

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



Tel. No. 905-896-5000
Fax. No. 905-615-3950

Web address for down loading Committee of Adjustment Information, Forms and Agendas:
www.mississauga.ca/committeefadjudgment

MINOR VARIANCE APPLICATION

APPLICATION INFORMATION SHEET

Effective January 1, 2010, the fee for a minor variance application to the Committee of Adjustment is as follows:

RESIDENTIAL - residentially zoned properties, per application:	\$500.00
MULTIPLE RESIDENTIAL APPLICATIONS - for the first 10 applications, per application:	\$500.00
- in excess of the first 10 applications, per application:	\$50.00
ALL OTHER APPLICATIONS - All other Zoning By-law categories and non-residential use applications within residential zones, per application:	\$800.00

The application fee is payable at the time an application is submitted. Fees may be paid by cash, cheque, Visa, Mastercard, Amex or debit card. If the fee is being paid by cheque, the cheque must be made payable to: **"Treasurer of the City of Mississauga"**

Note: 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.

Note: **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.

**A DEVELOPMENT CHARGE MAY BE PAYABLE BEFORE
THE ISSUANCE OF A BUILDING PERMIT.**

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

NOTE: 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.

SUBMISSION FOR AN APPLICATION SHALL CONSIST OF THE FOLLOWING:

1. Application Fee
2. One (1) completed original "Application for Minor Variance" Form **AND** one (1) additional copy of the completed form.

NOTE: All questions on the application form must be answered.
Incomplete applications shall be returned to the applicant.

3. "Appointment and Authorization" Form
4. "Representation" Form
5. "Permission to Enter" Form.
6. "Posting of Advisory Sign" Form
7. Two (2) copies of a sketch (11" X 17" or smaller) otherwise ten (10) copies of a (**FOLDED**) site plan are required.
 - (a) Plans must show lands owned by applicant outlined in red colour.
 - (b) the boundaries and dimensions of the subject lands
 - (c) 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**)
 - (d) 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.
 - (e) the current uses on the land that is adjacent to the subject land.
 - (f) 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.
 - (g) the location and nature of any easements affecting the subject land.

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)-896-5000**

Committee of Adjustment

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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.

a) Name of Property Owner _____
Address _____ Tel. No. ____ -- ____ -- ____
_____ Fax. No. ____ -- ____ -- ____
E-Mail Address: _____

b) Name of authorized agent _____
Address _____ Tel. No. ____ -- ____ -- ____
_____ Fax. No. ____ -- ____ -- ____
E-Mail Address: _____

2. Current Official Plan designation of the subject lands: _____

3. Current Zoning By-law designation of the subject lands: _____

4. Nature and extent of the relief from the Zoning By-law being applied for: (be specific)

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

6. Legal description of subject lands (municipal address, lot and registered plan and/or assessment roll number):

7. Dimensions of subject property (metric units):
Lot Frontage _____ , Lot Depth _____ , Lot Area _____
8. The existing use for the subject land: _____
9. The proposed uses for the subject land: _____
10. 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: _____
11. Particulars of all buildings and structures on the subject land: (Specify: i) type of structure, ii) gross floor area or dimensions of the structure, iii) the front , rear and side yard setbacks, iv) height of the structure)

12. Particulars of all buildings and structures proposed for the subject land: (Specify: i) type of structure, ii) gross floor area or dimension of the structure, iii) the front, rear and side yard setbacks, iv) height of the structure)

13. The date the subject land was acquired by the current owner: _____
14. The date the existing buildings and structures were constructed on the subject land: _____
15. The length of time the existing uses of the subject land have continued: _____
- 16.a. Has the Conservation Authority reviewed the proposed minor variance as it applies to the subject land?:
Yes No Not Applicable (as determined by the relevant Conservation Authority)
- b. Has the Conservation Authority review fee been paid? Yes No



Representation Form

Only representatives whose names are included on the Law Society's Paralegal Candidate Directory, or those who are exempt or excluded from the licensing requirements are permitted to appear at the Committee of Adjustment. The Committee of Adjustment requires all representatives to provide information about their licensing status. For further information, please consult the Law Society's website at www.lsuc.on.ca.

