

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: 49100249000

A. Applicant Information

Name of Owner Jeffrey Scott Donohue and Tracy Ann Donohue

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 1149 Windham Road #3

Town and Postal Code Vaness, ON N0E 1V0

Phone Number _____

Cell Number _____

Email _____

Name of Applicant Jim Demeulenaere

Address 1191 Windham Road #3

Town and Postal Code Vanessa, ON N0E 1V0

Phone Number _____

Cell Number _____

Email jimdemeulenaere@gmail.com

Name of Agent Lydia Harrison

Address 24 Groff Street

Town and Postal Code Simcoe, ON N3Y 1R3

Phone Number 519-428-6797

Cell Number 519-427-7088

Email pkosdi@gmail.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:

Royal Bank of Canada
2nd Flr-180 Wellington Street West, Toronto, ON M5J 1J1

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 2, Part Lots 10-11

Municipal Civic Address: 1149 Windham Road #3, Vanessa, ON N0E 1V0

Present Official Plan Designation(s): Agricultural, HL + PSW

Present Zoning: AGRICULTURAL, HAZARD LAND + PSW

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:

RESIDENCE DETACHED GARAGE GREENHOUSE
FOURTEEN ~~BULK~~ KILNS TWO SHEDS ONE BARN
~~BEING~~ BEING 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

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: N/A

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: 6.110 metres

Depth: 73.508 metres

Width: 6.096 metres
Area: 481.240 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 owners

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:

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

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.

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~~

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 ☐ 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:

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 is for the purposes 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

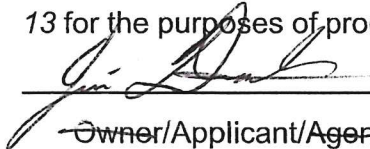
The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that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




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 Jeffrey Donohue & Tracy Donohue 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.

Jeffrey Donohue  DEC 13 124

Owner Date

Tracy Donohue  Dec 13 / 24

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, 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 the Province of 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)

CONCESSIONS 2 & 3

PIN 50177 - 0103 (LT)

166.067 (P1 & M)

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

PART 4, PLAN 37R-1894

PIN 50177 - 0119 (LT)

