



COMMENT REQUEST FORM

FILE NO.: BN-107/2008

ROLL NO.: 3310-493-070-22200

- 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

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:**

NOVEMBER 5th, 2008

APPLICANT:

Frank Peter Deleebeck & Christine Germaine Deleebeck, R.R. #2 St. Williams, ON N0E 1P0

AGENT:

M. D. McArthur
Cline, Backus, Nightingale & McArthur, PO Box 528 Simcoe, ON N3Y 4N5

LOCATION:

Lot 10 & 11 Conc A CHR (behind 1761 Front Road)

PROPOSAL:

Sever a parcel having a combined frontage of 127 m. (126' + 293') a width of 194 m. (637 ft.) a depth of 605 m. (1984 ft.) and having an area of 9.92 ha (24.5 ac.) and retain a parcel having an area of 9.5 ha. (23.5 ac.) more or less as a boundary adjustment.

PLEASE REPLY BY EMAIL DIRECTLY TO:

MARY ELDER, MCIP, RPP

Norfolk County, 60 Colborne Street, South, Simcoe, ON N3Y 4N5
(519) 426-5870 ext 1341

EMAIL: mary.elder@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 (A), 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: October 22nd, 2008

CONSENT / SEVERANCE

Office #: BN-107/2008
 File Number: BN-106/2008
 Related File: Sept 4, 2008
 Fees Submitted: August 22/2008
 Application Submitted: Sept 4, 2008
 Sign Issued: Sept 4, 2008
 Complete Application: Sept 4, 2008

me

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: _____

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

3310 - 493.070.22200.000

(EASTERLY)
 PART LOTS 10 & 11, CN A
 Less Pt. 1 on 37R-8079

A. APPLICANT INFORMATION

Name of Applicant ¹ [REDACTED] Phone # 1-519-586-2654
 Address FRANK PETER DELEEBECK & CHRISTINE GERMAINE DELEEBECK Fax # _____
RR#2 ST. WILLIAMS, ONTARIO
 Town / Postal Code NOE 1P0 E-mail frank1@execulink.com

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

Name of Agent M. D. MCARTHUR Phone # 519-426-6763
 Address 90 CLINE, BACKUS, NIGTINGALE & MCARTHUR Fax # 519-426-2055
 Town / Postal Code _____ E-mail mcarthur@clinebackus.com

Name of Owner ² _____ Phone # _____
 Address _____ Fax # _____
 Town / Postal Code _____ 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:
ROYAL BANK OF CANADA, SIMCOE, ONTARIO



B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township CHARLOTTEVILLE Urban Area or Hamlet _____

Concession Number A Lot Number(s) 10 & 11

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

Reference Plan Number PART 1, PLAN 37R-8056 Part Number(s) _____

Frontage (metres/feet) 337.7m (1,108' approximately) Depth (metres/feet) 1,154m ±
378.9 (EASTERLY) + IRREGULAR

Width (metres/feet) 321m ± (1056' approximately) Lot area (m² / ft² or hectares/acres) 53.8ha (133 acres ±)

Municipal Civic Address RR# 2 ST WILLIAMS, ONTARIO (behind #1761 Front Road)

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:

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):

To increase and produce a suitable area for specific agricultural purposes being grape growing on current lands.

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

A GENERAL PARTNERSHIP TO BE FORMED INCLUDING FRANK DELEBECK AND OTHER INVESTOR/PARTNERS IN RELATION TO GRAPE GROWING AND RELATED ACTIVITY TO GRAPE PRODUCTION.

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

3310-493-070-223-00 FRANK PETER DELEBECK AND CHRISTINE GERMAINE DELEBECK.

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: **N/A.**

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: **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 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: ^{127m}

Frontage (metres/feet) (26' + 243') 110m

Depth (metres/feet)

(1084') 605m
(1670' ±) 509m.

Width (metres/feet) (461' ±) 201.47m
(637') 194m

Lot area (m² / ft² or hectares/acres)

(approx. 13 acres.) 5.25 ha
(245 ac)
991 ha

Existing use: AGRICULTURAL

Proposed use: AGRICULTURAL

Number and type of buildings and structures ^{proposed.} 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 ^{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:

2 OLD BARNs; approximately 20' x 40' and 30' x 80'. At least one barn to be continued to be used.

Description of land intended to be RETAINED:

Frontage (metres/feet) 337.7m (816')

Depth (metres/feet)

(3789' ±) 1,154m

Width (metres/feet) (1056' ±) 321.8m

Lot area (m² / ft² or hectares/acres)

48 ha 9.5 ha (23.5 ac)
120 acres (easterly block)

Existing use: AGRICULTURAL

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:

N/A.

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 (m² / ft²) _____

Proposed use: N/A.

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:

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?

