



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:

MARCH 5th, 2008

FILE NO.: BN-017/2008

ROLL NO.: 3310-491-028-08000

APPLICANT:

Kwok Lam Yu (Ken) and In-Leng Yu, RR #1, Delhi, ON N4B 2W4

AGENT:

James A. Boll, PO Box 188, 21 Norfolk Street, North, Simcoe, ON N3Y 4L1

LOCATION:

Lot 23, Con 14 (WDM) (Highway #3)

PROPOSAL:

Sever a parcel having a frontage of 25.9 m (85 ft) a depth of 63.69 m (208.97 ft) and having an area of approximately 0.013 ha (0.33 ac) and retain a parcel having an area of 34 ha (83.5 ac) more or less as a boundary adjustment.

- 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: February 20th, 2008

PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:

Shirley Cater
Norfolk County, 60 Colborne Street, South, Simcoe, ON N3Y 4N5
(519) 426-5870 ext 1290

FAX: (519) 428-3069

EMAIL: shirley.cater@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-017/08
 Related File: BN-101/09
 Date Submitted: Jan-15/08
 Date Received: 4
 Sign Issued: 4

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: ⁰⁸⁰ 3310-491-028-08001 (lot)

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

A. APPLICANT INFORMATION

Name of Applicant ¹ Kwok Lam (Ken) Yu /In-Leng Yu Phone # 519-582-2302
 Address 116 Highway 3 RR 1 Fax # _____
Delhi ON N4B 2W4 E-mail _____

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

Name of Agent James A. Boll Phone # 519-426-5840
 Address PO Box 188, 21 Norfolk Street North Fax # 519-426-5572
Simcoe ON N3Y 4L1 E-mail jboll@brimage.com

Name of Owner ² Kwok Lam (Ken) Yu/In-Leng Yu Phone # 519-582-2302
 Address 116 Highway 3 RR 1 Fax # _____
Delhi ON N4B 2W4 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 mortgages, charges or other encumbrances on the subject lands:
Royal Bank of Canada mortgage registered as Instrument Number 587856.



CONSENT / SEVERANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Windham</u>	Urban Area or Hamlet	
Concession Number	<u>XIV</u>	Lot Number(s)	<u>23</u>
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number	<u>37R-9511</u>	Part Number(s)	<u>2</u>
Frontage (metres/feet)	<u>258.98 feet</u>	Depth (metres/feet)	<u>irregular</u>
Width (metres/feet)		Lot area (m ² / ft ² or hectares/acres)	<u>78.348 acres</u>
Municipal Civic Address	<u>Highway 3, RR #1, Delhi, ON N4B 2W4</u>		

To obtain your municipal civic address for the severed lands please contact NorfolkGIS@norfolkcounty.on.ca.

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):

Boundary Adjustment to increase size of residential building lot

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

Kwok Lam (Ken) Yu

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

Assessment Roll # 33.10.491.028.08001

Property Owner: Kwok Lam (Ken) Yu



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	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 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)	<u>25.9m /85.00 ft</u>	Depth (metres/feet)	<u>63.69 m/208.97 ft</u>
Width (metres/feet)	<u>25.9 m/85.00 ft</u>	Lot area (m ² / ft ² or hectares/acres)	<u>0.13 ha/0.33 ac</u>

Existing use:

Vacant Agricultura/Residential

Proposed use:

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:

NIL

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

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

Frontage (metres/feet)	<u>see attached reference plan</u>	Depth (metres/feet)	<u></u>
Width (metres/feet)	<u></u>	Lot area (m ² / ft ² or hectares/acres)	<u></u>

Existing use:

Residential Building Lot

Proposed use:

Residential Building Lot

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:

2 houses, 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:

same as existing

CONSENT / SEVERANCE

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

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

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

Proposed use:

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

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

NOTE - Existing lot being enlarged was Application BN-76/01 in the name of Ronald Kichler

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:

However existing lot being enlarged was BN-76/01

Number of separate parcels that have been created:

1

Date(s) these parcels were created:

2001-12-21

Name of the transferee for each parcel:

Kwok Lam (Ken) Yu

Uses of the severed lands:

Residential

CONSENT / SEVERANCE

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

Date of construction of the dwelling proposed to be severed:

Date of purchase of subject lands:

2005-03-01

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:

Personal knowledge of land.

