



THE CORPORATION OF NORFOLK COUNTY
COMMITTEE OF ADJUSTMENT

COMMENT REQUEST FORM

FILE NO: BNPL2010199

☒ Building Department
☒ Building Inspector (Sewage System Review)
☒ Forestry Division
☒ GIS Section
☒ Fire/EMS
☒ Public Works NOTE: If an agreement is required
please attach the clauses you require in the
agreement.

☒ Railway
☒ Norfolk Power
Ministry of Transportation
☒ Union Gas
☒ Norfolk Heritage Committee
☐ 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:**

JANUARY 3RD, 2010

APPLICANT:

GROWMARK, INC. - JEFF HOUSE, 1 CHANDARIA PLACE KITCHENER, ON N2C2S3

AGENT:

BRENDA COOPER, 763 NORFOLK STREET SOUTH SIMCOE, ON N3Y4K1

LOCATION: WDM CON 12 PT LOT 22 (500 Church Street, Delhi)

ASSESSMENT ROLL NO.: 3310491024450000000

PROPOSAL:

An application has been received to sever a parcel of land having a frontage of 8.41 m (27.59 ft), a varying depth and having an area of 2.02 ha (5 ac) and retain an parcel having an area of 19.13 ha (47.29 ac.) as a boundary adjustment. Lands to be added to 1161 Fertilizer Road owned by Growmark Inc. to allow for future expansion. Final Lot Size: 5.26 ha (13 ac.)

PLEASE REPLY BY EMAIL DIRECTLY TO:

SHIRLEY CATER, MCIP, RPP, ECD

60 Colborne Street South, Simcoe ON N3Y 4H3

(519) 426-5870 ext: 1290

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 application, you must make a written request to:

Karen Judd, ACST, 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: December 20th, 2010

CONSENT / SEVERANCE**Office Use:**

File Number: BN- PL2010199
Related File:
Fees Submitted: Dec 8/2010
Application Submitted: Dec 8/2010
Sign Issued: Dec 8/2010
Complete Application: Dec 8/2010

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: 3310-491024450

- | | |
|---|---|
| <input type="checkbox"/> Creation of a new lot | <input checked="" type="checkbox"/> Boundary adjustment |
| <input type="checkbox"/> Surplus Dwelling | <input type="checkbox"/> Easement |
| <input type="checkbox"/> Farm Split | <input type="checkbox"/> Right-of-way |
| <input type="checkbox"/> Other (lease / charge) | |

A. APPLICANT INFORMATION

Name of Applicant ¹ Growmark - 90 Jeff Phone # 519-895-5304
Address 1 Chandaria Place ^{House} Unit 7 Fax # 519-895-5322
Town / Postal Code Kitchener, ON N2C 2S3 E-mail jhouse@fspartners.ca

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

AGENT INFORMATION

Name of Agent Brenda Cooper Phone # 519-426-3388
Address 7163 Norfolk St S Fax # 519-426-3360
Town / Postal Code Simcoe, ON N3Y 4K1 E-mail brendacooper@bcappraisalsinc.com

OWNER(S) INFORMATION Please indicate name(s) exactly as shown on the Transfer/Deed of Land

Name of Owners ² Brenda Van DeVelde Phone # 519-427-3513
Jerry Van DeVelde
Address 500 Church Street Fax #
Town / Postal Code Delhi, ON N4B 1V3 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:

Not Applicable

CONSENT / SEVERANCE

B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS

Geographic Township	<u>Windham</u>	Urban Area or Hamlet	<u>Delhi</u>
Concession Number	<u>12</u>	Lot Number(s)	<u>22</u>
Registered Plan Number	<u>—</u>	Lot(s) or Block Number(s)	<u>—</u>
Reference Plan Number	<u>—</u>	Part Number(s)	<u>—</u>
Frontage (metres/feet)	<u>over 91.44m(300')</u>	Depth (metres/feet)	<u>Unavailable</u>
Width (metres/feet)	<u>Irregular</u>	Lot area (m ² / ft ² or hectares/acres)	<u>21.16 Ha (52.29 ac)</u>
Municipal Civic Address	<u>500 Church St, Delhi</u>		

