



## Application Package

**Evidence must be provided in this application that the use has continued uninterrupted until the date of the application to the Committee**

### **Section 45(2) Other Powers - Non Conforming Uses**

- (a)(i) To Enlarge or Extend a Use**
- (a)(ii) To Permit a Similar or More Compatible Use**
- (b) To Permit a Conforming Use**

Amended May 2010

**STEP 1:** Pre-consultation with Planning Staff (at no cost to you) is mandatory under the Provincial Planning prior to submitting an application. Detailed sketches and occasionally a survey with dimensions and elevations may be necessary. Other details mandated by Provincial Regulation are included in the application form. Finalize the drawings and a draft of the application. Include a brief written explanation of the purpose for filing the application. The applicant is responsible to file a complete application. Staff may not complete an application on behalf of an applicant. Please call ahead to ensure a Planner is available to assist you.

**STEP 2:** Once the review is completed and you decide to file, you will then submit the finalized application, along with the required fee prior to the cut-off date deadline. An application is only considered complete when all sections of the application pertaining to your proposal are filled out including the Official Plan and Zoning review and all related information drawings, survey (if required) and has been properly signed and Commissioned. Payment shall be made at time of application submission. The City accepts Cheques (made payable to "Corporation of the City of Kingston"), Debit, Credit Card or Cash. Fees are non-refundable regardless of the decision by the Committee or Consent Authority.

**STEP 3:** An application received by the Planning and Development Department does not guarantee that your proposal will be put on the next agenda. A letter of acknowledgement will be sent to you that will include the meeting date once the application is deemed complete and accurate. From time to time a detailed review of an application after it has been filed will identify further information that may be required by the staff, the Committee, or the Consent Authority. Staff will contact you should additional information be required.

**Application Forms, Official Plans and Zoning By-Laws are now available on-line for download at [www.cityofkingston.ca](http://www.cityofkingston.ca)**

**Official Plan Documents** <http://www.cityofkingston.ca/business/development/planning/officialplan/index.asp>  
**Zoning By-Laws** <http://www.cityofkingston.ca/cityhall/bylaws/zoning/index.asp>

If you have any questions, contact the Planning and Development Department, by phone 613-546-4291 ext. 3180 or by fax 613-542-9965 or by e-mail [tstratford@cityofkingston.ca](mailto:tstratford@cityofkingston.ca) or [tfisher@cityofkingston.ca](mailto:tfisher@cityofkingston.ca).

## **COMMITTEE OF ADJUSTMENT APPLICATION TIPS AND INFORMATION**

The following tips are meant to be helpful to Applicants. The tips are compiled from years of previous experiences encountered by staff and applicants. Experience has determined that if you follow the suggestions offered, fewer problems and delays occur during the process.

### **WHY PROBLEMS OCCUR WITH APPLICATIONS**

The most numerous problems and lengthy delays associated with applications have resulted from applicants rusting to complete and file an application prematurely simply to meet a cut-off date for a meeting, or from not completing pre-consultation before attempting to file.

The Committee of Adjustment and Planning staff will give assistance to an applicant throughout the process but staff is not permitted by the City for obvious reasons, to fill out an application on behalf of an applicant.

Provide a simple, clear, written description and justification for your request and file it with your application. We write the public notice based on the description that you provide. If the information lacks detail or is unclear the notice may be in error or incomplete and this could result in delays and additional costs to process the application.

Carry out Pre-consultation with staff. It is mandatory by the Province, free of cost to you and can resolve difficulties with an application that may come up later in the process causing delays to the applicant.

Before entering into the pre-consultation:

- Prepare an accurate scaled sketch or set of sketches to portray the request. A picture is truly worth a thousand words.
- The sketch must be provided to the Planner in pre-consultation in order that the zoning compliance form can be completed.

Do not rush the application to a meeting cut-off date. Take the necessary time to ensure the application is complete in all respects.

Do not mail an application without consulting first with the Planner and having the zoning compliance form completed.

Even where an application is deemed by staff to be complete, the Committee of Adjustment has the authority to, and has from time to time requested further information and clarification, even at the hearing.

