

Committee of Adjustment Minor Variance Application

City of Mississauga

300 City Centre Drive

Mississauga ON L5B 3C1

Tel. No. 3-1-1

If outside Mississauga (905) 615-4311

Fax. No. 905-615-3950



Web address for downloading Committee of Adjustment Information, Forms and Agendas:
www.mississauga.ca/committeeofadjustment

Effective January 1, 2014, the fee for a minor variance application to the Committee of Adjustment is as follows:

RESIDENTIAL - residentially zoned properties, per application:	\$800.00
MULTIPLE RESIDENTIAL APPLICATIONS - for the first 10 applications, per application: - in excess of the first 10 applications, per application:	\$800.00 \$50.00
ALL OTHER APPLICATIONS - All other Zoning By-law categories and non-residential use applications within residential zones, per application:	\$1150.00
DEFERRAL FEE - covers the administrative processing cost of providing additional notification of matters that are deferred to a future meeting	\$200.00

The application fee is payable at the time an application is submitted. Fees may be paid by cash, cheque, Visa, MasterCard, American Express or Debit Card. If the fee is being paid by cheque, the cheque must be made payable to: "Treasurer of the City of Mississauga"

NOTICE TO ALL APPLICANTS OF MINOR VARIANCE APPLICATIONS TO THE CITY OF MISSISSAUGA COMMITTEE OF ADJUSTMENT

1. Before you prepare and submit your application to the Committee of Adjustment, it is strongly recommended that you consult with the Zoning Section and the Development and Design Division of Planning and Building Department, the Transportation and Works Department and the appropriate Conservation Authority (if applicable). It is also advisable to communicate with your neighbours with respect to your plans.
2. Additional information such as a Letter of Use or any other detailed concept plans or drawings will assist staff and the Committee in their review of the application and it is recommended that you include this additional information with the application at the time of submission.
3. For requests for reductions in required parking, it is strongly recommended that you provide a Letter of Justification (10% reduction or less) or a Parking Utilization Study (greater than 10% reduction). Terms of Reference for a Parking Study can be obtained from the Planning Service Counter on the 3rd Floor of City Hall. Without this information, the Planning and Building Department have advised they will recommend deferral of the application to the Committee until this information is received.
4. A public notice sign, which will be provided to you, is required to be posted in a prominent location on the subject property for a minimum of ten (10) days before the scheduled Hearing of the Minor Variance application.
5. Conservation Authorities (CVC, HRCA, TRCA) may require that an application review fee of be paid by a separate cheque if the property is situated within an area under their control. Please contact the appropriate conservation authority or see the attached Conservation Authority Fee Collection Form.

Development Charges may be payable prior to the issuance of a Building Permit

Minor Variance Application - Checklist -

- Application Fee (see cover page of application form)
- Application Form (all sections must be complete)
- Appointment and Authorization Form (if someone other than the owner of the property is submitting the application)
- Permission to Enter Form (all sections must be completed)
- Posting of Advisory Sign Form (all sections must be completed)
- Two (2) copies of a sketch/plan on 11" x 17" or smaller paper must be provided for copying purposes. Full size plans greater than 11" x 17" can be submitted. If the full size plans are submitted, fourteen (14) copies are required. (Folded to 8 ½ " x 11")
 - the sketch/plan must show the lands owned by applicant outlined in red colour if more than one lot is shown on the plan
 - the boundaries and dimensions of the subject lands
 - the location, size and type of all existing and proposed buildings and structures on the subject land, indicating distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines. **(in metric)**
 - the approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that , in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
 - the current uses on the land that is adjacent to the subject land.
 - the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
 - the location and nature of any easements affecting the subject land.
- Floor Plans and Building Elevations may be required
(review with Committee of Adjustment staff to determine applicability)
- Conservation Authority Review Fee (if applicable, a separate cheque is required payable to the applicable Conservation Authority)

NOTE: The Committee of Adjustment requires that all properties that are subject to an application be properly identified in accordance with the following:

- (a) All buildings shall have the street number clearly displayed and the street number shall be visible from the street.
- (b) In the event that a unit within a building is the subject of an application, the unit number shall be clearly displayed on the door of the unit.

**ADDITIONAL INFORMATION REGARDING THIS APPLICATION MAY BE OBTAINED
BY CALLING THE COMMITTEE OF ADJUSTMENT OFFICE AT (905)-615-3200 EXT.5433**



File No. "A" _____

The Planning Act, R.S.O. 1990, c.P.13, as amended
APPLICATION FOR MINOR VARIANCE

The undersigned hereby applies to the Committee of Adjustment for the City of Mississauga under Section 45 of the Planning Act, R.S.O., 1990, c.P.13, as amended, for relief as described in this application from Zoning By-law No. 0225-2007, as amended.

