



Instructions for Consent Application

PLEASE DETACH AND RETAIN THE FIRST TWO PAGES FOR FUTURE REFERENCE

If you require this form in an alternative format, please contact Lambton Shores at planning@lambtonshores.ca or 519-243-1400 / 1-866-943-1400 Ext. 8410.

BACKGROUND INFORMATION

This process pertains to an application for consent pursuant to Section 53 of the *Planning Act*. Prior to the Municipality processing the application, it is required that a copy of the attached application form be completed including the required sketch(es) and processing fee, as per the Municipality's Fees and Charges By-law. Fees are per lot created.

Please note:

- The application must be completed in metric units.
- The Municipality may require a survey be completed by an Ontario Land Surveyor be submitted prior to hearing the application.
- The receipt of inaccurate information may cause delays in the processing of this application.
- Additional information may be required by the Committee of Adjustment prior to a decision being issued.
- Any external consultants' costs that the municipality may incur as a result of the review of this application will be the responsibility of the applicant as noted on page 4 of this application.
- There is a fee for stamping the deed, upon completion of the conditions stated from the approved consent application. Fees are stated within the Municipality's Fees and Charges By-law.

APPLICATION SUBMISSION

Please submit the application, sketch(es) and fee to:

Planning and Development Services
Municipality of Lambton Shores
9575 Port Franks Road
Thedford, ON N0M 2N0

Will Nywening, Planner
519-243-1400 Ext. 8512
Email: wnywening@lambtonshores.ca

Ken Bulgin, Planner
519-243-1400 Ext. 8311
Email: kbulgin@lambtonshores.ca

APPLICATION PROCESS

Step 1	Consult with Planning Staff: Applicants are encouraged to meet with staff prior to submitting an application.
Step 2	Application Submission: Complete the attached application form and include the submission of the required sketch(es) and processing fee.
Step 3	Complete Application Accepted: The file is opened and timelines for processing are established.
Step 4	Notice of Hearing: The application is circulated to the public, outside agencies, and staff. The public circulation applies to every property assessed within 60 metres of the subject land and to every person and public body that has provided a written request for such notice. A "Planning Notice" sign is erected on the subject property.

Step 5	Planning Evaluation Report: Staff undertakes an evaluation of the application using the relevant planning policy documents and Comprehensive Zoning By-law. A recommendation is provided to the Committee of Adjustment, including conditions of approval (if applicable).
Step 6	Public Meeting: Completed applications are heard by the Committee of Adjustment, the 4 th Wednesday of the month, following the circulation period, as per the <i>Planning Act</i> , noted in Step 4. It is recommended that the applicant or authorized agent attend the meeting to explain the reasons for the application; if you do not attend, the Committee may proceed in your absence. The Committee will consider the application as well as recommendations from staff, and outside agencies. Members of the public are given the opportunity to speak to the application.
Step 7	Notice of Decision: Within 15 days of the decision from the Committee of Adjustment, the Clerk will send the decision to the applicant or authorized agent and others who filed a written request for notice of the decision. The Notice of the Decision will outline the appeal process and identify the last day for filing an appeal to the Municipal Clerk.
Step 8	Planning Notice: The Planning Notice sign can be removed from the subject property.
Step 9	A Final and Binding Decision: If no appeals are received by the end of the 20 th day appeal period, the decision is final and binding. A Notice of No Appeal will be issued to the applicant or authorized agent. If the application was approved by the Committee of Adjustment, the applicant or authorized agent will be in a position to prepare and submit to the Planner, the appropriate documents as evidence that all conditions have been met and a deed for certification. Where a consent is granted with conditions, the conditions must be fulfilled within two (2) years of the date of the Notice of Decision or the consent is deemed to be refused.

APPEAL TO THE ONTARIO LAND TRIBUNAL

If an application is made for consent and the Committee of Adjustment fails to make a decision within 90 days after the day the application is deemed complete by staff, the applicant may appeal to the Ontario Land Tribunal (OLT) with respect to the consent application.

A decision of the Committee of Adjustment can be appealed to the OLT within 20 days of the date of the Notice of the Decision of the Clerk by personally delivering or sending a Notice of Appeal to the Clerk and the required forms, downloadable from the OLT website (<https://olt.gov.on.ca/>). The appeal must set out the reasons for objecting to the decision following the OLT's procedure, and must include the prescribed processing fee. The Clerk will then prepare an appeal package and forward it to the OLT. The OLT will schedule a hearing and give written notice of the time and date in advance of the hearing.



