

**For Office Use Only:**

File Number	<u>BNPL2021230</u>	Application Fee	<u>3364.00 - old fee paid</u>
Related File Number	<u>OPNPL2022315, ZNPL2022134</u>	Conservation Authority Fee	<u>502.85 - old fee, paid</u>
Pre-consultation Meeting-	<u></u>	Well & Septic Info Provided	<u>No - file deferred previously</u>
Application Submitted	<u>Amend. February 26, 2023</u>	Planner	<u>Hanne Yager</u>
Complete Application	<u>March 1, 2023</u>	Public Notice Sign	<u></u>

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

- |                                     |   |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Consent/Severance/Boundary Adjustment                       |
| <input type="checkbox"/>            | Surplus Farm Dwelling Severance and Zoning By-law Amendment |
| <input type="checkbox"/>            | Minor Variance  |
| <input type="checkbox"/>            | Easement/Right-of-Way                                       |

Property Assessment Roll Number: 49102035000

### A. Applicant Information

**Name of Owner** Joris Paul Koster and Immetje Koster

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 119 Windham Road 12

Town and Postal Code      Simcoe, ON N3Y 4K6

Phone Number

Cell Number Jennifer 519-550-0063

Email jonkoster@hotmail.com

**Name of Applicant** same as owner

Address

Town and Postal Code

Phone Number

Cell Number

Email

**Name of Agent** David Roe , Civic Planning Solutions Inc.  
**Address** . 61 Trailview Dr.  
**Town and Postal Code** Tillsonburg, ON N4G 0C6  
**Phone Number** \_\_\_\_\_  
**Cell Number** 519-983-8154  
**Email** civicplanningsolutions@nor-del.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:

**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 22, Concession 10, Windham

Municipal Civic Address: 1406 Windham Road 19

Present Official Plan Designation(s): Agricultural and Hazard land

Present Zoning: Agricultural and Hazard land

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 - greenhouses growing flowers and field crops, potatoes, garlic and sunflowers

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:

The existing buildings are all well setback from the property lines with the exception of the northerly greenhouse which was recently built and does meet the current zoning provisions.

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. 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:

nothing at this time

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 and 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.

Parcels A, B and C from sketch

**1. Site Information**

	Existing	Proposed
Please indicate unit of measurement, for example: m, m <sup>2</sup> or %		
Lot frontage	595.388m + 7.93m	
Lot depth	684.32m	
Lot width	598.624m + 6.54m	
Lot area	41 ha (101.3 acre)	
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: Parcel A

Frontage:	342.16m
Depth:	595.06m
Width:	342.36m
Lot Area:	20.40 ha
Present Use:	Agricultural - commercial greenhouse and cash crop
Proposed Use:	Agricultural - commercial greenhouse and cash crop
Proposed final lot size (if boundary adjustment):	



Note: Parcel C is to be conveyed to Norfolk County as it contains the Windham Road 19 presently owned by the applicants. This is based upon work prepared by Kim Husted Surveying Ltd. OLS (See attached sketch)



February 23, 2023

See Sketch Attached - Note old kiln yard buildings to be removed

**C. Purpose of Development Application**

Note: Please complete all that apply. **Failure to complete this section will result in an incomplete application.**

**1. Site Information (Please refer to Zoning By-law to confirm permitted dimensions)**

	Existing	Permitted	Provision	Proposed	Deficiency
<b>Lot frontage</b>	595.388m	30m	12.1.2 b)	Parcel A - 342.16m Parcel B - 342.17m	nil
<b>Lot depth</b>	684.32m			Parcel A - 595.06m Parcel B - 598.624m	nil
<b>Lot width</b>	598.624m			Parcel A - 342.36m Parcel B - 333.57m	nil
<b>Lot area</b>	41ha - 0.49ha	*20ha	*site specific amendment *recently approved	Parcel A - 20.40ha Parcel B - 20.11ha	nil
<b>Lot coverage</b>		n/a			
<b>Front yard</b>	see sketch	13m	12.1.2 c)	see sketch	nil
<b>Rear yard</b>	see sketch	9m	12.1.2 f)	see sketch	nil
<b>Height</b>	all buildings less than 11m	11m	12.1.2 h)	see sketch	nil
<b>Left Interior side yard</b>	see sketch	interior 9m	12.1.2 e)	see sketch	nil
<b>Right Interior side yard</b>	see sketch	interior 9m	12.1.2 e)	see sketch	nil
<b>Exterior side yard (corner lot)</b>	see sketch	exterior 13m	12.1.2 d)	see sketch	nil
<b>Parking Spaces (number)</b>		n/a			
<b>Aisle width</b>		n/a			
<b>Stall size</b>		n/a			
<b>Loading Spaces</b>		n/a			
<b>Other</b>		n/a			

