

Committee of Adjustment Application to Planning Department

Complete Application

A complete Committee of Adjustment application consists of the following:

1. A properly completed and signed application form (signature must on original version);
2. Supporting information adequate to illustrate your proposal as listed in **Section H** of this application form (plans are required in paper copy and digital PDF format);
3. Written authorization from all registered owners of the subject lands where the applicant is not the owner as per Section N; and,
4. Cash, debit or cheque payable to Norfolk County in the amount set out in the Norfolk County User Fees By-Law.
5. The completed application and fees are to be mailed to the attention of **Secretary Treasurer – Committee of Adjustment**: 185 Robinson Street, Suite 200, Simcoe, ON N3Y 5L6 or email your application committee.of.adjustment@norfolkcounty.ca. Make sure submissions are clearly labelled including address, name, and application type. Failure to do so may impact the timing of your application.

The above listed items are required to ensure that your application is given full consideration. An incomplete or improperly prepared application will not be accepted and may result in delays during the processing of the application. This application must be typed or printed in ink and completed in full.

Please review all of the important information summarised below.

Before your Application is Submitted

A pre-consultation meeting is not usually required for Committee of Adjustment applications; however, discussion with Planning Department staff prior to the submission of an application is **strongly encouraged**. The purpose of communicating with a planner **before** you submit your application is: to review your proposal / application, to discuss potential issues; and to determine the required supporting information and materials to be submitted with your application before it can be considered complete by staff. You might find it helpful to retain the services of an independent professional (such as a registered professional planner) to help you with your application. Information about the Official Plan and Zoning By-law can be found on the County website: www.norfolkcounty.ca/planning

After Your Application is Submitted

Once your payment has been received and the application submitted, in order for your application to be deemed complete all of the components noted above are required.

Incomplete applications will be identified and returned to the applicant. The *Planning Act* permits up to 30 days to review and deem an application complete.

Once your application has been deemed complete by the Planning Department, it is then circulated to public agencies and County departments for review and comment. A sign is also provided that is required to be posted on the subject lands that summarizes the application and identifies the committee meeting date. The comments received from members of the community will be included in the planning report and will inform any recommendations in relation to the application.

If the subject lands are located in an area that is regulated by either the Long Point Region Conservation Authority or by the Grand River Conservation Authority an additional fee will be required if review by the applicable agency is deemed necessary. A separate cheque payable to the Long Point Region Conservation Authority or the Grand River Conservation Authority is required in accordance with their fee schedule at the same time your application is submitted.

Additional studies required as part of the complete application shall be at the sole expense of the applicant. In some instances peer reviews may be necessary to review particular studies and that the cost shall be at the expense of the applicant. The company to complete the peer review shall be selected by the County.

If the application is withdrawn prior to the circulation to commenting agencies, the entire original fee will be refunded. If withdrawn after the circulation to agencies, half the original fee will be refunded. No refund is available after the public meeting and/or approval of application.

Notification Sign Requirements

Planning Department staff may post a notification sign on your property in advance of the public meeting on your behalf. Please keep this sign posted until you have received a notice in the mail indicating that the Secretary Treasurer received no appeals. However, it is the applicant's responsibility to ensure that the sign is correctly posted within the statutory timeframes, according to the *Planning Act*. Failure to post a sign in advance of the public meeting in accordance with statutory requirements will impact the timing of your application at the Committee of Adjustment meeting. Applicants are responsible for removal of the sign following the appeal period. The signs are recyclable and can be placed in your blue box.

Contact Us

For additional information or assistance in completing this application, please contact a planner at 519-426-5870 ext. 1842 or Committee.of.Adjustment@NorfolkCounty.ca

For Office Use Only:

File Number	_____	Application Fee	_____
Related File Number	_____	Conservation Authority Fee	_____
Pre-consultation Meeting	_____	Well & Septic Info Provided	_____
Application Submitted	_____	Planner	_____
Complete Application	_____	Public Notice Sign	_____

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: _____**A. Applicant Information****Name of Owner** _____

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 _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

Name of Applicant _____

Address _____

Town and Postal Code _____

Phone Number _____

Cell Number _____

Email _____

Name of Agent

Address

Town and Postal Code

Phone Number

Cell Number

Email

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 owner and 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):

Municipal Civic Address: _____

Present Official Plan Designation(s): _____

Present Zoning: _____

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:

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:

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:

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:

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. **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
Lot frontage					
Lot depth					
Lot width					
Lot area					
Lot coverage					
Front yard					
Rear yard					
Height					
Left Interior side yard					
Right Interior side yard					
Exterior side yard (corner lot)					
Parking Spaces (number)					
Aisle width					
Stall size					
Loading Spaces					
Other					

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

3. **Consent/Severance/Boundary Adjustment:** Description of land intended to be severed in metric units:

Frontage: _____

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

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: _____

Depth: _____

Width: _____

Lot Area: _____

Present Use: _____

Proposed Use: _____

Buildings on retained land: _____

4. **Easement/Right-of-Way:** Description of proposed right-of-way/easement in metric units:

Frontage: _____

Depth: _____

Width: _____
Area: _____
Proposed Use: _____

5. Surplus Farm Dwelling Severances Only: List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation

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 _____
Date of Land Purchase: _____

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 _____
Date of Land Purchase: _____

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 _____
Date of Land Purchase: _____

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 _____
Date of Land Purchase: _____

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 _____
Date of Land Purchase: _____

Note: If additional space is needed please attach a separate sheet.

D. All Applications: 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:

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. All Applications: 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:

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:

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. All Applications: 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. All Applications: Servicing and Access

1. Indicate what services are available or proposed:

Water Supply

- | | |
|--|---|
| <input type="checkbox"/> Municipal piped water | <input type="checkbox"/> Communal wells |
| <input type="checkbox"/> Individual wells | <input type="checkbox"/> Other (describe below) |
-

Sewage Treatment

- | | |
|---|---|
| <input type="checkbox"/> Municipal sewers | <input type="checkbox"/> Communal system |
| <input type="checkbox"/> Septic tank and tile bed in good working order | <input type="checkbox"/> Other (describe below) |
-

Storm Drainage

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> Storm sewers | <input type="checkbox"/> Open ditches |
| <input type="checkbox"/> Other (describe below) | |
-

2. Existing or proposed access to subject lands:

- | | |
|---|---|
| <input type="checkbox"/> Municipal road | <input type="checkbox"/> Provincial highway |
| <input type="checkbox"/> Unopened road | <input type="checkbox"/> Other (describe below) |

Name of road/street:

G. All Applications: 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. 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:

- ☐ 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

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

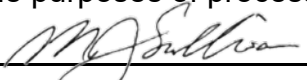
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

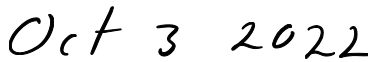
If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We _____ am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize _____ 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

***Note:** If property is owned by an Ontario Ltd. Corporation, Articles of Incorporation are required to be attached to the application.

K. Declaration

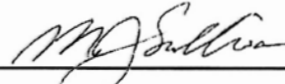
I, Mike Sullivan of the City of Thorold

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:

the City of Thorold



Owner/Applicant/Agent Signature

In the Region of Niagara

This 5 day of October

A.D., 2022

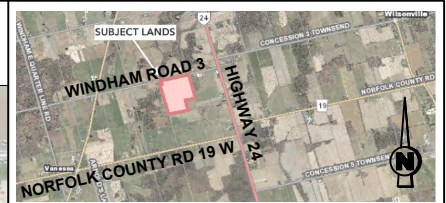
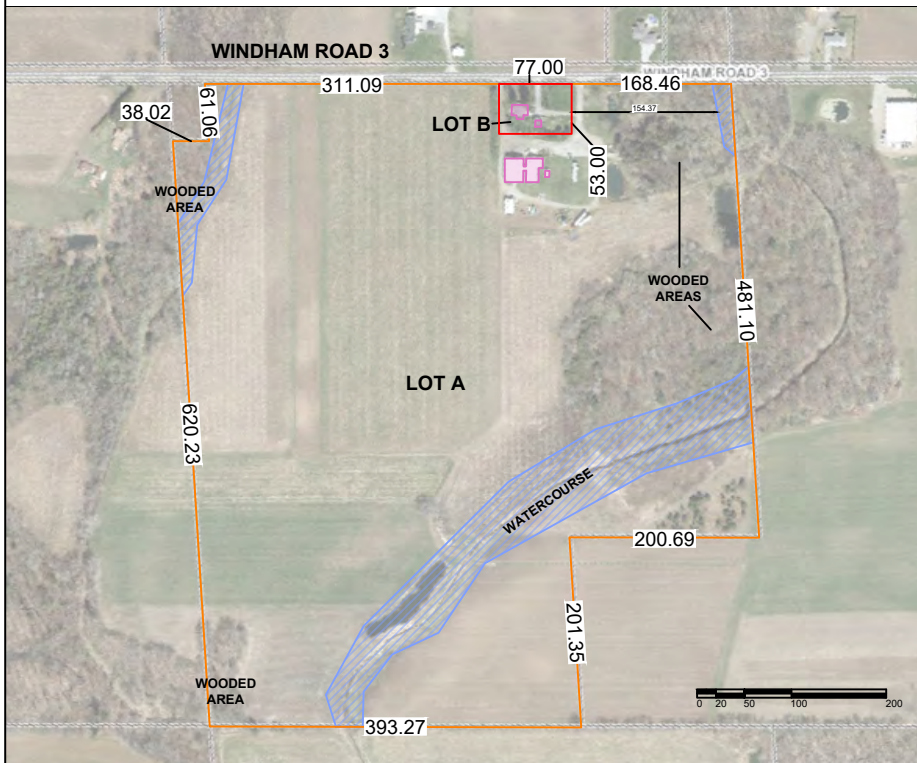
CAROLE IDA SULLIVAN
a Commissioner, etc., Province of Ontario,
for LandPro Planning Solutions Inc.,
and limited to process serving only. ●
Expires July 17, 2024.

A Commissioner, etc.



FIGURE A

SCALE 1:8000



KEY MAP - N.T.S.

CONCEPTUAL PLAN SEVERANCE

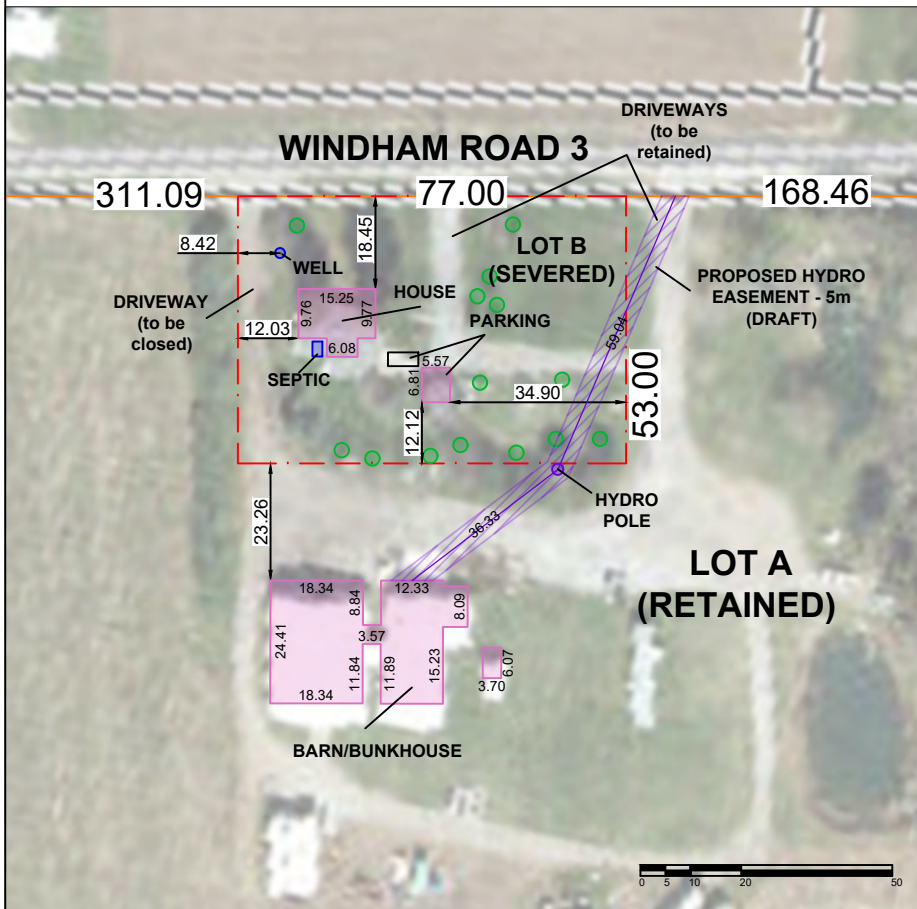
**1812 WINDHAM ROAD 3,
WINDHAM,
NORFOLK COUNTY**

WDM CON 3 PT LOT 2, NORFOLK
COUNTY



FIGURE B

SCALE 1:1500



PROPOSED SEVERENCE

CURRENT

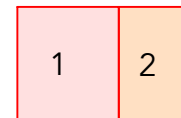
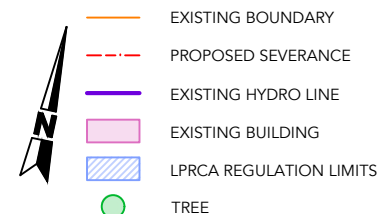
LOT A	36.17 ha (89.38 acres)
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PROPOSED

LOT A	35.76 ha (88.36 acres)
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LOT B	0.4081 ha (1.01 acres)
-------	------------------------

TOTAL	36.17 ha (89.38 acres)
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PART 1 - DWELLING CLUSTER: Residential dwelling, garage, parking, driveway, well, septic tank

PART 2 - ASSOCIATED LANDSCAPING: Tree line, existing landscaped front lawn

DATE:
OCT 20, 2022

DESIGNED BY:
M.C.

