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## APPLICATION FOR CONSENT

It is the responsibility of the owner or authorized agent to provide complete and accurate information. The Subsections 53(2) and (3) and Regulation 177-96 of the Planning Act, r.s.o. 1990; as revised, outline the information and materials that are to be included. This form will not be accepted until all questions have been answered and all requirements have been met in the manner requested. Please read the following carefully:

**Any rezoning approval is to be obtained prior to the consent being dealt with. The owner or application shall not cause any trees on the property to be removed without the prior approval of the Commissioner of Development Services.**

**APPLICATION:** Two (2) copies of the application form(s) are to be submitted. For each new lot or part-lot being created, application form(s) are required. As noted above, **please answer all questions exactly as shown** - “see plan” is not complete application information nor acceptable.

**FEE:** Verify the application and sign fees prior to submitting the application. Make cheques payable to the Town of Markham

**OWNERSHIP:** Proof of ownership must to accompany each application (copy of first page of registered transfer, deed of land or current tax bill). If there is more than one owner is shown therein, the application shall be submitted under all names, and all parties are required to sign either the application form or authorization form.

**AUTHORIZATION:** All agents must file an authorization form signed by all registered owners when filing on their behalf.

**COMMISSIONER’S SIGNATURE:** It is required that this form be signed before a Commissioner of Oaths. The Secretary-Treasurer is a Commissioner.

**PLANS AND DRAWINGS:** All plans are to be clearly marked showing the subject and retained parcels, and are to be folded. If a large-scale drawing accompanies this application; reductions, suitable for reproduction, must be submitted.

**ENVIRONMENTAL SITE ASSESSMENT:** A Phase 1 Environmental Site Assessment is required for lands being conveyed to the municipality for public purposes (see Section 19).

<b>POSTING OF SIGNS:</b> The Planning Act requires that a “NOTICE OF HEARING” sign be posted on the property prior to the public hearing. An affidavit that this has been done is also required to be filed. Failure to do one or both will result in your application being pulled from the agenda. Please see attached for instructions and cost.
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**Committee of Adjustment Application Land Division fees are HST applicable:**

**Prior to submitting the application, please contact Town Staff at 905-475-4861 for the exact cost of the application fee as the HST is applicable.**

Please make cheques payable to: "Town of Markham."

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|-------|---|--|
| (i)   | By-law variance, change in legal non-conformity, and zoning interpretation for residential properties (excludes apartments and condominiums) see also Sec. 11 (iv)  | <b>\$1,400.00</b> per application plus<br><b>\$20.00</b> per sign<br><b><u>\$1604.60 HST total fee</u></b>   |
| (ii)  | By-law variance, change in legal non-conformity, and zoning interpretation for all other property types, including apartments and condominiums  | <b>\$1,600.00</b> per application plus<br><b>\$20.00</b> per sign<br><b><u>\$1830.60 HST total fee</u></b>   |
| (iii) | Consents  | <b>\$2,530.00</b> per application plus<br><b>\$20.00</b> per sign, <u>PLUS</u><br>(iii) (a) or (b) below (HST):<br><b><u>\$2881.50 HST total fee</u></b> |
| (a)   | conveyance creating a new residential lot   | <b>\$760.00</b> per unit, payable prior to finalization of conveyance (HST)  |
| (b)   | conveyance creating a new industrial, commercial, or institutional lot  | <b>\$3,800.00</b> (HST) per half hectare or part thereof of the newly created lot, payable prior to finalization of conveyance                           |
| (c)   | establishment of an easement, mortgage, etc.  | <b>\$2,640.00</b> (HST) per application.<br><b>\$20.00</b> per sign<br><b><u>\$3005.80 HST total fee</u></b>   |
| (d)   | preparation of a development agreement, payable at registration of agreement.   | <b>\$6,300.00</b> per agreement.<br><b><u>\$7119.00 HST total fee</u></b>  |
| (iv)  | Technical amendments - residential applications for variances to rectify existing conditions requiring minor review by staff, at the discretion of the Director of Planning. This does <u>not</u> include existing structures constructed without a building permit or without approval from the Committee of Adjustment. | <b>\$790.00</b> per application plus<br><b>\$20.00</b> per sign<br><b><u>\$895.30 HST total fee</u></b>  |
| (v)   | By-law variance for all property types on a Draft Plan of Subdivision   | <b>\$3,670.00</b> (HST) per application plus<br><b>\$760.00</b> (HST) per lot/unit   |
| (vi)  | Signs – One sign is required for each road frontage on the property - (i.e. a corner lot has two road frontages)  | <b>\$20.00</b> (HST) per sign  |

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**To submit a complete application, the following materials must be submitted:**

Personal information collected in response to this planning notice will be used to assist Town staff and Council to process this application and will be made public. The undersigned hereby applies to the Committee of Adjustment for the Town of Markham under Section 53 of the Planning Act, R.S.O. 1990 (as revised), for relief, as described in this form.

Submit **two (2)** full size white print copies of a **REFERENCE PLAN**. **Plus** two (2) reduced copies (8.5 x 14) and two (2) (11 x 17) must accompany this application, showing:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is to be severed, and the part that is to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) 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, such as buildings, railways, roads, watercourses, drainage ditches river or stream banks, wetlands, wooded areas, wells and septic tanks;
- (f) the existing uses on adjacent lands, such as residential, agricultural, and commercial uses;
- (g) 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;
- (h) if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
- (l) the location and nature of any easement affecting the subject land.

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## REQUIREMENTS FOR THE POSTING OF SIGNS

**AFFIDAVIT** The Planning Act requires that a “Notice of Hearing” sign be erected on the subject property prior to the public hearing. The owner or authorized agent will be required to sign an affidavit in the presence of a Commissioner of Oaths certifying that the sign has been posted, no later than noon on the date specified.

**Failure to place the sign on the subject property and sign the affidavit within the required time limits will result in removal of the application from the agenda.**

**COST** Signs and stakes will be supplied by the Municipality at a cost of \$20.00 each.

**TIMING** The sign for a **variance** application shall be erected no later than **12 days prior to the hearing date.**

The sign for a **consent** application shall be erected no later than **14 days prior to the hearing date.**

The applicant or agent will be advised of the date of the public hearing and the last day on which the sign must be placed on the subject property.

**LOCATION** Unless otherwise directed by the Secretary-Treasurer, the sign shall be posted in a location that is clearly visible and legible from a public highway, or other place to which the public has access.

Signs shall not be obscured from view by vegetation or other obstructions. Signs shall not be erected on any municipal property or on the right-of-way of any public highway. Signs shall not be located closer than within 1.0 m (3.28 feet) of any driveway.

**REMOVAL** Signs shall be removed within 7 days following the public hearing.



Application: \_\_\_\_\_

PROPERTY INFORMATION				
Property Address	Street No.:	Street Name:		Unit Num.:
Registered Plan				
Block and/or Lot				
Legal Description				
Concession/PT LOT				
Tax roll number				
Folder/Bill/Property RSN (Office use only)	Folder RSN	Property RSN	Bill RSN	
OWNER/APPLICANT INFORMATION				
<b>Select One:</b>	<input type="checkbox"/> Person(s)		<input type="checkbox"/> Company	
Registered Land Owner	Surname:		First Name:	
Company Name	(Company ONLY)		Company Officer/Position:	
Application Contact	Surname:		First Name:	
Address	Street No.:	Street Name:		Unit Num.:
City		Province:	Postal Code:	
Telephone	( )	Fax ( )	E- Mail	
AGENT INFORMATION				
Firm				
Application Contact	Surname:		First Name:	Position:
Address	Street No.:	Street Name:		Unit Num.:
City		Province:	Postal Code:	
Telephone	( )	Fax: ( )	E- Mail:	
MORTGAGEES, HOLDERS OF CHARGES OR OTHER EMCUMBRANCES				
Institution / Company				
Contact / Reference	Surname:		First Name:	Position:
Address	Street No.:	Street Name:		Unit No.:
City		Province:	Postal Code:	
Telephone	( )	Fax ( )	Email	



Application: \_\_\_\_\_

1. Please select Consent Type:

<b>Conveyance Type:</b>	<b>CHECK HERE</b>	<b>Mortgage or Easement Type:</b>	<b>CHECK HERE</b>
<b>Technical conveyance:</b> (for example) The conveyed land and the retained land were separate holdings but have become consolidated under same title.		<b>Mortgage or Charge</b> (if yes go to #2):	
<b>New Residential Lot:</b>		<b>Partial Discharge or Mortgage or Cessation of Charge:</b>	
<b>Addition to an Existing Lot:</b>		<b>Lease:</b>	
<b>Creation of a Lot for Semi-Detached or Row Housing:</b>		<b>Correction of Title:</b>	
<b>New ICI Lot:</b>		<b>Right-of-Way:</b>	
<b>Development Agreement:</b>		<b>Easement:</b>	

2. Provide the name of person(s) or company to whom the mortgage is intended to be conveyed to:

<b>Select One:</b>	<input type="checkbox"/> <b>Person(s)</b>		<input type="checkbox"/> <b>Company</b>	
<b>Registered Land Owner</b>	Surname:		First Name:	
<b>Company Name</b>	(Company ONLY)		Company Officer/Position:	
<b>Application Contact</b>	Surname:		First Name:	
<b>Address</b>	Street No.:	Street Name:		Unit Num.:
<b>City</b>		<b>Province:</b>		<b>Postal Code:</b>
<b>Telephone</b>	( )	Fax ( )	E- Mail	

3. Number of proposed new lots (no greater than three (3) lots): \_\_\_\_\_

4. Provide the dimensions of land intended to be conveyed or otherwise dealt with (Subject and Retained Parcels):

Subject Property (metric)		Retained Property (metric)	
Frontage		Frontage	
Area		Area	
Average Width		Average Width	
Average Depth		Average Depth	
Existing Use		Existing Use	
Proposed Use		Proposed Use	
Building (list all proposed structures)		Building (list all existing structures)	

5. Land Access:

Check the applicable access	Subject Property	Retained Property
Unopened Road Allowance		
Open Municipal Road		
Regional Road		
Provincial Highway		
Other (specify)		

6. Water Supply Type:

Check applicable water supply	Subject Property	Retained Property
Municipal Owned/Operated Water		
Lake		
Well		
Other (specify)		

7. Sewage Disposal System

Check Sewage Disposal System	Subject Property	Retained Property
Municipal Owned/Operated Sanitary Sewers		
Septic Tank		
Pit Privy		
Other (specify)		

8. What is the Parent Zoning By-Law number? \_\_\_\_\_

9. What is the Zoning Designation? \_\_\_\_\_

10. What is the Official Plan Designation? \_\_\_\_\_

11. a) Has the owner previously conveyed any land from this holding?  yes (answer b)  no  
 b) If yes, indicate previous conveyances on the required plans and supply the following information for each lot conveyed:

<b>Grantee's Name</b>	
<b>Relationship (if any) to owner</b>	
<b>Use of parcel</b>	
<b>Date parcel was created</b>	

12. Has the parcel ever been, or is it now, the subject of an application for a plan of subdivision under Section 51 of the Planning Act, R.S.O. 1990 (as revised), or its predecessors?  
 Yes  No

If yes, please include a copy of the plan with this application.

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13. Is the owner applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

Yes       No

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

Yes       No

If so, please give details, ***including file number and status***

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15. RESTRICTIONS ON THE LAND:

Are there any existing restrictions affecting the land holding, i.e., covenants, rights-of-way, easements etc., or any proposed reservations of interest that will affect the subject land?

Yes       No

If "yes", the details of all such existing restrictions and proposed reservations ***MUST*** be shown on the plans required in Section 18 to permit the Committee to consider the effect on the application.

**If "no" and the application is approved, the Committee will not accept a document for attachment of a Certificate pursuant to Section 53 of the Planning Act, R.S.O. 1990, as revised, that contains reference to any existing restrictions or proposed restrictions since the document will not conform to the application before Committee.**

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16. LANDS TO BE CONVEYED TO THE TOWN:

Are any lands within the application intended to be conveyed to the Town of Markham for public purposes?

Yes       No

**If yes, Council policy requires the submission of a Phase 1 Environmental Site Assessment for those lands being conveyed to the Town. The Council policy on the "Environmental Clearance for Lands to be Used for Public Purposes" was adopted by Council on April 15, 1997, and is available under separate cover.**



Application: \_\_\_\_\_

AUTHORIZATION OF OWNER(S)

I/We, \_\_\_\_\_ the undersigned,

hereby authorize \_\_\_\_\_  
*(print full Name, including Company)*

to submit the enclosed application to the Committee of Adjustment of the Corporation of the Town of Markham, and to appear on my/our behalf at any hearing(s) of the application, and further, to provide any information or materials required by the Committee relevant to the application.

Signature(s): \_\_\_\_\_

At the: \_\_\_\_\_  
*(Town, City, etc.) (Markham, Toronto, etc.)*

this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
*(Day) (Month) (Year)*

DECLARATION

I/We \_\_\_\_\_  
*(Name)*

of the \_\_\_\_\_  
*(Town, City, etc.) (Markham, Toronto, etc.)*

in the \_\_\_\_\_  
*(Region, County, etc.) (York, Durham, etc.)*

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.

\_\_\_\_\_  
*(signature of owner(s) or authorized agent)*

Declared before me at the \_\_\_\_\_ this \_\_\_\_\_, \_\_\_\_\_  
*(Town or City) (Day) (Month) (Year)*

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