



## CONSENT/LAND SEVERANCE

**TOWN OF AMHERSTBURG**  
**Economic and Community Development Department**  
**Planning Services Division**  
**3295 Meloche Road**  
**Amherstburg, Ontario, N9V 2Y8**  
**519-736-5408**

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At any time when an application for Consent is being considered, the applicant should approach the Secretary Treasurer of the Committee of Adjustment of the Municipality to engage in a pre-consultation meeting to explain the proposed application being contemplated. This formal discussion should provide the applicant with procedural direction as to processing the application as well as determining planning policies under which the application can be considered for approval. At this time, the applicant may also wish to obtain a copy of the Consent/Land Severance Application Form.

A completed application must be submitted approximately 3 weeks before the scheduled hearing date. The meeting schedule, including application deadlines, is available on our website, [www.amherstburg.ca/committeeofadjustment](http://www.amherstburg.ca/committeeofadjustment).

### **SUBMISSION REQUIREMENTS**

1. One (1) original Consent/Land Severance application form – completed and signed.

Please note that the application must be signed in front of a Commissioner and if signed by a Corporation, must have the Corporate Seal affixed. If signed by an agent, a written authorization, attached, from the owner must also be submitted. **ALL REGISTERED OWNERS MUST SIGN.**

2. Application fee of \$1020.00 along with an ERCA development review fee of \$200.00 (total of \$1220.00 payable to the Town of Amherstburg) must accompany your completed application.

3. Each copy of the application must be accompanied by a sketch, drawn to scale, showing:

- 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 landmark such as a bridge or railway crossing;
- c) the boundaries and dimensions of the parcel of land that is the subject of the application, the part that is to be severed, the part that is to be retained, and the location of all land previously severed;

- d) the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks/tile fields;
  - e) the current uses on land that is adjacent to the subject land;
  - f) 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;
  - g) if access to the subject land is by water only, the location of the parking and docking facilities to be used;
  - h) the location and nature of any easement affecting the subject land.
4. Applications may be delivered or mailed to the Manager of Planning Services, 3295 Meloche Road, Amherstburg, ON N9V 2Y8.

#### **NOTICE OF HEARING AND POSTING CARD**

A Notice of the Hearing will be mailed by prepaid First Class Mail to the applicant and to every owner of land within 60 metres of the subject site not less than fourteen (14) days prior to the date the application is to be heard.

A sign is to be placed on the land subject to the application at least fourteen (14) days prior to the hearing date and is to remain in place until the hearing has been held. The sign is to be placed at the centre of the subject parcel, facing the public road and as close as possible to the property line.

#### **HEARING AND DECISION**

The Applicant or an agent must attend the hearing at the designated time and location and speak on behalf of the application answering any questions, which the members of the Committee of Adjustment may have. A written decision will be forwarded to the applicant within ten (10) days of the Hearing Decision. Any conditions imposed by the Committee form part of the Decision and must be met in a manner acceptable to the Committee before final certification can be issued. Within twenty (20) days after the giving of the Notice of decision, the applicant may appeal the decision to the Local Planning Appeal Tribunal (LPAT) by filing the LPAT Notice of Appeal form and the necessary \$400.00 fee with the Secretary-Treasurer for the Committee of Adjustment.



**TOWN OF AMHERSTBURG  
CONSENT/LAND SEVERANCE APPLICATION**

**CHECKLIST OF SUBMISSION REQUIREMENTS**

**Applications should be submitted at least 3 weeks prior to a scheduled Committee of Adjustment meeting. Please consult with staff to determine the appropriate timelines.**

**Please check the appropriate box and attach all necessary material to this form:**

Attached	
<input type="checkbox"/>	Required Fee Each application must be accompanied by the application fee in the form of a cheque in the amount of \$1,020.00 payable to the Town of Amherstburg. A \$200 ERCA planning review fee must be included at the time of application. If applying in person payment may be made by cash as well.
<input type="checkbox"/>	One (1) copy of this application- completed and signed.
<input type="checkbox"/>	One (1) copy of the required sketch.
<input type="checkbox"/>	One (1) copy of the Authorization if required.

**The completed application form and supporting documentation may be returned to the Planning Services Division, 3295 Meloche Road, Amherstburg, Ontario, N9V 2Y8.**



**TOWN OF AMHERSTBURG**  
**Application for**  
**CONSENT/LAND SEVERANCE**

OFFICE USE ONLY	
Application No.:	Date Application Received:
Date of Pre-consultation Meeting:	Staff Person Present:
Date Application Deemed Complete:	Municipal Fee Received:
	ERCA Fee Received:

1. CONTACT INFORMATION
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<b>Applicant/Owner Information</b> <i>Municipal Freedom of Information and Protection of Privacy Act – Personal information on this form is collected under authority of the Planning Act and will be used to process this application.</i>
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Name of Registered Owner:  _____  _____  _____	Mailing Address and Postal Code:  _____  _____  _____	Telephone Number:  _____
		Email Address:  _____
		Fax:  _____
Name of Authorized Agent:  _____  _____  _____	Mailing Address and Postal Code:  _____  _____  _____	Telephone Number:  _____
		Email Address:  _____
		Fax:  _____