DRAWING:
1 OF 1

REVIEWED BY:
M.S.

PROPERTY DESCRIPTION: PT LT 2 CON 3 WINDHAM AS IN NR396954 EXCEPT PT 1 37R5535; NORFOLK COUNTY

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:

FIRST CONVERSION FROM BOOK

PIN CREATION DATE:

2007/07/23

OWNERS' NAMES

WAYNE WELSH FARMS INC.

CAPACITY

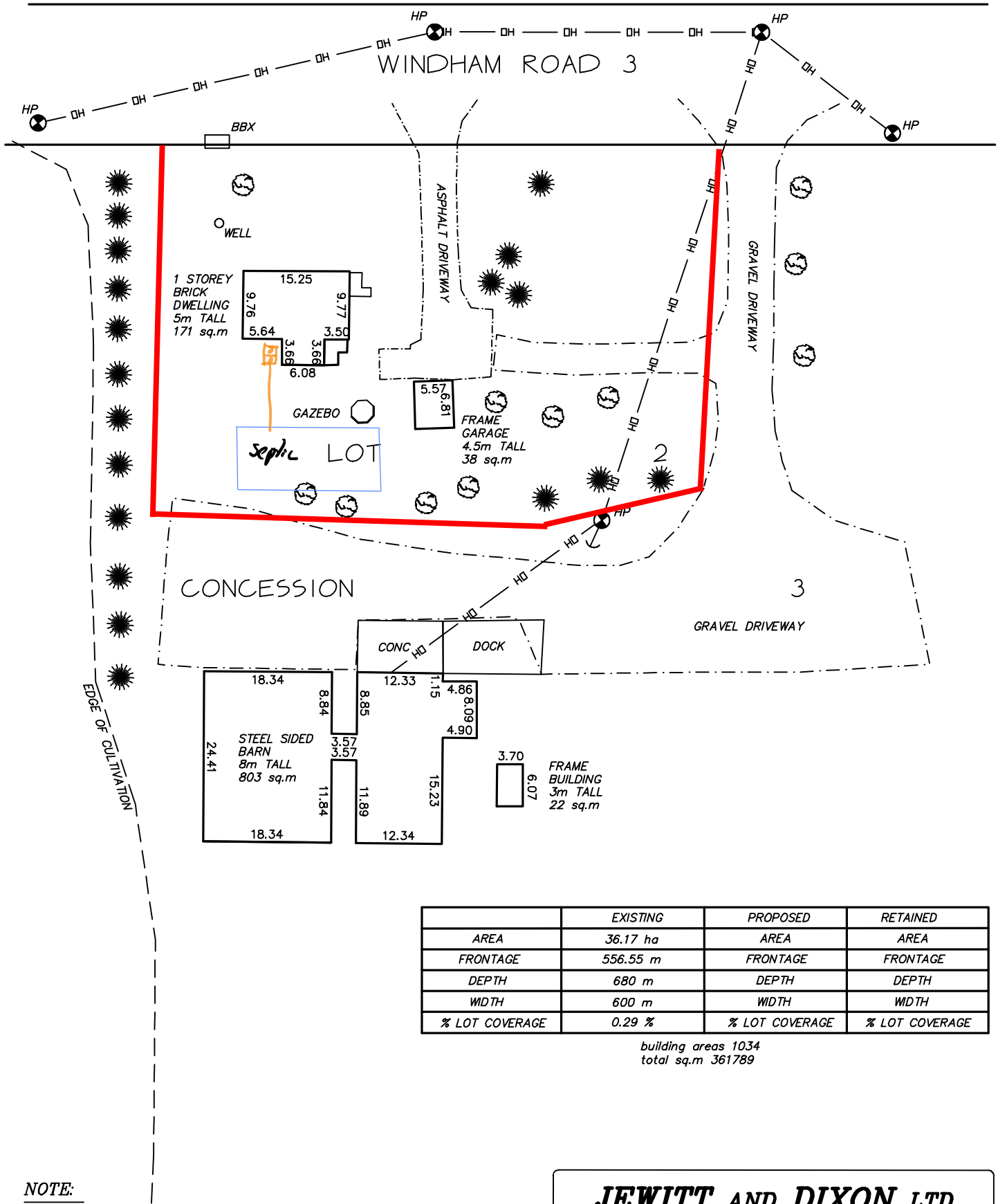
SHARE

ROWN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
<div><div><div>** PRINTOUT</div><div>INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **</div><div>**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:</div><div>**</div><div>SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *</div><div>**</div><div>AND ESCHEATS OR FORFEITURE TO THE CROWN.</div><div>**</div><div>THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF</div><div>**</div><div>IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY</div><div>**</div><div>CONVENTION.</div><div>**</div><div>ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.</div><div>**DATE OF CONVERSION TO LAND TITLES: 2007/07/23 **</div></div></div>						
NK158091	2022/10/03	TRANSFER	\$2	WELSH, WAYNE ROBERT WELSH, GAYLE LOUISE	WAYNE WELSH FARMS INC.	C

SKETCH FOR
SEVERANCE APPLICATION
OF PART OF
LOT 2, CONCESSION 3
IN THE GEOGRAPHIC
TOWNSHIP OF WINDHAM
IN
NORFOLK COUNTY

SCALE: 1 : 750
JEWITT AND DIXON LTD.
MARCH 2, 2022



	EXISTING	PROPOSED	RETAINED
AREA	36.17 ha	AREA	AREA
FRONTAGE	556.55 m	FRONTAGE	FRONTAGE
DEPTH	680 m	DEPTH	DEPTH
WIDTH	600 m	WIDTH	WIDTH
% LOT COVERAGE	0.29 %	% LOT COVERAGE	% LOT COVERAGE

building areas 1034
total sq.m 361789

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
E-mail: info@jewittdixon.com

5. Restrictions, if any, on business the corporation may carry on or on powers the corporation may exercise.

Limites, s'il y a lieu, imposées aux activités commerciales ou aux pouvoirs de la société :

None

6. The classes and any maximum number of shares that the corporation is authorized to issue.

Catégories et nombre maximal, s'il y a lieu, d'actions que la société est autorisée à émettre :

The shares that the Corporation is authorized to issue are:

(a) an unlimited number of common shares without nominal or par value ("Common Shares"), the holders of which are entitled, among other things:

(i) to vote at all meetings of shareholders, except meetings at which only holders of a specified class of shares are entitled to vote; and

(ii) subject to the rights, privileges, restrictions and conditions attaching to any other class of shares of the corporation to receive the remaining property of the Corporation upon dissolution; and

(b) an unlimited number of non-cumulative, voting, redeemable, retractable Class "A" Special Shares, without par value; and

(c) an unlimited number of non-voting, non-cumulative, redeemable, retractable Class "B" Special Shares without par value.

7. Rights, privileges, restrictions and conditions (if any) attaching to each class of shares and directors authority with respect to any class of shares which may be issued in series:

Droits, privilèges, restrictions et conditions, s'il y a lieu, rattachés à chaque catégorie d'actions et pouvoirs des administrateurs relatifs à chaque catégorie d'actions qui peut être émise en série :

1. (a) The holders of the Class "A" Special Shares shall in each year in the discretion of the directors, but always in preference and priority to any payment of dividends on the Class "B" Special Shares and on the Common Shares for such year, unless waived in writing by the respective holders of such Class "A" Special Shares, be entitled, out of any or all profits or surplus available for dividends, to non-cumulative dividends as determined by the board of directors; if in any year, after providing for the full dividend on the Class "A" Special Shares, there shall remain any profits or surplus available for dividends, such profits or surplus or any part thereof may, in the discretion of the directors, be applied to dividends on the Class "B" Special Shares and on the Common Shares; the holders of the Class "A" Special Shares shall not be entitled to any dividend other than or in excess of the non-cumulative dividends.

(b) The Class "A" Special Shares shall rank, both as regards dividends and return of capital, in priority to all other shares of the Corporation but shall not confer any further right to participate in profits or assets;

(c) The Corporation may redeem the whole or any part of the Class "A" Special Shares on payment for each share to be redeemed of the Redemption Price, together with all dividends declared thereon and unpaid. In case a part only of the then outstanding Class "A" Special Shares is, at any time to be redeemed the shares so to be redeemed shall be selected by lot in such manner as the directors, in their discretion, shall decide or, if the directors so determine, may be redeemed pro rata, disregarding fractions, and the directors may make such adjustments as may be necessary to avoid the redemption of fractional parts of shares. Such redemption to be on at least 30 days' notice in writing by mailing such notice to the registered holders of the shares to be redeemed, specifying the date and place or places of redemption; if notice of any such redemption be given by the corporation in the manner aforesaid and an amount sufficient to redeem the shares be deposited with any trust company or chartered bank in Canada, specified in the notice, on or before the date fixed for redemption, dividends on the Special Shares to be redeemed shall cease after the date so fixed for redemption and the holders thereof shall thereafter have no rights against the corporation in respect thereof except, upon the surrender of Certificates for such shares, to receive payment therefore out of the monies so deposited. The "Redemption Price" shall be the amount as determined by the board of directors at the date of issue of the said Class "A" Special Shares to be redeemed.

(d) The holders of the Class "A" Special Shares shall have the right, at their option, at any time and from time to time to compel the Corporation to redeem the whole or any part of the said Class "A" Special Shares registered in the name of such holder, provided that 90 days notice of such request has been received by the Corporation. The "Redemption Price" shall be the amount as determined by the board of directors at the date of issue of the said Class "A" Special Shares to be redeemed together with any and all dividends declared thereon and unpaid. In the event the holder of the Class "A" Special Shares exercises the within option, the said holder shall tender to the Corporation, at its registered office, a share certificate or certificates representing the Class "A" Special Shares which the registered holder desires to have the Corporation redeem together with a request in writing specifying:

(i) that the registered holder desires to have the Class "A" Special Shares represented by such certificate(s) redeemed by the Corporation; and

(ii) the business day ("Retraction Date") on which the holder desires to have the Corporation redeem such Class "A" Special Shares.

Upon receipt of the share certificate(s) representing the Class "A" Special Shares which the registered holder desires to have the Corporation redeem together with such a request, the Corporation shall, 10 days after the Retraction Date, or on such earlier date as the

7. *Continued*

Form 1
Business
Corporations
Act
Formule 1
Loi sur les
sociétés par
actions

Corporation and the registered holder agree, redeem such Class "A" Special Shares by paying to such registered holder the Redemption Price together with all declared but unpaid dividends thereon. Such payment shall be made by cheque payable at par at any branch of the Corporation's bankers for the time being in Canada. The said Class "A" Special Shares shall be redeemable on the Retraction Date or on such earlier date as the Corporation and the registered holder agree and from and after the Retraction Date or on such earlier date as the Corporation and the registered holder agree such shares shall cease to be entitled to dividends and the holders thereof shall not be entitled to exercise any of the rights of holders of Class "A" Special Shares in respect thereof unless payment of the Redemption Price is not made when due, in which event the rights of the holders of the Class "A" Special Shares shall remain unaffected until the Redemption Price has been paid in full.

(e) In the event of the liquidation, dissolution or winding up of the Corporation, whether voluntary or involuntary, the holders of the Class "A" Special Shares shall be entitled to receive, before any distribution of any part of the assets of the Corporation among the holders of any other shares, the Redemption Price as hereinbefore specified for each Class "A" Special Shares and any dividends declared thereon and unpaid and no more;

(f) The holders of the Class "A" Special Shares shall be entitled to receive notice of and to attend and vote at all meetings of the shareholders of the Corporation and each Class "A" Special Share shall confer the right to one (1) vote in person or by proxy at all meetings of the shareholders of the Corporation;

(g) The foregoing provisions of this paragraph and the provisions of paragraph (h) hereof may be repealed, altered, modified or amended by Articles of Amendment but only with the approval of the holders of the Class "A" Special Shares given as hereinafter specified in addition to any other approval required by the Business Corporations Act, 1990 (Ontario) as the same may be from time to time be in force or any successor corporations statute of the Province of Ontario (the "Act");

(h) The approval of the holders of the Class "A" Special Shares as to any and all matters referred to herein may be given by special resolution sanctioned at a meeting of the holders of Class "A" Special Shares duly called and held upon at least ten (10) days' notice at which the holders of at least a majority of the outstanding Class "A" Special Shares are present or represented by proxy and carried by the affirmative votes of the holders of not less than two-thirds of the Class "A" Special Shares represented and voted at such meeting cast on a poll. On every poll taken at every such meeting every holder of Class "A" Special Shares shall be entitled to one (1) vote in respect of each Class "A" Special Share held.

