

The *Planning Act* Section 53 – Application for Consent

File No. **B** _____

Please type or print clearly, using black or blue 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: _____

E-Mail Address: _____

(b) Or Purchaser(s): _____
 (Please provide the portion of the Agreement of Purchase and Sale indicating such authority)

Mailing Address: _____

City: _____ Province: _____

Postal Code: _____ Telephone: _____ Fax: _____

E-Mail Address: _____

(c) Owner's Solicitor (if any): _____

Mailing Address: _____

City: _____ Province: _____

Postal Code: _____ Telephone: _____ Fax: _____

E-Mail Address: _____

(d) Authorized Agent (if any): _____

Mailing Address: _____

City: _____ Province: _____

Postal Code: _____ Telephone: _____ Fax: _____

E-Mail Address: _____

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

Owner/Purchaser [] Solicitor [] Agent []

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

- [] Creation of New Lot [] Disposal of Surplus Farm Dwelling
- [] Addition to Lot [] Lease
- [] Mortgage or Charge [] Right-of-way
- [] Easement _____

Do you require a Partial Discharge of Mortgage? Yes _____ No _____
 (*if you currently have a mortgage on title, we recommend this)

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

(c) 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 and Description 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 (to be severed) in **metric units**: Part No. on sketch _____
 (a) Frontage: _____ metres Depth: _____ metres Area: _____ sq.m/hectares
 (circle 1)
 (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 in metric units**: Part No. on sketch _____
 (a) Frontage: _____ metres Depth: _____ metres Area: _____ sq.m/hectares
 (circle 1)
 (b) Existing Use _____ Proposed Use _____
 (c) Existing and proposed **buildings and structures** on the land to be retained:
 Existing: _____
 Proposed: _____

7. Do you request a certificate for the retained land? Yes [] No []

* If yes, the Applicant must provide a lawyer's statement that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act.

8. Type of access to **subject and retained** parcels (Check appropriate space):

| TYPE | PROPOSED LOT | RETAINED LOT |
|--|-----------------|-----------------|
| [] Provincial Highway | [] | [] |
| [] Regional Road | [] | [] |
| [] Municipal Road maintained all year | [] | [] |
| [] Other Public Road | [] | [] |
| [] Right-of-Way | [] | [] |
| [] Private Road | [] | [] |
| Other (specify) | [] _____ | [] _____ |

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

| TYPE | PROPOSED LOT | RETAINED LOT |
|--|-----------------|-----------------|
| Publicly owned and operated piped water supply | [] | [] |
| Well (private or communal) | [] | [] |
| Other (specify) | [] _____ | [] _____ |

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

| TYPE | PROPOSED LOT | RETAINED LOT |
|--|--------------|--------------|
| Publicly owned and operated sanitary sewage system | [] | [] |
| Septic system (private or communal) | [] | [] |
| Other (specify) | [] _____ | [] _____ |

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

(a) Local Municipal Official Plan _____

(b) Regional Official Plan _____

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

13. (a) Is the subject land within an area of land designated under any provincial plan(s)? *

Yes [] No []

(b) If yes, does the application conform (i.e. does not conflict) with the applicable provincial plan(s)? *

Yes [] No []

**Consultation with local municipal Planning Department may be necessary.*

14. (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 _____

15. (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 _____

16. (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 | File No. |
|--------------------------------|--------------------------|--------------------------|----------|
| Concurrent Consent Application | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| Official Plan Amendment | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| Zoning By-law Amendment | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| Minor Variance | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

17. As provided for in Ontario Regulation 197/96, as amended, and as required by this Committee of Adjustment, an application must be accompanied by one (1) hard copy and one (1) digital copy 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.

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained – **in metric units**;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;

- (e) the approximate 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, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
- (f) the existing uses on adjacent land, such as residential, agricultural and commercial uses;
- (g) 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;
- (h) if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
- (i) the location and nature of any easement affecting the subject land;
- (j) include a key map showing the location of the subject lands.

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 Treasurer, Town of Pelham.

POSTING OF PUBLIC HEARING SIGN

19. This is to confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application. A sign will be made available to you once the application has been processed. You are directed to post the sign(s) in a prominent location at each street frontage that will enable public observation.

Each sign must be posted a minimum of fourteen (14) days before the scheduled hearing, including the day of the hearing. The sign may be removed when the hearing has concluded. This section must be completed and submitted with the application so that it may be placed in the file as evidence that you understand the Planning Act requirements. Failure to post the sign as required will result in deferral of your application(s) and the applicant will be subject to the applicable rescheduling fees.

*I understand that each sign must be posted at least fourteen (14) days before the hearing and will remain posted, and replaced if necessary, until the hearing has concluded.

