

For Office Use Only:

File Number

BNPL2018332

Public Notice Sign

Related File Number

ZNPL2018333

Application Fee

BN: 2216.00 ZN: 2676.00

Pre-consultation Meeting

Conservation Authority Fee

Application Submitted

Dec. 24. 2018

OSSD Form Provided

Complete Application

Dec. 24. 2018

Planner

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

<input type="checkbox"/>
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Official Plan Amendment

Zoning By-Law Amendment

Temporary Use By-law

Draft Plan of Subdivision/Vacant Land Condominium

Condominium Exemption

Site Plan Application

Consent/Severance

Minor Variance

Easement/Right-of-Way

Extension of a Temporary Use By-law

Part Lot Control

Cash-in-Lieu of Parking

Renewable Energy Project or Radio Communication Tower

Please explain the desired end result of this application (for example: a special zoning provision on the subject lands, changing the zone and/or official plan designation of the subject lands, creating a certain number of lots, or similar)

Severance of the subject lands (33701025600) from adjacent property (33701025400) and site-specific zoning amendment to correct historical inadvertent and unintended merger and to permit the operation of a landscaping services and supply business. See attached sketch.

Property Assessment Roll Number: 33701025600

A. Applicant Information

Name of Owner Robert Walker Smythe (Estate)

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 c/o Brimage Law Group - Robert S. Fuller
Town and Postal Code 21 Norfolk St. N., Simcoe N3Y 4L1
Phone Number (519) 426-5840
Cell Number _____
Email rfuller@brimage.com

Name of Applicant Bill and Celina Thompson
Address 372 St. John's Road East
Town and Postal Code Simcoe N3Y 4K2
Phone Number (519) 429-1026
Cell Number _____
Email _____

Name of Agent Brimage Law Group - Nathan Kolomaya
Address 21 Norfolk Street North
Town and Postal Code Simcoe 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 and notices 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:

None



B. Location, Legal Description and Property Information

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

PT LT 5 CON 3 WOODHOUSE AS IN NR263610 & NR501058 EXCEPT PT 4 & 7
37R7552; T/W NR263610; NORFOLK COUNTY (PIN: 50209-0215 (LT))

Municipal Civic Address: 329 St. John's Road East, Simcoe N3Y 4K2

Present Official Plan Designation(s): Agricultural/Hazard

Present Zoning: Agricultural/Hazard

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, and height on your attached sketch which must be included with your application:

Subject lands are vacant

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example: bedroom, kitchen, or bathroom). 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, and height 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 aggregates

10. Are there any existing easements or restrictive covenants affecting the subject lands?
☒ Yes ☐ No If yes, describe the easement or restrictive covenant and its effect:

Note: Please complete all that apply.

1. Please explain what you propose to do on the subject lands/premises which makes this development application necessary:
Operation of landscaping services and supply business.
2. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law/and or Official Plan:
Current zoning may not permit intended operation of landscaping services and supply business.
3. Does the requested amendment alter all or any part of the boundary of an area of settlement in the municipality or implement a new area of settlement in the municipality? ☐ Yes ☒ No If yes, describe its effect:
4. Does the requested amendment remove the subject land from an area of employment? ☐ Yes ☒ No If yes, describe its effect:

5. Does the requested amendment alter, replace, or delete a policy of the Official Plan?
☐ Yes ☒ No If yes, identify the policy, and also include a proposed text of the policy amendment (if additional space is required, please attach a separate sheet):

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

Frontage: ~203m
Depth: Variable: ~761m (east boundary); ~804m (west)
Width: ~203m
Lot Area: ~39.75ac
Present Use: Agricultural
Proposed Use: Agricultural and landscape supply/services
Proposed final lot size (if boundary adjustment): ~39.75ac

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: ~320m (broken frontage)
Depth: Variable: ~880m on east side; ~1,114m on west side
Width: ~409m
Lot Area: ~93ac
Present Use: Agricultural
Proposed Use: Agricultural (no change)
Buildings on retained land: Agricultural accessory buildings

7. Description of proposed right-of-way/easement:

Frontage: _____
Depth: _____
Width: _____
Area: _____
Proposed use: _____

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

N/A

9. Site Information**Existing****Proposed**

Please indicate unit of measurement, for example: m, m² or %

Lot frontage	_____	_____
Lot depth	_____	_____
Lot width	_____	_____
Lot area	_____	_____
Lot coverage	_____	_____
Front yard	_____	_____
Rear yard	_____	_____
Left Interior side yard	_____	_____
Right Interior side yard	_____	_____
Exterior side yard (corner lot)	_____	_____
Landscaped open space	_____	_____
Entrance access width	_____	_____
Exit access width	_____	_____
Size of fencing or screening	_____	_____
Type of fencing	_____	_____

10. Building Size

Number of storeys	_____	_____
Building height	_____	_____
Total ground floor area	_____	_____
Total gross floor area	_____	_____
Total useable floor area	_____	_____

11. Off Street Parking and Loading Facilities

Number of off street parking spaces	_____	_____
Number of visitor parking spaces	_____	_____
Number of accessible parking spaces	_____	_____
Number of off street loading facilities	_____	_____

12. Residential (if applicable)

Number of buildings existing: _____

Number of buildings proposed: _____

Is this a conversion or addition to an existing building? ☐ Yes ☐ No

If yes, describe: _____

Type	Number of Units	Floor Area per Unit in m ²
Single Detached	_____	_____
Semi-Detached	_____	_____
Duplex	_____	_____
Triplex	_____	_____
Four-plex	_____	_____
Street Townhouse	_____	_____
Stacked Townhouse	_____	_____
Apartment - Bachelor	_____	_____
Apartment - One bedroom	_____	_____
Apartment - Two bedroom	_____	_____
Apartment - Three bedroom	_____	_____

Other facilities provided (for example: play facilities, underground parking, games room, or swimming pool): _____

13. Commercial/Industrial Uses (if applicable)

Number of buildings existing: _____

Number of buildings proposed: _____

Is this a conversion or addition to an existing building? ☐ Yes ☐ No

If yes, describe: _____

Indicate the gross floor area by the type of use (for example: office, retail, storage): _____

Seating Capacity (for assembly halls or similar): _____

Total number of fixed seats: _____

Describe the type of business(es) proposed: _____

Total number of staff proposed initially: _____

Total number of staff proposed in five years: _____

Maximum number of staff on the largest shift: _____

Is open storage required: ☐ Yes ☐ No

Is a residential use proposed as part of, or accessory to commercial/industrial use?

☐ Yes ☐ No If yes please describe:

14. Institutional (if applicable)

Describe the type of use proposed: _____

Seating capacity (if applicable): _____

Number of beds (if applicable): _____

Total number of staff proposed initially: _____

Total number of staff proposed in five years: _____

Maximum number of staff on the largest shift: _____

Indicate the gross floor area by the type of use (for example: office, retail, or storage):

15. Describe Recreational or Other Use(s) (if applicable)

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 (for example: gas station or petroleum storage):

Agricultural and aggregate

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:

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 Wellhead Protection Area (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 Adjacent property

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 Adjacent aggregate

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 (please describe): _____

Sewage Treatment

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

Storm Drainage

- ☐ Storm sewers
- ☒ Open ditches
- ☐ Other (please describe): _____

2. Existing or proposed access to subject lands:

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

Name of road/street: St. John's Road East

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.

