



RULES OF PROCEDURE

Land Division Committee for The Corporation of the County of Elgin

GENERAL

In addition to fulfilling the requirements of Section 53 of the Planning Act, the Land Division Committee shall observe the following rules and requirements:

APPLICATION

1. The Secretary-Treasurer shall note and acknowledge the date of receipt of the application.
2. The Land Division Committee will render their decision and the applicant or agent (if named) will be advised in writing, not later than 15 days from the date of the decision.

NOTICE OF HEARING

3. The Secretary-Treasurer, in the name of the Committee, shall by personal service or by regular or registered mail, give written notice of time and place of the hearing of each application, together with copies of the Application for Consent, comprising items 1 to 24, not less than 14 days prior to the date of the hearing to:
 - (a) Applicant or agent (if named)
 - (b) Clerk of the Municipality(ies) concerned
 - (c) County Engineer
 - (d) Ministry of Transportation
 - (e) Ministry of Culture
 - (f) Kettle Creek/Catfish Creek/Long Point/Lower Thames Valley Conservation Authority
 - (g) Chief of First Nation Council (within 1km of subject land)
 - (h) Every person assessed within 60 metres of subject land (notice only).

CERTIFICATION

4. Upon expiry of the 20 day appeal period and after the conditions have been met, the Secretary-Treasurer shall, on behalf of the Committee, affix a rubber stamp to the deeds or legal documents and sign it, signifying that the consent has been given pursuant to Subsection 42, of Section 53, of the Planning Act. The Secretary-Treasurer shall accept only original copies, accompanied by a fee of \$250.00, for affixing the consent stamp.

The applicant will have one year from the date the decision was given to fulfill conditions imposed by the Committee. One condition generally imposed is that a deed be presented within one year so that the consent stamp may be affixed.

ASSESSED PERSONS

5. The applicant will obtain a list (on Appendix "B" attached), certified by the local municipal clerk(s) having jurisdiction over the subject lands, of the names and addresses of every assessed person within 60 metres of the subject of the application, as shown on the last revised assessment roll or as set out in any written notice of a change of ownership.

IDENTIFICATION STAKES AND SIGNS

6. Identification Signs will be mailed to you after your completed application has been filed. These signs are then to be posted immediately on stakes at each front corner of the proposed lot, and are to remain there until the Decision of the Committee becomes final and binding. Site inspections will be done by a Committee member prior to the hearing date. **Failure to post signs will result in a delay of a decision from the Land Division Committee. Check frequently to ensure that the signs are in place.**

SKETCH

7. Must be no greater than 20 cm x 27 cm (8 1/2 x 11"). One copy of the sketch is required, done in black (e.g., ink, felt pen) no pencil or colours. A legend or key indicating severed and retained portions must be shown (e.g., cross-hatching or diagonal lines). Clearly indicate severed and retained portions, with all dimensions of both severed and retained lands on the sketch. All measurements must be accurate, a variance of 3% on each dimension is acceptable for agricultural land and 1.52 metres on each dimension for non agricultural land. Dimensions of all existing buildings should be shown as well as their location in relation to property lines and the proposed severance. All buildings and type of land **surrounding both severed and retained portions** must be shown within 300 metres radius for rural areas and 60 metres radius for urban areas. All existing and proposed accesses should be shown. (SEE SAMPLE BELOW)

