



THE CORPORATION OF NORFOLK COUNTY  
COMMITTEE OF ADJUSTMENT

## COMMENT REQUEST FORM

# FILE NO: BNPL2012005

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 30<sup>th</sup>, 2012

**APPLICANT:**

ERDELAC EDWARD ANTHONY  
ERDELAC ROSEMARY A, 903 FORESTRY FARM RD RR 1 ST WILLIAMS, ON N0E 1P0

**AGENT:**

CLINE BACKUS NIGHTINGALE MCARTHUR - PETER KARSTEN, 39 COLBORNE ST. N. SIMCOE, ON N3Y 4N5

**LOCATION:** SWAL PLAN 429 PT LOT 30 PT, LOT 31 PLUS R O W (130 Erie Blvd)

**ASSESSMENT ROLL NO.:** 3310543060072000000

**PROPOSAL:**

An application has been received to sever a parcel having a frontage of 0.08 m (0.27 ft.) a depth of 6.28 m (20.59 ft.) and having an area of 0.3 sq.m. (3 sq.ft.) and retain a parcel having an area of 0.06 ha (0.15 ac.) as a boundary adjustment. Lands to be added to: 1 Willow Ave. Final Lot Size: 0.047 ha (0.17 ac.)

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### 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](mailto:shirley.cater@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 application, you must make a written request to:

Karen Judd, ACST, Secretary-Treasurer  
P.O. Box 128, 22 Alberf Street, Langton ON N0E 1G0  
Phone: (519) 875-4485 ext 1835; Fax: (519) 875-4789  
[koren.judd@norfolkcounty.ca](mailto:koren.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:** January 16, 2012

**CONSENT / SEVERANCE**

Cire to L P R C A  
 L P fee waived  
 NO OSOS to reg'd.

**Office Use:**

File Number

BN-PL 2012 005

Related file:

BNPL 2012 004

Fees Submitted:

Jan 4/12

Application Submitted:

11

Sign Issued

11

Complete Application:

11 48.

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: 3310-54306007200**

<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 <sup>1</sup>	Edward Erdelac & Rosemary Erdelac	Phone #
Address	130 Erie Boulevard, Highway #59	Fax #
Town / Postal Code	Port Rowan, ON N0E 1M0	E-mail

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

**AGENT INFORMATION**

Name of Agent	Peter Karsten	Phone #	519-426-6763
Address	39 Colborne Street North	Fax #	519-426-2055
Town / Postal Code	Simcoe, ON N3Y 4N5	E-mail	<a href="mailto:karsten@clinebackus.com">karsten@clinebackus.com</a>

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

Name of Owners <sup>2</sup>	Edward Erdelac & Rosemary Erdelac	Phone #
Address	130 Erie Boulevard, Highway #59	Fax #
Town / Postal Code	Port Rowan, ON N0E 1M0	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:

## CONSENT / SEVERANCE

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

Geographic Township	South Walsingham	Urban Area or Hamlet	Port Rowan
Concession Number		Lot Number(s)	PT LT 30
Registered Plan Number	429	Lot(s) or Block Number(s)	PT BLK E
Reference Plan Number	37R3843 & 37R4116	Part Number(s)	
Frontage (metres/feet)	21.97 feet	Depth (metres/feet)	135 ~ 142.71 feet
Width (metres/feet)	21.97 – 68.14 feet	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	(irregular)
Municipal Civic Address	130 Erie Boulevard, Highway #59, Port Rowan, ON N0E 1M0		

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

The purpose of this Development Application is to adjust the current registered property line between the Applicant's property as noted above and the property owned by Brenda Margaret Ness, the municipal civic address being 1 Willow Avenue, Port Rowan, ON – to reflect the actual property line between the foregoing properties.

