

CONSENT APPLICATION

IT IS THE RESPONSIBILITY OF THE OWNER OR AUTHORIZED AGENT TO PROVIDE COMPLETE AND ACCURATE INFORMATION.

PLEASE READ ALL INSTRUCTIONS

The information in this application form that must be provided by the Applicant is prescribed in O.Reg. 197/96 under the Planning Act. This mandatory information must be provided along with the appropriate fees. If the information and fees are not provided, the City will not consider the application until the prescribed information and the fees are provided.

All submission materials on file, including cover letters, application forms and plans, will be made available to the public for viewing at the Planning and Building Services Department, as required under Section 1.0.1 of the *Planning Act*, R.S.O 1990 C.P.13. Personal information is collected under the authority of the Planning Act and will be used to process the application.

This Is Your Application. Make sure you know why you are applying to the Committee of Adjustment and what you are applying for.

All applications need to be reviewed by a Planner before submission. Failing to do so may result in delays. Please identify the City Planner you spoke to about your application.

Discuss the application with a City of St. Catharines Planner prior to submission.	
Planner Name:	Date:
<div style="margin-top: 10px;"> <input type="checkbox"/> Ensure that all sections of this application form are completed. </div> <div style="margin-top: 10px;"> <input type="checkbox"/> Provide original signatures of all owner(s) and/or authorized agent(s). </div> <div style="margin-top: 10px;"> <input type="checkbox"/> Affidavit – applicant's signature has been witnessed and form signed by a commissioner or lawyer (Commissioning is available at City Hall if required). </div> <div style="margin-top: 10px;"> <input type="checkbox"/> Provide 2 copies of all plans (with all the requirements, as outlined in the consent sketch instructions), elevations, interior floor plans and drainage plans in Metric units, with a digital copy of the plans to be forwarded within 2 days of the submission. </div> <div style="margin-top: 10px;"> <input type="checkbox"/> Include any relevant reports and/or studies as required by the municipality or other agencies. </div> <div style="margin-top: 10px;"> <input type="checkbox"/> Payment of all fees is required at time of submission by Cash, Debit, Credit or cheque made payable to the 'City of St. Catharines'. Other fees – i.e. Region of Niagara and/or Niagara Peninsula Conservation Area, are to be paid with a separate cheque for each payment and/or through the Agencies online payment portal with copy of receipt provided to staff prior to the circulation of the Notice of Hearing. </div>	

Complete applications are due by 2 p.m. on the submission cut-off date. Submitting an incomplete may result in processing delays.

PLEASE PRINT THE CONSENT APPLICATION ON ONE SIDE ONLY!

A Pre-consultation application is no longer required, however it is encouraged prior to submitting an application for Consent (pre-consultation applications have a separate fee). Pre-consultation will provide you with feedback from various City departments and external agencies to guide your proposal to a successful conclusion.

If Pre-consultation is not undertaken, all applications will require review by a Planner prior to submission. Failing to do so may result in delays. Please identify the City Planner you spoke to regarding your application.

Please note that any omissions or errors could result in further delay and possibly additional fees and/or applications.

A Consent is Required for the following:

1. To sever lands
2. To register a mortgage or discharge a mortgage over part of a parcel of land
3. To register a lease over part of a parcel of land when the term of the lease is 21 years or more (inclusive of renewal options)
4. To register easements
5. To adjust boundaries of existing land parcels to enlarge or decrease the size of a property

SECTION A

- ☐ Include the names of all registered Owners of the property need to be included along with the address as stated on the deed.
- ☐ Include a mailing address (if applicable) to which correspondence is sent.
- ☐ Provide the name and address of your mortgage company, person or organization that has a financial interest in the property. If you do not have a mortgage, indicate this by writing "N/A."
- ☐ Contact information of Owner's Solicitor, if available.
- ☐ Include the contact information of your Agent, if applicable. The Agent will become the point of contact and can make decisions on your behalf. If one (1) Owner is acting as the Agent on behalf of other Owners, please complete Section A. All Owners must sign the authorization section.