1.0 Applicant Information

Property Owner:

Address:

Phone:

Fax:

Email:

2.0 Authorized Agent Information

Authorized Agent:

Address:

Phone:

Fax:

Email:

3.0 Land Use, Official Plan and Zoning By-law Designation

Official Plan Designation¹ (e.g. Residential Low Density, Commercial, Employment)

Zoning By-law Designation¹ (e.g. Residential (R1, R2, RM1, RM2, etc.) Commercial (e.g. C1, C2, etc.))

Existing Use of the Subject Lands:

Proposed Use of the Subject Lands:

¹ Please consult with the Planning and Building Department Customer Service Counter on the 3rd Floor of City Hall to identify the Official Plan Designation and Zoning By-law Designation or online at www.mississauga.ca/portal/residents/officialdocuments

4.0 Relief Required from the Zoning By-law
(Please identify the relief you are requesting and the relevant Zoning By-law standard/requirement)

5.0 Why is it not possible to comply with the Zoning By-law Requirements
(Please describe the request and explain why it is not possible to comply with the provisions set out in the City's Zoning By-law. If additional space is required, attach a separate sheet/letter.)

6.0 Legal Description/ Location of Subject Property (Street Address, Lot Number and Registered Plan Number)
(e.g. 123 Street Drive and Lot A, Plan M-1234)

7.0 Dimension of the Subject Property

Lot Frontage (metres/ feet):

Lot Depth (metres/ feet):

Lot Area (m², ft², hectares, acres):

8.0 Type of access to the subject lands (check the appropriate box)

Municipal Road

Private Road

Provincial Highway

Other

If other, please specify by what means:

9.0 Particulars of all <u>EXISTING</u> building(s) and structure(s) on the subject land. Please specify:	
a) type of building(s) or structure(s)	b) gross floor area or dimensions of the building(s) or structure(s)
c) the front , rear and side yard setbacks	d) height of the building or structure

10.0 Particulars of all <u>PROPOSED</u> building(s) and structure(s) on the subject land. Please specify:	
a) type of building(s) or structure(s)	b) gross floor area or dimensions of the building(s) or structure(s)
c) the front , rear and side yard setbacks	d) height of the building or structure

11.0 Property Information
The date the subject land was acquired by the current owner:
The date the existing buildings and structures were constructed on the subject land:
The length of time the existing uses of the subject land have continued:

12.0 Conservation Authority Review Information		
Has the Conservation Authority reviewed the proposed minor variance as it applies to the subject land?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Not Applicable <input type="checkbox"/> (as determined by the relevant Conservation Authority)
Has the Conservation Authority review fee been paid?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

13.0 Municipal Services provided to the subject lands: (check the appropriate boxes)	
<input type="checkbox"/> Water	If not available, by what means is it provided:
<input type="checkbox"/> Sanitary Sewers	If not available, by what means is it provided:
<input type="checkbox"/> Storm Sewers	If not available, by what means is it provided:

14.0 Other Planning Applications

If known, is or was the subject land the subject of any of the following development type applications:

Official Plan Amendment	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Zoning By-law Amendment	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Plan of Subdivision	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Site Development Plan	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Certificate of Occupancy	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Building Permit	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Consent	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Minor Variance (Committee of Adjustment)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.

DECLARATION OF OWNER OR AUTHORIZED AGENTI, _____ of the
(Print Name of Owner or Authorized Agent)_____ in the _____
(e.g. City of Mississauga) (e.g. Region of Peel)

Solemnly declare that all above statements and the statements contained in all of the exhibits transmitted herewith 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 it made under oath and by virtue of the CANADA EVIDENCE ACT.

For the purposes of the FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the PLANNING ACT for the purposes of processing this application and correspondence purposes. Questions about this collection should be directed to the Committee of Adjustment Secretary-Treasurer, City of Mississauga, 300 City Centre Drive, Mississauga, Ontario L5B 3C1, telephone 905-615-3200 ext. 5433.

**NOTE: The Signature of applicant or authorized agent must be witnessed by a Commissioner, etc.
A Commissioner is available in the Committee of Adjustment office, if needed.**

Declared before me at the _____ of _____

in the _____ of _____

this _____ day of _____ AD 20 _____

A Commissioner, etc_____
Signature of applicant or authorized agent I have authority to bind the Corporation_____
Signature of applicant or authorized agent I have authority to bind the Corporation

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, being the registered property owner(s) of

_____ (Legal description or municipal address)

hereby authorize _____ (Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this _____ day of _____ 20_____.

