



# Instructions for Consent Application

**PLEASE DETACH AND RETAIN THE FIRST THREE PAGES FOR FUTURE REFERENCE**

## BACKGROUND INFORMATION

This process pertains to an application for consent pursuant to Section 53 of the Planning Act. Prior to the Municipality processing the application, it is required that a copy of the attached application form be completed including the required sketch and processing fee of \$1,500 (and \$500 for each additional application on the same lot).

Depending on the location of the subject lands, the Township also collects planning application review fees on behalf of the Upper Thames River Conservation Authority (\$200) and/or the Ausable Bayfield Conservation Authority (\$200). A septic review fee may also be required on behalf of the Municipality of Middlesex Centre (\$100). All fees are payable at the time of application filing.

Please note:

- The Municipality may require a survey be completed by an Ontario Land Surveyor be submitted prior to hearing the application.
- The receipt of inaccurate information may cause delays in the processing of this application.
- Additional information may be required by the Committee of Adjustment prior to a decision being issued.

## APPLICATION SUBMISSION

Please submit the application, sketch and fee to:

Township of Lucan Biddulph  
270 Main Street  
Box 190  
Lucan, ON  
N0M 2J0

Dan FitzGerald, MPL  
Planner  
519.930.1008  
[dfitzgerald@middlesex.ca](mailto:dfitzgerald@middlesex.ca)

## APPLICATION PROCESS

<b>Step 1</b>	<b>Consult with Planning Staff:</b> Applicants are encouraged to meet with staff prior to submitting an application. Please contact the Senior Planner.
<b>Step 2</b>	<b>Application submission:</b> Complete the attached application form and include the submission of the required sketch and applicable fees.
<b>Step 3</b>	<b>Complete application accepted:</b> The file is opened and timelines for processing are established. Application must be filed at least 30 days prior to a public meeting being held.
<b>Step 4</b>	<b>Notice of Hearing:</b> The application is circulated to the public, agencies and municipal departments. The public circulation applies to every person assessed within 60 metres of the subject land and to every person and public body that has provided a written request for such notice. A "Possible Land Use Change" sign is erected on the subject land.
<b>Step 5</b>	<b>Planning Evaluation Report:</b> Staff undertakes an evaluation of the application using the relevant planning policy documents. A recommendation is provided to the Committee of Adjustment, including conditions of approval (if applicable).
<b>Step 6</b>	<b>Committee of Adjustment Hearing:</b> Within 30 days of the submission of a complete application, the application is heard by the Committee of Adjustment. It is recommended that you and/or your agent attend the Hearing to explain the reasons for your application; if you do not attend, the Committee may proceed in your absence. The Committee will consider your submission as well as recommendations from staff. In addition, members of the public will be given an opportunity to speak to your application.
<b>Step 7</b>	<b>Notice of Decision:</b> Within 15 days of the Committee making its decision, the Secretary-Treasurer of the Committee will mail one copy of the decision to you and others who filed a written request for notice of the decision. The Notice of Decision will outline appeal procedures and identify the last day for appealing the Committee's decision to the Local Planning Appeal Tribunal. "Possible Land Use Change" sign is removed.
<b>Step 9</b>	<b>A final and binding decision:</b> If no appeal is made by the end of the 20 day appeal period, the decision is final and binding. You will be notified by mail if the provisional consent is approved. You should then be in a position to prepare and submit to the Secretary-Treasurer of the Committee the appropriate documents such as evidence that all conditions have been met and a deed for certification.

**NOTE: Where a consent is granted with conditions, all conditions must be fulfilled within ONE YEAR of the date of the Notice of Decision or the consent is null and void in accordance with the Planning Act.**

## APPEAL TO THE LOCAL PLANNING APPEAL TRIBUNAL

If an application is made for consent and the Lucan Biddulph Committee of Adjustment fails to make a decision within 90 days after the day the application is deemed complete by Staff, the applicant may appeal to the Local Planning Appeal Tribunal (LPAT) with respect to the consent application.

A decision of the Lucan Biddulph Committee of Adjustment can be appealed to the LPAT within 20 days of the date of the Notice of the Decision of the Secretary-Treasurer of the Committee by personally delivering or sending a Notice of Appeal to the Secretary-Treasurer of the Committee and the required forms, downloadable from the LPAT website (<http://www.elto.gov.on.ca>). The appeal must set out the reasons for objecting to the decision following the LPAT's procedure, and must include the prescribed processing fee. The Secretary-Treasurer of the Committee will then prepare an appeal package and forward it to the LPAT. The LPAT will schedule a hearing and give written notice of the time and date in advance of the hearing.

