

APPLICATION FOR ZONING BY-LAW AMENDMENT, TEMPORARY USE & REMOVAL OF HOLDING BY-LAWS



The Corporation of the Town of Whitby
575 Rossland Road East, Whitby Ontario, L1N 2M8
Telephone: 905.430.4306 ~ Facsimile: 905.668.7812

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 to amend the Town of Whitby Zoning By-law. In the application, "subject land(s)" means the land(s) that is the subject of this application. This application and any attached supporting documentation contains 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 Town of Whitby, Access and Policy Coordinator, 575 Rossland Road East, Whitby, Ontario, L1N 2M8 905.430.4315.

There are three Zoning By-laws for the Town of Whitby:

- By-law 2585, as amended, covering the lands in the former Town of Whitby.
- By-law 1784, as amended, covering the lands in the former Township of Whitby, excluding the Oak Ridges Moraine; and
- By-law 5581-05, as amended, covering the lands within the Oak Ridges Moraine.

The Zoning By-laws further stipulate in detail the restrictions and provisions applicable in the various zone categories. An application may require in excess of six months to process to enable Council to review and analyze the necessary studies related to the application and to obtain the necessary approvals. It is only after the necessary approval(s) is given that a particular application may proceed, following approval of an amending by-law.

Pre-consultation:

Pre-consultation prior to submission of an application is a vital part of processing an application. In accordance with the *Planning Act*, the Town has passed a "Pre-consultation By-law" (By-law 5967-07), requiring that an applicant contact the Planning and Development Department to arrange a mandatory pre-consultation meeting prior to submission of a Zoning By-law Amendment application. The Planning and Development Department will coordinate a pre-consultation meeting(s) with various Town departments and commenting agencies (e.g. CLOC, MTO, MOE, Durham Region) who may have policies, comments, or concerns relevant to the application. Through pre-consultation, an applicant can also be provided information regarding, among other matters, submission requirements due to Official Plan policies, Provincial Policy Statement, or Provincial Plans.

Applications will not be processed when pre-consultation has not occurred in accordance with By-law 5967-07.

Procedure for Processing Applications for Zoning By-law Amendments:

- 1) An application is made to the Town Council in the appropriate form attaching the required number of copies of Plans and other material as provided for in the application.
- 2) The application together with the appropriate fee is deposited with the Planning and Development Department and when presented to Council, it is forwarded to the Planning and Development Committee for report and recommendation.

- 3) The applicant is required to post a sign on the subject property advising the public of the application. The specifications and procedures for the posting of the sign are attached to the application form. The Planning and Development Department will provide the applicant with the required sign wording and location of the sign(s).
- 4) The applicant is advised of the time and date the application will be presented to the Planning and Development Committee for information and will be invited to attend in person to express his/her views about the application or to be represented by Counsel for this purpose, and also provide the Committee with an opportunity to question the applicant. At this meeting, all assessed persons including tenants within 120 metres (400 feet) will be invited to also express their views on the application in accordance with Sections 34(12), (13) and (14) of the *Planning Act*, 1990. They will also be afforded one additional week to submit their views in writing to the Planning and Development Department.
- 5) The applicant is advised of the time and date the application will come before the Planning and Development Committee for a recommendation to Council. At this meeting, the Committee will have before it any staff reports making a recommendation on the matter. The applicant will be invited to this meeting to express his/her views, as will any persons to whom the Committee may direct that notice be circulated.
- 6) When the Planning and Development Committee is satisfied that all matters have been considered, it may recommend to Council that the application be referred, reserved, refused, approved or approved subject to certain conditions.
- 7) Council may then act on the Planning and Development Committee's recommendation.
- 8) Where an application is refused by Council, the applicant has the right of appeal to the Local Planning Appeal Tribunal as provided by Section 34 of the *Planning Act*, 1990.
- 9) Where an application is approved by Council, Council will direct that the necessary amendments to the Zoning By-law be prepared.

Once the Amendment By-law is passed, notice of its passing is given within 15 days of the date of passing. If no notice of appeal is filed within 20 days after the day that notice was given as required by the *Planning Act*, it is deemed to have come into force on the date it was passed.
- 10) If any objections are received, the Amendment By-law, together with the objections will be forwarded to the Local Planning Appeal Tribunal (LPAT). The LPAT may appoint a date for the public hearing to consider the proposed amendment by-law and may at such hearing signify its approval or otherwise of the by-law. The Local Planning Appeal Tribunal issues a formal order detailing its decision. Such order is final and binding and is the effective authority for the zoning change or other amendment to become law.

Temporary Use By-Law:

Council may in a by-law passed under Section 34 of the Planning Act, 1990 authorize the temporary use of land, buildings or structures for any purpose set out in the by-law that is otherwise prohibited.

The processing of a temporary use by-law shall include steps 1 through 10 above, wherein subject to Council's approval, the area and prescribed period of time for which the authorization shall be in effect shall not exceed ten years from the day of passing the by-law for a garden suite or three years from the day of passing of a by-law in all other cases. Council may grant further periods of not more than three years each during which the temporary use is authorized. Where a zoning application is submitted to extend a temporary use by-law that is in full force and effect, steps 3 and 4 above may be deleted.

Holding By-Law:

Council may in a by-law passed under Section 34 of the Planning Act, 1990, use the holding symbol "H" in conjunction with any zone designation, specifically restricting the use of the lands, buildings or structures until such time in the future as the holding symbol is removed by amendment to the by-law.

The processing of a holding by-law shall include steps 1 through 10 as noted above. Council may consider an application for an amendment to the by-law to remove the holding symbol subject to all requirements being satisfied. To remove the

“H” symbol the posting of a sign and a public meeting is not required, steps 3 and 4. Where an application for amendment to remove the “H” symbol is refused by Council, only the applicant may appeal to the Local Planning Appeal Tribunal.

Submission of Application:

Policies contained in the Whitby Official Plan, Durham Regional Official Plan, Provincial Policy Statement, and/or Provincial Statutes or Plans may require the preparation and submission of additional technical information or reports that will assist the Town and others in their evaluation of the proposed amendment. The nature of the information and/or reports will vary with the type of land uses proposed and the existing land use and topographic features. Please refer to the text of the Whitby Official Plan for the complete policies in their proper context.

The prescribed information and materials, in accordance with the *Planning Act*, as amended, and Ontario Regulation 545/06, as amended, the required information and materials as identified in the Whitby Official Plan, as well as the necessary processing fees are required to be submitted with the application in order to deem it complete. When the prescribed and required information and materials, as well as the applicable application fee(s) have been received by the Town, the submission(s) will be reviewed in order to deem it complete.

If any of the prescribed or requested information and/or application fee(s) is not provided, the Town may return the application or refuse to further consider the request for approval until such information and/or fee(s) has been provided. Additional information may be required in order to assist upon review of the application, prior to deeming the application complete.

The above information will be circulated to public bodies or agencies that may have an interest in the application. All measurements are to be provided in metric units. Submission of this application constitutes tacit consent for authorized Town and Regional staff to inspect the subject lands or premises.

The completed application is to be submitted to:

**Town of Whitby Planning and Development Department
575 Rossland Road East
Whitby, Ontario L1N 2M8
(Telephone: 905.430.4306 ~ Fax: 905.668.7812)**

Fees:

All fees, as detailed in the application, must be submitted with the completed application.

