



**APPLICATION FOR CONSENT (SEVERANCE)
(Including Ont. Regulation 547/06)
INSTRUCTIONS AND INFORMATION TO APPLICANT**

Please complete the form accurately and completely, using a typewriter or a pen with dark ink. It is important that the information be complete and accurate.

If the application is signed by an agent or solicitor on behalf of the owner, the owner's written authorization must accompany the application. A space is provided for this authorization towards the end of the application form, immediately before the declaration of applicant. If the applicant is a Corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the corporation's seal must be affixed.

The applicant should consult Provincial Policy Statements and the local municipal Official Plan and Zoning By-law before completing the application. This Committee has authority to grant minor variances related to a consent application in the Municipality of Lambton Shores. You may but are not required to apply for related minor variances at the same time you apply for a Consent.

Sketch Requirements:

Each application **must** be accompanied by a sketch. Because we must copy and circulate the sketch, it must be provided on a sheet of paper no larger than 11" x 17". The County of Lambton maintains a web site with mapping tools that you may find useful to produce the required sketch (<https://www.lambtongis.ca/sites/?viewer=lcgis#>).

The sketch should clearly show such items as may be necessary to explain your proposal and to allow the Committee and staff to assess its appropriateness. Items which may be necessary to include on the sketch include but are not necessarily limited to:

- a) The boundaries and dimensions of the subject land and those parts proposed to be severed or conveyed as a lot addition and any remnant part(s).
- b) The location and nature of any existing or proposed easements affecting the subject land.
- c) The location, size and type of any existing and proposed buildings and structures and septic systems on the subject land and the proposed lot line setbacks of any proposed buildings or structures.
- d) The location of any existing or proposed points of entry (accesses) to the subject lands.
- e) The location of any buildings, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells, septic systems, etc. on or adjacent to the lands that are relevant to the application.
- f) Parcels abutting the subject land and their ownership, if known, especially lands owned or previously severed by the owner of the subject land.

The Secretary-Treasurer need not accept an incomplete application, or an application with a sketch that is unclear, unable to be copied, or missing information necessary to explain and assess the proposal.

Application Fees:

The applicant shall file a complete, signed application, together with the sketch with the Secretary-Treasurer at the municipal office together with an **application fee of \$675.00**.

If the property, which is the subject of this application, is serviced or to be serviced by a septic system, a **fee of \$75.00 (cheques made payable to the County of Lambton) will be collected in order to prepare a septic report**. The applicant shall also complete the attached application for Assessment of Sewage Flows if there is an existing Private Sewage Disposal System. The Assessment Application must be submitted together with the consent application.

If the Municipality determines that the Conservation Authority has an interest in the application, the **applicable fee will be collected in order to have the Conservation Authority review the application** and provide comments.

Natural Heritage Features/Species at Risk:

The *Endangered Species Act* prohibits the harming of Species at Risk and/or their habitat. Species at Risk and significant natural heritage features are known to occur in portions of the Municipality. Consents respecting lands with natural heritage features may require screening for species at risk through the Ministry of Natural Resources and Forestry and/or the completion of environmental evaluations before the consent application can be accepted. Please consult with Municipal Planning Staff for further direction if there are natural heritage features on the property and affected by the proposed consent.

Notice, Public Hearing, and Decision:

A date will be set for a public hearing for the application to be heard by the Committee of Adjustment. Notice of the public hearing will be provided no less than 14 days prior to the meeting. In addition to being posted on the property, notice of the meeting will be sent out, at a minimum, to all landowners within 60 metres of the subject lands. The notice area will be greater where the Municipality determines that the nature of the application requires it. The Committee may make a decision on the application at the public hearing, adjourn the hearing to a later date, or reserve its decision to a later date. Notice of the Committee's decision, once made, will be sent within 15 days of the decision.

If Your Application is Approved:

The decision made by the Committee is subject to appeal to the Local Planning Appeal Tribunal for a period of 20 days from the notice of the decision.

