



**Municipality of Shuniah**  
**Application to Deem Lots**  
**Not to be Lots on a Plan of Subdivision**  
Under Section 50 (4) of the *Planning Act*  
*Council of the Municipality of Shuniah*

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**Note to Applicants:**

An application for a deeming by-law removes lots or blocks from a registered plan of subdivision if the subdivision has been registered for eight years or more. The purpose is to merge two or more lots or blocks into one conveyable parcel. This process has similar results to a lot addition. It is a tool that would permit the owners to build across a property line where it would normally not comply with the zoning by-law. Owners should discuss their project with staff during their preconsultation.

There is an application and fee for this process. The applicant will also be required to retain a lawyer and will be responsible for all legal fees.

**The following is an overview of the process:**

- 1) A parcel register is needed to determine if a deeming by-law is necessary.
  - The applicant can contact a title searcher, a lawyer, the Land Registry Office, or request that municipal staff acquire a parcel register for them.
  - The applicant is responsible for the fee to obtain the parcel register.
- 2) A by-law will be drafted and presented to Council for consideration.
  - There is a 20 day appeal period following by-law passage.
- 3) Following the passing of the By-law and the completion of the 20 day appeal period,
  - A copy of the by-law will be sent to the applicant.
  - The applicant will bring the by-law to their lawyer to be registered on title.
  - The applicant will have a copy of the registered documents sent to municipal administration staff.
  - The applicant is responsible for their lawyers fees and the by-law registration cost.

**Application Requirements:**

- 1) One original complete application form and Land Registry Parcel Register
- 2) Application fee of \$350.00

**FOR OFFICE USE ONLY**

Date of Preconsultation

Date Complete App Received

Fee Enclosed

\$

Application No.:

Receipt No.:

**1. Registered Owner: (List Association Name if Applicable)**

Owner's Name: \_\_\_\_\_

Owner's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Prov.: \_\_\_\_\_ Postal Code: \_\_\_\_\_ Phone: \_\_\_\_\_

Cell \_\_\_\_\_ Email Address \_\_\_\_\_

**2. Applicant/Agent Information:** (If different from Registered Owner, An Owner's authorization is required, See Schedule A)

Applicant is Registered Owner of the property

Applicant's Name: \_\_\_\_\_

Solicitor/Authorized Agent/Firm: \_\_\_\_\_

Applicant's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Prov.: \_\_\_\_\_ Postal Code: \_\_\_\_\_ Phone: \_\_\_\_\_

Cell: \_\_\_\_\_ Email Address: \_\_\_\_\_

Send Correspondence To? Owner [ ] Applicant [ ] Agent/Solicitor [ ]

**3. Reason(s) For Requesting a Deeming By-Law:**


**4. Location of Subject Land:**

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

Property Roll Number - 58-28-0\_\_0-00\_\_\_\_ - \_\_\_\_\_ (obtained from tax bill or assessment notice)

Concession No.	Section No.
Registered Plan No.	Lot(s) No.
Mining Location	Reference Plan No. Pts.
Geographic Township:	[ ] MacGregor [ ] McTavish



I have attached a copy of the deed/Land Registry Parcel Register which shows legal description and current ownership



I have attached a signed copy of Schedule A (if Applicant is not the Registered Owner)

**ACKNOWLEDGEMENTS:**

- ☐ I/We hereby acknowledge that there is no guarantee by the Municipality of Shuniah that this application will be approved and that the lots will be deemed not to be a registered plan of subdivision as each application must be considered in light of its own special circumstances.
- ☐ I/We will be responsible for all costs involved in deeming the lots not to be a registered plan of subdivision
- ☐ I/We agree to save harmless and indemnify the Municipality from any and all environmental or other liability that may result from the deeming of these lots.
- ☐ I/We acknowledge the application fee of \$350.00 is nonrefundable

**AFFIDAVIT OR SWORN DECLARATION**

I/We, \_\_\_\_\_ of the City/District/Regional Municipality of \_\_\_\_\_  
in the City/District/Regional Municipality of \_\_\_\_\_ solemnly declare that all the statements contained in  
this application are true, and I/We 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.

SWORN/AFFIRMED /DECLARED before me at the \_\_\_\_\_ )  
\_\_\_\_\_ In the Province )

Of Ontario this \_\_\_\_\_, day of \_\_\_\_\_ 20\_\_\_\_)

\_\_\_\_\_  
SIGNATURE

A Commissioner for taking Affidavits. \_\_\_\_\_

signature

stamp

**CONSENT OF THE OWNER:*****AUTHORIZATION OF OWNER TO THE USE  
AND DISCLOSURE OF PERSONAL INFORMATION***

Complete the consent of the owner concerning personal information set out below.

*I, \_\_\_\_\_, am the owner of the land that is subject of this application for a consent and for the purposes of  
the Freedom of Information and Protection of Privacy Act I authorize and consent to the use by or the disclosure to any person or public  
body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.*

\_\_\_\_\_  
Date

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

## EXAMPLE OWNERS AUTHORIZATION LETTER

*If there are multiple owners, an authorization letter must be provided by each*

**Schedule A**

Date: \_\_\_\_\_

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

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

Phone Number: \_\_\_\_\_

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

Attention: Municipality of Shuniah Planning Department

Subject: Letter of Authorization

RE: Subject Lands at

Lot: \_\_\_\_\_

Plan: \_\_\_\_\_

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

Dear Approval Authority:

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for deeming lots not to be a registered plan of subdivision, and I authorize \_\_\_\_\_ to make this application on my behalf. For the purposes of the Freedom of Information and Protection of Privacy Act I authorize \_\_\_\_\_ as my agent for this application, and to provide any of my personal information that will be included in this application or collected during the process on of the application.

Please do not hesitate to contact me if there are any further questions.

Yours truly,

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