

# Affidavit H

May 20, 2014

(example, revise as required)

## Widening or Extension of Existing Railway Right-of-way

Subclause 122(1)(i) and Subsection 122(4) of *The Planning and Development Act, 2007*(PDA)

- Where the railway right-of-way is a widening or extension of an existing railway right-of-way, an Affidavit H containing the information shown in this example may be submitted in lieu of a certificate of approval to Information Services Corporation (ISC) when applying to the Controller of Surveys to file a railway right-of-way plan in the land surveys directory.
- This affidavit is not a replacement for a certificate of approval for a new railway right of way as required by Section 121 of the PDA.
- An affidavit does not eliminate the need to obtain other permits from a municipality or government authorities.
- Legal access to both railway and residual parcels should be considered in submitting this affidavit.

### AFFIDAVIT

#### Subclause 122(1)(i) and Subsection 122(4)

#### *The Planning and Development Act, 2007*

Canada

Province of Saskatchewan

To Wit:

I, \_\_\_\_\_, \_\_\_\_\_ for  
(Print full legal name – no initials) (Job Title)

\_\_\_\_\_  
(Print Name and Address of Department or Company owning the railway right-of-way or Survey Firm)

make oath and say as follows:

1. That the plan of survey prepared by:

\_\_\_\_\_, SLS affecting \_\_\_\_\_  
(Set out a sufficient land description to identify the Plan of Survey)

will be used for a railway right-of-way as defined in *The Planning and Development Act, 2007*.

2. That the plan of survey widens or extends the aforesaid right-of-way, and that:

- the railway has been declared by the Parliament of Canada to be for the general advantage of Canada or for the general advantage of two or more provinces of Canada;
- the widening or extension is contiguous with the limits of the railway; and
- all remaining parcels created by the subdivision conform with any applicable site area or lot size requirements of any applicable statutory plan or zoning bylaw.

3. That notice of intention to submit the aforesaid plan to the Controller of Surveys has been given to the municipality or municipalities in which the right-of-way is located and the approving authority as defined in clause 2(1)(a) of the PDA. The municipality or municipalities and approving authority have advised they are satisfied that the requirements in paragraph 2 and the requirement to maintain legal access to all affected parcels have been met.

Sworn before me at the \_\_\_\_\_ of \_\_\_\_\_

In the Province of Saskatchewan

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Signature of person swearing the affidavit)

\_\_\_\_\_  
A Notary Public or Commissioner for Oaths

In and for the Province of Saskatchewan.

My commission expires \_\_\_\_\_.