

**For Office Use Only:**

File Number BNPL2017267  
Related File Number \_\_\_\_\_  
Pre-consultation Meeting \_\_\_\_\_  
Application Submitted Nov. 17 2017  
Complete Application Nov 20 2017

Application Fee 2551.<sup>00</sup>  
Conservation Authority Fee —  
OSSD Form Provided yes  
Planner Mat  
Public Notice Sign —

**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:** 49101024000

**A. Applicant Information**

**Name of Owner** 937742 Ontario Inc. c/o Michael Bergman

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 673 Windham Road 5  
Town and Postal Code Tettersville, ON N0E 1S0  
Phone Number 519-443-5287  
Cell Number \_\_\_\_\_  
Email \_\_\_\_\_

**Name of Agent** Civic Planning Solutions Inc. (David Roe)  
Address 599 Larch Street  
Town and Postal Code Delhi, ON N4B 3A7  
Phone Number 519-582-1174  
Cell Number 519-983-8154  
Email dfrfez@bellnet.ca

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:

No mortgages

**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 of Lot 12, Concession 5 (Windham)

Municipal Civic Address: 836 Windham Road 5

Present Official Plan Designation(s): Agricultural

Present Zoning: Agricultural

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

☐ Yes ☒ No If yes, please specify:

3. The date the subject lands was acquired by the current owner: \_\_\_\_\_

4. Present use of the subject lands:

Agricultural - growing ginseng and rye

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:

Dwelling, House, 2 greenhouses, 3 barns, bulk kilns, shed and 2 old kilns

Note: greenhouses to be removed, setbacks shown on attached table

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

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:

Nothing proposed at this time

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

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:

12. Existing use of abutting properties:

Agricultural and residential

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:  
5m wide along East side of lot for gas line to barn (approximately 40 m in depth)

### 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<sup>2</sup> or %, etc.

Lot frontage	597m	
Lot depth	512m/498m	
Lot width	588m	
Lot area	75 acres	
Lot coverage		

Front yard	_____	_____
Rear yard	_____	_____
Left Interior side yard	_____	_____
Right Interior side yard	_____	_____
Exterior side yard (corner lot)	_____	_____

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:

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

Frontage:	45m	_____
Depth:	120m	_____
Width:	varies	_____
Lot Area:	1 acre	_____
Present Use:	Agricultural	_____
Proposed Use:	Residential	_____
Proposed final lot size (if boundary adjustment): _____		

Description of land intended to be retained in metric units:

Frontage:	552m	_____
Depth:	512m/498m	_____
Width:	588m	_____
Lot Area:	74 acres	_____
Present Use:	Agricultural	_____
Proposed Use:	Agricultural	_____

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

Frontage: 5m  
Depth: 40m  
Width: 5m  
Area: 200m<sup>2</sup>  
Proposed use: existing gas line to farm buildings

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

Unknown

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

Owners Name: 937742 Ontario Inc. c/o Michael Bergman  
Roll Number: 49101024000  
Total Acreage: 75 acres  
Workable Acreage: 68 acres  
Existing Farm Type: (i.e., corn, orchard etc) ginseng and rye  
Dwelling Present?: ☒ Yes ☐ No If yes, year dwelling built 1900

Owners Name: Michael Bergman  
Roll Number: 49101015000  
Total Acreage: 37.5 acres  
Workable Acreage: 35 acres  
Existing Farm Type: (i.e., corn, orchard etc) ginseng and rye  
Dwelling Present?: ☒ Yes ☐ No If yes, year dwelling built 1900

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.):

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:

Knowledge of owner

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 change in use proposed

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 applicable

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 \_\_\_\_\_

**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)

Well is located in basement of house \_\_\_\_\_

**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:

Windham Road 5

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**G. Other Information**

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

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

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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.

## **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.



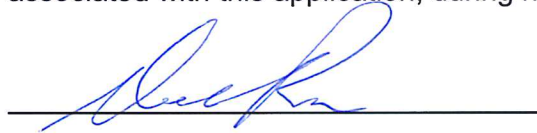
Owner/Applicant Signature



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.



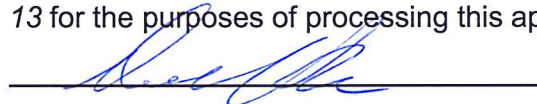
Owner/Applicant Signature



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



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 Michael Bergman 937742 Ont Lnam are the registered owner(s) of the lands that is the subject of this application for site plan approval.

