



TOWNSHIP OF MUSKOKA LAKES
COMMITTEE OF ADJUSTMENT
APPLICATION FOR A VALIDATION CERTIFICATE
UNDER SECTION 57 OF THE PLANNING ACT

1.0 APPLICANT INFORMATION

1.1 **NAME OF REGISTERED OWNER (S)** _____

Mailing Address _____

_____ Postal Code _____

Telephone (Home) _____ Office _____

Cottage _____ Fax _____

E-Mail Address _____

1.2 **NAME OF SOLICITOR (if involved)** _____

Mailing Address _____

_____ Postal Code _____

Telephone _____ Office _____

E-Mail Address _____

1.3 **NAME OF AUTHORIZED AGENT (if any)** _____

Mailing Address _____

_____ Postal Code _____

Telephone _____ Office _____

E-Mail Address _____

Please specify to whom you wish communications to be sent:

Owner (automatically sent) Solicitor Agent

2.0 LOCATION OF SUBJECT LANDS:

Geographic or former Township _____

Lot # _____ Concession # _____

Registered Plan of Subdivision # (if any) _____ Lot # on Plan _____

Reference Plan # (Survey Plan) _____ Part # on Survey _____

Municipal or 911 Address _____

Assessment Roll Number _____

3.0 DESCRIPTION OF THE SUBJECT LANDS

3.1 Why do you consider your title may require validation?

3.2 Did the previous owner retain any interest in the subject lands? (If Yes, explain)

6.0 SERVICING INFORMATION

6.1 i) TYPE OF WATER SUPPLY AND SEWAGE DISPOSAL PROPOSED

WATER

SEWAGE

- a) Municipal piped water []
- b) Lake []
- c) Private well []
- d) Other (specify) _____

- a) Municipal sewer []
- b) Septic tank & tile bed []
- c) Pit privy []
- d) Other (specify) _____

ii) Are the above services:

- [] Existing
- [] Shared with another building and/or lot (specify) _____
- [] Proposed upon construction

6.2 Are there any existing restrictive covenants or easements affecting the lands (i.e. rights-of-way, utility easements) etc.) Please explain

7.0 SKETCHES

Applications must be accompanied by 10 sketches, showing the following information:

- Subject lands, outlined in red, including dimensions and acreages of the lot. Any rights-of-way shown in yellow
- The lands which abutted at the time of the contravention of the Planning Act
- Any neighbouring lands currently owned by the applicant
- The distance between the applicant's lands and the nearest Township lot line
- The location of all natural and artificial features on the subject lands and adjacent lands that may affect the applications, such as buildings, septic systems, wells, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, slopes, wooded areas, etc.
- The use of adjoining lands (e.g. residential, agricultural, cottage, commercial, etc.)
- The location, width and names of any roads within or abutting the subject lands, indicating whether they are public travelled roads, private roads, or rights-of-way, or unopened road allowances
- The location and nature of any easements affecting the property

When required by the Committee of Adjustment, the plan mentioned above shall be signed by an Ontario Land Surveyor, but otherwise a hand drawn sketch to **scale** will be acceptable. Sketches may be submitted in either linear or metric measurements. Please show dimensions on the sketch. Any drawings exceeding 11" x 17" and all Studies / Reports are required to be submitted in digital format in addition to hard copy.

Please note that one copy of the application form is required along with the sketches. A fee of \$1,000.00 per application, in cash, debit or by cheque made payable to the Township of Muskoka Lakes is also required.

Personal information contained on this form is collected under the authority of the *Planning Act, R.S.O., 1990, Chapter P. 13, as amended*, and will be used for the processing of this Validation Certificate Application. Questions about this collection should be directed to the Committee of Adjustment, 1 Bailey Street, P.O. Box 129, Port Carling, Ontario P0B 1J0 Telephone (705) 765-3156

OFFICE USE ONLY

Reference Files:

A F F I D A V I T

I, _____, of the Town / City of _____

in the District / Region / County of _____
solemnly declare that the information contained in this application and in the documents that accompany this application is true.

