

**For Office Use Only:**

File Number BNPL2019326  
Related File Number \_\_\_\_\_  
Pre-consultation Meeting \_\_\_\_\_  
Application Submitted 09/12/2019  
Complete Application 09/12/2019

Application Fee \$2710  
Conservation Authority Fee —  
Well & Septic Info Provided —  
Planner Colin W.  
Public Notice Sign yes

**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:** 49101737000

**A. Applicant Information**

**Name of Owner** Jonathan David Kikot

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 1528 Windham Road 11  
Town and Postal Code Windham Centre, Ontario N0E 2A0  
Phone Number \_\_\_\_\_  
Cell Number \_\_\_\_\_  
Email \_\_\_\_\_

**Name of Applicant** Same as Owner  
Address \_\_\_\_\_  
Town and Postal Code \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Cell Number \_\_\_\_\_  
Email \_\_\_\_\_

**Name of Agent** Brimage Law Group - Tom White  
**Address** 21 Norfolk Street North  
**Town and Postal Code** Simcoe, Ontario N3Y 4L1  
**Phone Number** (519) 426-5840  
**Cell Number** \_\_\_\_\_  
**Email** twhite@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 mortgages, charges or other encumbrances on the subject lands:

NK60514 - Bank of Nova Scotia, 54 Norfolk St. N., Simcoe, ON, N3Y 3N7  
 NK4704 - Norfolk Royalty Corp., 13 Ravine Court Port Dover, ON N0A 1N6

#### 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 4-5 CON 10 WINDHAM PT 2 TO 4 37R8396; NORFOLK COUNTY

Municipal Civic Address: 1605 Windham Road 11, Windham Centre

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

No existing buildings or structures on lands to be severed.

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example a bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, 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:

50+ years

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:

### C. Purpose of Development Application

Note: Please complete all that apply.

1. Site Information	Existing	Proposed
Please indicate unit of measurement, for example: m, m <sup>2</sup> 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)	_____	_____

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

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

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

Frontage:	217.170m
Depth:	Irregular - ~303.705 (west boundary) & ~278.682 (east)
Width:	Irregular - ~217.170 (frontage) & ~218.788 (rear)
Lot Area:	~11.23 ha
Present Use:	Agricultural
Proposed Use:	Agricultural
Proposed final lot size (if boundary adjustment):	~52.52 ha (49101739000)

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: 49101739000  
Northland Ginseng Farms Inc.

Description of land intended to be retained in metric units:

Frontage: ~681m (Windham Road 11)  
Depth: ~867  
Width: ~814m (at approximate widest point)  
Lot Area: ~70 ha  
Present Use: Agricultural  
Proposed Use: Agricultural  
Buildings on retained land: Single family dwellings and farm buildings

5. Description of proposed right-of-way/easement in metric units:

Frontage: N/A  
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: N/A  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
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 (for example: gas station, or petroleum storage):

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

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 - Boundary adjustment with similar existing and intended use

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 - Boundary adjustment with similar existing and intended use

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 \_\_\_\_\_

**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  
☒ Individual wells  
☐ Communal wells  
☐ Other (describe below)
- 

### Sewage Treatment

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

### Storm Drainage

- ☐ Storm sewers  
☐ Other (describe below)  
☒ Open ditches
- 

2. Existing or proposed access to subject lands

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

Name of road/street:

Windham Road 10

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## G. Other Information

1. Does the application involve a local business? ☐ Yes ☒ No

If yes, how many people are employed on the subject lands?

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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. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
8. Names of adjacent streets
9. 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 (to verify location and condition)
- ☐ 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 Conservation and Parks, 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

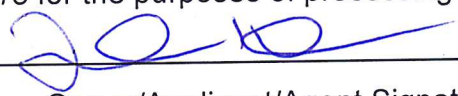
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

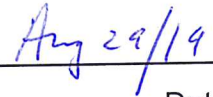
### Permission to Enter Subject Lands

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

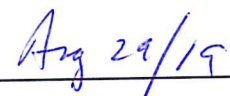
## J. Owner's Authorization

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 Jonathan David Kikot am/are the registered owner(s) of the lands that is the subject of this application.