(Signature of the owner or signing officer)

(Please print the full name and position of the person signing)

I have authority to bind the Corporation

(Name of the Corporation, if applicable)

(Signature of the owner or signing officer)

(Please print the full name and position of the person signing)

I have authority to bind the Corporation

(Name of the Corporation, if applicable)

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto.)
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.



PERMISSION TO ENTER

Date: _____

Secretary-Treasurer
Committee of Adjustment
City of Mississauga
300 City Centre Drive
Mississauga ON L5B 3C1

Dear Secretary-Treasurer:

RE: Application to Committee of Adjustment

Location of Land: _____
(Municipal address)

I hereby authorize the Committee of Adjustment members, City of Mississauga staff and the Region of Peel staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

Signature of owner or authorized agent

Please print name

NOTE: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the information sheet included with the Application. Failure to properly identify the subject property may result in the deferral of the application.



POSTING OF ADVISORY SIGN - Minor Variance

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon submission of your application and the notice insert will be forwarded to you once the application has been processed. You are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location at (905) 615-3200 ext. 5433.

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

Thank you for your co-operation,

David L. Martin, CPT, C.Tech, ACST
 Secretary Treasurer
 Committee of Adjustment

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

 Name of Property Owner (Please Print)

 Property Address (Please Print)

 Signature of Owner or Authorized Agent

 Date

 Name of Signatory (Please Print)

Preferred method of receiving the Notice Insert (Check the appropriate box below):

E-mail: _____ Fax: _____ Pick-Up: _____
 (Please Print) (Fax Number) (Phone Number)

OFFICE USE ONLY				
Date Board Given:		Date Notice Picked-Up or Sent:		
Date	Initial	Date	Date	Initial

**Conservation Authority
Fee Collection Form**

For information regarding fees and charges related to development applications, please refer to the Typical Development Approval Cost Guideline booklet available from the Planning and Building Department

**CITY OF MISSISSAUGA
Committee of Adjustment**
300 City Centre Drive, 3rd Floor
MISSISSAUGA ON L5B 3C1
Tel. 3-1-1
FAX 905-615-3950

Please complete the following and attach to your Application for Consent or Minor Variance

Check (√) relevant Conservation Authority:

The Toronto and Region Conservation Authority

5 Shoreham Drive, Downsview, Ontario M3N 1S4, 416-661-6600, Web Site: <http://www.trca.on.ca>

Credit Valley Conservation

1255 Old Derry Road, Meadowvale, Ont., L5N 6R4, 905-670-1615, E-mail: cvc@mississauga.net

Halton Region Conservation Authority

2596 Britannia Road West, R. R. #2, Milton Ont., L9T 2X6, 905-336-1158, E-mail: admin@hrca.on.ca

Date: ____/____/____ **Committee of Adjustment Application No.:** ____/____

1. For Applicant/Agent Information, see the Application Form.
2. For the Legal Description, see the Application Form.
3. For the General Location, see the Notice of Hearing.

Please complete the applicable boxes below and attach the fee made payable to the **Toronto and Region Conservation Authority or TRCA** /or **Credit Valley Conservation or CVC** /or **Halton Region Conservation Authority or HRCA**.

APPLICATION TYPE	"(√)" IF APPLICABLE	PRELIMINARY FEE	FEE AMOUNT PROVIDED
Consent/Severance		\$ 580.00 HRCA \$ 410.00 CVC \$ 1200.00 TRCA	
Minor Variance		\$ 200.00 HRCA \$ 280.00 CVC \$ 500.00 TRCA	

Please check (√) if a receipt is required from the Conservation Authority

NOTE: Only one set of application fees (the highest fee) will be applied when processing and reviewing consolidated application circulations. Additional fees may apply to applications which require extensive investigation (i.e. reports) by the Conservation Authority staff. The applicant will be informed by letter from the Conservation Authority of these additional requirements if applicable.

FOR CONSERVATION AUTHORITY USE ONLY

DATE RECEIVED: ____/____/____ **CFN:** _____ **RECIPIENT:** _____



Committee of Adjustment

300 City Centre Dr
Mississauga, ON
L5B 3C1
Tel. No. 3-1-1
Fax No. 905-615-3950

MINOR VARIANCE

Chair: S. Patrizio
Vice Chairs: D. George
R. Bennett
Members: J. Thomas
J. Robinson
L. Dahonick
D. Kennedy
Secretary-Treasurer: David L. Martin

What is an application for Minor Variance?

