



**TOWN OF AURORA
CONSENT
MANUAL AND APPLICATION FORM**

**PLANNING & DEVELOPMENT SERVICES
Secretary-Treasurer, Committee of Adjustment**

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PLEASE READ THESE INSTRUCTIONS CAREFULLY

1. INFORMATION ABOUT THE CONSENT PROCESS

Firstly, the Committee of Adjustment is a committee comprised of Town residents who are appointed by Council for a four year term. Committee meetings are *generally* held at the Aurora Town Hall on the second Thursday of each month (see attached schedule). The duties and responsibilities of the Committee are outlined in the provincial *Planning Act*.

The Committee of Adjustment has been authorized by Council to grant consents. Generally speaking, the “consent” of the Committee of Adjustment enables certain transactions to occur relating to the subdivision of land. These transactions can include the creation of a new lot; leases over 21 years; mortgage or partial discharge of a mortgage; foreclosure or exercise of power of sale; rights-of-ways and easements over 21 years; lot adjustments and extensions; and corrections to deeds or property descriptions.

In making its decision, the Committee will conduct a public hearing. The applicant, together with any interested parties (ie. neighbours), and various commenting agencies, including internal departments at the Town, the Lake Simcoe Region Conservation Authority and the Region of York will be invited to attend the hearing and/or provide written comments on the application.

IT IS IMPORTANT TO NOTE THAT prior to submitting an application for consent, **the proposal should be discussed with Building and By-law Services and Planning & Development Services staff at the Aurora Town Hall. Such discussions are necessary to determine whether or not the proposal would conform with the provisions of the Town’s Official Plan and Zoning By-law, since these documents operate as guidelines to the Committee.** If the proposal does not conform to these documents, relief may be required. Town staff will be able to give advice on the nature, extent and process to be followed, should any relief from these planning documents be necessary. A Conformity Review Form for Consent is required to be submitted as part of each application to verify conformity to the Official Plan and Zoning By-Law.

In addition to the previous requirements, it is important to realize that conformity with the Town’s Official Plan and Zoning By-law does not mean that the application for consent will be automatically approved. Under the *Planning Act*, the Committee must also have regard to the health, safety, convenience and welfare of the present and future inhabitants of the municipality. As per Section 53 of *the Planning Act* the Committee must consider the following:

- (a) Whether a plan of subdivision is necessary for the proper and orderly development of the municipality;
- (b) The effect of the proposal on matters of provincial interest as referred to in Section 2 of the *Planning Act*;
- (c) Whether the proposal is premature or in the public interest;
- (d) Whether the proposal conforms to the Official Plan and adjacent plans of subdivision, if any;



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- (e) The suitability of the land for the purposes for which the consent applies;
- (f) The number, width, location, grades and adequacy of roads adjacent to, and in the vicinity of the lands subject to the consent;
- (g) The dimensions and shape of the proposed lot(s);
- (h) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or on the buildings and structures proposed to be erected thereon and the restrictions, if any, on adjoining lands;
- (i) Conservation of natural resources and flood control;
- (j) The adequacy of utilities and municipal services;
- (k) The adequacy of school sites;
- (l) The area of land, if any, within the proposal that, exclusive of highways, is to be conveyed or dedicated for public purposes; and
- (m) The physical layout of the lots having regard to energy conservation.

To ensure that the above factors have been taken into account, the Committee, as part of its decision, may impose conditions as it considers appropriate.

CONDITIONS OF CONSENT: The Committee may impose such reasonable conditions to the approval of an application for consent as it deems appropriate. Such conditions can include, but are not limited to, the following:

- THAT land be dedicated to the municipality for park or public recreational purposes, or alternatively, that cash-in-lieu of land be paid (in an amount not exceeding 2 percent of the value of the land to be conveyed in the case of commercial or industrial property, and in all other cases, an amount not exceeding 5 percent of the value of the subject land), to be used for park or public recreational purposes;
- THAT sufficient land, other than land occupied by buildings or structures, be dedicated to the appropriate road authority to provide for the widening of the respective highway, to such width as deemed necessary by the Committee; and
- THAT the owner of the land enter into one or more agreements with the municipality dealing with such matters as the Committee may consider necessary, including the provision of municipal or other services.

