

Application for Official Plan Amendment

The Corporation of the Town of Whitby
575 Rossland Road East, Whitby Ontario, L1N 2M8

Telephone: 905.430.4306,

http://webforms.whitby.ca/Planning/Electronic_Submission_of_Planning_Applications



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 Official Plan. 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.

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 an Official Plan Amendment application. The Planning and Development Department will coordinate a pre-consultation meeting(s) with various Town departments and commenting agencies (e.g., CLOCA, 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.

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 attached *Official Plan Information and Materials Requirements* table will assist in determining what additional information may be required by policies in the Whitby Official Plan.

The prescribed information and materials, in accordance with the *Planning Act*, as amended, and Ontario Regulation 543/06, 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 the application 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.

Procedure:

Approval Authority

- The Regional Municipality of Durham is the approval authority for local Official Plan amendments, unless during the review process, the Region determines that a proposed local Official Plan amendment is exempt from Regional approval.
- For exempt amendments, the decision by the Council of the Town of Whitby to adopt an approved Amendment will be final, pending any appeals during the statutory appeal period.
- For non-exempt amendments, the Region is the final approval authority, pending any appeals during the statutory appeal period.
- If an application is appealed, the Ontario Land Tribunal (OLT) would be the final approval authority.

Notification

- Once the application has been deemed complete, the applicant, as well as those persons prescribed by the *Planning Act* will receive Notice that the application has been deemed complete.
- Notice of an Introductory Public Information Meeting is advertised in the newspaper at least 20 days prior to the meeting for the purpose of soliciting public input regarding the application.
- Notice of an Introductory Public Information Meeting is also provided to the applicant, the public and agencies or public bodies, at least 20 days prior to the public meeting.
- A sign must be posted on the subject property notifying the public of the meeting in accordance with the *Procedures and Requirements for Notification Signs* prior to the Public Information Meeting, at the applicant's expense.
- Those in attendance at the public meeting who sign a list ("Interested Parties" list), or those who submit a written request for further notification regarding the application, will receive notice prior to any subsequent Public Meetings.

Public Meetings

- An Introductory Public Information Meeting will be held before the Planning and Development Committee of Whitby Town Council in order to provide information to the general public regarding the proposed amendment.
- One additional week beyond the date of the Public Information Meeting is provided for persons to submit written comments to the Planning and Development Department.
- If a proposed amendment is to be adopted by Council, then a Statutory Public Meeting and formal notification at least 20 days prior to the Statutory Public Meeting is also required.

Agency Circulation

- A number of prescribed and requested public bodies and/or agencies are requested to provide comments on the application and any supporting documentation, information and materials.

Planning and Development Committee / Council Decision

- A recommendation report will be prepared by the Planning and Development Department and presented to the Planning & Development Committee recommending to Council that the application be approved, approved subject to certain conditions, deferred, or refused.
- Council ratification of Committee's decision is also required.

Adoption of an Approved Application for Official Plan Amendment

- If Council approves an application for Official Plan Amendment, then passing of a By-law by Council is required in order to adopt an approved Official Plan Amendment.

Final Approval

- If the Region determines the application for Official Plan Amendment to be exempt, then Whitby Council's decision to adopt an approved OPA is final, pending any appeals during the statutory appeal period.
- If the application for Official Plan Amendment is not exempt from Regional approval, then the Whitby Council's decision to adopt an approved OPA is only final pending Regional approval and any appeals during the statutory appeal period.

Appeals

- The applicant may appeal a decision of Whitby Council or Region of Durham Council to the Ontario Land Tribunal.
- Persons and/or agencies, other than the applicant may also appeal a decision of Whitby Council or Region of Durham Council to the Ontario Land Tribunal.
- If there is an appeal of Council's Decision denying an application or an appeal of the By-law that adopts the Official Plan Amendment, then a decision by the Ontario Land Tribunal will be final.

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).

Assistance:

For information regarding Official Plan Amendments and completing the application form, please refer to the "Citizen's Guide 2: Official Plan" 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.