SECTION B

- ☐ Outline the purpose of the application.
- ☐ Indicate the purpose of the severance by checking off all applicable boxes.
- ☐ For a lot addition, indicate which land parcel it will be added to.
- ☐ For any easements, identify the type and who it will benefit.

- ☐ If a road widening is to be dedicated to the city, state which Part.
- ☐ If a certificate for retained lands is required, complete that section.
- ☐ List the person or organization who has an interest in the land (potential buyer), who is leasing the land, or who the mortgage is with.

SECTION C

- ☐ Provide the municipal address of the land, along with its legal description.
- ☐ List any easements or restrictive covenants affecting the lands. If so, what kind?
- ☐ State the existing zone, the City's and Regional Official Plan designations. This information is on the City's website, the Region's website, or with a City Planner.
- ☐ Estimate when the property was purchased.

SECTION D

- ☐ State which Part on the Sketch will be severed. Typically the new lot to be created.
- ☐ Indicate the current and future uses of the land (e.g., Residential – detached dwelling, Residential – duplex).
- ☐ Provide the dimensions of the lot in metric, according to the Survey Sketch prepared by an Ontario Land Surveyor.
- ☐ List the services available to the new lot.
- ☐ If no municipal services are available, state the type of system used (e.g. septic system, cistern, well). The Regional Private Sewage System Application is to be submitted with the consent application either with a cheque made out to the Region or proof of payment using the Region's online portal.
- ☐ State the type of road that allows access onto the proposed new lot.
- ☐ Describe any existing and proposed buildings on the new lot.
- ☐ State whether there are other applications submitted at the same time for this property. If so, include the type of application and file number.
- ☐ State if there ever been a plan of subdivision or consent application for this property. If so, include the file number and decision.
- ☐ State if the property even been severed by the current owner. If so, add the purchaser, date of purchase, and file number (if known). Write what is currently on the property.

SECTION E

- ☐ State which Part on the sketch will be retained.

- ☐ Indicate the current and future uses of the land (e.g., Residential – detached dwelling, Residential – duplex).
- ☐ Provide the dimensions of the lot in metric, according to the Survey Sketch prepared by an Ontario Land Surveyor.
- ☐ List the services available to the retained lot.
- ☐ If no municipal services are available, state the type of system used (e.g., septic system, cistern, well). The Regional Private Sewage System Application is to be submitted with the consent application either with a cheque made out to the Region or proof of payment using the Region's online portal.
- ☐ Describe any existing and proposed buildings on the retained lot.

SECTION F

- ☐ To be signed by the Property Owner or Agent to acknowledge that the sign(s) will be picked up and posted for the Public Hearing. You will be notified when to pick up the sign and where to post the sign. Email a picture of the sign from the roadway to the Secretary-Treasurer or Planning Committee Coordinator. The sign must be posted on the property until the day after the Hearing. If the sign is blown away or missing, contact the Secretary-Treasurer or Planning Committee Coordinator immediately for a replacement.

SECTION G

- ☐ To be signed by the Property Owner or Agent to acknowledge that permission to enter the subject property is given to the Committee Members and City Staff if needed.

SECTION H

- ☐ To be signed by the Property Owner to acknowledge that personal information and any supporting documents collected under the MFIPPA and the *Planning Act* shall become part of the public record and will be made publicly available.

SECTION I

- ☐ To be signed by the Property Owner or Agent to acknowledge that the sketch requirements are reflective of the subject property. Please use the checkboxes in the Consent Sketch Instructions to ensure all information is on the sketch. Any missing information may delay your application.

SECTION J

- ☐ All Owner(s) must complete the authorization form if someone else is to act on their behalf. If one owner is acting on behalf of the other Owner(s), then that owner must be authorized by the Owner(s) to be considered the agent.

