

**MINOR VARIANCE APPLICATION**  
**COMMITTEE OF ADJUSTMENT**  
 Development Services Department  
 8 Carleton St South  
 Thorold, ON L2V 5C2  
 905-227-6613

<b>Office Use Only</b>				
File #		Date reviewed		Pre-consultation

**Instructions for Submission and Process**

**Date received:**

**1. Application**

The application should be fully completed by the owner or agent. If a section is not applicable or unknown, please indicate in the relevant field.

**2. Required Sketch**

As provided for in Ontario Regulation 200/96 (Selected Planning Act Regulations) and as required by the City of Thorold, an application shall be accompanied by two (2) paper copies (11" x 17") of a sketch (in metric units), to scale, and one (1) digital file (USB or email) showing the information set out below;

- The boundaries and dimensions of the subject land;
- Graphic scale & north arrow;
- The location, size & type of all existing & proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, the rear yard lot line and the side yard lot lines;
- The approximate location of all natural and man-made features, e.g. buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks, parking spaces/areas, swimming pools, that,
  - (i) are located on the subject land and on the land that is adjacent to it; and
  - (ii) in the applicant's opinion, may affect the application;
- The current uses of land adjacent to the subject land, e.g. residential, agricultural or commercial;
- 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;
- If access to the subject land will be by water only, the location of the parking and boat docking facilities to be used;
- The location and nature of any easement affecting the subject land.

**3. Notice Application Signage**

To be posted on the subject lands for ten (10) days prior to the hearing.

- a. As per the Planning Act, it is the responsibility of the applicant/agent to post a Minor Variance sign on the property at least ten (10) days prior to the hearing date. The sign will be available for pick up at Development Services. The City will supply the Public Notice sign and wooden post. A declaration signed in front of a Commissioner of Oaths stating you will post the sign

during the required dates will be required. A photograph of the posted sign is to be provided to the Secretary Treasurer.

- b. It is your responsibility to ensure that the sign is clearly visible and legible from a public highway, or other place to which the public has access for the ten (10) day duration. Please contact the Secretary Treasurer if you require a replacement sign.
- c. Please note that failure to post the Notice as set out above would result in a deferral of the application and restarting may be subject to all applicable adjournment / recirculation fees.
- d. The Notice of Hearing will be circulated by mail to all subject properties within 60 metres of the subject property, as well as City of Thorold departments and external agencies for comments at least fourteen (14) days prior to the hearing.

**4. Public Hearing**

Representation, in-person or virtual, is required at the hearing at the scheduled date and time. If you are unable to attend, it is recommended that you have an agent represent you or ask for a withdrawal/postponement.

After hearing all presentations and comments, the Committee will deliberate and then make a decision to approve, approve with conditions, deny or defer its decision for to a later date.

**5. Notice of Decision**

The Notice of Decision will be sent to the agent and applicant and any individual who has requested a copy or attended the hearing and requested. The Notice will also be publicly posted on the City’s website. The decision may be appealed within twenty days of making the Notice of Decision.

**6. Decision with Conditions**

If there is a condition(s) of approval the applicant must satisfy the condition(s) prior to obtaining building permit, if a permit is required for construction.

**Applicant Checklist**

**IS YOUR APPLICATION COMPLETE?**

- One completed and executed copy of this application form is to be filed for each subject property. Commissioner services are available via the Secretary Treasurer.
- Required copies of the preliminary drawing.
- Supporting studies or reports previously identified through pre-consultation (i.e. Noise Impact Study, Planning Justification Report, etc.)
- Applicable application fee in cash by cheque made payable to the City of Thorold at Development Services.
- Any required review fees for the Region or NPCA made payable to the applicable agency.
- Please contact the Secretary Treasurer to set up an appointment to submit the application at 905-227-6613, extension 259 or via email at [Planning@thorold.ca](mailto:Planning@thorold.ca).
- Confirm availability to pick up and post sign on subject property at least ten (10) days prior to hearing and return of Sign Posting Declaration form:

\_\_\_\_\_



## Application for Minor Variance or Permission Under Section 45 of the Planning Act

<b>1. SUBJECT PROPERTY</b>			
Municipal Address	Assessment Roll Number		
Legal Description			
Date subject lands acquired	Lot area (metric)	Lot Frontage (metric)	Lot depth (metric)
Description of any existing easements or restrictive covenants affecting the subject land, if applicable:			

