

Minor Variance Application

Municipality of Leamington
111 Erie Street North
Leamington, Ontario
N8H 2Z9

Attn: Planning Services
Phone: (519) 326-5761 (extension 1407)
Email: planning@leamington.ca

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. Please note that personal information contained in this application may be included in the Committee of Adjustment Hearing minutes and become part of the public record and posted on our municipal website. Questions about this collection should be directed to the Manager of Legislative Services/Clerk for the Municipality of Leamington.

2022 Committee of Adjustment Meeting Schedule

Application Submission Deadline	Meeting Date
Wednesday, December 15, 2021 at 4:30 PM	Wednesday, January 26, 2022 at 5:00 PM
Wednesday, January 12, 2022 at 4:30 PM	Wednesday, February 23, 2022 at 5:00 PM
Wednesday, February 16, 2022 at 4:30 PM	Wednesday, March 30, 2022 at 5:00 PM
Wednesday, March 16, 2022 at 4:30 PM	Wednesday, April 27, 2022 at 5:00 PM
Wednesday, April 13, 2022 at 4:30 PM	Wednesday, May 25, 2022 at 5:00 PM
Wednesday, May 18, 2022 at 4:30 PM	Wednesday, June 29, 2022 at 5:00 PM
Wednesday, June 15, 2022 at 4:30 PM	Wednesday July 27, 2022 at 5:00 PM
Wednesday, July 20, 2022 at 4:30 PM	Wednesday, August 31, 2022 at 5:00 PM
Wednesday, August 17, 2022 at 4:30 PM	Wednesday, September 28, 2022 at 5:00 PM
Wednesday, September 14, 2022 at 4:30 PM	Wednesday, October 26, 2022 at 5:00 PM
Wednesday, October 19, 2022 at 4:30 PM	Wednesday, November 30, 2022 at 5:00 PM
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 PM 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 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 \$715.00 + \$200 ERCA fee 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 \$100.00 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 fifteen (15) days of the Hearing Decision. Any conditions imposed by the Committee form part of the Decision. Within twenty (20) days of the date of decision, any person may appeal the decision to the Local Planning Appeal Tribunal (LPAT) by filing the Notice of Appeal and the necessary \$300.00 fee with the Secretary-Treasurer for the Committee of Adjustment.

Office Use Only	
File Number: _____	Combined Application Number: _____
Date Pre-consultation Initiated: _____	
Date Application Received: _____	Amount Paid: _____
Date Application Deemed Complete: _____	

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(s):** _____

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: _____

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:

Concession No. _____ Lot No(s). _____

Registered Plan No. _____ Lot No(s). _____

Reference Plan No. _____ Part No(s). _____

Street Address _____

Assessment Roll No. 37-06- _____

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

Irregular Shape - Dimensions shown on attached Site Sketch

6. Access to subject parcel: Municipal Road County Road Provincial Highway

Private Road or Registered Right-of-way: _____

Water Access Only:

Location of Docking Facility: _____

Nearest Public Road: _____

7. Current Official Plan Land Use Designation: _____

8. Current Zoning: _____

9. Section of Zoning By-law for which relief is being requested: _____

10. Nature and extent of Zoning By-law relief being requested: _____

11. Reasons why minor variance is necessary: _____

12. Current use of subject land: _____

13. Length of time current use of subject land has continued: _____

14. Number and types 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(s) and their dimensions/floor area:

As shown on attached detailed Site Sketch

15. Date of construction of existing buildings and structures on the subject land:
 Date: _____ Unknown
16. Date subject land acquired by current Registered Owner: _____
17. Proposed use of subject land: _____
18. Number and type(s) 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:
 As shown on attached detailed Site Sketch

19. Type of proposed water supply:
 Municipally owned and operated piped water supply Well
 Other (specify) _____
20. Type of proposed sanitary sewage disposal:
 Municipally owned and operated sanitary sewers Septic system
 Other (specify) _____
21. Type of proposed storm drainage:
 Sewer Ditches Swales
 Other (specify) _____
22. 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 other consent or subdivision application:

23. If known, indicate if the property has ever been the subject of an application for Minor Variance under Section 45 of *The Planning Act*. If yes, indicate the file number and status of the application:

Declaration Form

I/We _____

of the _____ of _____

in the _____ of _____

Do Solemnly Declare:

1. That all the statements contained in this application are true and I/we 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 (page 7) regarding properties which may require access to a Provincial Highway controlled by the Ontario Ministry of Transportation (MTO), and accordingly, I am submitting herewith copies of necessary MTO Permits and/or Approvals required for the approval of my Minor Variance Application.

Declared before me in the Municipality)
of Leamington in the County of Essex)
on this _____ day of _____)
A.D., 20____.)

Applicant - Registered Owner

Applicant - Registered Owner

Applicant - Registered Owner

A Commissioner, etc.

Sketch Requirements:

Please do not use aerial photos, pencil or highlighters to identify subject area as maps are photocopied in black and white.

1. Applications must be accompanied by a site sketch showing the following:
 - a) boundaries and dimensions of the subject land;
 - b) location, size and types of all existing and proposed buildings and structures on the subject land, including the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines (in metric);
 - c) approximate location of all natural and artificial features on and/or adjacent to the subject land. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells, septic tanks/tile fields, etc;
 - d) current uses on properties that are adjacent to the subject land;
 - e) all public or private roads or rights-of-way;
 - f) location and nature of any easement affecting the subject land;
 - g) areas to be severed and/or retained must be clearly identified with hatch marks (no highlighting or shading);
 - h) abutting property to which the lands are to be joined, if requesting a minor lot line adjustment;
 - i) north arrow and all 911 numbers 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)

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Authorization Form

Note: This form is only to be used for applications for which the Declaration Form is being signed by someone other than the owner(s).

To: Secretary-Treasurer, Committee of Adjustment, Municipality of Leamington

RE: Description and Location of Subject Lands:

Concession No. _____ Lot(s) No. _____

Registered Plan No. _____ Lot(s) No. _____

Reference Plan No. _____ Part(s) No. _____

Street Address _____

Assessment Roll No. 37-06- _____

I/We, the undersigned, being the Registered Owner(s) of the above lands hereby authorize:

Name of Authorized Agent:

Place of Residence of Authorized Agent:

TO:

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

I, _____

of the _____ of _____

in the _____ of _____

Date: _____

Signature of Witness

Signature of Registered Owner

I, _____

of the _____ of _____

in the _____ of _____

Date: _____

Signature of Witness

Signature of Registered Owner