

For Office Use Only:

File Number

Related File Number

Pre-consultation Meeting

Application Submitted

Complete Application

ANPL20172911
BN PL 2017292
2NP 2017293

DEC 4/17
DEC 5/17

Application Fee

Conservation Authority Fee

OSSD Form Provided

Planner

Public Notice Sign

\$2551 + \$1172 = \$3723

submitted app. for new
Alisha system

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

- ☐ Consent/Severance/Boundary Adjustment
- ☒ Surplus Farm Dwelling Severance and Zoning By-law Amendment
- ☒ Minor Variance
- ☐ Easement/Right-of-Way

Property Assessment Roll Number: 491-013-33000-0000

A. Applicant Information

Name of Owner

Shabatura Farms Ltd.

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

1815 WDM RD. 9 RR#1

Town and Postal Code

Windham Centre, ON NOE 2A0

Phone Number

(519) 443-5919

Cell Number

(519) 909-1888

Email

mary@shabaturaproduce.com

Name of Applicant

Address

Town and Postal Code

Phone Number

Cell Number

Email



Name of Agent

Address

Town and Postal Code

Phone Number

Cell Number

Email

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

☐ Applicant

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

RBC Financial Group (Bayfarm Mortgage Centre)
36 York Mills Rd. 4th Flr. Toronto, ON M2P 0A4

B. Location, Legal Description and Property Information

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

1684 WINDHAM CENTRE RD.

WAM CON 8 PT LOT 3

Municipal Civic Address: 1684

Present Official Plan Designation(s): Agricultural

Present Zoning: Agricultural (A)

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

☐ Yes ☒ No If yes, please specify:

3. Present use of the subject lands:

Farming

4. 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:

Worship and detached garage dimensions noted on accompanying
single detached dwelling sketch

5. 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.

6. 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:

7. 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:

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

9. Existing use of abutting properties:

Farming of crops.

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

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

C. Purpose of Development Application

Note: Please complete all that apply.

1. Site Information

Existing

Proposed

Please indicate unit of measurement, i.e. m, m² or %, etc.

Lot frontage	<hr/>	<hr/>
Lot depth	<hr/>	<hr/>
Lot width	<hr/>	<hr/>
Lot area	<hr/>	<hr/>
Lot coverage	<hr/>	<hr/>
Front yard	<hr/>	<hr/>
Rear yard	<hr/>	<hr/>
Left Interior side yard	<hr/>	<hr/>
Right Interior side yard	<hr/>	<hr/>
Exterior side yard (corner lot)	<hr/>	<hr/>

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

relief of 89 m² from the maximum permitted
usable floor area of 200 m² for accessory
buildings to permit a usable floor area of
289 m²

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

buildings are existing, needed for
storage

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

Frontage:	44 m
Depth:	100.61 m
Width:	Irregular 44 m + 39.66 m
Lot Area:	4133 sq. m.
Present Use:	Residential
Proposed Use:	Residential

Proposed final lot size (if boundary adjustment): _____
If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: _____

Description of land intended to be retained in metric units:
Frontage: _____
Depth: _____
Width: _____
Lot Area: 19 ha
Present Use: Farming
Proposed Use: Farming

5. Description of proposed right-of-way/easement in metric units:
Frontage: _____
Depth: _____
Width: _____
Area: _____
Proposed use: _____

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

Owners Name: Shahatara Farms Ltd.
Roll Number: 491-013-26500-0000
Total Acreage: 89.51 AC.
Workable Acreage: 58.6 AC
Existing Farm Type: (i.e., corn, orchard etc) Fruit & Vegetables
Dwelling Present?: ☐ Yes ☒ No If yes, year dwelling built _____

Owners Name: Shahatara Farms Ltd.
Roll Number: 491-013-30000-0000



Total Acreage: 48.42 AC
Workable Acreage: 40 AC
Existing Farm Type: (i.e., corn, orchard etc) Fruit + Vegetables
Dwelling Present?: ☒ Yes ☐ No If yes, year dwelling built 1960 - 2005

Owners Name: Shobatura Farms Ltd.
Roll Number: 491-013-37000-0000
Total Acreage: 99 AC
Workable Acreage: 62 AC
Existing Farm Type: (i.e., corn, orchard etc) Ginseng, Fruit + Vegetables
Dwelling Present?: ☒ Yes ☐ No If yes, year dwelling built 2017

Owners Name: Shobatura Farms Ltd.
Roll Number: 491-013-29000-0000
Total Acreage: 47.52 AC
Workable Acreage: 43 AC
Existing Farm Type: (i.e., corn, orchard etc) Fruit + Vegetable
Dwelling Present?: ☒ Yes ☐ No If yes, year dwelling built 1960 / 2008

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. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown

3. Provide the information you used to determine the answers to the above questions:

History of rental of said property for over 10 years.
Previous owner farmed tobacco + other crops + lived there for over 45 years.