For questions regarding requirements for a municipal civic address please contact NorfolkGIS@norfolkcounty.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):

Expand existing property owned by Growmark

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

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

33104910244650000000
Growmark Inc. 1161 Fertilizer Road

CONSENT / SEVERANCE

NIA

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 (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
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:

NIA

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) 8.41m (27.59') Depth (metres/feet) Irregular
 Width (metres/feet) Irregular Lot area (m² / ft² or hectares/acres) 2.02ha (5ac)
 PROPOSED FINAL LOT SIZE (if boundary adjustment) 5.26ha (13ac)

Existing use: Farming (Agriculture) - Recently rezoned to General Industrial

Proposed use: Industrial

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:

See Diagram Attached.

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

Frontage (metres/feet) over 91.44m (300') Depth (metres/feet) Irregular
 Width (metres/feet) Irregular Lot area (m² / ft² or hectares/acres) 19.13ha (47.29ac)

Existing use: Farming

Proposed use: Farming

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:

House, Barn - 4, 2 Greenhouses, Garage, Bunkhouse + 12 Bulk 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:

None

N/A

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

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

Proposed use: _____

CONSENT / SEVERANCE

D. PROPERTY INFORMATION

Present official plan designation(s): General Industrial

Present zoning: Recently changed to General Industrial
Appeal period ends Dec. 22/10.

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: B-165/90-DE-Approved

Number of separate parcels that have been created: one

Date(s) these parcels were created: 1990

Name of the transferee for each parcel: unknown

Uses of the severed lands: Residential

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

Date of construction of the dwelling proposed to be severed: N/A

Date of purchase of subject lands: N/A

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: Fertilizer Storage/mixing on adjacent lands

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?



CONSENT / SEVERANCE

☐ 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**: If additional space is required, attach a separate sheet.

File number: ZNPL 2010140

Land it affects: Proposed Severed Lands

Purpose: Industrial User - expansion of existing lands.

Status/decision: Passed - pending 20 day wait time

Effect on the requested amendment: Enable the boundary adjustment.

Is the above information for other planning developments applications attached? ☐ Yes ☒ No

CONSENT / SEVERANCE

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:

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 type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Municipal landfill	<input type="checkbox"/> Yes <input 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 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 type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Floodplain	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Rehabilitated mine site	<input type="checkbox"/> Yes <input 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 type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Active mine site within one kilometre	<input type="checkbox"/> Yes <input 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 type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>immediate south</u> distance
Active railway line	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>200m</u> distance
Seasonal wetness of lands	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Erosion	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Abandoned gas wells	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance

H. SERVICING AND ACCESS

WATER SUPPLY

Municipal piped water

SEVERED

☐

RETAINED

☐

Communal Wells

☐☐

Individual Wells

☐☒

Other means (describe) severed - no servicing

CONSENT / SEVERANCE

SEWAGE TREATMENT

SEVERED

RETAINED

Municipal Sewers

☐☐

Communal System

☐☐

Septic tank and tile bed

☐☒

Other means (describe) severed - no servicing

STORM DRAINAGE

SEVERED

RETAINED

Storm Sewers

☐☐

Open ditches

☒☒

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

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

☐ Unopened road

☐ Provincial highway

☒ Municipal road maintained all year

☐ Right-of-way

☐ Municipal road maintained seasonally

☐ Other (describe below)

If other, describe: _____

Name of road/street: Church Street

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

☐ Unopened road

☐ Provincial highway

☒ Municipal road maintained all year

☐ Right-of-way

☐ Municipal road maintained seasonally

☐ Other (describe below)

