

For Office Use Only:

File Number	<u>BNPL2018085</u>	Application Fee	<u>\$2210</u>
Related File Number	<u>—</u>	Conservation Authority Fee	<u>n/a</u>
Pre-consultation Meeting	<u>—</u>	OSSD Form Provided	<u>n/a</u>
Application Submitted	<u>April 24/18</u>	Planner	<u>Steve</u>
Complete Application	<u>April 24/18</u>	Public Notice Sign	<u>Yes</u>

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: 49101909000

A. Applicant Information

Name of Owner SPIETAELS, GEORGE PATRICK & SPIETAELS, BESSIE IRENE

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 868 WINDHAM ROAD 9

Town and Postal Code LA SALETTE, ON N0E 1H0

Phone Number 519-443-7734

Cell Number N/A

Email N/A

Name of Applicant OLECH, MICHAEL & OLECH, LINDA

Address 900 WINDHAM ROAD 9

Town and Postal Code LA SALETTE, ON N0E 1H0

Phone Number 519-443-4808

Cell Number N/A

Email N/A



Name of Agent	Brimage Law Group - Nathan Kolomaya
Address	21 Norfolk Street North
Town and Postal Code	Simcoe, ON N3Y 4L1
Phone Number	519-426-5840
Cell Number	N/A
Email	nkolomaya@brimage.com

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

☐ Owner
 ☒ Agent
 ☒ Applicant

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

The Toronto-Dominion Bank, 4720 Tahoe Blvd, Mississauga, ON L4W 5P2

B. Location, Legal Description and Property Information

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

See parcel registers attached hereto.

Municipal Civic Address: 868 Windham Road 9 (see owner information)

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. Present use of the subject lands:

Agricultural



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:

Two small sheds.

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.

N/A

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:

N/A

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:

30+ years

9. Existing use of abutting properties:

Agricultural and associated single-family dwellings

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:

See Instruments NR181271 and NR182512 attached hereto.

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	64.01m (Sch."A")	64.01m
Lot depth	54.87m	Irreg. ~113.74m
Lot width	64.01m	Irreg. ~74.58
Lot area	3,512m ²	7,558m ²
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):

Boundary adjustment adding Area "I" to area "II" of Schedule "A" for geothermal.

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

N/A

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

Frontage:	N/A
Depth:	58.87/51.51m (See "(I)" on Schedule "A")
Width:	72.33/74.58m
Lot Area:	4,046m ²
Present Use:	Vacant/underground geothermal loops
Proposed Use:	Ibid.
Proposed final lot size (if boundary adjustment):	7,558m ² (3,512 + 4,046)

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added:

49101909500 (Olech Property)

Description of land intended to be retained in metric units:

Frontage: ~535m
Depth: ~710m
Width: ~600m
Lot Area: ~99ac
Present Use: Agricultural
Proposed Use: Agricultural

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:

Personal knowledge of property.

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:

N/A

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:

N/A

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:

N/A

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 ~224m

Wooded area

☐ On the subject lands or ☒ within 500 meters – distance ~120m

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)
- ☐

2. Existing or proposed access to subject lands:

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

Name of road/street:

Windham Road 9

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.

Linda Olech *Dec. 12, 2017*

Owner/Applicant/Agent Signature

Date

Bessie Spietals *Dec 13th 2017*

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 *GEORGE AND BESSIE SPIETAELS* am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

I/We authorize *MICHAEL AND LINDA OLECH* 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.

Bessie Spietals *Dec 13th 2017*

Owner

Date

George Spietals *Dec 13 2017*

Owner

Date



K. Declaration

I, MICHAEL OLECH, AND I, of NORFOLK COUNTY
solemnly declare that: LINDA OLECH,

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

Linda Olech

Owner/Applicant/Agent Signature

Linda Olech

In THE PROVINCE OF ONTARIO

This 12th day of December

Bessie Spietals

A.D., 2017

Bessie Spietals

Scott C. Kelly

A Commissioner, etc.

