

For Office Use Only:

File Number

BNPL20180022

Related File Number

—

Pre-consultation Meeting

—

Application Submitted

Feb 12 / 18

Complete Application

" "

Application Fee

✓

Conservation Authority Fee

✓

OSSD Form Provided

N/A

Planner

Shannon

Public Notice Sign

—

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: 40201003500

A. Applicant Information

Name of Owner

Westwood Trails Development 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

58 Kingspark Crescent

Town and Postal Code

London, ON N6H 4C4

Phone Number

—

Cell Number

—

Email

mikemcarthur007@gmail.com

Name of Applicant

IBI Group c/o Kristen Boulard

Address

200-360 James Street North

Town and Postal Code

Hamilton, L8L 1H5

Phone Number

905-546-1010 x63125

Cell Number

—

Email

kristen.boulard@ibigroup.com



Name of Agent same as applicant
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 Simcoe branch

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 18, Gore Woodhouse Township, Town of Simcoe

Municipal Civic Address: _____

Present Official Plan Designation(s): Agricultural and Urban Residential

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:

vacant

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:

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:

Please refer to the draft approved subdivision, "Westwood Trails, Phase 2"

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:
residential and agricultural

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:
A drainage easement is on the lands to be retained.

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	186 m	
Lot depth	approx 500 m	
Lot width		
Lot area	approx. 121, 500 sq.m	87,500 sq.m
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:	
Depth:	
Width:	
Lot Area:	3.34 ha
Present Use:	vacant
Proposed Use:	park and stormwater management plan
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: 185 m
Depth: _____
Width: _____
Lot Area: 87,500
Present Use: vacant
Proposed Use: vacant

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: _____
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.):

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:
owner knowledge

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

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

Sewage Treatment

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

Storm Drainage

- ☐ Storm sewers ☐ Open ditches
☒ Other (describe below) ☐
storm water management pond on site
-

2. Existing or proposed access to subject lands:

- ☒ Municipal road ☐ Provincial highway
☐ Unopened road ☐ Other (describe below)

Name of road/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.

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
- ☐ Agricultural Impact Assessment

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.


pr Owner/Applicant/Agent Signature


February 1, 2018
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 Westwood Trails Development Inc am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

I/We authorize IBI Group 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.

pr. 
Owner

February 1, 2018.
Date

Owner

Date

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.

Owner/Applicant/Agent Signature

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 Westwood Trails Development Inc am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

I/We authorize IBI Group 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, Kristen Boulard of City of Hamilton

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:

City of Hamilton

K Boulard

Owner/Applicant/Agent Signature

In Province of Ontario

This 8th day of February

A.D., 20 18

[Signature]

A Commissioner, etc.

Jared Vail Marcus, a Commissioner, etc.,
Province of Ontario,
for IBI Group.
Expires December 5, 2020.



IBI GROUP
200 East Wing—360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010 fax 905 546 1011
ibigroup.com

February 9, 2018

Ms. Shannon Van Dalen

Senior Planner
County of Norfolk

Dear Ms. Shannon VanDalen:

WESTWOOD TRAILS, SIMCOE

We respectfully submit the following severance application to sever the remaining lands of the owner, Westwood Trails Developments, from the draft approved subdivision, future parkland, and storm water management pond for the lands subject to the Westwood Trails Subdivision Phase 2. The severance applications are required to permit the draft approved subdivision to be sold to a builder, Sinclair Homes, in advance of the final approval of the subdivision.

Subject Lands:

The subject lands are located on the south side of West Street, in the Rural Area of Simcoe. The property has a frontage of 185 m and a lot area of 12.47 ha. The subject property has a woodlot that is on part of the property.

Proposed Consent:

The owner of the subject lands have an approved draft plan of subdivision, and have sold those lands including the block for future parklands and the block for storm water management with a closing date in the near future. The subdivision will not likely be finalised prior to the real estate transaction closing.