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 - - - - -

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

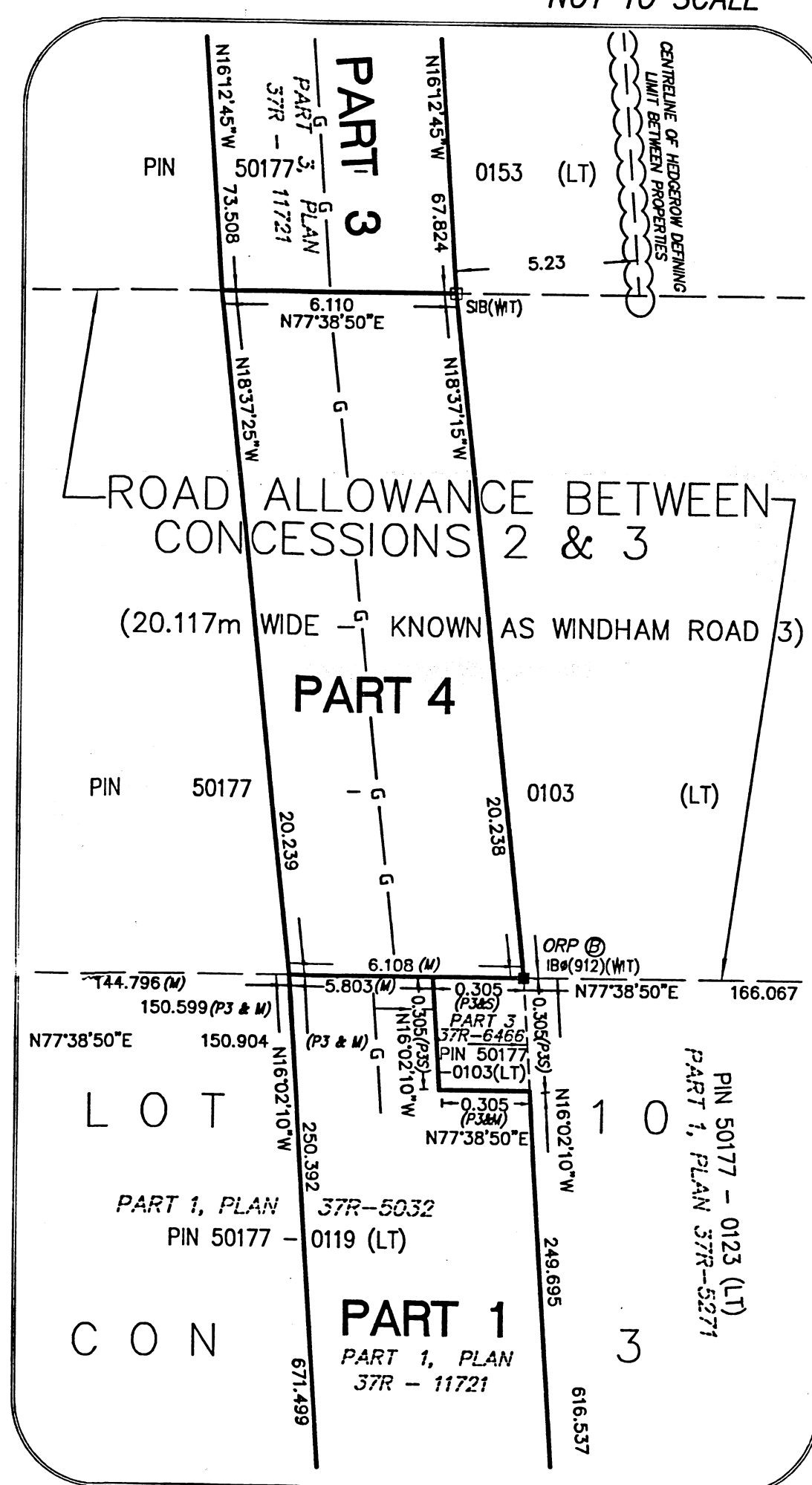
0 40 METRES

JEWITT AND DIXON LTD.

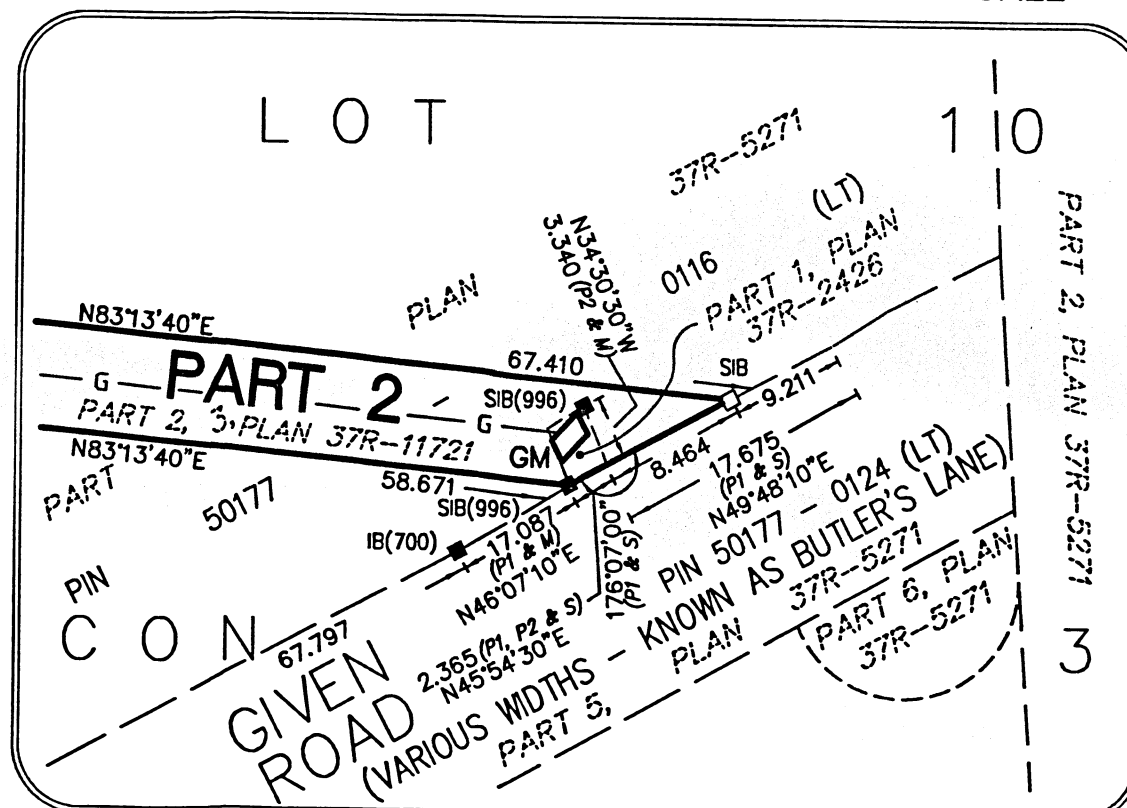
METRIC NOTE:

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 SURVEY 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.

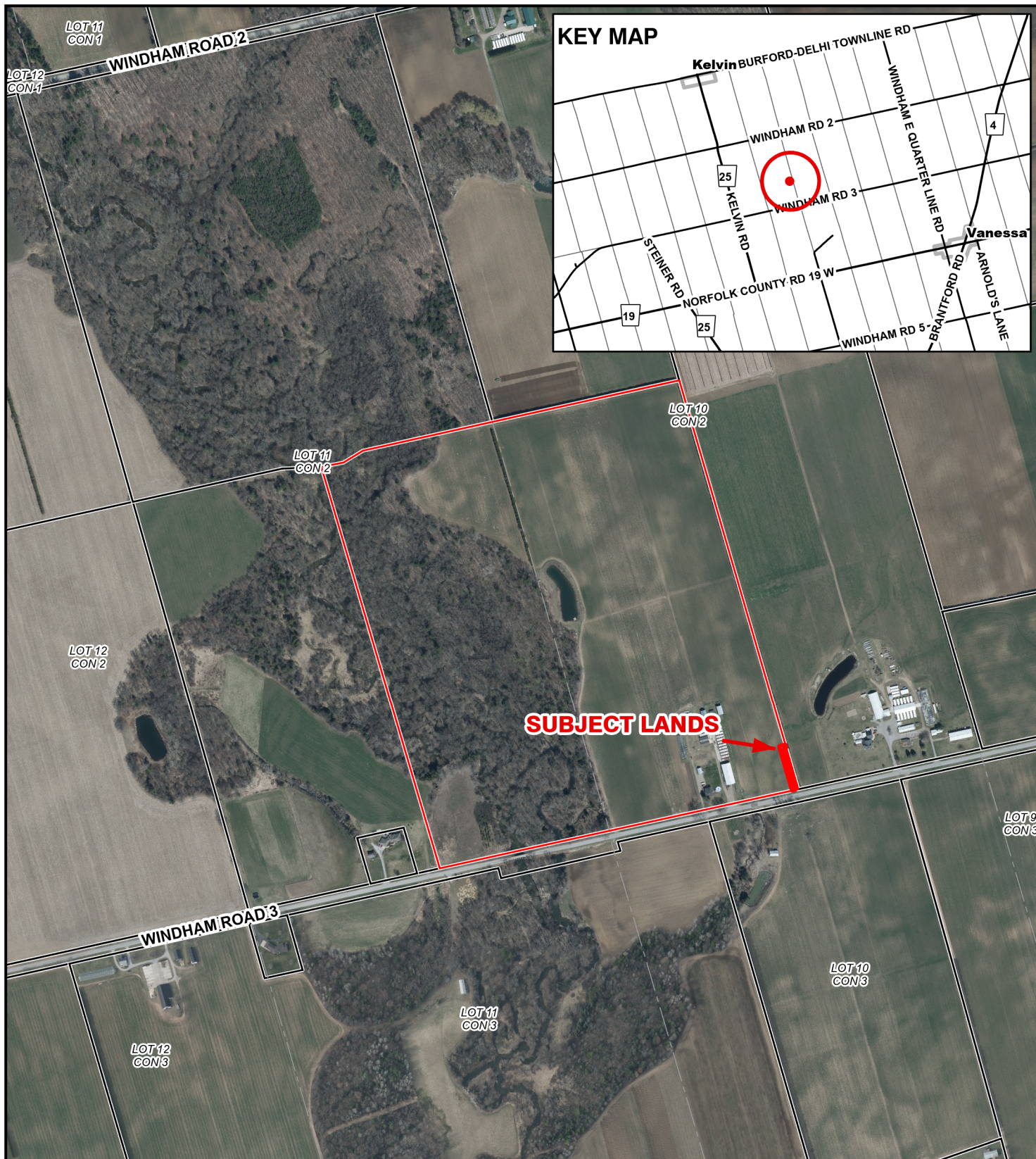
DATED: SEPTEMBER 5, 2024

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