Provide the names of all owners, mortgagors and anyone with an interest in the property – they have a right to notice and comment. City staff is a resource and commenting body to the Committee and cannot represent an applicant at a hearing.

The Committee of Adjustment is a quasi-judicial body appointed by the Council of the City of Kingston. It makes a final decision on an application. No further local review of the decision is or can be made. This is not a political process. The only appeal from a decision is to the Ontario Municipal Board with their fee.

The fees for an application to the Committee of Adjustment are established by the Council and are adjusted on a yearly basis. The fees are payable and non-refundable regardless of the decision of the Committee.

No staff member has the authority to pre-determine a decision of the Committee of Adjustment.

Site inspections are carried out by Committee members and planners. If there are features present that have not been identified by you in the application, your application could be negatively affected. If the sign(s) that is/are provided to you has/have not been posted for the appropriate time and in the appropriate location(s), the Committee may postpone the application until the notice requirements have been met.

The Committee of Adjustment does not set precedent. Each application is unique and each application is considered on its own merit.

This is a public process legislated by the Province of Ontario with notice and signage. All owners according to the last revised assessment roll, within 60 metres (200 feet) of the subject property are notified of the hearing and a summary of the application. The public may comment on the application at the hearing, or appeal the decision during the 20 day appeal period following the hearing. The applicant also may appeal the decision during the appeal period.

If the decision is appealed to the Ontario Municipal Board with the appropriate fee, the Ontario Municipal Board is then seized with the application and will decide whether a new hearing on the application will be held. The Ontario Municipal Board hearing and procedural rules will apply and the application and decision are no longer in the hands of the City of Kingston. The Ontario Municipal Board conducts its hearings in the municipality where the subject property is located. In the case of the City of Kingston the hearings are normally conducted at City Hall, 216 Ontario Street.

### **What Is the Committee of Adjustment**

The Committee of Adjustment is a quasi-judicial body appointed under the authority of the Planning Act that makes a final decision much in the same way as a Tribunal or other formal hearing panel, that is not reviewable by the City Council or any other local body. The only appeal from a decision of the COA is to the Ontario Municipal Board in Toronto.

The COA is appointed by the Council, for the term of the Council (except Council representatives, if appointed, who are appointed annually). The COA has had its powers delegated from the Council and the Minister under the Planning Act.

The COA has the duty under legislation to provide a fair hearing to an applicant and others, therefore, a member of the Committee must hear all of the evidence through an open public hearing. If there have been a series of adjournments that reconvened through to a final decision, only those members who have been present throughout the full series of public hearings may participate in the final decision.

Members must not discuss the matter under consideration with members of the public or the applicant outside of the hearing room, or they may potentially have to disqualify themselves from the balance of the hearing process and participation in the final decision.

### **Application to the Committee of Adjustment**

An application to the Committee of Adjustment is subject to Provincial legislation and Regulations under the Ontario Planning Act. This is a public process whereby the owners within 60 metres (200 feet) of the subject property are notified. The applicant must also post signage (provided by the Committee of Adjustment Office) on the property frontage(s).

Anyone may support or object to the application verbally or in writing to the Committee of Adjustment before or at the hearing. All submissions received by the Committee are considered in reaching a decision. The Committee will make a decision publicly the night of the hearing and a written decision will be provided following the hearing only to the applicant and to those who have made a written request for the decision.

All decisions are final unless appealed.

A written appeal with the fee may be made to the Ontario Municipal Board in Toronto during the statutory appeal period. The applicant will receive a letter at the end of the appeal period stating the results of the appeal period.

The Committee of Adjustment has the authority to require that evidence be given under oath or affirmation and may administer oaths and affirmations under the provisions of the Statutory Powers Procedure Act.

In the best circumstance the total process takes about three (3) months from the cut-off date prior to the meeting date. It can take longer if the application is found to be incomplete, a deferral is encountered, or an appeal is received after the decision.

When a favourable decision is made and the appeal period has passed it is all in the hands of the applicant to complete any conditions within the required time limit. If conditions are not completed on time the application may be deemed to be refused and the applicant will have to file a fresh application with the fee and go through the process again.

