



**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-082/2007**

**ASSESSMENT ROLL NO.:** 3310-493-020-08900

**APPLICANT:**

Brent Smith, 1254 Charlotteville Rd. 10 R. R. #1, Simcoe, ON N3Y 4J9

**AGENT:**

W. Christopher Nunn, 58 Peel Street, Box 677, Simcoe ON. N3Y 4T2

**LOCATION:**

Pt. Lots 19-20, Cocession 9 Simcoe (R. R. # 1, Simcoe)

**PROPOSAL:**

Sever a parcel having a frontage 64.0 m. (210. ft.) a depth 110.0 m.(360.0 ft.)and having an area 7023 sq. m. (7.73 ac.)and retaining an area 29.64 ha.(73.26 acres) more or less

- |  |   |
|--|---|
| <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**

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**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)**

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**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](mailto: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-82/07  
 Related File: N/A  
 Fees Submitted: Oct 19, 07  
 Application Submitted: Oct 19, 07  
 Sign Issued: Oct 22, 07  
 Complete Application: Oct 19, 07

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: 3310-493 020 08900**

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

**A. APPLICANT INFORMATION**

Name of Applicant<sup>1</sup> Brent Charles Harry Smith Phone # 519-426-9048  
 Address 1254 Charlotteville Rd. 10, R.R.#1 Fax # \_\_\_\_\_  
 Town / Postal Code Simcoe, Ontario N344T9 E-mail \_\_\_\_\_

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

Name of Agent W. Christopher Nunn (for owner) Phone # 519-426-1382  
 Address 58 Peel Street, Box 677 Fax # 519-426-1392  
 Town / Postal Code Simcoe, Ontario N344T2 E-mail nunn@sheppardmacintosh.com

Name of Owner<sup>2</sup> Morgan A. Albert Kicksee & Sheila Joan Kicksee Phone # 519-426-4558  
 Address 1210 Charlotteville Rd. 10, R.R.#1 Fax # \_\_\_\_\_  
 Town / Postal Code Simcoe, Ontario N344T2 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:  
CIBC, 5 Norfolk Street South, Simcoe, Ontario N342V8

Farm Credit Canada (formerly Farm Credit Corporation), 1133 St. George Blvd., Suite 100  
Moncton, New Brunswick, E1E 4E1

Execution Number 03-0000235





**CONSENT / SEVERANCE**

**B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS**

Geographic Township	<u>Charlottesville</u>	Urban Area or Hamlet	<u>Simcoe</u>
Concession Number	<u>9</u>	Lot Number(s)	<u>Part Lots 19 + 20</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 <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>75.0 acres</u>
Municipal Civic Address	<u>RR #1, Simcoe, Ontario N3Y 4J9</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:

\_\_\_\_\_  
\_\_\_\_\_

**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):

See Schedule A  
\_\_\_\_\_  
\_\_\_\_\_

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

Brent Charles Harry Smith (retained parcel); Morgan Gilbert Kiersee & Sheila Jean Kiersee (severed parcel)

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:

SEE ATTACHED SCHEDULE "B"

Owners Name and Address (including those with part interest) Assessment Roll No. (obtained from your tax bill)	Geographic Township Concession and Lot #	Total Acreage (individual property)	Acres Workable (individual property)	Existing Farm Type (individual property e.g. corn production, orchard, tobacco)	Dwelling Present	Year Dwelling Built
<b>SUBJECT LANDS</b>					<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: N/A

Description of Land	Lands to be Severed	Lands to be Retained
Area under cultivation	(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 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Type of livestock		<sup>93</sup> 70.0 x 44.0 ft.
Capacity of barn		
Manure storage	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Type of manure storage		

## CONSENT / SEVERANCE

### Description of land intended to be SEVERED:

Frontage (metres/feet)	<u>210.0 ft / 64.0 m</u>	Depth (metres/feet)	<u>360.0 ft / 110.0 m</u>
Width (metres/feet)	<u>210.0 ft / 64.0 m</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>75600 ft<sup>2</sup></u> <u>7023 m<sup>2</sup> 1.73 ac.</u>

### Existing use:

Farm - location of existing farm dwelling

### 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:

See Schedule "C"

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:

N/A

### Description of land intended to be RETAINED:

Frontage (metres/feet)	<u>1425 ft</u>	Depth (metres/feet)	<u>2000 ft</u>
Width (metres/feet)	<u>1425 ft</u>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<u>73.26 acres (approximately)</u> <u>29.64 ha</u>

### Existing use:

Farm - Agricultural

### Proposed use:

Farm - 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:

6 tobacco kilns & bunkhouse (24.0 x 30.0) which Applicant may demolish

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:

N/A



**CONSENT / SEVERANCE**

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

Frontage (metres/feet) \_\_\_\_\_ 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):  
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:  
\_\_\_\_\_

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:  
N/A

Date(s) these parcels were created:  
N/A

Name of the transferee for each parcel:  
N/A

Uses of the severed lands:  
N/A



## CONSENT / SEVERANCE

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

Farm properties will be amalgamated upon the closing of the purchase transaction between the parties which is contingent upon obtaining a consent. (See Schedule "A")

Date of construction of the dwelling proposed to be severed:

Approximately 1948 with addition in 1960's

Date of purchase of subject lands:

February 15<sup>th</sup>, 2005

### 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:

Information gathered from Mr. & Mrs. Kicksee

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. N/A

Is the previous use inventory attached? N/A

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:

N/A

Land it affects:

N/A

Purpose:

N/A

Status/decision:

N/A

Effect on the requested amendment:

N/A

If additional space is required, please attach a separate sheet.

Is the above information for other planning developments applications attached? N/A

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

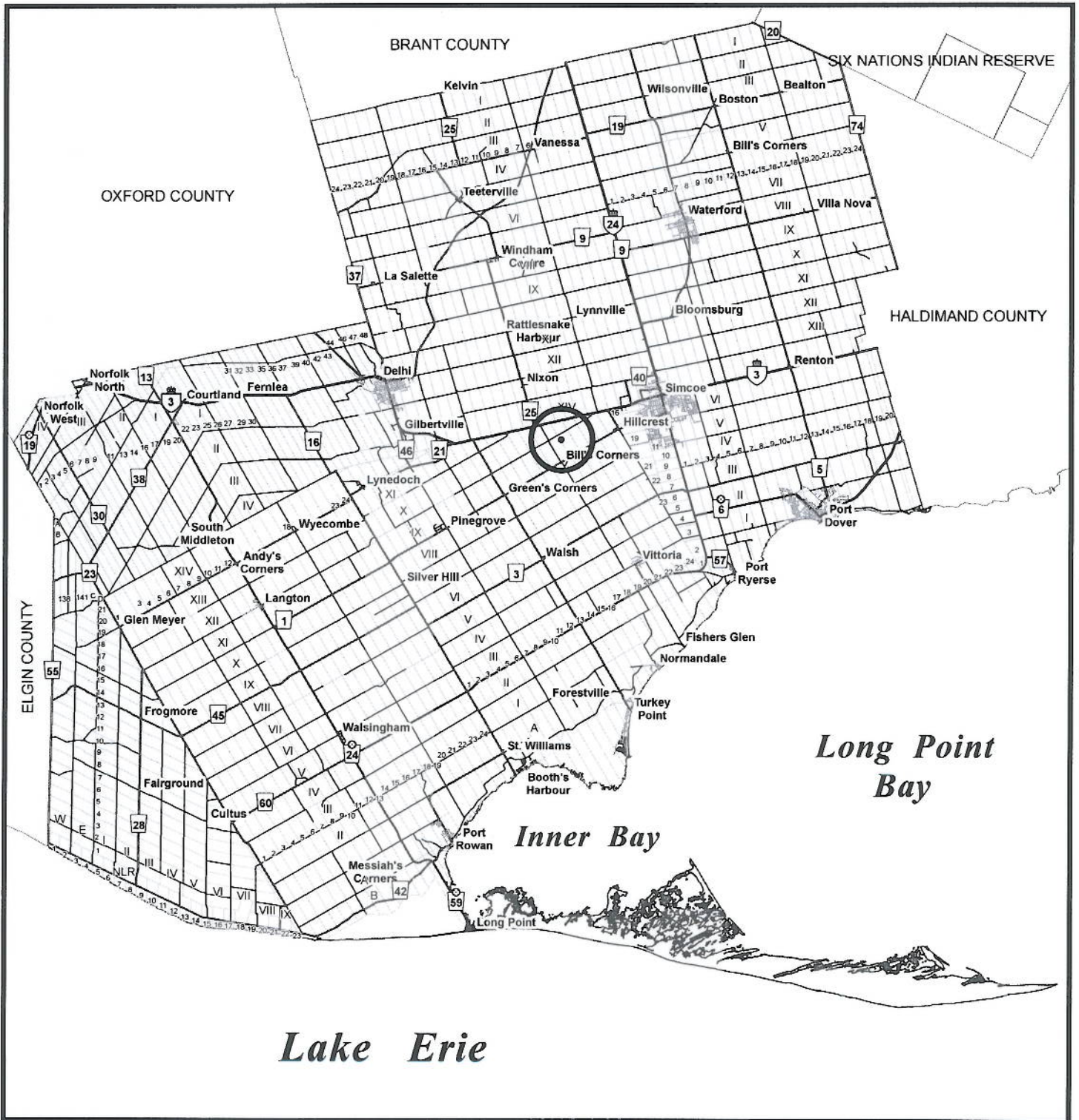
If yes, does the requested application conform to or does not conflict with the provincial plan or plans:



# MAP 1

File Number: BN-082/2007

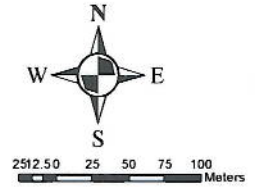
## Geographic Township of CHARLOTTEVILLE



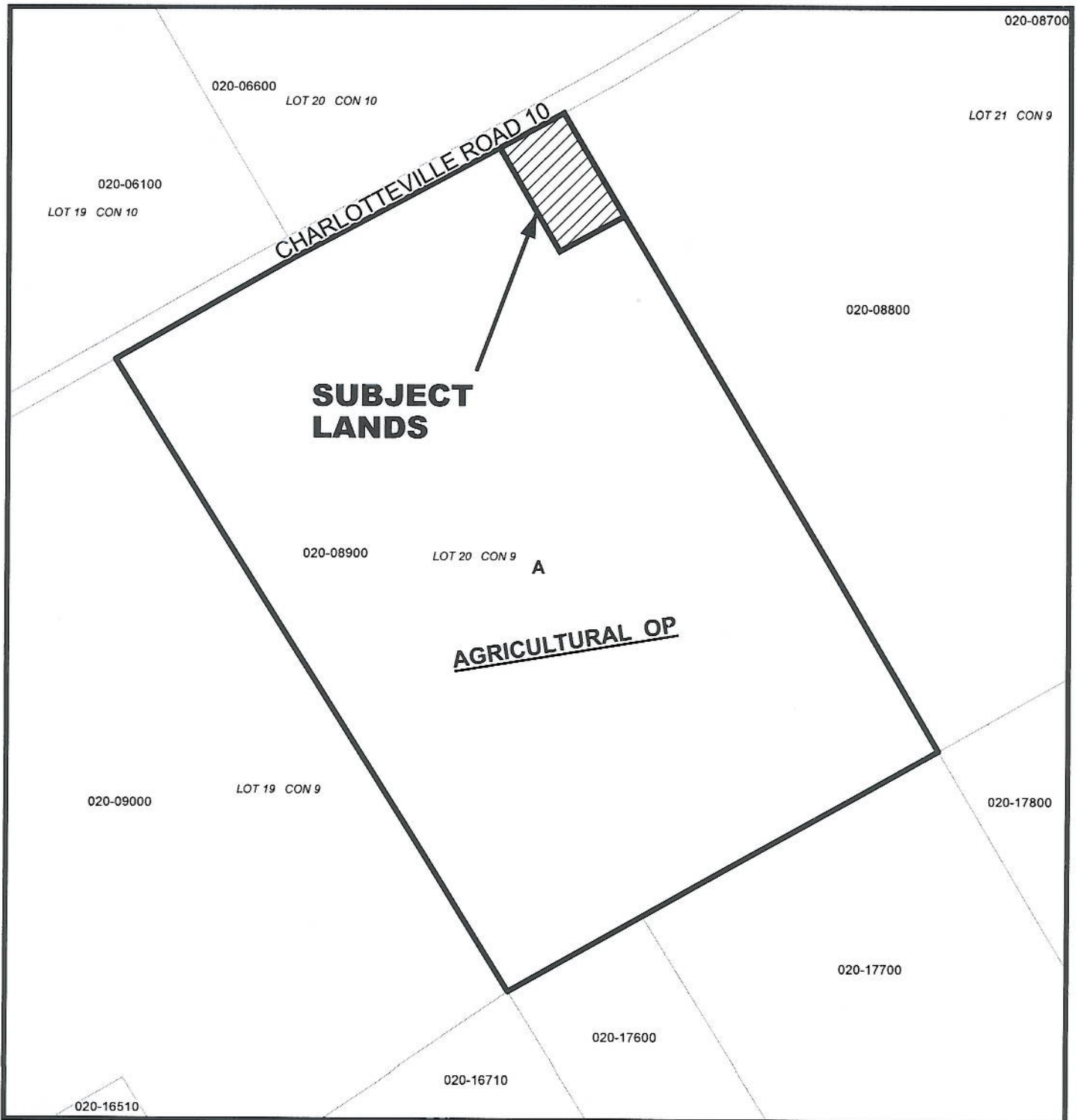
# MAP 2

File Number: BN-082/2007

Geographic Township of CHARLOTTEVILLE



1:5,000

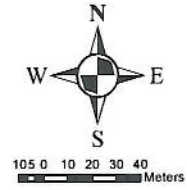




