

For Office Use Only:

File Number	<u>ANPL2018298/BNPL2018299</u>	Application Fee	<u>\$3061 + \$1406</u>
Related File Number	<u>—</u>	Conservation Authority Fee	<u>—</u>
Pre-consultation Meeting	<u>—</u>	OSSD Form Provided	<u>Yes</u>
Application Submitted	<u>Nov 23/18</u>	Planner	<u>Steve</u>
Complete Application	<u>Nov 23/18</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: 49101950000**A. Applicant Information****Name of Owner** 998132 Ontario Limited & 998133 Ontario Limited

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 2871 & 2894 Nixon Road,

Town and Postal Code Windham Centre, ON N0E 2A0

Phone Number 519-443-5271

Cell Number 519-427-3840

Email blaine@cebulekfamilyfarms.com

Name of Applicant same as owner

Address _____

Town and Postal Code _____

Phone Number _____

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 ☐ Applicant

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

NIL

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 Lots 16 and 17, Con 10 Windham

Municipal Civic Address: 628 Windham Road 10

Present Official Plan Designation(s): Agricultural

Present Zoning: Agriculture A Zone

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 uses - cash crop (corn and beans in rotation)



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:

Dwelling, Metal Sided Building, ~~8 bulk tobacco kilns, tobacco pack barn~~

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:

none

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes ☐ No ☒

If yes, identify and provide details of the building:

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

9. Existing use of abutting properties:

Agricultural

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

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



NORFOLK COUNTY
COMMUNITY
PLANNING
DEVELOPMENT AND CULTURAL SERVICES

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	608m	71m
Lot depth	525m	69.1m
Lot width	608m	74.7m
Lot area	64 ac	1.23ac
Lot coverage		8.6%
Front yard		22m
Rear yard		23m
Left Interior side yard		18.5m
Right Interior side yard		extensive
Exterior side yard (corner lot)		n/a

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

Relief requested for maximum floor area and height of accessory building.

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

Existing: 263m² & 6.5m, By-law: 200m², & 5m ,Relief requested 63m² & 0.5m

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

Frontage:	71.08m
Depth:	69.14m
Width:	74.79m (max)
Lot Area:	4976m ² (1.23ac)
Present Use:	Agricultural
Proposed Use:	Residential
Proposed final lot size (if boundary adjustment):	

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

Description of land intended to be retained in metric units:

Frontage: 385m + 152m
Depth: 525m max
Width: 608m
Lot Area: 63.2ac
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: see attached table
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:

Knowledge of owner

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:

no change in lands proposed

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 lands 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 change in lands proposed

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 160m

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 280m

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 10

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

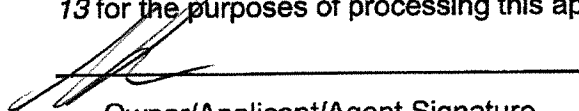
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

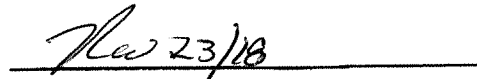
Permission to Enter Subject Lands

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.


Owner/Applicant/Agent Signature

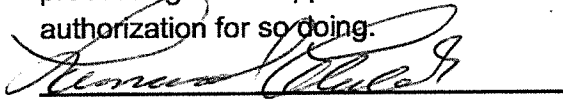

Date

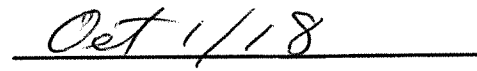
J. Owner's Authorization


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

I/We 998132 Ontario Ltd. 998133 Ontario Ltd am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

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


Owner


Date


Owner


Date

K. Declaration

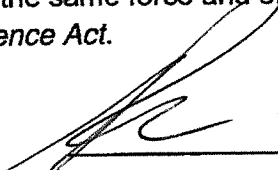
I, David Roe of Norfolk County

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/Agent Signature

In Norfolk Canty

This 23rd day of November

A.D., 20 18



A Commissioner, etc.