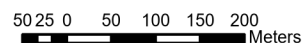


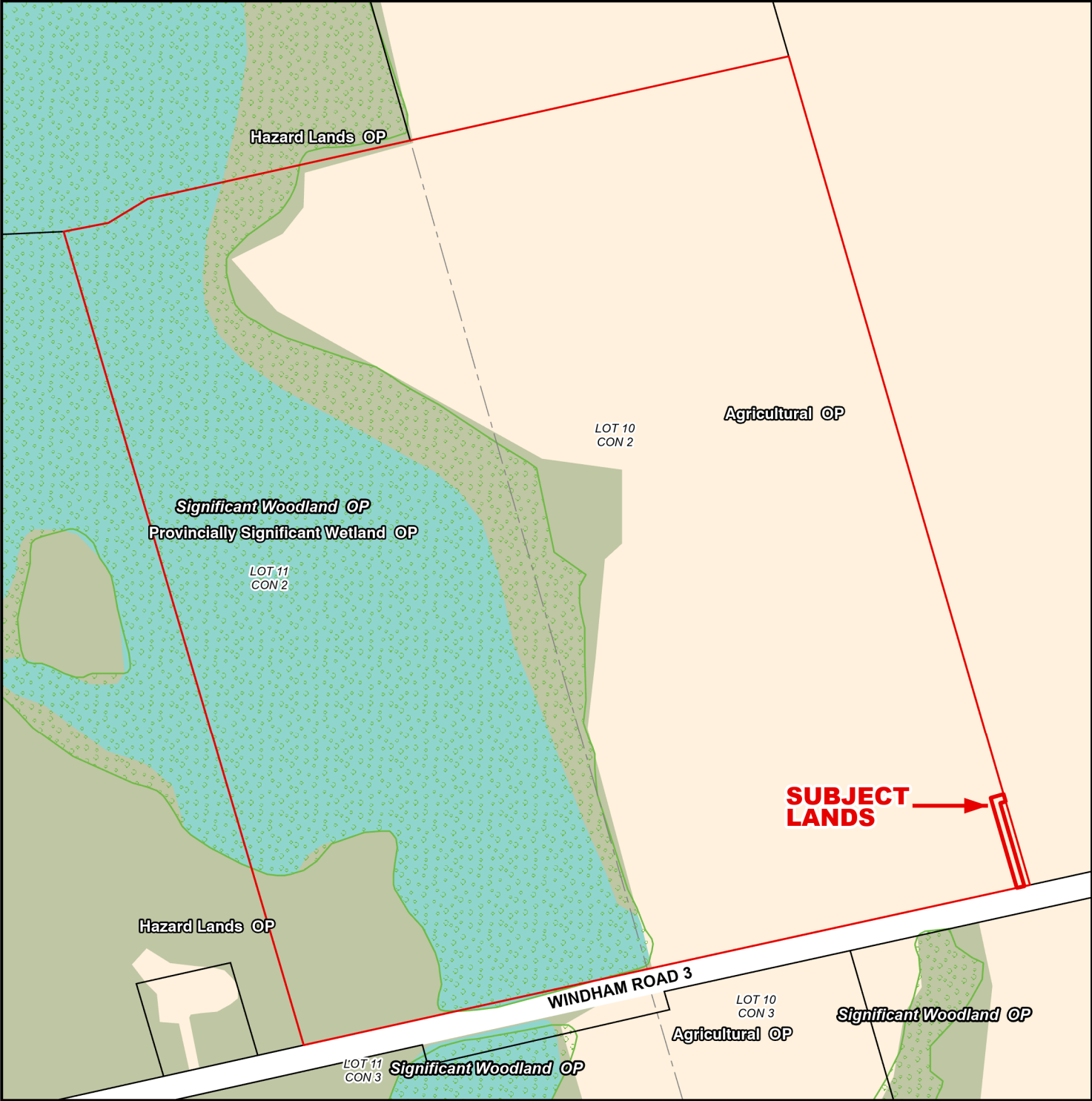
Legend

-  Subject Lands
-  Lands Owned

2020 Air Photo

3/20/2025





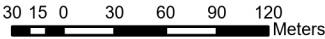
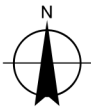
Legend