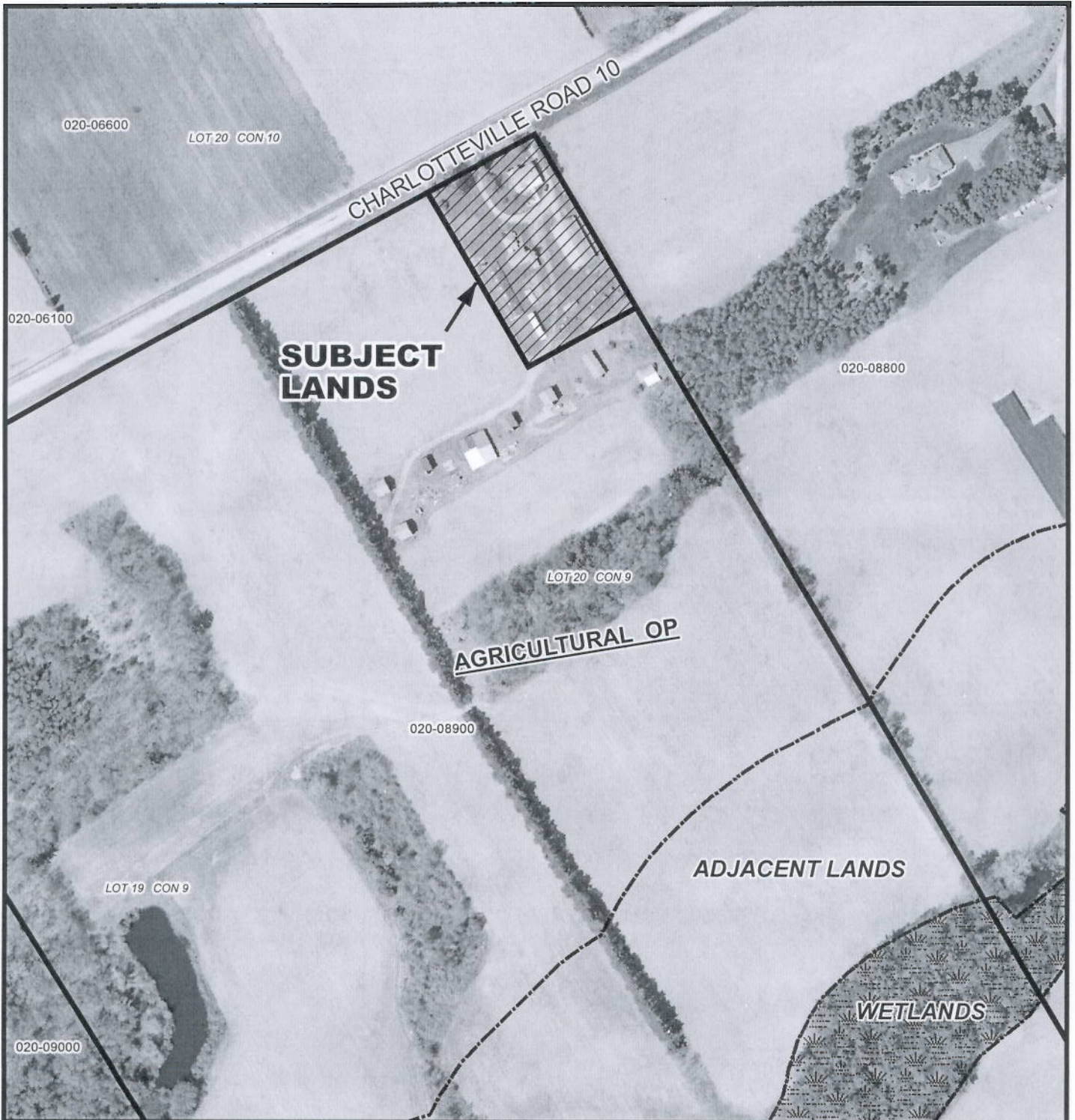
# MAP 3

File Number: BN-082/2007

Geographic Township of CHARLOTTEVILLE



1:3,000

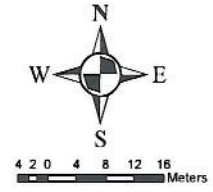




# MAP 4

File Number: BN-082/2007

Geographic Township of CHARLOTTEVILLE



1:1,000