### **Application Information Requirement**

The applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require – see Plans Requirements in the application form. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information and the required plans and the fee are received.

### **Plans Requirements**

Because the official acceptance of an application form will commence the statutory time requirements of the appropriate legislation, an application will not be officially accepted until it is **complete** to the satisfaction of the City and all fees have been paid.

We require:

- One copy of the completed, signed and Commissioned application and plans with all of the requirements detailed in the application and measurements must be in metric. If the plans you are submitting are on paper are larger than 8½” x 14”, please submit 1 (one) copy of the plan on 8½” x 14” paper and **fold** your larger plans;
- If you are submitting as an example, a variance for a garage (attached or detached), an addition, a new dwelling, additional dwelling units or application for variance for an increase in height, you must include elevation drawings and detailed floor plans;
- For a commercial, industrial, all multi-residential and other applications please include on your plans the following additional information, (where applicable):
  - ▶ Parking layout
  - ▶ Amenity Area
  - ▶ Parking space sizes
  - ▶ Landscaping

### **Municipal Fees (2006)**

Determine the appropriate fee – see Planner or Secretary Treasurer.

### **Other Fees**

The Health Unit which is circulated for every application that is on private services.

The Cataraqui Region Conservation Authority which is circulated if required where wetlands, watercourses and environmentally sensitive lands are involved also has review fees.

### **Application Form Required**

A separate application form and fee is required for each transaction being requested. Consult with the Planner for further clarification of your specific situation.

### **Number of Copies of Application Required**

One originally signed and commissioned copy for each of the applications required including plans must be filed with the Secretary-Treasurer.

### **Other Contacts**

- Planning and Development Department**  
For comments on a specific application request 546-4291 extension 3215  
For Committee of Adjustment process and procedures 546-4291 extension 3274
- Strategic Planning and Sustainability - Environment City Hall.**  
For all rural applications on private services please discuss well construction standards, and hydrogeological (water quality, quantity and interference) requirements with an **Environmental Engineer**, 546-4291 extension 1368. Draft interim standards are attached to the back of the application form.
- Public Works and Emergency Services - Engineering 1211 John Counter Boulevard**  
For entrance permits Engineering Technician 613-546-4291- extension 3147  
For grading and drainage questions extension 3172
- Utilities Kingston Technical Services 1211 John Counter Boulevard**  
Call ahead and request a severance locate (the **severance locate** is done free of charge) and ensure the information is shown on the survey/site plan provided. Customer technical contact telephone is 613-546-1181 extension 2280.
- Heritage Properties**  
If your site or structure is designated under the Ontario Heritage Act (Heritage Designation) or is a listed property as outlined by the Kingston Municipal Heritage Committee, or is situated beside one of these properties then a Heritage Permit may be required or a review of the property may need to be undertaken prior to submitting your application to the Committee of Adjustment. Customer technical contact 613-546-4291 extension 2176
- The Ministry of Transportation Ontario** – permission for entrance permits where applicable 613-748-5270.  
Application for Permission Under Section 45(2)(a)(i); 45(2)(a)(ii); or 45(2)(b) – September 2009

**Zoning Relief**

Any zoning relief identified by the Zoning Administrator will require either a separate Minor Variance Application, Application for Permission, or Rezoning Application with the appropriate fee.

**Some Conditions May Be Imposed  
Specific to each application.**



**The Corporation of the City of Kingston  
 Planning and Development Department  
 APPLICATION FOR PERMISSION,  
 UNDER SECTION 45(2)(a)(i); 45(2)(a)(ii); or 45(b) OF THE PLANNING  
 ACT, AS AMENDED  
*The information in this application is required under  
 Provincial Regulation O.Reg. 200/96***

**OFFICE USE ONLY**

**DATE RECEIVED (stamp all pages & attachments)**

File Number: \_\_\_\_\_ B- \_\_\_\_\_

Related File Number(s): \_\_\_\_\_

OMB Submission: \_\_\_\_\_

**PART I THE SUBJECT PARCEL OF LAND**

Civic Address: \_\_\_\_\_  
 Assessment Roll No.: \_\_\_\_\_ (from tax bill)  
 Concession No. \_\_\_\_\_, Lot No. \_\_\_\_\_  
 Subdivision Plan No. \_\_\_\_\_, Lot No. \_\_\_\_\_  
 Reference Plan No. \_\_\_\_\_, Part No. \_\_\_\_\_