4. 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:

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:

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

- | | |
|--|---|
| <input type="checkbox"/> Municipal piped water | <input type="checkbox"/> Communal wells |
| <input checked="" type="checkbox"/> Individual wells | <input type="checkbox"/> Other (describe below) |

Sewage Treatment

- | | |
|--|---|
| <input type="checkbox"/> Municipal sewers | <input type="checkbox"/> Communal system |
| <input checked="" type="checkbox"/> Septic tank and tile bed | <input type="checkbox"/> Other (describe below) |

Storm Drainage

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Storm sewers | <input type="checkbox"/> Open ditches |
| <input checked="" type="checkbox"/> Other (describe below) | |

Natural Drainage

2. Existing or proposed access to subject lands:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Municipal road | <input type="checkbox"/> Provincial highway |
| <input type="checkbox"/> Unopened road | <input type="checkbox"/> Other (describe below) |

Name of road/street:

Regional Rd. 9 (Windham Centre Rd.)

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.

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.

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.

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.

Mary Akabatera
Owner/Applicant/Agent Signature

Nov. 30, 2017
Date

J. 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 _____ am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

I/We authorize _____ 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

Date _____

Owner

Date _____

K. Declaration

I, Mary Shabatura of Shabatura Farms Ltd.

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:

185 Robinson St.

Mary Shabatura

Owner/Applicant/Agent Signature

In Simcoe, ON

This 4th day of December

A.D., 20 17

Alisha Kathleen Cull

A Commissioner, etc.

ALISHA KATHLEEN CULL, a
Commissioner, etc., Province of Ontario,
for the Corporation of Norfolk County.
Expires April 28, 2019.



Zoning Deficiency

Simcoe: St.
Simcoe, ON
N3Y 5L6
519-426-5870
Langton: t St.
Langton, On.
N0E 1G0
519-875-4485

PROPERTY INFORMATION

Address: 1684 Windham Centre Road

Legal Description:

Roll Number: 33104910133300

Application #:

Information Origins:

Agricultural Zone (A)

Accessory Structure		REQUIRED	PROPOSED	DEFICIENCY	UNITS
3.2.1	a) building height	6.00		N/A	m
	b) minimum front yard	13.00		N/A	m
	c) minimum exterior side yard	6.00		N/A	m
	d) minimum interior side yard	1.20	Right	N/A	m
	e) minimum rear yard	1.20		N/A	m
	f) through lot distance to street line	6.00		N/A	m
	g) Lot coverage (Note: Proposed Area)				
	i) lot coverage	10.00		N/A	%
	ii) usable floor area	100.00		N/A	m.sq
3.36	Surplus Farm Dwelling Severance				
		200.00	288.88	88.88	m.sq

b) existing accessory buildings/structures

Comments

refer to section 3.36. Severance of existing accessory buildings need relief of useable floor area only for 2 buildings

The proposed information and any supporting documents have been provided by the owner/applicant. The above information is only in respect to the associated planning application and does not relieve the owner/applicant from obtaining all other permits/approvals required. The owner/applicant hereby accepts full responsibility for the accuracy of the proposed information provided on this form.

Prepared By:

Roxanne Koot

I have read and understand the above.

Signature of owner or authorized agent

date

Signature of Zoning Administrator

date

AS PER: Fritz R. Enzlin. CBCO,
CRBO - Chief Building Official
Manager, Building & Bylaw
Division, Norfolk County