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

**K. Declaration**

I, Jonathan David Kikot 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:

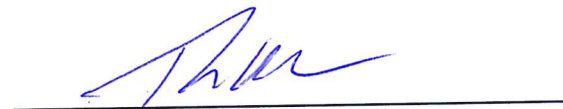
Simcoe

  
Owner/Applicant/Agent Signature

In Norfolk County

This 29<sup>th</sup> day of Aug.

A.D., 20 19



A Commissioner, etc.

I REQUIRE THIS PLAN TO BE  
DEPOSITED UNDER THE  
LAND TITLES ACT.

DATED JULY 5, 2018

KIM HUSTED  
ONTARIO LAND SURVEYOR

### PLAN 37R-

RECEIVED AND DEPOSITED

DATED

REPRESENTATIVE FOR THE  
LAND REGISTRAR FOR THE LAND  
TITLES DIVISION OF NORFOLK (No. 37)

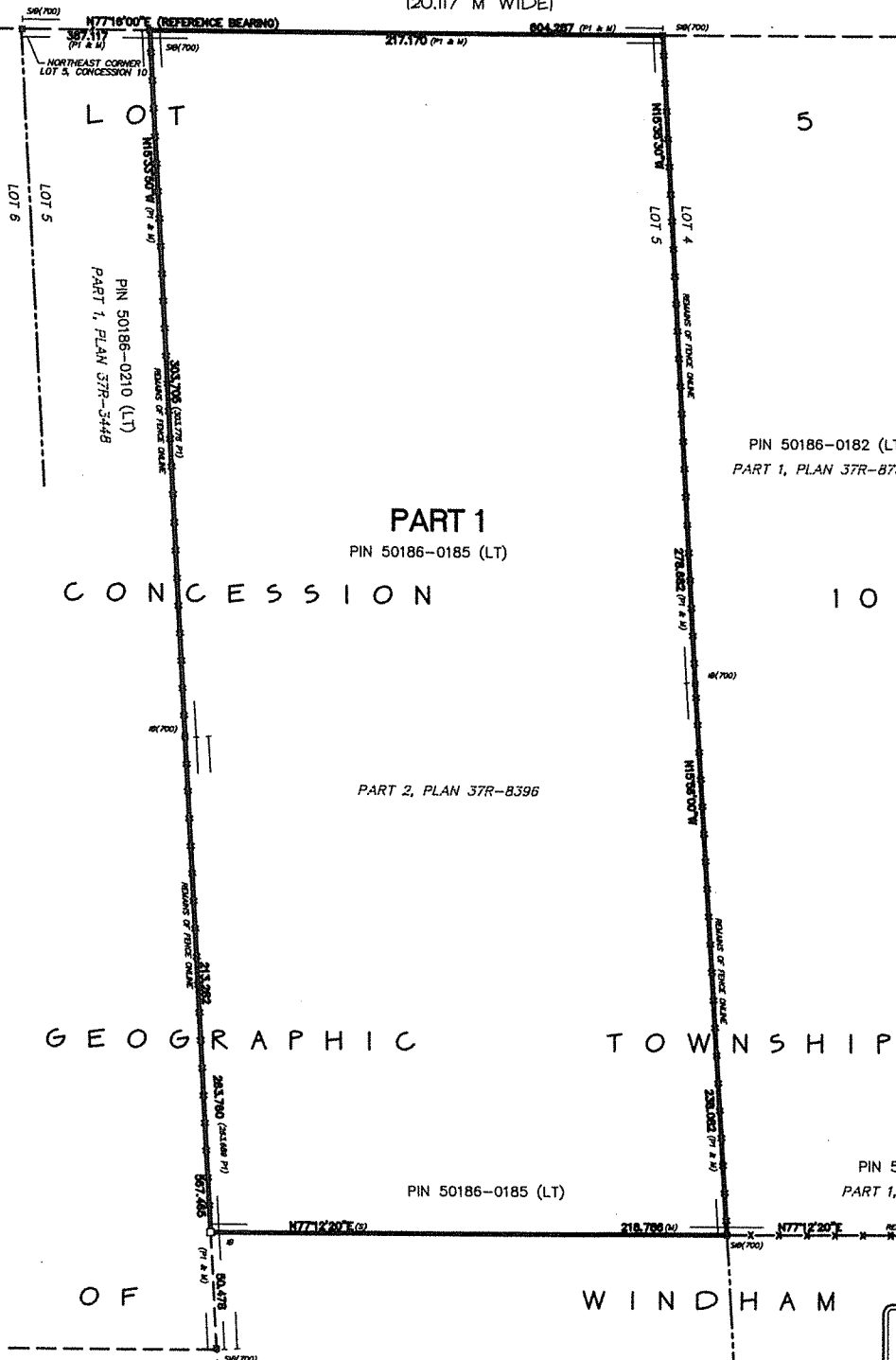
#### SCHEDULE

PART	PART LOT	CONCESSION	PIN	AREA (Ha)
1	5	10	PART OF 50186-0185 (LT)	11.233

## ROAD ALLOWANCE BETWEEN CONCESSIONS 9 AND 10 (20.117 M WIDE)

PIN 50186-0202 (LT)

(20.117 M WIDE)



### PLAN OF SURVEY OF PART OF LOT 5 CONCESSION 10 IN THE GEOGRAPHIC TOWNSHIP OF WINDHAM IN NORFOLK COUNTY

SCALE: 1 : 1500

15 0 60 METRES

JEWITT AND DIXON LTD.

#### NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 9 & 10, AS SHOWN ON PLAN 37R-8396, HAVING A BEARING OF N77°16'00"E AND CAN BE CONVERTED TO GRID BY APPLYING A ROTATION OF 0°26'41" COUNTER CLOCKWISE. DISTANCES AND COORDINATES ARE METRIC GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999582979 THEN DIVIDING BY 0.3048 TO CONVERT TO IMPERIAL. RESULTANT BEARINGS FROM COORDINATE TABLE ARE UTM GRID, DERIVED FROM SIMULTANEOUS GPS OBSERVATIONS ON MONUMENT A TO B, HAVING A BEARING OF N76°49'19"E, UTM ZONE 17, (81° WEST LONGITUDE) NAD83 (CSRS) (2010).

OBSERVED REFERENCE POINTS (ORP): DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK, UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010). COORDINATES ARE TO A RURAL ACCURACY AS PER SEC. 14 (2) OF O. REG. 216/10.

POINT ID	NORTHING	EASTING
ORP A	4749751.552	551895.637
ORP B	4749889.259	552483.765

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

PIN 50186-0182 (LT)

PART 1, PLAN 37R-8733

PIN 50186-0185 (LT)