2. (a) The holders of the Class "B" Special Shares shall in each year in the discretion of the directors, but always in preference and priority to any payment of dividends on the Common Shares for such year, unless waived in writing by the respective holders of such Class "B" Special Shares, be entitled, out of any or all profits or surplus available for dividends, to non-cumulative dividends as determined by the directors; if in any year, after providing for the full dividend on the Class "B" Special Shares, there shall remain any profits or surplus available for dividends, such profits or surplus or any part thereof may, in the discretion of the directors, be applied to dividends on the Common Shares; the holders of the Class "B" Special Shares shall not be entitled to any dividend other than or in excess of the non-cumulative dividends.

(b) The Class "B" Special Shares shall rank, both as regards dividends and return of capital, in priority to all Common Shares of the Corporation but shall not confer any further right to participate in profits or assets.

(c) The Corporation may redeem the whole or any part of the Class "B" Special Shares on payment for each share to be redeemed of the "Redemption Price", together with

7. *Continued*

Form 1
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Corporations
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all dividends declared thereon and unpaid. In case a part only of the then outstanding Class "B" Special Shares is at any time to be redeemed the shares so to be redeemed shall be selected by lot in such manner as the directors in their discretion shall decide or, if the directors so determine, may be redeemed pro rata, disregarding fractions, and the directors may make such adjustments as may be necessary to avoid the redemption of fractional parts of shares. Such redemption to be on at least 30 days' notice in writing by mailing such notice to the registered holders of the shares to be redeemed, specifying the date and place or places of redemption; if notice of any such redemption be given by the corporation in the manner aforesaid and an amount sufficient to redeem the shares be deposited with any trust company or chartered bank in Canada, specified in the notice, on or before the date fixed for redemption, dividends on the Special Shares to be redeemed shall cease after the date so fixed for redemption and the holders thereof shall thereafter have no rights against the corporation in respect thereof except, upon the surrender of Certificates for such shares, to receive payment therefore out of the monies so deposited. The "Redemption Price" shall be the amount as determined by the board of directors at the date of issue of the said Class "B" Special Shares to be redeemed.

(d) The holders of the Class "B" Special Shares shall have the right, at their option, at any time and from time to time to compel the Corporation to redeem the whole or any part of the said Class "B" Special Shares registered in the name of such holder, provided that 90 days notice of such request has been received by the Corporation. The "Redemption Price" shall be the amount as determined by the board of directors at the date of issue of the said Class "B" Special Shares to be redeemed together with any and all dividends declared thereon and unpaid. In the event the holder of the Class "B" Special Shares exercises the within option, the said holder shall tender to the Corporation, at its registered office, a share certificate or certificates representing the Class "B" Special Shares which the registered holder desires to have the Corporation redeem together with a request in writing specifying:

(i) that the registered holder desires to have the Class "B" Special Shares represented by such certificate(s) redeemed by the Corporation; and

(ii) the business day ("Retraction Date") on which the holder desires to have the Corporation redeem such Class "B" Special Shares.

Upon receipt of the share certificate(s) representing the Class "B" Special Shares which the registered holder desires to have the Corporation redeem together with such a request, the Corporation shall, 10 days after the Retraction Date, or on such earlier date as the Corporation and the registered holder agree, redeem such Class "B" Special Shares by paying to such registered holder the Redemption Price together with all declared but unpaid dividends thereon. Such payment shall be made by cheque payable at par at any branch of the Corporation's bankers for the time being in Canada. The said Class "B" Special Shares shall be redeemable on the Retraction Date or on such earlier date as the Corporation and the registered holder agree and from and after the Retraction Date or on such earlier date as the Corporation and the registered holder agree such shares shall cease to be entitled to dividends and the holders thereof shall not be entitled to exercise any of the rights of holders of Class "B" Special Shares in respect thereof unless payment of the Redemption Price is not made when due, in which event the rights of the holders of the Class "B" Special Shares shall remain unaffected until the Redemption Price has been paid in full.

(e) In the event of the liquidation, dissolution or winding up of the Corporation, whether voluntary or involuntary, the holders of the Class "B" Special Shares shall be entitled to receive, before any distribution or any part of the assets of the Corporation among the holders of any other shares, the Redemption Price as hereinbefore specified for each Class "B" Special Share and any dividends declared thereon and unpaid and no more.

(f) The foregoing provisions of this paragraph and the provisions of paragraph (g)

7. *Continued*

hereof may be repealed, altered, modified or amended by Articles of Amendment but only with the approval of the holders of the Class "B" Special Shares given as hereinafter specified in addition to any other approval required by the Business Corporations Act, 1990 (Ontario) as the same may be from time to time be in force or any successor corporations statute of the Province of Ontario (the "Act").

(g) The approval of the holders of the Class "B" Special Shares as to any and all matters referred to herein may be given by special resolution sanctioned at a meeting of the holders of Class "B" Special Shares duly called and held upon at least ten (10) days' notice at which the holders of at least a majority of the outstanding Class "B" Special Shares are present or represented by proxy and carried by the affirmative votes of the holders of not less than two-thirds of the Class "B" Special Shares represented and voted at such meeting cast on a poll. On every poll taken at every such meeting every holder of Class "B" Special Shares shall be entitled to one (1) vote in respect of each Class "B" Special Share held. Save as hereinbefore provided, the Class "B" Special Shares shall not be entitled to receive notice of or attend and vote at any meeting of the shareholders of the Corporation.

3. (a) The holders of the Common Shares are entitled to one (1) vote per share at all meetings of shareholders except meetings at which only holders of a specified class of shares are entitled to vote, and are entitled to receive the remaining property of the Corporation upon dissolution.

8. The issue, transfer or ownership of shares is ~~not~~ restricted and the restrictions (if any) are as follows: L'émission, le transfert ou la propriété d'actions est ~~pas~~ restreinte. Les restrictions, s'il y a lieu, sont les suivantes :

SUBJECT TO ANY UNANIMOUS SHAREHOLDERS AGREEMENT WHICH SHALL OVERRIDE THE FOLLOWING PROVISIONS:

The right to transfer shares of the Corporation shall be restricted in that no shares shall be transferred without either:

- (a) the previous consent of the directors of the Corporation expressed by a resolution passed at a meeting of the directors or by an instrument or instruments in writing signed by a majority of the directors; or
- (b) the previous consent of the holders of at least 51% of the shares for the time being outstanding entitled to vote expressed by resolution passed at a meeting of the shareholders or by an instrument or instruments in writing signed by such shareholders.
- (c) any shareholder (the "Offeror") desiring to sell or otherwise dispose of any of his shares in the Corporation shall give at least three (3) months' notice in writing to the secretary and the remaining shareholders of the Corporation of his desire and intention to sell; and the remaining shareholders of the Corporation shall have the right, for the said period of three (3) months from the giving of such notice, to purchase such shares or a portion or number of the same as they may desire pro rata to the number of Common Shares in the Corporation already held by them or any such other proportions as they may agree upon among themselves;
- (d) the price to be paid for the Class "A" and Class "B" Special Shares of the Corporation shall be the redemption price as set out in the provisions attaching to the Class "A" Special Shares and Class "B" Special Shares; the price to be paid for the Common Shares shall be the market value thereof as may be agreed upon between the parties, or in the event of failure, to come to an agreement as to the market value thereof, then the question shall be submitted to arbitration and in such event the party desiring the arbitration shall, by notice in writing to the other party, addressed to the said other party at his last known place of address, name an arbitrator, whereupon within fifteen (15) days of receiving the notice of the appointment of an arbitrator, shall notify the party so giving the notice of his choice of an arbitrator by notice in writing, addressed to the party so desiring the arbitration, at his last known place of address and the arbitrators so appointed shall then within ten (10) days appoint a third arbitrator who shall be Chairman; The Arbitrations Act (Ontario) as amended, shall apply to the arbitration and the proceedings in respect thereof save that the findings of the said arbitrators shall be final; in the event that any of the parties concerned fail to appoint an arbitrator as aforesaid within the time limit then the other party shall be at liberty to apply to a Judge of the Court having jurisdiction where the registered office of the Corporation is situate for an Order appointing the arbitrator so in default of appointment;
- (e) in case the said other shareholders fail within the said period of three (3) months to purchase the said shares, or if they purchase only a part or certain number thereof, then the Offeror may, after three (3) calendar months from the giving of such notice to the Corporation and the said Shareholders, sell or dispose of the shares referred to in such notice, or such portion or such shares as shall not have been agreed to be purchased by the other shareholders, to any person at a price equal to or in excess of the price as determined under sub-clause (d) of these restrictions; should the Offeror, after having complied with the restrictions above-mentioned, wish to sell his shares or such remainder of the same as have not been purchased by the other shareholders at a price lower than the price as established under sub-clause (d) aforesaid, he shall first offer the said shares to the remaining shareholders at the said lower price by giving notice in writing to the secretary and the remaining shareholders of the Corporation stating that the said price and the number of shares desired to be sold at the said price and the other shareholders of the Corporation shall have the right for a period of ten (10) days from the receipt of such notice to purchase the same at the said lower price pro rata to the number of Common Shares already held by them or in such proportions as they may agree upon

8. *Continued*

among themselves and such shares as are not purchased by the remaining shareholders may thereupon be sold to any other party at the said price;

(f) in the event of any shareholder dying or being adjudged a bankrupt or making an assignment for the benefit of his creditors or being judicially declared mentally incompetent or incapable of managing his affairs then, subject to any previous written agreement among all the shareholders and until the expiration of a period of one (1) year after the last day of the month in which any of the said events occur, the remaining shareholders shall have the exclusive but optional right to purchase, in the proportions of the Common Shares then held by them, or in any other proportions to which they may agree, all but not less than all the shares of all classes then held by such shareholder (hereinafter called the "Compulsory Purchase Price") which, in the case of Class "A" Special Shares and Class "B" Special Shares, shall be at the price at which the same could have been redeemed by the Corporation on the last day of the month aforesaid, and, in the case of Common Shares, at a price as determined under sub-clause (d) of these restrictions; and

(g) within such period of one (1) year, such remaining shareholders may exercise such right by depositing the Compulsory Purchase Price of the purchasable shares with the Corporation as a trustee for the payment thereof as hereinafter provided to the holder thereof or his executor, administrator, trustee in bankruptcy, assignee for the benefit of his creditors, committee of his estate or other legal representative (hereinafter called "his legal representative") and by giving by registered mail a notice addressed to such shareholder at his last address registered with or known to the Corporation requiring such shareholder or his legal representative to execute and deliver to the Corporation, within a period of thirty (30) days after the date of mailing of such notice, a registerable instrument or transfer of the purchasable shares to such remaining shareholders, in the proportions stated in such notice, and, if such shareholder or his legal representative does not execute and deliver such instrument of transfer as aforesaid, then after the expiry of such period of thirty (30) days, the secretary of the Corporation or any other person authorized by such remaining shareholders may execute such instrument of transfer and deliver same to the Corporation on behalf of such shareholder or his legal representative, and, after receipt of such instrument of transfer, the Corporation may register the same on the books of the Corporation and, on demand, shall pay the Compulsory Purchase Price of the purchasable shares to such shareholder or his legal representative, without interest, and, on such registration, such shareholder or his legal representative shall cease to have any right to or in respect of the purchasable shares, except the right to receive the Compulsory Purchase Price thereof as aforesaid.

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COR-66 8/1993

9. Other provisions, if any, are:

Autres dispositions, s'il y a lieu :

1. that the board of directors may from time to time, in such amounts and on such terms as it deems expedient;

(a) borrow money on the credit of the Corporation;

(b) issue, reissue, sell or pledge debt obligation (including bonds, debentures, note or other similar obligations, secured or unsecured) of the Corporation;

(c) to the extent permitted by law, give a guarantee on behalf of the Corporation to secure performance of any present or future indebtedness, liability or obligation of any person; or Corporation; and

(d) charge, mortgage, hypothecate, pledge or otherwise create a security interest in all or any of the currently owned or subsequently acquired real or personal, movable or immovable, property of the Corporation, including book debts, rights, powers, franchises and undertakings, to secure any debt or liability of the Corporation.

The board of directors may from time to time delegate to such one or more of the directors and officers of the Corporation as may be designated by the board all or any of the powers conferred on the board above to such extent and in such manner as the board shall determine at the time of each such delegation;

2. that the number of shareholders of the Corporation, exclusive of persons who are in the employment of the Corporation and exclusive of persons who, having been formerly in the employment of the Corporation, were, while in that employment, and have continued after the termination of that employment to be shareholders of the Corporation is limited to not more than fifty (50), two (2) or more persons who are the joint registered owners of one (1) or more shares being counted as one (1) shareholder

That the Corporation may pay commission or allow discounts to persons in consideration of their subscribing or agreeing to subscribe whether absolutely or conditionally, for shares in the Corporation, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for such shares, but no such commission or discount shall exceed twenty-five per cent (25%) of the amount of the subscription; and

3. that any invitation to the public to subscribe for any shares or securities of the Corporation is hereby prohibited.

4. The Corporation may purchase any of its issued Common Shares.

5. It shall not be necessary for a majority of the board of directors of the Corporation to constitute a quorum, but a quorum shall be two-fifths (2/5) of the board of directors or one (1) director whichever is the greater.

