



THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT

**COMMENT REQUEST FORM**

This Committee has received a consent/minor variance application concerning land within your jurisdiction. The proposal is explained on the attached application. If you require further information, please feel free to contact this office.

In order to properly consider this application, the Committee of Adjustment would appreciate your comments or recommendation before the date below:

**January 10<sup>TH</sup>, 2007**

**FILE NO.: BN-002/2007**

ASSESSMENT ROLL NO.: 3310-493-050-05200

**APPLICANT:**

Marlene Engell, 843 Charlotteville Road 5, RR #2, Simcoe, ON N3Y 4K1

**AGENT:**

Phillip Engell, RR #2, Simcoe, ON N3Y 4K1

**LOCATION:**

Part Lot 11, Concession 5 CHR (843 Charlotteville Road 5)

**PROPOSAL:**

Sever a parcel having a frontage of 3.05 m (10 ft) a depth of 186.08 m (610.5 ft) and having an area of 0.06 ha (0.14 ac) and retain a parcel having an area of 0.68 ha (1.67 ac) more or less as a boundary adjustment.

Conservation Authority  
 Building Inspector (Sewage System Review)  
 Forestry Division  
 Treasury Department  
 Public Works > NOTE: If an agreement is required please attach the clauses you require in the agreement.

Norfolk Power  
 Ministry of Transportation  
 Railway  
 Building Department  
 GIS Section

**CIRCULATION DATE: December 20<sup>th</sup>, 2006**

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**PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:**

Mary Elder, MCIP, RPP  
Norfolk County, 60 Colborne Street, South, Simcoe, ON N3Y 4N5  
(519) 426-5870 ext 1341

**FAX: (519) 428-3069 EMAIL: [mary.elder@norfolkcounty.on.ca](mailto:mary.elder@norfolkcounty.on.ca)**

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**COMMITTEE OF ADJUSTMENT DECISION:**

If you wish to be notified of the Decision of Norfolk County, Committee of Adjustment in respect of the proposed consent, you must make a written request to: Stephanie Godby, Acting Secretary-Treasurer, P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0 • Phone: (519) 875-4485 ext 235; Fax: (519) 875-4789; Email: [stephanie.godby@norfolkcounty.on.ca](mailto:stephanie.godby@norfolkcounty.on.ca)

**APPEALS TO THE ONTARIO MUNICIPAL BOARD:**

If a person or public body that files an appeal of a Decision of Norfolk County Committee of Adjustment in respect of the proposed consent or variance does not make written submission to the Norfolk County Committee of Adjustment, before it gives or refuses to give a provisional consent or variance, the Ontario Municipal Board may dismiss the appeal.

Property Assessment Roll Number:

33-10- 49305005200  
(to be provided by applicant/agent)

Office Use  
BN 002 / 2007  
File No.  
Date Submitted  
NOV. 13, 2006  
Date Received  
NOV. 13, 2006  
Sign Issued  
NOV. 13, 2006



me.

## APPLICATION FOR CONSENT

NOTE: This application must be typed or printed in ink and completed in full. An incomplete or improperly prepared application may not be accepted and could result in processing delays.

### A. APPLICANT INFORMATION

1. Name of Owner MARLENE Engel Phone No. 519 426 0406  
Address 843 CHAR. Rd. 5  
RR#2 Simcoe  
Fax No. 426 7241  
Postal Code N3Y 4K1  
E-mail \_\_\_\_\_

2. Agent (if any) Phillip Engel Phone No. 519 426 0406  
Address RR#2 Simcoe  
Fax No. \_\_\_\_\_  
Postal Code N3Y 4K1  
E-mail \_\_\_\_\_

Please specify to whom all communications be sent:  Owner  Agent

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

\_\_\_\_\_

\_\_\_\_\_

4. Are there any restrictive covenants affecting the property?

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

\_\_\_\_\_

\_\_\_\_\_

**B. LOCATION/LEGAL DESCRIPTION OF PROPERTY**

1. Geographic Township CHAR. Rd. 5  
Urban Area or Hamlet Country  
Concession Number Rd 5 Lot Number PART LOT 11  
Registered Plan Number \_\_\_\_\_ Lot(s)/Block(s) \_\_\_\_\_  
Reference Plan Number \_\_\_\_\_ Part Number(s) \_\_\_\_\_  
Civic Address R#2 Simcoe CHAR. Rd. 5

**C. PURPOSE OF APPLICATION**

1. Type and purpose of proposed transaction: (check appropriate box)

Transfer:  Creation of a new lot      Other:  a charge  
 Boundary Adjustment       a lease  
 an easement/right-of-way       a correction of title

2. Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged (if known):

MARGARET Engel

3. If a boundary adjustment, identify the Assessment Roll No. and property owner of the lands to which the parcel will be added.

