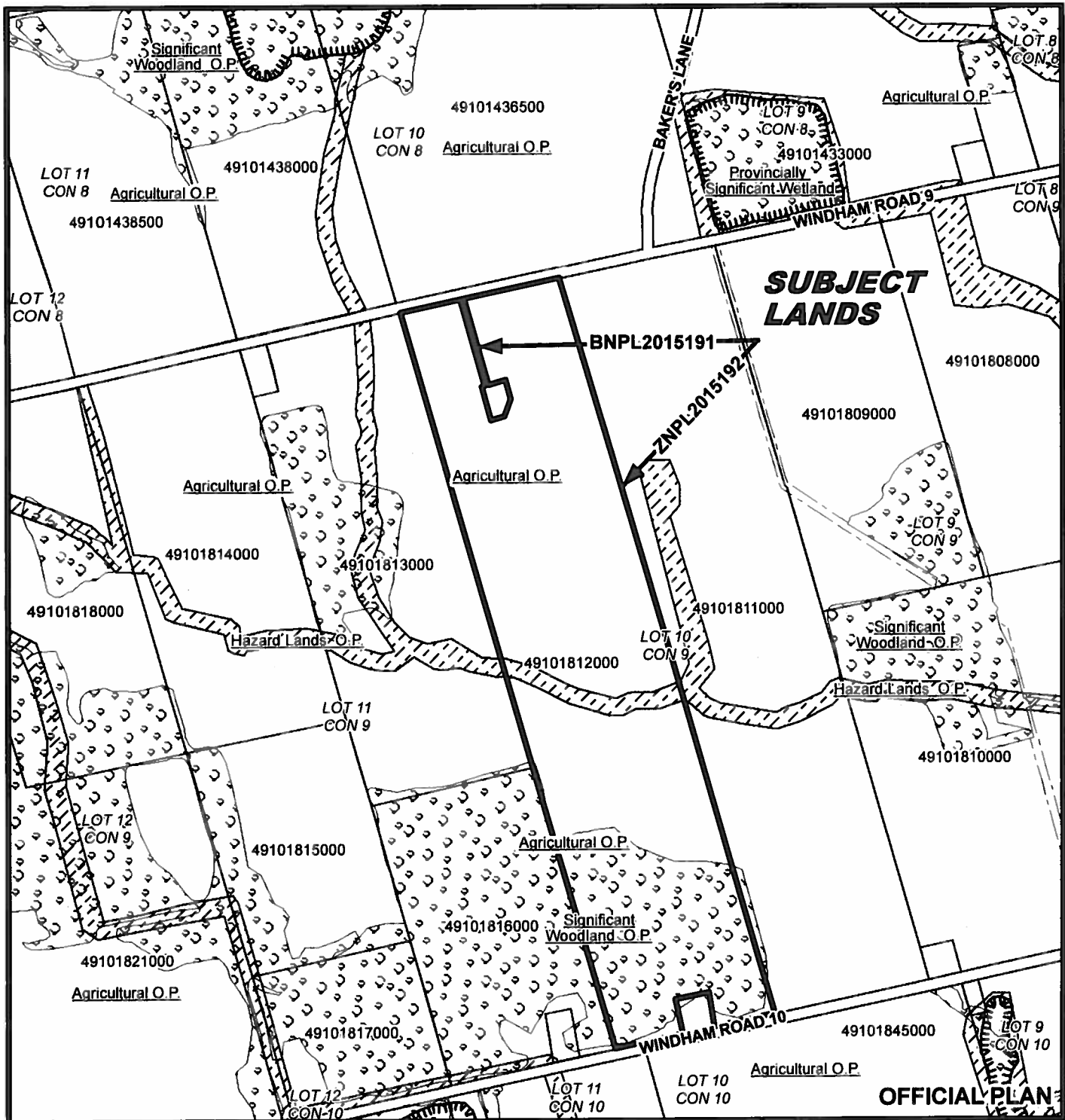
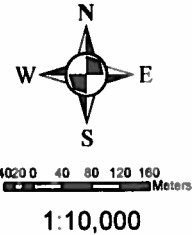
In order for your development application to be considered complete, **one sketch**, in metric units, drawn to scale, must be included as part of the development application. **Any proposed changes to dimensions after the Committee of Adjustment's decision will require resubmission to the Committee. 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 front lot line, rear lot line and side lot lines, also including building dimensions, height and groupings for each building on the site on the severed and retained lands;
9. 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;
10. The location of all lands previously severed from the parcel originally acquired by the current owner of the subject lands;
11. Current uses of land that is adjacent to the subject land;
12. Location of outside storage, refuse storage and disposal facilities; and
13. The legal description of the subject lands in question (lot, concession, registered plan number and former geographic township).