Signs:

A sign or signs must be erected on the subject property to notify the public of the application. Sign guidelines are set out in the attached “Procedures and Requirements for Notification Signs” form. Planning and Development Department staff will provide the required wording and location of the sign(s). The form must be signed and accompany this application when submitted to the Town.

Assistance:

For information regarding completing the application form, please refer to the “Citizen’s Guide 3: Zoning By-laws” under Land Use Planning which is available on the Ministry of Municipal Affairs and Housing website: www.mah.gov.on.ca, or from Publications Ontario, 880 Bay Street, Toronto, Ontario, M7A 1N8. You may also call the Town of Whitby Planning and Development Department at 905.430.4306 for assistance prior to submission.



PRE-CONSULTATION BY-LAW

THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW NO. 5967-07

BEING A BY-LAW TO REQUIRE APPLICANTS TO CONSULT WITH THE TOWN OF WHITBY PRIOR TO SUBMISSION OF A DEVELOPMENT APPLICATION (PRE-CONSULTATION BY-LAW)

WHEREAS, sections 22(3.1), 34(10.0.1), 41(3.1), and 51 (16.1) of the Planning Act, R.S.O. 1991, c. P.13, as amended provides that a municipality may, by by-law, require applicants to consult with the municipality prior to submission of development applications;

AND WHEREAS, Council for the Corporation of the Town of Whitby deems it appropriate to require pre-consultation with applicants submitting development applications;

NOW THEREFORE, the Council of the Corporation of the Town of Whitby enacts as follows:

1. The Director of Planning and his or her designate(s) are authorized to:
 - (a) conduct pre-consultations; and,
 - (b) identify the information and materials necessary for processing each application,
 - (i.) prior to submission and acceptance of development applications, as items necessary for the application to be deemed complete under the Planning Act and Whitby Official Plan; and
 - (ii.) during the processing of development applications in cases where such information and materials cannot reasonably be provided at the time of submission of the application.
2. Applicants shall pre-consult with municipal staff prior to submission of a development application in order to identify the information and materials necessary to the processing of an application.

SHORT TITLE

3. This by-law may be referred to as the "Pre-Consultation By-law"

EFFECTIVE DATE

4. This by-law shall come into force and take effect upon the final passing thereof.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 17TH DAY OF SEPTEMBER, A.D., 2007.



Paul Jones, Clerk



Patricia Perkins, Mayor

APPLICATION FOR ZONING BY-LAW AMENDMENT, TEMPORARY USE & REMOVAL OF HOLDING BY-LAWS



The Corporation of the Town of Whitby
575 Rossland Road East, Whitby Ontario, L1N 2M8
Telephone: 905.430.4306 ~ Facsimile: 905.668.7812

SHADED AREAS FOR OFFICE USE ONLY		
File No.: Z – –	Date Entered in AMANDA:	Entered By (Initials):
By-law: <input type="checkbox"/> 1784 <input type="checkbox"/> 2585 <input type="checkbox"/> 5581-05		<input type="checkbox"/> Removal of 'H' – Holding
<input type="checkbox"/> With Official Plan Amendment	<input type="checkbox"/> With Plan of Subdivision/Condominium	<input type="checkbox"/> Temporary Use
<input type="checkbox"/> With Site Plan	<input type="checkbox"/> With Revised/Redlined Subdivision	<input type="checkbox"/> Extension of Temporary Use
Date Received:		

PART I – APPLICANT INFORMATION

1. Owner / Applicant / Agent:

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

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

** If there is more than one owner, attach a list of each owner. If the owner is a company, provide the name and address of company owner(s).

2. Primary Contact:

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

- Owner Applicant Agent / Solicitor

PART II – PROPERTY INFORMATION

3. Property Information:

3.1 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)	

3.2 Complete the following site statistics for the subject lands:

Subject Lands:	Lot Frontage (metres)	Lot Depth (metres)	Approximate Area (m ²)
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3.3 Indicate the location and site statistics of adjoining or nearby land in which the owner has an interest, if any:

Other Lands:	Lot Frontage (metres)	Lot Depth (metres)	Approximate Area (m ²)
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4. Easements / Encumbrances / Mortgages:

4.1 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:

4.2 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:

PART III – DETAILS OF APPLICATION

5. Official Plan Conformity:

5.1 What is the current Town of Whitby Official Plan designation, and if applicable, Secondary Plan designation of the subject land(s)?

5.2 Please provide an explanation of how the application conforms to the Official Plan:

5.3 Is the requested amendment consistent with the Provincial Policy Statement issued under Section 3 of the *Planning Act*?

Yes No

Explain:

5.4 Is the subject land(s) designated under any Provincial Plan(s) (e.g. Oak Ridges Moraine Conservation Plan, Greenbelt Plan, Growth Plan for Greater Golden Horseshoe)?

Yes No

If **Yes**, does the requested amendment conform to, or not conflict with, the Provincial Plan(s)?

Yes No

6. Zoning By-law:

6.1 By-law: What is the current zone category(s) of the subject land(s)?

1784 _____

2585 _____

5581-05 _____

6.2 What uses are permitted under the current zoning?

6.3 Is the subject land(s) within an area where zoning with conditions applies?

Yes No

If **Yes**, how does the application conform to the Official Plan policies relating to zoning with conditions?

6.4 What is the nature and extent of the requested Zoning Amendment?

6.5 Why is a Zoning By-law Amendment being requested?

7. Previous, Current & Proposed Land Uses/Buildings/Structures:

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

7.2 What is the existing use(s) of the subject land(s)?

7.3 Are there any existing buildings/structures on the subject land(s)?

Yes No

If **Yes**, please complete the following table (in metric units) for any existing buildings/structures:

Type of Building/ Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setback	Side Yard Setback	Ground Floor Area

7.4 What is the date of construction of any existing buildings/structures on the subject land(s)?

7.5 What is the length of time the existing uses have continued on the subject land(s)?

7.6 What is the date the subject land(s) was acquired by the current owner?

7.7 What is the proposed use(s) of the subject lands?

7.8 Are there any proposed buildings/structures on the subject land(s)?

Yes No

If **Yes**, please complete the following table (in metric units) for any *proposed* building(s)/structure(s):

Type of Building/ Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setback	Side Yard Setback	Ground Floor Area

8. Settlement Area:

Does the application propose to implement an alteration to the boundary of a settlement area or to implement a new settlement area?

Yes No

If **Yes**, please provide the details of the Official Plan or Official Plan Amendment that deals with the matter:

9. Area of Employment:

Does the application propose to remove land from an area of employment?

Yes No

If **Yes**, please provide the details of the Official Plan or Official Plan Amendment that deal with the matter:

10. Preliminary Concept Plan:

Has a preliminary conceptual development plan been prepared in support of the application?

Yes No

If **Yes**, is the plan attached?

Yes No

11. Other Applications:

11.1 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"/>
Whitby 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, the Other Applications Table **must** be completed.

11.2 If known, has the subject land(s) ever been subject of a **previous** application under the *Planning Act* for:

- (a) Plan of Subdivision/Consent (b) Zoning By-law Amendment (c) Minister's Zoning Order
- Yes No Yes No Yes No

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

11.3 Does the proposed use(s) require any approval(s) from other agencies/levels of government (i.e. Conservation Authority, Provincial Ministry, Federal Agency)?