Roll No.: 33-10-493 05005/00 Name: MARGARET Engel

4. If the application involves a residential lot in the rural/agricultural area, please complete Form 1 which is available upon request.

5. If the application proposes to divide a farm into two smaller agricultural parcels, please complete Form 2 which is available upon request.

**D. PROPERTY, SERVICING AND ACCESS INFORMATION**

## 1. Description of land intended to be SEVERED:

Frontage: 3.05 m.Depth: 186.08 m.— 10 ft.610.5 ft.Width: 3.05 m.Area: 0.06 ha— 10 ft.0.14 — acExisting use 14wnProposed Use: 14wnNumber and type of buildings and structures existing on the land to be severed:2 Res + BarnNumber and type of buildings and structures proposed on the land to be severed:0

## 2. Description of land intended to be RETAINED:

Frontage: 36.27 m.Depth: 186.08 m.— 119 ft.610.5 ft.Width: 36.27 m.Area: 0.68 ha— 119 ft.167 ac.Existing use 17wn.Proposed Use: 17wn.Number and type of buildings and structures existing on the land to be retained:2 Res + Barn.Number and type of buildings and structures proposed on the land to be retained:0

## 3. Existing or proposed access to land intended to be SEVERED:

 Unopened Road Municipal Road Provincial Highway Other (Specify)Name of Road/Street CHAR. Rd S.

## 4. Existing or proposed access to land intended to be RETAINED:

Unopened Road       Municipal Road       Provincial Highway  
 Other (Specify)

Name of Road/Street C H A R. Rd. 5

## 5. Servicing:

Indicate what services are available or proposed:

<u>Water Supply</u>	<u>Sewage Treatment</u>	<u>Storm Drainage*</u>
Piped Water <input type="checkbox"/>	Sewers <input type="checkbox"/>	Storm Sewers <input type="checkbox"/>
Individual Wells <input checked="" type="checkbox"/>	Communal System <input type="checkbox"/>	Open Ditches <input type="checkbox"/>
Other (describe) <input type="checkbox"/>	Septic Tank & Tile Bed <input checked="" type="checkbox"/>	Other (describe) <input checked="" type="checkbox"/>

Sandy Soil

\* Have you consulted with Public Works & Environmental Services concerning stormwater management?

Yes  No

\* Has the existing drainage on the subject land been altered?

Yes  No

\* Does a legal and adequate outlet for storm drainage exist?

Yes  No  Unknown

#### E. LAND USE

1. What is the existing Official Plan designation(s) of the subject land: Ag.
2. What is the existing Zoning of the subject lands: Ag.  
(If required, assistance is available for questions 1 and 2 above.)

**F. PROVINCIAL POLICY**

1. Are any of the following uses or features located on the subject land or within 500 metres (1640 ft.) of the subject land? Please check the appropriate boxes, if any apply. (Assistance is available to complete this table).

Use or Feature	On the Subject Land	Within 500 Metres (1,640 feet) of subject land (indicate distance)
A livestock facility or stockyard (see F.2)	✓	
A Wooded area		
A Municipal Landfill		
A Sewage Treatment Plant or Waste Stabilization Plant		
A Provincially Significant Wetland (Class 1, 2 or 3 wetland) or other environmental feature		
Floodplain		
A Rehabilitated Mine Site		
A Non-Operating Mine Site within 1 Kilometre		
An Active Mine Site		
An Industrial or commercial use (specify the use(s))		<i>Rct. Ag. Chem. Sales</i> <i>(Retail)</i>
An Active Railway Line		
Seasonal Wetness of Land		
Erosion		
Abandoned Gas Wells		

2. If there are any livestock operations within 500 metres (1640 ft) of the subject land, please complete Form 3, which is available upon request.

**G. STATUS OF OTHER PLANNING APPLICATIONS**

1. Has the owner previously severed any land from this land holding or any other land the owner has interest in since August 24, 1978?

Yes  No

If the answer to the above question is YES, File No.:

How many separate parcels have been created? 0

Date(s) these parcels were created: \_\_\_\_\_

The name of the transferee for each parcel: \_\_\_\_\_

What uses were the parcels severed for? \_\_\_\_\_

2. If this application proposes to sever a dwelling made surplus through farm amalgamation, when were the farm properties amalgamated? \_\_\_\_\_

3. Date of construction of the dwelling proposed to be severed: \_\_\_\_\_

4. Has this property ever been part of an application for approval for a plan of subdivision or consent under the Planning Act?