MAP 2

File Number: BNPL2015191 & ZNPL2015192

Geographic Township of WINDHAM



15/10/2015

MAP 3

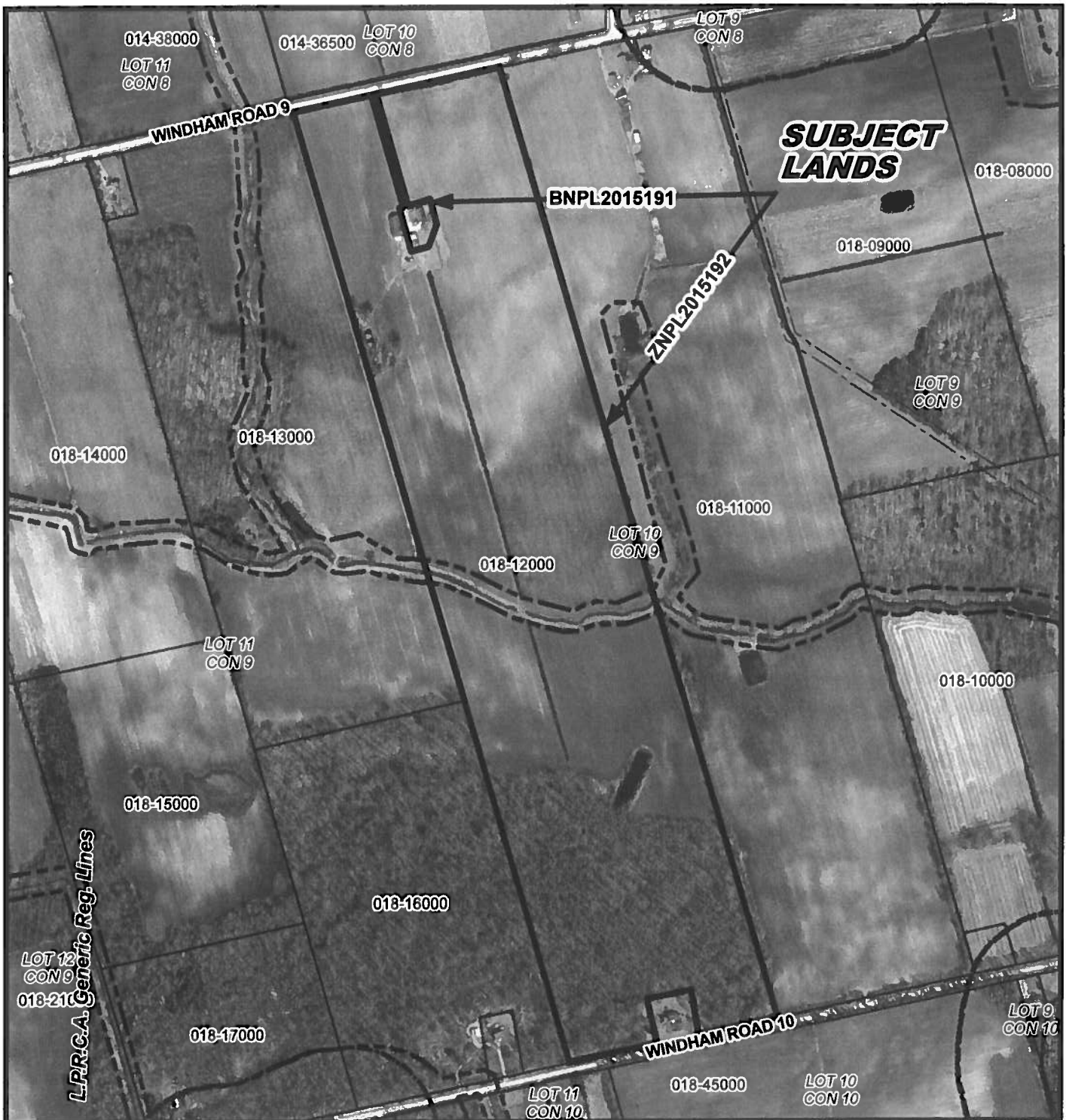
File Number: BNPL2015191 & ZNPL2015192

Geographic Township of WINDHAM



30 150 30 60 90 120 Meters

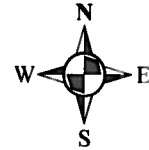
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MAP 4

