



COUNTY OF OXFORD

APPLICATION GUIDE: CONSENT OR CONSENT AND MINOR VARIANCE

UNDER SECTION 53 OF THE PLANNING ACT

Please read carefully before completing the attached application form.

The attached application form is to be used only when applying to the County of Oxford for a severance (consent) or severance and minor variance (consent and minor variance). The applicant is advised to approach the County of Oxford Community and Strategic Planning Office for Official Plan, Zoning and Provincial Policy Statement information before making a formal application.

Completing the Application Form

1. The attached application form should be submitted to:
Community and Strategic Planning
County of Oxford
P. O. Box 1614,
21 Reeve Street
Woodstock ON N4S 7Y3
Phone: (519) 539-9800
2. The application must be accompanied by the appropriate fee (see page 5 of the application form), by credit card, in cash or cheque payable to the “**Treasurer, County of Oxford**”.
3. Applications will not be considered complete until all requested information has been supplied. If applicable, the applicant shall submit a deposit, as determined by the County, based on the estimated cost of peer review for studies required in support of the application. Any amount in excess of the actual cost of peer review will be reimbursed. The applicant shall pay additional fees prior to scheduling any public meeting to cover the full cost of peer review where the full cost exceeds the amount of the applicant's deposit.
4. The application must be completed by the property owner or his authorized agent. Where the application is being made by an agent, the written authorization of the owner must accompany the application (see authorization on page 5). If the application is authorized by an agreement of purchase and sale, a signed copy of the agreement, providing specific authority to the purchaser, must be attached and will remain confidential.
5. The application must be accompanied by a sketch showing the following in metric and imperial units:
 - a) abutting land owned by the grantor, its boundaries and dimensions;
 - b) the distance between the subject land and the nearest township lot line or appropriate landmark (e.g. bridge, railway crossing, etc.);
 - c) the boundaries and dimensions of the subject land; the parts that are intended to be severed and retained and the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
 - d) the location of all existing or proposed buildings or structures on the land to be severed and land to be retained, specifying distance from side, rear and front lot lines;
 - e) the approximate location of all natural and artificial features on the subject land (e.g. buildings, railways, roads, watercourses, drainage ditches, banks, slopes, wetlands, wooded areas, wells and septic tanks) and the location of any of these features on adjacent lands which may affect the application;
 - f) the current uses of adjoining lands (e.g. residential, agricultural, cottage, commercial, etc.)

- g) the location, width and names of any roads within or abutting the property, indicating whether they are public travelled roads, private roads, rights-of-way or unopened road allowances;
- 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 restrictive covenant or easement affecting the subject land.

7. All plans must be drawn to scale at a **maximum** size of 11" x 17". Larger plans will be accepted if folded and accompanied by a digital file in either .pdf or .tif format.
8. One hard copy of all supporting documentation (reports, studies, analysis) if required, must be submitted, along with a **digital file** in .pdf format.

Provincial Policy Statement

9. A copy of the Provincial Policy Statement (PPS) can be obtained from the Ministry of Municipal Affairs and Housing's website at: <http://www.mah.gov.on.ca> or from the Community and Strategic Planning Office. Applicants may consult with the County of Oxford Community and Strategic Planning Office for information regarding the PPS prior to submission of the application.

Processing the Application

10. After accepting the completed application, the County of Oxford Community and Strategic Planning Office circulates the application to municipal officials, provincial ministries and other agencies for comment. The public in the vicinity of the application are given a minimum of 14 days notice of a public meeting held by the Land Division Committee of Oxford County Council to consider the proposed severance. The applicant is required to attend the public meeting and present the application.
11. Consent or Consent and Minor Variance applications are adjudicated by the Oxford County Land Division Committee. The Planning Act, 1990, as amended, provides for the applicant to appeal the decision to the Ontario Municipal Board if the Committee refuses the application [Section 53(19)] or neglects/refuses to make a decision within 90 days of receipt of a complete application [Section 53(14)].

PLEASE NOTE: If the decision of this application is appealed by a third party, the Owner or Applicant agrees to support the application, provide assistance in the preparation and presentation of the application before the Ontario Municipal Board and pay all of the County's legal costs associated with the OMB hearing.

