

INFORMATION REGARDING THE SEVERANCE PROCESS

On May 20, 1996 the Province of Ontario proclaimed Sections of Bill 20 relating to the Planning Act. The new requirements will have a significant impact on the consent process and eventual approval or denial of your severance application. Provincial and Municipal Planning Policies must be adhered to.

SUBMITTING YOUR APPLICATION

If you are filling this application out by hand please use ink and print clearly. Be sure your information and sketch are accurate and complete. The application, signatures and sketch must be fully completed and legible in order to be processed.

Under the present Township of Melancthon By-law, the fee for processing a severance application is \$1,000.00 plus a \$1,000 deposit. This fee, payable to the Township of Melancthon, must accompany your completed application.

You will be mailed two pieces of tape to indicate the road frontage on the proposed severed parcel. The placement of this tape is important as it shows the exact location of the severance to anyone making a site inspection.

Part of the severance process requires that the Municipality receive a letter from the County of Dufferin Building Department assessing lot suitability to support an on-site sanitary sewage system. A site inspection must be conducted by the building department to ensure that a septic disposal system can be constructed on the lot and meet all clearance distances as outlined in the Ontario Building Code. To have a Building Official review your property, call or visit the Building Department to receive a Lot Suitability application form and the fee schedule. If a survey of the existing property is available, please provide the Building Department with a copy. You may contact the Building Department at 519-941-2362, 55 Zina Street, Orangeville ON L9W 1E5.

Your application may require the installation of an entrance. An application for entrance permit is included. The entrance permit fee is \$300.00, with \$200.00 refundable upon approval.

The terms "MDS I" and "MDS II", as used in Section 18 of the application form, refer to the minimum distance separation formulae as prepared by the provincial Ministry of Agriculture, Food and Rural Affairs. The Provincial Policy Statement requires that "new land uses, including the creation of lots, and new or expanding livestock facilities shall comply with" these formulae. Therefore, if a consent application involves either the creation of a new or expanded livestock or manure storage facility, the applicant must provide the applicable completed MDS calculation form. This will enable the Committee of Adjustment to determine if the proposed severance and land use will comply with the required separation distance from either an existing livestock/manure storage facility or an existing off-site nonagricultural use, depending on the nature of the severance. The services of a qualified professional may be of assistance in completing the applicable MDS calculation.

PUBLIC NOTICE OF APPLICATION

Within a few weeks of submitting your application, you will receive a "Notice of Application" setting out the pertinent information and outlining the date and time the application will be dealt with by the Township of Melancthon Committee of Adjustment. It is recommended that you and/or your agent attend this meeting. Notice of Application will be circulated to property owners within 120 metres (400 feet) of the subject land or by notice in the local newspaper. Various agencies will have an opportunity to provide the Committee of Adjustment with comments on the appropriateness of your severance proposal. Depending upon the location of your property, the following is a list of agencies which may be circulated with your application:

Saugeen Valley Conservation Authority
Nottawasaga Valley Conservation Authority,
Grand River Conservation Authority
Niagara Escarpment Commission
Ministry of Transportation
Dufferin County Roads Department
Dufferin County Building Department
Ministry of Municipal Affairs , Municipal Planning Advisor
Municipal Property Assessment Corporation
Local Municipal Council & Staff

Please note that you will be responsible for the fees imposed by the applicable Conservation Authority for review of your application and you should contact that Conservation Authority to confirm the fees.

THE HEARING

The Committee of Adjustment will hear all comments which have been forwarded to the attention of the Committee. This Hearing is for the Public and anyone attending in person will be given the opportunity to address the Committee. The Committee members may also ask further information or clarification at this time.

AFTER THE HEARING

The Committee does not usually make a decision at the hearing. The decision is made at the following Committee of Adjustment meeting which enables the Committee time to consider all correspondence and comments received at the hearing and to do an onsite inspection. When the Committee makes a decision on the application, a **Notice of Decision** will be forwarded to you within fifteen days of the meeting. The Committee may give “provisional consent” to grant the application, subject to conditions; they may refuse to give provisional consent (meaning) “not grant” the application; or they may defer the application pending further information.