PART 2, PLAN 37R-8396

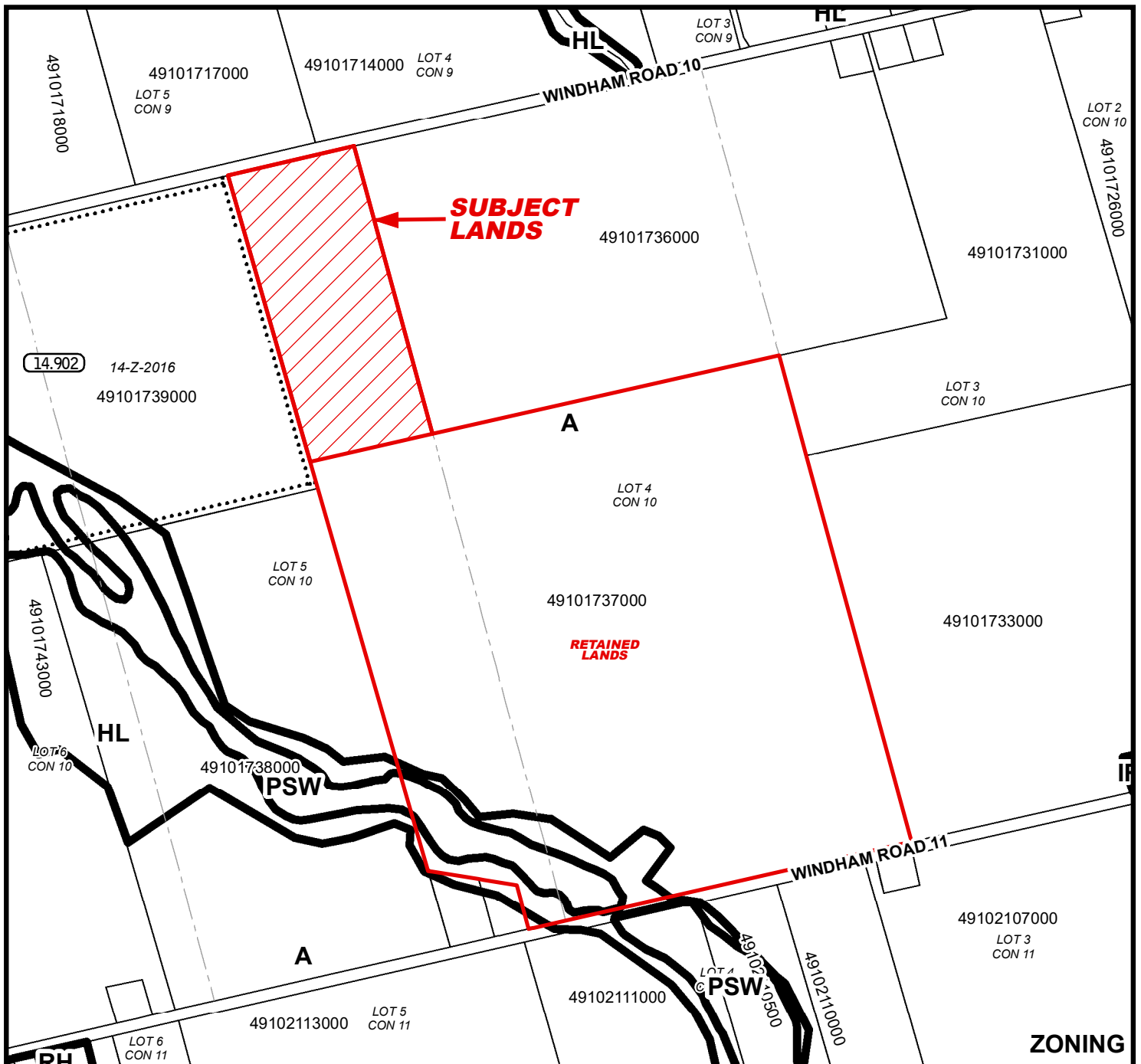
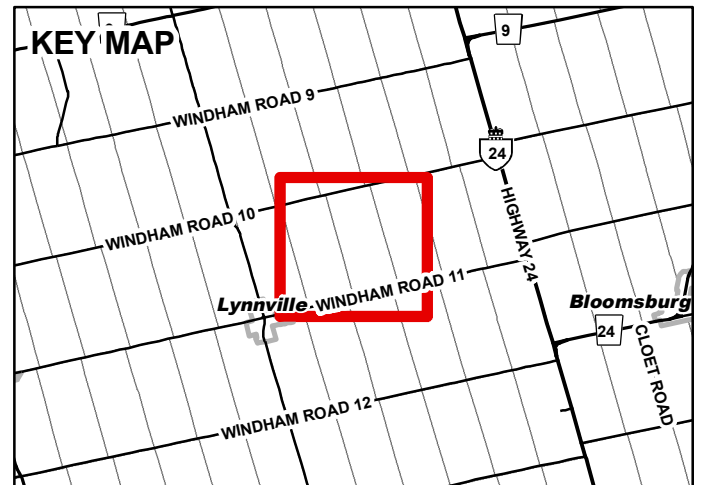
PIN 50186-0185 (LT)

#### SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT, AND THE SURVEYOR'S OATH.

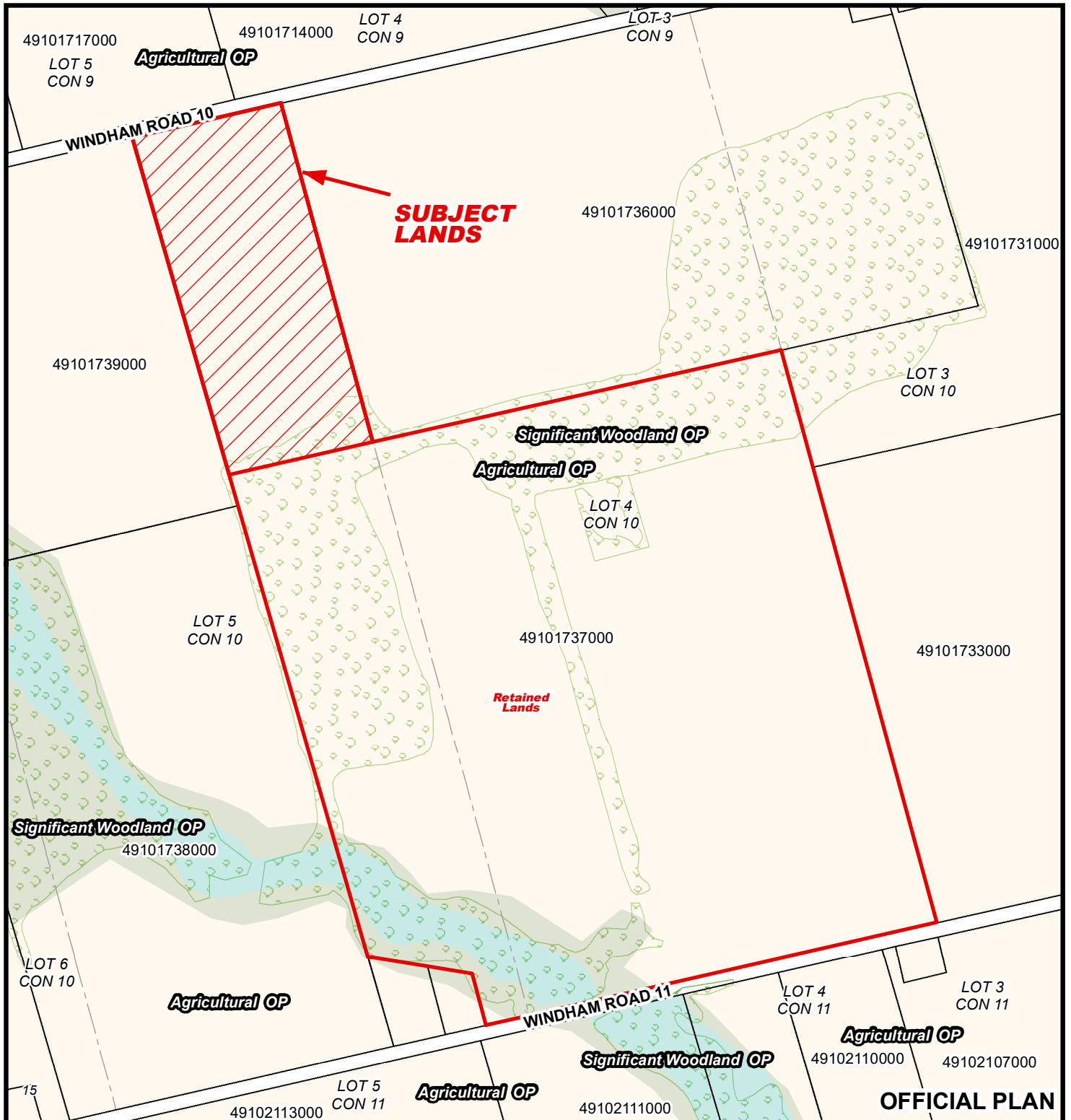
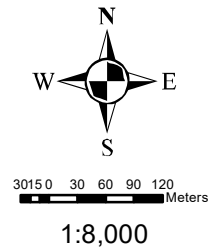
80 40 0 80 160 240 320 Meters



