

PLANNING DEPARTMENT
Administration Centre
24 Tupper St., W.
Alliston, Ontario
L9R 1H2

Website: www.newtecumseth.ca
Email: planning@newtecumseth.ca
Tel: (705) 435-3900

GENERAL INFORMATION

This application form must be completed in its entirety and submitted to the Town for consideration.

Minor Variance is the term used under the Planning Act R.S.O 1990 for a site specific exception to the requirements of the Zoning By-law. It does not amend the By-law.

The Committee of Adjustment is the approval authority. They may grant a variance if:

- They are satisfied that the general intent of the Official Plan and the Zoning By-law are maintained;
- The development permitted by the variance will be appropriate and the variance is desirable for the appropriate development of the property;
- There are not any detrimental impacts to neighbouring properties and/or land uses; and,
- The variance is minor.

The process for reviewing an application for a minor variance is established by the Planning Act. These requirements must be met as part of the municipal review and approval procedures.

Personal information on this form is collected under the legal authority of the Planning Act.

Complete and accurate submissions are required to ensure that the file can be processed. **Incomplete or inaccurate applications will be returned to the applicant for re-submission.** Except for required signatures, answers must be typed or neatly printed in dark ink, suitable for reproduction. All sections must be completed, or marked "N/A" (not applicable), as the case may be.

Where a study may be required as part of the submission requirements, the Town may retain the services of a peer reviewer. The cost of peer reviews required for processing applications where resources outside of Municipal Staff are required for the review shall be charged to the applicant plus 5% for administrative costs in addition to other applicable fees in accordance with the Town's Fees and Charges By-law.

MINOR VARIANCE APPLICATION CHECKLIST

BEFORE SUBMITTING AN APPLICATION, PLEASE ENSURE THE FOLLOWING IS COMPLETED:

- Fully complete all parts of the application form.
- Sign the application form in all appropriate locations and obtain the signed authorization of the owner if you are not the property owner.
- Attach the applicable nonrefundable fees and deposits. Cheques should be made out to the Town of New Tecumseth.
- Record of Consultation from Town Pre-Consultation Stage 1
- Attach one (1) digital copy* of all sketches, plans or any required drawings in accordance with the requirements outlined in the application.
- Attach one (1) digital copy* of all studies and reports to be submitted with the application.
- Attach one (1) copy* of any correspondence or permits from other agencies relevant to the submission.

***Hardcopies should be available should the Town request them.**

If at any time you have questions or concerns regarding your application, please contact the Secretary/Treasurer to the Committee of Adjustment at 705-435-3900.

OUTLINE OF MINOR VARIANCE APPLICATION REVIEW AND APPROVAL PROCESS

The following is a brief description of the Committee of Adjustment process which provides information on how to ensure that the application is reviewed as efficiently as possible:

Step 1	Application Pre-consultation
<p>All applicants are encouraged to arrange a pre-consultation meeting with the Planning and Development Department. Pre-consultation assists the applicant in making the appropriate submission. During the pre-consultation meeting, applicants will be provided with relevant information regarding the proposal including the policies and requirements of the Town and how they may impact the proposal. Applicants will also be advised with regard to related approvals, and other agencies that could be consulted with to obtain further information.</p>	
Step 2	Submission of Application and Initial Review
<p>Applications will not be officially accepted until they are deemed complete. It is required that one (1) digital copy of the application be filed with the Planning and Development Department (hardcopy should be available upon request). When an application has been submitted it will be reviewed to ensure that it is complete and that all relevant information and fees have been submitted. The application must be accompanied by a plan as prescribed in this application. The Planning and Development Department may require that the plan be signed by an Ontario Land Surveyor. If the subject property has joint ownership, signatures of all joint owners, are required on the application.</p>	
Step 3	Comprehensive Review
<p>Following the initial review and on the determination that the application is complete and accurate, a comprehensive review will take place. At this time the application will be reviewed by all relevant Town departments and may also be reviewed by the Town's solicitor. During this process the application will also be circulated to other review agencies as applicable. As this process takes place, applicants may be advised of additional submission requirements to address any issues which may arise.</p> <p>The comprehensive review process also includes public input. Information concerning the application will be circulated to adjacent property owners and interest groups and the applicant will be required to post a sign on the property. It is the responsibility of the applicant to ensure that the sign is posted in accordance with the instructions attached to this application, and that the sign stays in place for the required posting period. Failure to do so will require that this process be repeated resulting in unnecessary delays to the processing of the application.</p> <p>Toward the completion of the comprehensive review period, the Town Planning and Development Department will prepare a report for the Committee of Adjustment with a recommendation on the proposed application.</p>	
Step 4	Committee Minor Variance with Conditions
<p>Minor Variance with conditions will not apply to the majority of Minor Variance applications. Staff will determine when Minor Variance with conditions is appropriate as part of the application process.</p> <p>The Committee of Adjustment is authorized to impose conditions on the decision under Section 45(9) of the Planning Act. All conditions imposed by the Committee on a minor variance application must be completed within the time frame outlined with the condition to the satisfaction of the Planning Department, Town of New Tecumseth, but at no cost to the Town. Once all conditions are completed, the minor variance is in full force and effect.</p> <p>In order to apply for a Building Permit, all variances must be finalized (meaning the appeal period must expire and all conditions satisfied and cleared). Once the minor variance has been finalized, Building Permits are issued by the Building Department and all enquiries should be directed through them.</p>	

