



## COMMITTEE OF ADJUSTMENT

### APPLICATION FOR CHANGE OF CONDITIONS

(Section 53 of the Planning Act)

Development & Housing Approvals – 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:** CC \_\_\_\_\_ (to be assigned by staff)

*Office Use Only:*

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

Have you previously consulted with staff on this application?

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

**Date Stamp**

**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.
- Cover letters and planning justification reports are welcome, however, they are not considered a part of your application. All consent requests must be outlined within your application form. If you are providing a cover letter or justification report, it should be attached as the last document in your application package.**
- 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. **City staff will install the notification sign and it is the Applicant's responsibility to ensure the notification sign remains posted for the duration of the application and removed 30 days after the meeting date.** All parties are given the opportunity to provide written comment or attend the meeting, either in support or opposition of the application.
- In addition to the submission requirements found on the application form, it is imperative that the applicant provide all the planning evidence necessary in support of the request being made. Depending on the nature of the application, this evidence may be in the form of photographs showing the existing streetscapes, contextual plans (in context with adjacent structures), historical information and/or detailed location plans (windows, openings, accessory structures) of the abutting properties. This will assist the Committee in making an informed decision regarding your 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. You must identify exactly what is being requested, particularly as it relates to easements, rights-of-way or partial discharge of mortgage. 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.

**A city for everyone**

Working together • Growing thoughtfully • Building community

### 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 Kitchener City Hall – Development & Housing Approvals Division, 200 King Street West, 6<sup>th</sup> Floor, Kitchener ON N2G 4V6, 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 require commissioning services, please make an appointment with City staff at: <https://www.kitchener.ca/bookappointment#planning> - select "Committee of Adjustment (commissioning, payment...)"
- Notice of Decision of original consent application
- Other supporting documentation, if any
- Application fee of **\$2,135.00** (non-refundable if the application is deemed complete and scheduled for a Meeting)

### 4. REGISTERED OWNER(S)

Name(s): \_\_\_\_\_

Phone: \_\_\_\_\_

Company (if applicable): \_\_\_\_\_

Extension: \_\_\_\_\_

Street Address: \_\_\_\_\_

Email: \_\_\_\_\_

City/Province: \_\_\_\_\_

Postal Code: \_\_\_\_\_

### 5. AUTHORIZED AGENT (if different from registered owner)

Name(s): \_\_\_\_\_

Phone: \_\_\_\_\_

Company (if applicable): \_\_\_\_\_

Extension: \_\_\_\_\_

Street Address: \_\_\_\_\_

Email: \_\_\_\_\_

City/Province: \_\_\_\_\_

Postal Code: \_\_\_\_\_

### 6. 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: \_\_\_\_\_

7. APPLICATION NUMBER OF PROVISIONAL CONSENT: \_\_\_\_\_

8. DATE OF DECISION OF PROVISIONAL CONSENT: \_\_\_\_\_

9. NUMBER ASSIGNED TO THE CONDITION(S) FOR WHICH YOU ARE REQUESTING A CHANGE:  
\_\_\_\_\_

10. PLEASE PROVIDE DETAILED REASON(S) FOR THE REQUESTED CHANGE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. 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: \_\_\_\_\_

12. 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: \_\_\_\_\_

**13. 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*.

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**Signature of Owner/Agent**

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**Signature of Owner/Agent****Declared before me at the**

Town/City of \_\_\_\_\_ in the County/Regional Municipality of \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

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**Signature of Commissioner of Oaths**

\*Commissioner/Notary – please affix stamp

\*Lawyer – please print name beside signature