

For Office Use Only:

File Number	<u>BNPL2018044</u>	Application Fee	<u>\$3061</u>
Related File Number	<u>BNPL2017267</u>	Conservation Authority Fee	<u>—</u>
Pre-consultation Meeting	<u>—</u>	OSSD Form Provided	<u>on file</u>
Application Submitted	<u>March 9/18</u>	Planner	<u>Steve</u>
Complete Application	<u>March 9/18</u>	Public Notice Sign	<u>Yes</u>

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, m² 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:	89.93m	_____
Width:	45m	_____
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: 9.75m
Depth: 89.93m
Width: 3.05m
Area: 352.3m²
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

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:

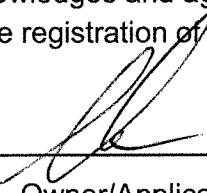
- ☐ Zoning Deficiency Form
- ☐ On-Site Sewage Disposal System Evaluation Form
- ☐ Environmental Impact Study
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Record of Site Condition

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.

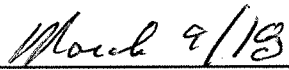
All final plans must include the owner's signature as well as the engineer's signature and seal.

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.



Owner/Applicant Signature



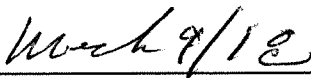
Date

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.



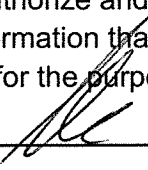
Owner/Applicant Signature



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 am/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.

Michael Bergman

Owner

March 8/17

Date

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

Date

David Roe

Agent Signature

March 8/17

Date

N. Declaration

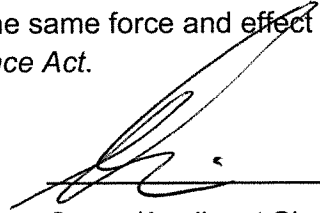
I, David Roe of Norfolk County

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:

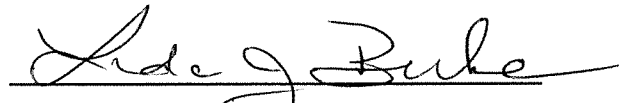
LANGTON


Owner/Applicant Signature

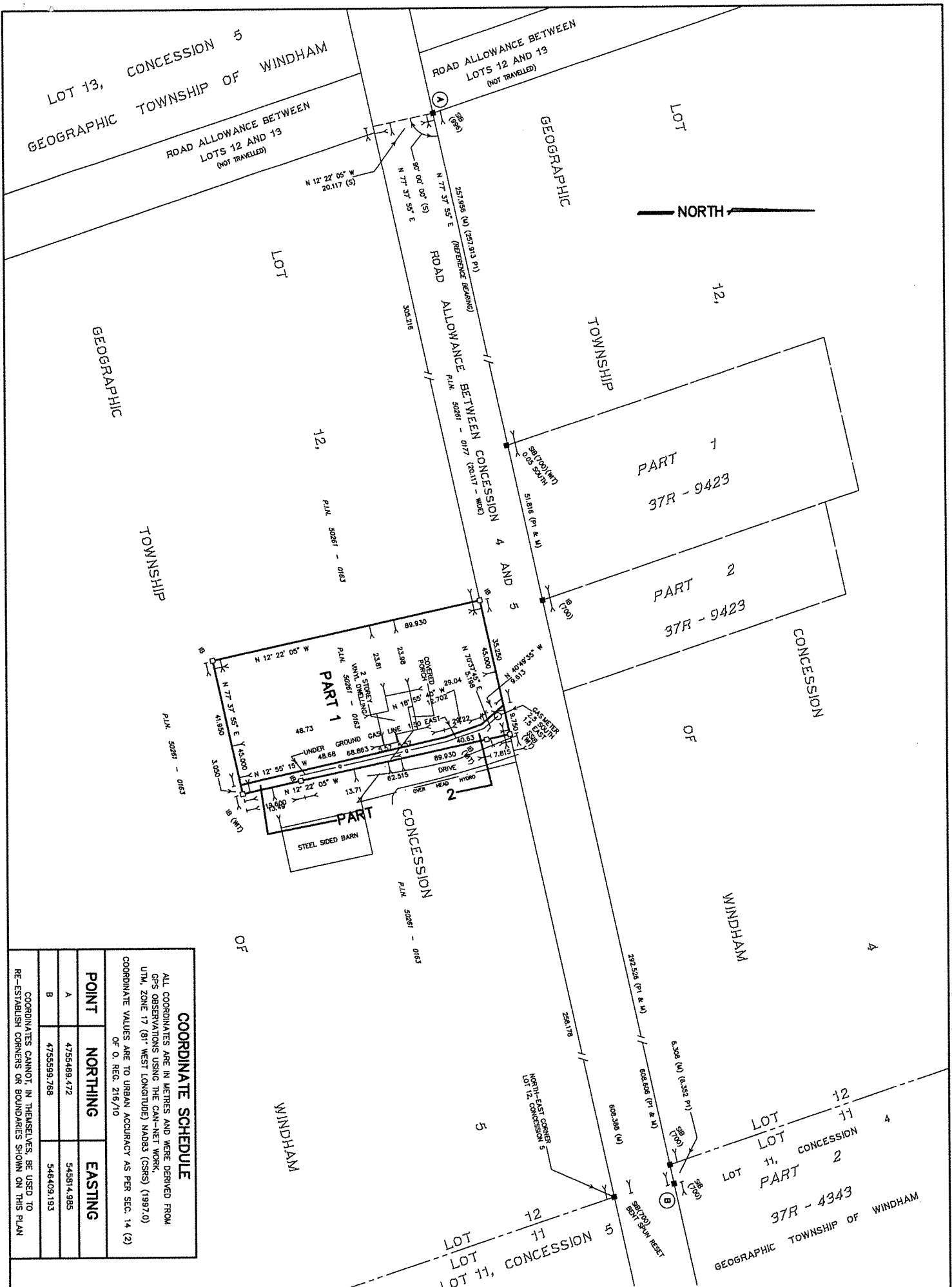
In Norfolk County

This 9th day of March

A.D., 2018


A Commissioner, etc.

LINDA JANE BERKE, a
Commissioner, etc., Norfolk County,
for the Corporation of Norfolk County.
Expires January 20, 2020.



REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT				PLAN 37R- RECEIVED AND DEPOSITED	
DATE _____		DATE _____		INTERESTING FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MONTREAL (No.37)	
KIM S. HUSTED O.L.S.					
PART SCHEDULE					
PART	LOT	CON	P.I.N.	AREA	
1	PART OF LOT 12	5	\$2081-003	3096.6 SQUARE METRES	
2	PART OF LOT 12	5	PART OF \$2081-003	322.3 SQUARE METRES	

PLAN OF SURVEY OF
PART OF LOT 12
CONCESSION 5
GEOGRAPHIC TOWNSHIP OF WINDHAM
IN
NORFOLK COUNTY

SCALE - 1: 750

METRIC

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

KIM HUSTED SURVEYING LTD.

SURVEYOR'S CERTIFICATE

(1) - THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM

(2) - THIS SURVEY WAS COMPLETED ON THE 2nd DAY OF MARCH, 2018

NOTES

- (1) - BEARINGS ARE GRID, DERIVED ON GPS OBSERVATIONS ON MONUMENTS "A" AND "B" SHOWN HEREON HAVING A GRID BEARING OF N 77° 37' 55" E (UTM, ZONE 17, MAGD CSSS)
- (2) - TO CONVERT (P1) BEARINGS TO THE NORTH BEARINGS -
 - ADD 60° 52' 00" TO THE NORTH BEARINGS
 - SUBTRACT 60° 52' 00" FROM THE NORTHEAST BEARINGS
- (3) - DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY 0.9999959775

