



318 Canborough St. P.O. Box 400
Smithville, ON
L0R 2A0
T: 905-957-3346
F: 905-957-3219
www.westlincoln.ca

**THE PLANNING ACT - SECTION 53
APPLICATION FOR CONSENT**

Individuals who make written submissions with respect to a Planning Act application should be aware that their submission and any personal information in their correspondence will become part of the public record and made available to the Applicant, Committee and Council.

PLEASE TYPE OR USE BLACK INK

1. (a) **Registered Owner(s):** _____
(Please Indicate Name(s) Exactly as Shown on the Transfer/Deed of Land)

Mailing Address: _____

City: _____ Province: _____

Postal Code: _____ Telephone: _____ Fax: _____

Email Address: _____

(b) **Owner's Solicitor (if any):** _____

Mailing Address: _____

City: _____ Province: _____

Postal Code: _____ Telephone: _____ Fax: _____

Email Address: _____

(c) **Authorized Agent (if any):** _____

Mailing Address: _____

City: _____ Province: _____

Postal Code: _____ Telephone: _____ Fax: _____

Email Address: _____

(d) Please specify to whom all communications should be sent:

- Owner Solicitor Agent

2. (a) Type and purpose of proposed transaction: (Check appropriate space/s)

- | | |
|--|--|
| <input type="checkbox"/> Creation of New Lot | <input type="checkbox"/> Disposal of Surplus Farm Dwelling |
| <input type="checkbox"/> Addition to Lot | <input type="checkbox"/> Partial Discharge of Mortgage |
| <input type="checkbox"/> Mortgage or Charge | <input type="checkbox"/> Right-of-way |
| <input type="checkbox"/> Lease | <input type="checkbox"/> Title Validation |
| <input type="checkbox"/> Easement _____ | |

(b) Reason for proposed transaction:

(c) If a lot addition, identify the lands to which the parcel will be added:

(d) Name of person(s), if known, to whom land or interest in land is intended to be conveyed, leased or mortgaged:

3. Are there any existing easements or restrictive covenants affecting the land?

Yes No

If "Yes" describe the easement or covenant and its effect:

4. Location of land:

Municipality (City/Town/Township) _____

Former Municipality _____

Concession No _____ Lot(s) _____ Registered Plan No _____ Lot(s) _____

Reference Plan No _____ Part(s) _____

Name of Street _____ Street No _____

5. Description of subject parcel (Metric Units): Part No. on sketch _____

(a) Frontage _____ Depth _____ Area _____

(b) Existing Use _____ Proposed Use _____

(c) Existing and proposed buildings and structures on the subject land:

Existing: _____

Proposed: _____

6. Description of land to be retained (Metric Units): Part No. on sketch _____

(a) Frontage _____ Depth _____ Area _____

(b) Existing Use _____

Proposed Use _____

(c) Existing and proposed buildings and structures on the land to be retained:

Existing: _____

Proposed: _____

7. (a) Type of access to subject parcel:

- | | |
|---|--|
| <input type="checkbox"/> Provincial Highway | <input type="checkbox"/> Regional Road |
| <input type="checkbox"/> Municipal Road maintained all year | <input type="checkbox"/> Other Public Road |
| <input type="checkbox"/> Municipal Road maintained seasonally | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Water Access | <input type="checkbox"/> Private Road |

(b) Type of access to retained land:

- Provincial Highway
- Municipal Road maintained all year
- Municipal Road maintained seasonally
- Water Access
- Regional Road
- Other Public Road
- Right-of-Way
- Private Road

8. What type of water supply is proposed? (Check appropriate space)

TYPE	PROPOSED LOT	RETAINED LOT
Publicly owned and operated	<input type="checkbox"/>	<input type="checkbox"/>
Lake	<input type="checkbox"/>	<input type="checkbox"/>
Well (private or communal)	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify)	_____	_____

9. What type of sewage disposal is proposed? (Check appropriate space)

TYPE	PROPOSED LOT	RETAINED LOT
Publicly owned and operated	<input type="checkbox"/>	<input type="checkbox"/>
sanitary sewage system	<input type="checkbox"/>	<input type="checkbox"/>
Septic system (private or communal)	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify)	_____	_____

10. What is the current designation of the subject land in any applicable official plan?

(a) Local Municipal Official Plan _____

(b) Regional Policy Plan _____

11. Is this application consistent with policy statements issued under Subsection 3(1) of the Planning Act, 1990, R.S.O., as amended?