I/We authorize David Roe 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

Nov 14/17

Date

I have power to bind the corporation

Owner

Date

#### 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

NOV 14/17

Date



Agent Signature

Nov 14/17

Date

**N. Declaration**

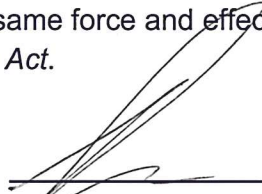
I, David Roe of Norfolk County

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:

Norfolk County

  
\_\_\_\_\_  
Owner/Applicant Signature

In Langton

This 15<sup>th</sup> day of November

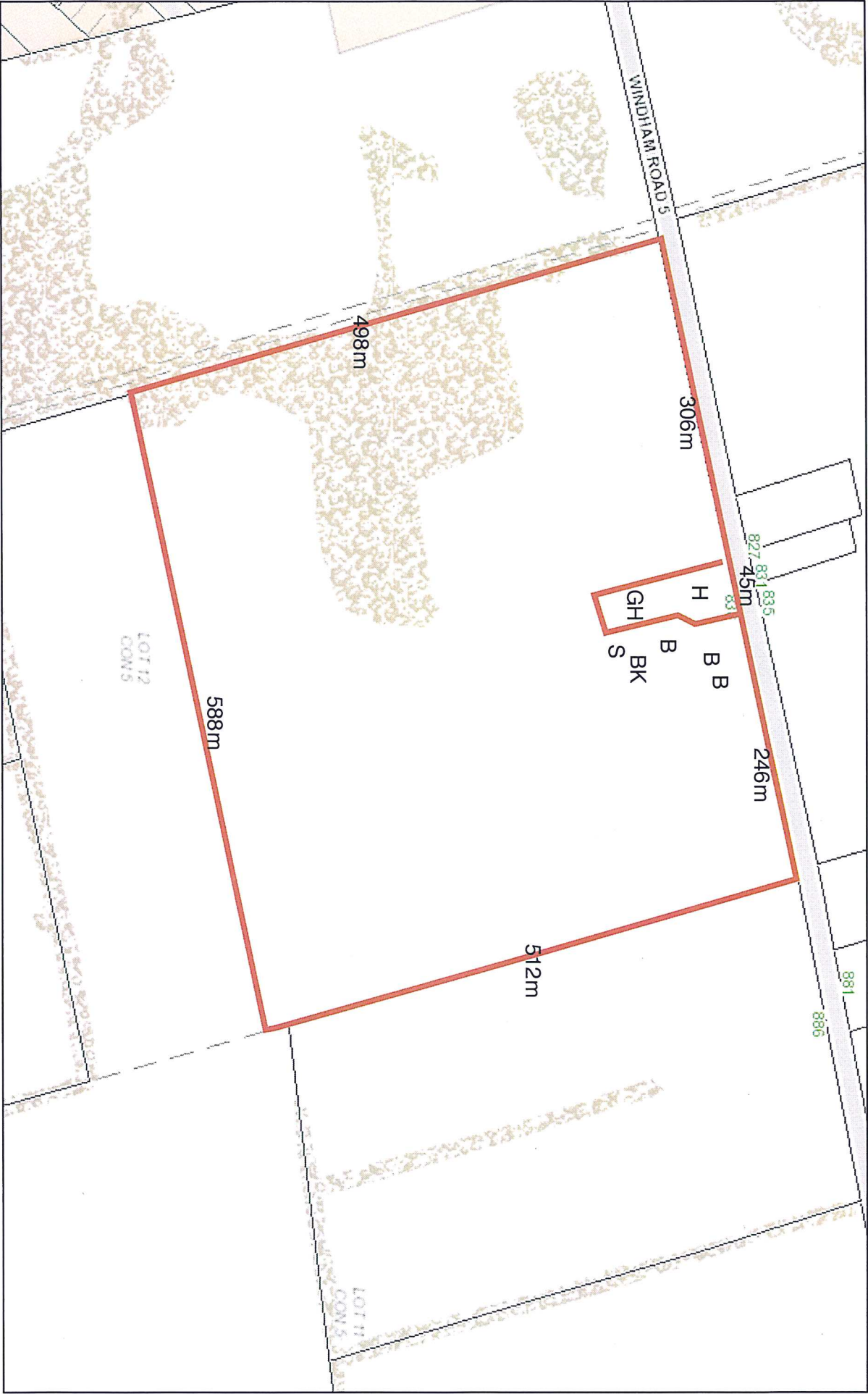
A.D., 20 17

  
\_\_\_\_\_

A Commissioner, etc.

MATHEW VINCENT VAUGHAN, a  
Commissioner, etc., Province of Ontario,  
for the Corporation of Norfolk County.  
Expires September 21, 2018.

