



# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE (ZONING)

(Section 45 of the Planning Act)

Planning Division – 200 King Street West, 6<sup>th</sup> Floor  
P.O. Box 1118, Kitchener ON N2G 4G7  
519-741-2426; [planning@kitchener.ca](mailto:planning@kitchener.ca)

**SUBMISSION NUMBER: A** \_\_\_\_\_ (to be assigned by staff)

**1. ADDRESS OF SUBJECT PROPERTY:** \_\_\_\_\_

Have you previously consulted with staff on this application?

If yes, name and date of consultation: \_\_\_\_\_

**2. FOR YOUR INFORMATION:**

- It is recommended to consult with staff prior to submitting your form. Applications will not be accepted as complete unless all legislated requirements have been met and will not be processed until all necessary information has been provided.
- Committee of Adjustment is a public process. Applications will be circulated to public agencies for comment. Notice of the meeting will be circulated to property owners within 30 metres of the subject property, advertised in the local newspaper and a City-issued notification sign posted on the property. All parties are given the opportunity to provide written comment or attend the meeting, either in support or opposition of the application.
- The owner and/or agent must attend the Committee meeting in support of their application. Information on the meeting date/time will be forwarded to the applicant. A deferral fee will apply to applications requiring re-circulation for failure to attend meeting or requesting postponement.
- This is YOUR application - make sure that you know the exact details of why you are applying. It is your responsibility to provide a complete and accurate application. Staff are available for consultation, but they are not permitted to complete the form on your behalf.

**3. SUBMISSION REQUIREMENTS:**

Complete applications shall be submitted by email to [planning.applications@kitchener.ca](mailto:planning.applications@kitchener.ca) (maximum 10 MB). **Original, signed & commissioned application form, including plans and cheque** (payable to the City of Kitchener) must be delivered to City Hall - Planning Division, Attention: Manager of Development Review, within one week of the digital submission deadline (you may send by mail, courier or drop off in person).

- Application form (completed and signed)
- Written authorization of the owner(s) is required if the application is signed by an agent on their behalf.
- Affidavit – applicant’s signature has been witnessed and form signed by a commissioner, notary or lawyer (if you required commissioning services, please make an appointment with City staff at: <https://outlook.office365.com/owa/calendar/CityofKitchenerServiceCounters@kitchener.ca/bookings/> - select “Planning: Commissioner Signature for Development Application Affidavit”)
- COPY OF SURVEY OR A DETAILED DRAWING**, including all information as noted in Section 4 below
- If the site is located within a Source Protection Area, provide a copy of the Notice of Source Protection Plan Compliance (Section 59 Notice) obtained from the Regional Municipality of Waterloo. For more information, visit the Region’s website at: <http://www.regionofwaterloo.ca/sourceprotection>
- Application Fee (non-refundable):
  - 4 or less** dwelling units or **465 or less** square metres non-residential Gross Floor Area (GFA) per lot/unit - **\$1,600.00**
  - More than 4** dwelling units or **more than 465** square metres non-residential Gross Floor Area (GFA) per lot/unit - **\$2,760.00**

*Office Use Only:*

  
  
  
  
  
  
  
  

Date Stamp

**4. PLANS – please include the following information:**

- Plans should not exceed 11x17 in size & must be folded to letter size and submitted with this application form.
- Boundaries and accurate dimensions of the subject land and all measurements must be shown **in metric and to scale**.
- Size, location and type of all existing and proposed buildings, structures or additions on the subject land, measured from the front, rear and side lot lines.
- Location, width and name of any roads within or abutting the subject land, including all driveways and parking spaces.
- Identify any natural features on the subject land (trees, streams, etc.).

**It is very important to be as accurate as possible, as any deficiencies may delay consideration of your application.**

**5. REGISTERED OWNER(S)**

Name(s): \_\_\_\_\_ Phone: \_\_\_\_\_  
 Company (if applicable): \_\_\_\_\_ Extension: \_\_\_\_\_  
 Street Address: \_\_\_\_\_ Email: \_\_\_\_\_  
 City/Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

**6. AUTHORIZED AGENT (if different from registered owner)**

Name(s): \_\_\_\_\_ Phone: \_\_\_\_\_  
 Company (if applicable): \_\_\_\_\_ Extension: \_\_\_\_\_  
 Street Address: \_\_\_\_\_ Email: \_\_\_\_\_  
 City/Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

**7. PROPERTY INFORMATION**

a) Street Address: \_\_\_\_\_  
 Closest Intersection: \_\_\_\_\_  
 Legal Description (from Survey or Plan): \_\_\_\_\_  
 Lot (s) No: \_\_\_\_\_ Registered Plan No.: \_\_\_\_\_  
 Lot (s) No: \_\_\_\_\_ Reference Plan No.: \_\_\_\_\_  
 Part (s) No: \_\_\_\_\_

b) Date of acquisition by current owner: \_\_\_\_\_  
 Date of construction of all buildings/structures: \_\_\_\_\_

c) Existing use(s) of subject land: \_\_\_\_\_

Proposed use(s) of subject land: \_\_\_\_\_

d) Type of Road Access:            Public       Private

e) Municipal services available:

Water:                    Yes       No                     Sanitary Sewer:      Yes       No

Storm Sewer:      Yes       No                     Private Well:      Yes       No

Septic:                  Yes       No

**8. PARTICULARS OF ALL BUILDINGS AND STRUCTURES EXISTING OR PROPOSED ON THE SUBJECT LANDS**

	Existing	Proposed
Ground Floor Area (inc. garage)		
Gross Floor Area (all floors)		
Number of Storey(s)		
Number of Dwelling Units		
Width		
Length		
Height		

**9. PLANNING INFORMATION**

a) Official Plan designation: \_\_\_\_\_

Zoning Category: \_\_\_\_\_

b) Has the owner previously applied for a variance in respect to this property:                    Yes       No

If yes, describe: \_\_\_\_\_

Is the subject property the subject of a current Consent (severance) application:      Yes       No

Is the subject property currently undergoing Site Plan Approval:                    Yes       No

c) Does the property have any Heritage Status:                    Yes       No

If yes, please check below:

Inventory       Listed       Part IV (Individual)       Part V (District)       Easement/Agreement

d) Does the property have any significant environmental features:                    Yes       No

If yes, indicate:      Woodlot       Wetland       Valleyland       Other: \_\_\_\_\_

**10. ZONING REVIEW (chart must be completed in its entirety, in metric)**

Development Standard	By-law Requirement	Proposed/Provided	Variance
Lot Area (sq.m.)			
Lot Width			
Front Yard Setback			
Left Side Yard Setback			
Right Side Yard Setback			
Rear Yard Setback			
% Lot Coverage			
Height of Building			
Accessory Building			
Parking			
Other			
Other			
Other			
Other			

**11. NATURE AND EXTENT OF RELIEF APPLIED FOR (what you want vs. what is allowed)**

**Note:** This section MUST be completed in detail – do not refer to cover letter for explanation.

*Example:* Requesting relief from Section 37.2.1 of the Zoning By-law to allow an addition to have a rear yard setback of 5.75 metres rather than the required 7.5 metres.

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**12. IN YOUR OPINION, WHAT ARE THE REASONS YOU ARE NOT ABLE TO COMPLY WITH THE ZONING BY-LAW?**

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**13. AUTHORIZATION**

If this application is being made by an agent that is not the owner of the subject lands, written authorization of the owner is required, as below:

I/we, \_\_\_\_\_, owner(s) of the land that is the subject of this application, hereby authorize \_\_\_\_\_ to act on my/our behalf in regard to this application.

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

**14. ACKNOWLEDGEMENT**

I understand that receipt of this application by the City of Kitchener - Planning Division does not guarantee it to be a 'complete' application. Further review of the application will be undertaken and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted. Once the application is deemed to be fully complete, the application fee will be deposited and the application will be processed. Submission of this application constitutes consent for authorized municipal staff to enter upon the subject property for the purpose of conducting site visits, including photographs, which are necessary for the evaluation of this application.

I further acknowledge that a City-issued notification sign must be posted at the front of the subject property in a location that is visible from the street. Staff will advise when to post the sign and it shall remain in place for 20 days after the Committee decision has been issued.

Signature of Owner or Agent: \_\_\_\_\_ Date: \_\_\_\_\_

**15. AFFIDAVIT** (to be completed *in person* in the presence of a Commissioner of Oaths)

I/we, \_\_\_\_\_, of the Town/City of \_\_\_\_\_,  
in the County/Regional Municipality of \_\_\_\_\_, solemnly declare that all of the above  
statements contained in this application 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 if made under oath and by  
virtue of *The Canada Evidence Act*.

\_\_\_\_\_  
**Signature of Owner/Agent**

\_\_\_\_\_  
**Signature of Owner/Agent**

**Declared before me at the**

Town/City of \_\_\_\_\_ in the County/Regional Municipality of \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature of Commissioner of Oaths**

\*Commissioner/Notary – please affix stamp.

\*Lawyer – please print name beside signature.