Committee of Adjustment
Application for Consent

Town of Newmarket
395 Mulock Drive
P.O. Box 328, Station Main
Newmarket, ON L3Y 4X7

Newmarket
www.newmarket.ca
T: 905-953-5300 Ext. 2462
F: 905-953-5140

Effective January 1, 2024, the fee for processing a Consent application to the Committee of Adjustment is as follows:

Consent – Severance	**$15,090.61 (HST included)**
Consent – Other Applications	**$10,063.97 (HST included)**
Lake Simcoe Region Conservation Authority Review Fee (if applicable)	**Contact LSRCA directly**

The application fee is payable at the time an application is submitted. Fees may be paid by cheque, cash, debit or credit card. Cheques are to be made payable to **"THE TREASURER, TOWN OF NEWMARKET"**. Fees are non-refundable.

Notice to all Applicants

1. Before you prepare and submit your application to be processed by the Committee of Adjustment, it is strongly recommended that you engage with a Planner and/or consult with the Planning and Building Department at the Town of Newmarket to ensure that your proposal is feasible.
2. Public notice signs are 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. **Failure to comply will result in the deferral of the hearing of your application.**
3. **Lake Simcoe Region Conservation Authority** (LSRCA) may require an application review fee to be paid if the property is situated within a mapped area that is subject to O. Reg. 179/06. Please contact their office directly to confirm.
4. Pursuant to Subsection 53 of the *Planning Act*, and Ontario Regulation 197/96, the applicant/ purchaser 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 are received.
5. Personal information on this form is collected under the legal authority of the *Planning Act*, R.S.O. 1990, c.P.13, as amended. This information will be used to process an application for Consent for the Committee of Adjustment. Questions about this collection should be directed to the Secretary Treasurer, Town of Newmarket Committee of Adjustment, at the above noted address.
6. Information on this application and any documentation submitted in support of or in opposition constitutes public information and will become part of the public record.
7. Please note that an **arborist report** in accordance with the Town's Tree Preservation, Protection, Replacement and Enhancement Policy is required for consent and minor variance applications when there are any trees 20cm dbh or greater, were planted as a condition of approval of a development application, or are located on an adjacent property within 4.5m of the subject lands. Based on the submitted Arborist report, a security deposit may be required for preserved trees and compensation may be required for tree removal. The security deposit would be in the amount of 20% of the appraised value of all trees to be preserved and protected. Securities will be held for a period of 3 years after the occupancy permit has been issued and may be requested after this time if the protected trees remain in good health and have not sustained any damage as a result of site development activities.

Consent Application Checklist

- ☐ Completed Application Form, including:
  - ☐ Affidavit or sworn declaration
  - ☐ Permission to enter
  - ☐ Appointment and authorization
  - ☐ Sign posting form
- ☐ Application Fees (see cover page of application form and below):
  - ☐ Recirculation Fee due to applicant's revisions or deferral request - **$2,235.25 (HST included)**
  - ☐ Peer Review Costs – **actual costs plus Planning Administrative Fee of 15%** of consultant's fee
  - ☐ Town of Newmarket Fee for matters appealed to Local Planning Appeal Tribunal - **$204.83**
  - ☐ Site Plan Leading Agreement Fee - **$832.57 (HST included)**
  - ☐ Site Plan Amending Agreement Fee - **$2,049.40 (HST included)**
  - ☐ Security Release Inspection Fee After the First Inspection - **$570.98 (HST included)**
- ☐ Parcel Abstract(s)
- ☐ An electronic copy of a coloured sketch, measured **to scale in metric** showing the following:
  - ☐ The **severed land** outlined in **red** and indicated as **"A".**
  - ☐ The **remaining land** outlined in **green** and indicated as **"B".**
  - ☐ Boundaries, dimensions and calculated area of the subject land (the total parcel), and lands to be severed and retained.
  - ☐ All existing and proposed structures, including their size, setbacks to property lines and lot coverage.
  - ☐ 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. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
  - ☐ The current uses on land adjacent to the subject land.
  - ☐ The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right-of-way.
  - ☐ The location and nature of any easements affecting the subject land.
- ☐ A Survey prepared by an Ontario Land Surveyor
- ☐ Tree Report Form
- ☐ Arborist Report in accordance with the requirements set forth in the Town's Tree Preservation, Protection, Replacement and Enhancement Policy (if applicable).