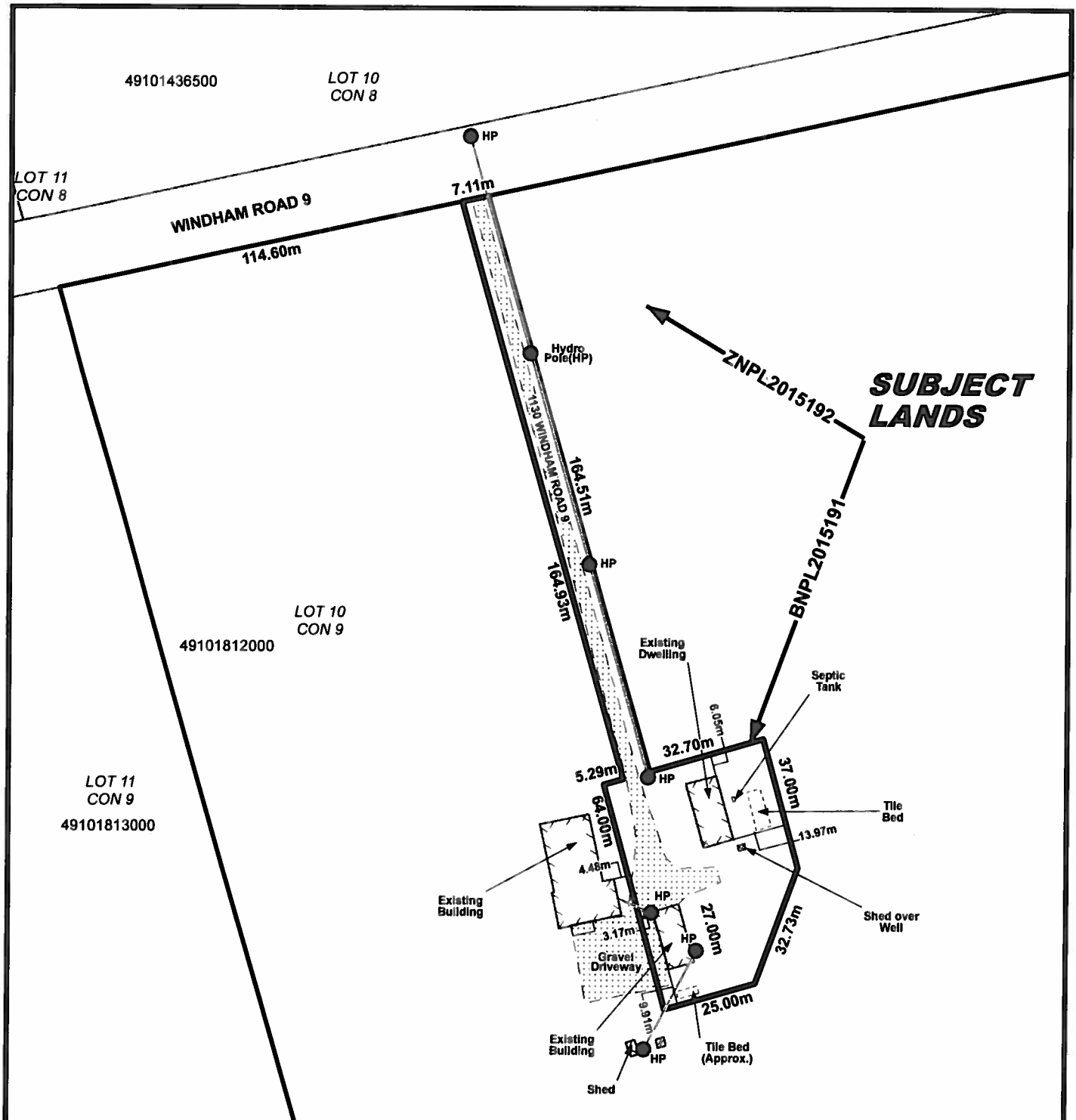
File Number: BNPL2015191 & ZNPL2015192

Geographic Township of WINDHAM



6 3 0 6 12 18 24 Meters

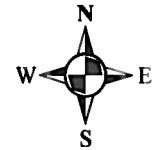
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MAP 5

