

JUN 11 2020

**For Office Use Only:**

File Number BNPL 2020129  
 Related File Number \_\_\_\_\_  
 Pre-consultation Meeting \_\_\_\_\_  
 Application Submitted \_\_\_\_\_  
 Complete Application July 9, 2020

Application Fee \_\_\_\_\_  
 Conservation Authority Fee \_\_\_\_\_  
 Well & Septic Info Provided \_\_\_\_\_  
 Planner \_\_\_\_\_  
 Public Notice Sign \_\_\_\_\_

**DEVELOPMENT AND  
CULTURAL SERVICES**

**Check the type of planning application(s) you are submitting.**

- ☐ Consent/Severance/Boundary Adjustment  
☒ Surplus Farm Dwelling Severance and Zoning By-law Amendment  
☐ Minor Variance  
☐ Easement/Right-of-Way

**Property Assessment Roll Number:** 491017070000000

**A. Applicant Information**

**Name of Owner** C & C Massellis Farms Limited

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.

Address c/o Bill Nightingale , 1492 Windham Road 19  
 Town and Postal Code LaSalette, ON N0E 1H0  
 Phone Number 519-582-2461  
 Cell Number 519-429-4962  
 Email bnightingale@kwic.com

**Name of Applicant** Same as owner  
 Address \_\_\_\_\_  
 Town and Postal Code \_\_\_\_\_  
 Phone Number \_\_\_\_\_  
 Cell Number \_\_\_\_\_  
 Email \_\_\_\_\_

Name of Agent David Roe, Civic Planning Solutions Inc.  
Address 599 Larch Street  
Town and Postal Code Delhi, ON N4B 3A7  
Phone Number 519-582-1174  
Cell Number 519-983-8154  
Email civicplanningsolutions@nor-del.com

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices in respect of this application will be forwarded to the agent noted above.

☐ Owner ☒ Agent ☐ Applicant

Names and addresses of any holder of any mortgagees, charges or other encumbrances on the subject lands:

Farm Credit Corporation -Simcoe Branch

B. Location, Legal Description and Property Information

1. Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):

WDM CON 9 PT LOT 2 AND RP\*37R2156 PART 1

Municipal Civic Address: 1796 Windham Road 9

Present Official Plan Designation(s): Agricultural & Hazard Lands

Present Zoning: Agricultural & Hazard Lands

2. Is there a special provision or site specific zone on the subject lands?

☐ Yes ☒ No If yes, please specify:

3. Present use of the subject lands:

Agricultural - vegetables - asparagus, peppers, beans

4. Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

1 Dwelling, 2 greenhouses and 1 bunkhouse, shed

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example a bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

n/a

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

Nothing at this time

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes ☐ No ☒

If yes, identify and provide details of the building:

8. If known, the length of time the existing uses have continued on the subject lands:

9. Existing use of abutting properties:

Agricultural cash crops

10. Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes ☒ No If yes, describe the easement or restrictive covenant and its effect:

### C. Purpose of Development Application

Note: Please complete all that apply.

1. Site Information	Existing	Proposed
Please indicate unit of measurement, for example: m, m <sup>2</sup> or %		
Lot frontage	427.5m	
Lot depth	1325m	
Lot width	603m	
Lot area	162.56ac/65.7ha	
Lot coverage		
Front yard		
Rear yard		
Left Interior side yard		
Right Interior side yard		
Exterior side yard (corner lot)		

2. Please outline the relief requested (assistance is available):

3. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law:

4. Description of land intended to be severed in metric units:

Frontage:	34.5m
Depth:	82m
Width:	34.5m
Lot Area:	2752m <sup>2</sup> (0.68ac)
Present Use:	Agricultural
Proposed Use:	Residential

Proposed final lot size (if boundary adjustment):

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

Description of land intended to be retained in metric units:

Frontage: 393m

Depth: 1325m

Width: 603m

Lot Area: 161.88ac/65.5ha

Present Use: Agricultural

Proposed Use: Agricultural

Buildings on retained land: 2 greenhouses, 1 bunkhouse, shed

5. Description of proposed right-of-way/easement in metric units:

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Area: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

6. List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:

Owners Name: C & C Masselis Farms Limited

Roll Number: 4910170700000000

Total Acreage: 162.56ac

Workable Acreage: 127ac

Existing Farm Type: (for example: corn, orchard, livestock) asparagus, peppers

Dwelling Present?: ☒ Yes ☐ No If yes, year dwelling built 1970's



Owners Name: Nightingale Farms Limited  
Roll Number: 491020110000000  
Total Acreage: 108.08ac  
Workable Acreage: 57.2ac plus greenhouses  
Existing Farm Type: (for example: corn, orchard, livestock) vegetables  
Dwelling Present?: ☐ Yes ☒ No If yes, year dwelling built \_\_\_\_\_

