



COMMENT REQUEST FORM

FILE NO.: BN-015/2010

ROLL NO.: 3310-541-040-02600

- 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
- 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:

Susan Magalas, President
Windham Poultry Limited, 1078 Windham Road 10, R.R. #1 Windham Center, ON N0E 2A0

AGENT:

Richard Van Severen
Brimage, Tyrrell, Van Severen & Homeniuk, LLP, PO Box 188, 21 Norfolk St. N. Simcoe, ON N3Y 4L1

LOCATION:

Lot 41, Concession 2 NTR MID (904 NTR Schafer Road)

PROPOSAL:

Sever a parcel having a frontage of 68.58 m. (225 ft.) a depth of 47.85 m. (157 ft.) and having an area of 0.32 ha (0.8 ac.) and retain a parcel having an area of 43.71 ha (108 ac.) as the severance of a dwelling made surplus through farm amalgamation together with an easement to access and maintain well and waterline having a frontage of 30.48 m. (100 ft.) a depth of 6.1 m. (20 ft.) and having an area of 185.8 sq.m. (2000 sq.ft.)

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

Office Use:

File Number: BN- 15/2010
Related File: Jan 7/00
Fees Submitted: "
Application Submitted: "
Sign Issued: "
Complete Application: "

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- 541040026000000

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

A. APPLICANT INFORMATION

Name of Applicant: SUSAN MAGALAS, PRESIDENT OF WINDHAM POULTRY LIMITED
Address: 1078 WINDHAM ROAD 10 RR#1 WINDHAM CENTRE
Town / Postal Code: ONT. NOE 2A0
Phone #: 519 443 4217
Fax #: 519 443 7690
E-mail: lakeshorelady@hotmail.com

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

AGENT INFORMATION

Name of Agent: RICHARD VAN SEVEREN
Address: 21 NORFOLK ST. N.
Town / Postal Code: SIMCOE, ONT. N3Y4L1
Phone #: 519 426 5840
Fax #: 519 426 5572
E-mail: rvanseveren@BRIMAGE.COM

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

Name of Owners: WINDHAM POULTRY LIMITED
Address: 1078 WINDHAM ROAD RR#1 WINDHAM CENTRE
Town / Postal Code: ONT. NOE 2A0
Phone #: 519 443 7690

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: [X] Applicant [X] Agent [X] 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 mortgages, charges or other encumbrances on the subject lands: THE TORONTO DOMINION BANK.

* DEED # 459728 SHOWS OWNER AS R+T RIGOLE FARMS LTD. BUT R+T RIGOLE FARMS LTD. AMALGAMATED WITH WINDHAM POULTRY FARMS LIMITED TO BECOME WINDHAM POULTRY LIMITED - REGISTRATION # NK 30447



CONSENT / SEVERANCE

TOGETHER WITH AN EASEMENT FOR ACCESS TO WELL + MAINTENANCE OF WATER LINE (20' EASEMENT LN WIDTH X 100' LONG ±)

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township MIDDLETON Urban Area or Hamlet _____

Concession Number CON2 NTR Lot Number(s) 41

Registered Plan Number ✓ Lot(s) or Block Number(s) _____

Reference Plan Number ✓ Part Number(s) _____

Frontage (metres/feet) 225' ± Depth (metres/feet) 157' ±

Width (metres/feet) 221.5 average Lot area (m² / ft² or hectares/acres) 0.80 acres ±

Municipal Civic Address 904 NTR SCHAFER ROAD, RR#2 DELHI, ONT N4B2W5

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:

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):

SELL OFF ~~THE~~ DWELLING WHICH IS SURPLUS TO MY OVERALL FARM OPERATION

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

NO ONE AS OF YET

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

N/A

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 <input type="checkbox"/> Yes <input type="checkbox"/> No	Year Dwelling Built
SUBJECT LANDS						
WINDHAM POULTRY LIMITED 1078 WINDHAM ROAD 10 OTHER RR#1 WINDHAM CENTRE NO E 2A0	MIDDLETON L. 41, C. 2	109	78	BROILER BARN	<input type="checkbox"/> Yes <input type="checkbox"/> No	1970 ?
33 49101847500 0000	L. 11, C. 10	56	18	"	<input type="checkbox"/> Yes <input type="checkbox"/> No	1987
33 49101847300 0000		49	27	"	<input type="checkbox"/> Yes <input type="checkbox"/> No	
33 49161716500 0000	L. 3, C. 9	12	8	"	<input type="checkbox"/> Yes <input type="checkbox"/> No	
ALL RR#1 DELHI, ONT						

