



COMMENT REQUEST FORM

FILE NO.: BN-009/2010

ROLL NO.: 3310-541-010-14210

- | | |
|--|---|
| <input checked="" type="checkbox"/> Building Department | <input checked="" type="checkbox"/> GIS Section |
| <input checked="" type="checkbox"/> Building Inspector (Sewage System Review) | <input type="checkbox"/> Norfolk Power |
| <input checked="" type="checkbox"/> Forestry Division | <input type="checkbox"/> Ministry of Transportation |
| <input checked="" type="checkbox"/> Treasury Department | <input type="checkbox"/> Railway |
| <input checked="" type="checkbox"/> Public Works ➤ NOTE: If an agreement is required please attach the clauses you require in the agreement. | <input type="checkbox"/> Conservation Authority |
| | <input checked="" type="checkbox"/> Oxford County |

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 requires your comments by:**

FEBRUARY 1ST, 2010

APPLICANT:

Eric A. VanMoerkerke, R.R. #7 Tillsonburg, ON N4G 4H1

AGENT:

Lisa C. Gilvesy, Jenkins & Gilvesy, 107 Broadway Street, Box 280 Tillsonburg, ON N4G 4H5

LOCATION:

Part Lot 6, Concession 4 MID (430 Plank Road)

PROPOSAL:

Sever a parcel having a frontage of 19.81 m. (65 ft.) a depth of 102.11 m. (335 ft.) and having an area of 0.2 ha. (0.50 ac.) and retain a parcel having an area of 0.2 ha. (0.5 ac.) as a boundary adjustment.

PLEASE REPLY BY EMAIL DIRECTLY TO:

SCOTT PECK, SENIOR PLANNER, MCIP, RPP

Norfolk County, 22 Albert Street, Langton, ON N0E 1G0
(519) 875-4485 ext 1234

EMAIL: t.scott.peck@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, ACST, Secretary-Treasurer
P.O. Box 128, 22 Albert Street, Langton ON N0E 1G0
Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789
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.

CIRCULATION DATE: January 18th, 2010

CONSENT / SEVERANCE

Case No:

File Number:

BN-069/2010

Related File:

Fees Submitted:

\$ Dec 18, 2009

Application Submitted:

Dec 22, 2009

Sign Issued:

Jan 5, 2010

Complete Application:

Jan 5, 2010

EG

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: 3310-541 010 14210 0000

- Creation of a new lot
- Surplus Dwelling
- Farm Split
- Other (lease / charge)
- Boundary adjustment
- Easement
- Right-of-way

A. APPLICANT INFORMATION

Name of Applicant ¹ Eric A. VanMoerkerke Phone # 519-877-2355
 Address RR#7 Fax # _____
 Town / Postal Code Tillsonburg, ON N4G 4H1 E-mail _____

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

AGENT INFORMATION

Name of Agent Lisa C. Gilvesy (Jenkins & Gilvesy) Phone # 519-842-9017
 Address (107 Broadway St) Box 280 Fax # 519-842-3394
 Town / Postal Code Tillsonburg, ON N4G 4H5 E-mail lisa@jenkins-gilvesy.com

OWNER(S) INFORMATION Please indicate name(s) exactly as shown on the Transfer/Deed of Land

Name of Owners ² See attached page 1A Phone # _____
 Address _____ Fax # _____
 Town / Postal Code _____ 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:
none



SECTION A. OWNER(S) INFORMATION

Parcel to be severed:

Name of Owner: Carol Ann Van Moerkerke
Address: R. R. #7 Tillsonburg, Ontario N4G 4H1
Phone: 519-877-2355
Fax:
E-mail:

Parcel to be added to:

Name of Owner: Eric Achiel Van Moerkerke
Address: R. R. #7 Tillsonburg, Ontario N4G 4H1
Phone: 519-877-2355
Fax:
E-mail:

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>See attached page 2A</u>	Urban Area or Hamlet	_____
Concession Number	_____	Lot Number(s)	_____
Registered Plan Number	_____	Lot(s) or Block Number(s)	_____
Reference Plan Number	_____	Part Number(s)	_____
Frontage (metres/feet)	_____	Depth (metres/feet)	_____
Width (metres/feet)	_____	Lot area (m ² / ft ² or hectares/acres)	_____
Municipal Civic Address	_____		

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

Right of Way over PART 6 on 37R-8345 and over PART 2 on 37R-7869 as in #300740 (in favour of Union Gas)

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 divide an existing vacant hamlet residential lot into two separate parcels; severed lot to be added to the adjoining lot to the north, retained lot to be added to the adjoining lot to the south.