Leonard and Blaine Cebulak – Properties

no	Roll #	address	Total acres	Work acres	Farm type	House y/n	Year built
998132 Ontario and 998133 Ontario	49101950000	628 Windham 10	64.4	55	Cash crop Corn/beans	yes	1900
998132 Ontario and 998133 Ontario	49101845000	1107 Windham 11	149	132	Tobacco/rye/ squash	no	
998132 Ontario and 998133 Ontario	49102807700	2137 Highway 3	58.4	45	Ginseng/rye	yes	1950
998133 Ontario	49101913000	No address	146.67	80	Tobacco/ asparagus	no	
998033 Ontario	49101931000	2871/2865 Nixon Road	50	39	Tobacco	yes	1940
998133 Ontario, B Cebulak	49101943000	826 Windham 10	122.37	90	Tobacco/rye	yes	1930
998132 Ontario, L. Cebulak	49101932000	2831 Nixon Road	49.31	38	Tobacco/rye	yes	1930

998132 Ontario	49101933000	No address	50	45.6	Tobacco/rye	no	
998132 Ontario	49101508000	827 Windham Centre Road	98.23	77	Tobacco/rye	no	

Other Parcels:

998133 Ontario, no address, 0.91ac
Christine Cebulak, Highway 3, 0.85ac
Cebulak Farms, 823 Windham Centre Road, 0.75 ac
Teresa and Leonard Cebulak, 988 Windham 10, 1 ac



Working together with our community
to provide quality services.

Evaluation Form for Existing On-Site Sewage Systems

Date: July 2009

OFFICE USE ONLY		FILE NO.:		DATE RECEIVED:	
PROPERTY INFORMATION		Municipal Address: 628 Windham Road 10			
Owner: John and Bernadette McMahon			Lot: 16		Concession: 10 Windham
Lot Area: 4972m ²	Lot Frontage: 70.4m	Assessment Roll No. 49101950000			
PURPOSE OF EVALUATION		<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Minor Variance <input type="checkbox"/> Site Plan <input type="checkbox"/> Zoning <input type="checkbox"/> Other _____			
BUILDING INFORMATION		<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Agricultural			
Building Area:		No. of Bedrooms: 4	No. of Fixture Units: 20	Is the building currently occupied? <input checked="" type="checkbox"/> Yes / No If No, how long?	
EVALUATOR'S INFORMATION		Evaluator's Name: Larry Dedrick		Company Name: Dedrick Bros. Excavating LTD.	
Address: 370 Lynedoch Rd., Delhi		Postal Code: N4B 2W4		Phone: 519-582-2069	
Email: dbe10kwic.com		BCIN # 16930			
SITE EVALUATION		Ground Cover (trees, bushes, grass, impermeable surface): Grass.		Soil Type: Sand.	
Site Slope: <input type="checkbox"/> Flat <input checked="" type="checkbox"/> Moderate <input type="checkbox"/> Steep		Soil Conditions: <input type="checkbox"/> Wet <input checked="" type="checkbox"/> Dry		Depth of Water Table: 5 ft + ft. ^{Plas.}	
Surface Discharge Observed: Yes <input checked="" type="checkbox"/> No		Odour Detected: Yes <input checked="" type="checkbox"/> No		Current Weather (at time of evaluation): Sunny & Cloudy	
SYSTEM EVALUATION		Class of System: <input type="checkbox"/> 1 (Privy) <input type="checkbox"/> 2 (Greywater) <input type="checkbox"/> 3 (Cesspool) <input checked="" type="checkbox"/> 4 (Leaching Bed) <input type="checkbox"/> 5 (Holding Tank)			
Tank: <input checked="" type="checkbox"/> Pre-cast <input type="checkbox"/> Plastic <input type="checkbox"/> Fibre Glass <input type="checkbox"/> Wood <input type="checkbox"/> Other _____		Size: 800 Gal.		Pump: Yes <input checked="" type="checkbox"/> No	
Distribution System: Area: <input checked="" type="checkbox"/> Trench Bed <input type="checkbox"/> Filter Medium		No. of Tile Runs: 5	Total Length of Tile: 300 ft.	Distance Between Tile Runs: 8'	
Tile Material: <input checked="" type="checkbox"/> PVC <input type="checkbox"/> Clay <input type="checkbox"/> Other		Ends: <input checked="" type="checkbox"/> Capped <input type="checkbox"/> Joined	Cover: <input type="checkbox"/> Filter Cloth <input checked="" type="checkbox"/> Sand <input checked="" type="checkbox"/> Top Soil <input checked="" type="checkbox"/> Seeded		
Setbacks:			Tank		
Distance to Buildings & Structures (ft)			6 ft.		
Distance to Bodies of Water (ft)			None		
Distance to Nearest Well (ft)			50'		
Distance to Proposed Property Lines			Front 108' Rear 120' Side 48' W 177' E Front 120' Rear 54' Side 16' W 146' E		

OVERALL SYSTEM RATING

- ☒ System Working Properly / No Work Required
- ☐ System Functioning / Maintenance Required
- ☐ System Not Functioning / Minor Repair Required
- ☐ System Failure/Major Repair / Replacement Required

Note:

Any repair/replacement of an on site sewage system requires a building permit. Contact the Norfolk County Building Division at (519) 426-5870 for more information.