Owners Name: C & C Masselis Farms Limited  
Roll Number: 491017110000000  
Total Acreage: 81.12  
Workable Acreage: 52ac plus large greenhouses  
Existing Farm Type: (for example: corn, orchard, livestock) peppers, asparagus  
Dwelling Present?: ☐ Yes ☒ No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?: ☐ Yes ☐ No If yes, year dwelling built \_\_\_\_\_

**Note:** If additional space is needed please attach a separate sheet.

**D. Previous Use of the Property**

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☐ Yes ☒ No ☐ Unknown  
If yes, specify the uses (for example: gas station, or petroleum storage): \_\_\_\_\_
2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐ Yes ☒ No ☐ Unknown
3. Provide the information you used to determine the answers to the above questions:  
Knowledge of owner \_\_\_\_\_



4. If you answered yes to any of the above questions in Section D, 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

#### E. Provincial Policy

1. Is the requested amendment 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:

2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? ☐ Yes ☒ No

If no, please explain:

No change in use proposed

3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? ☐ Yes ☒ No

If no, please explain:

Not within a source water protection area

Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

**Livestock facility or stockyard** (submit MDS Calculation with application)

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Wooded area**

☒ On the subject lands or ☐ within 500 meters – distance adjacent

**Municipal Landfill**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Sewage treatment plant or waste stabilization plant**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Provincially significant wetland (class 1, 2 or 3) or other environmental feature**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Floodplain**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Rehabilitated mine site**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Non-operating mine site within one kilometre**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Active mine site within one kilometre**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Industrial or commercial use (specify the use(s))**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Active railway line**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Seasonal wetness of lands**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Erosion**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Abandoned gas wells**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_



## F. Servicing and Access

1. Indicate what services are available or proposed:

### Water Supply

- ☐ Municipal piped water  
☒ Individual wells

- ☐ Communal wells  
☐ Other (describe below)
- 

### Sewage Treatment

- ☐ Municipal sewers  
☒ Septic tank and tile bed in good working order

- ☐ Communal system  
☐ Other (describe below)
- 

### Storm Drainage

- ☐ Storm sewers  
☐ Other (describe below)

- ☒ Open ditches
- 

2. Existing or proposed access to subject lands

- ☒ Municipal road  
☐ Unopened road

- ☐ Provincial highway  
☐ Other (describe below)

Name of road/street:

Windham Road 9

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## G. Other Information

1. Does the application involve a local business? ☐ Yes ☒ No

If yes, how many people are employed on the subject lands?

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

#### **H. Supporting Material to be submitted by Applicant**

In order for your application to be considered complete, folded hard copies (number of paper copies as directed by the planner) and an **electronic version (PDF) of the site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Existing and proposed easements and right of ways
4. Parking space totals – required and proposed
5. All dimensions of the subject lands
6. Dimensions and setbacks of all buildings and structures
7. Location and setbacks of septic system and well from all existing and proposed lot lines, and all existing and proposed structures
8. Names of adjacent streets
9. Natural features, watercourses and trees

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- ☐ Zoning Deficiency Form
- ☐ On-Site Sewage Disposal System Evaluation Form (to verify location and condition)
- ☐ Environmental Impact Study
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Record of Site Condition
- ☐ Agricultural Impact Assessment

Your development approval might also be dependent on Ministry of Environment Conservation and Parks, Ministry of Transportation or other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

**All final plans must include the owner's signature as well as the engineer's signature and seal.**

### I. Transfers, Easements and Postponement of Interest

The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

### Permission to Enter Subject Lands

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

### Freedom of Information

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act, R.S.O. 1990, c. P. 13* for the purposes of processing this application.

[Signature]  
Owner/Applicant/Agent Signature

June 10/20  
Date

I have power to bind the corporation

### J. Owner's Authorization

If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We C & C Masselis Farms Limited am/are the registered owner(s) of the lands that is the subject of this application.

