



COMMITTEE OF ADJUSTMENT FOR THE TOWN OF INNISFIL

APPLICATION FOR CONSENT Under Section 53 of the Planning Act

Completeness of the Application:

This information is prescribed in the Schedule to Ontario Regulation 200/96 made under the Planning Act. Mandatory information must be provided with the appropriate fee. If the mandatory information and fees are not provided, the application will be returned, or may not be considered until the information and fee have been provided.

The application form also sets out other information that will assist the Committee of Adjustment in their evaluation of the application. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision.

Submission of the Application Checklist:

- A completed digital application form (original) is required with all sections completed. Please print clearly and provide email addresses.
- A survey may be required showing existing conditions.
- Site Plan Drawing is required showing dimensions of the property, all existing/proposed buildings with setbacks to property lines, roadways/rail lines, natural features i.e., Trees, location of any easements, and elevation drawings of all buildings on the subject property.
- The required fee is **\$2,400.00 (2022 fee)**. Town Staff will email a PayPal link for payment once a complete application is received. Additional applications for the same lands would be applied at 50% of the regular fee. Please note that any request by the applicant for the deferral of an application or the deferral by the applicant or Committee of a decision on an application will result in an additional fee. **Where applicable, please note that staff time will be billable to the owner after the Decision has been made and that fees will be invoiced accordingly as per the Town's Fees & Charges By-law.**
- Supporting Documentation where applicable (ex. Planning Report, Natural Heritage Evaluation).

Please note: Measurements on the application and drawings/plans are to be in metric units.

For Help:

If you require assistance with this application, please contact Toomaj Haghshenas,
Secretary-Treasurer to the Committee of Adjustment.

Email – thaghsheenas@innisfil.ca Telephone - (705) 436-3710 ext. 3316 Fax - (705) 436-7120



Consent Application

Committee of Adjustment F#01.04.2021CA

OFFICE USE ONLY:

Application Number: _____ Hearing Date: _____ Payment Type: _____ Simple: ___ Complex: ___
 Applicable Conservation Authority: NVCA _____ LSRCA _____

The undersigned hereby applies to the Committee of Adjustment for the Town of Innisfil under Section 45 of the Planning Act, for relief, as described in this application, from By-law #: _____ (as amended)

1.0 PROPERTY DESCRIPTION

Municipal Address:			
Town Lot and Concession Number:			
Registered Plan and Lot/Block Number:			
Reference Plan and Part Numbers:			

2.0 APPLICANT/ AGENT INFORMATION

Company Name:			
Name of Applicant/Agent:			
Address:			
City/Town:		Postal Code:	
Telephone:		Fax:	

2.1 REGISTERED OWNER INFORMATION

Name of Owner:			
Address:			
City/Town:		Postal Code:	
Telephone:		Fax:	

3.0 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction

Transfer:

creation of a new lot(s) addition to a lot Other: a charge a lease
 an easement other purpose

3.2 Name of person, if known, to whom land or interest in land is to be transferred, leased, or charged

3.3 If a lot addition, identify the lands to which the parcel will be added

4.0 DESCRIPTION OF SUBJECT LANDS AND SERVICING INFORMATION

4.1 DESCRIPTION OF LAND(S) BEING SEVERED: (Note: If more than one lot is proposed for severance, an appendix is to be provided outlining the following for each lot to be severed)

Frontage		Depth		Area	
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Existing use of lands and structures:	Proposed use of lands and structures:
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Types of Access:
 Provincial Highway Municipal Road Other Public Road Right of way

Water Access (on an attached appendix, describe the parking and docking facilities to be used and approximate distance of these facilities from the subject land and the nearest public road)

Type of water supply proposed:

publicly owned and operated piped water system	privately owned and operated individual well
privately owned and operated communal well	lake or other water body Other means

Type of sewage disposal proposed:

publicly owned and operated sanitary sewage system	privately owned and operated individual septic tank
privately owned and operated communal septic system	privy Other means

4.1 DESCRIPTION OF LAND(S) BEING RETAINED

Frontage		Depth		Area	
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Existing use of lands and structures:	Proposed use of lands and structures:
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Types of Access:
 Provincial Highway Municipal Road Other Public Road Right of way

Water Access (on an attached appendix, describe the parking and docking facilities to be used and approximate distance of these facilities from the subject land and the nearest public road)

Type of water supply proposed:

publicly owned and operated piped water system	privately owned and operated individual well
privately owned and operated communal well	lake or other water body Other means

Type of sewage disposal proposed:

publicly owned and operated sanitary sewage system	privately owned and operated individual septic tank
privately owned and operated communal septic system	privy Other means

5.0 LAND USE

5.1 What is the Official Plan Designation:

5.2 What is the zoning of the Subject Lands:

5.3 Are any of the following uses or features on the subject lands within 500 meters of the subject land. Please indicate where applicable.

Use or Feature	On the Subject Land	Within 500 meters of Subject Land, unless otherwise specified (indicate approximate distance)
an agricultural operation, including livestock facility or stockyard ¹		
a landfill		
a sewage treatment plant or waste stabilization plant		
a provincially significant wetland (Class 1, 2 or 3 wetland) ²		
flood plain ²		
a rehabilitated mine/pit site		
an active mine/pit site		
a non-operating mine/pit site within 1 km of the subject land		
an industrial or commercial use, and specify the use(s)		
an active railway line		

(1) Where farm viability or size is an issue or where livestock barns are in proximity to the subject land, forms (Form 1 and 2) provided by the Ministry of Agriculture and Food will serve to further assist the Ministry in providing a response for either the farm parcel size evaluation or Agricultural Code of Practice calculation.

(2) A certificate of approval from the local Conservation Authority or the Ministry of Natural Resources will facilitate the review.

6.0 HISTORY OF THE SUBJECT LAND

6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under The Planning Act?
 If yes, and if known, provide the application file number and the decision made on the application.

Yes No Unknown

6.2 From the time the subject land was originally acquired, has the owner severed any land from the subject land?
 If yes, and if known, provide for each severed parcel, the date of transfer, the name of the transferee, and the land use. If additional space is required, attach as an appendix.

Yes No Unknown

7.0 CURRENT APPLICATION

7.1 Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted for approval?
 If yes, and if known, specify the file number and status of the application.

Yes No Unknown

7.2 Is the subject land currently the subject of an application for a zoning by-law amendment, Minister’s zoning order amendment, minor variance, consent, or approval of a plan of subdivision?

Yes No Unknown

8.0 CERTIFICATE OF RETAINED LANDS

8.1 Is the applicant requesting a certificate for the retained lands?
 If “yes”, the applicant must provide a lawyer’s statement that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening Section 50 of the Planning Act. Please attach the statement to the application.

Yes No Unknown

9.0 OTHER INFORMATION

9.1 Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach as an appendix if additional space is required.

10.0 SKETCH

10.1 *The application shall be accompanied by a sketch (see attached sample sketch) showing the following:*

- *the boundaries and dimensions of the subject lands, and the parts that are to be severed and retained*
- *the boundaries and dimensions of any land owned by the owner of the subject land that abuts the subject land*
- *the distance between the subject land and the nearest town lot line or landmark, such as a railway crossing or bridge*
- *the location of all land previously severed from the parcel originally acquired by the current owner of the subject land*
- *the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells, and septic tanks*
- *the existing use(s) on adjacent lands*
- *the location, width, and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road, or a right-of-way*
- *if access to the subject land is by water only, the location of the parking and boat docking facilities to be used*
the location and nature of any easement affecting the subject land

11.0 AFFIDAVIT OR SWORN DECLARATION

11.1 This must be completed by the Applicant.

I, _____ of the _____ in the _____
Full Name City, Town, Municipality County or Region
make oath and say (or solemnly declare) that all statements contained in this application are true and conscientiously believing to be true the information contained in the documents that accompany this application. Furthermore, for the purposes of the Freedom of Information Act, I authorize and consent to the use by or the disclosure to any person or public body of any information collected under the Planning Act for the purposes of processing this application.

Sworn (or declared) before me at the _____ in the _____
City, Town, Municipality County or Region
this day _____ of _____, 20____.
Day Month Year

Commissioner of Oaths Signature

Applicant Signature

***By submission of this application Town Staff, Commenting Agencies and Committee Members are permitted to access the property for the purpose of site inspections related to this application. Access to the property to conduct site inspections shall be between the hours of 8 a.m. to 7 p.m.**

12.0 AUTHORIZATION

12.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

**Authorization of Owner for Agent
To Make the Application**

I, _____ am the owner of the land that is the subject of this
Owner's Name
application, and I authorize _____ to make this
Agent's Name

application on my behalf. Furthermore, for the purposes of the Freedom of Information Act, I authorize and consent to the use by disclosure to any person or public body of any information collected under the Planning Act for the purposes of processing this application.

Date

Signature of Owner

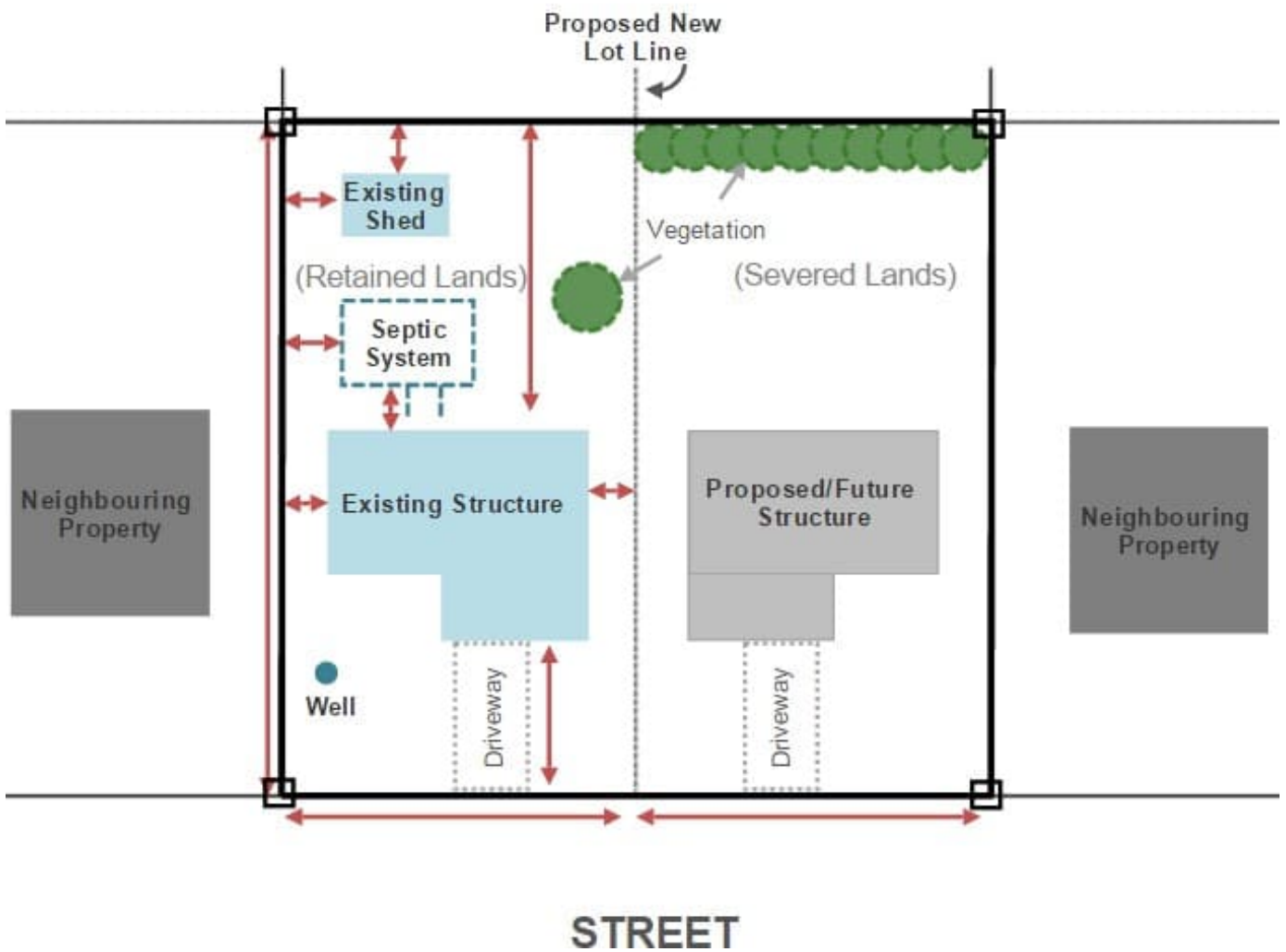
Sample Lot Severance Application Drawing

PROPERTY ADDRESS

Please ensure to include the following in your drawings:

- Existing Lot Area (Retained Lands): _____ m²
- Newly Created Lot Area (Severed Lands): _____ m²
- Coverage of all structures on Lot: _____ m²

... As well as all measurements shown in red below



The Consent Process

Application Submitted

- Ensure that the original has been commissioned. The Town offers this through conference call, please request this service when submitting, if required.
- Ensure that all application fields are completed.
- Ensure that the application contains clear readable drawings/plans with dimensions.
- Ensure that the correct application fee is submitted.
- Ensure that the correct fee for LSRCA and/or NVCA if applicable is submitted.

