



**COMMITTEE OF ADJUSTMENT  
TOWNSHIP OF WEST LINCOLN  
THE PLANNING ACT - SECTION 53  
APPLICATION FOR CONSENT**



**PLEASE TYPE OR USE BLACK INK**

1. (a) **Registered Owner(s):** \_\_\_\_\_  
(Please Indicate Name(s) Exactly as Shown on the Transfer/Deed of Land)

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

City: \_\_\_\_\_ Province: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

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

(b) **Owner's Solicitor (if any):** \_\_\_\_\_

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

City: \_\_\_\_\_ Province: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

(c) **Authorized Agent (if any):** \_\_\_\_\_

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

City: \_\_\_\_\_ Province: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

(d) Please specify to whom all communications should be sent:

Owner                      Solicitor                      Agent

2. (a) Type and purpose of proposed transaction: (Check appropriate space/s)

- |                     |                                   |
|---------------------|-----------------------------------|
| Creation of New Lot | Disposal of Surplus Farm Dwelling |
| Addition to Lot     | Partial Discharge of Mortgage     |
| Mortgage or Charge  | Right-of-way                      |
| Lease               | Title Validation                  |
| Easement _____      |                                   |

(b) If a lot addition, identify the lands to which the parcel will be added:

\_\_\_\_\_

(c) Name of person(s), if known, to whom land or interest in land is intended to be conveyed, leased or mortgaged:

\_\_\_\_\_

3. Are there any existing easements or restrictive covenants affecting the land?                      Yes                      No  
If "Yes" describe the easement or covenant and its effect:

\_\_\_\_\_

4. Location of land:

Municipality (City/Town/Township) \_\_\_\_\_

Former Municipality \_\_\_\_\_

Concession No \_\_\_\_\_ Lot(s) \_\_\_\_\_ Registered Plan No \_\_\_\_\_ Lot(s) \_\_\_\_\_

Reference Plan No \_\_\_\_\_ Part(s) \_\_\_\_\_

Name of Street \_\_\_\_\_ Street No \_\_\_\_\_

5. Description of subject parcel (Metric Units): Part No. on sketch \_\_\_\_\_  
 (a) Frontage \_\_\_\_\_ Depth \_\_\_\_\_ Area \_\_\_\_\_  
 (b) Existing Use \_\_\_\_\_ Proposed Use \_\_\_\_\_  
 (c) Existing and proposed buildings and structures on the subject land:  
 Existing: \_\_\_\_\_  
 Proposed: \_\_\_\_\_

6. Description of land to be retained (Metric Units): Part No. on sketch \_\_\_\_\_  
 (a) Frontage \_\_\_\_\_ Depth \_\_\_\_\_ Area \_\_\_\_\_  
 (b) Existing Use \_\_\_\_\_ Proposed Use \_\_\_\_\_  
 (c) Existing and proposed buildings and structures on the land to be retained:  
 Existing: \_\_\_\_\_  
 Proposed: \_\_\_\_\_

7. (a) Type of access to subject parcel:

Provincial Highway	Regional Road
Municipal Road maintained all year	Other Public Road
Municipal Road maintained seasonally	Right-of-Way
Water Access	Private Road

(b) Type of access to retained land:

Provincial Highway	Regional Road
Municipal Road maintained all year	Other Public Road
Municipal Road maintained seasonally	Right-of-Way
Water Access	Private Road

8. What type of water supply is proposed? (Check appropriate space)

TYPE	PROPOSED LOT	RETAINED LOT
Publicly owned and operated piped water supply		
Lake		
Well (private or communal)		
Other (specify)	_____	_____

9. What type of sewage disposal is proposed? (Check appropriate space)

TYPE	PROPOSED LOT	RETAINED LOT
Publicly owned and operated sanitary sewage system		
Septic system (private or communal)		
Other (specify)	_____	_____

10. What is the current designation of the subject land in any applicable official plan?

(a) Local Municipal Official Plan \_\_\_\_\_  
 (b) Regional Policy Plan \_\_\_\_\_

11. Is this application consistent with policy statements issued under Subsection 3(1) of the Planning Act, 1990, R.S.O., as amended?

Yes No

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

Yes Provincial Plan: \_\_\_\_\_  
Designation: \_\_\_\_\_  
No

If "YES", does the application conform to the applicable provincial plan or plans?

Yes No

13. (a) Has the subject land ever been the subject of an application for approval of a plan of subdivision under Section 51 of The Planning Act or a consent under Section 53 of The Act?