Date of construction of the dwelling proposed to be severed:

Date of purchase of subject lands:

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:

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**:

File number:	008/99	RT-1/2007	OPN-001/2008 & ZN004/2008
Land it affects:	subject lands		lands south of Front Road.
Purpose:	one lot for gas	Bell Mobility radio tower	permit winey, restaurant, banquet facilities, overnight accommodation, office, ecs - trees - trails etc.
Status/decision:	approved	approved	approved.
Effect on the requested amendment:	none	none	

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>0</u> 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	Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>200m</u> 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

nothing 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:

FRONT ROAD

Existing or proposed access to severed lands:

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

If other, describe:

FRONT ROAD

Name of road/street:

FRONT ROAD

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.

~~Approximately 7-8 acres of wintera grapes are currently growing (planted) on the westerly parcel and a small area of easterly parcel and further planting is intended to continue on to the easterly lands as well.~~

MAP 1

File Number: BN-106/2008 & BN-107/2008

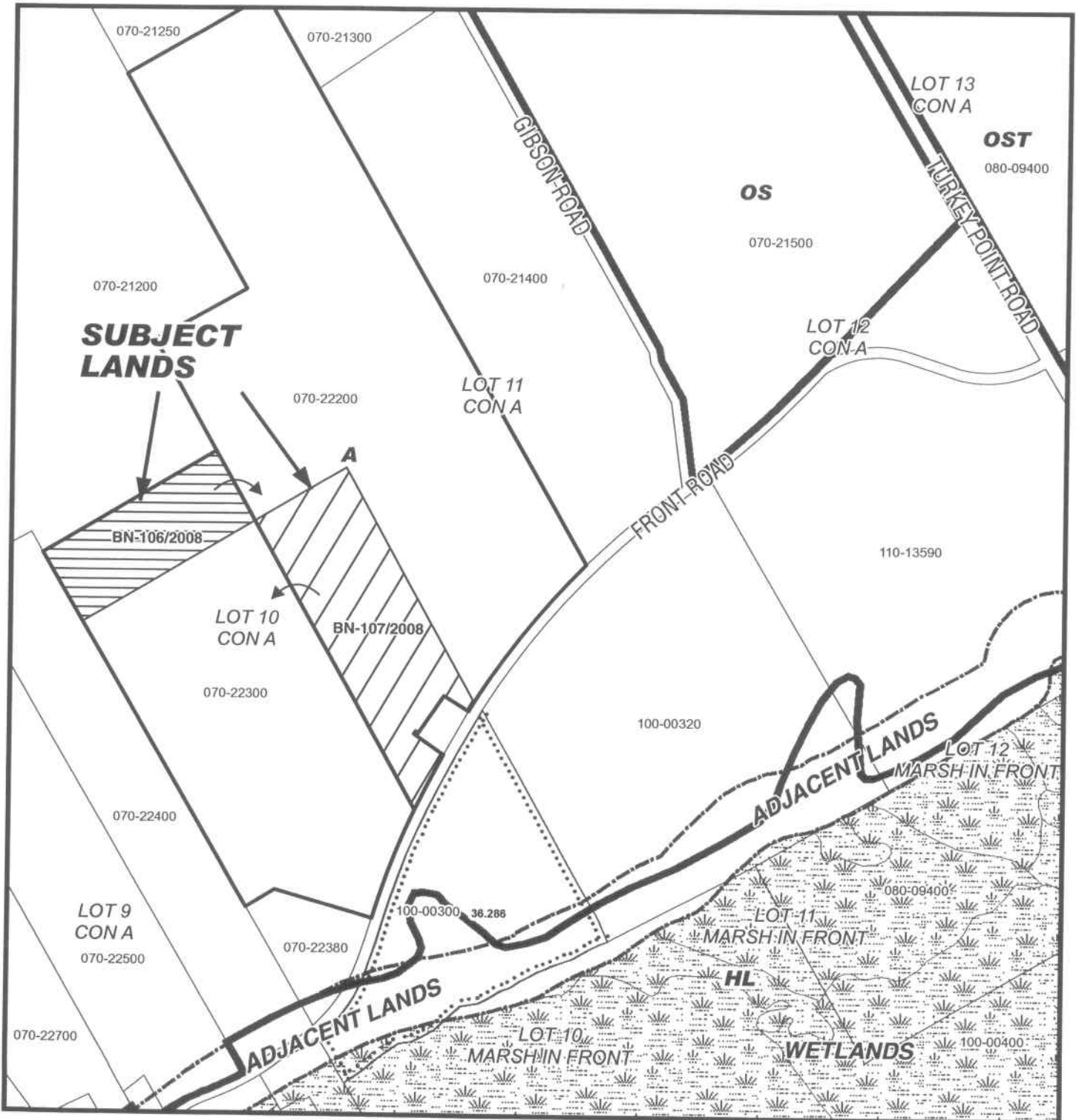
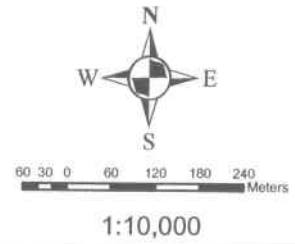
Geographic Township of CHARLOTTEVILLE



