

For Office Use Only:

File Number

Related File Number

Pre-consultation Meeting

Application Submitted

Complete Application

BNPL 2020161

AUGUST 7, 2020

Application Fee

Conservation Authority Fee

Well & Septic Info Provided

Planner

Public Notice Sign

Vpt

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: 331033606026300

A. Applicant Information

Name of Owner

Terrilyn Elizabeth Moore

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

1332 Concession 7 Road

Town and Postal Code

Waterford, Ontario N0E 1Y0

Phone Number

Cell Number

Email

Name of Applicant

Thomas Michael O'Neill and Christine Liddell Cameron-O'Neill

Address

727 Villa Nova Road

Town and Postal Code

Waterford, Ontario N0E 1Y0

Phone Number

519-443-4289

Cell Number

Email



Name of Agent William Christopher Nunn (MHN Lawyers LLP.)
Address 39 Colborne Street
Town and Postal Code Simcoe, Ontario N3Y 3T8
Phone Number 519-426-6763
Cell Number
Email nunn@mhnlawyers.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:

1900936 Ontario Ltd.- 15 Oakwood Drive, Cambridge, ON N1R 5S3

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 Lot 18, Concession 9, Townsend as in NR346445, except NR348297; Norfolk County

Municipal Civic Address: 701 Villa Nova Road, Waterford, Ontario

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:

Barn- to remain

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:
unknown

9. Existing use of abutting properties:
Agricultural/Residential

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, 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)	_____	_____

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:
N/A

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

Frontage:	5.37 metres
Depth:	46.125 metres
Width:	5.37 metres
Lot Area:	248 square metres
Present Use:	Driveway for adjoining northerly residence
Proposed Use:	Same
Proposed final lot size (if boundary adjustment):	2,189 square metres

If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: 3310336060259000000

Description of land intended to be retained in metric units:

Frontage: See Attached Sketch
Depth: _____
Width: _____
Lot Area: _____
Present Use: _____
Proposed Use: _____
Buildings on retained land: _____

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: Terrilyn Elizabeth Moore
Roll Number: 336 - 060 - 26300 - 0000
Total Acreage: 28.25
Workable Acreage: 18
Existing Farm Type: (for example: corn, orchard, livestock) Soy Beans
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:
Applicant's 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:

Not required.

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:

Not required.

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

None.

☐ Communal wells

☐ Other (describe below)

Sewage Treatment

☐ Municipal sewers

☒ Septic tank and tile bed in good working order

☐ Communal system

☐ Other (describe below)

Non

Storm Drainage

☐ Storm sewers

☐ Other (describe below)

☒ Open ditches

2. Existing or proposed access to subject lands

☒ Municipal road

☐ Unopened road

Name of road/street:

Villa Nova Road

☐ Provincial highway

☐ Other (describe below)

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.

See Attached Schedules "A" and "B".

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

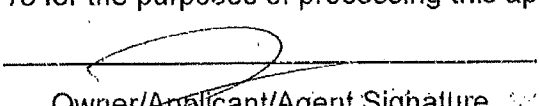
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that 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 Terrilyn Elizabeth Moore am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Thomas Michael O'Neill and Christine Liddell Cameron O'Neill 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, Thomas O'Neill 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:

Norfolk County

Thomas M. O'Neill

Owner/Applicant/Agent Signature

In the Province of Ontario

This 7 day of August

A.D., 20 20

Michele Roberts

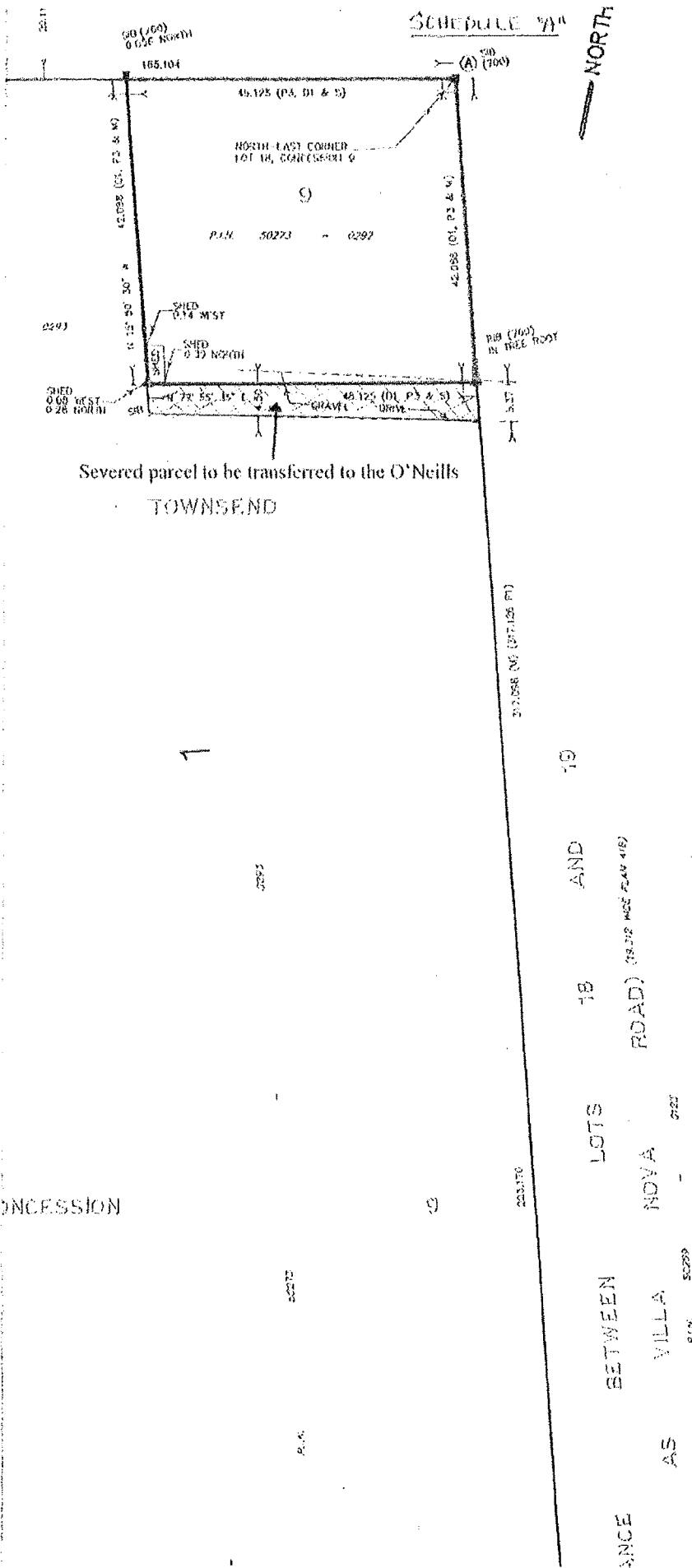
A Commissioner, etc.

Michele Jane Roberts, a Commissioner, etc.,
Province of Ontario, for MHN Lawyers LLP
Expires January 20, 2021.

SCHEDULE "B"

PURPOSE OF DEVELOPMENT APPLICATION

1. The Owner, Terrilyn Elizabeth Moore, intends to submit an Application for Absolute Title with respect to her property. The Application is necessary as she has applied to Norfolk County for a five lot subdivision.
2. During the Application process, notice of same was served upon the Applicants, Thomas Michael O'Neill and Christine Liddell Cameron-O'Neill.
3. The survey sketch provided by the Owner to the Applicants shows that the Applicants' driveway is situated upon the lands which are the subject of the Application for Absolute Title. The Applicants have been using that driveway, continuously, as the sole means of access to and egress from their property since July 28th, 1983.
4. This boundary adjustment application is therefore necessary to allow the Applicants to acquire title to the driveway which they have been using for approximately 37 years. This will also allow the Owner to proceed with her Application for Absolute Title.



1	PART OF 18	9
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PLAN OF SURVEY OF
PART OF LOT 18
CONCESSION 9
GEOGRAPHIC TOWNSHIP
IN
NORFOLK COUNTY

SCALE - 1: 500

METRIC (DISTANCES AND COORDINATES CAN BE CONVERTED)

KIM HUSTED SURVEYING

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT
- (1) - THIS SURVEY AND PLAN ARE DONE IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYOR'S REGULATIONS MADE UNDER THEM
 - (2) - THIS SURVEY WAS COMPLETED ON

JUNE 3, 2019
DATE

COORDINATE

ALL COORDINATES ARE IN METRIC
GPS OBSERVATIONS USING THE
UTM, ZONE 17 (81° WEST LONGIT)
COORDINATE VALUES ARE TO UTM
OF O. REG. 216

POINT	NORTH
A	4754223.680
B	4753918.764

COORDINATES CANNOT, IN
RE-ESTABLISH CORNERS OR B.C.