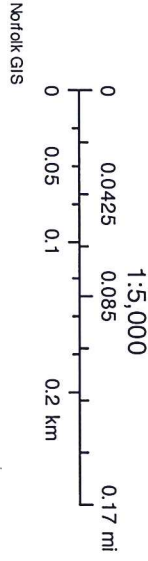
# MAP NORFOLK - Community Web Map



September 17, 2017

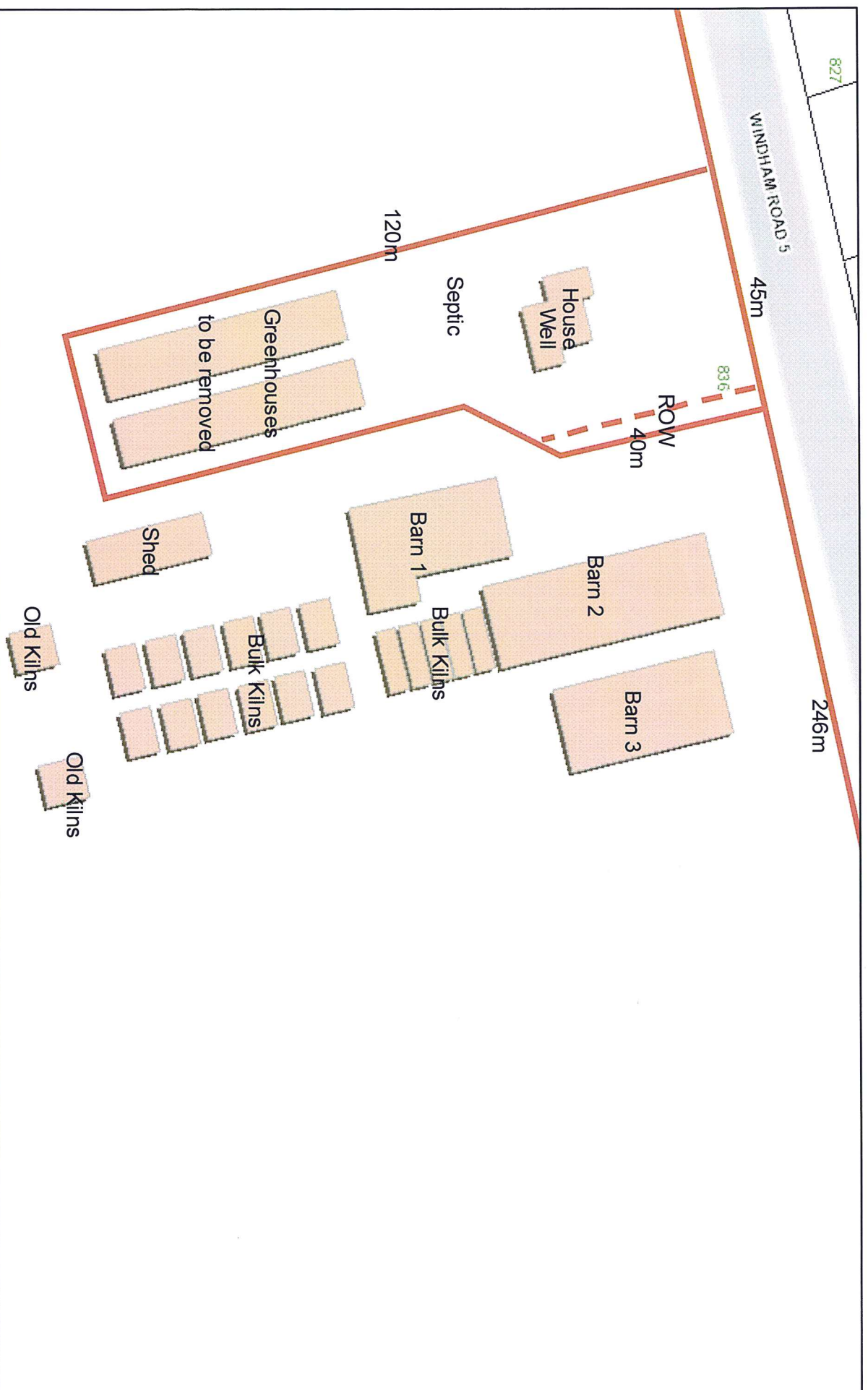
Land Parcels

Plan Lines





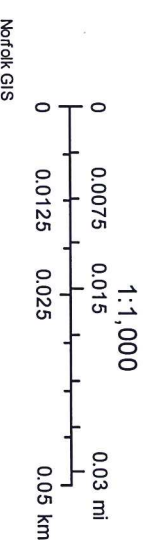
# MAP NORFOLK - Community Web Map



November 14, 2017

☐ Land Parcels

— Plan Lines



## **Proposed Setbacks**

### **836 Windham Road 5**

Building	Front Yard	Side Yards	Rear Yard	Height	Floor Area
House	27m	10m/14m	75m	7.4m	141m <sup>2</sup>
Barn 1	50m	10m/228m	Extensive	6.8m	500m <sup>2</sup>
Barn 2	16m	20m/211m	Extensive	6.8m	700m <sup>2</sup>
Barn 3	19m	41m/192m	Extensive	6.8m	500m <sup>2</sup>
Shed	105m	6m/248m	Extensive	4.5m	175m <sup>2</sup>
Old Kilns	137m	28m/210m	Extensive	9m	70m <sup>2</sup>

Note: existing greenhouses to be removed



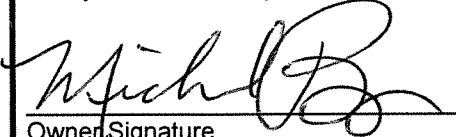



Working together with our community  
to provide quality services.