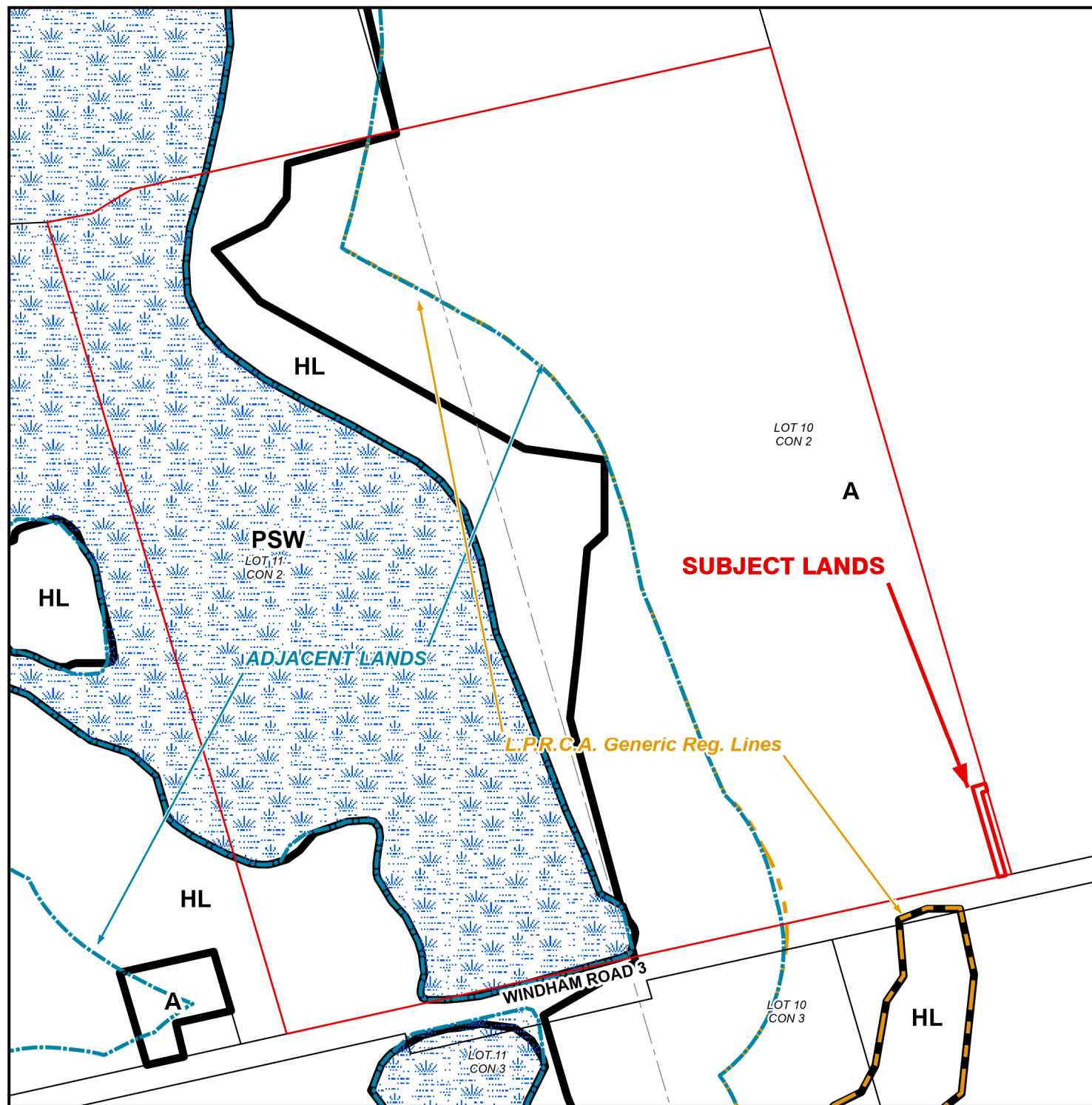
- Subject Lands
- Lands Owned

Official Plan Designations

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

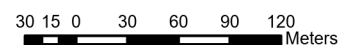
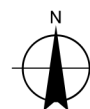
3/20/2025





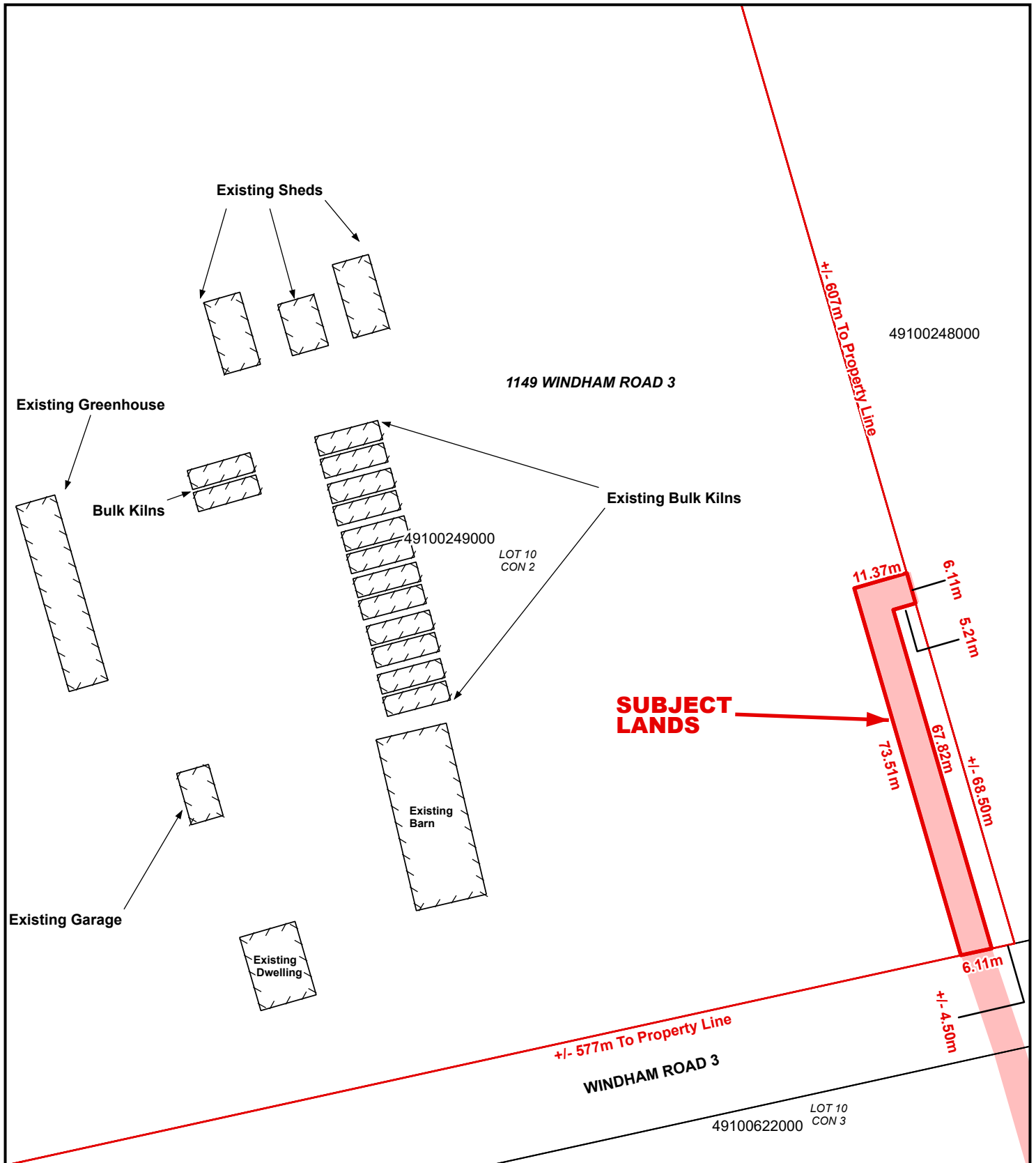
3/20/2025

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



CONCEPTUAL PLAN

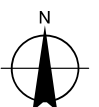
Geographic Township of WINDHAM



Legend

- Subject Lands
- Lands Owned
- Proposed Easement

3/21/2025



