

CORPORATION of the MUNICIPALITY OF SOUTHWEST MIDDLESEX

March 2007



PLANNING ACT, R.S.O., 1990

Ontario Regulation 547/06, as amended

1. COMPLETION OF THE APPLICATION

The application must be completed in its entirety. Measurements shall be in metric. A sketch map (refer sample attached) must be provided showing the features outlined in Section 14 of the application. Failure to file a complete and accurate application may result in the application being returned or delayed in processing.

2. LETTER OF AUTHORIZATION

If the application is signed by a planner, solicitor or agent on behalf of an applicant, a letter of authorization (refer sample attached) duly signed by the owner must accompany the application. If the applicant is a corporation acting without an authorized planner, solicitor or agent, the application must be signed by an officer of the corporation.

3. FILING THE APPLICATION

A duly signed and completed application shall be filed with the Municipality along with a fee of \$1,750.00 payable in cash or by cheque to the MUNICIPALITY OF SOUTHWEST MIDDLESEX as set out in By-law No. 2008/039. A separate application must be filed for each parcel proposed to be severed (or conveyed).

4. NOTICE OF HEARING

Notice of the public meeting will be given by the Municipality by prepaid first class mail to every owner of land within 60 metres of the subject lands and posting at every separately assessed property in the area that constitutes the subject lands (or at a nearby location chosen by the Municipality). The notice will be given at least 14 days prior to the day of the hearing. The Municipality will be responsible for posting and removing signage. Applications are normally heard by the Committee of Adjustment on the fourth Wednesday of every month in the Municipal Building (153 McKellar Street, Glencoe) or as may otherwise be called by the Chair. Applications must be filed no later than the last business day of the preceding month in order to be considered at the next scheduled meeting of the Committee.

5. ATTENDANCE AT HEARING

The applicant or his/her agent is expected to attend the hearing in order to present the application and respond to any questions raised by the Committee of Adjustment. The Committee may grant (with or without conditions) or deny the application, or defer its decision. In the case of a deferral, the applicant or his/her agent will be notified by the Municipality of the date the hearing will be resumed.

6. NOTICE

Notice of the decision of the Committee of Adjustment will be forwarded not later than 15 days after the making of the decision. The decision will be forwarded to the applicant (or authorized agent) in addition to any person appearing at the hearing who filed a written request to be notified of the decision.

7. APPEAL

Any person or public body, including the applicant or authorized agent, may appeal the decision of the Committee of Adjustment to the Ontario Municipal Board within 20 days of the notice advising of the decision. The appeal must be filed with the Municipality and must state the objection to the decision and the reasons in support of the objection. A fee of \$125 payable to the MINISTER OF FINANCE shall accompany the appeal. The appeal must be submitted on an 'appellant form' available at the Ontario Municipal Board website (www.omb.gov.on.ca) or the municipal office.

If no appeals are received within 20 days of the notice of the decision, the decision is deemed to be final and binding and a certified copy of the decision will be forwarded to the applicant and filed with the Clerk of the Municipality.

8. CONDITIONS IN GRANTING AN APPLICATION

Where the Committee of Adjustment has imposed one or more conditions in granting an application, the applicant has one year from the date of the decision to fulfill the conditions or the consent is deemed to have lapsed.

Some conditions such as re-zoning and surveying may take considerable time to fulfill. The applicant is responsible for monitoring all time lines.

The applicant is also responsible for satisfying all conditions imposed.

There is no obligation on the Municipality, implied or otherwise, to ensure time lines or conditions are met.

9. REFERENCE PLAN / SURVEY

A reference plan/survey of the subject lands is not required with the application, although such a plan is a valuable source of information to the Committee of Adjustment if one is available. If the consent is granted, two copies of a reference plan (i.e. survey) are required prior to certification of the necessary documents by the Municipality.

10. APPLICATION OF MUNICIPAL BY-LAWS, REGULATIONS AND LEGISLATION

Acceptance of the application by the Municipality, along with the required application fee, and/or granting the application, shall not be construed as relieving the applicant from the obligation to comply with the requirements of the Ontario Building Code or any other by-law of the Municipality, or the obligation to obtain any licence, permit, authority or approval required by the Municipality, the conservation authority having jurisdiction, or any other public authority or body.