For Office Use Only	
Date Received:	
File Number:	



## Consent Application

PURSUANT TO SECTION 53 OF THE PLANNING ACT

**1. Applicant information**

**Registered owner(s) of the subject land**

Name:

Address:

Town:	Postal Code:
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Phone:	Cell:
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Fax:	Email:
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**Authorized agent (authorized by the owner to file the application, if applicable)**

Name:

Address:

Town:	Postal Code:
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Phone:	Cell:
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Fax:	Email:
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**2. The date of the application:**

**3. Current designation of the subject land in the applicable Official Plans and an explanation of how the application conforms with the Official Plans:**

**4. Current Zoning:**

<b>5a. Type of proposed transaction</b>					
<input type="checkbox"/>	creation of a new lot	<input type="checkbox"/>	easement	<input type="checkbox"/>	lease
<input type="checkbox"/>	lot addition	<input type="checkbox"/>	charge	<input type="checkbox"/>	correction of title
<b>b. Please indicate the purpose of proposed transaction?</b>					

<b>6. If known, please provide the name of the person to whom the land or an interest in the land is to be transferred, charged or leased?</b>
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<b>7. Description of subject land</b>		
Geographic Township:	Concession(s):	Lot(s):
Registered Plan:	Lot(s):	
Reference Plan:	Part(s):	
Street Address:	Municipal Roll Number:	

<b>8. Are there any easements or restrictive covenants affecting the subject land?</b>	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
*If yes, please provide a description of each easement or covenant and its effect?		

<b>9. Dimensions of subject land as a whole (in metric units)</b>		
Frontage:	Depth:	Area:

<b>10a. Dimensions of the lot to be severed (in metric units)</b>		
Frontage:	Depth:	Area:

<b>b. Dimensions of the lot to be retained (in metric units)</b>		
Frontage:	Depth:	Area:

<b>c. Describe all existing uses on the subject land?</b>
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**d. Describe all existing buildings or structure on the subject land?**

**e. Describe all proposed uses on the subject land?**

**f. Describe all proposed buildings or structure on the subject land?**

**g. Access to subject land** (please provide information for only those that apply to this property)

Provincial Highway:	County Road:
Municipal Road:	Other Public Road:
Right of Way:	Water:

**h. Water Supply:** Water supply provided via?

<input type="checkbox"/> publicly owned and operated piped water system	<input type="checkbox"/> lake or other water body
<input type="checkbox"/> privately owned well or communal well	<input type="checkbox"/> other (please specify) _____

**i. Sewage Disposal:** Sewage disposal provided via?

<input type="checkbox"/> publicly owned and operated sanitary sewage system	<input type="checkbox"/> privy
<input type="checkbox"/> privately owned individual or communal septic system	<input type="checkbox"/> other (please specify) _____

**11. If the purpose of the application is to create a new lot to dispose a surplus farm dwelling as a result of farm consolidation, please complete the following:**

a. Are you aware of the restriction through zoning that would apply to the balance of the farm to prohibit any new residential use?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
b. Indicate the year in which the subject lands were acquired by the owner:				
c. Address of the 'home farm':				
d. Number of farms owned and operated by the owner(s) and approximate total acreage:				

e. Year of dwelling construction:
f. Describe the condition of dwelling and its suitability for human occupancy:
g. Describe the condition and proposed use of any outbuildings:

<b>12. Is the subject land the subject of:</b>		
An application for an amendment to the Official Plan under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
An application for an amendment to the Zoning By-law under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
A Minister's zoning order under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
An application for approval of a Plan of Subdivision under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
An application for an application for Consent under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
An application for an application for Minor Variance under the <i>Planning Act</i> ? *If yes, provide the following: File No. _____ Status _____	Yes* <input type="checkbox"/>	No <input type="checkbox"/>

<b>13. Please indicate whether any land has been severed from the parcel originally acquired by the owner of the subject land?</b>	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
*If yes provide the following:		
Date of Transfer:		
Name of Transferee:		
Uses of the severed Land:		

**14. Please indicate how the application is consistent with the Provincial Policy Statement (a copy of the Provincial Policy Statement is available at [www.mah.gov.on.ca](http://www.mah.gov.on.ca))?**

**15. This application must be accompanied by a sketch showing the following information. Failure to supply this information will result in a delay in processing the application. Please fill out the checklist below to ensure you have included all the required information.**

- The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land.
- The approximate distance between the subject land and the nearest municipal lot line or landmark such as a bridge or railway crossing.
- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained.
- The location of all land previously severed from the parcel originally acquired by the current owner of the subject land (if applicable).
- 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 (for example: buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, well and septic system).
- The existing uses on the adjacent land (for example: residential, agricultural and commercial uses).
- 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, private road or a right-of-way.
- The location and nature of any easement affecting the subject land.



**STATUTORY DECLARATION**

I, \_\_\_\_\_ of the \_\_\_\_\_  
(Name) (Name of City, Town, Township, Municipality, etc.)

in the \_\_\_\_\_  
(Name of County, Region or District)

**SOLEMNLY DECLARE THAT**

The information provided in this application as required under Section 53 of the *Planning Act* and Ontario Regulation 200/96 is true.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that is of the same force and effect as if made under oath.

Declared before me at the \_\_\_\_\_

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

this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
A Commissioner of Oaths

\_\_\_\_\_  
Applicant or Authorized Agent\*

**\* If applicable, please complete the attached authorization for an agent to act on behalf of the owner of the subject land.**

**AGENT AUTHORIZATION**

I, \_\_\_\_\_, being the owner of the property described in  
(Name)

Section 1 of this application for Consent, hereby authorize \_\_\_\_\_  
(Agent)

to act as my agent in matters related to this application for Consent.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Owner