# MAP 2

File Number: BNPL2019326

Geographic Township of WINDHAM

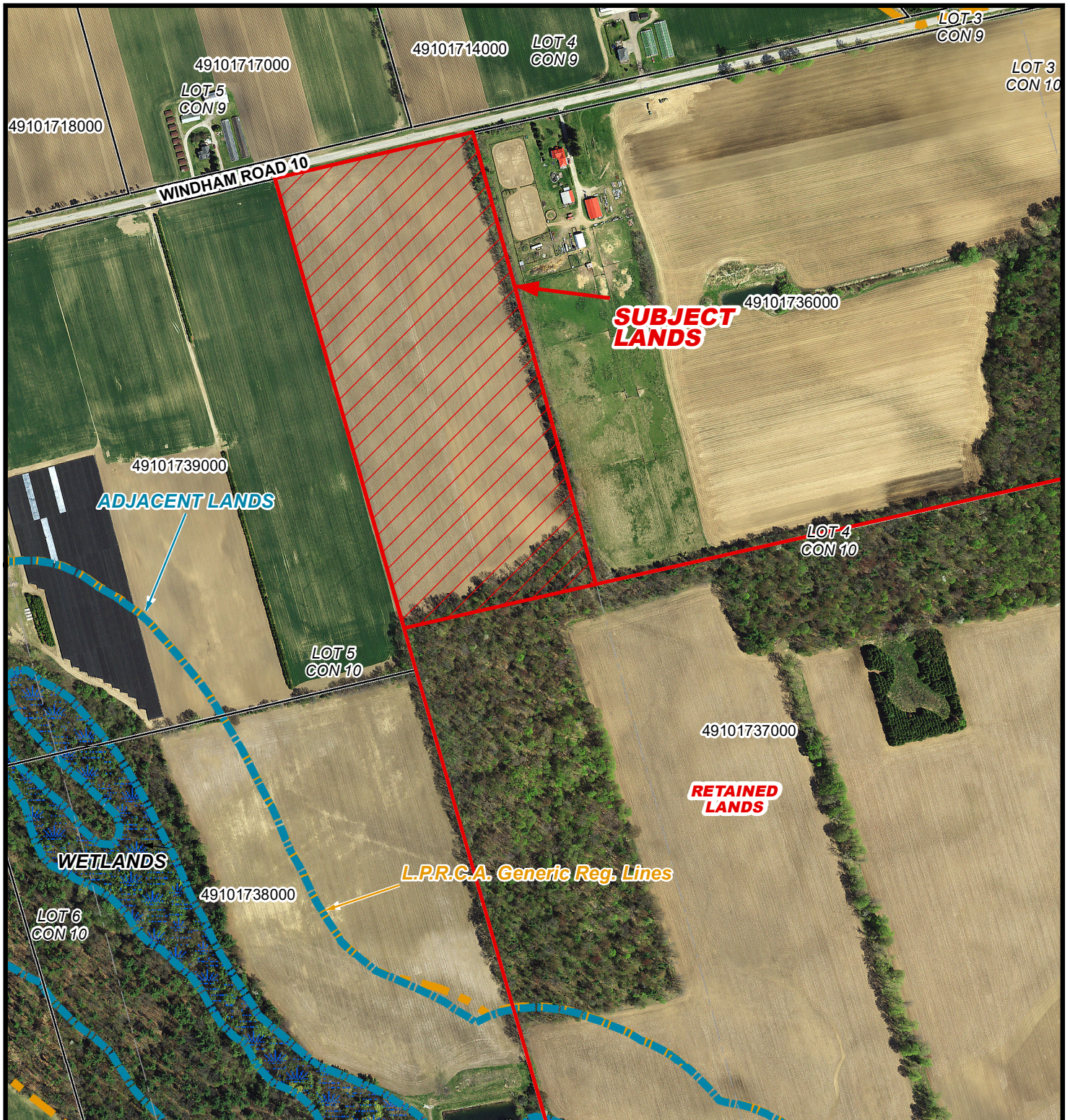
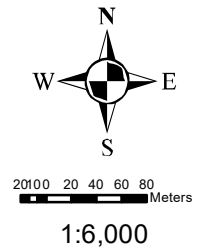




