

Committee of Adjustment Minor Variance Application

City of Mississauga
300 City Centre Drive
Mississauga ON L5B 3C1

Tel. No.: 905-615-3200 x2408
Fax. No.: 905-615-3950
committee.adjustment@mississauga.ca



Web address for down loading Committee of Adjustment Information, Forms and Agendas:
<https://www.mississauga.ca/council/committees/committee-of-adjustment/>

Effective January 1, 2021, the fee for a minor variance application to the Committee of Adjustment is as follows:

RESIDENTIAL LOW AND MEDIUM DENSITY - driveways, decks, and accessory structures under 16sq.m (excluding detached garages) - other low and medium density residential applications, per application:	\$700.00 \$1200.00
ALL OTHER APPLICATIONS - Non-residential zones, high density residential applications, and non-residential use applications within residential zones, per application:	\$1525.00*
MULTIPLE RESIDENTIAL APPLICATIONS - for the first 10 applications, per application: - in excess of the first 10 applications, per application:	\$1200.00 \$50.00
DEFERRAL FEE - covers the administrative processing cost of providing additional notification of matters that are deferred to a future meeting:	25%-75% of original application fee
* - an additional circulation fee is required where relief is being requested from Table 2.1.2.1.1 of Zoning By-law 0225-2007. The fee will reflect the actual cost of circulation beyond the 60m circulation to the use identified in Table 2.1.2.1.1. The additional circulation fee will be payable before the scheduled meeting.	

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". Conservation Authority fees (if applicable) may only be paid by separate cheque payable to the applicable authority.

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

1. Before submitting your application to the Committee of Adjustment, it is strongly recommended that you consult with Zoning, Planning, Transportation and Works, and the appropriate Conservation Authority (if applicable). It is also advisable to reach out to your neighbours regarding your plans.
2. 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 <https://www.mississauga.ca/publication/parking-studies-terms-of-reference/> or parkingstudy.review@mississauga.ca. 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.
3. All additional materials (letter of use, Parking Utilization Study/Letter, etc) should be included in the original submission package or staff may not have sufficient time to review it prior to the hearing which may lead to deferral of the application.
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 date.
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.
6. 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 or if one of multiple owners is submitting the application. This form must be signed by all registered owners.)
- Permission to Enter Form (all sections must be completed)
- Posting of Advisory Sign Form (all sections must be completed)
- One (1) copy of a sketch/plan on 11" x 17" or smaller paper must be provided for copying purposes for applications submitted in person. One (1) digital copy of all sketches/plans must be provided to the Committee Office via email or USB. All plans shall show the following, where applicable:
 - 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: It is recommended that applicants review their application with representatives of any appropriate commenting agencies, however it is noted that the Committee of Adjustment will make a decision on the merits of the application.

Planning and Building Department [eplans.devdes@mississauga.ca]
Transportation and Works Department [905-615-3200 ext.5833]
Heritage Planning [905-615-3200 ext.4061 or heritage.planning@mississauga.ca]
The appropriate Conservation Authority
The Region of Peel, Public Works Department [905-791-7800]

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.2408



Committee of Adjustment

300 City Centre Dr
Mississauga, ON
L5B 3C1
Tel. No. 905-615-3200x2408
Fax No. 905-615-3950

MINOR VARIANCE

Chair:	S. Patrizio
Vice Chairs:	D. George
	D. Kennedy
	J. Page
	W. Shahrukh
	D. Cook
	J. Kwast
Secretary-Treasurer:	Sean Kenney

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 must complete the “Application for Minor Variance” form in full and submit the completed form along with the appropriate drawings meeting the minimum requirements set out in the Minor Variance Application Checklist on page 2. If you are acting as an agent for the purposes of the application, the Appointment & Authorization form is required to be signed by all registered owners of the property. Applications can be submitted:

In person (by appointment via our webpage) at the Clerk’s Office, 300 City Centre Drive, 2nd Floor
OR

By email to cofa.applications@mississauga.ca

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 Local Planning Appeal Tribunal (LPAT). 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 must be included with a notice of appeal form which is available at www.elto.gov.on.ca/tribunals/lpat/forms. It is highly recommended to confirm the fee with LPAT prior to submission.

An additional separate administration fee of \$300.00 per appeal is to be submitted to be made payable to the "Treasurer of City of Mississauga".

The notice of appeal, the fees and all required documents will be forwarded by The Secretary-Treasurer to the LPAT. All further enquiries will be handled through the Local Planning Appeal Tribunal (LPAT) staff.

. . .



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 Address & Legal Description (e.g. 123 Street Drive & Lot A, Plan M-1234)

2.0 Has the subject property been the subject to an applicant initiated site specific by-law amendment within the past two years?
No <input type="checkbox"/> Yes <input type="checkbox"/>
If yes, has Council approval to permit this application been obtained? Yes (attach) <input type="checkbox"/> No* <input type="checkbox"/> *Council approval must be obtained before this application can be filed.