- Yes No Uncertain

If **Yes**, please specify:

12. Servicing and Access:

The attached Proposed Servicing and Access Questionnaire regarding the proposed type of servicing and access for the subject land(s) **must** be completed and submitted with the completed application.

Is the attached Proposed Servicing and Access Questionnaire completed?

- Yes No

13. Agricultural Code of Practice (Minimum Distance Separation – MDS):

13.1 Is the subject land(s) within the urban area boundary as identified on Schedule 'A' – Land Use of the Town of Whitby Official Plan?

- Yes No

13.2 Are there one (1) or more livestock barns or manure storage facilities located within 500 metres (1,640 feet) of the boundary of the subject land(s)?

Yes No

If **Yes**, the attached Minimum Distance Separation Data Sheet **must** be completed and submitted with the completed application. Complete one data sheet for each livestock barn or manure storage facility.

Is the attached Minimum Distance Separation Data Sheet completed?

Yes No

14. Site Screening Questionnaire:

The attached Region of Durham Site Screening Questionnaire for identifying potentially contaminated sites must be completed and submitted with the completed application.

Is the attached Region of Durham Site Screening Questionnaire completed?

Yes No

15. Signs:

The attached Procedures and Requirements for Notification Signs form **must** be completed and submitted with the completed application.

Is the attached Procedures and Requirements for Notification Signs form completed?

Yes No

16. Other Information & Materials:

The Official Plan includes policies, and pre-consultation may identify, that additional information and materials may be required in support of the application. The application may not be deemed complete without the submission of the required information and materials (see attached Required Information and Materials table).

Are there any reports or additional information and materials in support of the application that may be useful to the Town or agencies in reviewing this application?

Yes No

If **Yes**, is the additional information attached?

Yes No

Please list the title(s), author(s) and date(s) of reports(s) or additional information and/or materials (if applicable):

17. Pre-consultation:

Did the owner / applicant consult with the Whitby Planning and Development Department prior to submission of the application?

Yes No

If **No**, please contact the Whitby Planning and Development Department to arrange a **mandatory pre-consultation meeting** in accordance with By-law 5967-07, prior to submission of this application.

18. Public Consultation Strategy

Is the owner/applicant proposing a public consultation strategy beyond the minimum requirements of the *Planning Act*?

Yes No

If **Yes**, please provide a description of your proposed public consultation strategy.

PART IV – SUBMISSION OF APPLICATION

19. Fees:

Select the type of application and submit applicable fee(s) with completed application:

Town of Whitby (Fees effective October 1, 2019; subject to change without prior notice)

- Zoning By-law Amendment (Complex)² - **\$25,618.85** (includes preparation of By-law)
- Zoning By-law Amendment (Simple) - **\$13,794.45** (includes preparation of By-law)
- Lifting of 'H' – Holding Symbol - **\$7,006.90** (includes preparation of By-law)
- Temporary Use - **\$12,612.63** (includes preparation of By-law)
- Temporary Use for Second Residence - **\$6,305.80** (includes preparation of By-law)
- Extension of a Temporary Use - **\$5,912.20** (includes preparation of By-law)
- Zoning By-law Amendment - Oak Ridges Moraine - **\$9,737.50** (includes preparation of By-law)

Notes:

² Complex Amendment – associated with an Official Plan Amendment, Plan of Subdivision Application, an application that requires the review of technical support documents or studies or any amendment deemed to be complex by the Commissioner of Planning and Development.

A fee for an “Annual Administrative Review” will be applied at a rate of **\$1,537.50 per year**, each year that the application has been approved by Council, but has not been secured by a By-law.

The above fees are non-refundable and payable by cash, debit card or cheque made payable to the **Treasurer of the Town of Whitby**.

Please submit the following additional fees with the application (if applicable):

Durham Region Planning Department (Fees effective July 1, 2018; subject to change without prior notice)

- A non-refundable processing fee of **\$1,500.00 for a Standard Review Fee; \$500.00 for a Minor Review Fee** paid by separate **certified cheque** made payable to the **Regional Municipality of Durham** for the evaluation of zoning by-law applications and zoning by-laws that are not related to any other applications requiring Regional review.

Durham Region Health Department (Fees effective April 1, 2020 subject to change without prior notice)

- If applicable, a Preliminary Analysis fee of **\$270.00**, paid by separate cheque made payable to the **Durham Region Health Department**, when the application is circulated for their review and comments.

Central Lake Ontario Conservation (Fees effective January 1, 2020; subject to change without prior notice)

- A Preliminary Analysis fee of **\$1,940.00** paid by separate cheque made payable to the **Central Lake Ontario Conservation** (where the property is located within lands subject to Ontario Regulation 42/06). Applications requiring a significant amount of technical review will be charged the Technical Review Fee of **\$3,125.00**. Consolidated applications will be subject to only the higher application fees, not the aggregate.

20. Forms, Information and Materials:

- One (1) original completed application form, including the prescribed information in accordance with the *Planning Act*, as amended, and Ontario Regulation 545/06, as amended, any additional information and materials as required by the Whitby Official Plan
- Two (2) copies of the completed application form
- One (1) digital version of the plan(s) in .dwg format (correctly geo-referenced in North American Datum 1983 (NAD83) Zone 17 North Projection and using UTM grid bearing reference)
- Two (2) copies of a survey or conceptual development plan, if applicable, **folded** to 8½" X 11" (letter size), illustrating the boundaries and dimension of the subject land, and the following information:
 - a) The location, municipal address, size and type of all existing and proposed buildings/structures and all yard setback distances including the lot area and full dimensions of the lands
 - b) The approximate location of all natural and artificial features on the subject land (buildings, railways, roads, above ground services [hydrants, hydro poles], watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) and that which is adjacent to the subject land which may affect the application
 - c) The current uses on the land adjacent to the subject land
 - d) The location, width and name of any roads within or abutting the subject land, and indicate whether it is an unopened road allowance, public travelled road, a private road or a right of way
 - e) The location and nature of any easement affecting the subject land
- Seven (7) copies of all supporting technical and background information and materials, and five (5) digital copies of all reports, as required upon completion of the relevant sections of the application form and attached questionnaire(s)
- Owner's authorization, if applicable
- Completed and signed Other Applications Table
- Completed and signed Proposed Servicing and Access Questionnaire
- Completed and signed Minimum Distance Separation Data Sheet (if applicable)
- Completed and signed Site Screening Questionnaire
- Completed and signed Other Information and Materials form
- Completed and signed Procedures and Requirements for Notification Signs form
- Digital copies of plan(s), information and materials.

21. Applicant's Acknowledgements:

The Applicant hereby acknowledges:

- that this application and the attached supporting documentation, information and materials, if any, contains 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 pursuant to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*;
- that personal information on this application is collected under the authority of the *Municipal Act*, as amended, the *Planning Act*, as amended, and Ontario Regulation 545/06, and will be used for the purpose of processing the application and to determine compliance with the policies and by-laws of the Town of Whitby;
- that conceptual development plans and/or drawings submitted with this application are not reviewed for compliance with the Ontario Building Code (O.B.C.) and/or related regulations;
- that submission of this application constitutes tacit consent for authorized Town staff representative(s) to inspect the subject lands or premises, and to carry out any inspections, tests and investigations as may be required;
- that all vegetation on the subject land(s) must be maintained and no filling, grading or excavating is permitted on the subject land(s) during the processing of this application;
- that additional approvals from the Town and/or other agencies (e.g. building permit, site plan approval, CLOC permit) may be required;
- that additional fees and/or charges (e.g. building permit fees, parkland dedication fees, development charges) associated with any development approved in conjunction with this application may be required;
- that the applicant will be required to pay reasonable legal fees of the Town for the preparation and registration of agreements when such agreements are required;
- that additional costs for the processing of the application may be charged where studies, reports, information and/or materials in support of the application must be reviewed by persons not employed by the Town but retained for that purpose due to an expertise in the area of the study (e.g. traffic, marketing, environmental, noise, servicing);

- that a fee for the “Annual Administrative Review” will be applied at a rate of \$1,050.63 per year, each year that the application has been approved by Council, but has not been secured by a By-law;
- that additional information and/or materials may be required, and therefore, the application may not be deemed complete, nor processed unless the additional information and/or materials are submitted; and

Questions about the collection and inspection of this information should be directed to: **Commissioner of Planning, Town of Whitby, 575 Rossland Road East, Whitby, Ontario, L1N 2M8, Telephone: 905.430.4306.**

22. Owner’s Authorization:

If the applicant is not the owner of the land that is the subject of this application, then written authorization by the owner, authorizing the applicant to prepare and submit the application must be attached, or the owner must complete the authorization set out below.

Is written authorization attached?

Yes No

If **No**, then the following Owner’s Authorization for the Agent to prepare and submit the Application **must** be completed:

I, _____, am the owner of the land that is the subject of this application and
(Please print)

I authorize _____ to prepare and submit this application on my behalf.
(Please print)

Signature of Owner

Date

23. Declaration:

I, _____, of the _____,
(Please print) (e.g. Town of Whitby)
in the _____, make oath and say (or solemnly
(e.g. Region of Durham)
declare) that the information contained in this application is true and that the information contained in the documents that accompany this application in respect of the Sections above is true.

Sworn (or declared) before me at the _____, in the
(e.g. Town of Whitby)
_____, this _____ day of _____, in the year _____.
(e.g. Region of Durham)

Applicant

Commissioner of Oaths

Applications will not be processed where application forms and/or fees are incomplete and when pre-consultation has not occurred in accordance with By-law 5967-07.

OTHER APPLICATIONS



If there are other applications for the subject lands, the table below **must** be completed and submitted with the completed application form.

Subject Land(s)						
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)						

Prepared By:

Name: _____ Signature: _____
 (Please Print)

Date: _____

PROPOSED SERVICING AND ACCESS QUESTIONNAIRE



This form must be completed and submitted with the attached development application. Please refer to the table on the next page when completing the following questions. Please check the corresponding letter for the proposed type of servicing and access:

1. What is the proposed type of sewage disposal system:
- A. Municipal piped sewage system
 - B. Municipal or private communal septic system
 - C. Individual septic systems
 - D. Privy
 - E. Other (please specify) _____

Is the required information / report attached? Yes No Not Applicable

2. What is the proposed type of water supply system:
- A. Municipal piped water system
 - B. Municipal or private communal wells
 - C. Individual wells
 - D. Communal surface water
 - E. Individual surface water
 - F. Lake
 - G. Other (please specify) _____

Is the required information / report attached? Yes No Not Applicable

3. What is the proposed type of storm drainage system:
- A. Sewers
 - B. Ditches or swales
 - C. Other (please specify) _____

Is the required information / report attached? Yes No Not Applicable

4. What is the proposed type of road access:
- A. Provincial Highway
 - B. Municipal road maintained all year
 - C. Municipal road maintained seasonally
 - D. Right-of-way
 - E. Water

Is the required information / report attached? Yes No Not Applicable

5. Does the requested amendment propose development on a privately owned and operated individual or communal septic system and would more than 4500 litres of effluent be produced per day as a result of the development being completed?
- Yes No

If **Yes**, a servicing options report and a hydrogeological report are required.

The information above was prepared by:

Name: _____
(Please Print)

Signature: _____

Date: _____

Proposed Servicing and Access Information Requirements	
1. Sewage Disposal	Action or Required Information / Reports
A. Municipal piped sewage system	None at this time. Durham Region will determine if sewage plant capacity is available.
B. Municipal or private communal septic system	More than 4500 litres of effluent produced per day: a servicing options statement ¹ , a hydrogeological report ² .
C. Individual septic systems	For more than 5 lots/units: a servicing options statement ¹ and a hydrogeological report ² . For up to 5 lots/units each generating less than 4500 litres per day effluent: a hydrogeological report ² .
D. Other	Please Describe
2. Water Supply	Action or Required Information / Reports
A. Municipal piped water system	None at this time. Durham Region will determine if water treatment plant capacity is available.
B. Municipal or private communal wells	For more than 5 lots/units: a servicing options statement ² , a hydrogeological report ² and an indication whether a public body is willing to own and operate the system ³ . For non-residential development where water will be used for human consumption: a hydrogeological report².
C. Individual wells	For the development of more than 5 lots/units: a servicing options statement ¹ and a hydrogeological report ² .
D. Communal surface water	A " water taking permit " under Section 34 of the Ontario Water Resources Act.
E. Individual surface water	MNR clearance should accompany the servicing options report submitted to MOEE.
F. Other	Please Describe:
3. Storm Drainage	Action or Required Information / Reports
A. Sewers	A preliminary stormwater management report is recommended, and should be prepared concurrent with any hydrogeological reports for submission with the application. A storm water management plan will be needed prior to final approval of a plan of subdivision or a site plan.
B. Ditches or swales	
C. Other	
4. Access	Action or Required Information / Reports
A. Provincial Highway	Application to MTO for an access permit should be made at the time of submission of this application as an access permit is required prior to development.
B. Municipal road maintained all year	None at this time. The Town will indicate acceptance of road alignment and access when the application is reviewed.
C. Municipal road maintained seasonally	Development is not usually permitted on seasonally maintained roads.
D. Right-of-way	Access by right-of-way on a private road is not usually permitted, except as part of a condominium.
E. Water Access	Information on the capacity of the proposed docking facility to accommodate the proposed development and the approximate distance of the facilities from the subject land and the nearest public road will assist the review.

1 Written confirmation that the Ministry of Environment and Energy (MOEE) and the Region concur with the servicing options statement will facilitate the review of the application.

2 All development on individual or communal septic tanks requires a hydrogeological report. Before undertaking such a report, consult MOEE and the Region's Health Department about the type of hydrogeological assessment that is expected based on the nature and location of the proposal.

3 Where communal services are proposed (water and/or sewage), it is Provincial policy that the Region must own these services, unless otherwise permitted by MOEE. Current Regional policy does not provide for the Region to own communal services.



MINIMUM DISTANCE SEPARATION (MDS) DATA SHEET

This form must be completed and submitted with a development application when applying for a new non-farm use within 500 metres (1,640 feet) of an existing livestock facility. Complete one (1) sheet for each different set of buildings used for housing livestock.

What is the closest distance from livestock facility to the property boundary of the subject lands? _____ metres

What is the closest distance from manure storage to the property boundary of the subject lands? _____ metres

How many tillable hectares where a livestock facility is located? _____ hectares

Type of Livestock		Existing Housing Capacity #	Manure System (Place an "X" in one box only)			
			Covered Tank	Open Solid Storage	Open Liquid Tank	Earthen Manure Storage
Dairy	<input type="checkbox"/> Milking cows Heifers					
Beef	<input type="checkbox"/> Cows (Barn Confinement)					
	<input type="checkbox"/> Cows (Barn with Yard)					
	<input type="checkbox"/> Feeders (Barn Confinement)					
	<input type="checkbox"/> Feeders (Barn with Yard)					
Swine	<input type="checkbox"/> Sows					
	<input type="checkbox"/> Weaners					
	<input type="checkbox"/> Feeder Hogs					
Poultry	<input type="checkbox"/> Chicken Broiler/Roasters					
	<input type="checkbox"/> Caged Layers Chicken					
	<input type="checkbox"/> Breeder Layers Pullets					
	<input type="checkbox"/> Meat Turkeys (>10 kg)					
	<input type="checkbox"/> Meat Turkeys (5-10 kg)					
	<input type="checkbox"/> Meat Turkeys (<5 kg)					
	<input type="checkbox"/> Turkey Breeder Layers					
Horses	<input type="checkbox"/> Horses					
Sheep	<input type="checkbox"/> Adult Sheep					
	<input type="checkbox"/> Feeder Lambs					
Mink	<input type="checkbox"/> Adults					
Veal	<input type="checkbox"/> White Veal Calves					
Goats	<input type="checkbox"/> Adult Goats					
	<input type="checkbox"/> Feeder Goats					
Other						

Owner of Livestock Facility: _____ Telephone: _____ Fax: _____
(Please Print)

Applicant's Signature: _____ Date: _____

SHADED AREAS FOR OFFICE USE ONLY	
Minimum Distance Separation: _____ metres	Does the Application Comply with MDS Requirements? Yes <input type="checkbox"/> No <input type="checkbox"/>
Prepared by: _____	Date: _____

REQUIRED INFORMATION AND MATERIALS



The table below **must** be completed and submitted with the completed application form.

In addition to the information contained in an application form, the table below identifies additional information and/or reports that may be required as identified in the Town of Whitby Official Plan. Applicants should also review the Durham Region Official Plan, Provincial Statutes and the *Provincial Policy Statement*. The submission of supporting documentation will assist in the evaluation of an application.

Required Information and Materials	Does Any Official Plan Policy Apply?		Is the Required Information and Materials Attached?	
	Yes *	No	Yes	No
Planning Considerations:				
Planning Rationale Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Settlement Capacity Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social Impact Assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engineering Considerations:				
Functional Servicing Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Servicing Options Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Grading and Drainage Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stormwater Management Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hydrogeology Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Well Impact Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Soils and Slope Stability Report(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Noise Study (including but not limited to vehicular and stationary noise)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vibration Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Construction Management Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Considerations:				
Environmental Impact Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Phase 1 Environmental Site Assessment Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Phase 2 Environmental Site Assessment Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Record of Site Condition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Natural Heritage Evaluation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hydrological Evaluation / Hydrogeological Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contaminant Management Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Natural Hazard Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coastal Engineering Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Watershed Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Subwatershed Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tree Inventory and Preservation Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contour information incl. Conservation Authority regulatory lines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Refuse/Recyclable Storage and Pick-up Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Edge Management Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air Quality Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mineral Aggregate Extraction Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural Considerations:				
Agricultural Assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conformity with Minimum Distance Separation Formula	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Required Information and Materials	Does Any Official Plan Policy Apply?		Is the Required Information and Materials Attached?	
	Yes *	No	Yes	No
Transportation Considerations:				
Traffic Impact Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transit Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
On-site Traffic Management Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parking Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parking Management Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Haul Route Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial Considerations:				
Retail Market Impact Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retail Market Capacity Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial Impact Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Financial Impact Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Housing Market Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rental Housing Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heritage/Cultural Considerations:				
Heritage Impact Assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cultural Heritage Assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Archaeological Assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any requirements of a Heritage Conservation Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Design Considerations:				
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Landscape Plans/Analysis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Open Space and Parks Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Urban Design Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Exterior Building Colour Sample Board	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sun/Shadow Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wind Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lighting Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Signage Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any requirements of a Heritage Conservation Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pedestrian accessibility/walkability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Regard for accessibility for persons with disabilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Migratory Bird Impact Study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:				
Any other study in support of the application(s) (please specify: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* If **Yes**, the supporting information and materials **must** be attached. Please list the title, author and date of all reports:

The information above was prepared by:

Name: _____ Signature: _____
(Please Print)

Date: _____

PROCEDURES AND REQUIREMENTS FOR NOTIFICATION SIGNS



This form **must** be completed, signed by the owner or authorized agent and submitted to the Planning and Development Department with the required planning application(s).

Requirements:

In conjunction with applications for approval of Plans of Subdivision, Zoning By-law amendments or Whitby Official Plan amendments, the applicant shall erect a non-illuminated sign(s) on the subject property at his/her cost. The sign(s) shall be professionally prepared and erected twenty days prior to the Public Information Meeting and shall be removed within seven days of the approval, denial or closing of the file(s) by Whitby Town Council, or withdrawal of the application(s). Where more than one application requiring a sign is made for the same site, one sign may be erected giving notice of all applications unless otherwise instructed by the Planning and Development Department.

Sign Specifications:

- a) **Size:** 1.2 metres (4 feet) wide; 1.5 metres (5 feet) high; 0.62 metres (2 feet) ground clearance.
- b) **Acceptable Materials:** 12.5 mm (½ inch) exterior grade plywood panel, two (2) 89 mm X 89 mm (4 inch X 4 inch) wood Materials posts or steel posts installed a minimum of 1.2 metres (4 feet) below grade.
- c) **Paint:** Sign panels and all wooden structural members shall be painted on all sides and edges with two coats of exterior type matte finish alkyd paint over a suitable primer. Lettering is to be black inscribed on a white background.
- d) **Lettering:** The sign shall be professionally lettered or silk-screened using Helvetica medium typeface sizes: 38 mm, 100 mm, and 38 mm as shown on the attached sketch, in sentence case except for the word NOTICE.
- e) **Wording:** The sign shall contain the wording provided by the Planning and Development Department and shall be in the format outlined above and as shown on the attached sketch.
- f) **Location:**
 - For interior lots having frontage on one street, the required sign shall be located approximately midway between the side lot lines at a minimum setback of 1 metre (3 feet) from the street line(s) and a maximum setback of 2 metres (6 feet) from the street line(s).
 - For lots with street line(s) that abut two streets (i.e. corner lots, through lots), a separate sign shall be required facing each street, located approximately midway between the opposing lot lines at a minimum setback of 1 metre (3 feet) from the street line(s) and a maximum setback of 2 metres (6 feet) from the street line(s).
 - The sign(s) must not be located within a 9 metre (30 foot) corner site triangle.
- g) **Maintenance:** With the signing of this form, the applicant agrees that the sign will be maintained both in structure and paintwork to the satisfaction of the Town.

Exemptions / Deviations:

Exemptions and/or deviations from the requirements of these procedures and specifications shall be at the discretion of the Commissioner of Planning.

The undersigned hereby agrees to construct and maintain the proposed sign(s) in accordance with the specifications contained herein to the satisfaction of the Town. The undersigned further agrees to remove the sign(s) within seven (7) days of the approval, denial or closing of the file(s) by Whitby Town Council, or the withdrawal of the planning application(s).

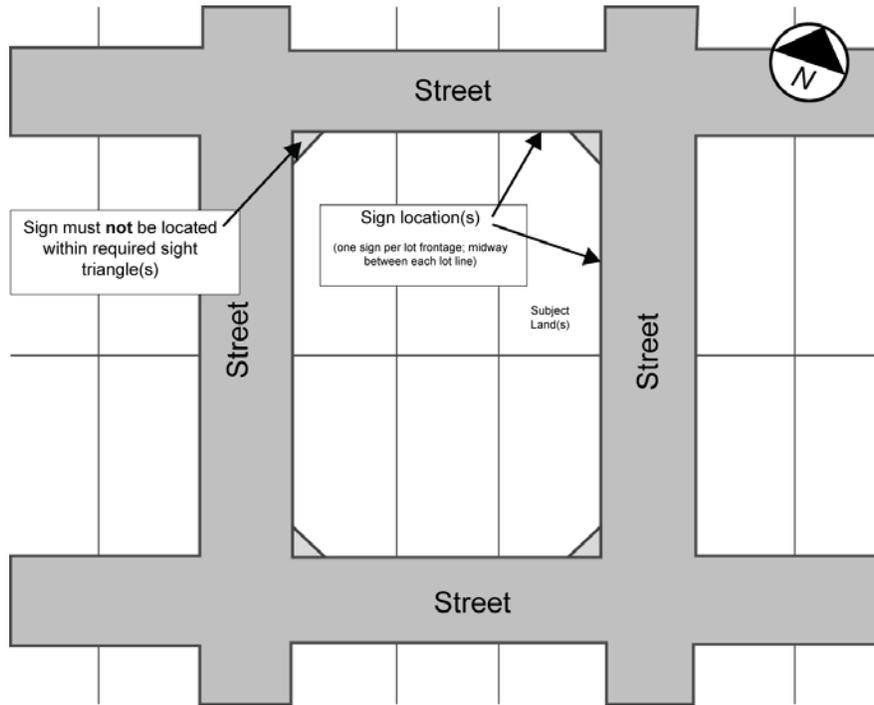
Owner Applicant / Primary Consultant Agent / Solicitor

Name: _____ Signature: _____
(Please Print)

Date: _____

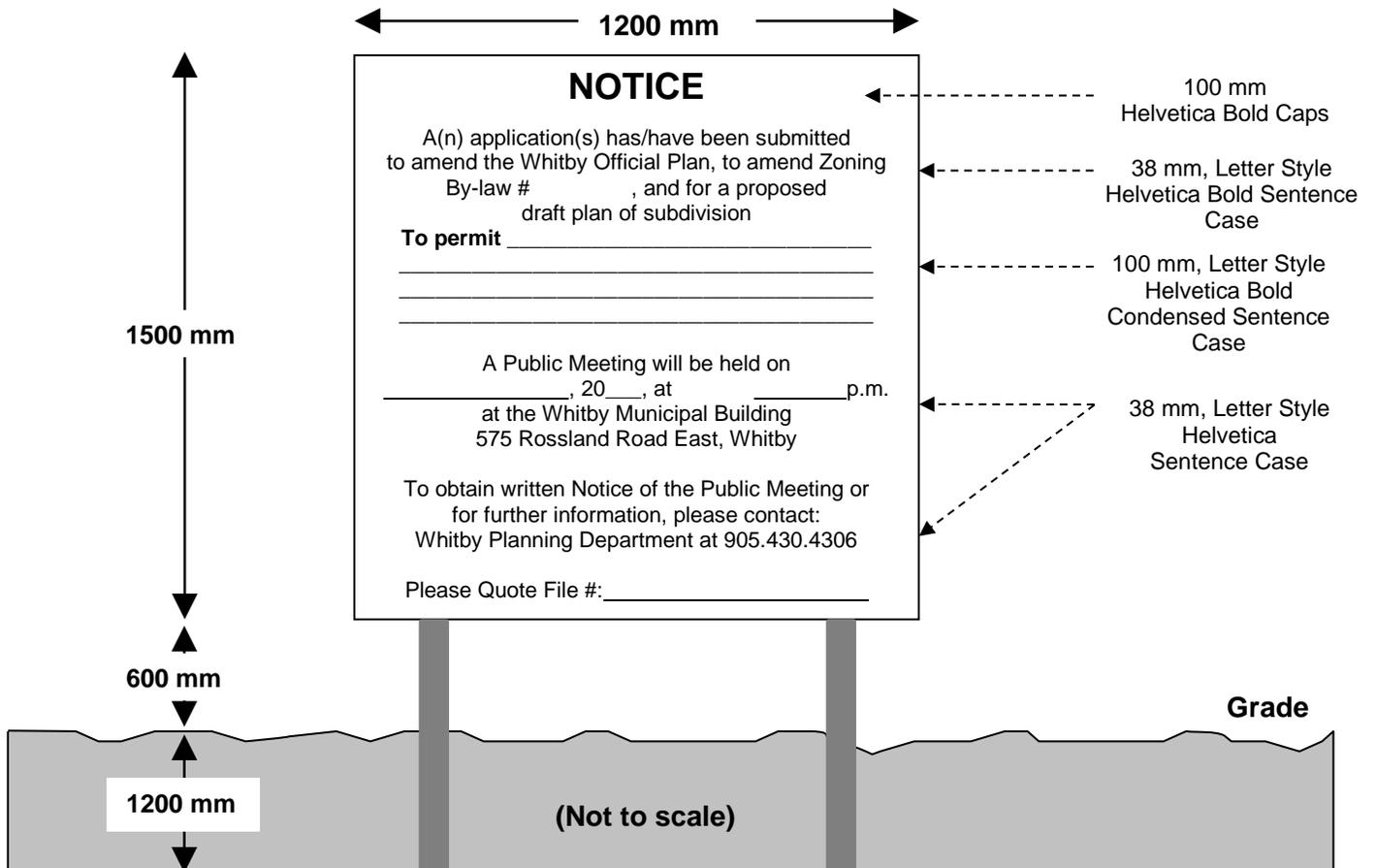
Sign Location:

The sign location(s) are shown below.



Sign Dimensions and Content:

The appropriate sign wording will be provided by the Planning and Development Department and a copy of this form will be returned to the owner; applicant/primary consultant; or agent/solicitor.





**SITE SCREENING QUESTIONNAIRE FOR IDENTIFYING
POTENTIALLY CONTAMINATED DEVELOPMENT SITES IN
DURHAM REGION**

This form must be completed for all development applications and/or non-potable groundwater standard requests where a Phase One Environmental Site Assessment prepared in accordance with Ontario Regulation 153/04, as amended, is not being submitted to the approval authority. If you have any questions about the completion of this questionnaire, please contact the Region’s Planning and Economic Development Department at 905-668-7711 or Toll Free 1-800-372-1102.

Landowner Name: _____

Municipal Address (Street No. and Name): _____

Location of Subject Lands: _____

Lot(s): _____ Concession: _____ Registered Plan No.: _____

Former Township: _____ Municipality: _____

Related Planning Application(s) and File Number(s): _____

- a. What is the current use of the property? Circle appropriate use(s): industrial, commercial, community use, residential, institutional, parkland or agricultural. **Note: daycare uses are defined as institutional.** See Ontario Regulation 153/04, as amended, for definitions.

Does the 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 _____ Uncertain _____

b. Is the application on lands or adjacent to lands that are currently or were previously used for the following:

i. Industrial uses?

Yes _____ No _____ Uncertain _____

If yes, please describe approximate dates and types of industry.

ii. Commercial uses where there is a potential for site contamination, i.e. an automotive repair garage, a bulk liquid dispensing facility including a gasoline outlet, chemical warehousing or for the operation of dry cleaning equipment etc.?

Yes _____ No _____ Uncertain _____

If yes, please describe approximate dates and types of commercial activities.

c. Has the grading of the subject land been changed by adding earth or materials and/or has filling occurred on the subject lands?

Yes _____ No _____ Uncertain _____

d. 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 _____ Uncertain _____

e. 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 _____ Uncertain _____

f. Have the subject lands or adjacent lands ever been used as a weapons firing range?

Yes _____ No _____ Uncertain _____

g. Are the subject lands on or adjacent to lands identified as a wellhead protection zone or an area of natural significance?

Yes _____ No _____ Uncertain _____

If yes, please provide details.

h. 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 _____ Uncertain _____

i. If there are existing or previously existing buildings, are there any building materials remaining on the site which are potentially hazardous to human health (i.e. asbestos, PCBs, etc.)?

Yes _____ No _____ Uncertain _____

j. Have any of the buildings on the property been heated by fuel oil?

Yes _____ No _____ Uncertain _____

k. Are there or have there ever been above ground or underground storage tanks on the property?

Yes _____ No _____ Uncertain _____

l. Has waste (garbage, solid wastes, liquid wastes) ever been placed on this property? Yes _____ No _____ Uncertain _____

If yes, when? _____

Please provide a description of waste materials:

m. 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 _____ Uncertain _____

If yes, please summarize details:

n. Does the subject property support or has it ever supported one or more of the potentially contaminating activities set out in Table 2 of Schedule D of Ontario Regulation 153/04, as amended (see attachment)?

Yes _____ No _____ Uncertain _____

If yes, provide details

- o. 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 _____ Uncertain _____

If yes, please provide details:

If the answer to any of Questions a) through o) was Yes, a Phase One and/or a Phase Two Environmental Site Assessment (ESA) which satisfies the requirements of Ontario Regulation 153/04, as amended, is required. Please submit two hard copies and a digital copy of the ESA documents/reports together with a letter granting the Region third party reliance on these documents and a completed Regional “proof of insurance” form.

- p. Has a Record of Site Condition (RSC) or a Risk Assessment (RA) been accepted by the Ministry of the Environment (MOE) or a Certificate of Property Use been issued by MOE for this site?

Yes _____ No _____

If yes, please submit two hard copies and a digital copy of the risk assessment, any related certificates of property use and the MOE RSC acknowledgement letter with the application.

- q. Is it the owner/applicant’s intention to submit a Record of Site Condition (RSC) or Risk Assessment (RA) to MOE for approval?

Yes _____ No _____ Uncertain _____

Declarations:

If the answer to any of the Questions a) through Question q) was Yes, this SSQ form must be completed and signed by both a Qualified Person and by the property Owner(s)/applicant(s). The QP sign-off is not required for: land division applications for lease, mortgage, title correction, re-establishment of lot lines (where title inadvertently merged) or a minor lot line adjustment, **or for a minor variance, a minor rezoning (e.g. to add a new non-sensitive land use), and/or a part lot control application where site contamination was recently addressed by a related planning application.**

To the best of my knowledge, the information provided in this questionnaire is true, and I do not have any reason to believe that the subject site contains contaminants at a level that would interfere with the proposed property use. I am a qualified person with the required liability insurance in accordance with section 3.1.6 of the Region of Durham Site Contamination Protocol.

Qualified Person:

Name (Please Print) _____

Signature: _____

Name of Firm: _____

Address: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Date: _____

Property Owner, or Authorized Officer:

Name (Please Print): _____

Signature: _____

Name of Company (if Applicable): _____

Title of Authorized Officer: _____

Address: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Date: _____

EXTRACT from ONTARIO REGULATION 153/04, as amendedRECORDS OF SITE CONDITION – PART XV.1 OF THE ACT

TABLE 2

POTENTIALLY CONTAMINATING ACTIVITIES

Item	Column A
	Potentially Contaminating Activity
1.	Acid and Alkali Manufacturing, Processing and Bulk Storage
2.	Adhesives and Resins Manufacturing, Processing and Bulk Storage
3.	Airstrips and Hangars Operation
4.	Antifreeze and De-icing Manufacturing and Bulk Storage
5.	Asphalt and Bitumen Manufacturing
6.	Battery Manufacturing, Recycling and Bulk Storage
7.	Boat Manufacturing
8.	Chemical Manufacturing, Processing and Bulk Storage
9.	Coal Gasification
10.	Commercial Auto body Shops
11.	Commercial Trucking and Container Terminals
12.	Concrete, Cement and Lime Manufacturing
13.	Cosmetics Manufacturing, Processing and Bulk Storage
14.	Crude Oil Refining, Processing and Bulk Storage
15.	Discharge of Brine related to oil and gas production
16.	Drum and Barrel and Tank Reconditioning and Recycling
17.	Dye Manufacturing, Processing and Bulk Storage
18.	Electricity Generation, Transformation and Power Stations
19.	Electronic and Computer Equipment Manufacturing
20.	Explosives and Ammunition Manufacturing, Production and Bulk Storage
21.	Explosives and Firing Range
22.	Fertilizer Manufacturing, Processing and Bulk Storage
23.	Fire Retardant Manufacturing, Processing and Bulk Storage
24.	Fire Training
25.	Flocculants Manufacturing, Processing and Bulk Storage
26.	Foam and Expanded Foam Manufacturing and Processing
27.	Garages and Maintenance and Repair of Railcars, Marine Vehicles and Aviation Vehicles
28.	Gasoline and Associated Products Storage in Fixed Tanks
29.	Glass Manufacturing
30.	Importation of Fill Material of Unknown Quality