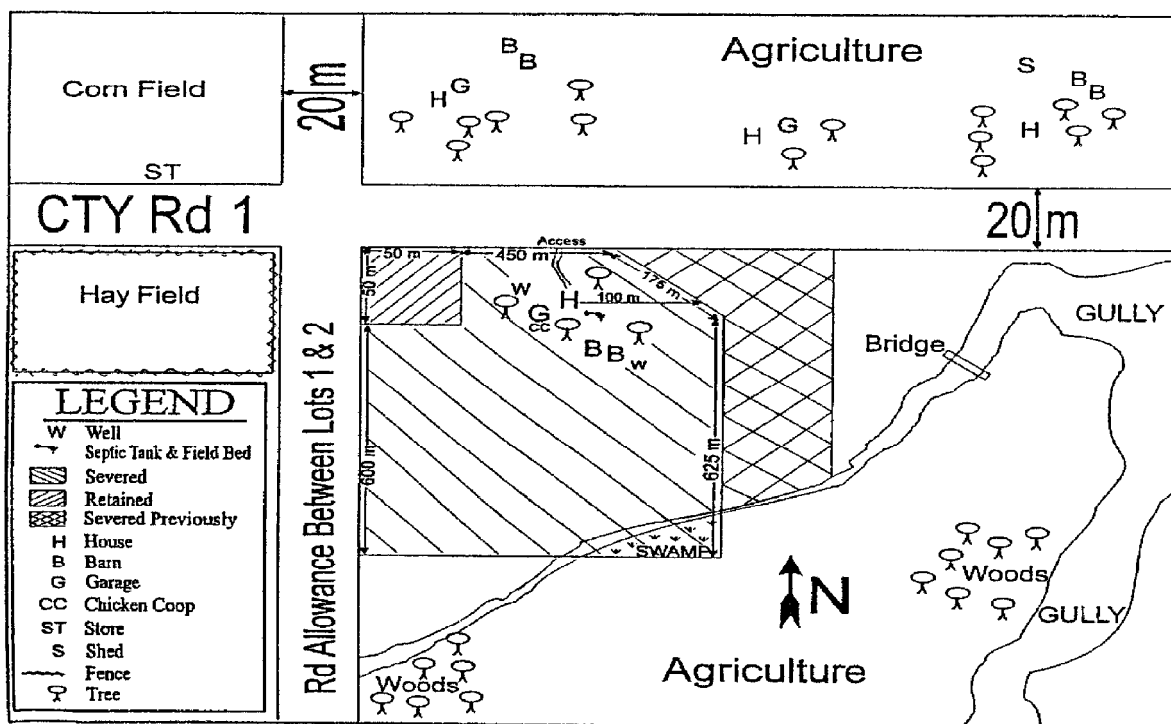
APPEAL

8. Any person or public body may appeal the decision and/or condition(s) imposed by the Committee to the Ontario Municipal Board by filing with the Secretary-Treasurer of the Land Division Committee, within 20 days of the date of decision, a Notice of Appeal, accompanied by the Board's fee in the amount of \$125.00 for the first appeal and \$25.00 for each further appeal related to the same matter. Certified Cheques or Money Orders are to be made payable to the Minister of Finance. If you wish to appeal, a copy of the appeal form is available from the OMB website at www.omb.gov.on.ca or for pick-up at the County Municipal Offices, 450 Sunset Drive, St. Thomas.

**RETURN TO: Susan D. Galloway, Secretary-Treasurer
Elgin County Land Division Committee
Administration Building, 2nd Floor
450 Sunset Drive, ST. THOMAS, Ontario N5R 5V1**

NOTE: Applications may be left at the counter during normal business hours and will be dealt with during the Secretary-Treasurer's office hours.

SAMPLE SKETCH - NOT TO SCALE



7. Number of new lots proposed (not including retained lots) _____

8. Type of access for proposed and retained lot: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Provincial Highway	()	()
Municipal road, maintained all year	()	()
Municipal road, seasonally maintained	()	()
Other public road	()	()
Right Of Way	()	()
Water access	()	()

If proposed access is by water, what boat docking and parking facilities are available on the mainland? (specify) _____

9. What type of water supply is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated piped water system	()	()
Privately owned and operated individual well	()	()
Privately owned and operated communal well	()	()
Lake or other water body	()	()
Other means (specify)	_____	_____

10. What type of sewage disposal is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated sanitary sewage system	()	()
Privately owned and operated individual septic tank	()	()
Privately owned and operated communal septic system	()	()
Privy	()	()
Other means (specify)	_____	_____

11. When will water supply and sewage disposal services be available?

12. What is the Existing Official Plan designation(s), if any, of the subject land?

13. What is the Zoning, if any, of the subject land?

14. Has the subject land ever been the subject of an application for approval of a Plan of Subdivision or a Consent under the Planning Act? Yes () No () Unknown ()

If Yes, and known, provide the application file number and the decision made on the application

15. If this application is a re-submission of a previous consent application, describe how it has been changed from the original application

16. (a) Has the owner previously severed any land from this holding?

Yes ()

No ()

- (b) If the answer to (a) is Yes, please indicate previous severances on the required sketch and supply the following information for each lot severed:

Grantee's name _____

Relationship (if any) to owner _____

Use of parcel _____

Date parcel created _____

17. Is the owner, solicitor, or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

Yes () No ()

18. Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?

Yes () No ()

If Yes, and known, specify the Ministry file number and status of the application

19. Is the subject land currently the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, or approval of a plan of subdivision?

Yes () No ()

If Yes, and known, specify the appropriate file number and status of the application

20. Is the application consistent with policy statements issued under subsection 3(1) of the Planning Act?

Yes () No ()

21. Is the subject land within an area designated under any provincial plan or plans?

Yes () No ()

If yes, does the application conform to or conflict with the applicable provincial plan or plans

22. SKETCH:

The application shall be accompanied by a sketch showing the following:

- the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
- the boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land;
- the distance between the subject land and the nearest township lot line or landmark, such as a railway crossing or bridge;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, well and septic tanks;
- the existing use(s) on adjacent lands;
- 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, a private road or a right of way;
- if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
- the location and nature of any easement affecting the subject land.