Subject property

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 properly named 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. Key map
4. Scale, legend and north arrow
5. Legal description and municipal address
6. Development name
7. Drawing title, number, original date and revision dates
8. Owner's name, address and telephone number
9. Engineer's name, address and telephone number
10. Professional engineer's stamp
11. Existing and proposed easements and right of ways
12. Zoning compliance table – required versus proposed
13. Parking space totals – required and proposed
14. All entrances to parking areas marked with directional arrows
15. Loading spaces, facilities and routes (for commercial developments)
16. All dimensions of the subject lands
17. Dimensions and setbacks of all buildings and structures
18. Gross, ground and useable floor area
19. Lot coverage
20. Floor area ratio
21. Building entrances, building type, height, grades and extent of overhangs
22. Names, dimensions and location of adjacent streets including daylighting triangles
23. Driveways, curbs, drop curbs, pavement markings, widths, radii and traffic directional signs
24. All exterior stairways and ramps with dimensions and setbacks
25. Retaining walls including materials proposed
26. Fire access and routes
27. Location, dimensions and number of parking spaces (including visitor and accessible) and drive aisles
28. Location of mechanical room, and other building services (e.g. A/C, HRV)
29. Refuse disposal and storage areas including any related screening (if indoors, need notation on site plan)
30. Winter snow storage location
31. Landscape areas with dimensions
32. Natural features, watercourses and trees

33. Fire hydrants and utilities location
34. Fencing, screening and buffering – size, type and location
35. All hard surface materials
36. Light standards and wall mounted lights (plus a note on the site plan that all outdoor lighting is to be dark sky compliant)
37. Business signs (make sure they are not in sight lines)
38. Sidewalks and walkways with dimensions
39. Pedestrian access routes into site and around site
40. Bicycle parking
41. Architectural elevations of all building sides
42. All other requirements as per the pre-consultation meeting

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
- ☐ Architectural Plan
- ☐ Buildings Elevation Plan
- ☐ Cut and Fill Plan
- ☐ Erosion and Sediment Control Plan
- ☐ Grading and Drainage Control Plan (around perimeter and within site) (existing and proposed)
- ☐ Landscape Plan
- ☐ Photometric (Lighting) Plan
- ☐ Plan and Profile Drawings
- ☐ Site Servicing Plan
- ☐ Storm water Management Plan
- ☐ Street Sign and Traffic Plan
- ☐ Street Tree Planting Plan
- ☐ Tree Preservation Plan
- ☐ Archaeological Assessment
- ☐ Environmental Impact Study
- ☐ Functional Servicing Report

- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Noise or Vibration Study
- ☐ Record of Site Condition
- ☐ Storm water Management Report
- ☐ Traffic Impact Study – please contact the Planner to verify the scope required

Site Plan applications will require the following supporting materials:

1. Two (2) complete sets of the site plan drawings folded to 8½ x 11 and an electronic version in PDF format
2. Letter requesting that the Holding be removed (if applicable)
3. A cost estimate prepared by the applicant's engineer
4. An estimate for Parkland dedication by a certified land appraiser
5. Property Identification Number (PIN) printout

Standard condominium exemptions will require the following supporting materials:

- ☐ Plan of standard condominium (2 paper copies and 1 electronic copy)
- ☐ Draft condominium declaration
- ☐ Property Identification Number (PIN) printout

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. Development Agreements

A development agreement may be required prior to approval for site plan, subdivision and condominium applications. Should this be necessary for your development, you will be contacted by the agreement administrator with further details of the requirements including but not limited to insurance coverage, professional liability for your engineer, additional fees and securities.

J. Transfers, Easements and Postponement of Interest

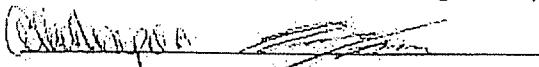
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

K. 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.

L. 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



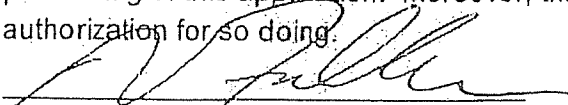
Date

M. Owner's Authorization

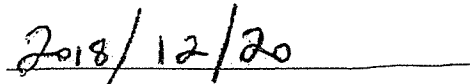
If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner(s) must complete the authorization set out below.

ROBERT S. FULLER and MARY GOLDSBERTY,
I/We ESTATE TRUSTEES FOR ESTATE OF ROBERT SMITH am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

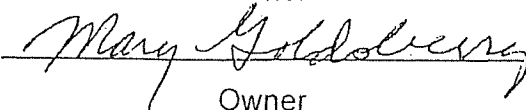
I/We authorize Brimage Law Group to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.



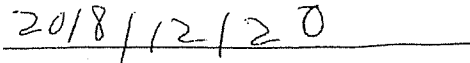
Owner



Date



Owner



Date

N. Declaration


I, William and Celina Thompson of Norfolk County, Province of Ontario

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:

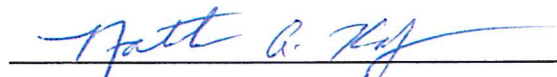
Norfolk County


Owner/Applicant Signature

In THE PROVINCE OF ONTARIO

This 18th day of DECEMBER

A.D., 20 18


A Commissioner, etc.



PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND

REGISTRY

OFFICE #37

ServiceOntario

PAGE 1 OF 1

PREPARED FOR Nathan01

ON 2018/12/24 AT 11:06:08

50209-0215 (LT)

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PT LT 5 CON 3 WOODHOUSE AS IN NR263610 & NR501058 EXCEPT PT 4 & 7 37R7552; T/W NR263610; NORFOLK COUNTY

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE

LT CONVERSION QUALIFIED

OWNERS' NAMES

SMYTHE, ROBERT WALKER

RECENTLY:

FIRST CONVERSION FROM BOOK

CAPACITY SHARE

ROWN

PIN CREATION DATE:

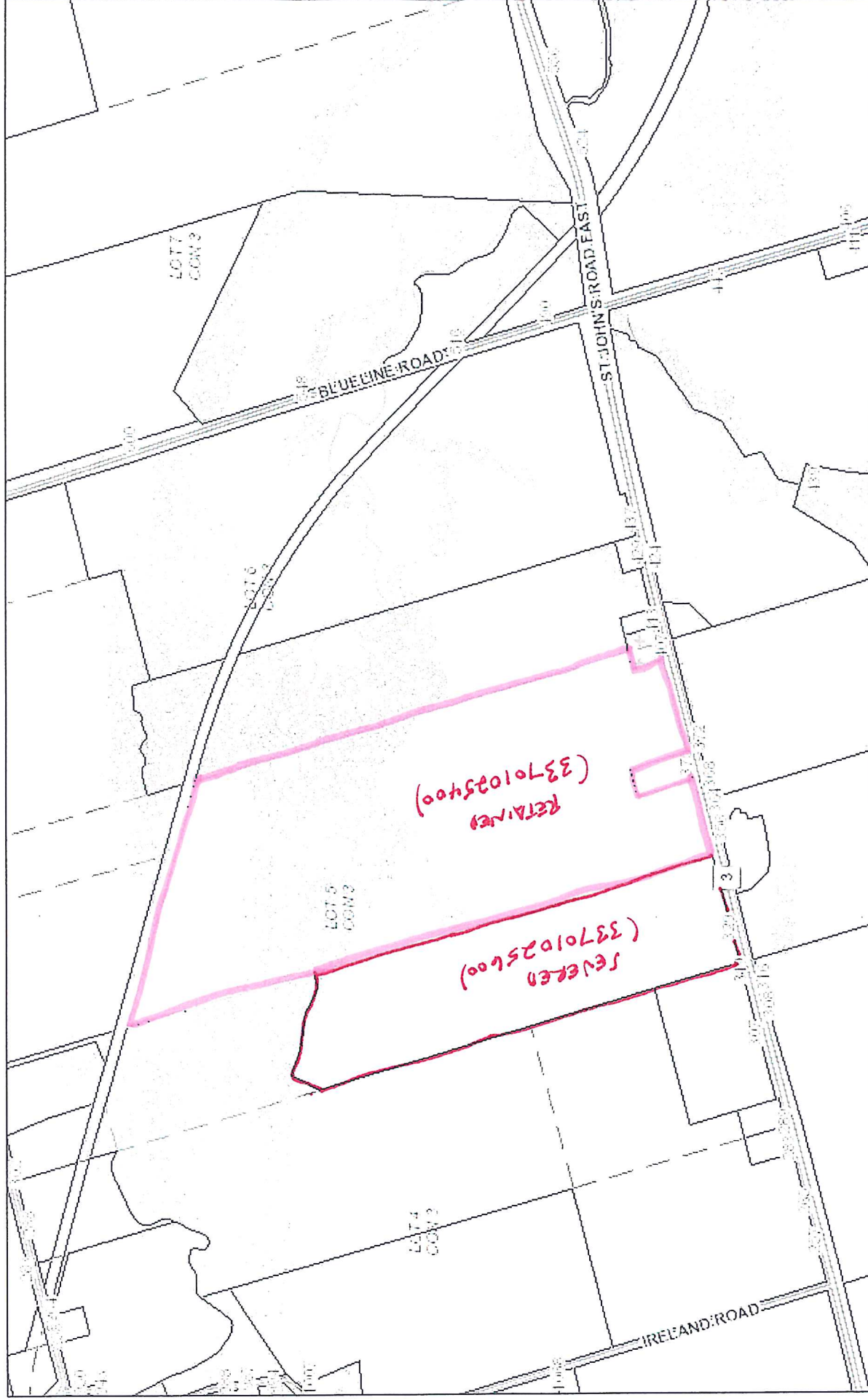
2007/08/20

PROPERTY DESCRIPTION:

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
** PRINTOUT	INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2007/08/17 **					
**SUBJECT,	ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:					
**	SUBSECTION 4(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *					
**	AND ESCHEATS OR FORFEITURE TO THE CROWN.					
**	THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF					
**	IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY					
**	CONVENTION.					
**	ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.					
**DATE OF CONVERSION TO	LAND TITLES: 2007/08/20 **					
NR263610	1958/11/07	TRANSFER	\$2		SMYTHE, ROBERT WALKER	C
NR430710	1985/10/10	LEASE			CHATHAM, WILLIAM T.	C
NR501058	1994/01/27	TRANSFER	\$2		SMYTHE, ROBERT WALKER	C
NR567718	2003/01/27	TRANSFER EASEMENT			HYDRO ONE NETWORKS INC.	C
NR567719	2003/01/27	TRANSFER EASEMENT			NORFOLK POWER DISTRIBUTION INC.	C
NK85041	2015/12/01	APL (GENERAL)		NORFOLK POWER DISTRIBUTION INC.	HYDRO ONE NETWORKS INC.	C
REMARKS: ASSIGNMENT OF NR567718, NR567719, NK68341 & NK68342						

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

MAP NORFOLK - Community Web Map



Affidavit of Execution

PROVINCE OF ONTARIO

County of Norfolk

J. LaZelle Weeks

of the Town of Simcoe
in the County of Norfolk

of Simcoe
of Norfolk

TO WIT:

Stenographer

make oath and say:

1. THAT I was personally present and did see the within or annexed Instrument and a Duplicate thereof duly signed, sealed and executed by Frederick Joseph Smythe and Susanna Mary

Brown, two the parties thereto

2. THAT the said Instrument and Duplicate were executed by the said parties at the Town of Simcoe

3. THAT I know the said parties Administrator of the estate of George Moyse Smyth and that he is the deceased, and is of sound mind and of the full age of twenty-one years

4. THAT I am a subscribing witness to the said Instrument and Duplicate

SWORN before me at the Town of Simcoe in the County of Norfolk

this 6th day of November 1958

A Commissioner, etc.

DATED September 2nd 1958

FREDERICK JOSEPH SMYTHE

ROBERT WALKER SMYTHE

Address R. R. #3, Simcoe, Ontario.

ADMINISTRATORS

Deed of Land

SITUATE

in the Township of Woodhouse

United Stationary Co. Limited, Toronto

MACKAY & INNES
Barristers, etc.,
Simcoe, Ontario.

263610

I certify that the within Instrument is duly Entered and Registered in the Registry Office for the Registry Division of the County of Norfolk

and Recorded on Microfilm

For

at 11:50 o'clock, P.M. of the 7 day

NOV 1958 No. 263610

by

6413

File by Mr. J. E. J. 7 Oct. 58
Lent 3, Sim. R. R. 15, K. R.
Lent by R. R. with 20'
R. R. way over land by R. R.

This Instrument is the property of the Registry Office for the Registry Division of the COUNTY of NORFOLK

DEPARTMENT OF NATIONAL REVENUE
TAXATION DIVISION



MINISTÈRE DU REVENU NATIONAL
DIVISION DE L'IMPÔT

THE DOMINION SUCCESSION DUTY ACT

LOI FÉDÉRALE SUR LES DROITS SUCCESSORAIRES

DISTRICT TAXATION OFFICE ► HAMILTON

◀ BUREAU DE DISTRICT DE L'IMPÔT

DATE ► Dec. 27/57

CONSENT TO THE TRANSFER OF PROPERTY

PERMIS DE DISPOSER DE BIENS

Estate of Succession de	George Moyse Smyth
Date of Death Date du décès	Oct. 10/57

CONSENT IS HEREBY GIVEN TO THE DELIVERY, ASSIGNMENT, LE CONSENTEMENT EST, PAR LES PRÉSENTES, DONNÉ À LA TRANS-
TRANSFER OR PAYMENT OF. MISSION, À LA CESSION, AU TRANSFERT OU AU PAIEMENT DE

.....Real Estate being composed of the great southerly part of the east 2/3rds part of Lot #5, Conc.#3 of the Twp. of Woodhouse, which is more particularly desc'd. in Reg'd Deed #256691, for the said Twp. of Woodhouse, Co. of Norfolk, Ontario.....

John H. Walker

VERIFIED BY - CONTRÔLÉ PAR
A. E. Walker
AUTHORIZED OFFICER - FONCTIONNAIRE AUTORISÉ

DEPUTY MINISTER OF NATIONAL REVENUE FOR TAXATION
SOUS-MINISTRE DU REVENU NATIONAL POUR L'IMPÔT

ATW/RP

This Indenture

made (in duplicate) the second day of September
one thousand nine hundred and fifty-eight
In pursuance of the Short Forms of Conveyances Act
and of the Devolution of Estates Act,
Between

FREDERICK JOSEPH SMYTHE, of the Township of
Woodhouse, in the County of Norfolk, Farmer,

the Administrator of the Estate of George Moyse Smyth
late of the Township of Woodhouse in the
of Norfolk, Farmer, deceased,
herein called the Grantor , of the First Part
and

ROBERT WALKER SMYTHE, of the said Township of
Woodhouse, in the County of Norfolk, Student,

and herein called the Grantee , of the Second Part
the said FREDERICK JOSEPH SMYTHE, in his personal
capacity and SUSANNA MARY BROWN, of the City of
Toronto, in the County of York, Married Woman,
hereinafter called the Parties,

OF THE THIRD PART.

