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:

FEBRUARY 6th, 2008

FILE NO.: BN-005/2008 **ASSESSMENT ROLL NO.:** 3310-336-030-65200

APPLICANT:
Henry & Mary Jane Frystak, 69 Robinson Road, Waterford, ON N0E 1Y0

AGENT:
Peter Hexamer, 22 Robinson Road, Waterford, ON N0E 1Y0

LOCATION:
Part Lot 5, Concession 7 (TWN)
(69 Robinson Road)

PROPOSAL:
Sever a parcel having a frontage of 36.39 m. (119.39 ft.) a depth of 49 m. (160.76 ft.) and having an area of approximately 0.16 ha. (0.44 ac.) and retain a parcel having an area of 29.37 ha. (73 ac.) more or less as the creation of a lot in the urban area..

- ☒ Building Department
- ☒ 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.
- ☒ GIS Section
- ☐ Norfolk Power
- ☐ Ministry of Transportation
- ☐ Railway
- ☐ Conservation Authority

CIRCULATION DATE: January 23rd, 2008

PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:

Lucy Hives, MCIP, RPP
Norfolk County, 22 Albert Street, Langton, ON N0E 1G0
(519) 875-4485 ext 1837
FAX: (519) 875-4789 EMAIL: lucy.hives@norfolkcounty.ca

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: Karen Judd Secretary-Treasurer, P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0 • Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789; Email: karen.judd@norfolkcounty.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.

CONSENT / SEVERANCE

Office Use

File Number: BN-005/2008
Related File: 2N-032/2007
Fees Submitted: Nov. 30/2007
Application Submitted: Nov. 30/2007
Sign Issued: Dec 3/2007
Complete Application: Dec 3/2007 mg

This development 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.

Property assessment roll number: 3310- 336-030-652-00

- [x] Creation of a new lot
- [ ] Boundary adjustment
- [ ] Easement/right-of-way
- [ ] Other (lease / charge)

A. APPLICANT INFORMATION

Name of Applicant [1] HENRY & MARY JANE FRYSTAK Phone # (519) 443-7448
Address 69 ROBINSON Road Fax #
Town / Postal Code WATERFORD N0E 1Y0 E-mail

[1] If the applicant is a numbered company provide the name of a principal of the company.

Name of Agent PETER HEXAMER Phone # (519) 443-8475
Address 22 ROBINSON RD Fax #
Town / Postal Code WATERFORD N0E 1Y0 E-mail

Name of Owner [2] HENRY & MARY JANE FRYSTAK Phone # (519) 443-7448
Address 69 ROBINSON ROAD Fax #
Town / Postal Code WATERFORD N0E 1Y0 E-mail

[2] 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.

Please specify to whom all communications should be sent [3]: ☐ Applicant ☒ Agent ☐ Owner

[3] Unless otherwise directed, all correspondence, notices, etc., in respect of this development application will be forwarded to the Applicant noted above, except where an Agent is employed, then such will be forwarded to the Applicant and Agent.

Names and addresses of any holders of any mortgagees, charges or other encumbrances on the subject lands:
T.D. CANADA TRUST
NORFOLK ST. SIMCOE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	TOWNSEND	Urban Area or Hamlet	WATERFORD
Concession Number	7	Lot Number(s)	pt LOT 5
Registered Plan Number	37R 5807	Lot(s) or Block Number(s)	PART 4
Reference Plan Number	RP 37R661	Part Number(s)	
Frontage (metres/feet)	36.39m (119.39')	Depth (metres/feet)	49m (160.76')
Width (metres/feet)	36.39m (119.39')	Lot area (m² / ft² or hectares/acres)	(72.75 Ac) APPROX 75 acres 29.2 ha
Municipal Civic Address	69 ROBINSON ROAD		

For questions regarding requirements for a municipal civic address please contact NorfolkGIS@norfolkcounty.on.ca.

To obtain your municipal civic address for the severed lands please contact your local building inspector.

