



**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 7TH, 2007

FILE NO.: BN-012/2007

ASSESSMENT ROLL NO.: 3310-491-017-12000

APPLICANT:

Morrison Brothers Farms Ltd., 1393 Windham Road 10, RR #1, Windham Centre, ON N0E 2A0

AGENT:

R. C. Dixon, O.L.S., 51 Park Road, Simcoe, ON N3Y 4J9

LOCATION:

Lot 3, Concession 9 WDM (1657 Windham Road 10)

PROPOSAL:

Sever a parcel having a frontage of 10.6 m (35 ft) a depth of 339.8 m (1115 ft) and having an area of 0.6 ha (1.483 ac) and retain a parcel having an approximate area of 53 ha (131 ac) more or less to sever a surplus dwelling from the farm. As well as the creation of an easement/right-of-way having an approximate frontage of 21.34 m (70 ft) a depth of 10.67 m (35 ft) and having an approximate area of 0.36 ha (0.89 ac).

- 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: January 24th, 2007

PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:

Lucy Hives

Norfolk County, 60 Colborne Street, South, Simcoe, ON N3Y 4N5

(519) 426-5870 ext 1234

FAX: (519) 428-3069 EMAIL: lucy.hives@norfolkcounty.on.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: 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

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- 491-017-12000-0000
(to be provided by applicant/agent)

Office Use

File No. BN-012/2007
Date Submitted January 15, 2007
Date Received Jan. 15/07
Sign Issued January 15, 2007



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 *Note in Cityview under name: Legacy Farms Ltd. JW

1. Name of Owner Morrison Brothers Farms Ltd Phone No. 426-1565
Address 1593 Windham Road 10 Fax No. 426-8588
RR. Windham Centre, On Postal Code N0E 2A0
E-mail dmorrison@kuvic.com

2. Agent (if any) R. C. Dixon, O.L.S. Phone No. 426-0842
Address 51 Park Road Fax No. 426-1034
Simcoe, On Postal Code N3Y 4J9
E-mail surveys@amtelecom.net

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 Windham
 Urban Area or Hamlet _____
 Concession Number 9 Lot Number 3
 Registered Plan Number _____ Lot(s)/Block(s) _____
 Reference Plan Number _____ Part Number(s) _____
 Civic Address RR 1 Windham Centre (1657 Windham Road 10)

C. PURPOSE OF APPLICATION

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

Transfer: <input checked="" type="checkbox"/> Creation of a new lot	Other: <input type="checkbox"/> a charge
<input type="checkbox"/> Boundary Adjustment	<input type="checkbox"/> a lease
<input checked="" type="checkbox"/> an easement/right-of-way	<input type="checkbox"/> 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):

 -

3. If a boundary adjustment, identify the Assessment Roll No. and property owner of the lands to which the parcel will be added. n/a
 Roll No.: 33-10- Name: _____

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: 10.6 m.
35' ft.

Depth: 339.8 m.
1115' ft.

Width: _____ m.
35' and 200' ft.

Area: 6 ha.
1.483 ± ac

Existing use res. - agriculture

Proposed Use: res. - agriculture

Number and type of buildings and structures existing on the land to be severed:

2 storey dwelling (house) frame garage

Number and type of buildings and structures proposed on the land to be severed:

no change

Description of Easement

Frontage: ± 70'
Width: 35'
Depth: 1115'

Area: ± .89ac

* Refer to attached note for explanation

2. Description of land intended to be RETAINED: see attached map

Frontage: 822.9 m.
2700 ± ft.

Depth: 670.56 m.
2200 ft.

Width: _____ m.
_____ ft.

Area: 53 ha
131 ± ac.

Existing use Agriculture

Proposed Use: Agriculture

Number and type of buildings and structures existing on the land to be retained:

6 kilns, 2 greenhouses, 1 barn, 2 sheds bulk kilns.

