

Committee of Adjustment Consent Application

City of Mississauga 300 City Centre Drive
Mississauga ON L5B 3C1
Tel. No.: 905-615-3200 x5507 Fax. No.: 905-615-3950
Inquiries: committee.adjustment@mississauga.ca
Applications: cofa.applications@mississauga.ca



Web address for downloading Committee of Adjustment Information, Forms and Agendas:
<https://www.mississauga.ca/council/committees/committee-of-adjustment/>

Effective January 1, 2024, the fees for a consent application to the Committee of Adjustment are as follows:

CONSENT - each new lot or lot addition, per application (includes one certificate):	\$2,716.00
MULTIPLE CONSENTS - for the first 10 applications, per application: - in excess of the first 10 applications, per application:	\$2,716.00 \$52.00
CONSENT - all other consent applications, per application:	\$2,170.00
CONSENT - change of condition per condition:	\$540.00
CERTIFICATE FEE - for additional certificates (per certificate):	\$406.00
DEFERRAL FEE - covers the administrative processing cost of providing additional notification of matters that are deferred to a future meeting	\$218.00-\$2,031.00

Once an application is deemed complete, staff will advise of the appropriate fee. Fees may be paid online by Visa, MasterCard, American Express or debit card. If paying by cheque, please make it payable to: "Treasurer of the City of Mississauga". Conservation Authority fees (if applicable) are paid separately to the relevant authority.

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

1. Before submitting your application to the Committee of Adjustment, it is strongly recommended that you submit your plans for a preliminary zoning review at <https://eplans.mississauga.ca>.
2. **Consultation with the Planning and Building and Transportation and Works Departments, and the appropriate Conservation Authority (if applicable) may also be helpful. It is also advisable to reach out to your neighbours regarding your plans.**
3. A public notice sign (to be provided to you) is to be posted in a prominent location on the subject property for a minimum of 14 days prior to the scheduled hearing date.
4. Conservation Authorities (CVC, HRCA and TRCA) may require that an application review fee be paid if the subject property is located within an area under their control. Please contact the appropriate conservation authority.
5. Once the application is submitted, it may be subject to review by the Development Application Review Committee (DARC) prior to being placed on a Committee of Adjustment agenda.
6. Development Charges may be payable prior to the issuance of a Building Permit.

Consent Application Checklist

- Application Fee (to be confirmed by staff prior to payment)
- Application Form (all sections must be completed and form signed and commissioned)
- Property Owner Appointment and Authorization of Agent Form (all sections must be completed)
- Property Owner Acknowledgement of Public Information and Permission to Enter Property Form (all sections must be completed)
- Posting of Advisory Sign Form (all sections must be completed)
- One digital copy of all sketches/plans must be provided to the Committee Office via email. All plans shall show the following, where applicable:
 - the boundaries and dimensions of any land abutting the subject property that is owned by the owner of the subject property
 - the distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing
 - the boundaries and dimensions of the subject land, the severed and retained parcels must be noted on the plans and shown as “severed” and “retained”
 - the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
 - 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
 - the existing uses on adjacent land, such as residential, agricultural and commercial uses
 - 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
 - if access to the subject land is by water only, the location of the parking and boat docking facilities to be used
 - the location and nature of any easement affecting the subject land
 - 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
- 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

NOTES:

While it is recommended that applicants review their application with representatives of any appropriate commenting agencies, the Committee of Adjustment will make a decision on the merits of the application.

- Planning and Building Department: eplans.devdes@mississauga.ca
- Transportation and Works Department: twdeveng@mississauga.ca
- Heritage Planning: 905-615-3200 x4061 or heritage.planning@mississauga.ca
- Any relevant conservation authority
- The Region of Peel, Public Works Department: 905-791-7800

The Committee of Adjustment requires that all properties subject to an application be properly identified in accordance with the following:

- (a) All buildings shall have the street number clearly displayed and 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

ADDITIONAL INFORMATION REGARDING THIS APPLICATION MAY BE OBTAINED
BY EMAILING THE COMMITTEE OF ADJUSTMENT OFFICE at
Cofa.Applications@mississauga.ca OR BY CALLING 905-615-3200 x5507

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Inquiries: committee.adjustment@mississauga.ca
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Chair: S. Patrizio
Vice Chairs: J. Page
F. Dale
W. Shahrukh
T. Rowan
K. Ellis
J. Robinson

Secretary-Treasurer: A. Davies

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 members who are appointed by the Council of the City of Mississauga. The authority of the Committee is set out in the *Planning Act* (Provincial Statute).