Declared before me at the Town / City _____)
of _____ in the _____)
District/Region/County of _____)
this _____ day of _____) (Signature of Owner(s), Solicitor, or Authorized Agent)
20_____.)
_____) (If signed by a Solicitor or Agent, written authorization from
COMMISSIONER, etc.) the Registered Owner(s) must accompany the application
or the authorization set out below must be completed.)

AUTHORIZATION OF OWNER(S) FOR AGENT OR SOLICITOR TO MAKE THIS APPLICATION: (if applicable)

I/We, _____, am/are the registered owner(s) of the land that is the subject of this
application for a consent and I/we hereby authorize _____ to make this application on my/our behalf.

Date

Signature(s) of the Registered Owner(s)

APPLICATION FOR A VALIDATION CERTIFICATE

PLANNING SERVICES AGREEMENT

BETWEEN: _____
hereinafter called the Applicant

- and - **THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES**
hereinafter called the Township

WHEREAS:

The Applicant has filed an application for a validation certificate with the Township, and has agreed to retain the services of the Township in connection with the processing of that application:

THIS AGREEMENT WITNESSES THAT IN CONSIDERATION OF THE MUTUAL COVENANTS SET OUT BELOW, THE PARTIES AGREE AS FOLLOWS:

1. **Obligation of the Township:** The Township agrees to provide, for the benefit of the Applicant in connection with the validation certificate application, the following services (which are additional to any services that the Applicant may wish to privately retain from other persons):
 - a) The initial planning evaluation of application, and recommendations if any as to form of application;
 - b) Drafting the Notice;
 - c) Submission of document to District Municipality with supporting information and related conferences with District Planning Staff;
 - d) Research for circulation purposes and mailing of circulation;
 - e) Review draft survey prior to registration;
 - f) Review and approve transfers;

and if a Local Planning Appeal Tribunal hearing is necessary and the Township takes a position on the matter:

- g) Retaining the Municipal solicitor and expert witnesses and preparation for hearing;
 - h) Attendance of the persons described in item (g) at the hearing;
 - i) Correspondence with the Local Planning Appeal Tribunal in respect of its Order, and preparation of any by-laws, agreements, or other materials required by the Tribunal as a result of the hearing.
2. **Applicant's Responsibilities:** The Applicant agrees to provide the Township with the following:
 - a) Any information in the Applicant's possession concerning the planning aspect of the application;
 - b) All surveys as required to process the application;
 - c) The sum of \$600.00 for an application for each newly created lot.
 - d) If a hearing is required to defend appeals brought before the Local Planning Appeal Tribunal by parties other than the Applicant/Owner or Township, and the Township takes a position on the matter, the sum of \$5,000.00 prior to submission of the request for approval to the Local Planning Appeal Tribunal and this amount shall be applied to the costs referred to in item (e) below, any surplus to be refunded to the Applicant following final approval of the by-law;

- e) All fees and disbursements paid to the Municipal solicitor and expert witnesses called to testify by the Municipality;
 - f) All disbursements incurred by the Municipality in connection with the application.
3. **Appeal:** If an appeal is taken from the decision of the Local Planning Appeal Tribunal, and the Applicant wishes the Municipality to take an active part in the appeal proceedings, the parties agree that a further agreement as to services and the costs of same will be entered into, failing which the Municipality has no obligation to the Applicant to participate further in the proceedings.
 4. **Interim Billing:** Where the Township finds it necessary to make extensive use of professional assistance in preparation for the hearing, or where the hearing is of more than two days in duration, the Township may submit to the Applicant, and the Applicant agrees to pay promptly, interim accounts from time to time in respect of expenses incurred by the Township, payment for which have been made by the Township or invoices for which have been received by the Township.

DATED this _____ day of _____ 20 ____.

IN WITNESS THEREOF the APPLICANT and the TOWNSHIP have caused their corporate seals to be affixed over the signatures of their respective signing officers.

SIGNED, SEALED AND DELIVERED
in the presence of:

Witness

Signature of Applicant, Solicitor or Authorized Agent

Witness

Signature of Applicant, Solicitor or Authorized Agent

**THE CORPORATION OF THE
TOWNSHIP OF MUSKOKA LAKES**

Mayor, Peter Kelley

Clerk, Crystal Paroschy