The decision of the Committee is usually given at the public hearing. Following the decision, there is



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a 20 day appeal period during which time; interested parties may appeal the decision of the Committee to the Ontario Municipal Board (OMB). If there is no appeal, the conditions imposed at the meeting must then be satisfied. As per Section 53 (41) of *the Planning Act*, the applicant has **ONE YEAR from the Notice of Decision to fulfil the conditions or the application will be deemed to be refused. The actual transfer of land or transaction must then occur within two years from the date the consent certificate is issued (unless the Committee imposes an earlier date), or the consent will lapse as per the *Planning Act*.**

REQUIRED ATTENDANCE AT THE PUBLIC HEARING:

Please be advised that the Committee of Adjustment for the Town of Aurora has adopted the policy that when the applicant is not present or represented at the hearing, the hearing of the application *may* be deferred.

2. PREPARING THE APPLICATION FOR CONSENT

Please prepare and submit the following materials:

Pre-application Meeting:

Pre-application consultation is a vital part of the planning process. Before submitting a development/consent proposal, applicants are **required** to arrange a pre-application meeting with Planning & Development Services.

The pre-application meeting gives the applicant an opportunity to find out what planning policies apply to the subject site and if there are any ongoing studies being undertaken by the Town that may affect the proposal. It also provides a forum to discuss recent Council decisions that may relate to the proposal, potential areas of concern, application submission requirements, and to outline the development approval process.

To aid in the pre-consultation, the following information must be provided to the planner:

- A proposed consent layout plan showing all buildings on the property, adjoining land uses and streets;
- Legal description of the site;
- Brief description of the proposal; and
- Identification of all other departments and agencies that have been consulted.

At the pre-application meeting, Planning staff will indicate to the applicant what reports/ materials will be required to make a "Complete Application" pursuant to the Planning Act and OPA 69.

Fees: PLEASE COMPLETE THE ATTACHED "FEE CALCULATION WORKSHEET"

- **Important:** All fees are to be paid by cheque (made payable to the "Town of Aurora") and delivered to the Planning & Development Services Department, or by debit (through our Financial Services Department). Credit cards will not be accepted by the Town as a method of payment.



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- ❑ **Please Note:** Dependant on the features of the subject lands, it may be determined that the application(s) require review by the local Conservation Authority, whereby they charge a review fee.

Property Identification Number (PIN): A current copy of the PIN must be submitted with the application.

Conformity Review Form: First page of the application must be completed by the Town's Building and By-law Services and Planning & Development Services Departments following submission; this form confirms the relevant zoning and Official Plan provisions and identifies whether the proposal requires any relief from the Town's Zoning By-law. If relief is required, there are two possible options:

- ❑ the owner could submit a Minor Variance application concurrent with the application for consent (which would also be considered by the Committee of Adjustment); or,
- ❑ the owner could request that the Committee grant the consent conditional upon receiving either a Minor Variance from the Committee, OR a zoning amendment through Council (keeping in mind that consent conditions must be fulfilled within a one year time frame).

Completion of Application: All sections of the application form must be completed in full. Incomplete information could result in delays in processing the application. Once completed, the **Declaration of Owner/Agent must be signed before the Secretary-Treasurer or other Commissioner of Oaths** to affirm the accuracy of the application. If an agent is submitting the application on behalf of the property owner, the **owner(s)** must complete and sign the **Authorization of Agent** section of the application. In addition, the owner/agent must complete and sign the section entitled **Consent of the Owner to the Use and Disclosure of Personal Information**, relating to the use and disclosure of personal information contained in the application.