Note: The Town shall retain the services of a qualified tree professional to undertake a peer review of any tree preservation, protection and replacement plan submitted, as required and the Town shall be reimbursed by the applicant at the actual cost for the services rendered by the Town's consultant plus 15% of the consultant's fee.

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The undersigned hereby applies to the Committee of Adjustment for Town of Newmarket under Section 45 of the Planning Act, R.S.O., 1990, c.P.13, as amended.

FILE NUMBER (for office use only)	

1.0 Applicant Information	☐ Primary Contact for Application		
Property Owner(s):			
Address:	City:	Postal Code:	Province:
Phone:	Alt. Phone:		
Email:	Fax:		

2.0 Agent/Purchaser Information	☐ Primary Contact for Application	☐ Agreement of Purchase attached	
Name of Authorized Agent/Purchaser:			
Address:	City:	Postal Code:	Province:
Phone:	Alt. Phone:		
Email:	Fax:		

3.0 Legal Description of the Subject Lands	(Refer to the current "Parcel Abstract(s)" regarding the subject property)
Concession/Registered Plan No.:	Lot Number(s):
Reference Plan No.:	Part Number(s):
Municipal Address:	
Roll Number:	
Are there any easements or restrictive covenants affecting the subject lands? ☐ Yes ☐ No If "yes", please describe: _____	

4.0 Type and Purpose of Application (please check)			
☐ Creation of new lot	☐ Easement	☐ Addition to a lot	☐ Right-of-Way
☐ Lease	☐ Mortgage	☐ Correction of title	

If a lot addition, please identify the lands to which the parcel will be added:
Name of person(s), if known, to whom land or interest in land is to be transferred, leased or mortgaged:

5.0 Property Description			
SEVERED:	Lot Frontage: _____ m	Lot Depth: _____ m	Lot Area: _____ m^2
RETAINED:	Lot Frontage: _____ m	Lot Depth: _____ m	Lot Area: _____ m^2
EASEMENT:	Lot Frontage: _____ m	Lot Depth: _____ m	Lot Area: _____ m^2

6.0 Use of Property		
SEVERED:	Existing:	Proposed:
RETAINED:	Existing:	Proposed:
EASEMENT USE OF:		

7.0 Buildings or Structures		
SEVERED:	Existing:	Proposed:
RETAINED:	Existing:	Proposed:

8.0 Access			
SEVERED:	☐ Municipal	☐ Regional	☐ Provincial
	☐ Private Road	☐ Right-of-Way	☐ Other _____
RETAINED:	☐ Municipal	☐ Regional	☐ Provincial
	☐ Private Road	☐ Right-of-Way	☐ Other _____
If access to the subject land is by “Private Road”, “Right-of-Way” or “Other”, please indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or year-round: Roads abutting the subject lands: _____ Width of roads abutting the subject lands: _____			

9.0 Water Supply		
SEVERED:	☐ Municipal Services	☐ Well
RETAINED:	☐ Municipal Services	☐ Well

10.0 Sewer		
SEVERED:	☐ Municipal Services	☐ Septic Tank
RETAINED:	☐ Municipal Services	☐ Septic Tank

11.0 Land Use and Application Information

What is the existing Official Plan Designation(s) of the Subject Land? _____

What is the existing Zoning of the Subject Land? _____

	Use or Feature	On the Subject Land	Within 500 metres of the Subject Land
Are any of the following uses or features on the Subject Land or within 500 metres of the Subject Land? Please check the appropriate boxes if any apply:	**Flood Plain**	☐	☐
	Any industrial or commercial use. Please specify: _____	☐	☐
	An active railway line	☐	☐
	Electric transformer stations	☐	☐
	High voltage electric transmission lines	☐	☐
	An agriculture operation, including livestock facility or stockyard	☐	☐

Has the subject land ever been subject of an application for approval of a plan of subdivision or consent under the Planning Act? If Yes, please provide the application file number and decision made on this application.

