



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-020/2008

ROLL NO.: 3310-491-027-34000

APPLICANT:

Robert & Deborah Vankerrebroeck, PO Box 106, Delhi, ON N4B 2W8

AGENT:

John Backus, Cline, Backus, Nightingale, McArthur, LLP, Box 528, 39 Colborne Street, North, Simcoe, ON N3Y 4N5

LOCATION:

Part Lot 18, Concession 13 (WDM)
(291 Windham Road 14)

PROPOSAL:

Sever a parcel having a frontage of 53.95 m. (177 ft.) a depth of 79.25 m. (260 ft.) and having an area of approximately 0.34 ha (.85 ac) and retain a parcel having an area of approximately 17.81 ha (44 ac) more or less as the severance of a dwelling made surplus through farm amalgamation.

- | | | | |
|-------------------------------------|--|-------------------------------------|----------------------------|
| <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 |

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-20/08.
 Related File: _____
 Fees Submitted: Feb 6 '08
 Application Submitted: Feb 6, 08
 Sign Issued: Feb 8, 08
 Complete Application: Feb 8, 08

4L.

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- 491-027-34000

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

A. APPLICANT INFORMATION

Name of Applicant ¹ Robert Joseph Vankerrebroeck and Deborah Cecile Vankerrebroeck Phone # 519-582-2292
 Address P. O. Box 106, Fax # _____
 Town / Postal Code Delhi, ON N4B 2W8 E-mail _____

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

Name of Agent Cline, Backus, Nightingale, McArthur LLP Phone # 519-426-6763
 Address Box 528, 39 Colborne St. N., Fax # 519-426-2055
 Town / Postal Code Simcoe, ON N3Y 4N5 E-mail backus@clinebackus.com

Name of Owner ² Robert Joseph Vankerrebroeck and Deborah Cecile Vankerrebroeck Phone # 519-582-2292
 Address P. O. Box 106 Fax # _____
 Town / Postal Code Delhi, ON N4B 2W8 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



CONSENT / SEVERANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

| | | | |
|-------------------------|--|---|-----------------------|
| Geographic Township | <u>Windham</u> | Urban Area or Hamlet | |
| Concession Number | <u>13</u> | Lot Number(s) | <u>Part of Lot 18</u> |
| 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) | <u>45 acres</u> |
| Municipal Civic Address | <u>R. R. # 7, Simcoe, ON 291 Windham Rd 14 ?</u> | | |

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:

n/a

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):

Severance of a surplus dwelling on farm amalgamation

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

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 | Year Dwelling Built |
|---|---|---|--|---|---|---------------------|
| SUBJECT LANDS | | | | | | |
| 33-10-491-027-34000 | Windham | 45 | 40 | tobacco/ginseng | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Prc-1900 |
| OTHER | | | | | | |
| 33-10-491-027-56000 | Windham | 38 | 35 | tobacco/ginseng | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 33-10-493-010-29800 | Windham | 51 | 47 | tobacco/ginseng | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 1940 |
| 33-10-491-027-56010 | Windham | 1 | 1 | tobacco/ginseng | <input type="checkbox"/> Yes <input checked="" 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) | N/A | |
| 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) 177 feet 53.95 m Depth (metres/feet) 260 feet 79.25 m
Width (metres/feet) _____ Lot area (m² / ft² or hectares/acres) Approx. .85 acres 0.34/ha

Existing use:
Residential - SEE SKETCH ATTACHED

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:

House, garage, greenhouse - See Sketch (proposed irregular shape due to existing agric. buildings)

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:

No change

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

Frontage (metres/feet) 839 feet Depth (metres/feet) 1957 feet
Width (metres/feet) _____ Lot area (m² / ft² or hectares/acres) Approx. 44 acres (17.81 ha)

Existing use:
Agricultural - SEE SKETCH ATTACHED

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:

Barn, tobacco kilns

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:

no change

CONSENT / SEVERANCE

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

Frontage (metres/feet) N/A 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:
2005 severance of Lot File BN-083/2004 on other farm parcel