LEGEND

- | | | |
|--------|---------|----------------------------|
| ■ | DEPOTES | SURVEY MONUMENT FOUND |
| SR | DEPOTES | STANDARD IRON BAR |
| IR | DEPOTES | IRON BAR |
| RIB | DEPOTES | ROUND IRON BAR |
| (M1.) | DEPOTES | WITNESS |
| (P1) | DEPOTES | DEPOTISED PLAIN STR-9423 |
| (700) | DEPOTES | EMIT AND DRON O.L.S. |
| (866) | DEPOTES | 1.B. DODD O.L.S. |
| (H) | DEPOTES | MEASURED |
| (M) | DEPOTES | SET |
| P.L.N. | DEPOTES | PROPERTY IDENTIFIER NUMBER |

COORDINATE SCHEDULE

ALL COORDINATES ARE IN METRES AND WERE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET WORK.

UTM, ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (1997.0)

COORDINATE VALUES ARE TO URBAN ACCURACY AS PER SEC. 14 (2)

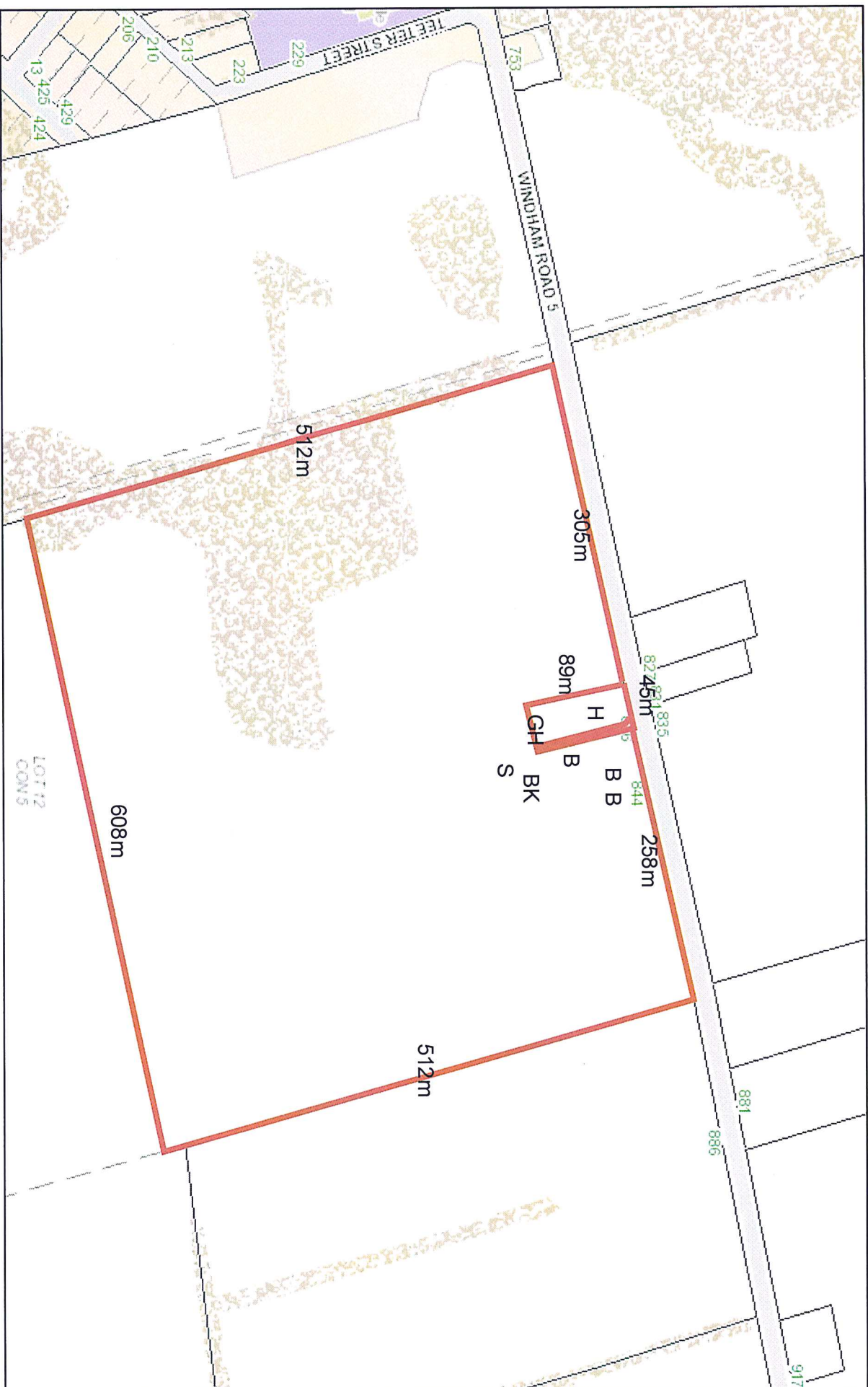
POINT	NORTHING	EASTING
A	4755469.472	545814.985
B	4735559.768	546409.193

