



**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:

**November 14, 2007**

**FILE NO.: BN-077-2007**

**ASSESSMENT ROLL NO.:** 3310-491-011-16100

**APPLICANT:**

Marilyn Smith/Barbara McIntyre, Box 58, Teeterville, ON N0E 1S0

**AGENT:**

John Backus, Box 528, 39 Colborne St. N., Simcoe ON N3Y 4N5

**LOCATION:**

Pt. Lot 13, Block 12, Parcel 3, Plan 47B WDM (Teeterville Rd. Teeterville)

**PROPOSAL:**

Sever a parcel having a frontage of 36.47 m. (119.65 ft) a depth of 92.23 m. (302.6 ft. ) and having an area of approximately 0.63 ha. (1.551 ac.) and retain a parcel having an area of 1.44 ha. (3.55 acres) more or less as the creation of a lot in the hamlet area.

- |  |   |
|--|---|
| <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: October 31, 2007**

**PLEASE REPLY BY FAX OR EMAIL DIRECTLY TO:**

Lucy Hives, MCIP, RPP  
Norfolk County, 22 Albert Street, Langton, ON N0E 1G0  
(519) 875-4485 ext 1837

**FAX: (519) 875-4789 EMAIL: [lucy.hives@norfolkcounty.ca](mailto:lucy.hives@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: [larry.dawson@norfolkcounty.ca](mailto:larry.dawson@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**

*Parcel #3*

**Office Use:**

File Number: BN-77/2007  
Related File: BN-78/2007  
Fees Submitted: Oct. 12/2007  
Application Submitted: Oct 12/2007  
Sign Issued: Oct 12/2007  
Complete Application: Oct 12/2007

*MS*

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: 3310-491-011-16100**

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

**A. APPLICANT INFORMATION**

Name of Applicant <sup>1</sup> Barbara McIntyre/Marilyn Smith Phone # 519-443-8041  
 Address c/o Marilyn Smith P.O. Box 58 Fax # \_\_\_\_\_  
 Town / Postal Code Tecumville, ON N0E 1S0 E-mail \_\_\_\_\_

<sup>1</sup> If the applicant is a numbered company provide the name of a principal of the company.

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

Name of Owner <sup>2</sup> as per Applicants Phone # \_\_\_\_\_  
 Address \_\_\_\_\_ Fax # \_\_\_\_\_  
 Town / Postal Code \_\_\_\_\_ E-mail \_\_\_\_\_

<sup>2</sup> 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 <sup>3</sup>:  Applicant  Agent  Owner

<sup>3</sup> 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	<u>Teeterville</u>
Concession Number		Lot Number(s)	
Registered Plan Number	<u>47B</u>	Lot(s) or Block Number(s)	<u>Pt. Lot 13, Block 12</u>
Reference Plan Number		Part Number(s)	
Frontage (metres/feet)	<u>348.72 feet</u> $(27.25 + 92.4 = 119.65 ft)$ <u>36.47m</u>	Depth (metres/feet)	<u>302 feet on south - 639 feet on north</u>
Width (metres/feet)	<u>*see attached map for further details</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>(1.55Ac) 0.63Acs</u>
Municipal Civic Address	<u>Teeterville Road</u>		

For questions regarding requirements for a municipal civic address please contact [NorfolkGIS@norfolkcounty.on.ca](mailto: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:

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**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):

Applicant proposes to sever properties whereby three separate parcels will be created as per attached map - Properties currently zoned RH-H as per By-law 2-Z-2007

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Name of person(s), if known, to whom lands or interest in lands is to be transferred, leased or charged (if known):  
None known at this time

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



**CONSENT / SEVERANCE**

n/a

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# 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
<b>SUBJECT LANDS</b>						
N/A					<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>OTHER</b>					<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	N/A (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	(m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)
Woodlot area	(m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	(m <sup>2</sup> / ft <sup>2</sup> 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**

*(Part 3 on Map)*

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

Frontage (metres/feet)	<u>(119.65 feet) 36.47 m.</u>	Depth (metres/feet)	<u>302.6 feet on south 92.23 m.</u>
Width (metres/feet)	_____	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>(1.551 acres) 0.63 ha</u>

Existing use:

Vacant Land Zone RH-H

Proposed use:

Residential - See Map

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:

none - at this time

*(Parts 1 & 2 on Map)*

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

Frontage (metres/feet)	<u>(239.3 feet) 72.87 m.</u>	Depth (metres/feet)	<u>523.06 feet on North</u>
Width (metres/feet)	<u>*see Map</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>(3.55 acres) 1.44 ha</u>

Existing use:

Vacant Land zoned RH-H

Proposed use:

Residential

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 this time

**CONSENT / SEVERANCE**

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

Frontage (metres/feet)     N/A     Depth (metres/feet) \_\_\_\_\_  
Width (metres/feet) \_\_\_\_\_ Lot area (m<sup>2</sup> / ft<sup>2</sup>) \_\_\_\_\_

Proposed use:  
\_\_\_\_\_

**D. PROPERTY INFORMATION**

Present official plan designation(s):  
Hamlet

Present zoning:  
Hamlet Residential - Holding (RH-H) Bylaw 2-Z-2007

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:  
BN-113/2003 - boundary adjustment - complete

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:  
see above

Number of separate parcels that have been created:  
none as boundary adjustment

Date(s) these parcels were created:  
2003

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?

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Date of construction of the dwelling proposed to be severed:

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Date of purchase of subject lands:

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## 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:

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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

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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-078/2007 ZN-066/2006  
Applicants submitting concurrent Application to Sever Parcel illustrated as #1 on attached map  
 Land it affects: Retained Lands Agriculture Zone  
 Purpose: to create 3 separate parcels to Heret Res(HR)  
 Status/decision: Pending with holding for  
 Effect on the requested amendment: lot grading & drainage  
+ Storm water management plan  
- Complete.

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:

3) (COUNTY ROAD No. 25) (AS WIDENED)

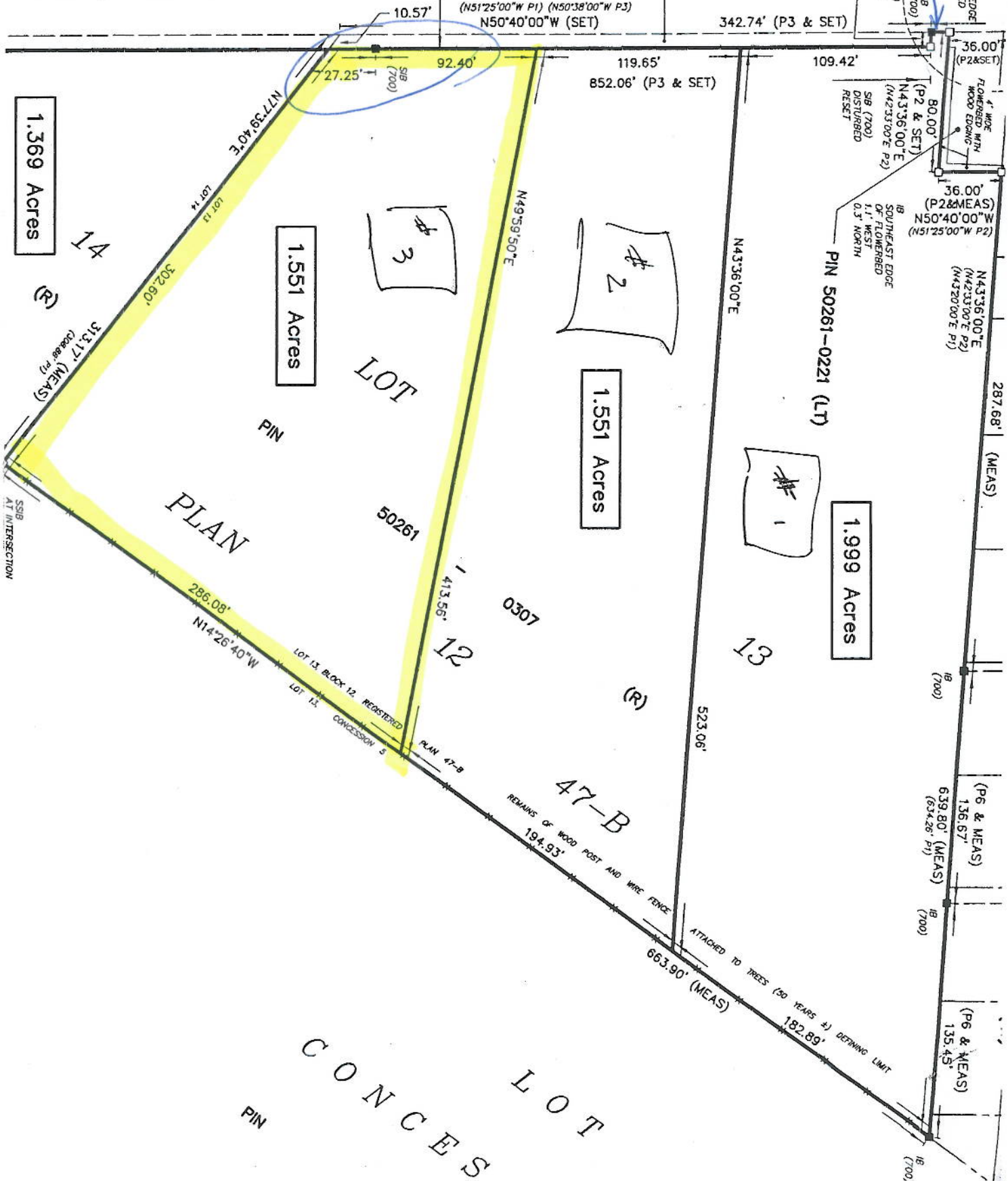
(LT)