Yes No

(b) If the answer to (a) is "Yes", please provide the following information:

File Number \_\_\_\_\_  
Decision \_\_\_\_\_

14. (a) Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes No

(b) If the answer to (a) is "Yes", please indicate previous severances on the required sketch and supply the following information for each lot severed:

Grantee's (Purchaser's) name \_\_\_\_\_  
Land Use on severed parcel \_\_\_\_\_  
Date parcel transferred \_\_\_\_\_  
Consent file number (if known) B \_\_\_\_\_

15. (a) Is the subject land the subject of any other application under the Planning Act e.g. approval of a plan of subdivision; a consent application; an official plan amendment; a zoning bylaw amendment; a minor variance?

Yes No

(b) If the answer of (a) is "Yes", give the file number and status of the application.

File Number: \_\_\_\_\_  
Status of Application: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**16. Environmental Site Screening Questionnaire**

The following questionnaire is required in order to properly implement the Potentially Contaminated Site policies as contained in the Township's Official Plan. These questions are required in order to guide the review of this planning application and to help ensure that the Township is implementing its Official Plan.

**Previous Use of Property (if applicable)**

Residential	Industrial	Commercial	Institutional
Agricultural	Parkland	Vacant	Other

a) If previous use of the property is Industrial or Commercial, specify use (if known):

\_\_\_\_\_  
\_\_\_\_\_

b) Has fill been placed on the subject land?

Yes No Unknown

c) Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?

Yes No Unknown

d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes No Unknown

e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes No Unknown

f) Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?

Yes No Unknown

g) Have the lands or adjacent lands ever been used as a weapons firing range?

Yes No Unknown

h) Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?

Yes No Unknown

i) If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?

Yes No Unknown

j) Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?\*

Yes No Unknown

\* Possible uses that can cause contamination include but are not limited to: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals which are present.

**k) If current or previous use of the property is industrial or commercial, or if YES to any of a) to j) above, a Phase I Environmental Site Assessment may be required as a condition of approval.**

**16.** As provided for the Ontario Regulations, and as required by this Committee of Adjustment, an application must be accompanied by fifteen (15) copies of a preliminary drawing prepared, signed and dated by an Ontario Land Surveyor, showing the information set out below. In the case of multiple applications, one set of fifteen drawings plus one extra copy for each additional application will suffice.

- (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 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 to be severed and the part that is 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 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, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
- (f) the existing uses on adjacent land, such as residential, agricultural and commercial uses;
- (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 is by water only, the location of the parking and boat docking facilities to be used;
- (i) the location and nature of any easement affecting the subject land.

**17.** One copy of this application form is to be filed for each subject parcel, together with the required copies of the preliminary drawing and the applicable application fee payable in cash, by money order or by cheque made payable to the Township of West Lincoln.

**18. DECLARATION OF OWNER(S) THAT INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT**

I/We \_\_\_\_\_  
of the City/Town/Township of \_\_\_\_\_  
in the County/District/Regional Municipality of \_\_\_\_\_  
solemnly declare that all 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 Regional Municipality of Niagara this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20 \_\_\_\_

TO BE SIGNED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS  
\_\_\_\_\_  
(Signature of applicant(s), solicitor or authorized agent)  
(I have authority to bind the Corporation)

\_\_\_\_\_  
A Commissioner, etc.

**19. AUTHORIZATION**

**Location of Subject Lands** (Legal Description & municipal Address)

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_  
(Municipality) (Region/County/District)

to make application(s) on my/our behalf to the Committee of Adjustment for the Township of West Lincoln for consent to convey an interest in the land in accordance with Subsection 1 of Section 53 of the Planning Act, R.S.O. 1990.

Dated at the \_\_\_\_\_ of \_\_\_\_\_ in the Regional Municipality of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_ .

\_\_\_\_\_  
Signature of Owner (Name of owner - printed)

\_\_\_\_\_  
Signature of Owner (Name of owner - printed)

\_\_\_\_\_  
Signature of Owner (Name of owner - printed)

NOTE: This form is only to be used for applications which are to be signed by someone other than the owner(s). If the applicant is a corporation, the corporate seal is to be affixed over the owner's signature(s).