# MAP 3

File Number: BNPL2019326

Geographic Township of WINDHAM





# MAP 4

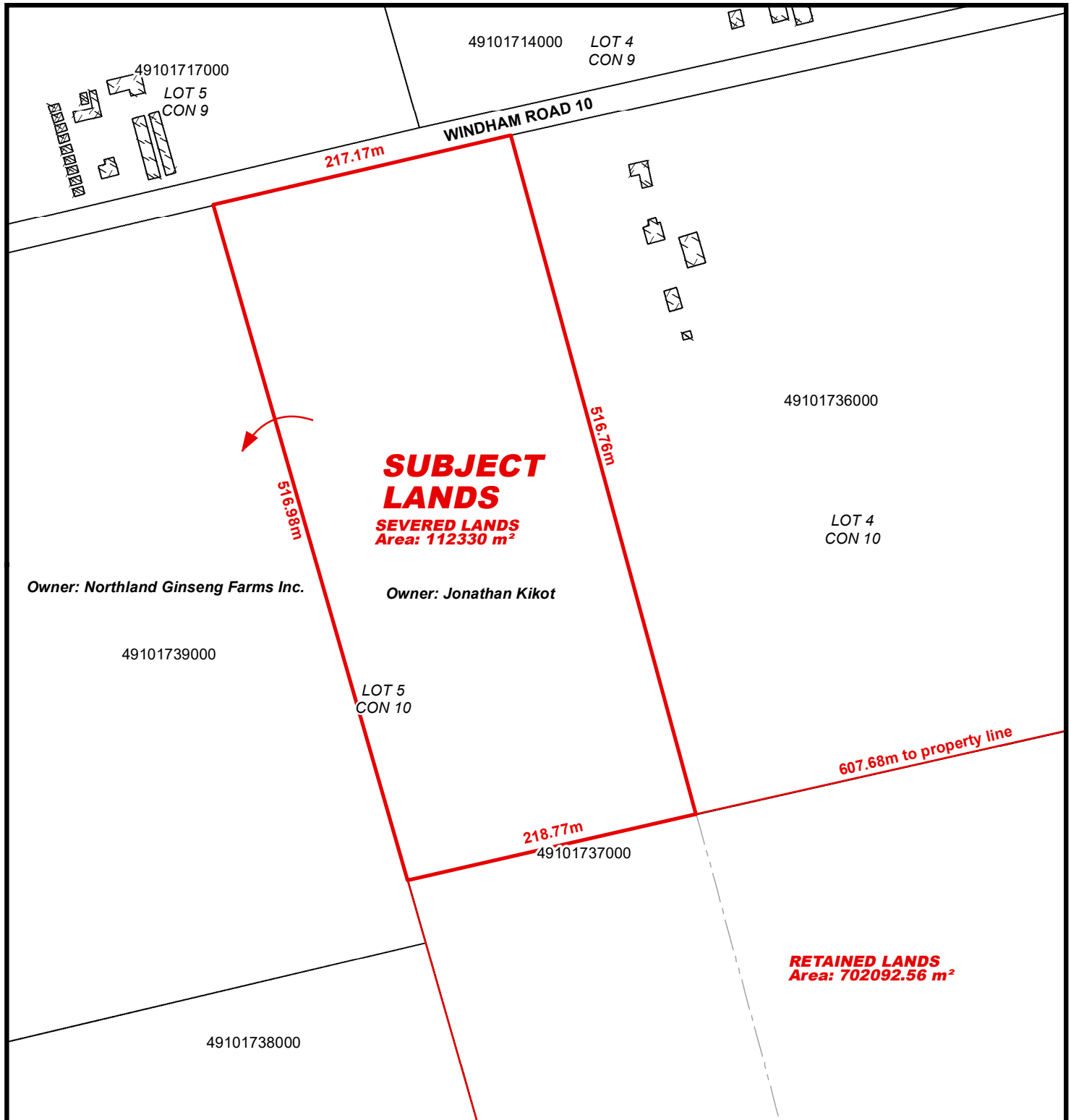
File Number: BNPL2019326

Geographic Township of WINDHAM



1050 10 20 30 40  
Meters

1:4,000



# LOCATION OF LANDS AFFECTED

File Number: BNPL2019326

Geographic Township of WINDHAM



1050 10 20 30 40  
Meters

1:4,000

