



Town of East Gwillimbury

Consent

Application Guide

MATERIALS ENCLOSED

General Information
Application Form
Site Information Questionnaire
Authorization Of Owner Form
Conservation Authority Fee Collection
Form Check List For Owner/Agent/Solicitor
Summary Of Development Application Fees

*Town of East Gwillimbury, Development Services- Planning Branch
19000 Leslie Street, Sharon, Ontario L0G 1V0
Telephone: (905) 478-4282 Fax: (905) 478-2808*

Website: www.eastgwillimbury.ca



CONSENT APPLICATION - GENERAL INFORMATION

1. PURPOSE OF THE APPLICATION

A consent to a land severance is an authorization to separate one parcel of land from another adjoining parcel in order to sell it or mortgage it or in order to lease it for more than 21 years. The purpose of this Consent Application Guide is to set forth the information required by the Committee to allow it to properly evaluate your application.

The attached application form is to be used only when applying to the Committee of Adjustment for the Corporation of the Town of East Gwillimbury. One completed copy of the application must be filed with the Secretary-Treasurer of the Committee of Adjustment at the Development and Legal Services, Planning Branch.

2. APPLICATION FEES

Please refer to the Development Application Fees By-law for the schedule of fees. The basic application fee is required to cover normal costs incurred in processing a Consent Application. The fee is payable to the Town of East Gwillimbury.

Refund Policy

NO refunds will be given for Committee of Adjustment Applications.

Revisions to Applications

Should revisions to applications require re-circulation, a fee in the amount of \$250.00 must accompany the request for revision.

Should a Change of Consent Conditions and/or a Re-circulation of Notice be required, a fee in the amount of \$600.00 must accompany the request.

Additional Fees

In the event that additional costs are incurred by the Town for Special Studies necessitated by an application(s), the additional costs shall be paid by the applicant in the manner and amount to be determined by the Council of the Town of East Gwillimbury.

Ontario Municipal Board Hearing Deposits

Ontario Municipal Board Hearing Deposits are due and payable upon the receipt of an appeal with respect to the application. The deposit shall be paid by the applicant in a manner and amount to be determined by the Council of the Town of East Gwillimbury. Fees incurred by the Municipality above and beyond the amount of deposit required will be invoiced to and payable by the applicant. Should the fees incurred be less than the amount of deposit required, the appropriate refund will be issued to the applicant.

On-Site Sewage System Approval

Consent applications requiring comments regarding on-site sewage system approval from the Town's Building Department must be accompanied by a completed Inspection Form (copy enclosed). A fee of \$309.10, payable to the "Town of East Gwillimbury", must accompany the completed Inspection Form. Please note that this fee only applies to Consent Applications pertaining to properties serviced by private sewage disposal systems.

3. APPLICATION FORM

The application form should be completed by the owner of the subject lands, his/her solicitor, or his/her authorized agent. If this application is to be submitted by a solicitor or agent on behalf of the



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owner, the attached authorization form **must** be completed and signed by the owner. If the owner is a corporation acting without an agent or solicitor, the application must be signed by an officer of the corporation, who has the authority to bind the corporation, and the corporation's seal, if any, must be affixed.

[NOTE TO OWNER: If the application is to be prepared by a solicitor or agent, authorization should not be given until the completed application and its attachments have been examined and approved by the owner.]

It is important to note that the signature on the application form must be witnessed by a Commissioner. Where the subject lands are owned by a corporation, the application must be under corporate seal and/or must be signed by an authorized signing officer who has the authority to bind the corporation. Names and titles are to be typed under the signatures, where shown. If there is more than one owner, all parties are required to sign the application and/or authorization form.

The questions on the application form identified with an asterisk (*) provide information prescribed in accordance with The Ontario Planning Act, R.S.O. 1990. Those questions not identified in this manner provide the Town with required information in order to facilitate a complete review and proper analysis of the proposed Amendment.

4. INFORMATION REQUIRED

It is the responsibility of the owner/authorized agent/applicant to provide complete and accurate information. This form will not be accepted as an application until all questions have been answered and all requirements have been met in the manner requested. If the form is incomplete or inaccurate, the application will be returned for completion, correction or clarification prior to processing.

The following additional information in support of this application is also required by the Town:

- (a) A legal survey of the subject lands, prepared by an Ontario Land Surveyor, showing all boundaries and dimensions of the subject land;
- (b) A plan indicating the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
- (c) A sketch showing the distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (d) A plan identifying the following:
 - 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 on 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;
 - existing uses on adjacent land, such as residential, agricultural and commercial uses;
 - 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;
 - if access to the subject land is by water only, the location of the parking and docking facilities to be used; and
 - the location and nature of any easement affecting the subject land.

A copy of the deed for the subject lands **must** accompany each application as proof of ownership.



5. APPLICATION SIGN

The Development Sign shall be erected and maintained in accordance with the following requirements.

Written confirmation must be forwarded to the Town advising that the required sign has been erected.

The sign shall be constructed of a durable material and shall be approximately 2 feet square. It shall be supported by a minimum of two uprights and secured in the ground. The sign face should be at eye level [approximately 5 feet above ground].

The sign shall have black lettering on a white background and be clearly visible from the street. The lettering should be plain upper case [Helvetica medium or similar typeface].

The sign shall be completely unobstructed, clearly visible from the street, and shall not be set back more than 15 feet from the lot line.

The notice shall contain the following information and in the following form:

NOTICE

A Consent Application [File No.: B___/___] has been made to facilitate the creation of one additional residential lot. A public meeting has been scheduled for _____ at 7:00 p.m. to be held at the East Gwillimbury Civic Centre, 19000 Leslie Street, Sharon, to discuss this matter.

For further information contact the Town of East Gwillimbury, Committee of Adjustment [Telephone No. 478-4282].

All proposed wording should be approved by the Town.

The applicant and/or owner of the lands shall be responsible for preparing, erecting and maintaining the sign and the removal of same and all costs involved.

Failure to erect the prescribed sign and maintain such in good order may be considered sufficient grounds to stop the processing of the application at any time.

6. APPLICATION PROCESS

It is recommended that the owner/agent meet with Planning Staff prior to making the formal submission to ascertain whether the proposal will conform with the provisions of the Official Plan and Zoning By-law, etc. If the proposal does not conform, it should be altered so that it does conform, or if, following consultation, it appears reasonable to do so, you may wish to make application to Council for appropriate amendments to the relevant documents. This pre-consultation should also assist in avoiding delays due to incomplete applications or lacking information requirements. Staff may also recommend pre-consultation with other applicable commenting public bodies or agencies.

Conformity with the Official Plan and Zoning By-law does not mean the application will automatically be approved. The Committee is also required to have regard to the health, safety, convenience and welfare of the present and future inhabitants of the Municipality and to other matters, such as:

- the effect of the proposal on matters of Provincial interest;
- whether a plan of subdivision is necessary for the property and orderly development of the Municipality;
- whether the proposal is premature or in the public interest;
- whether the proposal conforms to adjacent lots;
- the suitability of the land for the purposes for which consent is required;
- the dimensions and shape of any proposed lot;
- the restrictions or proposed restrictions, if any, on the land, buildings and structures proposed to be erected thereon and the restrictions, if any, on adjoining lands;
- conservation of natural resources and flood control;
- the adequacy of utilities and Municipal services;



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- the adequacy of school sites;
- the area of land, if any, within the proposal that, exclusive of highways, is to be conveyed for public purposes; and
- the physical layout of the lots having regard to energy conservation.

Once the completed application has been submitted, a request for written comments is sent to various agencies. A notice of your proposal is also sent to property owners within 60 metres [200 feet] of the subject lands. These owners will have the right to attend the scheduled Hearing and express any concerns or support they may have to the Committee. The request for comments and notices of hearing are circulated a minimum of fourteen days prior to the date when the application is to be heard by the Committee.

The applicant, his/her staff and/or consultant, is required to attend the public meeting. They should be prepared to make a brief presentation of the proposal and answer any questions that may arise.

The Committee may impose such conditions to the approval of an application for consent as, in its opinion are reasonable, having regard to the nature of the development proposed for the resulting lots, such as:

- the payment of applicable Municipal and Regional development charges;
- that conveyance of lands for park purposes or, alternatively, the payment of a cash-in-lieu of parkland levy;
- when the subject land abuts on an existing highway, that conveyance of land, other than land occupied by buildings or structures, to provide for the widening of the highway to such width as the Committee considers necessary; and
- the entering into of one or more agreements with the Municipality dealing with such matters as the Committee may consider necessary including the provision of Municipal services.

Once the Committee has considered all evidence available, they will make their decision. The written decision will be mailed within fifteen days from the date in which the Committee made its decision. From the date of the giving of the notice of decision, there is a twenty day waiting period within which the decision may be appealed.

If no appeal is lodged, the decision of the Committee is final and binding. The owner then has one year from the date of written notice of the decision to fulfil the conditions of approval imposed by the Committee. If the conditions are not fulfilled within one year, the application for consent is deemed to be refused.

Once the conditions outlined in Item No. 26 above are fulfilled, the Secretary-Treasurer of the Committee will issue a certificate stating that consent has been given. The owner then has two years from the date of the certificate to complete the transaction in respect of which the consent was given.

If an appeal is lodged, a record of information pertaining to the Application will be forwarded to the Ontario Municipal Board [O.M.B.]. The O.M.B. will schedule and hold a public hearing to decide the final disposition of the application.



CONSENT APPLICATION

This application must be filed with the Development Services, Planning Branch of the Town of East Gwillimbury together with the required documents and fees.

I hereby submit a Consent Application to the Committee of Adjustment for the Town of East Gwillimbury under the provisions of The Planning Act, R.S.O. 1990, in respect of the property herein after described.

1. Date of the Application: _____

2. *Assessed Owner[s] of the subject property:

Name: _____

Mailing Address: _____

Postal Code: _____

Phone (Daytime): _____ Cell: _____ Fax : _____

Contact E-mail: _____

Indicate:

Registered/actual Owner[s] of the total parcel

Beneficial Owner[s] of the total parcel

Note: If you are not the registered owner, the person or firm actually holding the fee in the entire parcel, and are showing yourself as the beneficial owner of the entire parcel by virtue of an agreement of sale and purchase, please attach one legible copy of such agreement to the back of this application.

If your agreement of sale and purchase affects only the land that is the subject of this application, or the remainder, you may not show yourself as a beneficial owner for the purposes of this application, and must show the owner who holds the fee in the entire parcel.

3. *Owner's Solicitor or Authorized Agent:

Name: _____

Mailing Address: _____

Postal Code: _____

Phone (Daytime): _____ Cell: _____ Fax : _____

Contact E-mail: _____

4. *Type and purpose of the proposed transaction for which this application is being made:

Conveyance [indicate type of conveyance]

Creation of a new lot

Technical conveyance [i.e. the land being conveyed and the land being retained were formerly separate holdings but have since become consolidated or taken into the same title]

Addition to an existing lot

Creation of a lot for semi-detached or row housing

Mortgage or Charge

Partial Discharge of Mortgage or Cessation or Charge

Easement

Right-of-way

Lease

Correction of Title

Other [specify]:



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5. *If known, the names and addresses of the holder(s) of any mortgages, charges or other encumbrances in respect of the subject land:

[If space is insufficient, attach a separate sheet.]

6. *If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.

7. *If known, identify the date the subject land was acquired by the current owner.

Indicate the relationship, if any, of the person named above to the owner:

8. *Legal description of property which is the subject of this application: [if description in metes and bounds, attach separate sheet]

Lot: _____ Concession: _____

Lot: _____ Registered Plan: _____

Street Address: _____

Property Tax Roll Number: _____

9. *Are there any easement or restrictive covenants affecting the subject land?

Yes No



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15. *Are there any buildings or structures currently located on the land intended to be severed?

Yes No

If yes, for each building or structure, identify the following:

Type of Building/Structure	Setbacks From Lot Lines				Dimensions [Floor Area]
	Front	Rear	Side	Side	

16. *Are there any existing buildings or structures on the land intended to be retained?

Yes No

If yes, for each building or structure, identify the following:

Type of Building/Structure	Setbacks From Lot Lines				Dimensions [Floor Area]
	Front	Rear	Side	Side	

17. *Are there any proposed buildings or structures on the land intended to be severed?

Yes No

If yes, for each building or structure, identify the following:

Type of Building/Structure	Setbacks From Lot Lines				Dimensions [Floor Area]
	Front	Rear	Side	Side	

[If space is insufficient, attach a separate sheet.]



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18. *Are there any proposed buildings or structures on the land intended to be retained?

- Yes No

If yes, for each building or structure, identify the following:

Type of Building/Structure	Setbacks From Lot Lines				Dimensions [Floor Area]
	Front	Rear	Side	Side	

[If space is insufficient, attach a separate sheet.]

19. *Indicate what type of access for the land intended to be severed.

- Provincial Highway Regional Road
 Open Town Road Unopened Town Road
 Right-of-way Water

20. *Indicate what type of access for the land intended to be retained.

- Provincial Highway Regional Road
 Open Town Road Unopened Town Road
 Right-of-way Water

21. *If access for the lands to be severed or retained is by water only, identify the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject property and the nearest public road.

[If space is insufficient, attach a separate sheet.]

22. *Identify the water supply for the land to be severed:

- Municipal Water Individual Well
 Communal Well Lake or Other Water Body
 Other (explain) _____

23. *Identify the water supply for the land to be retained:

- Municipal Water Individual Well
 Communal Well Lake or Other Water Body
 Other (explain) _____



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24. *Identify the type of sewage disposal system for the land to be severed:

- Municipal Sanitary Sewer Private Septic System
 Communal Septic System Privy
 Other (explain) _____

25. *Identify the type of sewage disposal system for the land to be retained:

- Municipal Sanitary Sewer Private Septic System
 Communal Septic System Privy
 Other (explain) _____

26. *Current Official Plan designation of the property: _____

27. Current zoning of the property: _____

28. *Have any lands been severed from the parcel originally acquired by the owner of the subject land?
 Yes No

29. *If the answer to item #28 is yes, identify the date of the transfer, the name of the transferee, the land use on the severed land and, if known, the file number of the previous application.

[If space is insufficient, attach a separate sheet.]

30. *Has the subject 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

31. *If the answer to item #30 is yes, identify the file number of the application and the decision on the application.

[If space is insufficient, attach a separate sheet.]



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Dated at the _____ this _____
[Name of Municipality] [Day]

day of _____, _____, I, _____
[Month] [Year] [Applicant's Full Name]

of the _____ in the
[Name of Municipality]

_____ solemnly declare that all the above
[Name of Regional Municipality]

statements contained in this application and all the exhibits transmitted herewith are true, and I make 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".

By signing this application form, I also confirm that I have read and understand the information included in the Consent Application Guide.

Signature of Assessed Owner/Authorized Agent

Declared before me at the _____ in the
[Name of Municipality]

_____ this _____ day of
[Name of Regional Municipality] [Day]

_____, _____
[Month] [Year]

Signature of a Commissioner, etc.

[If signed by other than Owner, written authorization of the
Owner must accompany the application.]

NOTE: The questions on the application form identified with an asterisk () represent information prescribed in accordance with The Ontario Planning Act, R.S.O. 1990. Those questions not identified in this manner provide the Town with required information in order to facilitate a complete review and proper analysis of the proposed Amendment.*



CHECK LIST FOR OWNER/AGENT/SOLICITOR

NOTE: Additional forms may be obtained from the Development Services, Planning Branch, East Gwillimbury Civic Centre, 19000 Leslie Street, Sharon, Ontario L0G 1V0 or by phoning [905] 478-4282.

PLEASE COMPLETE AND SUBMIT WITH APPLICATION

THE FOLLOWING ITEMS HAVE BEEN COMPLETED:

- 1. The general information provided has been reviewed by the owner/authorized agent/applicant.
- 2. The proposal has been discussed with Planning Department staff.
- 3. All questions on the application have been fully completed or marked “not applicable” and the affidavit has been properly sworn.
- 4. The application has been signed by the owner[s] or a duly authorized agent. [NOTE: If a corporation is the owner, please place the corporation's seal over the signature of a signing officer of the corporation and designate his or her office.]
- 5. The authorization form has been signed and dated by the owner appointing an agent, if applicable, to act on behalf of the owner.
- 6. The Town of East Gwillimbury Building Department Septic Inspection Form has been completed and signed.
- 7. The Lake Simcoe Region Conservation Authority Fee Collection Form has been completed.

THE FOLLOWING MATERIALS ARE ENCLOSED:

- 1. The completed Application Form.
- 2. The completed Authorization of Owner Form, if required.
- 3. The completed Lake Simcoe Region Conservation Authority Fee Collection Form.
- 4. One copy of the legal survey of the subject lands, prepared by an Ontario Land Surveyor, showing all boundaries and dimensions of the subject land.
- 5. Five copies of the plan indicating the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained.
- 6. One copy of the sketch showing the distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.
- 7. Five copies of a plan identifying the following:
- 8.
 - 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 on 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;
 - existing uses on adjacent land, such as residential, agricultural and commercial uses;



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- 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;
- if access to the subject land is by water only, the location of the parking and docking facilities to be used;
- the location and nature of any easement affecting the subject land.

- 9. One unmarked 8.5" x 11" reduction of the plans mentioned in Nos. 4, 5, 6 and 7 above, suitable for reproduction.
- 10. A copy of the proper deed for the subject lands confirming ownership.
- 11. The application fee, payable to the "Town of East Gwillimbury".
- 12. The Conservation Authority fee, payable to "Lake Simcoe Region Conservation Authority".

I, _____, hereby confirm that the above noted has been complied with and/or completed for submission with this Consent Application.

Date

Signature of Assessed Owner

[If signed by other than Owner, written authorization of the Owner must accompany the application.]



LAKE SIMCOE REGION CONSERVATION AUTHORITY

Fee Collection Form

Please complete the following and attach to your planning application.

Lake Simcoe Region Conservation Authority

120 Bayview Parkway, Box 282, Newmarket, ON L3Y 4X1 (905) 895-1281, FAX (905) 853-5881

Please be advised that effective April 1, 2004 the Board of Directors of the Lake Simcoe Region Conservation Authority adopted Staff Report 13-04-BOD which provided for the collection of fees for the review of planning and engineering submissions to the Conservation Authority.

Date: _____ / _____ / _____ Application #: _____

- 1. Name of Applicant Agent: _____ Tel No: _____
Address: _____ Fax No: _____
- 2. Registered Owner: _____ Tel No: _____
Address: _____ Fax No: _____
- 3. Legal Description (Lot & Concession, Lot, Plan No.): _____
- 4. General Location: _____
- 5. Municipality: _____

Please contact the Lake Region Conservation Authority to obtain their most up to date Planning and Development Fees Policy to determine the appropriate fees made payable to the Lake Simcoe Region Conservation Authority.

Please check if receipt required from the Conservation Authority

NOTE: Additional fees may apply to applications which require extensive investigation (i.e. reports) by Conservation Authority staff. The applicant will be informed by letter of these additional fee requirements if applicable.

FOR CONSERVATION AUTHORITY USE ONLY

DATE RECEIVED: _____/_____/_____ CFN: _____ RECIPIENT: _____



AUTHORIZATION OF OWNER

I _____, hereby authorize
[print full name of assessed owner]

_____, to submit the enclosed
[print full name of agent]

application to the Development and Legal Services, Planning Branch of the Town of East Gwillimbury, and to appear on my behalf at any Hearing[s] of the application and to provide any information or material required by the Council or Planning Committee of said Town relevant to the application.

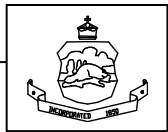
Furthermore, for the purposes of the Freedom of Information and the Protection of Privacy Act, I authorize _____, as my agent for this application, to
[print full name of agent]

provide any of my personal information that will be included in this application or collected during the processing of the application.

Dated at the _____ of

this ____ day of _____,
_____.

[signature of assessed owner]



SITE INFORMATION QUESTIONNAIRE

COMPLETE AND SUBMIT WITH APPLICATION

1. Does the application propose development on private services or redevelopment on a site where private services were used?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
2. Is the application on lands or adjacent to lands that were previously used for industrial uses, where filling had occurred, or where there is reason to believe that the lands may be contaminated based on historical land use? <i>Note: Possible offending uses may include: disposal of waste minerals, raw material storage, residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry-cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or like uses upon a site could potentially increase the number of chemicals which are present.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
3. Has the grading of the subject land been changed by either the addition of earth or other fill material?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
4. Has a gas station been located on the subject land or adjacent land at any time?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
5. Has there been petroleum or other fuel stored on the subject land or adjacent land?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
6. If yes to any of the above, a previous use inventory showing all former uses of the subject land or, if appropriate, the adjacent land, is required. Is the previous inventory attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. What information did you use to determine the answers to the above questions? _____ _____ _____	
8. Is the nearest boundary line of the application within 500 m (1,640 ft) of an operational or non-operational landfill or dump?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Have previous agricultural operations ever included sewage sludge application on the lands?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Are you aware of any underground storage tanks, or other buried waste on the property?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. If there are any existing or previously existing buildings, are there building materials remaining which may be hazardous to health (i.e. asbestos, PCB's, etc.)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
12. Is there a current Environmental Site Assessment for the site or has one been prepared within the last five years? If yes, has it been submitted with the application? <i>Note: If an Environmental Site Assessment has been prepared, a copy is required to be submitted with the development application.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

I, _____ of the _____
 _____ of _____ in the _____
 _____ of _____ solemnly declare that all the above statements contained in this application and all the exhibits transmitted herewith are true, and I make 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 _____.

 Signature of a Commissioner, etc.

 Signature of Applicant/Agent/Solicitor