10. The names and addresses of the incorporators are:

Nom et adresse des fondateurs :

First name, initials and surname or corporate name

Prénom, initiales et nom de famille ou dénomination sociale

Full residence address or address of registered office or of principal place of business giving Street & No. or R.R. No., Municipality and Postal Code

Adresse personnelle au complet, adresse du siège social ou adresse de l'établissement principal, y compris la rue et le numéro ou le numéro de la R.R., le nom de la municipalité et le code postal

Wayne Robert Welsh

R. R. # 3
Scotland, Ontario
N0E 1R0

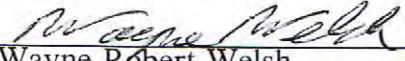
Gayle Louise Welsh


R. R. # 3
Scotland, Ontario
N0E 1R0

These articles are signed in duplicate.

Les présents statuts sont signés en double exemplaire.

(Signatures of Incorporators)
(Signature des fondateurs)


Wayne Robert Welsh


Gayle Louise Welsh

DIRECTORS' and OFFICERS' REGISTER

[illegible]



Form 1 CIA Initial Return/Notice of Change CONFIRMATION OF FILING

Official ONBIS ID: 008925182

DATE SUBMITTED: Feb 23, 2007 @ 01:54 pm

Docket Info: 20724-B

Language Preference: English

Reference Info: WAYNE WELSH FARMING

Document Type: Notice of Change

Corporate Name: WAYNE WELSH FARMS INC.

Corporate No: 001173846

Incorp./Amalg. Date: 11 Apr, 1996

Registered/Head Office: ATTN: CHARLES WELSH, 1608 WINDHAM ROAD, R. R. # 3, SCOTLAND, ON, CA, N0E 1R0

Mailing Address: Same as Registered/Head Office

Person Authorizing Filing: WELSH, CHARLES, *Director*

	Administrator Information	Elected/ Appointed	Ceased
1.	WELSH, WAYNE ROBERT, <i>PRESIDENT</i> R R # 3, SCOTLAND, ON, CA N0E 1R0	11 Apr, 1996	01 Jan, 2006
2.	WELSH, CHARLES, <i>PRESIDENT</i> 1608 WINDHAM RD., R. R. # 3, SCOTLAND, ON, CA N0E 1R0	01 Jan, 2006	
3.	WELSH, GAYLE LOUISE, <i>SECRETARY</i> R R # 3, SCOTLAND, ON, CA N0E 1R0	11 Apr, 1996	01 Jan, 2006
4.	WELSH, CHARLES, <i>SECRETARY</i> 1608 WINDHAM RD., R. R. # 3, SCOTLAND, ON, CA N0E 1R0	01 Jan, 2006	
5.	WELSH, GAYLE LOUISE, <i>TREASURER</i> R R # 3, SCOTLAND, ON, CA N0E 1R0	11 Apr, 1996	01 Jan, 2006
6.	WELSH, CHARLES, <i>TREASURER</i> 1608 WINDHAM RD., R. R. # 3, SCOTLAND, ON, CA N0E 1R0	01 Jan, 2006	
7.	WELSH, WAYNE ROBERT, <i>DIRECTOR</i> , Res. Canadian R.R. #3, SCOTLAND, ON, CA N0E 1R0	11 Apr, 1996	01 Jan, 2006
8.	WELSH, GAYLE LOUISE, <i>DIRECTOR</i> , Res. Canadian R R # 3, SCOTLAND, ON, CA N0E 1R0	11 Apr, 1996	01 Jan, 2006
9.	WELSH, CHARLES, <i>DIRECTOR</i> , Res. Canadian 1608 WINDHAM RD., R. R. # 3, SCOTLAND, ON, CA N0E 1R0	01 Jan, 2006	

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Instructions for Completing the Evaluation Form for Existing On-Site Sewage Systems

General Information Applicable to Sewage Evaluations:

1. Please complete the following form by checking appropriate lines and filling out blanks.
2. This Evaluation Form must be completed by a "Qualified" person engaged in the business of constructing on site, installing, repairing, servicing, cleaning or emptying sewage systems.
3. If sewage system malfunctions are found during an evaluation (surfacing or discharge of improperly treated sewage effluent) which indicate a possible health hazard or nuisance, orders may be issued for correction.
4. Evaluations should be scheduled accordingly so as not to delay the application process.
5. Completed Forms **MUST** be submitted **no later than 30 days** prior to the scheduled public meeting. Failure to meet this date may cause the application to be deferred.
6. Completed Forms must be returned to:

Building Division

Simcoe Office
8 Schellburg Ave.
Simcoe, ON N3Y 2J4
Fax: (519) 426-1186

Langton Office
22 Albert St.
Langton, ON N3Y 2J4
Fax: (519) 875-4789

7. Evaluation Forms will become part of the property records of Norfolk County Building Division.
8. No On-Site Sewage System Evaluation will be conducted where:
 - snow depth exceeds two (2) inches, or
 - grass and brush exceeds twelve (12) inches
9. The comments that are given as a result of this evaluation are rendered without complete knowledge or observation of some of the individual components of the sewage system and applies only to the date and time the evaluation is conducted.



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: 1812 WINDHAM ROAD #3			
Owner: WAYNE WELSH		Lot: 2		Concession: 3	
Lot Area:		Lot Frontage:		Assessment Roll No. 491-005-04000-0000	
PURPOSE OF EVALUATION		<input 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: 1,800 ft ²		No. of Bedrooms: 4		No. of Fixture Units: 20	
Is the building currently occupied? Yes (X) / No If No, how long?					
EVALUATOR'S INFORMATION		Evaluator's Name: ED DOVE		Company Name: STEALTH ENVIRONMENTAL INC	
Address: 1809 8TH CONCESSION ROAD - LANGTON		Postal Code: N0E 1G0		Phone: ONTARIO	
Email: EdDove@stealthenvironmental.ca		BCIN # 38413 / 38259			
SITE EVALUATION		Ground Cover (trees, bushes, grass, impermeable surface): GRASS			Soil Type: SAND
Site Slope: <input checked="" type="checkbox"/> Flat <input type="checkbox"/> Moderate <input type="checkbox"/> Steep		Soil Conditions: <input type="checkbox"/> Wet <input checked="" type="checkbox"/> Dry		Depth of Water Table: 40 ft.	
Surface Discharge Observed: Yes (X) No (X)		Odour Detected: Yes (X) No (X)		Current Weather (at time of evaluation): SUNNY DAY	
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: 1000 Gal.		Pump: Yes (X) No (X)	
Distribution System: Area: <input checked="" type="checkbox"/> Trench Bed <input type="checkbox"/> Filter Medium		No. of Tile Runs: 5		Total Length of Tile: 250 FT	
Distance Between Tile Runs: 6 FT					
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 type="checkbox"/> Sand <input checked="" type="checkbox"/> Top Soil <input checked="" type="checkbox"/> Seeded	
Setbacks:		Tank		Distribution Pipe	
Distance to Buildings & Structures (ft)		10 FT		25 FT	
Distance to Bodies of Water (ft)		N/A		N/A	
Distance to Nearest Well (ft)		85 FT		100 FT	
Distance to Proposed Property Lines		Front 2100 FT Rear 60 FT Side 40 FT Side 100 FT		Front 2100 FT Rear 40 FT Side 40 FT Side 50 FT	

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

OK

Note:

Any repair/replacement of an on site sewage system requires a building permit. Contact the Norfolk County Building Division at (519) 426-4377 for more information.

Additional Comments: SEPTIC SYSTEM APPEARS TO BE IN GOOD WORKING ORDER AND IN A GOOD STATE OF REPAIR AT THE TIME OF EVALUATION

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, Wayne Welsh (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.

Wayne Welsh
Owner Signature

June 28/22
Date

EVALUATOR:

1. I, ED DOVE 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.

ED DOVE
Evaluator Signature

JUNE 7/2022
Date

BUILDING DIVISION COMMENTS

Comments: _____

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

Chief Building Official or designate

Date



On Site Sewage Disposal System Location Plan

DATE: JUNE 7/2022

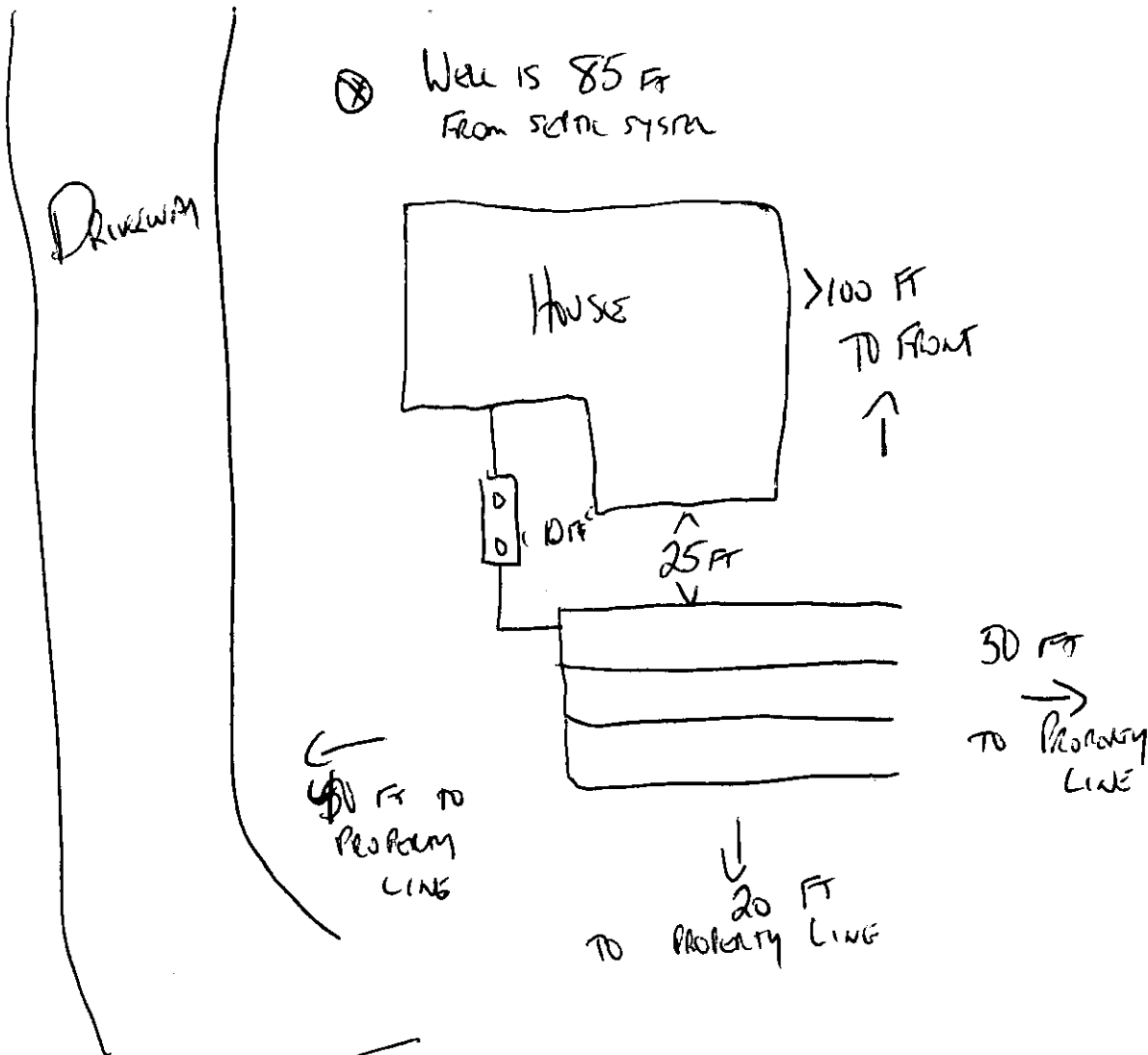
APPLICATION NUMBER: _____

OWNER WAYNE WELSH

EVALUATOR ED DOVE

PROPERTY ADDRESS 1812 WINDHAM ROAD #3

Please provide a DIMENSIONED sketch drawing indicating EXISTING AND PROPOSED property lines, existing roads and driveways, location of all existing buildings, location of existing wells, and location of existing septic tanks and tile beds.



PREPARED BY: ED DOVE

NOTE: The above sketch is not to exact scale.



LAND PRO
PLANNING SOLUTIONS

PLANNING LETTER



CONSENT APPLICATION

1812 Windham Road 3

Norfolk County

October 2022

October 2022

Norfolk County Planning Department
185 Robinson Street, Suite 200
Simcoe, Ontario
N3Y 5L6

email: planning@norfolkcounty.ca

Re: Application for Severance - Wayne Welsh Farms, Inc.
1812 Windham Road 3,
Windham, Norfolk County

LandPro Planning Solutions (LandPRO) is the agent for Wayne Welsh Farms, Inc. c/o Mr. Charles Welsh, President (the applicant, to be referred to as WWF) to obtain permission for the severance of a dwelling that will be surplus to a farm consolidation. The lands affected are legally described as WDM CON 3 PT LOT 2, Norfolk County (Roll #49100504000). The municipal address is 1812 Windham Road 3, Windham, Ontario.