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

KIM HUSTED SURVEYING LTD.
ONTARIO LAND SURVEYOR
30 HARVEY STREET, TILSONGONG ONTARIO, M4G 3A8
PHONE: 518-842-3638 FAX: 518-842-3639

PROJECT: 17-13575 REFERENCE: FFB		DIST. NO.	DWG.
CD.			

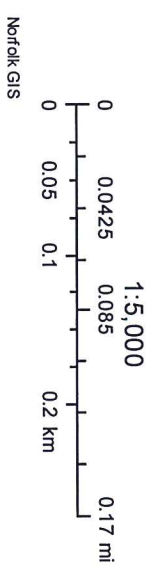
MAP NORFOLK - Community Web Map



3/6/2018, 7:13:09 PM

☐ Land Parcels

☐ Plan Lines



Proposed Setbacks

836 Windham Road 5

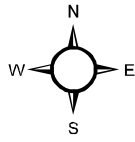
Building	Front Yard	Side Yards	Rear Yard	Height	Floor Area
House	27m	10m/14m	48m	7.4m	141m ²
Barn 1	50m	13m/228m	Extensive	6.8m	500m ²
Barn 2	16m	41m/211m	Extensive	6.8m	700m ²
Barn 3	19m	41m/192m	Extensive	6.8m	500m ²
Shed	105m	6m/248m	Extensive	4.5m	175m ²
Old Kilns	137m	28m/210m	Extensive	9m	70m ²