I/We authorize David Roe, Civic Planning Solutions Inc. to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

[Signature]  
Owner

June 10/20  
Date

I have power to bind the corporation

                      
Owner

                      
Date



K. Declaration

I, William Geert Nightingale of Norfolk County

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

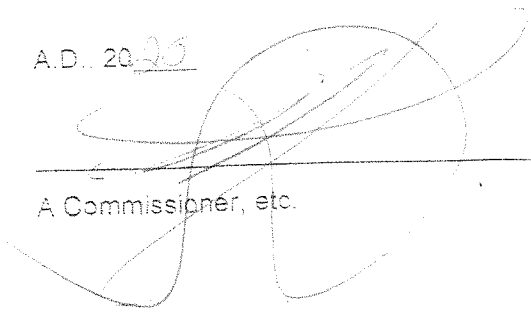
Declared before me at:

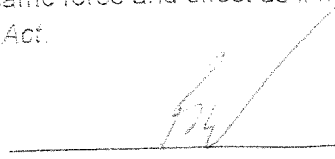
Simcoe

in Norfolk County

This 10 day of June

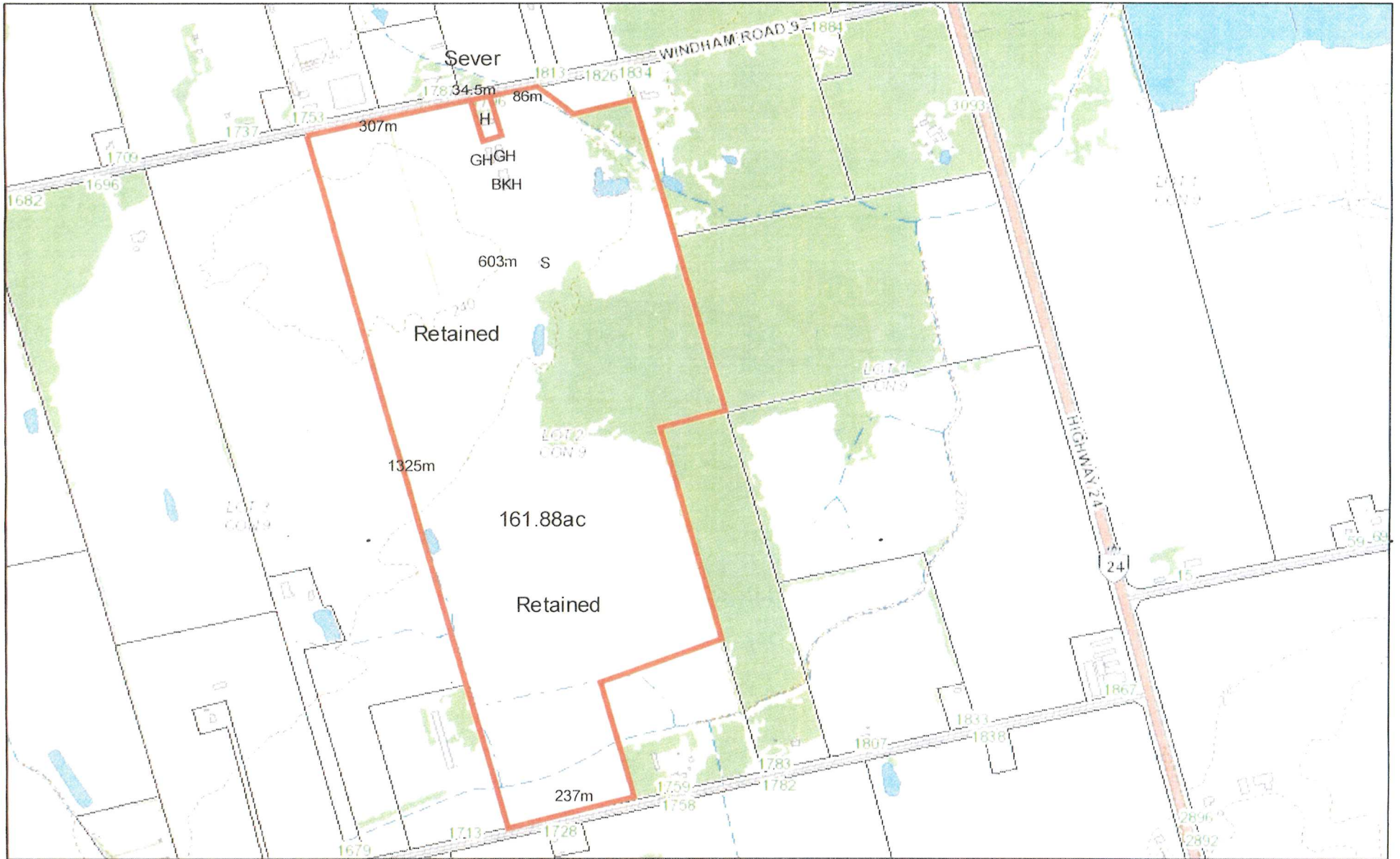
A.D. 2020

  
A Commissioner, etc.