When the Committee of Adjustment grants a consent, the approval is usually accompanied by conditions of consent that must be completed before the consent can be finalized. Typical conditions of consent include:

- The submission of a survey and a deed prepared by a solicitor, both in a form suitable for registration.
- Payment of the administration fee for giving the certificate of consent.
- Requirement to complete all conditions of consent and obtain the certificate of consent within one year from notice of approval.
- Requirement that the applicants agree to the municipal engineer's determination of how any future drainage assessment costs should be divided between the new parcels, if applicable.
- Requirement that adequate new road accesses be installed, when necessary.
- Payment of a \$1000 parkland dedication fee, where the severance creates a residential lot.
- That the farm be rezoned to prohibit a house, where a residential lot is severed from a farm.
- Such other conditions as deemed appropriate by the Committee of Adjustment.

A **survey** of the severed and/or remnant parcel(s) is usually required **after** the consent has been approved by the Committee of Adjustment so that the solicitor can prepare the deed. Exceptions from the requirement to complete a survey may be granted by the registry office where severed and remnant parcels have existing, suitable legal descriptions.

Upon completion of the conditions and presentation of a deed prepared by the applicant's solicitor, the Secretary-Treasurer of the Committee will give the certificate of consent. A **further administration fee of \$300.00 will be payable to The Municipality of Lambton Shores** in connection with giving the certificate of consent. If the conditions of consent have not been fulfilled and/or the deed has not been submitted for the certificate of consent **within one year of the giving of notice of approval, the approval of the consent lapses** and the Secretary-Treasurer cannot give the certificate of consent.

Within 2 years of the certificate of consent being given by the Municipality, a **solicitor must register the deed at the local registry office or the consent will lapse.**



THE MUNICIPALITY OF
LAMBTON SHORES

Community Services
9575 Port Franks Road, R.R. #1
Thedford, ON N0M 2N0
T: 519-243-1400 / 1-866-943-1400
www.lambtonshores.ca

APPLICATION FOR CONSENT

OFFICE USE ONLY:
DATE RECEIVED _____
APPLICATION NO _____
FEE PAID: Yes _____ No _____

1. **Name of Owner:** _____

Address: _____

Telephone: _____ Business/Cell: _____

E-mail address, if applicable. _____

2. **Name of Authorized Agent**, if applicable: _____
(if applicable, ensure owner completes authorization section of application form)

Address: _____

Telephone: _____ Business/Cell: _____

E-mail address, if applicable. _____

3. Please specify to whom communications should be sent: Owner () Authorized Agent ()

4. **Type and Purpose of Application:**

New Lot	()	Correction of Title	()
Addition to Existing Lot	()	Mortgage	()
Easement or Right-of-way	()	Validation of Title	()
Charge	()	Power of Sale	()
Lease	()	Other: _____	()

5. Further explain purpose of application: _____

6. Total number of lots (new and existing) that would result from application: _____

7. **Location of Subject Land**

a) Legal Description: _____

b) Street Name and Municipal Address: _____

8. Are there any easements or restrictive covenants which affect the subject land? Yes () No ()

If yes, please provide a description of each easement or restrictive covenant and its effect on the land.

9. Municipal Official Plan Designation(s) which applies to subject land: _____

10. Zoning By-law Zone(s) which applies to subject land: _____

11. Previous applications: if known, state whether the subject land has ever been the subject of an application for approval of a plan of subdivision, under Section 51 of the Act, or a consent (severance), under Section 53 of the Act.

Type: _____ File #: _____ Decision/Status: _____

12. Has the owner severed land from the parcel previously, as it existed when originally acquired? Yes () No ()

If yes, date of transfer: _____ Name of the transferee: _____

Uses of the severed land: _____

13. Concurrent applications: if known, state what other applications under the Act the subject land is currently the subject of, such as an application for approval of an official plan or plan amendment, a zoning by-law amendment, a Minister's zoning order amendment, a minor variance, a consent (severance), or an approval of a plan of subdivision.

Type: _____ File #: _____ Status: _____

Type: _____ File #: _____ Status: _____

14. **Description of Land to Be Severed:**

Definition: "Land to be Severed" refers to the proposed parcel whose transfer document will have the certificate of consent (stamp) affixed to it - usually the land or interest in land to be conveyed, leased, mortgaged, etc.

