

COMMITTEE OF ADJUSTMENT

Application for Minor Variance

PURPOSE: A minor variance would be required to permit either a specific or any future additions to a building that does not comply with a zone provision or conform to a permitted use in the zoning by-law.

A minor variance should be applied for only if all of the following conditions, among other things, apply to the proposal:

1. There is a practical difficulty that makes carrying out the strict letter of the by-law unreasonable or impossible;
2. The circumstances which create the practical difficulties are peculiar to the property only and not common to the area;
3. By complying with the by-law, the applicant can make no reasonable use of the property;
4. The necessity for the variance is not one of convenience or monetary gain, which compliance with the by-law is possible and reasonable;
5. The Applicant has not himself/herself created the circumstances that prevent him/her from complying with the strict terms of the by-law;
6. The application has sufficient merits of its own not to create a precedent for similar requests from others.

PROCESS: It is very important to discuss any proposals with the Municipal Planner prior to submission. Make your application to the Committee of Adjustment along with the required fee and survey showing the location and setbacks of all buildings and structures on the lot.

A Public Hearing will be set and notice of same will be circulated to the Applicant, Agent, required government agencies and every assessed person within 200 feet (60 metres) of the subject property. This must be done at least 10 days prior to the hearing. It may take up to four weeks for the Committee to hear the application.

The Applicant or Agent's attendance at the public hearing is highly recommended. The Applicant or Agent will be asked to explain the minor variance requested and answer any questions that may arise. If there is no representative at the public hearing, the Committee may defer the application to a later date.

Following the public hearing, the Committee may grant, deny or defer the decision for more information.

Once the decision is made, a notice of decision and appeal will be sent to everyone on the first mailing list. A twenty (20) day appeal period is required to be in this notice permitting anyone to appeal the decision to the Ontario Municipal Board.

In the event an appeal is made, municipal staff is often required to appear at the hearing, and as such, the cost of same must be borne by the applicant.

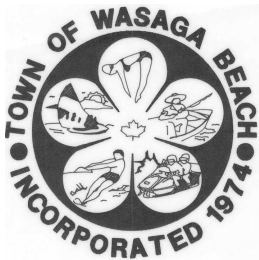
Should there be no appeal filed and the appeal period has expired, the process is completed. If a building permit is required it can now proceed through that process.

APPLICABLE FEES

Minor Variance Application Fee	\$900.00
Nottawasaga Valley Conservation Authority Fee	\$200.00* (payable to the NVCA)

*NVCA fee for their review and comment must also accompany this application if:

- The property is environmentally designated (e.g. Hazard Land) in the Official Plan;
- The property is environmentally zoned (e.g. "EP or "OS") in the Zoning By-law;
- The property is a natural heritage feature (e.g. woodland, wetland, etc.);
- The property is located in proximity to natural hazardous lands (e.g. steep slopes);
- The property is traversed by a watercourse or abuts a watercourse;
- The property is located on the shoreline of Georgian Bay;
- The property is located in the flood plain and/or NVCA regulatory area.



THE CORPORATION OF THE TOWN OF WASAGA BEACH

PLANNING DEPARTMENT

APPLICATION FOR MINOR VARIANCE APPROVAL

OFFICE USE ONLY			
DATE RECEIVED:		FILE NO.:	
DATE APPLICATION DEEMED COMPLETE:			
FEES			
Minor Variance application	\$900.00		

The undersigned hereby applies to the Town of Wasaga Beach Committee of Adjustment, under section 45, of *the Planning Act*, R.S.O. 1990, c. P.13, for relief as described in this application form from the Town of Wasaga Beach Zoning By-law 2003-60, as amended:

1. CONTACT INFORMATION

Applicant Information

Name of applicant:			
Mailing Address:			
Telephone No:		Cell No:	
E-Mail:		Fax No:	

Owner Information (if different from Applicant)

Name of Owner:			
Mailing Address:			
Telephone No:		Cell No:	
E-Mail:		Fax No:	

Agent Information (if applicable)

Name of Agent:			
Mailing Address:			
Telephone No:		Cell No:	
E-Mail:		Fax No:	

