



The Corporation of the Township of Brock

## **Application for Designating Lands Not Subject to Part Lot Control / Application for Exemption from Part Lot Control**

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**PLEASE READ THE ENTIRE APPLICATION FORM PRIOR TO COMPLETING**

### **GENERAL INFORMATION AND PROCEDURES**

The attached application is to be used by persons or public bodies as an application for exemption from Part Lot Control. In the application, "subject land(s)" means the land(s) that is the subject of this application. This application and any attached supporting documentation contain information collected and maintained specifically for the purpose of creating a record available to the general public and is open to inspection by any person during normal office hours. Personal information on this application is collected under the authority of the *Municipal Act*, as amended, and the *Planning Act*, as amended, and will be used for the purposes of processing this application. Questions regarding this collection should be directed to The Corporation of the Township of Brock, 1 Cameron Street E, Cannington, ON L0E 1E0.

#### **Purpose:**

Where land is within a registered plan of subdivision and the owner wishes to subdivide a lot or a block within such registered plan for the purpose of selling, conveying, leasing or mortgaging such part lots or part blocks, an owner may request the Township to pass a Part Lot Control Exemption By-law under Section 50(7) of the *Planning Act*. This provision establishes that subsection 5 (Part Lot Control) does not apply to land that is contained within the lands subject to a Part Lot Control by-law. The Township uses this provision as a means of preventing the possible uncontrolled division of lots within a plan of subdivision after the plan has been registered.

#### **Submission of Application:**

Pre-consultation prior to submission of an application is encouraged. Please ensure all supporting documentation that is required, as well as the applicable fees are submitted with the application.

The completed application is to be submitted to:

**The Corporation of the Township of Brock  
Planning Department  
1 Cameron Street East  
Cannington, ON L0E 1E0**

#### **Fees:**

Please provide two separate cheques as follows with the submission of your application:

- a) Township of Brock: \$1095.00
- b) Regional Municipality of Durham: \$250.00

**Procedure:**

Upon receipt of a completed application, the Township of Brock will circulate the application to the Region of Durham requesting comment. Following evaluation of the proposal, internal and external comments, a by-law exempting the proposal from Part Lot Control will be forwarded to Council for adoption.

Town staff register the by-law on title and notify the applicant of registration.

**PART I – APPLICANT INFORMATION**

**1. Owner / Applicant / Agent:**

Please list the contact information for the each of the following (if applicable):

Name	Mailing Address & Postal Code	Contact Information
Owner:		Telephone:
		Cell:
		Email:
Applicant:**		Telephone:
		Cell:
		Email:
Agent or Solicitor:**		Telephone:
		Cell:
		Email:

*\*\*An Owner’s authorization is required if the applicant is not the owner. If the applicant is a prospective purchaser, also attach a copy of the Offer to Purchase.*

**Primary Contact: Correspondence relating to this application should be sent to (select one only):**

- Owner
  Applicant
  Agent / Solicitor

**PART II – PROPERTY INFORMATION**

**Property Information:**

Location and Description of Subject Land(s):

Municipal Address (Street # and Street Name):		Assessment Roll #:	
Registered Plan(s)	Lot(s) / Block(s) #	Reference Plan(s)	Part(s) #
Lot(s)	Concession(s)	Approximate Area (hectares)	Lot(s)

**Easements / Encumbrances / Mortgages:**

Are there any easements, rights-of-way, restrictive covenants, etc., affecting the subject land(s)?

Yes        No

If **Yes**, please identify below, and indicate on a site plan, the nature and location of the easement, right-of-way, restrictive covenant, etc:

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Are there any mortgagees, holders of charges or other encumbrances?

Yes        No

If **Yes**, please list the names and addresses of the mortgagees, holders of charges or other encumbrances:

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**PART III – DETAILS OF APPLICATION**

**Official Plan:**

What is the current Township of Brock Official Plan designation, and if applicable, Secondary Plan designation of the subject land(s)?

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**Zoning By-law:**

What is the current zone category(s) of the subject land(s)? \_\_\_\_\_

**Previous, Current & Proposed Land Uses:**

What was the previous use of the subject land(s)?

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Date of acquisition of subject land(s):

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Existing use(s) of the subject land(s):

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Length of time the existing uses of the subject land(s) have continued:

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Date of construction of all buildings and structures on subject land(s):

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Proposed use(s) of the subject land:

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**Details of the Request for Removal from Part Lot Control:**

What is the reason for requesting removal of Part Lot Control (e.g. to create a new lot; to create a lot addition; to “split” an attached structure)?