THE MUNICIPALITY OF
LAMBTON SHORES

Consent Application

PURSUANT TO SECTION 53 OF THE *PLANNING ACT*

FOR OFFICE USE ONLY

DATE RECEIVED: _____

HEARING DATE: _____

1. Applicant information

Registered owner(s) of the subject land

Name:

Address:

Town:

Postal Code:

Phone:

Cell:

Fax:

Email:

Authorized agent (authorized by the owner to file the application, if applicable)

Name:

Address:

Town:

Postal Code:

Phone:

Cell:

Fax:

Email:

2. The date of the application:

3. Current designation of the subject land in the applicable Official Plans and an explanation of how the application conforms with the Official Plans:

4. Current Zoning:

5a. Type of proposed transaction

- | | | | | | |
|--------------------------|-----------------------|--------------------------|----------|--------------------------|---------------------|
| <input type="checkbox"/> | creation of a new lot | <input type="checkbox"/> | easement | <input type="checkbox"/> | lease |
| <input type="checkbox"/> | lot addition | <input type="checkbox"/> | charge | <input type="checkbox"/> | correction of title |

b. Please indicate the purpose of proposed transaction?

6. If known, please provide the name of the person to whom the land or an interest in the land is to be transferred, charged or leased?

7. Description of subject land

Geographic Township:

Concession(s):

Lot(s):

Registered Plan:

Lot(s):

Reference Plan:

Part(s):

Street Address:

Municipal Roll Number:

8. Are there any easements or restrictive covenants affecting the subject land?	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
*If yes, please provide a description of each easement or covenant and its effect?		

9. Dimensions of subject land as a whole (in metric units)		
Frontage:	Depth:	Area:

10a. Dimensions of the lot to be severed (in metric units)		
Frontage:	Depth:	Area:

b. Dimensions of the lot to be retained (in metric units)		
Frontage:	Depth:	Area:

c. Describe all existing uses on the subject land?

d. Describe all existing buildings or structure on the subject land?

e. Describe all proposed uses on the subject land?

f. Describe all proposed buildings or structure on the subject land?

g. Access to subject land (please provide information for only those that apply to this property)	
Provincial Highway:	County Road:
Municipal Road:	Other Public Road:
Right of Way:	Water:

Item 8(e) to the Schedule of Ontario Regulation 547/06 applies only if access is by water.

h. Water Supply: Water supply will be provided via?			
<input type="checkbox"/>	publicly owned and operated piped water system	<input type="checkbox"/>	lake or other water body
<input type="checkbox"/>	privately owned well or communal well	<input type="checkbox"/>	other (please specify) _____

i. Sewage Disposal: Sewage disposal will be provided via?			
<input type="checkbox"/>	publicly owned and operated sanitary sewage system	<input type="checkbox"/>	privy
<input type="checkbox"/>	privately owned individual or communal septic system	<input type="checkbox"/>	other (please specify) _____

11. If the purpose of the application is to create a new lot to dispose a surplus farm dwelling as a result of farm consolidation, please complete the following:			
a. Are you aware of the restriction through zoning that would apply to the balance of the farm to prohibit any new residential use?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
b. Indicate the year in which the subject lands were acquired by the owner:			
c. Address of the 'home farm':			
d. Number of farms owned and operated by the owner(s) and approximate total acreage:			
e. Year of dwelling construction:			
f. Describe the condition of dwelling and its suitability for human occupancy:			
g. Describe the condition and proposed use of any outbuildings:			

12. Is the subject land the subject of:			
An application for an amendment to the Official Plan under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes*	<input type="checkbox"/>	No <input type="checkbox"/>
An application for an amendment to the Zoning By-law under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes*	<input type="checkbox"/>	No <input type="checkbox"/>
A Minister's zoning order under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes*	<input type="checkbox"/>	No <input type="checkbox"/>
An application for approval of a Plan of Subdivision under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes*	<input type="checkbox"/>	No <input type="checkbox"/>
An application for an application for Consent under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes*	<input type="checkbox"/>	No <input type="checkbox"/>
An application for an application for Minor Variance under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes*	<input type="checkbox"/>	No <input type="checkbox"/>

13. Please indicate whether any land has been severed from the parcel originally acquired by the owner of the subject land?	Yes*	<input type="checkbox"/>	No <input type="checkbox"/>
*If yes provide the following:			
Date of Transfer:			
Name of Transferee:			
Uses of the severed Land:			

14. This application must be accompanied by a sketch showing the following information. Failure to supply this information will result in a delay in procession the application. Please fill out the checklist below to ensure you have included all the required information.

