

Committee of Adjustment
City of Mississauga
300 City Centre Drive
Mississauga ON L5B 3C1

Tel. No. 3-1-1
If outside Mississauga (905) 615-4311
Fax. No. 905-615-3950



Web address for downloading Committee of Adjustment Information, Forms and Agendas:
www.mississauga.ca/committeeofadjustment

CONSENT APPLICATION

APPLICATION INSTRUCTION AND INFORMATION SHEET

Effective January 1, 2010, the fee for processing an application, issuing certificates etc. to the Committee of Adjustment is as follows:

CONSENT - each new lot or lot addition, per application:	\$2000.00
MULTIPLE CONSENTS - for the first 10 applications, per application:	\$2000.00
- in excess of the first 10 applications, per application:	\$50.00
CONSENT - all other consent applications, per application:	\$1200.00
CONSENT - change of condition per condition:	\$500.00
CERTIFICATE FEE - included in application fee, (per certificate):	\$375.00

The application fee is payable at the time an application is submitted. Fees may be paid by cash, cheque, Visa, Mastercard, AMEX or debit card. If the fee is being paid by cheque, the cheque must be made payable to: **"Treasurer of the City of Mississauga"**.

Note: A public notice sign, which will be provided to you, is required to be posted in a prominent location on the subject property for a minimum of fourteen (14) days before the scheduled Hearing of the Consent application.

Note: **Conservation Authorities** (CVC, HRCA, TRCA) may require an application review fee to be paid if the property is situated within an area under their control. Please contact the appropriate conservation authority or see the attached Conservation Authority Collection Form.

Note: **Once the application is submitted, you may be subject to the application being reviewed by the Development Application Review Committee (DARC) prior to be placed on a Committee of Adjustment agenda.**

**A DEVELOPMENT CHARGE MAY BE PAYABLE BEFORE
THE ISSUANCE OF A BUILDING PERMIT.**

**NOTICE ALL APPLICANTS OF CONSENT APPLICATIONS TO THE CITY OF
MISSISSAUGA COMMITTEE OF ADJUSTMENT**

NOTE: Before you prepare and submit your application to the Committee of Adjustment, it is strongly recommended that you consult with the Zoning Section and the Development and Design Division of Planning and Building Department, the Transportation and Works Department and the appropriate Conservation Authority (if applicable). It is also advisable to communicate with your neighbours with respect to your plans.

SUBMISSION FOR AN APPLICATION SHALL CONSIST OF THE FOLLOWING:

1. The applicable Application Fee.
2. One (1) original "Application for Consent" **AND** one (1) copy of the completed form.

Note: All questions on the application form must be answered. Incomplete applications shall be returned.

3. If the *application* is being submitted by a limited company or corporation, signatures must be under corporate seal, if applicable, or signed by an individual having authority to bind the corporation. Similarly any *authorization* from a limited company or corporation shall be under corporate seal, if applicable, or signed by an individual having authority to bind the corporation.
4. "Appointment and Authorization" Form - when the application is being signed by an agent.
5. "Permission to Enter" Form.
6. Three (3) sketch plans are required to be no larger than 11" X 17". If the plan is larger than 11" x 17" and/or a reduced copy is illegible then please provide eleven (11) copies of the plan with the application. All plan are to be folded individually to no larger than 8.5" by 14". Each copy of the application must be accompanied by a sketch and a key map showing location of the subject land.
7. Where it is determined that a sketch will not adequately provide the information required, it may be necessary to provide a plan prepared by an Ontario Land Surveyor.
8. The sketch shall show:
 - 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**" (shown in double hatch lines **XXXX**) and the part that is to be "**retained**" (shown in single hatch lines **/// /**),
 - 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 land, 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 travelled 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,
 - i) the location and nature of any easement affecting the subject land and
 - j) if a natural or artificial feature is to be the proposed new property line or part thereof, identify the feature(s) as such on the sketch.

- NOTE: The Committee of Adjustment requires that all properties that are subject to an application be properly identified in accordance with the following:
- (a) All buildings shall have the street number clearly displayed and the street number shall be visible from the street.
 - (b) In the event that a unit within a building is the subject of an application, the unit number shall be clearly displayed on the door of the unit.