MAP 2

File Number: BN-106/2008 & BN-107/2008

Geographic Township of CHARLOTTEVILLE



MAP 3

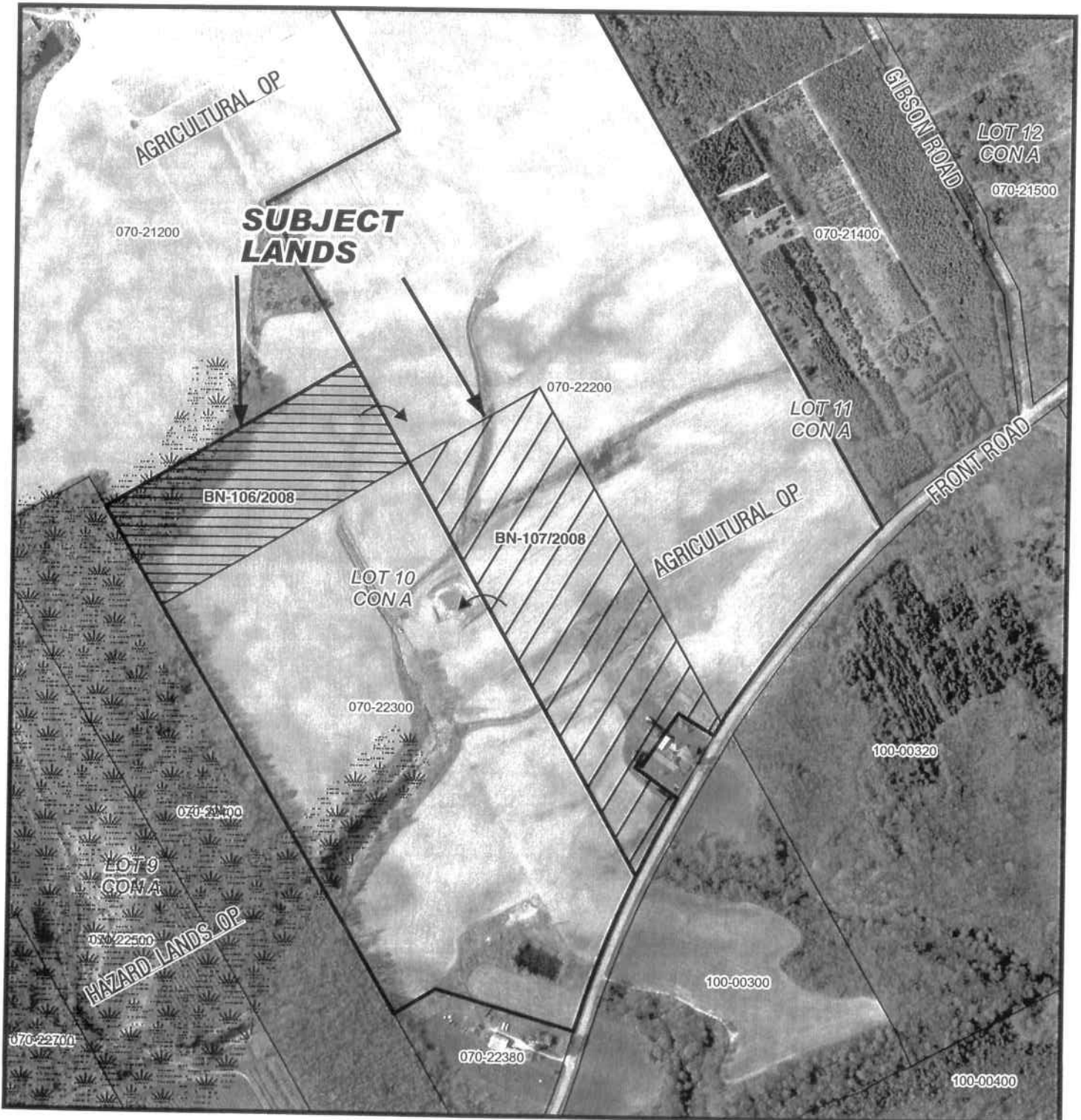
File Number: BN-106/2008 & BN-107/2008

Geographic Township of CHARLOTTEVILLE



50 25 0 50 100 150 200 Meters

1:7,000



MAP 4
File Number: BN-106/2008 & BN-107/2008
Geographic Township of CHARLOTTEVILLE