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: Parcel B

Frontage: 342.17m

Depth: 598.624m

Width: 333.57m

Lot Area: 20.11 ha

Present Use: Agricultural - commercial greenhouse and cash crop

Proposed Use: Agricultural - commercial greenhouse and cash crop

Buildings on retained land: Dwelling, barn, commercial greenhouse

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: n/a

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: 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: 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: 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 \_\_\_\_\_

**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):

Commercial greenhouses

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:



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:

No change in land 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:

not within a source water protection area

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 adjacent

**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 19

## G. Other Information

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

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

Spring Flowers and Koster Greenhouses - 13 employees

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

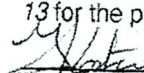
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

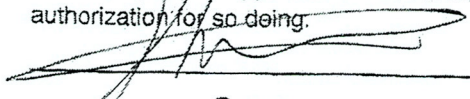

13-04-2021  
\_\_\_\_\_  
Date

### 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 Joris Paul Koster and Immetje Koster am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize David Roe, 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  
  
\_\_\_\_\_  
Owner

13-04-2021  
\_\_\_\_\_  
Date

13-04-2021  
\_\_\_\_\_  
Date



**K. Declaration**

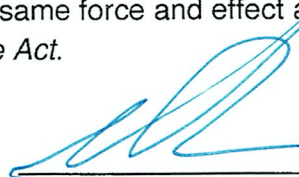
I, David Roe of Norfolk County

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:

Norfolk County



Owner/Applicant/Agent Signature

In the Province of Ontario

This 6<sup>th</sup> day of May

A.D., 2021



A Commissioner, etc.

Elizabeth Ann Catarino, a Commissioner, etc.  
Province of Ontario  
for John R. Hanselman, Barrister and Solicitor  
Expires December 19, 2021