SKETCH FOR
SEVERANCE APPLICATION
OF PART OF
LOT 3, CONCESSION 8
IN THE GEOGRAPHIC
TOWNSHIP OF WINDHAM
IN
NORFOLK COUNTY

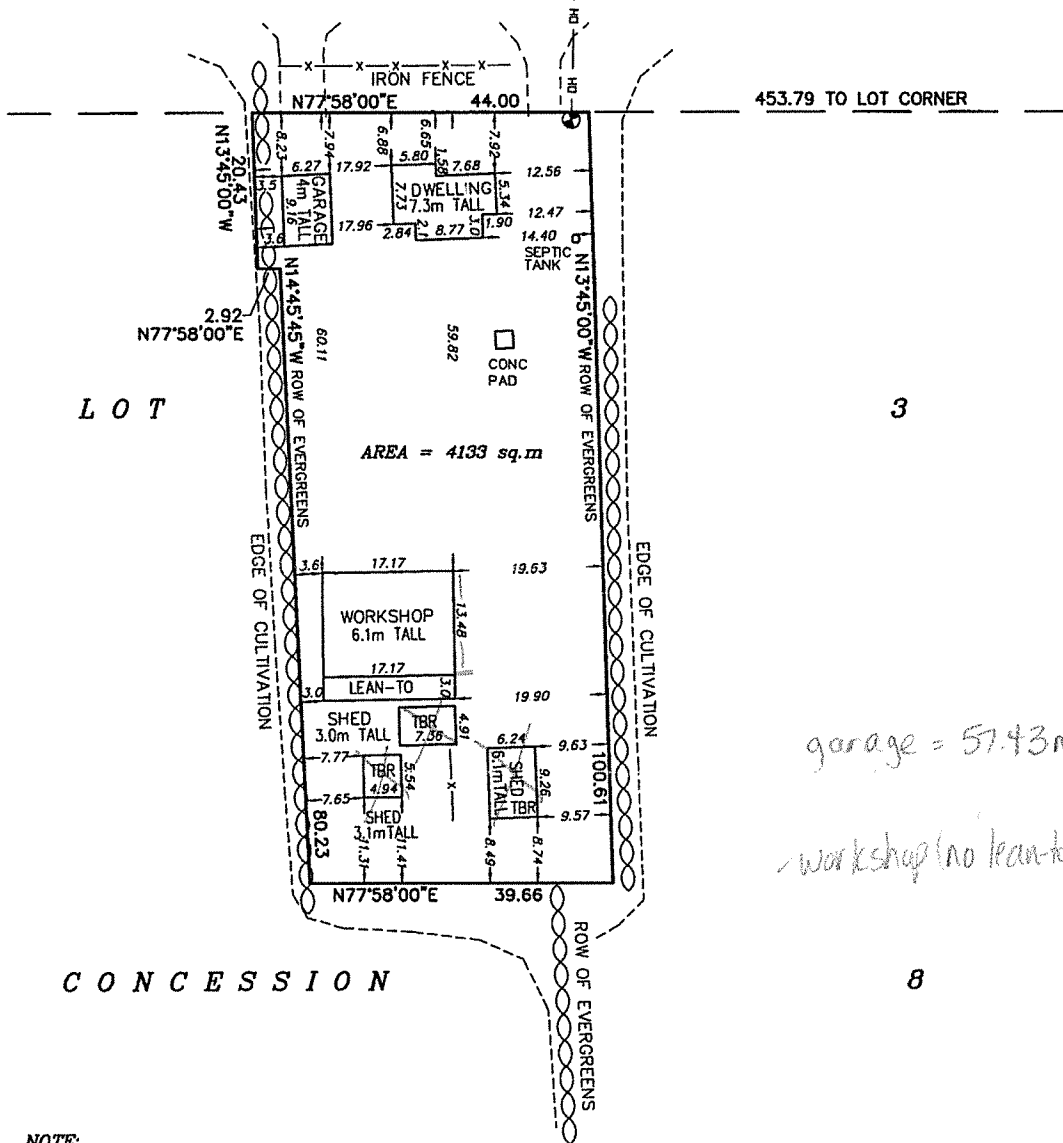
SCALE: 1 : 750

JEWITT AND DIXON LTD.

NOVEMBER 17, 2017



COUNTY ROAD No. 9
ROAD ALLOWANCE BETWEEN CONCESSIONS 7 & 8
CENTRELINE OF ROAD



garage = 57.43m² height 4m
workshop (no lean-to) 231.45m²
- height 6.1m

NOTE:

TO BE REMOVED - SHOWN TBR

NOTE:

THIS PLAN IS IN METRIC AND CAN BE CONVERTED
TO IMPERIAL BY MULTIPLYING BY 3.2808

CAUTION:

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT
BE USED FOR PURPOSES OTHER THAN THE
PURPOSE INDICATED IN THE TITLE BLOCK.

JEWITT AND DIXON LTD.
ONTARIO LAND SURVEYORS

R.R.1, SIMCOE, ONTARIO, N3Y 4J9
(51 PARK ROAD)

PHONE: (519) 426-0842 FAX: (519) 426-1034
E-mail: surveyors@amtelecom.net

JOB # 17-1696 SHABATURA

491-013-3300

**SKETCH FOR
SEVERANCE APPLICATION
OF PART OF
LOT 3, CONCESSION 8
IN THE GEOGRAPHIC
TOWNSHIP OF WINDHAM
IN
NORFOLK COUNTY**

SCALE: 1 : 750

JEWITT AND DIXON LTD.