## Evaluation Form for Existing On-Site Sewage Systems

Date: July 2009

<b>OFFICE USE ONLY</b>		<b>FILE No.:</b>		<b>DATE RECEIVED:</b>	
<b>PROPERTY INFORMATION</b>		Municipal Address: <u>836 Windham Road #5</u>			
Owner: <u>937742 Ont Inc</u>		Lot: <u>12</u>		Concession: <u>5</u>	
Lot Area: <u>75 acres</u>		Lot Frontage:		Assessment Roll No. <u>491-010-24000-0000</u>	
<b>PURPOSE OF EVALUATION</b>		<input type="checkbox"/> Consent <input type="checkbox"/> Minor Variance <input type="checkbox"/> Site Plan <input type="checkbox"/> Zoning <input checked="" type="checkbox"/> Other <u>no severance</u>			
<b>BUILDING INFORMATION</b>		<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Agricultural			
Building Area: <u>2,000 ft<sup>2</sup></u>		No. of Bedrooms:		No. of Fixture Units:	
		Is the building currently occupied? <input checked="" type="checkbox"/> Yes / No If No, how long?			
<b>EVALUATOR'S INFORMATION</b>		Evaluator's Name: <u>ED DOVE</u>		Company Name: <u>Bills Sene Ltd</u>	
Address: <u>24 Waverley Ave Simcoe, ON</u>		Postal Code: <u>N3Y 5N5</u>		Phone: <u>519-426-7108</u>	
Email: <u>Billsene@simcoeco.ca</u>		BCIN # <u>38413/38259</u>			
<b>SITE EVALUATION</b>		Ground Cover (trees, bushes, grass, impermeable surface): <u>GRASS</u>			Soil Type: <u>SAND</u>
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: <u>25</u> ft.	
Surface Discharge Observed: Yes <input checked="" type="checkbox"/> No		Odour Detected: Yes <input checked="" type="checkbox"/> No		Current Weather (at time of evaluation): <u>SUNNY / DRY</u>	
<b>SYSTEM EVALUATION</b>		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:		Size: <u>800</u> Gal.		Pump: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> Pre-cast <input type="checkbox"/> Plastic <input type="checkbox"/> Fibre Glass <input type="checkbox"/> Wood <input type="checkbox"/> Other _____					
Distribution System:		No. of Tile Runs: <u>5</u>		Total Length of Tile: <u>250 ft</u>	
Area: <input checked="" type="checkbox"/> Trench Bed <input type="checkbox"/> Filter Medium				Distance Between Tile Runs: <u>6 ft</u>	
Tile Material:		Ends:		Cover:	
<input type="checkbox"/> PVC <input checked="" type="checkbox"/> Clay <input type="checkbox"/> Other _____		<input checked="" type="checkbox"/> Capped <input type="checkbox"/> Joined		<input type="checkbox"/> Filter Cloth <input type="checkbox"/> Sand <input checked="" type="checkbox"/> Top Soil <input checked="" type="checkbox"/> Seeded	
<b>Setbacks:</b>		<b>Tank</b>		<b>Distribution Pipe</b>	
Distance to Buildings & Structures (ft)		<u>7 ft</u>		<u>25 ft</u>	
Distance to Bodies of Water (ft)		<u>N/A</u>		<u>N/A</u>	
Distance to Nearest Well (ft)		<u>60 ft</u>		<u>60 ft</u>	
Distance to Proposed Property Lines		Front <u>210 ft</u> Rear <u>210 ft</u> Side <u>30'</u> Side <u>80'</u>		Front <u>40 ft</u> Rear <u>210 ft</u> Side <u>50'</u> Side <u>50 ft</u>	

