

For Office Use Only:

File Number

Related File Number

Pre-consultation Meeting

Application Submitted

Complete Application

BNPL2017171
July 2017
July 27 2017
Aug 10 2017

Application Fee

Conservation Authority Fee

OSSD Form Provided

Planner

Public Notice Sign

1842.00
—
yes.
MAT

Check the type of planning application(s) you are submitting.

Consent/Severance



Surplus Farm Dwelling Severance and Zoning By-law Amendment



Minor Variance

Property Assessment Roll Number: 33 10 401 015 40600**A. Applicant Information****Name of Owner**

Freeman Properties Inc.

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.

Address

c/o 609 Norfolk Street North, P.O. Box 373

Town and Postal Code

Simcoe, ON N3Y 4L2

Phone Number

519-426-2596

Cell Number**Email****Name of Agent**

W. Christopher Nunn (MacLeod Hosack Nunn Pereira Kinkel LLP.)

Address

39 Colborne Street North

Town and Postal Code

Simcoe, ON N3Y 3T8

Phone Number

519-426-6763

Cell Number**Email**

nunn@mhnlawyers.com

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence, notices, etc., in respect of this application will be forwarded to the agent noted above



Owner



Agent



Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

N/A

B. Location, Legal Description and Property Information

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):

Part Lot 3, Concession 5, Woodhouse, being Parts 1 to 3 on 37R2765; s/t NR400477; Norfolk County (P.I.N. 50236-0457)

Municipal Civic Address: 7 Boswell Street, Simcoe, Ontario

Present Official Plan Designation(s): MG (General Industrial Zone)

Present Zoning: MG (General Industrial Zone)

2. Is there a special provision or site specific zone on the subject lands?

☒ Yes ☐ No If yes, please specify:

Site Plan control is in effect.

3. The date the subject lands was acquired by the current owner: August 31st, 2016

4. Present use of the subject lands:

Storage

5. Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, height, etc. on your attached sketch which must be included with your application:

See Schedule "B". Storage building shown. It is to be retained.

6. If known, the date existing buildings or structures were constructed on the subject lands: Unknown

7. If an addition to an existing building is being proposed, please explain what will it be used for (e.g. bedroom, kitchen, bathroom, etc.). If new fixtures are proposed, please describe.

N/A



8. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, height, etc. on your attached sketch which must be included with your application:

N/A

9. If known, the date the proposed buildings or structures will be constructed on the subject lands:

N/A

10. 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:

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

12. Existing use of abutting properties:

industrial, commercial, education (Fanshawe College)

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

☒ Yes ☐ No If yes, describe the easement or restrictive covenant and its effect:
See Schedule "A"

C. Purpose of Development Application

Note: Please complete all that apply.

1. Site Information	Existing	Proposed
Please indicate unit of measurement, i.e. m, m ² or %, etc.		
Lot frontage	673.63 feet	249 feet (severed)
Lot depth	597.99 feet (irregular)	same
Lot width	673.63 feet (irregular)	249 feet (severed) irregular
Lot area	9.13 acres	3.28 acres (approximately) (severed)
Lot coverage	3.8 % (approximately)	10.5 % (approximately) (severed)

Front yard	<u>22 feet</u>	<u>same</u>
Rear yard	<u>425 feet</u>	<u>same</u>
Left Interior side yard	<u>115 feet</u>	<u>same</u>
Right Interior side yard	<u>458 feet</u>	<u>34 feet (severed) at front</u>
Exterior side yard (corner lot)	<u>n/a</u>	<u>n/a</u>

2. Please outline the relief requested (assistance is available):

3. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law:

N/A

4. Description of land intended to be severed in metric units:

Frontage: 75.9 metres

Depth: 182.3 metres

Width: 75.9 metres

Lot Area: 13274 square metres

Present Use: storage

Proposed Use: See Schedule "A". Sale pending

Proposed final lot size (if boundary adjustment): n/a

Description of land intended to be retained in metric units:

Frontage: 129.24 metres

Depth: 182.3 metres

Width: 133.6 metres

Lot Area: 23674 square metres

Present Use: vacant land

Proposed Use: unknown

5. Description of proposed right-of-way/easement in metric units:

Frontage: none
Depth: 20 feet
Width: 170 feet
Area: 0.08 acres
Proposed use: To allow for the installation and maintenance of sanitary sewers on the Retained Lands

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

See Schedule "A"

7. List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (i.e., corn, orchard etc) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (i.e., corn, orchard etc) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (i.e., corn, orchard etc) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Owners Name: _____
Roll Number: _____
Total Acreage: _____
Workable Acreage: _____
Existing Farm Type: (i.e., corn, orchard etc) _____
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built _____

Note: If additional space is needed please attach a separate sheet.

D. Previous Use of the Property

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☒ Yes ☐ No ☐ Unknown
If yes, specify the uses (example: gas station, petroleum storage, etc.):
Existing use is storage. Prior uses are unknown.
2. Has the grading of the subject lands been changed through excavation or the addition of earth or other material? ☐ Yes ☒ No ☐ Unknown
3. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown
4. Provide the information you used to determine the answers to the above questions:
Applicant's knowledge.
5. If you answered yes to any of the above questions in Section D, 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

E. Provincial Policy

1. Is the requested amendment 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:

2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? ☐ Yes ☒ No

If no, please explain:

No alterations to or development of the subject property are being completed by the Applicant.

3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? ☐ Yes ☒ No

If no, please explain:

No alterations to or development of the subject property are being completed by the Applicant.

Note: If in an area of source water WHPA A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. 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 boxes, if applicable.