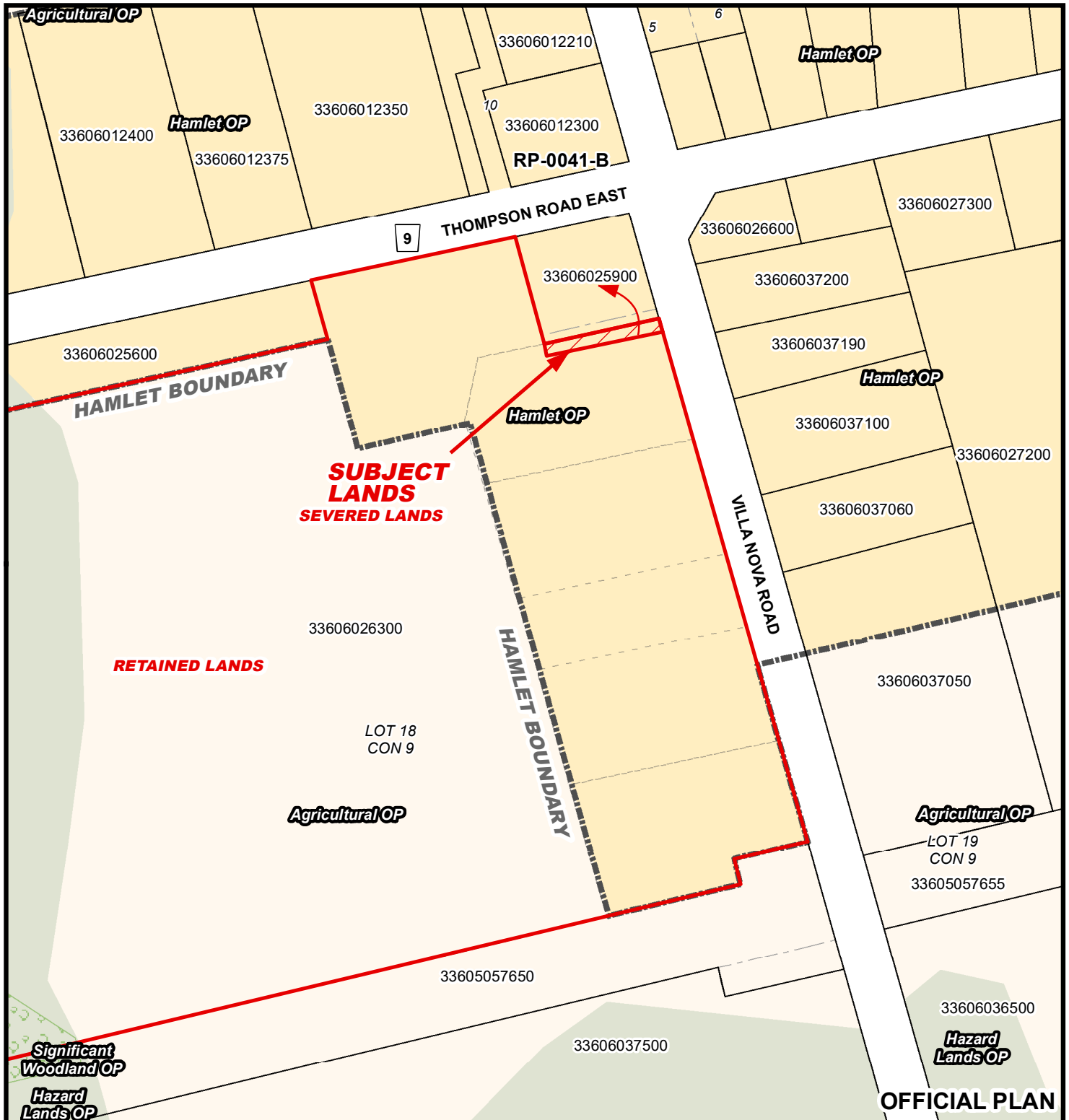
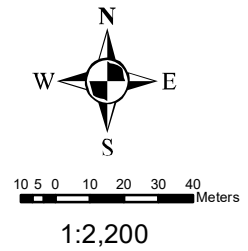
NOTES