Corporation of the Municipality of Southwest Middlesex

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Glencoe, Ontario

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**APPLICATION for
CONSENT**

Application No. _____

PART 1: MANDATORY INFORMATION

The following information must be provided by the applicant (Ontario Regulation 547/06, as amended). Failure to complete Part 1 along with submission of the required application fee and sketch will result in the application being returned to the applicant. Where reference is made to "subject lands", it refers to the entire parcel (i.e. both the lands being conveyed and retained).

1. Registered Owner of Lands

- a) Name _____
- b) Mailing Address _____

- c) Telephone _____
- d) Fax _____
- e) E-mail _____

2. Applicant (if different from owner)

- a) Name _____
- b) Mailing Address _____

- c) Telephone _____
- d) Fax _____
- e) E-mail _____

3. Planner/Solicitor/Agent

- a) Name _____
- b) Mailing Address _____

- c) Telephone _____
- d) Fax _____
- e) E-mail _____

4. Communication

To whom should all communication be directed? (check only one)

- a) Owner _____
- b) Applicant _____
- c) Planner/Solicitor/Agent _____

5. Location of Land

- a) Lot No. _____ Concession No. _____
- b) Lot No. _____ Registered Plan No. _____
- c) Part No. _____ Reference Plan No. _____
- d) Street No. and Name _____

6. Type and Purpose of Transaction

a) Type

new lot _____ mortgage _____
addition to a lot _____ lease _____
correction of title _____ other _____
easement _____

b) Proposed Purchaser

Name of person(s) to whom land or interest in land is intended to be transferred, conveyed, charged, leased or mortgaged.

7. Easements

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

Yes _____ No _____

If yes, please describe each easement or covenant and its effect

8. Local Official Plan

applicable land use designation(s):

County Official Plan

applicable land use designation(s):

9. Description of Lands Proposed to be Severed or Conveyed

a) Frontage _____ m b) Depth _____ m c) Area _____ sq.m / ha

d) Existing Use _____

e) Existing Buildings and Structures:

f) Proposed Use _____

g) Proposed Buildings and Structures:

h) Access (if applicable)

Name

County Road _____

Local Street/Road _____

Private Road (describe) _____

Right-of-way _____

Is the road maintained year-round?

Yes _____ No _____

i) Method of Water Supply (if applicable)
 Public water supply system _____ Private individual well _____
 Private communal well _____
 Other (specify) _____

j) Method of Sanitary Sewage Disposal (if applicable)
 Public sanitary sewage system _____
 Private septic tank & tile field system _____
 Private communal system _____
 Other (specify) _____

10. Description of Lands Proposed to be Retained

a) Frontage _____ m b) Depth _____ m c) Area _____ sq.m / ha

d) Existing Use _____

e) Existing Buildings and Structures:

f) Proposed Use _____

g) Proposed Buildings and Structures:

h) Access (if applicable)

	<u>Name</u>
County Road	_____
Local Street/Road	_____
Private Road (describe)	_____
Right-of-way	_____

Is the road maintained year-round?

Yes _____ No _____

i) Method of Water Supply (if applicable)
 Public water supply system _____ Private individual well _____
 Private communal well _____
 Other (specify) _____

j) Method of Sanitary Sewage Disposal (if applicable)
 Public sanitary sewage system _____
 Private septic tank & tile field system _____
 Private communal system _____
 Other (specify) _____

11. Past Severances and Subdivisions

a) Has the subject land ever been the subject of a previous severance under Section 53 of the Planning Act, R.S.O., 1990 or its predecessors?

Yes _____ No _____ Don't Know _____

If yes, please indicate (if known): File No. _____

Decision _____

b) Has the owner previously severed any land from this holding?

Yes _____ No _____

If yes, please indicate (if known):

Date of transfer _____

Name of transferee _____

Use of Lot _____

c) Has the subject land ever been the subject of an application for a plan of subdivision under Section 51 of the Planning Act, R.S.O., 1990 or its predecessors?