Declaration Re: Site Plan: The owner or authorized agent must complete and sign the declaration in order to address survey copyrights.

Declaration Re: Sign Posting: An information sign is required to be posted on the subject property. The sign is obtained from the Secretary-Treasurer at the time of application submission and must be placed on the property in the manner described on the instruction sheet. The owner or authorized agent must also complete and sign the declaration to confirm the posting of the required signage on the property and must be signed before the Secretary-Treasurer or other Commissioner of Oaths.

On-site Sewage System Form: The owner or authorized agent must complete and sign this form and submit the accompanying fee, if required. A fee is required to be paid UNLESS the property (1) is serviced by municipal sanitary sewers; (2) is designated for the purpose of an easement; (3) is larger than 4 hectares (10 acres); or (4) is land on which the owner lives and from which he/she derives their chief source of income by farming and where no person other than the applicant and one or more members of his/her immediate family are parties to the transaction for which the application is made; (5) comprises a public highway; (6) an up to date survey identifying the on-site sewage



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system is provided. Please contact the Building and By-law Services Department directly for more information on sewage system fees.

Surveyor's Sketch: Please refer to section (13) of the "Application for Consent" for details respecting the contents and dimensions of the sketch which are required to accompany the application form.

If you have any questions, please contact the Planning & Development Services Department at (905) 727-3123, extension 4226 or by email: planning@aurora.ca.



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**TO BE COMPLETED BY BUILDING & BY-LAW SERVICES
FOLLOWING SUBMISSION**

BUILDING:

Current Zoning of the subject property: _____

Application would conform to all provisions of By-law 2213-78 as amended: YES / NO

Application should be considered subject to a condition requiring rezoning: YES / NO

Application, if approved, would result in the following minor variances created which should be addressed by the Committee as a condition of consent: YES / NO

If YES:

By-law section and extent of variance(s):

Signature of Building Representative

Date

PLANNING:

Current Official Plan Designation(s) of the subject property: _____

Is the subject land currently the subject of an application for a proposed Official Plan amendment? YES / NO
File No./Status: _____

Is the subject land the subject of an application for a Zoning By-law amendment, Or approval of a plan of subdivision? YES / NO
File No./Status: _____

Signature of Planning Representative

Date



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FOR OFFICE USE ONLY

Date Received: _____ Application No(s): _____

Individual Receiving: _____ Hearing Date: _____

3.0 CONSENT APPLICATION FORM

3.1 APPLICANT INFORMATION

3.1.1 Names of **All** Registered Owners: _____

(If above is a company, please provide contact name: _____)

Mailing Address: _____

_____ Postal Code: _____

_____ Telephone: _____ Fax: _____ E-mail: _____

3.1.2 Name of Applicant or Agent: _____

(If above is a company, please provide contact name: _____)

Mailing Address: _____

_____ Postal Code: _____

_____ Telephone: _____ Fax: _____ E-mail: _____

mail: _____

3.2 PROPERTY LOCATION: *(use 2.1 if land is on a registered plan, use 2.2 for concession lot)*

3.2.1 In the Town of Aurora, in the Regional Municipality of York, being:

Lot(s) _____ Registered Plan No. _____

Described as Part(s) _____ Reference Plan No. _____



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3.2.2 Formerly In the Geographic Township of (Whitchurch or King)

Lots(s) _____ Concession No. _____

Described as Part(s) _____ Reference Plan No. _____

3.2.3 Municipal Address: _____

3.3 PURPOSE OF THE APPLICATION

3.3.1 Type and purpose of proposed transaction: (check appropriate space)

- Transfer Creation of a new lot
- Addition to a lot
- An easement or right of way
- Other purpose (Specify): _____
- Other A mortgage or charge
- A lease
- A validation of title

3.3.2 Number of new lots (not including retained lots) proposed:

3.3.3 If a lot addition, identify the lands to which the parcel will be added:

3.3.4 Name of person(s), if known, (i.e., purchaser, lessee, mortgagee, etc.), to whom land or interest in the land is intended to be transferred, leased or charged:

3.4.1 DESCRIPTION OF LANDS INTENDED TO BE SEVERED / SUBJECT OF AN EASEMENT / OTHER

Frontage: _____ Depth: _____ Area: _____

Existing Use: _____ Proposed Use: _____

Number and use of buildings and structures (both existing and proposed) on the land to be severed:



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3.5 DESCRIPTION OF LAND INTENDED TO BE RETAINED OR RESIDUAL LANDS

Frontage: _____ Depth: _____ Area: _____

Existing Use _____ Proposed Use _____

Number and use of buildings and structures on the land to be retained:

3.6 EXISTING EASEMENTS / RESTRICTIVE COVENANTS

Are there any easements or restrictive covenants affecting the subject land?

Yes No

Yes, describe the easement or covenant and its effect:

3.7 ACCESS: Type of road access (Check appropriate space)

	<u>Proposed Lot</u>	<u>Retained Lot</u>
Provincial Highway	_____	_____
Regional Road, maintained all year	_____	_____
Municipal Road, maintained all year	_____	_____
Other Public Road	_____	_____

3.8 WATER SUPPLY: Type of water supply (Check appropriate space)

	<u>Proposed Lot</u>	<u>Retained Lot</u>
Publicly owned and operated piped water system	_____	_____
Privately owned and operated individual well	_____	_____
Privately owned and operated communal well	_____	_____
Lake or other body of water	_____	_____
Other means	_____	_____



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3.9 SEWAGE DISPOSAL: Type of sewage disposal (Check appropriate space)

	<u>Proposed Lot</u>	<u>Retained Lot</u>
Publicly owned and operated sanitary sewage system	_____	_____
Privately owned and operated individual sewage system	_____	_____
Privately owned and operated communal septic system	_____	_____
Other means	_____	_____

3.10 LAND USE

<u>Use or Feature</u>	<u>On the Subject Land</u>	<u>Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)</u>
An agricultural operation, including livestock facility or stockyard		
A landfill		
A sewage treatment plant or waste stabilization plant		
A provincially significant wetland (Class 1, 2 or 3 wetland)		
Flood plain		
An industrial or commercial use, and specify the use(s)		
An active railway line		

3.11 HISTORY OF THE PROPERTY

3.11.1 Has the subject lands ever been the subject of an application for approval of a plan of subdivision or a consent under the *Planning Act*? Yes No Unknown

If Yes, and known, provide the application file number and the decision made on the application.



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

- Yes No

If Yes, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

3.12 OTHER CURRENT APPLICATIONS

3.12.1 Is the subject land the subject of an application for a proposed official plan amendment, zoning by-law amendment, Ministers zoning order amendment, minor variance, consent, approval of a plan of subdivision or other land development application pursuant to the *Planning Act*:

- Yes No

If Yes, specify the file number and status of the application

3.13 SURVEYOR'S SKETCH

The application shall be accompanied by a surveyor's sketch (maximum size 8 ½" X 14") drawn to a standard metric scale, showing the following:

- (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 severed land, and the land to be retained;
- (d) the location of all land previously conveyed 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 lands 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, rivers or stream banks, wetlands, wooded areas, wells, septic tanks, and tile fields;



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- (f) the existing uses on adjacent land, such as residential, agricultural, and commercial;
- (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.

4.0 DECLARATION OF OWNER/AGENT

I, _____, of the _____ of _____ in
 the
 (Name of owner or authorized agent) (e.g. Town) (e.g. Aurora)

_____ of _____ solemnly declare that all the statements contained in this
 application are
 (e.g. Region) (e.g. York)

true and I make this solemn declaration conscientiously believing it to be true, knowing that is of the same force and effect as if 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 Applicant, Solicitor or Authorized Agent

A Commissioner of Oaths, etc.