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

☐ Yes ☒ No

If yes, describe the easement or covenant and its effect:

C. PURPOSE OF DEVELOPMENT APPLICATION

Please explain what you propose to do on the subject lands/premises which makes this development application necessary (if additional space is required, please attach a separate sheet):

TO CREATE 3 NEW LOTS ON ROBINSON ROAD & TO PROVIDE FOR 3 BOUNDARY ADJUSTMENTS TO 3 EXISTING RESIDENTIAL LOTS

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

N/A.

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

N/A.

If the application involves the severance of a surplus farmhouse (through farm amalgamation), please list all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:

Owners Name and Address (including those with part interest) **Assessment Roll No.** (obtained from your tax bill)	**Geographic Township Concession and Lot #**	**Total Acreage** (individual property)	**Acres Workable** (individual property)	**Existing Farm Type** (individual property e.g. corn production, orchard, tobacco)	**Dwelling Present**	**Year Dwelling Built**
SUBJECT LANDS						
					☐ Yes ☐ No	
OTHER						
					☐ Yes ☐ No	
					☐ Yes ☐ No	
					☐ Yes ☐ No	
					☐ Yes ☐ No	
					☐ Yes ☐ No	

N/A

If the application proposes to divide a farm into two smaller agricultural parcels, please complete the following:

Description of Land	**Lands to be Severed**	**Lands to be Retained**
Area under cultivation	(m² / ft² or hectares/acres)	(m² / ft² or hectares/acres)
Woodlot area	(m² / ft² or hectares/acres)	(m² / ft² or hectares/acres)
Existing crops grown (type and area)		
Proposed crops grown (type and area)		

N/A

Description of Existing Buildings	**Lands to be Severed**	**Lands to be Retained**
Residence	☐ Yes ☐ No	☐ Yes ☐ No
Livestock barn	☐ Yes ☐ No	☐ Yes ☐ No
Type of livestock		
Capacity of barn		
Manure storage	☐ Yes ☐ No	☐ Yes ☐ No
Type of manure storage		

CONSENT / SEVERANCE

Description of land intended to be **SEVERED**:

Frontage (metres/feet): 36.39 M (119.39') — Depth (metres/feet): 49 m (160.76')

Width (metres/feet): 36.39 m (119.39') — Lot area (m² / ft² or hectares/acres): 1783.11 m² (19193.56 sq ft) * .44 Acres

Existing use: AGRICULTURAL

Proposed use: R1 RESIDENTIAL

Number and type of buildings and structures existing on the land to be severed, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

NONE

Number and type of buildings and structures proposed on the land to be severed, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

NONE

Description of land intended to be **RETAINED**:

Frontage (metres/feet): — Depth (metres/feet): —

Width (metres/feet): — Lot area (m² / ft² or hectares/acres): APPROX 73 acres

Existing use: AGRICULTURAL

Proposed use: AGRICULTURAL

Number and type of buildings and structures existing on the land to be retained, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

EXISTING FARM & ACCESSORY BUILDINGS

Number and type of buildings and structures proposed on the land to be retained, please describe in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

NONE

Description of proposed **RIGHT OF WAY/EASEMENT:**

Frontage (metres/feet) _____ Depth (metres/feet) _____

Width (metres/feet) N/A Lot area (m² / ft²) _____

Proposed use:

_____

D. PROPERTY INFORMATION

Present official plan designation(s): URBAN RESIDENTIAL

Present zoning: R1

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

☐ Yes ☒ No ☐ Unknown

If yes, indicate the file number and the status/decision:

_____

Has any land been severed from the parcel originally acquired by the owner of the subject lands?

☐ Yes ☐ No ☒ Unknown

If yes, indicate the file number and the status/decision:

_____

Number of separate parcels that have been created:

_____

Date(s) these parcels were created:

_____

Name of the transferee for each parcel:

_____

Uses of the severed lands:

_____

If this application proposes to sever a dwelling made surplus through farm amalgamation, when were the farm properties amalgamated? N/A

Date of construction of the dwelling proposed to be severed: N/A

Date of purchase of subject lands: N/A .