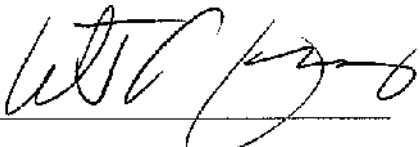
SHORT TITLE

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 OFFICIAL PLAN AMENDMENT

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

http://webforms.whitby.ca/Planning/Electronic_Submission_of_Planning_Applications



Shaded Areas for Office Use Only		
File No.: OPA - W/	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"/> With Plan of Subdivision/Condominium	<input type="checkbox"/> With Zoning Amendment
Date Received:	<input type="checkbox"/> With Site Plan	

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:
		Email:
Agent or Solicitor:*		Telephone:
		Email:
Owner:**		Telephone:
		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)
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3.2 Complete the following site statistics for the subject lands:

<i>Subject Lands:</i>	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:

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

4.1 Is this property Designated under Ontario Heritage Act / Listed on Municipal Heritage Register:

Yes No Unknown

If Yes, please identify below the Type of designation

Individual Designation (Part IV) or District Designation (Part V)

4.2 Are there any easements, right-of-way, restrictive covenants, or aboriginal land claims negotiations affecting the subject land(s) or adjacent lands, or is the subject land(s) covered by a Provincial / Aboriginal co-management agreement?

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:

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:

4.3

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 What uses are permitted under the current Town of Whitby Official Plan designation, and if applicable, Secondary Plan designation?

5.3 What is the current Region of Durham Official Plan designation of the subject land(s)?

5.4 What uses are permitted under the current Region of Durham Official Plan designation?

5.5 What use(s) would be permitted on the subject land(s) by the proposed amendment?

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

Yes No

Explain:

5.7 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

Explain:

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?

7. Changing, Replacing or Deleting a Policy:

Does the proposed amendment change, replace or delete a policy in the Official Plan?

Yes No

If **Yes**, what is the policy to be changed, replaced or deleted?

If **Yes**, what is the purpose of the amendment?

If **Yes**, the text of the proposed amendment must be attached.

Is the text of the proposed amendment attached?

Yes No

8. Adding a Policy:

Does the proposed amendment add a policy to the Official Plan?

Yes No

If **Yes**, what is the policy to be added?

If **Yes**, what is the purpose of the proposed amendment?

If **Yes**, the text of the proposed amendment must be attached.

Is the text of the proposed amendment attached?

Yes No

9. Changing or Replacing a Designation:

Does the proposed amendment change or replace a designation in the Official Plan?

Yes No

If **Yes**, what is the designation to be changed or replaced?

If **Yes**, the schedule and text of the proposed amendment must be attached.

Is the schedule and text of the proposed amendment attached?

Yes No

10. Previous, Current & Proposed Land Uses:

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

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

11. Settlement Area:

Does the proposed amendment alter all or any part of the boundary of an area of settlement or establish a new area of settlement?

Yes No

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

12. Area of Employment:

Does the proposed amendment remove the subject land from an area of employment?

Yes No

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

13. 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

14. Other Applications:

14.1 Please indicate if the applicant or owner has submitted any of the following applications under the *Planning Act* for the subject land(s) or lands within 120 metres of the subject property:

Other Applications	Subject Lands		Lands within 120 metres	
	Yes	No	Yes	No
Durham Regional Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Whitby Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plan of Condominium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consent to Sever	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Site Plan Approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Minister's Zoning Order	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If **Yes** was answered to any of the questions above, the *Other Applications Table* must be completed.

14.2 If known, has the subject land(s) ever been subject of a previous application under the Planning Act?

Yes No

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

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

Yes No Uncertain

If **Yes**, please specify:

15. 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

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

16.1 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

16.2 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

17. 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

18. 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):

19. 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

20. 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.

21. 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

22. Fees:

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

Town of Whitby (Fees effective October 1, 2023; subject to change without prior notice)

- Application Fee (Complex Amendment¹) - **\$38,484.86** (includes preparation of By-law) Application
- Fee (Simple Amendment¹) - **\$25,456.68** (includes preparation of By-law)
- Combined Applications for Official Plan and Zoning Amendment (Complex) - **\$51,515.28** (includes preparation of both By-laws)
- Combined Applications for Official Plan and Zoning Amendment (Simple) - **\$40,730.69** (includes preparation of both By-laws)

Notes:

- ¹ Complex Amendment – a proposal involving a change in land use designation or policy which requires major technical studies and extensive analysis and consultation.
Simple Amendment – a site specific proposal which is small in scale and involves a land use with minor and predictable impacts.