“The property owner in submitting the application hereby provides consent to municipal and relevant external agency review staff to enter the premises during regular business hours over the time that the application is under consideration by the municipality.”



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5.0 AUTHORIZATION OF OWNER

I, _____ am the owner or agent of the land that is the subject of this application and for the purposes of the *Freedom of Information and 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.

Date: _____ Signature of Owner/Agent: _____

**MUNICIPAL FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY ACT**

PLEASE NOTE that the *Planning Act* requires the Town of Aurora to ensure that adequate information is made available to the public in connection with each land development application. The information collected in connection with this application will be used by the Town to evaluate the application and to create a record that is available to the general public. If you have any questions about this collection of information, you may contact the Clerk of the Town of Aurora at 100 John West Way, P.O. Box 1000, Aurora, ON L4G 6J1 or by telephone at (905) 727-3123.

6.0 AUTHORIZATION OF AGENT

I/We _____
(please print)
hereby authorize _____

to act as my/our Agent to make application to the Town of Aurora Committee of Adjustment, to appear on my/our behalf at any hearing(s) of the application and to provide any information or material required by the Committee relevant to the application, in respect to the premises known as:

Address: _____

Legal Description: _____

Signature(s) of Owner(s):

Signed, this _____ day of _____, 20____.

Signature of Owner

Signature of Owner



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7.0 DECLARATION OF SITE PLAN

I, _____, with respect to the site plan submitted with
Consent Application Number _____ hereby declare that:

[Please circle (a) or (b)]

- (a) where the site plan is a photocopy of a survey, I am the owner of the copyright in the survey and hereby authorize the Town of Aurora to circulate this site plan; or
- (b) the site plan submitted by myself contains siting information provided by me and does not violate copyright in any survey related to the property which is the subject of this application.

Dated this _____ day of _____, 20____

Signature of Owner or Authorized Agent



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8.0 COMMITTEE OF ADJUSTMENT SIGN REQUIREMENTS

NOTICE TO OWNER/AGENT

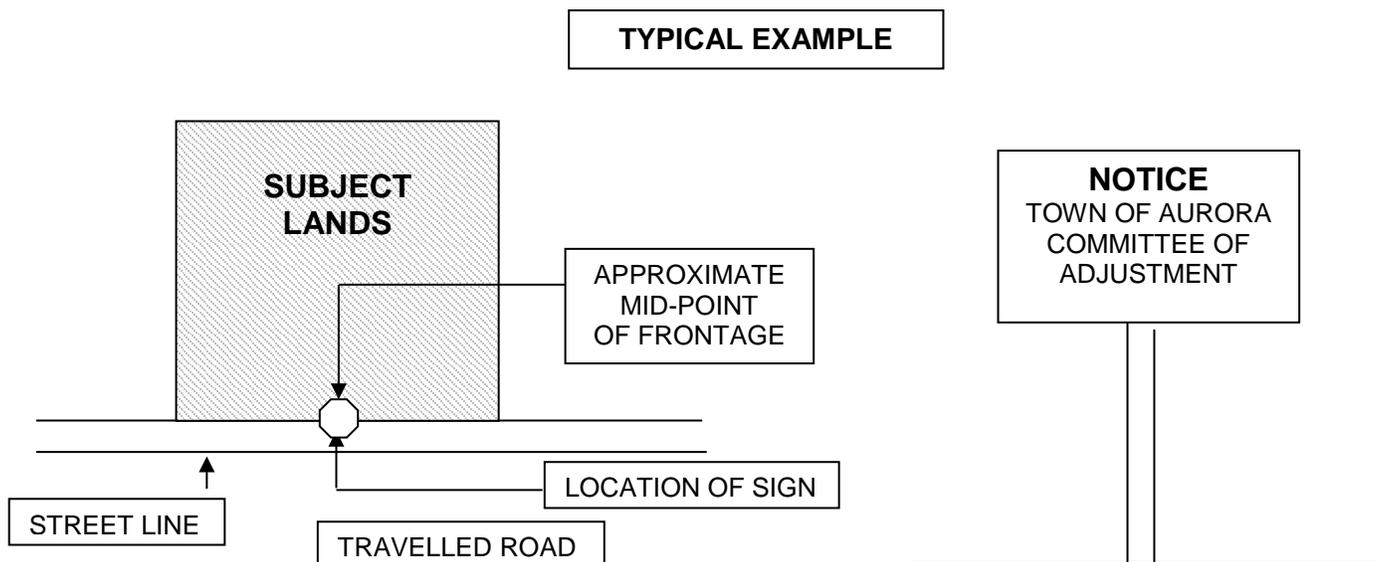
Please be advised that in order to give proper notice of the public hearing respecting the application, the *Planning Act* requires that an information sign be placed on the subject property prior to the public meeting.