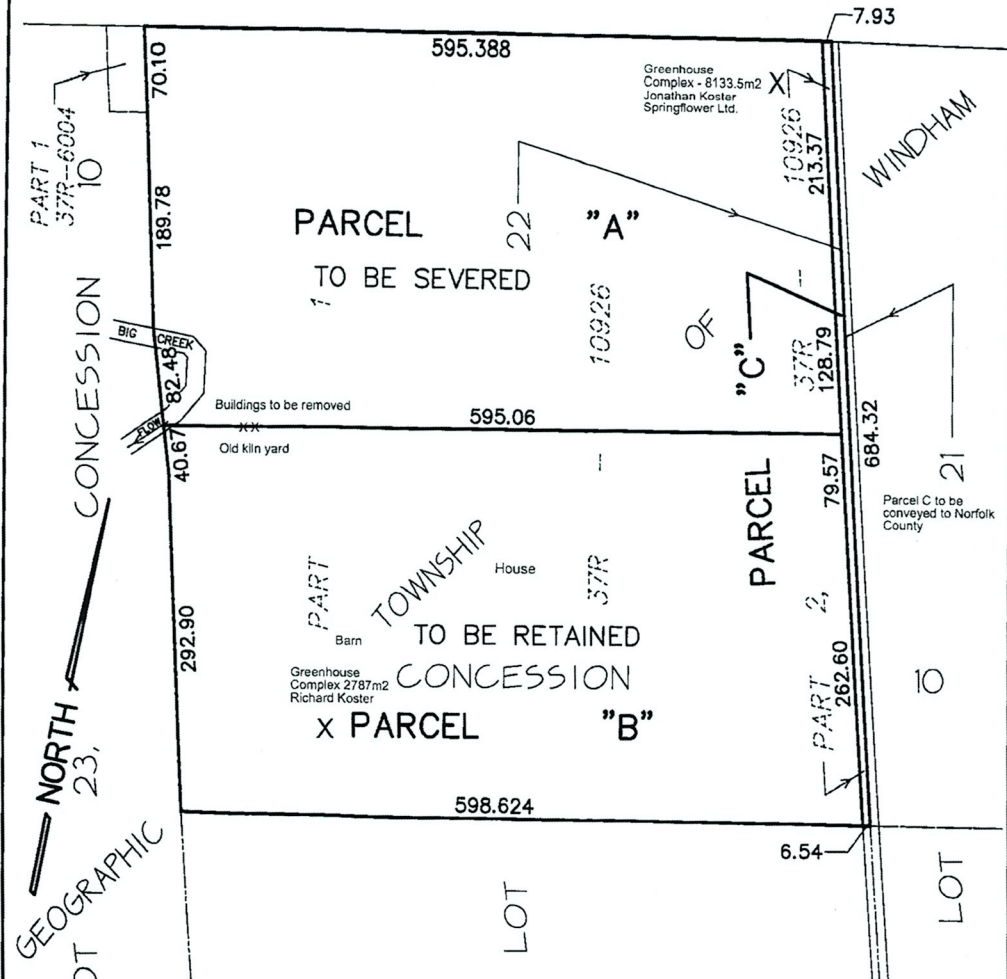
# SKETCH

Revised Sketch February 23, 2023

PREPARED ILLUSTRATING PURPOSED SEVERANCE  
FOR: JORIS & IMMETJI KOSTER

NOT TO SCALE

ROAD ALLOWANCE BETWEEN CONCESSION 9 AND 10



**PARCEL "A"**  
TO BE SEVERED  
AREA = 20.40 HECTARES

**PARCEL "C"**  
TO BE TRANSFERRED TO MUNICIPALITY  
AREA = 0.49 HECTARES

**PARCEL "B"**  
TO BE RETAINED  
AREA = 20.11 HECTARES

## PROPERTY DESCRIPTION:

PART OF LOT 22  
CONCESSION 10  
GEOGRAPHIC TOWNSHIP  
OF WINDHAM  
NORFOLK COUNTY

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**KIM HUSTED SURVEYING LTD.**  