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

CONSENT / SEVERANCE

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:

BN-101/2006 - lapsed application

Land it affects:

same lands as described herein

Purpose:

same reason as described herein

Status/decision:

lapsed

Effect on the requested amendment:

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:

CONSENT / SEVERANCE

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 checked="" 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

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

CONSENT / SEVERANCE

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

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

If other, describe:

Name of road/street:

Highway No. 3 and Scott Street

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

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

If other, describe:

Name of road/street:

Scott Street

I. OTHER INFORMATION

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

- Yes
- No

If yes, describe:

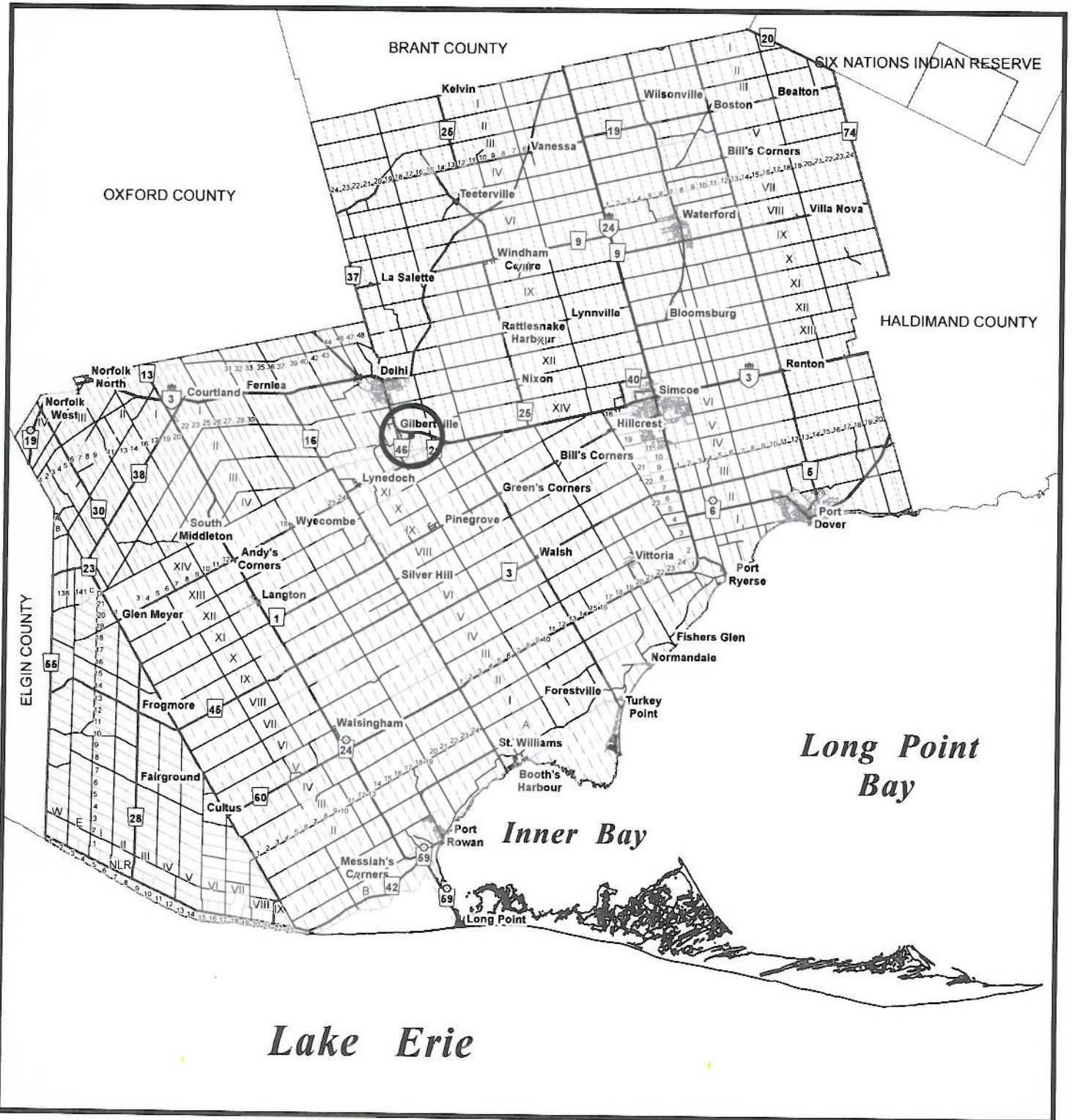
Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

This Application is a reapplication fo file BN 101/2006 as that application lapsed due to a misunderstanding. This Application is idential to BN 101/2006.