<b>OVERALL SYSTEM RATING</b>	<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  <b>Note:</b> 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.
OK	Additional Comments: <u>SYSTEM APPEARS TO BE IN GOOD WORKING ORDER AND IN A GOOD STATE OF REPAIR AT THE TIME OF EVALUATION</u>
<b>VERIFICATION</b>	<p><b>OWNER:</b>          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>Michael Bergman</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%;">             Owner Signature         </div> <div style="width: 45%; text-align: right;"> <u>Nov 9/17</u>            Date         </div> </div>
<b>EVALUATOR:</b>	<p>1. I, <u>Ed Dove - Bill's Sepsis Ltd</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%;">             Evaluator Signature         </div> <div style="width: 45%; text-align: right;"> <u>November 9/2017</u>            Date         </div> </div>
<b>BUILDING DIVISION COMMENTS</b>	<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%; text-align: right;">           _____            Date         </div> </div>



## On Site Sewage Disposal System Location Plan

DATE: November 9/2017

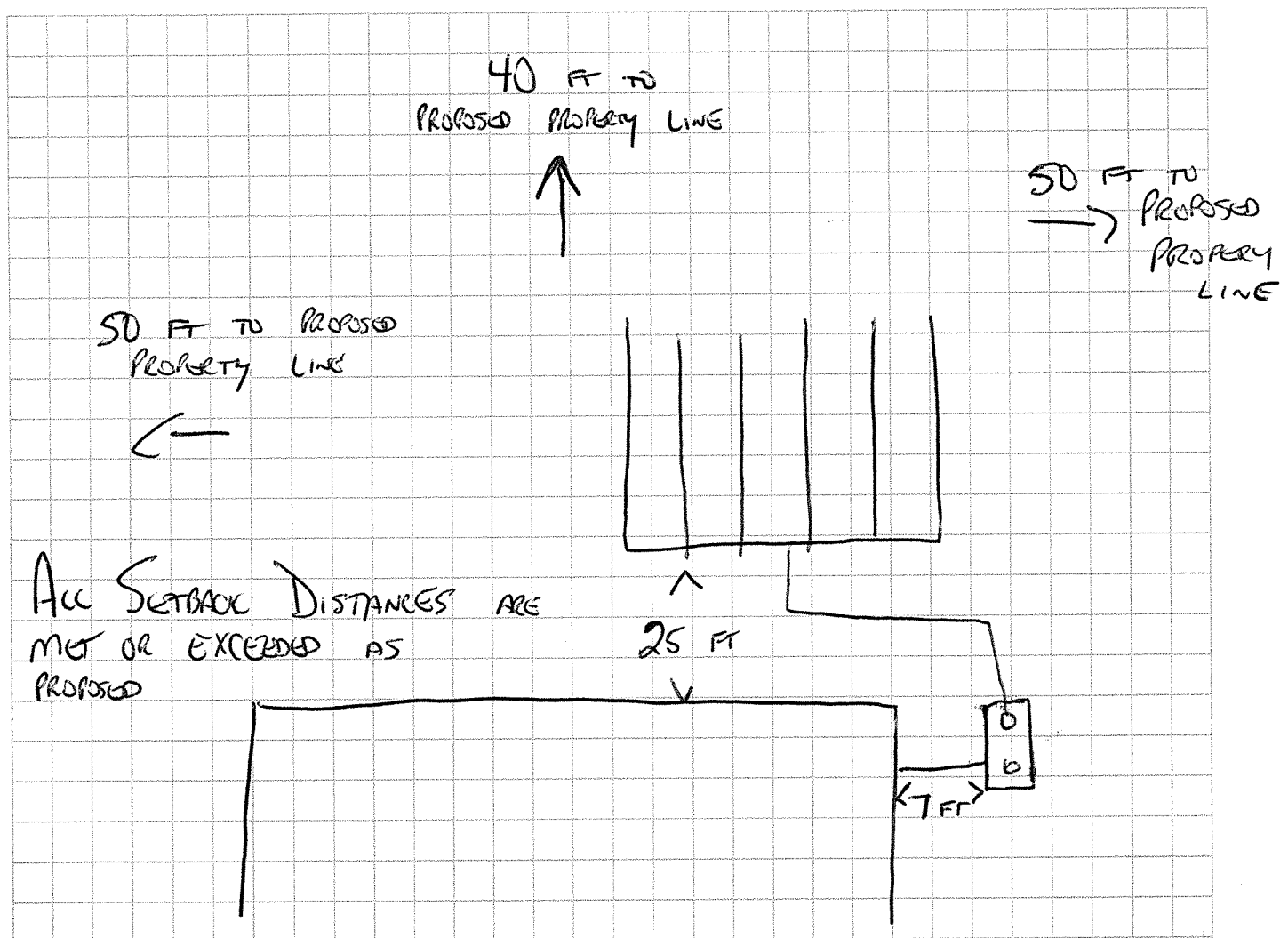
APPLICATION NUMBER: \_\_\_\_\_

OWNER Mike Bergman

EVALUATOR Ed Dove - Bruce Sam Ltd.