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:

CONSENT / SEVERANCE

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

2003

Date of construction of the dwelling proposed to be severed:

Pre 1900

Date of purchase of subject lands:

September 17, 2003

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

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:

Land it affects:

Purpose:

Status/decision:

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 checked="" type="checkbox"/> Yes | <input 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

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 Provincial highway
 Municipal road Other (describe below)

If other, describe:

Name of road/street:

Windham Road 14

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

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

If other, describe:

Name of road/street:

Windham Road 14

I. OTHER INFORMATION

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

- Yes No

If yes, describe:

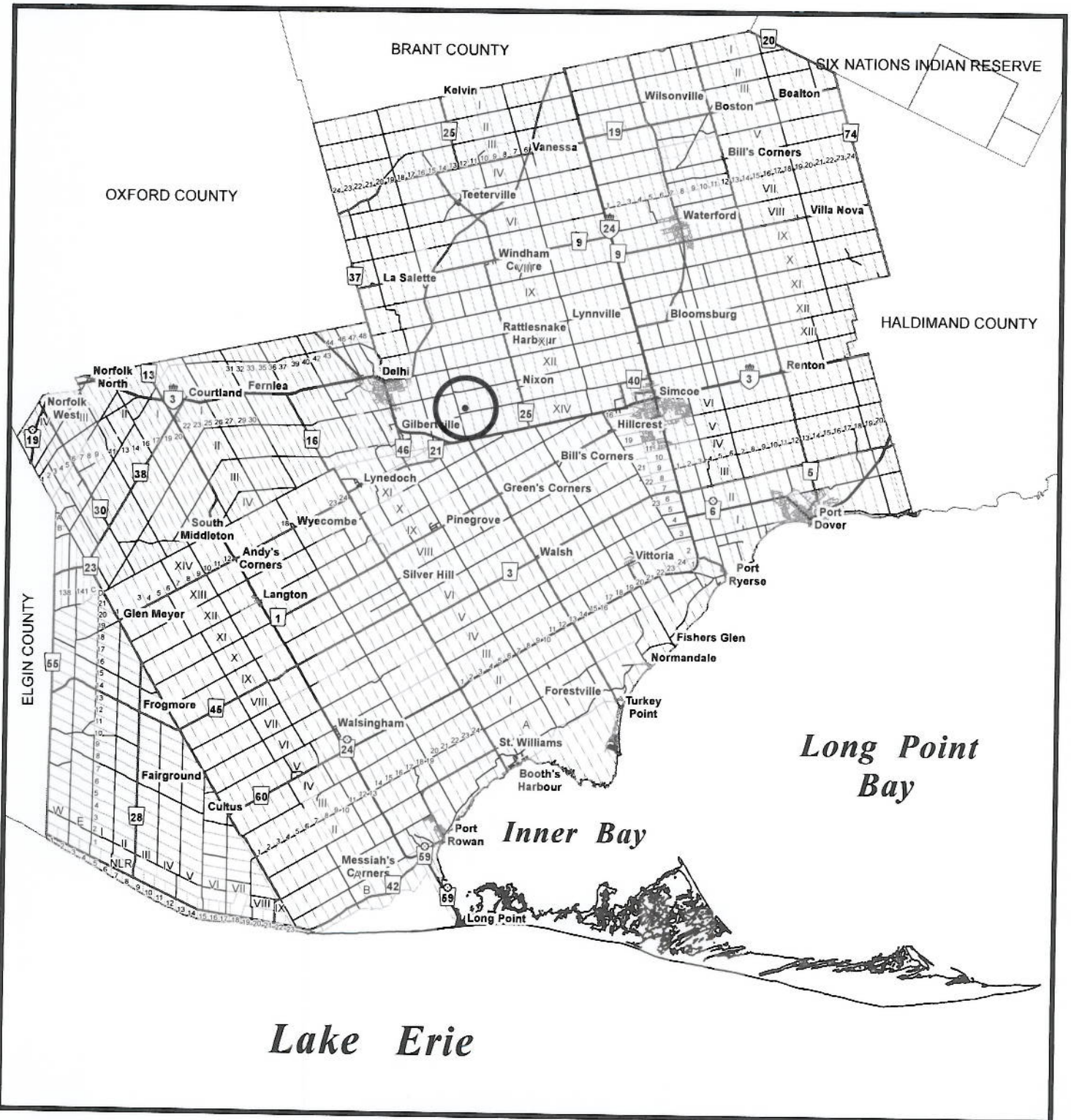
Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