NOVEMBER 17, 2017



COUNTY ROAD No. 9
ROAD ALLOWANCE BETWEEN CONCESSIONS 7 & 8
CENTRELINE OF ROAD

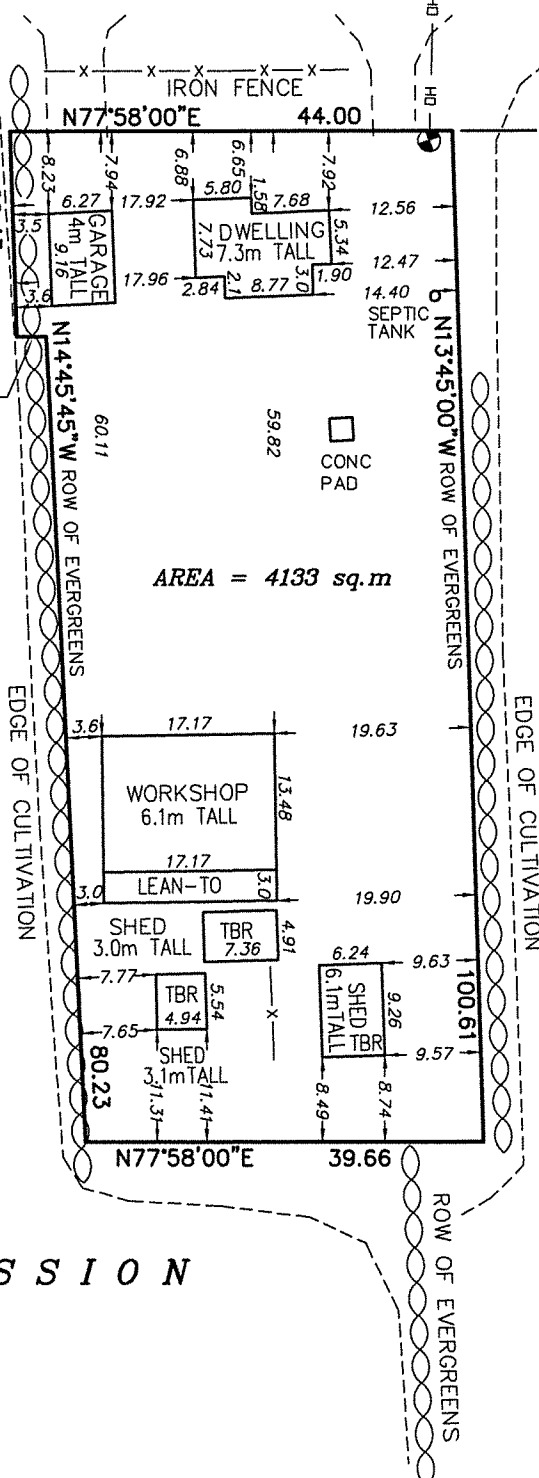
LOT

3

AREA = 4133 sq.m

CONCESSION

8



NOTE:

TO BE REMOVED - SHOWN TBR

NOTE:

THIS PLAN IS IN METRIC AND CAN BE CONVERTED TO IMPERIAL BY MULTIPLYING BY 3.2808

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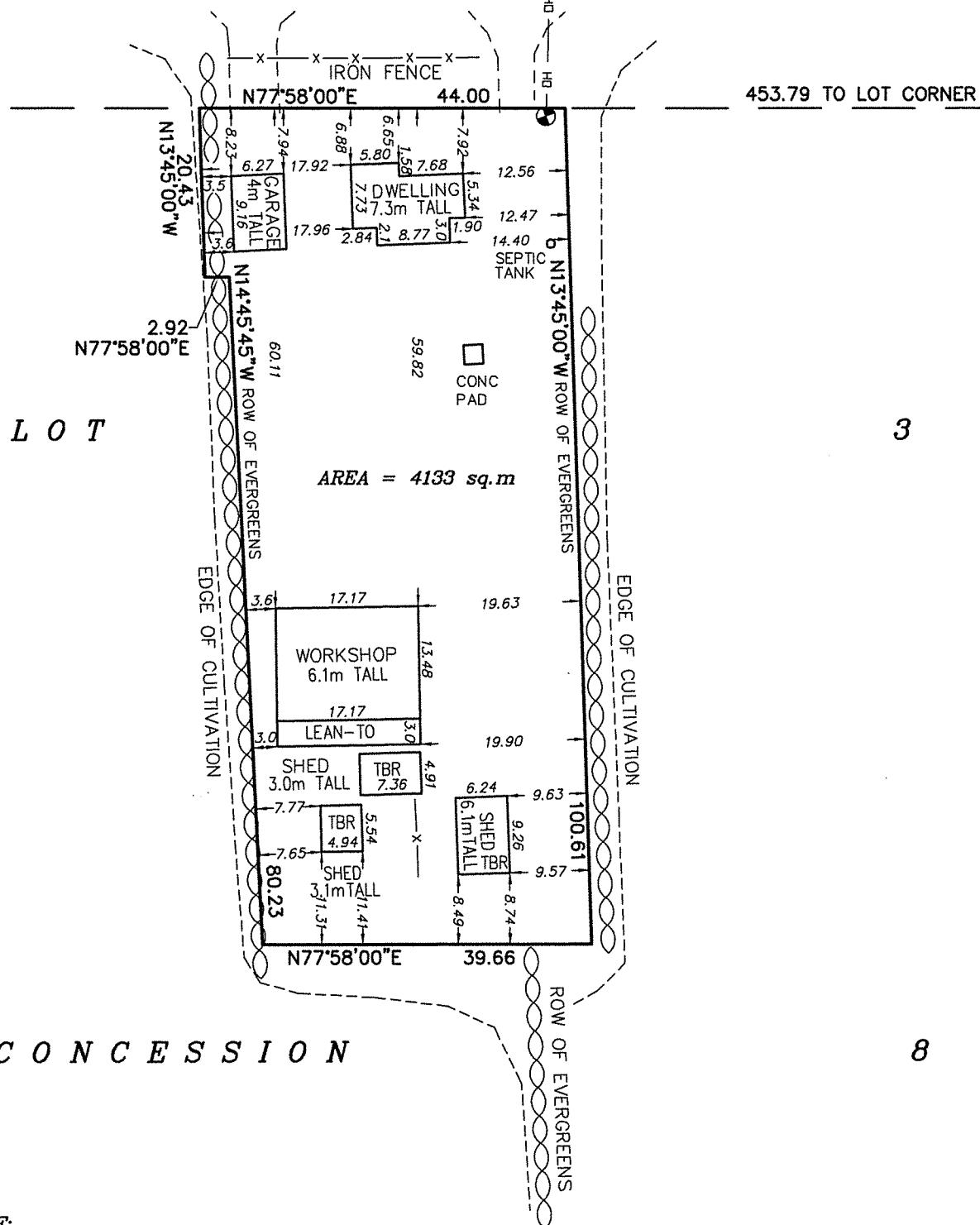
SCALE: 1 : 750