Additional Comments:

Septic System Installed - 1986

VERIFICATION**OWNER:**

The owner is responsible for having a site evaluation conducted of the above mentioned property. Neither the evaluation nor the approval thereof shall in any way exempt the owner(s) from complying with the Ontario Building Code or any other applicable law.

I, John and Bernadette McMahon (the owner of the subject property) hereby authorize the above mentioned evaluator to act on my behalf with respect to all matters pertaining to the existing on-site sewage system evaluation.

Owner Signature DAVID ROE AGENT

Date

EVALUATOR:

1. I, Larry Dedrick declare that this site evaluation is accurate as of the date of inspection. No determination of future performance can be made due to unknown conditions, future water usage over the life of the system, abuse of the system and/or inadequate maintenance, all of which may adversely affect the life of the system. This evaluation does not grant or imply any guarantee or warranty of the future performance of the sewage system. The undersigned takes no responsibility for the accuracy of existing or proposed property lines, whether measured or implied.

Evaluator Signature Larry Dedrick

Date August 27, 2018

BUILDING DIVISION COMMENTS

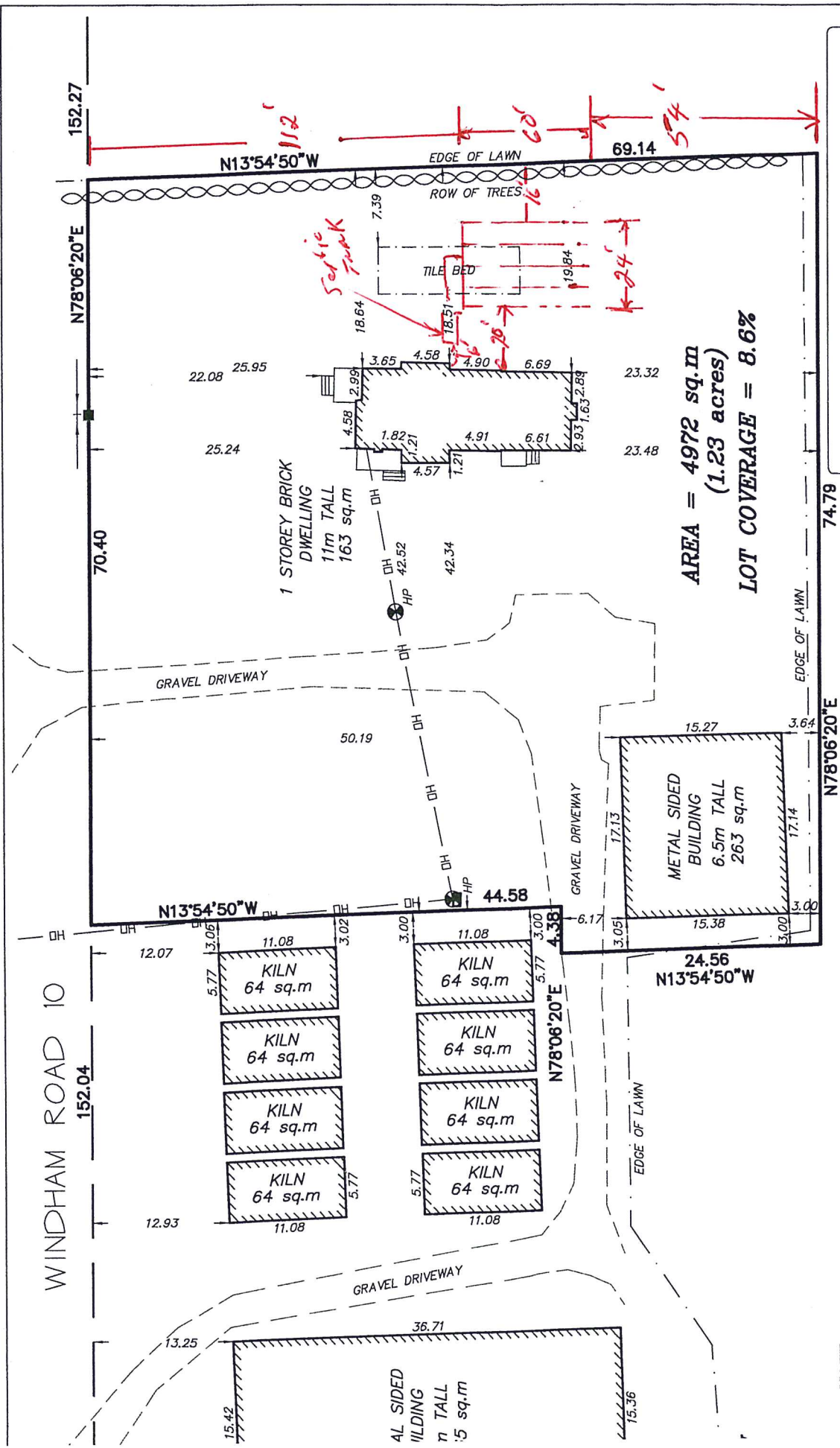
Comments:

I, _____ have reviewed the information contained in this form as submitted.