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

N/A

Description of Land	Lands to be Severed	Lands to be Retained
Area under cultivation	(m ² / ft ² or hectares/acres)	(m ² / ft ² or hectares/acres)
Woodlot area	(m ² / ft ² or hectares/acres)	(m ² / ft ² or hectares/acres)
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Livestock barn	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Type of livestock		POULTRY - BROILER BARN
Capacity of barn		23,000 sq. feet.
Manure storage	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Type of manure storage		COVERED - CEMENT PAD

CONSENT / SEVERANCE

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

Frontage (metres/feet)

225' (68.58m)

Depth (metres/feet)

157' (47.85m)

Width (metres/feet)

221.5'

Lot area (m² / ft² or hectares/acres)

80 acres ± (32ha)

PROPOSED FINAL LOT SIZE (if boundary adjustment)

Existing use:

RESIDENCE (SURPLUS)

Proposed use:

RESIDENCE

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:

RESIDENCE

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)

3700'

Depth (metres/feet)

1320'

Width (metres/feet)

1320'

Lot area (m² / ft² or hectares/acres)

108 acres ± (43.7ha)

Existing use:

BROILER BARN

Proposed use:

BROILER BARN

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:

1 BROILER BARN

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)

100' 30.48m

Depth (metres/feet)

(2000sf)

Width (metres/feet)

20' 6.1m

Lot area (m² / ft²)

185.8 sqm

Proposed use:

FOR ACCESS TO WELL + MAINTENANCE OF WATER LINE BUT APPLICAND INTENDS TO ARRANGE FOR A NEW WELL IF & WHEN THE DWELLING IS SOLD OFF



CONSENT / SEVERANCE

D. PROPERTY INFORMATION

Present official plan designation(s): AGRICULTURAL

Present zoning: AGRICULTURAL

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

PREVIOUS OWNERS SEVERED
OFF A RESIDENTIAL LOT
IN 1989

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: 1

Date(s) these parcels were created: 1989

Name of the transferee for each parcel: STIER, LOUISA THERESA

Uses of the severed lands: RESIDENCE

If this application proposes to sever a dwelling made surplus through farm amalgamation, when were the farm properties amalgamated? OCT 1, 2008

Date of construction of the dwelling proposed to be severed: 1970 ?

Date of purchase of subject lands: OCT 1, 2008

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?



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:

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)		
	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	___ distance
Livestock facility or stockyard (if yes, complete Form 3 – available upon request)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	___ distance
Wooded area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" 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

Municipal piped water

SEVERED

RETAINED

Communal Wells

Individual Wells

Other means (describe)

INTEND TO PUT A NEW WELL ON THE SEVERED LANDS IF + WHEN SOLD



CONSENT / SEVERANCE

SEWAGE TREATMENT

SEVERED

RETAINED

Municipal Sewers

Communal System

Septic tank and tile bed

Other means (describe) _____

STORM DRAINAGE

SEVERED

RETAINED

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 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

Provincial highway

Municipal road maintained all year

Right-of-way

Municipal road maintained seasonally

Other (describe below)

If other, describe: _____

Name of road/street: SCHAFFER SIDE ROAD

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

Unopened road

Provincial highway

Municipal road maintained all year

Right-of-way

Municipal road maintained seasonally

Other (describe below)

If other, describe: _____

Name of road/street: SCHAFFER SIDE ROAD

I. OTHER INFORMATION

Is there a time limit that affects the processing of this development application? Yes No