ONTARIO LAND SURVEYOR

30 HARVEY STREET, TILLSONBURG ONTARIO, N4G 3J8  
PHONE: 519-842-3638 FAX: 519-842-3639

## CAUTION

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK

PROJECT: 22-17934SKETCH

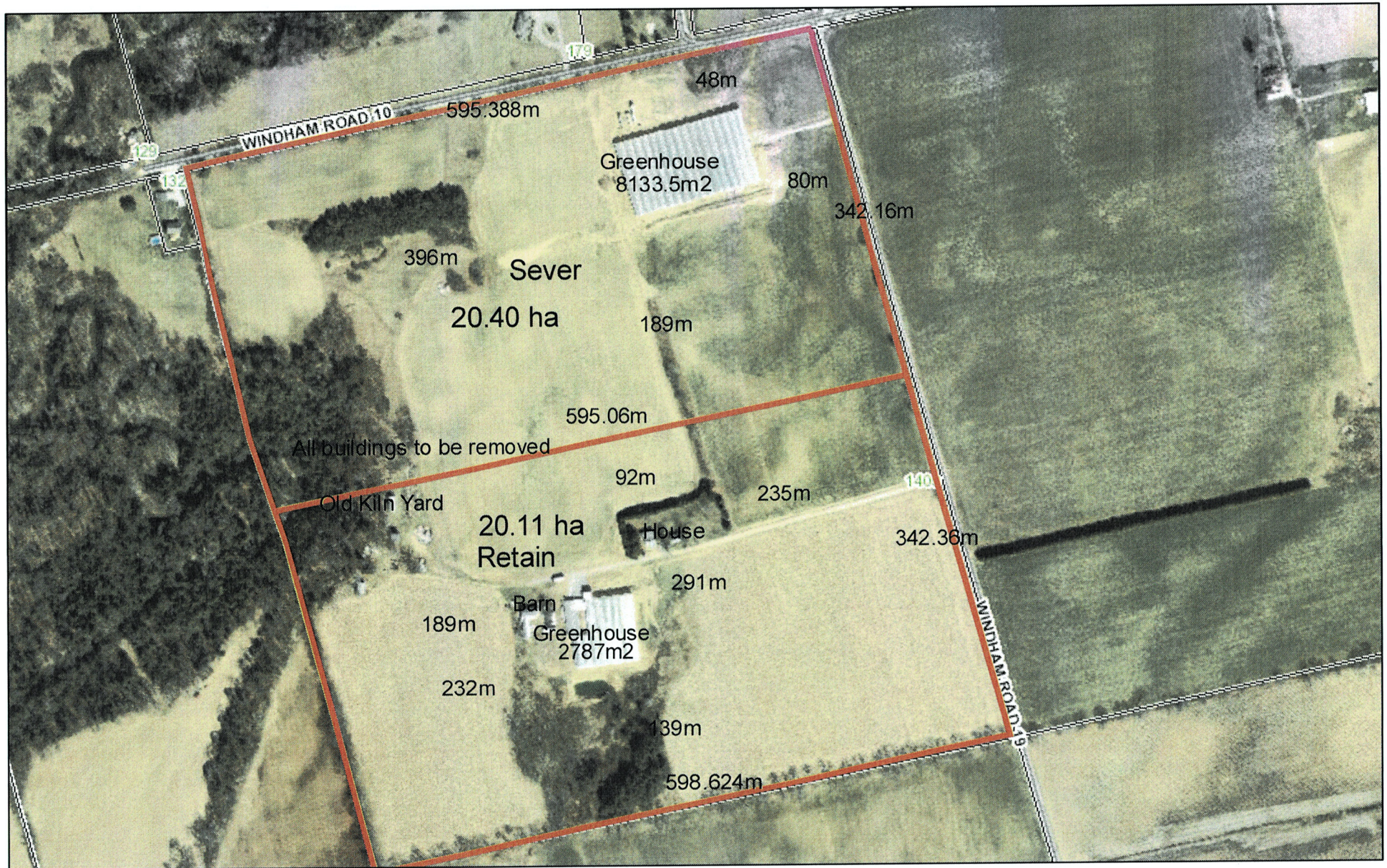
JORIS & IMMETJI KOSTER  
1409 WINDHAM ROAD 19, LA SALETTE

REF: DWG. WLP  
FILE CKD. XXX

F:\22-17934p.dwg

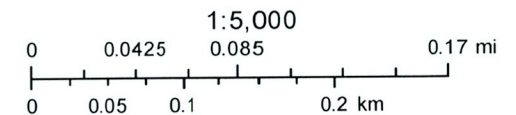


# MAP NORFOLK - Community Web Map



2/24/2023, 2:24:46 PM

- Land Parcels
- Civic Address
- Plan Lines
- Road Labels
- DraftPlan



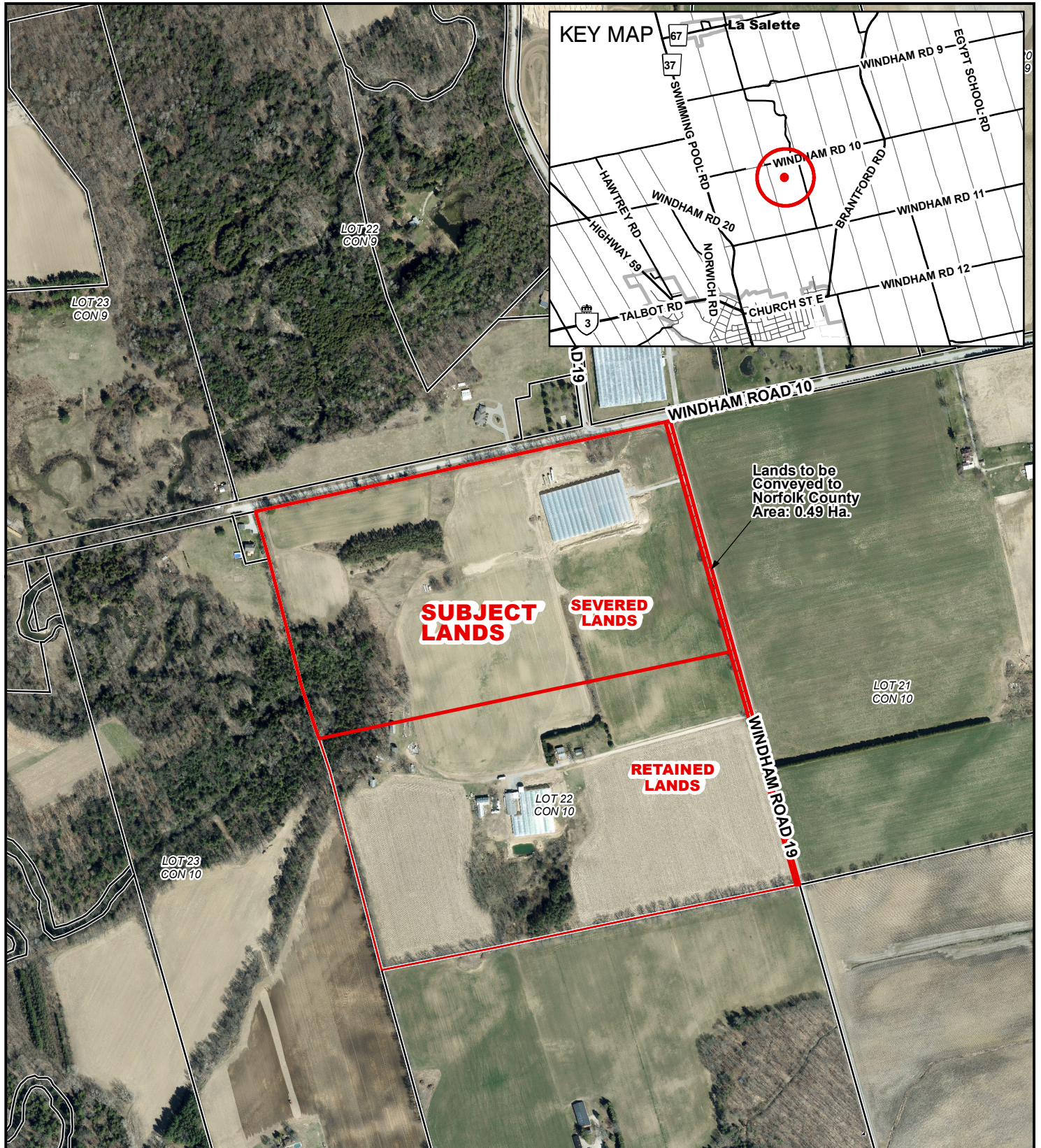
Queen's Printer for Ontario  
Norfolk GIS

