

**APPLICATION TO THE COMMITTEE OF ADJUSTMENT
THE *PLANNING ACT* – SECTION 45
MINOR VARIANCE/NON-CONFORMING USES/INTERPRETATION OF
GENERAL TERMS**

OWNER'S AUTHORIZATION FORM:

Applications submitted by someone other than the land owner must be accompanied by the owner's authorization. A copy of an authorization form is attached to the application.

APPLICATION AND FEE:

Applications are to be printed or typed except where signatures are required. **A copy of a registered deed of the property is required for all applications.** A copy of a survey, if available, should be included with all applications.

15 Copies of the application form is to be completed, signed by the applicant(s) or authorized agent and properly witnessed by a Commissioner for Taking Affidavits. This Commissioner Service is available at City Hall. Applications are filed with the Secretary-Treasurer to the Committee of Adjustment, together with the required plans and processing fee of **\$2100.00 plus any applicable charges from agencies, made payable by cheque** to the City of Niagara Falls.

The need for complete and correct applications and information on the Public Notice:

- An incomplete application will be returned to the applicant or agent.
- A notice is prepared and mailed to the public for a complete application.
- After the initial public notification, if incorrect or insufficient information is found during the detailed technical review, it may result in the application being deferred to another date.
- If a second notice to clarify or correct information is needed, this will be done as soon as possible at the applicant's expense (\$200 recirculation fee).
- If the error results in more variances being required, the application cannot be dealt with and will be deferred to another date.

PLAN:

15 copies of a proper plan drawn to scale in metric must be submitted with the application. All plans must be folded to 8 ½" x 11". The plan must be drawn **accurately** and provide the following information:

- | | |
|---|-------------------------------------|
| - Property line dimensions | - Scale of plan |
| - Size and type of all buildings & structures | - North Arrow |
| - Dimensions between buildings & structures and to property lines | - Street Names |
| - Number of storeys and height of building | - Identify location of variances(s) |
| - Parking spaces and manoeuvring aisles | - Driveway location and width |
| - Properly sized and spaces numbered | - Tree locations |
| - Sidewalk and curb locations | - Building coverage (% of lot area) |
| - Size and type of new building additions | - Landscaped area (% of lot area) |

Requested variances to the height of a building require an elevation plan or cross sectional plan to be submitted. Variances related to or affecting buildings on abutting land must show the location, size, height and use of surrounding buildings on the submitted plan.

Please note that the Committee may require a plan to be prepared by an Ontario Land Surveyor, Engineer, Architect or Planner prior to making a decision on an application.

PUBLIC NOTICE SIGN:

The Committee of Adjustment requires a sign to be posted on the property as a means of providing public notice to satisfy *Planning Act* requirements (City of Niagara Falls By-law No. 2000-12).

The applicant/agent is responsible for posting the “Public Hearing” sign(s) on the subject property supplied by the Secretary-Treasurer. The sign must be posted in a location clearly visible from the public roadway and as may be determined by municipal staff. The sign must be maintained on the property for a specified time period. If the sign is removed prior to the public hearing date, the Secretary-Treasurer is to be contacted for a replacement sign. Committee members and staff will visit the subject property as part of the application review and to confirm that the sign is posted. The attached “Sign Posting Acknowledgment” form must be completed and submitted to the Secretary-Treasurer.

Failure to post the “Public Hearing” sign(s) will result in delays with your application(s) with additional recirculation fee(s).

PUBLIC HEARING:

The applicant or their agent is required to attend all public hearings.

DEFERRAL REQUESTS:

The applicant is responsible for additional mailing fees whenever a public notice has been circulated and, at the request of the applicant, the hearing is deferred to another date.

For further information or clarification, please contact the Secretary-Treasurer to the Committee of Adjustment for the City of Niagara Falls, Planning & Development Department, P.O. Box 1023, 4310 Queen Street, Niagara Falls, Ontario, L2E 6X5, (905) 356-7521, extension 4239 from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.