Current Planning Regime:

PPS (2014)

The PPS promotes a healthy and productive Rural Area that balances the need for environmental protection and farm or farm related development. The subject property is within the Rural Area. The associated uses of the lands includes vacant rural lands, parkland, and storm water management block. The lands to be retained are to remain agricultural in use. The lands to be severed include:

- the block for park purposes will be transferred to the municipality to be added to the existing Westwood Acres Park as parkland, and
- the Storm Water Management (SWM) block will be transferred to the municipality at the time of final approval of the subdivision.

Ms. Shannon Van Dalen
– Error! Reference source not found.

Norfolk County Official Plan:

The subject lands are designed Agriculture and Urban Residential. The Agriculture designation identifies a right to farm, and farm related uses. The OP has policies specifically for Rural Lot Creation and Adjustment policies (Section 4.2.3). The OP permits lot creation for infrastructure and utilities when an easement is insufficient. Part 9.6.3.2.C. iv) permits the severance of large parcels of land where future development is to proceed by Plan of Subdivision. The separation of these lands into separate parcels has already been approved by the Council of Norfolk County through the approval of the subdivision. The proposal complies with the Official Plan of Norfolk County.

Zoning By-law 1-Z-2014:

The subject property was rezoned, in 2014, to permit the uses proposed in the draft plan of subdivision, West Wood Trails, Phase 2. The lands to be severed are zoned Agricultural (A). These lands are for park and storm water management purposes and are to be transferred to the County. The retained lands comply with the Agricultural (A) Zone.

Analysis:

Severances are permitted under the Planning Act, Section 53, for the purpose of lot creation. The proposal complies with the PPS, as it permits uses such as utility, parkland and agricultural uses in the Rural Area.

The County of Norfolk Official Plan contains policies for the purpose of guiding the division of land. The proposed severance comply with these policies as the lands are planned to be developed through a Plan of Subdivision. This future development has been reviewed and approved by County Planners and the Municipal Council through the subdivision approval. The use on both properties comply with the uses permitted in their respective Official Plan designations. The severances are to sever the remnant lands from the lands that form the Westwood Trails Draft Plan of Subdivision and supporting land uses.

