

**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:** 49100624000

**A. Applicant Information**

**Name of Owner** Christopher John Mills and Kristy Lee Balaga

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 297 Butler's Lane

Town and Postal Code Vanessa, ON N0E 1V0

Phone Number N/A

Cell Number (519) 755-0866

Email cmills247@yahoo.com

**Name of Applicant** Jim Demeulenaere

Address 1191 Windham Road #3

Town and Postal Code Vanessa, ON N0E 1V0

Phone Number \_\_\_\_\_

Cell Number \_\_\_\_\_

Email jimdemeulenaere66@gmail.com

**Name of Agent** Lydia Harrison

**Address** 24 Groff Street

**Town and Postal Code** Simcoe, ON N3Y 1K3

**Phone Number** 519-428-6797

**Cell Number** 519-427-7088

**Email** pkosdi@gamil.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 or any mortgagees, charges or other encumbrances on the subject lands:

Canadian Imperial Bank Of Commerce  
3rd Flr-100 University Avenue, Toronto, ON M5J 2X4

## B. Location, Legal Description and Property Information

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

Township of Windham, Concession 3, Part Lot 10

Municipal Civic Address: 297 Butler's Lane, Vanessa

Present Official Plan Designation(s): Agricultural

Present Zoning: AGRICULTURAL

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

☐ Yes ☒ No If yes, please specify:

3. Present use of the subject lands:

Agricultural

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

~~N/A~~ RESIDENCE DETACHED GARAGE, TWO BARN  
TO BE RETAINED

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

N/A

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

N/A

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes ☐ No ☒

If yes, identify and provide details of the building.

N/A

8. If known, the length of time the existing uses have continued on the subject lands:

~~N/A~~ UNKNOWN

9. Existing use of abutting properties:

Agricultural

10. Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes ☒ No If yes, describe the easement or restrictive covenant and its effect:

### C. Purpose of Development Application

Note: Please complete all that apply. **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:

N/A

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

Frontage: N/A

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: N/A

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: 10.629 metres

Depth: irregular

Width: 6.100 metres  
Area: 714.165 sq. metres  
Proposed Use: Easement

**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: N/A  
Roll Number:  
Total Acreage:  
Workable Acreage:  
Existing Farm Type: (for example: corn, orchard, livestock)  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built  
Date of Land Purchase:

Owners Name: N/A  
Roll Number:  
Total Acreage:  
Workable Acreage:  
Existing Farm Type: (for example: corn, orchard, livestock)  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built  
Date of Land Purchase:

Owners Name: N/A  
Roll Number:  
Total Acreage:  
Workable Acreage:  
Existing Farm Type: (for example: corn, orchard, livestock)  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built  
Date of Land Purchase:

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

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

Asked the property owner

\_\_\_\_\_  
\_\_\_\_\_

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:

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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:

The gas line is already in place as it was installed over 40 years ago.

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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:

The gas line is already in place as it was installed over 40 years ago.

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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 No

**Wooded area**

☐ On the subject lands or ☐ within 500 meters – distance No

**Municipal Landfill**

☐ On the subject lands or ☐ within 500 meters – distance N/A

**Sewage treatment plant or waste stabilization plant**

☐ On the subject lands or ☐ within 500 meters – distance N/A

**Provincially significant wetland (class 1, 2 or 3) or other environmental feature**

☐ On the subject lands or ☐ within 500 meters – distance ~~N/A~~ + 500 m AWAY

**Floodplain**

☐ On the subject lands or ☐ within 500 meters – distance N/A

**Rehabilitated mine site**

☐ On the subject lands or ☐ within 500 meters – distance N/A

**Non-operating mine site within one kilometre**

☐ On the subject lands or ☐ within 500 meters – distance N/A

**Active mine site within one kilometre**

☐ On the subject lands or ☐ within 500 meters – distance N/A

**Industrial or commercial use (specify the use(s))**

☐ On the subject lands or ☐ within 500 meters – distance N/A

**Active railway line**

☐ On the subject lands or ☐ within 500 meters – distance N/A

**Seasonal wetness of lands**

☐ On the subject lands or ☐ within 500 meters – distance N/A

**Erosion**

☐ On the subject lands or ☐ within 500 meters – distance N/A

**Abandoned gas wells**

☐ On the subject lands or ☐ within 500 meters – distance N/A

**F. All Applications: Servicing and Access**

1. Indicate what services are available or proposed:

Water Supply

- ☐ Municipal piped water  
☒ Individual wells

- ☐ Communal wells  
☐ Other (describe below)

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Sewage Treatment

- ☐ Municipal sewers

- ☐ Communal system

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

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Storm Drainage

- ☐ Storm sewers

- ☒ Open ditches

- ☒ Other (describe below)

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2. Existing or proposed access to subject lands:

- ☒ Municipal road

- ☐ Provincial highway

- ☐ Unopened road

- ☐ Other (describe below)

Name of road/street:

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**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?

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2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.

This application is for the purpose of establishing a legal easement over lands that have an existing gas line installed on it.