WHEREAS the said George Moyse Smyth
died on or about the tenth day of October
one thousand nine hundred and fifty-seven intestate, and letters of
administration of his estate and effects were granted to the Grantor by the
Surrogate Court of the County of Norfolk on
the thirty-first day of December one thousand nine hundred
and fifty-seven and were registered in the Registry Office for the
County of Norfolk as No. 262694

AND WHEREAS the said George Moyse Smyth was,
at the time of his decease, seised and possessed of the lands hereinafter
described.

~~AND WHEREAS for the purpose of paying the debts of the said deceased, and
of dividing the estate among the persons beneficially entitled thereto, it is neces-
sary to sell the said lands.~~

Consent of the Treasurer of Ontario for transfer of the lands hereinafter described as required
by the Provisions of Section 57 (7) of The Registry Act was duly registered in Norfolk Registry
Office on the sixth day of May, 1958 as Number 261114 G.R.

AND WHEREAS the parties of the Third Part are the only persons entitled to the estate of the said George Moyse Smyth, deceased and as part of the distribution of the said estate this conveyance is made with their concurrence,

Now this Indenture Witnesseth that, in pursuance of the powers vested in him , the Grantor , as personal representative of the said

George Moyse Smyth deceased, and in consideration of the sum of

----- TWO ----- -dollars to him paid by the Grantee , the receipt whereof is hereby by him acknowledged, Both Grant unto the Grantee , in fee simple, all and singular that certain parcel or

tract of land and premises situate, lying and being in the Township of Woodhouse, in the County of Norfolk and Province of Ontario and being composed of the great southerly part of the east two thirds part of Lot Number Five in the Third Concession of the said Township of Woodhouse which parcel of land is bounded as follows, that is to say: COMMENCING at a point in the south boundary of said Lot in the limit between the westerly one-third and the easterly two-thirds in width of said Lot; Thence north fifteen degrees and forty minutes west twenty-eight chains; Thence north seventy-eight degrees and thirty minutes east fifty links; Thence north fifteen degrees and forty minutes west twenty-five chains more or less to the southerly side of the right-of-way of the Canadian National Railway Company; Thence bounding thereon in an easterly direction twenty-three chains and eighty links more or less to the easterly limit of said Lot; Thence south fifteen degrees and forty minutes east thirty-nine chains and ten links more or less to a point distant three chains and twenty-five links from the south-east angle of said Lot; Thence south seventy-eight degrees and thirty minutes west one chain and sixty-two links; Thence south fifteen degrees and forty minutes east three chains and twenty-five links to the south boundary of said Lot; Thence westerly along the south boundary of said Lot to a point distant six hundred and eighty-eight feet and nine-tenths of a foot westerly from the south-east angle of said Lot at a stake set; Thence north fifteen degrees and thirty-six minutes west three hundred and sixty-eight feet and four-tenths of a foot to a stake set; Thence bounding along a board fence south seventy-six degrees and sixteen minutes west one hundred and fifty-six feet and seven-tenths of a foot to an iron pipe set;

Thence south seventeen degrees and nine minutes east along a post and wire fence three hundred and sixty-eight feet to a stake set in the southern boundary of said Lot; Thence westerly along the south boundary of said Lot be the distance what it may to the place of beginning.

TOGETHER with a right-of-way to the Grantee, his heirs, executors, administrators and assigns for persons, animals and vehicles over, along and upon a parcel of land and being a south-easterly and middle part of said Lot more particularly described as follows: COMMENCING at a point in the south boundary of said Lot distant six hundred and eighty-eight feet and nine-tenths of a foot measured westerly along said southerly limit from the south-east angle of said Lot; Thence north fifteen degrees and thirty-six minutes west three hundred and sixty-eight feet and four-tenths of a foot to a stake set; Thence south seventy-six degrees and sixteen minutes west twenty feet to a stake set; Thence south fifteen degrees and thirty-six minutes east three hundred and sixty-eight feet and four-tenths of a foot to the south boundary of said Lot and Thence easterly along the south boundary of said Lot twenty feet to the place of beginning.

11-3
Administrator's
Seal
P6917-2M-10-51

To hold unto and to the use of the Grantee his heirs and assigns.

And the Grantor Covenants with the Grantee that he has done no act to incumber the said lands.

And the Grantor releases to the Grantee all his claims upon the said lands.

AND the said parties of the Third Part hereby direct and authorize the execution of this conveyance and do consent to and concur therein and release all claims upon the said lands.

In Witness Whereof the said parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered
IN THE PRESENCE OF

Frederick J. Long

Rebecca A. Lusk

Susanna Mary Breton

Affidavit as to Legal Age

PROVINCE OF ONTARIO } I, Susanna Mary Brown
COUNTY OF Norfolk } of the City of Toronto in the County
To Wit: } of York, Married Woman

in the within instrument named, make oath and say:

THAT at the time of the execution and delivery by me of the within instrument I was of the full age
of twenty-one years.

SWORN before me at the Town
of Simcoe
County of Norfolk
this 21st day of November
A.D. 19 58
Susanna Mary Brown

A Commissioner for taking Affidavits, etc.

Affidavit of Administrator

COUNTY OF Norfolk

TO WIT:

I, Frederick Joseph Smythe, of the Township of Woodhouse
in the County of Norfolk, Farmer,
make oath and say:

1. I am the Administrator of the Estate of George Moyse Smyth, deceased.

~~I declare under oath that the contents of this affidavit are true and correct to the best of my knowledge and belief, and that I am not aware of any facts which would render the same false or misleading.~~

8. I am of the full age of twenty-one years.

SWORN before me at the Town
of Simcoe
in the County
of Norfolk
this 15th
day of November 1958

Frederick J. Smyth

W. M. M. M.

A Commissioner, etc.

Affidavit under Land Transfer Tax Act IN THE MATTER OF THE LAND TRANSFER TAX ACT,

PROVINCE OF ONTARIO

County
Norfolk

OF

To Wit:

I, Frederick Joseph Smythe
of the Township of Woodhouse
in the County of Norfolk
Farmer
make oath and say:

This affidavit may be made by the purchaser or vendor or by any one acting for them under power of attorney or by an agent accredited in writing by the purchaser or vendor or by the solicitor of either of them.

1. I am the Grantor named in the within, or annexed, transfer.
2. I have a personal knowledge of the facts stated in this affidavit.
3. The true amount of the monies in cash and the value of any property or security included in the consideration is as follows:

(a) Monies paid in cash	\$ 2.00
(b) Property transferred in exchange;	
Equity value \$	
Encumbrances \$	\$ Nil
(c) Securities transferred to the value of	\$ Nil
(d) Balances of existing encumbrances with interest owing at date of transfer	\$ Nil
(e) Monies secured by mortgage under this transaction	\$ Nil
(f) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$ Nil
Total consideration	\$ 2.00

Clauses 4, 5 and 6 should be struck out if not applicable or necessary.

4. If consideration is nominal, is the transfer for natural love and affection?
5. If so, what is the relationship between Grantor and Grantee?
6. Other remarks and explanations, if necessary:
This conveyance is made as part of the distribution of the estate as directed by the next-of-kin entitled thereto.

SWORN before me at the Town
of Simcoe
in the County
of Norfolk
this 15th
day of November 1958

Frederick J. Smyth

W. M. M. M.

A Commissioner, etc.

