



COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE (FENCE)

{Chapter 630 (Fence) – City of Kitchener Municipal Code}

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: FN _____ (to be assigned by staff)

Address of the Subject Property: _____

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

Date of Consultation: _____

Planning Staff member consulted / application submitted to: _____

Office Use Only:

Date Stamp

Received: In person By mail

Assigned to: _____

Deemed complete by: _____

SUBMISSION REQUIREMENTS:

- Application - \$1,165.00 cash or cheque payable to the City of Kitchener (non-refundable)
- 1 original application plus 15 copies** of the completed application form and plans are required; if this application is in combination with an Application for Consent **1 original plus 17 copies** of the completed application form and plans are required. Your Plan cannot exceed 11 x 17 in size and must be folded to letter size and attached to each copy of the application. All applications must be collated and stapled.
- Written authorization by the Owner(s) is required if the application is signed by an agent or solicitor on their behalf.
- Where possible, application forms should be submitted in person to the Planning Division, 6th Floor, 200 King Street West. This will allow the application to be reviewed with staff to identify any possible issues or if further information is required, therefore avoiding unnecessary delays during processing.

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.
- 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.)
- All measurements must be shown *in metric and to scale*.

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 and advertised in the local newspaper. 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 (FENCE)

Submission No. **FN** _____

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. Relief from Section 630.5.1.c (i) of the City of Kitchener Fence By-law to allow a fence to be located 0.62 metres from an exterior side-yard at a height of 1.01 metres rather than a setback of 1.5 metres.

2. In your opinion, why should your application be supported?

Relief from Chapter 630 (Fence) of the Municipal Code

Chart must be completed in its entirety

Development Standard	Required	Proposed/Provided	Variance
Setback			
Height of the Fence			
Driveway Visibility Triangle			
Corner Visibility Triangle			
Other			
Other			
Other			
Other			

3. Fence Information:

Does the fence requiring a variance already exist: Yes No

If yes, when was the fence constructed: _____

Is the property a corner lot property: Yes No

Who built the fence (if known): _____

Building Materials (check all that apply): Wood Wrought Iron Chain Link

Other: _____

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

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

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.

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/Agent _____ Date: _____

Signature of Owner/Agent _____ 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