Box 1614
 Woodstock ON N4S 7Y3
 Tel: (519) 539-9800
 Fax: (519) 421-4712
 Website: www.county.oxford.on.ca



File No. B- _____

File No. A- _____

APPLICATION FOR CONSENT
 or (Check One)
APPLICATION FOR CONSENT AND MINOR VARIANCE

Oxford County Land Division Committee

1. Registered Owner(s): **Residence:** _____
Name: _____ **Business:** _____
Address: _____ **Fax:** _____
Postal Code: _____ **Email:** _____

Applicant (if other than registered owner): **Residence:** _____
Name: _____ **Business:** _____
Address: _____ **Fax:** _____
Postal Code: _____ **Email:** _____

Solicitor or Agent (if any): **Bus.** _____
Name: _____ **Cell** _____
Address: _____ **Fax** _____
Postal Code: _____ **Email:** _____

2. Location of Subject Land:
 Municipality _____ former municipality _____
 Lot(s) _____ Concession _____
 Lot(s) _____ Registered Plan No. _____
 Part(s) _____ Reference Plan No. _____
 The subject land is located on the _____ side of _____ Street, lying between
 _____ Street/ and _____ Street.
 Street and/or **911 Address** (if any): _____

NATURE OF APPLICATION

3. a) Type and Purpose of Proposed Transaction: (check appropriate box(es))

Conveyance
 addition to a lot
 creation of a new lot(s) - specify number of new lots proposed (not including retained lot) _____
 please check if the creation of the new lot(s) is a "technical severance" (i.e., the land being severed and the land being retained were formerly separate holdings but have since become consolidated)

Other
 Mortgage or Charge Lease
 Partial Discharge of Mortgage Correction of Title
 Easement / Right-of-Way Other (specify) _____

OFFICE USE ONLY		
DATE APPLICATION RECEIVED	DATE PRESCRIBED INFORMATION COMPLETE	PIN
_____	_____	_____
REV. JUN. 2011		

NATURE OF APPLICATION – cont'd

3. **b) If Known, name of Person(s)** (purchaser, lessee, mortgagee, etc.) to whom land is intended to be conveyed, leased or mortgaged _____

4. **Minor Variance(s) Request:** (if applicable)

a) SECTION & PROVISION FROM BY-LAW	LOT TO BE SEVERED		LOT TO BE RETAINED	
	REQUIRED	PROPOSED	REQUIRED	PROPOSED

b) **Why** is it not possible to comply with the provisions of the By-Law? _____

5. **Is the lot(s) to be severed or the lot to be retained currently** the subject of any other application under the Act, such as an application for an Official Plan amendment, a zoning by-law amendment, a Minister's Zoning Order or approval of a plan of subdivision?

___ No ___ Unknown
 ___ Yes If yes, File No. _____ Status/Decision _____

HISTORY OF THE SUBJECT LANDS

6. Are there any easements or restrictive covenants affecting the subject land? ___ Yes ___ No

If yes, describe each easement or restrictive covenant and its effect.

7. **a) Has the subject property** ever been the subject of an application for a plan of subdivision or an application for severance under the Planning Act?

___ No ___ Unknown
 ___ Yes If yes, File No. _____ Status/Decision _____

b) Has any land been severed from the parcel originally acquired by the owner of the subject land?

___ No ___ Unknown
 ___ Yes If Yes, File No(s). _____ Status/Decision _____

8. **If this application is for a lot addition, has the lot to be enlarged** ever been the subject of a previous severance?

___ Not Applicable ___ No ___ Unknown ___ Yes

If Yes, please provide the previous severance File No. **and a copy of the deed for the property to be enlarged.**
 File No(s). _____

9. **Has the lot(s) to be severed or the lot to be retained** ever been the subject of any other application under the Act, such as an application for an Official Plan amendment, a zoning by-law amendment, a Minister's Zoning Order or a minor variance?

___ No ___ Unknown
 ___ Yes If yes, File No. _____ Status/Decision _____

INFORMATION ABOUT SUBJECT LAND(S)

10. a) **Present Official Plan Designation** applying to the subject land: _____

b) **Present Zoning** applying to the subject land: _____

c) Is the application consistent with the **Provincial Policy Statement, 2005**, as amended?
 (see Item No. 9 in the application guide) Yes ___ No ___

11. **Description of Subject Land:** (please use additional page(s) if necessary)

DIMENSIONS	LOT TO BE SEVERED		LOT TO BE RETAINED		LOT TO BE ENLARGED	
	Metres	Feet	Metres	Feet	Metres	Feet
Frontage						
Average Depth						
Average Width						
	sq.m/ha or sq.ft./ac		sq.m/ha or sq.ft./ac		sq.m/ha or sq.ft./ac	
Area						

PLACE AN 'X' IN THE APPROPRIATE BOX BELOW

USE OF SUBJECT LANDS	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING
Residential (City/Town/Village/Rural Cluster)					
Non-Farm Rural Residential					
Seasonal Residential					
Mobile Home Park					
Commercial					
Recreational					
Agricultural					
Institutional					
Industrial					
Parkland					
Other (specify)					