31.	Ink Manufacturing, Processing and Bulk Storage
32.	Iron and Steel Manufacturing and Processing
33.	Metal Treatment, Coating, Plating and Finishing
34.	Metal Fabrication
35.	Mining, Smelting and Refining; Ore Processing; Tailings Storage
36.	Oil Production
37.	Operation of Dry Cleaning Equipment (where chemicals are used)
38.	Ordnance Use
39.	Paints Manufacturing, Processing and Bulk Storage
40.	Pesticides (including Herbicides, Fungicides and Anti-Fouling Agents) Manufacturing, Processing, Bulk Storage and Large-Scale Applications
41.	Petroleum-derived Gas Refining, Manufacturing, Processing and Bulk Storage
42.	Pharmaceutical Manufacturing and Processing
43.	Plastics (including Fibreglass) Manufacturing and Processing
44.	Port Activities, including Operation and Maintenance of Wharves and Docks
45.	Pulp, Paper and Paperboard Manufacturing and Processing
46.	Rail Yards, Tracks and Spurs
47.	Rubber Manufacturing and Processing
48.	Salt Manufacturing, Processing and Bulk Storage
49.	Salvage Yard, including automobile wrecking
50.	Soap and Detergent Manufacturing, Processing and Bulk Storage
51.	Solvent Manufacturing, Processing and Bulk Storage
52.	Storage, maintenance, fuelling and repair of equipment, vehicles, and material used to maintain transportation systems.
53.	Tannery
54.	Textile Manufacturing and Processing
55.	Transformer Manufacturing, Processing and Use
56.	Treatment of Sewage equal to or greater than 10,000 litres per day
57.	Vehicles and Associated Parts Manufacturing
58.	Waste Disposal and Waste Management, including thermal treatment, landfilling and transfer of waste, other than use of bio soils as soil conditioners
59.	Wood Treating and Preservative Facility and Bulk Storage of Treated and Preserved Wood Products

RELIANCE LETTER (to be presented on ABC letterhead)

At the request of [Property Owner or Developer's Name] and for other good and valuable consideration, [ABC Engineering Ltd.] represents and warrants to the Regional Municipality of Durham ("Region") that the work completed in the environmental reports identified herein is RSC Compliant and was completed by or under the supervision of a Qualified Person within the meaning of the Environmental Protection Act and Brownfield Regulation 153/04, as amended.

[ABC Engineering Ltd.] agrees that the Region and its Peer Reviewers may rely upon the reports listed herein for the exclusive purpose of the development application referenced by the Region as [File No. xxx], including the representations, assumptions, findings, and recommendations contained in the reports:

Phase I ESA, date, report type, author (QP), company (mandatory)

Phase II ESA, date, report type, author (QP), company (mandatory)

Other Environmental Site Assessment Documentation, RSC, PSF, RA, CPU, (if applicable)

[ABC Engineering Ltd.] further agrees that in the case of any inconsistency between this Reliance Letter and any limitations set out in the aforementioned reports, this letter shall take priority.

[ABC Engineering Ltd.] understands and agrees that it is appropriate to extend reliance to the Region in relation to the reports listed herein so as to assist the Region in its assessment of the environmental suitability of [Property Owner or Developer's name] application for development and/or request to use non potable groundwater standards.

[ABC Engineering Ltd.] further agrees that it will promptly notify the Region upon receipt of notice by the Ministry of the Environment that the Ministry intends to audit any of the reports listed herein and if so, to provide the Region with written confirmation of the results of the audit including that any Record of Site Condition or Risk Assessment was approved by the Ministry of the Environment under Brownfield Regulation 153/04, as amended.

[ABC Engineering Ltd.] further agrees that it will provide the Region with a written acknowledgement from the Ministry of the Environment that any of the reports submitted by [ABC Engineering Ltd.] to the Ministry of the Environment will not be the subject of a Ministry of the Environment audit.

[ABC Engineering Ltd.] represents and warrants that it complies with all applicable insurance provisions contained within O. Reg. 153/04, as amended.

[ABC Engineering Ltd.] shall provide the Region with proof of insurance and maintain Professional Liability Insurance coverage of \$2,000,000 per claim and \$4 million aggregate.

[ABC Engineering Ltd.] agrees that it shall be responsible to indemnify and save the Region harmless from any and all claims, demands, causes of action, costs, including defending against any legal proceedings or other damages howsoever arising from the Region's direct or indirect reliance upon the representations, findings, assumptions and conclusions contained in the reports prepared by [ABC Engineering Ltd.] for the purpose of evaluating the aforementioned development application, listed herein save and except any damages, claims, demands, actions or causes or action arising out of or as a result of the negligent actions of the Region, its agents or employees.

Signed by Qualified Person: _____ Date: _____

Signed by person authorized to bind Consulting Firm: _____

Date: _____

Signed by Property Owner or Authorized Officer: _____

Name (please print) Signature: _____

Name of Company (if applicable): _____

Title of Authorized Officer: _____

Address: _____

Telephone: _____ Fax: _____

Date: _____

Note: Edits to this document are only permitted in areas underlined and marked in **italics i.e.:** [ABC Engineering Ltd.]



THE REGIONAL MUNICIPALITY DURHAM

CERTIFICATE OF INSURANCE

PROOF OF LIABILITY INSURANCE WILL BE ACCEPTED ON THIS FORM ONLY

THIS FORM MUST BE COMPLETED AND SIGNED BY YOUR AGENT, BROKER OR INSURER

ALL INSURERS SHOWN MUST BE LICENSED TO OPERATE IN CANADA

This is to certify that the Named Insured hereon is insured as described below

Named Insured	Address of Named Insured
Location and Operations of the Named Insured for which Certificate is issued ALL OPERATIONS PERFORMED FOR THE REGION OF DURHAM	

AUTOMOBILE LIABILITY INSURANCE

INSURING COMPANY	POLICY NUMBERS	LIMIT OF COVERAGE	EFFECTIVE DATE	EXPIRY DATE
	Automobile Liability		D/M/Y	D/M/Y
	Excess Auto Liability (if applicable)	Deductible, if any:	D/M/Y	D/M/Y

The above policy(ies) must cover all vehicles owned in whole or in part and licensed in the name of the insured including all vehicles leased on a long term basis for which the insured is required by contract to provide bodily injury and property damage insurance.

COMMERCIAL GENERAL LIABILITY

INSURING COMPANY	POLICY NUMBERS	LIMIT OF COVERAGE	EFFECTIVE DATE	EXPIRY DATE
	COMMERCIAL GENERAL LIABILITY	Per Claim / Annual Aggregate Deductible, if any	D/M/Y	D/M/Y
	Excess Liability (if applicable)	Per Claim / Annual Aggregate	D/M/Y	D/M/Y
	Professional Liability (if applicable)	Per Claim / Annual Aggregate Deductible, if any	D/M/Y	D/M/Y
Provisions of Amendments or Endorsements of Listed Policy(ies)				

COMMERCIAL GENERAL LIABILITY is issued on an 'occurrence' basis form and is extended to include Personal Injury Liability, Contractual Liability, Non-Owned Automobile Liability, Owner's and Contractor's Protective Coverage, Products/Completed Operations, Contingent Employer's Liability, Cross Liability Clause and Severability of Interest Clause, Liquor Liability.

With respect to Commercial General Liability Insurance, THE REGIONAL MUNICIPALITY OF DURHAM is added as an Additional Insured but only with respect to its liability arising out of the operations of the Named Insured.

The policy(ies) identified above shall apply as primary insurance and not excess to any other insurance available to The Regional Municipality of Durham.

If cancelled or changed so as to reduce the coverage as outlined on this certificate, during the period of coverage as stated herein, thirty (30) days, prior written notice by registered mail will be given by the Insurer(s) to:

The Regional Municipality of Durham
Attention: Risk Management Department
Finance Department, 605 Rossland Road East
Whitby, Ontario L1N 6A3

I certify that the insurance is in effect as stated in this certificate and that I have authorization to issue this certificate for and on behalf of the insurer(s).

Date	Name, Address, Fax and Telephone Number of Certifying Party	Signature of Authorized Representative or Official
		Print Name of above Authorized Representative or Official