A fee for an “Annual Administrative Review” will be applied at a rate of **\$1,697.12 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, 2021; subject to change without prior notice)

- An non-refundable processing fee of **\$3,500.00** paid by separate **certified cheque** made payable to the **Regional Municipality of Durham** or **via e-transfer (contact Region of Durham at planning@durham.ca to arrange a e-transfer)**
- An non-refundable **\$5,000.00** fee paid by separate cheque made payable to the **Regional Municipality of Durham** is required for approval of a non-exempt, applicant initiated, area municipal Official Plan Amendment

Durham Region Health Department (Fees effective April 1, 2024; subject to change without prior notice)

- If applicable, a Preliminary Analysis fee of **\$293.00**, 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, 2024; subject to change without prior notice)

- A Preliminary Analysis fee of **\$2,185.00** 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). The processing fee of **\$15,560.00** (paid by separate cheque made payable to **Central Lake Ontario Conservation**) is required for Official Plan Amendment applications for a golf course or aggregate extraction. Applications requiring a significant amount of technical review will be charged the Technical Review Fee of **\$3,530.00**. Consolidated applications will be subject to only the higher of the application fees, not the aggregate.

23. 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 543/06, as amended, and any additional information and materials as required by the Whitby Official Plan
- Two (2) copies of the completed application form
- Two (2) copies of the proposed Official Plan Amendment (including schedule, if applicable)
- Two (2) copies of a survey or conceptual development plan, if applicable, showing the location of the property, existing site features, adjacent land uses and site features, details of the proposed land use(s) and the extent of the applicant's total land holdings, *folded* to 8½" X 11" (letter size)
- Two (2) copies of a survey or conceptual development plan, if applicable, *reduced* to 8½" X 11" (letter size) paper
- Hard copies of all supporting technical and background information and materials, as specified on the Record of Pre-consultation as required upon completion of the relevant sections of the application form and attached questionnaire(s)
- One (1) copy of any related Durham Regional Official Plan Amendment application form (if applicable)
- 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

24. Applicant's Acknowledgments:

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 or digital copies of any submitted materials will be made available to the public upon request 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 543/06, 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, CLOCA 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 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,
- 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.

DISCLAIMER: The documents and information attached are related to a planning application that was submitted to the Town of Whitby under the Planning Act. Pursuant to s.1.0.1 of the Planning Act, the Town is required to make such material available to the public. The attached material is being provided solely for the purpose of allowing the recipient to undertake a review and examination of the planning application and supporting material. The Town of Whitby does not have the authority to grant permission for any other use of the attached material and requests that recipients respect all copyright, trademarks or other personal/property rights in the material that remain unprotected. Any misuse of the material or violation of such personal/property rights is strictly prohibited. Should a member of the public wish to use the attached materials for purposes other than what is prescribed in this disclaimer, then the author of the material should be contacted directly.

The Town of Whitby takes no responsibility and bears no liability for the content of the attached materials, or any errors, omissions or conclusions contained therein

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

25. 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

26. Declaration:

I, _____, of the _____,
(Please print) (e.g. Town of Whitby)
in the _____,
(e.g. Region of Durham)

make oath and say (or solemnly 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 or for lands located within 120 metres of the subject lands, the table below must be completed and submitted with the completed application form.

Other Applications	File No.	Approval Authority	Lands Affected	Purpose of Application	Effect of Application on the Proposed Amendment	Status of the Application
Subject Land(s)						
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)						
Lands within 120 metres of subject land(s)						
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 MOECP.
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 (MOECP) 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 MOECP 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 MOECP. 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 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).

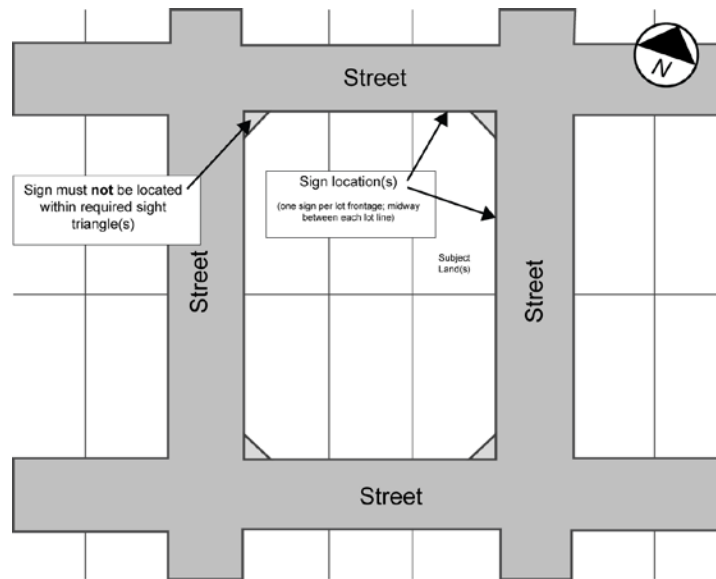
Owner Applicant / Primary Consultant Agent / Solicitor