PART 2, PLAN 37R-2473 (BY-LAW 17-84;

INST. No. 421063)

(N51°25'00"W P1) (N50°38'00"W P3)  
N50°40'00"W (SET)

342.74' (P3 & SET)



1.369 Acres

1.551 Acres

1.551 Acres

1.999 Acres

PLAN

LOT

CONCES LOT

PIN

PIN

(R)

14

#3

#2

#1

12

13

47-B

REMAINS OF WOOD POST AND WIRE FENCE

ATTACHED TO TREES (30 YEARS ±) DEFERRING LIMIT

SOUTHWEST EDGE OF FLOWERED 8 1/4' EAST 0.3' SOUTH (P3 & SET) 8.31'

80.00' (P2 & SET) (N42°33'00"E P2) SIB (700) DISTURBED RESET

SOUTHEAST EDGE OF FLOWERED 1 1/4' NORTH 0.3' NORTH (N51°25'00"W P2) (N43°36'00"E P1)

PIN 50261-0221 (LT)

(P6 & MEAS) 136.67' (63°26' P1)

(P6 & MEAS) 135.45'

287.68' (MEAS)

(700)

(700)

(700)

109.42'

119.65' 852.06' (P3 & SET)

N43°36'00"E

523.06'

N49°59'50"E

413.56'

0307

286.08'

N14°26'40"W

LOT 13 BLOCK 12 REGISTERED LOT 15 CONCESSION 5

PLAN 47-B

92.40'

27.25'

10.57'

SIB (700)

LOT 14

LOT 13

302.60'

313.17' (MEAS) (20088 P1)

SSIB INTERSECTION

## EXPLANATORY NOTES

1. The Applicants are the registered owners of the lands designated as Parcels 1, 2 and 3 on the attached map.
2. The Applicants propose to submit 2 severance applications (in accordance with the Request of the Planning Department) whereby Parcel 1 and Parcel 3 receive the consent of the Committee of Adjustment. This would result in the subject properties being comprised of 3 separate conveyable parcels.
3. The Applicants have petitioned for an extension to the existing municipal drains in the area by way of Petition for Drainage Works by Owner and the Municipality has appointed the engineering firm of John Vallee to proceed with such Petition. Upon completion of the extension, it is anticipated that all storm water drainage issues relating to the subject properties and certain adjacent properties shall be resolved.
4. The Municipality has approved/passed Zoning By-law 2-Z-2007 whereby the subject property and certain adjacent properties have been re-zoned to Hamlet Residential Holding (RH-H).
5. The Severance Application conforms to the Official Plan and Zoning By-law affecting the subject properties.