JEWITT AND DIXON LTD.

NOVEMBER 17, 2017



COUNTY ROAD No. 9
ROAD ALLOWANCE BETWEEN CONCESSIONS 7 & 8
CENTRELINE OF ROAD



NOTE:

TO BE REMOVED - SHOWN TBR

NOTE:

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(51 PARK ROAD)

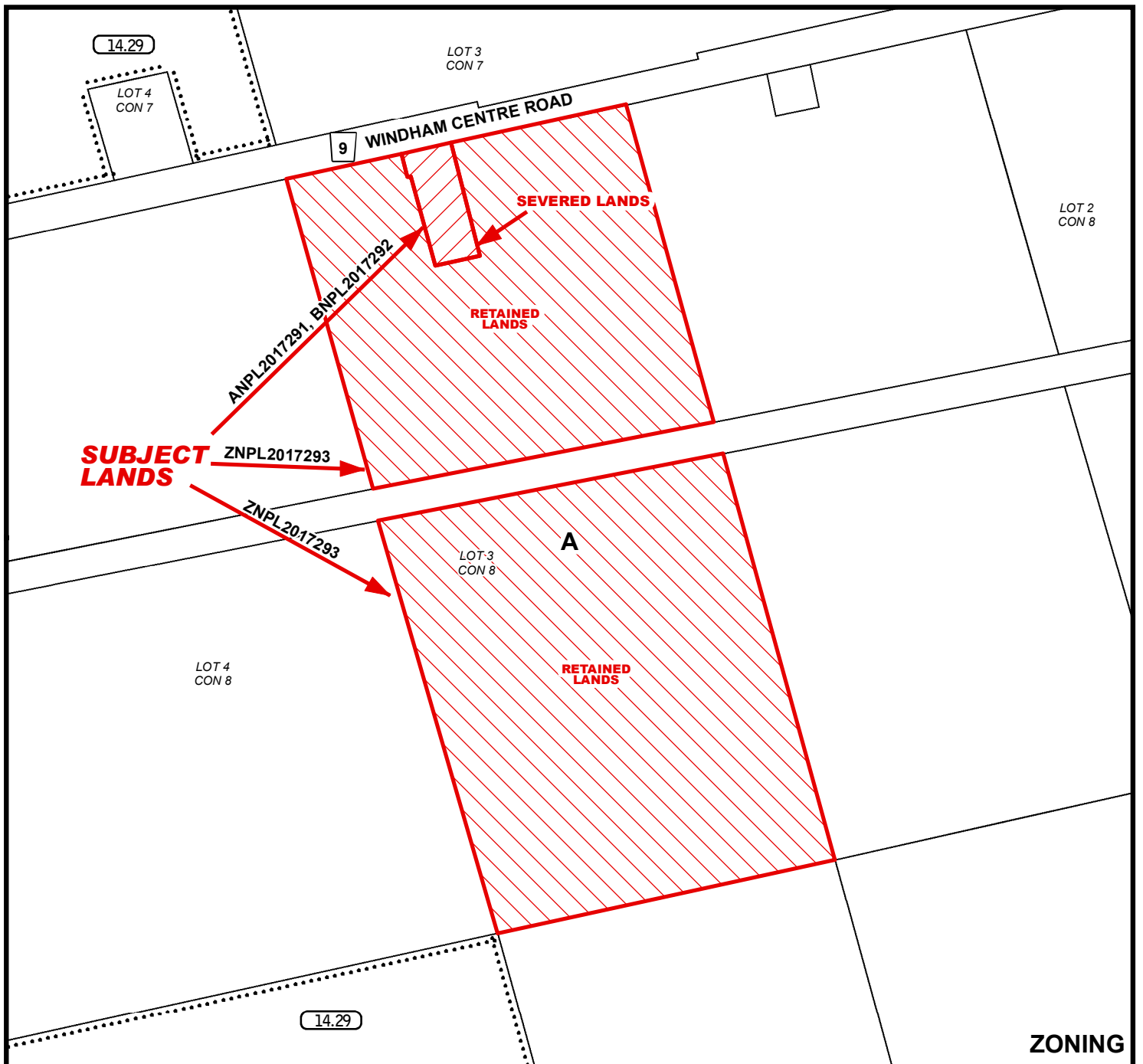
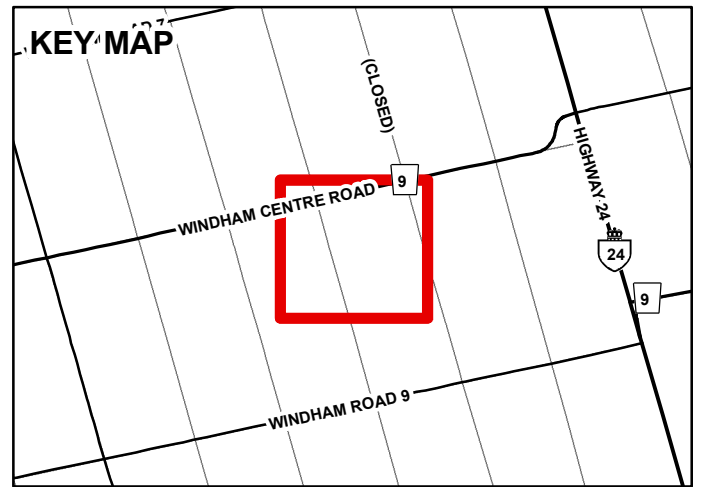
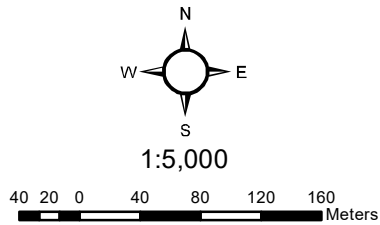
PHONE: (519) 426-0842 FAX: (519) 426-1034
E-mail: surveyors@amtelecom.net