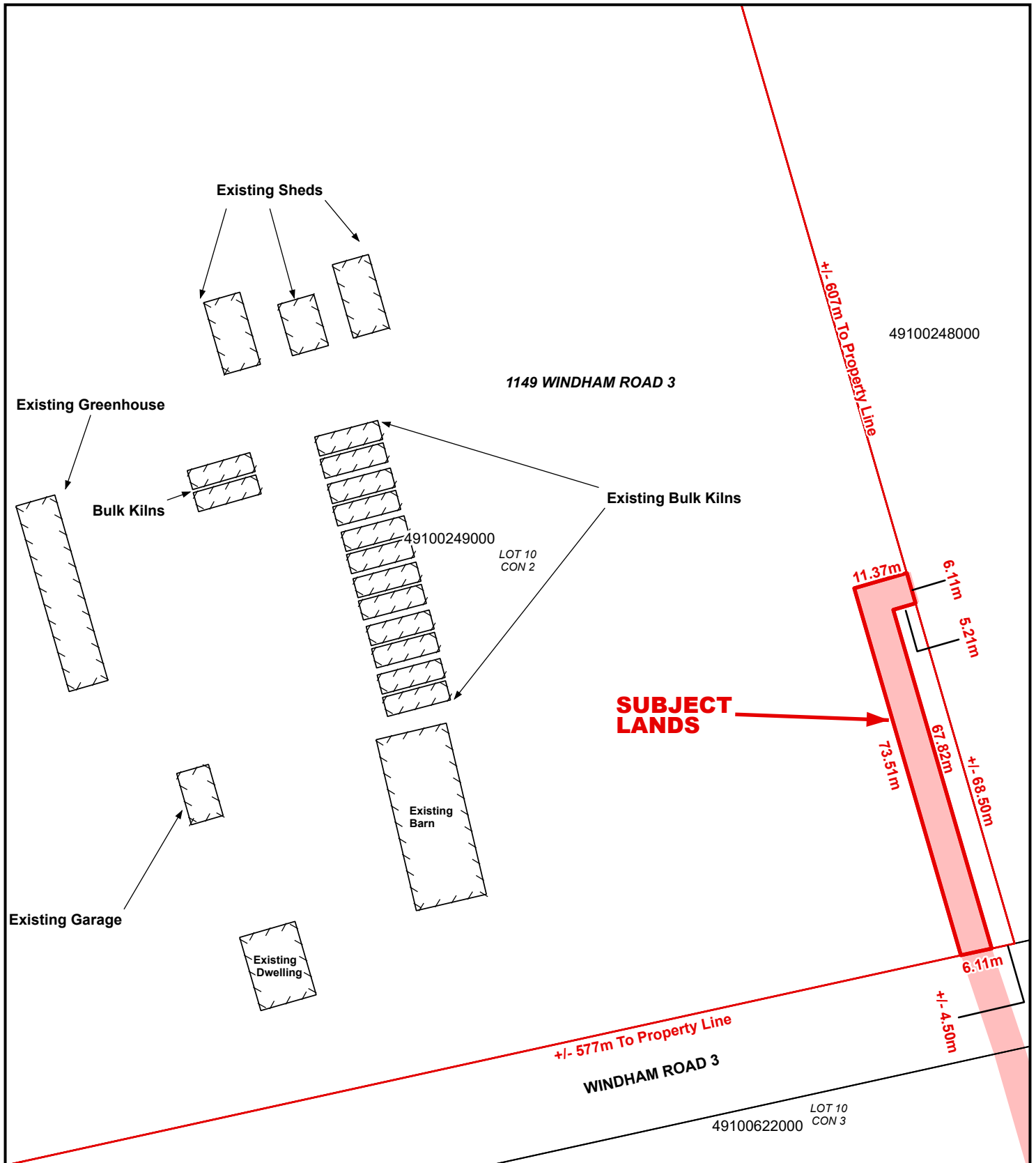
10 5 0 10 20 30 40 Meters

LOCATION OF LANDS AFFECTED

BNPL2025030

CONCEPTUAL PLAN

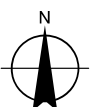
Geographic Township of WINDHAM



Legend

- Subject Lands
- Lands Owned
- Proposed Easement

3/21/2025



10 5 0 10 20 30 40 Meters