The Applicant/Owner proposes to sever the residential dwelling which is surplus on farm amalgamation. The Applicant is aware of the zoning amendment required to prohibit a single family residence on the retained parcel. All services (septic and water supply) are located wholly on the severed parcel.

MAP 1

File Number: BN-020/2008

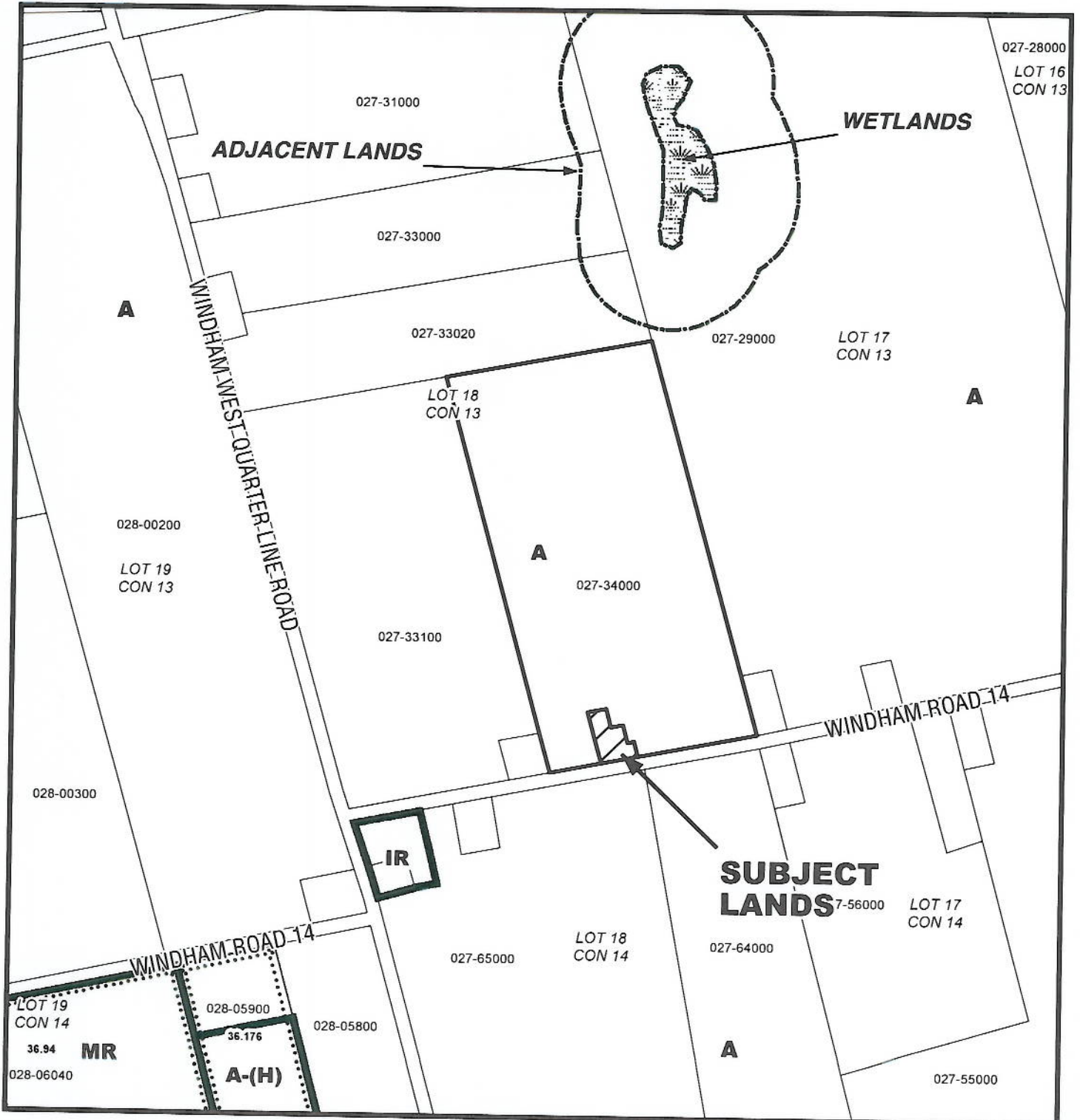
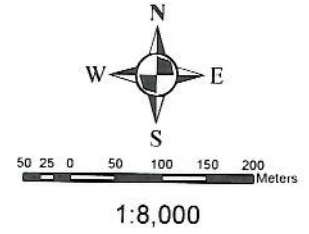
Geographic Township of WINDHAM