Note: greenhouses have been removed

MAP 1

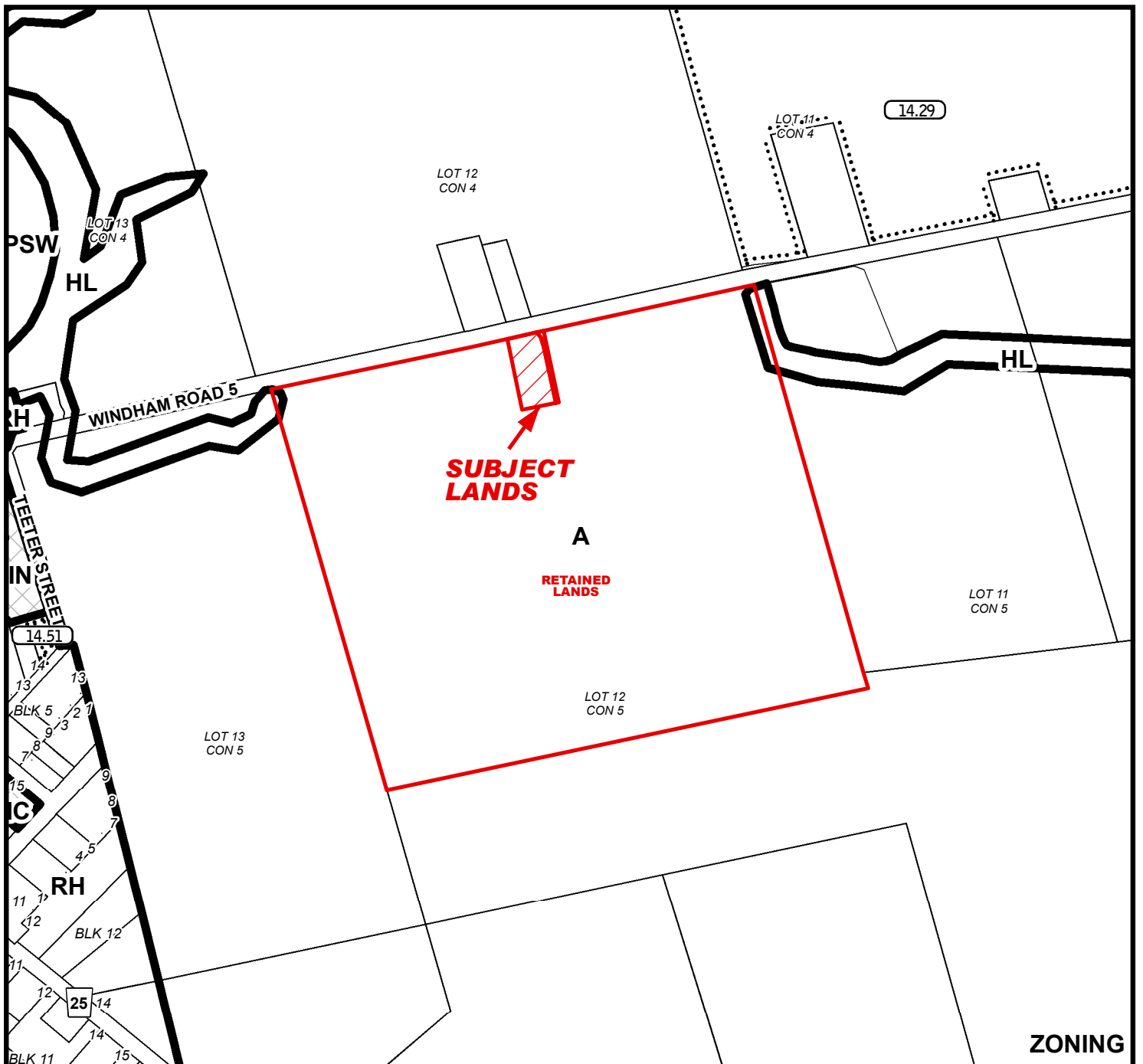
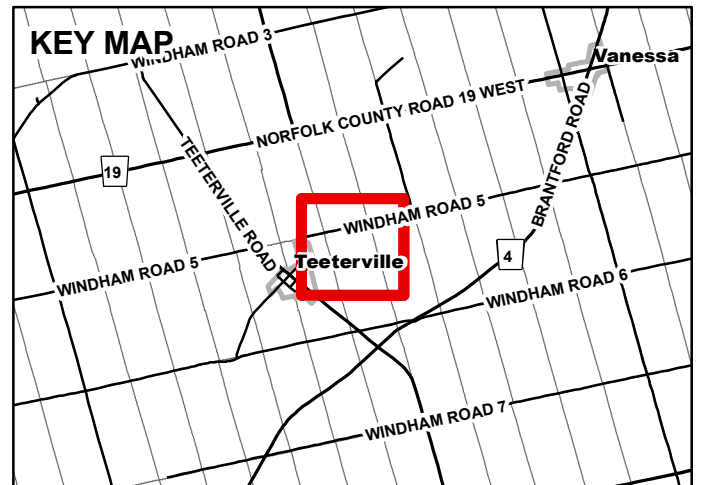
File Number: BNPL2018044

