

Consent and/or Rezoning Application

INSTRUCTION SHEET FOR APPLICANTS

Submit:

In Person: County of Prince Edward
Planning Services
280 Picton Main Street, Suite 201
Picton, Ontario K0K 2T0

By Mail: County of Prince Edward
Planning Services
332 Picton Main Street
Picton, Ontario K0K 2T0

Phone: 613.476.2148

Fax: 613.471.2051

1. Application Form:

Each Application must be filled out completely and clearly. We would encourage the applicant to discuss the proposed applications with planning staff. Each application must be accompanied by:

Cost Acknowledgement Agreement: The cost acknowledgement agreement must be completed and signed. The deposit fee must be a certified cheque made payable to The County of Prince Edward.

Application Sketch: Each Application **MUST** be accompanied by a **Surveyor's Sketch** (assessment mapping and hand drawn sketches are not suitable)

Parcel Register: Each Application **MUST** be accompanied by a current **Parcel Register (PIN Page)** for each subject property.

The surveyor's sketch should show the following:

- i. The parcel of land that is the subject of the application, its boundaries and dimensions.
- ii. If you are applying for a consent for severance of new lot, easement or right-of-way, the boundaries of each of the part of the parcel that is to be severed and the part that is to be retained.
- iii. The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land.
- iv. The **location, size** and **type** of all existing buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- v. The **location, size** and **type** of all proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- vi. The distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.
- vii. The location of all land previously severed from the parcel by the current owner.
- viii. The approximate location of all natural and man made features on the subject land (e.g. buildings, railways, driveways / laneways, watercourses, drainage ditches, top and bottom of banks/escarpments, wetlands, wooded areas, wells and septic tanks), and the location of any of these features on adjacent lands that may affect this application.
- ix. The existing uses on adjoining land (e.g. residential, agricultural, commercial, institutional, etc.).
- x. The location, width, and name of all road allowances, easements, right-of-ways, streets, or highways within or abutting the property and indicating whether they are public travelled roads, private roads, rights of way, or unopened road allowances and, boat docking and parking facilities on mainland where access to the subject land is by water only.
- xi. The location and size of **all barns (empty or not), livestock operations, and manure storage areas within 500 metres** of the proposed lot.

IF ANY OF THE ABOVE INFORMATION IS FOUND TO BE MISSING AND REQUIRED FOR PROCESSING, THE APPLICATION MAY BE DEEMED TO BE INCOMPLETE AND DELAYS MAY BE ENCOUNTERED. THE APPLICATION SKETCH AND FEES CONSTITUTES PART OF THE COMPLETE APPLICATION.

2. Posting of Identification Cards:

Identification card(s) will be provided to you after your completed application has been filed. These cards must be **posted at least twenty days before the meeting date** on the proposed lot, and are to remain there until the Decision of County Council becomes final and binding. This assists people, including staff from the County and other agencies, in identifying the site. **If the card is not posted as required, delays in processing your application(s) may be encountered. Please check frequently to ensure the cards are in place.**

3. Consent Conditions:

Please be advised that when applying for a consent application that certain conditions may be required to finalize your file. **Prior to submitting your application and attending the Planning Meeting, please understand what is being asked and required of you in order to finalize your consent file.** Listed below are **some** possible conditions:

- rezoning of the severed and retained parcels
- a well condition requiring proof of water
- consent agreement registered on title
- confirm ownership of forced roads
- road widening on the severed and retained parcels
- encroachment agreements
- lot drainage plans
- entrance permits
- parkland dedication fee
- merging lands with adjacent lands (lot additions)
- archaeological studies

Every application for consent is unique and conditions are required depending on the situation. The conditions required could result in extra costs in finalizing your consent application.

4. OMB and Peer Review Costs

Applicants are responsible for all costs associated with third party OMB appeals and municipal peer reviews of background reports. Deposits are required upon receipt of an appeal and/or the request for peer review in accordance with the County's planning fees.