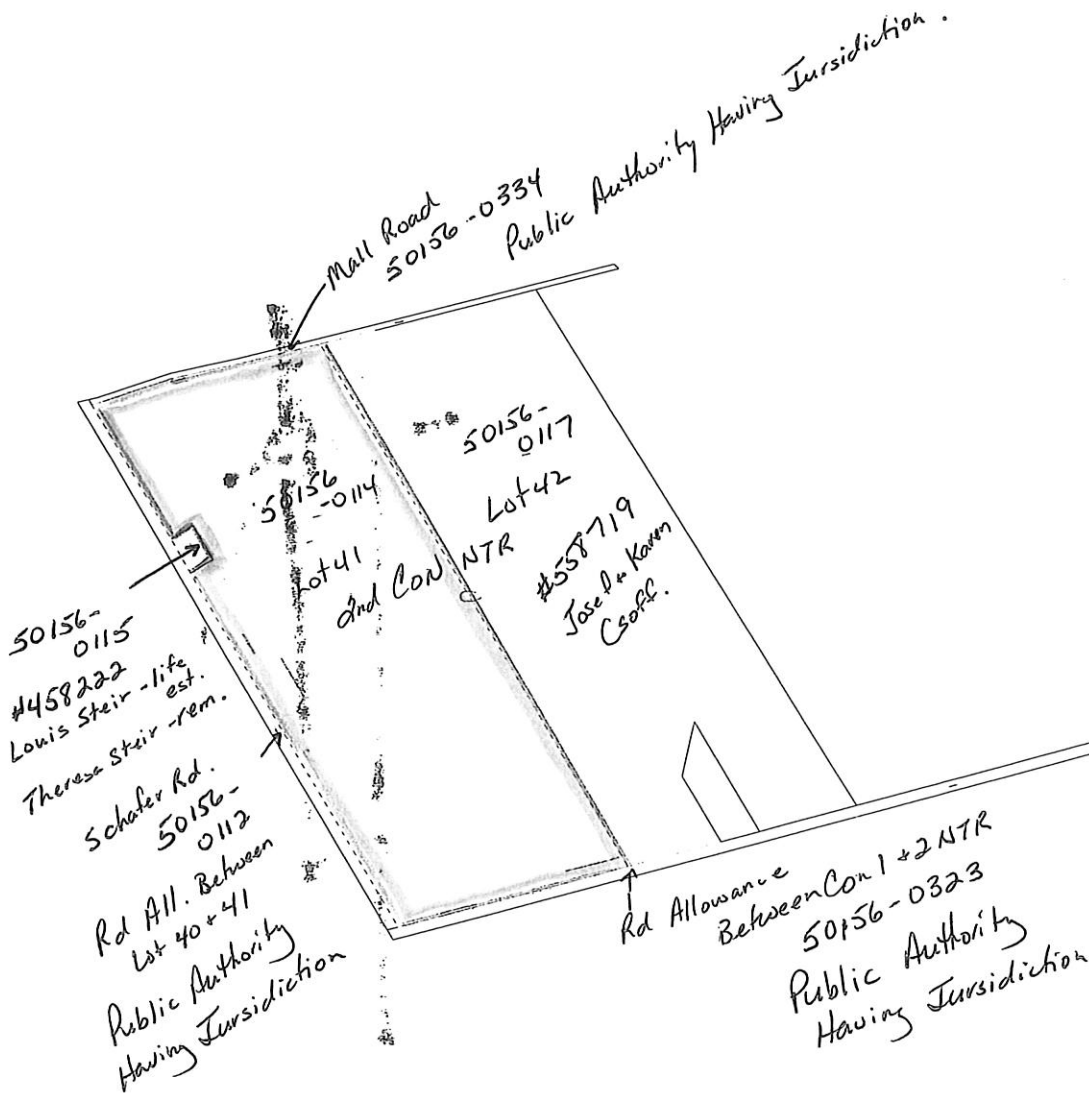
Yes

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.

SKETCH #1



0 109 218 327 436 545 654 metres



Jul 16, 2008

Protected by Copyright. May not be reproduced without permission. This map was compiled using plans and documents recorded in the Land Registry System and has been prepared for property indexing purposes only. This is not a Plan of Survey. For actual dimensions of property boundaries, see recorded plans and documents.

