



**CORPORATION OF THE TOWN OF LINCOLN  
COMMITTEE OF ADJUSTMENT**

CN: 3-5-02-08

Application #: \_\_\_\_\_

**APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION**

(Section 45 of the Planning Act, RSO, 1990, as amended)

This application must be filed with the Secretary-Treasurer of the Committee of Adjustment, together with the sketch referred to in Note 1 and fee made payable to the Town of Lincoln.

Signatures must be witnessed by someone who has signing authority as a Commissioner. The Committee of Adjustment Secretary-Treasurer, Town Clerk, and Chief Administrative Officer can witness the signing of this form.

Personal information contained on this form is collected under the authority of the Planning Act, R.S.O. 1990, as amended, and Ontario Regulation 200/96 and will be used for the purpose of processing this application.

The fees for processing a minor variance application to the Town of Lincoln Committee of Adjustment can be found under Fees and Charges on the Town's [website](#).

The undersigned hereby applies to the Committee of Adjustment for the Town of Lincoln under Section 45 of the Planning Act, 1990, as amended, for relief, as described in this application, from By-Law No. 93-14-Z1, (as amended).

1. Name of Owner(s) \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Postal Code \_\_\_\_\_ Tel: \_\_\_\_\_ e-mail: \_\_\_\_\_

2. Name of Authorized Agent (if any) \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Postal Code \_\_\_\_\_ Tel: \_\_\_\_\_ e-mail: \_\_\_\_\_

Note: Please specify to whom all communications should be sent: Owner ( ) Agent ( )

3. Nature and extent of relief applied for:

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

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

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

5. Location of Land:

Concession No. \_\_\_\_\_ Lot(s) \_\_\_\_\_ Registered Plan No. \_\_\_\_\_ Lot(s) \_\_\_\_\_

Reference Plan No. \_\_\_\_\_ Part(s) \_\_\_\_\_

Geographic/Former Township \_\_\_\_\_

Name of Street \_\_\_\_\_ Street No. \_\_\_\_\_

6. Dimensions of land affected:

Frontage \_\_\_\_\_ Depth \_\_\_\_\_

Area \_\_\_\_\_ Width of Street \_\_\_\_\_

7. Access to the subject land is by:

- a Regional Road
- a Municipal road that is maintained all year
- a Municipal road that is maintained seasonally
- a private road
- by water access

8. If proposed access is by water only, describe boat docking and parking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road \_\_\_\_\_.

9. Particulars of all buildings and structures on or proposed for the subject land (Specify ground floor area, gross floor area, number of storeys, width, length, height). Please specify use of existing structures.

Existing:

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USE \_\_\_\_\_

Proposed:

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10. Location of all buildings and structures on or proposed for the subject land (Specify distance from side, rear and front lot lines). Please specify use of proposed structure.

Existing:

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Proposed:

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USE \_\_\_\_\_

11. Date of acquisition of subject land: \_\_\_\_\_

12. Date of construction of all buildings and structures on subject land: \_\_\_\_\_

\_\_\_\_\_

13. Existing uses of the subject land:

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

14. Existing uses of abutting lands:

North: \_\_\_\_\_

South: \_\_\_\_\_

East: \_\_\_\_\_

West: \_\_\_\_\_

15. Length of time the existing uses of the subject land have continued:

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

16. Services available (check appropriate space or spaces):

Water:

( ) Municipally owned and operated  
piped water system

( ) Privately owned well

( ) Lake

Other (Specify) \_\_\_\_\_

Sewage Disposal:

( ) Municipally owned and operated  
sanitary sewer system

Other (Specify) \_\_\_\_\_

( ) Privately owned septic tank

Storm Drainage

( ) Storm sewers

Other (Specify) \_\_\_\_\_

( ) Ditches/Swale

17. Present Official Plan designation of the subject land:

\_\_\_\_\_

18. Present Zoning of the subject land:

\_\_\_\_\_

19. Has the owner previously applied for relief (minor variance) under Section 45 of the Act in respect of the subject property?

yes ( ) no ( )

If the answer is yes, describe briefly (and if known, quote Decision #)

\_\_\_\_\_

20. Is the subject property the subject of a current application for a consent under Section 53 or a plan of subdivision under Section 51 of the Planning Act, 1990?

yes ( ) no ( ) If so, state Application # and status\_\_\_\_\_

I/We

\_\_\_\_\_

of the City ( ) Town ( ) Township ( ) of\_\_\_\_\_

in the County ( ) District ( ) Regional Municipality ( ) of\_\_\_\_\_

solemnly declare that all the statements contained in this application are true, and I/We 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 the

\_\_\_\_\_)  
\_\_\_\_\_)  
in the Regional Municipality of Niagara \_\_\_\_\_)  
\_\_\_\_\_)  
this\_\_\_\_\_ day of \_\_\_\_\_)  
\_\_\_\_\_)  
A.D. 20\_\_\_\_. \_\_\_\_\_)

\_\_\_\_\_  
**SIGNATURE OF APPLICANT OR  
AUTHORIZED AGENT**

(To be signed in the presence of a  
Commissioner for taking Affidavits)

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

**AUTHORIZATION**

Location of Subject Lands:

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I/We, the undersigned, being the registered Owner(s) of the above lands hereby authorize

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of the \_\_\_\_\_  
to make an application on my/our behalf to the Committee of Adjustment for the Town of Lincoln for  
minor variance in accordance with Section 45 of the Planning Act, R.S.O. 1990, as amended.