5. Quinte Conservation*

Application Type	Fee
Property Clearance - Planning	\$160.00
Consent to Sever	\$320.00
Zoning Amendment / Minor Variance	\$320.00
Official Plan Amendment	\$585.00
Site Plan Review	\$2,970.00
Subdivision Review	\$6,630.00

* Notes:

1. Quinte Conservation will directly invoice **all** applicants the applicable fee from the Fee Schedule above for **all** applications they receive (Fees are subject to change as per Quinte Conservation).
2. Quinte Conservation will charge, at minimum, the 'property clearance' fee for all applications they receive. Quinte Conservation will inform the Owner/Agent of the applicable fee that is to be paid.
3. Where several applications are applied for concurrently from the same parent parcel (i.e. two severed lots from one parcel; or consent and rezoning applications for the same severed parcel), only the higher applicable fee will be charged.
4. Subdivision and site plan reviews include any pre-consultation meeting, site investigations, draft plan comments, peer reviews of environmental impact, hydrogeological and stormwater management studies, Ontario Regulation 319/09 permits and clearance of draft conditions.

*Personal information on this form is collected under the Planning Act for the purpose of processing a consent and/or rezoning application. **All information on this form is considered to be part of the public record.** Questions related to the collection of this information should be referred to the Commissioner of Planning (613.476.2148).*

<u>FOR OFFICE USE ONLY</u>					
Consent File No(s). _____			Zoning File No. _____		
	One New Lot		Two New Lots		Technical Consent
Consent	\$1,734.00		\$3,468.00		\$1,581.00
Septic	\$100.00*		\$200.00*		N/A
Rezoning	\$2,142.00		\$2,142.00		\$2,142.00*
Refund for Combined Applications	-\$200.00		-200.00		-200.00*
Total	\$3,776.00		\$5,610.00		\$3,523.00
Agreement Deposit	\$2,000.00		\$2,000.00		\$1,000.00 **
* if required					
** \$2,000.00 if rezoning is required					

Consent and/or Rezoning Application Form

This form is designed for Consent Applications and Rezoning Applications. If applying for both, please note they are two separate processes under the Planning Act.

Please check which Application you are applying for:

Consent only

Rezoning only

(Complete pages 1-6, 8 -13)

(Complete pages 1-5, 7-13)

Both Consent & Rezoning (Complete entire application)

GENERAL INFORMATION

1.a) **Registered Property Owner:**

Name: _____

Address: _____

Postal Code: _____ Phone No. _____ Fax No. _____

E-mail Address: _____ Cell Phone No. _____

1.b) **Agent: (if applicable)**

Name: _____

Address: _____

Postal Code: _____ Phone No.: _____ Fax No.: _____

E-mail Address: _____ Cell Phone No.: _____

Please specify who should be contacted if more information is needed. (✓)

Owner () Agent ()

Please specify who should be contacted to post the identification card. (✓)

Owner () Agent ()

2. **Location of Property:**

Civic Address (911 Street Number): _____

Ward: _____ Assessment Roll No. _____

Lot: _____ Concession: _____

Registered Plan No.: _____ Lot/Block: _____

Reference Plan No.: 47R- _____ Part No.: _____

3. Total Lot Area of Subject Land _____
 Total Lot Frontage of Subject Land _____
4. What is the existing Official Plan designation(s) of the subject land? (Proposed **Severed & Retained**)

5. What is the Zoning of the subject land?

6. Are there any existing buildings or structures on the subject land?
 Yes [] No [] ****If Yes Answer Question No. 7**
7. For each existing building or structure (including houses, barns, sheds, etc.) on the subject lands please provide the following information:

	Description of Buildings/Structures on Subject Lands		
	Building No. 1	Building No. 2	Building No. 3
Type of Building/Structure			
Dimensions of Building (gross floor area)			
Floor Area of each use, if more than one use			
Height of Building			
# of Parking and/or Loading spaces provided			
Date of Building construction			

8. **TYPE OF ACCESS** (please provide name of highway, road, etc.)
 Provincial Highway _____
 County Road (Specify Number) _____
 Municipal Road (maintained year round) _____
 Municipal Road (seasonally maintained) _____
 Private Right-of-Way or Road _____
 **Water Access Only _____
 ** Specify what boat docking and parking facilities are available on the mainland for lots with water access.