- Yes No

12. Is the subject land within an area designated under any provincial plan or plans?

Yes Provincial Plan: _____

Designation: _____

No

If "YES", does the application conform to the applicable provincial plan or plans?

- Yes No

13. (a) Has the subject land ever been the subject of an application for approval of a plan of subdivision under Section 51 of The Planning Act or a consent under Section 53 of The Act?

- Yes No

(b) If the answer to (a) is "Yes", please provide the following information:

File Number _____

Decision _____

14. (a) Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes No

(b) If the answer to (a) is "Yes", please indicate previous severances on the required sketch and supply the following information for each lot severed:

Grantee's (Purchaser's) name _____

Land Use on severed parcel _____

Date parcel transferred _____

Consent file number (if known) B _____

15. (a) Is the subject land the subject of any other application under the Planning Act e.g. approval of a plan of subdivision; a consent application; an official plan amendment; a zoning bylaw amendment; a minor variance?

Yes No

(b) If the answer of (a) is "Yes", give the file number and status of the application.

File Number: _____

Status of Application: _____

16. Environmental Site Screening Questionnaire

The following questionnaire is required in order to properly implement the Potentially Contaminated Site policies as contained in the Township's Official Plan. These questions are required in order to guide the review of this planning application and to help ensure that the Township is implementing its Official Plan.

Previous Use of Property (if applicable)

- Residential Industrial Commercial Institutional
- Agricultural Parkland Vacant Other

a) If previous use of the property is Industrial or Commercial, specify use (if known):

b) Has fill been placed on the subject land?

Yes No Unknown

c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?

Yes No Unknown

d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes No Unknown

e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes No Unknown

f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?

- Yes No Unknown

g) Have the lands or adjacent lands ever been used as a weapons firing range?

- Yes No Unknown

h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?

- Yes No Unknown

i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?

- Yes No Unknown

j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*

- Yes No Unknown

* Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals which are present.

k) If current or previous use of the property is industrial or commercial, or if YES to any of a) to j) above, a Phase I Environmental Site Assessment may be required as a condition of approval.

17. As provided for the Ontario Regulations, and as required by this Committee of Adjustment, an application must be accompanied by fifteen (15) copies of a preliminary drawing prepared, signed and dated by an Ontario Land Surveyor, showing the information set out below. In the case of multiple applications, one set of fifteen drawings plus one extra copy for each additional application will suffice. The drawing must contain:

	The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land.
	The distance between the subject land and the nearest Township lot line or landmark such as a bridge or railway crossing.
	The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained.
	The location of all land previously severed from the parcel originally required by the current owner of the subject land.
	The approx. location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application, (ex: buildings, roads, septic tanks , wells, wetlands, wooded areas, watercourses, railways, drainage ditches, river or stream banks).
	The existing uses on adjacent lands, such as residential, agricultural and commercial uses
	The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
	If access to the subject land is by water only, the location of the parking and boat docking facilities to be used.
	The location and nature of any easement affecting the subject land.

18. One copy of this application form is to be filed for each subject parcel, together with the required copies of the preliminary drawing and the applicable application fee payable in cash, by money order or by cheque made payable to the Township of West Lincoln.

AUTHORIZATION

Location of Subject Lands (Legal Description & municipal Address)

I/ We, the undersigned, being the registered owner(s) of the above lands hereby authorize:

of the _____ of _____
(Municipality) (Region/County/District)

to make application(s) on my/our behalf to the Committee of Adjustment for the Township of West Lincoln for consent to convey an interest in the land in accordance with Subsection 1 of Section 53 of the Planning Act, R.S.O. 1990.

Dated at the _____ of _____ in the Regional Municipality of _____, this _____ day of _____ 20____ .

Signature of Owner (Name of owner - printed)

Signature of Owner (Name of owner - printed)

Signature of Owner (Name of owner - printed)

NOTE: This form is only to be used for applications which are to be signed by someone other than the owner(s). If the applicant is a corporation, the corporate seal is to be affixed over the owner's signature(s).