Transfer/Deed of Land

Form 1 — Land Registration Reform Act

FOR OFFICE USE ONLY	NUMBER <u>501058</u> CERTIFICATE OF REGISTRATION <u>94 JAN 27 AIO:47</u> NORFOLK NO. 37 SIMCOE LAND REGISTRAR.	(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/>	(2) Page 1 of <u>4</u> pages															
	(3) Property Identifier(s) <u>Block</u> Property	(4) Consideration <u>ESTATE CONVEYANCE</u> <u>Two</u> Dollars \$ <u>2.00</u>	(5) Description This is a: Property Division <input type="checkbox"/> Property Consolidation <input type="checkbox"/> Part Lot 5, 3rd Concession, in the City of Nanticoke, in the Regional Municipality of Haldimand-Norfolk, formerly the Township of Woodhouse, County of Norfolk. As previously described in Instrument No. 251611.															
	Additional: See Schedule <input type="checkbox"/> Executions Additional: See Schedule <input type="checkbox"/>																	
	(6) This Document Contains (a) Redescription <input type="checkbox"/> New Easement Plan/Sketch <input type="checkbox"/> (b) Schedule for: Description <input checked="" type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>	(7) Interest/Estate Transferred Fee Simple																
(8) Transferor(s) The transferor hereby transfers the land to the transferee and certifies that the transferor is at least eighteen years old and that																		
<table border="0" style="width:100%;"> <tr> <td style="width:50%;"> Name(s) <u>SMYTHE, Frederick Joseph - Estate</u> <u>SMYTHE, Robert Walker - Executor</u> </td> <td style="width:30%;"> Signature(s) </td> <td style="width:20%;"> Date of Signature <table border="1" style="width:100%; text-align: center;"> <tr><td>Y</td><td>M</td><td>D</td></tr> <tr><td>1993</td><td>12</td><td>31</td></tr> </table> </td> </tr> </table>					Name(s) <u>SMYTHE, Frederick Joseph - Estate</u> <u>SMYTHE, Robert Walker - Executor</u>	Signature(s) 	Date of Signature <table border="1" style="width:100%; text-align: center;"> <tr><td>Y</td><td>M</td><td>D</td></tr> <tr><td>1993</td><td>12</td><td>31</td></tr> </table>	Y	M	D	1993	12	31					
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(9) Spouse(s) of Transferor(s) I hereby consent to this transaction <table border="0" style="width:100%;"> <tr> <td style="width:50%;">Name(s)</td> <td style="width:30%;">Signature(s)</td> <td style="width:20%;">Date of Signature</td> </tr> <tr> <td> </td> <td> </td> <td> <table border="1" style="width:100%; text-align: center;"> <tr><td>Y</td><td>M</td><td>D</td></tr> <tr><td> </td><td> </td><td> </td></tr> </table> </td> </tr> </table>					Name(s)	Signature(s)	Date of Signature			<table border="1" style="width:100%; text-align: center;"> <tr><td>Y</td><td>M</td><td>D</td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Y	M	D					
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(10) Transferor(s) Address for Service <u>R. R. #3, Simcoe, Ontario, N3Y 4K2</u>																		
(11) Transferee(s) <table border="0" style="width:100%;"> <tr> <td style="width:70%;">Name(s)</td> <td style="width:30%;">Date of Birth</td> </tr> <tr> <td><u>SMYTHE, Robert Walker</u></td> <td> <table border="1" style="width:100%; text-align: center;"> <tr><td>Y</td><td>M</td><td>D</td></tr> <tr><td>1946</td><td>07</td><td>02</td></tr> </table> </td> </tr> </table>					Name(s)	Date of Birth	<u>SMYTHE, Robert Walker</u>	<table border="1" style="width:100%; text-align: center;"> <tr><td>Y</td><td>M</td><td>D</td></tr> <tr><td>1946</td><td>07</td><td>02</td></tr> </table>	Y	M	D	1946	07	02				
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(13) Transferor(s) The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 50 of the Planning Act. <table border="0" style="width:100%;"> <tr> <td style="width:50%;"> Signature Solicitor for Transferor(s) I have explained the effect of section 50 of the Planning Act to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing. </td> <td style="width:50%;"> Signature Date of Signature <table border="1" style="width:100%; text-align: center;"> <tr><td>Y</td><td>M</td><td>D</td></tr> <tr><td> </td><td> </td><td> </td></tr> </table> </td> </tr> </table>					Signature Solicitor for Transferor(s) I have explained the effect of section 50 of the Planning Act to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing.	Signature Date of Signature <table border="1" style="width:100%; text-align: center;"> <tr><td>Y</td><td>M</td><td>D</td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Y	M	D									
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(14) Solicitor for Transferee(s) I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 50 (22) (c) (iv) of the Planning Act and that to the best of my knowledge and belief this transfer does not contravene section 50 of the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing. <table border="0" style="width:100%;"> <tr> <td style="width:50%;"> Name and Address of Solicitor </td> <td style="width:50%;"> Signature Date of Signature <table border="1" style="width:100%; text-align: center;"> <tr><td>Y</td><td>M</td><td>D</td></tr> <tr><td> </td><td> </td><td> </td></tr> </table> </td> </tr> </table>					Name and Address of Solicitor	Signature Date of Signature <table border="1" style="width:100%; text-align: center;"> <tr><td>Y</td><td>M</td><td>D</td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Y	M	D									
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Schedule for Description

Part of Lot Number Five in the Third Concession in the City of Nanticoke, Regional Municipality of Haldimand-Norfolk, formerly Township of Woodhouse, County of Norfolk containing by admeasurement forty and one tenth acres, and being more particularly described as follows: Commencing at a point distant 1330. feet 6.72 inches from the southeast angle of said Lot Number Five measured on a course of south seventy-six degrees and forty minutes west along the southerly limit of said Lot; thence south seventy-six degrees and forty minutes west along said southerly limit 648 feet 9.36 inches; thence north fifteen degrees and forty minutes west 2698 feet .96 inches; thence north thirty-six degrees and eleven minutes east 168 feet 3.6 inches; thence south sixty-two degrees and twenty-nine minutes east 163 feet 8.16 inches; thence south seventy-three degrees and six minutes east 225 feet .72 inches; thence south seventy-six degrees and twenty-six minutes east 168 feet 3.6 inches; thence north sixty-six degrees and eighteen minutes east 73 feet 3.12 inches; thence south fifteen degrees and forty minutes east 1193 feet 11.28 inches; thence south seventy-four degrees and twenty minutes west 1980 feet; thence south fifteen degrees and forty minutes east 1,323 feet 3.6 inches, more or less, to the place of beginning.

Schedule for Recitals

WHEREAS Frederick Joseph Smythe passed away on the 2nd day of February, 1993;

AND WHEREAS all debts of the said Frederick Joseph Smythe have been paid in full;

AND WHEREAS Letters Probate of the said Last Will and Testament of the late Frederick Joseph Smythe were granted to Robert Walker Smythe by the Ontario Court (General Division) on the 8th day of April, 1993, and were registered in the Registry Office for the Registry Division of Norfolk (No. 37) on the 4th day of January, 1994, as Instrument No. 500710.

AND WHEREAS Frederick Joseph Smythe is one and the same person as Frederick Joseph Smyth;

AND WHEREAS by the Last Will and Testament of the late Frederick Joseph Smythe, the within lands were bequeathed to Robert Walker Smythe.

Affidavit of Residence and of Value of the Consideration
Form 1 - Land Transfer Tax Act

Refer to all instructions on reverse side.

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Part Lot 5, 3rd Concession, in the Town of Simcoe in the Regional Municipality of Halimand-Norfolk, formerly the Township of Woodhouse, County of Norfolk.