JOB # 17-1497 OLECH

PLAN MATERIAL	
PLASTIC MATERIAL	MYLAR
GAUGE	0.008 cm
PROCESS	
INK	SPECIAL "T"

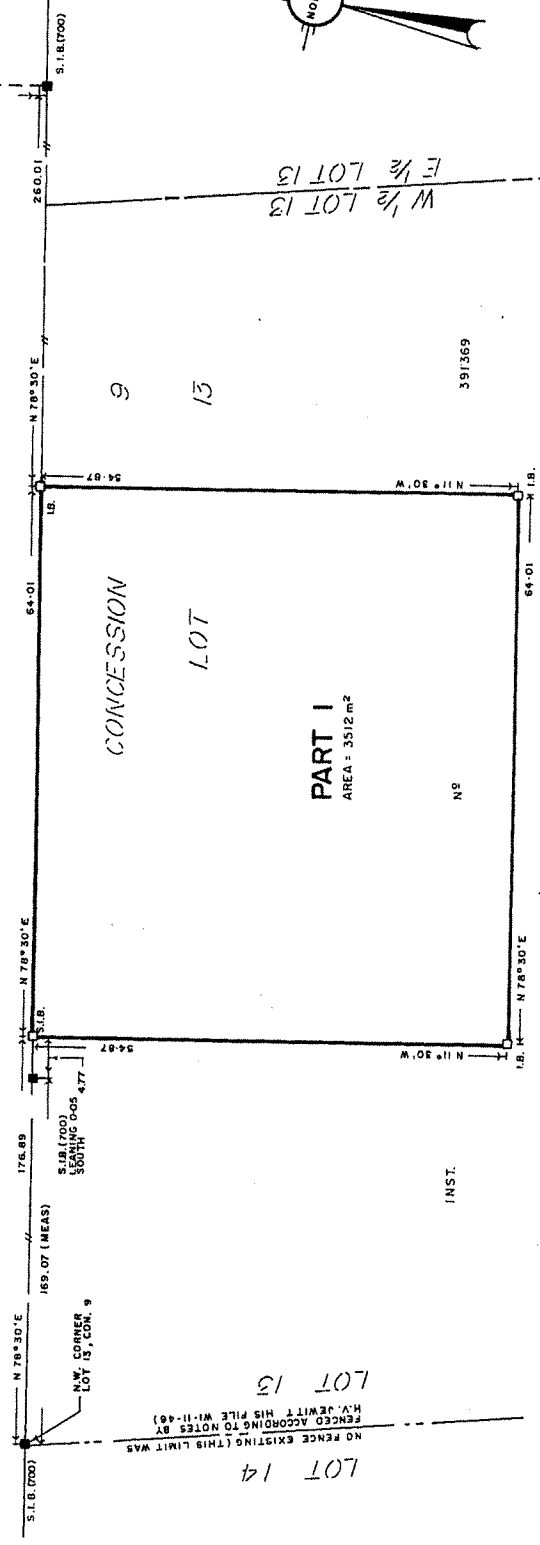
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT
(DATE) 19 Oct. 1987
JOHN B. DODD, O.L.S.

PLAN 37 R-3778
RECEIVED AND DEPOSITED
(DATE) 19 Oct. 1987
Norma J. Davidson
LAND REGISTRY
DIVISION OF NORTFOLK (321)

PART 1: PART OF LOT 13, CONCESSION 9, INST. N° 391369.