Accordingly, a sign will be provided by the Town indicating the nature of the application, the hearing date and file number. This sign should be posted as soon as it is received and remain posted until the applicable appeal period has ended.

- The sign must be posted in the manner shown below. In this regard, the sign can be attached to an appropriately located existing feature such as a fence or pole, or it must be placed on a stake, **provided that the sign is fully visible from the street at all times.**

The attached **Declaration Re: Sign Posting** must be completed and signed in the presence of the Secretary-Treasurer or other Commissioner of Oaths, confirming that the sign has been erected on the property in compliance with the *Planning Act*. **NOTE: FAILURE TO POST THE SIGN WILL RESULT IN A DELAY OF THE APPLICATION BEING HEARD BY THE COMMITTEE.**

Please ensure that a sign is obtained from the Town at the time of submission of the application.



Height is variable, provided that the sign is fully visible from the street at all times



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9.0 DECLARATION OF SIGN POSTING

Consent Application No. _____

Last day for Posting Sign: _____

I, _____, hereby confirm that the required sign has been posted on the subject property in a prominent location at:

_____ on _____
(Property Location/Address) (Date of Posting)

in compliance with the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, for the

PUBLIC HEARING to be held on: _____
(Date of Public Meeting)

DECLARED before me at the

Town of Aurora, in the

Regional Municipality of York

this ____ day of _____, 20__.

A Commissioner of Oaths, etc.

(Signature of Owner/Agent)

(Print Name)



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10.0 ON-SITE SEWAGE FORM

Date: _____ M / D / Y	Committee of Adjustment Consent Manual & Application Form
--------------------------	---

PROJECT LOCATION			PROPERTY OWNER / AGENT	
Address		Unit #	Name	
Lot #	Plan/Conc #	Block #	Address	Unit #
Office Use			Postal Code	Tel:
Roll # 1946-00-_____				

As part of the application process, the application must be circulated to The Town of Aurora Building & By-law Services department to review On-Site Sewage Systems.

In the event that the subject property is NOT serviced with municipal sanitary sewers, a relevant fee is required to accompany this form. *The Building Code Act* 1992, amended 2010, allows for the collection of a user fee to pay a portion of the inspection and administration costs. Please contact the Building & By-law Services department for information regarding fees.

Notwithstanding the above, there are certain exceptions where a fee is NOT REQUIRED. A fee is not applicable if the lot is:

- 1) Serviced by municipal sanitary sewers;
- 2) Designated for the purpose of an easement;
- 3) Larger than 4 hectares (10 acres);
- 4) Land on which the owner lives and from which he/she derives their chief source of income by farming, AND where no person other than the applicant and one or more members of his/her *"immediate family"* are parties to the transaction for which the application is made.
**("immediate family" means child, son-in-law, daughter-in-law, parent, stepchild, grandchild, grandparent, legal guardian);*

OR:

- 5) If the lot comprises a public highway;
- 6) An up to date survey identifying the on-site sewage system is provided;

If an exemption is to be claimed, please identify the appropriate number in the box.

 Date

 Signature