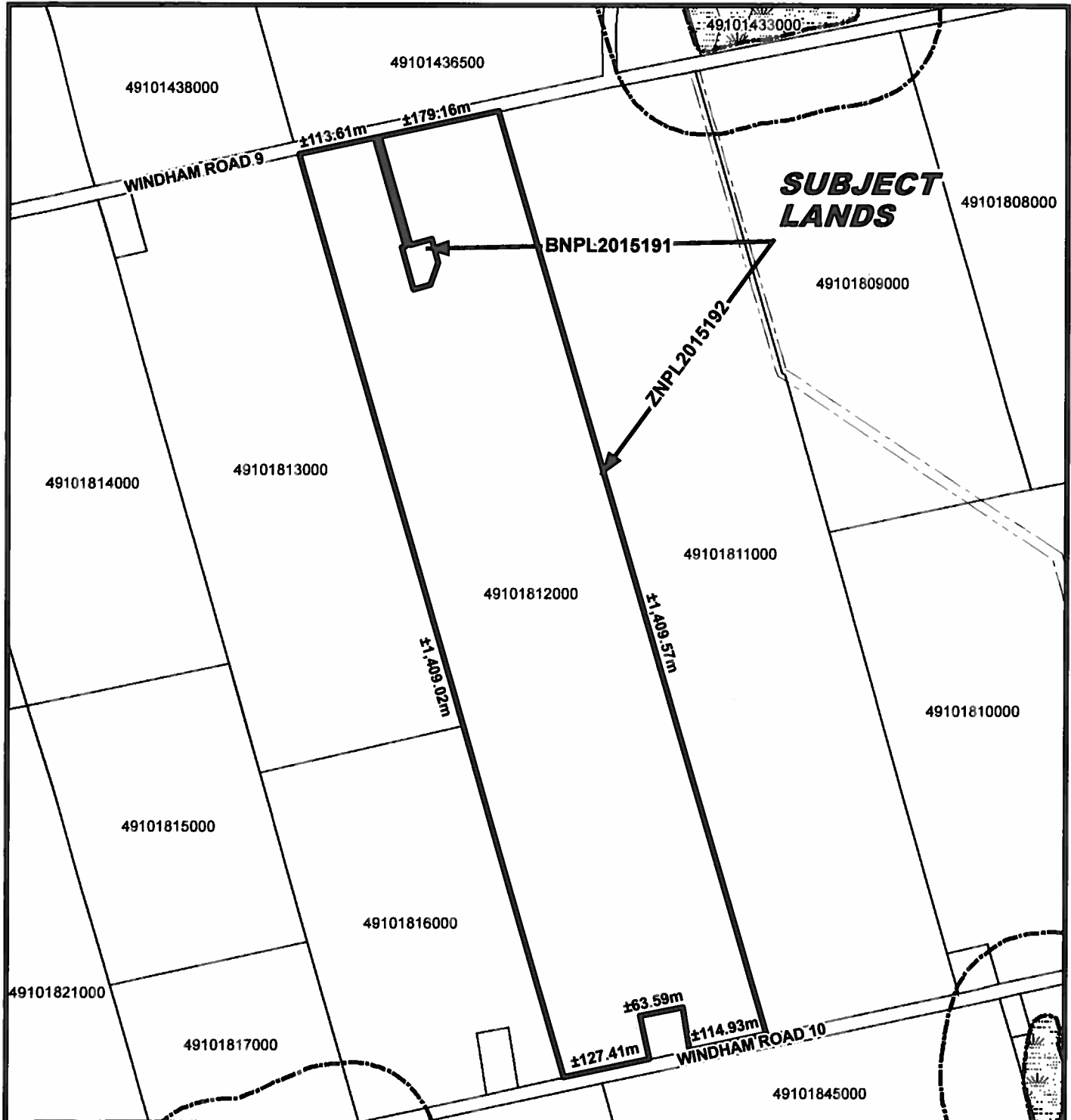
File Number: BNPL2015191 & ZNPL2015192

Geographic Township of WINDHAM



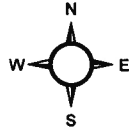
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1:8,000