CONCESSION 8

ROAD ALLOWANCE BETWEEN CONCESSIONS 8 AND 9 (20-12 WIDE)



- S.I.B. DENOTES A STANDARD IRON BAR 2.5cm x 2.5cm x 120 cm.
- I.B. DENOTES AN IRON BAR 1.5cm x 1.5cm x 60cm.
- L.B. DENOTES A ROUND IRON BAR 2.0cm x 2.0cm x 60cm.
- C.C. DENOTES A CUT CROSS
- W.T. DENOTES WITNESSES
- 998 DENOTES JOHN B. DODD O.L.S.
- 700 DENOTES N.V. JESSIE O.L.S.
- 727 DENOTES JOHN F. WESTON O.L.S.
- A--A DENOTES A FENCE LINE
- ⊕ DENOTES A FOUND MONUMENT
- O— DENOTES A PLANTED MONUMENT

METRIC : DISTANCES ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
CAUTION : THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF LOT 13, CONCESSION 9 BEING N 78° 30' E
ACCORDING TO THE ORIGINAL TOWNSHIP PLAN.

PLAN OF SURVEY OF PART OF
LOT 13, CONCESSION 9
TOWNSHIP OF WINDHAM
IN THE COUNTY OF NORFOLK
NOW IN THE REGIONAL MUNICIPALITY OF
HALDIMAND - NORFOLK



JOHN B. DODD
O.L.S.

SURVEYORS CERTIFICATE
I CERTIFY THAT THE
PLANNING AND PLAN ARE CORRECT AND IN
ACCORDANCE WITH THE REGISTRY ACT AND
THE REGULATIONS MADE THEREUNDER

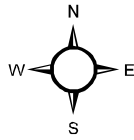
THE SURVEY WAS COMPLETED ON
01st DAY OF OCTOBER 1987
JOHN B. DODD
ONTOARIO LAND SURVEYOR
20 KENT ST. N. P.O. BOX 383 4B8-0H1
SINCE 1971