  
Owner/Applicant/Agent Signature

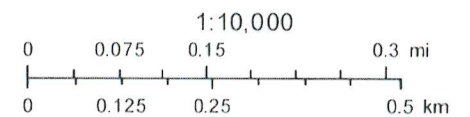
I have power to bind the corporation

# MAP NORFOLK - Community Web Map



6/7/2020, 2:10:38 PM

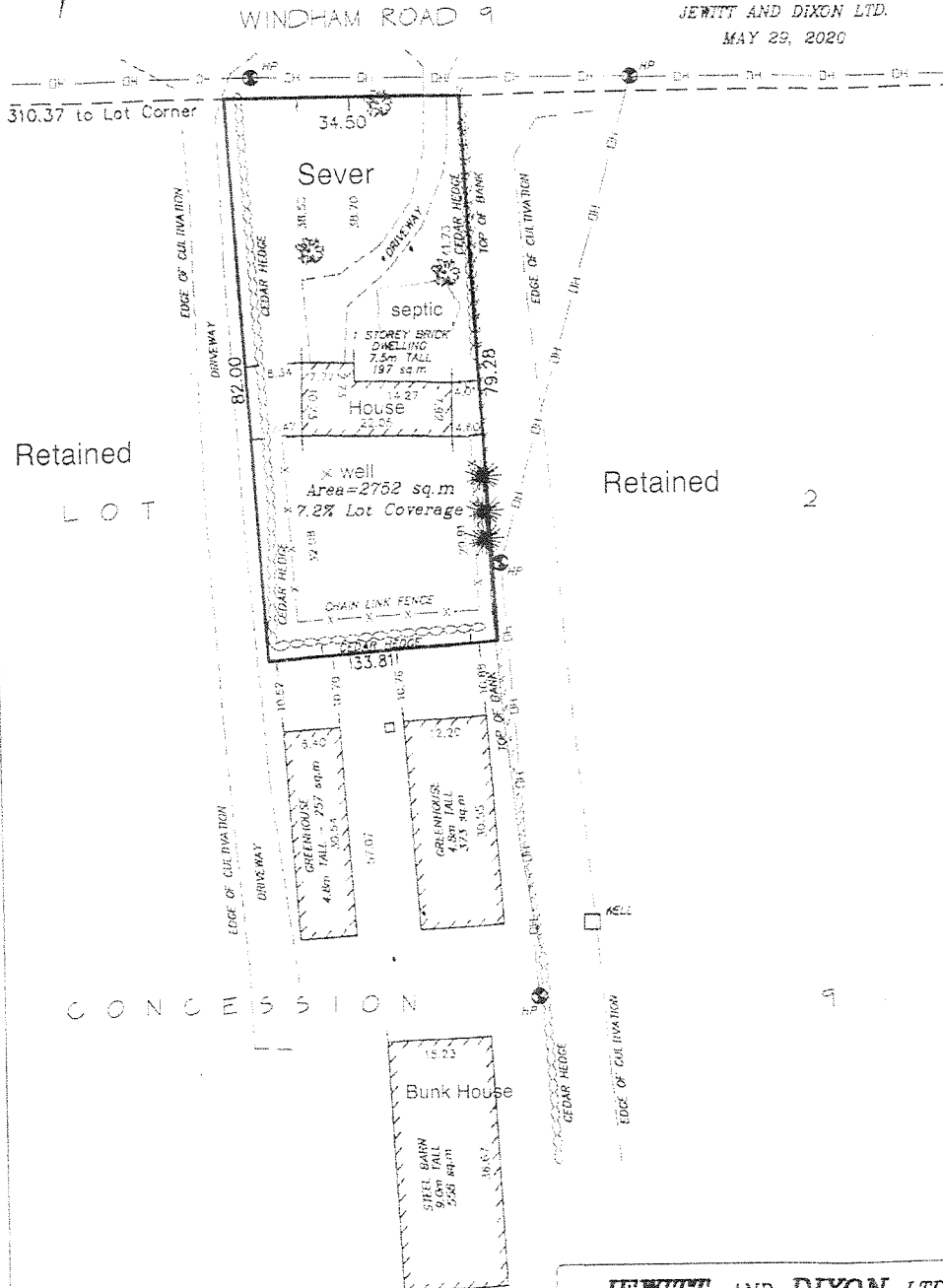
- Land Parcels
- Plan Lines
- DraftPlan



Norfolk GIS

Norfolk GIS  
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SKETCH FOR  
SEVERANCE APPLICATION  
OF PART OF  
LOT 2, CONCESSION 9  
IN THE GEOGRAPHIC  
TOWNSHIP OF WINDHAM  
IN  
NORFOLK COUNTY  
SCALE: 1 : 750  
JEWITT AND DIXON LTD.  
MAY 29, 2020