Number and type of buildings and structures proposed on the land to be retained:

no change

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

Unopened Road Municipal Road Provincial Highway

Other (Specify)

Name of Road/Street Windham Road 10

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

Unopened Road Municipal Road Provincial Highway

Other (Specify)

Name of Road/Street Windham Road 10

5. Servicing:

Indicate what services are available or proposed:

Water Supply

Piped Water
Individual Wells
Other (describe)

Sewage Treatment

Sewers
Communal System
Septic Tank & Tile Bed
Other (describe)

Storm Drainage*

Storm Sewers
Open Ditches
Other (describe)

* 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: Agriculture

2. What is the existing Zoning of the subject lands: Agriculture
(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))	—	—
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 **BN-167/2005**

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

How many separate parcels have been created? 1

Date(s) these parcels were created: 2005

The name of the transferee for each parcel: Dean Morrison

What uses were the parcels severed for? Farm Split

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: pre 1950

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.

6. How many years has the owner farmed? 20 +

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.

FORM 1

RESIDENTIAL LOT IN RURAL/AGRICULTURAL AREA - INFORMATION FORM

File No.: BN Lot Size Created: 1.483 ac Assessment Roll No.: 491-017-12000-0000

Applicant: Horison Brothers Farms Ltd
(Last name) _____ (First Name)

This form must be completed as part of the Application for Consent for each application involving a residential lot in a rural/agricultural area. If not completed, your application may be denied.

1. RESIDENTIAL LOT TYPE as different policies apply to different lot types, it is important that the nature of the application be specified. The following listing reflects the types of residential lots which fall within the severance criteria for the rural/agricultural area. Planning staff assistance is available.

Please check one only:

- One lot from a farm holding (Office code 1) Surplus farm house (through farm amalgamation (Office code 3) Infilling Lot (Office code 4)
 - Existing second dwelling from a non-viable rural property (Office code 6) Dwelling separated from an existing commercial or industrial use in the rural area (Office code 8)
2. If the lot type is a "one lot from a farm holding", a "surplus farm house", or an "infilling lot", please list all properties in Norfolk County which are owned and rented by the applicant and which are involved in the farm operation. Roll numbers are required and they can be obtained from your tax bill.

Assessment Roll No. (Obtained from your tax bill)	Lot	Conc.	Twp..	Total acreage (Individ. property)	Acres Workable (Individ. property)	Owner's Name and Address (including those with part interest)	Tenure (rented/owned)	Existing farm type (individ. property e.g. corn production, orchard, tobacco)	Existing building(s) (e.g. farm house, barn, kilns)
491-022-12000-0	8	11	Wind.	25 ac.		Horison Brothers Farms Ltd	owned	tobacco - MJE	2 greenhouses 2 barns 12 kilns
491-017-14000-0000	4	9	Wind.	95 ac.		Farms Ltd	-	11	barn, 10 kilns, 2000 lb kilns
491-017-12000-0000	3	9	Wind	37 ac.		(1/10 Dean Horison)	-	11	10 built farms 3 barns 2 greenhouses 2000 lb kiln
491-018-31000-000	8	10	Wind	98.31 ac.			-	11	

* Note: If you are including a RENTED property as part of this farm holding, the attached Authorization form must be completed by the property owner.
 P. J. Dixon
 HOUSE 2300
 7 to
 10000000