<b>2. CONTACT INFORMATION</b>			
Name of registered owner(s)		Company Name	
Mailing address		Unit Number	Postal Code
Province	Email	Telephone	
Name of authorized agents(s)		Company Name	
Mailing address		Unit Number	Postal Code
Province	Email	Telephone	
Name of lawyer(s)		Company Name	
Mailing address		Unit Number	Postal Code
Province	Email	Telephone	
Contact for all future correspondence <input type="checkbox"/> Registered Owner <input type="checkbox"/> Agent <input type="checkbox"/> Lawyer			

**3. OFFICIAL PLAN AND ZONING INFORMATION**

Niagara Region Official Policy Plan designation

City of Thorold Official Plan designation

City of Thorold Zoning By-law designation

**4A. NATURE & EXTENT OF RELIEF**

Minor variance                       Legal non-conforming use                       Conforming use

Provide a brief description of nature and extent of relief from the Zoning By-law that is being requested:

**4B. REASONS RELIEF IS BEING REQUESTED**

Provide a brief description of why it is not possible to comply with the provisions of the Zoning By-law:

<b>5A. EXISTING BUILDING, STRUCTURES AND USES (if applicable)</b>				
Please identify the existing use(s) of the subject land and the length of time the existing use(s) have continued:				
Type of building or structure				
Construction date				
Existing use(s)				
Time the existing use(s) have continued				
Front setback (m)				
Rear setback (m)				
Side yard setback (m)				
Side yard setback (m)				
Height (m)				
Number of Storeys				
Gross floor area (m <sup>2</sup> )				
Lot coverage (m <sup>2</sup> )				

<b>5B. PROPOSED BUILDING, STRUCTURES AND USES</b>				
Please identify the proposed use(s) of the subject land:				
Type of building or structure				
Construction Date				
Proposed use(s)				
Time the existing use(s) have continued				
Front Setback (m)				
Rear setback (m)				
Side yard setback (m)				
Side yard setback (m)				
Height (m)				
Number of Storeys				
Gross floor area (m <sup>2</sup> )				
Lot coverage (m <sup>2</sup> )				

<b>6. ACCESS &amp; SERVICING</b>		
<b>Select all means of access that apply</b>		
<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Municipal Road maintained seasonally	<input type="checkbox"/> Right-of-Way
<input type="checkbox"/> Regional Road	<input type="checkbox"/> Other Public Road	<input type="checkbox"/> By water only
<input type="checkbox"/> Municipal Road maintained all year	<input type="checkbox"/> Private Road	
If access to the land is by water only, the parking & docking facilities to be used & the approximate distance of these facilities from the land & the nearest public road:		
<b>Water supply provided by</b>	<b>Sewage disposal provided by</b>	<b>Storm drainage provided by</b>
<input type="checkbox"/> Publicly owned & operated piped water system	<input type="checkbox"/> Publicly owned & operated sanitary sewage system	<input type="checkbox"/> Sewers
<input type="checkbox"/> Privately owned & operated individual or communal well	<input type="checkbox"/> Privately owned & operated individual or communal septic system	<input type="checkbox"/> Ditches
<input type="checkbox"/> Lake or other water body	<input type="checkbox"/> Other (specify):	<input type="checkbox"/> Swales
<input type="checkbox"/> Other (specify):		<input type="checkbox"/> Other (specify):

<b>7. PREVIOUS AND CONCURRENT APPLICATIONS</b>					
<b>Has the subject land ever been the subject of an application under Section 45 of the <i>Planning Act</i>, R.S.O. 1990? If 'Yes,' please provide a file number if known.</b>					
Minor variance	<input type="checkbox"/> Yes	File Number	Status	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Legal non-conforming use	<input type="checkbox"/> Yes	File Number	Status	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Conforming use	<input type="checkbox"/> Yes	File Number	Status	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<b>Is the subject land subject to a concurrent application under the Act for approval of a Plan of Subdivision or a Consent? If 'Yes', fill out below.</b>					
<input type="checkbox"/> Yes		<input type="checkbox"/> No		<input type="checkbox"/> Unknown	
<b>Application type</b>	<b>File Number</b>		<b>Status</b>		

**AUTHORIZATIONS**

If the applicant is not the owner of the subject land that is the subject of this application, please complete the authorizations set out below. If the owner is a company / corporation, indicate the authority of the signer, e.g. president, signing authority, has authority to bind the corporation etc.