Notice of Application

- Must be circulated two weeks prior to the Hearing date.
- Application is reviewed and processed for circulation. All property owners within 60 metres (200 feet) of the subject lands as well as any affected agencies (Conservation Authority, School Boards, etc.) are sent a copy of Notice of Application, which briefly outlines nature of application.
- Applicant is responsible for posting a Notice sign on the subject lands at least two weeks prior to the actual Hearing date. The sign will be provided by the Town of Innisfil at no additional charge. Notification when the sign is ready for pick up will be sent to the applicant via email. The sign must be visible and within 2 metres of the street. Once the sign is erected on the subject property a photo of the sign is to be emailed to the Secretary-Treasurer.

Decision

- Committee generally makes decision the day of the Hearing of the application (although a decision can be deferred while more information is gathered).
- Generally, consent is granted conditionally. Typical conditions might be:
 - survey required of lands to be severed
 - cash in lieu of 5% parkland
 - connect to municipal services
 - road improvement charges
 - rezoning of subject lands
 - anything the Committee sees as appropriate

Notice of Decision

- Provided one week after the Decision is made.
- Notice of Decision is circulated to the applicant and to each person or public body that made a written request to be notified.
- Once the Notice of Decision is mailed, a 20-day appeal period commences during which time the Committee's decision may be appealed to the Ontario Land Tribunal.

If No Appeal

- The applicant commences to meet conditions established by the Committee. The applicant has two years to meet These conditions.
- If the conditions are met within the prescribed time frame, a Certificate of Official is issued which is then registered along with the deed. Please complete Section 8.0 to request a certificate for the retained lands.
- If the conditions are not met within the prescribed time frame, the application is deemed to be null.

If Appealed

- The application goes to the Ontario Land Tribunal for a new Hearing.

Conservation Authority Base Review Fee

If your application is required to be circulated to the LSRCA or NVCA and they determine that your application requires an additional review, you could be charged additional fees. **If the subject property falls within the regulatory limit of the LSRCA or NVCA, applicants are strongly recommended to contact the Conservation authority for an estimate of costs before submitting their application to the Town.**

More information about Conservation Authority planning review fees can be found at:

- NVCA: <http://www.nvca.on.ca/planning-permits/forms-fees> (click the “Planning Fees” link)
- LSRCA: http://www.lsrca.on.ca/permits/permit_fees.php (see “Applications made under the Planning Act”)

Frequently Asked Questions:

- **How do I know if I will be charged the minor variance base review fee?**

Applicants will be charged the minor variance base review fee (and have their application circulated to a Conservation Authority) if the subject property is a shoreline property on Lake Simcoe OR within the regulated area of the LSRCA or NVCA.

- **How much is the minor variance base review fee?**

The review fee is set by each conservation authority and reviewed annually. For the most current fee please follow the links above or contact the conservation authority directly.

- **How do I know if the subject property is within the regulated area of a Conservation Authority?**

To find out if the subject property is within a regulated area, you can:

1. Contact the Secretary-Treasurer to the Committee of Adjustment to discuss your application and find out if it will be circulated to the NVCA or LSRCA; or
2. Look up the subject property using the mapping available on the Conservation Authority websites:
 - LSRCA: http://www.lsrca.on.ca/maps/disclaimer_regulation.php (click “I Agree” to access mapping)
 - NVCA: <http://maps.simcoe.ca/NVCA/> (make sure the “NVCA Regulated Areas” box is checked)
3. Contact the Conservation Authority directly for assistance:
 - LSRCA: 905-895-1281 or 800-465-0437
 - NVCA: 705-424-1479

For Help:

If you require assistance with this application, please contact Toomaj Haghshenas, Secretary-Treasurer to the Committee of Adjustment.

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