Name: _____ Signature: _____
(Please Print)

Date: _____

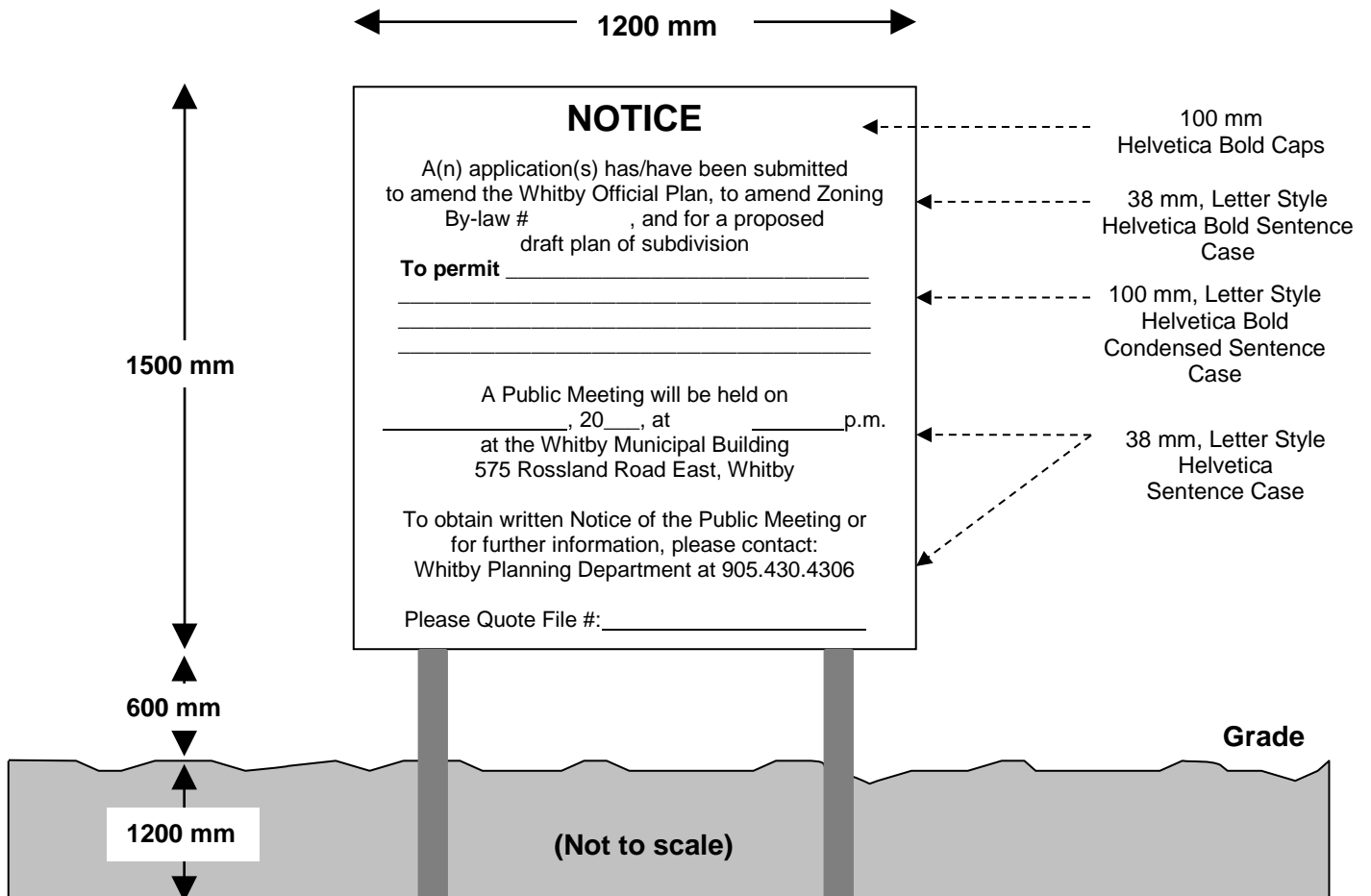
Sign Location:

The appropriate sign location(s) 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.



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.