Norfolk GIS  
© Norfolk County






**CONTEXT MAP**

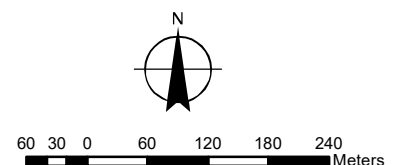
Geographic Township of WINDHAM



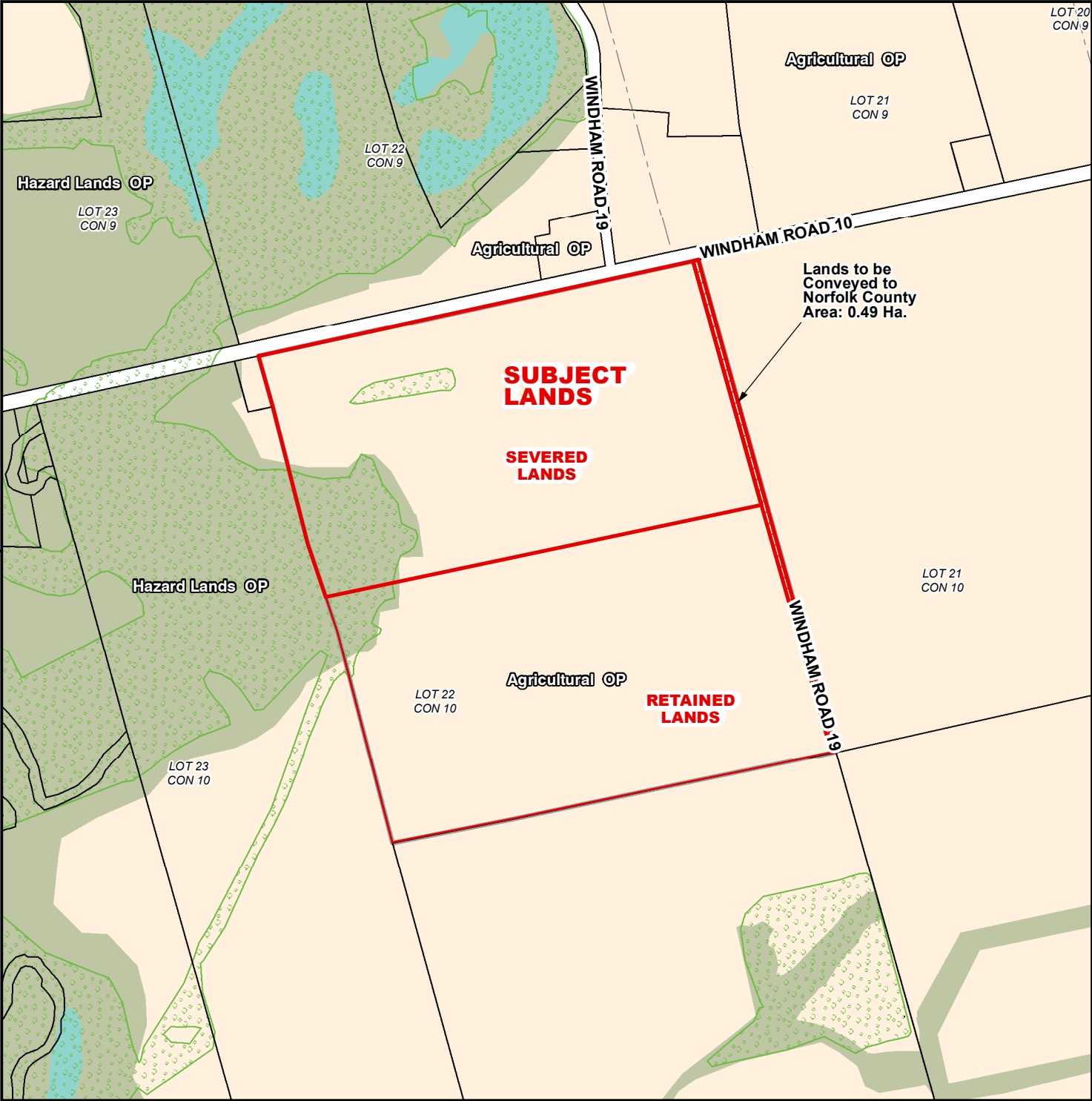
**Legend**

-  Lands To Be Conveyed To Norfolk County
  -  Subject Lands
  -  Lands Owned
- 2020 Air Photo