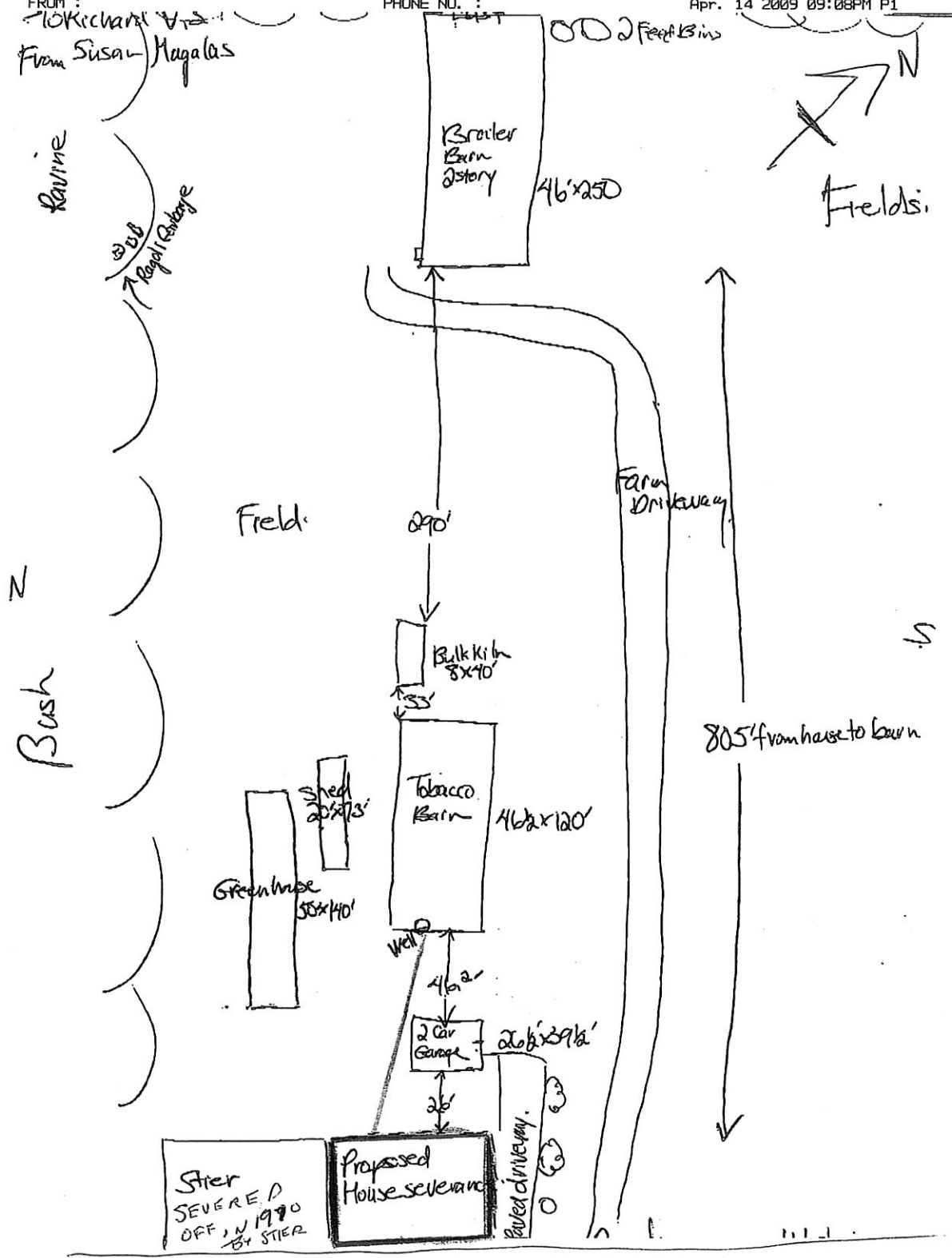
Teranet Customer Service Centre: 1-800-208-5263 (Toronto: 416-360-1190)

SKETCH #2

FROM :
LOKICHANI V...
From Susar Magalas

PHONE NO. :

Apr. 14 2009 09:08PM P1



SCHAFER ROAD

SKETCH #3

ROAD ALLOWANCE
CON'S 1 & 2 NTR
BETWEEN

ANGL'S
NTR

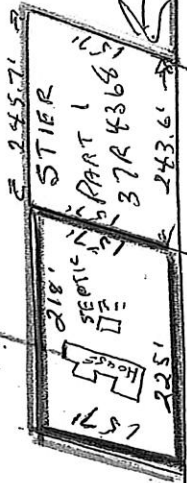
3700' ±

2526.8'

SCHAFFER ROAD



±100' ±20'

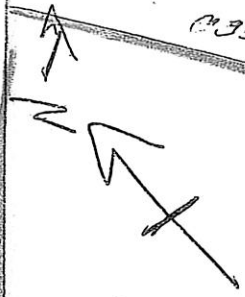


E 245.7'

E 243.6'

