

# PLEASE DO NOT REMOVE ANY PAGES FROM THIS DOCUMENT



<b>Office Use Only</b>	<b>Submission Date:</b>
File Number: <b>LD</b>	<b>Deemed Complete Date:</b>
Municipality:	<b>Meeting Date:</b>

## Checklist for submitting a Region of Durham

### Application for Consent

#### **Incomplete applications and/or surveys will not be accepted and will be returned**

- ☐ Have you completed a pre-consultation review with the Local Municipality and the Region of Durham Planning Department? If not, please contact the applicable Local Municipality to arrange same. Then contact Land Division staff at 905-668-7711 to arrange a Regional pre-consultation meeting.
- ☐ Have you completed all questions in the application form?
- ☐ Have you completed and attached the Site Screening Questionnaire? See attachment 1.
- ☐ Is Minimum Distance Separation (MDS) applicable to the subject property? See attachment 2.
- ☐ Has the Declaration page been signed by the applicant and commissioned by a Commissioner of Oaths? If not, please contact Land Division staff.
- ☐ Have you completed and included the applicable Location Map? If you require a copy please contact Land Division staff to request same.
- ☐ If you are acting as Authorized Agent, have you enclosed 2 original signed copies of the Authorization from Owner? See attachment 3.
- ☐ Have you included the requisite copies of the draft 40R-Plan? See instructions on page 2.
- ☐ Have you included all of the requisite application and agency fees? If you are unsure as to the fees payable please contact Land Division staff. **NOTE: FEES ARE NON-REFUNDABLE.**
- ☐ Have you included 2 original copies of the fully completed and signed Application form?
- ☐ Have you attached all applicable supporting documents (reports/studies)?





## The Regional Municipality of Durham Application for Consent

AS PER THE PLANNING ACT, AS AMENDED, THE MUNICIPAL ACT 2001, AS AMENDED AND  
IN ACCORDANCE WITH THE PROVINCIAL REGULATIONS

### Instructions to applicant, please read carefully before completing the application.

- A. **It is the policy of the Region of Durham Land Division Committee** that a separate application with applicable fees be submitted for each consent transaction.

To make an application, complete and file two (2) signed original application forms together with all supporting documents, the new draft 40R-Plan depicting the severed and retained lands (together with detailed sketch where required) and applicable fees. Submit two (2) copies of the draft 40R-Plan sized 11" x 17" or larger.

**Note to applicant: All questions in the application must be completed in full otherwise the application will be deemed incomplete and returned to you.**

- B. **In accordance with By-law 20-2021, the following application processing fees apply at submission:**

- \$1,350.00 for each application submitted certified funds, unless drawn on a solicitor's cheque;
- \$500.00 Regional Planning Review fee for each application submitted, certified funds, unless drawn on a solicitor's cheque; and
- ***Agency Fees. Prior to submitting your application you must contact the Land Division office for other current agency user fees applicable to your consent application.***

**In accordance with By-law 20-2021, the following application fees may also apply after submission, if applicable:**

- \$300.00 certified funds, unless drawn on a solicitor's cheque for tabling the application to another meeting, if applicable.
- \$1,000.00 certified funds, unless drawn on a solicitor's cheque for stamping a deed and finalization of documents for the application (paid at end of the Land Division process).
- \$250.00 certified funds, for re-stamping of a deed should the deed be returned by the Land Registry Office or if deed is revised by the solicitor after stamping.

- C. The undersigned hereby applies to the **Region of Durham Land Division Committee** under the Planning Act, as amended, for consent to the transaction as described, and to the extent set forth in this application.

- D. All completed applications, communications, clearances/fulfilment of conditions and requests for Certificates etc. related to applications for consent (severance), (as well as change of conditions, validation of title and approval of foreclosure or power of sale) under the Planning Act must be filed directly with the Durham Region Land Division Office.

- E. Please note the application together with any and all documents related thereto are a public record and as such are available for viewing or duplication by the general public upon request.