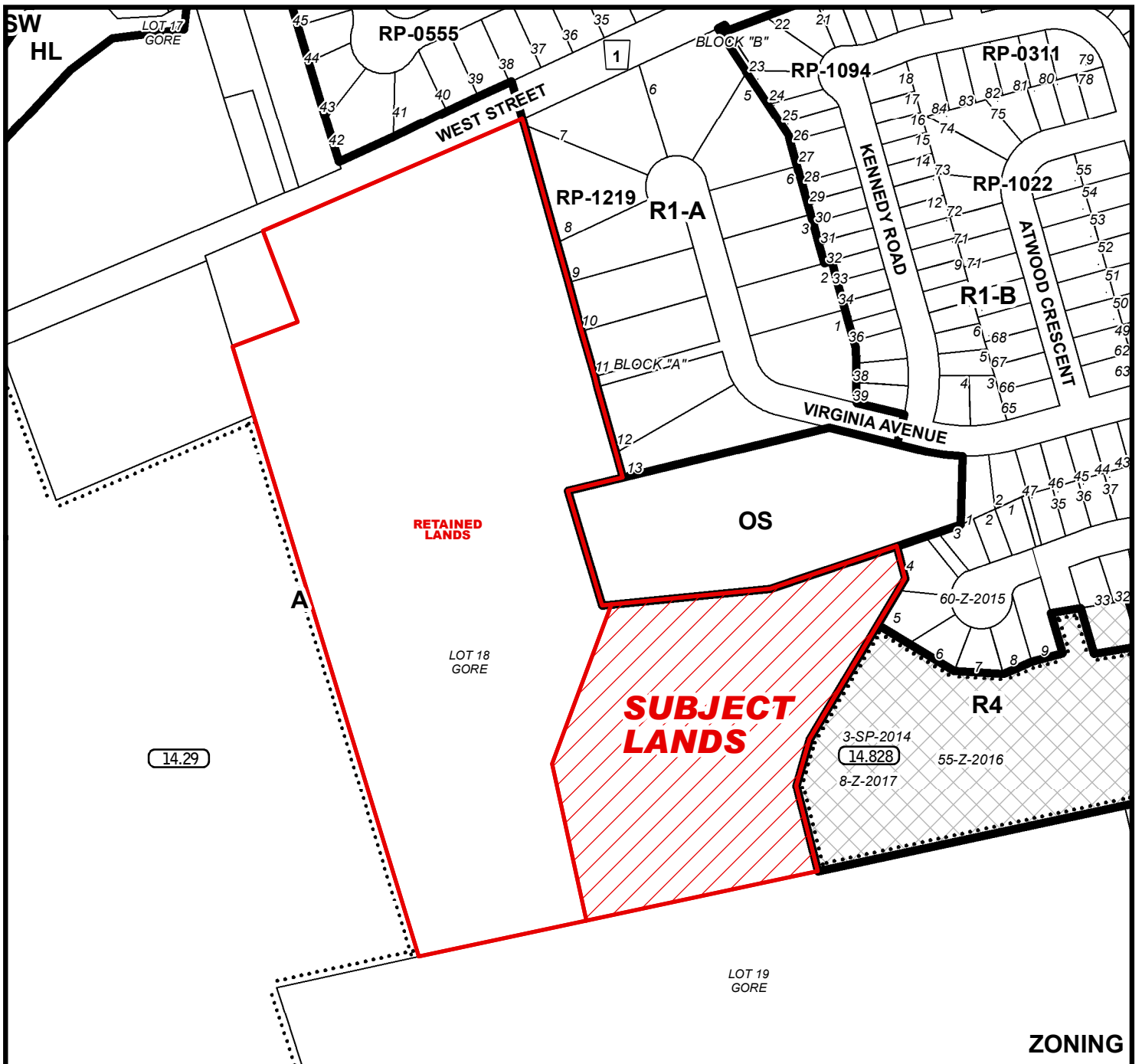
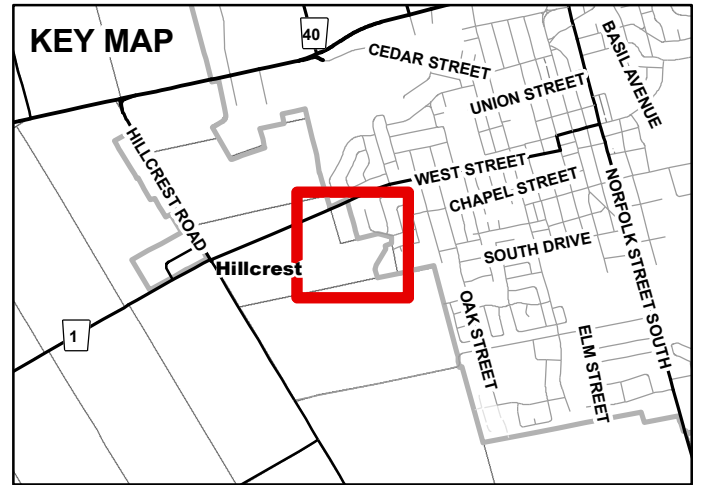
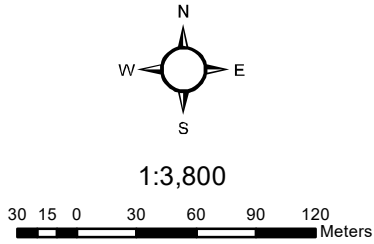
The retained and severed lands will comply with the Agricultural "A" Zoning in the Norfolk County By-law.

The requested consent is reasonable and represents good planning.