JOB # 17-1696 SHABATURA

MAP 1

File Number: ANPL2017291,
BNPL2017292 &
ZNPL2017293

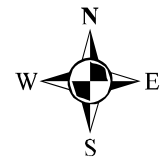
Geographic Township of
WINDHAM



MAP 2

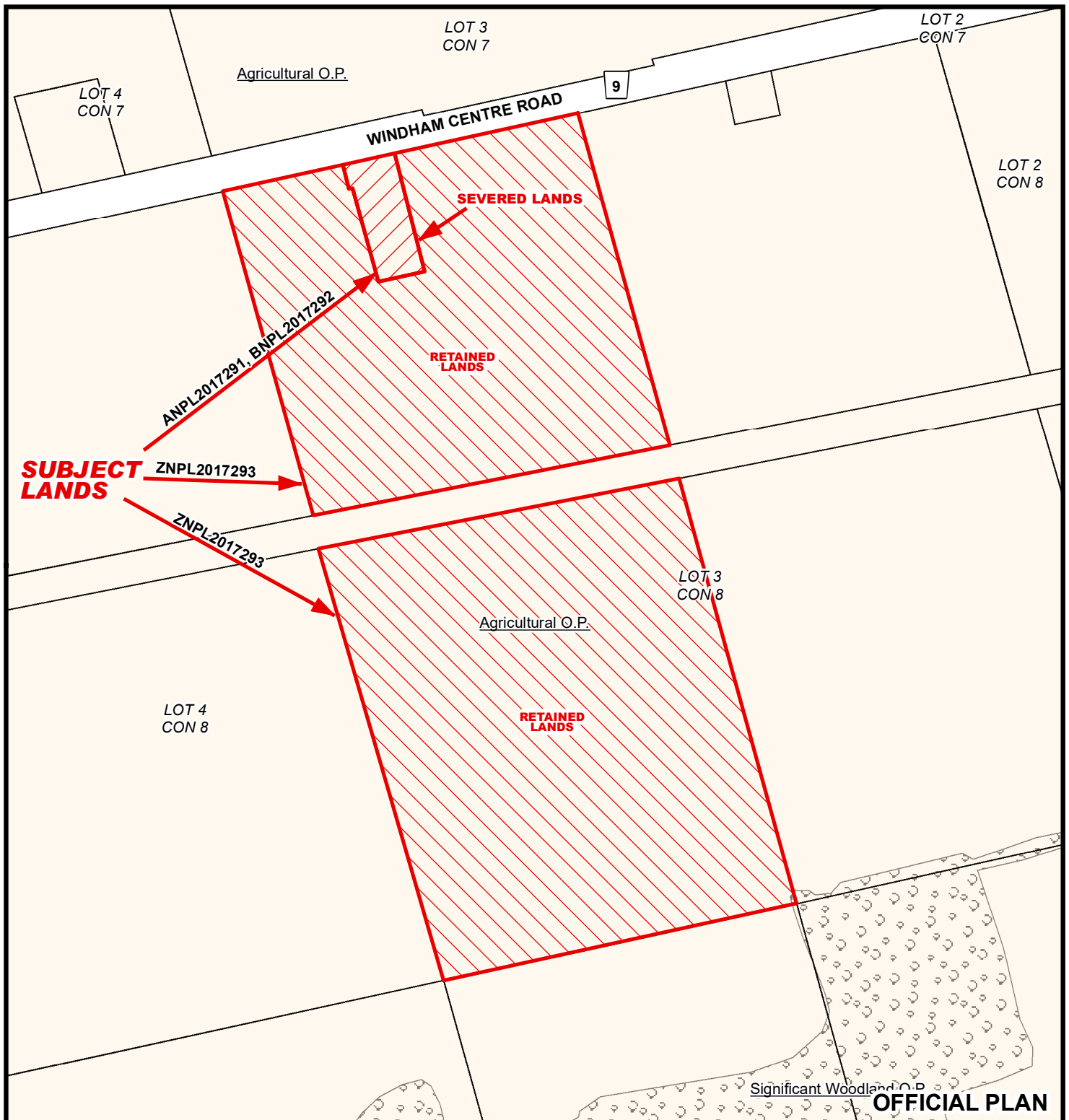
File Number: ANPL2017291, BNPL2017292 &
ZNPL2017293

Geographic Township of WINDHAM



1050 10203040
Meters

1:4,500



OFFICIAL PLAN

2017-12-08

MAP 3

File Number: ANPL2017291, BNPL2017292 &
ZNPL2017293

Geographic Township of WINDHAM



10 20 30 40
Meters

1:4,200



MAP 4

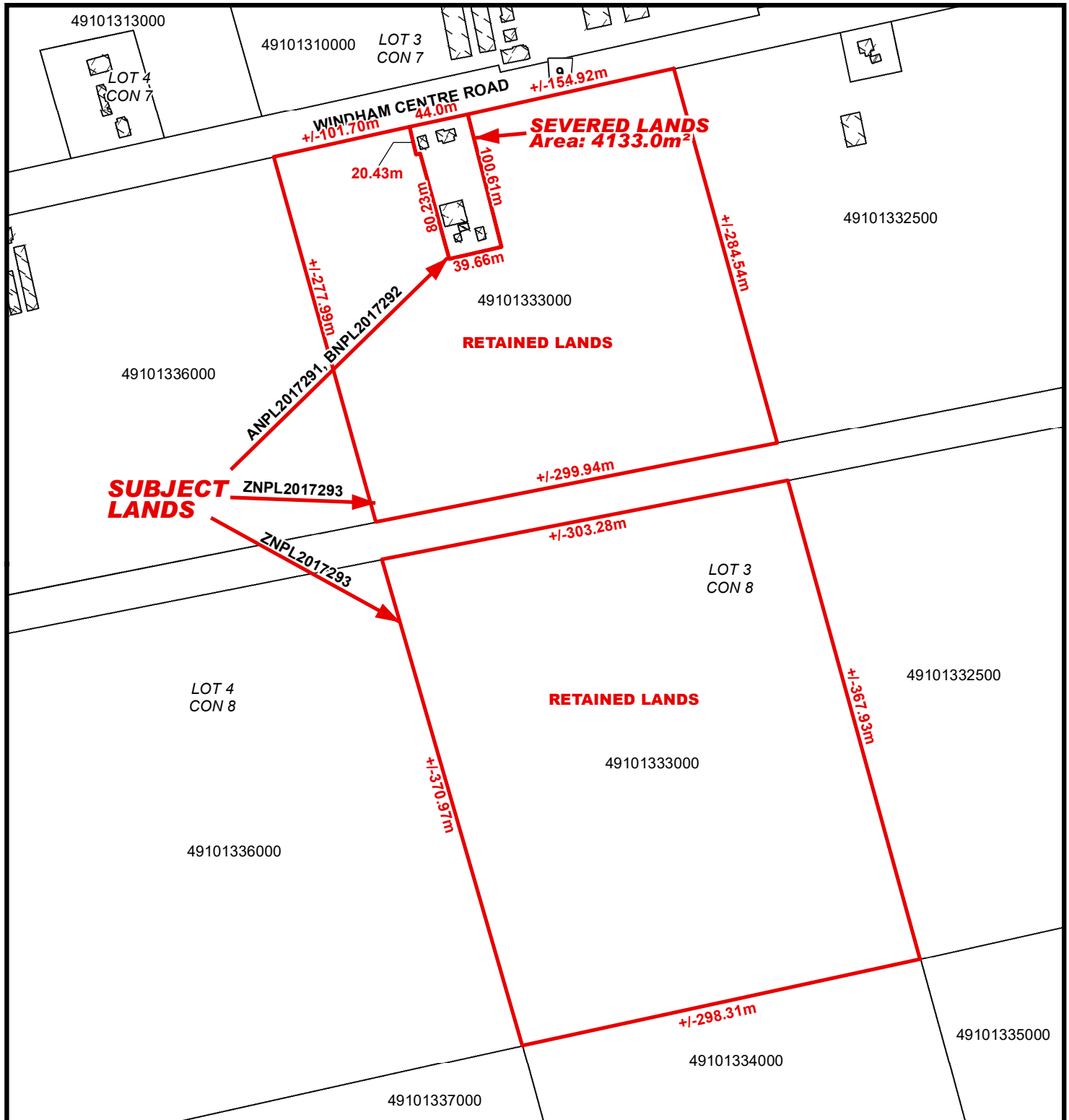
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ZNPL2017293