**NOTE:**

THIS PLAN IS IN METRIC AND CAN BE CONVERTED TO IMPERIAL BY MULTIPLYING BY 3.2808

**CAUTION:**

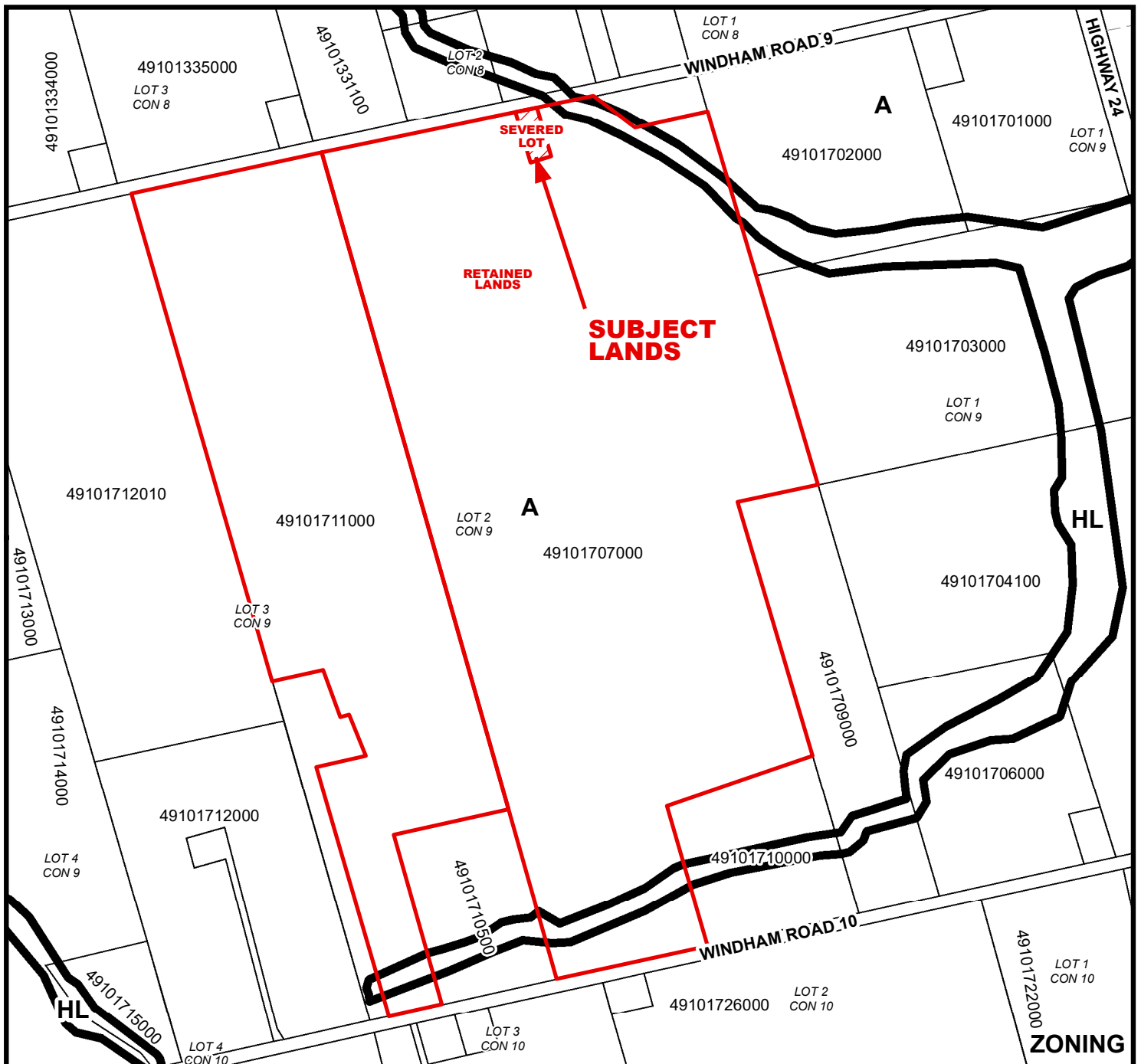
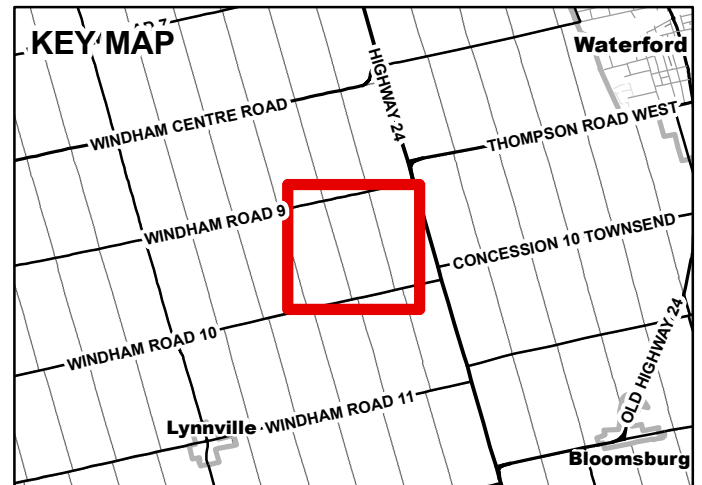
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR PURPOSES OTHER THAN THE PURPOSE INDICATED IN THE TITLE BLOCK.