If a decision is made at the meeting there is a **20 day appeal period from the giving of Notice of Decision**. During this time any person, Corporation or public body may appeal the decision (or conditions) to the Local Planning Appeal Tribunal (LPAT).

After the 20 day appeal period, if no appeals have been received, you may continue on with the conditions set out in the decision.

APPEALS

A letter outlining the reasons for appeal is to be forwarded to the Township of Melancthon office, together with a cheque payable to the Minister of Finance, in the amount of \$300.00 (additional \$25.00 for each related appeal). For example if you are appealing three related applications, the cheque will be in the amount of \$350.00.

**TOWNSHIP OF MELANCTHON - COMMITTEE OF ADJUSTMENT
APPLICATION FOR CONSENT**

NOTE TO APPLICANTS

One copy of this application form must be completed and filed for each parcel to be severed together with the sketch as required by the Schedule to Ontario Regulation 547/06, with the Secretary/Treasurer and be accompanied by a fee of \$1,000.00 + \$1000.00 deposit. Cheques made payable to the Township of Melancthon.

Completeness of the Application

The information that must be provided by the applicant is prescribed in the Schedule to Ontario Regulation 547/06 made under the Planning Act. If the mandatory information and fee are not provided, the Committee of Adjustment will return the application or refuse to further consider the application until the information and fee have been provided.

The application form also sets out other information that will assist the Committee of Adjustment and others in their planning evaluation of the Consent Application. To ensure the quickest and most complete review, this information should be submitted at the time of the application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

1. Registered Owner's Name : _____
Address: _____
E-mail Address: _____
Telephone Number: (Home) _____ (Work) _____ (Fax) _____

Applicant's Name : _____
Address: _____
E-mail Address: _____
Telephone Number: (Home) _____ (Work) _____ (Fax) _____

Agent's Name: _____
Address: _____
E-mail Address: _____
Telephone Number: (Home) _____ (Work) _____ (Fax) _____

Send Correspondence to? Owner () Applicant () Agent ()

2. Date of Application: _____

3. Type of Transaction: (e.g. a transfer for the creation of a new lot, a lot addition, an easement, a charge, a lease or a correction of title)

4. Name of person(s) to whom the land or interest in land is to be transferred, charged or leased:

5. Legal Description of Property:

Municipality _____

Lot (s) _____ Concession _____

Lot (s) _____ Registered Plan _____

Part (s) _____ Reference Plan _____

Street Address _____

Roll Number _____ Survey Attached - Yes () No ()

6. Are there any easements or restrictive covenants affecting the subject property? Yes _____ No _____

7. If the answer to Section 6 is yes, a description of each easement or covenant and its effect.

8. (a) Description of lands to be **SEVERED** or **EASEMENT/RIGHT-OF-WAY**: **(in metric units)**

Frontage: _____ Area: _____

Depth: _____

Existing Use: _____ Proposed Use: _____

Existing and proposed buildings and structures on land to be severed:

Existing: _____

Proposed: _____

What type of access do the lands intended to be **SEVERED** have?

Provincial Highway _____ County Road _____

Year Round Municipal Road _____ Seasonal Municipal Road _____

Unopen Road Allowance _____ Private Right-of-way _____

Other, please specify _____

Services currently available, or to be available for the **SEVERED** parcel:

| | Municipal Water | Communal Water | Private Water | Municipal Sewers | Communal Sewers | Private Sewers |
|----------|--------------------|-------------------|------------------|---------------------|--------------------|-------------------|
| Existing | () | () | () | () | () | () |
| Proposed | () | () | () | () | () | () |

(b) Description of lands to be **RETAINED**: (in metric units)

Frontage: _____ Area: _____

Depth: _____

Existing Use: _____ Proposed Use: _____

Existing and proposed buildings and structures on land to be retained:

Existing: _____

Proposed: _____

What type of access do the lands intended to be **RETAINED** have?

