



Date Received: _____

Date Complete: _____

File No.: _____

EASEMENT

**CONSENT
APPLICATION FORM****1.0 OWNER & AGENT INFORMATION****Owner(s) Name:** Shanthy Irene WEERASEKERA and Douglas Fraser WARWICKAddress: 255 Donnelly Drive Mississauga ON L5G 2M3
PO BOX Street Name & Number City Province Postal Code

Telephone: _____ Mobile: 416-671-0306

Email: shanthyw@rogers.com douglas.warwick@tdam.com

Agent Name & Firm: Gord Russell, G. H. Russell Planning and Development ServicesAddress: 38 Willow Drive Tiny ON L0L 1P1
PO BOX Street Name & Number City Province Postal Code

Telephone: _____ Mobile: 705-446-6107

Email: gord.russell@rogers.com

Please submit a list as a separate appendix of any additional individuals or firms that will be working on this application (e.g., Planners, Engineers, Surveyors, Solicitors) if you wish.

1.1 The primary contact for all matters relating to this application (pick one): Owner Agent**1.2** Please list below the holders of any mortgage, other charge, or encumbrance on the subject lands:**Mortgagee:** _____Address: _____
PO BOX Street Name & Number City Province Postal Code

Telephone: _____ Email: _____

Holder of any other charge or encumbrance: Toronto Dominion c/o Arezoo Azadpayma Senior Private Banker and Assistant ManagerAddress: 66 Wellington St. West, 27th Floor Toronto ON M5K 1A2
PO BOX Street Name & Number City Province Postal Code

Telephone: 416-982-7557 Email: arezoo.azadpayma@td.com

2.0 APPLICATION TYPE & PROPERTY DETAILS

2.1 Application Type:

- Creation of a new lot Easement A charge A lease
 Lot addition or boundary adjustment A correction of title
 Other: _____

2.2 Subject Property

Legal Address:	North Half Part of Lot 17, Concession 9 (Nottawasaga), Township of Clearview, County of Simcoe		
Municipal Address:	90B South Road & 1918 Conc. 8 Nottawasaga S. Twp of Clearview		
Roll Number:	432901001018800 & 4329010018700	PIN:	49463 & 61627

2.3 If known, please identify the **name of the person** to whom the land or an interest in the land is to be transferred, charged, or leased:

Douglas Fraser Warwick

2.4 Easements and Restrictive Covenants:

Are there any easements, restrictive covenants, right-of-ways, or other registered agreements affecting the subject property? Yes No

If you answered **yes** above, please provide a description of each and its purpose:

2.5 Has any **land ever been severed** from the parcel originally acquired by the owner of the subject land? Yes No

If you answered **yes**, please identify the following:

Date of Transfer: _____

Name of Transferee: _____

Uses of the severed lands: _____

2.6 Official Plan & Zoning By-law:

Current Official Plan Designation on the subject lands: Escarpment Protection Area

Current Zoning on the subject lands: Not Applicable

3.0 DETAILS OF THE PROPOSAL

3.1 Frontage, Depth, and Area of the severed and retained lots in metric units.

	Lot to be Retained	RETAINED LANDS Lot to be Severed EASEMENT
Frontage (m)	149	BLOCK 15m X 50m
Depth (m)	+/- 992	
Area (m ²)	161,500	750
Existing Uses of the lands:	RURAL: AGRICULTURE AND RESIDENTIAL	CREEK CROSSING
Proposed uses of the lands:	SAME	CREEK CROSSING
Existing buildings/ structures on the subject lands:	ONE (1) DWELLING AND ONE (1) ACCESSORY GARAGE	/
Proposed buildings/ structures on the subject lands:	NONE	/

3.2 Access to the subject lands will be gained by:

Access Type	Lot to be Retained	Lot to be Severed
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
County Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Township Road (maintained year round)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Township Road (maintained seasonally)	<input type="checkbox"/>	<input type="checkbox"/>
Private Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

3.3 Sewage and Water Services:

Water Service Type	Lot to be Retained	Lot to be Severed
Municipal	<input type="checkbox"/>	<input type="checkbox"/>
Private – Communal	<input type="checkbox"/>	<input type="checkbox"/>
Private – Single	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

Sewer Service Type	Lot to be Retained	Lot to be Severed
Municipal	<input type="checkbox"/>	<input type="checkbox"/>
Private – Communal	<input type="checkbox"/>	<input type="checkbox"/>
Private – Single	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

3.4 Storm drainage will be provided by:

Storm Drainage Method	Lot to be Retained	Lot to be Severed
Municipal Storm Sewers	<input type="checkbox"/>	<input type="checkbox"/>
Ditches	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Swales	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