**No application will be accepted or considered complete without a civic address for the subject property and the assessment roll number from the tax bill\***

Total Lot Area: \_\_\_\_\_ hectares/square metres  
 Depth: \_\_\_\_\_ metres  
 Width (frontage): \_\_\_\_\_ metres  
 Num of Units \_\_\_\_\_, Num of Bedrooms \_\_\_\_\_  
 Existing Use(s): \_\_\_\_\_  
 Proposed Use(s): \_\_\_\_\_

Access to Land by: (Check all applicable)

- Provincial Highway
- Municipal Road (maintained all year or seasonally)
- Other Public Road
- Right-of-Way
- Water Access

Road Access Name (frontage): \_\_\_\_\_

Water Access Name: \_\_\_\_\_

Water Access – distance of dock \_\_\_\_\_ metres

- distance of parking \_\_\_\_\_ metres

Other Frontage (corner lot) \_\_\_\_\_

Nearest Intersection \_\_\_\_\_

**IMPORTANT NOTE:** The subject lands MUST have a civic address. If no civic is assigned, please contact the Planning and Development Department to have a Civic Address assigned @ 613-546-4291 ext 3180

**PART II: REGISTERED OWNER/AGENT INFORMATION**

**2.1 REGISTERED OWNER INFORMATION**

**Name** (All persons with an interest in the subject lands must be identified by the applicant with an address and postal code as the legislation requires that they receive notice. This includes a spouse or partner where there is an interest in law.)

Registered Owner(s): \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Postal Code \_\_\_\_\_

E-Mail \_\_\_\_\_

Date land acquired by current owner \_\_\_\_\_

Communications are to be sent to  Applicant or  Agent

**2.2 AUTHORIZED AGENT/ SOLICITOR**

Agent's Name \_\_\_\_\_

Agent's Firm Name \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Postal Code \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Authorization Letter Attached from Owner  Yes  No.

Note: If this application is signed by an agent on behalf of any applicant(s), all the owners or persons with an interest in the property must be identified and their authorizations must accompany the application. If the applicant is a corporation acting without agent, the application must be signed by an officer of the corporation and the corporation's seal (if any) and the capacity of the person signing must be affixed

**2.3 MORTGAGE/HOLDERS**

Names and addresses of any mortgagees, holders of charges, or other encumbrances:

Name: \_\_\_\_\_

Mailing Address/ P.O. Box \_\_\_\_\_

City, Province \_\_\_\_\_, Postal Code \_\_\_\_\_

**PART III: OFFICIAL PLAN & ZONING BY-LAW INFORMATION**

**HERITAGE DESIGNATION** (**Heritage Impact Study** is required with this application if a property is a or is adjacent to a designated structure)

3.1 Is the land or any structure designated under the Ontario Heritage Act? Yes  No

3.2 Is the subject site a listed property? Yes  No

3.3 Is the subject site adjacent to a listed or designated property? Yes  No

**OFFICIAL PLAN**

3.4 What is the existing **Official Plan designation(s)** of the subject land? \_\_\_\_\_

3.5 Special Policy Area: \_\_\_\_\_

3.6 Does this application **comply** with the Official Plan designation? Yes  No

3.7 If **NO** have you applied for an amendment? Yes  No  If **YES**, please provide amendment no.: \_\_\_\_\_

3.8 Are there any constraints to development or special policies? \_\_\_\_\_

**ZONING**

3.9 **Zoning By-Law:**  76-26 (TK),  97-102 (Cat North)  8499 (CK),  96-259 (Downtown),  32-74 (TP)

3.10 What is the **current Zone** of the subject lands? \_\_\_\_\_

3.11 Has the subject property received permission under Section 45(2) of the Planning Act in the past?

Application Number or Date: \_\_\_\_\_

3.12 **Why can the proposed use not comply with the Zoning By-Law? This explanation is required under Provincial Regulation O.Reg. 200/96 and the application will be considered incomplete without it.**

State a written description of the proposed project and explain why you cannot build within the existing zoning regulations. A full explanation is required. Include any additional information that may be useful in reviewing the application. Use a separate page if necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART IV: OTHER APPLICATIONS & APPLICATION HISTORY**

4.1 Is the owner or his/her authorized agent **applying** for **consents or Minor Variances** on this holding **simultaneously** with this application?