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**Nature of request:**

Proposed Use	Type of building / structure	Number
Residential	Single detached dwellings	
	Semi-detached dwellings	
	Townhouse dwellings	
	Apartments or Other	
	Total Dwelling Units	
Industrial	Describe:	
Commercial	Describe:	
Other	Describe:	

Does the owner have an interest in nearby or adjoining lands?

Yes       No

If **Yes**, please indicate the location and area of nearby or adjoining lands in which the owner has an interest:

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**Other Applications:**

Has the subject land(s) ever been subject of a previous application under the *Planning Act*?

Yes       No

If **Yes**, please specify (i.e. Applicant, File No.(s), year, status, effect):

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Please indicate if the applicant or owner is also submitting any of the following applications under the *Planning Act* for the subject land(s):

Other Applications	Subject Lands	
	Yes	No
Durham Regional Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>
Brock Township Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>
Consent to Sever	<input type="checkbox"/>	<input type="checkbox"/>
Site Plan Approval	<input type="checkbox"/>	<input type="checkbox"/>
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>
Minister's Zoning Order	<input type="checkbox"/>	<input type="checkbox"/>

If **Yes** was answered to any of the questions above, please fill out the "Other Applications" Table below.

Other Applications Table						
Other Applications	File No.	Approval Authority	Lands Affected	Purpose of Application	Effect of Application	Status of the Application
Durham Regional Official Plan Amendment						
Plan of Subdivision / Condominium						
Zoning By-law Amendment						
Consent to Sever						
Site Plan Approval						
Minor Variance						
Minister's Zoning Order						
Other (Describe)						

## Site Screening Questionnaire:

This form must be completed and signed by the Registered Owner and signed by a Qualified Person as defined by Ontario Regulation 153/04 (a licensed professional engineer or geoscientist). See declaration below for more details.

1.	Does this application involve a change to a more sensitive land use i.e.: change from industrial, commercial or community use to residential, institutional, parkland or agricultural use? Refer to sections 11, 12, 13, 14, and 15 of O. Reg. 153/04, as amended.	Yes	No
2.	Was the subject land(s) or adjacent land(s) used for Industrial uses where there is a potential for site contamination?	Yes	No
3.	Was the subject land(s) or adjacent land(s) used for Commercial uses where there is a potential for site contamination, e.g., automotive repair garage, a bulk liquid dispensing facility including a gasoline outlet, chemical warehousing or for the operation of dry-cleaning equipment?	Yes	No
4.	Has the grading of the subject land been changed by adding earth or materials and/or filling occurred on the subject lands?	Yes	No
5.	Have the subject lands ever been subjected to chemical spills or hazardous chemical uses i.e. an orchard where cyanide products may have been used as pesticides?	Yes	No
6.	Have the subject lands or adjacent lands ever been used as an agricultural operation where herbicides or sewage sludge have been applied to the property?	Yes	No
7.	Was the subject land(s) or adjacent land(s) used as a weapons firing range?	Yes	No
8.	Is the nearest boundary of the application within 250 metres of the fill area of an operating or former landfill or dump, or a waste transfer station or PCB storage site?	Yes	No
9.	If there are existing or previously existing buildings, are there any building materials remaining on the site which are potentially hazardous to human health (e.g., asbestos, PCB's, etc.)?	Yes	No
10.	Has there been a heating fuel oil spill on the property?	Yes	No
11.	Are there or have there ever been above ground or underground storage tanks on the property?	Yes	No
12.	Has waste (garbage, solid wastes, liquid wastes) ever been placed on this property?	Yes	No
13.	Have hazardous materials ever been stored or generated on the property (e.g. Has Hazardous Waste Information Network (HWIN) registration or other permits been required?	Yes	No
14.	Is there any other reason to believe that the subject property may be potentially contaminated based on historical use of this or an abutting property?	Yes	No
15.	What information was used to determine the answers to Questions 1 to 9?		

**If the answer to any of the questions above was YES, a Phase 1 and/or Phase 2 Environmental Site Assessment (ESA), which satisfies the requirements of O.Reg. 153/04, as amended, is required. Please submit two copies with your application.**

Has an Environmental Site Assessment been prepared for this site within the last 5 years, or is an Environmental Site Assessment currently being prepared for this site?