**1. Applicant Information**

An owner of land or the owner's agent, duly authorized in writing, may apply for consent. Complete the information below (please print legibly using black ink):

**Owner #1**

**Owner #2**

Name: \_\_\_\_\_

\_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

City/Postal Code: \_\_\_\_\_

\_\_\_\_\_

Phone/Fax: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

\_\_\_\_\_

**Authorized Agent:**

**Primary Contact:**

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone/Fax: \_\_\_\_\_

Phone/Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

**2. Type of Transaction:** Indicate transaction for which application for consent is being made:  
**Conveyance:** Please select only one (1) of the following:

☐ a) creation of new lot; **OR**

☐ b) addition to a lot – moving/adjusting lot line

(indicate direction to which the severed parcel will be added):

North ☐ South ☐ East ☐ West ☐

**Note: For Lot Line Adjustments only, please also complete the section below:**

Name, address and phone number of person(s) to whom the land is intended to be transferred.

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone/Fax: \_\_\_\_\_

Assessment Roll Number of adjacent property: 18-\_\_\_\_\_ (15 digits total)

☐ Other – **see page #4**



<b>Other transaction type (please select if applicable):</b>		
<input type="checkbox"/> c) Easement/Right-of-Way (Identify the benefitting lands –North/East/South/West)		
<input type="checkbox"/> d) Lease		
<input type="checkbox"/> e) Correction of Title		
<input type="checkbox"/> f) Mortgage or Charge		
<input type="checkbox"/> g) Partial Discharge of Mortgage		
<input type="checkbox"/> h) Other e.g. Validation of Title, Approval for Power of Sale/Foreclosure of Mortgage		
<b>3. Property Information of subject lands: MANDATORY COMPLETION</b> Legal Description including Lot & Concession _____  List part numbers on draft or registered 40R-Plan _____  Do the parts of the severance application form the entirety of the lot/parcel? Y <input type="checkbox"/> OR N <input type="checkbox"/>  Municipal address, if available _____  Assessment Roll Number ( <b>Mandatory</b> ): 18-_____ (15 digits total)		
<b>4. Existing easements/rights-of-way or covenants:</b>  YES <input type="checkbox"/> NO <input type="checkbox"/> If YES, please describe below in detail:		
<b>Describe Existing Easement</b>	<b>Severed Lands</b>	<b>Retained Lands</b>
<b>5. Dimensions of Lands in Metric Units</b> (must accurately match dimensions noted on draft 40-RPlan)		
	<b>Severed/Servient Lands –Part #:</b>	<b>Retained Lands- Part #:</b>
Frontage		
Average Width		
Average Depth		
Total Area (M2 or Hectares)		



<b>6. Use of Land (check which designation applies)</b>				
	<b>Severed Lands</b>		<b>Retained Lands</b>	
	Existing	Proposed	Existing	Proposed
Urban Residential				
Seasonal Residential				
Mobile Home Park				
Commercial				
Tourist Recreational				
Agricultural				
Industrial				
Institutional				
Parkland				
Utility				
Hamlet/Cluster				
Non-Farm Related Rural Residential				
Farm-related Rural Residential				
Other:				
<b>List the number and type of existing and proposed buildings and structures on the lands</b>				
<b>7. Agricultural Information</b>				
<p>Agricultural Code of Practise – Minimum Distance Separation (MDS)</p> <p>Is there a livestock barn or manure storage facility located within 1000 metres of the Severed Land?</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If YES, please complete the attached DATA Sheet – MDS – Attachment 2</p> <p>Is the purpose of the severance to dispose of a surplus dwelling YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>Date of purchase of total holdings: _____</p> <p>Details of farm operation: _____</p>				
<p><b>Site Screening Questionnaire</b> – In accordance with the Region's Council adopted Site Contamination Protocol all Land Division Committee applications must be accompanied by either a completed Site Screening Questionnaire (SSQ), or a Phase One Environmental Site Assessment Report, prepared in accordance with Ontario Regulation 153/04, as amended. The Region's SSQ can be found in Attachment 1 to this application. For new lots, the SSQ must be signed by a Qualified Person.</p>				