The following documents are attached:

1. Severance Application Form (signed and commissioned)
2. Severance Sketch

1 BACKGROUND

The subject property is a large agricultural property with a farm cluster containing a residential dwelling, a garage, a barn/bunkhouse, and a shed. The property at 1812 Windham Road 3 in Windham is presently owned by WWF, who wants to sell the house and surrounding landscaped area to the individual Wayne Welsh (who is not a part of WWF).

We note that Wayne Welsh Farms Inc. (WWF) and Wayne Welsh are separate parties, in order to avoid any confusion. Mr. Wayne Welsh sold Wayne Welsh Farms Inc. to his son, Charles. Charles is now President of Wayne Welsh Farms Inc. (WWF) and is also the applicant in this matter.

2 PURPOSE

Mr. Charles Welsh, President of WWF., resides elsewhere in Norfolk County. The purpose of the application is to sever the dwelling and garage, as well as the landscaped land historically associated with the dwelling, from the subject property as these are surplus to the on-going farm operations. The

barn/bunkhouse is to be retained on the agricultural land. This letter serves to provide an overview of the planning merits of the application.

3 PROPERTY FACTS

The subject property is located at 1812 Windham Road 3, Windham, Norfolk County. The property is located on the south side of Windham Road 3 and is presented in **Figure 1** below.

Figure 1 – Property Location, NTS. Image from Norfolk County GIS, edited by Land Pro Planning Solutions Inc.



The property can be described with the following table:

Table 1 – Property Facts

Legal Description	WDM CON 3 PT LOT 2	
Property Use	Current	Agricultural

	Historical	Agricultural
Lot Size	36.17 ha (Acres: 89.38) (Jewitt & Dixon Ltd. Ontario Land Surveyors)	
Lot Frontage	556.55 m (Windham Rd 3)	
Official Plan	Agricultural, Hazard Lands	
Zoning	A (Agricultural), HL (Hazard Lands)	
Surrounding Lands	North	Agricultural Hazard Lands
	East	Agricultural Hazard Lands
	South	Agricultural Hazard Lands Provincially Significant Wetlands
	West	Agricultural Hazard Lands

The subject property's farm cluster contains a residential dwelling and associated garage, as well as a barn/bunkhouse that is used to house seasonal farm employees, and a shed. The property also contains a well and septic tank, and Significant Woodlands along the east and west borders. This application focuses specifically on severing the residential dwelling and associated garage, including well and septic tank and land required for servicing.

4 PROPOSED SEVERANCE

The Applicant is proposing to sever the existing house, accompanying garage, and needed services, leaving the farming operation on the retained lands, as shown in **Figures 2-3**. A larger concept sketch is also attached as **Appendix 8.1**.

The barn/bunkhouse and shed will be maintained on the retained lands, and no agricultural land is proposed to be taken out of active use. The severed parcel will be accessed with an existing driveway from Windham Road 3 and the retained parcel will be accessed by the existing eastern driveway from Windham Road 3. The western driveway is to be removed. There is no new construction or development proposed as part of this application.

Figure 2 – Proposed Severance indicated by the red line. Existing buildings are indicated in pink and the LPRCA Regulation Limits are indicated in blue.

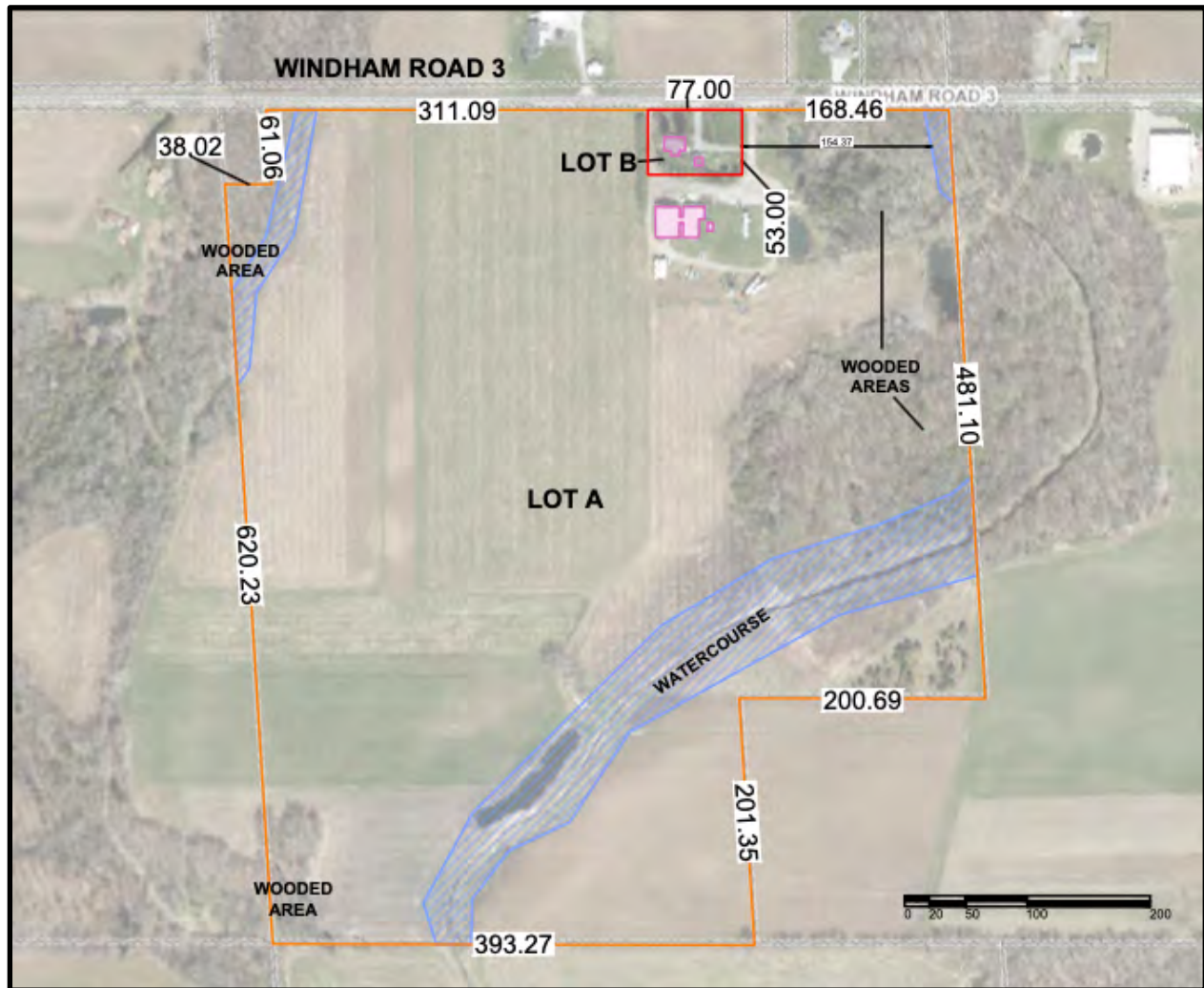
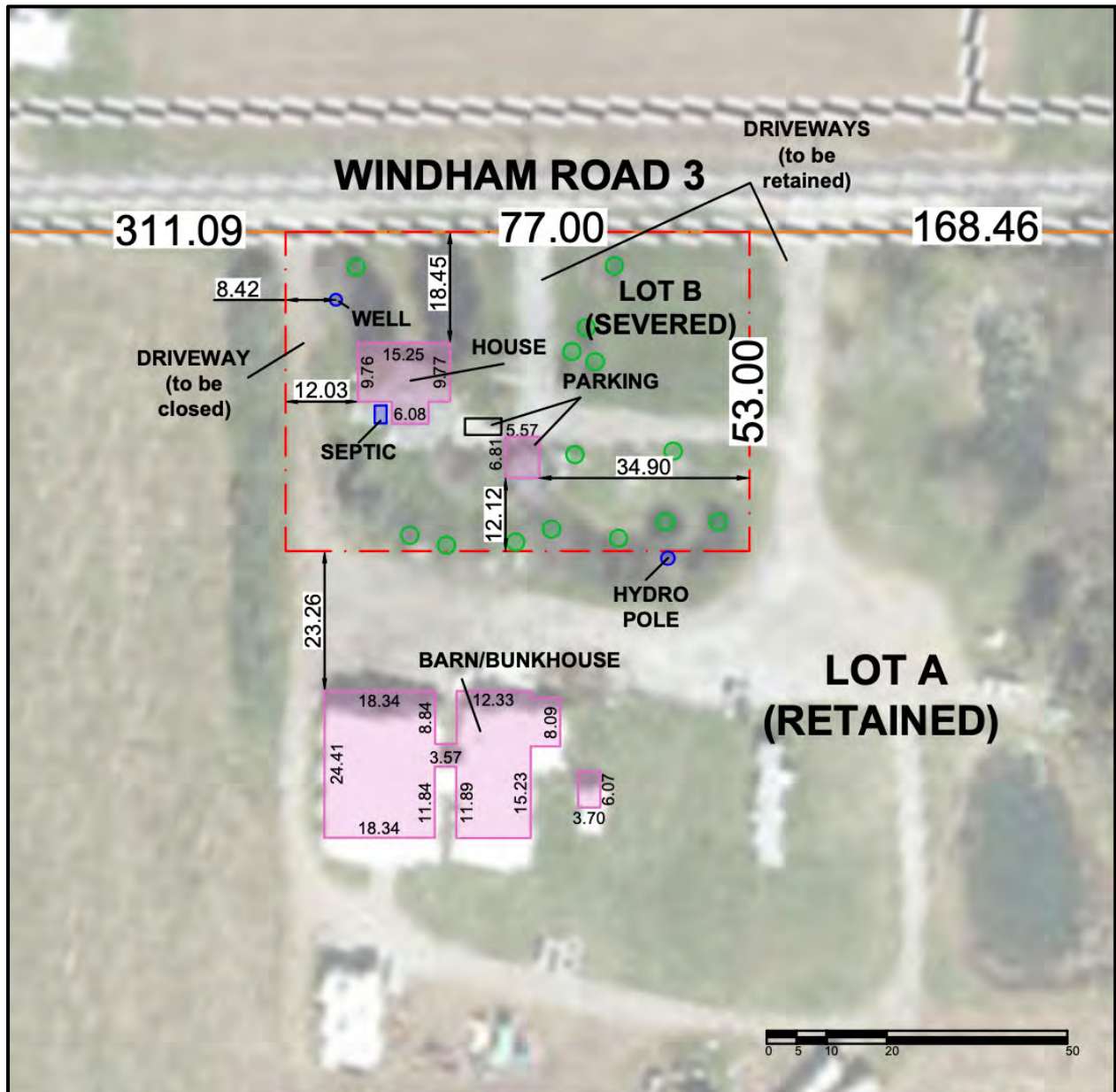


Figure 3 – Proposed Severance, detail.



5 PLANNING FRAMEWORK

In preparation for this application, several policy and regulatory documents were reviewed to address the proposal's demonstration of good planning. They include the following:

1. The Provincial Policy Statement (2020)
2. Norfolk County Official Plan (2020)
3. Norfolk County Zoning By-law 1-Z-2014 (2020)
4. Long Point Region Conservation Authority Policies (2017)

The proposed severance was assessed against these regulations and associated policies. A detailed review is below.

5.1 PROVINCIAL POLICY STATEMENT (PPS)

The PPS provides policy direction on matters of provincial interest for all land use development throughout Ontario. It provides direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

The PPS aims to protect the prime agricultural areas for long term agricultural use (**2.3.1**) and shall only permit the creation of a new lot in accordance with policy **2.3.4.1.c**.

Policy 2.3.4.1.c identifies that a new lot may be created on an agricultural property given that the residence is surplus to a farming operation as a result of farm consolidation. The severed lot will be limited in size to not remove any agricultural lands from active operation (**2.3.4.1.c.1**) and new residential dwellings are not permitted on the retained parcel (**2.3.4.1.c.2**)

Furthermore, the creation of new lots is required to meet the minimum distance separation (MDS) formulae (**2.3.3.3**). In accordance with Guideline #9 of the Minimum Distance Separation Document prepared by OMAFRA, the MDS formula applies to this application as it is required by the municipal Official Plan (**NCOP 7.2.3.c.vii**) to be discussed in detail in the following section.

The consent application involves severing the residential dwelling and accompanying garage fronting Windham Road 3. The applicant purchased the property in October 2022 and, as a result of the farm consolidation, has deemed the residence surplus to his needs. The proposed severance is limited in size to accommodate only the land historically associated with the residential dwelling. The proposal will not take any agricultural lands out of active production and no future residential dwelling will be permitted on the remnant parcel.

This proposed severance is consistent with the PPS.

5.2 NORFOLK COUNTY OFFICIAL PLAN (NCOP)

The property is located between the Hamlets of Vanessa and Wilsonville, and the NCOP designates the property as "Agricultural" and "Hazard Lands." **Appendix 8.2** shows the property designation and

surrounding land uses. Permitted uses on Agricultural lands include (but are not limited to): farm practices (crops, livestock, etc.), a primary farm residence and associated farm buildings, seasonal or temporary farm accommodations including bunkhouses, and uses that retain or add value to farm products **(7.2.1)**.

The consent application is permitted under **7.2.3** of the NCOP. A consent to sever may be considered if the currently habitable dwelling is surplus to a farming operation as a result of farm consolidation **(7.2.3.v)**, the dwelling is at least 10 years old **(7.2.3.c.i)**, agricultural land taken out of production is minimized **(7.2.3.c.ii)**, the dwelling has existing servicing, and has frontage to a maintained public road **(7.2.3.c.iii & v)**.