Step 5**Committee of Adjustment Meeting and Application Decision**

Following any necessary public consultation and the preparation of staff comments, the Committee of Adjustment will meet and make a decision regarding the application. It is advised that the applicant be present at the meeting in order to answer any questions of the Committee or the public.

Following the Committee's decision, a notice of decision will be circulated. If the project is approved, applicants will be informed of the approval and any conditions which are required to be completed. If the application is refused, applicants will be informed of the decision and the reasons for the decision, as well as any opportunity available for appealing the decision.

All decisions regarding the application are subject to an appeal period of 20 days during which an appeal may be filed by applicants, agencies, interest groups and/or the public to the LPAT. If a decision is appealed, applicants will be contacted to discuss the appeal and its implications on the proposal.

APPLICATION FOR MINOR VARIANCE

FOR OFFICE USE ONLY
File No.:

1. Applicant Information :

All communication will be directed to the Prime Contact only. Please indicate who this will be.

Prime Contact:

a) Registered Owner(s) Name(s) :

Address :

Mailing Address (If Different):

Telephone :

Fax :

Email Address :

Date Subject Land was acquired by current owner :

Date of the Application :

Are the subsurface rights and the surface rights held by the same owner? **YES** or **NO**
If **NO**, who owns the rights? Please provide contact information.

b) Agents Name :

Solicitor Planner Other: _____

Address :

Telephone :

Fax :

Cell Phone :

Email Address :

4. Existing and Proposed Structures Please fill in appropriate information in the chart below.
 If more space is needed, please attach a separate page to this application.

Building Type:				
Existing or Proposed				
Date of Construction				
Ground Floor Area (m²)				
Gross Floor Area (m²)				
Number of Stories				
Width (m)				
Length (m)				
Height (m)				
Use				
Setback from Front Lot Line (m)				
Setback from Rear Lot Line (m)				
Setback from Side Lot Lines (m)				

5. Servicing

Please check the appropriate box under each of the servicing options.

Servicing	Type of Servicing	Existing		Proposed	
		Yes	No	Yes	No
Water System	Publicly owned and operated piped water system				
	Privately owned and operated well				
	Lake or other water body				
	Other Means				
Sewage Disposal	Publicly owned and operated sanitary sewage system				
	Privately owned and operated individual septic tank				
	Privately owned and operated communal septic system				
	Privy				
	Other means				
Storm Drainage	Storm Sewer				
	Ditches/Swales				
	Other : Please Specify				
Roads	Provincial Highway				
	Municipal Road - Maintained Year Round				
	Municipal Road - Maintained Seasonally				
	Other public road				
	Right of Way				
<p>a) If access to the subject land is by private road, or if "other public road" or "right of way" was indicated, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.</p>					
Servicing	Type of Servicing	Existing		Proposed	
		Yes	No	Yes	No
Other Services	Electricity				
	School Bussing				
	Garbage Collection				
	Natural Gas				

6. Pre-consultation

- a) Which municipal departments/agencies have you pre-consulted with in regard to this application?
Please attach any relevant correspondence or briefs.

7. Status of Other Planning Applications

- a) Has the land ever been the subject of an application for approval of a plan of subdivision, consent or any application under Section 45 of the Planning Act?

YES or **NO**

If yes, and if known, indicate the application file number and the decisions made on the application.

- b) Is the subject land also the subject of an application for site plan approval?

