



# MINOR VARIANCE APPLICATION

MUNICIPALITY OF LEAMINGTON  
 111 Erie Street North  
 Leamington, Ontario  
 N8H 2Z9

**Attn:** Danielle Truax, Manager of Planning Services (Ext. 1405)

**Phone:** (519) 326-5761  
**Fax:** (519) 326-2481

Personal information on this form is collected under the authority of *The Planning Act*, R.S.O. 1990, Chapter P. 13, Section 45 and will be used for contacting the applicant(s) and for processing of the Application. Questions about this collection should be directed to the Secretary Treasurer for the Committee of Adjustment for the Municipality of Leamington.

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## 2012 MEETING SCHEDULE

MEETING DATE	APPLICATION SUBMISSION DEADLINE
Tuesday, January 31, 2012 at 5:00 p.m.	Monday, December 19, 2011
Tuesday, February 28, 2012 at 5:00 p.m.	Monday, January 23, 2012
Tuesday, March 27, 2012 at 5:00 p.m.	Tuesday, February 21, 2012
Tuesday, April 24, 2012 at 5:00 p.m.	Monday, March 19, 2012
Tuesday, May 29, 2012 at 5:00 p.m.	Monday, April 23, 2012
Tuesday, June 26, 2012 at 5:00 p.m.	Tuesday, May 22, 2012
Tuesday, July 31, 2012 at 5:00 p.m.	Monday, June 18, 2012
Tuesday, August 28, 2012 at 5:00 p.m.	Monday, July 23, 2012
Tuesday, September 25, 2012 at 5:00 p.m.	Monday, August 20, 2012
Tuesday, October 30, 2012 at 5:00 p.m.	Monday, September 17, 2012
Tuesday, November 27, 2012 at 5:00 p.m.	Monday, October 22, 2012
NO DECEMBER MEETING	

**Note: Office Hours are Monday - Friday from 8:30 am to 4:30 pm. Applications are to be received by 4:30 p.m. on deadline date**

GENERAL INFORMATION SHEET  
MINOR VARIANCE APPLICATION  
MUNICIPALITY OF LEAMINGTON COMMITTEE OF ADJUSTMENT

1. **DISCUSSION OF THE PROPOSAL**

At any time when an application for a Minor Variance or Permission is being considered, the applicant should approach the Planner of the Municipality to engage in an informal discussion to explain the proposed application being contemplated. This informal discussion should provide the applicant with procedural direction about processing the application as well as determining planning regulations under which the application can be considered for approval. At this time, the applicant may also wish to obtain a copy of the Minor Variance Application Form.

2. **COMPLETION OF APPLICATION**

The Application for Minor Variance should then be completed by answering all required questions as well as preparing an explicit sketch detailing the application in accordance with the instructions provided by the Application form. Please note that all measurements must be in metric. *Please do not use highlighters to identify subject area as maps are photocopied in black and white.*

3. **SUBMISSION OF APPLICATION**

The applicant should submit **one (1) original application** together with a detailed sketch and the necessary Application Fee of **\$500.00** made payable to the "Municipality of Leamington". The application must be signed in front of a Commissioner and if signed by a Corporation, must have the corporate seal affixed. If signed by an agent, a written authorization from the owner must also be submitted. **ALL REGISTERED OWNERS MUST SIGN.**

Please note that a re-circulation fee of \$75.00 will be charged should an application need to be re-circulated.

4. **NOTICE OF HEARING AND SIGNING OF PROPERTY**

A Notice of the Hearing will be mailed by prepaid First Class Mail to the applicant and to every owner of land within 60 metres of the subject site not less than ten (10) days prior to the date the application is to be heard. A sign will also be sent to the applicant not less than ten (10) days prior to the date the application is heard. The sign is to be placed on the land subject to the application at least ten (10) days prior to the hearing date and is to remain in place until the hearing has been held. The sign is to be placed at the center of the subject parcel, facing the public road and as close as possible to the property line.