MAP 1

File Number: BN-017/2008

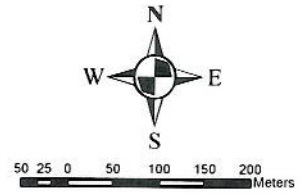
Geographic Township of WINDHAM



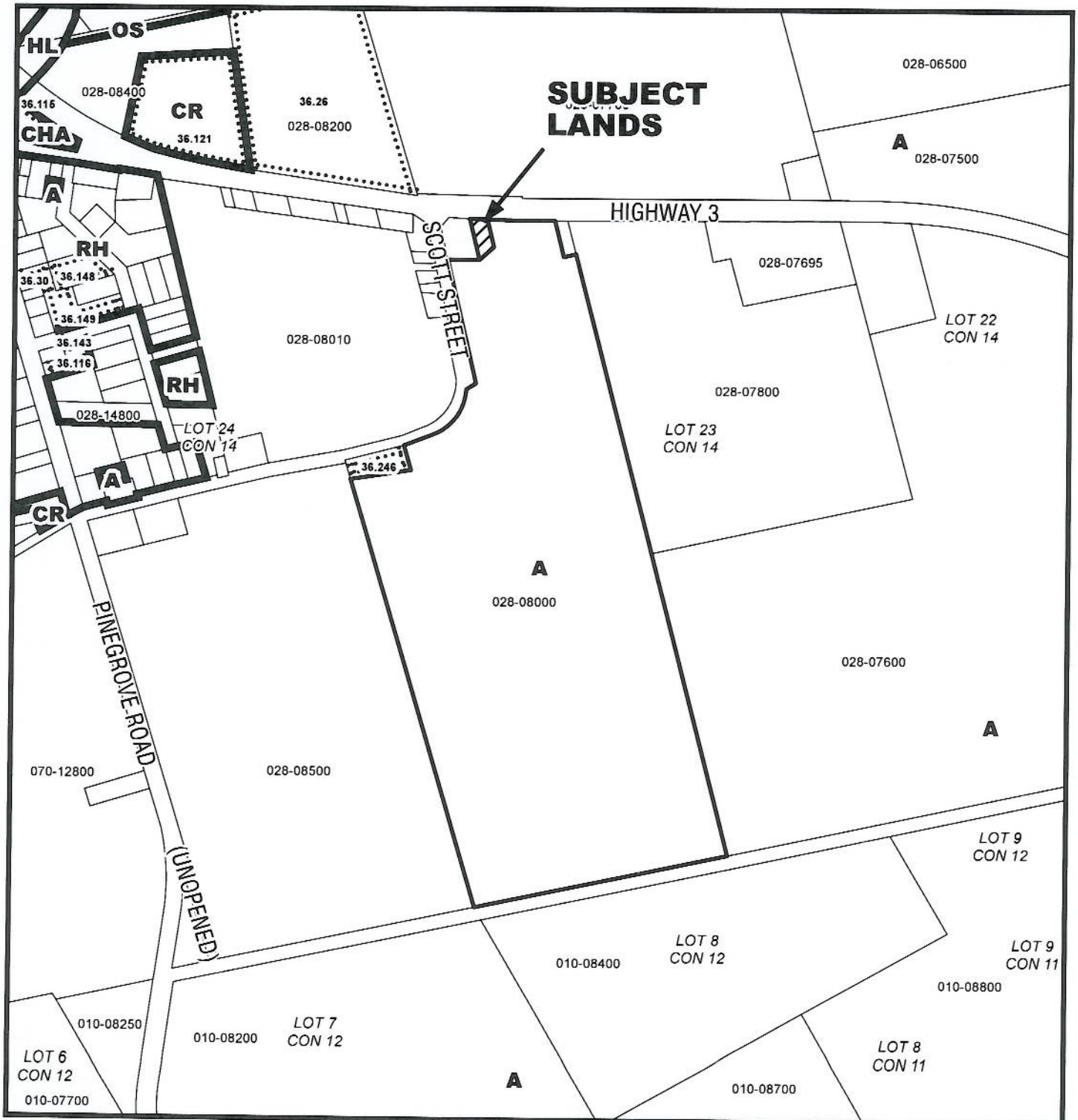
MAP 2

File Number: BN-017/2008

Geographic Township of WINDHAM