PROPERTY ADDRESS 836 Windham Road #5

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 Dove ED

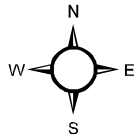
NOTE: The above sketch is not to exact scale.

# MAP 1

## File Number: BNPL2017267

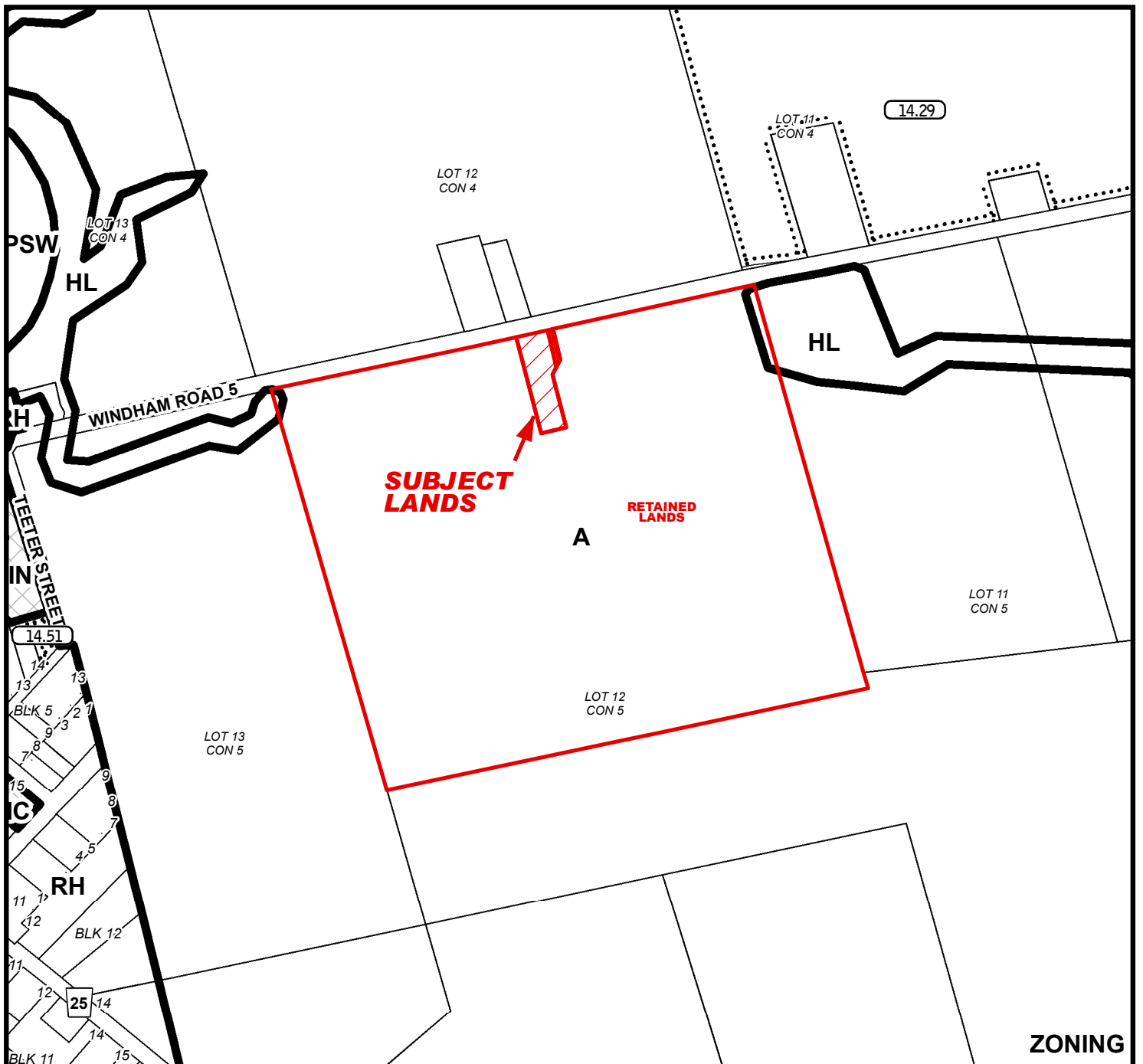
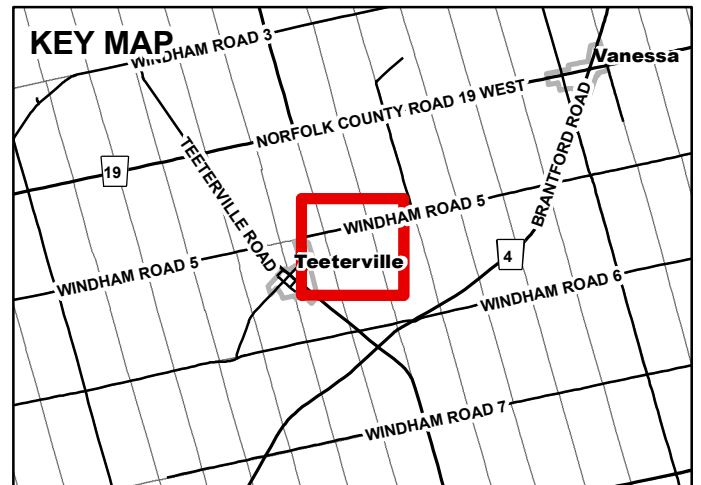
Geographic Township of

