

## ACKNOWLEDGEMENT OF RISKS

### Proceeding with a Consent Application Prior to Securing Required Development Approvals such as Rezoning or Minor Variance

Registered Owner(s):

Agent:

Property Affected:

### Read Carefully – Your Rights may be affected by your choice

Each of the undersigned registered owner(s) and agent in the application for consent under the *Planning Act* as described above acknowledge having been advised that the application for consent will require a:

- re-zoning of the property.
- minor variance

**The owners/applicants and agent are advised to apply for and determine if they are able to secure the necessary approvals noted above prior to the submission of the Consent Application. An application for consent cannot succeed without such approval(s) in place.**

**Notwithstanding the foregoing**, each of the registered owner(s) and agent wish to proceed with the application for consent prior to proceeding with the development applications noted above. In doing so, each of the registered owner(s) and agent acknowledge being advised and understand that:

- any decision by the Consent Official will include a condition that the necessary development approval(s) be obtained in final form prior to the issuance of a consent; **AND**
- as with other conditions, the responsibility for seeking compliance with the development approvals will rest with them as registered owner(s) and agent; **AND**
- there are costs associated with the applications for development approval; **AND**
- the City's acceptance of the application for consent is not a representation that:
  - a decision will be made with respect to the development approval(s) within the timeline required to meet conditions for the application for consent; and/or
  - the development application(s) will be approved by the approving body; **AND**
- in the event that one (1) or more required development approval(s) is/are granted:
  - such approval(s) may be conditional upon compliance with conditions, which may involve additional costs or time to comply with; and/or
  - may be subject to appeal, with consequences for costs, time and reversal or amendment of the decision; **AND**
- in the event that one (1) or more required development approval(s) is/are not approved or not approved within the timeline for complying with conditions:
  - the Consent Official **will not** issue the consent certificate; and
  - none of the application for consent fee or any development approval application fees will be refunded; **AND**

- all risks associated with proceeding with the application for consent prior to proceeding with the development applications rather than securing development approvals prior to submitting the application for consent shall be borne by the registered owner(s) and agent.

**In consideration of being permitted to proceed with the application for consent without first securing the required development approvals, the registered owner(s) and agent hereby release and discharge the City from any and all claims for liability, costs, expenses, damages, losses associated with or resulting from an inability to meet, or failure to meet, the conditions imposed in any conditional approval of the consent application in this matter requiring the obtaining of development approval(s).**

Dated at Sudbury this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(day) (month) (year)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature of Registered Owner or  
Authorized Signing Officer (\*where a corporation)

Print Name: \_\_\_\_\_  
I have authority to bind the corporation.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature of Registered Owner or  
Authorized Signing Officer (\*where a corporation)

Print Name: \_\_\_\_\_  
I have authority to bind the corporation.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature of Agent

\* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.