MAP 1

File Number: BNPL2018085

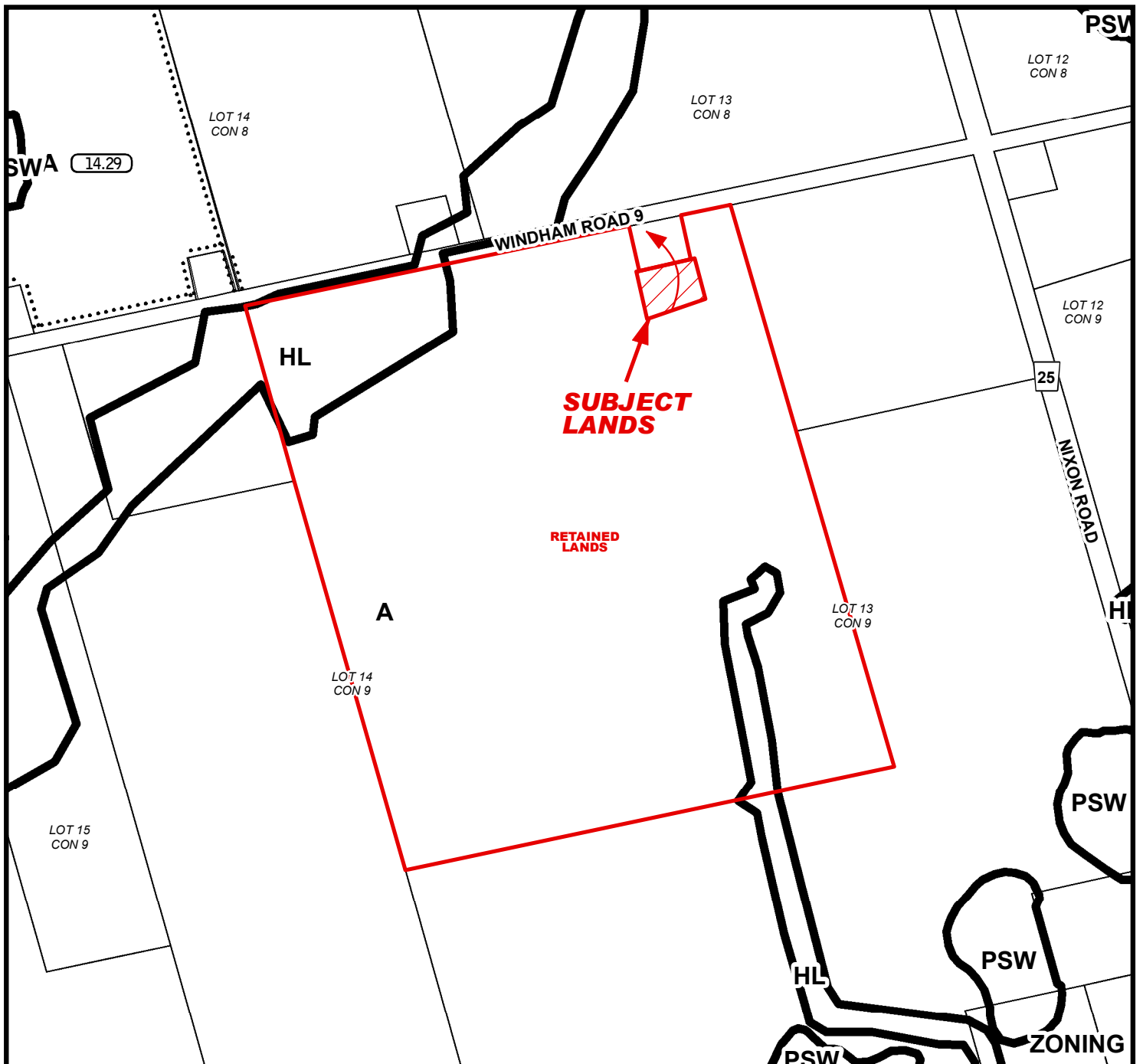
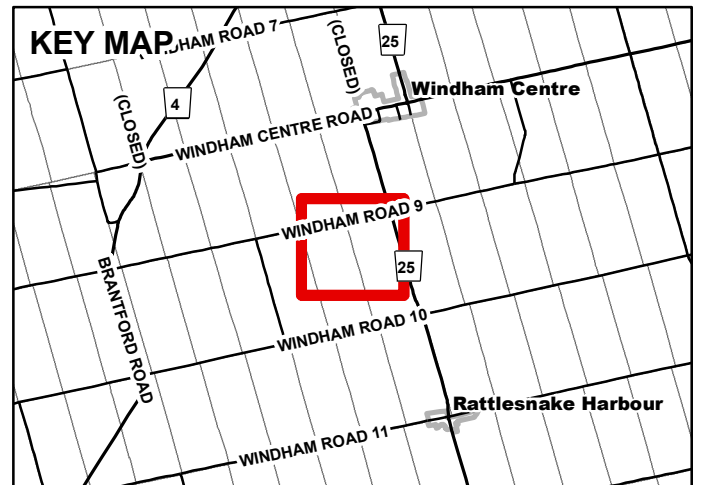
Geographic Township of

