



Town of The Blue Mountains
Committee of Adjustment
Minor Variance Application

Application for Minor Variance:

The Town's Zoning By-laws regulate the way in which land can be used by designating different areas with land use zones. The By-laws also contain rules that apply to each zone for things such as permitted uses, building setbacks and lot coverage. Because it is difficult for the Zoning By-law to address every circumstance that may affect the development or use of a particular property, the Planning Act allows Council to establish a Committee of Adjustment to which property owners can apply when they require a "minor variance" to the regulations.

The Application and Approval Process:

1. Consult with the Secretary-Treasurer and/or Planner:
Before you submit an application, discuss your plans with a Planner in the Planning Department.

2. Complete the Application, including the following;
 - One copy of a dimensioned and scaled site plan.
 - A cheque made payable to the Town of The Blue Mountains for the application, fee being **\$1,030.00** (By-law No. 2017-16 dated April 19, 2017);
 - If you are within the Grey Sauble Conservation Authority a separate cheque made payable to the Authority of **\$180.00** is required;
 - If someone is making application on your behalf, you must complete the "Owner Authorization" as part of this application;
 - Reminder that the AFFIDAVIT MUST be signed before a Commissioner of Oaths.
 - In some cases, additional information may be helpful in assessing an application. You are encouraged to submit photographs, a letter of justification or other relevant documentation with your application.

3. Notice of Public Hearing and Circulation of Application:

After your application has been received, a Notice of Public Hearing will be sent to all assessed property owners within 60 metres (200 feet) of the property, at least ten (10) days before the date of the Hearing. You will also be asked to post a copy of the Notice on the property affected.

At the same time, copies of your application will be circulated to Council and other Town Departments and required external agencies such as the affected Conservation Authority. The purpose of this circulation is to obtain comments from these interested groups for the benefit of the Committee of Adjustment to be considered at the Public Hearing.

4. Public Hearing and Decision Making Process:

The Public Hearing will normally be held within thirty (30) days of receiving your application. **It is very important that you and/or your Agent or Solicitor attend the Hearing to explain the reasons for your application. If you do not attend, the Committee may proceed in your absence.** Other interested persons are also entitled to attend and to express their views about the application. The Committee will also consider verbal advice and written reports from staff. Besides considering the site-specific aspects of the application, the Committee will also use the following criteria to evaluate the application and reach its decision:

- Is the variance minor?
- Is it desirable for the appropriate development or use of the land, building or structure?
- Is the general intent and purpose of the Official Plan and the Zoning By-law being maintained?

If your application is approved, the Committee may impose conditions as part of its decision.

5. Notice of Decision:

Within ten (10) days of the Committee making its decision, the Secretary-Treasurer of the Committee will mail one copy of the decision to you and to anyone else who filed a written request for Notice of the Decision. Information is included in the Notice of Decision outlining appeal procedures and identifying the last day for appealing the Committee's decision to the Ontario Municipal Board.

6. When the Decision is Final and Binding:

If no appeal is made by the end of the twenty (20) day appeal period, the Decision is final and binding. You will be notified by mail and if the application has been approved, you should, subject to the fulfillment of any conditions set out in the final decision, be in a position to apply for a building permit or be in compliance with the Zoning By-law.

**THE CORPORATION OF THE
TOWN OF THE BLUE MOUNTAINS**

32 Mill Street - PO Box 310
Thornbury, Ontario NOH 2P0
Telephone (519) 599-3131
(888) 258-6867
Facsimile (519) 599-7723



Application for Minor Variance

Submission No. A_____/20____

The undersigned hereby applies to the Committee of Adjustment for the Town of The Blue Mountains under Section 45 of the *Planning Act*, R.S.O. 1990, c. P.13., for relief, as described in this application from By-law No. 83-40, as amended, being the Zoning By-law of the former Township of Collingwood and from By-law No. 10-77, as amended, the Zoning By-law of the former Town of Thornbury.

1. Name of Registered Owner(s)_____

Mailing Address _____

City _____ Province _____ Postal Code _____

Telephone: _____ Facsimile: _____

Cellular: _____ Email: _____

2. Name of Applicant _____

Address _____ Postal Code _____

City/Town _____ T#: _____ Email _____

3. Name of Agent / Solicitor (if any)_____

Address _____ Postal Code _____

City/Town: _____ T#: _____ Email _____

4. Communications to be sent to: Owner Applicant Agent (check one only)

5. Location of the Lands:
 Municipal Address (Street # & Street Name) _____
 Registered Plan _____ Lot(s) _____
 Reference Plan _____ Part(s) _____
 Concession _____ Lot(s) _____

Are the lands subject to an existing easement(s) or right-of-way(s)? Yes _____
 No _____

NOTE: Town staff and its representatives may enter upon the lands during regular business hours for the purpose of performing inspections of the subject property.