Committee of Adjustment

City of Mississauga

300 City Centre Drive

Mississauga ON L5B 3C1

Tel. No. 3-1-1, Fax. No. 905-615-3950

Web address for downloading Committee of

Adjustment Information, Forms and Agendas:

www.mississauga.ca/committeeofadjustment



File No. "B"

APPLICATION FOR CONSENT

NOTE: Pursuant to subsection 53(2) of the PLANNING ACT, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee(s) are received.

1. a) Name of Owner _____

Address _____ Tel. No. ____ -- ____ -- _____

_____ Fax. No. ____ -- ____ -- _____

E-Mail Address: _____

b) Name of authorized agent _____

Address _____ Tel. No. ____ -- ____ -- _____

_____ Fax. No. ____ -- ____ -- _____

E-Mail Address: _____

c) Name of appointed representative _____

Address _____ Tel. No. ____ -- ____ -- _____

_____ Fax. No. ____ -- ____ -- _____

E-Mail Address: _____

2. The type and the purpose of the proposed transaction, such as a transfer for the creation of a new lot, a lot addition, an easement, a charge, a lease or a correction of title.

Specify _____

3. If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.

4. Description of the subject land ("subject land" means the land to be severed and the land to be retained). :

Assessment Roll No.: _____

Concession No. : _____ Lot(s): _____

Registered Plan No. _____ Lot(s)/Block(s): _____

Reference Plan No. : _____ Part(s): _____

Municipal Address: _____

5. Are there any easements or restrictive covenants affecting the subject lands? Yes No

Specify _____

6. a. Has the conservation authority reviewed the proposed severance on the subject land?:
Yes No Not Applicable (as determined by the relevant Conservation Authority)

b. Has the Conservation Authority review fee been paid? Yes No

7. Description of land intended to be **SEVERED**:

a. Frontage _____ Zoning By-law Frontage _____ Depth _____ Area _____

b. Existing use _____ Proposed use _____

c. Number and use of buildings and structures on the lands to be severed:

(existing) _____

(proposed) _____

d. Type of access provided to the **SEVERED** property:

Municipal Road ; Regional Road ; Provincial Highway ; Other

If other, please specify by what means: _____

e. Is water provided by publicly owned and operated water system? Yes No

If no, indicate by what means: _____

f. Is sewage disposal provided by publicly owned and operated sanitary sewage system? Yes No

If no, indicate by what means: _____

8. Description of land to be **RETAINED**:

a. Frontage _____ Zoning By-law Frontage _____ Depth _____ Area _____

b. Existing use _____ Proposed use _____

c. Number and use of buildings and structures on the lands to be retained:

(existing) _____

(proposed) _____

d. Type of access provided to the **RETAINED** property:

Municipal Road ; Regional Road ; Provincial Highway ; Other

If other, please specify by what means: _____

e. Is water provided by publicly owned and operated water system? Yes No

If no, indicate by what means: _____

f. Is sewage disposal provided by publicly owned and operated sanitary sewage system? Yes No

If no, indicate by what means: _____

9. What are the correct Zoning By-law and Official Plan designations?

Land to be Severed

Land to be Retained

Zoning By-law: _____

Official Plans: _____

10. Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a Consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?

No Yes File # _____ Decision: _____

11. Has any land been severed from the parcel originally acquired by the owner of the subject land?

No Yes Date of Transfer _____ Land Use _____

12. If known, is or was the subject land the subject of any of the following development type applications:

	Yes	No	File
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	_____
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	_____
Minister's Zoning Order	<input type="checkbox"/>	<input type="checkbox"/>	_____
Site Development Plan	<input type="checkbox"/>	<input type="checkbox"/>	_____
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>	_____

DECLARATION OF OWNER OR AUTHORIZED AGENT

I, _____ of the _____ of _____
(Name of property owner or authorized agent) (Print Town or City) (Print Town or City Name)

in the _____ of _____
(Print Region or Province) (Print Region or Province Name)

Solemnly declare that all above statements and the statements contained in all exhibits transmitted herewith 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.

For the purposes of the FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the PLANNING ACT for the purposes of processing this application and correspondence purposes. Questions about this collection should be directed to the Committee of Adjustment Secretary-Treasurer, City of Mississauga, 300 City Centre Drive, Mississauga, Ontario L5B 3C1, telephone 905-615-3200 ext. 5433.