**JEWITT AND DIXON LTD.**  
**ONTARIO LAND SURVEYORS**

R.R.1, SIMCOE, ONTARIO, N3Y 4J9  
(51 PARK ROAD)

PHONE: (519) 426-0542 FAX: (519) 426-1034  
E-mail: surveyors@amtelecom.net

JOB # 20-2484 CLIENT: NIGHTINGALE

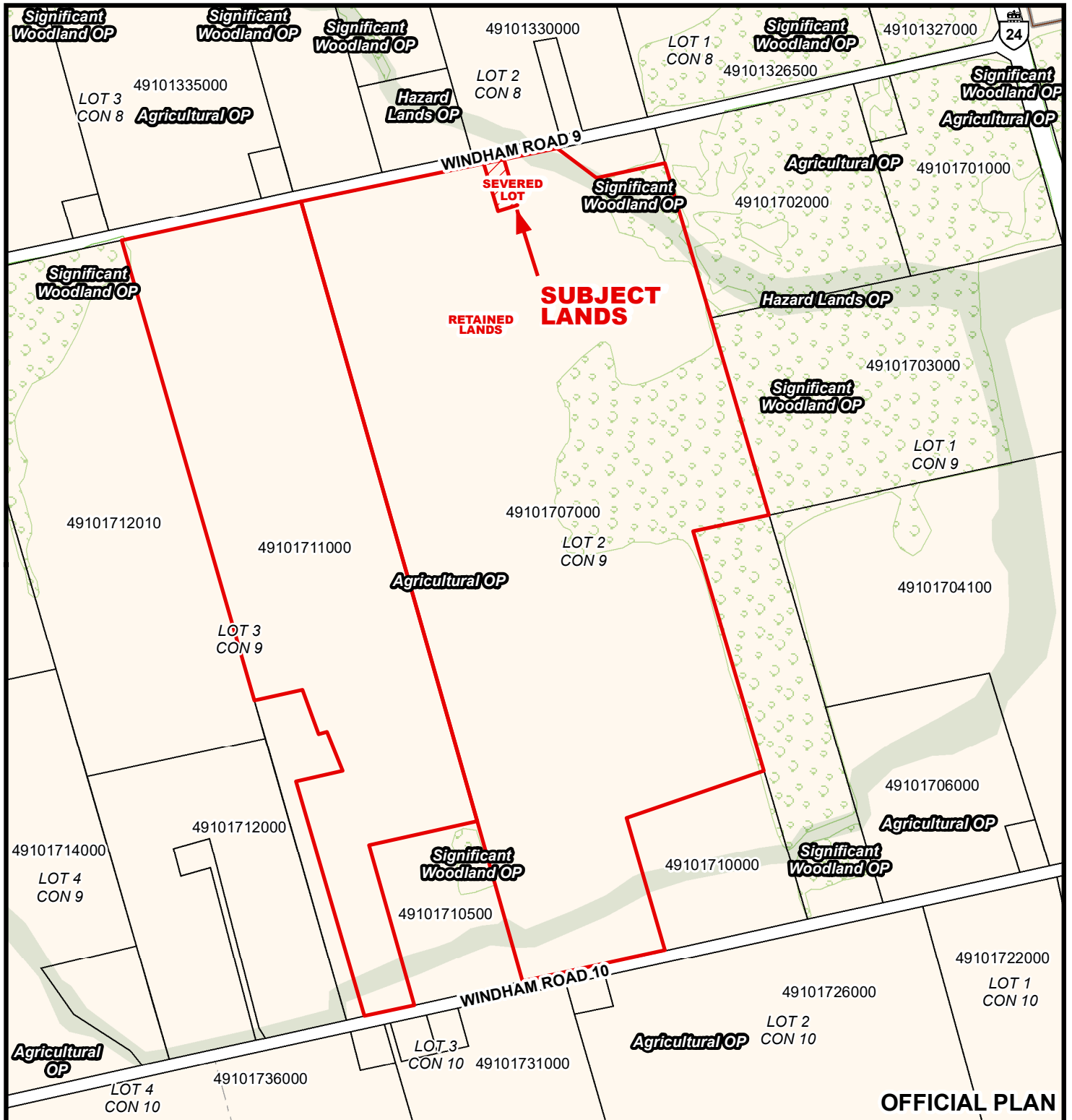
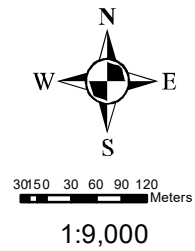