YES or **NO**

If yes, and if known, indicate the file number and the status of the application.

- c) Has the owner previously applied for relief in respect of the subject property or is there any intentions of applying for further relief in respect of the subject property?

YES or **NO**

If yes, describe briefly:

8. Drawings and Additional Information

- a) **Please attach one (1) digital copy of sketch drawn to scale or survey** showing existing and proposed information:

- boundaries and dimensions of the subject land
- 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
- 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 (i.e. buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks)
- current uses on land that is adjacent to the subject land
- 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
- location and nature of any easement affecting the subject land

Please refer to the attached example sketch.

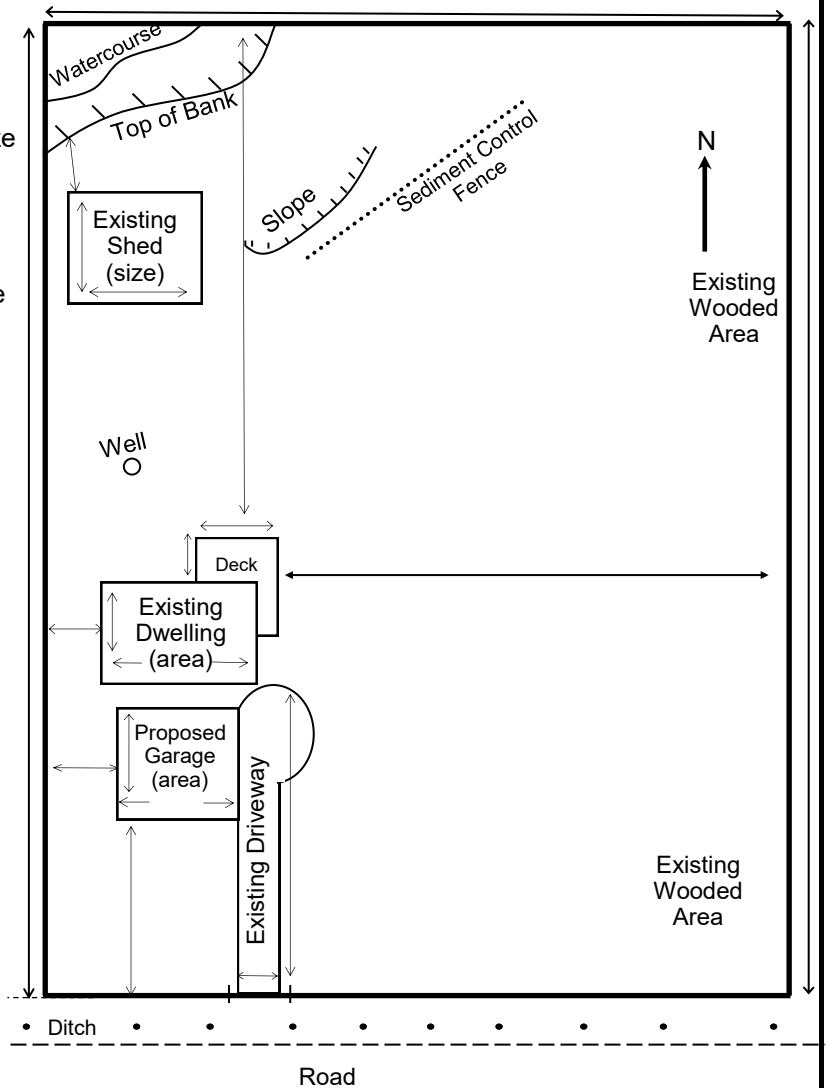
- b) **Please also submit one (1) digital copy of all studies and reports** required to be submitted with this application or prepared in support of the application.

Example Sketch

Your sketch must show the following information:

- Legal description of property and roll number
- North Arrow (North should be to the top of the page)
- Lot frontage & depth measurements, and total size
- Proposed location, dimension, and size of the proposed lot in relation to the existing lot.
- Location of all land previously severed from land originally acquired by the current owner.
- Boundaries & dimensions of any land abutting the subject land that is owned by the applicant
- Existing uses on adjacent lands
- Location of topographical, natural & built features, including:
 - cliff edges, steep slopes
 - streams, wetlands, watercourses, ponds, drainage areas
 - woods, hedgerows, trees
 - agricultural fields and features
 - railway, hydro easements, trails, etc.
 - existing buildings, structures, etc.
- Location and distance from property line of all proposed and existing development, including:
 - buildings
 - accessory buildings, facilities, structures, including pools and decks
 - driveway, septic system, wells, etc.
 - parking areas, storage areas
 - cut &/or fill areas, berms, retaining walls, culverts, etc.
 - hydro, gas, phone, water, sewer services
 - sidewalks
- Measurements showing distance from proposed development to:
 - front, side and rear lot lines
 - any cliff edges, streams, woods fence lines, hedgerows, septic systems, etc.
 - any roads, railways, hydro corridors
- Sediment and erosion control measures
- Existing direction of drainage and swales
- Proposed changes in grade (filling, excavation, etc.)