Dated at the \_\_\_\_\_ of \_\_\_\_\_ in the Regional Municipality of Niagara, this  
\_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_.

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

NOTE: This form is to be used:

- to authorize an agent to act on behalf of the owner(s) when making and signing the application; and
- to authorize an owner, if there is more than one, and only one owner signs the application.

**NOTES:**

1. Each copy of this application must be accompanied by a Sketch. The Sketch need not necessarily be to scale, but dimensions must be accurate, and showing the following:
  - (a) The boundaries and dimensions of the subject land;
  - (b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines;
  - (c) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, driveways, swimming pools, roads, railways, watercourses, drainage ditches, river or stream banks, slopes, wetlands, swamps, wooded areas, wells, septic tank and tile bed, and trees;
  - (d) The current uses on land that is adjacent to the subject land;
  - (e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right-of-way;
  - (f) If access to the subject land is by water only, the location of the parking and docking facilities to be used;
  - (g) The location and nature of any restrictive covenant or easement affecting the subject land;
2. The Committee of Adjustment may require that a preliminary drawing be prepared, signed and dated by an Ontario Land Surveyor.
3. If this application is signed by an agent or solicitor on behalf of an applicant, the owner's written authorization must accompany the application. If the applicant is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the corporation's seal (if any) must be affixed.





## AUTHORIZATION

### Location of Subject Lands

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**I, We the undersigned, being the registered owner(s) of the above lands hereby authorize: the Committee of Adjustment members to inspect the above noted lands any time prior to the Public Meeting date.**

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date



**CN CHECKLIST  
DEVELOPMENT PROPOSAL**

PLEASE CHECK ALL APPLICABLE:		
<input type="checkbox"/> Official Plan Amendment	<input type="checkbox"/> Zoning By-law Amendment	<input type="checkbox"/> Plan of Condominium
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Consent	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Variance	<input type="checkbox"/> Plan of Subdivision	

TO BE COMPLETED BY MUNICIPALITY/PROPONENT		
1.	Proponent's name and contact information:	
2.	Proponent's lawyer's name and contact information:	
3.	Proponent's consultant(s) name(s) and contact information:	
4.	Municipality:	
5.	Municipal Address of Proposed Development:	
6.	PIN(s) for Proposed Development:	
7.	Legal Name of Owner on Title:	
8.	Municipal Application Number(s):	
9.	Is a Staff Report available? If so, all attach Staff Report(s)	
10.	Date Application(s) filed with Municipality:	
11.	Status of the Application(s):	
12.	Have conditions of approval been provided by the municipality and/or CN? If so, please attach all conditions of approval	
13.	Have a Noise and Vibration Study or Drainage / Storm Water Management Plan been prepared? If so, please attach all Reports, Addenda, Peer Review Comments	
14.	Is the proposed development planned to be condominium or freehold?	
15.	Municipal planner's name and contact information:	
16.	Property specific concerns identified by CN and/or municipality (i.e. drainage, setback, grading):	

*Further to the applicable conditions of approval, the Owner shall enter into and register:*

CN's standard development agreement (the "CN Agreement") with the necessary revisions to address the Owner's development, and/or

CN's standard environmental easement ("Transfer of Easement"),

*and shall pay CN's reasonable costs in preparing and negotiating the Transfer of Easement or the CN Agreement and Transfer of Easement (as applicable).*

DATED this \_\_\_ day of \_\_\_\_\_, 20\_\_.

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

**SUMMARY OF NOISE CONTROL MEASURES (TRANSPORTATION)**

<b>LOT / BLOCK</b>	<b>TOTAL UNMITIGATED DAYTIME SOUND LEVEL AT FACADE</b>	<b>TOTAL UNMITIGATED NIGHTTIME SOUND LEVEL AT EXTERIOR FACADE</b>	<b>MINIMUM WINDOW STC REQUIREMENT</b>	<b>VENTILATION (A/C, FAH)</b>	<b>BRICK VENEER OR MASONRY EQUIVALENT</b>	<b>BERM / CRASH WALL HEIGHT</b>	<b>ACOUSTIC BARRIER HEIGHT</b>	<b>WARNING CLAUSES</b>