3.0 Conservation Authority Review Information
Is the property within the regulated area of a Conservation Authority?
Yes* <input type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/> (as determined by the relevant Conservation Authority)
*If yes, a <u>separate cheque</u> made payable to the Conservation Authority must be provided at the time of application or an email from the appropriate authority waiving the fee must be provided. Permits issued by the authority are not sufficient to waive this fee.

4.0 Applicant Information
Property Owner:
Address: _____ City: _____ Postal Code: _____
Phone: _____ Fax: _____
Email: _____

5.0 Authorized Agent Information
Authorized Agent:
Address: _____ City: _____ Postal Code: _____
Phone: _____ Fax: _____
Email: _____

6.0 Purpose of Application (Check all that apply)

New Build (House) Addition Accessory Structure Driveway Parking Change of Use Other

If other, please specify:

7.0 Relief Required from the Zoning By-law
 (Please identify the relief you are requesting and the relevant Zoning By-law standard/requirement. If additional space is required, attach a separate sheet/letter.)

Provision:	Proposed:	Requirement:
E.g. Interior Side Yard	0.90m	1.20m

8.0 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.)

9.0 Dimensions of the subject property
 (This is for the entire property, not a portion of the property that may be the subject of the application)

Lot Frontage (metres/ feet):

Lot Depth (metres/feet):

Lot Area (m², ft², hectares, acres):

10.0 Land Use, Official Plan and Zoning By-law Designation
Official Plan Designation ¹ (e.g. Residential Low Density, Commercial, Employment)
Zoning By-law Designation ¹ (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 3 rd Floor of City Hall to identify the Official Plan Designation and Zoning By-law Designation or online at www.mississauga.ca/portal/residents/officialdocuments

11.0 Details of all building(s) and structure(s) on the subject land. Please specify:		
	Existing	Proposed
a) type of building(s) or structure(s)		
b) gross floor area or dimensions of the building(s) or structure(s)		
c) the front and rear yard setbacks		
d) side yard setbacks		
e) height of the building or structure		

12.0 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:

13.0 Municipal services & access 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:		
Municipal Road <input type="checkbox"/>	Private Road <input type="checkbox"/>	Provincial Highway <input type="checkbox"/>	Other <input type="checkbox"/>
If other, please specify by what means:			

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 Plan Approval	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.
Pre-Application Zoning Review	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.
Previous Consent/Minor Variance Applications	Yes <input type="checkbox"/>	No <input type="checkbox"/>	File No.

DECLARATION OF OWNER OR AUTHORIZED AGENT

I, _____ 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. 2408.

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
TO BE SIGNED BY ALL REGISTERED OWNERS OF THE PROPERTY

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

_____ (Property 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.



VARIANCE ACKNOWLEDGEMENT

Please indicate how you have obtained your Zoning Review (circle one):

Building Permit Site Plan Approval Pre-Application Zoning Review Occupancy/Zoning Certificate

Other*: _____

*Please note that a complete Zoning review is not completed through the Committee of Adjustment process. It is the applicant/agent's responsibility to ensure that a complete Zoning review has been completed prior to filing this application.

I, _____,
(Applicant/authorized agent's name)

acknowledge that it is my responsibility to ensure that all required variances for the project located at

(Property address)

have been identified and listed on this form correctly, and that any errors may result in: delays in processing, deferral fees, the inability to obtain other approvals, and/or a requirement for a second application (including the full application fee and any other associated fees).

Dated this _____ day of _____ 20____.

Signature of owner or authorized agent

Please print name



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. 2408.

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,

Sean Kenney
Manager of Vital Statistics and
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)

Date

Signature of Owner or Authorized Agent

Name of Signatory (Please Print)

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

E-mail: _____ (Please Print)

Fax: _____ (Fax Number)

Pick-Up: _____ (Phone Number)

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

**Conservation Authority
Fee Collection Form**

**CITY OF MISSISSAUGA
Committee of Adjustment**
300 City Centre Drive, 2nd Floor
MISSISSAUGA ON L5B 3C1
Tel. 3-1-1
FAX 905-615-3950

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

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

Check (√) relevant Conservation Authority:

Toronto and Region Conservation Authority

101 Exchange Avenue, Vaughan, Ontario L4K 5R6, 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

Conservation Halton

2596 Britannia Road West, Burlington, Ont., L7P 0G3, 905-336-1158, E-mail: admin@hrca.on.ca

Hearing 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 a separate cheque made payable to the **Toronto and Region Conservation Authority** or **Credit Valley Conservation** or **Conservation Halton**.

APPLICATION TYPE	"(√)" IF APPLICABLE	PRELIMINARY FEE	FEE AMOUNT PROVIDED
Consent/Severance		\$ 2,261.00 HRCA \$ 725.00 CVC \$ 1400.00 TRCA	
Minor Variance		\$ 265.00 HRCA \$ 310.00 CVC \$ 580.00 TRCA (residential) \$1100.00 TRCA (all other uses)	

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: _____