NOTE: The Signature of applicant or authorized agent must be witnessed by a Commissioner, etc. A Commissioner is available in the Committee of Adjustment office, if needed.

Declared before me at the _____ of _____
in the _____ of _____
this _____ day of _____ AD 20 _____

A Commissioner, etc.

Signature of applicant or authorized agent

I have authority to bind the Corporation

Signature of applicant or authorized agent

I have authority to bind the Corporation

SOME MATTERS USUALLY ADDRESSED

The Committee having regard to comments received, recommendations made, evidence presented, and the by-laws and policies of the City of Mississauga may impose conditions on favourably considered applications for **Consent**.

Noted below are some of the matters typically addressed by the Committee through conditions:

- 1) Preparation of the reference (survey) plan.
- 2) Payment of money in lieu of conveyance of land for parks or other public recreational purposes.
- 3) Gratuitous conveyance of land for road widening.
- 4) Approval from a Conservation Authority (if required).
- 5) Provision of adequate services.
- 6) Compliance with the Zoning By-law.

It is recommended that applicants review their application with representatives of the Planning and Building Department [905-615-3200 ext.5539], Transportation and Works Department [905-615-3200 ext.5129], the appropriate Conservation Authority, the Region of Peel, Public Works Department [905-791-7800] and any other appropriate commenting agencies; however, it is noted that the Committee of Adjustment will make a decision on the merits of the application.

The above information related to conditions is general and should you wish specific information related to an application please contact the Committee office.

To obtain application forms for “**Certificate of Validation**” or for “**Approval for Foreclosure of or Exercise of a Power of Sale in a Mortgage or Charge**”, please contact the Committee office.

Contact the Committee of Adjustment office by calling 905-615-3200 ext. 5433 or by facsimile at 905-615-3950.



APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, being the registered property owner(s) of

_____ (Legal description or municipal address)

hereby authorize _____ (Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this _____ day of _____ 20____ .

(Signature of the owner or signing officer)

(Please print the full name and position of the person signing)

I have authority to bind the Corporation

(Name of the Corporation, if applicable)

(Signature of the owner or signing officer)

(Please print the full name and position of the person signing)

I have authority to bind the Corporation

(Name of the Corporation, if applicable)

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto.)
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.



PERMISSION TO ENTER

Date: _____

Secretary-Treasurer
Committee of Adjustment
City of Mississauga
300 City Centre Drive
Mississauga ON
L5B 3C1

Dear Secretary-Treasurer:

RE: Application to Committee of Adjustment

Location of Land: _____
(Municipal Address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Mississauga and the Region of Peel to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

Signature of owner or authorized agent

Please print name

NOTE: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application form. Failure to properly identify the subject property may result in the deferral of the application.



POSTING OF ADVISORY SIGN
Consent

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon submission of your application and the notice insert will be forwarded to you once the application has been processed. You are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location at 905 615-3200 ext.5433.

Each sign must be posted a minimum of fourteen (14) days prior to the scheduled hearing, until the day following the hearing. Please fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

Thank you for your co-operation,

David L. Martin, CPT, C.Tech, ACST
Secretary Treasurer
Committee of Adjustment

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST FOURTEEN (14) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Name of Property Owner (Please Print)

Property Address (Please Print)

Signature of Owner or Authorized Agent

Date

Name of Signatory (Please Print)

Preferred method of receiving the Notice Insert (Check the appropriate box below):

E-mail: _____
(Please Print)

Fax: - - _____
(Fax Number)

Pick-Up: - - _____
(Phone Number)

OFFICE USE ONLY

Date Board Given:		Date		Initial		Date Notice Picked-Up or Sent:		Date		Initial	
-------------------	--	------	--	---------	--	--------------------------------	--	------	--	---------	--

**Conservation Authority
Fee Collection Form**

**CITY OF MISSISSAUGA
Committee of Adjustment**
300 City Centre Drive
MISSISSAUGA ON L5B 3C1
Tel. 3-1-1
FAX 905-615-3950

For information regarding fees and charges related to development applications, please refer to the Typical Development Approval Cost Guideline booklet available from the Planning and Building Department

Please complete the following and attach to your Application for Consent or Minor Variance

Check (√) relevant Conservation Authority:

The Toronto and Region Conservation Authority

5 Shoreham Drive, Downsview, Ontario M3N 1S4, 416-661-6600, Web Site: <http://www.trca.on.ca>

Credit Valley Conservation

1255 Old Derry Road, Meadowvale, Ont., L5N 6R4, 905-670-1615, E-mail: cvc@mississauga.net

Halton Region Conservation Authority

2596 Britannia Road West, R. R. #2, Milton Ont., L9T 2X6, 905-336-1158, E-mail: admin@hrca.on.ca

Date: ____/____/____ **Committee of Adjustment Application No.:** _____/____

1. For Applicant/Agent Information, see the Application Form.
2. For the Legal Description, see the Application Form.
3. For the General Location, see the Notice of Hearing.