To whom should correspondence be sent?    Owner    Agent    Both

If known, if there are any holders of any mortgages, charges or other encumbrances on the subject land, please provide details as follows:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

2. LOCATION AND DESCRIPTION OF SUBJECT LANDS	
Assessment Roll No.:	
Municipal Address:	
Concession:	Lot:
Registered Plan No.:	Lot(s):
Reference Plan No.:	Part(s):

3. CURRENT OFFICIAL PLAN DESIGNATION AND ZONING OF SUBJECT LANDS:	
Official Plan Designation:	Zoning:

4. CURRENT SIZE OF SUBJECT PARCEL:		
Frontage:	Depth:	Area:

5. ARE THERE ANY EASEMENTS OR RESTRICTIVE COVENANTS AFFECTING THE SUBJECT LAND?			
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, please provide a description of each easement or covenant and its effect.			
_____			
_____			
_____			

**6. TYPE AND PURPOSE OF TRANSACTION (please check all applicable)**

<b>Conveyance</b>	Agricultural Area			
	<input type="checkbox"/>	farm split	<input type="checkbox"/>	lot addition
	<input type="checkbox"/>	surplus dwelling	<input type="checkbox"/>	technical severance
	Other Areas			
	<input type="checkbox"/>	creation of new lot	<input type="checkbox"/>	lot addition
	<input type="checkbox"/>	technical severance		
<b>Other</b>	<input type="checkbox"/>	mortgage or charge	<input type="checkbox"/>	partial discharge of mortgage
	<input type="checkbox"/>	easement/right-of-way	<input type="checkbox"/>	correction of title
	<input type="checkbox"/>	other (specify) _____		
Name of person(s) [Purchaser, lessee, mortgage, etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged				
_____				
Relationship (if any) of person(s) named above to owner (specify nature of relationship)				
_____				

<b>7. DESCRIPTION AND USE OF LAND INTENDED TO BE SEVERED:</b>					
Frontage:		Depth:		Area:	
Existing Use:					
Proposed Use:					
Number and use of buildings and structures on the land intended to be severed					
Existing:					
Proposed:					
Is there an existing access bridge on this parcel?					
<input type="checkbox"/>	Yes (locate on sketch)		<input type="checkbox"/>	No	
Is there a water service connection on this parcel?					
<input type="checkbox"/>	Yes (locate on sketch)		<input type="checkbox"/>	No	
Is there a sanitary sewer connection on this parcel?					
<input type="checkbox"/>	Yes (locate on sketch)		<input type="checkbox"/>	No	
Access to proposed severed lot					
<input type="checkbox"/>	Municipal Road	<input type="checkbox"/>	County Road	<input type="checkbox"/>	Provincial Highway
<input type="checkbox"/>	Private	<input type="checkbox"/>	Water		
If access to the subject land is by water only, indicate the parking and docking facilities to be used and the approximate distance between these facilities and the nearest public road.					

<b>8. NUMBER OF NEW LOTS PROPOSED (NOT INCLUDING RETAINED LOT):</b>	
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<b>9. DESCRIPTION AND USE OF LAND INTENDED TO BE <u>RETAINED</u>:</b>								
Frontage:		Depth:		Area:				
Existing Use:								
Proposed Use:								
Number and use of buildings and structures on the land intended to be retained								
Existing:								
Proposed:								
Is there an existing access bridge on this parcel?								
<input type="checkbox"/>	Yes (locate on sketch)		<input type="checkbox"/>	No				
Is there a water service connection on this parcel?								
<input type="checkbox"/>	Yes (locate on sketch)		<input type="checkbox"/>	No				
Is there a sanitary sewer connection on this parcel?								
<input type="checkbox"/>	Yes (locate on sketch)		<input type="checkbox"/>	No				
Access to proposed retained lot								
<input type="checkbox"/>	Municipal Road		<input type="checkbox"/>	County Road		<input type="checkbox"/>	Provincial Highway	
<input type="checkbox"/>	Private		<input type="checkbox"/>	Water				
If access to the subject land is by water only, indicate the parking and docking facilities to be used and the approximate distance between these facilities and the nearest public road.								



