

**MINIMUM REQUIREMENTS TO BE MET BY APPLICANTS REQUESTING
THE VARIATION OR DISCHARGE OF A BUILDING RESTRICTION CAVEAT**

1. Letter to The Municipal Board with the following information:
 - Copy of Caveat.
 - Complete legal description of the property which is the subject of the Application
 - Description of requested amendment and indicate where in the Caveat this amendment will be inserted (i.e. page 3, Section 2a).
2. A sketch showing the location of:
 - (a) the property which is the subject of the application (outlined in colour), and
 - (b) the properties of those persons referred to in No. 6(b) (outlined in colour).
3. Proof of ownership (Certificate of Search of Title).
4. Certified copy of a Resolution of the Council of the Municipality/City recommending the variation or cancellation requested.
5. If the application is for a variation of front yards etc., a copy of a surveyor's certificate showing the building on the property.
6.
 - (a) If the applicant is not the registered owner of the lands covered by the application, the written consent of the owner.
 - (b) The written consents of all of the interested or affected persons. The Board usually requires at a minimum, the owners of each property located within 100 metres of the affected property. A copy of the form of Consent is attached.
7. If any of the required consents are not obtainable, the Board requires an Affidavit of service of the Notice of the Hearing on each non-consenting person. Service of the Notice can be by either personal delivery or by Registered Mail. The Notice must be served as soon as possible and in any event not less than seven (7) days prior to the date fixed for the hearing.
8. Publication of a Notice of Hearing in one issue of a local newspaper at least seven (7) days prior to the hearing. A copy of the form of Notice is attached. The date for the hearing will be set by the Board Secretary upon the filing of items as required by No. 1 to 7 above.
9. Affidavit of confirmation of mailing and publication of Notice, with a copy of the published Notice attached, to be filed with the Board at or prior to the date fixed for the hearing.
10. Filing fee of \$75.00 payable to the "Minister of Finance".

Note: The above, sets out the minimal requirements. There may be additional requirements under certain circumstances.