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

Brenda Margaret Ness

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

Brenda Margaret Ness – Assessment Roll Number: 331054306007100

1 WILLOW AVE

## 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 (including those with part interest)	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:

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 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)

(0.27 feet) 0.08m

Depth (metres/feet)

(20.59 feet) 6.28m

Width (metres/feet)

(0 - 0.27 feet) 0.08m

Lot area (m<sup>2</sup> / ft<sup>2</sup> or  
hectares/acres)

(3 square feet) 0.3 m<sup>2</sup>

PROPOSED FINAL LOT SIZE  
(if boundary adjustment)

(irregular) 0.07 ha  
(0.17 ac)

Existing use: Lawn

Proposed use: Will not change; lawn

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

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

Frontage (metres/feet)

21.70 feet

Depth (metres/feet)

135 – 142.71 feet

Width (metres/feet)

21.70 – 68.14 feet

Lot area (m<sup>2</sup> / ft<sup>2</sup> or  
hectares/acres)

0.06 ha (0.15 ac)

Existing use: Property for house

Proposed use: Will not change; property for house

## CONSENT / SEVERANCE

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 \_\_\_\_\_

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:

House \_\_\_\_\_

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

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): Resort Residential \_\_\_\_\_

Present zoning: Long Point \_\_\_\_\_

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



## CONSENT / SEVERANCE

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: \_\_\_\_\_

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: \_\_\_\_\_

## CONSENT / SEVERANCE

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:

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

File number: Unknown; a second development application is being filed at the same time as this one

Land it affects: The foregoing two properties as mentioned above

Purpose: To transfer a portion of Brenda Margaret Ness' property to the Applicant's property; again in an effort to reflect the

actual property line between the foregoing properties

Status/decision: To be determined

Effect on the requested amendment: The final lot size of the Applicant's property will be determined by the two

development applications

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:

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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?

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

#### WATER SUPPLY

Municipal piped water

#### SEVERED

#### RETAINED

Communal Wells

Individual Wells



## CONSENT / SEVERANCE

Other means (describe) Water service

SEWAGE TREATMENT	SEVERED	RETAINED
Municipal Sewers	<input type="checkbox"/>	<input type="checkbox"/>
Communal System	<input type="checkbox"/>	<input type="checkbox"/>
Septic tank and tile bed	<input type="checkbox"/>	X

Other means (describe) \_\_\_\_\_

STORM DRAINAGE	SEVERED	RETAINED
Storm Sewers	<input type="checkbox"/>	<input type="checkbox"/>
Open ditches	<input type="checkbox"/>	X

Other (describe) \_\_\_\_\_

Have you consulted with Public Works & Environmental Services concerning stormwater management?  Yes X No

Has the existing drainage on the subject lands been altered?  Yes X No

Does a legal and adequate outlet for storm drainage exist?  Yes  No X Unknown

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

<input type="checkbox"/> Unopened road	<input type="checkbox"/> Provincial highway
X Municipal road maintained all year	<input type="checkbox"/> Right-of-way
<input type="checkbox"/> Municipal road maintained seasonally	<input type="checkbox"/> Other (describe below)

If other, describe: \_\_\_\_\_

Name of road/street: Willow Avenue

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

<input type="checkbox"/> Unopened road	<input type="checkbox"/> Provincial highway
X Municipal road maintained all year	<input type="checkbox"/> Right-of-way

## CONSENT / SEVERANCE

Municipal road maintained seasonally       Other (describe below)