BY (print names of all transferors in full) ESTATE OF FREDERICK JOSEPH SMYTHE

TO (see instruction 1 and print names of all transferees in full) ROBERT WALKER SMYTHE

1. (see instruction 2 and print name(s) in full) ROBERT WALKER SMYTHE

MAKE OATH AND SAY THAT:

1. I am (place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s)): (see instruction 2)

- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- ☒ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- ☐ (c) A transferee named in the above-described conveyance;
- ☐ (d) The authorized agent or solicitor acting in this transaction for (insert name(s) of principal(s)) _____ described in paragraph(s) (a), (b), (c) above; (strike out references to inapplicable paragraphs)
- ☐ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for (insert name(s) of corporation(s)) _____ described in paragraph(s) (a), (b), (c) above; (strike out references to inapplicable paragraphs)
- ☐ (f) A transferee described in paragraph () (insert only one of paragraph (a), (b) or (c) above, as applicable) and am making this affidavit on my own behalf and on behalf of (insert name of spouse) _____ who is my spouse described in paragraph () (insert only one of paragraph (a), (b) or (c) above, as applicable) and as such, I have personal knowledge of the facts herein deposed to.

2. (To be completed where the value of the consideration for the conveyance exceeds \$400,000).

- I have read and considered the definition of "single family residence" set out in clause 1(1)(j) of the Act. The land conveyed in the above-described conveyance
- ☐ contains at least one and not more than two single family residences.
- ☐ does not contain a single family residence.
- ☐ contains more than two single family residences. (see instruction 3)
- Note: Clause 2(1)(d) imposes an additional tax at the rate of one-half of one per cent upon the value of consideration in excess of \$400,000 where the conveyance contains at least one and not more than two single family residences.*

3. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses 1(1)(i) and (g) of the Act and each of the following persons to whom or in trust for whom the land is being conveyed in the above-described conveyance is a "non-resident corporation" or a "non-resident person" as set out in the Act. (see instructions 4 and 5) NONE

4. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

- | | | |
|---|---------|---------|
| (a) Monies paid or to be paid in cash | \$ 2.00 | |
| (b) Mortgages (i) Assumed (show principal and interest to be credited against purchase price) | \$ NIL | |
| (ii) Given back to vendor | \$ NIL | |
| (c) Property transferred in exchange (detail below) | \$ NIL | |
| (d) Securities transferred to the value of (detail below) | \$ NIL | |
| (e) Liens, legacies, annuities and maintenance charges to which transfer is subject | \$ NIL | |
| (f) Other valuable consideration subject to land transfer tax (detail below) | \$ NIL | |
| (g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX (Total of (a) to (f)) | \$ 2.00 | \$ 2.00 |
| (h) VALUE OF ALL CHATTELS - items of tangible personal property (Retail Sales Tax is payable on the value of all chattels unless exempt under the provisions of the "Retail Sales Tax Act", R.S.O. 1980, c.454, as amended) | \$ NIL | |
| (i) Other consideration for transaction not included in (g) or (h) above | \$ NIL | |
| (j) TOTAL CONSIDERATION | \$ 2.00 | |

All Blanks
Must Be
Filled In.
Insert "NIL"
Where
Applicable.

5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (see instruction 6)

transferred from father to son to effect terms of Will.

6. If the consideration is nominal, is the land subject to any encumbrance? NO.

7. Other remarks and explanations, if necessary. N/A

Sworn before me at the Town of Simcoe
in the Regional Municipality of Halimand-Norfolk
this 31st day of December 19 97

R. Fuller

Robert Walker Smythe
Robert Walker Smythe

A Commissioner for taking Affidavits, etc.

Property Information Record

- A. Describe nature of instrument Deed
- B. (i) Address of property being conveyed (if available) R. R. #3, Simcoe, Ontario
- (ii) Assessment Roll No. (if available) N3Y 4K2
- (iii) Assessment Roll No. (if available) 28 33 070 010 25600
- C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed (see instruction 7) R. R. #3, Simcoe, Ontario, N3Y 4K2
- D. (i) Registration number for last conveyance of property being conveyed (if available) 251611
- (ii) Brief description of property conveyed Same as in D(i) above Yes ☒ No ☐ Not known ☐
- E. Name(s) and address(es) of each transferee's solicitor
Brimage, Tyrrell, Van Severen & Homeniuk, Barristers and Solicitors, 21 Norfolk Street North, Simcoe, Ontario, N3Y 4L1 (Robert Fuller)

For Land Registry Office Use Only

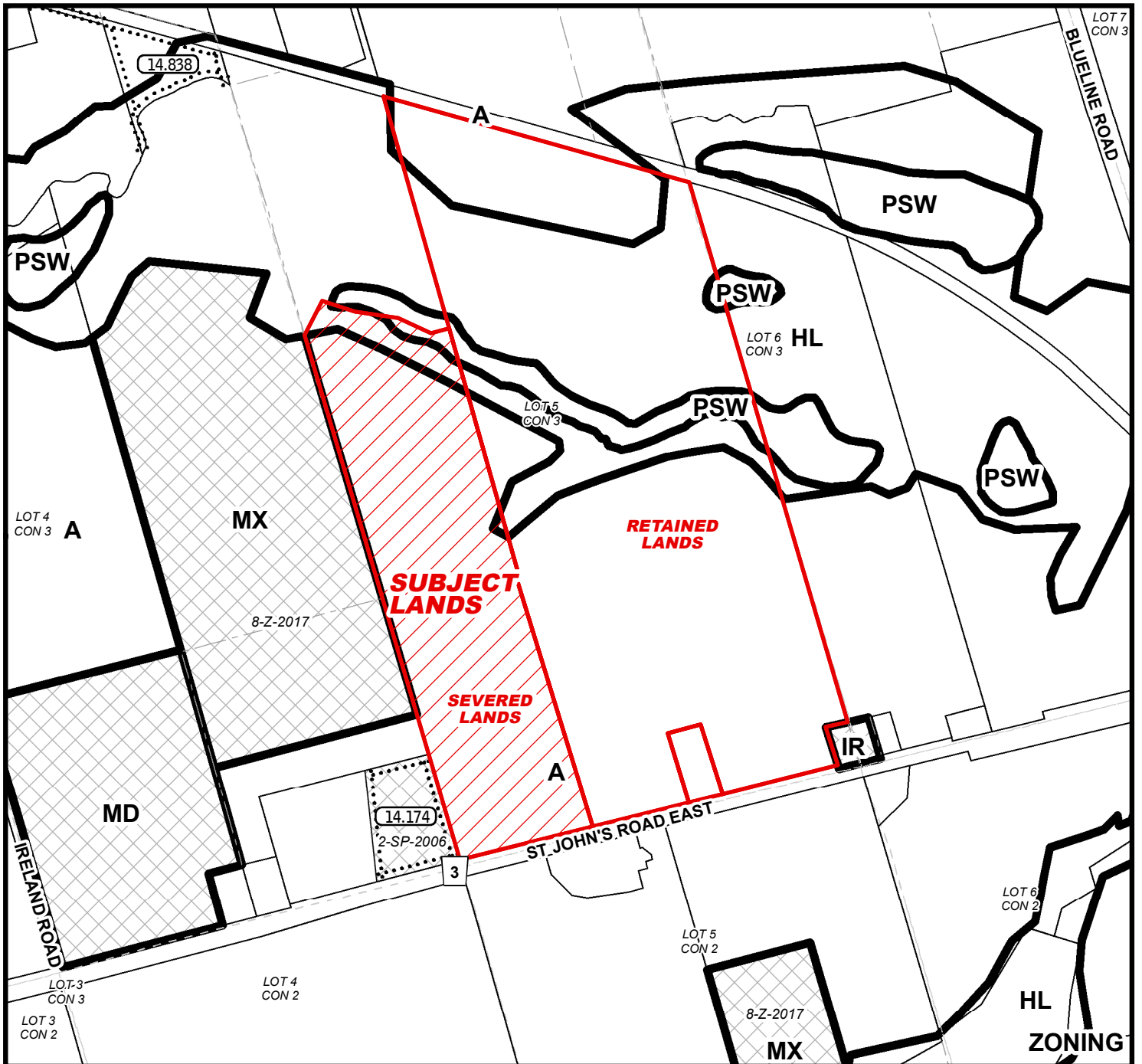
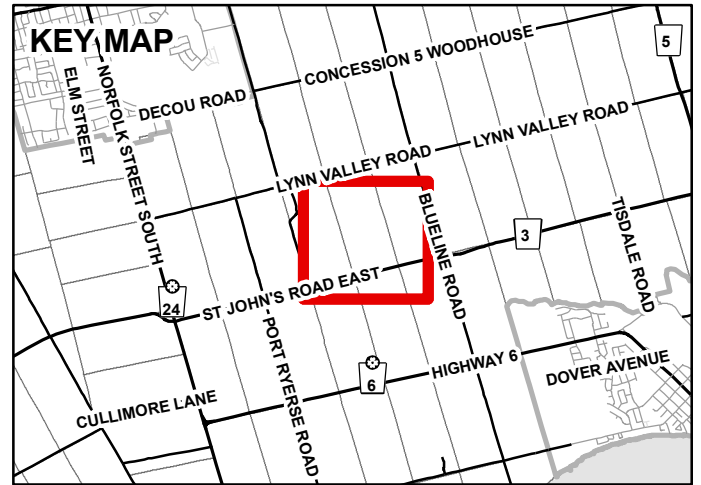
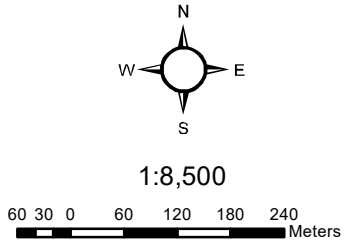
Registration No.	
Registration Date	Land Registry Office No.