E. PREVIOUS USE OF THE PROPERTY

Has there been an industrial or commercial use on the subject lands or adjacent lands?

☐ Yes ☒ No ☐ Unknown

If yes, specify the uses:

Has the grading of the subject lands been changed through excavation or the addition of earth or other material?

☐ Yes ☒ No ☐ Unknown

Has a gas station been located on the subject lands or adjacent lands at any time?

☐ Yes ☒ No ☐ Unknown

Has there been petroleum or other fuel stored on the subject lands or adjacent lands at any time?

☐ Yes ☒ No ☐ Unknown

Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites?

☐ Yes ☒ No ☐ Unknown

Provide the information you used to determine the answers to the above questions:
OWNER INFORMATION

If you answered yes to any of the above questions, 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 N/A

F. STATUS OF OTHER PLANNING DEVELOPMENT APPLICATIONS

Has the subject land or land within 120 metres of it been or is now the subject of an application under the *Planning Act, R.S.O. 1990, c. P. 13* for:

(a) a minor variance or a consent;
(b) an amendment to an official plan, a zoning by-law or a Minister's zoning order; or
(c) approval of a plan of subdivision or a site plan?

☒ Yes ☐ No ☐ Unknown

If yes, indicate the following information about **each application:**

File number: ZN-032-2007

Land it affects: PART 3 OF SUBJECT LANDS

Purpose: CHANGE AGRICULTURAL TO R1

Status/decision: APPROVED

Effect on the requested amendment: PERMITS RESIDENTIAL DEVELOPMENT

If additional space is required, please attach a separate sheet.

Is the above information for other planning developments applications attached?

☒ Yes ☐ No

G. PROVINCIAL POLICY

Is the requested application 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:

Are the subject lands within an area of land designated under any provincial plan or plans?

☐ Yes ☒ No

If yes, does the requested application conform to or does not conflict with the provincial plan or plans:

Are any of the following uses or features on the subject lands or within 500 metres (1,640 feet) of the subject lands, unless otherwise specified? Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Lands	Within 500 Metres (1,640 feet) of Subject Lands (Indicate Distance)
Livestock facility or stockyard (if yes, complete Form 3 – available upon request)	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Wooded area	☐ Yes ☒ No	☒ Yes ☐ No 150 m distance
Municipal landfill	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Sewage treatment plant or waste stabilization plant	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature	☐ Yes ☒ No	☒ Yes ☐ No 300 m distance
Floodplain	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Rehabilitated mine site	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Non-operating mine site within one kilometre	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Active mine site within one kilometre	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Industrial or commercial use (specify the use(s))	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Active railway line	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Seasonal wetness of lands	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Erosion	☐ Yes ☒ No	☐ Yes ☒ No ____ distance
Abandoned gas wells	☐ Yes ☒ No	☐ Yes ☒ No ____ distance

H. SERVICING AND ACCESS

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
- ☐ Other (describe below)

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

If other, describe:

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

☐ Yes ☒ No

Has the existing drainage on the subject lands been altered?

☐ Yes ☒ No

Does a legal and adequate outlet for storm drainage exist?

☐ Yes ☐ No ☒ Unknown

Existing or proposed access to the **retained** lands:

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

If other, describe:

Name of road/street: ROBINSON ROAD

Existing or proposed access to **severed** lands:

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

If other, describe:

Name of road/street: ROBINSON ROAD

I. OTHER INFORMATION

Is there a time limit that affects the processing of this development application?