NOTE: Each arrow needs to be accompanied by a distance!



Failure to provide the requested information may result in your application being delayed.

This information is being collected in accordance with the Planning Act, 1990, c.P.13, for the purpose of defining the development proposal. A site visit to the property may be conducted to review this application, without further notice in accordance with the Planning Act, 1990, C.p.13.

9. Owner's Authorization :

I, (we) _____, being the registered owner(s) of the subject
(Name(s) of owner, individuals or company)

lands, hereby authorize _____ to prepare and submit a
(Name of Agent)
minor variance application for approval.

Signature of Owner(s) _____
Date

Note: If the owner is an incorporated company, the company seal shall be applied. If there is not a company seal, a statement of authority to bind is required.

10. Agreement on Costs :

I have enclosed the applicable application processing fees and deposits.

I _____, being the applicant for the
(Name of Applicant)
subject lands, hereby agree that notwithstanding that the agent may make payments on my behalf, I shall be solely and fully responsible for paying all costs the municipality may incur in the processing of this application. I further agree that such costs shall be paid promptly upon being invoiced by the Town, failing which, such costs, and interest and administration fees, may be collected, which may include recovering costs as taxes.

Signature of Applicant _____
Date

11. Declaration : This must be signed by the applicant in the presence of a Commissioner

I, (we) _____, of the _____ of
_____ County of _____ solemnly
declare that all the statements contained in this application and all supporting documentation 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 County/Region of
_____ this _____ day of _____, _____.

Signature of Owner(s) or Authorized Agent _____
Signature of Commissioner

Signature of Owner(s) or Authorized Agent

12. Applicant's Consent (Freedom of Information)

In accordance with the provisions of the Planning Act, it is the policy of the Town of New Tecumseth to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation, I _____, the applicant, hereby acknowledge the above-noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act that all the information in this application and any supporting documentation provided by myself, my agents, consultants and solicitors, as well as commenting letters or reports issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.

Signature of Applicant

Date

13. Public Notification of Planning Application and Signage Agreement

In compliance with the Planning Act, your application for consent will be circulated to affected parties who, in all probability will be visiting the site prior to submitting their comments. The area subject to the proposed minor variance must be clearly marked and posted 10 days prior to the hearing and remain posted until the date the appeal period expires.

It is the responsibility of the applicant to ensure the sign(s) is securely posted on the subject lands so that it is visible and legible from a public roadway. The Town has provided the sign for your convenience only, therefore the Town is not responsible for any damages from the improper posting of the sign. Please use the sign supplied and any extra posts or stakes supplied by owner and post it so it is clearly visible from the roadway.

In the event that the property is not marked, the Committee of Adjustment may decline to hear the application until such time as the posting of the sign has been completed and a date for the next hearing is available, or the Committee may deny the application. Any additional costs caused by the deferment shall be paid by the applicant, agent or solicitor. In the case of rural properties, the appropriate emergency number (911) must be part of the site address on the application.

I/We _____ (owner/agent) have submitted a minor variance application to the Corporation of the Town of New Tecumseth, and hereby confirm that I/we understand and acknowledge the information outlined in the above notice.

Dated this _____ day of _____, 20 ____ .

Signature of Applicant

Signature of Witness

14. Owners Consent For Municipal Staff and Committee to Enter the Site

I/We, _____ am/are the owner(s) of the land that is the subject of this minor variance application and give permission to Municipal Staff and the Committee of Adjustment of the Town of New Tecumseth to enter onto the subject land for the purpose of inspecting the lands to evaluate the merits of the application.

Signature of Applicant

Date

Signature of Applicant

This application package is to be submitted to:

**Secretary/Treasurer to the Committee of Adjustment
Town of New Tecumseth
24 Tupper St., W.
Alliston, Ontario
L9R 1H2**