3/2/2023











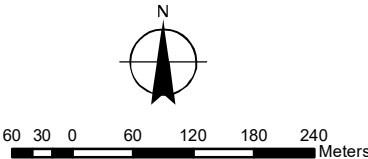
**Legend**

-  Lands To Be Conveyed To Norfolk County
-  Subject Lands
-  Lands Owned

**Official Plan Designations**

-  Agricultural
-  Hazard Lands
-  Provincially Significant Wetland
-  Significant Woodland

3/2/2023

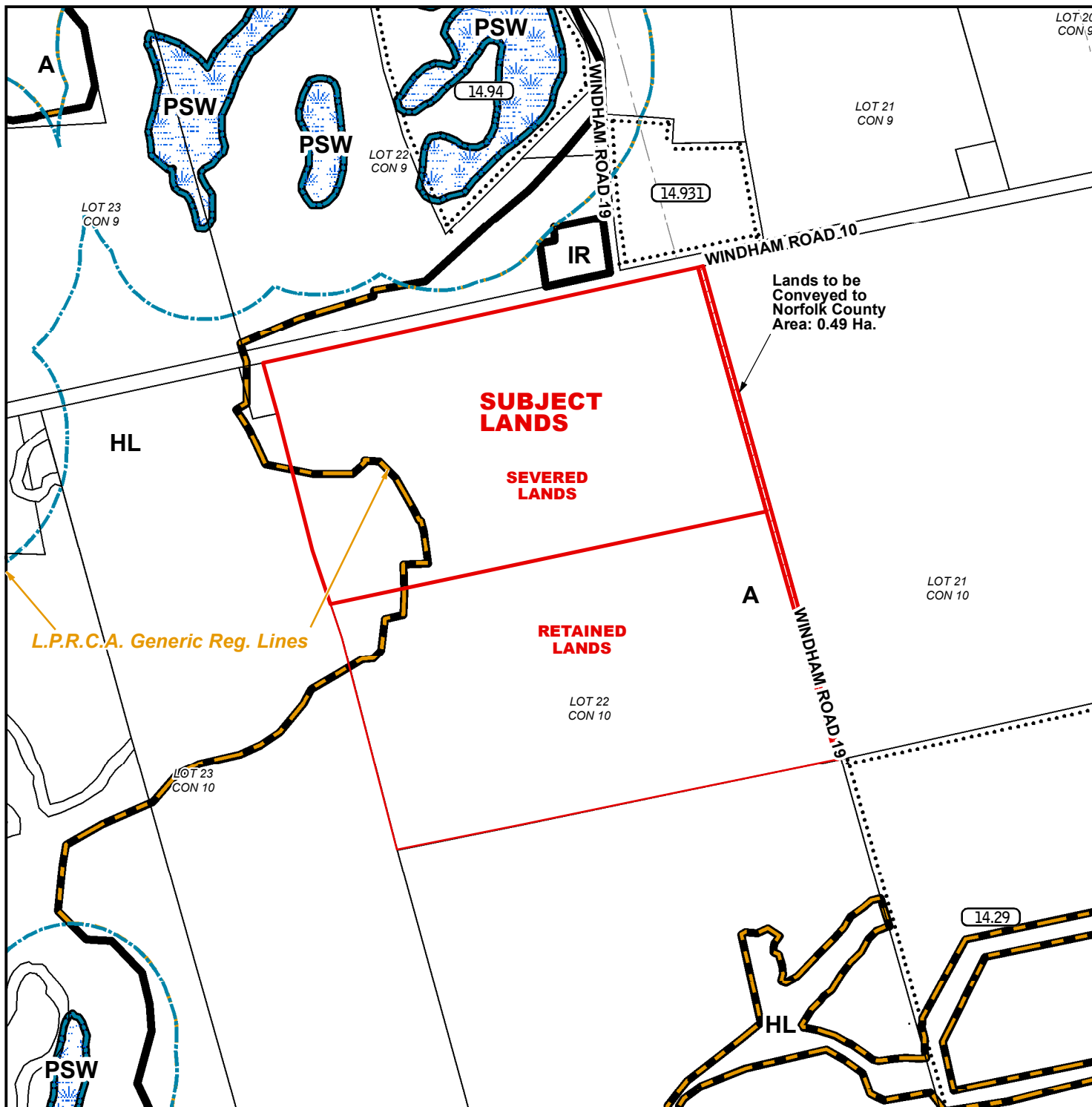


# MAP C







## ZONING BY-LAW MAP

Geographic Township of WINDHAM

BNPL2021230

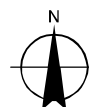


### LEGEND

-  Lands To Be Conveyed To Norfolk County
-  Subject Lands
-  Lands Owned
-  Adjacent Lands
-  Wetland
-  LPRCA Generic RegLines