10. TYPE OF WATER SUPPLY AND SANITARY SEWAGE DISPOSAL (please check all applicable)			
Type		Severed	Retained
Water	Municipally owned and operated piped water supply	<input type="checkbox"/>	<input type="checkbox"/>
	Well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>
Sanitary	Municipally owned and operated sanitary sewers	<input type="checkbox"/>	<input type="checkbox"/>
	Septic tank	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>
When will water supply and sewage disposal services be available?			
_____			

11. PROPERTY HISTORY			
Have there been any previous severances of land from this holding?			
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
If yes, please indicate previous severances on the required sketch and supply the following information for each lot severed:			
Grantee's name			
Relationship (if any) to the owner:			
Use of parcel:			
Date parcel created:			

Has the parcel ever been the subject of an application for approval of a plan of subdivision under Section 51 or a consent under Section 53 of the Act, as amended, or its predecessors?			
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
If yes, please indicate the file number and the decision:			
_____			

12. CURRENT APPLICATIONS			
Please indicate whether the property is the subject of an application for one of the following:			
<input type="checkbox"/>	Official plan or official plan amendment approval		
<input type="checkbox"/>	Zoning by-law amendment		
<input type="checkbox"/>	Minister's zoning order amendment		
<input type="checkbox"/>	Minor variance		
<input type="checkbox"/>	Consent or approval of a plan of subdivision		
If known, indicate the file number and status of the foregoing application(s)			
_____			
Is the owner, solicitor or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?			
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
Is the owner, solicitor or agent applying for any minor variance or permission to extend or enlarge under Section 45 of the Planning Act, R.S.O. 1990, as amended, in relation to any land that is the subject of this application?			
<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No

**12. CURRENT APPLICATIONS CONTINUED**

Is the requested application consistent with policy statements issued under subsection 3(1) of the Planning Act? (ie. 2014 Provincial Policy Statement)

<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
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Comments: \_\_\_\_\_  
 \_\_\_\_\_

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

<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
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If yes, does the requested application conform to or does not conflict with the provincial plan or plans?

\_\_\_\_\_

Is the land associated with any natural environment area or adjacent to or abutting lands that are designated as a Wetland or Natural Environment?

<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
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If yes, an Environmental Impact Assessment is required, for approval by the Town and Essex Region Conservation Authority, to be completed in accordance with the County of Essex Guidelines for Environmental Impact Assessments or when Council considers it appropriate, additional requirements may be made to the Guidelines in accordance with more detailed locally adopted terms of reference for an Environmental Impact Assessment.

Does the proposed project include the addition of permanent above ground fuel storage?

<input type="checkbox"/>	Yes (locate on sketch)	<input type="checkbox"/>	No
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### 13. CONSENT OF OWNER

The owner must also complete the following or a similar authorization attached to the application.

#### **Consent of Owner(s) to the Use and Disclosure of Personal Information and to Allow Site Visits to be Conducted**

In accordance with the provisions of the Planning Act, it is the policy of the Town of Amherstburg Planning Services Department to provide the public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I/we \_\_\_\_\_ the owner(s)/authorized applicant, hereby acknowledge the above-noted policy and provide my/out consent, in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**14. AFFIDAVIT** (This affidavit must be signed in the presence of a Commissioner)

I/We, \_\_\_\_\_ of the  
\_\_\_\_\_ of \_\_\_\_\_ in the  
\_\_\_\_\_ of \_\_\_\_\_ solemnly declare that  
all of the information and 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*.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Commissioner

**15. AUTHORIZATION**

If the applicant is not the owner(s) of the land that is subject of this application, the owner(s) must complete the following or a similar authorization attached to the consent application.

To: Town of Amherstburg

Description and Location of Subject Lands: \_\_\_\_\_

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

\_\_\_\_\_ to :

- (1) make an application on my/our behalf to the Committee of Adjustment of the Town of Amherstburg;
- (2) appear on my behalf at any hearings(s) of the application; and
- (3) provide any information or material required by the Committee relevant to the application.
- (4) submit this application on my/our behalf and, for the purposes of the Freedom of Information and Protection of Privacy Act, to provide any of my/our personal information that will be included in this application or collected during the process of the application

DATED at the \_\_\_\_\_ of \_\_\_\_\_

in the \_\_\_\_\_ of \_\_\_\_\_ this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature of Owner

**16. POSTING COMMITTEE OF ADJUSTMENT ADVISORY SIGN**

This will confirm the requirements 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 upon submission of your application(s). You are directed to post the sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it. The sign should be placed so as to be legible from the roadway in order that the public see the sign and make note of the telephone number should they wish to make inquiries. For corner lots, a separate sign will be required, facing each roadway. The Zoning By-law prohibits the signs from being located in any corner lot sightlines. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

Each sign must remain posted beginning 14 days prior to the Hearing, until the day following the decision of the Committee of Adjustment. Please complete the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the Committee's requirements. Failure to post the sign as required will result in deferral of the application.

Frank Garardo, MCIP RPP  
Secretary-Treasurer  
AMHERSTBURG COMMITTEE OF ADJUSTMENT

Property Address: \_\_\_\_\_

Application Number(s): \_\_\_\_\_

I understand that each sign must be posted at least 14 days before the Hearing, and will remain posted and be replaced if necessary, until the day following the Decision.

I acknowledge that the Secretary-Treasurer has confirmed these requirements with me.

\_\_\_\_\_  
Signature (Owner/Authorized Agent)

\_\_\_\_\_  
Date