

COMMITTEE OF ADJUSTMENT APPLICATION

SECTION A TO BE COMPLETED BY TOWN STAFF

A	File number(s):	Date received:	Fees received:
B	Pre-Con No. (for Consent only):	Preliminary Zoning Review Completed (Mandatory): Choose an item.	Comments:

1. Application(s) for: (please check all applicable boxes)

- Minor Variance** (Pursuant to Section 45 of the Planning Act and Ontario Regulation 200/96 as amended)
- Consent** (Pursuant to Section 53 of the Planning Act and Ontario Regulation 197/96 as amended)
- Land Severance**
 Lot line adjustment
 Easement
 Correction of title

2. Owner and Applicant / Agent Information:

	Registered Property Owner (as it appears on Deed/Transfer)	Applicant / Agent <input type="checkbox"/> Property Owner <input type="checkbox"/> Other (please specify*): <small>*Planner, Lawyer, Architect, etc. (also see Note 1 below)</small>
First Name		
Last Name		
Company		
Mailing Address		
Municipality		
Province		
Postal Code		
Email		
Telephone Number		
Mobile Number		

Note 1 - For Consent Applications, 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

Specify to whom all communications should be sent: **Owner** **Applicant / Agent**

3. Name of Person(s) to whom land or interest of land is to be transferred, charged, or leased (if known):

**Consents only*

Name	
Address	
Contact	

3.1 Does the application includes a request referred to in clause 53 (42.1) (a) of the *Planning Act*?

NO

YES

If 'YES' a statement from an Ontario solicitor in good standing 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 Act.

4. Information regarding Subject Property:

4.1 Existing Subject Lands Description		
Municipal Address: <input type="checkbox"/> Same as Owner's address		
Legal Description:	Plan No. (R or M Plan) / Other Description (Roll No.):	
Part / Lot / Concession Number(s):	Township/Village:	
Lot Area (sq.m.):	Frontage(s) (m):	Depth(s) (m):
Existing Buildings and/or Structures (type):	Date of Construction:	
Date the subject property was acquired by the current owner:		
4.2 Surrounding Land Uses		
North:	East:	
South:	West:	
Any adjacent Livestock facilities/uses? Describe.		

4.3 Access to Subject Property
Existing Access: <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Regional Road <input type="checkbox"/> Municipal Road <input type="checkbox"/> Private Right-of-Way Road Maintenance: <input type="checkbox"/> All year <input type="checkbox"/> Seasonally
4.4 Existing Services
Water Supply: <input type="checkbox"/> Publicly owned and operated piped water system <input type="checkbox"/> Privately owned and operated individual well <input type="checkbox"/> Privately owned and operated communal well <input type="checkbox"/> Lake or other water body <input type="checkbox"/> Other
Sewage Disposal: <input type="checkbox"/> Publicly owned and operated sanitary sewage system <input type="checkbox"/> Privately owned and operated individual septic system <input type="checkbox"/> Privately owned and operated communal septic system <input type="checkbox"/> Privy <input type="checkbox"/> Other: _____
Storm Drainage: <input type="checkbox"/> Storm sewers <input type="checkbox"/> Ditches <input type="checkbox"/> Swales <input type="checkbox"/> Other: _____
4.5 List of Existing Uses, Buildings and Structures on property
List current use(s) and details of uses including length of time of current uses on the property:
List any previous Land Uses on the property, if known:
Have the subject lands ever been the subject of an application under section 45 of the <i>Planning Act</i> , if known:
4.6 Does the property contain any Cultural Heritage Resources?
<input type="checkbox"/> Archaeological sites <input type="checkbox"/> Heritage buildings/structures <input type="checkbox"/> Cemeteries or known burials <input type="checkbox"/> Unknown

4.7 Applicable Planning Policies and Regulations

Provincial Policies
Are the Subject Lands within an area designated under a provincial policy or plan? <input type="checkbox"/> Oak Ridges Moraine Conservation Plan <input type="checkbox"/> Greenbelt Plan

Town of Whitchurch-Stouffville Official Plan
Current Town Official Plan and/or Secondary Plan Designation (If known)

Zoning
Current Zoning on the property:

4.8 For Applications of Consent and Minor Variances

	1. Existing Building or Structure	2. Existing Building or Structure	3. Existing Building or Structure
Retained or Severed Lot	Choose an item.	Choose an item.	Choose an item.
Type & Use <i>*Include service connections</i>			
Date Constructed			
Gross Floor Area (sq. m.)			
Setback (m) – Front Yard			
Setback (m) – Rear Yard			
Setback (m) – Side Yard (Interior / Exterior)			
Setback (m) – Side Yard (Interior / Exterior)			
To be Retained, Demolished or Relocated (provide details)	Choose an item.	Choose an item.	Choose an item.
Previous Demolitions? If Yes, describe.	Choose an item.	Choose an item.	Choose an item.
If Yes, indicate the date of Demolitions (If known)	Click or tap to enter a date.	Click or tap to enter a date.	Click or tap to enter a date.

4.9 Easements or Restrictive Covenants		
If known, are there any easements or restrictive covenants affecting the subject lands? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide instrument numbers and copies of all registered easements and details of all easements below.		
Instrument Number(s):		
1	Easement Length: Parts on Ref. Plan:	Easement Width: Purpose:
2	Easement Length: Parts on Ref. Plan:	Easement Width: Purpose:

5. Proposed Development Details

5.1 Description of Proposed Uses and Development

Describe the proposed uses and development (If additional information is required, please attach). A cover letter describing the proposed development is acceptable.

5.1.1 Describe how the application(s) conforms with the policies of the Provincial Plans and Town's Official Plan

5.2 CONSENTS ONLY:

For creation of a new lot, please complete Section 5.2.A.

For lot additions, and lot line adjustments, please complete Sections 5.2.B.

5.2.A. New Lot Creation	Retained Land	Severed Land						
Frontage								
Depth								
Area								
Exiting Use								
Proposed Use								
5.2.B. Lot Additions and Lot Line Adjustments	Retained Land	Severed Land						
Frontage								
Depth								
Area								
Exiting Use								
Proposed Use								
5.2.C. Previous severances from the parcel originally acquired by the owner of the subject land.	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If Yes, provide the following information (for each severance):</i>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width: 25%; padding: 5px;">Date of Transfer</th> <th style="width: 25%; padding: 5px;">Name of transferee</th> <th style="width: 50%; padding: 5px;">Land use on the severed land</th> </tr> <tr> <td style="height: 40px;"></td> <td></td> <td></td> </tr> </table>	Date of Transfer	Name of transferee	Land use on the severed land			
Date of Transfer	Name of transferee	Land use on the severed land						

5.3 Proposed Development Statistics for Consent and Minor Variance applications (In metric units):

	1. Proposed Building or Structure	2. Proposed Building or Structure	3. Proposed Building or Structure
Retained or Severed Lot	Choose an item.	Choose an item.	Choose an item.
Type & Use (Residential/Accessory etc.)			
Site Area			
Gross Floor Area (sq. m.)			
Ground floor Area inc. garage/porch etc. (for coverage calc.)			
Height/No. of Storeys			
Setback (m) – Front Yard			
Setback (m) – Rear Yard			
Setback (m) – Side Yard (Interior / Exterior)			
Setback (m) – Side Yard (Interior / Exterior)			

5.4 Requested Minor Variance:

Relief from the provisions of Section 3.18.4 and 3.20.4? Yes No N/A

Describe the nature and extent of the minor variance(s) being applied for:

Regulation (e.g. Front Yard setback)	Required (e.g. 7.5 metres)	Proposed (e.g. 5 metres)	Section of Zoning By-law (e.g. Section 5.2)

5.5 Reason why the proposed use cannot comply with the provisions of the zoning by-law

6. Other Applications under the Planning Act on the subject land (check appropriate box if known)

- Minor Variance Consent (severance) Plan of Subdivision
 Zoning By-law Amendment Official Plan Amendment Minister’s Zoning Order

If you checked any boxes above, and if known, provide the following information (for each application):

Application File No.: _____

Status of Application: _____

7. Agreements of Owner and Applicant

Authorization
<p>(To be signed by Owner, if Agent has been appointed.)</p> <p>As of the date of this application, I/we _____ am/are the Registered Owner(s) of the lands described in this application, and I/we have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I/we have knowledge of these facts, and I/we authorize the submission of this application on my/our behalf of:</p> <p>Name of Agent _____</p> <p>whom I/we have appointed as my Agent.</p> <p>Name of Owner/Corporation _____</p> <p>Signature of Owner _____ Date _____</p> <p>Signature of signing Officer(s) of Corporation _____ Corporate Seals, if applicable</p> <p>Signature of signing Officer(s) of Corporation _____</p>

Property Owner Acknowledgement of Public Information and Town of Whitchurch-Stouffville File Maintenance and Closure Policy (AP- 94) ¹
<p>Public Record Notice: Information on this form is collected under the authority the Planning Act, RSO 1990, c. P. 13 and will be used to process this application. Questions about this notice may be directed to the Development Services Department by mail at 111 Sandiford Drive, Stouffville, Ontario, L4A 0Z8 or via email at developmenthelp@townofws.ca or via phone at 905-640-1910.</p> <p>I, the undersigned, being the registered property owner of the above noted property hereby agree and acknowledge that all information and materials that include reports, drawings and studies submitted in support of the application, whether included with the application or submitted at any time subsequent to the filing of the application, by myself, my agents, consultants and solicitors constitute public information and shall be made available to the public, as indicated by Section 1.0.1 of <i>The Planning Act</i>, R.S.O. 1990, C.P.13 and may be reproduced for public use. The applicant grants the Town permission to reproduce, in whole or in part, any document submitted as part of a complete application for internal use, inclusion in staff reports or distribution to the public either by posting it on the Town's website, copying and/or releasing to any third party upon their request or otherwise, or through other means for the purpose of application review. If the applicant believes the public should not be able to access any portion of these documents, the applicant must indicate, in writing, the documents or portion of the documents to which this concern applies, outlining the reasons for the concern. The Director of Development Services, will consider but will not be bound to agree with such submissions prior to reproduction, in whole or in part, any identified portions for internal use, inclusion in staff reports or public distribution for the application review.</p> <p>File Maintenance and Closure Notice: The Owner acknowledges that the Town's Planning Applications File Maintenance and Closure Policy (AP- 94) dated May 4, 2022 is in effect and shall apply to this application. This policy (AP-94) is located on the Town's Website for information.</p> <p>I have the authority of bind the Corporation or Partnership, if applicable.</p> <p>Owner's Name: _____ Signature: _____ Date: _____</p> <p>Owner's Name: _____ Signature: _____ Date: _____</p> <p>¹ Original signature(s) are required for the record. In the case of a corporation, the signature(s) must be that of an officer with the authority to bind the corporation.</p>

Permission to Enter (Owner(s) to complete) ¹

The applicant acknowledges that a site walk may be required in order to view the property and its relation to the surrounding lands, and in this regard authorizes members of Council (or a representative thereof), Town staff, Peer Review Consultants retained by the Town, and relevant External Agency Review Staff to enter onto the subject property for the purpose of evaluating the merits of the application.

Owner's Name: _____ Signature: _____ Date: _____

Owner's Name: _____ Signature: _____ Date: _____

¹ Original signature(s) are required for the record. In the case of a corporation, the signature(s) must be that of an officer with the authority to bind the corporation.

Declaration

I, _____ of the _____
of _____ in the _____
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 it made under oath and by virtue of the Canada Evidence
Act.

Declared before me at the
_____ of
_____ in the
_____ of
_____ this _____ day of
_____, 20_____.

Signature of Commissioner of Oaths

Signature of Owner/Applicant

Name/Stamp of Commissioner, etc.

Schedule 'A' to Application

**ADDITIONAL INFORMATION AND INSTRUCTIONS
TO PREPARE FOR SUBMITTING COMPLETE
COMMITTEE OF ADJUSTMENT APPLICATIONS**



PRELIMINARY ZONING REVIEW PROCEDURE

1. Each PZR shall include:
 - a. A completed preliminary zoning review form(attachment #1)
 - b. Two sets of plans that includes:
 - i. A survey if available
 - ii. A detailed site plan, full dimensioned and including building or sign setbacks
 - iii. Floor plans, fully dimensioned indicating uses of all spaces
 - iv. Applicable elevations and cross-sections
 - c. Payment of fees in accordance with the current Fees and Charges Bylaw
2. Upon completion of a review of the plans and documents submitted, the Zoning Examiner shall send the applicant in writing via email a notice that includes:
 - a. That the plans reflect compliance with the applicable Zoning or Sign Bylaw or,
 - b. All deficiencies with the zoning or sign Bylaw, that may include:
 - i. areas of non-compliance with the Zoning or Sign Bylaw
 - ii. areas where compliance could not be determined due to insufficient information
3. Upon completion of a review of the plans and documents submitted, the zoning examiner shall sign both copies of the reviewed plans that formed the basis of the review, and one copy shall be sent to the applicant.
4. The notice in item #3 shall be sent within 10 business days of the request being accepted, the review will then be considered complete, and the file closed.
5. Each request for PZR will receive one review only. Where applicants wish to submit a response to reflect compliance, additional information, or submit any revisions to the original plans will require a new request form to be submitted with the applicable fees.

Attachments:

Attachment #1 – Preliminary Zoning Review Form



FOR OFFICE USE ONLY	
Application No. PZR-2023-	Date Received

Preliminary Zoning Review

PROPERTY LOCATION INFORMATION

Building Number & Street Name:	Unit number	Lot/con.
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APPLICANT INFORMATION

Applicant is: Owner *or* Authorized Agent of Owner

Last Name:	First Name:	Corporation or partnership:
Applicant's Address:		Unit number
Municipality:		Province:
Telephone number: ()	E-mail:	Cell number: ()

OWNER INFORMATION (if different from Applicant)

Last name:	First name:	Corporation or partnership:
Owner's Address:		Unit number
Municipality:		Province:
Telephone number: ()	E-mail:	Cell number: ()

APPLICATION DETAILS

A. Purpose of Application
 New construction Addition/expansion Alteration/repair Other - Specify: _____

B. Current Use of Property: _____

C. Proposed Use of Building: _____

D. Description of Proposed Work: _____

DECLARATION OF APPLICANT

Applicant: (print name) _____

I, _____, hereby declare that the statements herein are true and complete, to the best of my knowledge, and properly represent the purpose and intent of the declared use. I also declare that I have the authority to bind the corporation or partnership (if applicable), and I am acting as the owner or the owner's agent.

(Signature of Applicant)

(Date of Submission)

Sketch or Survey Instructions and Example

Details are required under the Planning Act and by the Committee of Adjustment and the commenting agencies. Failure to complete the sketch with enough information could result in your application being deemed “incomplete” or an amended application and fee.

- Sketch/Drawing should include a title and drawing number, drawing date, revision date if applicable, company or designer name, property address, "North", scale, etc.
- Show the boundaries and dimensions of the subject land, i.e. the Severed lot, the Retained lot and the parcel being added to if this is an addition to a lot (i.e. frontage, depth, area).
- Show all lands and features drawn to the best of your ability - the measurements must be reasonably accurate and proportionally sized in the context of the lot and other features.
- The location & setbacks 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 (existing buildings, proposed building locations, septic areas, wells, railways, roads, existing entrances, watercourses, drainage ditches, river or stream banks, slopes, wetlands and wooded areas.)
- Show a proposed septic area on the undeveloped lot(s) (either severed and/or retained) and that generally complies with all regulatory and zoning setbacks from watercourses, restricted areas, proposed buildings, wells and lot lines. Details of septic system are not required and will be dealt with through the future Building Permit process.
- The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land (i.e. frontage, depth, area).
- The location of all land previously severed from the parcel originally acquired by the applicant.
- The location 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.
- The location and nature of any easement affecting the subject land.
- The severed lot and the retained lot clearly identified either through different colors or hatching, or colored hatching, on the sketch. If access to this lot is to be by a deeded right-of-way, clearly identify the part on the sketch with accurate dimensions
- If the purpose of this application is for an “addition” to an existing lot, draw an arrow, in red, from the severed land to the property to which it is to be added.
- Site Statistics to be shown on the sketch include but not limited to:
 - Lot Area (for consent application identify existing lot area and proposed lot area for each retained and severed lot)
 - Lot coverage
 - Height of the building, as applicable
 - Parking required and parking provided
 - Side yard setbacks
 - Others as necessary

GUIDELINES FOR MINOR VARIANCE APPLICATIONS

To assist you in making your presentation at the Hearing before the Committee of Adjustment, the following guidelines are provided:

- IN ORDER TO AVOID DEFERRAL of your application for a Minor Variance, it is essential that ALL SECTIONS of the application be completed.
- Through the processing (once the application review process begins) of the application:
 - Should you wish to defer the application for any reason, please advise the Committee of Adjustment, Secretary Treasurer in writing. Secretary Treasurer will request the Committee of Adjustment
 - Should planning staff wish to defer to the application for any reason (lack of information, revisions to the design, etc. that may need time to be completed), planning staff will advise you accordingly and if you are in agreement, staff will proceed with requesting the Committee of Adjustment for a deferral.
- The Owner or Agent must complete the Declaration on the Application form confirming that all statements in the application are true and have the Declaration sworn before a Commissioner of Oaths. A Commissioner of Oaths will be available at the Town offices
- Please ensure that all applicable documentation and plans as outlined are filed with your application.
- Section 5.5 of the Application asks you to state why you cannot comply with the provisions of the Zoning By-law:
 - In a situation where you wish to erect a structure that would not be in compliance with the by-law, please set out in full detail why you believe the by-law should be 'varied' to accommodate your plans, OR
 - In a situation where a structure currently violates the by-law, please set out in full detail (as best you understand the circumstances) how and why the violation came into being and why you are of the opinion that a variance to the zoning by-law should be granted
- For Minor Variance Applications, you must meet all of the following four tests and you should be prepared to discuss them according to the variance you seek:
 - a) Maintains the general intent and purpose of the by-law
 - b) Maintains the general intent and purpose of the Official Plan
 - c) Is desirable for the development of the neighbourhood
 - d) Is minor in nature
- Photographs of the land or structure are generally very helpful
- Including elevations, floor plans, and any information that would supplement the application is helpful in evaluating the application
- In addition, you are invited to bring to the Hearing any of your neighbours who are in support of your proposal or, as an alternative, they may write to the Committee

ACKNOWLEDGMENT FOR NOTICE SIGN(S) – MINOR VARIANCE(S) OR PERMISSION

Pursuant to the *Planning Act*, Ontario Regulation 200/96 as amended by O.Reg. 175/16, O.Reg. 432/96, O.Reg. 508/98 and O.Reg. 471/09 requires that Notice of Application be given to every Owner of land within 60 metres of the subject land **and posting a Notice (sign)**.

The posting of a sign at least 10 days before the day of the Hearing constitutes part of the legal notice. Failure to fulfil the posting requirements by the specified date will result in the Public Hearing being rescheduled to a later date and at additional expense.

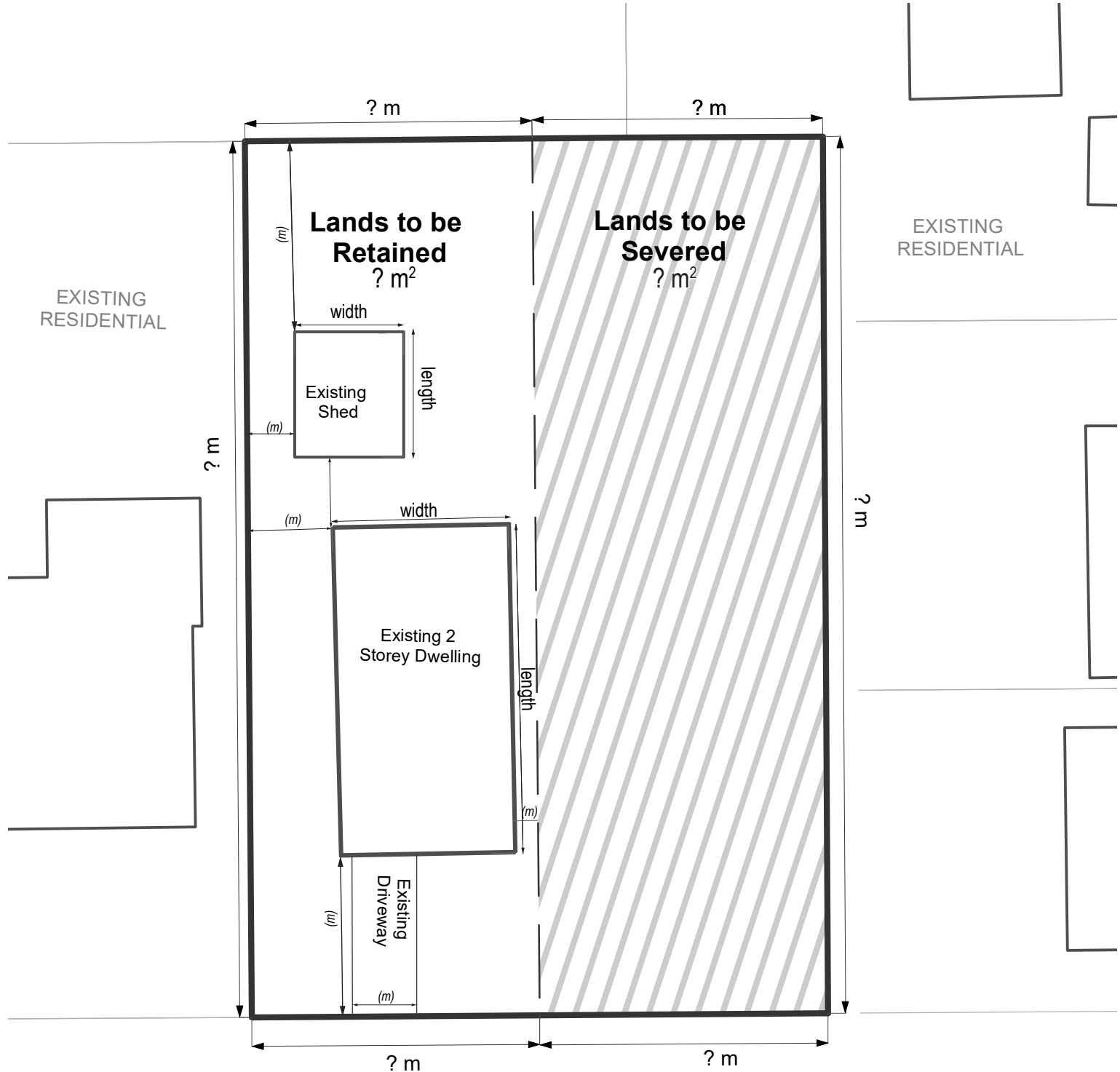
At least 14 days before the day of the Hearing, the Owner or Authorized Agent will be contacted and advised to pick up the sign. The Owner or Authorized Agent will be provided with the date by which the sign must be posted and a Statutory Declaration confirming the date of posting will also be provided. This Declaration must be completed by the person who posted the sign (Owner or Authorized Agent) and filed with the Secretary- Treasurer by the due date.

Staff may conduct a site visit to ensure that the sign was posted by the specified date.

The cost of each sign is to be paid by the Applicant and is payable on pick-up, which includes preparation, lamination and site visit.

Checklist for Submitting Application

- Have you completed a Preliminary Zoning Review (PZR) with the Town's Building Department? If not, please contact the Zoning Administrator, to request for a PZR in advance of the Complete Application Deadline, to ensure that the PZR process can be completed and ready for submission with the Complete Minor Variance Applications. The PZR Application Form can be found on the Town's Website at www.townofws.ca. Planning Staff will take no responsibilities for any delays in obtaining the PZR from the Building Department. Minor Variance Applications without a PZR will not be accepted by the Town.
- Have you completed **all** questions on the application form (if the answer is "none", or "0", or "n/a", please indicate that answer to show the question has been considered).
- Incomplete applications and/or sketches (see instructions) will not be accepted and will be returned to the applicant.
- Has the Agent authorization (page 6) and declaration page (page 7) been signed and commissioned?
- We require 1 (one) "original"/hard copy of the application with the signatures and sworn affidavits, the sketch/drawing and any other submission materials.
- Have you included the fee payment for the applications?
- Have you attached all copies of any reports and/or studies required as per your pre-consultation comments (for consent applications)?



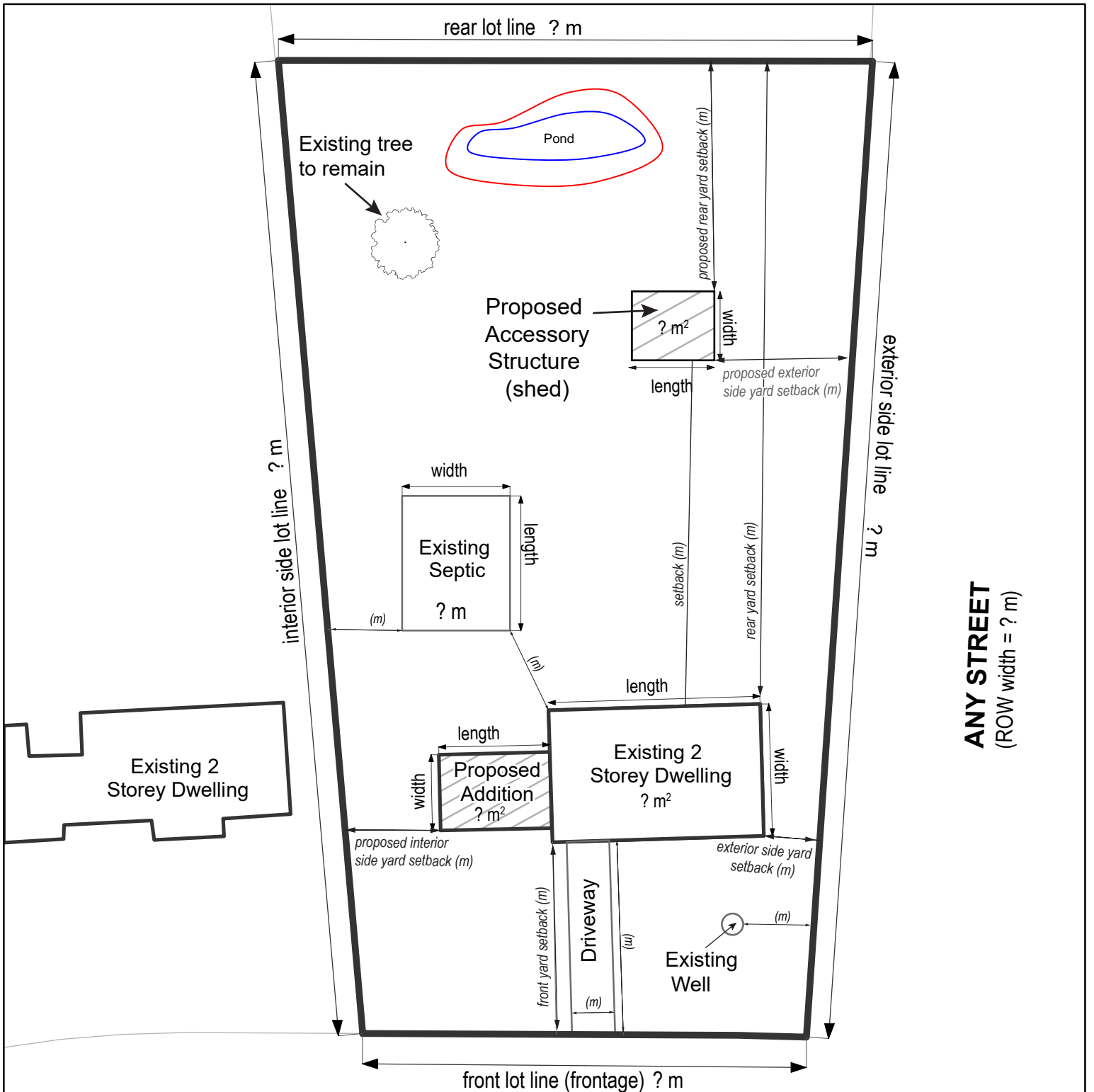
Regulation	Retained	Severed
Lot Frontage	? m	? m
Lot Depth	? m	? m
Lot Area	? m ²	? m ²

ANY STREET
(? m)

SAMPLE DRAWING
LAND SEVERANCE

Scale
1:300





ANY STREET
(ROW width = ? m)

ANY STREET
(ROW width = ? m)

How do you determine lot coverage?
 Building Area = shed + house + addition
 Lot Coverage (%) = $\frac{\text{footprints of all buildings}}{\text{lot area}} \times 100$

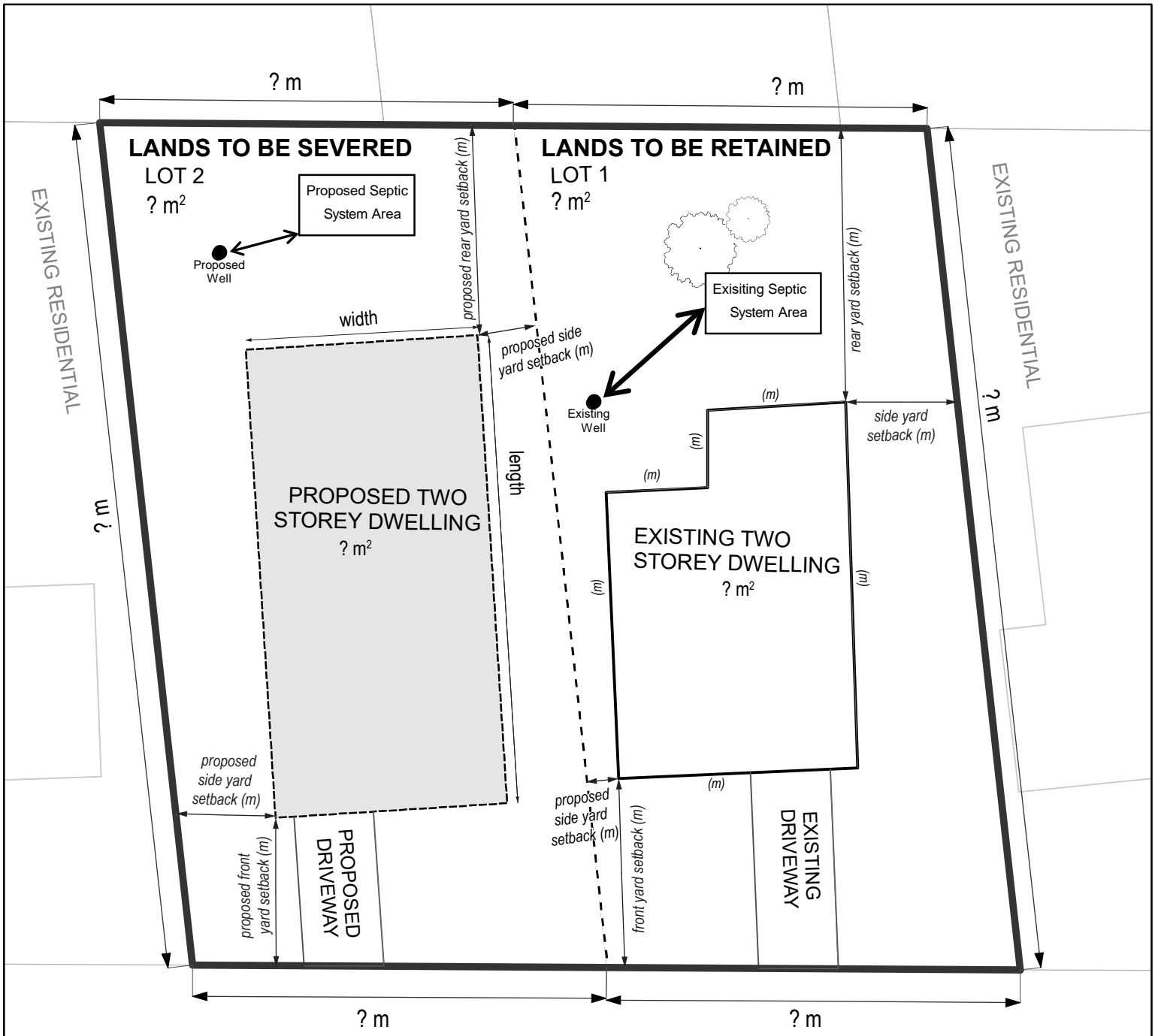
	REQUIRED	PROVIDED
Front Yard Setback	? m	? m
Rear Yard Setback	? m	? m
Interior Side Yard Setback	? m	? m
Exterior Side Yard Setback	? m	? m
Lot Coverage	? %	? %
Height	? m	? m

NOTE: Please round to 1 decimal point

SAMPLE DRAWING
MINOR VARIANCE

SCALE
1:500





ANY STREET
(? m)

Regulation	Permitted	Retained (Lot 1)	Severed (Lot 2)
LOT AREA	? m ²	? m ²	? m ²
LOT FRONTAGE	? m	? m	? m
LOT COVERAGE	? %	? %	? %
FRONT YARD SETBACK	? m	? m	? m
INTERIOR YARD SETBACK	? m	? m	? m
REAR YARD SETBACK	? m	? m	? m
BUILDING DEPTH	? m	? m	? m
BUILDING HEIGHT	? m	? m	? m

How do you determine lot coverage?
 Lot Coverage (%) = $\frac{\text{footprints of all buildings}}{\text{lot area}} \times 100$

SAMPLE DRAWING
CONSENT + MINOR VARIANCE

SCALE
 1:250