#### **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

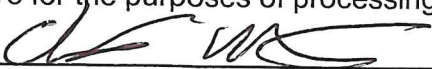
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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

Dec 10, 2024


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 Christopher Mill & Kristy Balaga am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize Jim Demeulenaere 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.

Christopher Mills 

Owner

Dec 10, 2024

Date

Kristy Balaga   
Owner

Dec 10, 2024

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, Jim Demeulenaere of Norfolk County

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

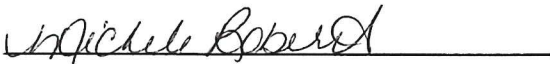
Norfolk County

  
Owner/Applicant/Agent Signature

In Ontario

This 23 day of January

A.D., 2025



A Commissioner, etc.

Michele Jane Roberts, a Commissioner, etc.,  
Province of Ontario, for MHN Lawyers LLP  
Expires May 14, 2027.

LOT  
CONCESSION

PIN 50177 - 0154 (LT)

PIN 50177 - 0153 (LT)

ROAD ALLOWANCE BETWEEN  
(20.117m WIDE - KNOWN AS WINDHAM ROAD 3)

CONCESSIONS 2 & 3

PIN 50177 - 0103 (LT)

N77°38'50"E (P1 & S)

PIN 50177 - 0123 (LT)  
PART 1, PLAN 37R-5271

CONCESSION

PART 4, PLAN 37R-1894  
PIN 50177 - 0119 (LT)

GEOGRAPHIC

TOWNSHIP

OF

WINDHAM

PART 4, PLAN 37R-5271

PIN 50177 - 0119 (LT)  
PART 7, PLAN 37R-5271

PIN 50177 - 0115 (LT)  
PART 1, PLAN 37R-6466

PIN 50177 - 0124 (LT)  
GIVEN ROAD (VARIOUS WIDTHS - KNOWN AS BUTLER'S LANE)

LEGEND

2.5cm X 2.5cm X 1.2m STANDARD IRON BARS SHOWN -□- SIB  
1.6cm X 1.6cm X 0.6m IRON BARS SHOWN -□- IB  
1.6cm ROUND X 0.6m IRON BARS SHOWN -□- IB #  
LOT LINES SHOWN - - - - -  
DEED LINES SHOWN - - - - -  
FENCE LINES SHOWN - - - - -  
NATURAL GAS LINES SHOWN - - - - -  
ROAD LINES SHOWN - - - - -  
FOUND IRON BARS SHOWN - - - - -  
PLANTED IRON BARS SHOWN - - - - -

JEWITT AND DIXON LTD.  
A. J. CLARKE, O.L.S.  
J. B. DODD, O.L.S.  
WITNESS MONUMENT  
ORIGIN UNKNOWN  
PLAN 37R-5271  
PLAN 37R-2426  
PLAN 37R-6466  
PLAN 37R-1894

SHOWN (700)  
SHOWN (912)  
SHOWN (996)  
SHOWN (W17)  
SHOWN (O1)  
SHOWN (P1)  
SHOWN (P2)  
SHOWN (P3)  
SHOWN (P4)

JEWITT AND DIXON LTD.  
ONTARIO LAND SURVEYORS  
650 IRELAND ROAD  
SIMCOE, ONTARIO, N3Y 4K2  
PHONE: (519) 426-0842  
E-mail: info@jewittdixon.com

F.W. - J.M.R.  
BOOK - LL-FILE  
CALC. - J.L.M.  
PLAN - J.L.M.  
CHECK - K.H.  
CLIENT - DEMEULENAERE  
23-3954-RP2

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

DATED SEPTEMBER 5, 2024

R. C. DIXON  
ONTARIO LAND SURVEYOR

PLAN 37R-

RECEIVED AND DEPOSITED

DATED

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

SCHEDULE

PART	LOT	CONCESSION	PIN	AREA (SQ.M)
1	PART LOT 10	CONCESSION 3	PART OF PIN 50177-0119 (LT)	4109.390 sq.m
2	PART LOT 10	CONCESSION 3	PART OF PIN 50177-0116 (LT)	714.165 sq.m
3	PART LOT 10	CONCESSION 2	PART OF PIN 50177-0153 (LT)	481.240 sq.m
PART	ROAD ALLOWANCE	PIN	AREA (SQ.M)	
4	PART OF ROAD ALLOWANCE BETWEEN CONCESSIONS 2 & 3	PART OF PIN 50177-0103 (LT)	122.885 sq.m	

PLAN OF SURVEY  
OF PART OF  
LOT 10  
CONCESSION 3  
AND PART OF  
LOT 10  
CONCESSION 2  
AND PART OF THE  
ROAD ALLOWANCE BETWEEN  
CONCESSIONS 2 & 3  
IN THE GEOGRAPHIC  
TOWNSHIP OF WINDHAM  
IN  
NORFOLK COUNTY