9. **TYPE OF WATER SUPPLY** (please check appropriate box) Existing Proposed
- | | | |
|---|--------------------------|--------------------------|
| Municipally owned and operated piped water system | <input type="checkbox"/> | <input type="checkbox"/> |
| Dug or Blasted Well | <input type="checkbox"/> | <input type="checkbox"/> |
| Drilled Well | <input type="checkbox"/> | <input type="checkbox"/> |
| Shore Well | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (Please Specify) | <input type="checkbox"/> | <input type="checkbox"/> |

10. **TYPE OF SEWAGE DISPOSAL** (please check appropriate box) Existing Proposed
- | | | |
|---|--------------------------|--------------------------|
| Municipally owned and operated sanitary sewers | <input type="checkbox"/> | <input type="checkbox"/> |
| Septic System (specify whether individual or communal) | <input type="checkbox"/> | <input type="checkbox"/> |
| Other (Please Specify) | <input type="checkbox"/> | <input type="checkbox"/> |

11. LAND USE FEATURES ON OR ADJACENT TO THE SUBJECT PROPERTY

Please check (<input type="checkbox"/>) the appropriate box	On Subject Property		Within 500 metres of Property	
	Yes	No	Yes	No
Active Landfill Site				
Closed Landfill Site				
Agricultural (e.g. barn, livestock, etc.) (If yes, please complete page 5)				
Flood Plain				
Aggregate Extraction Operation				
Rail Line Right-of-way				
Provincial Park				
Provincially Significant Wetland on or within 40 metres of the subject property				

12. Are the subject lands presently the subject of any other applications under the Planning Act (e.g. Official Plan Amendment, Consent, Minor Variance, Approval of a Plan of Subdivision?)
Yes () No ()
If you checked Yes, please state the file numbers of the applications and their status:

CONSENT INFORMATION (if applicable)

1. Type & Purpose of Proposed Consent Transaction (Check appropriate box)

One New Lot () Two New Lots () Addition to Lot ()
 Easement () Right-of-Way () Correction of Title ()
 Mortgage () Lease ()

2. Name of person(s) (purchaser, lessee, mortgagee, etc.) to whom land or interest in land is intended to be conveyed, leased or mortgaged:

3. Please provide the following information for the proposed severed and retained parcels of land (including easements and right-of-ways):

DESCRIPTION OF LAND

	Total Holding	Proposed Severed Lot #1	Proposed Severed Lot #2 (if applicable)	Retained Lot
Road Frontage / Width				
Lot Area				
Lot Depth				

4. Is this a resubmission of a previous consent application? **Yes () No ()**
 If the answer is **Yes, is it identical (), or changed ()**.
Provide previous File No(s). _____

5. To the best of your knowledge, has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision or other consent under the Planning Act or its Predecessors since 1998:
Yes () No () Unknown ()
 If **Yes**, please complete the following:

File No. _____
 Name of Applicant: _____
 Was the Plan of Subdivision/Consent Approved? _____
 Was the Consent Deeded? _____
 What is the Use of the Transferred Parcel? _____

6. Are there any easements or restrictive covenants affecting the subject lands? If yes, please show on the application sketch and describe below.

7. If this consent relates directly to an Official Plan Amendment currently under review by the County of Prince Edward, please indicate the amendment number and file number(s).

8. Please provide any other planning information or justification that you think may be useful to the County of Prince Edward Planning Committee, or to any person/agency who may be reviewing this application. If you require more space, please attach a separate written page(s) to your completed application.

REZONING INFORMATION (if applicable)

1. The Undersigned hereby applies to the Corporation of the County of Prince Edward for an amendment to By-law No. 1816-2006 for the County of Prince Edward, as amended, in respect to the lands hereinafter described.

2. Give a detailed description of the use(s) proposed for the subject property.

3. When were the subject lands purchased by the current owner? _____

4. How long have the existing uses been carried on for? _____

5. Are any buildings/structures proposed to be built on the subject lands?
Yes [] No [] **If Yes Answer Question No. 6.

6. For each proposed building or structure on the subject lands please provide the following information.

	Description of Proposed Buildings/Structures on Subject Lands (if known)	
	Building No. 1	Building No. 2
Type of Building/Structure (e.g. Single family dwelling, barn)		
Dimensions of Building (gross floor area)		
Floor Area of each use, if more than one use		
Height of Building		
# of Parking and/or Loading spaces provided		

7. Have the subject lands ever been the subject of a rezoning application under Section 34 of the *Planning Act* or a Site Plan Control Approval application under Section 41 of the *Planning Act*, as amended? Yes () No ()

Is the property subject to a Site Plan Control or Subdivision Agreement?
 Yes () No ()

If you checked Yes, please state the file numbers of the applications:

8. Please provide any other planning information or justification that you think may be useful to the County of Prince Edward Planning Committee, or to any person/agency who may be reviewing this application. If you require more space, please attach a separate written page(s) to your completed application. **(If you have completed No. 8 on the Consent page, proceed to the next section).**

MDSI - For New Non-Farm Building Lots, Retirement Lots

This is to be completed and attached to the application when applying for a new non-farm lot within 500 metres of an existing livestock facility. Complete one sheet for each set of farm buildings.

Size of Barn _____ sq. m/sq. ft
 Closest distance from the livestock facility to the new use _____ metres/feet
 Closest distance from the manure storage to the new use _____ metres/feet
 Tillable Hectares where livestock facility located _____ hectares

Type of Livestock	Maximum Housing Capacity #	Manure System (Check one box)			
		Covered Tank	Open Solid Storage	Open Liquid Tank	Earthen Manure Storage
DAIRY <input type="checkbox"/> Milking Cows <input type="checkbox"/> Heifers					
BEEF <input type="checkbox"/> Cows (Barn confinement) <input type="checkbox"/> Cows (Barn with yard) <input type="checkbox"/> Feeders (Barn confinement) <input type="checkbox"/> Feeders (Barn with yard)					
SWINE <input type="checkbox"/> Sows <input type="checkbox"/> Weaners <input type="checkbox"/> Feeder Hogs					
POULTRY <input type="checkbox"/> Chicken Broiler/Roasters <input type="checkbox"/> Caged Layers <input type="checkbox"/> Chicken Breeder Layers <input type="checkbox"/> Pullets <input type="checkbox"/> Meat Turkeys (> 10 kg) <input type="checkbox"/> Meat Turkeys (5-10 kg) <input type="checkbox"/> Meat Turkeys (< 5 kg) <input type="checkbox"/> Turkeys Breeder Layers					
HORSES					
SHEEP <input type="checkbox"/> Adult Sheep <input type="checkbox"/> Feeder Lambs					
MINK – Adults					
WHITE VEAL					
GOATS <input type="checkbox"/> Adult Goats <input type="checkbox"/> Feeder Goats					
OTHER					

Name of farmer: _____

Phone Number of farmer: _____

DECLARATION

This must be completed by the Owner.

NOTE: If more than one owner is listed in item #1 of this application, then all owners must sign this application form and the affidavit section in the presence of the Commissioner of Oaths.

I, (We), _____ of _____ the _____ of _____ in the County / Region of _____ solemnly declare that all of the statements contained in this application for consent and/or rezoning for (*property description*) _____ and all the supporting documents are true, and I, (we), make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath, by virtue of the *CANADA EVIDENCE ACT*. I agree to allow the Municipality, its employees and agents to enter upon the subject land for the purpose of conducting a site inspection that may be necessary to process this application.

DECLARED before me at the

_____ of _____

Owner/Applicant

in the _____

of _____

Owner/Applicant

this _____ day of _____ 20 _____

*Owner/Applicant**

*Owner/Applicant**

Commissioner of Oaths

Commissioner's Stamp

*** When applying for a lot addition, signatures of the owner(s) of the benefiting property are required in addition to that of the subject property.**

OWNER'S AUTHORIZATION IF THE OWNER IS USING AN AGENT FOR REPRESENTATION

I, (We), _____ of _____ the _____ of _____ in the County/Region of _____ solemnly declare that _____ is authorized to submit an application for consent and/or rezoning for the lands that I/We own, located in (*property description*) _____ to act as our agent in the completion of the matters related to the processing thereof.