Chief Building Official or designate

Date

Revised: March 16, 2016



NOTE:

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

CAUTION:

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

JEWITT AND DIXON LTD.
ONTARIO LAND SURVEYORS

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

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

A topographic map showing a large property of 63.2 AC. The property is outlined in red. The boundary dimensions are as follows: 385m on the north side, 71.08m on the east side, 152m on the southeast side, 525m on the south side, 304m on the southwest side, 303m on the west side, and 333m on the northwest side. The property is labeled "Retained" and "63.2 AC". To the north of the property is a road labeled "547". To the east is a road labeled "655". To the south is a road labeled "658" and "WINDHAM ROAD 10". To the west is a road labeled "677" and "688". The map also shows a small pond, a stream, and a building labeled "b bk s sever".

Land Parcels

1:5,000

0 0.0425 0.085 0.17 mi

0 0.05 0.1 0.2 km

Northak GIS



N78°06'20"E

WINDHAM ROAD 10

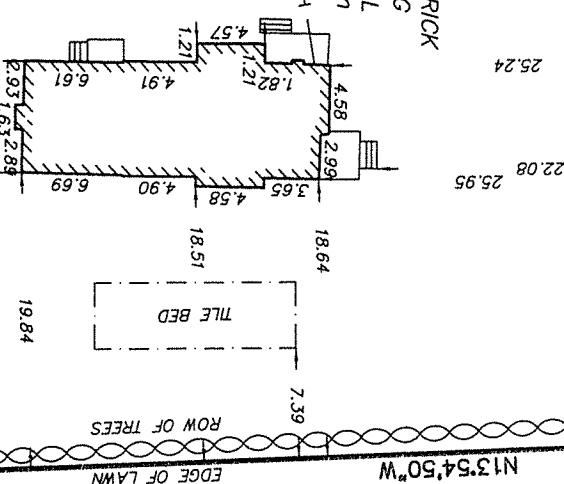
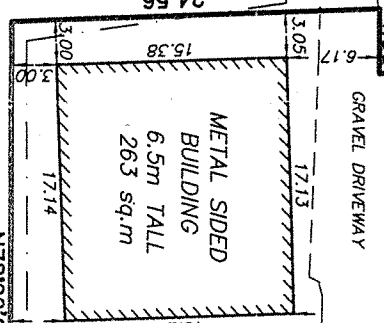
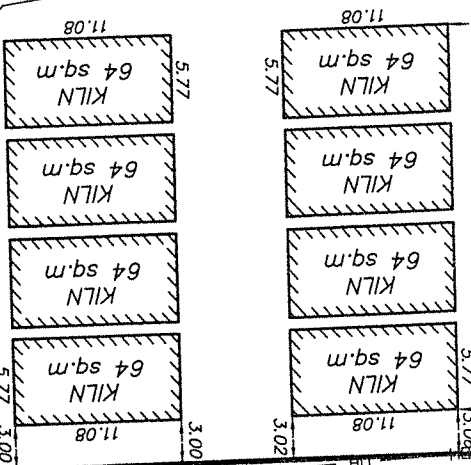
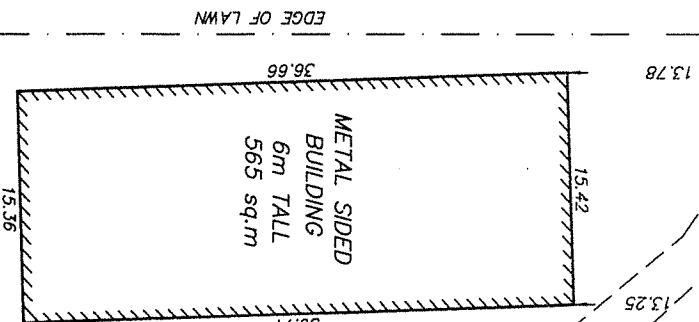
152.04

46.34

71.08

N78°06'20"E

152.27



AREA = 4976 sq.m
(1.23 acres)

LOT COVERAGE = 8.6%

SKETCH FOR

SEVERANCE APPLICATION

OF PART OF

LOT 16, CONCESSION 10

IN THE GEOGRAPHIC

TOWNSHIP OF WINDHAM

IN

NORFOLK COUNTY

SCALE: 1 : 500

JEWITT AND DIXON LTD.