Frontage: _____ Depth: _____ Area: _____

Existing Use: _____

Proposed Use: _____

Existing buildings and structures (specify): _____

Proposed buildings or structures (specify): _____

15. If known, name the person to whom the land to be severed or an interest in the land to be severed is to be transferred, charged or leased, or indicate if the land to be severed is to be retained by the current owner:

16. **Description of Remnant Land(s):**

Definition: "Remnant Land(s)" refers to the parcel(s) that would remain after the "land to be severed" is severed, or, when only an interest in land is being conveyed (e.g. an easement), it refers to the whole of the subject lands.

Frontage: _____ Depth: _____ Area: _____

Existing Use: _____

Proposed Use: _____

Existing buildings and structures (specify): _____

Proposed buildings or structures (specify): _____

17. If known, name the person to whom the remnant land(s) is to be transferred, charged or leased, or indicate if the remnant land(s) is to be retained by the current owner:

18. **Access:**

- | | <u>Severed</u> | <u>Remnant</u> |
|---|-----------------------|-----------------------|
| a) What type of access is proposed (check appropriate space)? | | |
| Municipal Road that is maintained year round | () | () |
| Municipal Road that is maintained seasonally | () | () |
| Right-of-way | () | () |
| b) Will a new access be required? | Yes / No | Yes / No |
| c) If the access to the subject land is by water only, please state the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road. | | |

19. **Water Supply:**

- | | <u>Severed</u> | <u>Remnant</u> |
|---|-----------------------|-----------------------|
| a) What type of water supply is proposed (check appropriate space)? | | |
| Publicly owned & operated piped water system | () | () |
| Privately owned and operated individual or communal well | () | () |
| Other (specify): _____ | () | () |
| b) Is there an existing connection to the proposed water supply? | Yes / No | Yes / No |

20. **Sewage Disposal:**

- | | <u>Severed</u> | <u>Remnant</u> |
|--|-----------------------|-----------------------|
| a) What type of sewage disposal is proposed (check appropriate space)? | | |
| Public owned and operated sanitary sewage system | () | () |
| Privately owned and operated individual septic system | () | () |
| Privately owned and operated communal septic system | () | () |
| Other (specify): _____ | () | () |
| b) Will a new connection or new system be required? | Yes / No | Yes / No |

21. **Storm Drainage:**

- | | <u>Severed</u> | <u>Remnant</u> |
|---|-----------------------|-----------------------|
| a) What type of storm drainage is proposed (check appropriate space)? | | |
| Municipal storm sewer | () | () |
| Municipal drain (specify drain): _____ | () | () |
| Private drain on easement | () | () |
| Other (specify): _____ | () | () |
| b) Will a new storm sewer connection or new outlet be required? | Yes / No | Yes / No |

22. **Severances in Agricultural Areas:**

Note: This section is to be completed only for applications related to residential lots in Agricultural Areas.

a) If the consent is for the severance of an existing dwelling, to whom is the dwelling surplus?

Current Owner () Intended Purchaser () Not Surplus ()

Home farm location of person to whom dwelling is surplus: _____

Additional farms: _____

Note: if the person to whom the house is surplus is not yet the owner, the applicant must provide a copy of a formal, legally binding agreement of purchase and sale for the purchase of the subject lands. The applicant must also provide a declaration signed by the purchaser stating their name, acknowledging that the dwelling is surplus to the purchaser's farm operation, describing the circumstances that cause it to be surplus including the location of their home farm and other parcels owned in the name of the purchaser, and acknowledging that a standard condition of approval is that a house be prohibited on the balance of the farm.

b) Are there any livestock facilities located on or within 1 kilometre of the subject lands? Yes() No()

If "yes", provide the following information for each livestock facility and for each type of livestock within the facilities:

9-1-1 Address: _____

Type(s) of Livestock: _____

Current No. of Livestock: _____

Potential Housing Capacity: _____

Type of Manure System: "Solid" or "Liquid"

Type of Manure Storage: _____

23. **Authorization by Owner:** If the applicant is not the owner of the land, the owner's written authorization to the applicant to make the application is required.

I, the undersigned, being the owner(s) of the subject land, hereby authorize to be the applicant in the submission of this application.