DECLARED before me at the

_____ of _____

Owner/Applicant

in the _____

of _____

Owner/Applicant

this _____ day of _____ 20 _____

Commissioner of Oaths

Commissioner's Stamp

Cost Acknowledgement Agreement

THIS AGREEMENT made in duplicate this _____ day of _____, 20_____

BETWEEN:

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

(hereinafter called the “Municipality”)

PARTY OF THE FIRST PART

– AND –

(hereinafter called the “Owner”)

PARTY OF THE SECOND PART

WHEREAS the Owner proposes to amend the Municipality’s Official Plan, amend or vary the Municipality’s Zoning By-law, seek site plan approval and/or to sever and/or subdivide certain lands in the Municipality (herein referred to as “the Application(s)”);

AND WHEREAS the Municipality may incur expenses for services or activities which are not covered by the initial fee for the basic processing of the Application(s) as described on Schedule “A” hereto;

AND WHEREAS the Municipality has authorized the entering into of this Agreement by By-law 3025-2012 being a by-law to establish a tariff of fees for the processing of applications made in respect of planning matters pursuant to Section 69 of the Planning Act, as amended;

NOW THEREFORE in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties hereto, the parties hereto agree as follows:

1. In consideration of the other provisions of this Agreement, the Commissioner of Planning for the Municipality shall instruct such of the Municipality’s staff, solicitor, planning, engineering and other consultants as the Commissioner of Planning deems necessary or advisable to:
 - (a) review on behalf of the Municipality the Application(s) and to undertake such studies, investigations, analysis, research as may be reasonably necessary to properly advise the Municipality, including, without limitation, the provision of written reports and opinions; and
 - (b) provide representation/appearances at any and all meetings and/or proceedings relating to the Application(s).
2.
 - (a) The Owner hereby covenants and agrees to reimburse the Municipality forthwith on demand for all expenses whatsoever incurred by the Municipality relating to or arising out of the Application(s).
 - (b) In this Agreement, the word “expenses” includes:
 - (i) fees, costs, expenses, and disbursements incurred by or on behalf of the Municipality for services or activities related to or arising out of the Application(s) but not described in Schedule “A” hereto, including but not limited to fees, costs, expenses, and disbursements for items such as: additional public meetings, notices of public meetings, external agency fees, extensions or amendments to Application(s), plans or the conditions of approval, peer reviews, additional studies and/or evaluations, site inspections, meetings, and all attendances and preparation related to any and all appeal(s) to any tribunal and/or court , including without limitation all legal and consultant fees and disbursements.