Yes  No  Unknown

If yes, provide the file number, if known, and the decision made on the application.

File No. \_\_\_\_\_ Decision: \_\_\_\_\_

5. Date of purchase of subject land. July 1996

6. How many years has the owner farmed? \_\_\_\_\_

Outside this municipality but in Ontario? \_\_\_\_\_ In this municipality? \_\_\_\_\_

Other (please specify) \_\_\_\_\_

#### **H. CURRENT APPLICATION**

1. Is this property the subject of an application for an Official Plan Amendment that has been submitted for approval?

Yes  No  Unknown

If Yes, File No. \_\_\_\_\_ Status: \_\_\_\_\_

2. Is this property the subject of an application for a Zoning By-law Amendment, Minister's Zoning Order Amendment, Minor Variance, Consent or Plan of Subdivision?

Yes  No  Unknown

If Yes, File No. \_\_\_\_\_ Status: \_\_\_\_\_

3. Is there any other application on this property that could affect this application?

Yes  No  Unknown

If Yes, describe \_\_\_\_\_

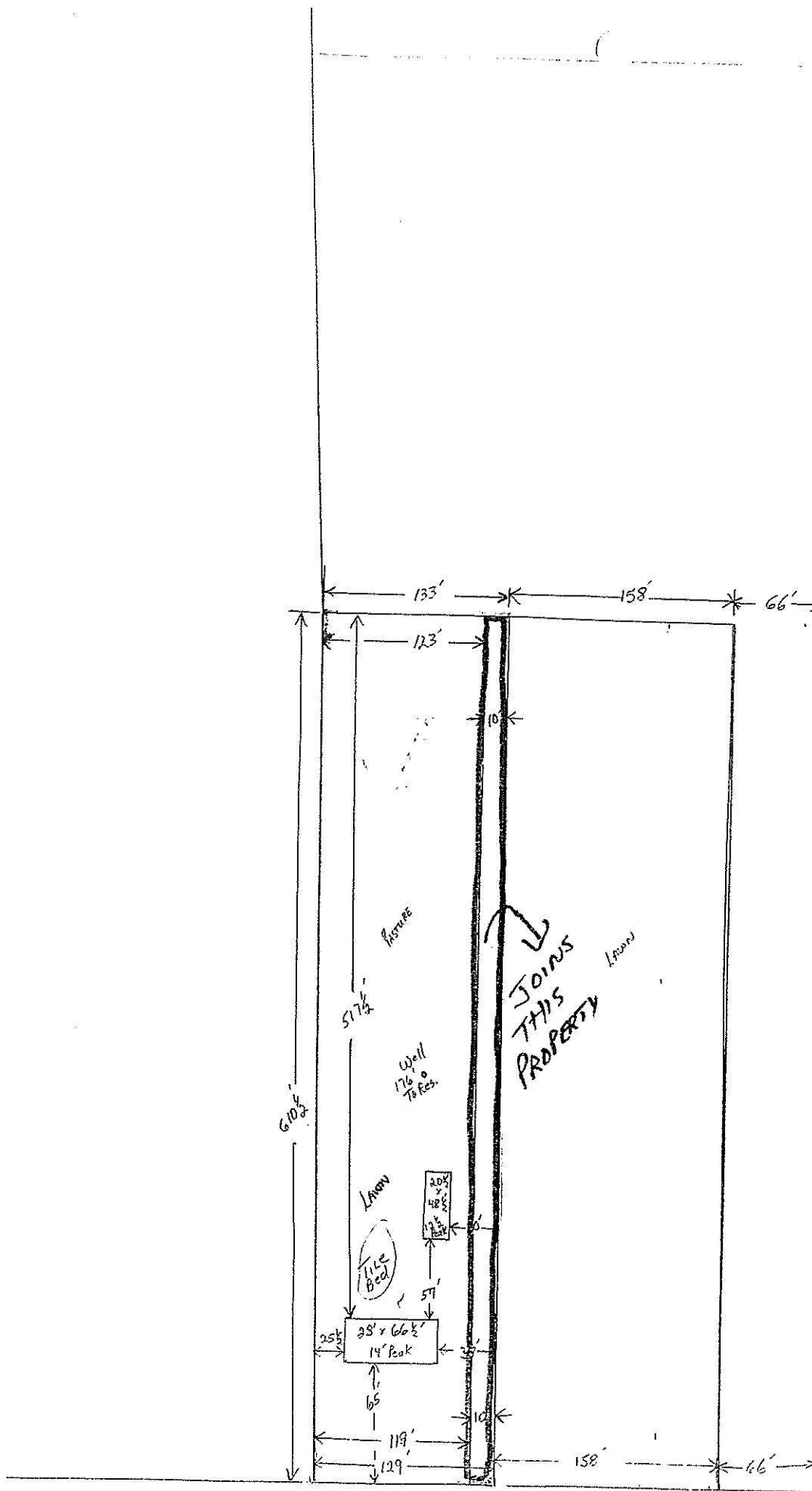
#### **I. SUPPORTING MATERIAL TO BE SUBMITTED BY APPLICANT**

In order for your application to be considered complete, a sketch drawn to scale must be included as part of this application which shows:

1. The boundaries and dimensions of the subject land including the part that is to be severed and the part that is to be retained.
2. Location, size, height and type of all existing and proposed buildings and structures on severed or retained lands, including the distance of the buildings or structures from the front yard lot line, rear yard lot line and side yard lot lines.
3. The boundaries and dimensions of the land owned by the owner, including the subject land and adjacent land.
4. The distance between the subject land and the nearest municipal lot line or landmark, such as a railway crossing or bridge.
5. The location of all land previously severed from the parcel originally acquired by the current owner of the subject land.
6. The approximate location of all natural and artificial features on the subject land and adjacent lands, including railways, roads, watercourses, drainage ditches, irrigation ponds, river or stream banks, wetlands, wooded areas, buildings.
7. The current use(s) of the adjacent lands.
8. The location, width and name of any roads within or abutting the subject land. Indicate whether the road is an unopened road allowance, a public travelled road, a private road or a right-of-way.
9. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
10. The location and nature of any restrictive covenant or easement affecting the subject land.
11. If the severed parcel is to be conveyed to an abutting property owner, please identify the abutting property with name and instrument number exactly as now registered.
12. The location of any existing sewage system and well, on the lot to be created and/or retained.

If other documentation/supporting material becomes necessary, you will be contacted and this information must be submitted prior to your application proceeding.

Wash



Road

# Minimum Distance Separation II (MDS II) Report

MDS 1.0.0  
07-Nov-2006 09:05  
Page 1

Application Date: 07-Nov-2006

File Number: test

## Preparer Information

Mary Elder  
Norfolk County  
Box 545  
60 Colborne St South  
Simcoe, ON, Canada N3Y 4N5

Phone #1: 519-426-5870

Phone #2: ext 1341

Fax: 519-428-3069

Email: mary.elder@norfolkcounty.on.ca

## Calculation #1

testing software for self education

### Contact Information

Joe Who  
Norfolk

### Farm Location

County of Norfolk  
Geotownship: CHARLOTTEVILLE  
Concession: 5  
Lot: 11

Manure Form	Type of Livestock/Material	Existing Capacity	Existing NUs	Total Capacity	Total NUs	Estimated Barn Area
Solid	Horses; Small-framed, mature; < 227 kg (including unweaned offspring)	3	1.5	3	1.5	49 m <sup>2</sup>

Manure/Material Storage Type: Storage already exists

Building Base Distance 'F' (A x B x C x D): 37 m (121 ft)

Storage Base Distance 'S': No storage construction

Factor A (Odour Potential): 0.7

Factor B (Nutrient Units): 150

Factor C (Orderly Expansion): 0.5000

Factor D (Manure/Material Type): 0.7

Total Nutrient Units: 2

Description	Multiplier	Required Barn Setback	Actual Barn Setback
Nearest neighbour's dwelling	1.0	37 m 121 ft	
Type A land uses	1.0	37 m 121 ft	
Type B land uses	2.0	74 m 241 ft	
Nearest lot line (side or rear)	0.1	4 m 12 ft	
Nearest road allowance	0.2	7 m 24 ft	

Signature of Preparer:

Mary Elder, Norfolk County

Date:

### NOTE TO THE USER:

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information, mistakes in calculation, errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.



FORM 3

INFORMATION FORM - MDS CALCULATION

3310-493-650-652-00  
re

BN-100/2006

Boundary  
adjustment.  
Richard &  
Margaret  
Engell.