6. Present Official Plan designation applying to the land _____

7. Present Zoning category applying to the land _____

8. Exact extent of relief applied for: (note Section of By-law) _____

9. Reason to have relief applied for: _____

10. Why is it not possible to comply with the provisions of the By-law? _____

11. Description of Property:

(i)	Lot Frontage	_____ metres	_____ feet
(ii)	Lot Depth	_____ metres	_____ feet
(iii)	Lot Area	_____ sq.metres	_____ sq.feet

12. Indicate the Type of Road Access / Frontage:

- _____ Provincial Highway Access
- _____ County Road
- _____ Open and Maintained Municipal Road Allowance
- _____ Non-maintained / Seasonally maintained Municipal Road Allowance
- _____ Private Right-of-Way
- _____ Water

If access is by water only, indicate the parking or docking facilities used and the

approximate distance of these facilities from the property and the nearest public road.

13. Indicate **existing** use of subject land:

- | | |
|--------------------------------------|--|
| <input type="checkbox"/> Residential | <input type="checkbox"/> Agricultural |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Recreational (no dwellings) |
| <input type="checkbox"/> Vacant | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Other | |
- (Explain) _____

14. Are there any watercourses on or near the subject lands? If so, please indicate and note on site plan.

15. List any **existing** buildings or structures located on the lands:

16. Indicate the following of any **existing** buildings or structures.

- | | | |
|---|--------------|---------------|
| | <u>House</u> | <u>Garage</u> |
| - setback from property lines in metres | _____ | _____ |
| - height in metres (#storey(s)) | _____ | _____ |
| - dimension/floor area in metres | _____ | _____ |

17. List any **proposed** new uses of the subject land.

18. List any **proposed** buildings or structures to be located or built on the lands.

19. Indicate the following for any **proposed** structures:

- | | | |
|---|--------------|---------------|
| | <u>House</u> | <u>Garage</u> |
| - setback from property lines in metres | _____ | _____ |
| - height in metres | _____ | _____ |
| - dimension/floor area in metres | _____ | _____ |

20. Indicate the total percent lot coverage for all structures.

21. Indicate the date the subject property was acquired by current owner.

22. If known, indicate the date the existing building or structure was constructed.

23. If known, indicate the length of time the existing uses have continued.

24. Indicate applicable water supply:

Municipal Communal
 Private Well Other

25. Indicate applicable sewage disposal:

Municipal Communal
 Private Septic Privy Pit
 Other

26. Indicate storm drainage:

Municipal Storm Sewer Municipal ditch
 Private Ditch Private Swale
 Other

27. Is the land subject to an application for Plan of Subdivision or Consent?

Yes No

If yes, indicate file number and status:

28. To your knowledge, has the land ever been subject of a previous application for minor variance? Yes No

If yes, indicate the File Number and status (could be legal description of property)

29. Please provide a sketch showing the following:

- (i) The boundaries and dimensions of the subject lands;
- (ii) 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 line.

- (iii) 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, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
 - (iv) The location and type of adjacent livestock facilities.
 - (v) The current uses on all properties abutting and opposite the subject lands.
 - (vi) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
 - (vii) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
 - (viii) The location and nature of any easement affecting the subject land.
30. The committee may also request the applicant to provide a photograph and/or survey of the lands or location for which this application is made.
31. Indicate how you wish the municipality to forward the Notice of Hearing to you for posting as **the Notice must be posted ten days prior to the hearing date:**

- _____ Mail – only if the owners mailing address is local – otherwise please note either of the next two options.
- _____ Applicant / Agent to pick up at Municipal Office
- _____ Applicant / Agent to make arrangements to have Public Notice picked up.

Name: (Please Print) _____

Address: _____

Phone No. _____

Applicant(s)/Agents Signature: _____

AFFIDAVIT

NOTE: This section must be signed in the presence of a Commissioner of Oaths.

I _____ of the _____ of _____ in the County / Region of _____ solemnly declare that all the statements contained in this application and all the information provided is 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.**

It is understood and agreed that the fee submitted with this application covers only routine processing costs (ie. review by municipality, a Public Meeting and Amendment documents, if approved). It is further understood and agreed that any additional costs or requirements with this application, including any additional information and processing requirements, or as may otherwise be required or incurred and charged to or by the municipality (ie: Planning, Legal or Engineering Fees, O.M.B. Hearing Costs, Agreements, Special Studies, other Approvals or Applications, and any other related matters), will be my responsibility to provide to and/or reimburse the municipality for same. Failure to pay all associated costs may result in refusal of this application and/or collection by the municipality in like manner as municipal taxes, or any other means legally available to the municipality.

Declared before me at the _____ of _____ in the County/Region of _____ this _____ day of _____, 20_____.