If other, describe: \_\_\_\_\_

Name of road/street: Willow Avenue \_\_\_\_\_

## I. OTHER INFORMATION

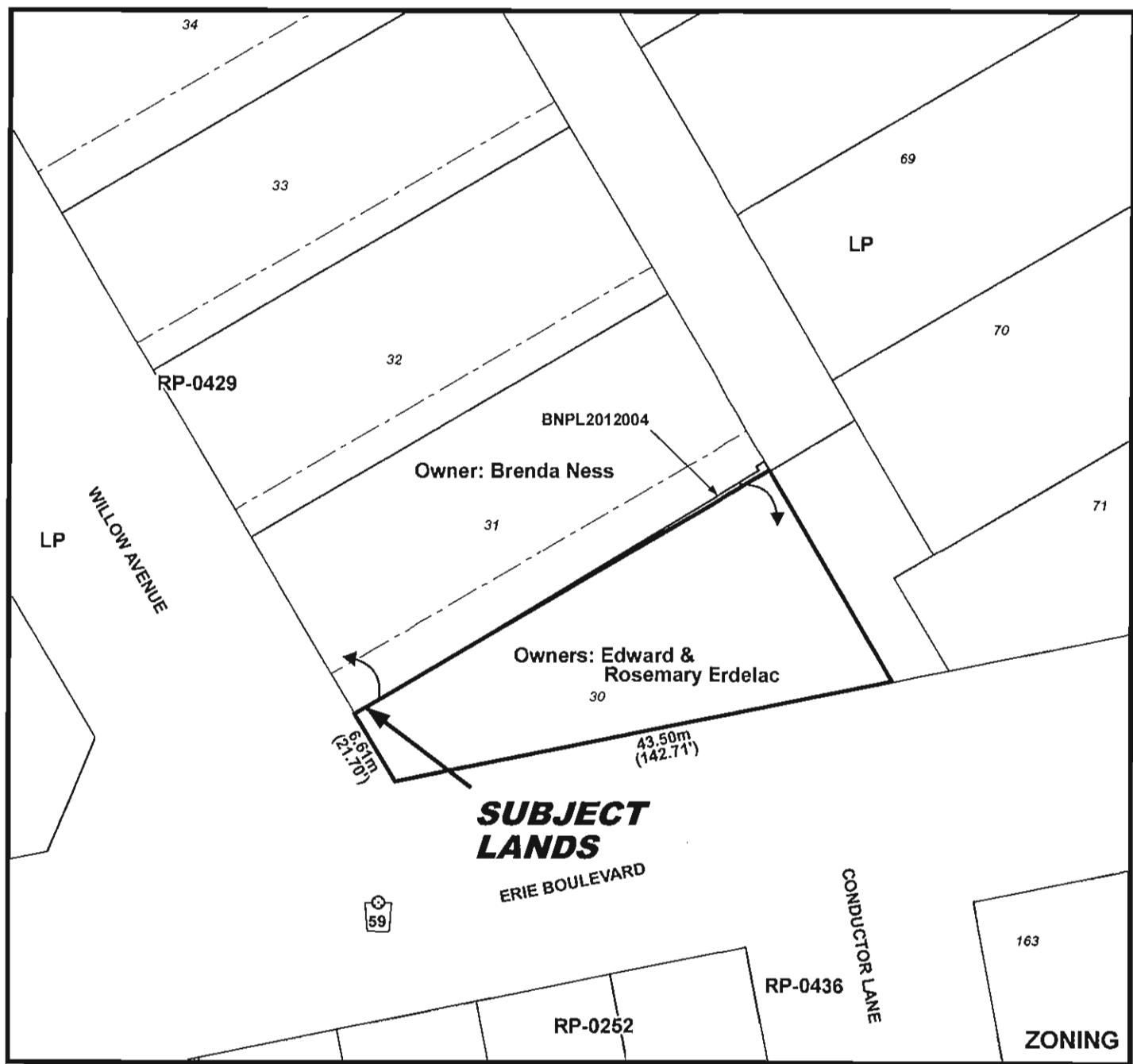
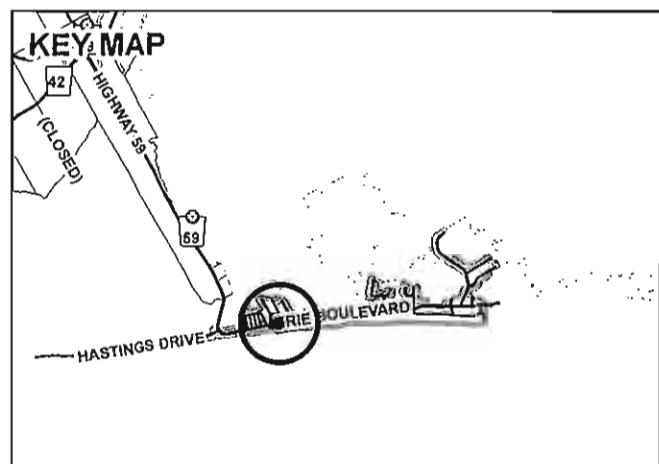
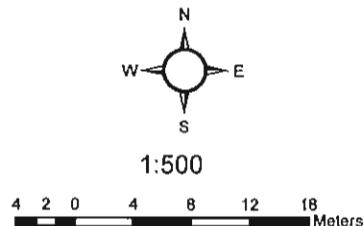
Is there a time limit that affects the processing of this development application?  Yes  X  No

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 an a separate page.