SCALE: 1 : 1000

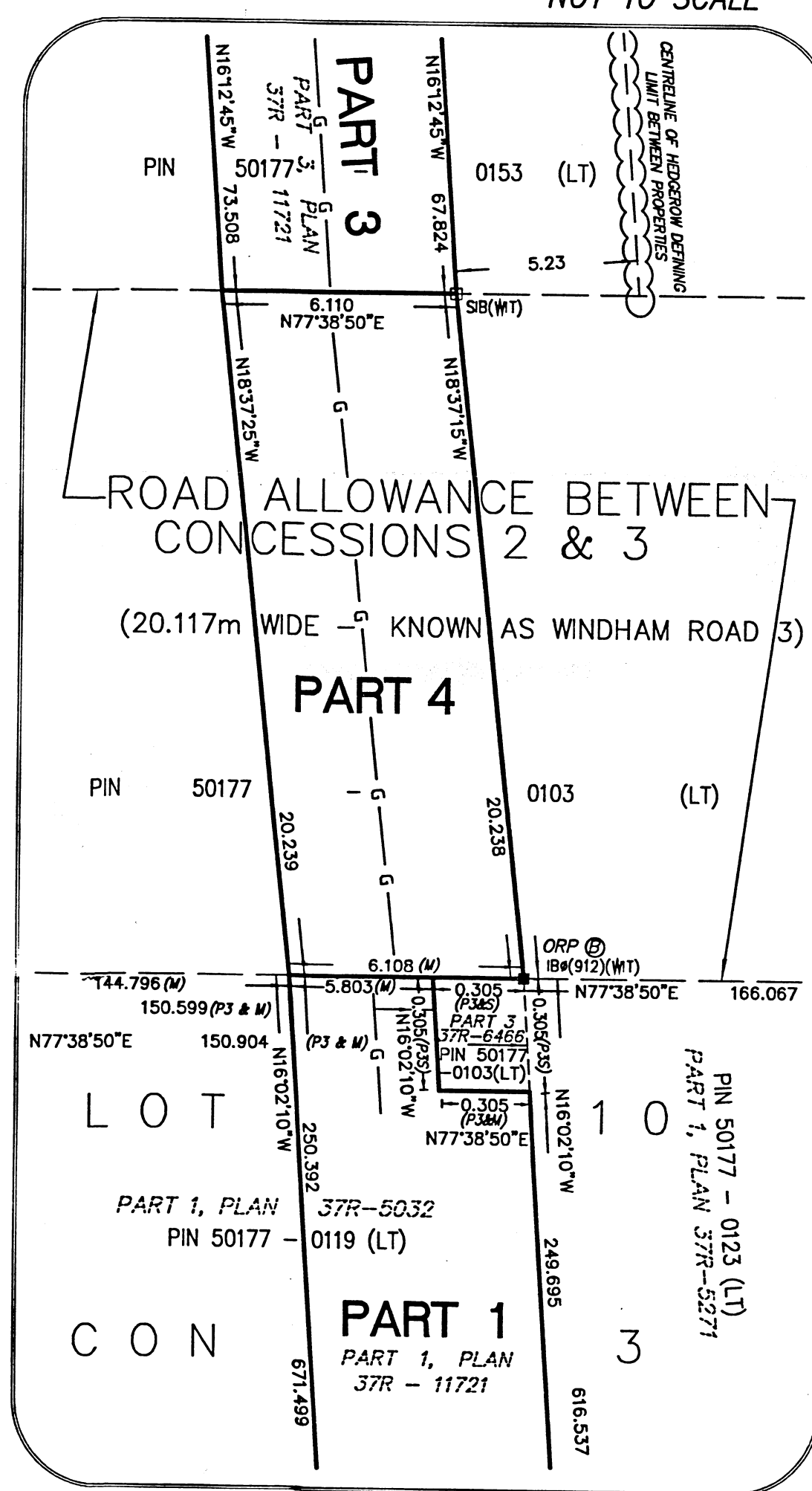
0 40 METRES

JEWITT AND DIXON LTD.