No  Yes  If Yes, explain: \_\_\_\_\_

4.2 If known, whether the subject land is the **subject of any other application under the Planning Act**, such as an application for an amendment to an Official Plan, a Zoning By-law Amendment (rezoning), a Minister's zoning order, consent application (severance), an approval of a plan of subdivision or a consent.

No  Yes

**If the answer is yes** and if known, the file number and status of each application:

\_\_\_\_\_

**PART V: MAIN / PRICIPLE STRUCTURE ON THE SUBJECT LOT**

**MAKE A COPY OF THIS SHEET IF 'MULTIPLE STRUCTURES' ARE PRESENT**

**5.1 Principal Structure/Building**

Is your structure/building a:

- ⇒ Single Unit (not attached)
- ⇒ Attached to another unit by common party wall (example: Semi-detached, townhouse, rowhouse, under individual and separate ownership)
- ⇒ A multi-family dwelling (multiple units contained within the walls of a single dwelling under one or more ownership)
- ⇒ Apartment complex, etc
- ⇒ Industrial or Commercial use
- ⇒ Other: \_\_\_\_\_

**5.2 PRINCIPLE / MAIN STRUCTURE DETAILS: (RESIDENTIAL/COMMERCIAL/INDUSTRIAL)**

	Existing Principle Structure/Area (if any)	New Structure/Addition or Enlargement/Reduction of Area	Total Structure Proposed (existing + additions)
Date Constructed or to be Constructed:			
Date Current Use(s) have been established:			
Percentage of Lot Coverage	%	%	%
Ground Floor Area (area on ground include dimensions)	m2	m2	m2
Gross Floor Area (sum all floors above basement and include dimensions)	m2	m2	m2
Number of Storeys (include converted attic)			
Number of <b>Residential Units</b>			
Number of Bedrooms (in each unit)			
Home Occupation (location and floor area)			
Home Occupation Type			
Height of Building (avg. grade to eave)	m	m	m
Height of Building (avg. grade to peek)	m	m	m
Height of Rear Wall (avg. grade to eave)	m	m	m
Basement – 50% below grade?	Yes / No	Yes / No	Yes / No
Building Depth (front wall face to rear wall)	m	m	m
Building Depths – neighbouring properties	m	m	m
Address:	m	m	m
Address:	m	m	m
Dormer(s) Width (for each dormer)	m	m	m
Density (dwelling units per net ha)	U/net ha		U/net ha
Floor Area Ratio (lot vs. gross floor area)			
Amenity Space Area (outdoor)	m2	m2	m2
No. Parking Spaces			
Location of Parking Spaces (yards)	Front / Side / Rear/ Garage	Front / Side / Rear/ Garage	Front / Side / Rear/ Garage
Type of Garage	None / Attached / Detached	None / Attached / Detached	None / Attached / Detached
Other:			
Number of <b>Commercial Units</b>			
Warehouse Area			
Industrial and Manufacturing Area			
Retail Area			
No. of Loading Spaces			

**5.3 LOCATION OF PRINCIPLE / MAIN STRUCTURE:**

	Existing Principle Structure (if any)	New Structure/Addition (Proposed Development)	Difference from Existing Development
Front Yard Setback	m	m	m
(By-Law 8499 only – provide neighbouring principal structures front yard setback)	_____ m Neighbours Address _____ m Neighbours Address		
Interior Side Lot Line	m	m	m
Other Interior Side Lot Line	m	m	m
Exterior Side Lot Line (corner lot)	m	m	m
Aggregate Side Yard (sum of two side yards)	m	m	m
Rear Lot Line	m	m	m
From High Water Mark (confirmed by CRCA)	m	m	m
Location to neighbouring Barn(s)	m	m	m