# MAP 2

File Number: BNPL2020129

Geographic Township of WINDHAM



OFFICIAL PLAN

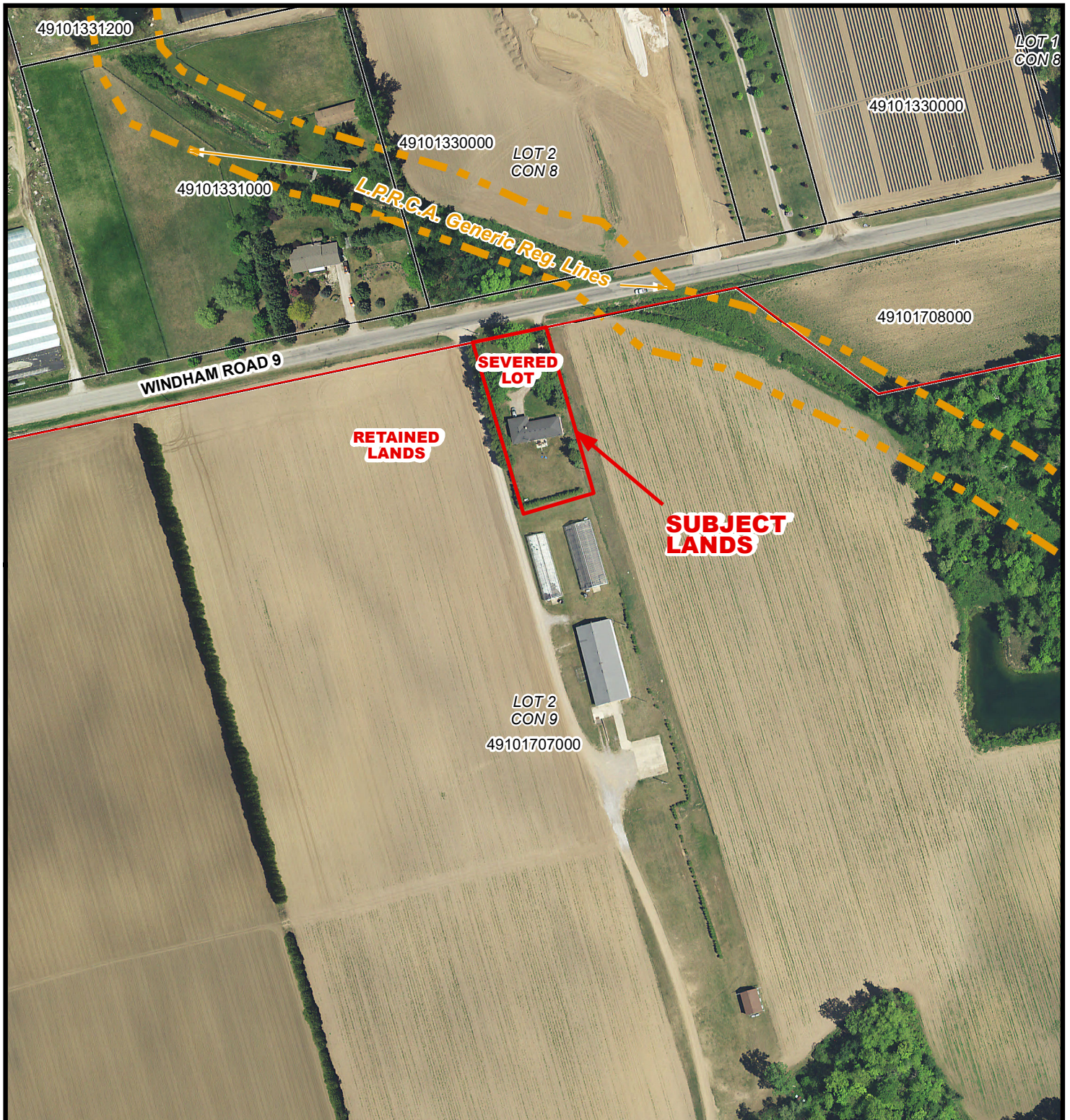
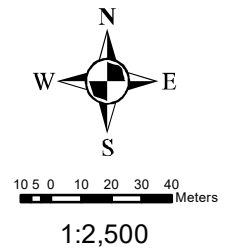
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# MAP 3