# MAP 1

File Number: BN-077/2007 & BN-078/2007

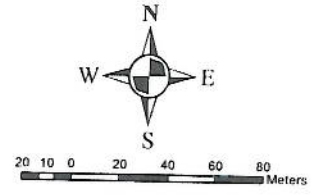
Geographic Township of WINDHAM



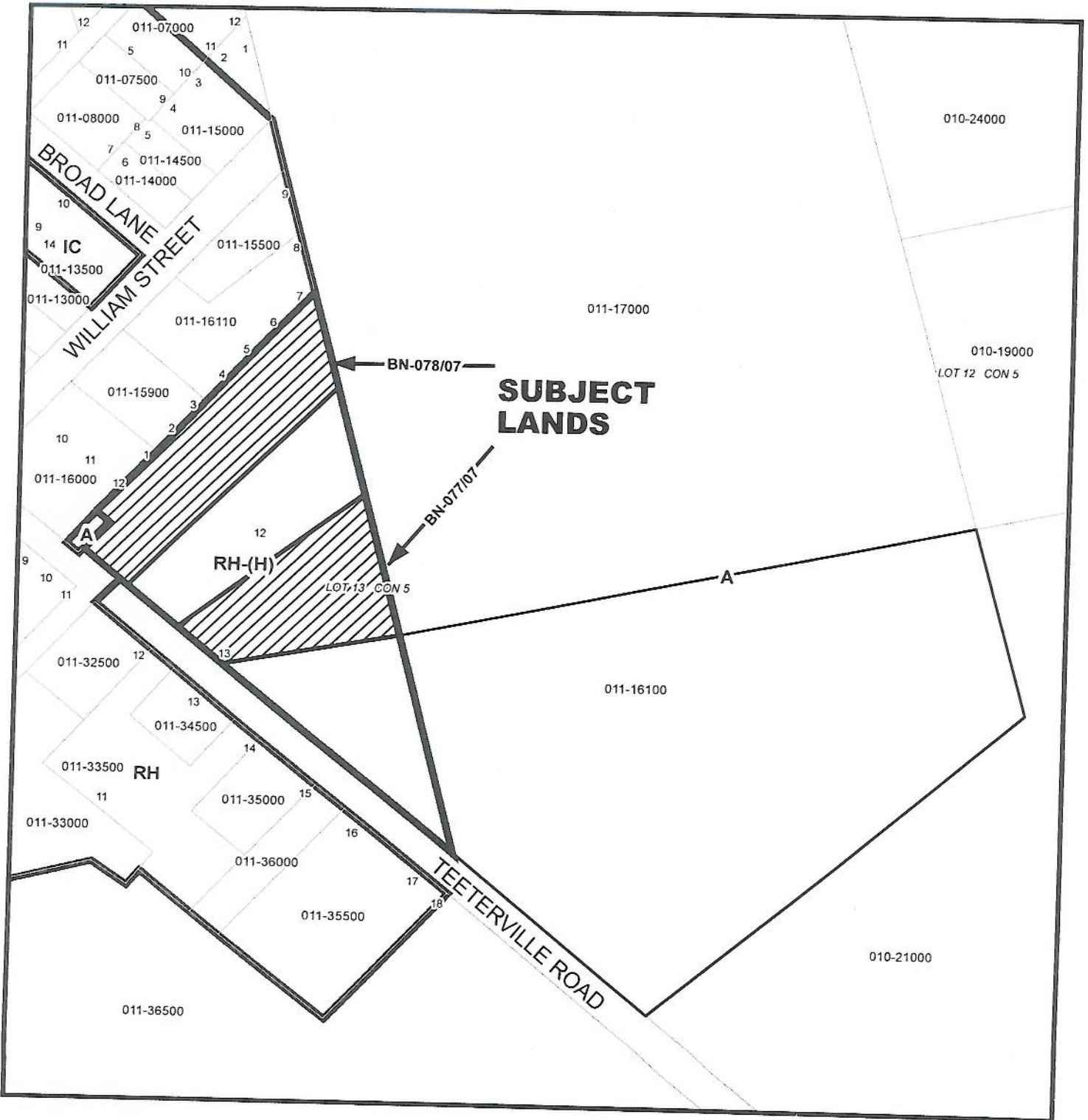
# MAP 2

File Number: BN-077/2007 & BN-078/2007

Geographic Township of WINDHAM



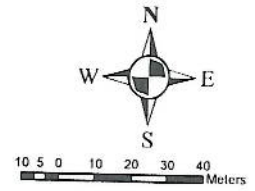