Morrison Brothers Farms Ltd
Windham Concession 9 Lot 3

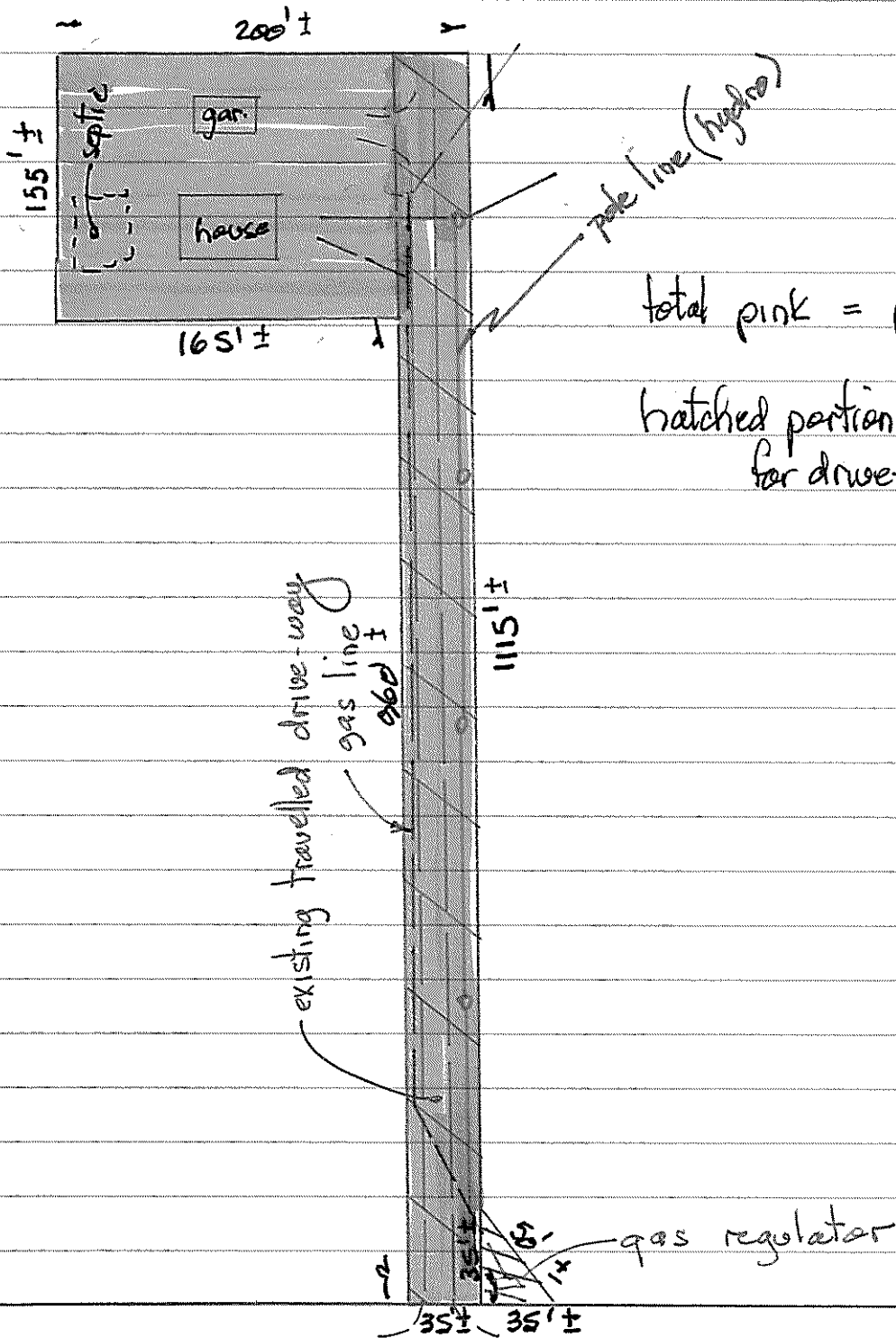
This application for severance would include a house and garage as well as the driveway.

It is intended that a right-of-way/easement be created to allow for ingress/egress along the drive-way which also has a gas service and hydro pole line, both of which service the house as well as farm buildings.

This easement would be reserved by the farm owner for as long as needed.

The 35' x 35' Δ portion at the road is to be a portion of the easement as the line runs from the gas regulator generally as shown.

Lot 3 Concession 9 Windham
Morrison Brothers Farms Ltd.



total pink = proposed sewerance

hatched portion = R-O-W/easement
for driveway, gas + hydro.

existing travelled driveway
gas line

gas regulator

Windham
Lot 3 Con. IX
Morrison Bros.