PLEASE NOTE:
Personal information collected on this application will become part of a public record. Any questions regarding this collection should be directed to: **The Freedom of Information and Privacy Coordinator: 318 Canborough Street, P. O. Box 400, Smithville, Ontario L0R 2A0 (905) 957-3346.**

DECLARATION OF OWNER(S)/AGENT THAT INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT

I/We _____

of the City/Town/Township of _____

in the County/District/Regional Municipality of _____

solemnly declare that all the statements contained in this application are true, and 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.

TO BE SIGNED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS

DECLARED before me at the _____ of _____

in the Regional Municipality of Niagara

this __ day of _____ 20__

(Signature of applicant(s), solicitor or authorized agent)
(I have authority to bind the Corporation)

A Commissioner, etc.

INFORMATION FOR SURPLUS FARM DWELLING APPLICATIONS

PLEASE NOTE: It is the Committee of Adjustment's policy that the applicant or purchasing farmer complete this questionnaire and submit it with the application form.

1. (a) State the total number of acres farmed by the applicant/purchasing farmer and whether owned, rented or leased:

(b) State the location of these parcels (Attach additional sheets if required):

2. Have the applicants/purchasing farmer had any occupation besides farming? If so, please specify employer and dates:

3. Identify the type of farming conducted on the applicant's/purchasing farmer's additional land holdings, e.g. livestock operation, market gardening, vineyard, fruit farm, cash crops, etc.:

4. (a) Where do the applicants/purchasers presently reside?:

(b) Is this dwelling owned?

5. Applicant's/Purchaser's Farm Registration Number under Farm Registration Act:

6. Please give any further information which may assist the Committee in dealing with your application, e.g. farming history, other dwellings under ownership of the full-time farmer and location of all additional farm properties. (Attach additional sheets if required)

7. What year was the surplus farm dwelling constructed: _____

8. Declaration of the Farmer:

I, (We) _____ solemnly declare that all statements contained in this document are true, and 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.

TO BE SIGNED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS

DECLARED before me at the _____ of _____

in the Regional Municipality of Niagara

This _____ day of _____

A.D. _____

(Signature of applicant(s), solicitor or authorized agent)

A Commissioner, etc.

AUTHORIZATION
By Ontario Land Surveyor

Location of Subject Lands

I, _____, who has prepared, dated and signed a preliminary sketch for the registered owner(s) of the above referenced lands, hereby authorize the Committee of Adjustment for the Township of West Lincoln to photocopy said sketch for circulation purposes of the above referenced consent application, as required.

Dated at the _____ of _____ in the _____ this day of _____, 2014.

Signature of Surveyor

REFUND OF FEES

- I If an application is withdrawn prior to circulation to commenting agencies, 90% of the fee may be refunded.
- ii If withdrawn after circulation, but prior to notice of the Planning Committee or Council meeting at which the application will be considered being mailed or advertised, 50% of the fee may be refunded.
- iii If withdrawn after notice of the meeting being mailed or advertised, but prior to the Planning report being prepared, 25% of the fee may be refunded.

In addition, any payments outstanding to the Township shall be deducted from the Application Fee by the Treasurer prior to the refund being issued by the Treasurer.

REACTIVATION

Any application which has been withdrawn or has been inactive for a period of one year shall be considered abandoned and a full fee shall be required to activate a new application.

NOTE: Where a decision on a development application in respect of a planning matter is referred or appealed to the Ontario Municipal Board and the Township and the applicant jointly support the decision, the applicant shall be responsible for all costs to the municipality associated therewith. Such costs shall include all legal, expert testimony, and administrative costs. To secure payment of such costs, the applicant will provide the Township, upon notice and/or acknowledgement of an objection from the Ontario Municipal Board, with an initial deposit of \$7,000, such amount to be increased by an amount determined by the Township in the event the Township determines that the nature of the application indicates that \$7,000 may be inadequate. Any costs to the Township in excess of the deposit shall be paid to the Township by the applicant upon submission of an invoice therefore.

For general assistance or if you have any questions, contact the Secretary-Treasurer:

c/o 318 Canborough Street, P. O. Box 400
Smithville, Ontario L0S 1E0
(905) 957-3346 Fax: (905) 957-3219
E-Mail: planning@westlincoln.com