If other, describe: _____

Name of road/street: Fertilizer Road

I. OTHER INFORMATION

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

☒

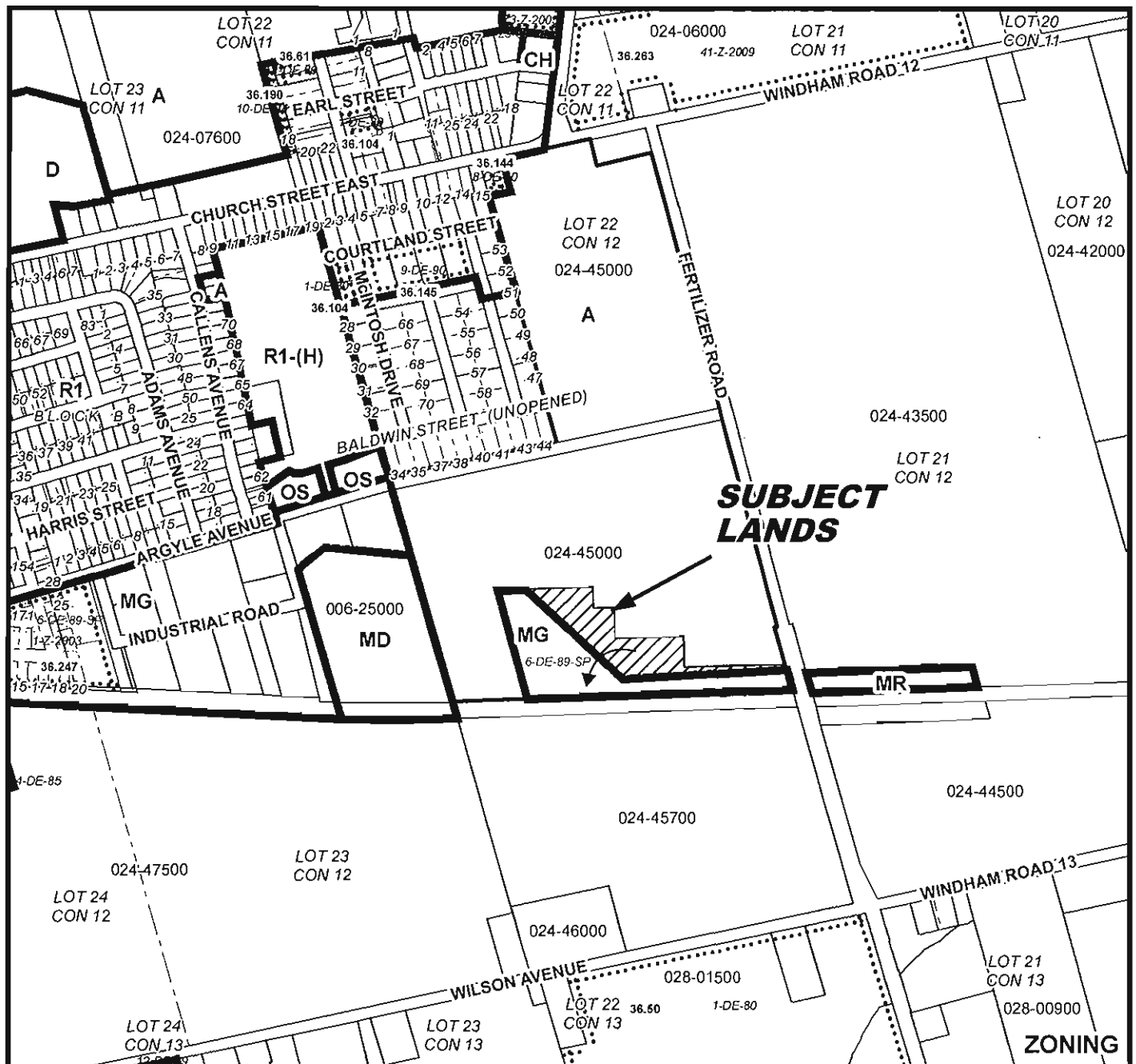
Yes

☐

No

