

CITY OF NIAGARA FALLS APPLICATION FOR MINOR VARIANCE TO THE SIGN BY-LAW



Pursuant to s.99 of the Municipal Act, 2001, R.S.O. 2001, c.25

Submission Requirements

1. **PRECONSULTATION:** Preconsultation with City Planning staff is recommended. Preconsultation identifies the information required to commence the processing of a development application. Preconsultation does not imply or suggest any decision whatsoever on behalf of City staff or the City of Niagara Falls to either support or refuse the application.
2. **OWNERS' AUTHORIZATION FORM:** Applications submitted by someone other than the land owner must be accompanied by the owner's authorization. A copy of an authorization form is attached.
3. **APPLICATION AND FEE:** Applications are to be printed or typed except where signatures are required. A copy of a registered deed of the property is required for all applications. A copy of a survey, if available, should be included with all applications.

The application form is to be completed, signed by the applicant(s) or authorized agent and properly witnessed by a Commissioner for Taking Affidavits. This Commissioner service is available at City Hall. Applications are filed with the Planning and Development Division, together with the required plans and processing fee of **\$525.00 plus any applicable charges from agencies**, made **payable by cheque** to the Treasurer of the City of Niagara Falls.

4. **PLAN REQUIREMENTS: 8 copies of all plans drawn to scale must be submitted with the application.** All plans must be folded to 8 ½" x 11". The plans must be drawn **accurately** and provide the following information:
 - The location and dimensions of all existing and proposed signs, and identifying the materials of which the proposed sign is to be constructed;
 - A site plan showing the location of the sign in relationship to other buildings and structures, the street, and the boundaries of the property upon which the sign is proposed to be erected;
 - Sufficient information for the Chief Building Official to determine that the sign has been designed and will be constructed in compliance with the applicable structural and fire prevention provisions of the Ontario Building Code.
 - An application for a fascia sign for a building or property containing more than one (1) occupancy or tenant shall include a sign uniformity plan where signs are proposed for more than one (1) occupancy or tenant.

Public Notification

It is required that a sign to be posted on the property as a means of providing public notice. **The applicant/agent is responsible for posting the "Public Hearing" sign(s) on the subject property supplied by the Planning and Development Division.** The sign must be posted in a location clearly visible from the public roadway, as may be determined by municipal staff. The sign must be maintained on the property for a specified time period. If the sign is removed prior to the public hearing date, the Planning and Development Division is to be contacted for a replacement sign. Staff will visit the subject property as part of the application review and to confirm that the sign is posted. The attached "Sign Posting Acknowledgement" form must be completed and submitted to Peggy Boyle, Assistant Planner.

Failure to post the "Public Hearing" sign(s) will result in delays with your application(s) with additional re-circulation fee (s).

The applicant is responsible for additional mailing fees whenever a public notice has been circulated and, at the request of the applicant, the hearing is deferred to another date.

For further information or clarification, please contact the Planning & Development Division, P.O. Box 1023, 4310 Queen Street, Niagara Falls, Ontario, L2E 6X5, (905) 356-7521, extension 4334 or visit the Planning & Development Division, 2nd floor, City Hall from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

**APPLICATION FOR MINOR VARIANCE
TO THE SIGN BY-LAW**



The undersigned hereby applies minor variance to the Sign By-law.

1. Location and description of lands which are the subject of this application. Legal description of subject land (registered plan number and lot number or other legal description and, where applicable, street and house number).

Street Name _____ Street Number _____

Registered Plan No. _____ Lot No. _____ Part Lot No. _____

Township Lot & Concession _____

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

3. Name of Owner(s) _____

Telephone Number _____

Address _____ Postal Code _____

4. Name of Applicant _____

(If other than owner - see Authorization)

Telephone Number _____

5. Name of Agent _____

(See Authorization)

Telephone Number _____

Address _____ Postal Code _____

Minor Variance

1. Nature and extent of relief applied for:

(a) What is the Official Plan designation of the subject lands: _____

(b) What is the present zoning of the subject lands: _____

____(c) What type of sign is proposed: _____

(d) Show the extent of the relief being applied for:

By-law Section	By-law Requirement	Proposed	Extent of Variance

(e) Explain in detail your reasons why it is not possible to comply with the provisions of the by-law:
THIS SECTION MUST BE COMPLETED

Extension or Enlargement of a Legal Non-conforming Sign

1. If you are requesting consideration of an enlargement or extension of an existing sign that is not in conformity with the By-law, but, legally established prior to the by-law, answer the following:

(a) What is the present zoning of the subject land: _____

(b) What type of sign is it: _____

(c) How long has the sign been in existence: _____

(d) What is the reason for extension or enlargement: _____

(e) Describe how the proposed extension or enlargement has had regard to existing by-law regulations

Dated at the City of Niagara Falls this _____ Day of _____, 20 _____

I, _____ of the _____ of _____

in the Regional Municipality of _____,

solemnly declare that all the statements contained in this application 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 the _____)
of _____, in the Regional)
Municipality of _____, this _____)
day of _____, 20_____)

-
- owner
 - applicant
 - agent

A Commissioner for Taking Affidavits

OWNER'S AUTHORIZATION FORM

Address and Description of Subject Land:

I/We _____
Owner's Name(s)

The undersigned, being the registered owner(s) of the above land, hereby authorize:

_____ of the _____
(Agent or Applicant) (City of Town)

to make an application on my/our behalf to the City of Niagara Falls for a minor variance to the Sign By-law pursuant to s.99 of the Municipal Act, 2001, R.S.O. 2001, c.25.

Dated at the _____ of _____ in the
Regional Municipality of Niagara, this _____ day of _____, 20__

Signature of Witness

Signature of Owner (Seal)

Signature of Witness

Signature of Owner (Seal)

- NOTE:
- (1) Please print or type, unless otherwise specified.
 - (2) This form is to be used for an application which is being processed and signed by someone other than the owner.
 - (3) If the registered owner is a corporation, in addition to the signatures of the authorized signing officers, the corporate seal must be affixed.