JUNE 25, 2018

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JEWITT AND DIXON LTD.

ONTARIO LAND SURVEYORS

R.R.1, SIMCOE, ONTARIO, N3Y 4J9

(51 PARK ROAD)

PHONE: (519) 426-0842 FAX: (519) 426-1034

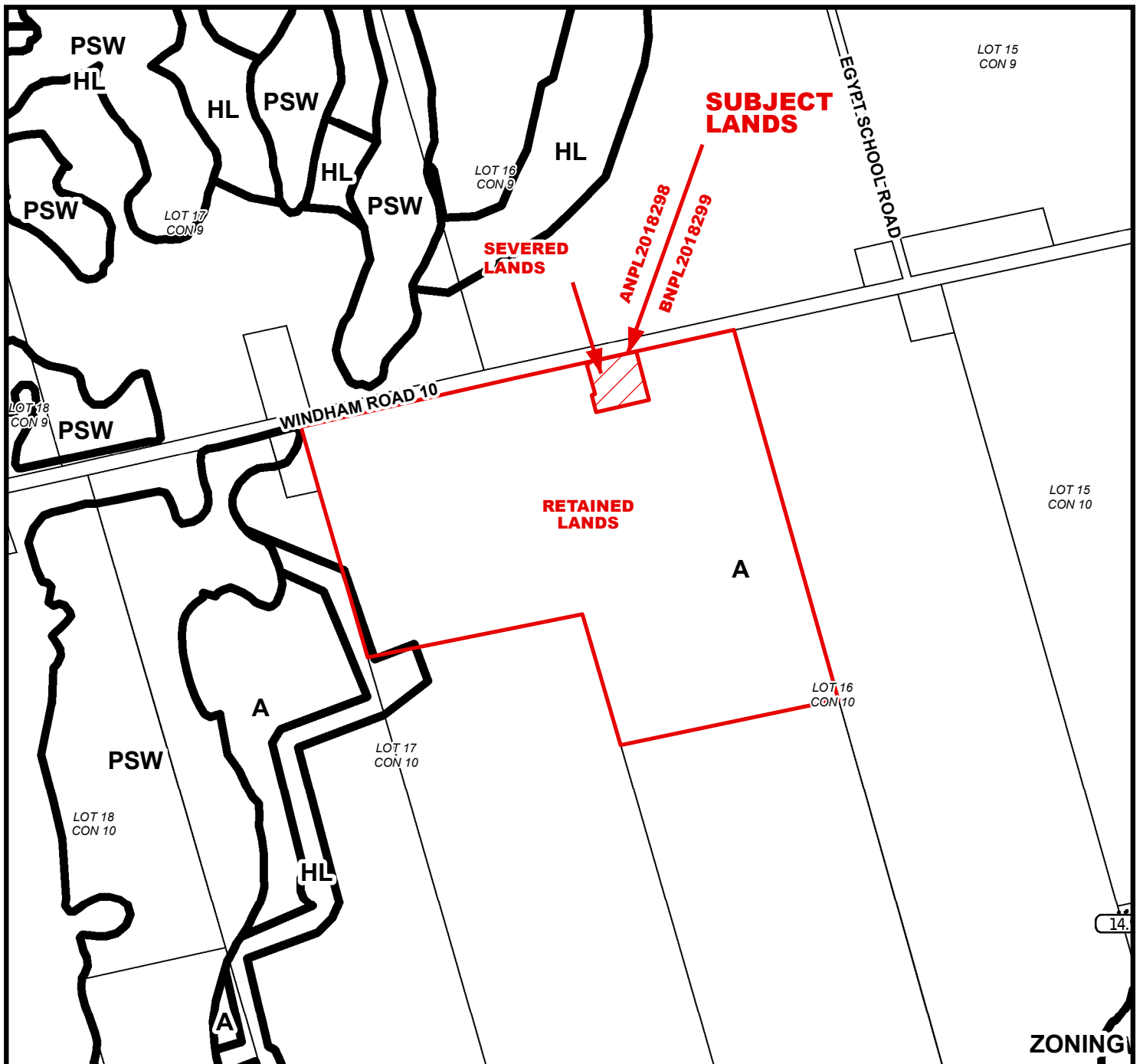
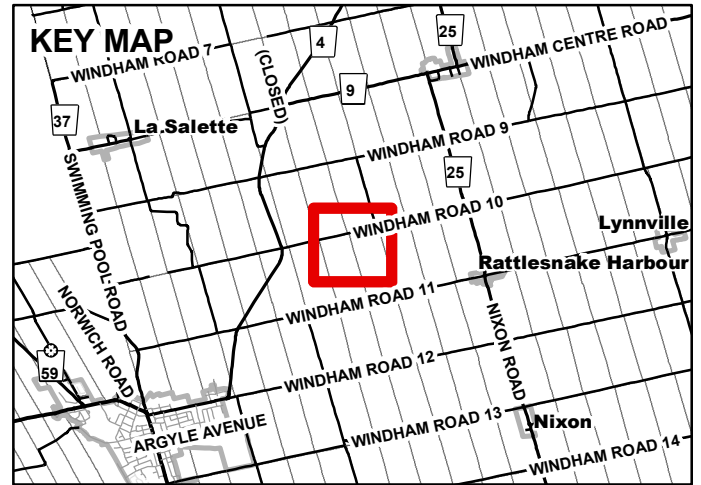
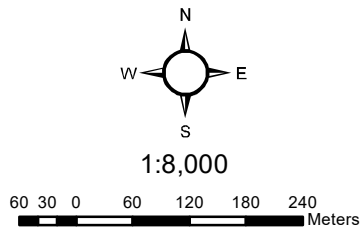
E-mail: surveyors@amtelecom.net