3.5 Past and present uses on and around the subject lands:

Does the subject land or any adjacent properties contain any known archaeological resources or areas of archaeological potential? Yes No

Has there ever been an industrial or commercial use, including a storage of gasoline or other fuels on the or adjacent to the subject property? Yes No

Has there ever been an underground storage tank on the subject lands? Yes No

Has the subject land or any lands within 500 metres ever been used for the storage/disposal of hazardous materials or waste? Yes No

Has there ever been an orchard on the subject lands? Yes No

Has there ever been a weapons or firing range on the subject lands? Yes No

Is there any reason to believe that subject lands have been contaminated by former uses on the subject land? Yes No

3.6 Minimum Distance Separation:

Does the proposed amendment involve the construction or enlargement of a livestock facility or manure storage facility? Yes No

Are there any livestock facilities or manure storage facilities in proximity of the subject lands?

- Yes, within 1000 metres of the subject lands
- Yes, within 2000 metres of the subject lands
- No, not within 2000 metres of the subject lands

Has a Nutrient Management Plan been submitted to the Ministry of Agriculture and Food as part of this proposal? Yes No

Has a Minimum Distance Separation Study been included as part of this application? Yes No

3.7 What types of uses are currently occurring within 500 metres of the subject lands?

North:	Agriculture with residential
South:	Agricultural with residential
East:	Agricultural with residential
West:	Recreation (Devil Glen's Ski Club) and Residential

4.0 BUILDINGS & STRUCTURES

4.1 Details of the existing and proposed structures on the subject lands:

Located on the lot to be severed or retained?	Retained	Retained	Severed
Building type:	Dwelling	Garage	Drive Shed
Existing or proposed:	Existing	Existing	Existing
Intended Use:	Residential	Accessory Use	To be demolished
Date of construction:	2013	2013	Unkown
Ground floor area (m²):	+/- 561	+/- 70	
Gross floor area (m²):	+/- 897.5	+/- 70	
Number of storeys:	2	1	
Front yard setback:	+/- 910	+/- 941	
Rear yard setback:	+/- 60.5	+/- 40	
Side yard setback:	+/- 46.1	+/- 50	
Side yard setback:	+/- 70.0	+/- 60	
Building height:	Please see Building Permit	Please see Building Permit	

Note that a plan showing the dimensions of the subject lands and all existing and proposed buildings thereon must be submitted along with this application form.

5.0 PLANNING POLICY FRAMEWORK & OTHER APPROVALS

5.1 Has the subject land ever been the subject of an application for approval of any of the following:

- Consent
 Minor Variance
 Plan of Subdivision/Condominium
 Zoning By-law Amendment or Minister's Zoning Order
 Official Plan Amendment

If you checked any of the above, please complete the fields below for all **past and concurrent** applications.

Application type:	File No.:	Status:
Purpose and effect of the application:		

Application type: _____	File No.: _____	Status: _____
Purpose and effect of the application: _____		

Application type: _____	File No.: _____	Status: _____
Purpose and effect of the application: _____		

5.2 Is the requested consent consistent with the **Provincial Policy Statement**? Yes No

5.3 Does the requested consent conform to the **Growth Plan for the Greater Golden Horseshoe**? Yes No

5.4 Is the subject land located within the **Niagara Escarpment Plan Area**? Yes No
 If you answered **yes**, does the requested consent conform to the Niagara Escarpment Plan? Yes No

If you answered **yes**, have you applied to the Niagara Escarpment Commission for a development permit? Yes No

5.5 What is the land use designation of the subject lands under the **County of Simcoe Official Plan**?
 Escarpment Protection Area

Does the requested consent conform to the County of Simcoe Official Plan? Yes No

If you answered **no**, has an application for amendment to the County Official Plan been made? Yes No

5.6 Is the subject land located within the regulation limits of the **Nottawasaga Valley Conservation Authority (NVCA)**? Yes No
 Is a development permit required from the NVCA? Yes No
 If **yes**, have you applied to the NVCA for a development permit? Yes No

6.0 CHECKLIST OF SUBMISSION MATERIALS

Please use the space provided below to list all of the reports and plans that are included with your submission. Alternatively, a complete list of all materials can be attached to this application form.