### WINDHAM



1:7,000

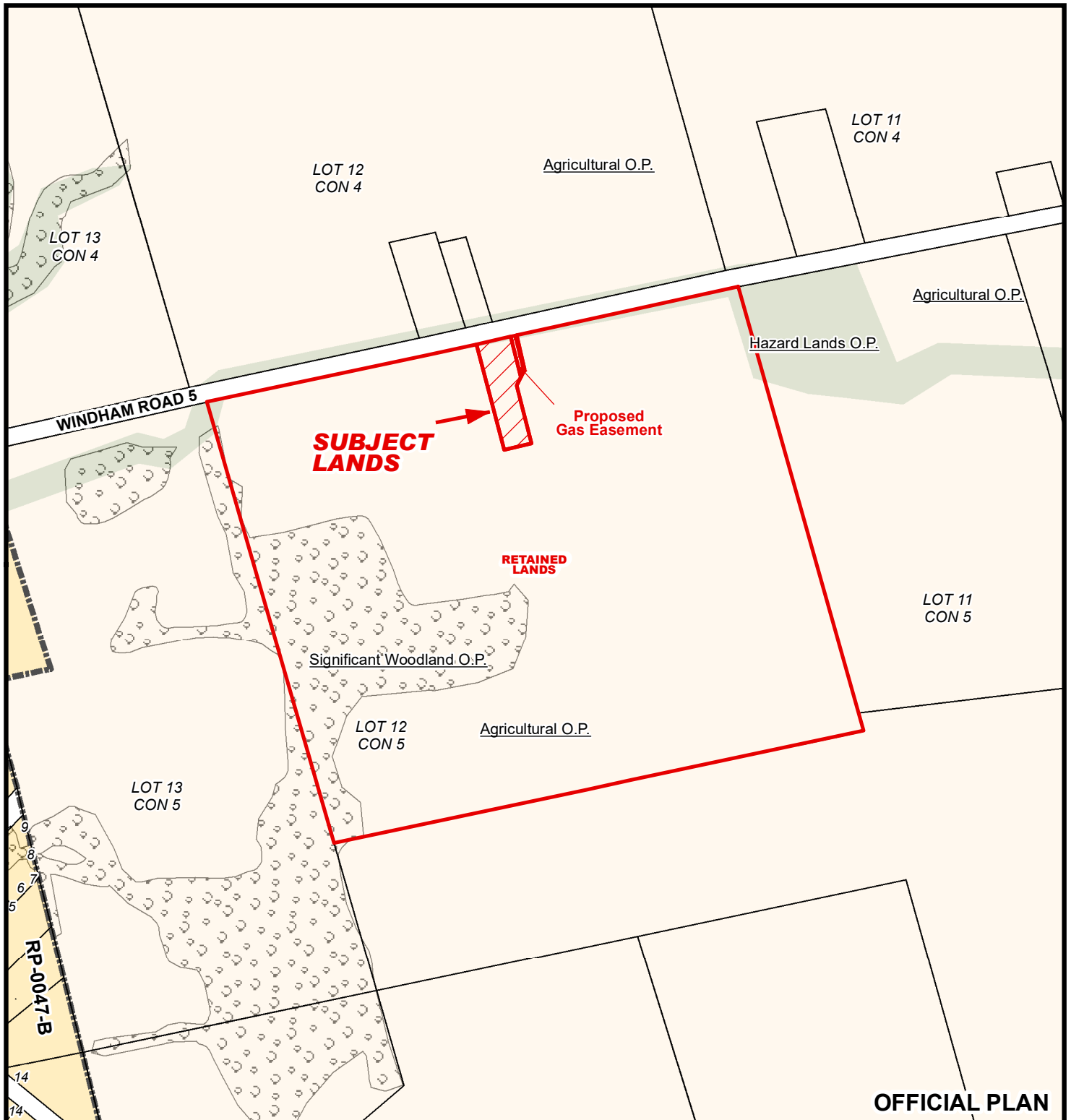
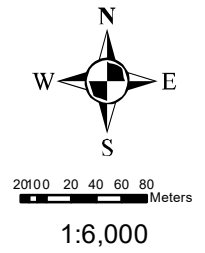
50 25 0 50 100 150 200 Meters