Approx. Position
of septic bed
165'

115' ±
96' ±

This will include
driveway, hydro pole line
and gas line - easement ~~needed~~
(Note widths may vary
once buried lines are
actually located)

35' ± Proposed
Easement

WINDHAM ROAD 10

Note - size of this easement
may vary once actual
location is determined

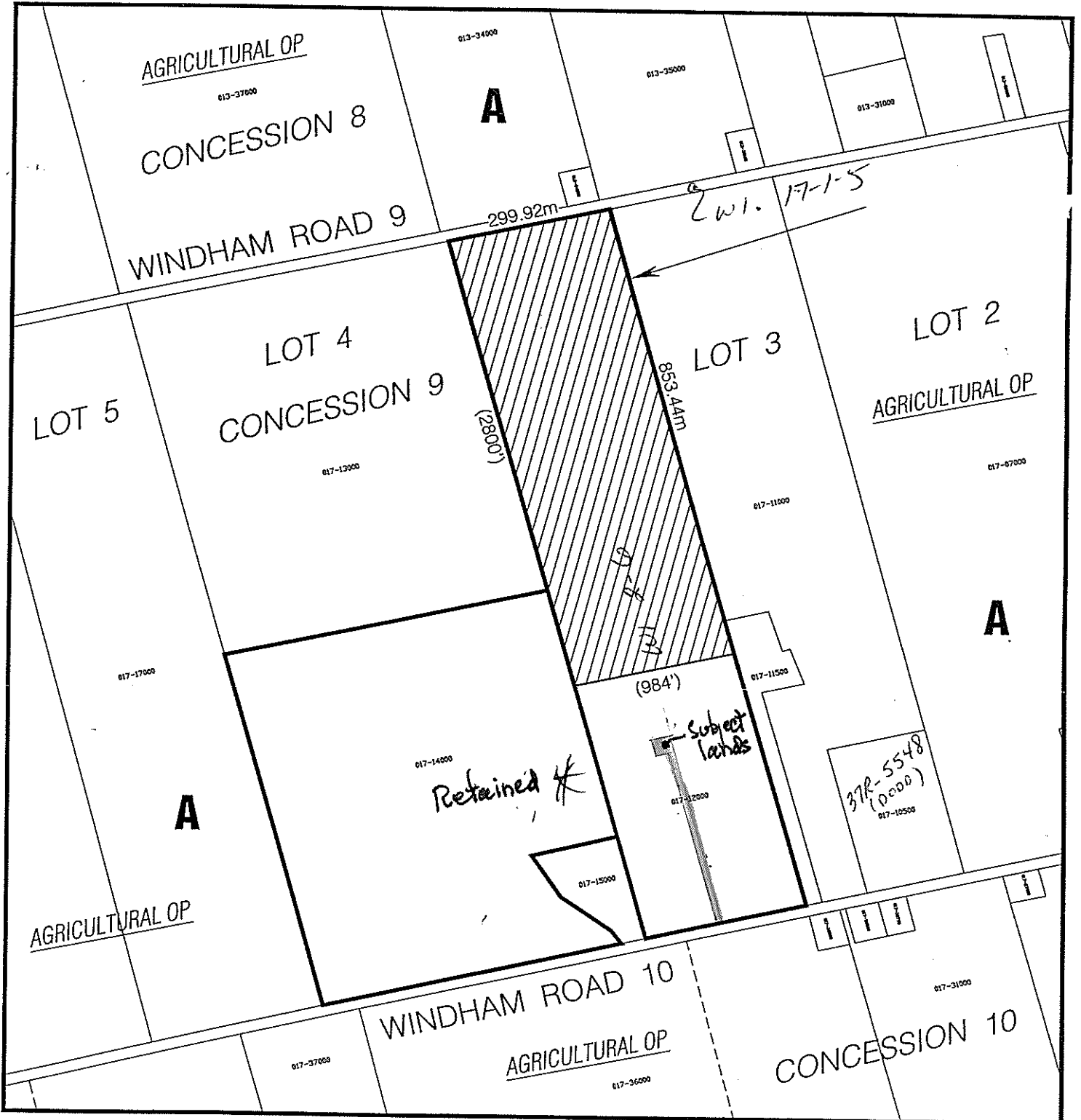
LOCATION OF LANDS AFFECTED

File Number: BN-167/2005
Geographic Township of WINDHAM



100 50 0 100 200 METERS

1 : 10000

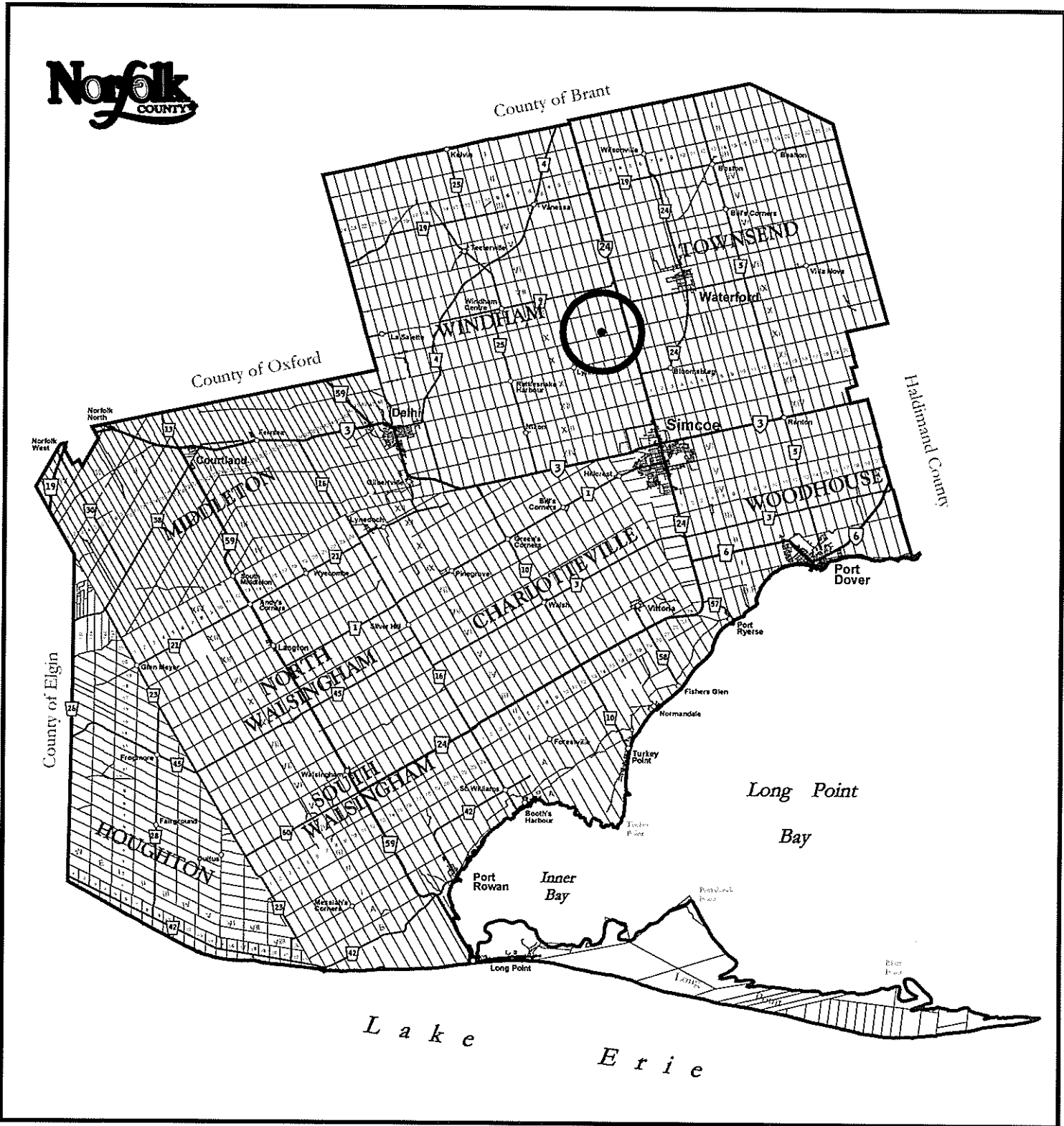


W1. 2-6

* Rick Dixon to confirm the parcels have merged -

