



DEEMING BY-LAW APPLICATION GUIDE

PURPOSE OF APPLICATION

1. *THIS DEEMING BY-LAW / REPEAL OF DEEMING BY-LAW APPLICATION GUIDE* sets forth the procedure for processing applications to pass or Deeming By-law. The information required allows the Municipality to properly evaluate your application. The information you provide will assist the Municipality in expediting this process.
2. This application must be filed with the Planning Department at the above address.

APPLICATION FEES

3. Council has adopted an application fee of \$500.00, in accordance with Fee's By-Law No. 2011/12, as amended by 2023/23. This fee is required to cover the normal Municipal costs incurred in processing a Deeming By-law or Repeal of a Deeming By-law application.

USING THE APPLICATION

4. The application should be completed by the property owner or authorized agent and returned to the Municipality of West Nipissing at the above address. When it is being made by an agent, the written authorization of the owner **must accompany the application**. For your convenience, an authorization form has been included in the attached application. It is important to note that the signature of the owner, solicitor or authorized agent on the application form must be witnessed by a Commissioner.

INFORMATION REQUIRED

5. The application must include a legal description of the subject lot(s), together with a survey or sketch plan prepared in metric measurements, which shows:
 - (a) the location of existing buildings;
 - (b) the uses of abutting properties;
 - (c) all roads (named) abutting the subject lots;
 - (d) a proper metric scale and north arrow.
6. If the application form is incomplete or seems inaccurate, the application will be returned for completion, correction, or clarification prior to processing.
7. After an evaluation of the application, the Planning Department will prepare a report for the consideration of the Planning Advisory Committee.

8. If the application is approved, a By-law will be prepared and placed before Council for their approval. If the By-law is passed, the By-law is circulated, within 30 days of the passing thereof, to each person appearing on the latest revised assessment roll of land to which the By-law applies. Any person, within 20 days of the mailing of the notice of the passing of the By-law, may notify the Clerk that he/she wishes to make presentation to Council regarding the By-law.
9. The Clerk arranges for the registration of a certified copy of the By-law in the Land Registry Office for the District in which the subject lands are situate.

PROCESSING TIME

10. It generally takes about one to two months to complete the above process. Any application submitted by an owner to pass or amend a Deeming By-law affecting his/her own property will obviously not object to the passing of the By-law and in this regard, the circulation of notice is only a formality. The situation may differ if Council deemed a plan or part thereof, thereby affecting a number of property owners.

DEEMING BY-LAW APPLICATION

1.	Lot No(s). :			
	Registered Plan No.:			
	Assessment Roll No(s).:			
2.	Complete the following and check the box next to the person or firm to whom the correspondence should be addressed.			
	☐ Registered Owner:			
	Address: (include postal code)			
	Phone Number:	Fax Number:	Cell Number:	
	☐ Agent or Solicitor:			
	Phone Number:	Fax Number:	Cell Number:	
3.	Present use of subject lot(s):			
4.	Reasons for requiring a Deeming By-law:			

DECLARATION

I, _____ of _____ the _____ in
the _____ solemnly declare that I am the owner, an officer of the
owner, the agent or the owner, and that all the above statements contained in the written application
are true, and I make this solemn declaration conscientiously believing it to be true, knowing that it is
the same force and effect as if made under oath, and by virtue of " *The Canada Evidence Act* ".

Declared before me at the _____ of _____
in the _____ this _____ day of _____,
20____.

A Commissioner, etc.

Registered Owner, Solicitor, or Agent

AUTHORIZATION OF OWNER

If an agent is used, the owner must also complete the following:

I/We _____ being the registered owner of the subject lands,
hereby authorize _____ (please print) to
submit the enclosed application to the Planning Department, and to appear on my behalf at any
hearing(s) of the application and to provide any information or material required by the Planning
Department relevant to the application.

Dated at the _____ of _____ in
the _____ this
_____ day of _____, 20____.

Signature of Owner

NOTE TO OWNER :

IF THE APPLICATION IS TO BE PREPARED BY AN AGENT, AUTHORIZATION SHOULD NOT BE GIVEN UNTIL THE COMPLETED
APPLICATION AND ITS ATTACHMENTS HAVE BEEN EXAMINED BY YOU AND HAVE BEEN APPROVED.