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

Eric Achiel VanMoerkerke

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

Roll # 32 10 541 010 14215

Property Owner: Eric Achiel VanMoerkerke

SECTION B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Parcel to be severed (owned by Carol Ann Van Moerkerke):

Geographic Township	Middleton
Urban Area or Hamlet	--
Concession Number	4 NTR
Lot Number	Part Lot 6
Registered Plan Number	--
Lot or Block Number	--
Reference Plan Number	37R-7869 and 37R-8345
Part Number	PARTS 1 & 2, 37R-7869 and PART 7, 37R-8345
Frontage (metres/feet)	65.00 feet
Depth (metres/feet)	335.00 feet
Width (metres/feet)	65.00 feet
Lot area (m ² /ft ² or hectares/acres)	21,775 ft ²
Municipal Civic Address	430 Plank Road (formerly Hwy 19)

Parcel to be added to (owned by Eric Achiel Van Moerkerke):

Geographic Township	Middleton
Urban Area or Hamlet	--
Concession Number	4 NTR
Lot Number	Part Lot 6
Registered Plan Number	--
Lot or Block Number	--
Reference Plan Number	37R-8345
Part Number	PARTS 5 and 6
Frontage (metres/feet)	130.00 feet
Depth (metres/feet)	335.00 feet
Width (metres/feet)	130.00 feet
Lot area (m ² /ft ² or hectares/acres)	43,550 feet (1 acre)
Municipal Civic Address	Not assigned Plank Road (formerly Hwy 19)

CONSENT / SEVERANCE

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 <small>(including those with part interest)</small> Assessment Roll No. <small>(obtained from your tax bill)</small>	Geographic Township Concession and Lot #	Total Acreage <small>(individual property)</small>	Acres Workable <small>(individual property)</small>	Existing Farm Type <small>(individual property e.g. corn production, orchard, tobacco)</small>	Dwelling Present	Year Dwelling Built
SUBJECT LANDS					<input type="checkbox"/> Yes <input type="checkbox"/> No	
OTHER					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	
					<input type="checkbox"/> Yes <input type="checkbox"/> No	

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

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

Description of Existing Buildings	Lands to be Severed	Lands to be Retained
Residence	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Livestock barn	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of livestock		
Capacity of barn		
Manure storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Type of manure storage		

CONSENT / SEVERANCE

Description of land intended to be SEVERED:

Frontage (metres/feet)	65.0 feet (19.81m)	Depth (metres/feet)	335.0 feet (102.11m)
Width (metres/feet)	65.0 feet	Lot area (m ² / ft ² or hectares/acres)	21,775 square feet (0.50ac) (0.2 ha)
		PROPOSED FINAL LOT SIZE (if boundary adjustment)	65,325 square feet (1.50ac) (0.61ha)

Existing use: vacant hamlet residential building lot

Proposed use: hamlet residential single family dwelling

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: Single family dwelling in accordance with requirements of zoning by-law.

Description of land intended to be RETAINED:

Frontage (metres/feet)	65. feet (19.81m)	Depth (metres/feet)	335.0 feet (102.11m)
Width (metres/feet)	65.0 feet	Lot area (m ² / ft ² or hectares/acres)	21,775 square feet (0.50ac) (0.20ha)

Existing use: vacant hamlet residential building lot

Proposed use: same

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: none

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 at present

Description of proposed RIGHT OF WAY/EASEMENT: N/A

Frontage (metres/feet)	_____	Depth (metres/feet)	_____
Width (metres/feet)	_____	Lot area (m ² / ft ²)	_____

Proposed use: _____



D. PROPERTY INFORMATION

Present official plan designation(s): Hamlet of Norfolk West

Present zoning: Hamlet Residential

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: B-9/00 to B-13/00-approved

Number of separate parcels that have been created: 5

Date(s) these parcels were created: September 2001

Name of the transferee for each parcel: see attached page 5A

Uses of the severed lands: Hamlet residential buildings lots

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: October 10, 1996 (by instrument No. 519911)

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?



