

**For Office Use Only**

**Pre-consultation date:** \_\_\_\_\_

**Date Application Received:** \_\_\_\_\_ **File Number:** \_\_\_\_\_

**Fee Received:** \_\_\_\_\_ **Date Application Deemed Complete:** \_\_\_\_\_

**Legal Deposit:** No Yes:(\$) \_\_\_\_\_

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**Encroachment Application Form**

*Pursuant to Section 17 and 32 of the Planning Act, R.S.O. 1990, c. P.13. as amended*

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**Applicant Checklist**

Please check to ensure the following is provided:

Two (2) copies of completed application

Application Fee (\$509 plus legal fees)

Deed/transfer

As Built Survey Indicating Encroachment and Amount of Encroachment (most up to date)

**Owner/Applicant Information**

**Name of Property Owner(s):** \_\_\_\_\_

Telephone: (Home) \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_

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

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

**Name of Applicant/Agent:**\_\_\_\_\_

*(If Applicant/Agent is different than Property Owner, the Owner's Authorization is required (see p. 6.)  
The Applicant/Agent will receive all communications relating to this application.)*

Telephone: (Home)\_\_\_\_\_ Cell:\_\_\_\_\_ Work:\_\_\_\_\_

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

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

*Municipal Freedom of Information and Protection of Privacy Act*

*Personal Information on this form is collected under authority of The Planning Act and will be used to process this application.*

### Property Description/Location and Information

1. Legal Description of Property

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

Reference/Registered Plan Number:\_\_\_\_\_

Part/Lot/Block Number:\_\_\_\_\_

Concession Number:\_\_\_\_\_ Lot Number:\_\_\_\_\_

Assessment Roll Number:\_\_\_\_\_

2. Date the Subject land was acquired by the current owner:\_\_\_\_\_

3. Dimensions of Property: (metric)

Frontage:\_\_\_\_\_ Depth:\_\_\_\_\_ Area:\_\_\_\_\_

4. Is the property within Source Water Protection Zone?

No

Yes: IPZ Level\_\_\_\_\_

### Official Plan and Zoning Information

1. What is the current Official Plan designation of property?\_\_\_\_\_

2. What is the current Zoning of the property?\_\_\_\_\_

3. What are the existing uses of the subject land and how long have they continued?

4. Reason why the encroachment is requested:

5. If applicable, describe the proposed use of municipal lands:

### Building/Structure and Servicing Information

1. Are there any existing buildings or structures on the subject land? Yes No

*If yes, please provide the following information for each building or structure (use metric measurements)*

Type: \_\_\_\_\_

Front Lot Line Setbacks: \_\_\_\_\_ Rear Lot Line Setbacks: \_\_\_\_\_

Side Lot Line Setbacks (both sides): \_\_\_\_\_

Height: \_\_\_\_\_ Dimensions/Floor Area: \_\_\_\_\_

Date the existing buildings or structures were constructed on the subject land?

\_\_\_\_\_

2. Proposed buildings or structures to be erected on municipal lands:

*(Please provide the following information for each building from which the encroachment will extend)*

Type: \_\_\_\_\_

Depth of encroachment: \_\_\_\_\_

Width of encroachment: \_\_\_\_\_

Height: \_\_\_\_\_ Dimensions/Floor Area: \_\_\_\_\_

3. Is access to the subject land to be/or is currently provided by:

Municipal Road (please circle if it is maintained either seasonally or year round)

Private Road/Lane

County Road

Other (describe): \_\_\_\_\_

4. Type of Water Supply to Subject Lands:

Publicly owned and operated piped water system

Privately owned and operated piped water system

Privately owned and operated individual well

Communal well

Lake or other water body: \_\_\_\_\_

Other Source: \_\_\_\_\_

Encroaching feature/use will extend over water supply line

*(Provide drawings indicating location of encroaching feature and water line)*

5. Type of sewage Disposal System Servicing Subject Lands:

Publicly owned and operated sewage disposal system

Privately owned and operated septic system

Communal septic system

Other means: \_\_\_\_\_

Encroaching feature/use will extend over sewer line

*(Provide drawings indicating location of encroaching feature and sewer line)*

6. Provision of Storm Drainage:

Piped Municipal Storm Sewers

Ditches

Swales

Other means: \_\_\_\_\_

7. Other Serviced and Utilities Available:

Electricity

Natural Gas

School Bussing

Garbage Collection

Other: \_\_\_\_\_

## Other Planning Applications

1. Has the site ever been subject/or currently is the subject of an application under the *Planning Act* for:

Official Plan Amendment

Zoning By-law Amendment

Plan of Subdivision

Consent

Minor Variance

Other: \_\_\_\_\_

*If yes to any of the above, please fill out the information below (if more than one, please attach a separate sheet with below application information)*

File Number: \_\_\_\_\_

Name of Approval Authority Considering Application: \_\_\_\_\_

Land Affected by Application: \_\_\_\_\_

Purpose: \_\_\_\_\_

Approximate date of Application: \_\_\_\_\_

## Required Sketch Information

The following information must be included in the required sketch to be submitted with your complete application.

