



The Corporation of the Township of Bonfield
365 Highway 531
Bonfield, ON, P0H 1E0

Telephone: 705-776-2641 Ext. 126
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THE CORPORATION OF THE TOWNSHIP OF BONFIELD

DEEMING BY-LAW APPLICATION

WHAT IS A DEEMING BY-LAW?

A 'deeming by-law' removes lands (lots or blocks) from a registered plan of subdivision, providing the plan of subdivision has been registered for more than 8 years. A deeming by-law can remove all of the lots or blocks of land within a registered plan, or only some of the lots or blocks within a plan of subdivision. The effect of a deeming by-law is to merge two or more lots or blocks of lands within a plan of subdivision into one legally conveyable lot, under common ownership. Approval of a deeming by-law consolidates individual lots into one parcel of land. Generally, this is required to allow development to occur, which would otherwise be constrained by lots lines traversing a site (as buildings cannot cross over lot lines). Deeming by-laws may be used to merge lots from very old plans of subdivision, which no longer meet current zoning standards.

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 required to submit the required deposit based on the current fee by-law. Applicants are to submit a signed cost acknowledgement form when filing the application.
3. Applicants are advised to consider whether any legal or other advice may be required as part of the application.
4. Applicants will be notified 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 Local Planning Appeal Tribunal hearing costs, will be the responsibility of the applicant.
6. Any other questions regarding the application may be directed to the Planning Administrator at:

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STEPS IN PROCESSING DEEMING BY-LAW APPLICATION

1. The Municipality adopts a by-law which allows two or more lots on a registered plan of subdivision to merge on title when under identical ownership. This deems the appropriate parts of the plan not to form part of 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, North Bay.
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 Local Planning Appeal Tribunal.



APPLICATION FOR THE PASSING OF A DEEMING BY-LAW

The undersigned hereby applies to the Council for the Corporation of the Township of Bonfield under Section 50(4), R.S.O. 1990, c.P.13, as amended of the Ontario 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. See 50(4).

1. Contact Information

a) Name of Property Owner(s):

b) Phone Number: _____

c) Email Address: _____

2. Municipal Address: _____

3. Name of Agent (if applicable)

4. Agent's Address: _____

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

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 the Subject Land

Include all applicable information including the Registered Plan Number and Lot Number, or other legal descriptions and, where applicable, the street and street number:

8. Dimensions of the Land affected:

Frontage (Meters): _____

Area (Sq. Meters): _____

Depth (Meters): _____

Width of Street (Meters): _____

9. Building(s) on the Lot(s)*

**Please provide a 'Sketch for Planning Purposes' which shows the lot size and property boundaries, the position and dimensions of all buildings and structures, including setbacks between individual buildings, structures, and the boundaries, and the lot coverage.*

Existing (If any):

Proposed (If any):

10. Access to the Subject Land is via:

Highway: _____

Municipal Road: (year-round): _____

Other Public Road: _____

Municipal Road: (seasonal): _____

Private Road: _____

Right of Way: _____

Water Access: _____



11. Maintenance Arrangements

Per Section 9, If access to the subject land is proposed via a “*private road*”, an “*other public road*”, or a “*right of way*”, as indicated in Section 9, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.

12. Parking / Docking Arrangements

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: _____



AFFIDAVIT / SWORN DECLARATION

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 the month of _____ on the _____ day,
20_____. I, _____ 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

Declared before me at the _____
this month of _____ on the _____ day, 20_____.

Signature of Commissioner



OWNER'S CONSENT

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 / we _____ / _____
am / are the owner(s) 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/we _____ / _____,
am / are the owner(s) 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/we _____ / _____,
am / are the owner(s) 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: _____