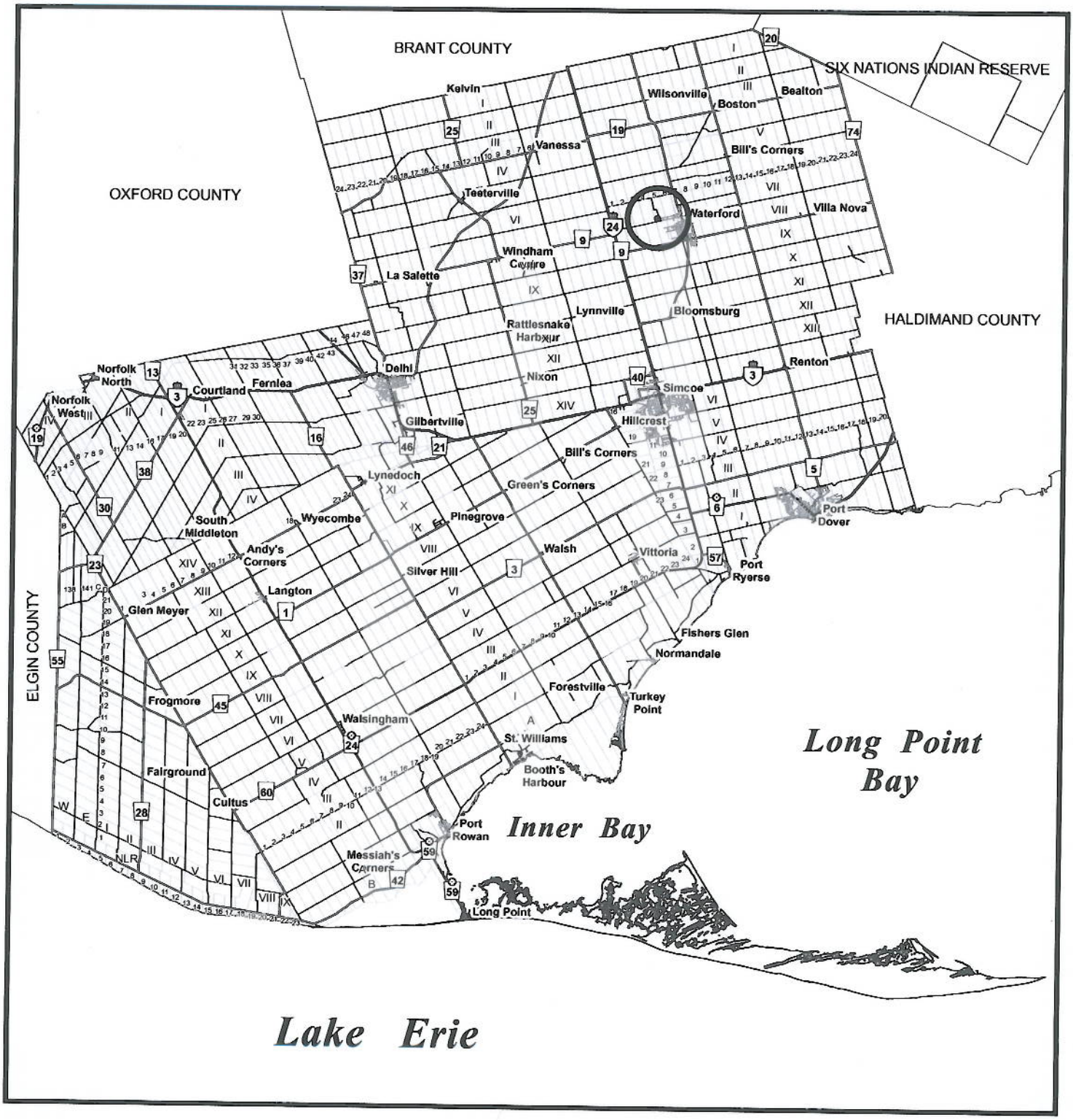
☐ Yes ☒ No

If yes, describe:

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

PLEASE SEE BY-LAW 522-2007

MAP 1
File Number: BN-005/2008
Geographic Township of TOWNSEND



MAP 2

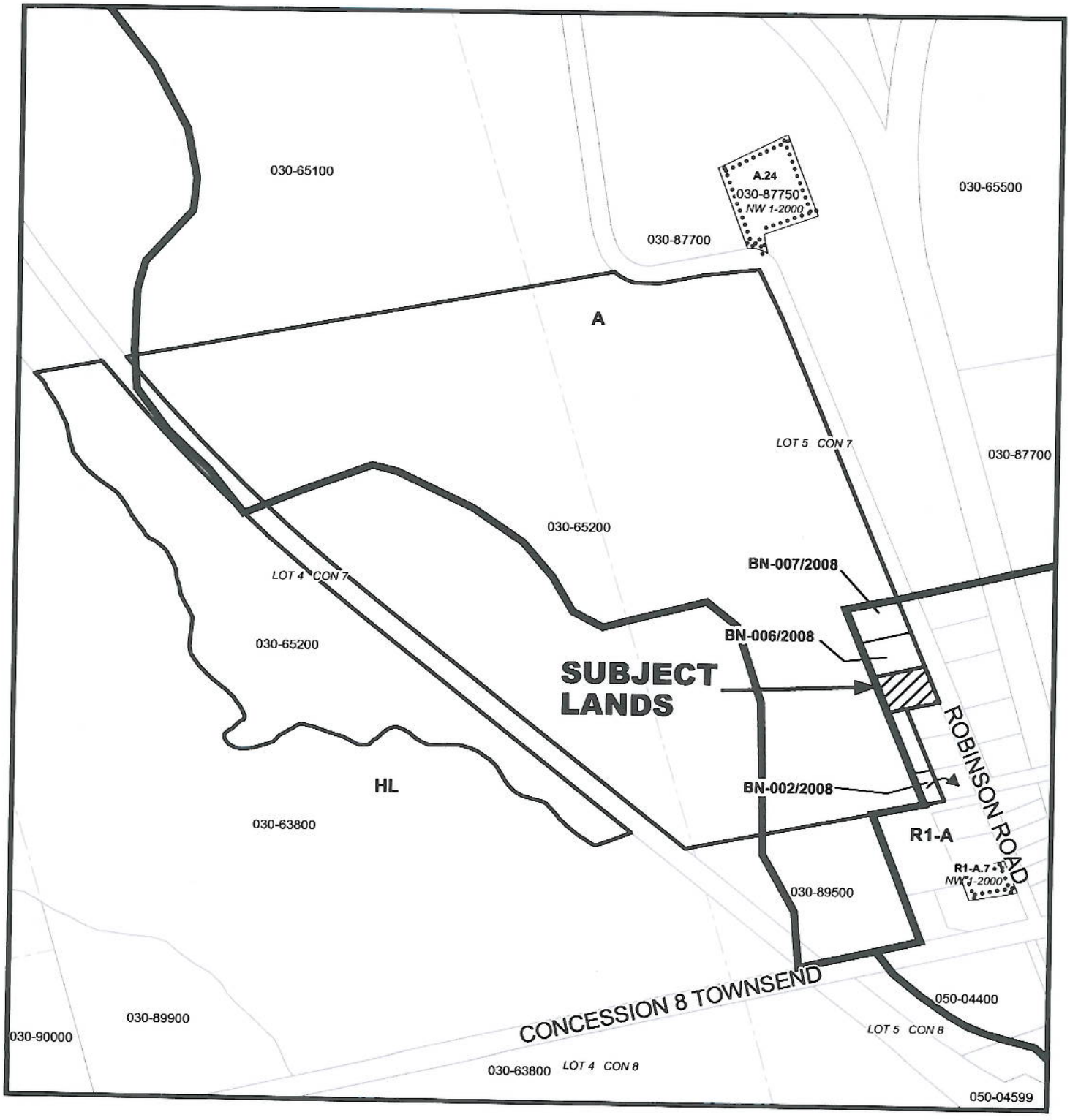