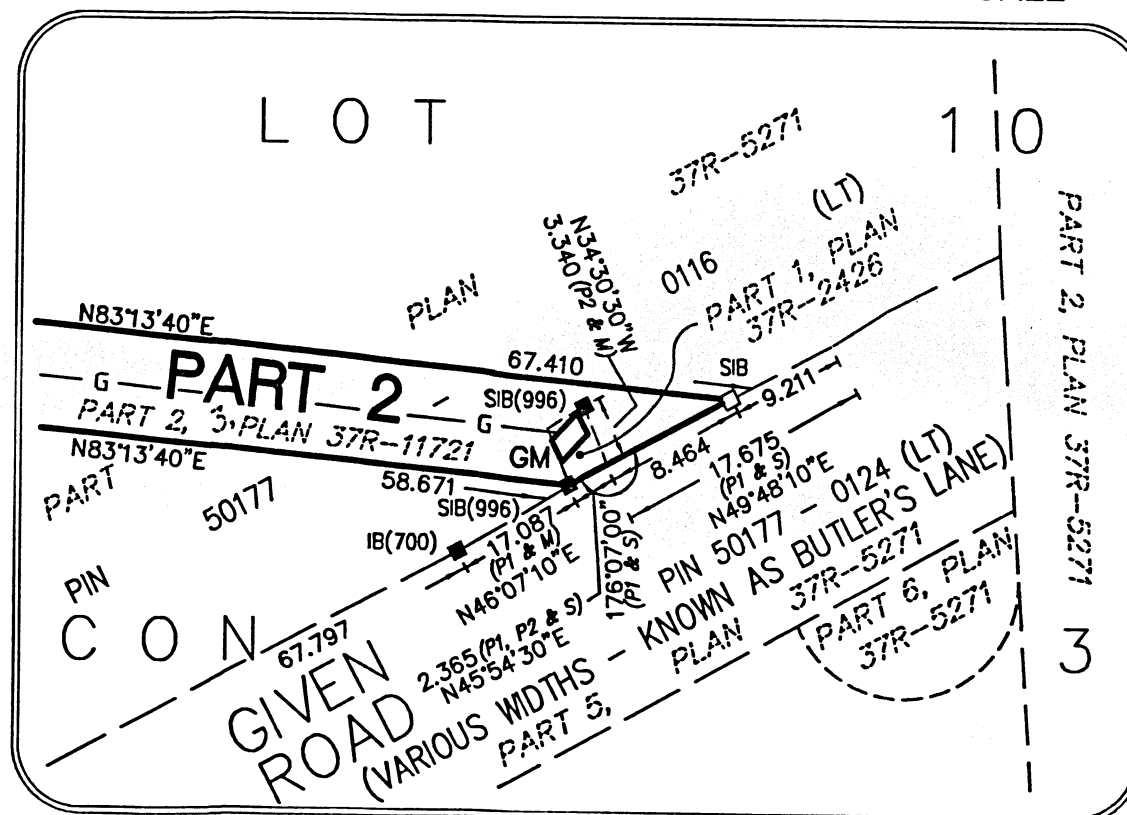
METRIC NOTE:

DISTANCES AND COORDINATES ARE METRIC AND CAN  
BE CONVERTED TO IMPERIAL BY DIVIDING BY 0.3048

DETAIL 'A'  
NOT TO SCALE



DETAIL 'B'  
NOT TO SCALE



NOTE:

BEARINGS ARE GRID AND WERE DERIVED FROM SIMULTANEOUS GPS OBSERVATIONS  
ON MONUMENT A TO B, SHOWN HEREON HAVING A BEARING OF N16°02'10"W  
[UTM ZONE 17, (61° WEST LONGITUDE) NAD83 (CSRS) (2010)]

TO CONVERT (P1) BEARINGS TO GRID BEARINGS  
- ADD 00°09'50" TO THE NORTHWEST BEARINGS  
- SUBTRACT 00°09'50" FROM THE NORTHEAST BEARINGS

DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES AND CAN BE  
CONVERTED TO GRID DISTANCES BY MULTIPLYING BY 0.999617326

OBSERVED REFERENCE POINTS (ORP) DERIVED FROM GPS OBSERVATIONS USING THE  
CAN-NET NETWORK, UTM ZONE 17 (61° WEST LONGITUDE) NAD83 (CSRS) HTV2.0 (2010)  
COORDINATES ARE TO AN URBAN ACCURACY AS PER SEC. 14 (2) OF OREG. 216/10

POINT ID	NORTHING	EASTING
ORP ①	4757675.685	546737.803
ORP ②	4758408.764	546527.094

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

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH  
THE SURVEYORS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT,  
AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 29TH DAY OF AUGUST, 2024.