Geographic Township of
WINDHAM



1:7,000

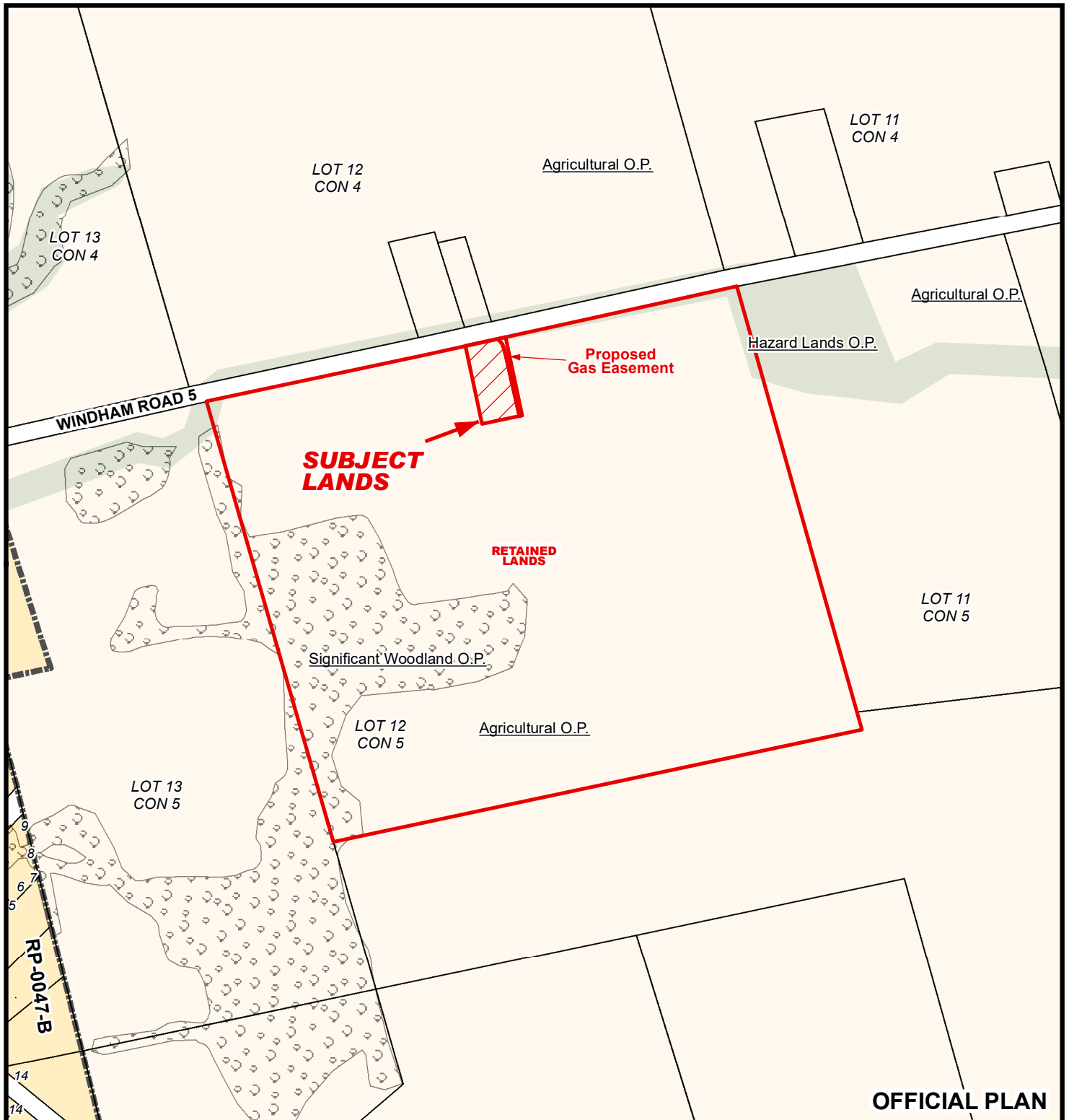
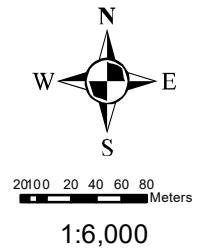
50 25 0 50 100 150 200 Meters