JOB # 18-1887 MCMAHON

MAP 1

File Number: ANPL2018298 &
BNPL2018299

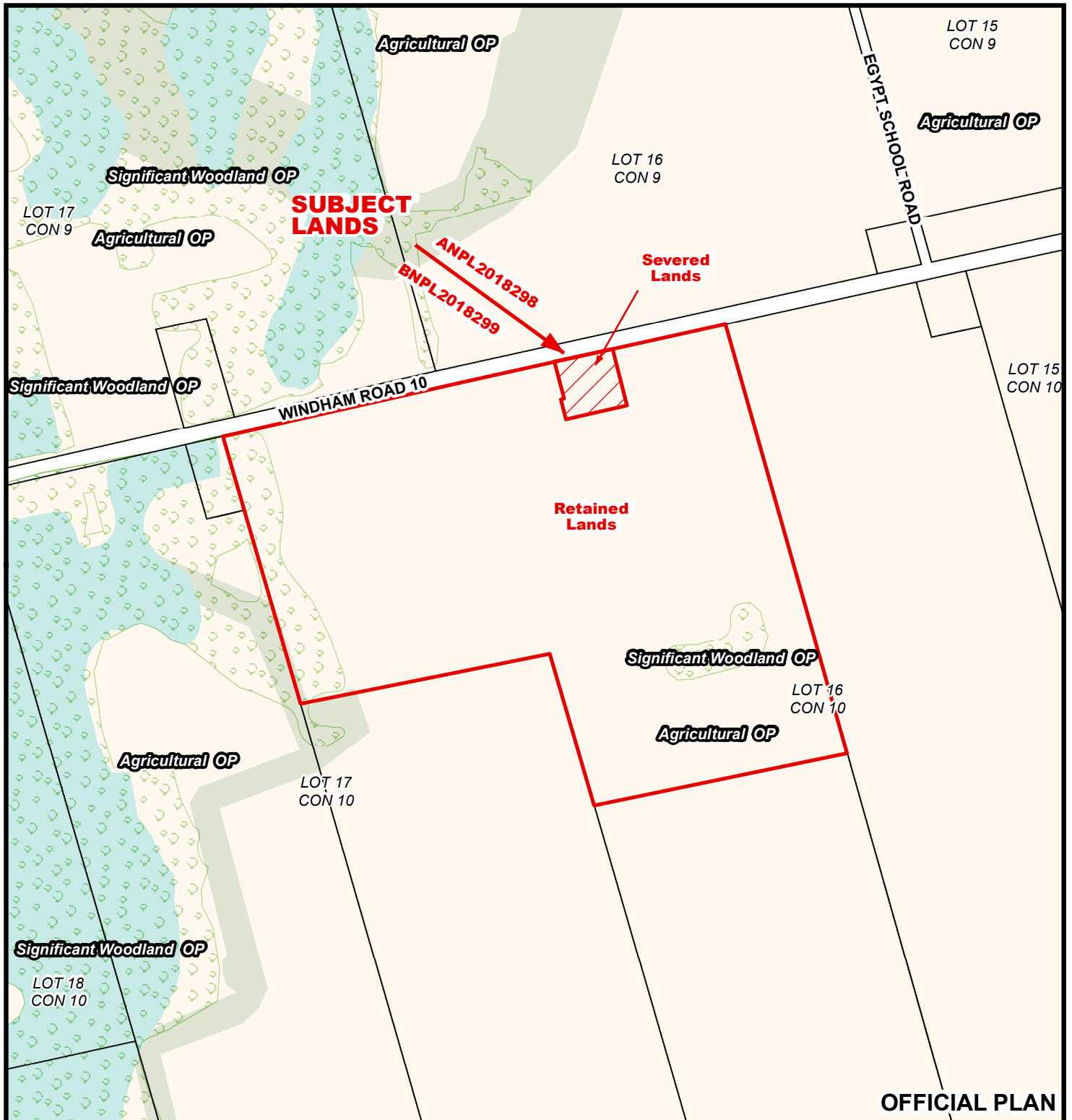
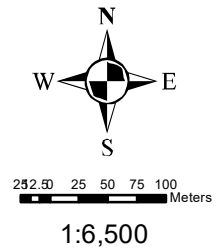
Geographic Township of
WINDHAM