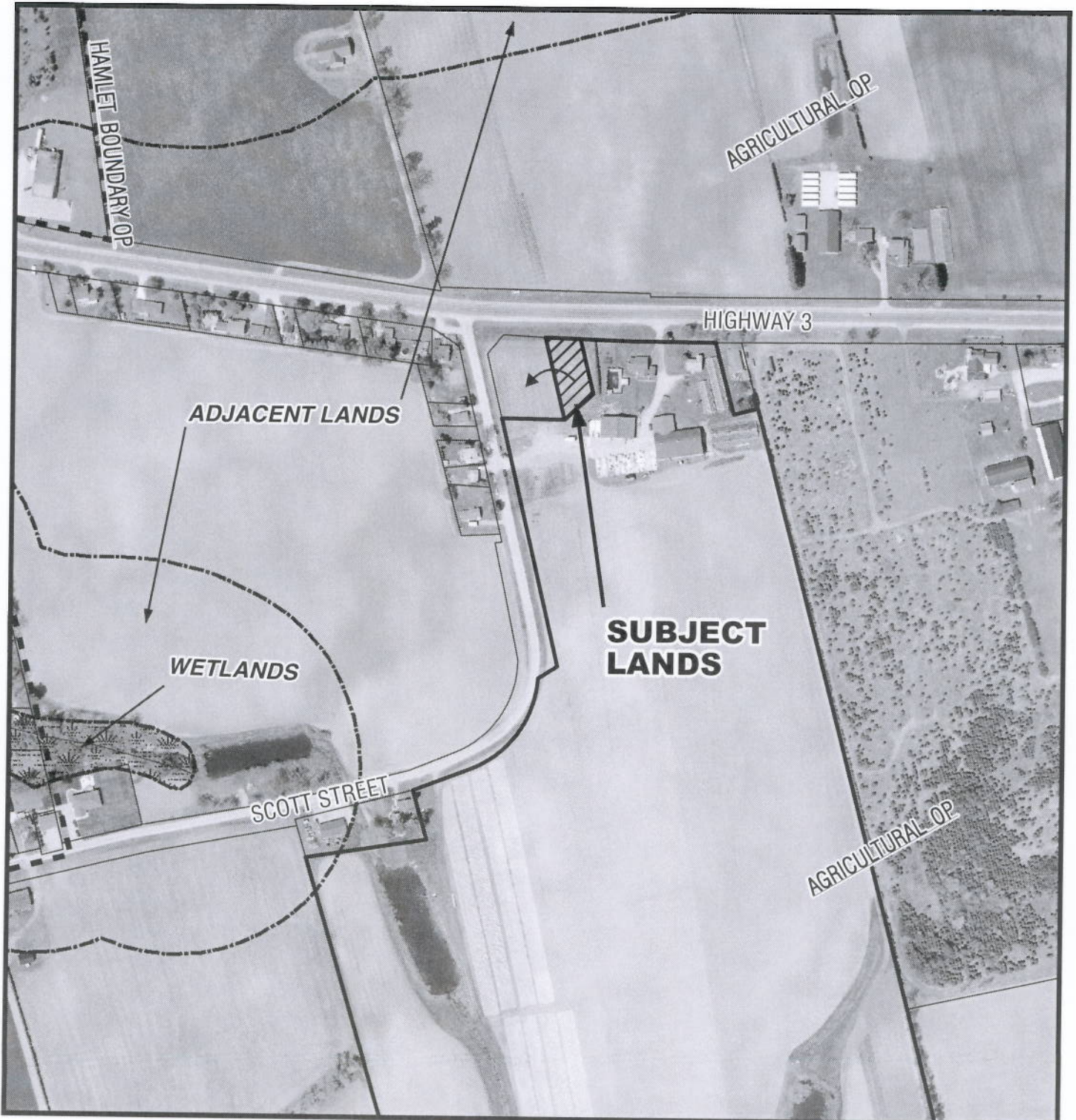
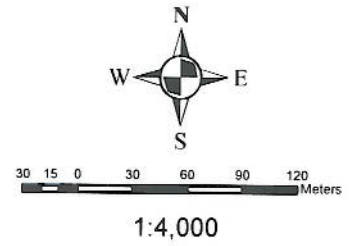
1:8,000



MAP 3

File Number: BN-017/2008

Geographic Township of WINDHAM



MAP 4

File Number: BN-017/2008

Geographic Township of WINDHAM