SECTION K

- ☐ Declaration to be signed by the Owner(s) or the person who has been authorized as the Agent to act on their behalf, when submitting to the Secretary-Treasurer/Planning Committee Coordinator. Do not sign this section before submission unless signed in the presence of a Commissioner or Lawyer. If commissioned at City Hall, please have government photo ID ready (Drivers Licence, Passport).

CONSENT Sketch Instructions

SKETCH INSTRUCTIONS

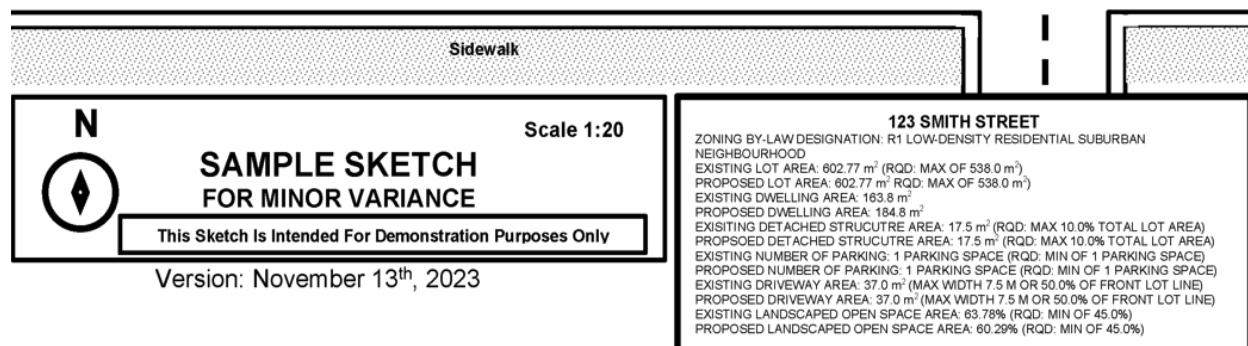
1. This application must be accompanied by a fully dimensioned sketch in **metric units**. The plans must be drawn to scale and printed on 11" x 17" paper, signed and dated by an Ontario Land Surveyor showing the following information set out below under the checklist. If the plans are larger than 11" x 17", two (2) copies must accompany the application.
2. If applying for an accessory dwelling unit, please include plans of each floor with dimensioned metric measurements.
3. Pictures can be provided to support your application.
4. Within two (2) days of submitting a complete application, forward all digital plans and information to:
 - a. Secretary-Treasurer, emunro@stcatharines.ca and
 - b. Planning Committee Co-ordinator, rrisi@stcatharines.ca

CHECKLIST

- ☐ Boundaries, dimensions and lot area of the subject lands, the part that is to be severed and the part that is to be retained.
- ☐ The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land.
- ☐ The location of all land previously severed from the parcel originally acquired by the current owner of the subject land.
- ☐ The distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.
- ☐ Location, size, height and type of all existing and proposed buildings and structures on the subject lands, showing all setback distances (e.g., dwelling, garage, shed, decks, porches, patios, etc.). For decks, balconies and patios, please include height from grade.
- ☐ The approximate location of all natural (e.g., trees, hedges) and artificial features (e.g., shed, deck, fence, pools, utilities, sidewalks) on the subject and on the land that is adjacent to the subject land that, in the opinion of the applicant may affect the application. (e.g., buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks).
- ☐ The existing uses on adjacent land, such as residential, agricultural and commercial uses.
- ☐ The location, width and name of any road 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. Show access to the subject lands and the dimensions of drive aisles and fire routes if applicable.
- ☐ 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.
- ☐ Show a building envelope and the dimensions of all existing and proposed parking areas (e.g., driveways, drive aisles, garages). Show the location and dimensions of bicycle parking spaces.
- ☐ State the percentage (%) of soft and hard landscaping on the lot. Identify the dimensions for landscape buffers, if applicable.
- ☐ Lot frontage shall be measured 6 metres from the front lot line and parallel to the front lot line, or 6 metres from the chord and parallel to the chord if the lot line is a curve.
- ☐ Key map indicating the location of the property.