5. **HEARING AND DECISION**

The applicant or an agent should attend the hearing at the designated time and location and speak on behalf of the application answering any questions, which the members of the Committee of Adjustments may have.

A written decision will be forwarded to the applicant within ten (10) days of the Hearing Decision. Any conditions imposed by the Committee form part of the Decision. Within ten (10) days of the date of decision, any person may appeal the decision to the Ontario Municipal Board by filing the Notice of Appeal and the necessary \$125.00 fee with the Secretary-Treasurer for the Committee of Adjustment.

**APPLICATION FOR MINOR VARIANCE  
CORPORATION OF THE MUNICIPALITY OF LEAMINGTON**

1. Name of approval authority Municipality of Leamington Committee of Adjustment

2. **Name of Registered Owner** \_\_\_\_\_

Mailing Address. \_\_\_\_\_

Postal Code \_\_\_\_\_ Telephone & Fax No: \_\_\_\_\_

Email Address: \_\_\_\_\_ Cell No. \_\_\_\_\_

**Name of Registered Owner's Solicitor  
or Authorized Agent (if any)** \_\_\_\_\_

Address. \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone & Fax No \_\_\_\_\_

Email Address: \_\_\_\_\_ Cell No. \_\_\_\_\_

**Please specify to whom all communications should be sent:**

Registered Owner  Solicitor  Agent

**Indicate to whom signs are to be sent for posting:**

Registered Owner  Solicitor  Agent

3. Names and addresses of any mortgages, charges or other encumbrances in respect of the subject land: \_\_\_\_\_

4. Location and description of subject land:

Former Municipality \_\_\_\_\_

Concession No. \_\_\_\_\_ Lot(s) No. \_\_\_\_\_

Registered Plan No. \_\_\_\_\_ Lot(s) No. \_\_\_\_\_

Reference Plan No. \_\_\_\_\_ Part(s) No. \_\_\_\_\_

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

Assessment Roll No. 37-06- \_\_\_\_\_

5. Size of subject parcel: Frontage (m) \_\_\_\_\_ Depth (m) \_\_\_\_\_ Area (ha) \_\_\_\_\_  
Frontage (ft) \_\_\_\_\_ Depth (ft) \_\_\_\_\_ Area (ac) \_\_\_\_\_

6. Access to subject parcel:  Municipal Road  County Road  Provincial Hwy  
 Private  Water

If access to the subject land is **by water** only, indicate the parking and docking facilities to be used and the approximate distance between these facilities and the nearest public road

\_\_\_\_\_

7. Reasons why minor variance is necessary \_\_\_\_\_

\_\_\_\_\_

8. Current use of subject land \_\_\_\_\_

9. Length of time current use of subject land has continued \_\_\_\_\_

10. Number and type of buildings or structures **existing** on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area (or alternatively show on a detailed sketch):

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11. Date of construction of existing buildings and structures on the subject land:

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12. Date subject land acquired by current registered owner \_\_\_\_\_

13. Proposed use of subject land \_\_\_\_\_

14. Number and type of buildings or structures **proposed** to be built on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area (or alternatively show on a detailed sketch):

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15. Type of proposed water supply:

- Municipally owned and operated piped water supply
- Well
- Other (specify) \_\_\_\_\_

16. Type of proposed sanitary sewage disposal:

- Municipally owned and operated sanitary sewers
- Septic system
- Other (specify) \_\_\_\_\_

17. Type of proposed storm drainage:

- Sewers
- Ditches
- Swales
- Other (specify) \_\_\_\_\_

18. If known, indicate whether the subject land is the subject of an application under *The Planning Act* for:

- Consent to sever
- Approval of a plan of subdivision

If known, indicate the file number and status of the foregoing application:

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19. If known, indicate if the subject land has ever been the subject of an application for minor variance under Section 45 of *The Planning Act*.

