

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: 494040009910

A. Applicant Information

Name of Owner Arvane Farms Ltd.

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 115 Queensway East
Town and Postal Code Simcoe, Ontario N3Y 4M5
Phone Number _____
Cell Number 519-427-4445
Email _____

Name of Applicant Same as owner
Address _____
Town and Postal Code _____
Phone Number _____
Cell Number _____
Email _____

Name of Agent Brimage Law Group - Nathan Kolomaya

Address 21 Norfolk Street North

Town and Postal Code Simcoe, Ontario N3Y 4L1

Phone Number 519-426-5840

Cell Number _____

Email nkolomaya@brimage.com

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices in respect of this application will be forwarded to the 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:

N/A

B. Location, Legal Description and Property Information

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):

PT LT 185 CON NTR MIDDLETON PT 1 37R1098; NORFOLK COUNTY

Municipal Civic Address: 443 Talbot Road, Delhi, Ontario

Present Official Plan Designation(s): Agricultural and Urban Residential

Present Zoning: Agricultural (A), Hazard Land (HL), Urban Residential Type 1 Zone (R1-A)

2. Is there a special provision or site specific zone on the subject lands?

☐ Yes ☒ No If yes, please specify:

3. Present use of the subject lands:

Agricultural

4. Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

N/A

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:

Agricultural, Single-Family Residential, and MG

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	15m (Talbot Road)	30m	12.1.2(b)(i)	No Change	N/A (Existing Deficiency)
Lot depth	Irregular				
Lot width	Irregular				
Lot area	11.22ha	40ha	12.1.2(a)(i)	4.51ha	35.49ha
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:

The boundary adjustment will result in a retained lot of approximately 4.51ha which is less than the required 40ha of section 12.1.2(a)(i) of the Zoning By-Law.

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

Frontage: NIL

Depth: Irregular

Width: Irregular

Lot Area: 6.71ha

Present Use: Agricultural

Proposed Use: MG - Addition to existing Scotts Canada Ltd facility at 1 Arnold Sayeau Drive

Proposed final lot size (if boundary adjustment): 18.45ha

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

Roll Number: 49404008170

Owner: Scotts Canada Ltd.

Description of land intended to be retained in metric units:

Frontage: 15m

Depth: Irregular

Width: Irregular

Lot Area: 4.51ha

Present Use: Agricultural

Proposed Use: Agricultural

Buildings on retained land: N/A

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):

Adjacent - Scotts Canada Ltd.

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

Please see 1 Arnold Sayeau site plan and related Norfolk County records

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:

Vacant land severance

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:

Vacant land severance

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 Adjacent - Scotts Canada Ltd.

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

- ☒ Municipal piped water ☐ Communal wells
☐ Individual wells ☐ Other (describe below)
-

Sewage Treatment

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

Storm Drainage

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

2. Existing or proposed access to subject lands:

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

Name of road/street:

Arnold Sayeau Drive or Highway 59

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.

This application will facilitate an expansion and continued excellence of the Scotts Canada Ltd. facility

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

2024/09/06

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.

Robert Kowtaluk, President, Arvane Farms Ltd.
I/We _____ am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Brimage Law Group - Nathan Kolomaya 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

2024/09/06

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, Nathan Kolomaya of Norfolk County, Province of Ontario

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,

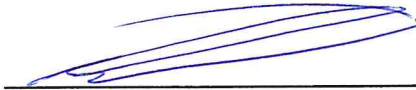


Owner/Applicant/Agent Signature

In the Province of Ontario

This 6th day of September,

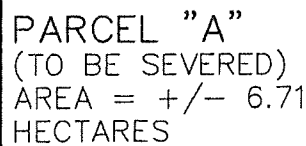
A.D., 2024



A Commissioner, etc.

PREPARED ILLUSTRATING PROPOSED BOUNDARY ADJUSTMENT
FOR: ARVANE FARMS C/O BOB KOWTALUK

P.I.N. 50156 - 0154



PARCEL "B"
(TO BE RETAINED)
AREA = +/- 4.51
HECTARES

PARCEL "A" TO BE ADDED
TO PART 1, 37R-11158
AND PART 1, 37R-11126

P.I.N. 50156 - 9407

PROPERTY DESCRIPTION:
PART OF LOT 185 (44)
CONCESSION 1
NORTH OF TALBOT ROAD
GEOGRAPHIC TOWNSHIP
OF MIDDLETON
NORFOLK COUNTY