Communications should be sent to Applicant Owner Agent

2. LOCATION AND DESCRIPTION OF THE SUBJECT LANDS

Location of Subject Property (complete applicable lines)

Street & Number:			
Tax Roll #:			
Lot No.:		Concession:	
Part No.:		Plan No.:	

Easements or Restrictive Covenants

Are there any easements or restrictive covenants affecting the subject lands?
If yes, Describe the easement or covenant and its effect:

Dimensions of Subject Property (in metric units)

Frontage	metres
Average Width	metres
Depth	metres
Area	square metres

3. EXISTING LAND USES & ZONING**Existing Use and Zoning**

Describe the existing uses on the subject land:	
The length of time that the existing uses on the subject land have continued:	
Describe the existing uses on the abutting lands:	
Current Land Use Designation in Official Plan:	
Current Zoning:	
Current Land Use Designation of abutting lands:	
North	South
East	West
Current Zoning of abutting lands:	
North	South
East	West

4. PURPOSE OF THE APPLICATION**Proposed Use and Variance**

Describe the proposed uses on the subject land:
Describe the specific nature and extent of relief applied for:
Why is it not possible to comply with the By-law provisions:

5. EXISTING AND PROPOSED STRUCTURES

STRUCTURE DETAILS	EXISTING	PROPOSED
Number of structures		
Structure #1		
Date constructed:		
Gross Floor Area (sq/m)		
Ground Floor Area (sq/m)		
Number of storeys		
Type of foundation		
Structure height (metres)		
Setback from front lot line (metres)		
Setback from rear lot line (metres)		
Setback from side lot line (metres)		
Structure #2		
Date constructed:		
Gross Floor Area (sq/m)		
Ground Floor Area (sq/m)		
Number of storeys		
Type of foundation		
Structure height (metres)		
Setback from front lot line (metres)		
Setback from rear lot line (metres)		
Setback from side lot line (metres)		
Structure #3		
Date constructed:		
Gross Floor Area (sq/m)		
Ground Floor Area (sq/m)		
Number of storeys		
Type of foundation		
Structure height (metres)		
Setback from front lot line (metres)		
Setback from rear lot line (metres)		
Setback from side lot line (metres)		

6. ACCESS AND SERVICING INFORMATION

Type of Access	Existing	Proposed
Provincial highway		
Municipal road, maintained year round		
Municipal road, maintained seasonally other public road		
Other public road		
Please specify:		
Water access		
Please describe the parking and docking facilities and the approximate distances of these facilities from the subject land and the nearest public road		

Type of Water Supply	Existing	Proposed
Municipally operated piped water system		
Privately owned/operated individual well		
Privately owned/operated communal well		
Lake or water body		
Please specify		
Other means		
Please specify		
Type of Storm Water Control	Existing	Proposed
Storm drainage sewer		
Ditch		
Swale		
Other means		
Please specify		
Type of Sewage Disposal	Existing	Proposed
Municipally operated sanitary sewers		
Privately owned/operated individual septic		
Privately owned/operated communal septic		
Privy		
Other means		
Please specify		
Utilities	Existing	Proposed
Hydro		
Natural gas		
Telecommunications		

7. PLANNING HISTORY OF THE SUBJECT LAND

Date of acquisition of the subject land:		
Has the owner previously applied for relief with respect to the subject land:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please specify:		
If known whether the subject land is the subject of an application under the Planning Act for approval of a plan of subdivision or consent.		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
If yes, please specify the file number and the status of the file:		

If known, has the subject land ever been the subject of an application under Section 45 of the Planning Act.		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
If yes, please specify:		
Has there ever been an industrial or commercial use, including gas station on the subject land or adjacent lands?		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If yes, please specify:		
Is there a reason to believe the subject lands have been contaminated by former uses on the subject land or adjacent lands?		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If yes, please specify:		
Has there ever been waste disposal on the subject land or adjacent lands?		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If yes, please specify:		

8. ADDITIONAL REQUIREMENTS

The application shall be accompanied by a survey showing the following:

A survey of the property prepared by an Ontario Land Surveyor indicating topographical contours and other natural and artificial features such as existing buildings and their uses, railways, highways, pipelines, ditches, swamps, watercourses, drainage, and wooded areas within or adjacent to the subject land. This survey should clearly indicate the land which is the subject of this application.