Appendix C Site Screening Questionnaire Form



Regional Municipality of Durham
Planning and Economic Development Department
605 Rossland Road East
Whitby, ON L1N 6A3
Telephone: 905.668.7711
Toll Free: 1.800.372.1102
www.durham.ca

Site Screening Questionnaire for Identifying Potentially Contaminated Development Sites in the Regional Municipality of Durham

This form must be completed for all planning applications unless two original copies and a digital copy of the applicable Environmental Site Assessment (ESA) work prepared in accordance with Ontario Regulation (O.Reg.) 153/04, as amended, is submitted to the approval authority in support of this development proposal. If you have any questions about this questionnaire, please contact the Regional Municipality of Durham as identified above.

Landowner Name: _____

Mailing Address (Street No. and Name): _____

Location of Subject Lands (Municipal Address): _____

Lot(s): _____ Concession(s): _____ Registered Plan #: _____

Former Township: _____ Municipality: _____

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

1. What is the current use of the property? Check the appropriate use(s):

Category 1: Industrial Commercial Community

Category 2: Residential Institutional Parkland

Category 3: Agricultural Other

Note: daycare facilities and a property that contains a religious building(s) are considered institutional uses. See Ontario Regulation 153/04, as amended, for definitions.

2. Does this development proposal require a change in property use that is prescribed under the *Environmental Protection Act* and O.Reg. 153/04 (e.g. a change to a more sensitive use from Category 1 to 2; 2 to 3; or 1 to 3 as identified under Question 1)?

Yes No

If yes to Question 2, a Record of Site Condition must be filed on the Provincial Environmental Site Registry.

3. Has the property or any adjacent lands ever been used as an Enhanced Investigation Property (e.g. industrial uses; chemical warehousing; automotive repair garage; bulk liquid dispensing facility, including a gasoline outlet and/or a dry-cleaning equipment)?

Yes No

4. Has fill (earth materials used to fill in holes) ever been placed on the property?

Yes No

5. Is the property or any adjacent lands identified as a wellhead protection zone? (Please review the Ministry of the Environment, Conservation and Parks [Source Protection Information Atlas](#) to confirm)

Yes No

6. Is the property within 250 metres from an active or decommissioned landfill/dump, waste transfer station or Polychlorinated Biphenyl (PCB) storage site?

Yes No

7. Has the property ever stored/generated/accepted hazardous materials requiring Hazardous Waste Information Network (HWIN) registration or other permits?

Yes No

8. Does the subject lands or lands abutting it previously or currently support one or more of the Potentially Contaminating Activities identified in Table 2 of Schedule D of O.Reg 153/04, as amended (see attachment)?

Yes No

If Yes was selected in any of the questions above, a Phase One ESA (and possibly a Phase Two ESA) at a minimum prepared in accordance with O.Reg. 153/04, is required. Please submit two hard copies and a digital copy of the Phase One and/or a Phase Two ESA that satisfies the requirements of O.Reg 153/04, as amended.

ESA's may be waived at the Region's discretion provided that the Applicant/Qualified Person (QP) can demonstrate that the response(s) does not pose a risk to human health and the environment to the Region's satisfaction (e.g. consent applications relating to easements, leases, mortgages, correction of title as well as location of off-site Potentially Contaminated Activities; and direction of surface and groundwater flow etc.).

The Region must be granted third party reliance on all ESA work through the completion of its Reliance Letter and Certificate of Insurance. Regional third-party reliance is not required if a Record of Site Condition is filed on the Environmental Site Registry for the proposed property use and/or the Ministry of the Environment, Conservation and Parks (MECP) issues a notice of a Certificate of Property Use where applicable.

Note: The Region may scope the Environmental Site Assessment requirements for minor development proposals on Enhanced Investigation Properties (e.g. accessory structures) or determine if additional environmental work is required.

Declarations:

This form must be completed and signed by both a Qualified Person and the property Owner(s) or Authorized Agent for all development applications made under the *Planning Act* and reviewed by the Region of Durham Planning Department.

A QP sign-off may be waived by the Region for the following Land Division Committee application types: leases; mortgages; title corrections; re-establishment of lot lines (where title inadvertently merged); minor lot line adjustments (at the discretion of the Region); as well as minor variances; minor zoning by-law amendments (e.g. where there is no physical development, the addition of a new non-sensitive land use), and/or part lot control applications where site contamination was recently addressed by a related planning application. For a full list of QP exemptions, please see Appendix B of the Regional Municipality of Durham's Soil and Groundwater Assessment Protocol.