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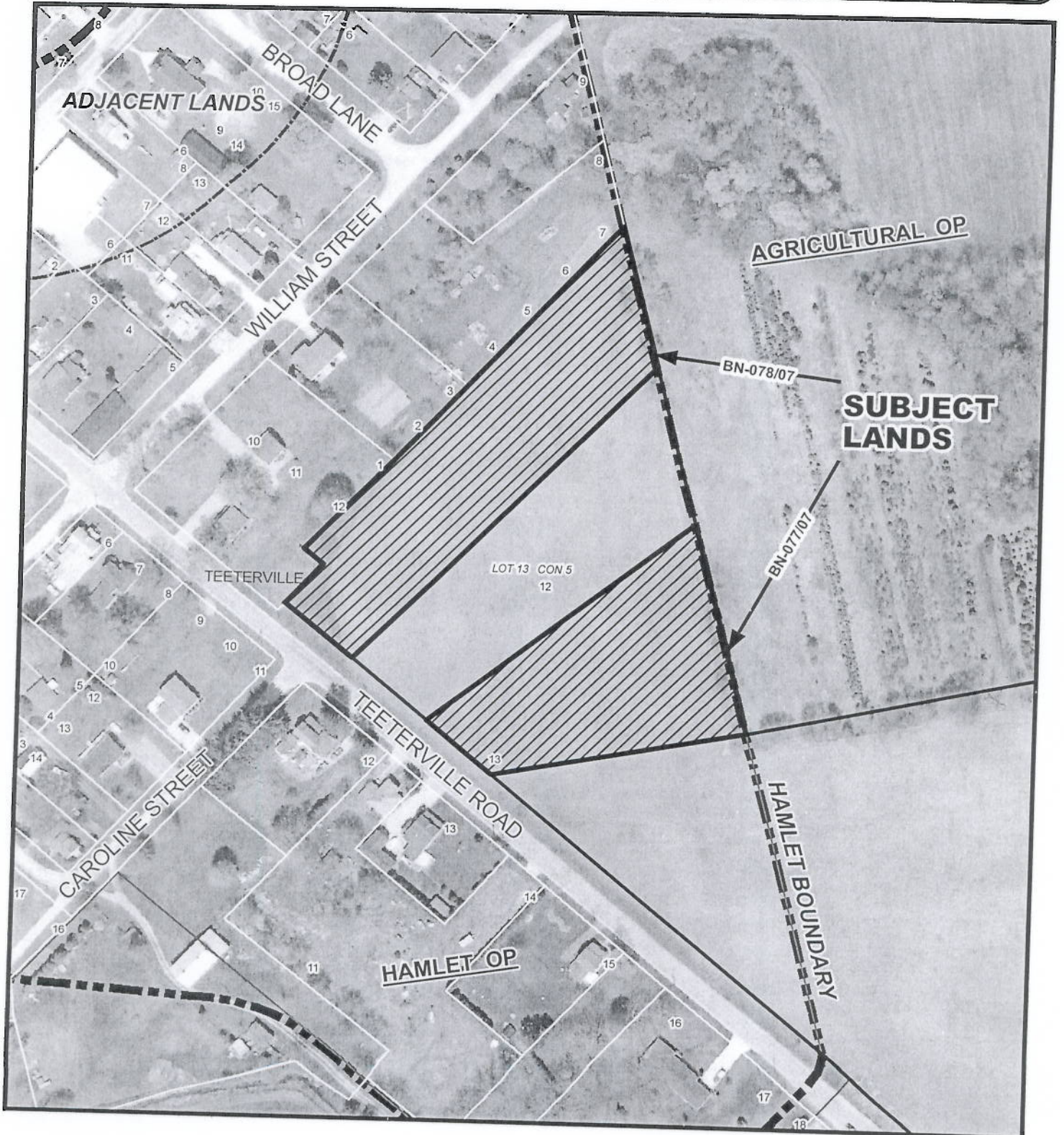
# MAP 3

File Number: BN-077/2007 & BN-078/2007

Geographic Township of WINDHAM



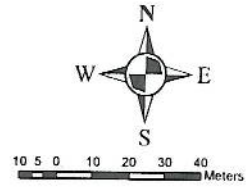
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# MAP 4

File Number: BN-077/2007 & BN-078/2007

Geographic Township of WINDHAM



1:2,000