MAP 2

File Number: ANPL2018298 & BNPL2018299

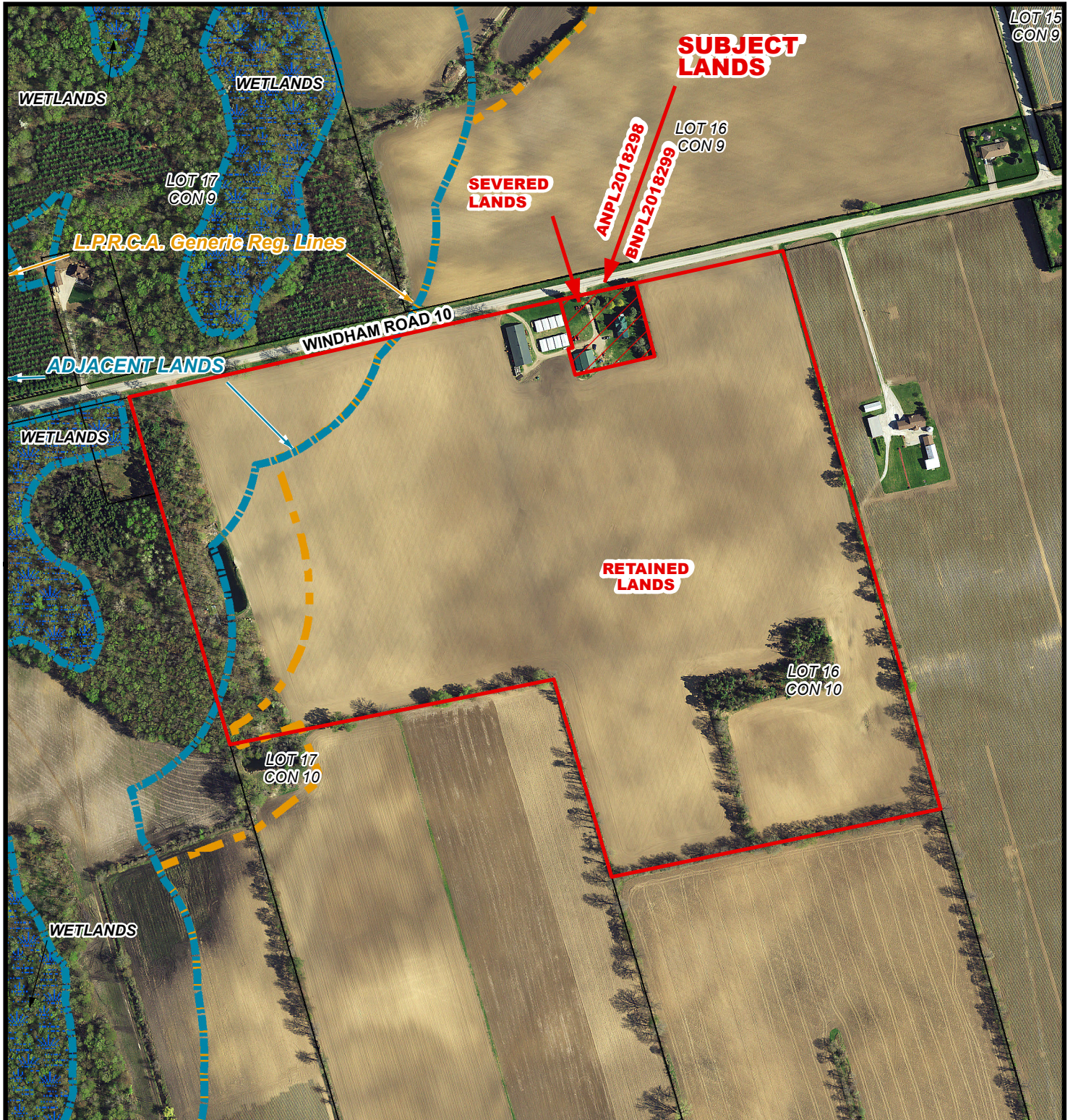
Geographic Township of WINDHAM



MAP 3

File Number: ANPL2018298 & BNPL2018299

Geographic Township of WINDHAM



MAP 4