DATED: SEPTEMBER 5, 2024

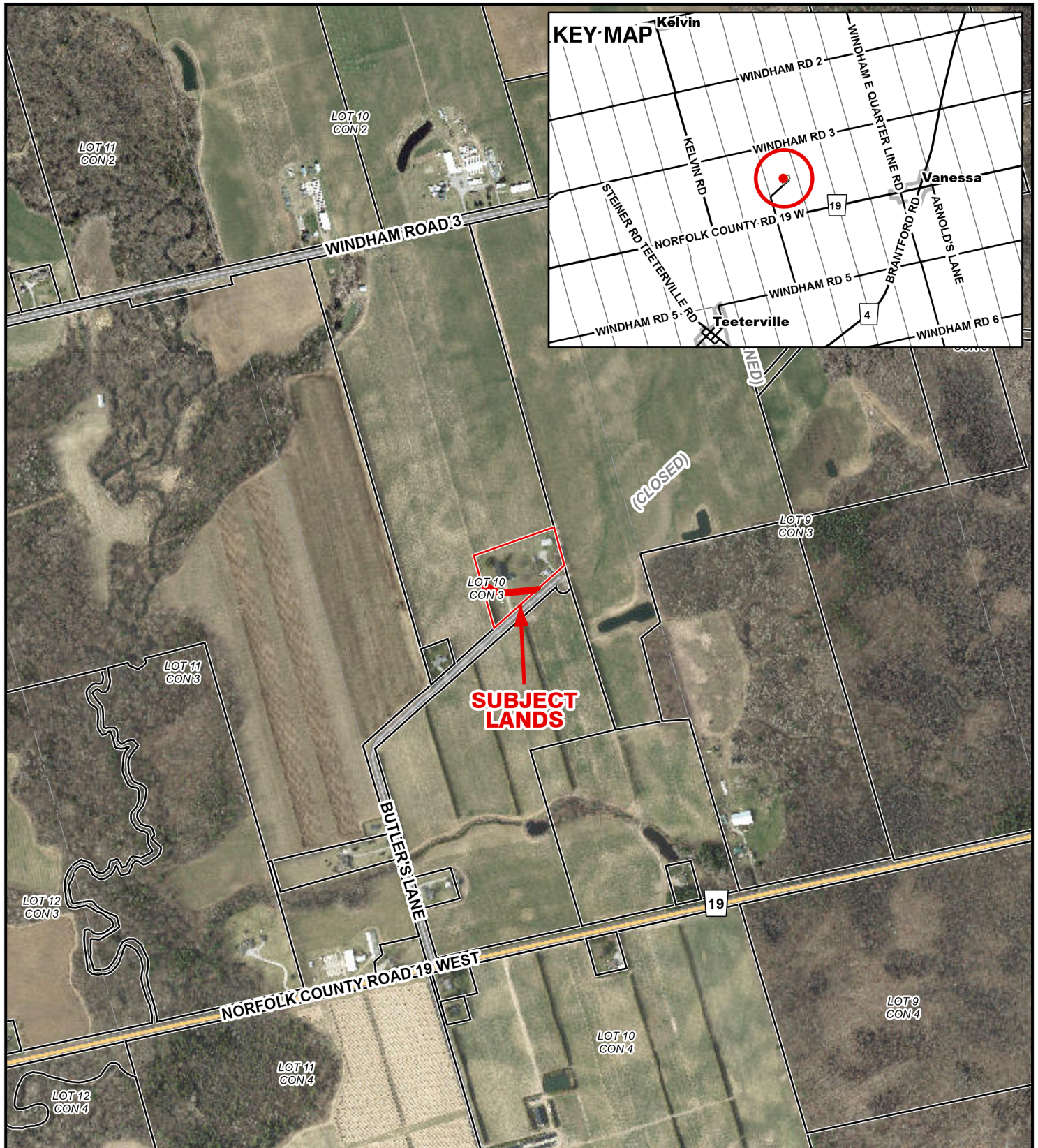
THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-36436