MAP 1

File Number: BN-012/2007
Geographic Township of WINDHAM

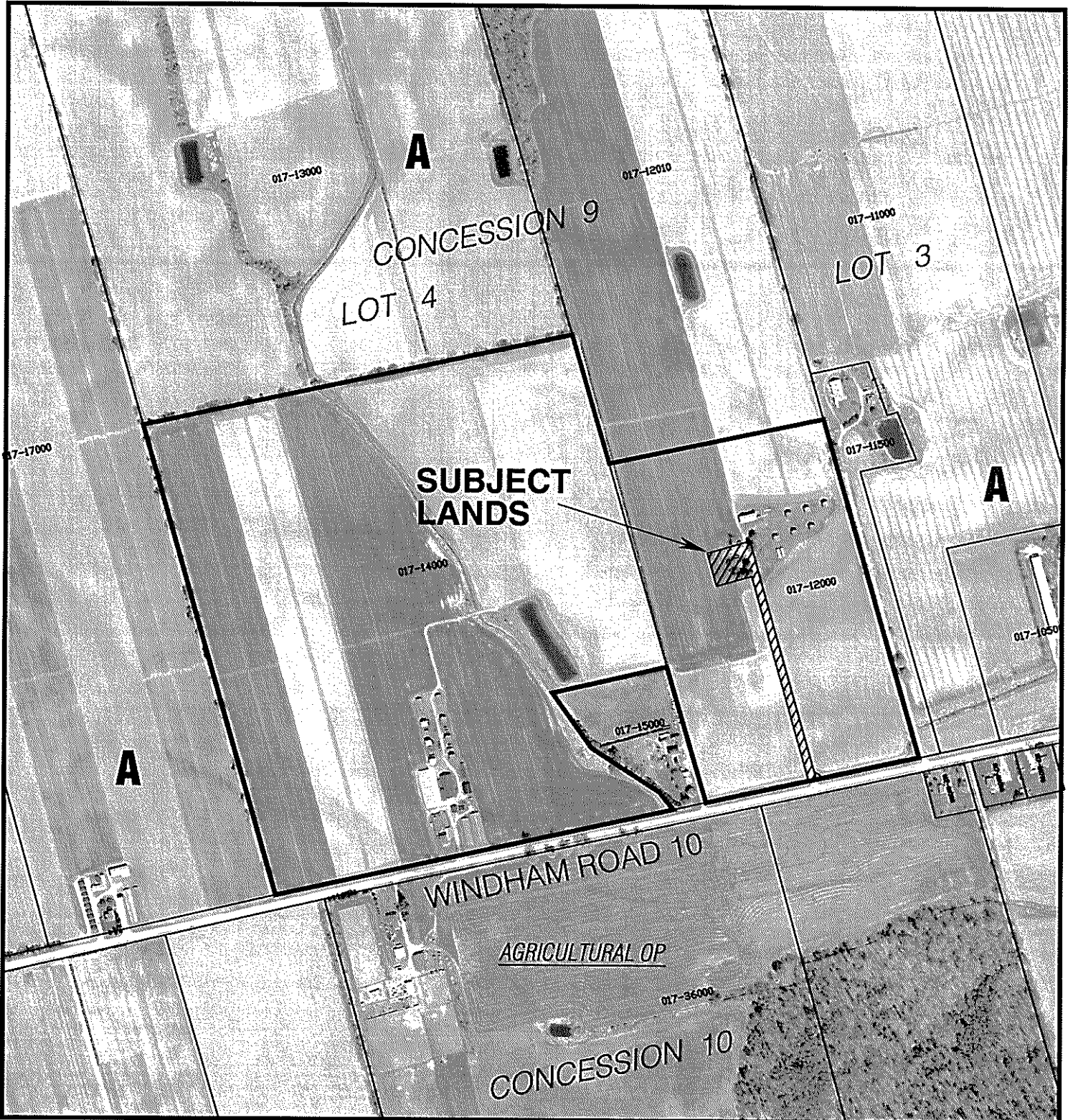


MAP 2

File Number: BN-012/2007
Geographic Township of WINDHAM



50 0 50 100 150 200 METERS
1 : 7500



MAP 3

File Number: BN-012/2007
Geographic Township of WINDHAM