Livestock facility or stockyard (submit MDS Calculation with application)

☐ On the subject lands or ☐ within 500 meters – distance _____

Wooded area

☒ On the subject lands or ☒ within 500 meters – distance _____

Municipal Landfill

☐ On the subject lands or ☐ within 500 meters – distance _____

Sewage treatment plant or waste stabilization plant

☐ On the subject lands or ☐ within 500 meters – distance _____

Provincially significant wetland (class 1, 2 or 3) or other environmental feature

☐ On the subject lands or ☐ within 500 meters – distance _____

Floodplain

☐ On the subject lands or ☐ within 500 meters – distance _____

Rehabilitated mine site

☐ On the subject lands or ☐ within 500 meters – distance _____

Non-operating mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Active mine site within one kilometre

☐ On the subject lands or ☐ within 500 meters – distance _____

Industrial or commercial use (specify the use(s))

☐ On the subject lands or ☒ within 500 meters – distance _____ In Industrial Park

Active railway line

☐ On the subject lands or ☐ within 500 meters – distance _____

Seasonal wetness of lands

☐ On the subject lands or ☐ within 500 meters – distance _____

Erosion

☐ On the subject lands or ☐ within 500 meters – distance _____

Abandoned gas wells

☐ On the subject lands or ☐ within 500 meters – distance _____

F. Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- ☐ Municipal piped water ☐ Communal wells
☐ Individual wells ☒ Other (describe below)

Municipal water available - not connected

Sewage Treatment

- ☐ Municipal sewers ☐ Communal system
☒ Septic tank and tile bed ☐ Other (describe below)
-

Storm Drainage

☒ Storm sewers

☐ Open ditches

☐ Other (describe below)

2. Have you consulted with Public Works & Environmental Services concerning storm water management?

☐ Yes ☒ No

3. Has the existing drainage on the subject lands been altered?

☐ Yes ☒ No

4. Does a legal and adequate outlet for storm drainage exist?

☒ Yes ☐ No

5. Existing or proposed access to subject lands:

☒ Municipal road

☐ Provincial highway

☐ Unopened road

☐ Other (describe below)

Name of road/street:

Boswell Street

G. Other Information

1. Does the application involve a local business? ☐ Yes ☒ No

If yes, how many people are employed on the subject lands?

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

Refer to Schedule "A".

H. Supporting Material to be submitted by Applicant

In order for your application to be considered complete, folded hard copies (number of paper copies as directed by the planner) and an **electronic version (PDF) of the site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Existing and proposed easements and right of ways
4. Parking space totals – required and proposed
5. All dimensions of the subject lands
6. Dimensions and setbacks of all buildings and structures
7. Names of adjacent streets
8. Natural features, watercourses and trees

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- ☐ Zoning Deficiency Form
- ☐ On-Site Sewage Disposal System Evaluation Form
- ☐ Environmental Impact Study
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Record of Site Condition

Your development approval might also be dependent on Ministry of Environment and Climate Change, Ministry of Transportation or other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

All final plans must include the owner's signature as well as the engineer's signature and seal.

I. Transfers, Easements and Postponement of Interest

The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.


Owner/Applicant Signature

July 26th, 2017

Date

J. Permission to Enter Subject Lands

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

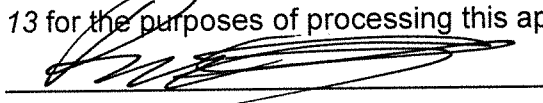

Owner/Applicant Signature

July 26th, 2017

Date

K. Freedom of Information

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P. 13 for the purposes of processing this application.


Owner/Applicant Signature

July 26th, 2017

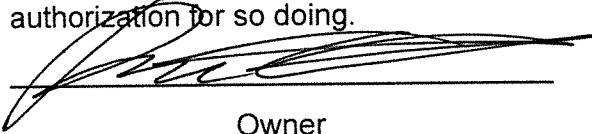
Date

L. Owner's Authorization

If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We Freeman Properties Inc. (Attention: Russell Freeman, President) am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

I/We authorize W. Christopher Nunn to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.



Owner

July 26th, 2017

Date

July , 2017

Date

Owner

M. Declaration of Applicant and Agent

I hereby apply for development approval and declare that all of the above statements and the statements contained in all of the exhibits transmitted herewith are accurate and true. I understand that site plan approval is required before a building permit can be issued.



Applicant Signature

July 26th, 2017

Date

July , 2017

Date

Agent Signature



N. Declaration

I, Russell Freeman, President of Freeman Properties Inc. of Simcoe, Ontario

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

Simcoe

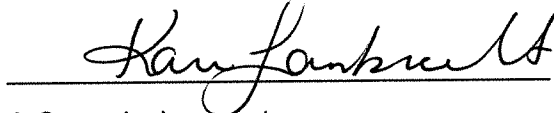


Owner/Applicant Signature

In Province of Ontario

This 26th day of July

A.D., 2017



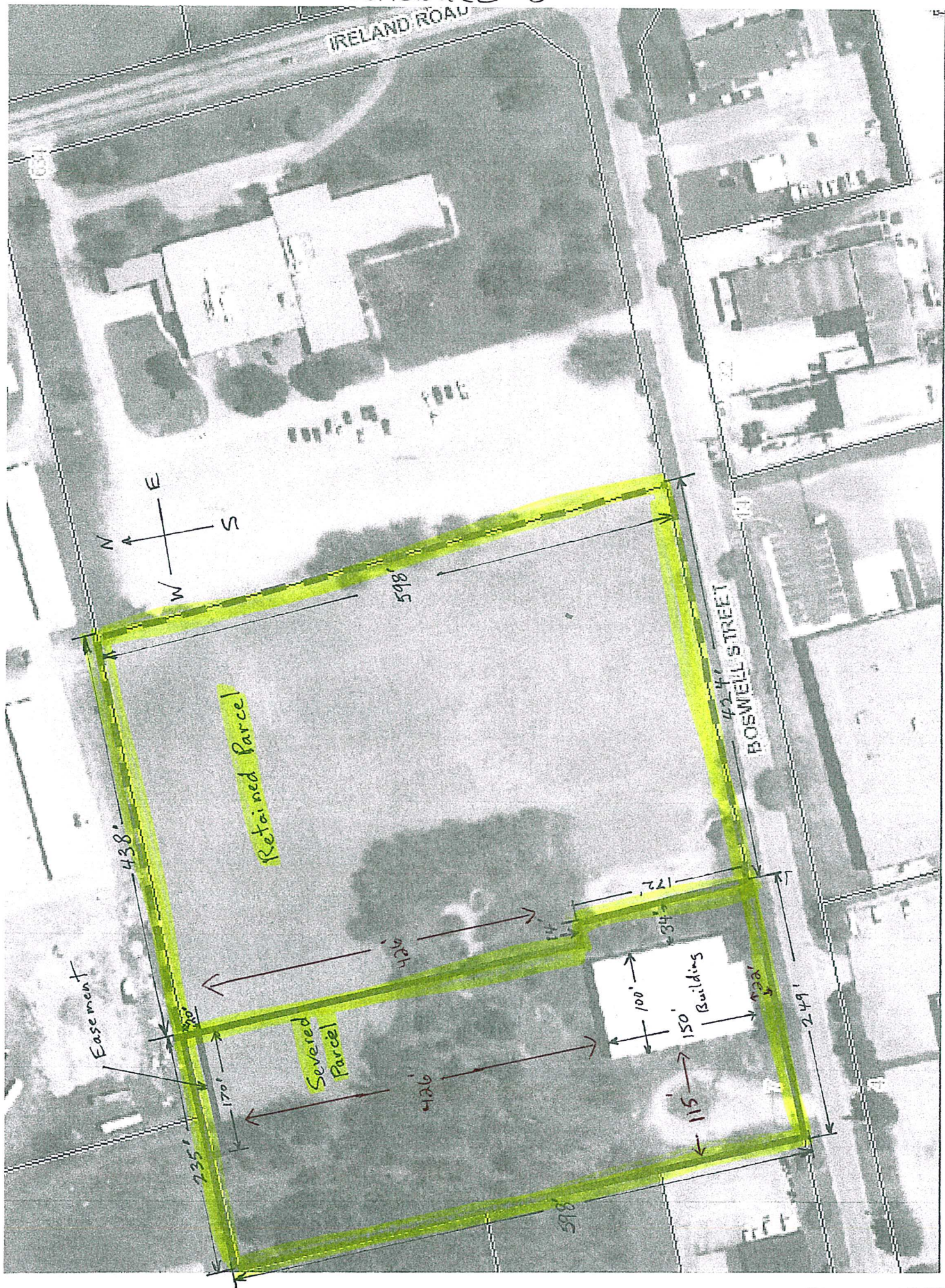
A Commissioner, etc.