Yes _____ No _____ Don't Know _____

If yes, and if known, specify the file number _____

Decision _____

12. Current Applications

a) Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the County for approval?

Yes _____ No _____ Don't Know _____

If yes, and if known, specify the file number _____ and the status of the application

b) Is the subject land currently the subject of an application for a zoning by-law amendment or a minor variance?

Yes _____ No _____ Don't Know _____

If yes, and if known, specify the file number and status of the application:

c) Is the subject land currently the subject of an application for a severance or approval of a plan of subdivision?

Yes _____ No _____ Don't Know _____

If yes, and if known, specify the appropriate file number and status of the application:

File No.: _____

Decision: _____

13. Provincial Policy Statement

Is the application consistent with the Provincial Policy Statement?

Yes _____ No _____ Don't Know _____

14. Sketch Map

An accurate, detailed sketch map shall be provided which shows the following:

- a) the boundaries and dimensions of any land abutting the subject lands that is owned by the owner of the subject land;
- b) the distance between the subject lands and the nearest lot line or landmark such as a bridge or railway crossing;

- c) the boundaries and dimensions of the subject lands, the part that is to be severed (conveyed) and the part that is to be retained;
- d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject lands;
- e) the approximate location of all natural and artificial features on the subject lands and on the land that is adjacent to the subject lands that, in the opinion of the applicant, may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, municipal drains and private drains, river or stream banks, wetlands, wooded areas, wells and septic tanks and tile fields;
- f) the existing uses on adjacent lands, such as residential, agricultural and commercial uses;
- g) the location, width and name of any roads within or abutting the subject lands, indicating whether it is an unopened road allowance, a public road, a private road or a right-of-way;
- h) the location and nature of any easements affecting the subject lands.

PART 2: REQUESTED ADDITIONAL INFORMATION

The following additional information will assist the Municipality and others involved in evaluating the application. Failure to complete Part 2 may result in delays in reviewing the application within the prescribed time and may lead to a deferral or refusal of the application.

1. Municipal Drains

Are the subject lands presently assessed under the Drainage Act, R.S.O., 1990?

Yes _____ No _____ Name of Drainage Works _____

2. Livestock Facilities

Where a building or structure on the subject lands is used (or is capable of being used) for the purposes of accommodating livestock, please complete the following. (If more than one building or structure is used or capable of being used to accommodate livestock, please complete this section for each building or structure used for such purposes and attach a copy to this application.):

a)	Type of Livestock	Capacity of Barn
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

b) Type of manure handling system (check for type):

- _____ covered storage systems
- _____ open solid and runoff storage systems
- _____ open liquid tank and runoff storage systems
- _____ earthen liquid and runoff storage systems

c) Shortest distance between livestock building or structure and the lot line of the parcel proposed to be created:

_____ metres

d) Shortest distance between any manure storage facility and the lot line of the parcel proposed to be created:

_____ metres

e) Amount of tillable land (at this location): _____ hectares

3. Photographs

Submit digital photographs in electronic form of all buildings and structures, and the lands being conveyed and the lands being retained. Photographs must be labeled to indicate the date on which they were taken and the subject matter of each picture. (The photographs may be incorporated into reports and presentations to the Committee of Adjustment and the public to assist in a clearer understanding of the application.)

I/We (please print) _____
of the _____ of _____, in
the
County of _____, do solemnly declare:

THAT to the best of my/our knowledge and belief, all the information and statements given in this application and in all the plans, drawings and exhibits transmitted herewith are true; and

THAT I/We 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

of _____, in the
_____ of _____
this _____ day of _____,
20____.

a Commissioner, etc.

(signature of applicant or authorized agent)

FOR OFFICE USE ONLY

1. Date of Receipt: _____

2. Checked By: _____

3. Approved for Processing: _____
name date

4. Application Fee Received: _____

5. Application No: _____

6. Assessment Roll No: _____

7. Tax Arrears (if any): _____

8. Outstanding Orders (if any): _____

9. Additional Information:

