



MUNICIPALITY OF DYSART ET AL APPLICATION FOR DEEMING BY-LAW

INFORMATION SHEET

1. **Completion of Application**

The attached application form is to be completed and submitted to the Dysart Planning and Land Information Department. In all cases, please ensure that you keep a copy for your files.

The application cannot be processed if insufficient or inaccurate information is provided. Complete the application and provide as much information as possible. Correct information with respect to all encumbrances to the property is important.

2. **Authorization of Agent**

The application is to be completed by the property owner or his authorized agent. Where the application is being submitted by an agent, the written authorization of the owner is required. Section E of the application form must be completed or a similar statement, signed by the owner(s) of the property, must be attached to the application form.

3. **Application Fee and Planning Services Acknowledgment**

Each application shall be accompanied by the application deposit (cash, online payment or cheque - made payable to the Municipality of Dysart et al) in the amount of \$1250.00, and shall be accompanied by one signed, witnessed and dated copy of the attached "Planning Services Acknowledgment".

Deeming By-Law Application - Administration Fee	\$500.00
Legal Deposit	\$750.00

4. **Plans Required**

Each application shall be accompanied by two (2) copies of a plan showing:

- The boundaries and dimensions of the property.
- The accurate location, size and type of all proposed and existing buildings and structures on the property.
- The distance from side, rear and front lot lines of all existing or proposed buildings.
- The location, width and names of all roads within or abutting the property, indicating whether they are public traveled roads, private roads or rights of way or unopened road allowances. The location and number of parking and loading spaces, ingress, egress and direction of traffic.
- The location of all natural and artificial features on the property (*i.e. railways, wells, septic tanks, drainage ditches, watercourses, slopes, swamps, wooded areas*), the location of any of these features on adjacent lands which may affect the proposal, and any proposed changes to the land, such as grading, blasting, planting or channelization.
- The use of adjoining lands (*i.e. residential, agricultural, commercial, etc.*).
- The location and nature of any restrictive covenant or easement affecting the property.

5. Letter of Consent Required

If there is a mortgage or other encumbrance on the property, a letter of consent is required from the mortgagee.

6. Declaration Required

The contents of this application and any maps/appendices shall be validated by the owner(s) or applicant in the form of a statutory declaration before a Commissioner or other person empowered to take affidavits.

7. Responsibility of Applicant

The filing of this application is considered as an undertaking by the applicant to accept all conditions as herein set forth.

8. Effective Date

The effective date of this application shall be deemed to be that on which it is received with sufficient information.

9. Submission

Mail the application or in-person to: Municipality of Dysart et al
Planning and Land Information Department
OR
135 Maple Ave, P.O. Box 389,
Haliburton, ON, K0M 1S0

E-mail the application to: planning@dysartetal.ca

The Municipality of Dysart et al offers a variety of ways to make payment for planning applications.

- Mail a cheque with the application.
- In-person with cash, cheque or debit card at the Municipal Office (Monday to Friday 8:30 a.m. to 4:30 p.m.)
- On-line with credit card or debit card using Paymentus
<https://ipn.paymentus.com/rotp/DYEA>

APPLICATION FOR PREPARATION OF A DEEMING BY-LAW

Planning Act R.S.O. 1990, C.P. 13

OFFICE USE ONLY

Date Application Received: _____	File Number: C01-DE-20
Date Application Deemed Complete: _____	Application Fee: \$ _____ Receipt: _____

The undersigned hereby applies to the Municipality of Dysart et al for the preparation of a "Deeming By-law" with respect to the lands described herein.

SECTION "A" - APPLICANT AND OWNERSHIP INFORMATION

1. Name of Owner(s): _____
Telephone No.: _____ Residence: _____ Office: _____
Address: _____
_____ Postal Code: _____
E-mail address: _____
2. Name of Agent (*if any*): _____
Telephone No.: _____ Residence: _____ Office: _____
Address: _____
_____ Postal Code: _____
E-mail address: _____

Note: Unless otherwise requested, all communications will be sent to the agent, if any.

3. (a) Encumbrances (*mortgages*): Yes _____ No _____
(b) If yes: Name: _____
Address: _____
(c) Letter of Consent of Mortgagee (required before the application will be processed).

SECTION "B" - DESCRIPTION OF SUBJECT LAND

4. Location: Concession: _____ Lot(s): _____
Registered Plan: _____ Lot/Part: _____
Geographic Township of: _____
Civic Address: _____

SECTION "C" - ADDITIONAL INFORMATION

5. Reason for Deeming By-law: _____

6. (a) Is this property presently the subject of an Application for Consent?
Yes _____ No _____
(b) If so, provide the File Number(s): _____

SECTION "D" – DEEMING BY-LAW CAUTION

I/We _____, the registered owner(s) of Lot(s) _____
, Plan _____ understand that the requested by-law will merge my properties so
they are one legally conveyable lot. I/We understand that if I/we own or purchase additional
lands adjacent to the subject lands these adjacent lands may also merge with these holdings.
I/We understand that I/we should consult a lawyer for advice with respect to registration of
these lands and mortgage or other encumbrance affecting these lands.

Witness

Signature of Owner

Witness

Signature of Owner

Date

SECTION "E" - AUTHORIZED AGENT(S)

I, WE _____ am/are the registered owner(s) of the property for which this application is to apply. I, WE hereby grant authorization _____ to act on my/our behalf in all matters regarding this application.

Date

Signature of Owner: _____

Signature of Owner: _____

SECTION "F" CONSENT OF THE OWNER

The owner must also complete the following or a similar authorization:

I/We, _____, am/are the registered owner(s) of the lands subject of this application and, for the purposes of the Freedom of Information and Protection of Privacy Act, I/we hereby authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application. I/We also authorize and consent to representatives of Council, committee members, municipal staff and/or any consultant/professional employed by the municipality for the purpose of processing this application entering upon the lands subject of this application for the purpose of conducting any site inspections as may be necessary to assist in the evaluation of this application.

(Date)

(Signature of Owner)

(Date)

(Signature of Owner)

SECTION "G" - STATUTORY DECLARATION

I, WE _____ of the Township/Town/City of _____
_____ in the County/District/Region of _____ solemnly declare that all of the above 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 _____)
_____)
of _____ this _____)
day of _____, 20____)

Signature of Owner(s) - or Authorized Agent

Signature of Commissioner, etc.

The following acknowledgement must be signed by the registered owner(s), witnessed and dated:

SECTION “H” – PLANNING SERVICES ACKNOWLEDGEMENT

The filing of this application is considered as an undertaking by the registered owner(s) to accept all terms and conditions as set forth herein. Where the applicant is not the registered owner(s), the owner will be responsible for any and all outstanding costs related to the processing of this application.

APPLICANT’S RESPONSIBILITY:

1. The Applicant agrees to provide the Municipality with the following:
 - (a) Any information in the Applicant’s possession concerning all planning matters with respect to this application.
 - (b) All surveys, drawings, sketches or plans as required to process this application.
 - (c) The required application fee as follows:
2. The Applicant understands and agrees that where the services of the Municipal Solicitor are required to process this application, the Applicant shall reimburse the Municipality for all such costs immediately upon receipt of an invoice.
3. The Applicant understands and agrees that where the Municipality is required to engage the services of any other professional, including but not limited to, a surveyor, a hydrologist, a limnologist, etc. to process this application, the Applicant shall reimburse the Municipality for all such costs immediately upon receipt of an invoice.
4. If a Ontario Land Tribunal is required, a deposit of Five Thousand Dollars (\$5,000.00) is required upon submission of the request for referral to the Ontario Land Tribunal. This amount shall be applied towards any costs incurred by the Municipality during the preparation for this Hearing and during the presentation of the Municipality’s case at the Hearing. The Applicant acknowledges that this may include, but may not be limited to:
 - all fees and disbursements paid to the Municipal Solicitor;
 - all fees and disbursements paid to any expert witness; and
 - all disbursements incurred by the Municipality.

The applicant will be responsible for the full cost of the Municipality’s expenses at the hearing.

MUNICIPALITY’S RESPONSIBILITY:

5. The Municipality agrees to process the application in accordance with the provision of the Planning Act, R.S.O. 1990,c.P.13, as amended.

SITE VISITS:

6. The Owner(s) acknowledges that Municipal staff, Councillors or Committee members may be required to visit the property which is the subject of this application in order to process this application. The Owner(s) consents to such site visits as may be required.

7. The Owner(s) acknowledges that the processing of this application may require the taking of pictures, either still or video, of the subject property. The Owner(s) consents to such pictures as may be required.

DEPOSITS / INVOICES:

8. Where the Municipality finds it necessary to make extensive use of professional assistance in the processing of this application, the Municipality will request a deposit from the applicant to cover the cost of the service and processing of the application will not continue until the deposit is received by the Municipality. An initial deposit of \$5,000.00 will be requested upon submission of the application. Additional funds will be requested as required to pay expenses. The Municipality will maintain accurate records and provide a statement of account upon request from the applicant. The applicant agrees to pay promptly, interim accounts from time to time in respect of all reasonable expenses incurred by the Municipality, payment for which has been made by the Municipality or invoices for which have been received by the Municipality.

Peer Review Deposit:	\$5000.00
Professional Services Deposit:	\$2500.00
Legal Fees Deposit:	\$750.00
Ontario Land Tribunal Deposit:	\$5000.00

WITNESSED BY:

Per: _____
Signature of Owner

Per: _____
Signature of Owner

DATE: _____ 20 _____