Karen Marie Lambrecht, a Commissioner, etc.,
Province of Ontario, for MacLeod Hosack Nunn
Pereira Kinkel LLP, Barristers and Solicitors.
Expires January 9, 2018.

SCHEDULE "A"

1. The Applicant acquired title to the subject property on August 31st, 2016.
2. Title to the property is subject to an easement in favour of Union Gas Limited by Instrument NR400477. The easement has no effect on the proposed severance.
3. Title to the property is together with an easement as in Instrument NR394194 over Part 2 on Plan 37R-1635 (copy attached for reference) (which affects the adjoining northerly properties identified under P.I.N.'s 50236-0476 (LT) and 50236-0596 (LT). The easement is to allow for the installation and maintenance of sanitary sewers on the property. The Applicant proposes that an easement be created over the **severed parcel** (the easement area is shown on the attached Schedule "B"), to allow the **retained parcel** to also benefit from this easement should development take place on the retained parcel. The severed parcel will be subject to the easement. The retained parcel will be together with the easement.
4. The Applicant has entered into an Agreement of Purchase and Sale to sell the retained parcel on October 2nd, 2017. It requests that this Application be heard as soon as possible to allow the severance to be implemented in time for the said closing.

1.2.2.2.2



PLAN MATERIALS

PLASTIC MATERIAL - MYLAR
GAUGE - 0.003 INCH
INK - SPECIAL "T"

PART		LOT		CON.	INST.	N ^o	AREA
1	PART	LOT	OF	V	303294, 306533, 319008, 337143		9.13 AC.
2	PART	LOT	OF	V	337143		0.41 AC.