8. **Has there ever been an application for consent by the current or previous owners on this parcel of land?**

YES ☐ NO ☐

LD File Number(s): \_\_\_\_\_

For what use? \_\_\_\_\_

Date of transfer, name of transferee and land use: \_\_\_\_\_

\_\_\_\_\_

9. **Has the parcel to be severed or retained ever been or is it part of an application for plan of subdivision?**

YES ☐ NO ☐

If YES, specify date and File No.: \_\_\_\_\_

Status of File: \_\_\_\_\_

10. **Has the subject or retained land ever been the subject of a variance, zoning amendment, Minister's zoning order amendment or official plan amendment application?**

YES ☐ NO ☐

If YES, specify date and File No.: \_\_\_\_\_

Status of File: \_\_\_\_\_

11. **Durham Regional Official Plan Designation (Please contact a Regional Planning and Economic Development Department staff for this information)**

Severed Land: \_\_\_\_\_

Retained Land: \_\_\_\_\_

12. **Is the application consistent with the Provincial Policy Statement?**

YES ☐ NO ☐



13.	<p><b>Is the subject land within an area of land designated under the Oak Ridges Moraine Conservation Plan? (Please contact the Regional Planning and Economic Development Department staff for this information)</b></p> <p>YES <input type="checkbox"/>                      NO <input type="checkbox"/></p> <p>If YES, please specify whether the application conforms to or does not conflict with the Oak Ridges Moraine Conservation Plan:</p> <p>_____</p> <p>_____</p>	
14.	<p><b>Is the subject land within the Greenbelt Area? (Please contact the Regional Planning and Economic Development Department staff for this information)</b></p> <p>YES <input type="checkbox"/>                      NO <input type="checkbox"/></p> <p>If YES, please specify whether the application conforms to or does not conflict with the Greenbelt Plan:</p> <p>_____</p> <p>_____</p>	
15.	<p><b>Please specify whether the application conforms to or does not conflict with the Growth Plan for the Greater Golden Horseshoe:</b></p> <p>_____</p> <p>_____</p>	
16.	<p><b>Is the subject land within an area of land designated under the Lake Simcoe Protection Plan? (Please contact the Regional Planning and Economic Development Department staff for this information)</b></p> <p>_____</p> <p>_____</p>	
<p><b>17. Local zoning information (Please contact the local municipality for this information)</b></p>		
	<b>Severed Land</b>	<b>Retained Land</b>
<b>Municipal Official Plan Designation:</b>		
<b>Zoning Regulations:</b>		
a) By-law Number		
b) Zoning Category		
c) Minimum Frontage		
d) Minimum Area		



<b>18. Services existing and proposed:</b>				
	Severed Land		Retained Land	
	Existing	Proposed	Existing	Proposed
a) Public Water and Sewers				
b) Public Water and Private Sewage System				
c) Public Sewer and Well				
d) Well and Private Sewage System				
e) Other: Communal, Lake Water, etc.				
<p>If proposed, specify when above will be available: _____</p> <p>If a private sewage system exists on the proposed severed or retained lands, please provide the following details: _____</p> <p>Severed lands: Installation date: _____ Health Dept. File Number: _____</p> <p>Retained lands: Installation date: _____ Health Dept. File Number: _____</p> <p>If applicable, please provide a separate site servicing plan with the application.</p>				
<b>19. Property Frontage:</b>				
	Severed Land		Retained Land	
a) Open Municipal Road				
b) Regional Road				
c) Provincial Highway				
d) Unopened Road Allowance				
e) ROW				
f) Other:				
<b>State name of Road(s)</b>				
<p>Is access by water? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>If YES, what boat docking and parking facilities are available? _____</p> <p>Distance of docking and parking facilities from nearest public road and from subject property: _____</p>				