23. The Owner/Applicant/Agent hereby authorizes Land Division Committee members and the Corporation of the County of Elgin staff to enter onto the subject property for the purpose of Site inspections with respect to this application.

24. The Applicant/Owner/Agent hereby consents to disclosure of the information contained in this Application pursuant to Section 32(b) of Bill 49, Chapter 63, S.O. 1989, being an Act to provide for Freedom of Information and Protection of Individual Privacy in Municipalities and Local Boards.

Dated at the _____ of _____

this _____ day of _____ 20 _____

SIGNATURE OF APPLICANT(S), SOLICITOR OR AUTHORIZED AGENT

AFFIDAVIT OR SWORN DECLARATION

I/We _____ of the _____

of _____ in the County of _____

solemnly declare that all the information contained in this application is 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 _____

this _____ day of _____

20 _____

Signature

Signature

A Commissioner, etc.

If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's authorization must accompany the application. If the applicant is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the seal, if any, must be affixed.

It is required that one copy of this application be filed, together with one copy of the sketch described, with the responsible person, accompanied by a fee of -

\$750.00 in cash or by cheque made payable to TREASURER, COUNTY OF ELGIN

An additional fee of \$250.00 will be charged for affixing the consent stamp.

APPENDIX "A"

The County of Elgin Land Division Committee requires that, in addition to the "Application for Consent", the following information be completed for all applications:

1. Are there any barns located within 300 metres of the subject of this application?

Yes () No ()

If the answer is "YES" are these barns:

- i) Now used for livestock? Yes () No ()
 ii) Capable of being used for livestock? Yes () No ()

NOTE: If you answered "YES" to #1. PLEASE COMPLETE THE DATA SHEET BELOW

**TO BE COMPLETED
BY APPLICANT**

**AGRICULTURAL CODE OF PRACTICE FORMULA ONE DATA SHEET TO
CALCULATE THE MINIMUM DISTANCE SEPARATION REQUIREMENTS
FOR NON-FARM USES ESTABLISHING OR EXPANDING IN CLOSE
PROXIMITY TO EXISTING LIVESTOCK BUILDINGS**

In order to calculate the minimum distance separation, the following information is required for each livestock facility within 300 metres of the proposed severance and located on a separate lot:

NAME _____ TELEPHONE _____

TOWNSHIP _____ LOT _____ CONC. _____

TILLABLE HECTARES (where livestock facility located) _____

Type of Livestock	Maximum Housing Capacity Number per Year	Manure System			Housing System check type		
		Liquid	Semi- Solid	Dry	Tie Stall	Free Stall	Loose
DAIRY							
◇ Cows							
◇ Heifers							
◇ Calves							
BEEF					Open Lot & Barn	Total Confine- ment	
◇ Cows							
◇ Calves							
◇ Feeders							
◇ 400-750 lb.							
◇ 400-1100 lb.							
◇ 750-1100 lb.							
SWINE							
◇ Sows							
◇ Boars							
◇ Weanlings							
◇ Feeders							
POULTRY					Caged	On Floor	
◇ Laying Hens							
◇ Breeder Flock							
◇ Pullets							
◇ Chicken Broilers							
◇ Turkey Broilers							
◇ Turkey Hens							
◇ Turkey Toms							
◇ Roasters							
MINK - Females							
HORSES							
SHEEP - Rams & Ewes							
RABBITS							
VEAL CALVES							
OTHER							
MANURE STORAGE:							
DRY	Open Pile _____			Covered Pile _____			
SEMI-SOLID	Open Pile _____			Storage with Buck Walls _____			
LIQUID	Covered Tank _____			Open Earth Sided Pit _____			
	Above Ground Uncovered Tank _____						
	Below Ground Uncovered Tank _____						

AUTHORIZATION

(Please see note below)

To: Secretary-Treasurer
Land Division Committee
Corporation of the County of Elgin

Description and Location of Subject Lands:

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

_____ of _____ to:
(Agents Name/Names) (Agents City/Town of Residence)

- (1) make an application on my behalf to the County of Elgin Land Division Committee;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by the Land Division Committee relevant to the application.

Please Print Names in Block Letters Below Signatures

Dated at the _____ of _____

this _____ day of _____ 20 _____

Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

Signature of Witness

Signature of Owner

NOTE: This form is only to be used for applications, which are to be signed by someone other than the owner(s).