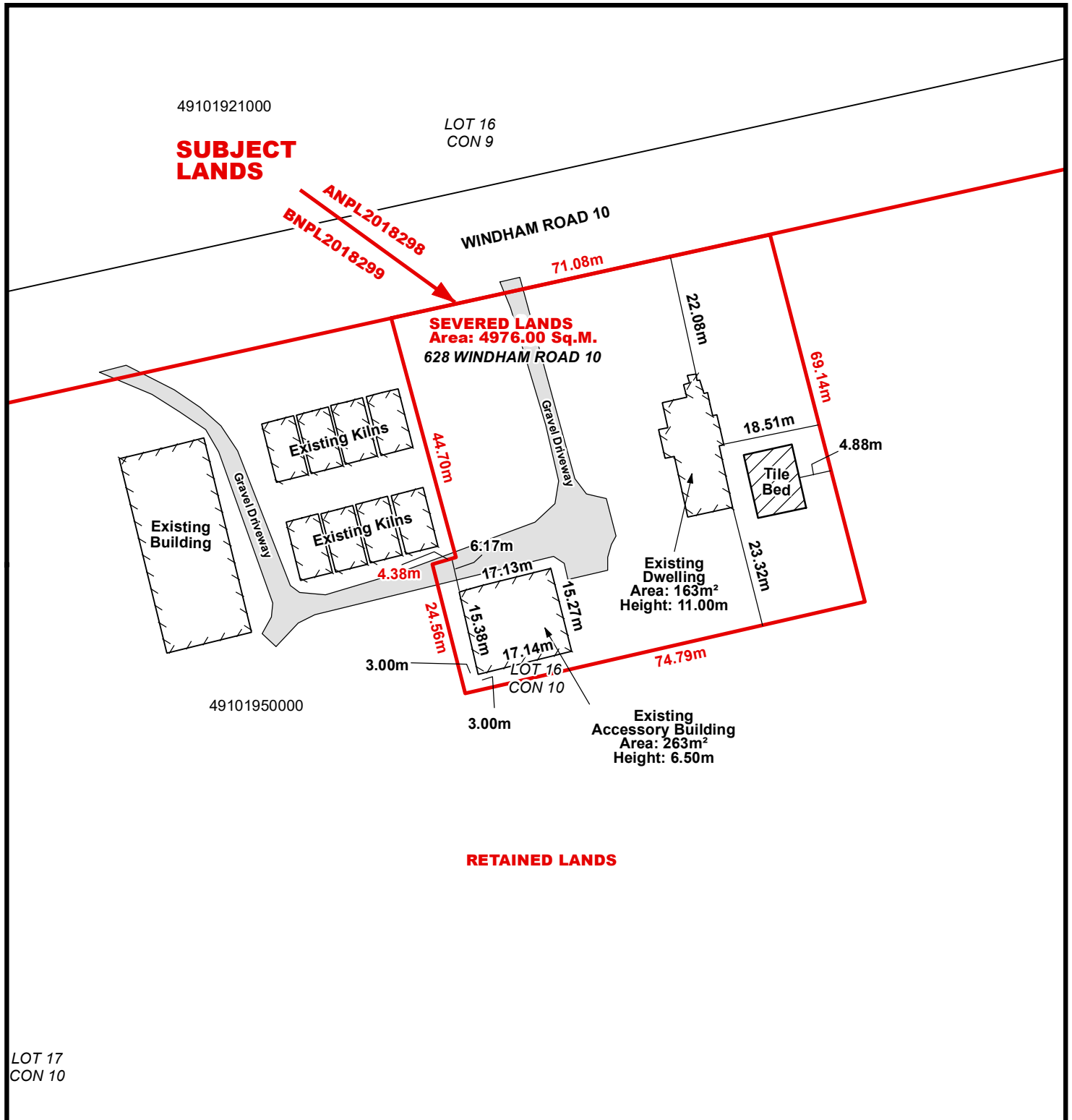
File Number: ANPL2018298 & BNPL2018299

Geographic Township of WINDHAM



4 2 0 4 8 12 16 Meters

1:1,000



LOCATION OF LANDS AFFECTED

File Number: ANPL2018298 & BNPL2018299

Geographic Township of WINDHAM