### ZONING BY-LAW 1-Z-2014

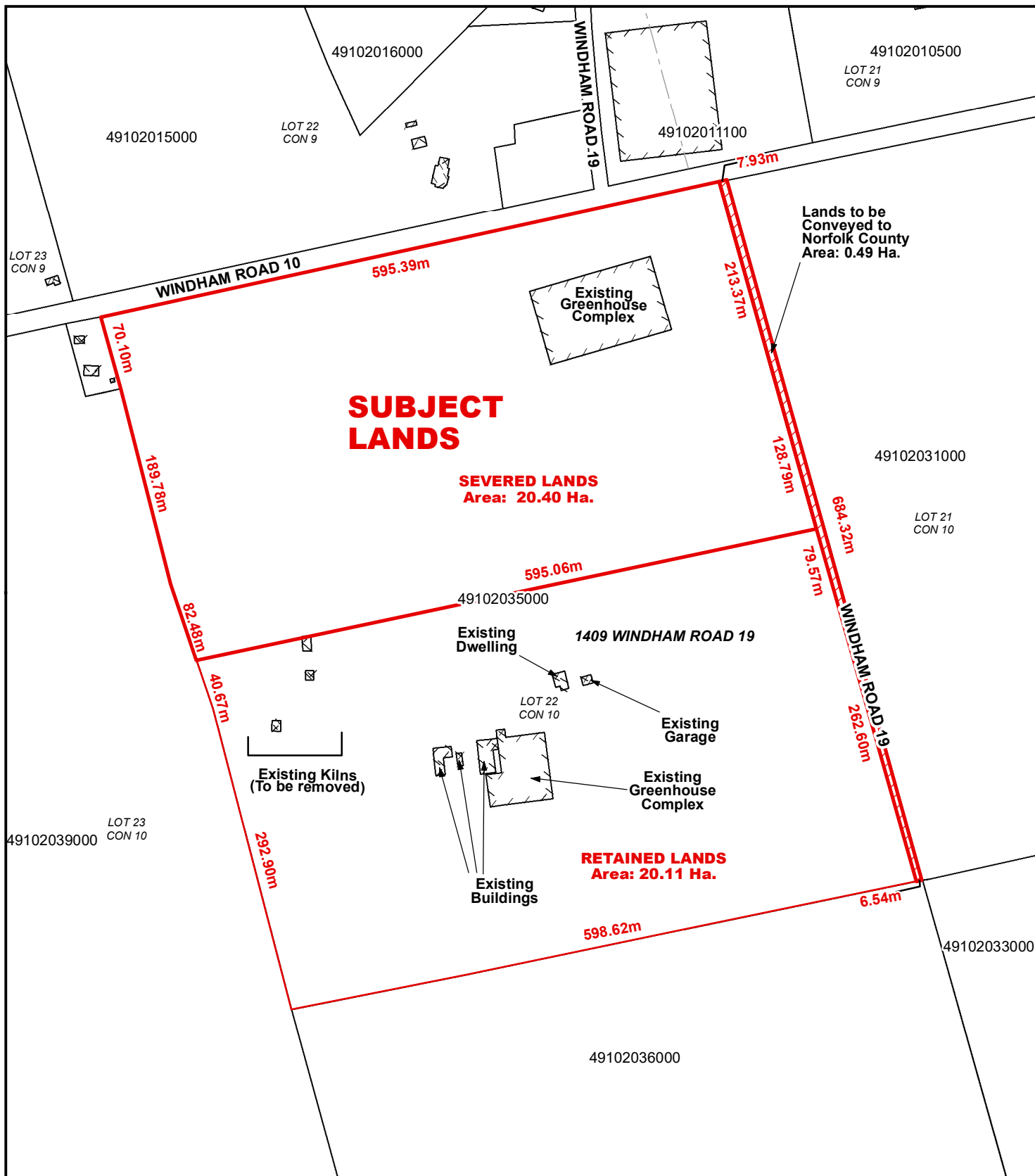
- (H) - Holding
- A - Agricultural Zone
- HL - Hazard Land Zone
- PSW - Provincially Significant Wetland Zone
- IR - Rural Institutional Zone