1. The boundaries and dimensions of the subject land;
2. The boundaries and dimensions of any land abutting the subject land that is owned by the Owner of the subject land;
3. The distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
4. 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 lines.
5. The location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
6. The approximate location of all natural and artificial features on the subject land (for example, buildings, railways, roads, watercourses, drainage ditch, river or stream banks, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to the subject land and in the opinion of the applicant, may affect the application;
7. The current uses on land that is adjacent to the subject land;
8. The 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;
9. If access to the subject land is by water only, the location of the parking and docking facilities to be used; and,
10. The location and nature of any easement affecting the subject land;

9. OTHER INFORMATION

Is there any other information that you think may be useful to the Municipality or other agencies in reviewing the application? If so, explain on the space provided or attach on a separate page:

Enclosed herewith is the applicable fee and I/We hereby agree to pay further costs and expenses incurred by the Municipality for legal, planning, engineering and/or other costs incidental to this application to the completion of all appeals or Ontario Municipal Board hearings, should they arise.

Be advised that the Applicant or a Representative is required to appear at the Committee of Adjustment meeting and any other meetings that are required to explain the proposal and answer any questions that may arise. Failure to do so may result in deferral of the application and increased costs.

The Applicant shall provide any other material or studies requested by an official representing the Corporation of the Town of Wasaga Beach in order for the Municipality to review the application. This could include special topic studies (Examples include but are not limited to, Noise Studies, Environmental Impact Studies, Traffic Studies, D-4 Studies, Golf Ball Scatter Studies, etc.) and could further include peer review of the studies as requested by the Municipality. Five copies of each plan (including 11x17 reduction of each plan) and three copies of any reports or studies including a digital copy of each drawing and report prepared in support of this application, is required.

10. PERMISSION TO ENTER

Consent is given to the Town of Wasaga Beach, its employees and authorized representatives to enter onto the above noted property, solely for the purpose of obtaining information to assist in the evaluation of this application.

The owner acknowledges that employees or authorized representatives of the Town may enter onto the subject property at any reasonable time and only for the purposes set out above.

Date:		Signature of Owner:	
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11. AUTHORIZATION OF OWNER

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

12. AUTHORIZATION OF OWNER FOR AGENT TO MAKE APPLICATION AND TO PROVIDE PERSONAL INFORMATION

I, _____, am the owner of the land this is the subject of this application for consent and for purposes of the Freedom of Information and Protection of Privacy Act.

I authorize _____ as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

Date:		Signature of Owner:	
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13. CONSENT OF OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION

I, _____, am the owner of the land that is the subject of this consent application and for the purposes of the *Freedom of Information and Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of The Planning Act for the purposes of processing this application.

Personal information contained in this form, collected and maintained pursuant to *The Planning Act*, will be used for the purpose of responding to the Application and creating a public record. The Owner's Signature acknowledges that "personal information [is] collected and maintained specifically for the purpose of creating a record available to the general public;" per Section 14(1)(c) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M. 56.

The applicant acknowledges that the Town considers the application forms and all supporting materials, including studies and drawings, filed with this application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the Town photocopying and releasing the application and any supporting material either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement. Questions regarding the collection of information should be directed to the Clerk of the Town of Wasaga Beach, 705-429-3844, ex 2223.

Date:		Signature of Owner:	
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14. AFFIDAVIT OR SWORN DECLARATION OF OWNER/AGENT

Declaration for the Prescribed and Requested Information

I, _____, of the _____ of _____
in the _____ of _____

do solemnly declare that all of the above statements and all attachments are true, and I make this oath 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 _____ of _____ this _____ day of _____, 20__

Signature

A Commissioner, etc.

Please submit your complete application to:

**The Town of Wasaga Beach
Planning Department
30 Lewis Street
Wasaga Beach, Ontario L9Z 1A1**

Regular business hours: Monday to Friday from 8:30 a.m. to 4:30 p.m.