The PINS of the foregoing properties, Reference Plan 37R3843, a sketch and a draft reference plan are enclosed. \_\_\_\_\_

**MAP 1**  
**File Number: BNPL2012005**  
Geographic Township of  
**SOUTH WALSINGHAM**



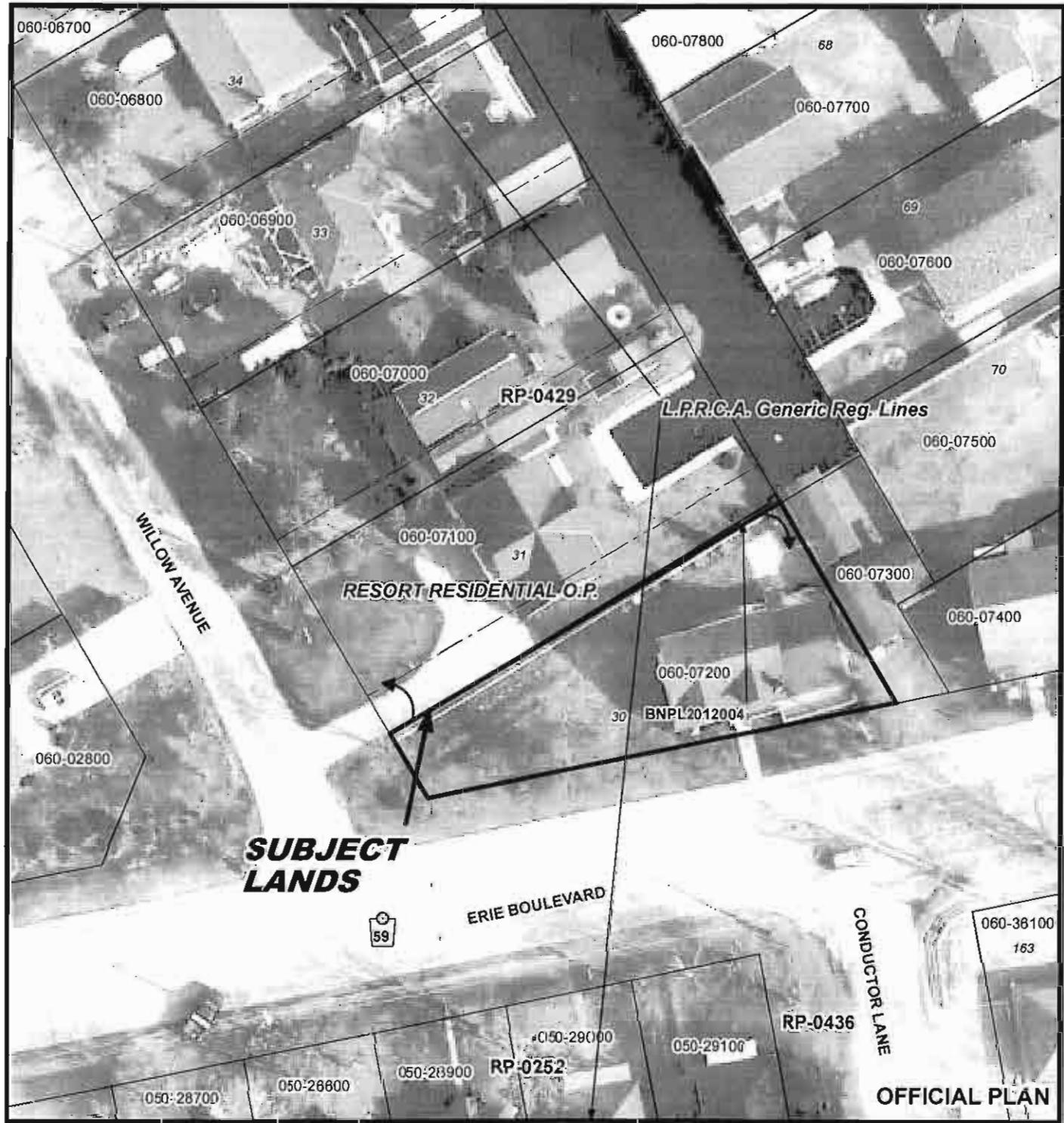
## MAP 2

File Number: BNPL2012005

Geographic Township of SOUTH WALSINGHAM



1:500



### MAP 3

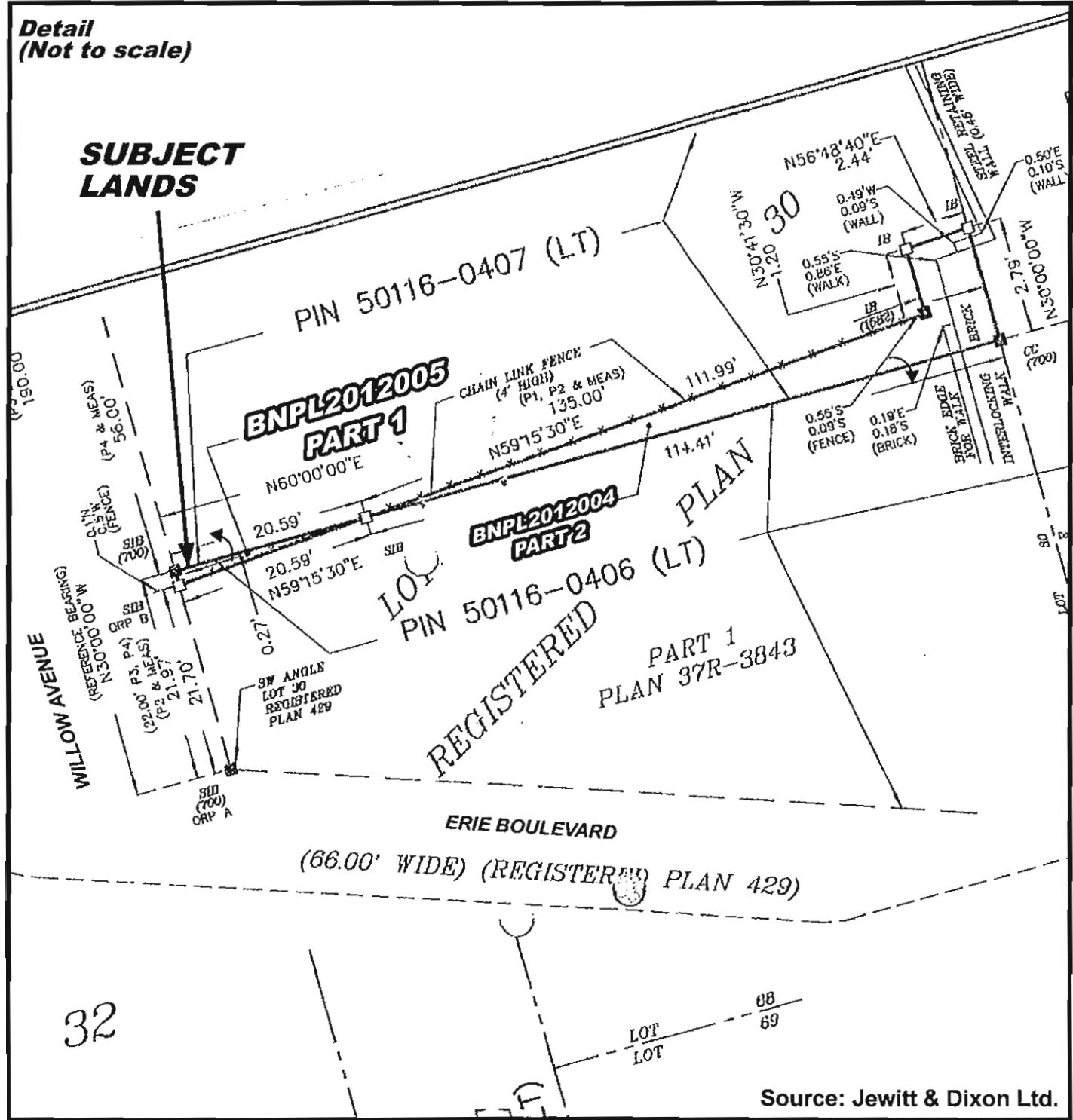
File Number: BNPL2012005

# **Geographic Township of SOUTH WALSINGHAM**



**Detail**  
**(Not to scale)**

## **SUBJECT LANDS**



# LOCATION OF LANDS AFFECTED

File Number: BNPL2012005

Geographic Township of SOUTH WALSINGHAM



1:500

