



**THE CORPORATION OF THE MUNICIPALITY OF WHITESTONE
DEEMING BY-LAW APPLICATION
APPLICATION INSTRUCTIONS**

1. Only the Owner or their Authorized Agents may make application to the Council for the passing of a deeming by-law.
2. Applicants are asked to submit the required deposit of \$750.00 - actual costs billed payable to the Municipality of Whitestone when filing the application.
3. Municipal Staff will assist you in the submission of your application. However, you are advised to consider whether any legal or other advice may be required as part of the application.
4. You will be notified, in writing, of the date that Council will meet to pass the by-law to process your application.
5. Any costs beyond the regular processing costs relating to this application, including but not limited to engineering studies, legal opinions, planning consultant fees, and Ontario Municipal Board hearing costs, will be the responsibility of the applicant.
6. Any questions regarding the application may be directed to the Municipality of Whitestone, Municipal Office at (705) 389-2466.

STEPS IN PROCESSING DEEMING BY-LAW APPLICATION

1. The Municipality adopts a by-law deeming the appropriate parts of the plan not to be a registered plan of subdivision.
2. A certified copy of the by-law is forwarded to the Ministry of Municipal Affairs and Housing.
3. A certified copy of the by-law is registered in the Registry Office, Parry Sound.
4. A copy of the by-law must be sent to each landowner whose lands are affected by the by-law.

5. Notice of the passing of the by-law must be posted in the general area of the affected land for 30 days.
6. Any property owner that gives notice to the Clerk of the Municipality that he or she desires to make representation before Council, that person shall be given a hearing before Council.
7. Any property owner who makes representation to Council within 30 days may appeal the decision to the Ontario Municipal Board.

APPLICATION FOR THE PASSING OF A DEEMING BY-LAW

The undersigned hereby applies to the Council for the Municipality of Whitestone under Section 50(4), R.S.O. 1990, cP.13, as amended of the Planning Act to pass a by-law designating any part of a Plan of Subdivision that has been registered for eight years or more to be deemed not to be a registered Plan of Subdivision for the purposes of Section 50(3) of the Planning Act.

1. Name of Owner: _____

Phone Number: _____

2. Address: _____

3. Name of Agent (if any): _____

4. Address: _____

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

5. Name and Address of any Mortgagers, holders of charges or other encumbrances:

6. Nature and Extent of relief applied for: _____

7. Legal description of subject land (registered plan number and lot number or other legal description and, where applicable, street and street number): _____

8. Dimensions of land affected:

Frontage: _____ Area: _____ Depth: _____ Width of Street: _____

9. Access to subject land is by:

Highway: _____ Municipal Rd: (year round): _____ Other Public Rd: _____

Municipal Rd: (seasonal): _____ Private Rd: _____ Water Access: _____

10. If access to the subject land is by private road, or if “other public road” or “right of way” was indicated in Section 10, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.

11. If access to the subject land is by water only, describe the parking and docking facilities used or to be used and approximate distance of these facilities from the subject land and the nearest public road.

The contents of the application and appendices shall be validated by the Applicant (or authorized agent) in the form of the following Affidavit/Sworn Declaration before a Commissioner or other person empowered to take Affidavits.

Dated at the _____ of _____ this ___ day of _____, 20 .
I, _____ of the _____ of _____ in the _____ solemnly declare that all the statements contained in the application are true and made under oath and by virtue of the Canada Evidence Act.
_____ Signature of Applicant or Authorized Agent
Declared before me at the _____ of _____ in the _____ of _____ this _____ day of _____, 20 .
Signature of Commissioner _____

Complete the consent of the owner concerning personal information set out below.

Consent of the Owner to the Use and Disclosure of Personal Information

I, _____, am 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 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.

Questions about this collection of personal information should be directed to the Municipal Clerk.

Date: _____ Signature of Owner: _____

If the applicant is not the owner of the land that is the subject of this application, the written consent of the owner, authorizing the applicant to make application must be included with this form or the authorizations set out below must be completed.

Authorization of Owner for Agent to Make the Application

I, _____, am the owner of the land that is the subject of this application for a Deeming By-Law and I authorize _____ to make this application on my behalf.

Date: _____ Signature of Owner: _____

Authorization of Owner for Agent to Provide Personal Information

I, _____, am the owner of the land this subject of this application for a Deeming By-Law and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize _____, as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

Date: _____ Signature of Owner: _____