Applicant's relationship to owner: _____

.....
(Signature) of owner

.....
Date

.....
(Signature) of witness

.....
Date

24. **Declaration of Applicant**

I/We of the of in the of solemnly declare that all the statements contained in this application are accurate, and I/We make this solemn declaration conscientiously believing it to be accurate, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act. Further, I/we hereby grant the municipality's staff and its agents (including agencies the municipality has requested to comment on the application) permission to communicate using any email address provided in this application and to enter upon the subject lands at any reasonable time to inspect the property in relation to this application.

.....
(Signature) of applicant(s)

DECLARED before me at the of in the of this day of, 20.....

A Commissioner, etc......

**ASSESSMENT OF SEWAGE FLOWS FOR
EXISTING PRIVATE SEWAGE DISPOSAL SYSTEMS**

Name of Property Owner: _____

Mailing Address: _____

Postal Code: _____ Telephone No: _____

Lot: _____ Concession: _____

Sub Lot No: _____ Plan No: _____

Municipal Address: _____

Municipality: _____

NOTE: When indicating the presence of a three piece bathroom group, please do not itemise **those** fixtures under the individual appliance count.

	Existing Structure	Office Use	Proposed Structure	Office Use
Appliance	Number	Fix. Unit	Number	Fix. Unit
Bedrooms				
Bathrooms (3 piece)				
Dishwashers				
Laundry Tub				
Shower Stalls				
Toilets				
Wash-up Sinks				
Kitchen Sinks				
Other				
Total				

Please answer the following questions:

1. Will any component of the existing sewage system be relocated or replaced?

_____ Yes _____ No

2. Will the proposed construction decrease the existing separation distance between the structure and the existing sewage system?

_____ Yes _____ No

3. Is the existing system malfunctioning or discharging sewage onto the ground or into surface water?

_____ Yes _____ No

4. What is the size of the existing septic tank? _____

5. What is the size of the existing leaching bed? _____

6. What is the **finished** floor area of the present dwelling? _____

7. What will the **finished** floor area be after construction? _____

I _____ CERTIFY THAT THE INFORMATION
(Print name in full)

CONTAINED HEREIN IS TRUE AND CORRECT.

Signature Owner _____ Agent _____

Date: _____

**ASSESSMENT OF REQUIREMENT
TO SUBMIT AN APPLICATION UNDER PART 8 OF THE ONTARIO BUILDING CODE**

The following circumstances dictate when an upgrade or replacement of an existing sewage system is necessary. An application for a sewage system permit is required when:

1. The performance level of the existing building is reduced. The Ontario Building Code states that the performance level of a dwelling is reduced where the total daily design sanitary sewage flow of the dwelling exceeds the capacity of any component of the sewage system. The capacity of the sewage system must be evaluated when the construction:
 - increases the number of bedrooms in the existing home;
 - exceeds 15% of the gross area of the dwelling unit or;
 - adds new plumbing fixtures to the existing home.
2. The proposed structure will decrease the separation distance to the existing sewage system.
3. The sewage system is malfunctioning or is discharging sewage onto the ground or into surface water (eg. septic connections to agricultural field tiles and drainage ditches are not permitted).
4. The owner/agent is unable to answer either question 1, 2 or 3.

On the attached graph paper, please provide a sketch of the subject property showing lot dimensions, the location(s) of all buildings and structures and the location of the septic tank and leaching bed (show as much detail regarding the bed as possible - ie. number of distribution pipes, length of tiles et cetera). If the size of the lot makes it impractical to show the entire property, focus on the area where the sewage system and dwelling are (to be) located.

This office will conduct an inspection of the subject property. An inspection/administrative fee of \$75.00 is therefore required of the applicant to cover the cost of the septic system evaluation/inspection. If it is necessary to make application for septic approval to replace or upgrade the existing sewage system, the evaluation fee will be applied to the cost of the septic permit.

LOT DIAGRAM AND SEWAGE SYSTEM PLAN: Draw to scale and indicate the direction of north.

- SHOW:**
- 1) Location of sewage system components (i.e. tanks, leaching beds)
 - 2) Horizontal distances from system to adjacent existing or proposed buildings, well water supplies (including neighbours'), existing on-site sewage systems, driveways, property lines, swimming pools and watercourses (including ditches).
 - 3) Lot dimensions, roads and topographic features (i.e. steep slopes, swamps)