Name of Property Owner (Please Print)

Name of Property Owner or Agent, if applicable (Please Print)

Signature of Owner(s)/Agent

PERMISSION TO ENTER

20. I hereby authorize the Committee of Adjustment members, Town of Pelham staff, and/or the Region of Niagara, and/or Niagara Peninsula Conservation Authority staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

Name of Property Owner (Please Print)

Name of Property Owner or Agent, if applicable (Please Print)

Signature of Owner(s)/Agent

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

21. I/We _____ of the City/Town/Township of _____
the County/District/Regional Municipality of _____

solemnly declare that all the statements contained in this application and in all exhibits transmitted herewith 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*.

Yes [] No [] For the purposes of the *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 of any personal information that is collected under the authority of the *Planning Act* to process this application.

Note: The signature of the applicant(s) or authorized agent must be witnessed by a Commissioner for Taking Affidavits, etc. The Secretary-Treasurer and Assistant Secretary-Treasurer to the Committee of Adjustment are Commissioner if needed. An appointment is required; no additional fee is charged.

DECLARED before me at the _____ of _____
in the Regional Municipality of Niagara
This _____ day of _____, 20 _____

Signature of applicant or authorized agent
 I have the authority to bind the Corporation*

Signature of applicant or authorized agent
 I have the authority to bind the Corporation*

A Commissioner, etc.

AUTHORIZATION FOR AGENT

22. Complete the Authorization for Agent *if application to be signed by someone other than the owner(s)*:

I/We, _____, being the Owner(s) of the property
(PRINT NAME)
subject of this Application for Consent hereby authorize _____
(insert name of person authorized to sign/act on behalf of owner)

to make application(s) on my/our behalf to the Committee of Adjustment for the Town of Pelham for an application for consent in accordance with Section 53 of the *Planning Act*, R.S.O., 1990.

Dated this _____ day of _____, 20 _____.

Signature of Owner
I have the authority to bind the Corporation*

Please print full name and position of person signing

Signature of Owner
I have the authority to bind the Corporation*

Please print full name and position of person signing

NOTES:

1. This form only to be used for applications to be signed by someone other than owner(s). If applicant (owner) is a corporation, this appointment and authorization shall include the statement that the person signing the appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal is to be affixed over the owner's signature).
2. If the agent is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation so appointed.

INFORMATION PROVIDED IN THIS APPLICATION WILL BECOME PART OF A PUBLIC RECORD

Regional File Number: _____

**Severance Application and Minor Variance Application
 PRIVATE SEWAGE SYSTEM INFORMATION & PAYMENT**

This form is to be used along with applications made to the local area municipality Committee of Adjustment for Severance and Minor Variances where the application pertains to property requiring Private Sewage Systems under Part 8 of the Ontario Building Code.

APPLICATION INFORMATION

_____ Application is being made for Severance under Section 53 of The Planning Act, R.S.O. 1990

_____ Application is being made for a Minor Variance under Section 45 (5) of The Planning Act, R.S.O. 1990

Municipal Application File Number: _____ Hearing Date: _____

Subject Property Street Address: _____

Lot #: _____ Concession #: _____ City/Town: _____

Applicant/Owner: _____

Applicant/Owner Contact Information: Mailing Address: _____

City/Town: _____ P.C.: _____ Phone: _____

Email: _____

Please attach site plan drawing showing existing and/or proposed septic tank and tile bed location(s).

INVESTIGATION AND TESTS

The Niagara Region Planning and Development Services is authorized to enter the lands and make such investigation and tests as are appropriate, relating to Inspection of Sewage Systems under Section 12 (1), 32.1 of the Building Code Act, S.O. 1992, C. 23 in connection with the above application.

 Applicant/Owner Signature Date

Contact Information (other than Applicant/Owner): Name: _____

Address: _____

City/Town: _____ P.C.: _____ Phone: _____

Email: _____

FEES

Fees are payable to: **The Regional Municipality of Niagara**
 Fee Schedule as set out in Regional By-law 139-2013 (as amended by By-law Numbers 48-2014 and 27-2015) is required to be paid pursuant to Section 7 of The Building Code Act, S.O. 1992, C.23.

Consents: \$400.00 per application

Minor Variances: \$400.00 per application

- NOTE:** Regional Fee is still required if an application is:
- NOT located on a Regional Road
 - Regional infrastructure/facilities are NOT nearby
 - There is NOT a Regional or Provincial issue as determined by the local municipal planner

Total Amount submitted: \$_____ Via: Cheque Credit Card Cash

NOTE: Regional staff must receive fee prior to any review of the application being undertaken.

Personal information on this form is collected under the authority of The Building Code Act, S.O. 1992 and O. Reg. 22/98 and will be used to process this application. Questions about this collection of personal information should be directed to the Freedom of Information and Privacy Co-ordinator, Niagara Region, P.O. Box 1042, 2201 St. David's Road, Thorold ON L2V 4T7.