How do I apply?

If you wish to apply to the Committee of Adjustment, you must fully complete the “Consent” application form in full and submit the completed form along with the appropriate drawings which meet the minimum requirements set out in the “Checklist” located on page 2. If you are acting as an agent for the purposes of submitting the application, a letter of authorization is required from the registered owners of the property.

Applications are submitted by email to cofa.applications@mississauga.ca

If an application must be made in person, it is by appointment only at the Clerk’s Office, 300 City Centre Drive, 2nd Floor.

How much will it cost?

The processing fee for a “Consent” application to the Committee of Adjustment is noted on the first page of the application package. The first certificate of consent is included in the application. There is a fee for additional certificates.

Once an application is deemed complete, staff will advise of the appropriate fee. Fees may be paid online by Visa, MasterCard, American Express or debit card. If paying by cheque, please make it payable to: “Treasurer of the City of Mississauga”.

Conservation Authority fees may be required if the subject property is located within an area under their control, and must be paid directly to the applicable authority. Please contact them for more information:

- **Toronto and Region Conservation Authority**
101 Exchange Avenue, Vaughan, Ont., L4K 5R6, 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
- **Conservation Halton**
2596 Britannia Road West, Burlington, Ont., L7P 0G3, 905-336-1158, E-mail: admin@hrca.on.ca

What happens next?

The Committee of Adjustment office prepares a Notice of Public Hearing which includes the details of your request for “Consent” and the date, time and place of the Public Hearing.

A notice sign is to be placed on the subject property by the applicant, and the Notice of Public Hearing is mailed to every owner within a 60 m (200 ft.) radius of the subject lands at least 14 days prior to the Committee Hearing.

The Notice of Public Hearing is also distributed to all City Departments, Members of Council, other outside agencies, the property owner and the authorized agent (if applicable).

The applicant or authorized agent may request a copy of staff comments and any other comments received prior to the public hearing.

What happens at the hearing?

At the Public Hearing you or your authorized agent will be required to make a verbal presentation of your case 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 your proposal and renders a verbal decision in the presence of all interested parties at the time of the Public Hearing. An approval of your application may be subject to such conditions and/or restrictions as the Committee deems appropriate.

An individual may request to receive a copy of a Committee decision by email or in writing. When the Public Hearings are held in person, a form entitled “Request for Decision” is available at the Hearings or in the Committee of Adjustment Office.

To find out more about a particular application, contact us at committee.adjustment@mississauga.ca or 905-615-3200 x 5507.

What happens after the hearing?

A written decision from the Committee will be sent to the applicant, authorized agent and all persons that requested a copy of the decision and changes to conditions by mail within 15 days from the date of the hearing. At the end of the 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 two years 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 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 20 days from the date the decision is signed by the Committee Members. (Please note: The decision is signed one week following the hearing date). During the appeal period the applicant, the municipality, certain public bodies and the Minister may file an appeal of the Committee's decision to the Ontario Land Tribunal (OLT). The notice of appeal is filed with the Secretary-Treasurer of the Committee of Adjustment.

The notice of appeal must be in writing and outline the reasons for the objection.

Payment of both the OLT fee and the City's administration fee may be done online. Proof of payment to the OLT is required with submission. If preferred, a certified cheque or money order may be included with a notice of appeal form which is available at <https://olt.gov.on.ca/appeals-process/forms/>. It is highly recommended to confirm the fee with the OLT prior to submission.

If paid by cheque, the City's administration fee to be paid for each application appealed, should be submitted with the appeal package, and made payable to the "Treasurer of City of Mississauga".

The notice of appeal, the fees and all required documents will be forwarded by the Secretary-Treasurer to the OLT. Once the OLT is in possession of the appeal package, all inquiries will be handled through their office.

Once the OLT has issued its Decision/Order to approve the severance and after all conditions imposed by the OLT have been fulfilled within two years of the Tribunal'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 (due to legal action 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 Land Tribunal 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".