**PART VI: ACCESSORY STRUCTURE ON THE SUBJECT LOT**

**6.1 ACCESSORY STRUCTURE (1) DETAILS:**

DETACHED GARAGE OR SHED	Existing Structure (if any)	New Structure/ Addition (Proposed Development)	Total Structure Proposed (existing + additions)
Date Constructed or to be Constructed			
Use(s)			
Ground Floor Area – include dimensions	m2	m2	m2
Gross Floor Area – include dimensions	m2	m2	m2
Number of Storeys			
Height of Building (from grade to eave)	m	m	m
Height of Building (from grade to peek)	m	m	m

**6.2 ACCESSORY STRUCTURE (1) LOCATION:**

DETACHED GARAGE OR SHED	Existing Structure (if any)	New Structure/Addition (Proposed Development)	Difference from Existing Development
Lot Coverage (percentage)	%	%	%
Front Yard Setback	m	m	m
Interior Side Lot Line	m	m	m
Other Interior Side Lot Line (Aggregate)	m	m	m
Exterior Side Lot Line (corner lot)	m	m	m
Rear Lot Line	m	m	m
From High Water Mark	m	m	m
From Waters Edge	m	m	m
Distance from Main Dwelling	m	m	m

**6.3 ACCESSORY STRUCTURE (2) DETAILS:**

SWIMMING POOL :	Existing Structure (if any)	New Structure/Addition (Proposed Development)	Total Structure Proposed (existing + additions)
Date Constructed or to be constructed:			
Use(s)			
Area or Length and Width	m2	m2	m2
Is the yard Fenced	Yes / No	Yes / No	Yes / No
Height of Fence	m	m	m
Fence Material (eg. chain link, wood)			

**6.4 ACCESSORY STRUCTURE (2) LOCATION:**

SWIMMING POOL:	Existing Structure (if any)	New Structure/Addition (Proposed Development)	Difference from Existing Development
Lot Coverage (percentage)	%	%	%
Front Yard Setback	m	m	m
Interior Side Lot Line	m	m	m
Other Interior Side Lot Line (Aggregate)	m	m	m
Exterior Side Lot Line (corner lot)	m	m	m
Rear Lot Line	m	m	m
From High Water Mark	m	m	m
From Waters Edge	m	m	m
Other:	m	m	m

**PART VII: SERVICING OF THE PROPERTY**

7.1 What type of **water supply** is existing or proposed for the subject lot? (Check appropriate space)

TYPE	Existing	Proposed
Municipally Owned and Operated Public Piped Water Supply		
Public or Private Communal Well		
Individual Private Well		
Lake		
Other (specify)		

7.2 What type of **sewage disposal system** is existing or proposed for the subject lot? (Check appropriate space)

TYPE	Existing	Proposed
Municipally Owned and Operated Public Piped Sewage System		
Public or Private Communal Septic System		
Individual Private Septic System		
Other (specify)		

When will municipal water supply and sewage disposal services be available?

\_\_\_\_\_

7.3 **Storm Drainage** – Is it provided by sewers, ditches, swales or other means?

\_\_\_\_\_

**PART VIII: CONTAMINATED SITES SCREENING QUESTIONNAIRE**

**THE FOLLOWING QUESTIONS MUST BE ANSWERED ACCURATELY.**

8.1 Are any of the following **uses or features** on the **subject site** or **within 500 metres** of the subject lot? Please check *yes* or *no* to each question in **both columns** (1) on the subject lot and (2) within 500 metres of the subject lot.