Please complete the applicable boxes below and attach the fee made payable to the **Toronto and Region Conservation Authority or TRCA** /or **Credit Valley Conservation or CVC** /or **Halton Region Conservation Authority or HRCA**.

APPLICATION TYPE	"(√)" IF APPLICABLE	PRELIMINARY FEE	FEE AMOUNT PROVIDED
Consent/Severance		\$ 565.00 HRCA \$ 275.00 CVC \$705.00 TRCA	
Minor Variance		\$ 197.75 HRCA \$ 180.00 CVC \$ 350.00 TRCA	

Please check (√) if a receipt is required from the Conservation Authority

NOTE: Only one set of application fees (the highest fee) will be applied when processing and reviewing consolidated application circulations. Additional fees may apply to applications which require extensive investigation (i.e. reports) by the Conservation Authority staff. The applicant will be informed by letter from the Conservation Authority of these additional requirements if applicable.

FOR CONSERVATION AUTHORITY USE ONLY

DATE RECEIVED: ____/____/____ **CFN:** _____ **RECIPIENT:** _____



Committee of Adjustment

300 City Centre Dr
Mississauga, ON
L5B 3C1
Tel. No. 3-1-1
Fax No. 905-615-3950

CONSENT

Chair: S. Patrizio
Vice Chairs: D. George
R. Bennett
Members: J. Thomas
J. Robinson
L. Dahonick
D. Kennedy
Secretary-Treasurer: David L. Martin

What is an application for Consent?

The owner of land or a person authorized in writing by the owner who wishes to convey **part** of their land may apply to the Committee of Adjustment for "Consent" to convey the land.

The *Planning Act* requires property owners to obtain "Consent" approval before conveying **part** of their property. Approval is also required when the terms of an agreement, such as a lease, easement or mortgage commits the land to a use for a period in excess of 21 years.

The power under the *Planning Act* to give "Consent" has been delegated to the Committee of Adjustment, The Committee is composed of seven (7) members who are appointed by the Council of the City of Mississauga.

How do I Apply?

If you wish to apply to the Committee of Adjustment you should obtain and complete the "Consent" application form. The application form outlines the requirements for submitting the application. The requirements include a key map, site plan or survey, which will indicate the location of the property and the setbacks of all buildings and structures on the property. The number and size of the site plans is outlined on the application form. If you are an agent for the purposes of submitting the application, a letter of authorization is required from the registered owner of the property. The application package is available at:

Committee of Adjustment Office
Mississauga Civic Centre
300 City Centre Drive
Telephone: 3-1-1

or at www.mississauga.ca/committeeofadjustment

How much will it cost?

The processing fee for a "Consent" application to the Committee of Adjustment is noted on the "Application Instruction and Information Sheet" attached to the application form.

The application fee is payable at the time the application is submitted. If the fee is paid by cheque, the cheque must be made payable to the "Treasurer of the City of Mississauga."

The conservation authority may require a fee to review your application. Please contact the appropriate conservation authority for your property for more information.

There is also a Certificate fee which forms part of the application fee.

What happens then?

The Committee of Adjustment staff then prepares a Notice of Application which among other things describes the details of your request for "Consent" and the date and the time of the Public Meeting.

A notice sign is to be placed by the applicant on the subject lands; as well, the notice is mailed to every owner within 60 m (200 ft.) of the subject lands at least 14 days in advance of the Committee Hearing.

The notice is also distributed to City Departments, Members of Council, other outside agencies, the property owner and the authorized agent (if any).

What happens at the Meeting?

At the meeting the applicant or their appointed authorized agent will be required to make a verbal presentation of their request to the Committee. Presentations may also be made by any other interested parties in support of or in objection to your application.