Please refer to the attached sample sketch (next page):



CONSENT

**Consent Application
Committee of Adjustment
Planning and Building Services**

OFFICE USE ONLY	
Date Received:	Submission No: B-
Date Application Deemed Complete:	
AMANDA Number:	
Roll Number:	

PLEASE PRINT CLEARLY IN BLUE INK

SUBJECT PROPERTY (Municipal Address): _____

Reviewed by (Name of City Planner):		Date:
SECTION A – PROPERTY OWNER/APPLICANT INFORMATION		
All Registered Owners (write name(s) as shown on Transfer Deed of Land)		
First Name	Last Name	
Corporation (Company Name)		
Mailing Address (if different from subject property)		
City	Province	Postal Code
Phone Number	Additional Phone Number	Email Address
Mortgagees, holders of charge or other encumbrances (if no mortgage, indicate N/A)		
SOLICITOR INFORMATION		
Owner's Solicitor		
First Name	Last Name	
Organization Name		
Address		
City	Province	Postal Code
Phone Number	Additional Phone Number	Email Address

AGENT INFORMATION					
Authorized Agent					
First Name		Last Name			
Organization Name					
Address					
City		Province		Postal Code	
Phone Number		Additional Phone Number		Email Address	
SECTION B – PURPOSE OF APPLICATION					
Purpose of application (e.g., “severing to create new lot for detached dwelling with accessory unit”)					
<input type="checkbox"/> Creation of New Lot <input type="checkbox"/> Disposal of Surplus Farm Dwelling <input type="checkbox"/> Addition to Lot (see below) <input type="checkbox"/> Easement (see below) <input type="checkbox"/> Mortgage or charge <input type="checkbox"/> Partial Discharge <input type="checkbox"/> Lease					
If an Addition to Lot, identify the lands to which the parcel will be added. (To be shown on sketch as a Part.)					
If an Easement, identify the type and who it will benefit. (To be shown on sketch as a Part.)					
If a Road Widening or Lands are to be dedicated to the City, state which Part (s) as identified on sketch.					
Certificate for retained land (not applicable to lot line adjustments) Does this application include a request for a Certificate for the retained land as referred to in clause 53(42.1)(a) of the <i>Planning Act</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, <i>Planning Act</i> regulations require a statement from an Ontario Solicitor in good standing indicating 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. If the application is approved, a registrable legal description for the retained land will also be required.					
Name and address of person(s), if known, to whom land or interest in land is intended to be conveyed, leased or mortgaged.					
Name	Street	Unit	City	Province	Postal Code

SECTION C – LOCATION OF LAND

Municipal Address		Date of acquisition by current Owner(s)
Legal Description of Property		
Are there any easements or restrictive covenants affecting the subject land? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide a description of each easement or restrictive covenant and its effect.		
Zoning By-law Designation	Official Plan Designation	Regional Official Plan Designation

SECTION D – SUBJECT LAND INFORMATION

Part on Sketch:

Existing Land Use		Proposed Land Use	
Dimensions of Land			
Frontage (m)	Depth (m)	Area (m ²)	
Identify how the lands will be serviced below.			
Water <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"/> Sewers <input type="checkbox"/> Ditches/Swales <input type="checkbox"/> Other	
If municipal services are not available, by what means are they provided (e.g., Septic, well)?			
Identify the type of access to the subject land.			
<input type="checkbox"/> Provincial Highway <input type="checkbox"/> Municipal Road Maintained All Year <input type="checkbox"/> Municipal Road Maintained Seasonally <input type="checkbox"/> Water Access		<input type="checkbox"/> Regional Road <input type="checkbox"/> Other Public Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Private Road	
Existing Buildings/Structures	Type	Height (m)	
<input type="checkbox"/> Yes <input type="checkbox"/> No			
Proposed Buildings/Structures	Type	Height (m)	
<input type="checkbox"/> Yes <input type="checkbox"/> No			

Are there any concurrent planning applications for the subject lands? ☐ Yes ☐ No

If Yes, provide the Types of Applications below.

