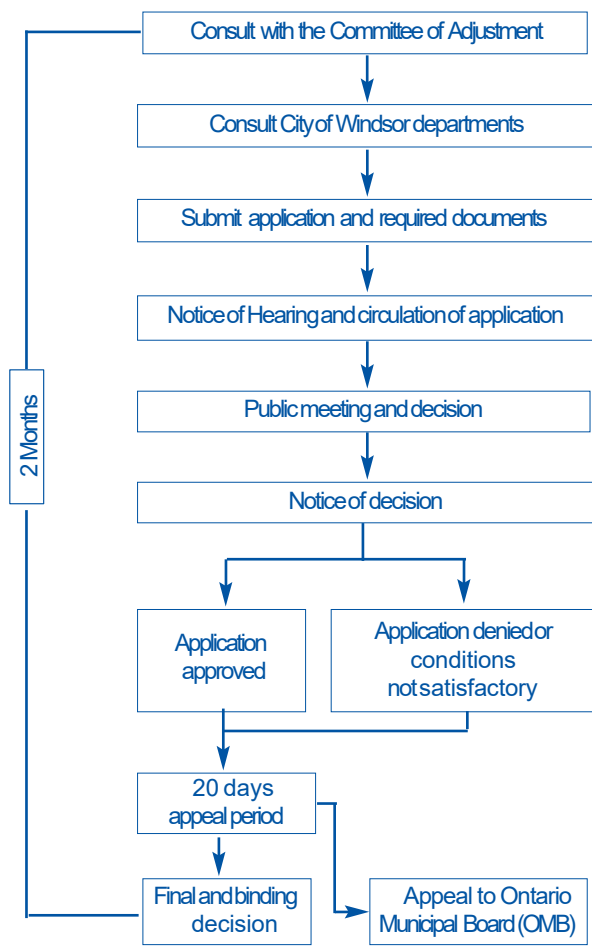


Minor Variance Process Chart



For general City of Windsor information, telephone 311

For specific inquiries:
*The Corporation of
The City of Windsor*
Building & Development Department
350 City Hall Square West
City Hall, 4th floor
Windsor, ON N9A 6S1

Tel: (519) 255-6267
Fax: (519) 255-6680

E-mail:
buildingdept@city.windsor.on.ca

Web site:
www.citywindsor.ca

Minor Variance

Building & Development Department

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The Corporation of
The City of Windsor



What is a Minor Variance?

The owner of a property may apply for a Minor Variance if a proposed use of the property does not conform to a municipal by-law, but follows its general intent.

A Minor Variance does not amend the by-law. It allows the owner to vary from a specific requirement of the by-law and to obtain a building permit.

Pre-Consultation

Prior to submission of an application, applicants are advised to consult a Development Planner at the Building & Development Department to decide whether a Minor Variance is the best approach or if an amendment to the specific by-law is necessary for the proposed change. To arrange a meeting with a Development Planner, please contact:

Building & Development Department
350 City Hall Square West
City Hall, 4th floor
Windsor, ON N9A 6S1
Tel: (519) 255 6267
Fax: (519) 255 6680

Application

Applications are available from the Committee of Adjustment, located in the Building & Development Department or through the City of Windsor Web site www.citywindsor.ca - search "Minor Variance Applications."

Fees

Please refer to the City's Web site www.citywindsor.ca - search "fee schedules for minor variances."

Fees are also specified in each application package.

Application Processing

The City of Windsor Committee of Adjustment, appointed by City Council, deals with minor problems in meeting by-law standards, and holds hearings and decides on such application. There are seven steps in application processing:

1. Consult with the Committee of Adjustment

Contact the Secretary/Treasurer of the Committee of Adjustment (COA), City Hall, 4th floor or telephone (519) 255 6267, extension 6436.

2. Complete an application

Each application must undergo a pre-consultation process to prevent oversights, errors, delays and additional costs in the processing. Also ensure that the required drawing(s) are in compliance with the minimum standards and that the correct fee accompanies the submission.

3. Submit the application and required documents

Submit these to the Committee of Adjustment, Building & Development Department, 350 City Hall Square West, 4th floor.

4. Notice of Hearing and circulation of the application

Notification of the public hearing will be sent by mail or published in The Windsor Star 10 days before the hearing. At the same time, copies of the application will be circulated to other City of Windsor departments, and in some cases to external agencies, to obtain comments and recommendations that will be considered at the public hearing.

5. Public Hearing and Decision

The public hearing will be held within 30 days of receiving the application. The applicant will attend the hearing to explain the reasoning for the Minor Variance. Other interested parties will attend to express their views.

The Committee of Adjustment will consider all aspects of the application consistent with municipal

policy and the comments of municipal departments and the public. If your application is approved, the committee may impose conditions as part of its decision.

6. Notice of the decision

A notice is mailed to the applicant within 10 days of the date on which the Committee of Adjustment makes a decision.

7. The decision is in effect

A final and binding decision becomes effective if no appeal is made by the end of the 20-day appeal period. If the application has been approved, subject to the fulfillment of any conditions set out in the final decision, the applicant will be able to apply for a building permit or be in compliance with the by-law.

You can review the Committee of Adjustment Meeting schedule at www.citywindsor.ca - search "Committee of Adjustment meeting schedule." Please allow for two months to process the application.

Application Approval/Denial

If the application is approved, the applicant is advised of the decision of the Committee of Adjustment.

If the application is denied, the applicant will be informed. Any person can appeal the decision of the Committee of Adjustment to the Ontario Municipal Board (OMB).

Appeals are made through the Committee of Adjustment, Building & Development Department, 4th floor, City Hall - 255-6267, extension 6436. The appeal to the Ontario Municipal Board requires the payment of a fee of \$125 (2005 rate) (to the OMB).

For more information about the appeal process, visit the OMB website at www.omb.gov.on.ca