WINDHAM



1:7,000

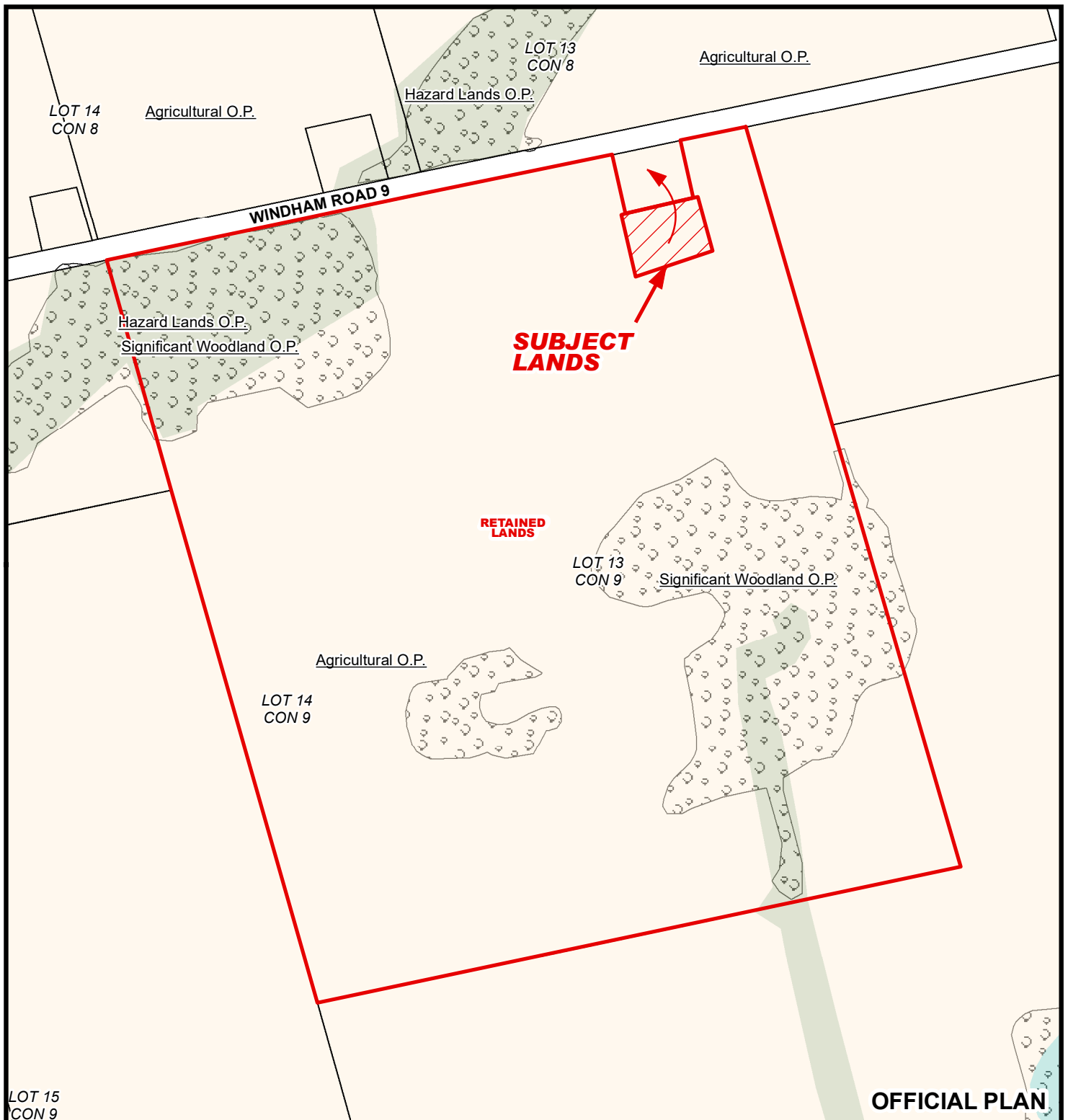
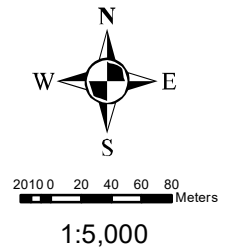
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MAP 2