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DECLARATION

I/We \_\_\_\_\_  
of the \_\_\_\_\_ of \_\_\_\_\_  
in the \_\_\_\_\_ of \_\_\_\_\_

DO SOLEMNLY DECLARE:

1. THAT all the 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; and
2. THAT it is my understanding that this MINOR VARIANCE APPLICATION must have "regard for" the Provincial Policy Statement which pertains to three (3) general areas of Provincial concern including a) the efficient cost of effective development and land use patterns, b) resources and c) public health and safety and accordingly, I request the municipality to receive this Application as a "Completed Minor Variance Application", pursuant to the provisions of *The Planning Act* R.S.O. 1990, as amended; and
3. THAT it is my understanding that in those areas where there are no municipal sanitary sewers, approved Class IV septic systems are required for the purposes of new lot development and accordingly the Leamington Building Services Department should be contacted to determine calculation requirements for this development proposal; and
4. THAT I have reviewed the "MTO Notice of Concern" on the following page regarding properties which may require access to a Provincial Highway controlled by the Ontario Ministry of Transportation (MTO) and accordingly am submitting herewith copies of necessary MTO permits and Approvals required for my Application approval.

Declared before me at the Municipality )  
of Leamington in the County of Essex )  
this \_\_\_\_\_ day of \_\_\_\_\_ ) \_\_\_\_\_  
A.D., 20\_\_\_\_\_. ) Applicant - Registered Owner

\_\_\_\_\_  
Applicant - Registered Owner

\_\_\_\_\_  
Applicant - Registered Owner

\_\_\_\_\_  
A Commissioner, etc.

**SKETCH REQUIREMENTS:**

*Please do not use highlighters to identify subject area as maps are photocopied in black and white*

1. Applications must be accompanied by a sketch showing;
  - a) the boundaries and dimensions of the subject land;
  - b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines (in metres);
  - c) the approximate location of all natural and artificial features on the subject land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks/ tile fields;
  - d) the current uses on land that is adjacent to the subject land;
  - e) all public or private roads or rights-of-way;
  - f) the location and nature of any easement affecting the subject land;
  - g) area to be severed to be clearly identified with hatch marks (no highlighting or shading);
  - h) the direction in which the lands are to be joined, if a minor lot line adjustment;
  - i) north arrow and all 911# on lots to be shown on sketch.

**"MTO NOTICE OF CONCERN"**

"The provincial highways are controlled by the Ministry of Transportation (MTO). In order to maintain the efficiency and safety of the provincial highway system, all development adjacent to the highways must also comply with the standards and requirements of the Ministry of Transportation (MTO). These standards affect many aspects of development including highway access, building setback (including wells and septic systems), the location and size of signs, drainage, etc.

Therefore, in addition to all the necessary municipal approvals, all development near the highways must also be reviewed by MTO and, in accordance with the Public Transportation and Highway Improvement Act, must obtain MTO's permits for access to the highway and for all buildings, structures and signs.

In order to determine MTO's requirements and to avoid unnecessary delays, please contact the Corridor Management Officer (CMO) at MTO's Southwestern Regional Office prior to submitting your application. They are located at 659 Exeter Road, London, Ontario N6E 1L3. Telephone: (519) 681-1441."

REQUIRED SKETCH (USE SEPARATE SHEET IF NECESSARY)



**AUTHORIZATION**

(Please see note below)

To: Secretary-Treasurer  
Committee of Adjustment  
Municipality of Leamington

Description and Location of Subject Lands:

\_\_\_\_\_  
\_\_\_\_\_

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

\_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_

to:

- (1) make an application on my/our behalf to the Committee of Adjustment for the Municipality of Leamington
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by the Committee of Adjustment relevant to the application.

Dated at the \_\_\_\_\_ of \_\_\_\_\_ in the \_\_\_\_\_  
of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Registered Owner

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Registered Owner

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Registered Owner

**Note:** This form is only to be used for applications which are to be signed by someone other than the owner.