Yes \_\_\_\_\_ No \_\_\_\_\_ **If YES, please submit two copies of the Phase 1 Assessment with the application.**

Has a Risk Assessment been accepted by the Ministry of Environment (MOE) or a Certificate of Property Use been issued by the MOE for this site?

Yes \_\_\_\_\_ No \_\_\_\_\_ **If YES, please submit two copies of the Risk Assessment and the Certificate of Property Use with the application.**

## Declarations for Site Screening Questionnaire

If the answer to any of the questions 1 through 14 was YES, the Site Screening Questionnaire must be completed and signed by BOTH a Qualified Person (Professional Engineer) and by the property owner. This questionnaire does NOT have to be signed by a Qualified Person where site contamination was recently addressed by a related planning application.

### **Qualified Person:**

Name (please Print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name of Firm: \_\_\_\_\_

Address of Firm: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

### **Property Owner:**

Name (please Print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

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

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

### **Authorized Agent (if applicable):**

Name (please Print): \_\_\_\_\_

Signature: \_\_\_\_\_

Agent Title: \_\_\_\_\_

Date: \_\_\_\_\_

Name of Company (if applicable): \_\_\_\_\_

Address of Company: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

## **PART IV – SUBMISSION OF APPLICATION CHECKLIST**

Please provide the following as part of your application:

- 2 copies of the application (including site screening questionnaire).
- 2 copies of a Lawyer's certificate attesting to the site being within a registered plan of subdivision / eligible to be exempted from Part Lot Control, pursuant to the Planning Act.
- 4 copies of a site location map illustrating the location of the property.
- 4 copies of the Registered Plan (40M-Plan) with the area of removal clearly indicated.
- 4 copies of a draft Reference Plan (40R-Plan), that illustrates:
  - Location and dimensions of existing natural and manmade features on the property and on the adjacent properties, the road allowance within a minimum of 15 metres of the subject property such as buildings, easements, underground services, overhead services, water courses, trees, driveways, driveway openings, catch basins and manholes, fences, fire hydrants, street furniture, barriers, free-standing signs, including existing electrical transformers.
  - Building entrances and exit doors.
  - The location, size and type of all existing and proposed buildings and structures on the Subject Lands, indicating their distance from all lot lines.
  - Location and dimensions of all parking spaces, and driveways.
  - The location and extent of easements, rights-of-way, restrictive covenants, etc., on the subject property; a note on the plan must explain the nature of the encumbrance.
  - The location and extent of any easements, rights-of-way or other rights over adjacent properties (i.e. mutual drives); a note on the plan must explain the nature of the encumbrance.
  - Building area coverage by square metres and percentage (%).
  - Gross floor area by type of use calculated in accordance with the definition in Comprehensive Zoning By-law 287-78-PL
  - Number of stories above and below grade. Identify stories below grade as basement or cellar as defined in Zoning By-law 287-78-PL
  - Number of dwelling units and total unit count by bedroom type.
  - Usable floor area of dwelling units by unit type.
  - Building height above grade.
  - Where the application is to divide an existing building, floor plans and construction plans showing the location of required fire separation as party walls is required.
- 4 copies of the proposed Building Siting Plan for any proposed semi-detached and/or townhouse dwelling lots proposed for Part Lot Control.
- Appropriate fees as noted on page one (1) of this application.

**Please note that applications will not be processed where application forms and/or fees are incomplete.**



**Certificate**

To be signed by Owner, if agent has been appointed

As of the date of this application I am the registered Owner of the lands described in this application. I have examined the contents of this application, certified as to the correctness of the information submitted with the application insofar as I have knowledge of these facts, and concur with the submission of this application to the Corporation of the Township of Brock by:

\_\_\_\_\_ OF \_\_\_\_\_  
*Who I have appointed as my Agent* *Agent Company Name*

\_\_\_\_\_ Date  
Signature of Property Owner

**Affidavit**

I/We \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_  
\_\_\_\_\_ in the Region/County of \_\_\_\_\_ do solemnly declare that:

All above statements and the statements contained in all of the exhibits transmitted herewith, are true, and I 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** \_\_\_\_\_ )  
\_\_\_\_\_ )  
of \_\_\_\_\_ in the Region/County of \_\_\_\_\_ )  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ )  
\_\_\_\_\_ , 2 \_\_\_\_\_ A.D. )  
\_\_\_\_\_ )  
\_\_\_\_\_ )

\_\_\_\_\_ )  
Applicant's Signature

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