. . .



File No. "B" _____

The Planning Act, R.S.O. 1990, c.P.13, as amended
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.

1.0 Description of the subject land ("subject land" means the land to be severed and the land to be retained):	
Registered Plan Number:	Lot(s)/Block(s):
Reference Plan Number:	Part(s):
Concession Number:	Lot(s):
Municipal Address:	

2.0 Are there any easements or restrictive covenants affecting the subject lands?	
No <input type="checkbox"/>	Yes (Specify):

3.0 The type and the purpose of the proposed transaction/application, 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.			
New Lot <input type="checkbox"/>	Easement <input type="checkbox"/>	Lot Addition <input type="checkbox"/>	Other (Specify):

4.0 Applicant Information		
Property Owner:		
Address:	City:	Postal Code:
Phone:	Fax:	
Email:		

5.0 Authorized Agent Information		
Authorized Agent:		
Address:	City:	Postal Code:
Phone:	Fax:	
Email:		

6.0 Description of land intended to be <u>SEVERED</u> . Please specify:			
Frontage/Width:	Required Frontage:	Depth:	Area:
Existing Use:		Proposed Use:	
Number of Buildings/Structures:	Existing:	To Remain:	Proposed:
Access: Municipal Road <input type="checkbox"/> Regional Road <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Other (Specify):			
Is water provided by publicly owned and operated water system? Yes <input type="checkbox"/> No (Specify):			
Is sewage disposal provided by publicly owned and operated sanitary sewage system? Yes <input type="checkbox"/> No (Specify):			

7.0 Description of land intended to be <u>RETAINED</u> . Please specify:			
Frontage/Width:	Required Frontage:	Depth:	Area:
Existing Use:		Proposed Use:	
Number of Buildings/Structures:	Existing:	To Remain:	Proposed:
Access: Municipal Road <input type="checkbox"/> Regional Road <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Other (Specify):			
Is water provided by publicly owned and operated water system? Yes <input type="checkbox"/> No (Specify):			
Is sewage disposal provided by publicly owned and operated sanitary sewage system? Yes <input type="checkbox"/> No (Specify):			

8.0 Have you discussed your proposal with Planning staff?	
*A pre-consultation with staff may help avoid deferrals and associated additional fees. If you wish to pre-consult with staff please contact Clerk's staff with your ward number or address so they can provide you with the appropriate contact information.	
Yes <input type="checkbox"/>	No* <input type="checkbox"/>

9.0 Previous Transfers/Adjacent Lands	
Has any land been severed from the parcel originally acquired by the owner of the subject land?	
No <input type="checkbox"/>	Yes <input type="checkbox"/> Date of Transfer: Land Use:
Does the property owner own a parcel of land that shares a lot line or portion thereof? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes to either of the above, how was the property severed/split from the original parcel?:	

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

11.0 Conservation Authority Review Information	
Is the property within the regulated area of a Conservation Authority?*	
*If yes, separate payment shall be made directly to the appropriate Conservation Authority.	
Yes <input type="checkbox"/>	No <input type="checkbox"/> Not Applicable <input type="checkbox"/> (as determined by the relevant Conservation Authority)
Has the Conservation Authority review fee been paid? Yes <input type="checkbox"/> No <input type="checkbox"/>	

12.0 Property Information		
	Land to be Severed	Land to be Retained
Zoning Category:		
Official Plan Designation:		
How is the proposed application consistent with the Official Plan designation and Provincial Policy Statement?:		

13.0 Other Planning Applications				
If known, is or was the subject land the subject of any of the following development type applications:				
Official Plan Amendment	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.	
Zoning By-law Amendment	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.	
Minister's Zoning Order	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.	
Site Development Plan	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.	
Minor Variance	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.	
Plan of Subdivision	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.	Decision:
Consent	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.	Decision:

DECLARATION OF PROPERTY OWNER OR AUTHORIZED AGENT

I, _____
Property Owner or Authorized Agent Name

of the _____ in the _____
City Region

declare that the statements and attached documentation contained within the application are accurate and true and I make this some declaration conscientiously believing it to be true and knowing that it is the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

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

DECLARED BEFORE ME

at _____
 in the _____
 this _____ day of _____ 20 _____

 Signature of Applicant or Authorized Agent

I have the authority to bind the Corporation

 Signature of Commissioner of Oaths

 Name/Stamp of Commissioner, etc.

