THE TOWNSHIP OF CARLING
COMMITTEE OF ADJUSTMENT - CONSENT APPLICATION

Information for Applicants

The Township of Carling strongly encourages applicants to consult staff in the Township's Planning Department prior to submission of an application. The Planner can be reached by phone at 705-996-9183 or by email at planning@carling.ca

The Committee of Adjustment meets on an as required basis, in conjunction with the regularly scheduled meetings of Council and the Committee of the Whole. Council meetings are generally held on the second Tuesday of each month. Committee of the Whole meetings are generally held on the fourth Tuesday of each month. A complete application must be submitted a minimum of three weeks prior to the Council meeting or Committee of the Whole meeting at which the application could first be considered. Due to the complexity of some applications, Planning staff require sufficient time to undertake a review of the application, conduct a site visit, prepare a Planning report to the Committee and to fulfill the requirements of the Planning Act with respect to the giving of Notice of a Hearing.

Township staff may conduct a site inspection of your property. By submitting this application, you are authorizing the Township to access your property for the purpose of conducting a site inspection. Please note that staff may be unable to perform site visits during the winter months on properties which are accessed by water or by seasonally maintained municipal or private roads. As such, consideration of an application by the Committee may be delayed until such time as safe access to the property can be obtained. The applicant is required to identify the proposed parcel(s) on the ground, clearly visible to facilitate site inspections by the Township staff (i.e. coloured flagging tape, stakes, etc.).

1. Complete Application

   All applicable information requested on the application form and the required application fee and deposit must be provided, together with any other supporting information requested by the Township, before the application will be considered complete and be considered by the Committee of Adjustment. The Committee of Adjustment will return the application or refuse to further consider the application until the required information and application fee have been provided. In the absence of this information, the application may be deemed to be incomplete and it may not be possible to do a review within the legislated time frame for making a decision. As a result, the application may be refused.

2. Supplemental Information

   Once the application review has been completed, supplemental information may be requested including, but not limited to:

   i) Site Plan Agreement
   ii) Development 51(26) Agreement
   iii) Stormwater Management Plan
   iv) Legal Survey
   v) Environmental Site Evaluations (Impact Study)
   vi) Other Studies

Where Site Plan Agreements or Development 51(26) Agreements are required by the Township, the applicant may be required to file separate applications for such processes. The Applicant will be responsible for paying all application fees and processing costs associated with these separate applications.

3. Costs

Application: Base Fee	$1,500.00
New Lot Fee:	$750.00 per new lot proposed
New Lot Addition Fee:	$250.00 per lot addition proposed
New Easement Fee:	$250.00 per easement proposed
New Right-of-Way Fee:	$250.00 per right-of-way proposed
Deposit:	$2,000.00

Pursuant to the Township's Fees By-law 2018-01, as amended the application base fee and all new lot, lot addition, easement and right-of-way fees are non-refundable. The application fee does not include any costs which may be incurred for additional public meetings, the procession of objections or any functions relating to an Ontario Land Tribunal (OLT) hearing.

Costs incurred by the Committee of Adjustment for the engagement of professional services in respect of an application, including the time spent processing the application by the Township's Planner or other municipal staff, outside planning consultants, environmental consultants, lawyers, surveyors, draftsmen and engineers are not covered by the application fee. These fees are charged against the original deposit submitted with the application. Applicants will be invoiced for the full amount of any accounts rendered by such professionals for the provision of their services, unless at the discretion of the Planner, such an account or any portion thereof is deemed to be an expense of the Committee of Adjustment.

Should the costs of professional services incurred exceed that of the original deposit submitted, applicants will be invoiced for the remaining balance. Should the original deposit cover all professional costs, the remaining balance will be refunded to the applicants at the conclusion of the process. Any provisional consent granted by the Committee of Adjustment shall include a condition that all applicable fees be paid in full. Finalization of the application and certification of transfer documents shall not occur until such time as all outstanding fees have been paid in full by the applicant.

4. Parkland Dedication

The Planning Act provides for parkland dedication of up to 5% (residential) of the land, or an equivalent cash-in-lieu of land dedication contribution. During the review process, the Township will determine if land dedication is required, or whether the alternative cash contribution is more appropriate and advise the applicant of such. Cash-in-lieu of land dedication shall be calculated in accordance with the Township's Policy on Parkland Dedication and Fees By-law 2018-01 as amended. Where an appraisal is required as part of the calculating of a cash-in-lieu of land dedication, the applicant will be invoiced by the Township and shall be responsible for paying all appraisal costs.

5. Rezoning Application as a Condition of Provisional Consent

   In some cases, provisional consent can be granted by the Committee of Adjustment subject to a condition that the applicant secure a Zoning By-law Amendment. Should this be a requirement, the applicant would be required to pay a reduced Zoning By-law Amendment fee as prescribed in the Township's Fees By-law 2018-01, as amended.

6. Appeal to Ontario Land Tribunal (OLT)

   It is possible for the decision of the Committee of Adjustment to be appealed to the Ontario Land Tribunal (OLT). Appeals of a decision must be submitted through the OLT e-file portal or delivered to the Secretary-Treasurer of the Committee of Adjustment. Once a complete appeal package has been received by the Secretary-Treasurer, he/she will prepare the necessary documentation and submit it to the OLT who will then assign a case number and case coordinator to the appeal.

The Corporation of
the Township of Carling

2 West Carling Bay Road
Nobel, ON P0G 1G0
705-342-5856

Committee of Adjustment – Consent Application

Application for Consent
Under Section 53 of the Planning Act
R.S.O. 1990, c.P.13, as amended

OFFICE USE ONLY

Date Received: _____

Complete Application ☐Yes ☐No

Application No. _____

Date Accepted: _____

Applicable Fee Paid ☐Yes ☐No

1. **Date Application Submitted:** _____

2. **Applicant/ Agent Information**

Name of Applicant / Agent:

_____

Address:

_____

_____

_____

Home Phone Number: _____

Business Phone Number: _____

Email: _____

3. **Owner(s) / Chargee / Purchaser Information**

Name: _____

Address:

_____

_____

_____

Phone Number: _____

Email: _____

Note: if there are additional registered owners with different contract information, please attach a separate page to the application indicating their names, address, telephone number and email.

4. <u>Purpose and Type of Application</u>

- ☐ Creation of new lot(s)
- ☐ Lot addition(s)
- ☐ Easement(s)
- ☐ Right-of-way(s)
- ☐ Lease
- ☐ Correction of title
- ☐ Charge
- ☐ Other (specify, e.g., partial discharge of mortgage)

Explain the details of the application:

_____

_____

_____

_____

_____

_____

_____

Name of person(s) (purchaser, lessee, mortgage, etc.) to whom land or interest is intended to be transferred, charged or leased, if known:

New Lot Creation (if applicable)

Proposed Lot 1: _____

Proposed Lot 2: _____

Proposed Lot 3: _____

Retained Lot: _____

Lot Addition (if applicable)

Lot Addition 1: _____

Lot Addition 2: _____

Lot Addition 3: _____

Easement (if applicable)

Easement 1: _____

Easement 2: _____

Easement 3: _____

Right-of-Way (if applicable)

Right-of-Way 1: _____

Right-of-Way 2: _____

Right-of-Way 3: _____

Note: If additional space is required to complete this section, please include on a separate page and attach to the back of the application. For all other types of applications not noted above, please provide the details on a separate page and attach to the application.

5. Location and Legal Description of the Subject Land

Name of Municipality: _____

Assessment Roll Number: 4936- _____

Lot: _____ Concession: _____

Registered Plan of Subdivision No. (if any) – Plan No. M-_____

Lot No(s). _____

Reference Plan No. (if any) – Plan No. 42R- _____

Part No(s). _____

Parcel No. _____

Civic Address: _____

Island Number: _____

5.1 Description of Subject Land

		Severed Lot 1	Severed Lot 2	Severed Lot 3	Retained Lot	Lot Addition
Description of Land	Frontage (m)					
	Depth (m)					
	Area (ha)					
Use of Property	Existing Use(s)					
	Proposed Use(s)					

*Attach separate sheet to application if necessary

5.2 Servicing Information (check the applicable field)

		Severed Lot 1	Severed Lot 2	Severed Lot 3	Retained Lot	Lot Addition
Access	Provincial Highway					
	Municipal road, maintained all year					
	Municipal road, maintained seasonally					
	Other public road					
	Right-of-way					
	Water Access					
Water Supply	Privately owned and operated individual well					
	Privately owned and operated communal well					
	Lake or other water body					
	Other means					
Sewage Disposal	Privately owned and operated individual septic system					
	Privately owned and operated communal septic system					
	Privy					
	Other means					

If access to the subject land will be water only, please describe the parking and docking facilities to be used and the approximate distance of these facilities from the land and nearest public road:

_____

_____

_____

5.3 Existing and Proposed Buildings & Structures

EXISTING – List all existing buildings and structures						DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	Lot Location (i.e. Retained / Severed Lot 1)	Date of Construction	# of Storeys / Height (m)	Ground Floor Area (m^2)	Gross Floor Area (m^2)	Front	Rear	Side	Side

PROPOSED – List all proposed buildings and structures						DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	Lot Location (i.e. Retained / Severed Lot 1)	Date of Construction	# of Storeys / Height (m)	Ground Floor Area (m^2)	Gross Floor Area (m^2)	Front	Rear	Side	Side

6. <u>Easements or restrictive covenants</u>

Are there any easements or restrictive covenants affecting the subject land?

☐Yes

☐No

If **YES,** describe the easement or covenant and its effect:

_____

_____

7. Land Use and Zoning

What is the current designation of the subject land in the Official Plan?

_____

Provide an explanation of how the application conforms with the Township of Carling Official Plan:

_____

_____

_____

_____

_____

_____

_____

8. History of the Subject Land

Has the land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under Section 53 of the Planning Act?

☐ Yes ☐ No ☐ Unknown

If YES, and if known, please specify the file number and the status of the application:

_____

If this application is a resubmission of a previous consent application, describe how it has been changed from the original application:

_____

_____

Has any land been severed from the parcel originally acquired by the owner of the subject land?

☐ Yes ☐ No

If YES, provide for each parcel severed the date of transfer, the name of the transferee(s) and the land use:

_____

_____

_____

_____

_____

_____

Has the subject land ever been the subject of any other application under the Planning Act such as an application for an amendment to an official plan, a zoning by-law or a Minister's zoning order, an application for a minor variance or an application for an approval of a plan of subdivision or consent?

☐ Yes ☐ No

If YES, please note the file number of the application and the status of the application:

_____

_____

_____

_____

_____

_____

9. Current Application

When two or more parcels are created with an unstipulated consent, a certificate of consent shall be provided to the applicant for the conveyed (severed) land(s). A certificate of consent for the retained lands shall be provided upon request only.

Is the application making a request as referred to in Section 53(42.1) a) of the Planning Act?

☐ Yes ☐ No

If YES, please attach a formal statement from an Ontario Solicitor in good standing indicating 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.

Is the application consistent with policy statements issued under subsection 3(1) of the Planning Act?

☐ Yes ☐ No ☐ Unknown

Please explain how the application is consistent with policy statements issued under subsection 3(1) of the Planning Act:

_____

_____

_____

_____

_____

_____

Is the subject land within an area of land designated under any provincial plan or plans?

☐ Yes ☐ No ☐ Unknown

If YES, please identify the provincial plan or plans and provide an explanation of how the application conforms or does not conflict with the provincial plan or plans:

_____

_____

_____

_____

_____

_____

Is the subject land the subject of any other application under the Act, such as an application for an amendment to an official plan, a zoning by-law or a Minister's zoning order, an application for a minor variance or an application for an approval of a plan of subdivision or consent?

☐ Yes ☐ No

If YES, please note the file number of the application and the status of the application:

_____

_____

_____

_____

_____

_____

10. Plans (to assist in the preparation of plans, please refer to the attached sample sketch)

Site Plan

Every application shall be accompanied by a site plan, drawn to an appropriate scale, properly dimensioned, showing the following:

i) The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

ii) The approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing

iii) The boundaries and dimensions of the subject land, he part that is intended to be severed and the part that is intended to be retained;

iv) The location of all land previously severed from the original parcel acquired by the current owner of the subject land;

v) The approximate location of all natural and artificial features (for example: buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks) that:
   a) Are located on the subject land and on land that is adjacent to it, and
   b) In the applicant's opinion, may affect the application;

vi) The current uses on land that is adjacent to the subject land (for example, residential, agricultural, residential);

vii) 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;

viii) If access to the subject land is by water only, the location of the parking and docking facilities to be used;

ix) The location and nature of any easement affecting the subject land.

Additional information, including architectural drawings and elevations, shall be furnished by the applicant at the request of the Township.

11. Affidavit or Sworn Declaration

Dated at the _____ this _____ day of _____, 20_____

I, _____ of the _____ in the

County/District/Regional Municipality of _____ solemnly declare that all the statements contained in this application 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 if made under oath and by virtue of the **CANADA EVIDENCE ACT**

DECLARED BEFORE ME at the _____ of _____

in the _____ of _____ this _____ day of _____, 20_____.

_____ _____

A Commissioner of Oaths Signature of Owner or Authorized Applicant / Agent

12. Authorizations

Authorization of Owner(s) for Agent to Make the Application

If the applicant is not the owner, the chargee or the purchaser of the subject land, the written authorization of the owner, chargee or the purchaser, as the case may be, is required. If the applicant is the purchaser or the purchaser's agent, a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application is required. **Please attach to application if necessary.**

Authorization for the agent to make this application, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be provided by all registered owners of the subject property.

I/We, _____,

am/are the owner(s) of the land that is the subject of this application and I/we authorize

_____

to make this application on my/our behalf:

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____

Authorization of Owner(s) for Agent to Provide Personal Information

If the applicant is not the owner of the land that is the subject of this application, authorization for the agent to provide personal information, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be given by all registered owners of the subject property.

I/We, _____,

am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy* Act, I/we authorize

_____

as my/our agent for this application, to provide any of my/our personal information that will be included in this application or collected during the process of the application.

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____

13. Consent of the Owner(s) to the Use and Disclosure of Personal Information

All registered owners of the subject property must provide their consent concerning the disclosure of personal information, as set out below.

I/We,_____,
am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, I/we 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: _____

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____