Subject Property Address: _____

Property Owner: _____

Representative (if applicable): _____

Representative Mailing Address: _____

Representative Phone Number: _____

Please complete one (1) of the following three (3) sections as applicable:

Section 1:

<input type="checkbox"/>	I am a Lawyer or licenced Paralegal (Please provide your Law Society of Upper Canada ID. Number)	ID No. _____
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Section 2:

I am or my organization is exempt from the paralegal licensing requirements of the *Law Society Act* because I am (please check the exemption that applies to you):

<input type="checkbox"/>	acting for myself (self represented property owner)
<input type="checkbox"/>	an in-house legal services provider acting for an employer who: <ul style="list-style-type: none"> - is employed by a single employer that is not a licensee or a licensee firm - provides the legal services only for and on behalf of the employer, and does not provide any legal services to any other person other than the employer.
<input type="checkbox"/>	an employee of legal clinics funded by Legal Aid Ontario
<input type="checkbox"/>	a constituency assistant working in MPP Office, MP Office or I am a member of a Municipal Council office
<input type="checkbox"/>	an articling student
<input type="checkbox"/>	An employee of a Government funded not-for-profit organization

Section 3:

I am exempt from the paralegal licensing requirements of the *Law Society Act* and am providing legal services only on occasion and I am (please check the exemption that applies to you):

<input type="checkbox"/>	acting for a family, friend or neighbour for no compensation
<input type="checkbox"/>	a member of the Ontario Professional Planners Institute
<input type="checkbox"/>	a member of the Appraisal Institute of Canada
<input type="checkbox"/>	a member of Human Resources Professionals Association of Ontario
<input type="checkbox"/>	a member of the Canadian Society of Professionals in Disability Management
<input type="checkbox"/>	a member of the Board of Canadian Registered Safety Professionals

I, _____ certify that the above information is true.
(print applicant or representative name)

(applicant or representative signature) (date) see back page.....

If you are unsure about your exemption status, please contact the Law Society of Upper Canada. If you are representing a party, you must provide written confirmation from the party that you have been given their authorization to represent them in these proceedings.

Personal information on this form is collected under the authority of the Law Society Act. The information will be used for 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.



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)

(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)

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) 896-5000.

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: _____ (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**

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. 905-896-5000
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		\$ 150.00 HRCA \$ 250.00 CVC \$ 690.00 TRCA	
Minor Variance		\$ 100.00 HRCA \$ 150.00 CVC \$ 345.00 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:** _____



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MINOR VARIANCE

Chair: S. Patrizio
Vice Chair: D. George
R. Bennett
G. Maloney
B. Butt
J. Thomas
C. L. Vun

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 a representative of the property owner to present the application at the public meeting, the representative form is required.

The application package is available at:
The Committee of Adjustment Office
Mississauga Civic Centre
300 City Centre Drive
Telephone: 905-896-5000

How much will it cost?

Effective January 1, 2010, the processing fee for an application to the Committee of Adjustment is as follows:

RESIDENTIAL APPLICATIONS: \$500.00

Additions and Alterations to existing dwellings and the construction of new dwellings.

MULTIPLE RESIDENTIAL APPLICATIONS: \$500.00 each (1-10) + \$50.00 ea. additional after 10

(Note: all applications must be similar in nature to qualify)

ALL OTHER APPLICATIONS: \$800.00

(Commercial Zoning, Industrial or Employment zoning, Development zoning etc., non-residential uses in Residential zones).

The application fee is payable at the time an application is submitted. Fees made be paid by cash, cheque, Visa, Mastercard, AMEX or debit card. If the fee is being paid by cheque, the cheque must be made payable to: "**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 staff 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 representative will be required to make a verbal presentation of your case to the Committee. 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, agent, representative 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.

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