Geographic Township of WINDHAM



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Meters

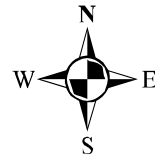
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MAP 5

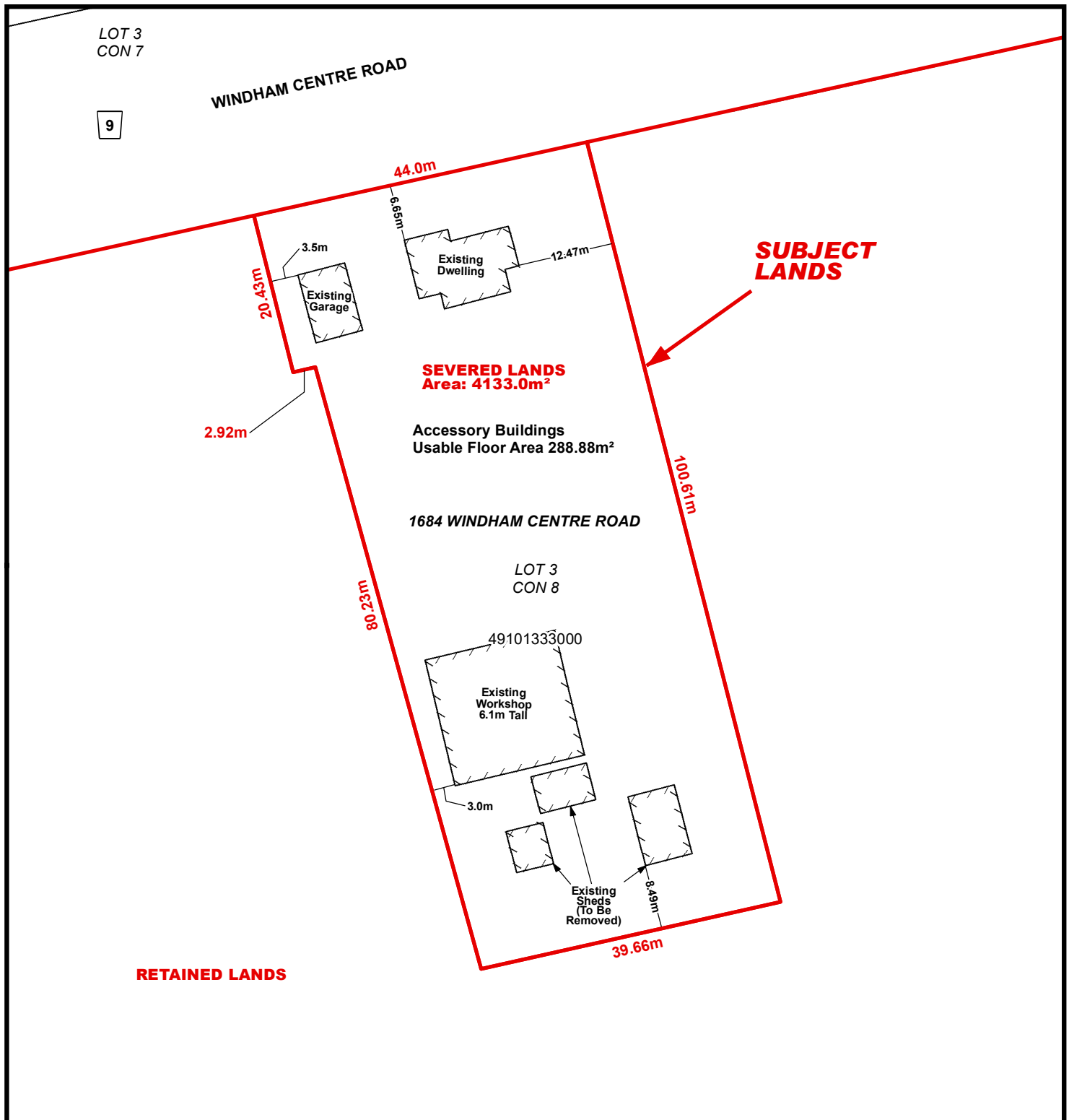
File Number: ANPL2017291, BNPL2017292 &
ZNPL2017293

Geographic Township of WINDHAM



2.5 2.5 5 7.5 10 Meters

1:700



LOCATION OF LANDS AFFECTED

File Number: ANPL2017291, BNPL2017292 & ZNPL2017293

Geographic Township of WINDHAM



1050 10 20 30 40
Meters

1:4,000