School Tax Support (Voluntary Election) See reverse for explanation

MAP 1

File Number: BNPL2018332

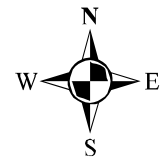
Geographic Township of
WOODHOUSE



MAP 2

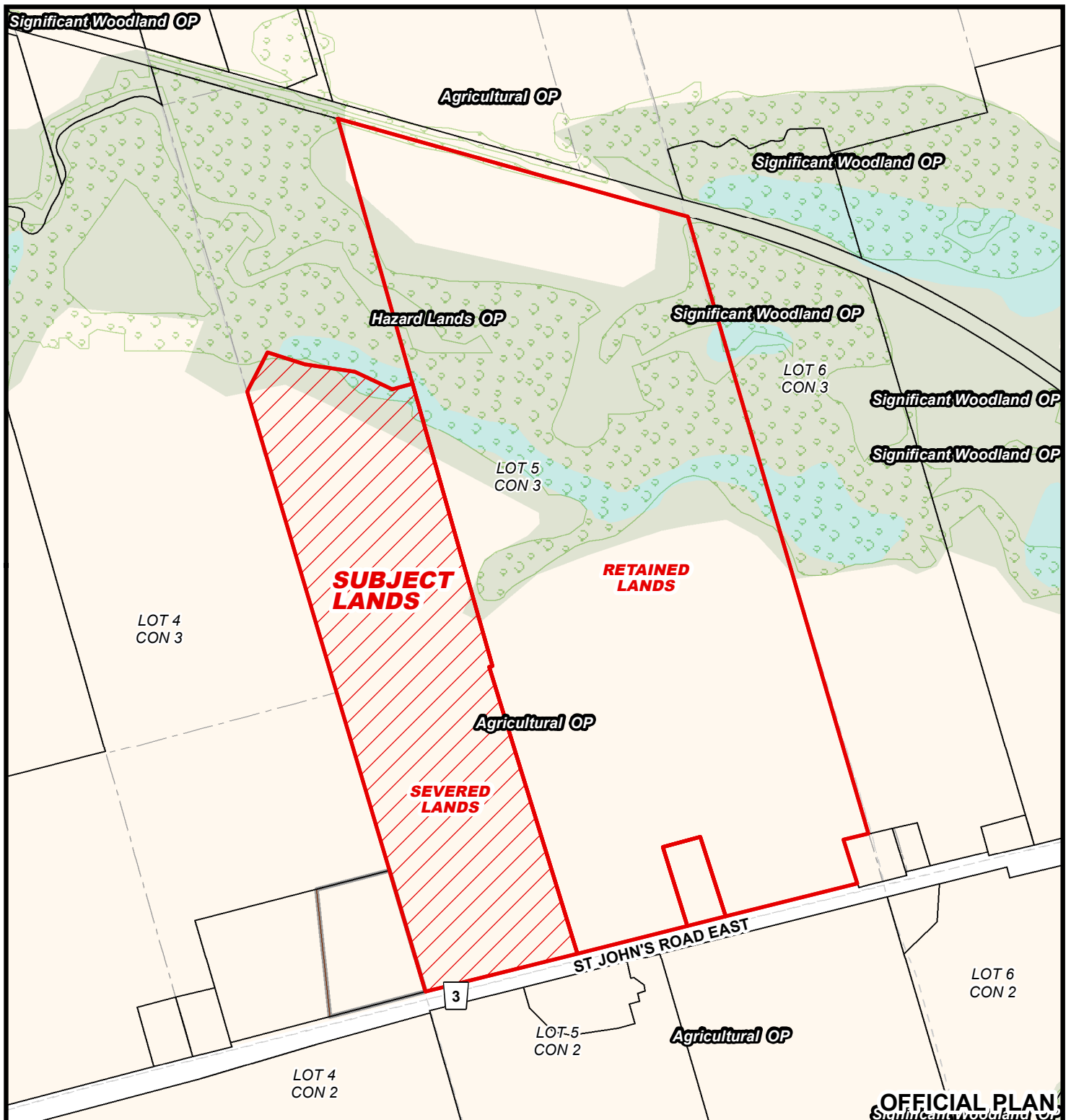
File Number: BNPL2018332

Geographic Township of WOODHOUSE



25 50 75 100
Meters

1:7,000



1/9/2019

MAP 3

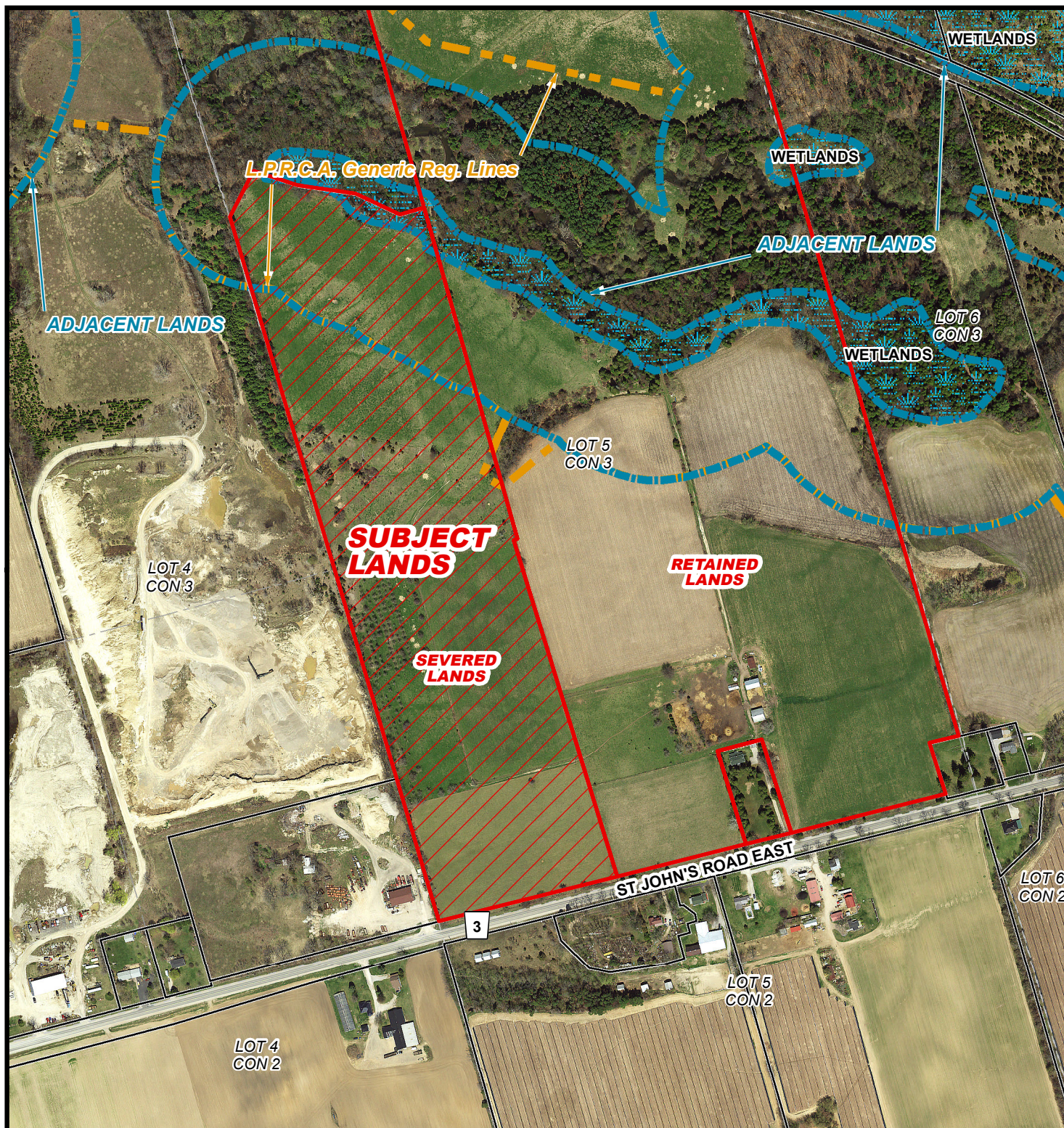