The Committee considers all presentations for and against the proposal and renders a verbal decision in the presence of all interested parties at the time of the Public Meeting. An approval of your application may be subject to such conditions as the Committee deems appropriate.

If an individual wishes to receive a copy of the Committee's written decision, their request must be in writing. A form entitled "Request for Decision" is available at the meetings or in the Committee of Adjustment Office.

To find out more about a particular application, call us for an appointment to visit our office and review the file.

What happens after the Meeting?

A written decision from the Committee will be sent to the applicant, agent and all persons that requested a copy of the decision and changes to conditions by mail within fifteen (15) days from the date of the meeting.

At the end of the twenty (20) day appeal period, if there has been no appeal filed, the decision will become final and a notice to this effect will be issued.

If the application is approved by the Committee of Adjustment and all conditions have been fulfilled within one (1) year of the mailing date of the decision, the Secretary-Treasurer will issue a Certificate. If the conditions are not fulfilled within this time period the application is deemed to be refused and the decision will lapse.

It should be noted that if the Certificate of the Secretary-Treasurer is not used for a transaction (i.e. transfer of title) within a two (2) year period from the date on the Certificate, the Certificate will lapse and a new Consent application will be required.

Changing Conditions

The Committee of Adjustment may also change conditions of approval at any time before the Secretary-Treasurer's Certificate is issued or before the Committee's decision lapses. Written notice of the changes to the conditions will be given to all persons who had requested a notice of decision and changes to conditions of the Committee of Adjustment in writing. Please contact the Committee Office for further details.

Appeal Provisions

The decision of the Committee of Adjustment, or any condition imposed, is subject to appeal within the twenty (20) days from the date of the mailing of the decision. During the appeal period any person may file an appeal of the Committee's decision or any condition to the Ontario Municipal Board. The notice of appeal is to be filed with the Secretary-Treasurer of the Committee of Adjustment.

The notice of appeal must be in writing and outline the reasons for the appeal. A certified cheque or money order in the amount of **\$125.00** payable to "**The Minister of Finance**" must be included with the notice of appeal form. The website for downloading Ontario Municipal Board Appeal Information and Forms is www.omb.gov.on.ca.

An additional separate administration fee of **\$150.00** per appeal appeal and **\$25.00** per appeal for any additional related files is to be submitted to be made payable to the "**Treasurer of City of Mississauga**".

The notice of appeal form, the fee and all required documents will be forwarded by the Secretary-Treasurer to the Ontario Municipal Board. All further enquiries will be handled by the staff of the Ontario Municipal Board.

Once the Ontario Municipal Board has issued its Decision/Order to approve the severance and after all conditions imposed by the Ontario Municipal Board have been fulfilled within one year of the Board's Order, the Secretary-Treasurer of the Committee of Adjustment will issue a Certificate. (See "What happens after the meeting?" above.)

Other Powers of the Committee of Adjustment.

In addition to "Consent", the Committee of Adjustment has also been delegated the power to issue a "**Certificate of Validation**" and to give "**Approval for Foreclosure or the Exercise of Power of Sale**".

A "**Certificate of Validation**" is required where there has been or there is a violation of the *Planning Act* which affects the title of the land and the beneficial owner is not the "paper" title owner. Upon application, the Committee of Adjustment may issue a "Certificate of Validation" if the application complies with the Official Plan and the Zoning Bylaw. The Committee of Adjustment may also impose conditions which are to be fulfilled before the Certificate is issued.

An "**Approval for Foreclosure or the Exercise of Power of Sale**" with respect to a mortgage or charge is required where the mortgagee (owner) does not have the power to sell part of the land (because legal action has been taken against the "owner") and the mortgagor (the "bank") does not own all the land in order to be able to make an application for "Consent".

Upon application, the Committee of Adjustment may give "Approval of Foreclosure or the Exercise of Power of Sale" with respect to a mortgage or charge if the application complies with the Official Plan and the Zoning Bylaw.

There is no appeal to the Ontario Municipal Board from the decision of the Committee of Adjustment with respect to an application for a "Certificate of Validation" or the "Approval for Foreclosure or the Exercise of Power of Sale".

. . .
Website for downloading Committee of Adjustment Information, Forms and Agendas:
www.mississauga.ca/committeefadjustment

Website for downloading Ontario Municipal Board Appeal Information and Forms:
www.omb.gov.on.ca