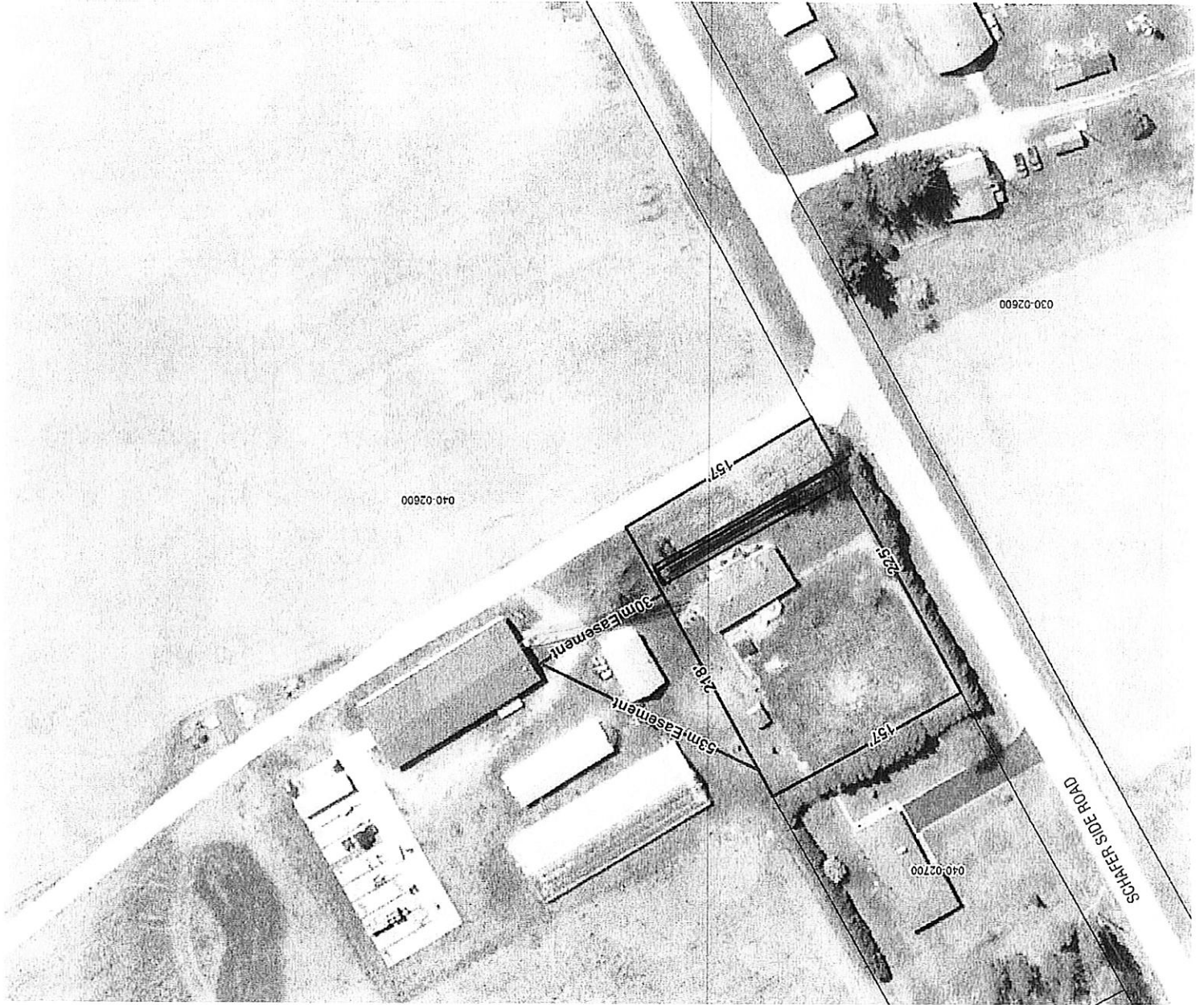


1320' ±



EASEMENT

DRIVEWAY

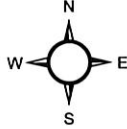


MAP 1