SECTION D. PROPERTY INFORMATION

PARTS 1 & 2, 37R-7869	Carol Ann Van Moerkerke	B-?/97-98
PARTS 1 & 2, 37R-8345	Eric Achiel Van Moerkerke	B-10/00
PARTS 3 & 4, 37R-8345	Carol Ann Van Moerkerke	B-11/00
PARTS 5 & 6, 37R-8345	Eric Achiel Van Moerkerke	B-12/00
PART 7, 37R-8345	Carol Ann Van Moerkerke	B-13/00
PARTS 8, 9 & 10, 37R-8345	Eric Achiel Van Moerkerke	B-9/00

CONSENT / SEVERANCE

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:

Title search and self inspection

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

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**: If additional space is required, attach a separate sheet.

File number: _____

Land it affects: _____

Purpose: _____

Status/decision: _____

Effect on the requested amendment: _____

Is the above information for other planning developments applications attached? Yes No

CONSENT / SEVERANCE

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)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Wooded area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No ___ distance
Municipal landfill	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Sewage treatment plant or waste stabilization plant	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Floodplain	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Rehabilitated mine site	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Non-operating mine site within one kilometre	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Active mine site within one kilometre	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Industrial or commercial use (specify the use(s))	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Active railway line	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Seasonal wetness of lands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Erosion	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance
Abandoned gas wells	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No ___ distance

H. SERVICING AND ACCESS

WATER SUPPLY

SEVERED

RETAINED

Municipal piped water

Communal Wells

Individual Wells

Other means (describe) _____



CONSENT / SEVERANCE

SEWAGE TREATMENT

SEVERED

RETAINED

Municipal Sewers	<input type="checkbox"/>	<input type="checkbox"/>
Communal System	<input type="checkbox"/>	<input type="checkbox"/>
Septic tank and file bed	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other means (describe) _____		

STORM DRAINAGE

SEVERED

RETAINED

Storm Sewers	<input type="checkbox"/>	<input type="checkbox"/>
Open ditches	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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:

- | | |
|--|---|
| <input type="checkbox"/> Unopened road | <input type="checkbox"/> Provincial highway |
| <input checked="" type="checkbox"/> Municipal road maintained all year | <input type="checkbox"/> Right-of-way |
| <input type="checkbox"/> Municipal road maintained seasonally | <input type="checkbox"/> Other (describe below) |

If other, describe: _____

Name of road/street: Plank Rd (formerly Hwy 19)

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

- | | |
|--|---|
| <input type="checkbox"/> Unopened road | <input type="checkbox"/> Provincial highway |
| <input checked="" type="checkbox"/> Municipal road maintained all year | <input type="checkbox"/> Right-of-way |
| <input type="checkbox"/> Municipal road maintained seasonally | <input type="checkbox"/> Other (describe below) |

If other, describe: _____

Name of road/street: Plank Rd (formerly Hwy 19)

I. OTHER INFORMATION

Is there a time limit that affects the processing of this development application? Yes No
If yes, describe: Agreement of Purchase and Sale is conditional on results of application.

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.

Parcel to be retained to be conveyed to identical ownership of lot to immediate south (PARTS 8 & 10 Reference Plan 37R-8345)

