



COMMITTEE OF ADJUSTMENT

INFORMATION REGARDING VALIDATION OF TITLE APPLICATIONS

Pursuant to Section 57 of the Planning Act, the Committee of Adjustment for the City of Welland has the power to validate title to a property which was conveyed in contravention of Section 50 of the Planning Act. Upon the submission of a complete Application, it may be circulated to interested agencies for comment. A review of a Validation Application involves consideration of the prescribed criteria pursuant to O. Reg. 144/95.

The Committee of Adjustment will consider the Validation Application at a Public Hearing. Please refer to the current **Schedule of Public Hearings** for the applicable dates.

The Committee of Adjustment may impose conditions of approval that it considers appropriate.

A Validation Certificate can not be issued unless it conforms to any Official Plan, Zoning By-law or Minister's Zoning Order.

Please Note: Validation Applications that do not comply with the Official Plan and Zoning By-law will not be processed.

Submission Requirements

Please Note: In this Application, the "subject land" means the land for which a certificate of validation is sought.

1. One completed Application. If this Application is submitted by an Agent or Solicitor on behalf of the Applicant, the Applicant's written authorization is required in question number 19. If the Applicant is a corporation, the signing officer's name and title must be provided. The corporate seal, if any, must be affixed or alternatively, the signing officer must indicate under their signature "I Have Authority to Bind the Corporation".
2. The Application Fee, payable in cash, debit or a cheque made payable to City of Welland.
3. Eight (8) copies of a sketch of the property **prepared, signed, dated and sealed by an Ontario Land Surveyor**, such sketches to include:
 - the boundaries and dimensions of any land abutting the subject land that is owned by the Owner of the subject land;
 - the approximate distance between the subject land and the nearest township lot line or landmark (i.e., bridge, railway crossing etc.);
 - the boundaries and dimensions of the subject land;
 - the location of all land previously severed from the parcel;
 - the location, size, dimensions of all existing buildings and structures on the subject land, indicating the distances to all lot lines;
 - 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 (i.e., buildings, railways, roads, watercourses, drainage ditches, river/stream banks, wetlands, wooded areas, wells, septic tanks, etc.);
 - the location, width and name of any roads, unopened road allowances, private roads or rights-of-way which are within or abut the subject land;
 - the location and nature of any restrictive covenant or easement affecting the subject land.

NOTE: All measurements on the required sketch must be in metric.

JULY 18, 2008

4. The following documentation is required to determine if a contravention of the Planning Act has occurred:
 - a. Up-do-date abstract(s) of Title for the subject land and abutting land(s) from Deed prior to the possible contravention of the Planning Act;
 - b. Chart showing chain of Title;
 - c. Copy of registered Deeds to indicate various transfers that have occurred from the time the original contravention took place;
 - d. Copies of outstanding encumbrances, e.g. Mortgages, indicating legal descriptions and addresses; and
 - e. Copies of any registered plans and reference plans for the subject lands.