Is the subject land currently, or has it ever been subject of an application under the *Planning Act* for approval of a plan of subdivision or a consent? ☐ Yes ☐ No

If Yes, provide the file numbers and statuses of the applications below.

Has the Owner been granted a previous Consent to sever the subject land? ☐ Yes ☐ No

If Yes, provide the purchaser, date of purchase, and file number (if known). Write what is currently on the property.

Purchaser

Land Use

Date Transferred

File Number

SECTION E – RETAINED LAND INFORMATION

Part on Sketch:

Existing Land Use

Proposed Land Use

Dimensions of Land

Frontage (m)

Depth (m)

Area (m²)

Identify how the lands will be serviced below.

Water

- ☐ Publicly owned and operated piped water system
- ☐ Privately owned and operated individual well
- ☐ Privately owned and operated communal well
- ☐ Lake or other water body
- ☐ Other

Sewage Disposal

- ☐ Publicly owned and operated sanitary sewage system
- ☐ Privately owned and operated individual septic system
- ☐ Privately owned and operated communal septic system
- ☐ Privy
- ☐ Other

Storm Drainage

- ☐ Sewers
- ☐ Ditches/Swales
- ☐ Other

If municipal services are not available, by what means are they provided (e.g., Septic, well)?

Identify the type of access to the subject land.

- ☐ Provincial Highway
- ☐ Municipal Road Maintained All Year
- ☐ Municipal Road Maintained Seasonally
- ☐ Water Access
- ☐ Regional Road
- ☐ Other Public Road
- ☐ Right-of-Way
- ☐ Private Road

Existing Buildings/Structures

☐ Yes ☐ No

Type

Height (m)

Proposed Buildings/Structures

☐ Yes ☐ No

Type

Height (m)

SECTION F – POSTING OF PUBLIC HEARING SIGN

This will confirm the requirement of the Committee of Adjustment for the sign(s) to be posted by all applicant(s) or agent(s) on the subject lands. The sign(s) will be made available to you after your application(s) are deemed complete. You will be directed to post the sign(s) in a prominent location that will enable the public to observe the sign(s).

Each sign must remain posted beginning 21 days prior to the Hearing, until the day following the Hearing. Fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the Committee's requirements. Failure to post the sign(s) as required may result in deferral of your application(s).

I understand that each sign(s) must be posted at least 21 days before the Hearing and will remain posted, and replaced, if necessary, until the day following the Hearing.

Print Name(s)

Property

Signature of Owner (s) or Agent

Date

SECTION G – PERMISSION TO ENTER

I authorize the members of the Committee of Adjustment and City Staff to enter onto the subject land(s) under application for the purposes of evaluating the merits of the application(s).

Print Name

Signature of Owner (s) or Agent

Date

SECTION H – PROPERTY OWNER(S) ACKNOWLEDGEMENT OF PUBLIC INFORMATION

The Owner(s) provide their consent, that personal information, as defined by the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended (MFIPPA), is collected and disclosed under the authority of MFIPPA and all required information is collected and disclosed under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

Information on this application and any supporting documentation provided by the owner(s)/authorized agent(s) shall become a part of the public record and will be made publicly available.

Signature of Owner(s) or Agent

Date

SECTION I – SKETCH REQUIREMENTS

I hereby confirm that all the requirements, as outlined in the application information package, are reflected on the submitted sketch. I understand that my application will be considered incomplete until all the required information is submitted by the application deadline.

Print Name(s)

Signature of Owner or Agent

Date

SECTION J – AUTHORIZATION OF REGISTERED OWNER

If the applicant is not the owner of the lands that are the subject of this application, the authorization set out below must be completed by the owners. Authorization must be signed by all registered owners.

