

Committee of Adjustment Application Submission Guide: Minor Variance

Town of Oakville
Building Services Department
1225 Trafalgar Road
Oakville, ON L6H 0H3
Tel: 905-845-6601
www.oakville.ca



Electronic Application Submission Process

Applicants are encouraged to communicate with their neighbours with respect to the application.

What are the submission requirements?

The following materials will be required in a PDF file format:

- ☐ COMPLETED APPLICATION FORM including the Property Owner Authorization and Acknowledgement at the end of the form – File name should indicate 'Application Form'.
- ☐ DRAWINGS, including a site plan, elevation drawings, and floor plans if available. – File names for drawings should indicate the first character of discipline name followed by the sheet number and drawing type (e.g. A101 – Site Plan.pdf). Files submitted with multiple drawing plan sheets will not be accepted. Refer to the chart below for sample file naming conventions.

Drawing Type	Character – Discipline	Sample File Name
Site Plan	A – Architectural	A100 – Site Plan
Elevations	A – Architectural	A200 – North Elevation
Floor Plans	A – Architectural	A300 – Ground Floor Plan
Survey Plan	C – Civil	C105 – Survey Plan
Landscape Plan	L – Landscape	L200 – Landscape Plan

- ☐ ANY SUPPORTING DOCUMENTS – File names for documents should identify the type of document, such as a Cover Letter or Planning Justification Report.

How do I submit my application?

Submit your *application request* electronically to coarequests@oakville.ca. Upon submission, your *application request* will be pre-screened for quality assurance. Please be advised that your application will only be deemed complete upon payment of town and agency fees, and a file / application number and meeting date has been provided to you.

How do I pay the application fees?

When your application request has been pre-screened and satisfactory, fee payment options and instructions will be provided, including fees for the Region of Halton and the Conservation Authority, if applicable. Please be advised that your application will only be deemed complete upon payment of town and agency fees, and a file / application number has been provided to you.

Town Application Fees – Effective January 1, 2022 and subject to change without notice

Minor Variance Fees	Amount
Base Application Fee	\$ 3,809.00
Deferral Fee prior to circulation of application	\$ 156.00
Deferral Fee after circulation of application or at the public hearing	\$ 725.00
A complete list of the rates and fees can be viewed online at https://www.oakville.ca/business/rates-fees.html	

Agency Fees – Effective January 1, 2022 and subject to change without notice

Agency	Amount
Region of Halton	\$ 37.08
Conservation Authority	Contact the applicable Conservation Authority for the required fees

Further Committee of Adjustment Information:

<https://www.oakville.ca/residents/committee-of-adjustment-info.html>

Personal information on the following forms and any supporting documentation is collected under the authority of the *Planning Act* and will be used by the Building Services Department in the processing of the Committee of Adjustment application. The information may be used by other town departments and external agencies for the purpose of assessing the proposed variance(s). This information may also be released to the public. Questions about the collection of this information should be directed to the Director of Building Services, Town of Oakville, 1225 Trafalgar Road, Oakville, ON L6H 0H3, Phone: 905-845-6601 Ext. 3195.

Committee of Adjustment Application for Minor Variance

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For Office Use Only

Application No.	Date Received
Receipt No.	Received By

1. Applicant Information

Name	Company		
Address	City	Province	Postal Code
E-mail	Phone No.	Additional Phone No.	
Applicant is: ☐ Property Owner ☐ Authorized Agent of Property Owner			

2. Property Information

Address	Date of acquisition by current property owner
Legal Description	
Dimensions of land affected:	Frontage (m) Depth (m) Area (m ²)

3. Property Owner Information (complete if different from applicant in part 1)

Name	Company		
Address	City	Province	Postal Code
E-mail	Phone No.	Additional Phone No.	

4. Official Plan Designation and Zoning

Local (Town) Official Plan Designation	Zoning
Regional Official Plan Designation	☐ By-law 2014-014 ☐ By-law 2009-189

5. Road Access and Servicing to Subject Land

Road Access: ☐ Municipal road ☐ Private right-of-way ☐ Public / Private lane ☐ Provincial highway

Water: ☐ Municipal water ☐ Private water system ☐ Other – specify:

Sewage: ☐ Municipal sewers ☐ Private septic system ☐ Other – specify:

Storm Drainage: ☐ Municipal sewers ☐ Swales / Ditches ☐ Other – specify:

6. Easements or Restrictive Covenants

Are there any easements or restrictive covenants affecting the subject land? ☐ Yes ☐ No

If yes, provide a description of each easement or covenant and its effect:

7a. Existing Building or Structure 'A'

Use	Height (m)	Overall width and length (m)	Total floor area (m ²)
Front yard setback (m)	Side yard setback (m)	Side/Flankage yard setback (m)	Rear yard setback (m)

The date the existing building or structure was constructed:

7b. Existing Building or Structure 'B'

Use	Height (m)	Overall width and length (m)	Total floor area (m ²)
Front yard setback (m)	Side yard setback (m)	Side/Flankage yard setback (m)	Rear yard setback (m)

The date the existing building or structure was constructed:

8a. Proposed Building or Structure 'A'

Use	Height (m)	Overall width and length (m)	Total floor area (m ²)
Front yard setback (m)	Side yard setback (m)	Side/Flankage yard setback (m)	Rear yard setback (m)

8b. Proposed Building or Structure 'B'

Use	Height (m)	Overall width and length (m)	Total floor area (m ²)
Front yard setback (m)	Side yard setback (m)	Side/Flankage yard setback (m)	Rear yard setback (m)

9. Current and Previous Applications / Decisions

Are there previous Committee of Adjustment decisions for the subject land? ☐ Yes ☐ No ☐ Uncertain

If yes, provide the decision / file numbers:

Is the subject land currently, or has it ever been the subject of an application under the *Planning Act* for approval of a plan of subdivision or a consent? ☐ Yes ☐ No ☐ Uncertain

If yes, provide file number(s) and current status of application:

10. Variance Request

An application for minor variance is subject to a two-year restriction. If you are unable to make a declaration on the below, you will not be permitted to submit this application. Please contact Planning Services for information on how to proceed with an application.

- ☐ The property has not been the subject of a site specific zoning by-law amendment* within the last two years.
- ☐ The property has been the subject of a site specific zoning by-law amendment* within the last two years and the Town of Oakville has determined that this application is permitted. Attached is a copy of the authority that pertains to this application.

* This does not include a Town initiated zoning by-law amendment.

Application made under: ☐ Section 45 (1) of the *Planning Act* or ☐ Section 45 (2) of the *Planning Act*

Describe the variance(s) applied for:

Note: As part of the application process, the Zoning Section will only review the requested variances for accuracy based on the information submitted, and will not be conducting a complete zoning review to identify any additional variances that may be required.

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

11. Declaration of Applicant / Authorized Agent

I, the undersigned, being the applicant / authorized agent, solemnly declare that all of the above statements and attached documentation 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 and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE ME)

at _____ ,)

in the _____ ,)

this _____ day of _____ 20 ____ .)

Signature applicant / authorized agent (to be signed in the presence of a commissioner for taking affidavits)

A commissioner, etc.

Name/Stamp of commissioner, etc.

12. Property Owner Authorization to Enter Property

I, the undersigned, being the registered property owner of the below noted property hereby authorize and consent to the Town of Oakville Committee of Adjustment members, Town of Oakville staff and circulated agencies to enter upon the subject property at any reasonable time for the purpose of evaluating the merits of this application.

I have the authority to bind the Corporation or Partnership, if applicable.

Address of subject property

Signature of property owner or signing officer

Print name

Date

13. Property Owner Acknowledgement of Public Information

Application information is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended. In accordance with Section 1.0.1 of the Act, the Town of Oakville provides public access to all *Planning Act* applications and supporting documentation submitted to the Town.

I, the undersigned, being the registered property owner of the above noted property hereby agree and acknowledge that the information contained in the application and any documentation, including reports, studies and drawings, provided in support of the request, by myself, my agents, consultants and solicitors, constitute public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended or substituted from time to time, I hereby consent to the Town of Oakville making this request and its supporting documentation available to the general public, including copying, posting on the Town's website and/or releasing a copy of the request and any of its supporting documentation to any third party upon their request or otherwise, and as part of a standard distribution of copies of such documentation. I consent to the Town releasing copies of any of the documentation to additional persons, including but not limited to Members of Council and resident associations.

I have the authority to bind the Corporation or Partnership, if applicable.

Signature of property owner or signing officer

Print name

Date

14. Property Owner Appointment and Authorization of Agent

I, the undersigned, being the registered property owner of the above noted property hereby authorize:

Authorized agent's name / company

as my agent for the purpose of submitting a Committee of Adjustment application to the Town of Oakville and acting on my/our behalf in relation to this application. The authority granted by this Agent Appointment and Authorization shall continue until I shall have revoked such authority in writing, and delivered such written revocation to the Town of Oakville Building Services Department. No such revocation shall, however, invalidate any action taken by me/our agent prior to the date the Town of Oakville Building Services Department received such written revocation.

I have the authority to bind the Corporation or Partnership, if applicable.

Signature of property owner or signing officer

Print name

Date