60 30 0 60 120 180 240 Meters

**CONCEPTUAL PLAN**

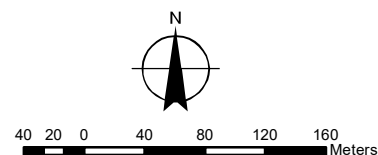
Geographic Township of WINDHAM



**Legend**

-  Lands To Be Conveyed to Norfolk County
-  Subject Lands
-  Lands Owned

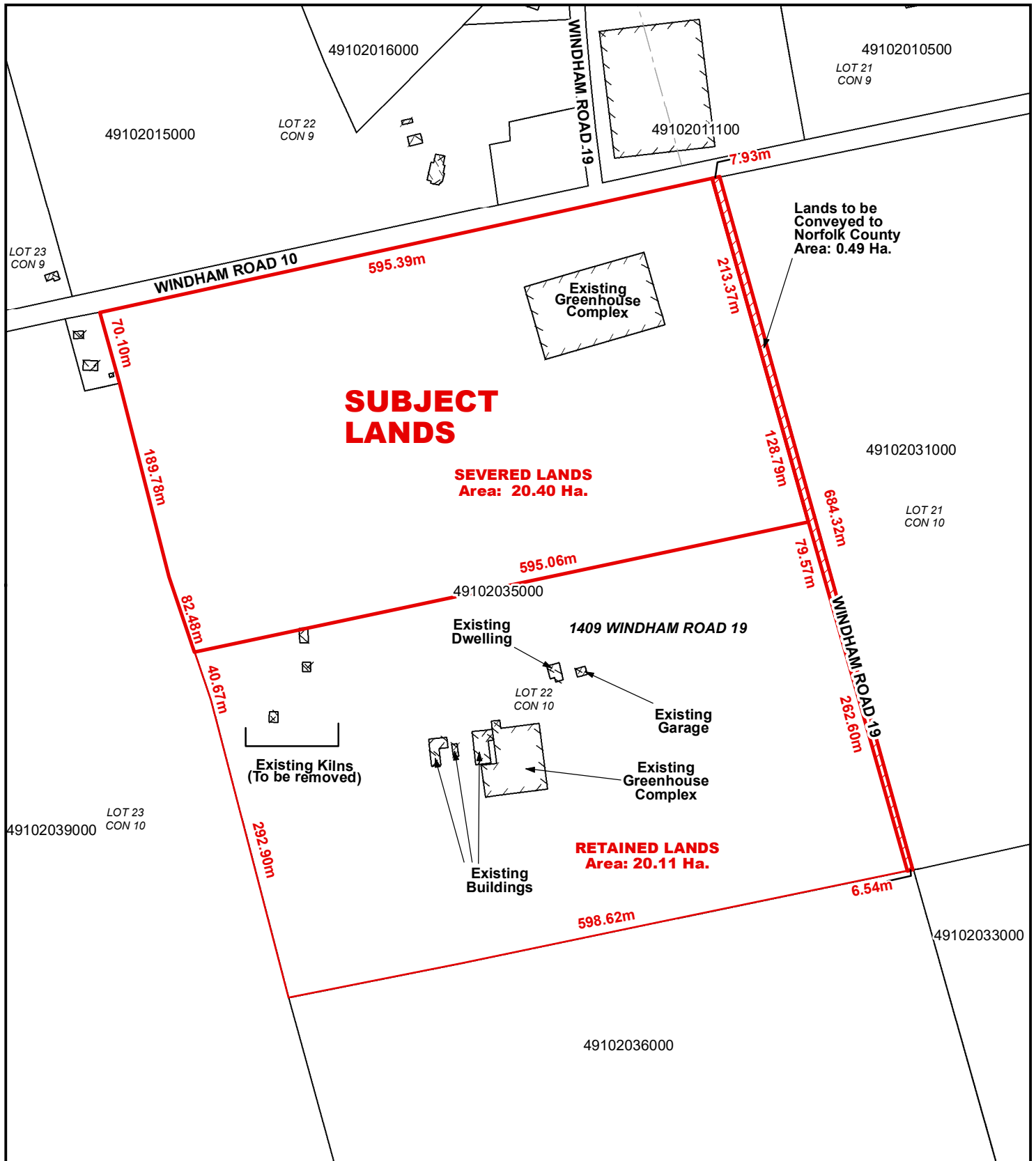
3/2/2023








## CONCEPTUAL PLAN

Geographic Township of WINDHAM



### Legend

-  Lands To Be Conveyed to Norfolk County
-  Subject Lands
-  Lands Owned

3/2/2023