- The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land.
- The approximate distance between the subject land and the nearest municipal 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 acquired by the current owner of the subject land (if applicable).
- 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 (for example: buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks).
- The existing uses on the adjacent land (for example: 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, private road or a right-of-way.
- The location and nature of any easement affecting the subject land.

15. Please indicate how the application is consistent with the Provincial Policy Statement (a copy of the Provincial Policy Statement is available at ontario.ca/page/land-use-planning)?

Items 16 and 17 to the Schedule of Ontario Regulation 547/06 apply only if the subject land is within an area of land designated under any provincial plan or plans.

MUNICIPAL COSTS

Please be advised that the municipality may incur expenses associated with obtaining outside legal/ engineering/planning review/assistance from its consultants, relating to the application. Any expenses that the municipality incurs in this regard will be forwarded to the applicant, for payment.

I, _____, (the applicant) acknowledge that I will pay all legal/engineering/planning expenses the municipality incurs as outlined above.

Signature

Date

AGENT AUTHORIZATION (*Please complete for an agent to act on behalf of the owner of the subject land.)

I, _____, being the owner of the property described in
(Name)

Section 1 of this application for Consent, hereby authorize _____
(Agent)

to act as my agent in matters related to this application for Consent.

Dated this _____ day of _____ 20 ____

Owner

STATUTORY DECLARATION

I, _____ of the _____
(Name) (Name of City, Town, Township, Municipality, etc.)

in the _____
(Name of County, Region or District)

SOLEMNLY DECLARE THAT

The information provided in this application as required under Section 53 of the *Planning Act* and Ontario Regulation 200/96 is true.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that is of the same force and effect as if made under oath.

Declared before me at the _____

of _____ in the

this _____ day of _____ 20 ____

A Commissioner of Oaths

Applicant or Authorized Agent*

**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: _____

	Existing Structure	Office Use	Structure After Construction	Office Use
Fixture	Number	Fix. Units	Number	Fix. Units
Bedrooms				
Dishwasher				
Laundry Tub				
Shower Stalls				
Bath Tubs				
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 floor area of the present dwelling? _____

7. What will the floor area be of the dwelling 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 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 (e.g. 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 structure and the location of the septic tank and leaching (show as much detail regarding the bed as possible - i.e. 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.

An inspection can be conducted of the subject property. An inspection/ administrative fee may be applicable and 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)



Declaration of Applicant

Section A

Is this project a commercial, agricultural, or industrial application?	Yes	No
Does the proposal involve fuel handling/storage ≥15,000 litres?	Yes	No

Section B

Are there any hydro poles/hydro easements on this property?	Yes	No
Is there any gas or oil or any other utility easement on this property?	Yes	No
Are there any Right-of-Way accesses on this property?	Yes	No
Are there any easements (of any nature) on this property?	Yes	No
Are there any closed private/municipal drains on this property?	Yes	No
Are there any agreements/leases attached to title (i.e. wind, gas/oil etc.)-	Yes	No

If you answered **YES** to any of the questions in **Section B** - you are required to clearly indicate on your site/plot/lot diagram the location of such items and provide sufficient documentation where applicable/requested.

Section C

I understand that property locates are my sole responsibility.	Yes	No
I understand it is my sole responsibility to ensure all substantial completion inspections (as outlined in the issued permit) are requested with 48 hours' notice, carried out and approved prior to proceeding to the next stage of construction.	Yes	No

I understand that I will be responsible to remit all applicable fees prior to my permit being officially issued and further I may be subject to the said fees if my application is denied, revoked or cancelled (by myself), as per the applicable building permit by-law.	Yes	No
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------	-----------

I, _____ certify that:
(Print name)

1. The information contained in this declaration, application, attached plans and specifications, and other attached documentation is true to the best of my knowledge.
2. As the Owner/Agent/Contractor I take responsibility to ensure compliance to all federal, provincial and municipal legislation and or regulations prior to, during and after construction.
3. I will not hold The County of Lambton or its employees liable for any actions by myself resulting in; non-issuance of a permit, revoking of a permit, civil action and or possible fine.
4. I have authority to bind the corporation or partnership (if applicable).

(Date)

(Signature of Applicant)

Personal information contained in this form and schedules is collected under the authority of Section 7 Subsections 8(2) of the Building Code Act, and will be used in the administration and enforcement of the Building Code Act, 1992. Questions about the collection of personal information may be addressed to: a) the Clerk of the municipality to which this application is being made.

Please Note: This declaration must be completed in its entirety prior to the issuance of a building/plumbing/septic permit, no exceptions.