



MINOR VARIANCE APPLICATION

MUNICIPALITY OF LEAMINGTON

38 Erie Street North
 Leamington, Ontario
 N8H 2Z3

Attn: Tracey Pillon-Abbs, Planner
 Lucy Jackson, Secretary-Treasurer,
 Committee of Adjustment

Phone: (519) 326-5761 (ext. 205)
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.

2010 MEETING SCHEDULE

MEETING DATE	APPLICATION SUBMISSION DEADLINE
Tuesday, January 26, 2010 at 5:00 p.m.	Monday, December 21, 2009
Thurs, February 25, 2010 at 5:00 p.m.	Wednesday, January 20, 2010
Tuesday, March 30, 2010 at 5:00 p.m.	Monday, February 22, 2010
Tuesday, April 27, 2010 at 7:00 p.m.	Monday, March 22, 2010
Tuesday, May 25, 2010 at 7:00 p.m.	Tuesday, April 20, 2010
Tuesday, June 29, 2010 at 7:00 p.m.	Thursday, May 20, 2010
Tuesday, July 27, 2010 at 7:00 p.m.	Monday, June 21, 2010
Tuesday, August 31, 2010 at 7:00 p.m.	Tuesday, July 20, 2010
Tuesday, September 28, 2010 at 7:00 p.m.	Friday, August 20, 2010
NO OCTOBER MEETING - MUNICIPAL ELECTION	
Tuesday, November 30, 2010 at 5:00 p.m.	Wednesday, October 20, 2010
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 \$412.00 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 \$66.95 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):

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

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):

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:

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*.

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.