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

© COPYRIGHT 2024 KIM HUSTED SURVEYING LTD. TALBOT ROAD
THE REPRODUCTION, ALTERATION, OR USE OF THIS REPORT IN WHOLE OR IN
PART WITHOUT THE WRITTEN PERMISSION OF KIM HUSTED SURVEYING
LTD. IS STRICTLY PROHIBITED

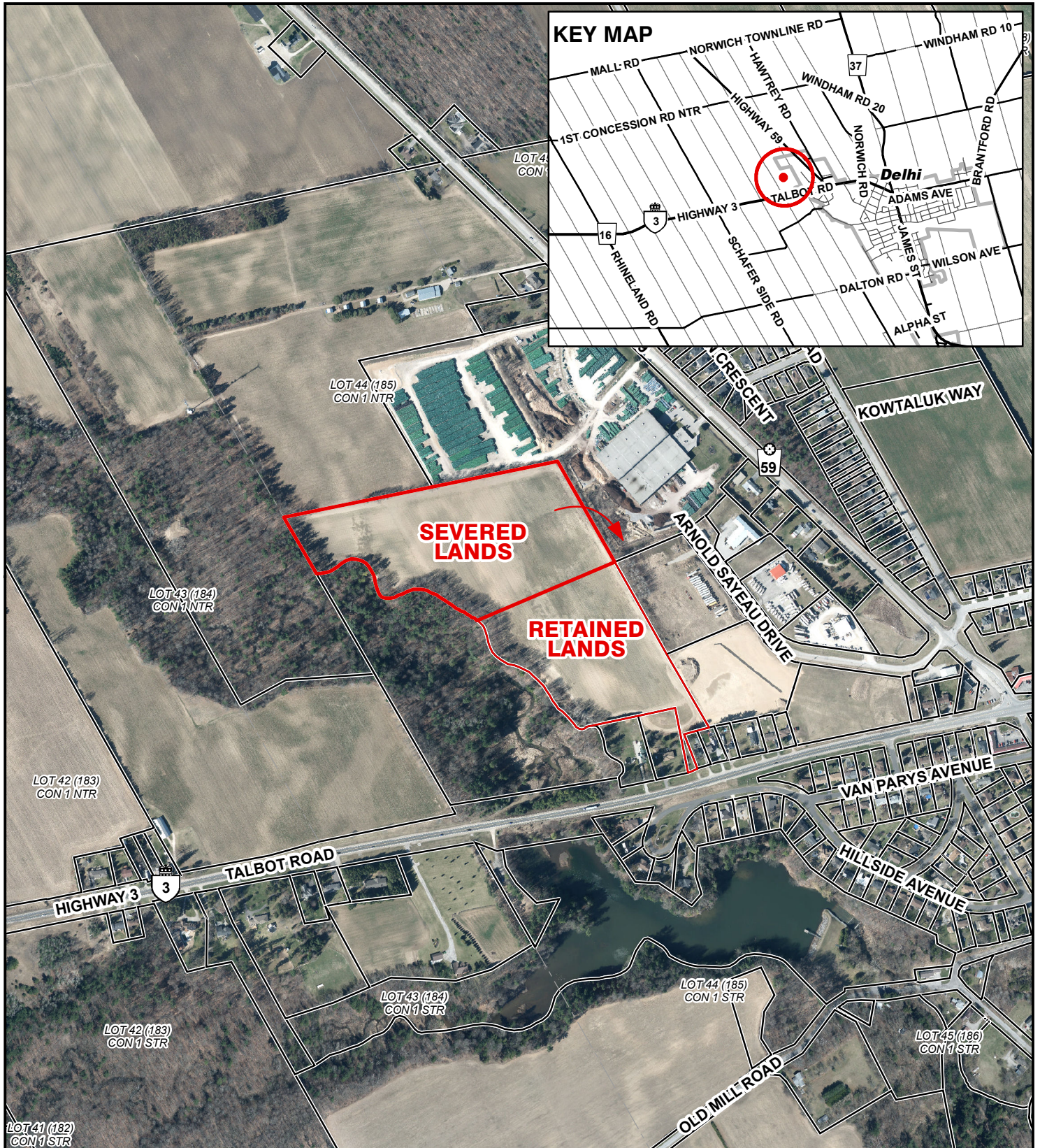
30 HARVEY STREET, TILLSONBURG ONTARIO, N4G 3J8
PHONE: 519-842-3638 FAX: 519-842-3639