File Number: BN-005/2008

Geographic Township of TOWNSEND

N
W E
S

30 15 0 30 60 90 120 Meters

1:5,000



MAP 3

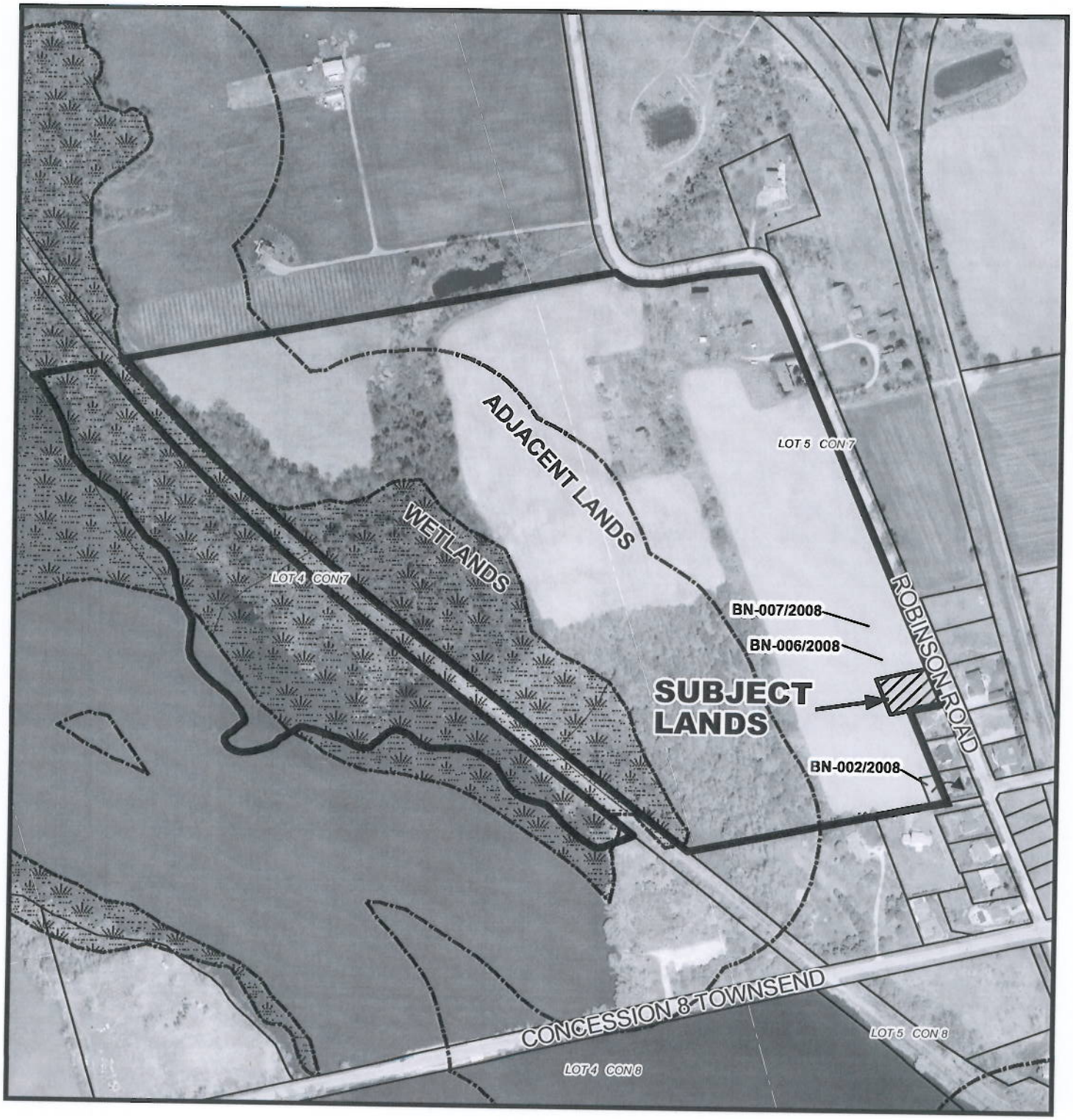
File Number: BN-005/2008

Geographic Township of TOWNSEND