**Consent of the Owner to the Use and Disclosure of Personal Information**

Complete the consent of the owner concerning personal information set out below.

I, \_\_\_\_\_,  
*Print name of registered owner(s)*

am the registered owner of the subject land that is the subject of this application and 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:

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature of Registered Owner(s)*  
*(I have the authority to bind the corporation.)*

**Authorization of Owner for Agent to Make the Application and Provide Personal Information**

I, \_\_\_\_\_,  
*Print name of registered owner(s)*

am the registered owner of the land that is the subject of this application and for the purposes of the Freedom of Information and Protection of Privacy Act I authorize:

\_\_\_\_\_ to act as my agent for this application,  
*Print name of authorized agent*

and provide any of my personal information that will be included in this application or collected during the processing of the application to the City of Thorold Committee of Adjustment for consent to convey an interest in the land in accordance with Subsection 1 of Section 53 of the Planning Act, R.S.O., 1990.

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature of Registered Owner(s)*

**Agreement to Permit Entrance to Land**

I am the Registered Owner and/or the Authorized Agent of the subject land and I agree to allow City of Thorold staff and / or Committee Members and / or related agency staff the right to enter onto the land, as necessary, to assess and photograph the land for the proposal. I acknowledge that failure to allow access onto the land may result in this application being considered incomplete.

\_\_\_\_\_

Date

\_\_\_\_\_

Print name of Registered Owner(s) or Authorized Agent

\_\_\_\_\_  
Signature of Registered Owner(s) or Authorized Agent

**Affidavit or Sworn Declaration**

To be signed and witnessed in the presence of a Commissioner for Taking Affidavits:

I, \_\_\_\_\_,  
Print name of registered owner(s) or authorized agent

of the \_\_\_\_\_ in the Province of \_\_\_\_\_,  
municipality (town, city, etc.)

solemnly declare that the information contained in this application is true and that the information contained in the documents that accompany this application is 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.

\_\_\_\_\_  
Signature of Registered Owner(s) or Authorized Agent

**For Secretary Treasurer**

DECLARED before me at the \_\_\_\_\_ in the \_\_\_\_\_  
lower tier municipality upper tier municipality

on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

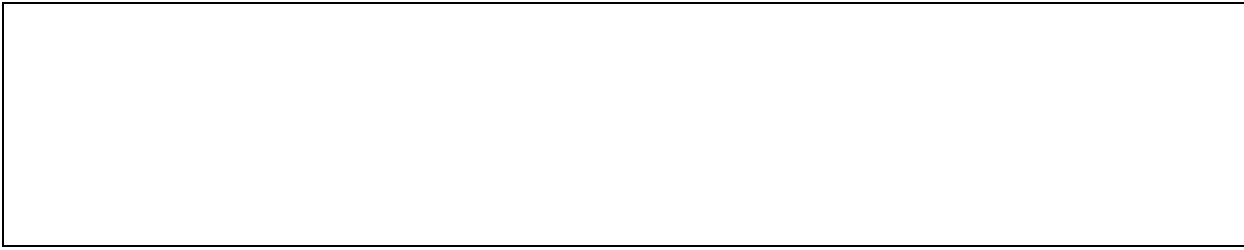
\_\_\_\_\_  
A Commissioner, etc.

**Note:** Personal information collected on this application will become part of a public record.

Any questions regarding this collection should be directed to the City Clerk.

City Clerk, City of Thorold  
3540 Schmon Parkway, P.O. Box 1044  
Thorold, Ontario L2V 4A7  
Telephone: 905-227-6613  
Fax: 905-227-5590

**AUTHORIZATION By Ontario Land Surveyor Location of Subject Lands**



I, \_\_\_\_\_, who has prepared, dated and signed a preliminary sketch for the registered owner(s) of the above referenced lands, hereby authorize the Committee of Adjustment for the City of Thorold to photocopy said sketch for circulation purposes of the above referenced consent application, as required.

Dated at the \_\_\_\_\_ in the \_\_\_\_\_  
*lower tier municipality* *upper tier municipality*

on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Signature of Surveyor