



# 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:

Date of Consultation: \_\_\_\_\_

Planning Staff member consulted /application submitted to: \_\_\_\_\_

## SUBMISSION REQUIREMENTS:

- Application Fee - \$1,250.00 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 further information required, therefore avoiding unnecessary delays during processing.
- Place the City issued Notice Sign on the subject property in a location visible from the street.
- 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.)

### Office Use Only:

#### Date Stamp

Received:  In person  By mail

Assigned to: \_\_\_\_\_

Deemed complete by: \_\_\_\_\_

### 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 \_\_\_\_\_

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**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: \_\_\_\_\_

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**Name of Registered Owner (s):** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

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

Telephone: \_\_\_\_\_ Other No.: \_\_\_\_\_

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

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**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