USE OR FEATURE	ON SUBJECT LOT		WITHIN 500 METRES OF SUBJECT LOT (indicate approximate distance)		
	<u>YES</u>	<u>NO</u>	<u>YES</u>	<u>NO</u>	<u>APPROX. DISTANCE</u>
An <b>agricultural operation</b> , including livestock facility (barns) or stockyard					
The <b>size/area of barn</b>		m		m	
A <b>landfill</b> – currently or no longer operating					
A <b>sewage</b> treatment plant or a <b>waste</b> stabilization plant					
A <b>wetland</b> area					
A natural <b>gas</b> or <b>oil pipeline</b> (main pipe lines)					
A <b>flood plain</b>					
A <b>pit</b> or <b>quarry</b> site					
An active <b>railway</b> line					
An <b>industrial</b> or <b>commercial use</b> (specify)					
Has a <b>gas station</b> been located on the subject land at any time?					
Has there been petroleum or other <b>fuel stored</b> on the subject land?					
Is there any reason to believe the subject land may have been <b>contaminated by former uses</b> on the site or adjacent sites?					
Does the application involve land or is it adjacent to lands where <b>filling</b> has occurred?					
Has the <b>grading</b> of the subject land been changed by adding earth or other material?			n/a	n/a	n/a
Does the application propose development on <b>private</b> services (septic system) or redevelopment on a site where private services either are or were used?			n/a	n/a	n/a
Has an <b>Environmental Site Assessment</b> been done or is one being prepared for the site?			n/a	n/a	n/a

8.2 What **information** did you use to determine the answers to the above questions?

\_\_\_\_\_



**PART IX: SIGNATURE AND STATUTORY DECLARATION**

**OWNER'S AUTHORIZATION (If an agent is used, the owner must also complete the following:)**  
I/WE, \_\_\_\_\_ being the registered owner(s) of the subject lands  
hereby authorize \_\_\_\_\_ to act in all matters on  
my/our behalf pertaining to this application.  
\_\_\_\_\_  
Signature(s) Date

**PERMISSION TO ENTER**  
I/We \_\_\_\_\_  
(Please print legibly or type the full name of all of the owners)  
the undersigned, being the registered owner(s) of the subject land, hereby authorize the Members of the City of Kingston Committee of Adjustment  
and City of Kingston staff members, to enter upon the property that is the subject of this application for the purpose of conducting a site inspection  
with respect to the attached application for Minor Variance and/or Consent.  
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.  
\_\_\_\_\_  
Signature(s) of the owner(s), or where the owner is a firm or corporation, the signature of an officer of the owner.  
\_\_\_\_\_  
Where the owner is a firm or corporation, please print or type the full name and capacity of the person signing.

**This section shall be signed in front of the Commissioner of Oath**

I, \_\_\_\_\_ of the City of Kingston in the County of Frontenac, solemnly declare that:  
By my signature below I acknowledge that I have read all parts of the subject application and I have accepted the responsibility to provide the names,  
addresses and postal codes for any other owners or persons who may have an interest in the property that is the subject of this application; and that  
there is no one else who has an interest in the property other than the individual(s) and addresses included with the subject application.  
All of the above statements contained herein and all exhibits transmitted herewith including an Application for Minor Variance.  
Dated \_\_\_\_\_ and attached hereto 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.  
DECLARED before me at the City of Kingston in the County of Frontenac  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_  
\_\_\_\_\_  
A Commissioner, etc. Applicant  
NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed hereto.

**IMPORTANT: NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION.**

**AN APPLICATION IS CONSIDERED COMPLETE WHEN:** all sections of the application pertaining to your proposal are filled out and include: a detailed survey, sketch or plot plan showing all dimensions (see attached sheet for more details), elevation drawings with dimensions and materials used, Official Plan & Zoning Review, Letter of Authorization (if agent is being used).