The owner of a property or any person authorized in writing by the owner who has been denied a Building Permit, a Zoning Certificate of Occupancy, or is unable to comply with the provisions of the Zoning By-law may apply to the Committee of Adjustment by means of an "Application for Minor Variance" for relief from the Zoning By-law.

Minor Variances may be granted provided that, in the opinion of the Committee, the request is minor in nature, is desirable for the appropriate development or use of the land, building or structure and if in the opinion of the committee, the general intent and purpose of the Zoning By-law and the Official Plan are maintained.

The Committee of Adjustment is composed of seven (7) members, who are appointed by the Council of the City of Mississauga. The authority of the Committee of Adjustment is set out in the **Planning Act** (Provincial Statute).

How do I apply?

If you wish to apply to the Committee of Adjustment you should obtain and complete the application form. The application form outlines the requirements for submitting an application for minor variance. The requirements include a site plan or survey which will indicate the location of the property, the setbacks of all buildings or structures on the property and sufficient information to clearly identify the variance required. The number and size of the site plans is outlined on the application form. If you are acting as an agent for the purposes of the application, a letter of authorization is required from the registered owner of the property. If you are acting as an authorized agent of the property owner to present the application at the public meeting, the appointment and authorization form is required.

The application package is available at the Committee of Adjustment Office, 2nd Floor, Mississauga Civic Centre, 300 City Centre Drive, Telephone: 3-1-1 or online at www.mississauga.ca/committeeofadjustment

How much will it cost?

The processing fee for a "Minor Variance" application to the Committee of Adjustment is noted on the first page of the application package.

The application fee is payable at the time the application is submitted. If the fee is paid by cheque, the cheque must be made payable to the "Treasurer of the City of Mississauga."

Note: Conservation Authorities (CVC, HRCA, TRCA) may require that an application review fee be paid by a separate cheque if the property is situated within an area under their control. Please contact the appropriate conservation authority.

What happens then?

The Committee of Adjustment office then prepares a Notice of Hearing which among other things describes the details of your requested variance and the date, time and place of the Public Hearing.

A notice sign is to be placed on the subject property by the applicant; as well, the notice is mailed to every owner within 60 m (200 ft.) of the subject lands at least ten days in advance of the Committee Hearing.

The notice is also distributed to all City Departments, Members of Council, other outside agencies, the property owner and the authorized agent (if any).

The applicant or authorized agent may request a copy of staff comments and any other comments received prior to the public hearing.

What happens at the hearing?

At the hearing you or your authorized agent will be required to make a verbal presentation of your case to the Committee. **Please bring a copy of your plans with you to the meeting for your presentation. Plans should be a maximum 11"x17" paper format for the document camera.** Presentations may also be made by any other interested parties in support of or in objection to your application.

The Committee considers all presentations for and against your proposal and renders a verbal decision in the presence of all interested parties at the time of the Public Hearing. An approval of your application may be subject to such conditions and/or restrictions as the Committee deems appropriate.

If an individual wishes to receive a copy of a Committee decision their request must be in writing. A form entitled "Request for Decision" is available at the Hearings or in the Committee of Adjustment Office.

To find out more about a particular application, call us for an appointment to visit our office and review the file.

What happens after the meeting?

A written decision from the Committee will be sent to the applicant, authorized agent and all persons that requested a copy of the decision within ten (10) days from the date of the hearing. At the end of the twenty (20) day appeal period, if there has been no appeal filed, the decision will become final and binding and a notice to this effect will be issued.

Appeal Provisions

The decision of the Committee of Adjustment is subject to appeal within twenty (20) days from the date that the decision is signed. **(Please note: The decision is signed one week following the hearing date).** During the appeal period any person having an interest in the application may file an appeal of the Committee's decision to the Ontario Municipal Board. The notice of appeal is filed with the Secretary-Treasurer of the Committee of Adjustment.

The notice of appeal must be in writing and outline the reasons for the objection. A certified cheque or money order in the amount of **\$125.00** payable to "**The Minister of Finance**" must be included with a notice of appeal form which is available at www.omb.gov.on.ca

An additional separate administration fee of **\$150.00** per appeal and **\$25.00** per appeal for any additional related files to the original appeal is to be submitted to be made payable to the "**Treasurer of City of Mississauga**" (By-law 0429-2008).

The notice of appeal, the fees and all required documents will be forwarded by The Secretary-Treasurer to the Ontario Municipal Board. All further enquiries will be handled through the Ontario Municipal Board staff.

. . .

Website for downloading Committee of Adjustment Information, Forms and Agendas: www.mississauga.ca/committeeofadjustment