File Number: BNPL2018332

Geographic Township of WOODHOUSE



20 40 60 80
Meters

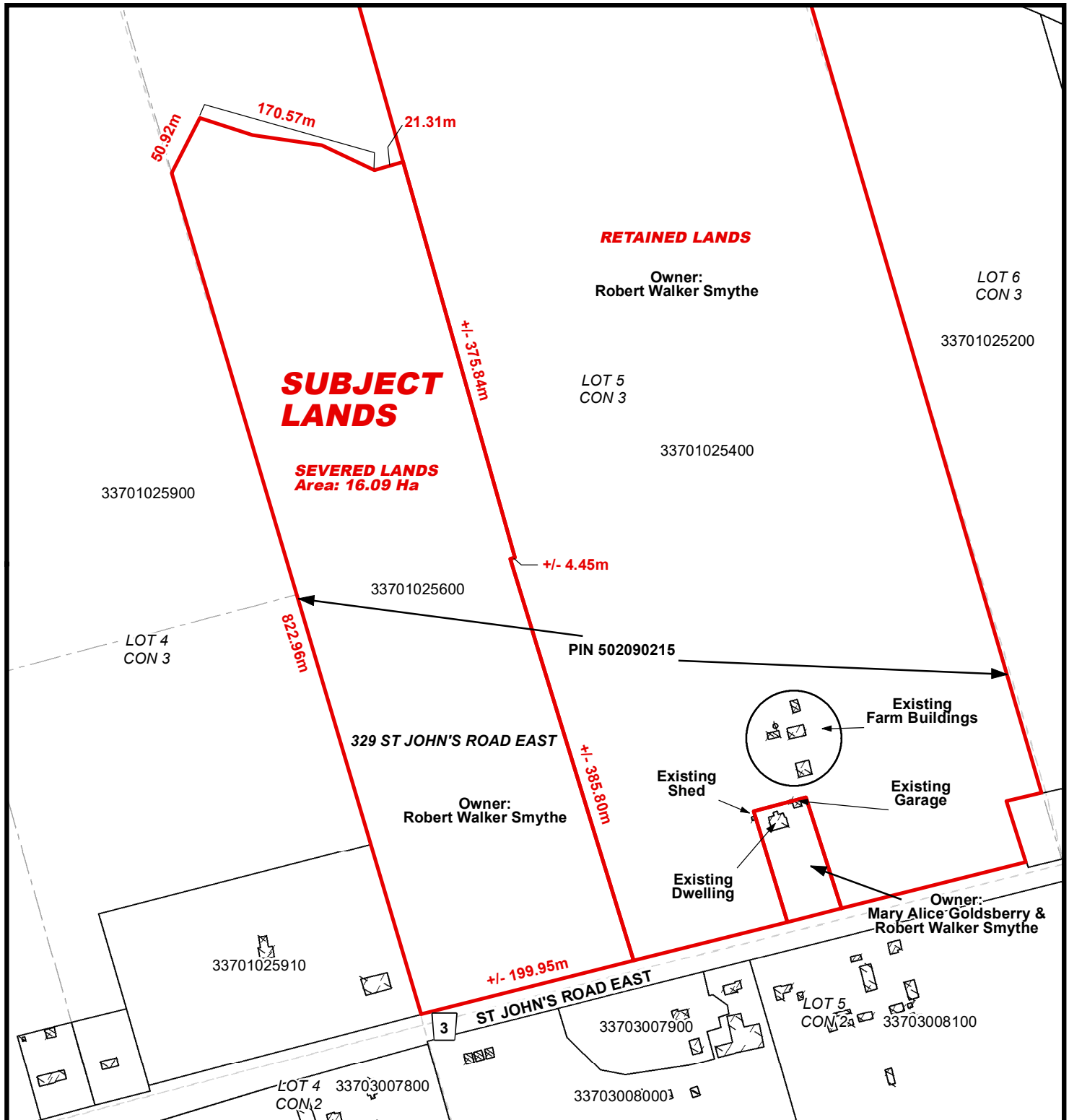
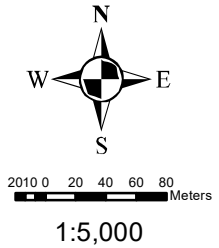
1:6,000



MAP 4

File Number: BNPL2018332

Geographic Township of WOODHOUSE



LOCATION OF LANDS AFFECTED

File Number: BNPL2018332

Geographic Township of WOODHOUSE



20 40 60 80 Meters

1:5,000