MAP 2

File Number: BNPL2018044

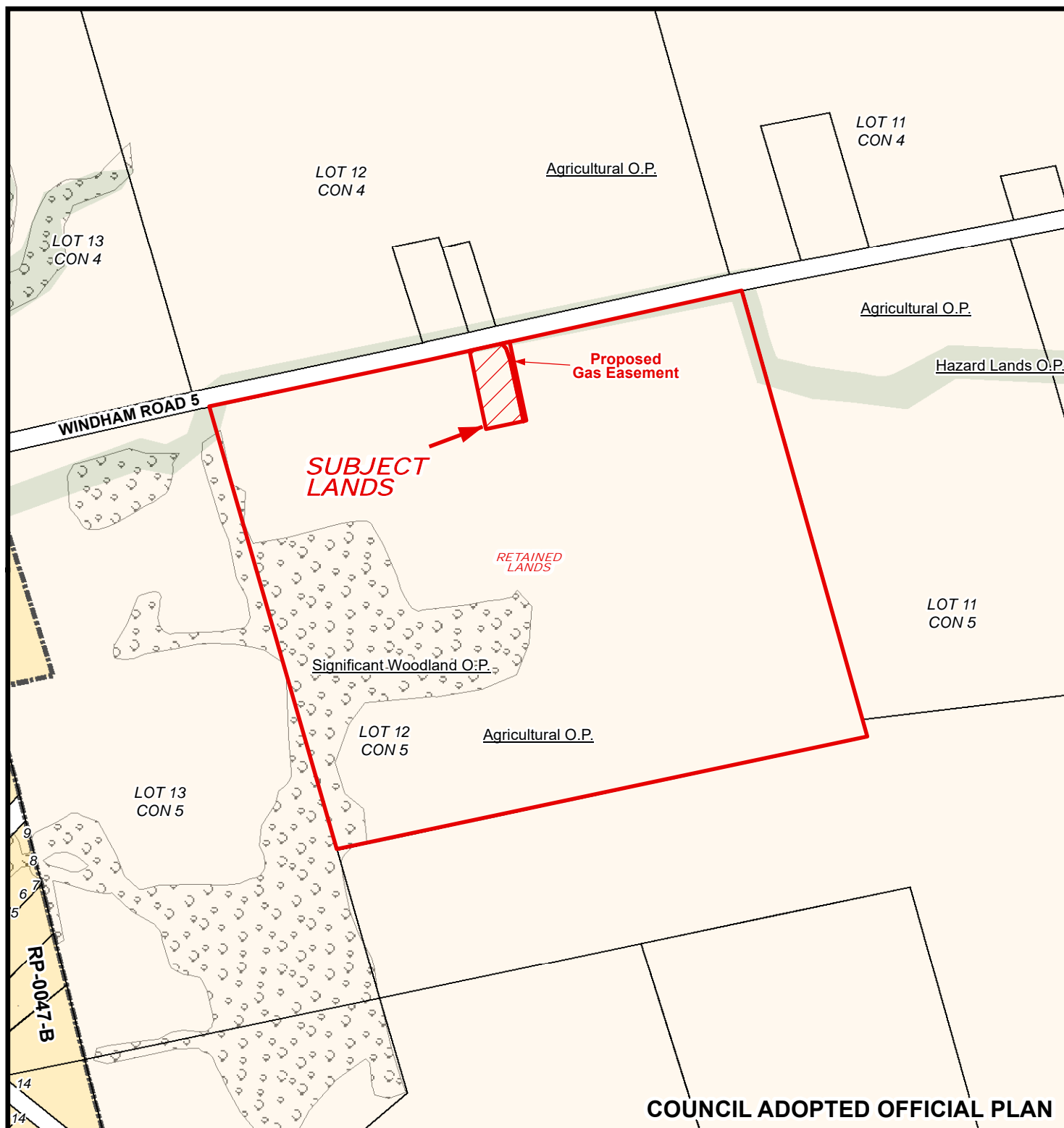
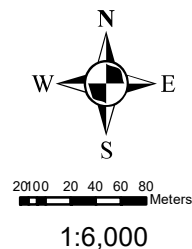
Geographic Township of WINDHAM