I require this plan be deposited under
THE REGISTRY ACT

PLAN 37R-1635

RECEIVED AND DEPOSITED

DATED AUG 13, 1979

DATED 13 Aug. 1979

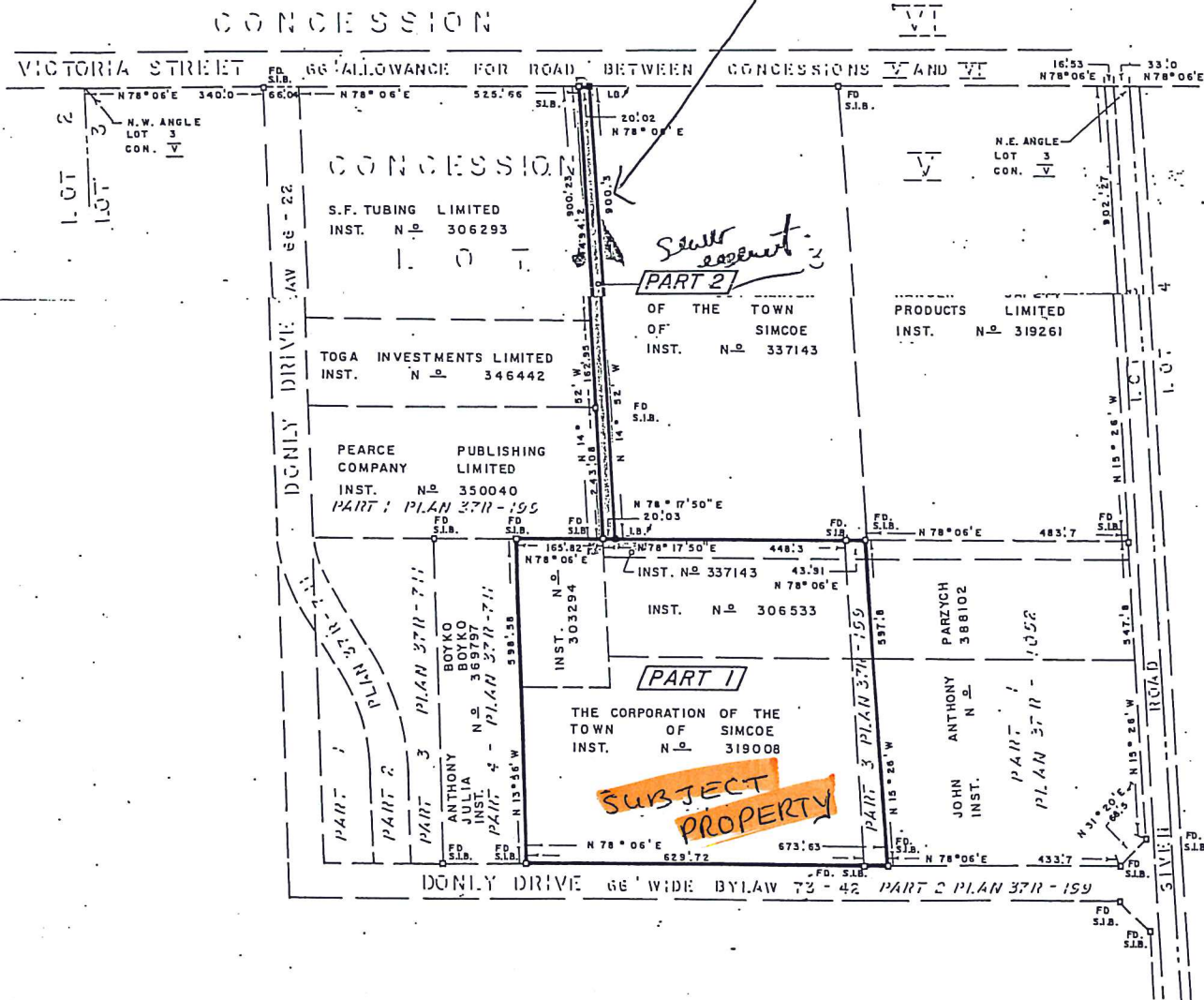
H. V. JEWITT
ONTARIO LAND SURVEYOR

Norma J. Davidson
LAND REGISTRAR FOR THE REGISTRY
DIVISION OF NORFOLK (N2 37)

PLAN OF SURVEY
OF PART OF
LOT 3 - CONCESSION V
ORIGINALLY IN THE GEOGRAPHIC
TOWNSHIP OF WOODHOUSE
ANNEXED TO THE
TOWN OF SIMCOE
IN THE
COUNTY OF NORFOLK
NOW IN THE
TOWN OF SIMCOE
IN THE REGIONAL MUNICIPALITY OF
HALDIMAND - NORFOLK
SCALE 1" = 200'
H.V. JEWITT, O.L.S.
1979

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY
LIMIT OF LOT 3, CON V, BEING N 78° 06' E

*** SEWER EASEMENT
AFFECTING NORTHERLY
PROPERTIES**



I HEREBY CERTIFY THAT
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS
ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER
2. THE SURVEY WAS COMPLETED ON THE 15TH DAY OF MARCH, 1979

DATED MARCH 22, 1979

H. V. JEWITT, O.L.S.

CAUTION! THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF
THE REGISTRY ACT

LEGEND

1" x 1" x 48" STANDARD IRON BARS LOT LINES SHOWN
5/8" x 5/8" x 24" IRON BARS FENCES SHOWN
5/8" x 24" ROUND IRON BARS
FD DENOTES FOUND

H.V. JEWITT
ONTARIO
LAND SURVEYOR

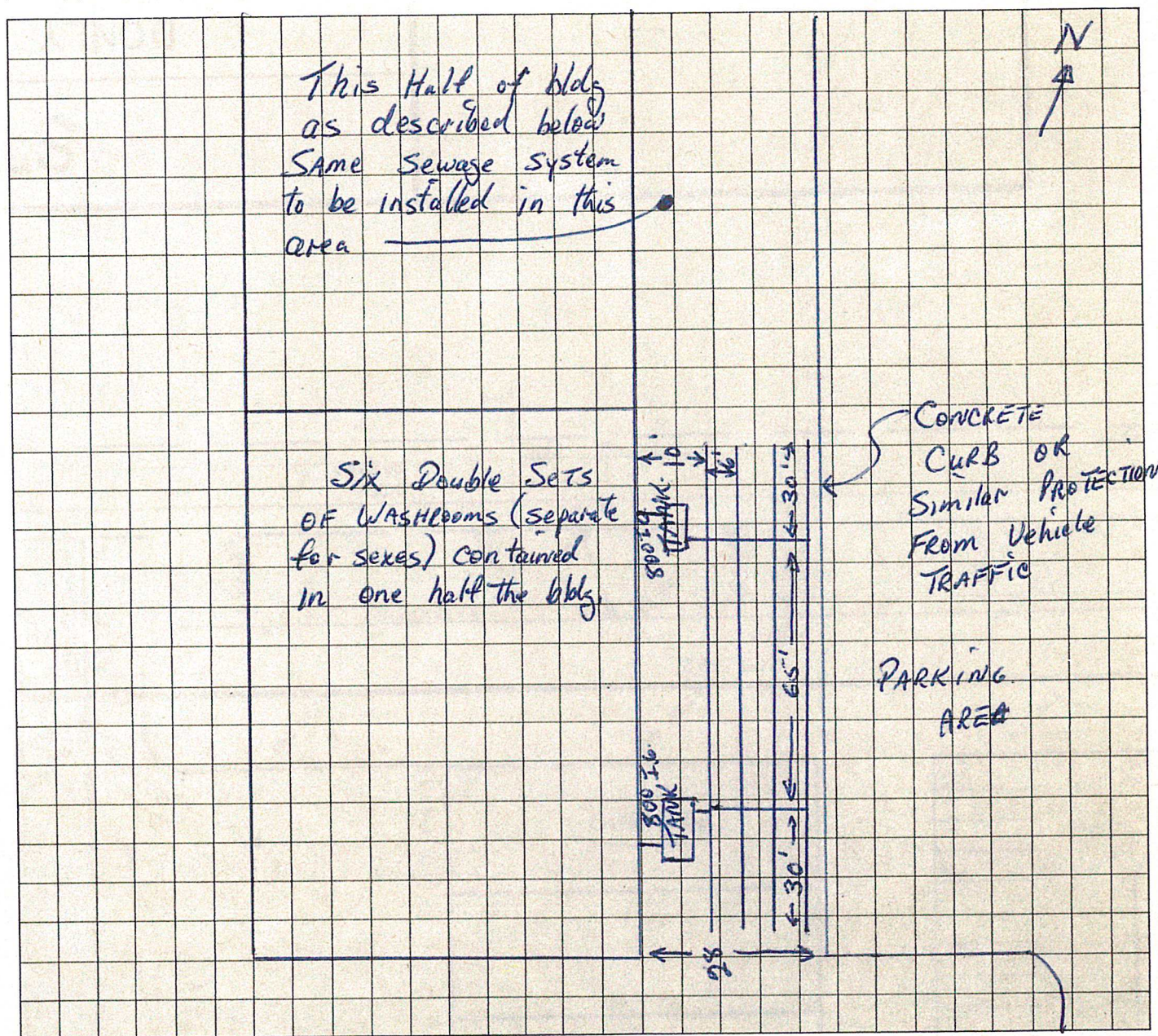
90 KENT STREET, SOUTH,
SIMCOE, ONTARIO.
PHONE 1-519-426-0842

F. W. - R.J.S.
CALC. - P.C.C.
DWN. - W.J.S.

365 West Street, Box 247-Simcoe, Ontario N3Y 4L1 Telephone: 426-6170

WATER SUPPLY AND SEWAGE SYSTEM PLAN — Draw to scale indicating north point and showing:

- Location of sewage system components (e.g. tanks, leaching bed). Locate and show horizontal distances from system to adjacent existing or proposed buildings, water supplies (including neighbours), existing on-site sewage systems, driveways, property lines, lakes, rivers, water courses, swimming pools.
- Lot dimensions, topographic features (e.g. swamps, steep slopes) near system.
- If any part of proposal conforms to a specific standard drawing, give reference number(s).