If yes, describe: offer in place with owners - conditional on severance

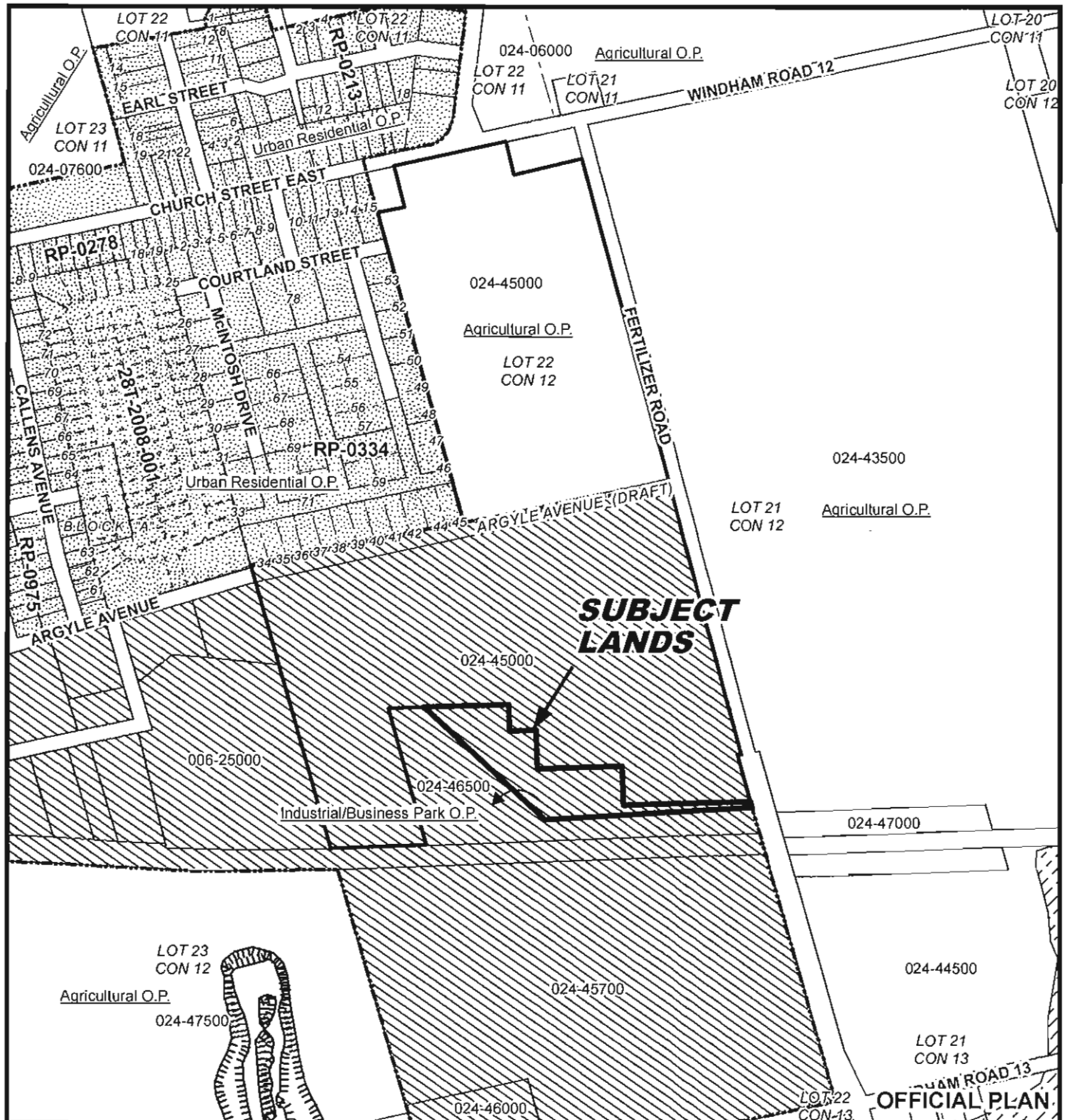
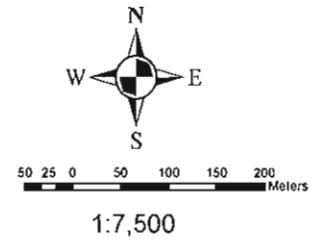
Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.



