



Hamilton

Committee of Adjustment

City Hall, 5<sup>th</sup> Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

### APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

Please see additional information regarding how to submit an application, requirements for the site sketch and general information in the Submission Requirements and Information document.

#### 1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owner(s)			Phone:
			E-mail:
Applicant(s)			Phone:
			E-mail:
Agent or Solicitor			Phone:
			E-mail:

Please include contact person's name if applying as a company or organization.

1.2 Primary contact Applicant Owner  
Agent/Solicitor

1.3 Sign should be sent to Applicant Owner  
Agent/Solicitor

1.4 Request for digital copy of sign Yes\* No  
 If YES, provide email address where sign is to be sent

1.5 All correspondence may be sent by email Yes\* No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

1.6 Payment type In person Credit card over phone\*  
Cheque

\*Must provide phone number above

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

## 3. PURPOSE OF THE APPLICATION

**Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled**

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Additional Dwelling Unit

Reconstruction of Existing Dwelling

3.2 Why it is not possible to comply with the provisions of the By-law?

3.3 Is this an application 45(2) of the Planning Act.

Yes

No

If yes, please provide an explanation:

## 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands (in metric):

Lot Frontage	Lot Depth	Lot Area	Width of Street

4.2 Location of all buildings and structures on or proposed for the subject lands:  
 (Specify distance from side, rear and front lot lines in metric)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

4.3. Particulars of all buildings and structures on or proposed for the subject lands. All dimensions to be provided in metric (m, m<sup>2</sup> or ha); attach additional sheets as necessary.

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

4.4 Type of water supply: (check appropriate box)  
 publicly owned and operated piped water system  
 privately owned and operated individual well

lake or other water body  
 other means (specify)

4.5 Type of storm drainage: (check appropriate boxes)  
 publicly owned and operated storm sewers  
 swales

ditches  
 other means (specify)

- 4.6 Type of sewage disposal proposed: (check appropriate box)  
 publicly owned and operated sanitary sewage  
 privately owned and operated individual septic system  
 other means (specify)
- 4.7 Type of access: (check appropriate box)  
 provincial highway  
 municipal road, seasonally maintained  
 municipal road, maintained all year  
 right of way  
 other public road
- 4.8 Proposed use(s) of the subject property (single detached dwelling, duplex, retail, factory etc.):
- 4.9 Existing uses of abutting properties (single detached dwelling, duplex, retail, factory etc.):

**5. HISTORY OF THE SUBJECT LAND**

- 5.1 Date of acquisition of subject lands:
- 5.2 Previous use(s) of the subject property: (single detached dwelling, duplex, retail, factory etc)
- 5.3 Existing use(s) of the subject property: (single detached dwelling, duplex, retail, factory etc)
- 5.4 Length of time the existing uses of the subject property have continued:
- 5.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable):

Rural Settlement Area:

Urban Hamilton Official Plan designation (if applicable)

Please provide an explanation of how the application conforms with the Official Plan.

- 5.6 What is the existing zoning of the subject land?
- 5.7 Has the owner previously applied for relief in respect of the subject property?  
 (Zoning By-law Amendment or Minor Variance)

Yes No

If yes, please provide the file number:

5.8 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

No

If yes, please provide the file number:

**6. ADDITIONAL INFORMATION**

6.1 Number of Dwelling Units Existing:

6.2 Number of Dwelling Units Proposed:

6.3 Additional Information (please include separate sheet if needed):

## 7. COMPLETE APPLICATION REQUIREMENTS

### 7.1 All Applications

Application Fee

Site Sketch

Complete Application form

Signatures Sheet

### 7.2 Other Information Deemed Necessary

Cover Letter/Planning Justification Report

Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance

Minimum Distance Separation Formulae (data sheet available upon request)

Hydrogeological Assessment

Septic Assessment

Archeological Assessment

Noise Study

Parking Study

**8. OWNER AUTHORIZATION**

One authorization (if applicable) must be completed for every owner registered on title at the time of application.

**8.1 Owner(s) Authorization (Person(s))**

As of the date of this application, I (Name) am the registered Owner(s) of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize (Name of Agent) of (Name of Agent Company) to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE SIGNED

**8.2 Owner(s) Authorization (Corporation)**

As of the date of this application, I (Name) having signing authority for (Name of Corporation), that is the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize (Name of Agent) of (Name of Agent Company) to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE SIGNED

**9. ACKNOWLEDGEMENTS**

Acknowledgements may be signed by the owner(s) or the owner’s authorized agent as noted above. Initial beside each item and sign below.

9.1 I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application. Initials

9.2 I acknowledge that all information submitted with the application or during the processing of the application is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all Planning Act applications and supporting documentation submitted to the City. The City of Hamilton is permitted to make the application and any associated supporting information available to the general public, including posting electronic versions of the application form and associated studies and reports online. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1st floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284. Initials

- 9.3 I acknowledge that the members of the Committee of Adjustment and members of staff of the City of Hamilton may enter the subject lands for the limited purposes of evaluating the merits of this application. Initials
- 9.4 I acknowledge that a sign is required to be posted on the subject lands, clearly visible and legible from a public highway (road). The sign must be posted no later than 14 days before the Hearing for consents, and no later than 10 days before the Hearing for minor variances. I acknowledge that the sign will remain posted and visible until after the Hearing. Failure to post the sign in accordance with the requirements may result in a deferral of the application. Initials
- 9.5 I acknowledge that it is a policy of the City of Hamilton that any City costs associated with an appeal to the Ontario Land Tribunal, by a party other than the Applicant, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, minor variance, and/or any other development application under the *Planning Act*, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Applicant. I acknowledge and agree that a Cost Acknowledgment Agreement may be required to be filed in this event. Questions about this agreement should be directed to [cofa@hamilton.ca](mailto:cofa@hamilton.ca).  
Initials

NAME

DATE

SIGNED

**10. AFFIDAVIT OR SWORN DECLARATION**

This declaration must be sworn before a Commissioner of Oaths.

I, \_\_\_\_\_ of the \_\_\_\_\_, in the \_\_\_\_\_ solemnly declare that:

All of the above statements and information submitted with the 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.

Sworn (or declared) before me

at the \_\_\_\_\_

in the \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
A Commissioner, etc.

\_\_\_\_\_  
Owner/Agent, etc.