13. A Certificate of Approval for this application is refused for the reasons given in Section 11 Page 1

INSPECTED AND RECOMMENDED BY

REFUSED

DATE _____

1979

DIRECTOR

CERTIFICATE OF APPROVAL

Application approved and this Certificate of Approval under Section 57 of The Environmental Protection Act, 1971 is hereby issued for the proposal outlined on Pages 1 and 2 of the application and its attachments as amended by the requirements and conditions of Section 11 provided that the sewage system shall be completed and a Use Permit issued within 12 months of the issue hereof or such extended period as the Director on application allows. **DO NOT OPERATE THE SYSTEM UNTIL A USE PERMIT IS ISSUED.**

INSPECTED AND RECOMMENDED BY

ISSUED

DATE _____

ALDIMAND-NORFOLK REGIONAL HEALTH DEPT.

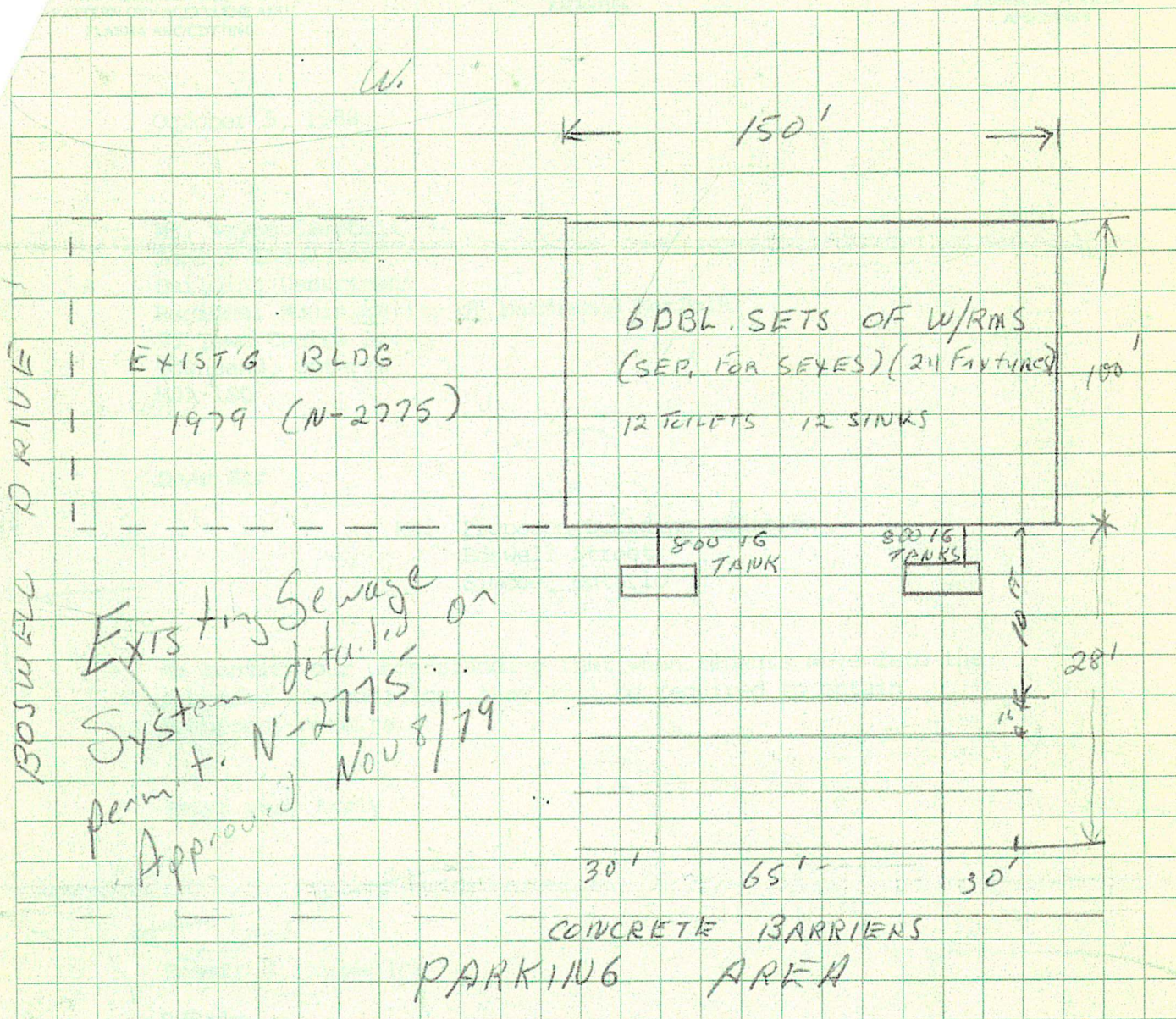
est Street, Box 247, Simcoe, Ontario N3Y 4L1 — Telephone: 426-6170
ce: 45 Munsee St., Box 128, Cayuga, Ontario NOA 1E0 — Telephone: 772-3313

Page 2 of 2

APPLICATION NO.

N-5545

GRAM AND SEWAGE SYSTEM PLAN: — Draw to scale indicating north point and showing:
ation of sewage system components (e.g. tanks, leaching bed). Locate and show horizontal distances from system to adjacent
isting or proposed buildings, water supplies (including neighbours), existing on-site sewage systems, driveways, property lines,
akes, rivers, water courses, swimming pools.
Lot dimensions, topographic features (e.g. swamps, steep slopes) near system.
If any part of proposal conforms to a specific standard drawing, give reference number(s).