N
W E
S

30 15 0 30 60 90 120 Meters

1:5,000



MAP 4

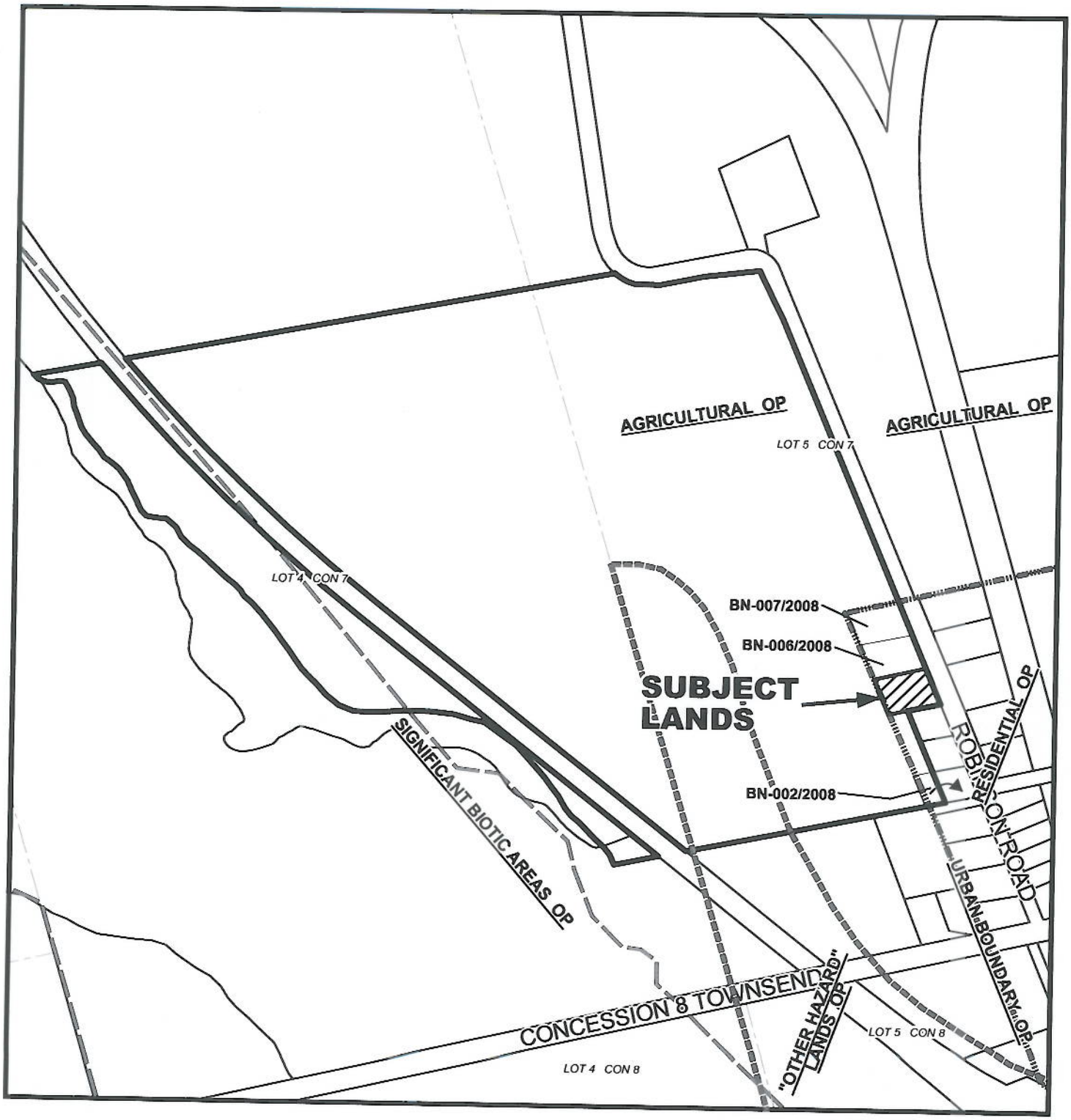
File Number: BN-005/2008

Geographic Township of TOWNSEND

N
W E
S

40 20 0 40 80 120 160 Meters