MAP 1

File Number: BNPL2018022

Geographic Township of
WOODHOUSE

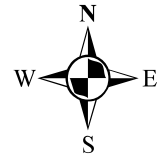


ZONING

MAP 2

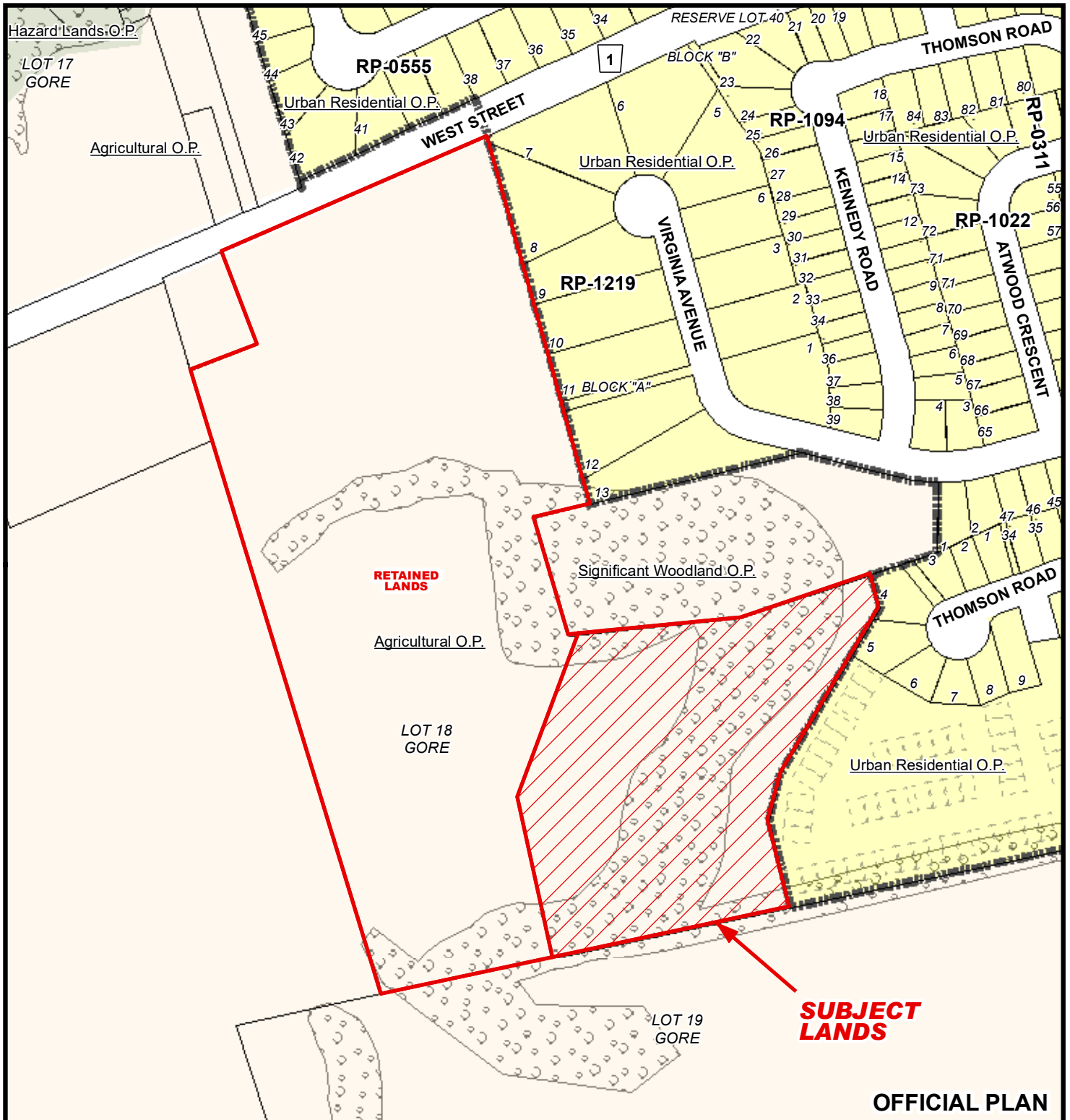
File Number: BNPL2018022

Geographic Township of WOODHOUSE