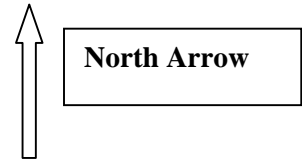
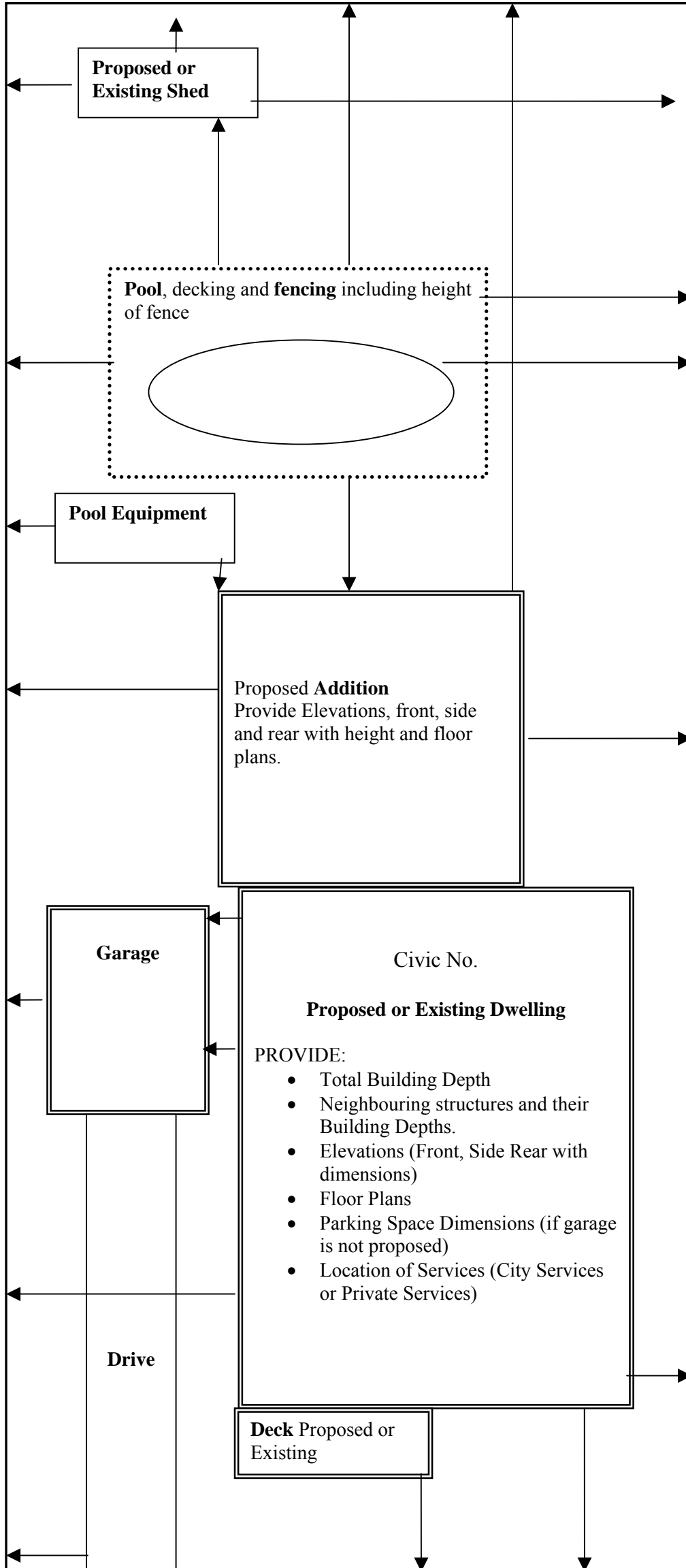
**NOTICE OF COLLECTION  
MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT**

Personal information collected on this form and at any hearing on this matter is collected under the authority of the *Planning Act*, R.S.O. 1990 as amended, and will be used to assist in making a decision on this matter. All names, addresses, opinions and comments will be made available for public disclosure. Questions regarding this collection should be forwarded to: The Secretary Treasurer, Committee of Adjustment, Planning and Development Department, 1211 John Counter Boulevard, c/o City of Kingston, 216 Ontario Street, Kingston, Ontario, K7L 2Z3, Telephone (613) 546-4291, Ext. 3274.

Show all street **frontages** and **civic** address for the property

Abutting **Land Use**

Show **area and dimensions** for the lot and all structures



**SHOW**  
The **north arrow** for orientation.

In exact **scale** the **dimensions and areas** for all land and structures including building **heights** and number of **storeys**. Use **metric** measurements. Include all **sketch information** detailed on Page 1 of the application form. All **setbacks** according to arrows. Abutting **land uses** on all sides. All street or road **frontages**. The **civic** address for the subject lands. **Elevations and floor plans** for all structures along with photos of the existing structures if available. The location of the **driveway** and the distance of the driveway from the lot line and/or **intersection** of streets if applicable. Include all street **frontages**. Include all **easement, right-of-way, encroachment**, etc. Show number of spaces and where any proposed **parking** is to be located. **Septic** tile bed and **well** if applicable.