- (1) - BEARINGS ARE UTM, DERIVED ON "A" AND "B" SHOWN HEREON HAS N 15° 50' 30" W (UTM, ZONE 17,
- (2) - TO CONVERT (P1) BEARINGS TO (P2) - ADD 00° 34' 30" TO THE N; SUBTRACT 00° 34' 30" FROM
- (3) - DISTANCES SHOWN ON THIS PLAN

MAP 2

File Number: BNPL2020161

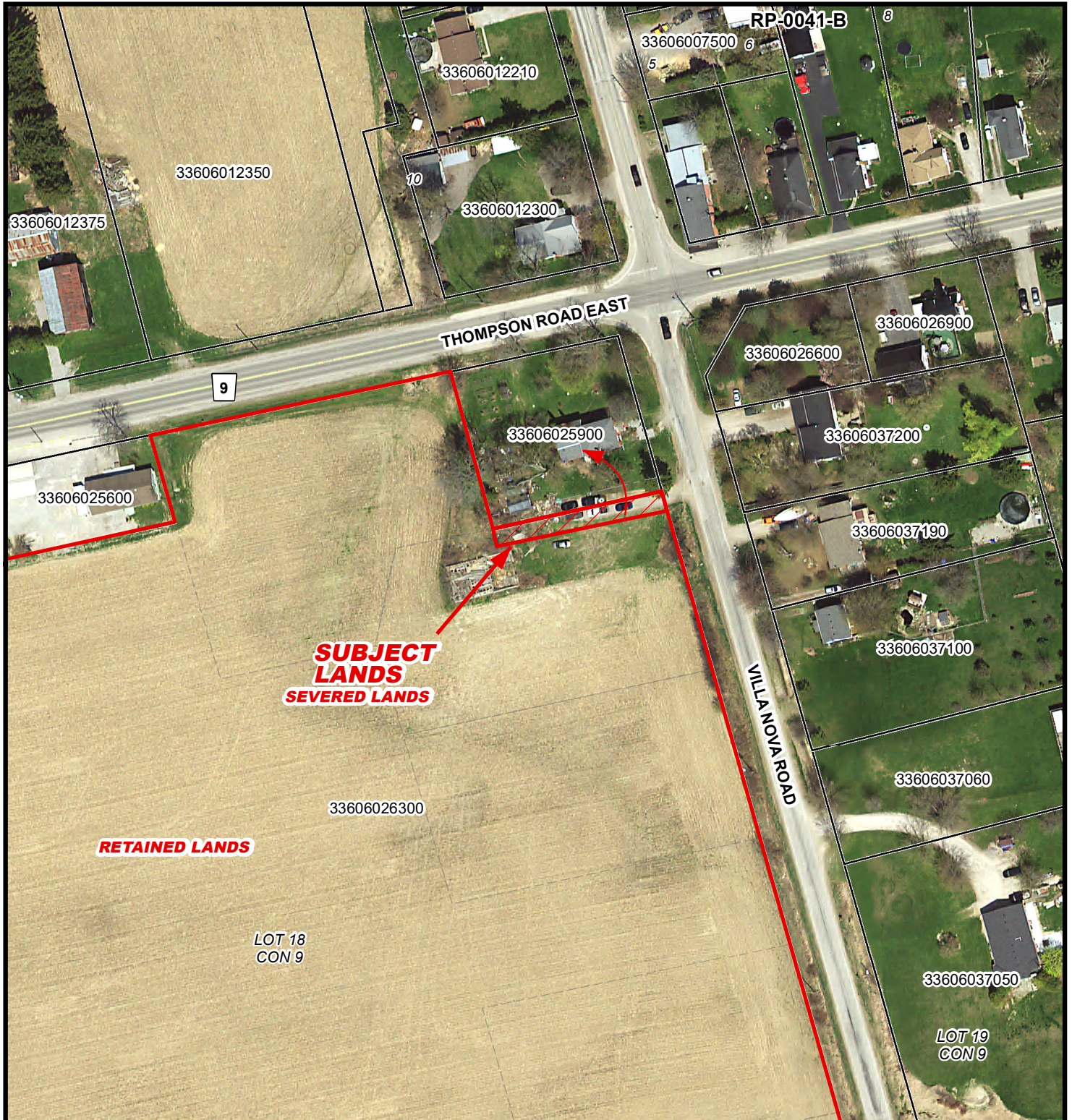
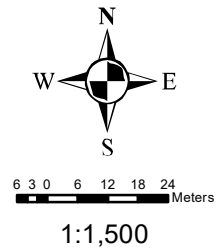
Geographic Township of TOWNSEND