Provincial Highway _____ County Road _____

Year Round Municipal Road _____ Seasonal Municipal Road _____

Unopen Road Allowance _____ Private Right-of-way _____

Other, please specify _____

Services currently available, or to be available for the **RETAINED** parcel:

| | Municipal Water | Communal Water | Private Water | Municipal Sewers | Communal Sewers | Private Sewers |
|----------|-----------------|----------------|---------------|------------------|-----------------|----------------|
| Existing | () | () | () | () | () | () |
| Proposed | () | () | () | () | () | () |

9. (a) Present Official Plan designation of the land : _____

(b) Present Zoning of the land: _____

10. Has the subject land ever been the subject of an application for approval of a plan of subdivision under Section 53 of the Planning Act? Yes _____ No _____

If the answer is yes, the file number of the application and the status of the application.

11. Has any land been severed from the parcel originally acquired by the owner of the subject land? _____

12. If the answer to Section 11 is "Yes", please indicate previous severance on the required sketch and supply the following information for each lot severed:

Grantee's Name: _____

Relationship (if any) to owner: _____

Date of Parcel Created: _____ Use of Parcel: _____

File Number : _____

13. Is the subject land the subject of any other application under the Act, such as an application for an amendment to an official plan, a zoning by-law or a Minister's zoning order, an application for a minor variance or an approval of a plan of subdivision or a consent;

If the answer is yes, the file number of the application and the status of the application: _____

14. This application must be accompanied by a sketch showing the following, with any measurements shown **in metric units**:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate 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 intended to be severed and the part that is intended to be retained;
- (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 (*for example, buildings, railways, roads, watercourses, drainage ditches, bank of rivers or streams, wetlands, wooded areas, wells and septic tanks*) that,
 - (i) are located on the subject land and on land that is adjacent to it, and
 - (ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (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 will be by water only, the location of the parking and boat docking facilities to be used; and
- (i) the location and nature of any easement affecting the subject land.

15. Is the application consistent with policy statements issued under subsection 3(1) of the Act? _____

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

17. If the answer to question 16 is yes, briefly explain how this application either conforms with or does not conflict with any applicable provincial plan or plans:

18. If this application involves the creation of a non-farm lot within approximately 500 metres of livestock facilities and/or permanent manure storage facilities, a completed MDS I calculation form must be submitted with this application. If this application involves a new or expanded livestock facility and/or permanent manure storage facility, a completed MDS II calculation form must be submitted with this consent application.

UPON SUBMISSION OF THIS APPLICATION THE APPLICANT AGREES:

1. That the fee submitted with this application covers only routine processing costs (i.e. review by municipality). It is further understood and agreed that any additional costs or requirements with this application, including any additional information and processing requirements, or as may otherwise be required or incurred and charged to or by the municipality (i.e. planning, legal or engineering fees, LPAT Hearing costs, agreements, special studies, other approvals or applications and any other related matters) will be my responsibility to provide to and/or reimburse the municipality for same. Failure to pay all associated costs may result in refusal of this application and/or collection by the municipality in like manner as municipal taxes, or any other means legally available to the municipality.
2. To pay the application fee in full prior to the processing of this application.
3. To allow the Committee of Adjustment to site inspect the property in consideration for this application.

Affidavit or Sworn Declaration

I, _____ of the _____ of _____

in the _____ of _____ solemnly declare that all the statements contained in this application and all the information provided is true, and I 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 _____ Date: _____

at the _____

in the _____ Signature of Applicant: _____

this _____ day of _____

A Commissioner, etc.

Authorizations:

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application on his/her behalf, must be included with this form or the authorization set out below must be completed.

Authorization of Owner for Agent to Make Application and for Agent to Provide Personal Information

I, _____, am the owner of the land that is the subject of this application for consent and I authorize _____ to act as my agent for the purpose of this application and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize my agent to provide any of my personal information that will be included in this application or collected during the processing of this application.

Date

Signature of Owner

Consent of the Owner to the Use and Disclosure of Personal Information

I, _____, am the owner of the land that is the subject of this consent application and 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 for the purposes of processing this application.