PROJECT: 24-19387SKETCH

ARYANE FARMS C/O BOB KOWTALUK

REF:
FILE

DWG.	WLP
CKD	KSH

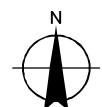


Legend

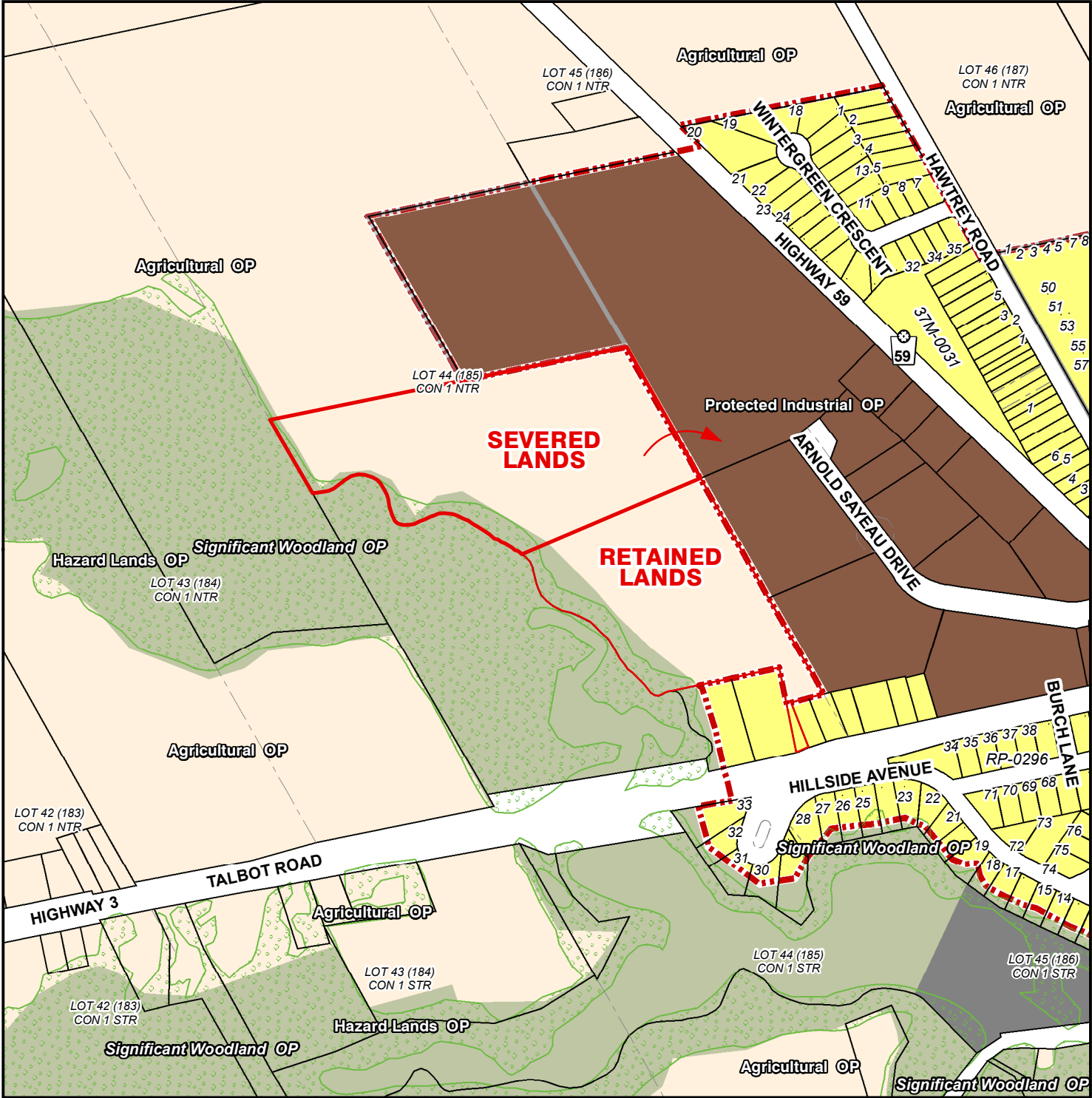
- Subject Lands
- Lands Owned

2020 Air Photo

1/6/2025



60 30 0 60 120 180 240
 Meters



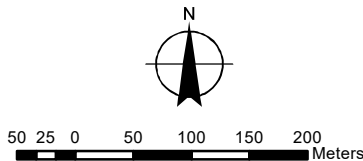
Legend

- Subject Lands
- Lands Owned

Official Plan Designations

Agricultural	Protected Industrial	Significant Woodland
Hazard Lands	Major Public Infrastructure	
Urban Residential	Urban Area Boundary	