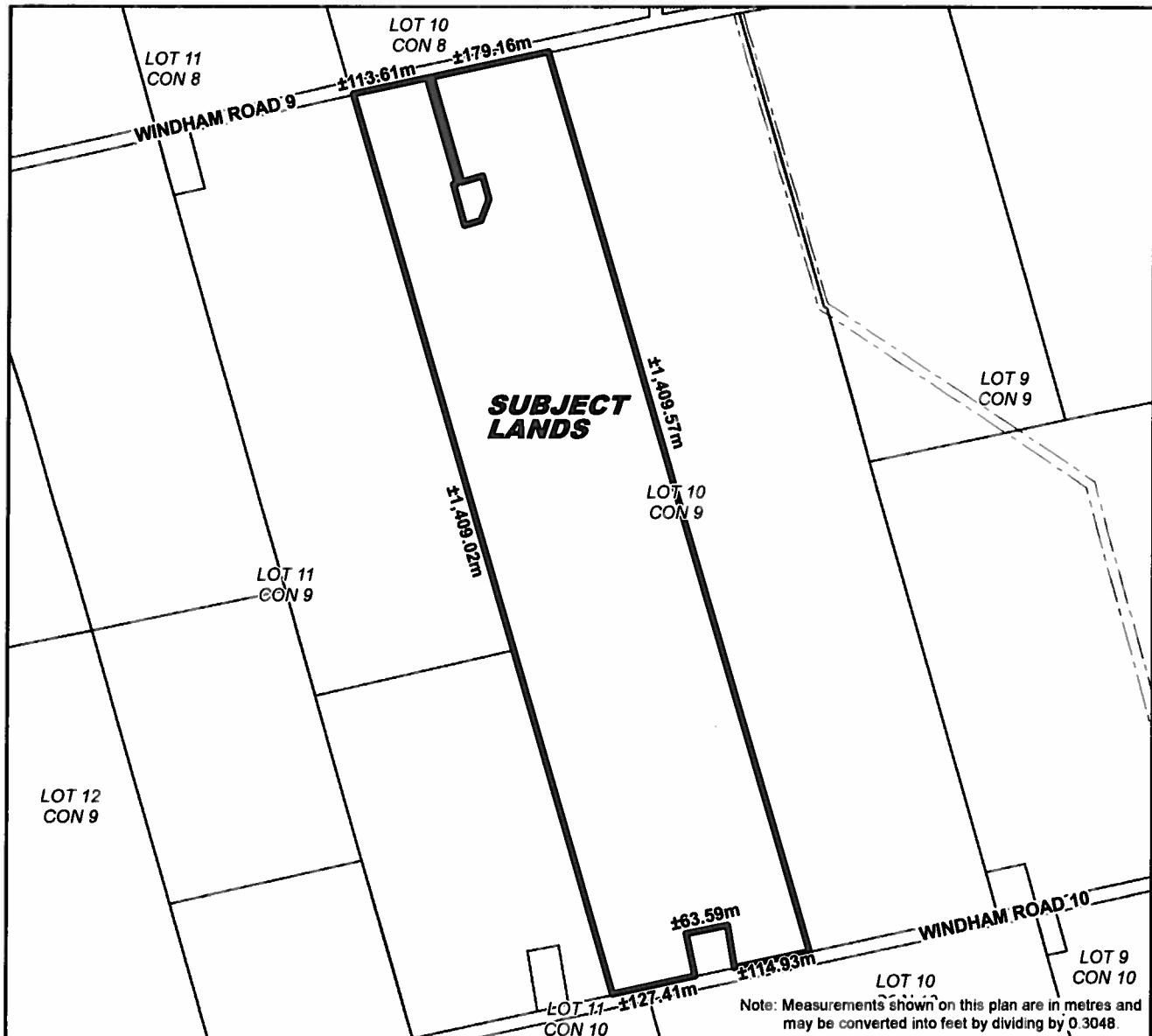
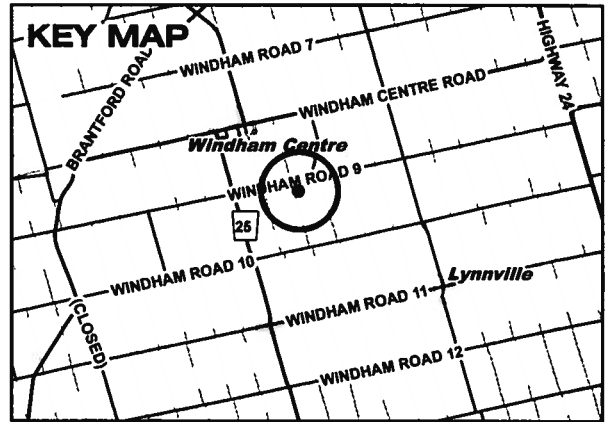
Norfolk County

Geographic Township of Windham



1:9,500

110 55 0 110 220 330 440 Meters



This is Map A to Zoning By-law _____ Passed the _____ day of _____ 2015.

MAYOR

CLERK