Signature of Authorized Owner or Agent Print Name Date

Signature of Commissioner of Oaths Print Name Date

FOR OFFICE USE ONLY - Date Filed _____ Date Accepted _____ Accepted by: _____ ***** File Number(s) _____ Roll Number(s) _____ _____ Required Fee _____ Paid _____ Receipt No. _____ Received by: _____

Owner Authorization

I/We, _____

being the registered owner(s) of _____

(property description)

in the Town of The Blue Mountains hereby Authorize _____

to act on my/our behalf as Authorized Applicant / Agent in the matter of an application for minor variance for the above lands.

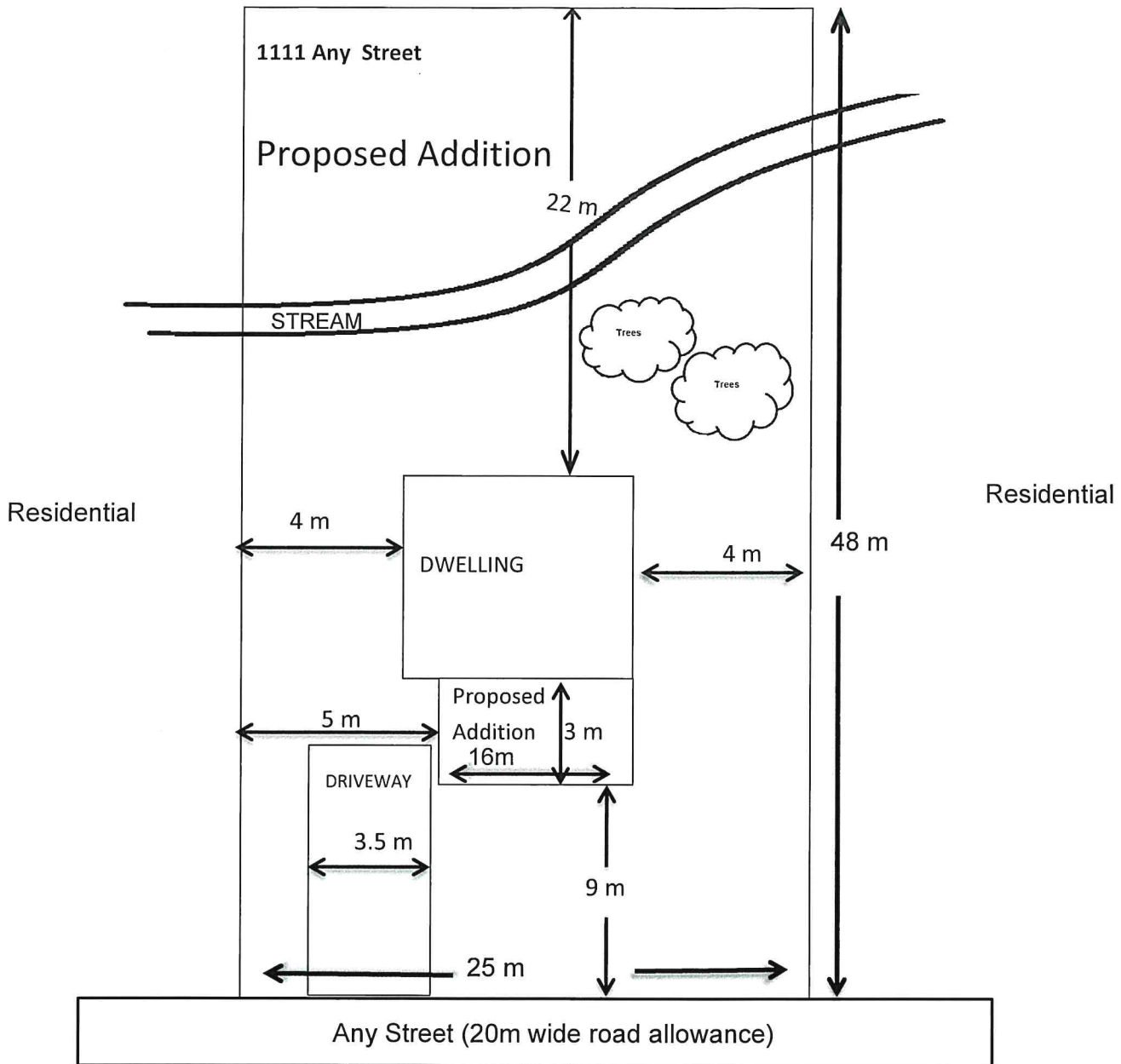
Date: _____ Signature _____

Print Name: _____

Date: _____ Signature _____

Print Name: _____

Sample Minor Variance Site Plan (Information and guidance only)



INDICATE:

1. Property dimensions
2. Dimensions of all buildings
3. Setbacks from all buildings to all property lines and from other buildings
4. Legal description and civic address
5. Driveway width and location
6. Location of steep banks & setbacks to natural boundary of any lake, pond, swamp or water-course
7. Dimensions of proposed additions
8. Septic tank & field locations, where applicable
9. Easements, Right of Ways
10. Parking