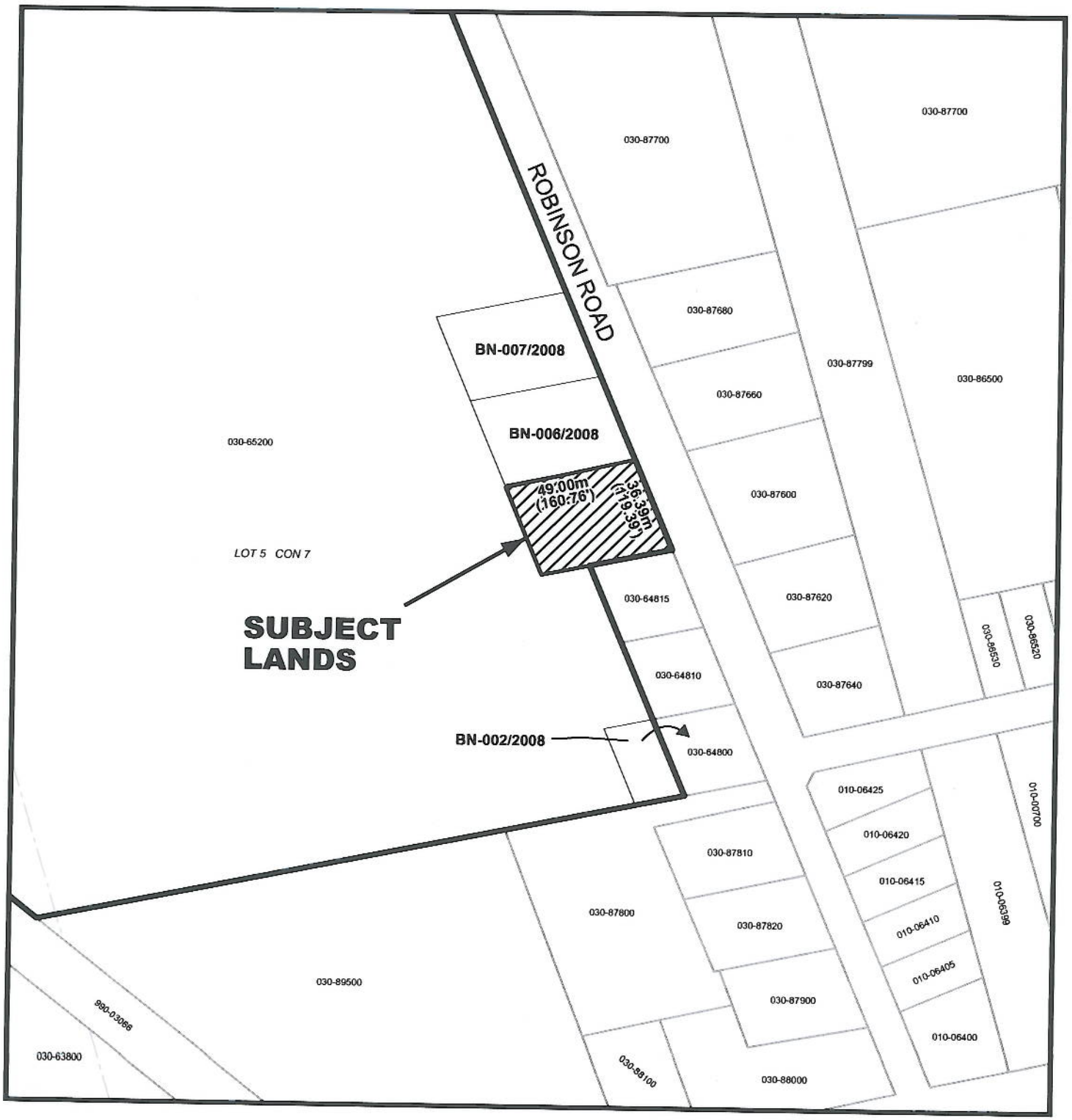
1:5,000



MAP 5

File Number: BN-005/2008

Geographic Township of TOWNSEND

N
W E
S
10 5 0 10 20 30 40 Meters

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