R. C. DIXON, O.L.S.  
FOR JEWITT & DIXON LTD.



CONTEXT MAP

Geographic Township of WINDHAM

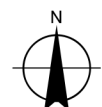


Legend

- Subject Lands
- Lands Owned

2020 Air Photo

3/17/2025

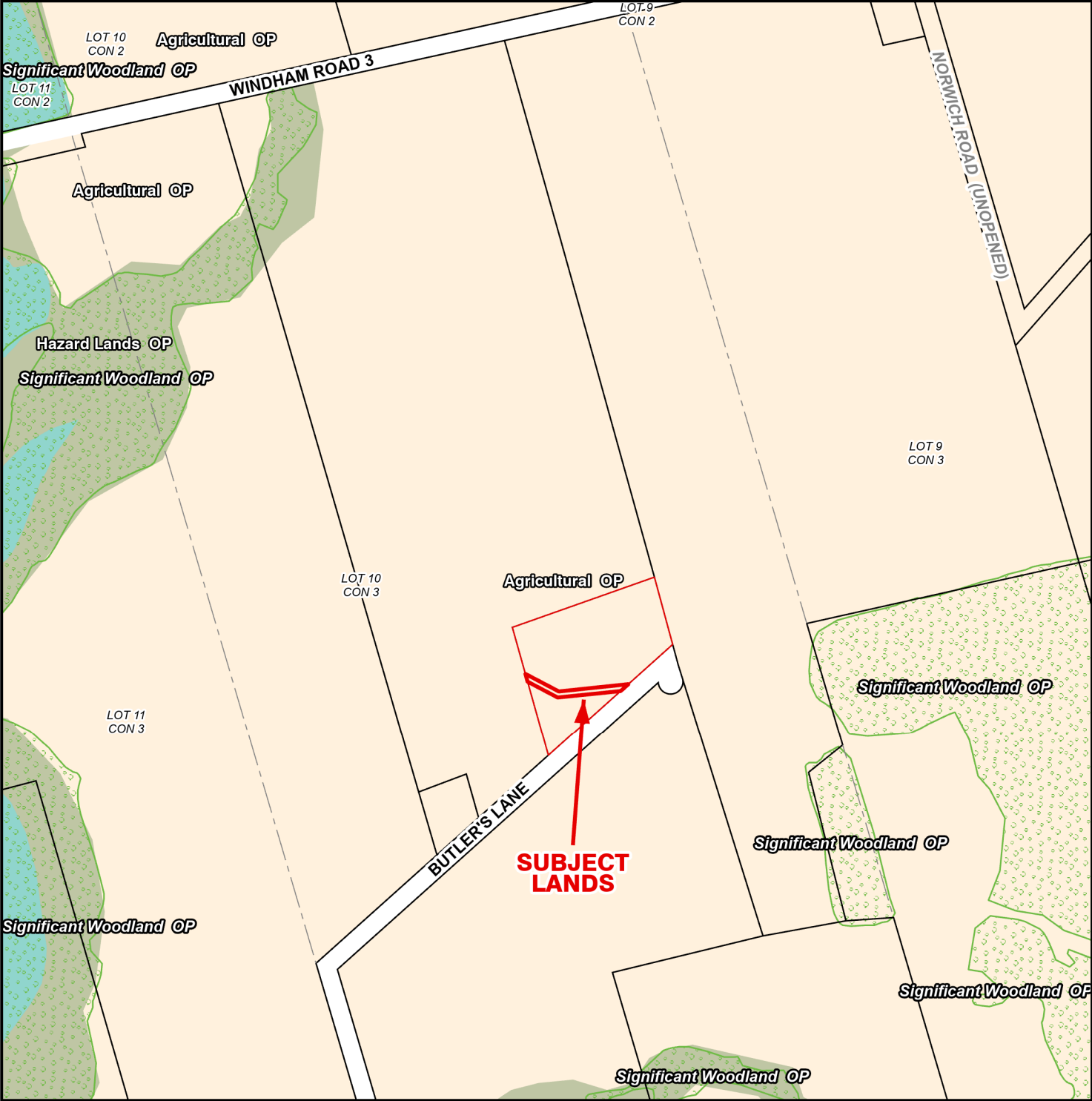


75 37.5 0 75 150 225 300 Meters



**MAP B**  
**OFFICIAL PLAN MAP**  
Geographic Township of WINDHAM

BNPL2025029



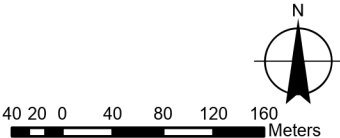
**Legend**

- Subject Lands
- Lands Owned

**Official Plan Designations**

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

