



COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT

(Section 53 of the Planning Act)

Consultation with City staff is encouraged prior to submission of this application.

Applications must be accompanied by the submission requirements in order to be considered complete.

Incomplete applications will not be processed until all information is provided.

If you have any questions please call the Planning Division at 519-741-2426.

CONSENT CHECKLIST:

Submission Number: B _____ (to be assigned by staff)

Address of the Subject Property: _____

Have you consulted with City Staff prior to submitting this application:

Staff member consulted / Date of Consultation: _____

It is recommended to consult with staff prior to submitting your application to identify any possible issues or further information required, therefore avoiding unnecessary delays during processing.

Office Use Only:

Date Stamp

Received: In person By mail

Assigned to: _____

Deemed complete by: _____

SUBMISSION REQUIREMENTS:

- Complete applications shall be submitted by email to planning.applications@kitchener.ca (maximum 10 MB). **Original, signed application form and cheque** (payable to the City of Kitchener) should be sent to City Hall - Planning Division, to the attention of the Committee of Adjustment Coordinator, by mail or courier as soon as possible following the digital submission.
- Application Fee - \$1,523.00 (non-refundable)
- 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.**
- Written authorization by the Owner(s) is required if the application is signed by an agent or solicitor on their behalf.
- Region of Waterloo Requirements: Environmental Site Screening Questionnaire and 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>
- Place the City issued Notice Sign on the subject property in a location visible from the street.
- Mailing Address for Original Application: City of Kitchener, Attn: Planning Division, 6th Floor, 200 King Street West, Kitchener Ontario, N2G 4G7.

For Your Information:

- An application will not be accepted as complete unless all legislated requirements have been met, and will not be processed until all necessary information has been received.
- 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 agent. A deferral fee will apply to applications requiring re-circulation for failure to attend meeting or requesting a deferral.
- 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 is available for consultation, but is not permitted to complete the form.



COMMITTEE OF ADJUSTMENT
APPLICATION FOR CONSENT

(Section 53 of the Planning Act)

Submission Number: **B** _____

Location of the Property:

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: _____

Name of Registered Owner (s): _____

Mailing Address: _____

City: _____ Postal Code: _____

Telephone: _____ Other No.: _____

Email: _____

Name of Authorized Agent (s): _____

Mailing Address: _____

City: _____ Postal Code: _____

Telephone: _____ Other No.: _____

Email: _____

Note: Unless otherwise requested, all communications will also be sent to agents.

Type and Purpose of the Application:

Conveyance: Creation of a Lot

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, and will be forwarded on your behalf. For more information see "Development Application Fees" on the Region's website - [Region of Waterloo - Development Application Fees](#).

Addition to a Lot Validation of Title

Other: _____

Other: Mortgage Lease Easement / Right of Way

Please provide an explanation summarizing the purpose of your application:

Name of the person (s) (Purchaser, lessee, and mortgagee) to whom the land or interest in lands is intended to be conveyed:

Does this proposal require a minor variance application: Yes No

Are there any easements or restrictive covenants affecting the subject property: Yes No

If Yes, please describe the easement or covenant and its effect: _____

Description of Request

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

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

Type of Road Access: Public Private

Municipal services:

Water: Yes No Sanitary Sewer: Yes No

Storm Sewer: Yes No Private Well: Yes No

Septic: Yes No

Planning Information:

Official Plan designation: _____

Zoning Category: _____

Has the land previously been the subject of a consent or plan of subdivision: Yes No

If the answer is yes, describe briefly: _____

Is the subject property subject to a current Site Plan Approval Process: Yes No

If yes, please indicate the file number: _____

Does the property have any Heritage Status: Yes No If yes, please check below:

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

Does the property have any significant environmental features: Yes No

If you answered yes, indicate: Woodlot Wetland Valleyland Other: _____

Has the owner previously severed any land from this holding: Yes No

If yes, please indicate submission no.: _____

If yes, please 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: _____

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

Date of construction of all buildings/structures: _____

Existing use(s) of subject land: _____

Proposed use(s) of subject land: _____

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

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

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

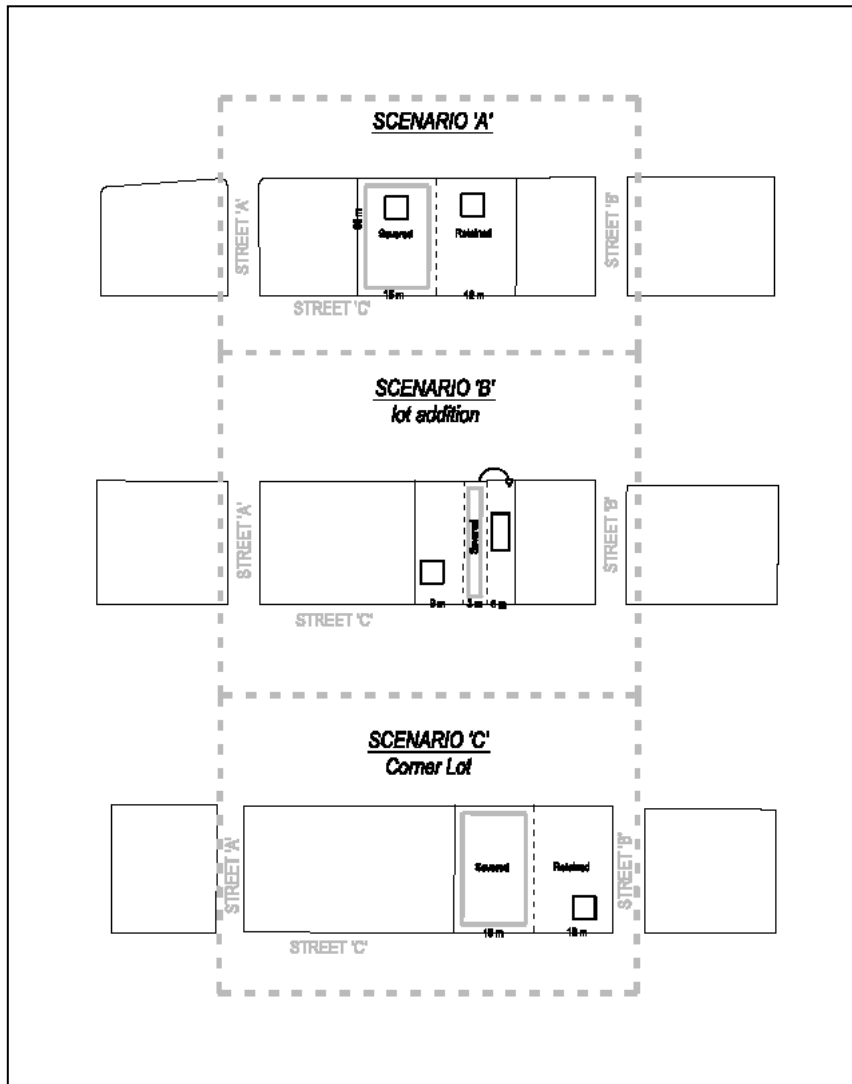
Detailed Sketch:

It is very important to be as accurate as possible – should deficiencies be found, this may delay consideration of your application. Survey must be an original (not a photocopy) and 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.)

All measurements must be shown in metric and to scale.

SAMPLE SKETCH



REGIONAL MUNICIPALITY OF WATERLOO ENVIRONMENTAL SITE SCREENING QUESTIONNAIRE

This form must be completed by the property owner(s) for all development applications submitted to the City of Kitchener on behalf of the Regional Municipality of Waterloo.

1. What are the current uses of the property?

2. Was the subject property ever used for industrial purposes? Yes No Uncertain
If yes, please describe approximate dates and types of industry:

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.) Yes No Uncertain
If yes, please describe approximate dates and types of commercial activity:

- 4a. Has waste (garbage, solid wastes, liquid wastes) ever been placed on this property? Yes No Uncertain
- 4b. **If yes**, when? _____
Please provide description of waste materials:

5. Have hazardous materials ever been stored or generated on the property (e.g. has HWIN registration or other permits been required)? Yes No Uncertain
If yes, please summarize details:

6. Is there reason to believe that this property may be potentially contaminated based on historical use of this or an abutting property? Yes No Uncertain
If yes, please describe the nature of the suspected contamination:

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 No Uncertain

8. Are there or were there ever any above ground or underground storage tanks for fuels or chemicals on the property? Yes No Uncertain
If yes, please summarize details:

9. Does this property have or ever had a water supply well, monitoring well, geothermal well? Yes No Uncertain
If yes, please provide details: _____

10. Does the property use or has it ever used a septic system? Yes No Uncertain

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 No Uncertain

12. Will lands be dedicated to the Region as part of this application (including road allowances, daylight triangles)? Yes No Uncertain

ACKNOWLEDGEMENT

I/We 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 go forward to the next possible Committee of Adjustment meeting. 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/We further authorize the City of Kitchener to release municipal property tax information to the applicant and/or agent named within this application form and/or the Secretary-Treasurer of Committee of Adjustment, for the specific property referenced herein, for the purpose of completing the process referred to within this application form.

I/We 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/Agent _____ Date _____

Signature of Owner/Agent _____ Date _____

AUTHORIZATION

If this application is being made by an agent/solicitor on behalf of the property owner, the following authorization must be completed:

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

Signature of Owner _____ Date _____

Signature of Owner _____ Date _____

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 _____.

Commissioner of Oaths