



130 Balm Beach Road West
Tiny, Ontario L0L 2J0
(705) 526-4204 | 1-866-939-8469
www.tiny.ca

APPLICATION FOR A CERTIFICATE OF CANCELLATION

The following information and material is to be provided in an application under Subsection 53(45) of the *Planning Act*, R.S.O. 1990, c.P. 13 as amended:

FOR OFFICE USE ONLY

Roll No.: _____ Subject Property: _____
Date Received: _____ Date Complete: _____

This is an application for an owner to request a Certificate of Cancellation of a previous Consent (i.e. a lot created by severance consent approval given by the Committee of Adjustment). The Certificate would provide that subsection 50(12) of the *Planning Act*, R.S.O. 1990, c.P. 13 as amended does not apply to the subject land. The result of the Certificate would allow for the merging of the subject land with an adjacent parcel or parcels of land.

For reference: Section 50(12) states:

Where a parcel of land is conveyed by way of a deed or transfer with a consent given under section 53, subsections (3) and (5) of this section do not apply to a subsequent conveyance of, or other transaction involving, the identical parcel of land unless the council or the Minister, as the case may be, in giving the consent, stipulates either that subsection (3) or subsection (5) shall apply to any such subsequent conveyance or transaction. R.S.O. 1990, c. P.13, s. 50 (12).

FEE: \$1500.00, includes an administration fee of \$750.00, payable to the Township of Tiny, plus a \$750.00 deposit for the associated legal services.

1. Owner/Agent

1.1 Name of Owner: _____
Address: _____

Telephone No: _____ Email: _____

1.2 Name of Agent: _____
Address: _____

Telephone No: _____ Email: _____

2. Intent of the Application

2.1 Please outline the intent of the application (i.e. merger with adjoining land and description of that land) including the previous Consent details.

3. Description of Subject Land(s):

3.1 Township Lot: _____ Concession: _____
Registered Plan: _____ Lot No: _____
Reference Plan: _____ Part(s): _____
Municipal Address: _____
Roll Number: _____

4. Source Water Protection

4.1 Is the subject property within a Well Head Protection Area (WHPA)?
 No Yes

4.2 If yes, have you attached a completed Source Protection Plan Pre-Application Screening Form?
 No Yes

*Please note that this application may be delayed and/or refused if the proposed development offends the Source Protection Plan for the South Georgian Bay Lake Simcoe Source Protection Region. If the application requires detailed review by the Severn Sound Environmental Associations (SSEA), the Risk Management Office, a deposit of \$240.00 is required to cover such costs.

5. Cost Acknowledgement Agreement

In consideration of the Township of Tiny receiving the Certificate of Cancellation Application;

The Owner represents that he/she is/are the registered owner(s) of the lands described in this application; and

The Owner recognizes that there are a number of legal issues to be resolved, which may necessitate time and effort on the part of both the Owner and the Township; and

The Township may find it necessary to engage professional services in consideration of the proposal; and

The Owner, in consideration of the associated professional services, hereby agrees as follows:

1. In this agreement, "expenses" means all professional services and/or consultant's fees and disbursements.
2. The Township agrees to review the application and if necessary retain such additional legal advice as necessary to properly evaluate the application.
3. The Owner shall submit with the application a \$1500.00 fee payable to the Township of Tiny, representing the non-refunable municipal administration fee of \$750.00 plus a \$750.00 deposit for the associated professional legal services.
4. The Owner agrees to be responsible for and agrees to reimburse the Township for all expenses the Township may have incurred in respect of the application.
5. As expenses are incurred by the Township, the Township shall pay the invoice(s) and submit an invoice to the Owner of the disbursements, at which time the invoice(s) is to be paid within 30 days.
6. In the event that the invoice(s) remains outstanding for more than 30 days, the Township may halt all work in respect of the application until all arrears are satisfied.
7. The Owner may withdraw this application at any time, however, shall be responsible for the costs incurred up to the date that the Township of Tiny receives written notice of withdrawal of the application.
8. This Agreement shall not be construed as acceptance or approval by the Township of the application.

IN WITNESSETH HEREOF the Owner(s) hereto has/have executed this agreement this

_____ day of _____, 20_____.

 (Signature of Owner)

 (Signature of Owner)

TO BE COMPLETED BY COMMISSIONER OF OATHS OR NOTARY PUBLIC	
Municipality Declaration Administered:	
Date of Declaration:	
Signature of Commissioner of Oaths or Notary Public:	
Commissioner of Oaths Stamp or Notary Seal:	

Legal Representation – Barriston LLP

The Owner(s) agree to and understand that the request for the Certificate of Cancellation is being made to facilitate the merger of title of the subject lands. The Owner(s) further agree and acknowledge the payment of the required fee is to cover the costs of processing the application and the associated legal fees, disbursements and taxes including fees, disbursements and taxes for preparation and registration of any required ancillary documentation including an Application Consolidation Parcels to consolidate the property parcel under the Land Titles Act which will be prepared and registered by the Township’s solicitors, Barriston LLP, following enactment and registration of the Certificate of Cancellation.

The Owner(s) hereby authorize Barriston LLP, the Township’s solicitor to prepare and electronically register an Application Consolidation Parcels on title to the subject properties as may be required by the Township to consolidate the properties under one Property Identification Number (PIN) following registration of the Certificate of Cancellation. It is understood that Barriston LLP will act as agent for the Owner(s) and will provide copies of all registered documents upon completion including a copy of its Invoice issued to the Township for its fees and disbursements. The applicant acknowledges that a legal fee deposit of \$750.00 is to be submitted to the Township with this Application and that any additional legal fees will be invoiced to the Owner(s) by the Township.

IN WITNESSETH HEREOF the Owner(s) hereto has/have executed this agreement this _____ day of _____, 20_____.

 (Signature of Owner)

 (Signature of Owner)

TO BE COMPLETED BY COMMISSIONER OF OATHS OR NOTARY PUBLIC	
Municipality Declaration Administered:	
Date of Declaration:	
Signature of Commissioner of Oaths or Notary Public:	
Commissioner of Oaths Stamp or Notary Seal:	