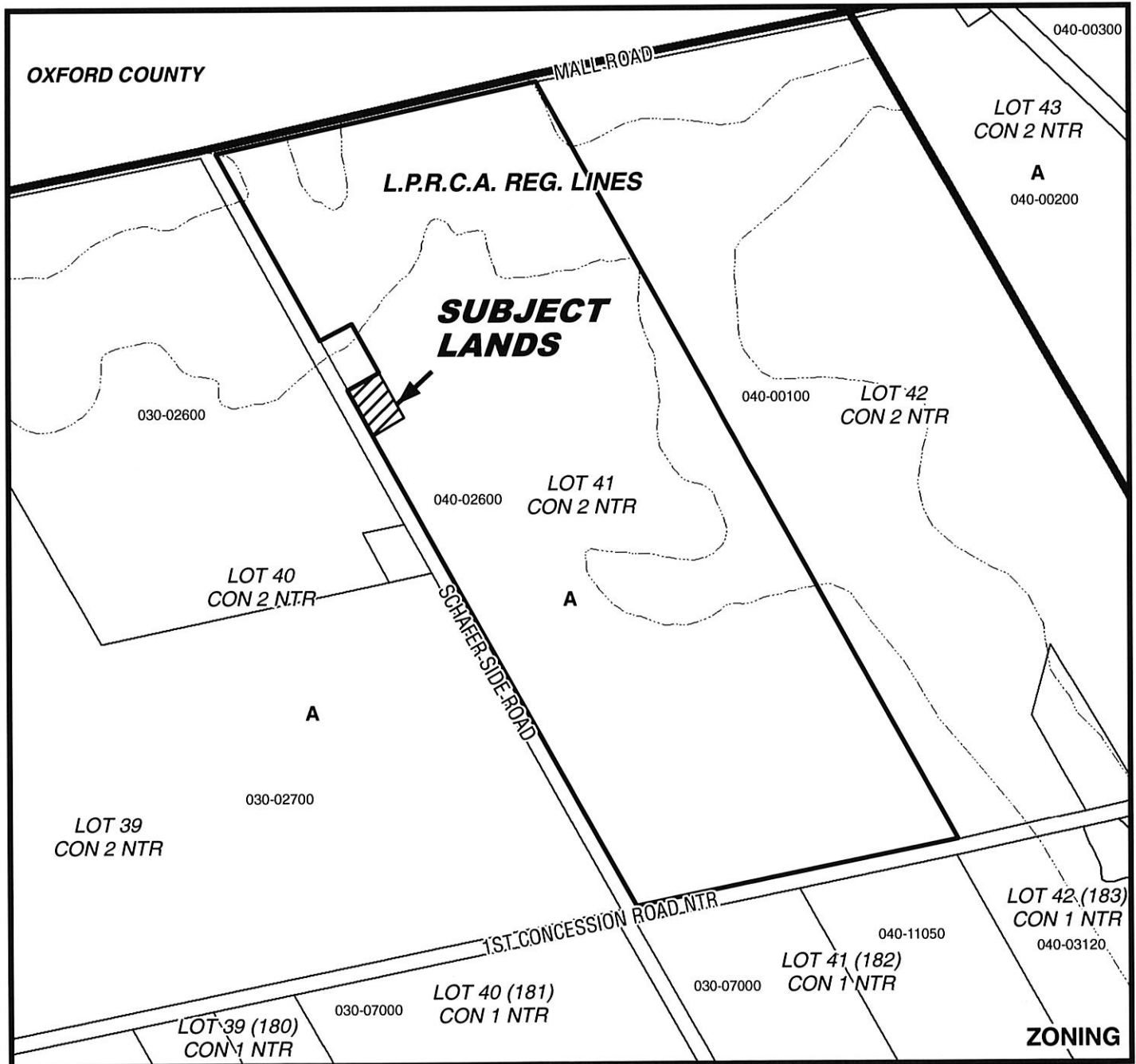
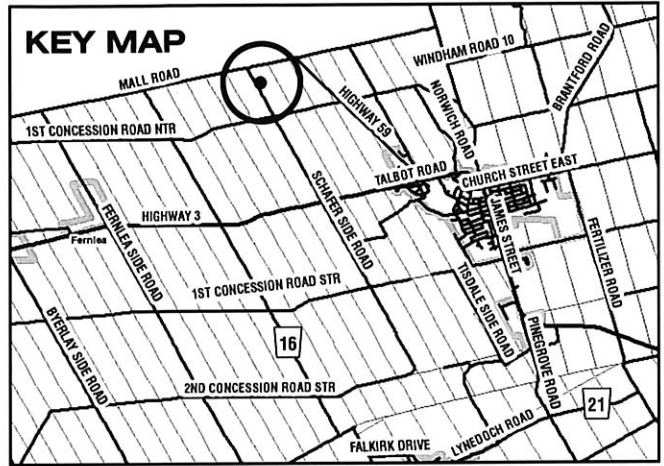
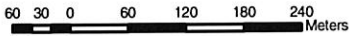
File Number: BN-015/2010