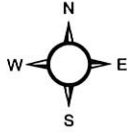


MAP 1

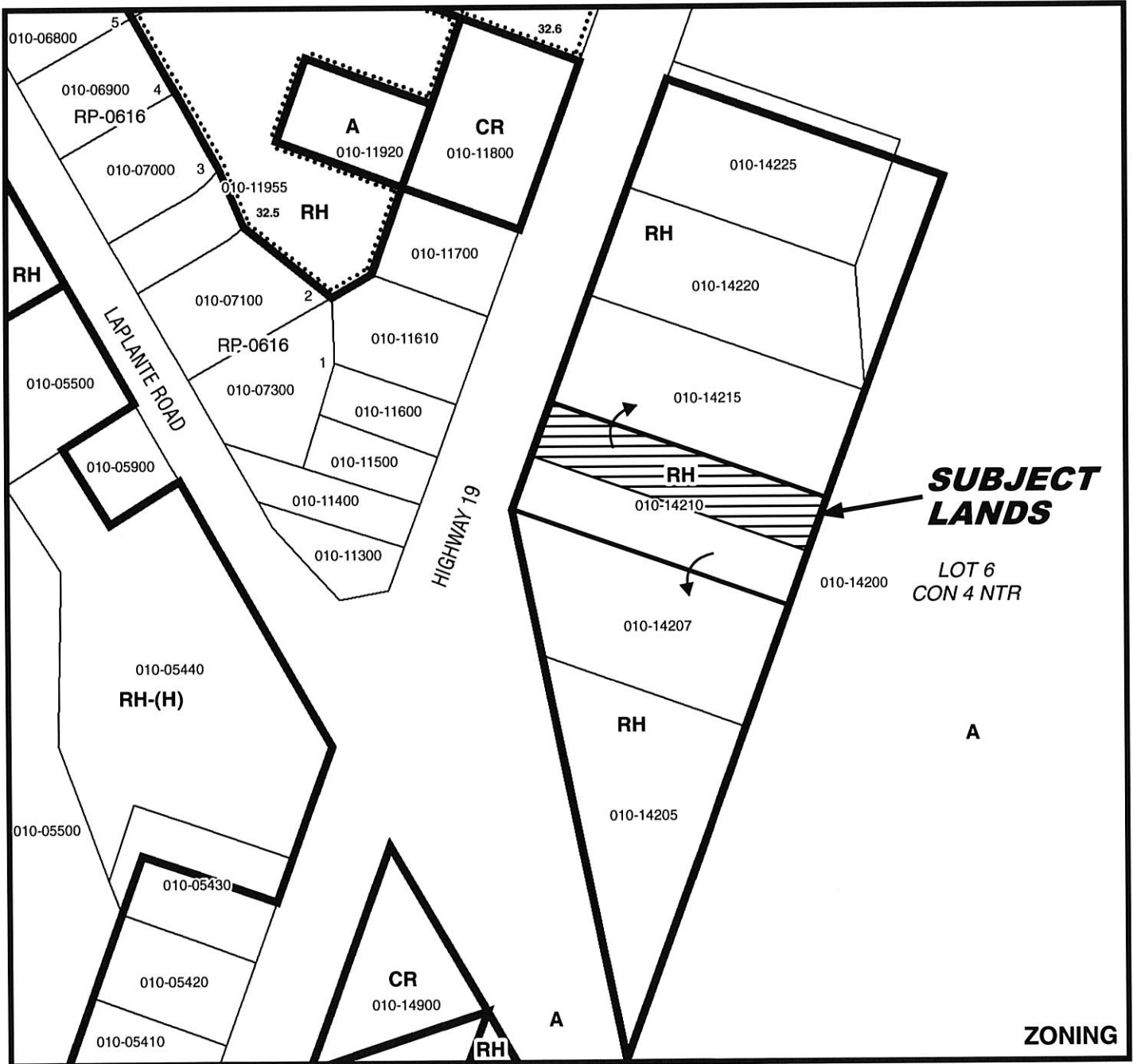
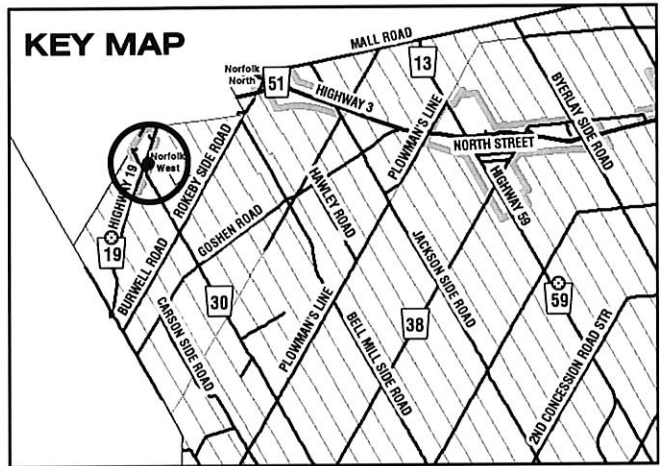
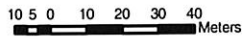
File Number: BN-009/2010