1/6/2025

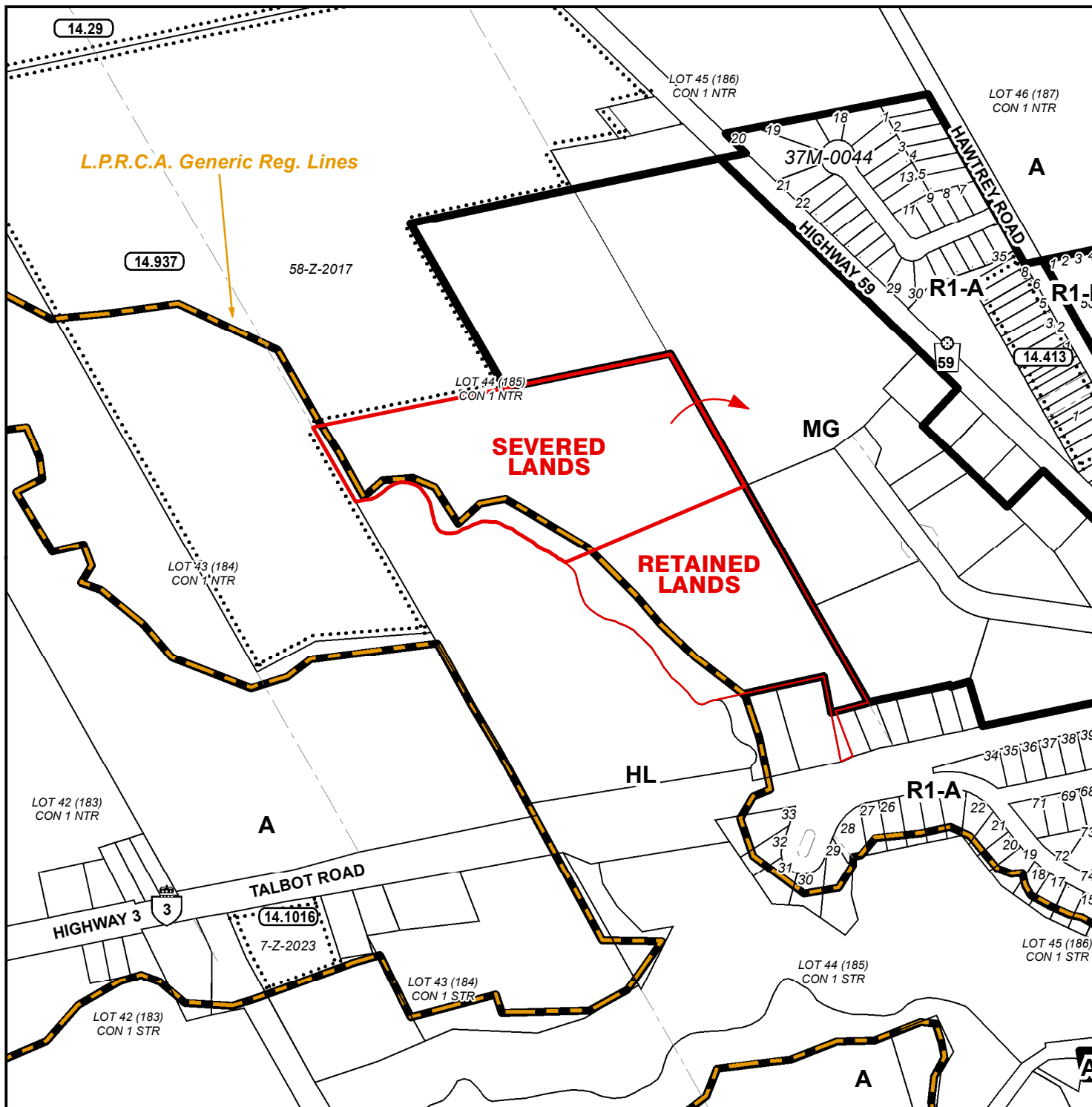


MAP C

ZONING BY-LAW MAP

Geographic Township of MIDDLETON

BNPL2024319
ANPL2024320



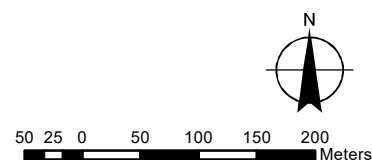
LEGEND

- Subject Lands
- Lands Owned
- LPRCA Generic RegLines

ZONING BY-LAW 1-Z-2014

1/6/2025

- (H) - Holding
- A - Agricultural Zone
- MG - General Industrial Zone
- HL - Hazard Land Zone
- R1-A - Residential R1-A Zone
- R1-B - Residential R1-B Zone
- R4 - Residential R4 Zone