File Number: BNPL2020129

Geographic Township of WINDHAM

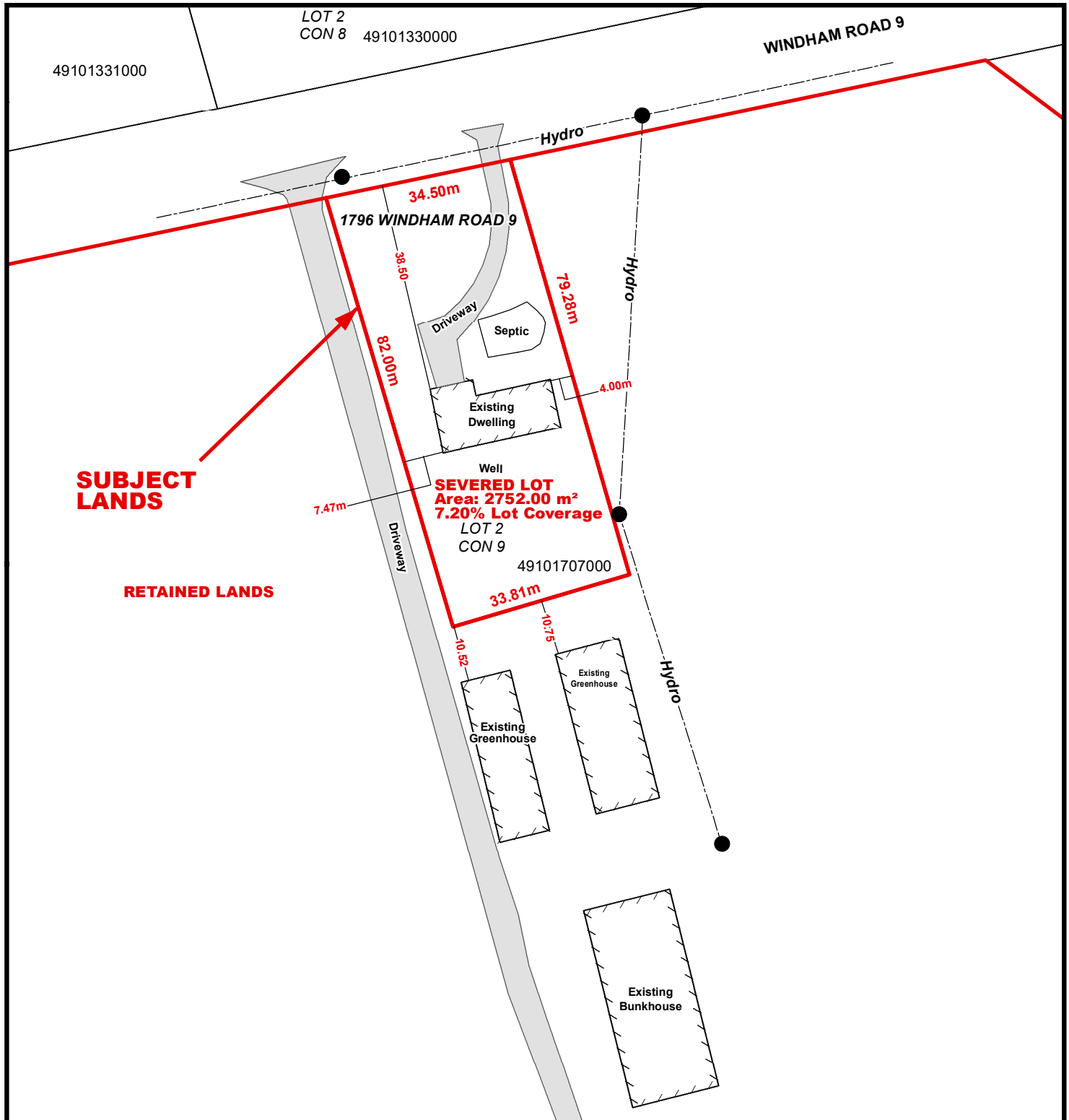
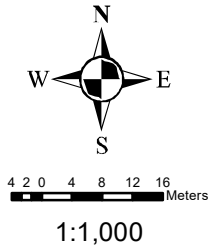




# MAP 4

File Number: BNPL2020129

Geographic Township of WINDHAM



# LOCATION OF LANDS AFFECTED

File Number: BNPL2020129

Geographic Township of WINDHAM