3/17/2025



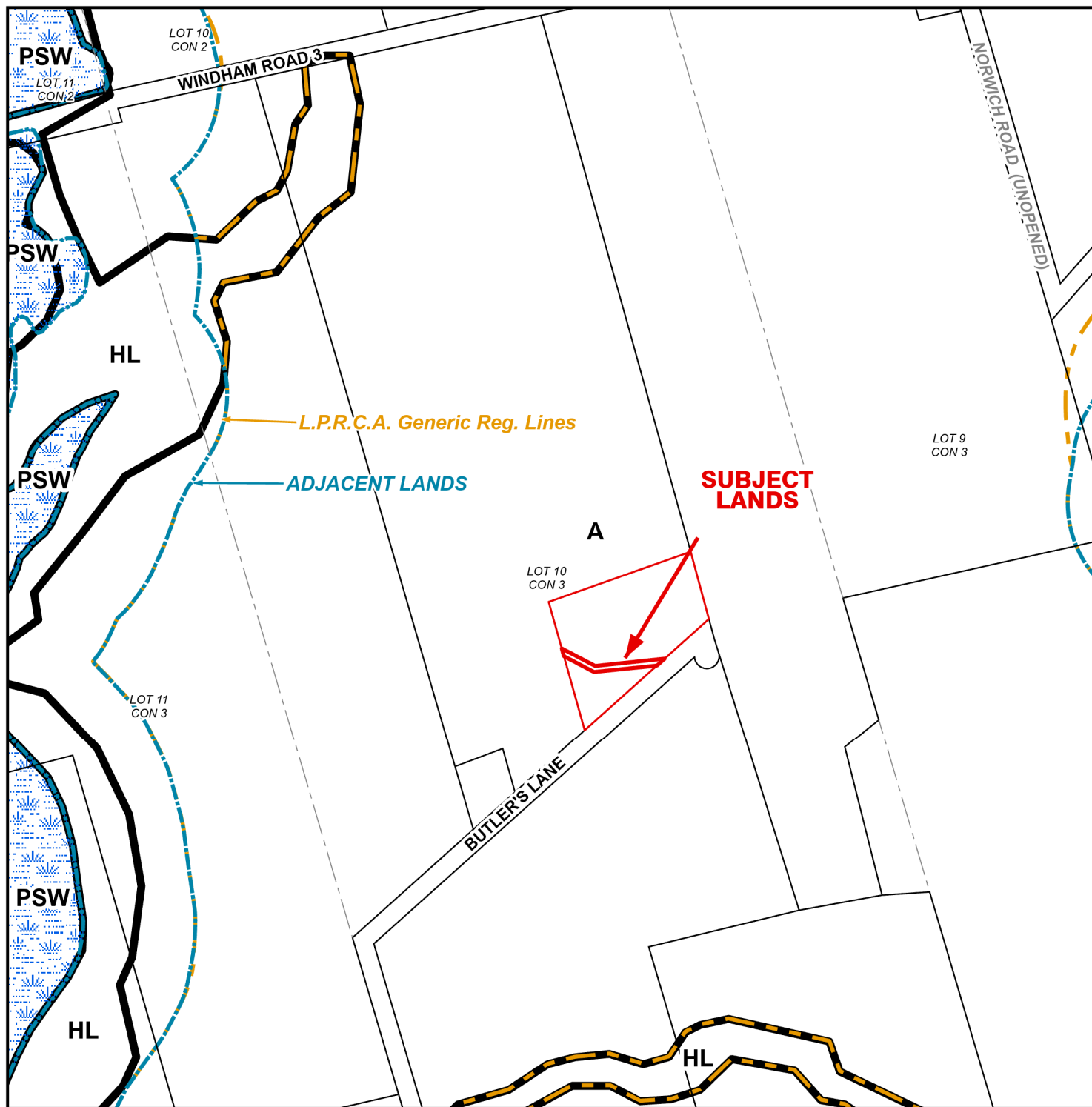


# MAP C

## ZONING BY-LAW MAP

Geographic Township of WINDHAM

BNPL2025029



### LEGEND

- Subject Lands
- Adjacent Lands
- Wetland
- LPRCA Generic RegLines

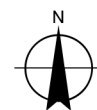
ZONING BY-LAW 1-Z-2014

3/17/2025

(H) - Holding

### Layer

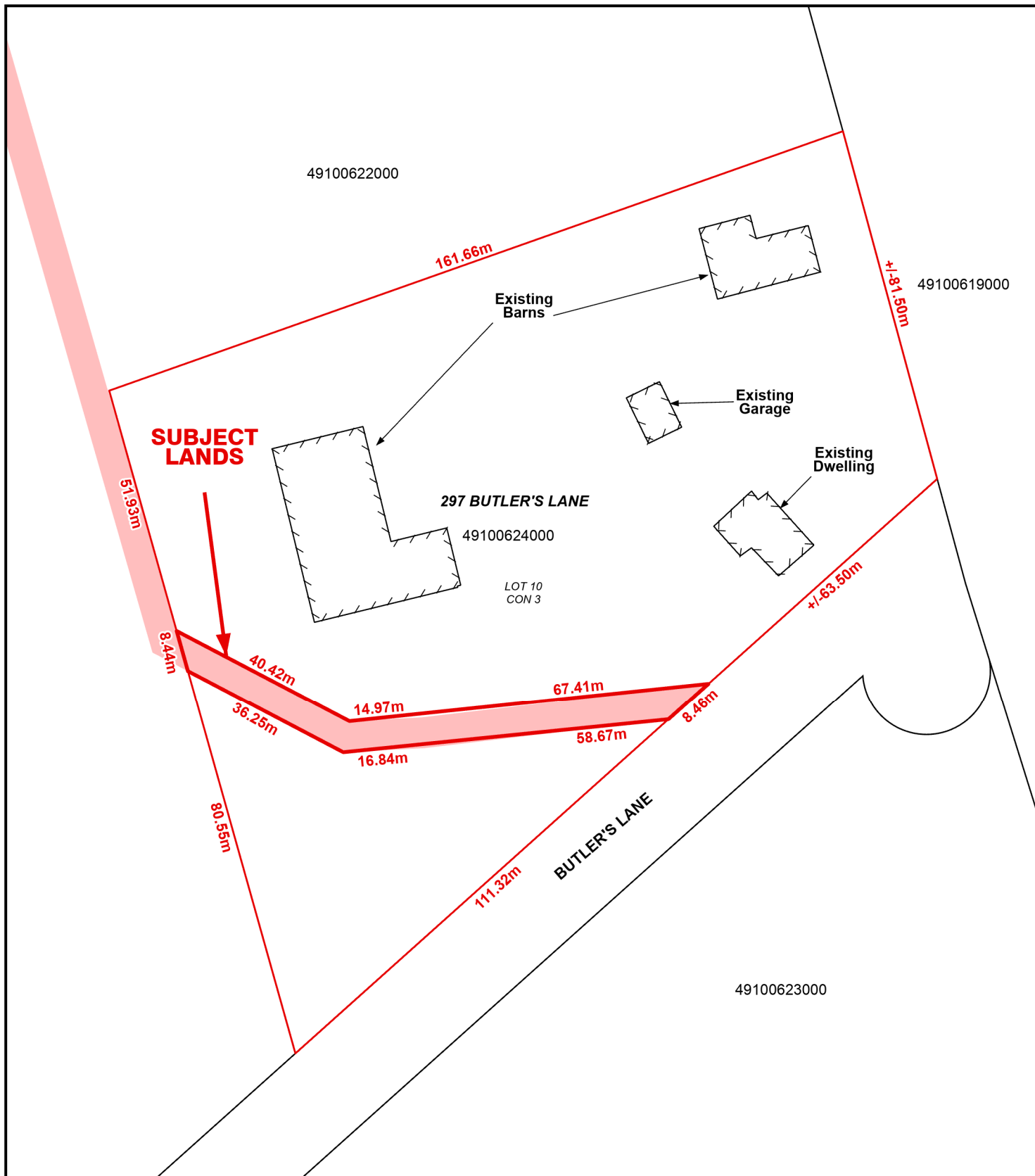
- A - Agricultural Zone
- HL - Hazard Land Zone
- PSW - Provincially Significant Wetland Zone