Where a QP sign-off is required on this form, the completion of a Regional Reliance Letter and Certificate of Insurance may be waived.

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 property contains contaminants at a level that would interfere with the proposed property use. I am a Qualified Person in accordance with Ontario Regulation 153/04 and carry the required liability insurance in accordance with Appendix F of the Regional Municipality of Durham's Soil and Groundwater Assessment Protocol.

Qualified Person:

Name (Please Print) _____

Signature: _____

Name of Firm: _____

Address: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Date: _____

Professional Seal:

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: _____

Regional File Number: _____

Area Municipal File Number: _____

Appendix F: Regional Municipality of Durham Reliance Letter



Reliance Letter
Regional Municipality of Durham
Planning and Economic Development Department
605 Rossland Road East
Whitby, ON L1N 6A3
Telephone: 905.668.7711
Toll Free: 1.800.372.1102
www.durham.ca

Reliance Letter (to be presented on each company's unique 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 reports and work are completed in accordance with Ontario Regulation 153/04 (O.Reg.153/04), unless stated otherwise in the documents, for the purposes of filing a Record of Site Condition in accordance with O.Reg. 153/04 and was completed by or under the supervision of a Qualified Person within the meaning of the *Environmental Protection Act* and O.Reg. 153/04, as amended from time to time.

[ABC Engineering Ltd.] agrees that the Region may rely upon the reports listed herein referenced by the Region as [File # xxx], including the representations, assumptions, findings, and recommendations contained in the reports:

- Phase One Environmental Site Assessment, date, report type, author (QP), company (mandatory)
- Phase Two Environmental Site Assessment, date, report type, author (QP), company (if applicable)
- Other Environmental Site Assessment Documentation, PSF, RA (if applicable)

[ABC Engineering Ltd.] further agrees that 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 the site 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, Conservation and Parks that the Ministry intends to audit any report listed herein and if so, to provide the Region with written confirmation of the results of the audit (Only applicable if filing the report as part of RSC or RA).

[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 a minimum Professional Liability insurance coverage of \$2,000,000 per claim and \$4,000,000 aggregate.

[ABC Engineering Ltd.] agrees that its liability to the Region shall not be limited to an amount less than the Region's minimum insurance requirements set out immediately above.

[ABC Engineering Ltd.] shall indemnify and save harmless the Region and its elected officials, officers, employees and agents from and against all claims actions, causes of action, losses, expenses, fines, costs, interest or damages of every nature and kind whatsoever, arising out of or allegedly attributable to the negligent acts, errors, omissions, misfeasance, nonfeasance, fraud or willful misconduct of the Consultant/Company, its directors, officers, employees, agents, contractors and subcontractors, or any of them, in connection with or in any way related to the delivery or performance of the work and reports provided to the Region that is subject to this Reliance Letter. This indemnity shall be in addition to and not in lieu of any insurance to be provided by the Consultant/Company in accordance with this reliance letter.

Signed and Sealed by Qualified Person:

_____ Date: _____

Signed by person authorized to bind Consulting Firm:

_____ Date: _____

Signed by Property Owner or Authorized Officer: _____

Name (please print): _____

Name of Company (if applicable): _____

Title of Authorized Officer: _____

Address: _____

Telephone: _____

Fax/Email: _____

Date: _____

Note: Edits to this document are only permitted in areas within the square brackets e.g.
[ABC Engineering Ltd.]

Appendix G

Regional Municipality of Durham Certificate of Insurance



The Regional Municipality of Durham
Finance – Insurance and Risk Management

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 the Named Insured

Location and operations of the Named Insured for which Certificate is issued: All operations performed for the Region of Durham

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

Provisions of Amendments or Endorsements of Listed Policy(ies)

Professional Liability – Claims Made Basis – Yes No

Insuring company	Policy numbers	Limit of coverage	Effective date	Expiry date
	Professional Liability	Per Claim / Annual Aggregate Deductible, if any	D/M/Y	D/M/Y
	Excess Professional Liability (if applicable)	Per Claim / Annual Aggregate	D/M/Y	D/M/Y

Is the limit inclusive of indemnity and claims expenses - Yes No

If the policy is on a claims made basis have there been any claims notices given for this policy term – Yes No

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.

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: Insurance and Risk Management, Finance Department, 605 Rossland Road East, Whitby, ON, 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

Print Name of above Authorized Representative or Official

Signature of Authorized Representative or Official