In reviewing other policies in **Section 7.2**, policy **7.2.4** was considered. While the County's minimum agricultural lot size is 40 hectares, there are several lots, including the one subject to this application that are historically less than 40 hectares in size. It is our opinion that this policy applies to a farm severance where a 60 hectare-lot is being considered for severing into two, smaller (30-hectare, for example) lots. Based on policy **7.2.4**, this would not be permitted as both lots would be less than the 40-hectare minimum. Accordingly, policy **7.2.4** does not apply to this application as it does not propose to divide a farm into two smaller lots; indeed, the farmed portion of the subject property remains unchanged and untouched with this application.

For this application, the dwelling is surplus to the farming operations as the applicant has an existing dwelling elsewhere. The residence is over 60 years old, no active agricultural lands are taken out of production, and there is existing private servicing and frontage onto a public road. The remnant agricultural parcel will not be permitted to have a new residential dwelling as it will be used for agricultural purposes only. This subject property currently is undersized (36.17 hectares) to begin with. However, the quantity of active farmland land will not change as a result of this application's approval.

Lastly, the severed lot must comply with MDS formulae **(7.2.3.c.vii)**. Upon review of the surrounding properties and land uses, there are no livestock operations within 1000 metres of the subject property. Therefore, the severed lot complies with the MDS requirements and setbacks.

Regarding the property's Hazard Lands/Significant Woodlands, no new development or land use is proposed within or proximate to these areas, so the Hazard Lands/Significant Woodlands will not be negatively impacted by the proposed severance.

The proposed surplus farm dwelling severance conforms with the policies of the County's Official Plan.

5.3 NORFOLK COUNTY ZONING BY-LAW (ZBL)

The Norfolk County Zoning By-law (ZBL) has been developed to incorporate the policy direction of the NCOP. The current zoning of the property is Agricultural "A" and Hazard Lands "HL," as seen in **Appendix 8.3**. The proposed severance is entirely within the Agricultural zone. The subject lands are currently zoned appropriately but the retained lot will be required to be rezoned to Agricultural Purposes Only.

The proposed severance is compatible with the permitted uses of the agricultural zoning with one compliance issue on the retained parcel. Please see "A" zone provisions below in **Tables 2-3**.

Table 2 – Zone Provisions, Severed Parcel.

"A" Agricultural Zone - Severed Parcel			
Zone Provisions	Required	Proposed	Comment
Min. Lot Area (residential lot)	2000 m ²	4,081m ²	Complies
Min. Lot Frontage	30 m	77m	Complies
Min. Front Yard	13 m	18.45m	Complies
Min. Interior Side Yard	3 m	12.03m	Complies
Min. Rear Yard	9 m	12.12m	Complies
Max. Building Height	11 m	5m	Complies

Table 3 – Zone Provisions, Retained Parcel.

"A" Agricultural Zone - Retained Parcel			
Zone Provisions	Required	Proposed	Comment
Min. Lot Area (residential lot)	40 ha	35.70 ha	Does Not Comply
Min. Lot Frontage	30 m	479.55 m	Complies
Min. Front Yard	13 m	N/A	Complies
Min. Interior Side Yard	3 m	23.26 m	Complies
Min. Rear Yard	9 m	585.02 m	Complies
Max. Building Height	11 m	8 m	Complies

The severed parcel complies with the ZBL. The lot size is equal to approximately one acre (4,081m²), conforming with other similar lot sizes in the area. This has been designed as the minimum lands required to accommodate the dwelling and associated garage, the driveway and parking spaces, the well and septic tank, and a small, landscaped front yard that has historically been associated with the residential dwelling.

Further discussion on compliance with zoning is offered later in this letter, in the Planning Analysis section.

As shown in the tables above, the proposed retained parcel does not meet one provision set out by the ZBL. The ZBL requires a minimum of 40 hectares but, because the original parcel did not meet this minimum (with an area of 36.17 hectares), it is not possible to meet this requirement. It should be noted that the approval of this application would not change the amount of farmland in production.

It is our opinion that this application conforms to the County's Zoning By-law.

5.4 LONG POINT REGION CONSERVATION AUTHORITY POLICIES - ONTARIO REGULATION 178/06 (LPRCA)

The role of the LPRCA is to maintain the Long Point Region watershed, and the organization has objectives, policies and mapping regarding the improvement and protection of both the region's natural features as well as future development from erosion and flooding. The objectives of the LPRCA include minimizing property damage and environmental hazards and regulating development which impact flood levels.

A portion of the subject property is regulated by the LPRCA; however, the proposed severance will not include any regulated lands. The proposed severance boundaries are at least 100 metres away from the nearest land regulated by the LPRCA, as seen in **Appendix 8.4**.

The proposed severance is compatible with the LPRCA's policies as there is no new development associated with the application.

6 PLANNING OPINION

This application seeks to sever a surplus farm dwelling as it is not needed for the farming operations, as the property owner has an existing dwelling elsewhere.

Surplus farm dwelling severances as a result of farm consolidation are specifically permitted by both the Provincial Policy Statement and Norfolk County Official Plan. The proposed severance is limited in size to accommodate only the land required for the house, lawn, and garage and will not take any agricultural lands out of active production. The existing house is more than 10 years old, and no further development is proposed, and so the Hazard Lands/Significant Woodlands will not be negatively impacted by the proposed severance.

The severed parcel will comply with the Norfolk County Zoning By-law, with a lot size surpassing the minimum required by the County. The lot will conform to others in the area and is large enough to accommodate the land historically associated with the dwelling. This conforms to the Official Plan policy which requires the severed lot to be of an appropriate size for the intended residential use (**7.2.3.c.ii**). In reviewing similar properties on Windham Road 3 and generally in the area, 1-acre lots appear to be the standard for surplus farm dwellings (see **Appendix 8.5**). Examples include the properties at 1827 Windham Road 3 (0.92 acres), 1720 Windham Road 3 (0.92 acres), 1628 Windham Road 3 (1 acre), 4335 Highway 24 (1 acre), and 1541 Norfolk County Road (1 acre). It is our opinion that a lot of 2000 m² would be inconsistent with the area.

All active agricultural land will be retained and remain unchanged as a result of this application's approval. The retained parcel will require a rezoning to Agricultural Purposes Only, which should also acknowledge the minimum area of the retained parcel being 35.76 hectares instead of the required 40 hectares (due to the original parcel area being deficient).

This severance application represents good planning, based on the recommendations noted. It is consistent with the Provincial Policy Statement (2020), conforms to the Norfolk County Official Plan (2020)

and meets the relevant Norfolk County Zoning By-law provisions (2020), except for the minimum lot area (which was deficient prior to this application). It is also compatible with the LPRCA policies (2017). This severance application does represent good planning, based on the reasons noted.

7 CLOSING

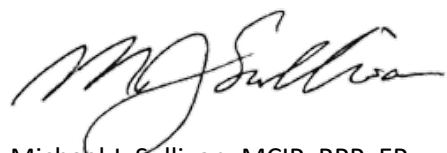
We will be attending the Committee hearing on this matter to answer any questions you may have.

Our applicant will arrange to make payment directly to the County.

Should you require anything further in response to this request, please contact me by email at mike@landproplan.ca or by phone at 289-687-3730. Thank you and we look forward to meeting with you in the near future.

Sincerely,

LANDPRO PLANNING SOLUTIONS Inc.



Michael L. Sullivan, MCIP, RPP, EP
President
mike@landproplan.ca



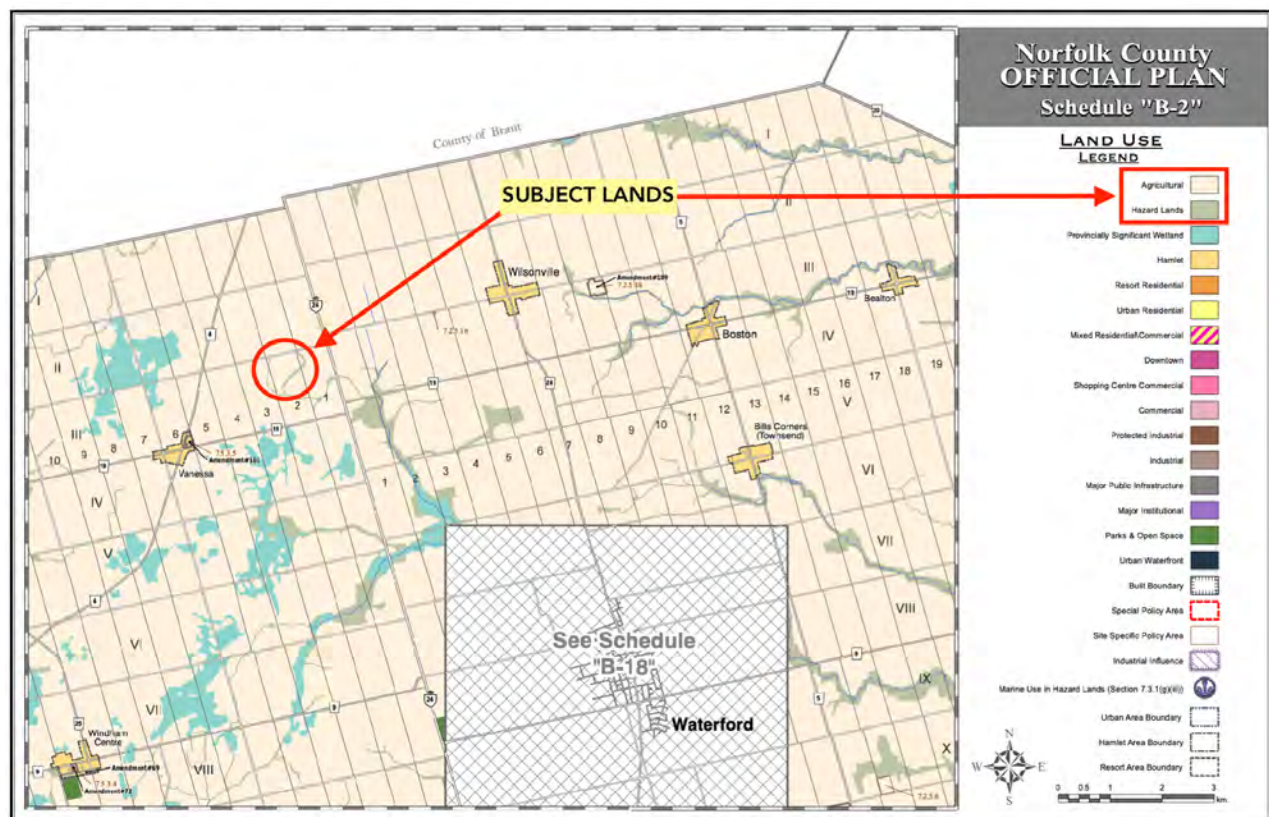
Mackenzie Crumb, B.A., Dipl
Planning Technician | Designer
mackenzie@landproplan.ca

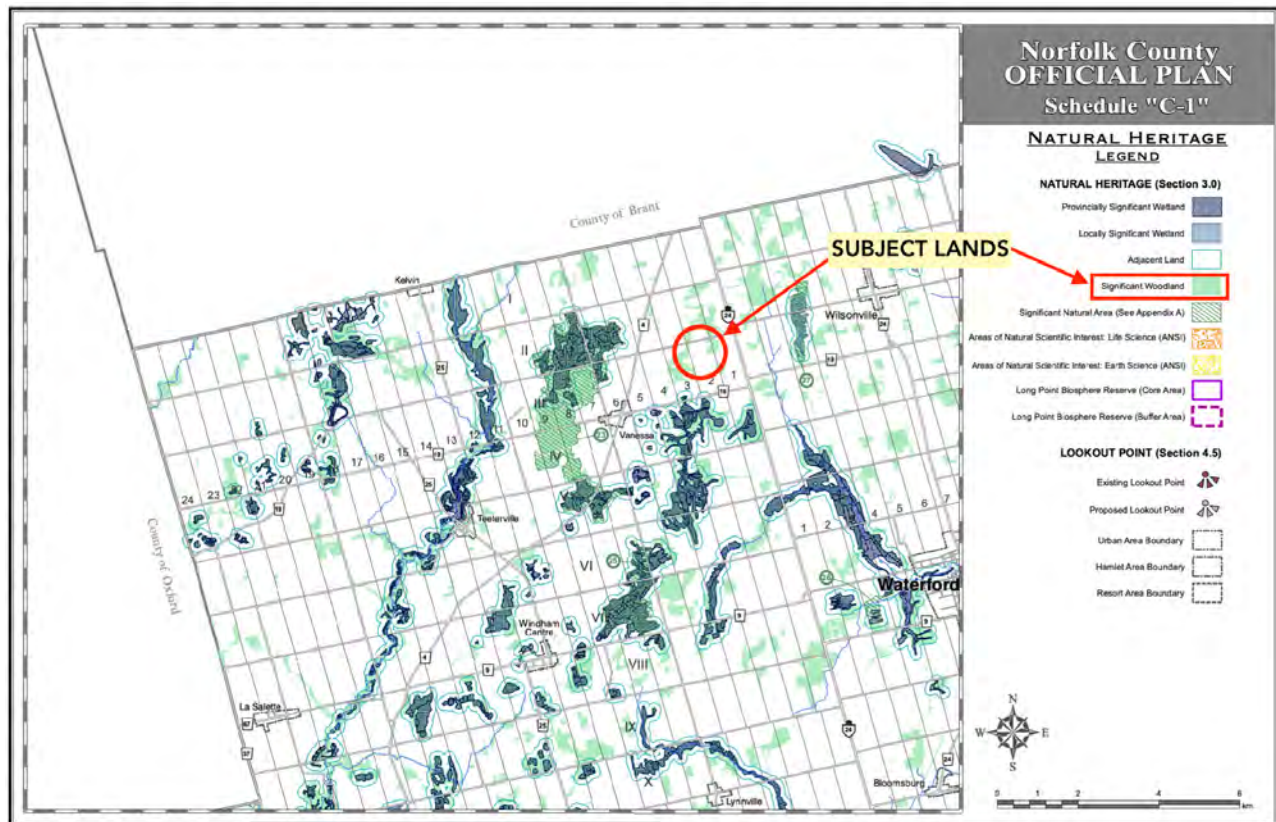
8 APPENDICES

8.1 SEVERANCE SKETCH

See attached.