**PLEASE NOTE:**

Personal information collected on this application will become part of a public record. Any questions regarding this collection should be directed to: **The Freedom of Information and Privacy Coordinator: 318 Canborough Street, P. O. Box 400, Smithville, Ontario L0R 2A0 (905) 957-3346.**

**INFORMATION FOR SURPLUS FARM DWELLING APPLICATIONS**

**PLEASE NOTE: It is the Committee of Adjustment's policy that the applicant or purchasing farmer complete this questionnaire and submit it with the application form.**

1. (a) State the total number of acres farmed by the applicant/purchasing farmer and whether owned, rented or leased:  
  
(b) State the location of these parcels:
2. Have the applicants/purchasing farmer had any occupation besides farming? If so, please specify employer and dates:
3. Identify the type of farming conducted on the applicant's/purchasing farmer's additional land holdings, e.g. livestock operation, market gardening, vineyard, fruit farm, cash crops, etc.:
4. (a) Where do the applicants/purchasers presently reside?:  
  
(b) Is this dwelling owned? \_\_\_\_\_
5. Applicant's/Purchaser's Farm Registration Number under Farm Registration Act: \_\_\_\_\_
6. Please give any further information which may assist the Committee in dealing with your application, e.g. farming history, other dwellings under ownership of the full-time farmer and location of all additional farm properties. (Attach additional sheets if required.)

7. What year was the surplus farm dwelling constructed: \_\_\_\_\_

8. Declaration of the Farmer:

**I, (We) \_\_\_\_\_ solemnly declare that all statements contained in this document 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 \_\_\_\_\_  
(City, Town, Township)**

**Of \_\_\_\_\_ in the \_\_\_\_\_  
(Region, District, etc.)**

**Of \_\_\_\_\_ this \_\_\_\_\_**

**Day of \_\_\_\_\_, A.D. \_\_\_\_\_**

**TO BE SIGNED IN THE PRESENCE OF A  
COMMISSIONER FOR TAKING AFFIDAVITS**

\_\_\_\_\_  
**SIGNATURE OF APPLICANT  
OR PURCHASING FARMER**

\_\_\_\_\_  
**A Commissioner, etc.**

# **AUTHORIZATION**

By Ontario Land Surveyor

## **Location of Subject Lands**

I, \_\_\_\_\_, who has prepared, dated and signed a preliminary sketch for the registered owner(s) of the above referenced lands, hereby authorize the Committee of Adjustment for the Township of West Lincoln to photocopy said sketch for circulation purposes of the above referenced consent application, as required.

Dated at the \_\_\_\_\_ of \_\_\_\_\_ in the Regional Municipality of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Surveyor

## **A SUGGESTION TO THE APPLICANT**

In accordance with Ontario Regulations 197/96, made under the Planning Act, the Committee of Adjustment is required to serve notice of your application for consent to convey an interest in land on a number of authorities. All written responses will be taken into account by the Committee of Adjustment in reaching a decision on your application.

Although you are under no obligation to do so, we suggest that you discuss your intentions with the appropriate authorities from the list below, prior to submitting a formal application to the Committee. This could provide you with information about the Regional Policy Plan, the concerns of various Provincial Ministries, the local Official Plan, the minimum requirements of the applicable zoning by-laws and other relevant information which may have a direct effect upon the final decision on your application.

**The Director, Development Services Division,  
Public Works Department  
Regional Municipality of Niagara**

(905) 685-1571  
1-800-263-7213

Regional Policy Plan

- AND -

For Concerns of

- Ministry of Natural Resources
- Ministry of Environment
- Ministry of Agriculture, Food and Rural Affairs

**The Medical Officer of Health, Niagara Regional Health Department,** (905) 685-1571  
**Regional Municipality of Niagara** 1-800-263-7215

**The Clerk or Senior Planning Officer of the  
Township of West Lincoln**

(905) 957-3346

Official Plan & Zoning By-law

**The Township of West Lincoln  
Building and By-law Enforcement Department**

(905) 957-3346

If either municipal sewer or water services are unavailable.

**The Niagara Peninsula Conservation Authority**  
250 Thorold Road West, 3<sup>rd</sup> Floor  
Welland, Ontario, L3C 3W2

(905) 788-3135

**Township of West Lincoln**

(905) 957-3346

Official Plan & Zoning By-law

Lands which may be zoned as "Hazard" in the local zoning by-law; lands which are or may be proposed for park acquisition, lands adjacent to watercourses. *Please complete the enclosed Niagara Peninsula Conservation Authority Prescreening Criteria for Municipal Plan Review questionnaire and refer to the fee tariff for the applicable fees, payable to the Niagara Peninsula Conservation Authority.*

For general assistance or if you have any questions, contact the Secretary-Treasurer:

c/o 318 Canborough Street, P. O. Box 400  
Smithville, Ontario L0S 1E0  
(905) 957-3346 Fax: (905) 957-3219  
E-Mail: ahuycke@westlincoln.com