

# Committee of Adjustment Application for Consent

Town of Newmarket  
395 Mulock Drive  
P.O. Box 328, Station Main  
Newmarket, ON L3Y 4X7



T: 905-953-5300 Ext. 2462  
F: 905-953-5140

Effective January 1, 2021, the fee for processing an application to the Committee of Adjustment is as follows:

<b>Consent – Severance</b>	<b>\$7,811.03 (including HST)</b>
<b>Consent – Other Applications</b>	<b>\$5,207.98 (including HST)</b>
<b>Lake Simcoe Region Conservation Authority Review Fee (if applicable)</b>	<b>\$525.00</b>

The application fee is payable at the time an application is submitted. Fees may be paid by cheque, cash, debit or credit card. Cheques are to be made payable to “**THE TREASURER, TOWN OF NEWMARKET**” and “**LAKE SIMCOE REGION CONSERVATION AUTHORITY**” respectively. Fees are non-refundable.

## **NOTICE TO ALL APPLICANTS OF CONSENT APPLICATIONS TO THE TOWN OF NEWMARKET COMMITTEE OF ADJUSTMENT**

1. Before you prepare and submit your application to be processed by the Committee of Adjustment, it is strongly recommended that you engage with a Planner and/or consult with the Planning and Building Department at the Town of Newmarket to ensure that your proposal is feasible.
2. Public notice signs, provided, are required to be posted in a prominent location on the subject property for a minimum of fourteen (14) days before the scheduled Hearing of the Consent application. **Failure to comply will result in the deferral of the hearing of your application.**
3. **Lake Simcoe Region Conservation Authority (LSRCA)** may require an application review fee to be paid if the property is situated within a mapped area that is subject to O. Reg. 179/06.
4. Pursuant to Subsection 53 of the *Planning Act*, and Ontario Regulation 197/96, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.
5. Personal information on this form is collected under the legal authority of the *Planning Act*, R.S.O. 1990, c.P.13, as amended. This information will be used to process an application for consent for the Committee of Adjustment. Questions about this collection should be directed to the Secretary Treasurer, Town of Newmarket Committee of Adjustment, at the above noted address.
6. Information on this application and any documentation submitted in support of or in opposition constitutes public information and will become part of the public record.

# Consent Application Checklist

- Completed Application Form, including:
  - Affidavit or sworn declaration
  - Permission to enter
  - Appointment and authorization
- Application Fees (see cover page of application form and below):
  - Recirculation Fee due to applicant's revisions or deferral request - **\$1,158.25 (includes HST)**
  - Peer Review Costs – **actual costs plus Planning Administrative Fee of 15%** of consultant's fee
  - Town of Newmarket Fee for matters appealed to Local Planning Appeal Tribunal - **\$167.08**
  - Site Plan Leading Agreement Fee - **\$868.69 (includes HST)**
  - Site Plan Amending Agreement Fee - **\$1,274.08 (includes HST)**
  - Security Release Inspection Fee After the First Inspection - **\$505.57 (includes HST)**
- Parcel Abstract(s)
- Two (2) copies of a coloured sketch, and one (1) copy of an uncoloured sketch drawn **to scale, in metric** (8 ½" X 11" OR 8 ½" X 14") showing the following:
  - The **severed land** should be outlined in red and indicated as "A".
  - The **remaining land** should be outlined in green and indicated as "B".
  - Boundaries, dimensions and calculated area of the subject land (the total parcel), and lands to be severed and retained.
  - All existing and proposed structures, including their size, setbacks to property lines and lot coverage.
  - The approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
  - The current uses on the land that is adjacent to the subject land.
  - The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
  - The location and nature of any easements affecting the subject land.
- A Survey prepared by an Ontario Land Surveyor
- Tree Report Form
- One (1) hard copy and one (1) digital copy of an Arborist Report in accordance with the requirements set forth in the Town's Tree Preservation, Protection, Replacement and Enhancement Policy (if applicable).

**Note:** The Town shall retain the services of a qualified tree professional to undertake a peer review of any tree preservation, protection and replacement plan submitted, as required and the Town shall be reimbursed by the applicant at the actual cost for the services rendered by the Town's consultant plus 15% of the consultant's fee.

\* **Digital copies of drawings, plans and the arborist report must be provided on a CD or USB key.**

# Committee of Adjustment Application for Consent

Town of Newmarket  
395 Mulock Drive  
P.O. Box 328, Station Main  
Newmarket, ON L3Y 4X7



The undersigned hereby applies to the Committee of Adjustment for Town of Newmarket under Section 45 of the Planning Act, R.S.O., 1990, c.P.13, as amended.

<b>FILE NUMBER (for office use only)</b>	
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<b>1.0 Applicant Information</b> <input type="checkbox"/> Primary Contact for Application			
Property Owner(s):			
Address:	City:	Postal Code:	Province:
Phone:		Alt. Phone:	
Email:		Fax:	

<b>2.0 Agent Information</b> <input type="checkbox"/> Primary Contact for Application			
Name of Authorized Agent:			
Address:	City:	Postal Code:	Province:
Phone:		Alt. Phone:	
Email:		Fax:	

<b>3.0 Legal Description of the Subject Lands</b> (Refer to the current "Parcel Abstract(s)" regarding the subject property)	
Concession/Registered Plan No.:	Lot Number(s):
Reference Plan No.:	Part Number(s):
Municipal Address:	
Roll Number:	
Are there any easements or restrictive covenants affecting the subject lands? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If "yes", please describe: _____	

<b>4.0 Type and Purpose of Application (please check)</b>			
<input type="checkbox"/> Creation of new lot	<input type="checkbox"/> Easement	<input type="checkbox"/> Addition to a lot	<input type="checkbox"/> Right-of-Way
<input type="checkbox"/> Lease	<input type="checkbox"/> Mortgage	<input type="checkbox"/> Correction of title	

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

Name of person(s), if known, to whom land or interest in land is to be transferred, leased or mortgaged:

**5.0 Property Description**

<b>SEVERED:</b>	Lot Frontage: _____ m	Lot Depth: _____ m	Lot Area: _____ m <sup>2</sup>
<b>RETAINED:</b>	Lot Frontage: _____ m	Lot Depth: _____ m	Lot Area: _____ m <sup>2</sup>
<b>EASEMENT:</b>	Lot Frontage: _____ m	Lot Depth: _____ m	Lot Area: _____ m <sup>2</sup>

**6.0 Use of Property**

<b>SEVERED:</b>	Existing:	Proposed:
<b>RETAINED:</b>	Existing:	Proposed:
<b>EASEMENT USE OF:</b>		

**7.0 Buildings or Structures**

<b>SEVERED:</b>	Existing:	Proposed:
<b>RETAINED:</b>	Existing:	Proposed:

**8.0 Access**

<b>SEVERED:</b>	<input type="checkbox"/> Municipal <input type="checkbox"/> Regional <input type="checkbox"/> Provincial <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other _____
<b>RETAINED:</b>	<input type="checkbox"/> Municipal <input type="checkbox"/> Regional <input type="checkbox"/> Provincial <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other _____

If access to the subject land is by "Private Road", "Right-of-Way" or "Other", please indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or year-round:

Roads abutting the subject lands: \_\_\_\_\_

Width of roads abutting the subject lands: \_\_\_\_\_

**9.0 Water Supply**

**SEVERED:**  Municipal Services  Well

**RETAINED:**  Municipal Services  Well

**10.0 Sewer**

**SEVERED:**  Municipal Services  Septic Tank

**RETAINED:**  Municipal Services  Septic Tank

**11.0 Land Use and Application Information**

What is the existing Official Plan Designation(s) of the Subject Land? \_\_\_\_\_

What is the existing Zoning Designation(s) of the Subject Land? \_\_\_\_\_

	Use or Feature	On the Subject Land	Within 500 metres of the Subject Land
Are any of the following uses or features on the Subject Land or within 500 metres of the Subject Land? Please check the appropriate boxes if any apply:	<b>Flood Plain</b>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>Any industrial or commercial use. Please specify:</b> _____	<input type="checkbox"/>	<input type="checkbox"/>
	<b>An active railway line</b>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>Electric transformer stations</b>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>High voltage electric transmission lines</b>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>An agriculture operation, including livestock facility or stockyard</b>	<input type="checkbox"/>	<input type="checkbox"/>

Has the subject land ever been subject of an application for approval of a plan of subdivision or consent under the Planning Act? If Yes, please provide the application file number and decision made on this application.

No  Yes \_\_\_\_\_

Has any land been severed from the parcel originally acquired by the owner of the subject land? If Yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

No  Yes \_\_\_\_\_

If this application is a re-submission of a previous consent application, describe how it has been altered from the original:

\_\_\_\_\_  
 \_\_\_\_\_

Is the land currently subject to a proposed Official Plan or Official Plan amendment that has been submitted for approval? If Yes, and if known, specify the appropriate file number and status of the application.

No  Yes \_\_\_\_\_

Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance or approval of a plan of subdivision? If Yes, and if known, specify the appropriate file number and status of application.

No  Yes \_\_\_\_\_

Is the subject land is within an area of land designated under any provincial plan or plans. If Yes, please indicate whether the application conforms to or does not conflict with the applicable provincial plan or plans.

No  Yes \_\_\_\_\_

### 12.0 Heritage Designation

Is the property on the Municipal Register of Properties Designated under the Heritage Act?

Yes

No

Is the property on the Municipal Register of Non-Designated Heritage Properties?

Yes

No

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

DATED at the \_\_\_\_\_ of \_\_\_\_\_ this

\_\_\_\_\_ day of \_\_\_\_\_, 2021.

# AFFIDAVIT OR SWORN DECLARATION

I, \_\_\_\_\_ of the \_\_\_\_\_  
(Print Name of Owner or Authorized Agent) (e.g. Town of Newmarket)

\_\_\_\_\_ in the \_\_\_\_\_  
(e.g. Regional Municipality of York)

Solemnly declare that all above statements and the statements contained in all of the exhibits transmitted herewith are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as it made under oath and by virtue of the CANADA EVIDENCE ACT.

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 and correspondence purposes. Questions about this collection should be directed to the Committee of Adjustment Secretary-Treasurer, Town of Newmarket, 395 Mulock Drive, Newmarket, Ontario L3Y 4X7, telephone 905-953-5300 ext. 2453.

**NOTE: The Signature of applicant or authorized agent must be witnessed by a Commissioner, etc. A Commissioner is available in the Committee of Adjustment office, if needed.**

DECLARED before me  
at the \_\_\_\_\_  
of \_\_\_\_\_  
in the \_\_\_\_\_  
of \_\_\_\_\_  
this \_\_\_\_\_  
day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
A Commissioner, etc.

\_\_\_\_\_  
Signature of applicant or authorized agent  
 I have authority to bind the Corporation

# PERMISSION TO ENTER

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

Secretary-Treasurer  
Committee of Adjustment  
Town of Newmarket  
395 Mulock Drive  
Newmarket ON L3Y 4X7

Dear Secretary-Treasurer:

RE: Application to Committee of Adjustment

Location of Property: \_\_\_\_\_  
(Municipal address)

I hereby authorize the Committee of Adjustment members and Town of Newmarket staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

\_\_\_\_\_  
Signature of owner or authorized agent

\_\_\_\_\_  
Please print name



# APPOINTMENT AND AUTHORIZATION

I / We, \_\_\_\_\_,  
(Name of Owner(s))

the undersigned, being the registered property owner(s) of \_\_\_\_\_

\_\_\_\_\_, hereby authorize  
(Legal description or municipal address)

\_\_\_\_\_ as my/our agent for the  
(Authorized agent's name)

purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

**Dated** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

_____ (Signature of the owner or signing officer)	_____ (Please print the full name and position of the person signing)
<input type="checkbox"/> I have authority to bind the Corporation	_____ (Name of the Corporation, if applicable)
_____ (Signature of the owner or signing officer)	_____ (Please print the full name and position of the person signing)
<input type="checkbox"/> I have authority to bind the Corporation	_____ (Name of the Corporation, if applicable)