Note: If the owner is a Corporation, the application must be signed by an officer of the Corporation and the Corporation's SEAL (if any) should be affixed OR the words, **"I have the authority to bind the Corporation"** may be printed under the signing officer's name instead of affixing the Corporate seal.

I/we, the undersigned, being the Registered Owner(s) of the land that is/are subject to this consent application.

Property Owner Names:

Subject Property/Municipal Address:

Hereby Authorize:

First Name	Last Name	Company
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As the Agent for the purpose of submitting an application to the Committee of Adjustment for a Consent in accordance with Section 53 of the *Planning Act*, R.S.O. 1990.

Dated at the ☐ Town ☐ City

of

In the ☐ County ☐ Regional Municipality

of

Print Name _____

Signature of Property Owner

Print Name _____

Signature of Property Owner

Print Name _____

Signature of Property Owner

Where Owner is a Corporation

Company Name: _____

Print Name: _____

Print Title: _____

Per Signature: "I have authority to bind the Corporation"

SECTION K – DECLARATION OF OWNER(S)/AUTHORIZED AGENT

The declaration below must be signed in the presence of a Commissioner for taking affidavits. This may be done when presenting your application at City Hall. Please make sure to bring your valid government I.D. with a signature.

I / We _____ of the City / Town of _____

In the County / Regional Municipality of _____

solemnly declare that all the statements contained in this application are true and I/We 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*.

Name of Corporation

Signature of Owner or Authorized Agent

"I have authority to bind the Corporation"
Signature of Property Owner or Authorized Agent

Declared before me _____

Dated at the <input type="checkbox"/> Town <input type="checkbox"/> City	of
In the <input type="checkbox"/> County <input type="checkbox"/> Regional Municipality	of

This _____ day of _____, 20 _____

A commissioner, etc.

Name/stamp of commissioner, etc.

WHAT HAPPENS AFTER YOUR APPLICATION IS FILLED?

Initial Application Review

Once an application has been filed, it will be reviewed for completeness. When an application is deemed complete, a Hearing Date will be assigned, and you will receive an email notification to pick up your sign(s). Hearing dates are not guaranteed based on submission deadlines.

Staff Review

Once an application is submitted, it will be reviewed by staff and external agencies for the purposes of providing comments and recommendations to the Committee of Adjustment. In the event an unforeseen issue or concern should arise or additional information (e.g., environmental or technical studies), the application may be deferred until all the requested information has been submitted and reviewed.

Public Notice Sign Requirement

In accordance with the Planning Act, the applicant is required to post their signs on the subject property, prepared and provided by Committee staff. The sign must be posted for 21 days, as per Council's direction, before the Hearing date and be placed in a location that is clearly visible and legible from a public highway. The applicant will need to sign a form indicating that their signs will be posted on the subject property and will remain posted up to and including the day of the Public Hearing. This form must be completed as part of the application.

In addition, a Public Notice will be prepared and mailed out to all assessed property owners within 60 metres of the subject property.

Failure to meet public notice requirements may result in deferral of the application.

If an application requires deferral by the applicant/agent AFTER the public notice has been released, recirculation fees will apply.

Staff Report & Comments Received

A Staff Report containing all comments and recommendations received from staff and external agencies will be available on the Friday before your scheduled Hearing date. The Agenda, and comments including the Staff Report will be emailed to you by the Secretary-Treasurer or Planning Committee Coordinator and will be available on the City's website at <https://stcatharines.civicweb.net/filepro/documents/1315/>.

Attendance at Hearing

1. The applicants or agents of the application **must** be present at the Hearing.
2. The applicants or agents should be prepared to present their application before the Committee if required, explaining the nature of the application. The applicants or agents should be prepared to answer any questions by the Committee or members of the public through the Chair.
3. If you do not attend this Hearing, the Committee may adjourn the application or proceed in your absence, and you will not be entitled to any further notice of the proceedings. **Adjournment and/or recirculation fees may apply.**

The **Notice of Decision** will be mailed out one (1) week after the Hearing which will include Ontario Land Tribunal Appeal information.