Name: <u>Marlene Engell</u>	File No.: _____	
Lot: <u>14</u>	Concession: <u>5</u>	Township: <u>Char.</u>
Total Acreage of Subject Lands: _____		Total Acres Workable: _____
Distance from barn to nearest dwelling: <u>40</u> feet / metres		
Distance from manure storage area to nearest dwelling: <u>750</u> feet / metres		

<u>TYPE OF LIVESTOCK</u>	<u>EXISTING CAPACITY</u> (of barn)	<u>PROPOSED CAPACITY</u> (of barn)
--------------------------	---------------------------------------	---------------------------------------

**POULTRY**

- laying hens
- breeders
- pullets
- chicken broilers
- turkey broilers
- turkey hens
- turkey toms
- roasters

**SWINE**

- sows
- boars
- weanlings
- feeders

**BEEF**

- cows
- calves
- feeders
- (400-750 lb)
- (400-1100lb)
- (750-1100lb)

**DAIRY**

- cows
- heifers
- calves

**MINK - females**

**HORSES**

**SHEEP - rams**

3 1-adult  
1-F adult  
1-colt.

3

The barn is a  
converted  
greenhouse  
on west side of  
Richard Engell's  
property  
File BN-100/2006

MANURE STORAGE

**DRY**

- Open pile
- Covered pile

✓  
\_\_\_\_\_

stored to rear of  
Philip Engell's  
property

**SEMI SOLID**

- Open pile
- Storage with buck walls

\_\_\_\_\_

**LIQUID**

- Covered tank
- Above ground uncovered tank
- Below ground uncovered tank
- Open earth sided pit

\_\_\_\_\_

Sketch

MDS.EXE

Required Distance Summary

NEIGHBOURING LAND USE OR BOUNDARY	<metres>	
	BUILDING DISTANCE	MANURE STORAGE
Nearest Neighbour's Dwelling	34	34
Areas Zoned or Designated: Agriculturally Related Commercial, Passive Recreational or Industrial	34	34
Areas Zoned or Designated: Residential, Institutional, Active Recreational or Commercial, Urban Areas	68	68
Nearest Side or Rear Lot Line	7	7
Nearest Road Allowance (Side or Front Lot Line)	9	9

Press Any Key To Continue.

MDSII - Calculations  
for new basin

MDS.EXE

Required Distance Summary

NEIGHBOURING LAND USE OR BOUNDARY	<metres>	
	BUILDING DISTANCE	MANURE STORAGE
Nearest Neighbour's Dwelling	34	34
Areas Zoned or Designated: Agriculturally Related Commercial, Passive Recreational or Industrial	34	34
Areas Zoned or Designated: Residential, Institutional, Active Recreational or Commercial, Urban Areas	68	68
Nearest Side or Rear Lot Line	7	7
Nearest Road Allowance (Side or Front Lot Line)	9	9

Press Any Key To Continue.

-3 horses  
- open manure (solid)

MDSI

MDS.EXE

Livestock Type And Housing Capacity  
Minimum Distance Separation I

Livestock Type	Housing Capacity
HORSE: Horses	3
<None>	0
<None>	0

Housing Capacity in Livestock Units ..... 3.0  
Tillable Hectares On Operation Site ..... 1.0  
Potential Livestock Units ..... 5.0

Animal Group Number ..... 1  
Land Use Type ..... 0  
Manure Storage Type ..... 1

Are The Actual Distances Known At This Time (Y or N)?

MDS.EXE

Required / Actual Distances  
Minimum Distance Separation I

Minimum Distance Separation Required From Livestock Facility.....	39 m
Actual Distance As Reported Or Estimated From Livestock Facility...	13 m
Minimum Distance Separation Required From Manure Storage.....	39 m
Actual Distance As Reported Or Estimated From Manure Storage.....	220 m

This Application DOES NOT MEET The Above MDS Requirements!

Press Any Key To Continue.

FORM 3

INFORMATION FORM - MDS CALCULATION

Name: _____	File No.: _____	
Lot: _____	Concession: _____	Township: _____
Total Acreage of Subject Lands: _____ Total Acres Workable: _____		
Distance from barn to nearest dwelling: <u>40</u> feet / metres		
Distance from manure storage area to nearest dwelling: <u>750</u> feet / metres		