File Number: BNPL2018085

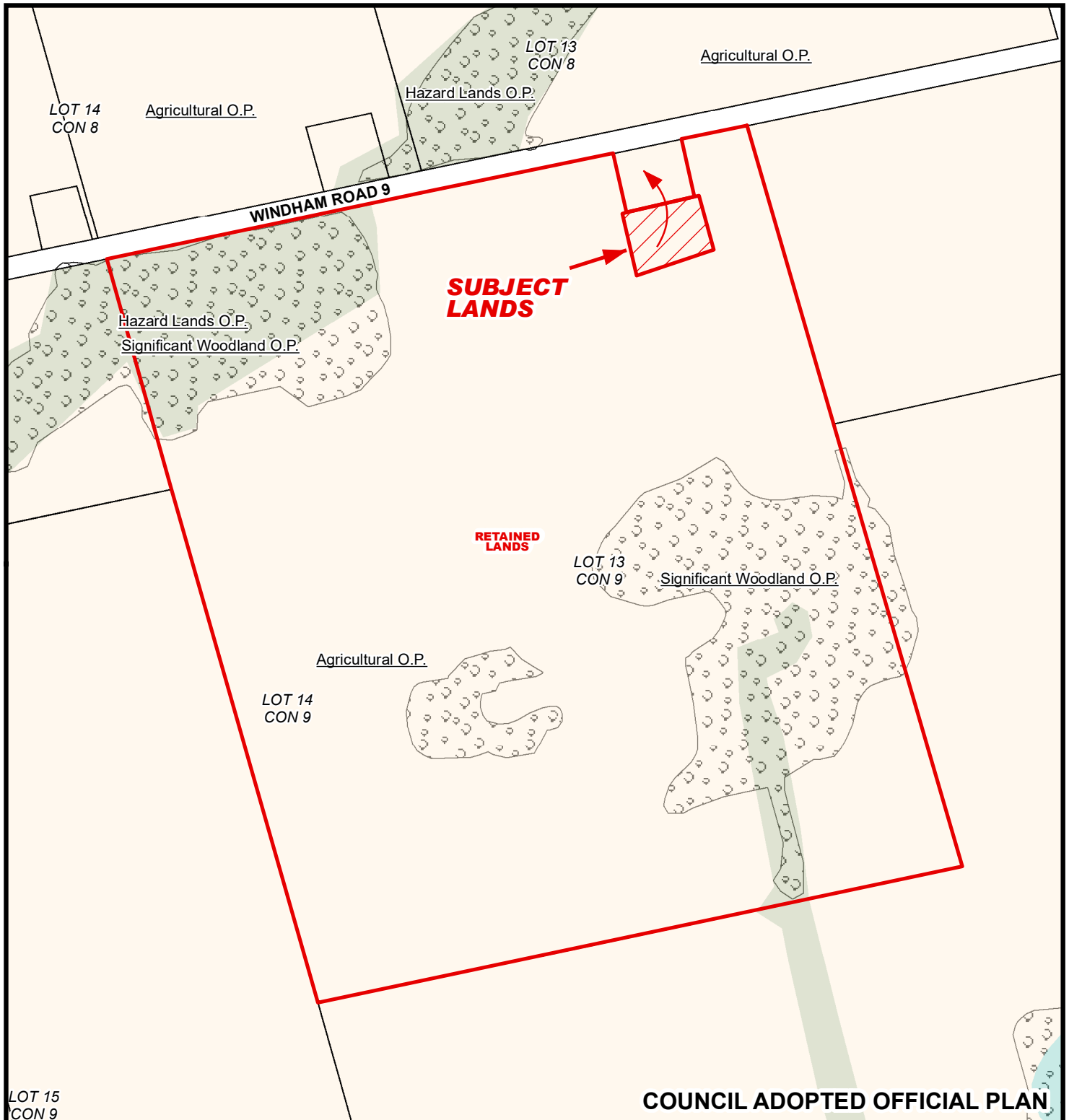
Geographic Township of WINDHAM



MAP 3

File Number: BNPL2018085

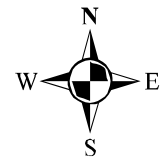
Geographic Township of WINDHAM



