



Minor Variance Application Committee of Adjustment

Updated: December 2016

For Use by City Staff Only

| | |
|---|----------------------|
| Application Number: _____ | Date Received: _____ |
| Date Application Received Complete: _____ | Staff/Planner: _____ |

The undersigned hereby applies to the Committee of Adjustment for the City of Niagara Falls, under Section 45 of the *Planning Act*, for relief as described in this application from By-law No. _____

Legal Description of the Subject Lands

Municipal Address: _____

Lot No(s): _____ Concession No.: _____

Reference Plan: _____ Part(s): _____

Reference Plan: _____ Lot(s)/Block(s): _____

CONTACT INFORMATION:

Applicant

Applicant is: Owner or Authorized Agent of Owner (if selected complete and attach authorization form)

Last Name: _____ First Name: _____ Corporation or Partnership: _____

Street Address: _____ Unit No. _____ Lot/Con: _____

Municipality: _____ Postal Code: _____ Province: _____

Telephone Number: _____ Cell Number: _____ Email: _____

Owner (if different from applicant)

Last Name: _____ First Name: _____ Corporation or Partnership: _____

Street Address: _____ Unit No. _____ Lot/Con: _____

Municipality: _____ Postal Code: _____ Province: _____

Telephone Number: _____ Cell Number: _____ Email: _____

Agent

Last Name: _____ First Name: _____ Corporation or Partnership: _____

Street Address: _____ Unit No. _____ Lot/Con: _____

Municipality: _____ Postal Code: _____ Province: _____

Telephone Number: _____ Cell Number: _____ Email: _____

GENERAL INFORMATION

1. Type of application being made:

- Minor Variance (Section 45(1)) complete questions 1 – 14
- Extension or Enlargement of a Legal Non-Conforming Use (Section 45(2)(a)(i)) complete question 1, and 3 – 15
- Change of Legal Non-Conforming Use (Section 45(2)(a)(ii)) complete questions 1, 3 – 14, and 16
- Interpretation of General Terms (Section 45(2)(b)) complete questions 1, 3 – 14, and 17

2. Nature and extent of relief applied for (see Instructions – Explanation of Terms. If you are requesting a variance from the provisions of a By-law, provide the following information:

(a) What is the present zoning on the lands: _____

(b) What section(s) of the By-law do you require relief from:

| By-law Section | Subsection | Clause/Subclause | Page Number | Provision |
|----------------|------------|------------------|-------------|-----------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

(c) Show the extent of the relief being applied for:

| By-law Section | By-law Requirement | Proposed | Extent of Variance |
|----------------|--------------------|----------|--------------------|
| | | | |
| | | | |
| | | | |
| | | | |

(d) Explain in detail your reasons why it is not possible to comply with the provisions of the by-law:
(THIS SECTION MUST BE COMPLETED)

3. Dimensions of land affected:

Lot Frontage: _____ Width of road allowance: _____

Lot Depth: _____ Width of street: _____
(Asphalt area or curb to curb)

Lot Area: _____

4. Particulars of building or structure on or proposed for the subject land which is subject of this application:

| Dimensions | Existing | Proposed | Total |
|-------------------|----------|----------|-------|
| Ground Floor Area | | | |
| Total Floor Area | | | |
| Width | | | |
| Length | | | |
| Height | | | |
| Number of Storeys | | | |

5. Location of building or structure existing or proposed for the subject land which is subject of this application:

| Closest Distance From | Existing | Proposed |
|-----------------------|----------|----------|
| Front Lot Line | | |
| Side Lot Line (1) | | |
| Side Lot Line (2) | | |
| Rear Lot Line | | |

6. Date of acquisition of subject land: _____

7. Date of construction of the building or structures on the subject land: _____

8. Existing use(s) of the subject property: _____

9. Existing use(s) of abutting properties:

North: _____ East: _____

South: _____ West: _____

10. Length of time the existing uses of the subject property have continued:

11. Municipal services available:

- Water
- Sanitary Sewers
- Storm Sewers

12. Official Plan designation of the land: _____

13. Has the property been the subject of a previous application to the Committee of Adjustment?

Yes

No

If "Yes", please describe briefly: _____

14. Is the property the subject of a current application for a Land Severance under Section 53 of the Planning Act?

Yes

No

15. If you are requesting the Committee of Adjustment to consider the enlargement or extension of a building or structure for a use not in conformity with the By-law, however, it is a use legally established prior to the by-law, answer the following:

(a) What is the present zoning of the subject land: _____

(b) What general use(s) is currently established in the building or structure:

(c) How long has the use been in existence: _____

(d) If the use(s) described above is not a residential use describe more precisely the principle operational aspects of the use:

(e) What use(s) or what part of your operation is proposed for the extension or enlargement:

(f) Describe how the proposed extension or enlargement has had regard to existing zoning regulations and possible environmental considerations:

16. If you are requesting the Committee of Adjustment to consider a change in a legal non-conforming use to another use you must answer the following as well as section 15 (above).

(a) What is the proposed change of use to: _____

(b) Are any building extensions or enlargements proposed now or in the near future for the proposed use:

Yes

No

(c) Describe why the proposed use is, in your opinion, more compatible with the area than the existing use:

17. If you are requesting the Committee of Adjustment to consider an application under Section 45(2)(b) of the Planning Act, describe the section of the By-law and the basis of your request:

What is the present zoning of the subject land? _____



Dated at the City of Niagara Falls, this _____ day of _____, 20____.

I, _____ of the _____ of _____

In the Regional Municipality of _____,

Solemnly declare 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**.

Declared before me at the _____)

of _____, in the Regional)

Municipality of _____, this _____)

Day of _____, 20____)

-
- owner
 - applicant
 - agent

A Commissioner for Taking Affidavits

NOTE:

It is the applicant's responsibility that they or their agent attend all public meetings for which notice has been given.

Planning, Building &
Development Department
4310 Queen Street
P.O. Box 1023
Niagara Falls, ON L2E 6X5
www.niagarafalls.ca



Kirstin Jensen
Secretary – Treasurer
Committee of Adjustment
Tel: (905) 356-7521 ext. 4239
Fax: (905) 356-2354
kjensen@niagarafalls.ca

OWNER'S AUTHORIZATION FORM

Address and Description of Subject Land:

I/We _____ & _____
Owner's Name(s)

The undersigned, being the registered owner(s) of the above land, hereby authorize:

_____ of the _____
(Agent or Applicant) (City or Town)

to make an application on my/our behalf to the Committee of Adjustment for the City of Niagara Falls for a minor variance and/or permission in accordance with Section 45 of the Planning Act.

Dated at the _____ of _____

In the Regional Municipality of Niagara, this _____ day of _____, 20_____.

Signature of Witness

Signature of Owner (Seal)

Signature of Witness

Signature of Owner (Seal)

NOTE:

1. Please print or type, unless otherwise specified.
2. This form is to be used for an application which is being processed and signed by someone other than the owner.
3. If the registered owner is a corporation, in addition to the signatures of the authorized signing officers, the corporate seal must be affixed.