13. Certificate of Approval for this application is refused for the reasons given in Section 11 Page 1.

INSPECTED AND RECOMMENDED BY

REFUSED

DATE

DIRECTOR

CERTIFICATE OF APPROVAL

Application approved and this Certificate of Approval under Section 64 of The Environmental Protection Act, 1980 is hereby issued for the proposal outlined on Pages 1 and 2 of the application and its attachments as amended by the requirements and conditions of Section 11 provided that the sewage system shall be completed and a Use Permit issued within 12 months of the issue hereof or such extended period as the Director on application allows. DO NOT OPERATE THE SYSTEM UNTIL A USE PERMIT IS ISSUED.

INSPECTED AND RECOMMENDED BY

ISSUED

DATE

DIRECTOR

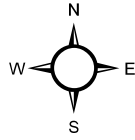
Under Section 121 of The Environmental Protection Act, 1980, an applicant may appeal a decision by writing to the Director and to the Environmental Appeal Board, 1 St. Clair Avenue West, Toronto, Ont., M4V 1K7 within 15 days of receipt of the decision.

BUILDING PERMIT COPY

MAP 1

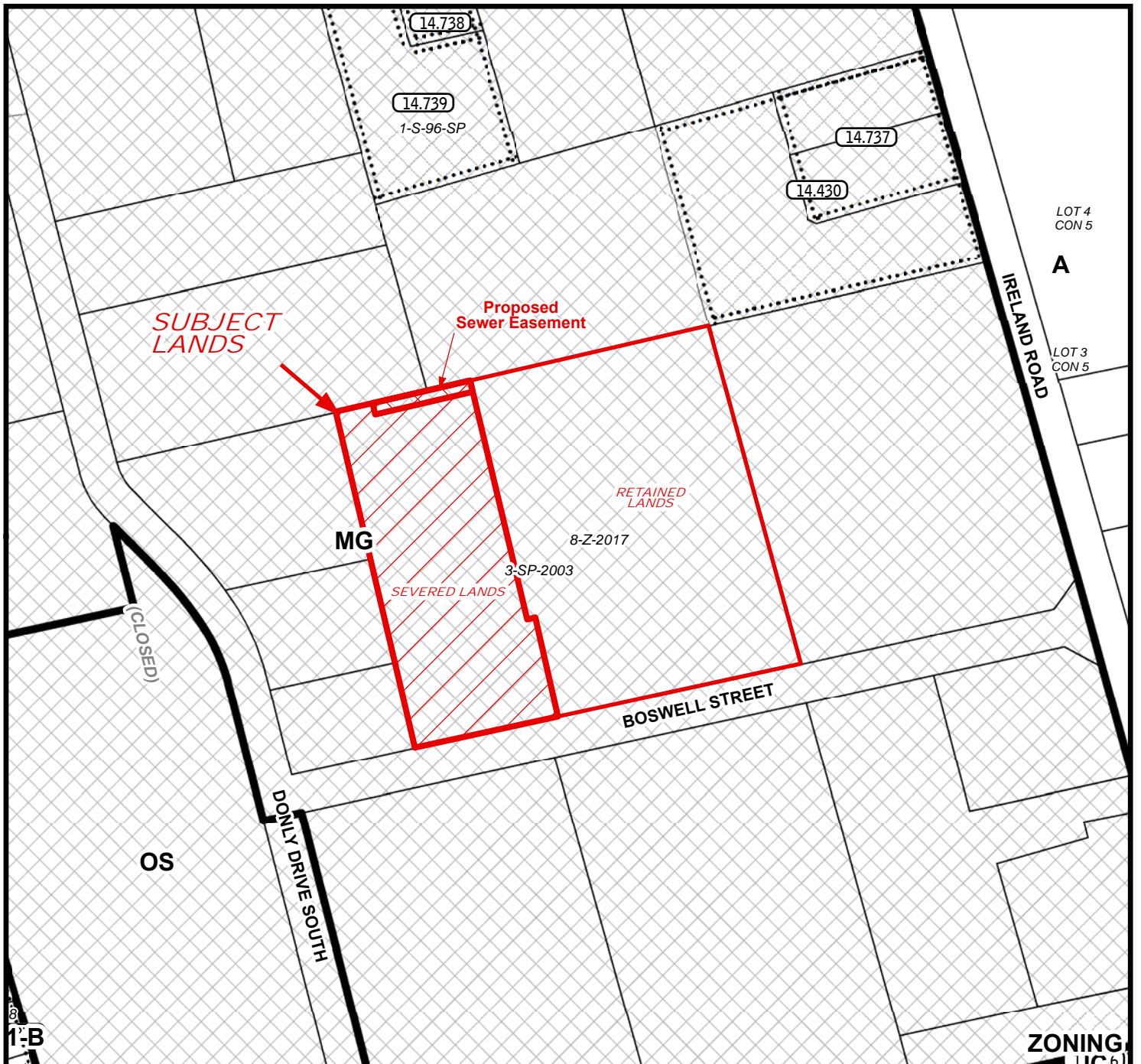
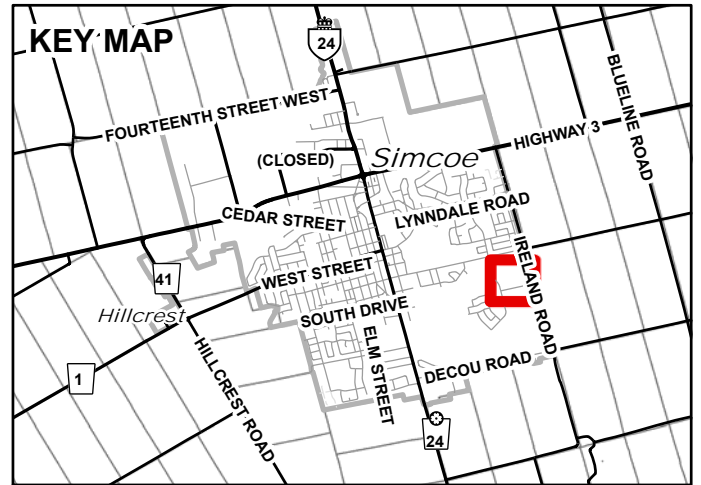
File Number: BNPL2017171