SOME MATTERS USUALLY ADDRESSED

The Committee, having regard for 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:

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

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

All applications for Consent should be based on an up to date survey from an Ontario Land Surveyor (OLS).

If there are structures to remain on the subject property, a Preliminary Zoning Review is recommended prior to submission of this application at <https://eplans.mississauga.ca>

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 of Adjustment office.



Property Owner
Appointment and Authorization of Agent
(TO BE SIGNED BY ALL REGISTERED OWNERS OF THE PROPERTY)

PROPERTY INFORMATION

Address/Legal Description:

PROPERTY OWNER APPOINTMENT AND AUTHORIZATION OF AGENT

I/We, the undersigned, being the registered property owner(s) of the above noted property hereby authorize

Authorized Agent's Name / Company

as my agent for the purpose of submitting this application to the Committee of Adjustment and acting on my/our behalf in relation to the application. The authority granted by this Agent Appointment and Authorization shall continue until I/we shall have revoked such authority in writing, and delivered such written revocation to the City of Mississauga, Committee of Adjustment. No such revocation shall, however, invalidate any action taken by me/our agent prior to the date the City of Mississauga, Committee of Adjustment received such written revocation.

Dated this _____ day of _____ 20_____.

I have the authority to bind the Corporation or Partnership, if applicable

Name or Property Owner or Signing Officer

Signature of Property Owner or Signing Officer

I have the authority to bind the Corporation or Partnership, if applicable

Name or Property Owner or Signing Officer

Signature of Property Owner or Signing Officer

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 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.



MISSISSAUGA

**Property Owner Acknowledgement of
Public Information and Permission to
Enter Property**

PROPERTY INFORMATION

Address/Legal Description:

PROPERTY OWNER ACKNOWLEDGEMENT OF PUBLIC INFORMATION

Application information is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended. In accordance with Section 1.0.1 of the Act, the City of Mississauga provides public access to all Planning Act applications and supporting documentation submitted to the City. I, the undersigned, being the registered property owner of the above noted property hereby agree and acknowledge that the information contained in the application and any documentation, including reports, studies and drawings, provided in support of the application, whether included with the application or submitted at any time subsequent to the filing of the application, by myself, my agents, consultants and solicitors, constitute public information and will become part of the public record. As such, and in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended or substituted from time to time, I hereby consent to the City of Mississauga making this request and its supporting documentation available to the general public, including copying, posting on the City’s website and/or releasing a copy of the request and any of its supporting documentation to any third party upon their request or otherwise, and as part of a standard distribution of copies of such documentation. I consent to the City releasing copies of any of the documentation to additional persons, including but not limited to Members of Council and resident associations.

I have the authority to bind the Corporation or Partnership, if applicable.

Name of Applicant/Authorized Agent

Signature of Applicant/Authorized Agent

Date

PROPERTY OWNER PERMISSION TO ENTER PROPERTY

I, the undersigned, being the registered property owner of the above noted property hereby irrevocably authorize and consent to the Committee of Adjustment Members, City of Mississauga staff and Region of Peel staff to enter upon the above noted property at any reasonable time for the purpose of evaluating the merits of the application.

I have the authority to bind the Corporation or Partnership, if applicable.

Name of Applicant/Authorized Agent

Signature of Applicant/Authorized Agent

Date

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, the property shall be identified in accordance with the Committee’s policy as outlined on the information sheet included with the Application. 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 any structures on it. However, the sign should be placed so as to be legible from the roadway in order to ensure the public can view 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. 5507.

Each sign must be posted a minimum of 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 to become part of the file as evidence you have met with the *Planning Act* requirements. Failure to post the sign as required may result in a deferral of the application.

PROPERTY INFORMATION

Address/Legal Description:

I,

(Name of Applicant/Authorized Agent)

acknowledge 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 day following the hearing.

I have the authority to bind the Corporation or Partnership, if applicable.

Signature of Applicant/Authorized Agent

Date