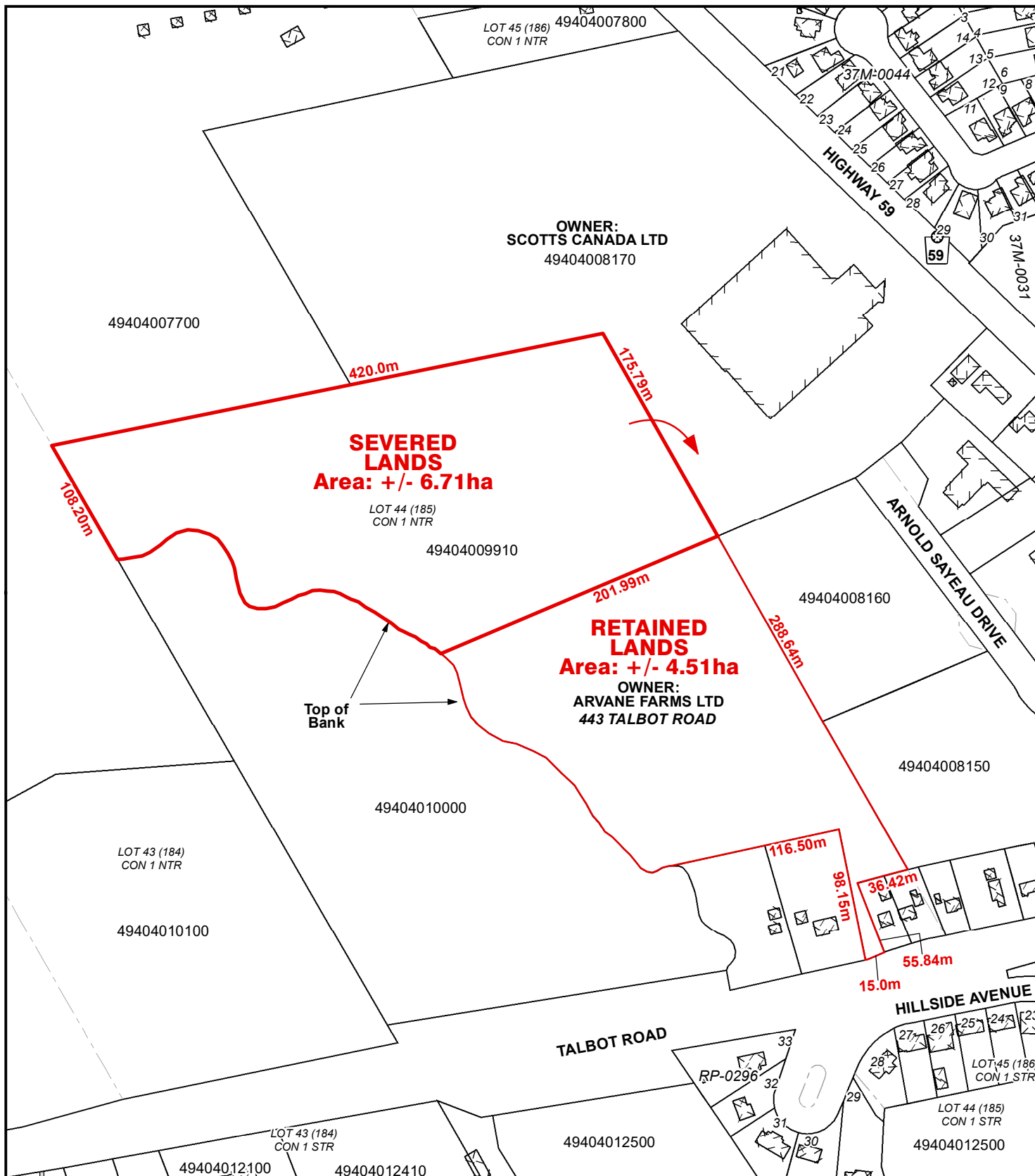
MAP D

CONCEPTUAL PLAN

Geographic Township of MIDDLETON

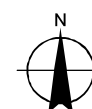
BNPL2024319

ANPL2024320



Legend

- Subject Lands
- Lands Owned



1/6/2025