Geographic Township of

MIDDLETON



1:2,000

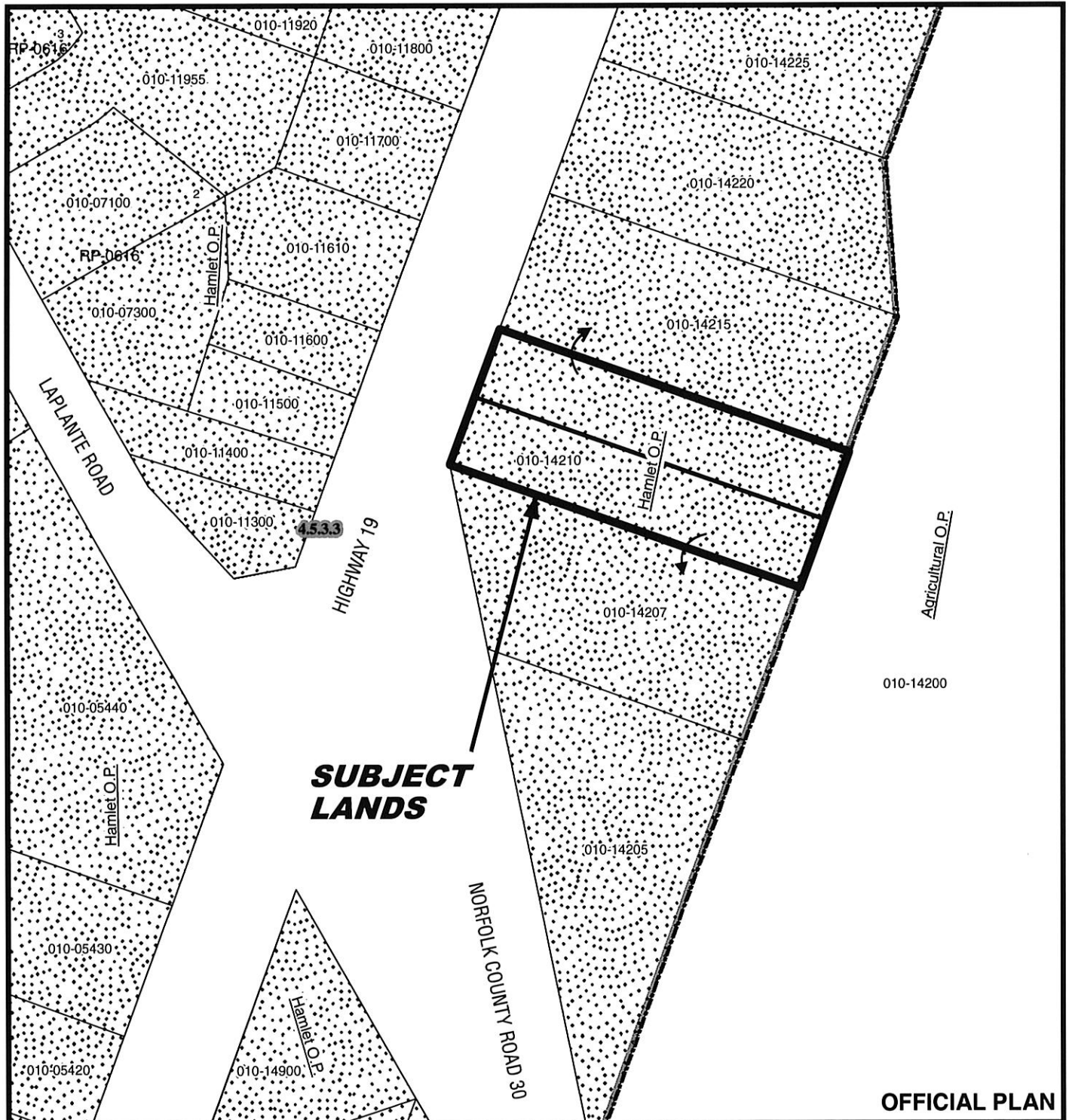
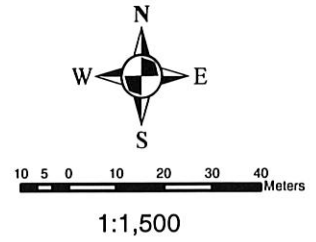


ZONING

MAP 2

File Number: BN-009/2010

Geographic Township of MIDDLETON



MAP 3

File Number: BN-009/2010

Geographic Township of MIDDLETON