105 0 10 20 30 40 Meters

1:3,500



MAP 3

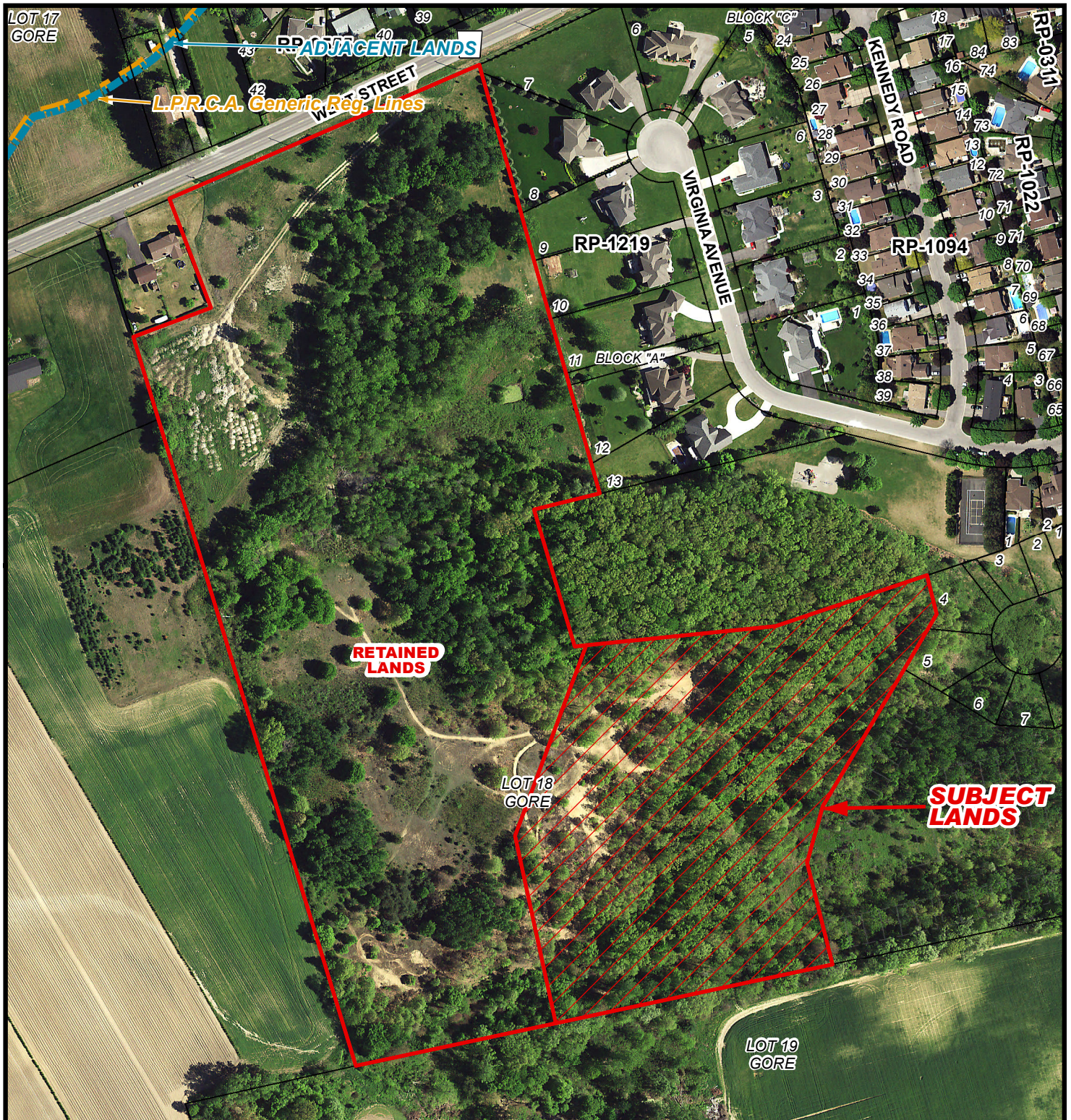
File Number: BNPL2018022

Geographic Township of WOODHOUSE



105 0 10 20 30 40
Meters

1:3,000



MAP 4

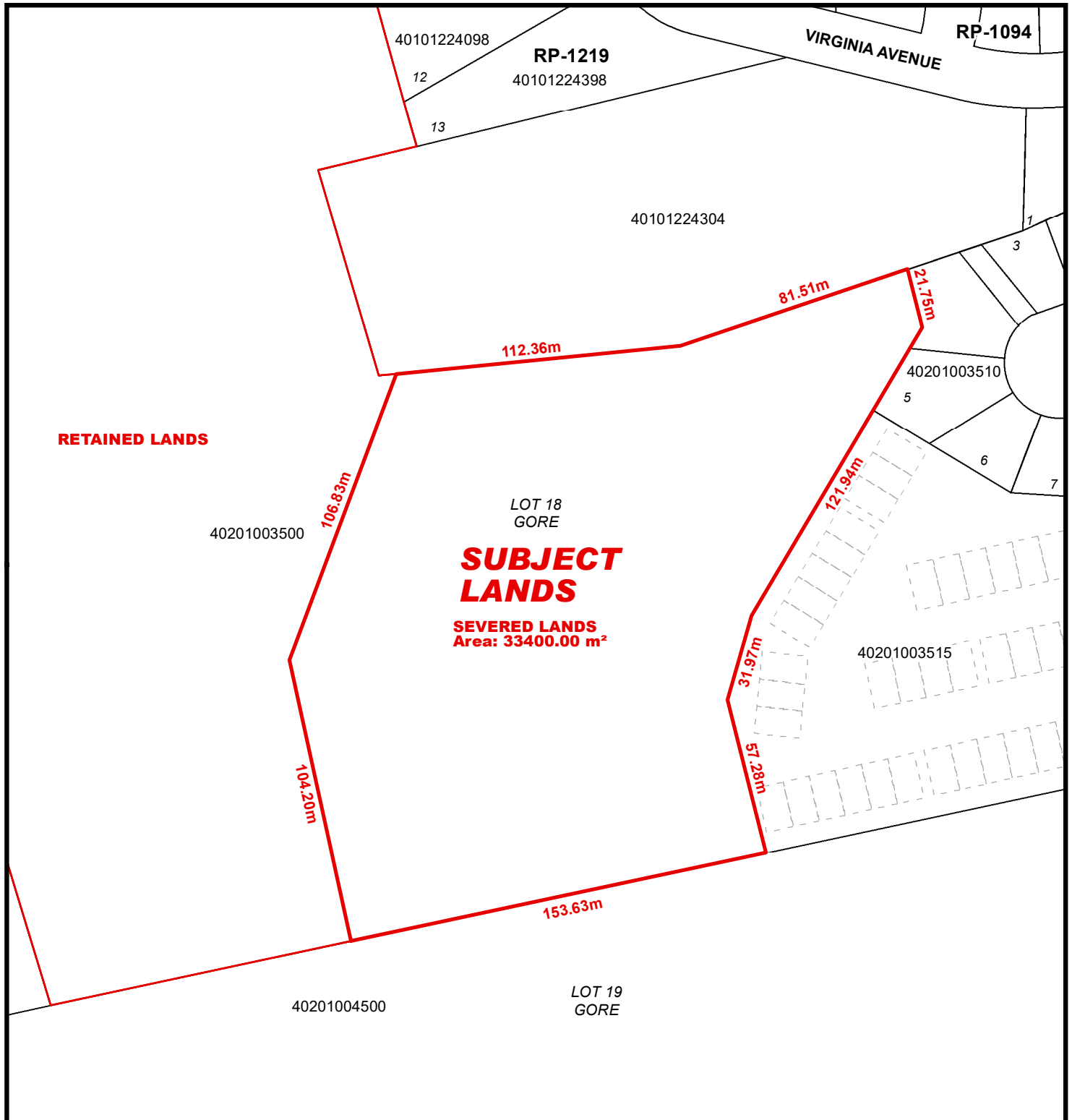
File Number: BNPL2018022

Geographic Township of WOODHOUSE



8 4 0 8 16 24 32 Meters

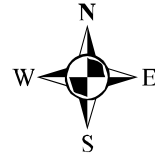
1:2,000



LOCATION OF LANDS AFFECTED

File Number: BNPL2018022

Geographic Township of WOODHOUSE



8 4 0 8 16 24 32 Meters

1:2,000