MAP 2

File Number: BNPL2010199

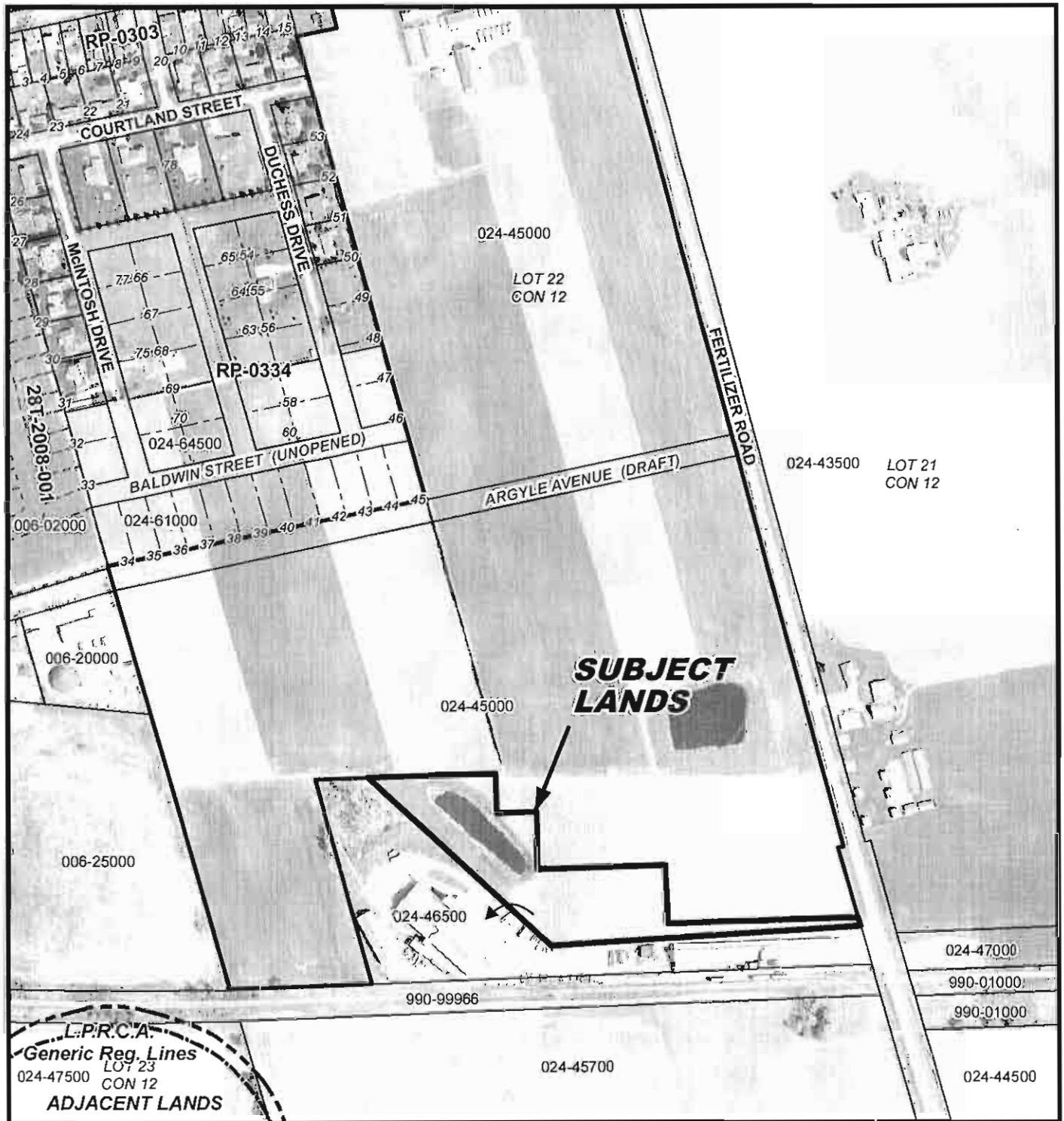
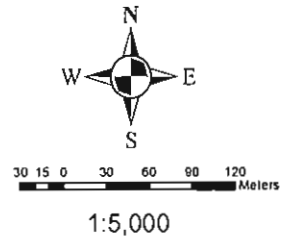
Geographic Township of WINDHAM



MAP 3

File Number: BNPL2010199

Geographic Township of WINDHAM



Geographic Township of WINDHAM