MAP 2

File Number: BN-020/2008

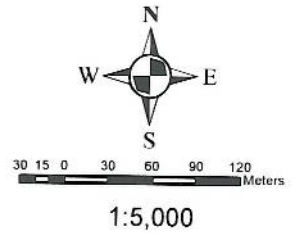
Geographic Township of WINDHAM



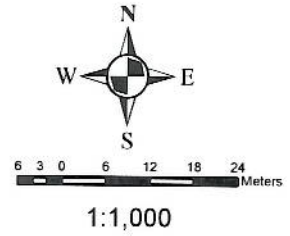
MAP 3

File Number: BN-020/2008

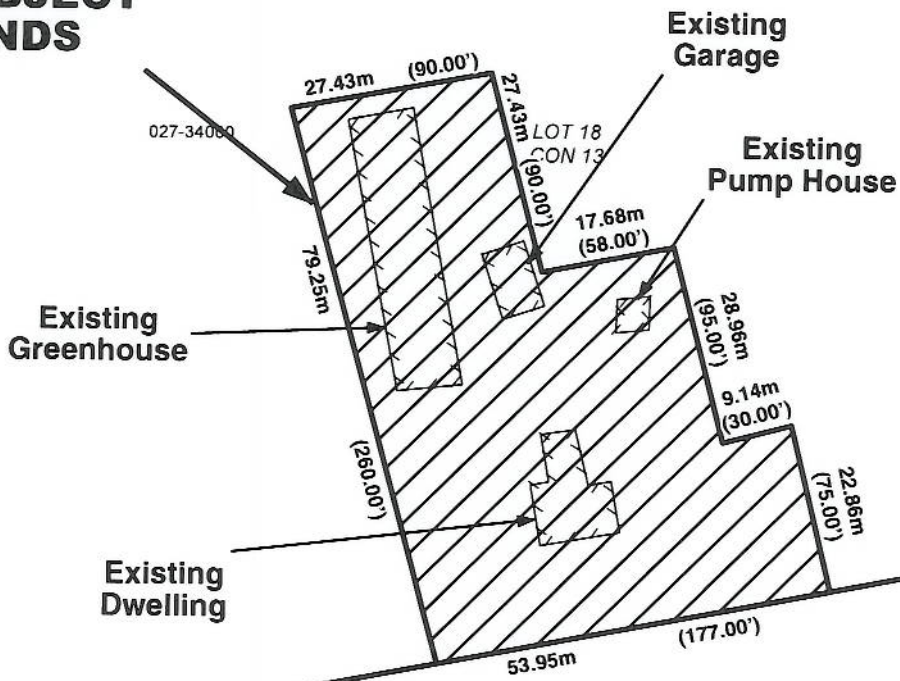
Geographic Township of WINDHAM



MAP 4
File Number: BN-020/2008
Geographic Township of WINDHAM



**SUBJECT
LANDS**



WINDHAM ROAD 14

LOT 18
CON 14

027-65000

027-64000