20.	<p><b>40R-Plan Requirements:</b></p> <p>The applicant shall submit 2 copies of the draft 40R-Plan together with detailed sketch, where required, on 11" x 17" or larger. The draft 40R-Plan and/or sketch, where applicable, must show the following information:</p>
a)	abutting lands owned by the owner showing the boundaries and dimensions;
b)	the distance between the owner's land and the nearest township lot line or appropriate landmark (i.e. bridge, railway crossing, etc.);
c)	the boundaries and dimensions of the severed and the retained parcels and the location of all land previously severed;
d)	the boundaries and dimensions of easements, rights-of-way, leases, mortgages, etc., existing and being applied for on the subject land and the boundaries and dimensions of any easements, rights-of-way, leases, mortgages, etc., existing or being applied for on the retained land;
e)	the approximate location of all natural and artificial features on the subject land (i.e. buildings, railways, roads, watercourses, drainage ditches, rivers or stream banks, slopes, wetlands, wooded areas, wells and septic tanks) and on adjacent lands which may affect the application;
f)	the use of adjacent lands (i.e. residential, agricultural, cottage, commercial, etc.);
g)	the location, width and names of all road allowances, streets, rights-of-way, highways within or abutting the property, indicating whether they are public travelled roads, private roads or right-of-ways or unopened road allowances;
h)	the location and nature of any right-of-way or easement affecting the subject land; and
i)	if access to the subject land is by water only, the location of the parking and boat docking facilities.
<p><b>Finalization Of Consent:</b></p> <p>Once all of the conditions contained in the Committee's Decision are fully satisfied, the applicant's solicitor must prepare and forward the legal document(s) with the applicable fee to the Region of Durham Land Division Committee office, to the attention of the Assistant Secretary-Treasurer.</p> <p>For most applications (lot line adjustments and/or new lots) the legal documents, as prepared by a Solicitor, shall include the following documents in triplicate:</p> <ol style="list-style-type: none"> <li>1. Draft of the complete Transfer/Deed of Land (including the Land Transfer Tax Affidavit);</li> <li>2. Acknowledgement and Direction document signed by all owners; and</li> <li>3. Schedule "A" Certificate for stamping (the full legal description of the "severed" lands).</li> </ol> <p>The legal document(s) is/are to contain a registrable description satisfactory to the Registrar in keeping with the current requirements of the Registry Act. <b>5 working days are required for the review and stamping of the legal document(s) indicating the Committee's consent.</b></p> <p>The document(s) will be returned to the solicitor for registration purposes.</p>	



**REGIONAL MUNICIPALITY OF DURHAM**

**DECLARATION**

**This declaration must be completed by the Applicant and signed in the presence of a Commissioner for Taking Affidavits**

I/We \_\_\_\_\_ of the \_\_\_\_\_  
(name of applicant) (name of City, Town, Township, etc.)

in the Region/County/District of \_\_\_\_\_ solemnly declare that all of the statements contained in the application for consent and all supporting documents are true and complete, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act."

Declared before me at:

\_\_\_\_\_ in the Region/County/District of \_\_\_\_\_  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_,  
in the year \_\_\_\_\_.

\_\_\_\_\_  
Owner/Agent

\_\_\_\_\_  
Commissioner of Oaths

**THIS APPLICATION MUST BE SUBMITTED TO:**

**Durham Region Land Division Committee  
605 Rossland Rd. E., 4<sup>th</sup> Floor  
Whitby, ON L1N 6A3**

**Telephone:  
(905) 668-7711  
1-800-372-1102 (Toll Free Line)**

**Facsimile:  
(905) 666-6208**

**SELECT AND ATTACH APPLICABLE LOCATION MAP IDENTIFYING LOCATION OF SUBJECT LAND**



## Attachment #1 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](http://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 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 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: \_\_\_\_\_