MAP 3

File Number: BNPL2018044

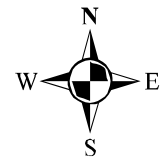
Geographic Township of WINDHAM



MAP 4

File Number: BNPL2018044

Geographic Township of WINDHAM



10 0 10 20 30 40
Meters

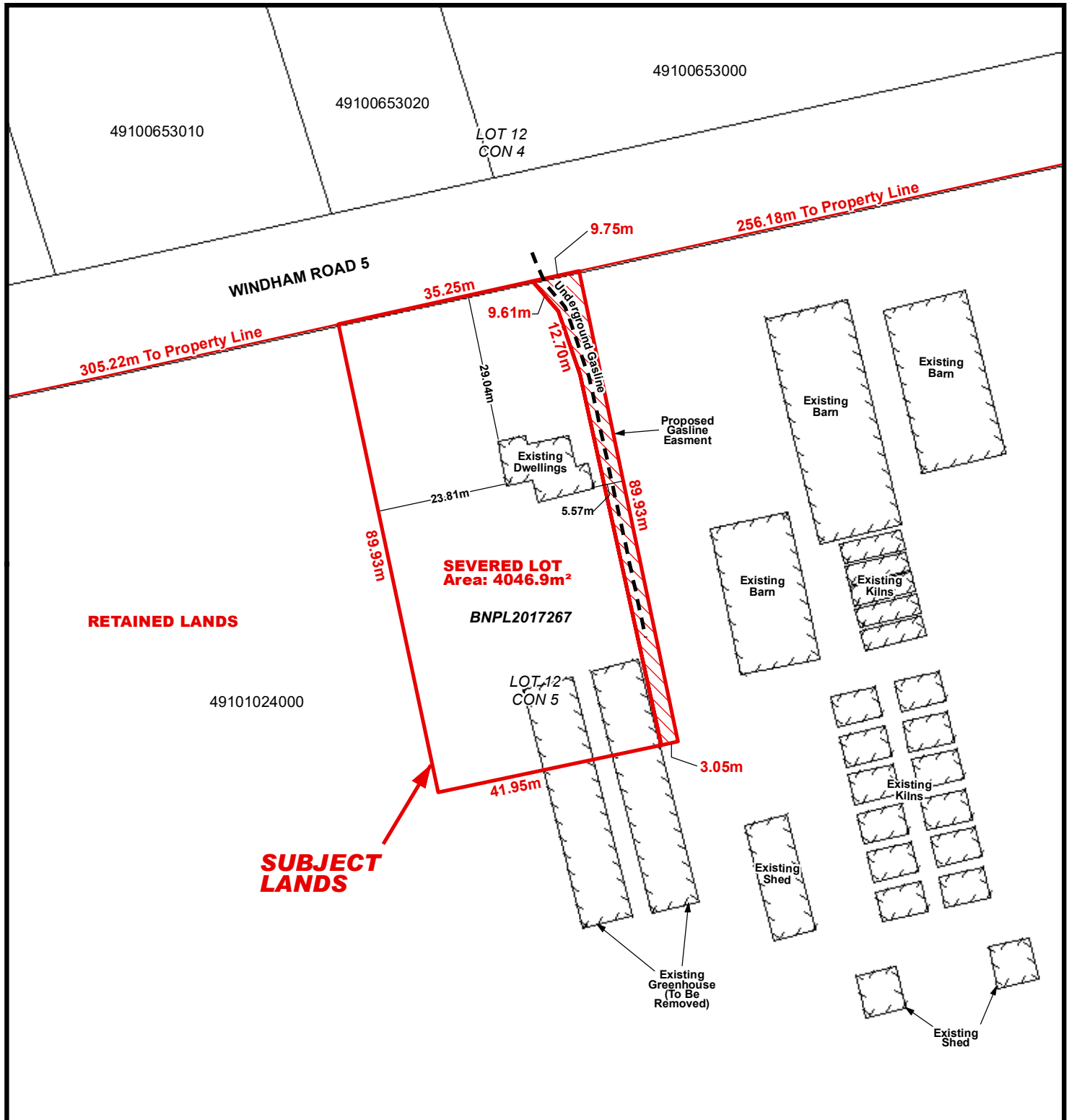
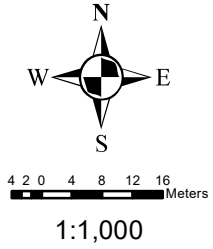
1:4,000



MAP 5

File Number: BNPL2018044

Geographic Township of WINDHAM



LOCATION OF LANDS AFFECTED

File Number: BNPL2018044

Geographic Township of WINDHAM