# MAP 2

File Number: BNPL2017267

Geographic Township of WINDHAM

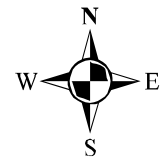




# MAP 3

File Number: BNPL2017267

Geographic Township of WINDHAM



10 0 10 20 30 40  
Meters

1:4,000

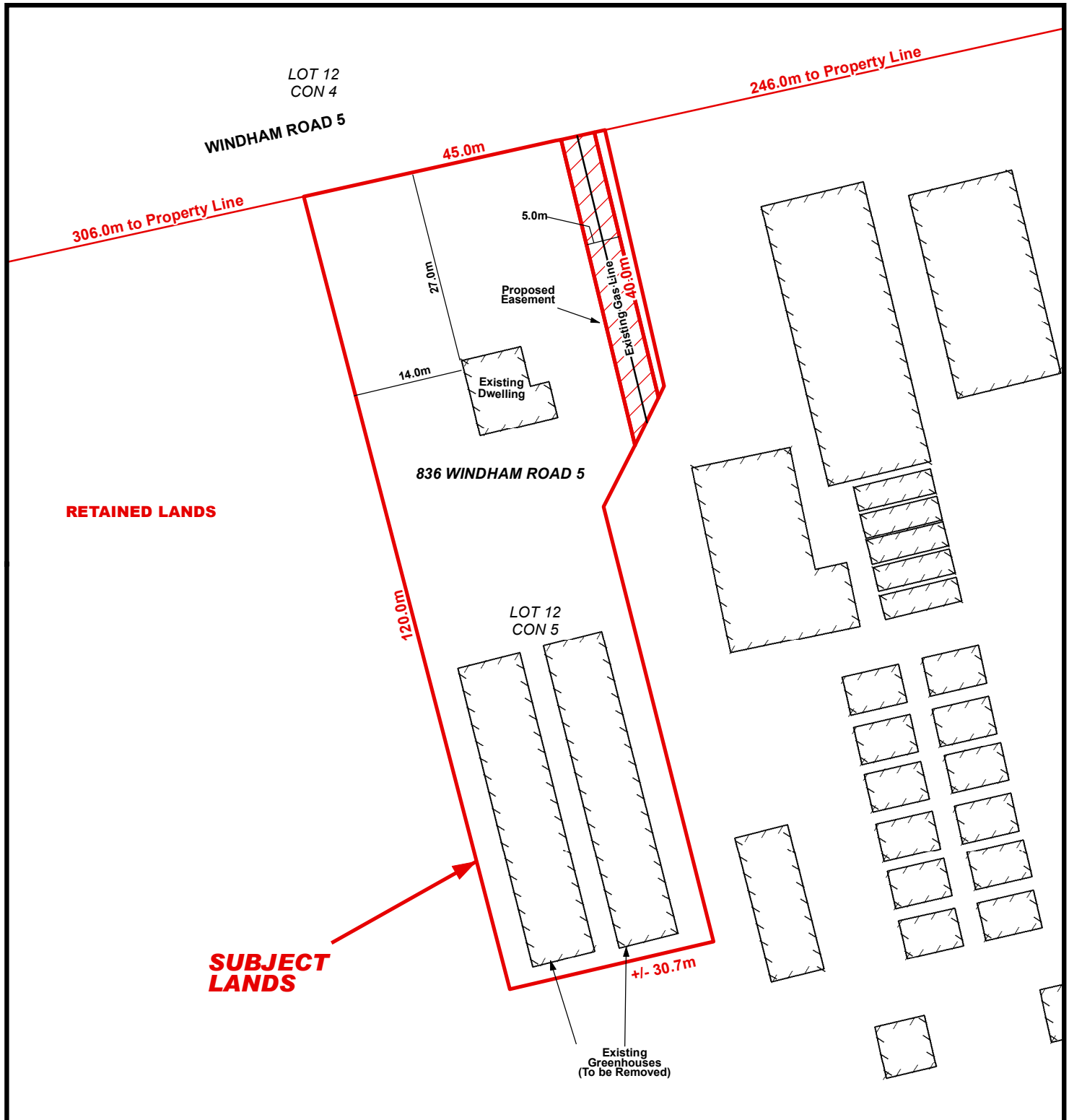
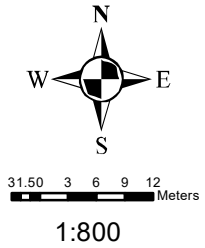




# MAP 4

File Number: BNPL2017267

Geographic Township of WINDHAM



# LOCATION OF LANDS AFFECTED

File Number: BNPL2017267

Geographic Township of WINDHAM



31.50 3 6 9 12 Meters

1:800