☐ No ☐ Yes _____

Has any land been severed from the parcel originally acquired by the owner of the subject land? If Yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

☐ No ☐ Yes _____

_____

If this application is a re-submission of a previous consent application, describe how it has been altered from the original:

_____

_____

Is the land currently subject to a proposed Official Plan or Official Plan amendment that has been submitted for approval? If Yes, and if known, specify the appropriate file number and status of the application. ☐ No ☐ Yes _____
Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance or approval of a plan of subdivision? If Yes, and if known, specify the appropriate file number and status of application. ☐ No ☐ Yes _____
Is the subject land is within an area of land designated under any provincial plan or plans. If Yes, please indicate whether the application conforms to or does not conflict with the applicable provincial plan or plans. ☐ No ☐ Yes _____
☐ Retained land certificate requested? (If so, a solicitor's statement confirming extent of retained land must be included)

12.0 Heritage Designation		
Is the property on the Municipal Register of Properties Designated under the Heritage Act?	Yes ☐	No ☐
Is the property on the Municipal Register of Non-Designated Heritage Properties?	Yes ☐	No ☐

_____

Signature of Applicant or Authorized Agent

DATED at the _____ of _____ this

_____ day of _____, 2025.

AFFIDAVIT OR SWORN DECLARATION

I, _____ of the _____
(Print Name of Owner or Authorized Agent) (e.g. Town of Newmarket)

_____ in the _____
(e.g. Regional Municipality of York)

Solemnly declare that all above statements and the statements contained in all of the 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 it 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, Town of Newmarket, 395 Mulock Drive, Newmarket, Ontario L3Y 4X7, telephone 905-953-5300 ext. 2458.

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

DECLARED before me

at the _____

of _____

in the _____

of _____

this _____

day of _____, 2025.

_____
A Commissioner, etc.

_____
Signature of applicant or authorized agent

☐ I have authority to bind the Corporation

PERMISSION TO ENTER

Date: _____

Secretary-Treasurer
Committee of Adjustment
Town of Newmarket
395 Mulock Drive
Newmarket ON L3Y 4X7

Dear Secretary-Treasurer:

RE: Application to Committee of Adjustment

Location of Property: _____
(Municipal address)

I hereby authorize the Committee of Adjustment members and Town of Newmarket staff 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

APPOINTMENT AND AUTHORIZATION

I / We, _____,
(Name of Owner(s))

the undersigned, being the registered property owner(s) of _____

_____, hereby authorize
(Legal description or municipal address)

_____ as my/our agent for the
(Authorized agent's name)

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 _____, 2025.

_____ (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)

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umahmood@newmarket.ca
T: 905.895.5193 Ext. 2458

Sign Posting Form

Notice to Owner/Agent

Consent Applications

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

The Secretary Treasurer will provide a sign indicating the nature of the application, the hearing date and file number. One copy of the sign should be placed in a clear and visible location facing the main street or highway closest to the subject lands – a second copy of the sign should be placed on a stake located in close proximity to the sidewalk or curb along the street frontage, or in a window facing the street.

As required by the Planning Act, each sign must be posted **a minimum of 14 days prior** to the scheduled hearing, and remain in place until the hearing has concluded. The applicant or authorized agent is responsible for repair or maintenance of the signs to ensure they remain legible.

Along with a copy of the sign, the Secretary Treasurer will provide you and Affidavit form that must be completed indicating that the signs have been posted. The Affidavit is to be signed in the presence of a Commissioner.

Please fill in the form below indicating your agreement to post the signs as required. This form will be included as part of the application in order that it may be placed in the file as evidence that you have met the requirements of the Planning Act. If you have any questions or concerns please feel free to contact the Secretary Treasurer at **umahmood@newmarket.ca**

I, the undersigned, understand that each sign must be posted at least 14 days prior to the scheduled hearing of my application and be replaced, if necessary, until the conclusion of the hearing. I further understand that failure to post the sign as required may result in a deferral of my application.

Name of Property Owner (Please Print)	Signature of Property Owner
Name of Property Owner (Please Print)	Signature of Property Owner
Name of Authorized Agent (Please Print)	Signature of Authorized Agent
Date Notice Posted	File Number

Newmarket

Tree Report Form

Based on the subject property, please complete either Part 1 or Part 2 of the Tree Report Form and include this with your Planning Act application when submitted.

Part 1:

There are no trees over 20 cm DBH on the subject property or within 4.5 m from the subject property line(s). There are also no trees of any size on public lands within 4.5 m of the subject property line(s).

Signature of Applicant/Qualified Tree Professional	Date
Print Name	Address (Street/City/Postal Code)
Telephone Number	Email

Part 2:

There are trees over 20 cm DBH on the subject property or within 4.5 m from the subject property line(s) or there are trees of any size on public lands within 4.5 m of the subject property line(s).

An Arborist Report, prepared in accordance with the Town's Tree Preservation, Protection, Replacement and Enhancement Policy will be provided upon submission of my Planning Act application.

Signature of Applicant/Qualified Tree Professional	Date
Print Name	Address (Street/City/Postal Code)
Telephone Number	Email