Geographic Township of

MIDDLETON



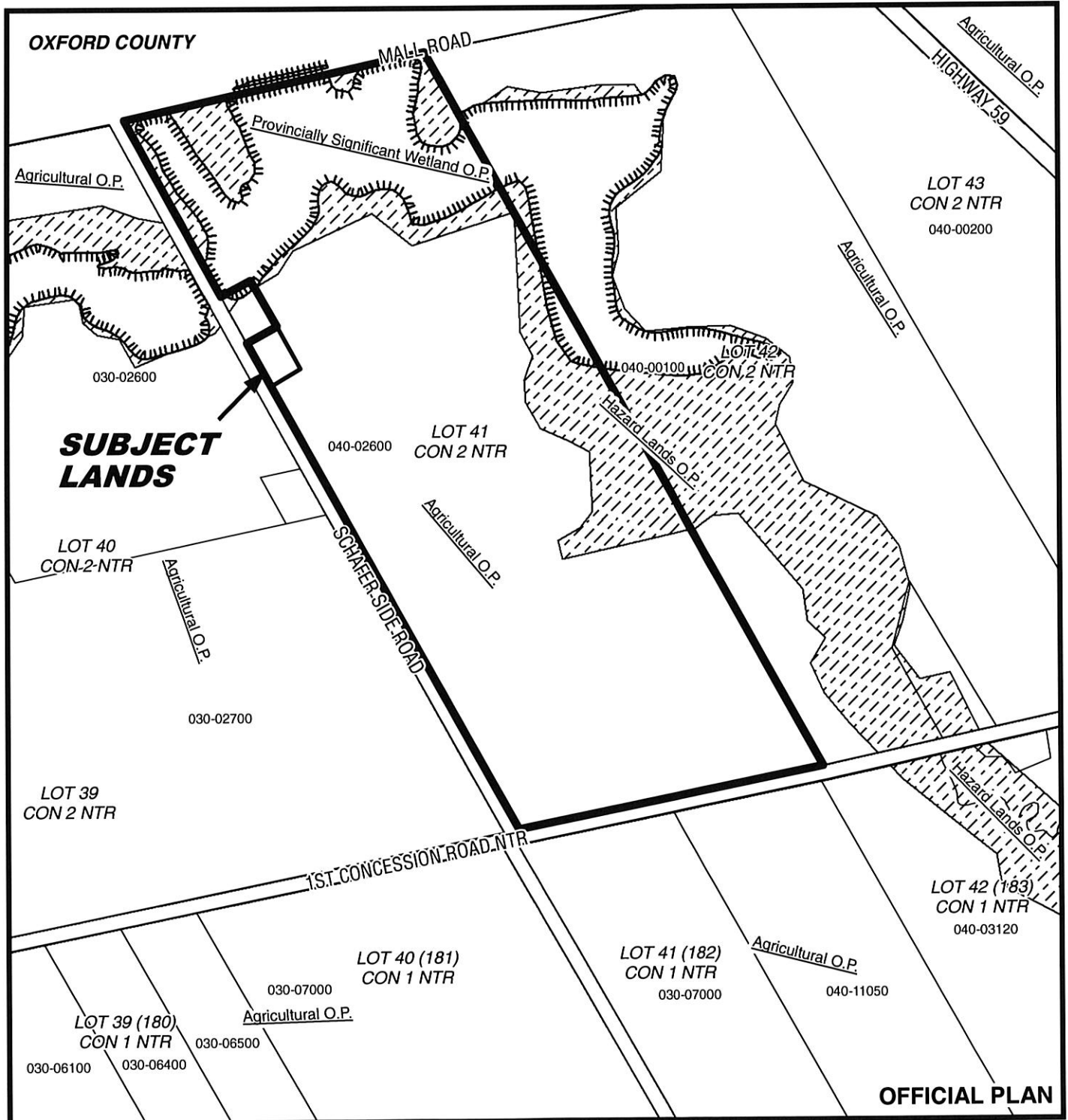
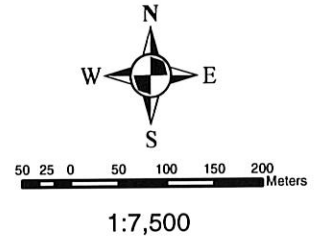
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MAP 2