(Please check to confirm the following has been included)

Boundaries, dimensions and area of the subject property

Location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line, and the side yard lots lines

Approximate location of all natural and artificial features on the subject land and on adjacent land including: buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, floodplains, wooded areas, wells and septic systems, and any such features which in the applicant's opinion may affect the application

Current uses on the land adjacent to the subject land

Location, width and name of any roads within or abutting the subject land, indicating whether it is a public traveled road, unopened road allowance, private road or a right-of-way including any parking and docking facilities

Location and nature of any easement affecting the subject land

## Required Studies

This application form must be accompanied by all the submission requirements in order to be considered a complete application. Incomplete applications will not be processed until all information is provided. A pre-consultation meeting with Planning and Development staff is required PRIOR to submission of this application.

## Notice to the Applicant

Subject to an initial application review, the Town of Perth may accept and declare this application complete on the basis that the required application fee and any required deposit has been paid. However, the applicant hereby acknowledges that the application will cease to be complete in the event that the Town's costs for processing the application exceed the initial application fee or exceed 75% of the value of any required processing deposit and in such circumstances the processing of the application will be suspended until the funds necessary to pay outstanding costs and the initial application fee or the initial deposit, as applicable have been reinstated.

## Declarations

### Authorization of Owner for Agent to Make the Application:

If the application is to be signed by an applicant/agent/solicitor on behalf of the owner, the following authorization must be completed or the owner must submit a letter of authorization.

I/We, \_\_\_\_\_, am/are the owner(s) of the land that is subject of this application and I/we authorize, \_\_\_\_\_, to make this application on my/our behalf.

Signature: \_\_\_\_\_  
(Registered Owner)

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

Signature: \_\_\_\_\_  
(Registered Owner)

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

### Consent of Owner:

I/We, \_\_\_\_\_, am/are the owner of the land that is the subject of this application and for the purposes of the Freedom of Information and Protection of Privacy Act, I/we authorize and consent to the use by or 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.

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

(Registered Owner)

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

### Freedom of Information / Access to Property Consent:

The applicant/owner hereby acknowledges that this application is a public document and all information provided in the application and information submitted with the application will be available for public review and scrutiny

*(Personal contact information including mailing address, email address and phone numbers will remain confidential).*

\_\_\_\_\_

Owner's Signature

\_\_\_\_\_

Applicants Signature

The owner hereby authorizes Planning Staff or employees of the Corporation of the Town of Perth working on behalf of the Director of Development Services to enter into the lands that are subject to this application during the regular business hours of the Town of Perth for the purpose of inspecting, evaluating and recording information about the site's terrain and drainage, the exterior of any buildings and any other exteriors features relevant to the application.

\_\_\_\_\_

Owner's Signature

\_\_\_\_\_

Owner's Name and Title *(Please Print)*

### **Agreement to Indemnify:**

The applicant hereby agrees to indemnify and save harmless The Corporation of the Town of Perth (the "Town") from all costs and expenses that Town may incur in the connection with the processing of the Applicant's planning application for the approval under The Planning Act.

Without limiting the foregoing, such costs and expenses shall include all administrative, legal, engineering, planning, advertising, and consulting fees and charges incurred or payable by the Town to process the application, together with all costs arising from the Town, if required or requested by the Applicant appearing at any hearing of appeal to the Ontario Land Tribunal ("OLT") from any decisions by Town Council, the Committee of Adjustment or the County's Land Division Committee as the case may be, approving the Applicant's application.

The Applicant agrees that if any amount owing to the Town in respect to the application is not paid within 30 days of being issued; the Municipality will not be required to process or to continue processing the application or appear before the OLT in support of a decision approving the application until the amount has been paid in full.

The Applicant further agrees, that any amount owing by the Applicant is a debt of the Applicant and the Town, in addition to other remedies available to it by law, is entitled to recover the amount owing with interest from the Applicant by actions in the Courts.

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

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

(Registered Owner)



**Affidavit or Sworn Declaration that the Information is Accurate:**

*(To be signed in the presence of a Commissioner)*

I \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_, solemnly declare that all of the above statements contained in this application 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 the

\_\_\_\_\_ in the \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Applicant or Owner

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