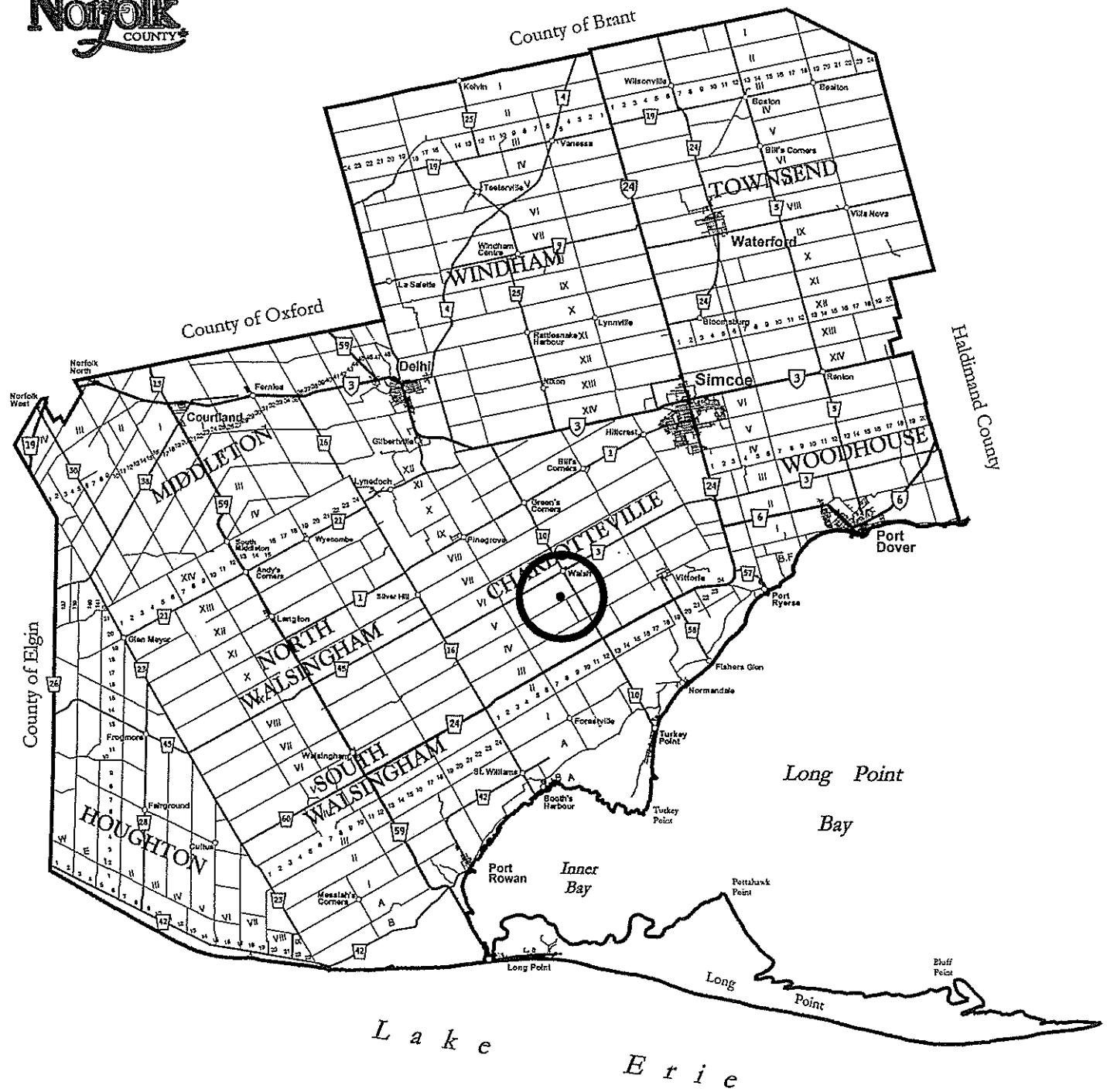
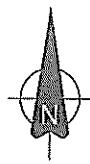
<u>TYPE OF LIVESTOCK</u>	<u>EXISTING CAPACITY</u> (of barn)	<u>PROPOSED CAPACITY</u> (of barn)
<b>POULTRY</b>		
-laying hens		
-breeders		
-pullets		
-chicken broilers		
-turkey broilers		
-turkey hens		
-turkey toms		
-roasters		
<b>SWINE</b>		
-sows		
-boars		
-weanlings		
-feeders		
<b>BEEF</b>		
-cows		
-calves		
-feeders		
(400-750 lb)		
(400-1100lb)		
(750-1100lb)		
<b>DAIRY</b>		
-cows		
-heifers		
-calves		
<b>MINK - females</b>		
<b>HORSES</b>	<u>3</u>	<u>3</u>
<b>SHEEP - rams</b>		