40 20 0 40 80 120 160 Meters

## CONCEPTUAL PLAN

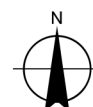
Geographic Township of WINDHAM



### Legend

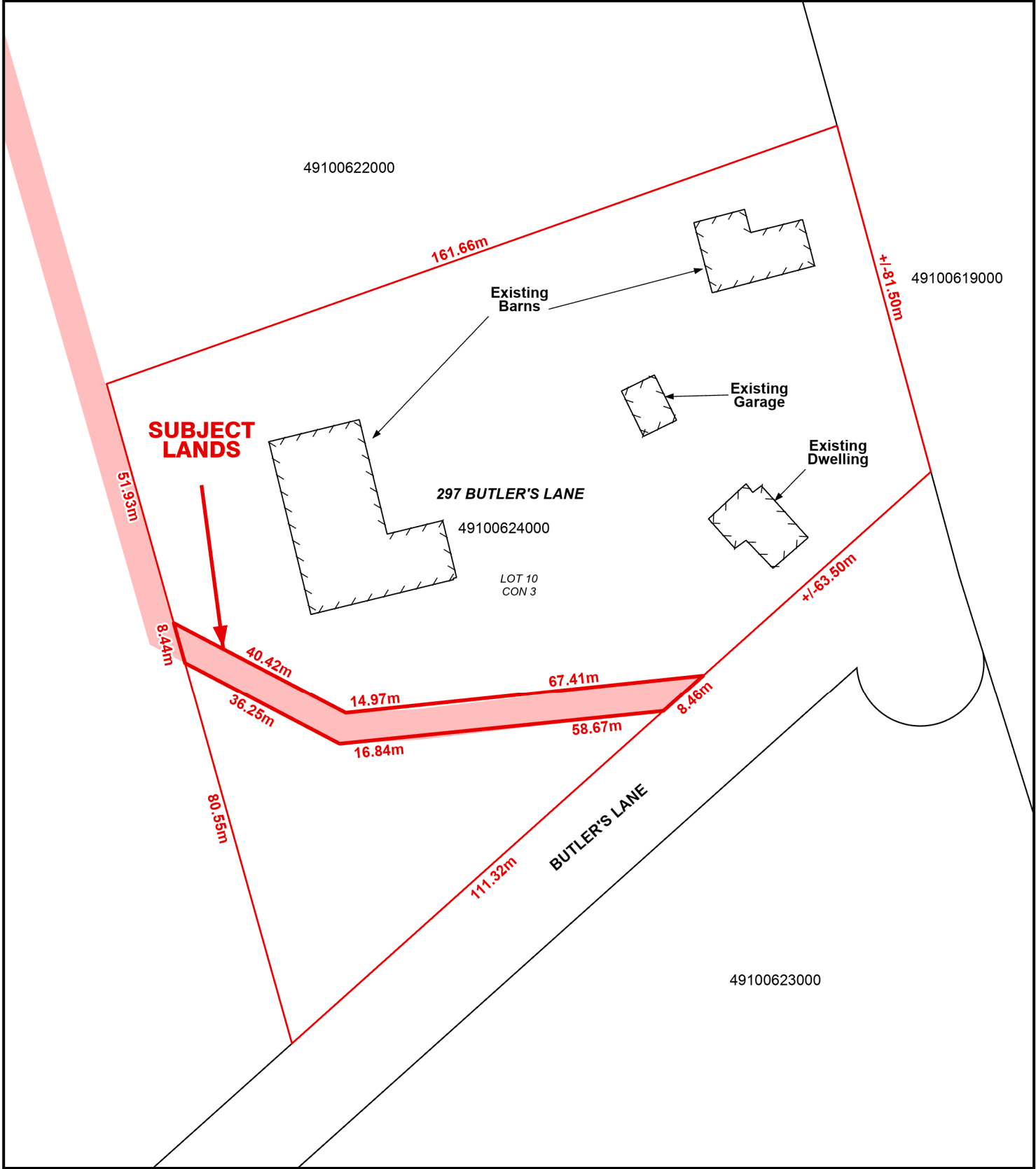
- ▬ Subject Lands
- ▬ Lands Owned
- ▬ Proposed Easement

3/17/2025



10 5 0 10 20 30 40 Meters

CONCEPTUAL PLAN  
Geographic Township of WINDHAM



- Legend
- Subject Lands
  - Lands Owned
  - Proposed Easement