Title	Date	Author
Development Report	Feb. 3, 2020	G. H. Russell Planning and Development Services
Supplemental Letter	May 7, 2021	G. H. Russell Planning and Development Services
Environmental Impact Study	Dec. 20, 2019	Azimuth Environmental Consulting Inc.
NEC Development Permit	Feb. 26, 2021	Niagara Escarpment Commission

7.0 AGREEMENT OF THE OWNER AND AGENT

I/we, being the registered owners(s) of the subject lands, as identified herein, hereby agree that, notwithstanding that an applicant may make payments and deposits for the processing of this application on my behalf, I/we shall be **solely and fully responsible for paying all costs** the municipality may incur in the processing of this application. It is further agreed that such processing costs may also include fees for consultants or legal fees, Local Planning Tribunal costs, court costs or any other costs incurred by the municipality in processing this application. I/we further agree that such costs shall be paid promptly upon being invoiced by the Township, failing which, such costs, and interested and administration fees, may be collected by the Township by any lawful means, which may include recovering costs as taxes. I/we also acknowledge and agree that failure to pay all deposits and costs may result in processing delays or a refusal of this application.

In accordance with the provisions of the Planning Act, it is the policy of the Planning and Development Department to **provide public access** to all development applications and supporting documentation. In making or authorizing submission of this development application and supporting documentation, I/we, the owner hereby acknowledge the above-noted and provide my full consent in accordance with the provisions of applicable Provincial and Federal legislation that the information on this application and any and all supporting documentation provided by myself, the applicant, agents, consultants and solicitors, as well as commenting letters or reports issued by the municipality and other review agencies, will be part of the public record, may be published and distributed by the municipality in any form, and will also be fully available to the general public.

I/we acknowledge and agree that the approval to **make all information public** also constitutes a full release to the municipality of any copyright privileges and hereby undertake full responsibility for ensuring that such release is also obtained from my agents, consultants and solicitors.

I/we accordingly hereby **fully release the municipality**, and fully indemnify the municipality, from any responsibility or consequences arising from publishing or releasing the application and supporting and associated information as described above.

I/we acknowledge that the **posting of this sign** may be required to satisfy requirements of the Planning Act for public notification related to the processing of the application and I/we agree that it is the responsibility of the applicant to ensure the sign is securely posted on the subject lands so that it is visible and legible from a public highway at all times.

I/we further acknowledge that it is the responsibility of the applicant to provide the Township with a **dated photograph of the erected sign** and to remove the sign and return it to the Township upon completion of the notification period or at the written request of the Township. Whereas the Township has provided such signage for the applicant's convenience only, I/we indemnify the Township for any and all damages resulting from the posting of this sign.

I/we hereby authorize municipal staff and the municipality's agents to **enter the property** for the purposes of performing inspections, without further notice, related to the processing of this application and fully indemnify the municipality for any and all claims or damages arising or resulting from such access.

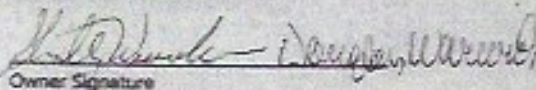
I/we hereby declare that I/we have read and understand the **Development Application Guideline** in its entirety.

I/we Shanthy Weerasekera and Douglas Warwick and Gord Russell

Registered Owner

Authorized Agent

hereby declare that I/we have read, understand, and agree with the entirety of the contents contained in Section 7.0 of this application.


Owner Signature

May 6, 2021

Date


Agent Signature

May 7, 2021

Date

8.0 AUTHORIZATION

AUTHORIZATION OF OWNER

I/we Shanthy Weerasekera and Douglas Warwick am/are the owner(s) of the subject lands, and

Registered Owner(s) Name

hereby authorize Gord Russell to act as agent and make this

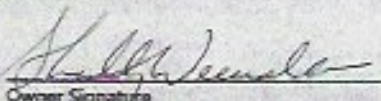
Agent Name

application on my/our behalf.

I/we Shanthy Weerasekera and Douglas Warwick hereby authorize and provide consent to

Registered Owner(s) Name

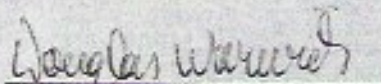
municipal and relevant external agency review staff and Committee of Adjustment members to enter upon the subject lands during regular business hours over the time that this application is under review by the Township of Clearview.



Owner Signature

May 10, 2021

Date



Owner Signature

Owner's corporate seal or statement of authority to bind

DECLARATION

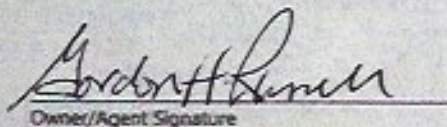
I, Gordon H. Russell have completed this application submission and do solemnly declare that all the statements contained in this application and all supporting documentation submitted with or subsequent to this application are true, and I make this declaration conscientiously believing it to be true, 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

County/Region of _____ on

this _____ day of _____, 20____



Owner/Agent Signature

Owner/Agent Signature

A Commissioner, etc.

Owner's corporate seal or statement of authority to bind