Provide details on existing uses:

LOT TO BE SEVERED	LOT TO BE RETAINED	LOT TO BE ENLARGED

Provide details on proposed uses:

LOT TO BE SEVERED	LOT TO BE RETAINED	LOT TO BE ENLARGED

USE AND TYPE OF BUILDINGS AND STRUCTURES (INDICATE IF NO BUILDINGS; PROVIDE DATE OF CONSTRUCTION FOR EXISTING)

	LOT TO BE SEVERED	LOT TO BE RETAINED	LOT TO BE ENLARGED
EXISTING			
PROPOSED			

	LOT TO BE SEVERED		LOT TO BE RETAINED		LOT TO BE ENLARGED
	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING
TYPE OF ACCESS					
Provincial Highway					
County Road					
Municipal Road maintained all year					
Municipal Road seasonally maintained					
Unopened Road Allowance					
Right-of-Way owned by:					
Water Access (describe boat docking and parking facilities on mainland & distance from proposed lot)					
Other (specify)					
TYPE OF WATER SUPPLY					
Publicly owned and operated piped water system					
Privately owned and operated communal water system					
Privately owned and operated individual well					
Lake or other water body					
Other (specify)					
TYPE OF SEWAGE DISPOSAL					
Publicly owned and operated sanitary sewer system					
Privately owned and operated communal septic system					
Privately owned and operated individual septic system					
Pit Privy					
Other (specify)					
WHEN WILL WATER SUPPLY AND SEWAGE DISPOSAL SERVICES BE AVAILABLE (if applicable)					

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

AUTHORIZATION OF OWNER(S) FOR AGENT TO MAKE THE APPLICATION	
<p>I / We, _____ am/are the owner(s) of the land that is the subject of this application for consent / consent and minor variance. I / We authorize _____, to make this application on my / our behalf.</p>	
_____ Date	_____ Signature of Owner(s)
	_____ Signature of Owner(s)

Dated this _____ day of _____, 20____.

 SIGNATURE OF OWNER / APPLICANT

THIS SECTION TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS

I / We _____ of the _____
of _____ in the _____ of _____

DO SOLEMNLY DECLARE THAT:

All of the prescribed information contained in this application is true and that the information contained in the documents that may accompany this application is true.

DECLARED before me at the _____
of _____ in the _____
_____ of _____
this _____ day of _____ 20_____.

Owner / Applicant

Owner / Applicant

A Commissioner for Taking Affidavits

Notes:

1. It is required that **one original** of this application (including the sketch described in Item 5 of the guide) be filed, together with the applicable fee, payable to the **Treasurer, County of Oxford**. Please contact the County of Oxford Community and Strategic Planning Office for the current fee. The fee schedule as set out below was approved by County Council and became effective January 1, 2011.

*	Planning Fee Single Consent only	\$1,775.00	
	Multiple Consents		\$1,775.00 for the first lot, each additional lot \$885.00
*	Planning Fee Single Consent and Minor Variance	\$1,845.00	
	Multiple Consents and Minor Variances		\$1,845.00 for the first lot, each additional lot \$920.00
*	Public Works Fee	(vacant lot creation - residential, institutional, commercial or industrial)	\$200.00 per lot
*	Public Health Fee	(when lot is on private or partial services)	\$100.00 per lot
		(no Public Health fee required if lot is on full services, ie. water and wastewater)	

2. **The Application Fee** consists of a Planning Fee and a Public Works and/or Public Health Fee as required.

3. **Additional fees of \$100.00/lot will be required by Public Works at the time of clearance of conditions.**

If the decision of this application is appealed by a third party, I _____ ,
(owner/applicant name – please print)
agree to support the application, provide assistance in the preparation and presentation of the application before the Ontario Municipal Board and pay all of the County's legal costs associated with the OMB hearing.

(signature of owner / applicant)

MFIPPA Notice of Collection & Disclosure

The collection of personal information on this form is legally authorized under Sec.53 of the *Planning Act* and O.Reg.197/96 for the purpose of processing your planning application. Questions about this collection should be directed to the Corporate Manager of Community and Strategic Planning at the County of Oxford, 21 Reeve St., P.O. Box 1614, Woodstock, ON N4S 7Y3 or at 519-539-9800 (ext.3207).

Pursuant to Sec.1.0.1 of the *Planning Act*, and in accordance with Sec.32(e) of the *Municipal Freedom of Information and Protection of Privacy Act*, it is the policy of the County of Oxford to make all planning applications and supporting material available to the public.