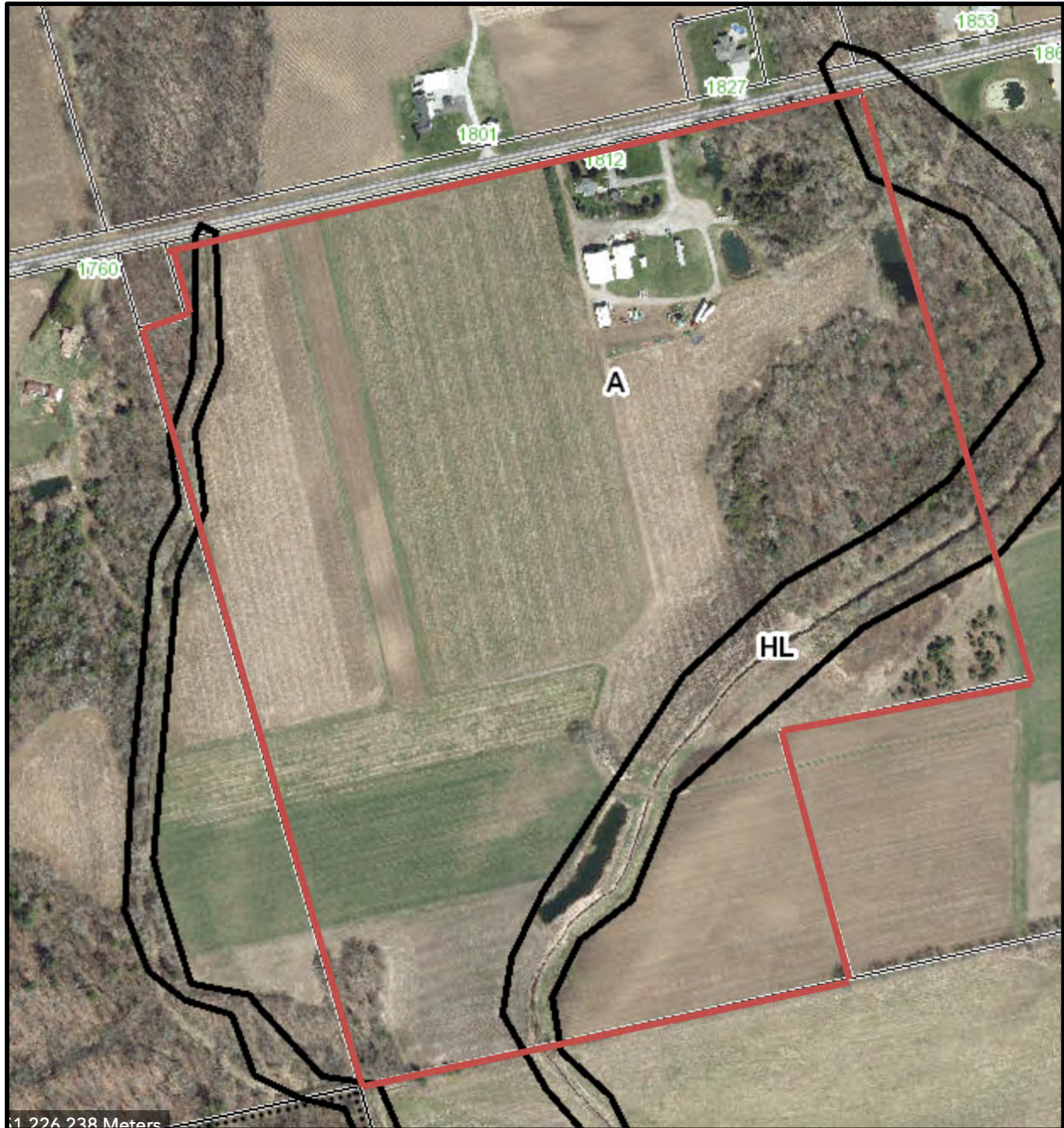
8.2 OFFICIAL PLAN SCHEDULES





8.3 PROPERTY ZONING

Property zoning according to the Norfolk County Zoning By-Law 1-Z-2014, NTS.



8.4 LANDS REGULATED BY THE LONG POINT REGION CONSERVATION AUTHORITY

LPRCA Regulated Land, indicated in blue. The distance between the regulations and proposed severance is presented in Figure 2.



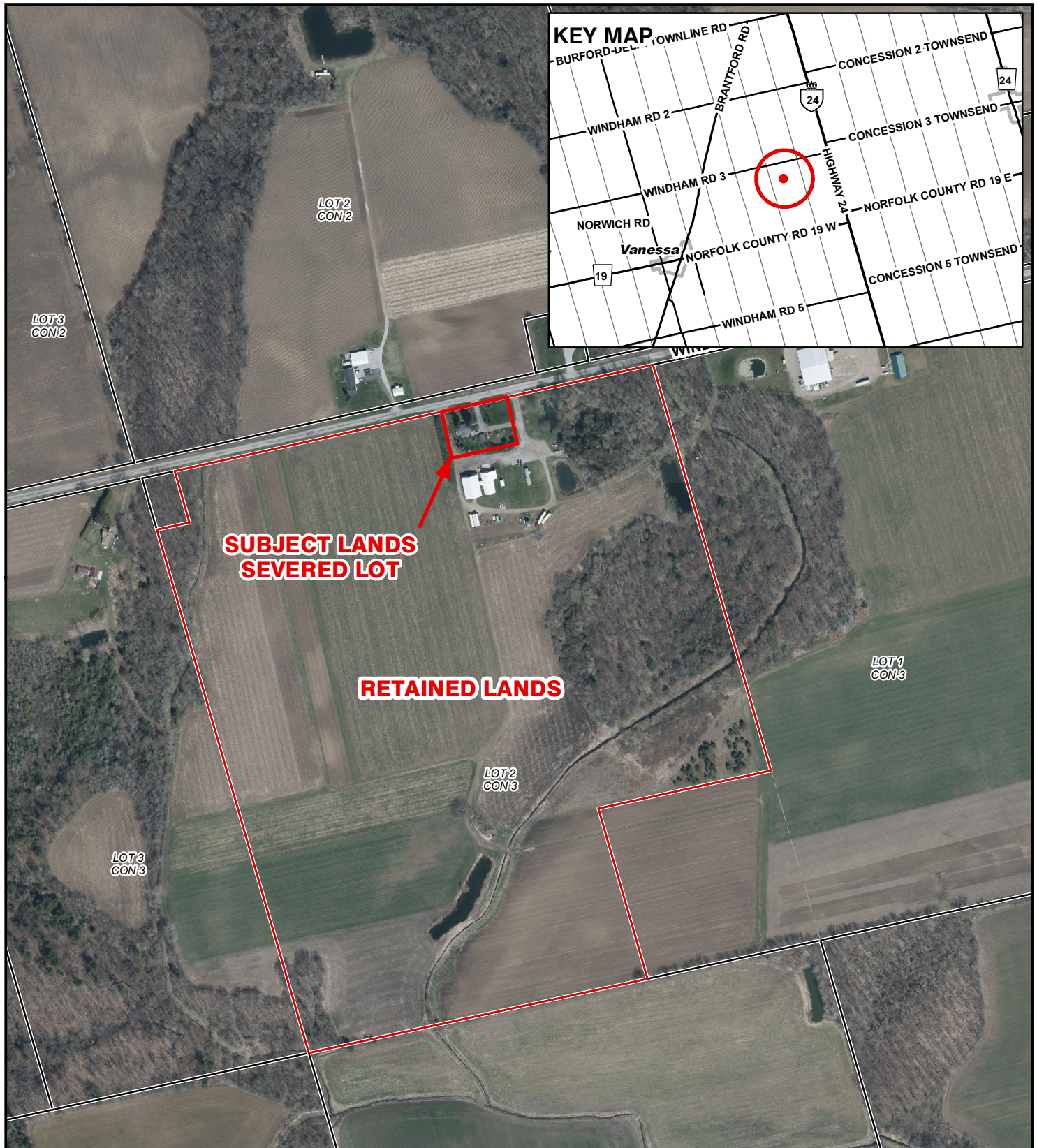
8.5 NEARBY 1-ACRE RESIDENTIAL LOTS

Residential lots on Windham Rd 3 and surrounding area. Orange lots indicate those between 0.8 - 1.25 acres. Purple lot indicates one half-acre lot. Subject property indicated in red. Image from Norfolk County GIS, edited by Land Pro Planning Solutions Inc.





CONTEXT MAP

Geographic Township of WINDHAM

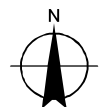


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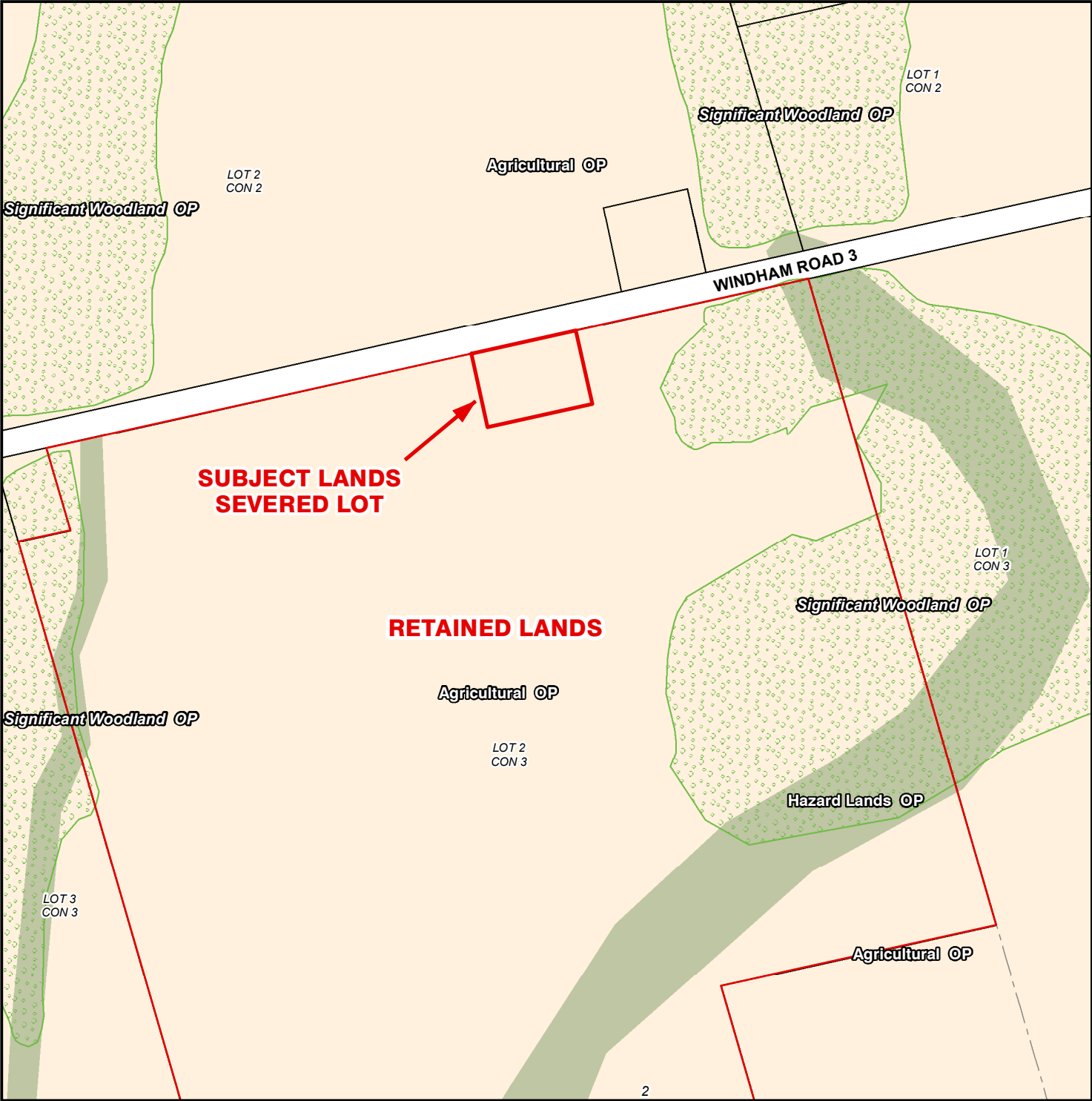
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-  Lands Owned