Urban Area of
SIMCOE



1:3,000

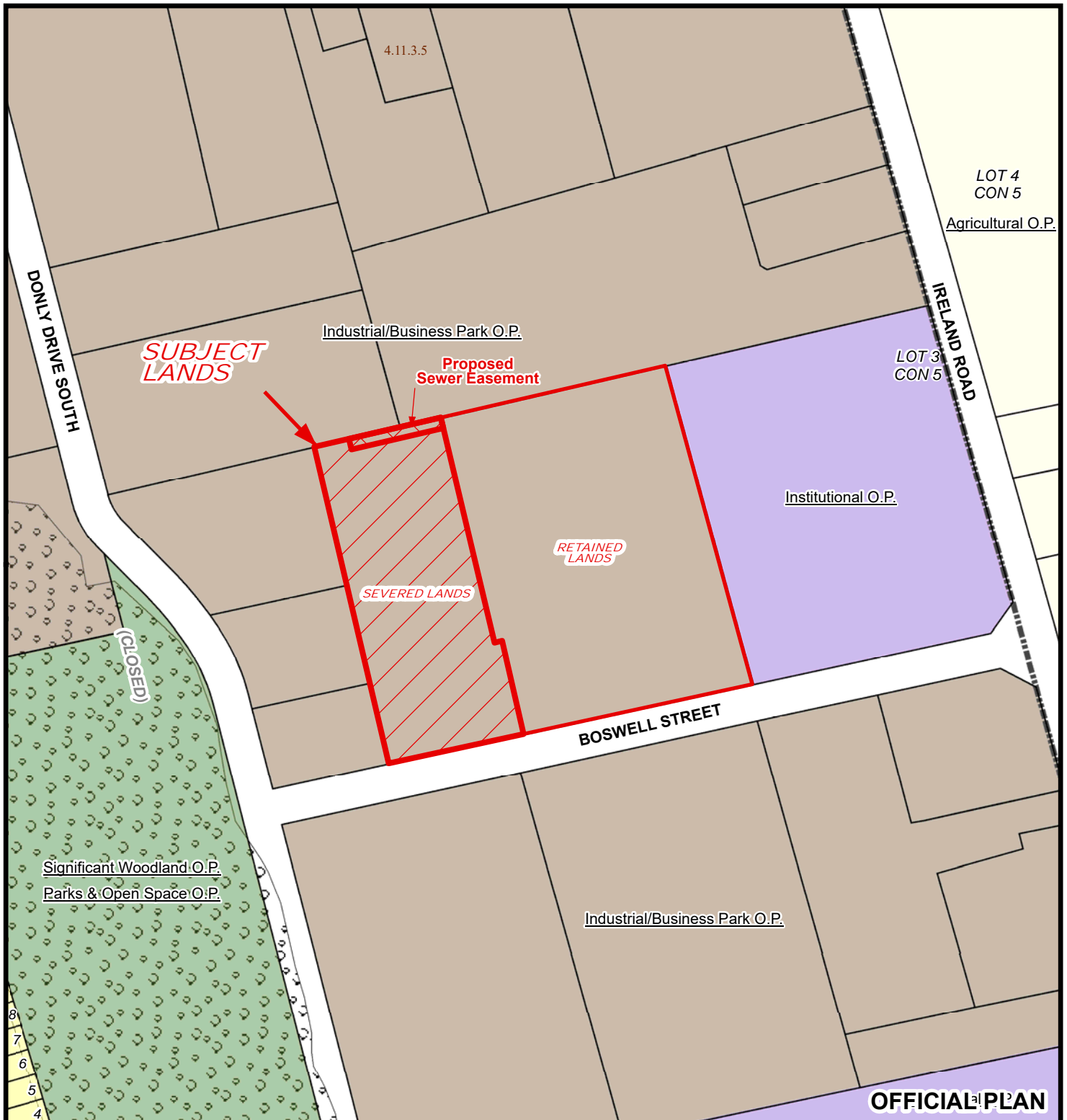
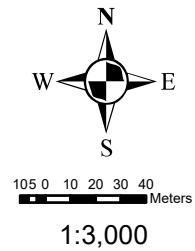
20 10 0 20 40 60 80
Meters



MAP 2

File Number: BNPL2017171

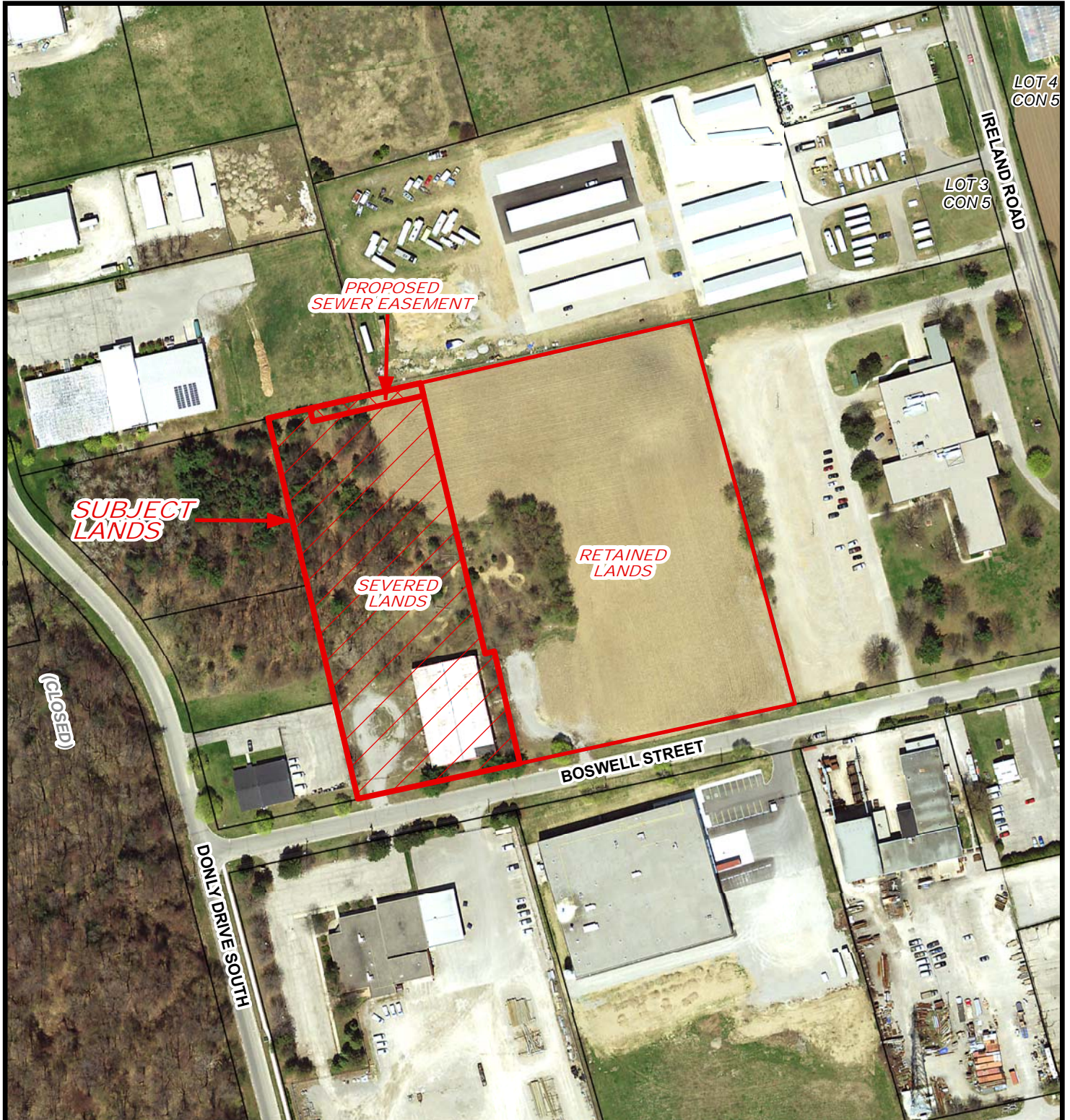
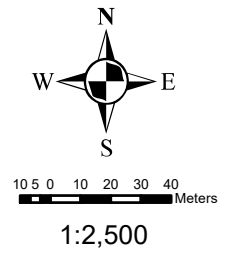
Urban Area of SIMCOE