MAP 3

File Number: BNPL2020161

Geographic Township of TOWNSEND



MAP 4

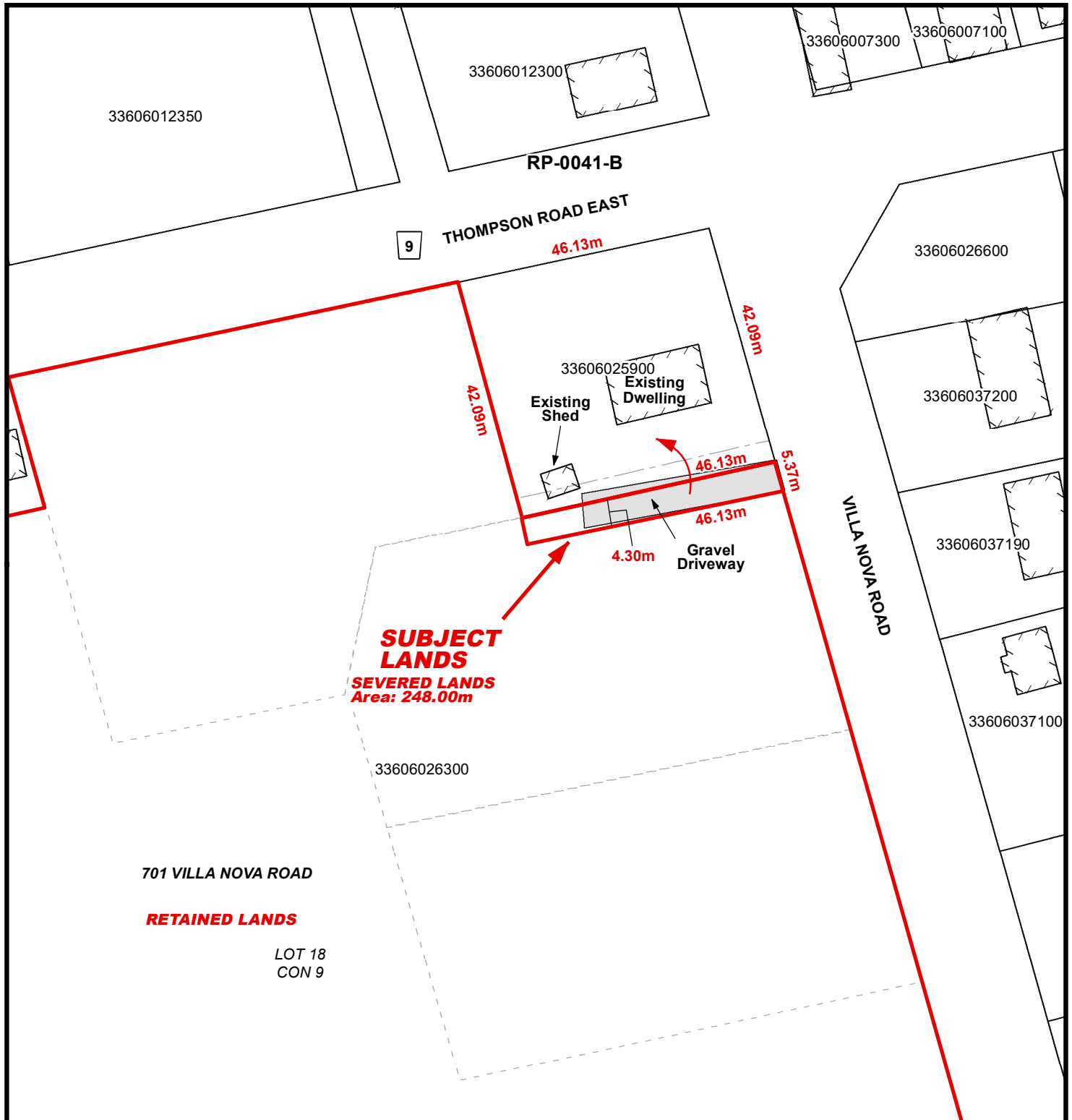
File Number: BNPL2020161

Geographic Township of TOWNSEND



4 2 0 4 8 12 16 Meters

1:1,000



LOCATION OF LANDS AFFECTED

File Number: BNPL2020161

Geographic Township of TOWNSEND



4 2 0 4 8 12 16 Meters

1:1,000