File Number: BN-015/2010

Geographic Township of MIDDLETON



MAP 3

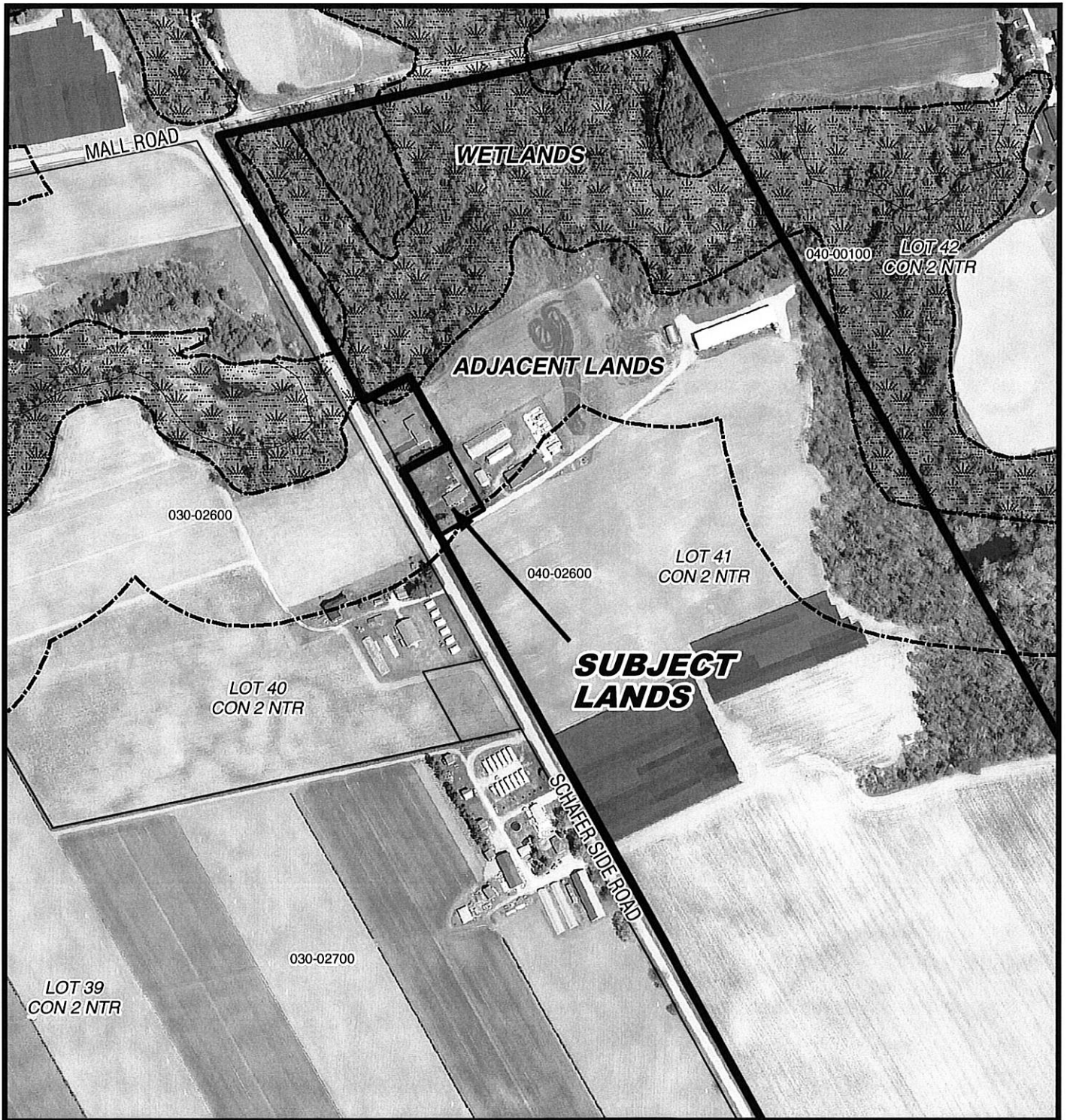
File Number: BN-015/2010

Geographic Township of MIDDLETON



30 15 0 30 60 90 120 Meters

1:5,000



MAP 4
File Number: BN-015/2010
Geographic Township of MIDDLETON