## List of Potentially Contaminating Activities

**Table 2 – Ontario Regulation 153/04**

**Records of Site Condition – Part XV.1 of the *Environmental Protection Act***

**Ministry of the Environment, Conservation and Parks**

<b>Item</b>	<b>Potentially Contaminating Activity (PCAs)</b>
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 Autobody 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



<b>Item</b>	<b>Potentially Contaminating Activity (PCAs)</b>
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



<b>Item</b>	<b>Potentially Contaminating Activity (PCAs)</b>
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, Fueling 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 biosoils as soil conditioners
59.	Wood Treating and Preservative Facility and Bulk Storage of Treated and Preserved Wood Products

Note: the above-noted PCAs may change from time-to-time. Please refer to the Provincial Brownfields Regulation O.Reg.153/04 for the official list of PCAs.



## **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](http://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 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.]





## 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	

### Automobile Liability Insurance

Insuring company	Policy numbers	Limit of Coverage	Effective date	Expiry date
	Automobile Liability	Deductible, if any:	D/M/Y	D/M/Y
	Excess Liability (if applicable)		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	
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**

**Environmental Liability – Claims Made Basis – Yes/No      Occurrence Basis – Yes/No**

Insuring company	Policy numbers	Limit of Coverage	Effective date	Expiry date
	Environmental Liability	Per Claim / Annual Aggregate  Deductible, if any:	D/M/Y	D/M/Y
	Excess Environmental 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 notice 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: Purchasing Section, 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	Signature of Authorized Representative or Official
		Print Name of above Authorized Representative or Official



This form is to be completed when applying for a new non-farm use within 1000 metres for a Type A land use\* and 2000 metres for a Type B land use\* of an existing livestock facility. **Complete one sheet for each different set of buildings used for housing livestock.**

Owner of Livestock Facility \_\_\_\_\_

Township \_\_\_\_\_ Lot \_\_\_\_\_ Concession \_\_\_\_\_

Closest distance from livestock facility to the property boundary of the new lot(s) or the change in land use (metres): \_\_\_\_\_

Closest distance from manure storage to the property boundary of the new lot(s) or the change in land use (metres): \_\_\_\_\_

Tillable hectares where livestock facility located: \_\_\_\_\_

Livestock	Livestock Type	Existing Housing Capacity (Number)	Manure System (Specify or select from the drop-down list: Covered Tank, Open Solid Storage, Open Liquid Tank, Earthen Manure Storage)
Dairy	<input type="checkbox"/> Milking Cows <input type="checkbox"/> 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 Broilers/Roasters <input type="checkbox"/> Caged Layers <input type="checkbox"/> Chicken Breeder Layers <input type="checkbox"/> Pullets <input type="checkbox"/> Meat Turkeys (over 10 kg) <input type="checkbox"/> Meat Turkeys (5 to 10 kg) <input type="checkbox"/> Meat Turkeys (under 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	<input type="checkbox"/>		

MDS Prepared by: Name (please print): \_\_\_\_\_

Signature: \_\_\_\_\_

\*The Ontario Ministry of Agriculture and Rural Affairs, in their MDS Implementation Guidelines states that Type A land uses are characterized by uses that have a lower density of human occupancy, habitation or activity, such as residential dwellings on lots zoned agriculture and Type B land uses are characterized by uses that have a higher density of human occupancy, habitation or activity, such as residential subdivisions or major recreational uses.

**For Regional Use Only**

Minimum Separation Distance: \_\_\_\_\_

Does the application comply with MDS requirements? ☐ Yes ☐ No

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_





**Attachment #3**

**AUTHORIZATION OF AGENT**

This must be completed if an agent is to be authorized to submit the application and to represent the Owner. This form must be signed by the Owner.

**Address of Subject Property:** \_\_\_\_\_

**Name of Registered Owner(s):** \_\_\_\_\_

**Application for Consent (list transaction type):** \_\_\_\_\_

As of the date of this application, I am the Registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I authorize the submission of this application on my behalf.

\_\_\_\_\_  
Name of Authorized Agent

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner