



COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT

(Section 53 of the Planning Act)

Planning Division – 200 King Street West, 6th Floor
 P.O. Box 1118, Kitchener ON N2G 4G7
 519-741-2426; planning@kitchener.ca

SUBMISSION NUMBER: B _____ (to be assigned by staff)

1. ADDRESS OF SUBJECT PROPERTY: _____

Have you previously consulted with staff on this application?

If yes, name and date of consultation: _____

Office Use Only:

Date Stamp

2. FOR YOUR INFORMATION:

- It is recommended to consult with staff prior to submitting your form. Applications will not be accepted as complete unless all legislated requirements have been met and will not be processed until all necessary information has been provided.
- Committee of Adjustment is a public process. Applications will be circulated to public agencies for comment. Notice of the meeting will be circulated to property owners within 30 metres of the subject property, advertised in the local newspaper and a City-issued notification sign posted on the property. All parties are given the opportunity to provide written comment or attend the meeting, either in support or opposition of the application, or to appeal a subsequent decision of the Committee of Adjustment.
- In addition to the submission requirements found on the application form, it is imperative that the applicant provide all the planning evidence necessary in support of the request being made. Depending on the nature of the application, this evidence may be in the form of photographs showing the existing streetscapes, contextual plans (in context with adjacent structures), historical information and/or detailed location plans (windows, openings, accessory structures) of the abutting properties. This will assist the Committee in making an informed decision regarding your application.
- The owner and/or agent must attend the Committee meeting in support of their application. Information on the meeting date/time will be forwarded to the applicant. A deferral fee will apply on applications requiring re-circulation for failure to attend meeting or requesting postponement.
- This is YOUR application - make sure that you know the exact details of why you are applying. You must identify exactly what is being requested, particularly as it relates to easements, rights-of-way or partial discharge of mortgage. It is your responsibility to provide a complete and accurate application. Staff are available for consultation, but they are not permitted to complete the form on your behalf.

3. SUBMISSION REQUIREMENTS:

Complete applications shall be submitted by email to planning.applications@kitchener.ca (maximum 10 MB). **Original, signed & commissioned application form, including plans, and cheque** (payable to the City of Kitchener) must be delivered to City Hall - Planning Division, Attention: Manager of Development Review, **within one week of the digital submission deadline** (you may send by mail, courier or drop off in person).

- Application form (completed and signed)
- Written authorization of the owner(s) is required if the application is signed by an agent on their behalf.

- Affidavit – applicant’s signature has been witnessed and form signed by a commissioner, notary or lawyer (if you require commissioning services, please make an appointment with City staff at: <https://outlook.office365.com/owa/calendar/CityofKitchenerServiceCounters@kitchener.ca/bookings/> - select “Planning: Commissioner Signature for Development Application Affidavit”)
- Detailed sketch completed by an Ontario Land Surveyor (O.L.S.) is required. The plan cannot exceed 11 x 17 in size and must be folded to letter size and submitted with the application. Please note the severance sketch sample on page 5 of this application**
- Completed Environmental Site Screening Questionnaire
- If the site is located within a Source Protection Area, provide a copy of the Notice of Source Protection Plan Compliance (Section 59 Notice) obtained from the Regional Municipality of Waterloo. For more information, visit the Region’s website at: <http://www.regionofwaterloo.ca/sourceprotection>
- Application fee of **\$1,553.00** (non-refundable)

Note: A fee is required for **each** new lot created. A regional processing fee also applies, which may be submitted with this application form by **separate** cheque, payable to the Region of Waterloo, which will be forwarded on your behalf. For more information see “Development Application Fees” on the Region’s website - [Region of Waterloo - Development Application Fees](#)

4. REGISTERED OWNER(S)

Name(s): _____ Phone: _____
 Company (if applicable): _____ Extension: _____
 Street Address: _____ Email: _____
 City/Province: _____ Postal Code: _____

5. AUTHORIZED AGENT (if different from registered owner)

Name(s): _____ Phone: _____
 Company (if applicable): _____ Extension: _____
 Street Address: _____ Email: _____
 City/Province: _____ Postal Code: _____

6. PROPERTY INFORMATION

a) Street Address: _____
 Closest Intersection: _____
 Legal Description (from Survey or Plan): _____
 Lot(s) No: _____ Registered Plan No.: _____
 Lot(s) No: _____ Reference Plan No.: _____
 Part(s) No: _____

b) Type of Road Access: Public Private

c) Municipal services available:

Water: Yes No Sanitary Sewer: Yes No
Storm Sewer: Yes No Private Well: Yes No
Septic: Yes No

7. TYPE AND PURPOSE OF THE APPLICATION

Conveyance: Creation of Lot (fee required for **each** new lot created + Regional fee as noted above)
 Addition to a Lot Validation of Title Other _____

Name of persons (purchaser, lessee and mortgagee) to whom the land or interest in lands is intended to be conveyed: _____

Other: Mortgage Lease Easement/Right-of-Way

a) Please provide an explanation summarizing the purpose of your application:

b) Does this proposal require a minor variance application? Yes No

c) Are there any easements or restrictive covenants affecting the subject property? Yes No
If yes, please describe the easement or covenant and its effect: _____

8. DESCRIPTION OF REQUEST

Development Standard Required	Severed	Retained
Lot Width		
Lot Depth		
Lot Area		
Existing Use(s) of Land		
Proposed Use(s) of Land		
# of Existing Buildings/Structures		
# of Proposed Buildings/Structures		
Use(s) of Buildings/Structures		

Number of New Lots Proposed (not including retained lot): _____

9. PLANNING INFORMATION

a) Official Plan designation: _____

Zoning Category: _____

b) Has the land previously been the subject of a consent or plan of subdivision? Yes No

If yes, describe: _____

c) Is the subject property currently undergoing Site Plan Approval: Yes No

d) Does the property have any Heritage Status: Yes No

If yes, please check below:

Inventory Listed Part IV (Individual) Part V (District) Easement/Agreement

e) Does the property have any significant environmental features: Yes No

If yes, indicate: Woodlot Wetland Valleyland Other: _____

f) Has the owner previously severed any land from this holding? Yes No

If yes, please indicate submission no.: _____

If yes, also indicate previous severance(s) on the required sketch and supply the following information for each lot severed:

- Transferee Name: _____
- Relationship to the owner (if any): _____
- Use of Parcel: _____
- Date Parcel was created: _____
- Date of acquisition by current owner: _____

g) 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

h) Is this application consistent with the Provincial Policy Statements issued under subsection 3(1) of the *Planning Act R.S.O. 1990, Chapter P.13, as amended*? Yes No

i) Is the subject land affected by the Growth Plan or Growth Plan Policies? Yes No

If yes, does this application conform to, or not conflict with, the applicable provincial plan or plans?

Yes No

j) Certificate Request for Retained Lands: Yes No

* If yes, a statement is required 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. (O. Reg. 786/21, s. 1 (2)).

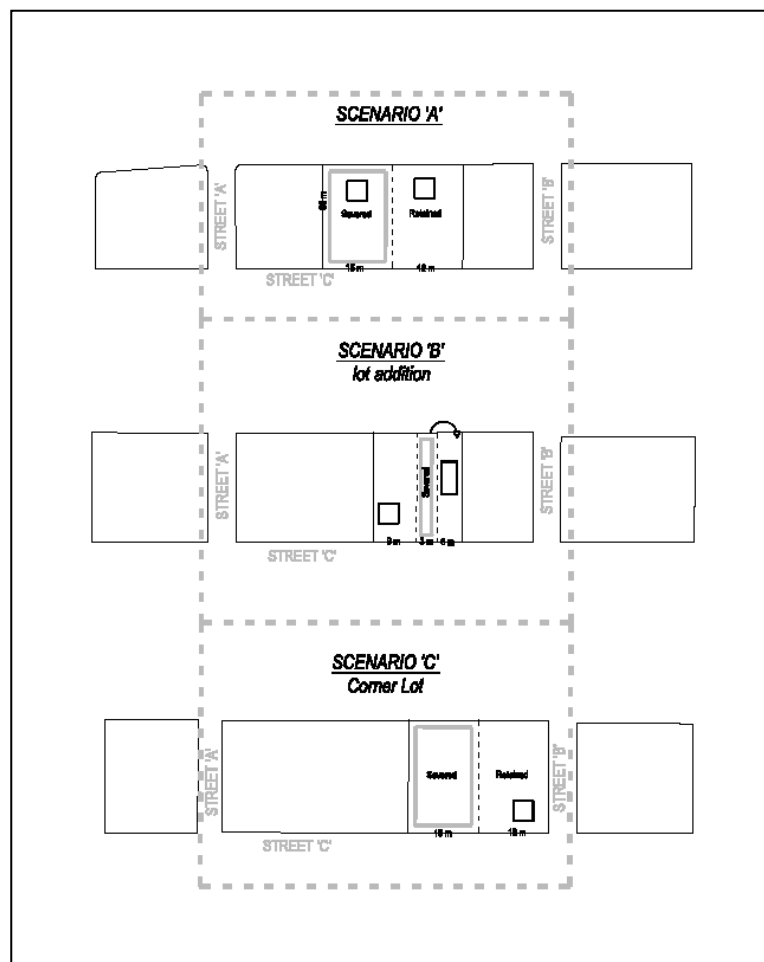
k) Is there any other information that you think may be useful to the City, Region or other agencies in reviewing this application? Please explain:

10. DETAILED SKETCH

It is very important to be as accurate as possible, as any deficiencies may delay consideration of your application. Survey must be an original (not a photocopy) - plan must be drawn to scale by an Ontario Land Surveyor (O.L.S.) and show the following information:

- The boundaries and accurate dimensions of the subject land.
- It is **mandatory** to clearly label the lands to be **severed** (outlined in red) and the lands to be **retained** (outlined in green) – dimension must match the information contained in the application.
- The plan cannot exceed 11 x 17 in size and must be folded into letter size and attached to each application.
- The location and nature of any easement affecting the subject lands.
- The size, location and type of all existing **and** proposed buildings, structures or additions on the subject land, measured from the front, rear and side lot lines.
- The location of all driveways and parking spaces.
- The location, width and name of any roads within or abutting the subject land.
- Identify any natural features on the subject land (trees, streams, etc.).

SAMPLE SKETCH:



11. REGIONAL MUNICIPALITY OF WATERLOO - ENVIRONMENTAL SITE SCREENING QUESTIONNAIRE

On behalf of the Regional Municipality of Waterloo, this form must be completed for all development applications submitted to the City of Kitchener.

1.	What are the current uses of the property? _____			
2.	Was the subject property ever used for industrial purposes? If yes, please describe approximate dates and types of industry:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
3.	Was the subject property ever used for commercial purposes where there is potential for site construction (i.e. automotive repair, gas station, dry cleaning operation, chemical warehousing, etc.)? If yes, please describe approximate dates and types of commercial activity:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
4.	Has waste (garbage, solid wastes, liquid wastes) ever been placed on this property? If yes, when? _____ Please provide description of waste materials: _____	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
5.	Have hazardous materials ever been stored or generated on the property (e.g. has HWIN registration or other permits been required)? If yes, please summarize details: _____	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
6.	Is there reason to believe that this property may be potentially contaminated based on historical use of this or an abutting property? If yes, please describe the nature of the suspected contamination: _____	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
7.	Has the subject property or adjacent property ever been used as an agricultural operation where cyanide products may have been used as pesticides?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
8.	Are there or were there ever any above ground or underground storage tanks for fuels or chemicals on the property? If yes, please summarize details: _____	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
9.	Does this property have or ever had a water supply well, monitoring well, geothermal well? If yes, please provide details: _____	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
10.	Does the property use or has it ever used a septic system?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
11.	Have any environmental documents been prepared or issued for this property, including but not limited to a Phase I and II environmental site assessment, risk assessment, Record of Site Condition or Certificate of Property Use?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
12.	Will lands be dedicated to the Region as part of this application (including road allowances, daylight triangles?)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>

12. AUTHORIZATION

If this application is being made by an agent that is not the owner of the subject lands, written authorization of the owner is required, as below:

I/we, _____, owner(s) of the land that is the subject of this application, hereby authorize _____ to act on my/our behalf in regard to this application.

Signature of Owner: _____ Date: _____

Signature of Owner: _____ Date: _____

13. ACKNOWLEDGEMENT

I understand that receipt of this application by the City of Kitchener - Planning Division does not guarantee it to be a 'complete' application. Further review of the application will be undertaken and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted. Once the application is deemed to be fully complete, the application fee will be deposited and the application will be processed. Submission of this application constitutes consent for authorized municipal staff to enter upon the subject property for the purpose of conducting site visits, including photographs, which are necessary for the evaluation of this application.

I further acknowledge that a City-issued notification sign must be posted at the front of the subject property in a location that is visible from the street. Staff will advise when to post the sign and it shall remain in place for 20 days after the Committee decision has been issued.

Signature of Owner or Agent: _____ Date: _____

14. AFFIDAVIT (to be completed *in person* in the presence of a Commissioner of Oaths)

I/we, _____, of the Town/City of _____, in the County/Regional Municipality of _____, solemnly declare that all of the above 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/Agent

Signature of Owner/Agent

Declared before me at the

Town/City of _____ in the County/Regional Municipality of _____

This _____ day of _____, 20 ____.

Signature of Commissioner of Oaths

*Commissioner/Notary – please affix stamp

*Lawyer – please print name beside signature