



CONSENT/LAND SEVERANCE

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

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 4 weeks before the scheduled hearing date. The meeting schedule, including application deadlines, is available on our website, 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 **\$1545.00** along with an ERCA development review fee of **\$300.00** (total of \$1845.00 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 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 Ontario Land Tribunal (OLT) by filing the OLT Notice of Appeal form and the necessary prescribed fee with the Clerk of the municipality.

CHECKLIST OF SUBMISSION REQUIREMENTS

Applications should be submitted at least 4 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:

- ☐ **Required Fee**
Each application must be accompanied by the application fee in the form of a cheque in the amount of **\$1,845.00** payable to the Town of Amherstburg. A \$300 ERCA planning review fee is included in the application fee and is paid at the time of application. If applying in person payment may be made by cash or debit as well.
- ☐ One (1) copy of this application- completed and signed.
- ☐ One (1) copy of the required sketch.
- ☐ 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.

If the subject lands are located within 120 m of a Provincially Significant Wetland, Significant Woodland, Area of Natural or Scientific Interest or Significant Species at Risk Habitat, the applicant may be required to complete a natural heritage review. The initial pre-consultation cost of the natural heritage review is \$565 and should additional work, such as an Environmental Impact Assessment, be required, the applicant will be responsible for all costs associated with review. Costs associated with the review will be invoiced to the applicant through the Town of Amherstburg. The applicant will be responsible for finding their own qualified biologist to complete the Environmental Impact Assessment, if required, and will be responsible for all costs associated with the assessment.



TOWN OF AMHERSTBURG
Application for
CONSENT/LAND SEVERANCE

OFFICE USE ONLY

Application No: _____
Date of Pre-consultation Meeting: _____
Date Application Received: _____
Date Application Deemed Complete: _____
Staff Person Present: _____
Municipal Fee Received: _____
ERCA Fee Received: _____

1. CONTACT INFORMATION

Applicant/Owner Information

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.

Name of Registered Owner: _____
Mailing Address: _____
Postal Code: _____
Phone: _____
Email: _____

Agent Authorized by Owner to file the Application (if applicable):

Name of Registered Owner: _____
Mailing Address: _____
Postal Code: _____
Phone: _____
Email: _____

Which of the above is the Primary Contact? ☐ **Applicant** ☐ **Agent**

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?

☐ **Yes** ☐ **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)

Conveyance

- Agricultural Area:**

☐ farm split ☐ surplus dwelling ☐ lot addition ☐ technical severance
- Other Areas:**

☐ creation of new lot ☐ technical severance ☐ lot addition
- Other:**

☐ mortgage or charge ☐ easement/rig-of-way ☐ partial discharge of mortgage ☐ correction of title ☐ other (specify) _____

7. DESCRIPTION AND USE OF LAND INTENDED TO BE SEVERED: _____

Frontage: _____

Depth: _____

Area: _____

Existing Use: _____

Proposed Use: _____

Number and use of buildings and structures on the land intended to be severed

Existing Use: _____

Proposed Use: _____

Is there an existing access bridge on this parcel? ☐ **Yes** ☐ **No**

Is there a water service connection on this parcel? ☐ **Yes** ☐ **No**

Is there a sanitary sewer connection on this parcel? ☐ **Yes** ☐ **No**

Access to proposed severed lot ☐ Municipal Road ☐ County Road

☐ Provincial Highway ☐ Private ☐ 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.

8. NUMBER OF NEW LOTS PROPOSED (NOT INCLUDING RETAINED LOT): _____

9. DESCRIPTION AND USE OF LAND INTENDED TO BE RETAINED:

Frontage: _____

Depth: _____

Area: _____

Existing Use: _____

Proposed Use: _____

Number and use of buildings and structures on the land intended to be severed

Existing Use: _____

Proposed Use: _____

Is there an existing access bridge on this parcel? ☐ **Yes** ☐ **No**

Is there a water service connection on this parcel? ☐ **Yes** ☐ **No**

Is there a sanitary sewer connection on this parcel? ☐ **Yes** ☐ **No**

Access to proposed severed lot ☐ Municipal Road ☐ County Road

☐ Provincial Highway ☐ Private ☐ 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 Water

Municipally owned and operated piped water supply ☐ Severed ☐ Retained

Well ☐ Severed ☐ Retained

Other (specify) _____

Type Sanitary

Municipally owned and operated sanitary sewers ☐ Severed ☐ Retained

Septic tank ☐ Severed ☐ Retained

Other (specify) _____

When will water supply and sewage disposal service be available? _____

11. PROPERTY HISTORY

Have there been any previous severances of land from this holding?

☐ **Yes** ☐ **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?

☐ **Yes** ☐ **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:

- ☐ Official plan or official plan amendment approval
- ☐ Zoning by-law amendment
- ☐ Minister's zoning order amendment
- ☐ Minor variance
- ☐ 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?

☐ **Yes** ☐ **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?

☐ **Yes** ☐ **No**

Is the requested application consistent with policy statements issued under subsection 3(1) of the Planning Act? (ie: 2024 Provincial Planning Statement)

☐ **Yes** ☐ **No**

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

☐ **Yes** ☐ **No**

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?

☐ **Yes** ☐ **No**

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?

☐ **Yes** ☐ **No**

Is the land within 600 m of property that is designated as Extractive Industrial?

☐ **Yes** ☐ **No**

If yes, as per Section 3.3.3 of the Official Plan a noise and vibration study is required for approval by the Town, to be completed

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 _____
PRINT NAME(S)

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 _____
PRINT NAME(S) PRINT TOWN OR CITY NAME

in the _____ solemnly declare that all of the
COUNTY/REGION/DISTRACT NAME

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 _____
PRINT TOWN OR CITY NAME

in the _____ this _____ day of _____, 20 _____.
COUNTY NAME DAY MONTH YEAR

DATE SIGNATURE OF OWNER OR AUTORIZTION 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

PRINT NAME

of _____
PRINT TOWN OR CITY NAME

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 _____
PRINT TOWN OR CITY NAME

in the _____ this _____ day of _____, 20_____.
COUNTY NAME DAY MONTH YEAR

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 the 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. 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.

Chris Aspila, MCIP RPP
Manager of Planning Services

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