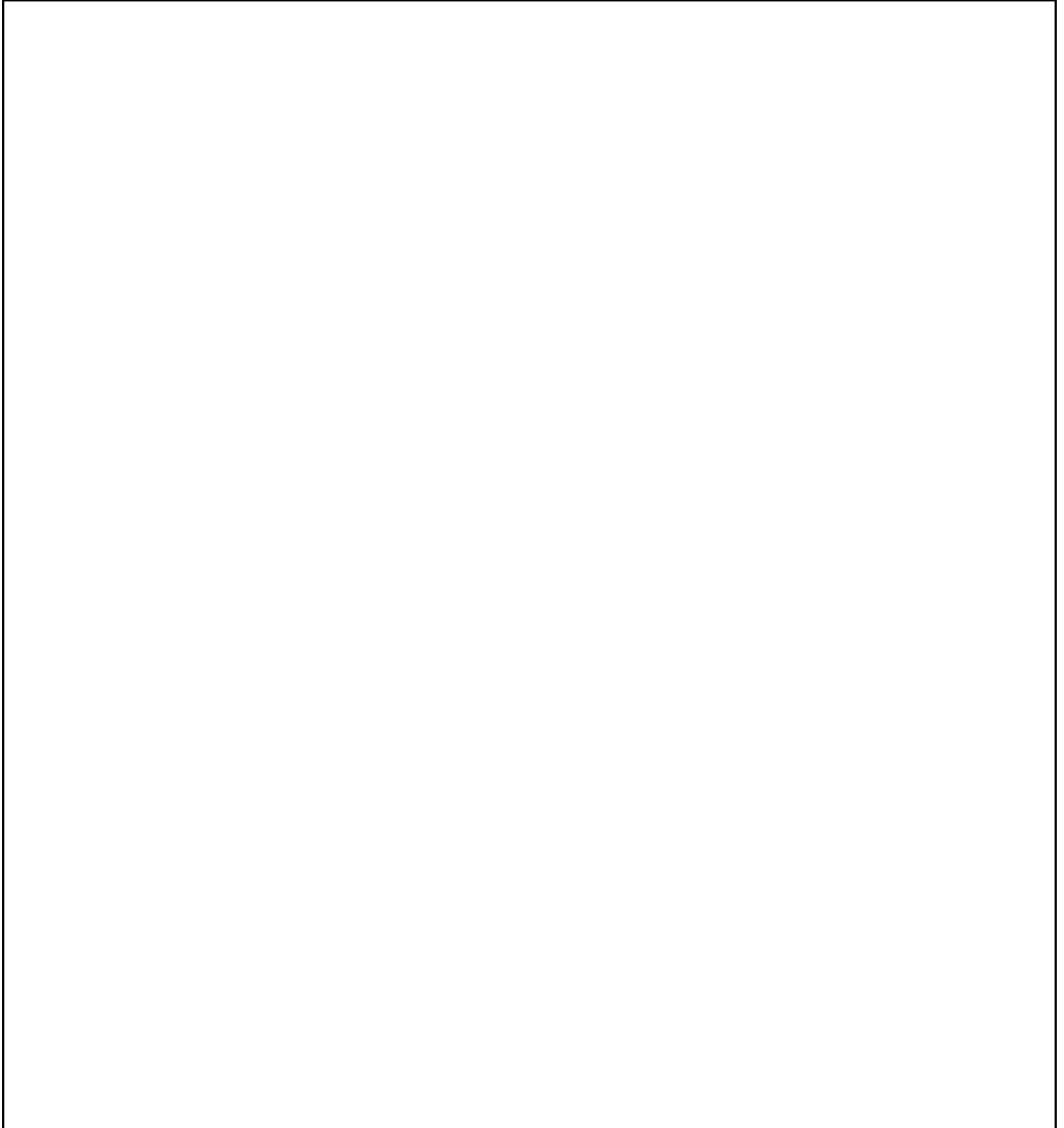
Date

Signature of Owner

Property Owners Name : _____

Location of Property: _____ Acreage: _____

Please use the space for your sketch:

A large, empty rectangular box with a thin black border, intended for a sketch. It occupies the majority of the lower half of the page.