- (c) For purposes of this Agreement, the Owner acknowledges and agrees that the "processing" of the Application(s) includes any additional public meetings, notices of public meetings, extensions or amendments to Application(s), plans or the conditions of approval, peer reviews, additional studies and/or evaluations, site inspections, meetings, and all representation, attendances and preparation related to any and all appeal(s) to any tribunal and/or court.
3. The Owner hereby agrees to deposit with the Municipality, at the time of signing this Agreement, a certified cheque in the amount of \$ payable to the Municipality as an advance on all expenses that may be incurred by the Municipality. The said sum of \$ shall hereinafter be referred to as the "Deposit". As accounts, invoices, statements, etc. are received by the Municipality, they shall be paid by the Municipality and the Municipality shall be entitled to deduct the amounts so paid from the Deposit. The Municipality shall then submit to the Owner a statement of all monies paid and the Owner shall pay to the Municipality forthwith a sufficient sum to reinstate the Deposit to the initial sum of \$ in order that the full sum of \$ is available for subsequent accounts, statements, invoices, etc. Neither the Deposit nor anything in this Agreement shall limit or be deemed to limit the obligation of the Owner to reimburse the Municipality in full for all expenses incurred by the Municipality.
 4. In the event that the Owner fails to reimburse the Municipality within thirty (30) days of demand so as to fully reinstate the Deposit as contemplated by this Agreement, the Municipality's Commissioner of Planning may, in his or her sole and absolute discretion, direct municipal staff, planner, solicitor, engineer and any other consultants to cease all work on or relating to the Application(s) and the Municipality shall be entitled to apply the balance of the Deposit towards all outstanding accounts.
 5. The Deposit or any portion thereof shall be retained by the Municipality until all accounts, statements, invoices, etc., submitted or to be submitted to the Municipality and relating to the Owner's Application(s) have been paid in full and all matters relating to the Owner's Application(s) have been completed. Upon completion or in the event the Owner indicates that it desires to cease all work relating to the Owner's Application(s), then the balance, if any, of the Deposit shall be returned by the Municipality to the Owner after the payment of all accounts, statements, invoices, etc., submitted or to be submitted to the Municipality and relating to the Owner's Application(s) have been paid in full.
 6. In the event that any matter relating to the Owner's Application(s) is appealed to the Ontario Municipal Board, other tribunal and/or Court, and the Municipality, in its sole and absolute discretion, determines it necessary or appropriate to attend at the hearing or proceeding to defend Council's decision [whether the decision is to support or refuse the Owner's Application(s)], then in such case the provisions of this Agreement shall also apply to all expenses incurred by the Municipality with respect to such hearing and/or proceeding, including without limitation, legal, planning and engineering costs and disbursements.
 7. Interest and municipal administrative fees shall be payable by the Owner to the Municipality on all sums of money payable by the Owner to the Municipality which are not paid in full within thirty (30) days of demand or otherwise satisfied from the Deposit, which interest and municipal administration fees shall be calculated from the date of such demand at the rate established from time to time by the Municipality for overdue accounts. Any and all expenses that may remain unpaid to the Municipality constitute a debt of the Owner to the Municipality. The Owner agrees that the Municipality in its sole and absolute discretion shall be entitled to add such expenses to the tax roll for the property of the Owner and collect them in the same manner as municipal taxes.
 8. The failure of the Municipality to insist on strict performance of any of the terms, provisions, covenants or obligations herein shall not be deemed to be a waiver of any rights or remedies that the Municipality may have, and shall not be deemed to be a waiver of any subsequent breach or default of the terms, provisions, covenants and obligations herein contained.
 9. The Owner shall not call into question, directly or indirectly, in any proceedings whatsoever in law or in equity or before any administrative tribunal, the right of the Municipality to enter into this Agreement and to enforce each and every term, covenant and condition herein contained, and this clause may be pleaded as an estoppel against the Owner in any such proceedings.
 10. This Agreement shall not be construed as acceptance or approval by the Municipality of the Application(s).
 11. This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested to by the hands of their proper officers authorized in that behalf.

SIGNED, SEALED AND DELIVERED

In the presence of:

) THE CORPORATION OF THE
) COUNTY OF PRINCE EDWARD
)
)
) _____
) PER:
)
)
) NAME OF OWNER
)
)
) _____
) PER:
)
)
) NAME OF OWNER
)
)
) _____
) PER:

Schedule 'A' to Cost Acknowledgement Agreement
Basic Processing Of Application(s)

File Intake and Acceptance:

- initial acceptance and review of application for completeness, consistency, conformity, and technical correctness

Reporting and Review:

- agency circulation and consultation (1)
- correspondence related to consultation
- site plan reviews (2) – initial plan plus 1 revised plan
- site plan agreement review (1) – after initial agreement preparation

Documents:

- preparation of one report (including mapping) and consultation with Owner, municipal departments, and any other party necessary respecting the Application(s) and any associated conditions
- notice of decision
- administration and notice (including draft official plan amendment and zoning by-law amendment document)

Meetings:

- preparation for and attendance of one (1) public meeting
- preparation of initial notices of public meetings
- presentation and discussion at Committee/Council
- internal meetings and consultation
- consultation prior to municipal decision

Other Expenses:

- one site inspection by a development planner
- general inquiries

Final Approval:

- clearance administration
- final review, signing, and registration

Administration:

- general administration
- postage (two (2) agency circulations), courier/fax