MAP 3

File Number: BNPL2017171

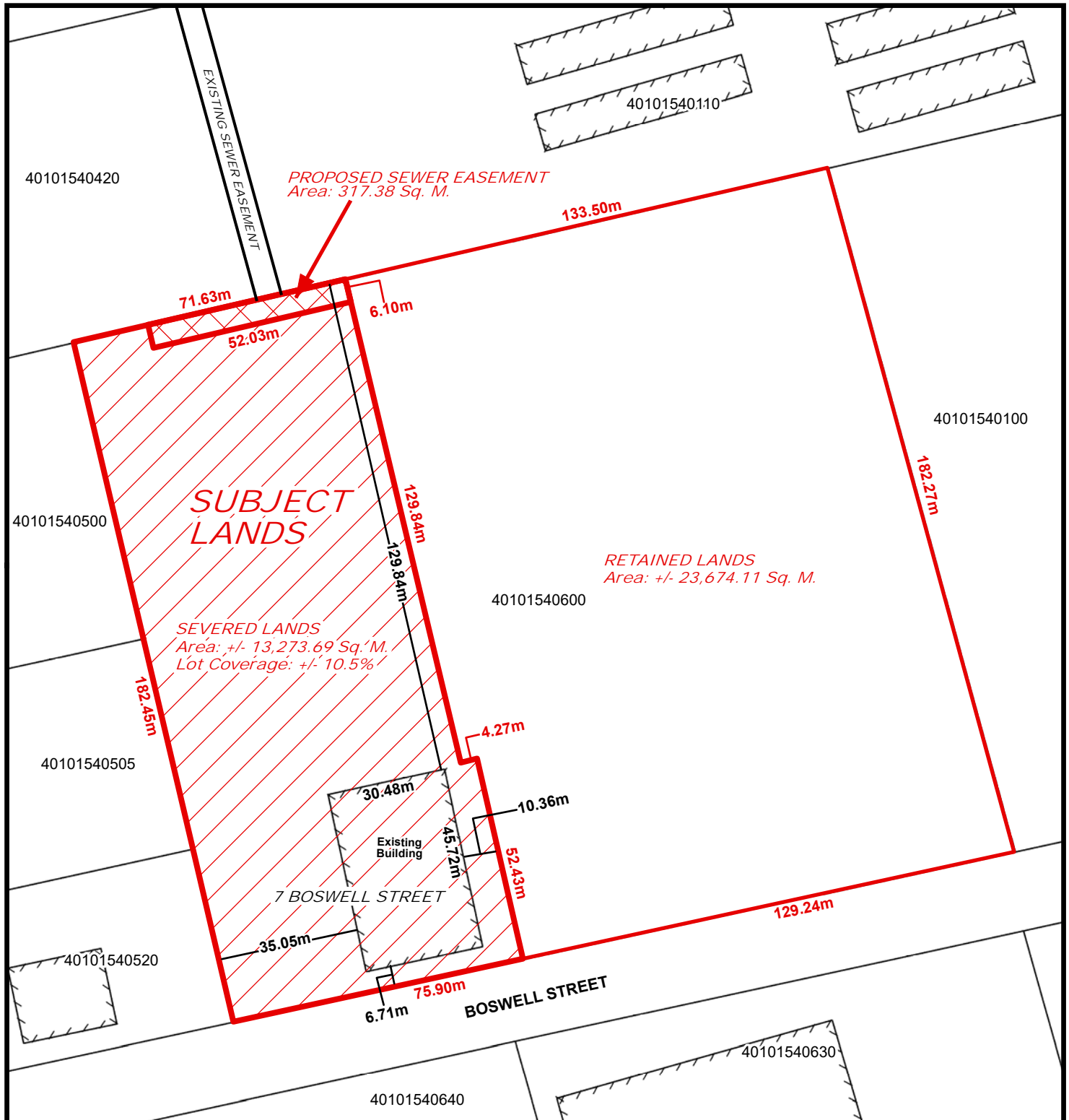
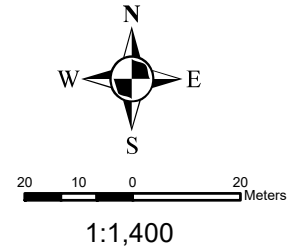
Urban Area of SIMCOE



MAP 4

File Number: BNPL2017171

Urban Area of SIMCOE



LOCATION OF LANDS AFFECTED

File Number: BNPL2017171

Urban Area of SIMCOE