MANURE STORAGE

DRY	Open pile	<input checked="" type="checkbox"/>
	Covered pile	<input type="checkbox"/>
SEMI SOLID	Open pile	<input type="checkbox"/>
	Storage with buck walls	<input type="checkbox"/>
LIQUID	Covered tank	<input type="checkbox"/>
	Above ground uncovered tank	<input type="checkbox"/>
	Below ground uncovered tank	<input type="checkbox"/>
	Open earth sided pit	<input type="checkbox"/>

# MAP 1

File Number: BN-002/2007  
Geographic Township of CHARLOTTETVILLE



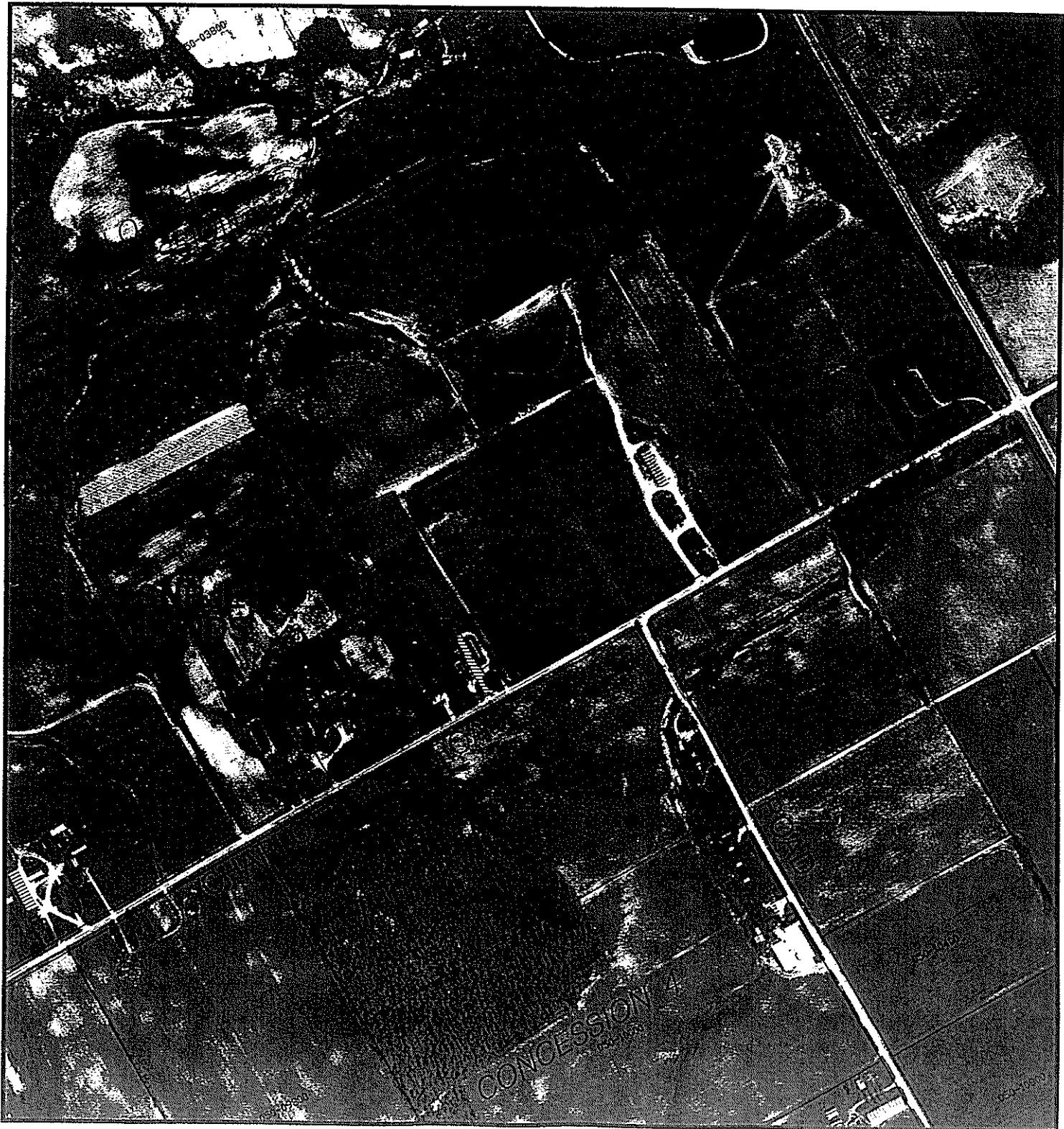
# MAP 2

File Number: BN-002/2007  
Geographic Township of CHARLOTEVILLE



50 0 50 100 150 200 METERS

1 : 7500

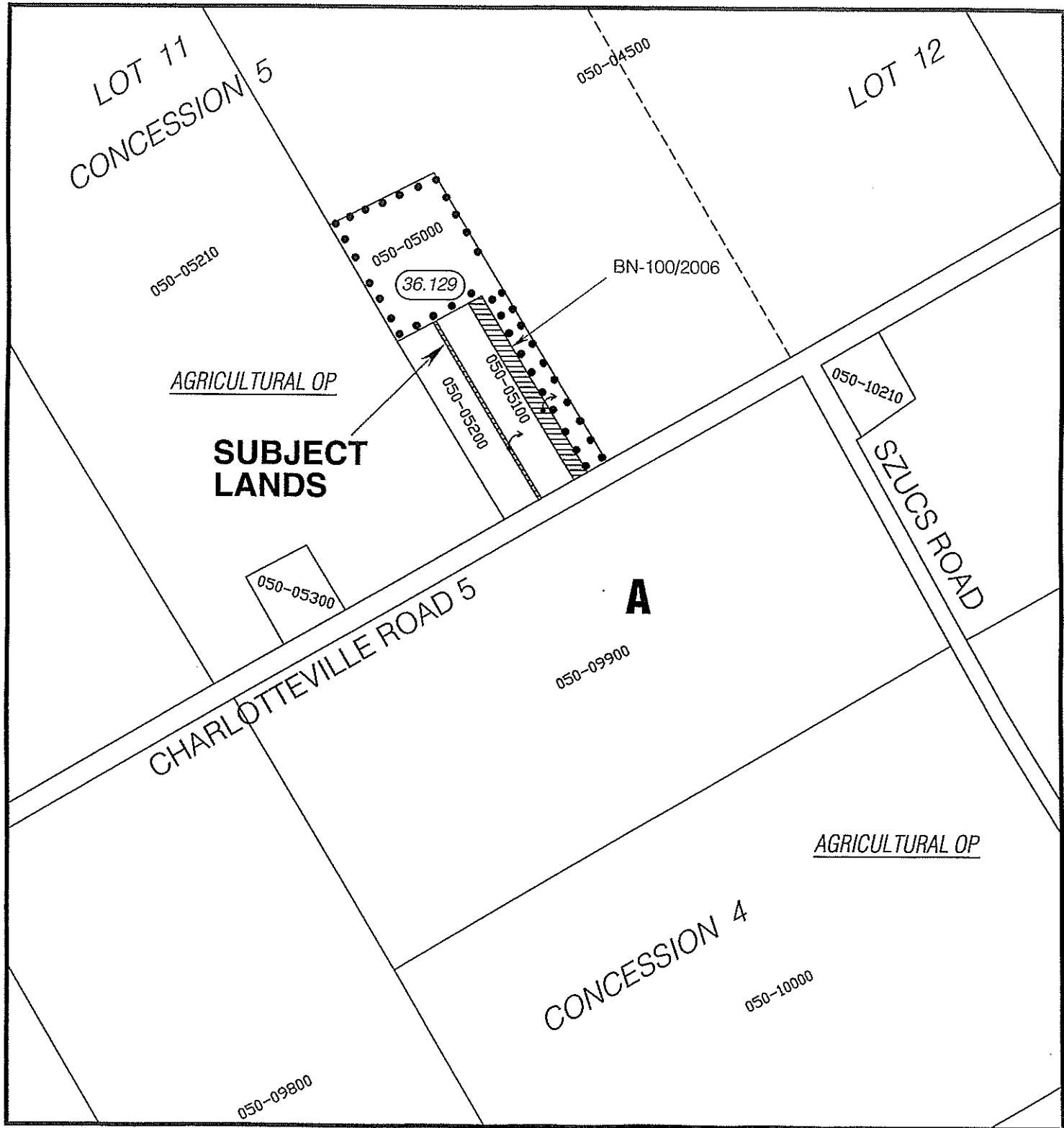


# MAP 3

File Number: BN-002/2007  
Geographic Township of CHARLOTTETTEVILLE

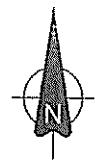


50 0 50 100 METERS  
1:5000



# MAP 4

File Number: BN-002/2007  
Geographic Township of CHARLOTTEVILLE



20 0 10 20 30 40 METERS  
1 : 2000

