



COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE (ZONING)

(Section 45 of the Planning Act)

Consultation with City staff is encouraged prior to submission of this application.
Applications must be accompanied by the submission requirements in order to be considered complete.
Incomplete applications will not be processed until all information is provided.
If you have any questions please call the Planning Division at 519-741-2426.

MINOR VARIANCE CHECKLIST:

Submission Number: A _____ (to be assigned by staff)

Address of the Subject Property: _____

Have you consulted with City Staff prior to submitting this application:

Staff member consulted / Date of Consultation: _____

It is recommended to consult with staff prior to submitting your application to identify any possible issues or further information required, therefore avoiding unnecessary delays during processing.

Office Use Only:

Date Stamp

Received: In person By mail

Assigned to: _____

Deemed complete by: _____

SUBMISSION REQUIREMENTS:

- Complete applications shall be submitted by email to planning.applications@kitchener.ca (maximum 10 MB). **Original, signed application form, including plans and cheque** (payable to the City of Kitchener) should be sent to City Hall - Planning Division, to the attention of the Committee of Adjustment Coordinator, by mail or courier as soon as possible following the digital submission.
- Application Fee - \$1,287.00 (non-refundable)
- Written authorization by the Owner(s) is required if the application is signed by an agent or solicitor on their behalf.
- Place the City issued Notice Sign on the subject property in a location visible from the street.
- Mailing Address for Original Application: City of Kitchener, Attn: Planning Division, 6th Floor, 200 King Street West, Kitchener Ontario, N2G 4G7.
- 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>

PLANS:

It is very important to be as accurate as possible – should deficiencies be found, this may delay consideration of your application.

- The boundaries and accurate dimensions of the subject land and all measurements must be shown *in metric and to scale*.
- The 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.
- The 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.)

For Your Information:

- An application will not be accepted as complete unless all legislated requirements have been met, and will not be processed until all necessary information has been received.
- 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, or to appeal a subsequent decision of the Committee of Adjustment.
- 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 agent. A deferral fee will apply to applications requiring re-circulation for failure to attend meeting or requesting a deferral.
- 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 is available for consultation, but is not permitted to complete the form.



COMMITTEE OF ADJUSTMENT
APPLICATION FOR MINOR VARIANCE (ZONING)

(Section 45 of the Planning Act)

Submission Number: A _____

Location of the Property:

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: _____

Name of Registered Owner (s): _____

Mailing Address: _____

City: _____ Postal Code: _____

Telephone: _____ Other No.: _____

Email: _____

Name of Authorized Agent (s): _____

Mailing Address: _____

City: _____ Postal Code: _____

Telephone: _____ Other No.: _____

Email: _____

Note: Unless otherwise requested, all communications will also be sent to agents.

1. Nature and extent of relief applied for (what do you want versus what is allowed):

e.g. 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

2. In your opinion, what are the reasons you are not able to comply with the Zoning By-law?

Zoning Review (In Metric)

Chart must be completed in its entirety

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			

Particulars of all buildings and structures on or proposed for the subject lands:

	Existing	Proposed
Ground Floor Area (Incl. Garage)		
Gross Floor Area (all floors)		
Number of Storey(s)		
Width		
Length		
Height		

3. Planning Information:

Official Plan designation: _____

Zoning Category: _____

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

If the answer is yes, describe briefly: _____

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

Does the property have any Heritage Status: Yes No If yes, please check below:

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

Does the property have any significant environmental features: Yes No

If you answered yes, indicate: Woodlot Wetland Valleyland Other: _____

General Property Information:

Date of acquisition by current owner: _____

Date of construction of all buildings/structures: _____

Existing use(s) of subject land: _____

Proposed use(s) of subject land: _____

Type of Road Access: Public Private

Municipal services available:

Water: Yes No

Sanitary Sewer: Yes No

Storm Sewer: Yes No

Private Well: Yes No

Septic: Yes No

ACKNOWLEDGEMENT

I / We 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 go forward to the next possible Committee of Adjustment meeting. 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/Agent _____ Date _____

Signature of Owner/Agent _____ Date _____

AUTHORIZATION

If this application is being made by an agent/solicitor on behalf of the property owner, the following authorization must be completed:

I / We, _____, owner of the land that is subject of this application, hereby authorize _____ to act on my / our behalf in this regard.

Signature of Owner _____ Date _____

Signature of Owner _____ Date _____

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 _____.

Commissioner of Oaths