MAP 4

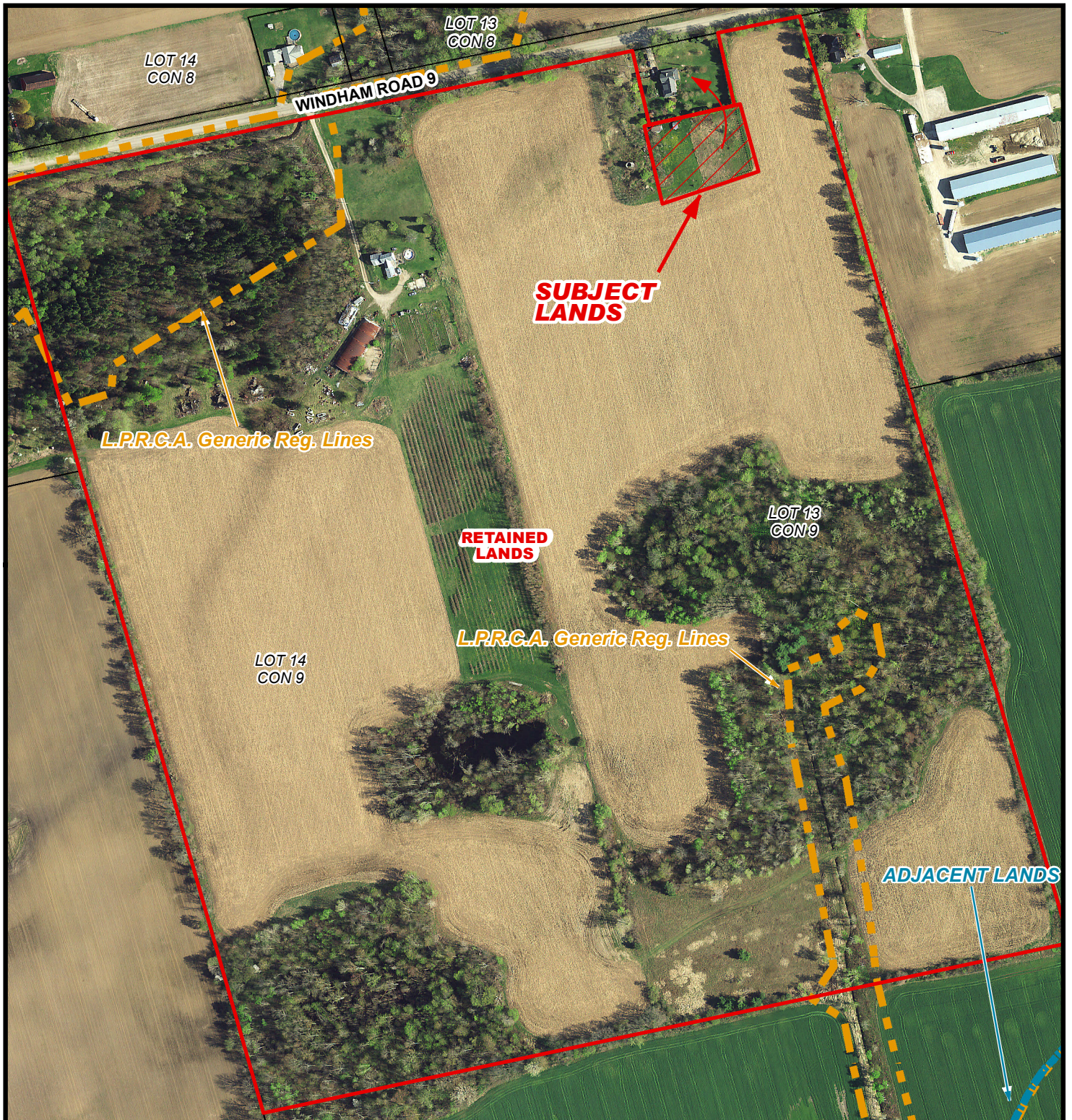
File Number: BNPL2018085

Geographic Township of WINDHAM



10 0 10 20 30 40
Meters

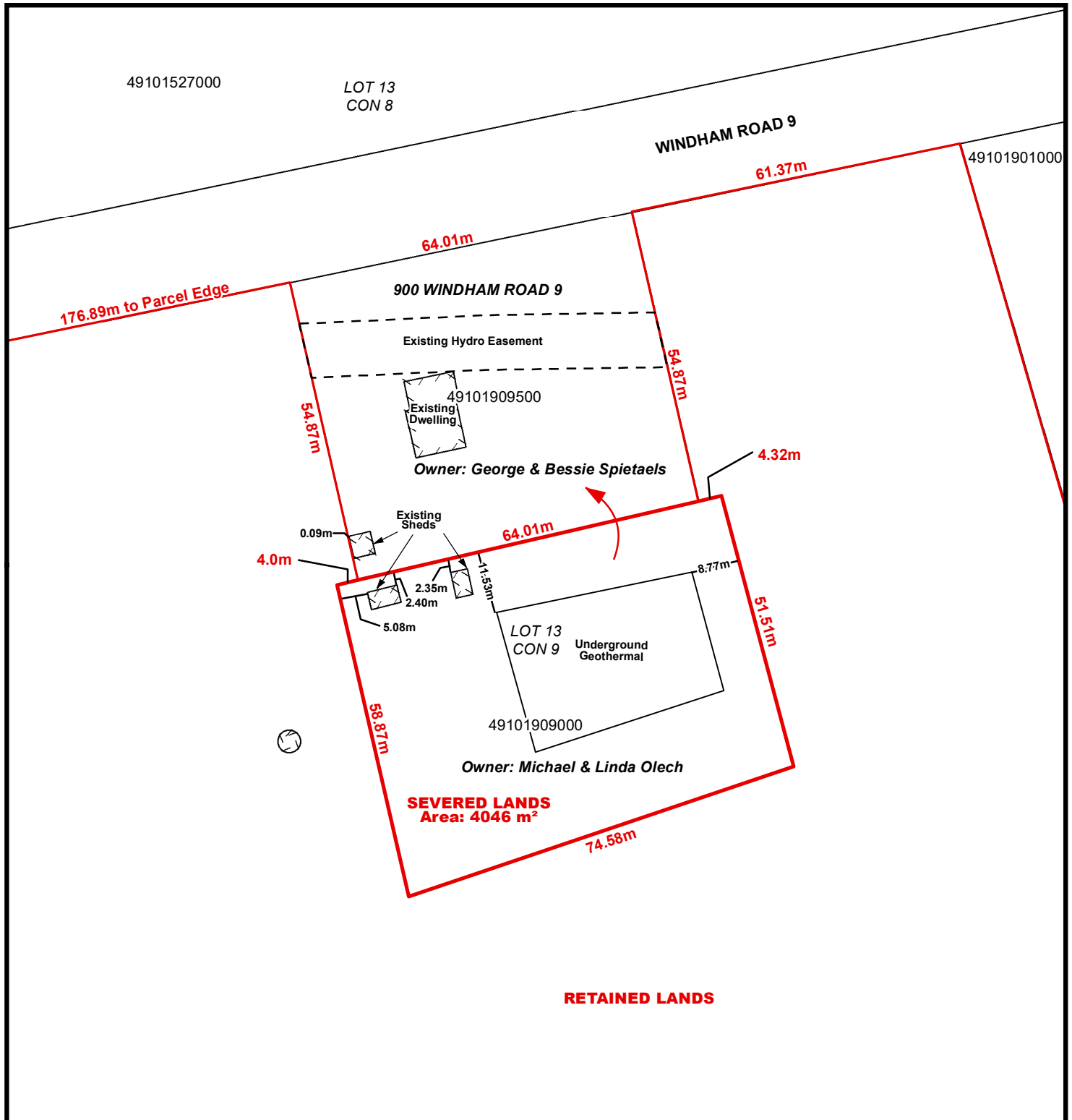
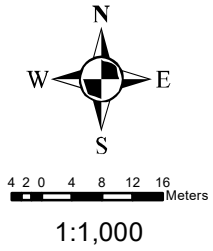
1:4,000



MAP 5

File Number: BNPL2018085

Geographic Township of WINDHAM



LOCATION OF LANDS AFFECTED

File Number: BNPL2018085

Geographic Township of WINDHAM