2020 Air Photo



10/21/2022





40 20 0 40 80 120 160 Meters



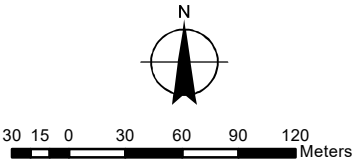
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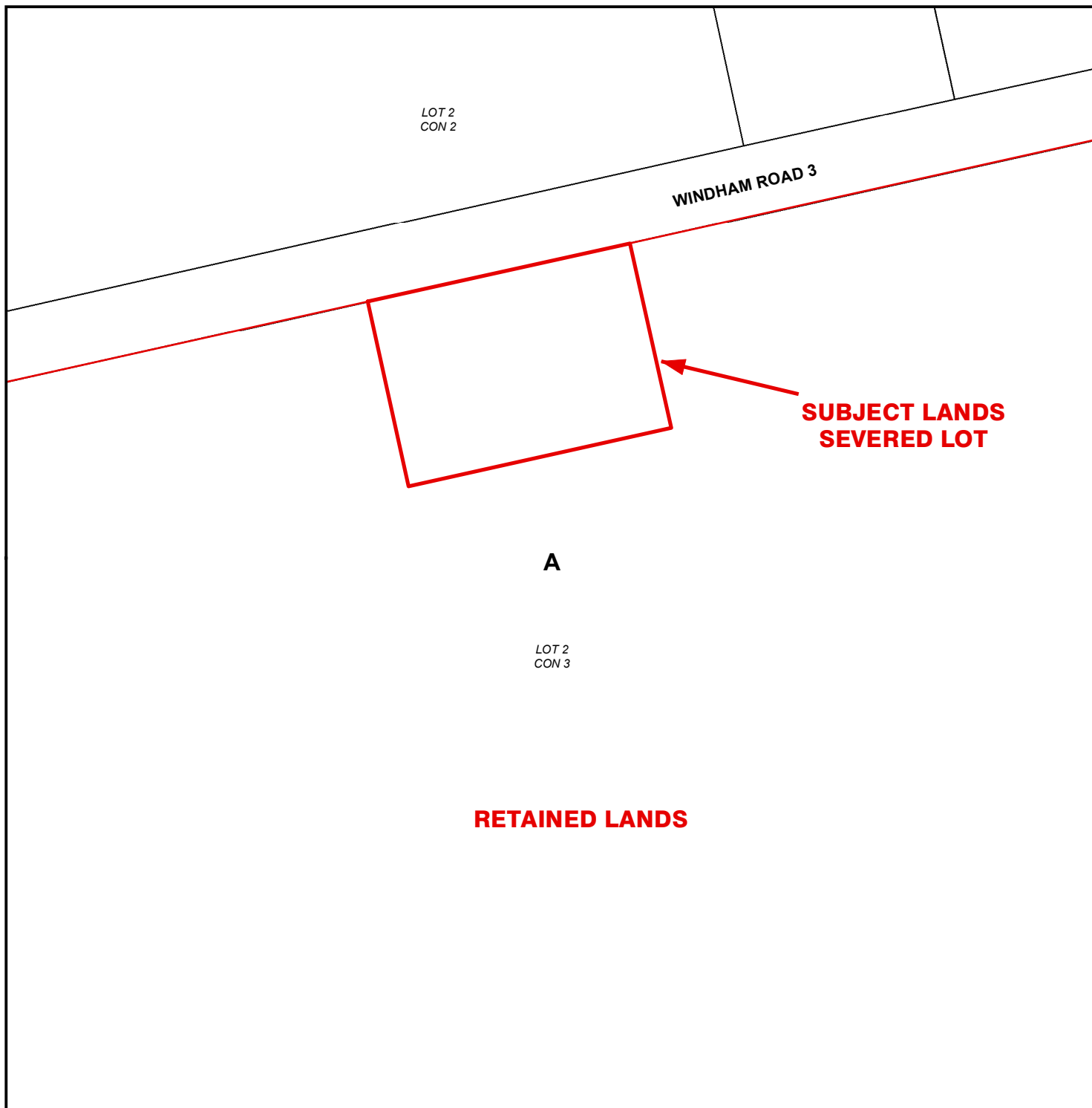
-  Subject Lands
-  Lands Owned

Official Plan Designations



-  Agricultural
-  Hazard Lands
-  Significant Woodland

10/21/2022





LEGEND

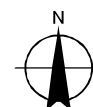
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-  Lands Owned

ZONING BY-LAW 1-Z-2014

10/21/2022

(H) - Holding

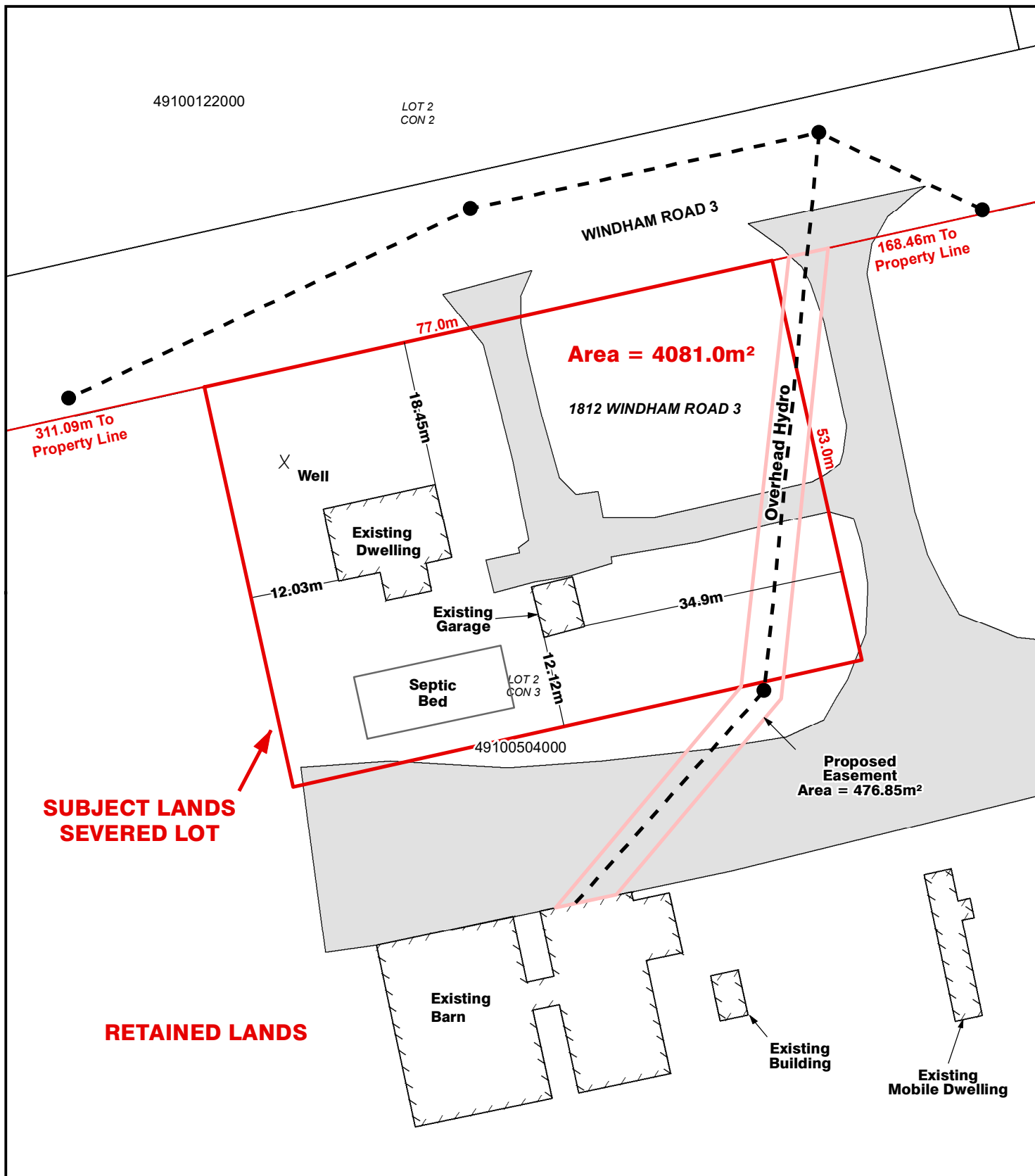
A - Agricultural Zone



10 5 0 10 20 30 40
Meters

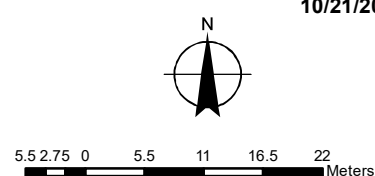
CONCEPTUAL PLAN

Geographic Township of WINDHAM



Legend

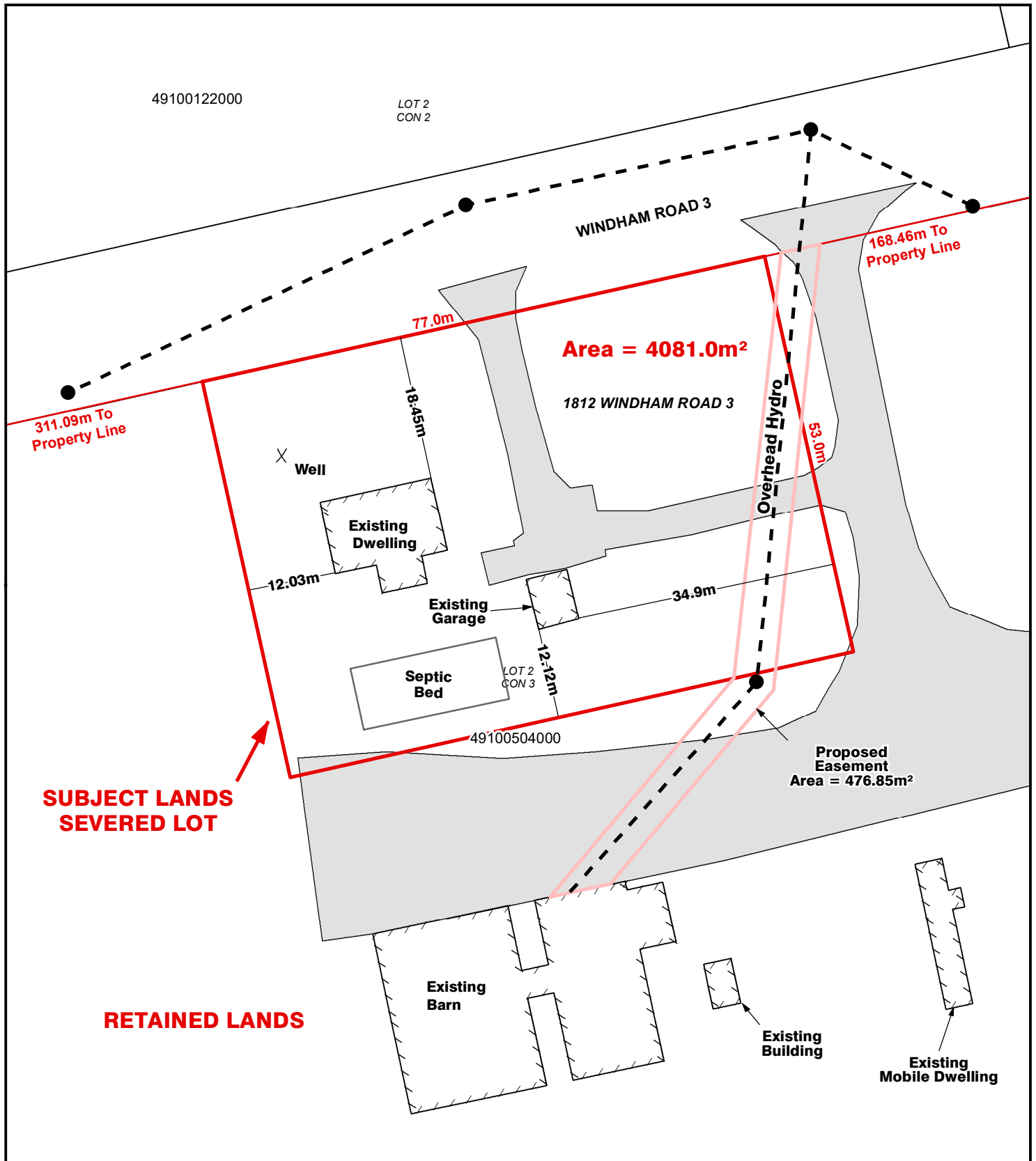
- Subject Lands
- Lands Owned
- Hydro Pole
- Hydro Line
- Proposed Easement



10/21/2022

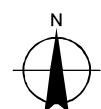
CONCEPTUAL PLAN

Geographic Township of WINDHAM



Legend

- Subject Lands
- Hydro Pole
- Proposed Easement
- Lands Owned
- Hydro Line



10/21/2022

5.5 2.75 0 5.5 11 16.5 22 Meters