30 15 0 30 60 90 120 Meters

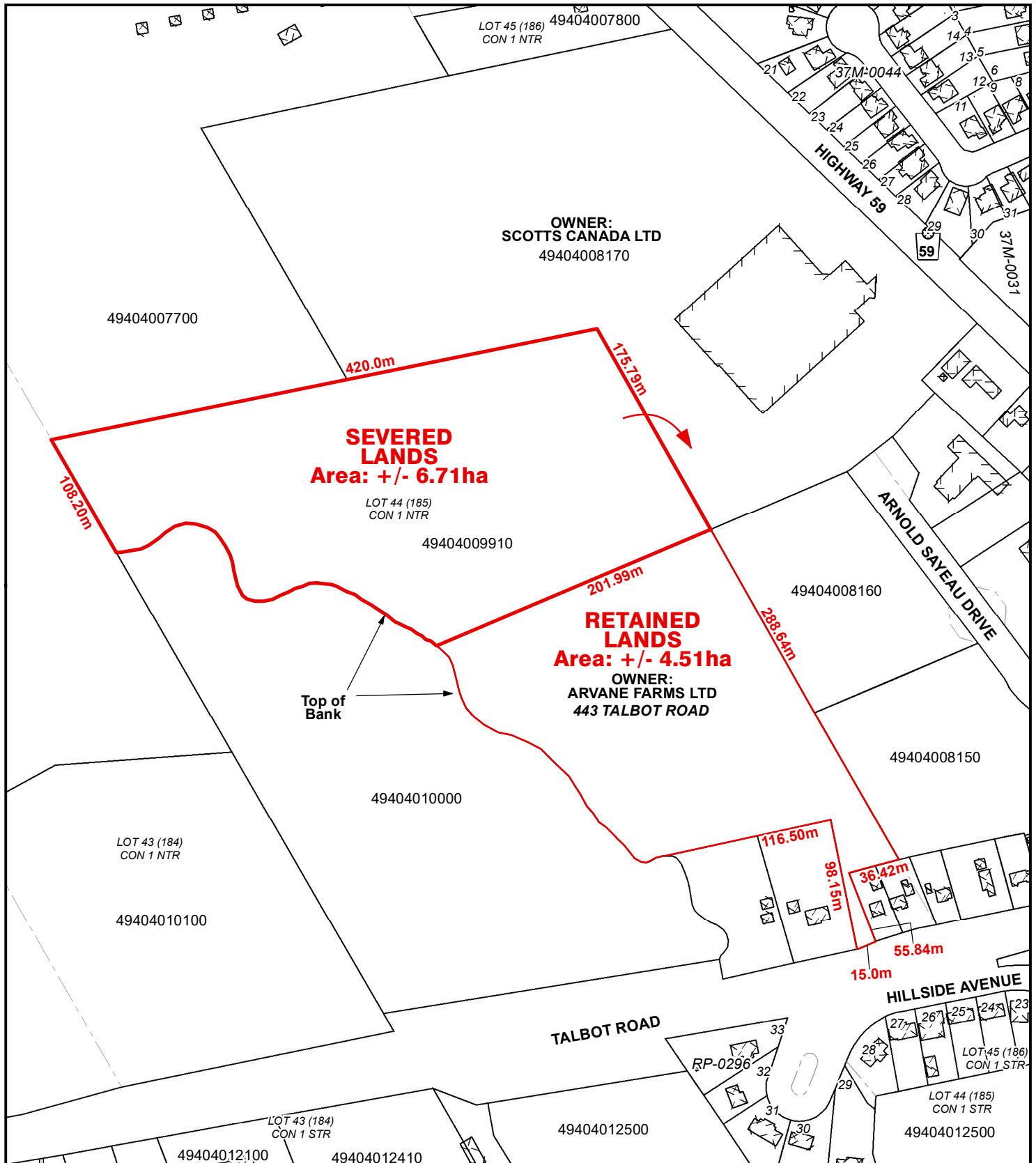
LOCATION OF LANDS AFFECTED

CONCEPTUAL PLAN

Geographic Township of MIDDLETON

BNPL2024319

ANPL2024320



Legend

- Subject Lands
- Lands Owned

1/6/2025

