

Municipality of Trent Lakes
Application for Minor Variance or Permission
(Under Section 45 of the *Planning Act*)

Requirements for Complete Application:

It is the responsibility of the property owner or owner's agent to ensure accuracy and completeness of the application and to supply all plans necessary. No application shall be deemed complete by the Planning Technician until all the prescribed information is received.

- Original of the completed application form
- Authorization form (if applicant is not the property owner)
- 1 copy of the site plan/sketch (digitally if possible, see site plan requirements for details)
- 1 copy of the survey plan or Surveyor's Real Property Report (if proposed development is located within 30 m of the high water mark)
- Any other background reports or plans as required during pre-consultation
- \$1,125.00 Application Fee (cash, debit or cheque payable to the Municipality of Trent Lakes)
- \$500 KRCA Review Fee (applicable in KRCA Regulated Area ONLY)

Applications must be completed in **dark blue or black ink only** – do not use pencil. If submitting photocopies of your application, the **original copy must also be filed**.

The following application form sets out the information that must be provided by the applicant, as prescribed in the schedules to Ontario Regulation 200/96 made under the *Planning Act*. It also sets out other information that will assist the Municipality and others in their evaluation of the application. To ensure the most complete review, this information should be submitted at the time of application. As part of the required information, a sketch is required and should be drawn in accordance with the site plan requirements contained herein. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. **If the requested information, including the sketch and fee, is not provided, the Municipality will return the application or refuse to further consider the application until the information, sketch, plan and fee have been provided.**

Note to Applicants:

Pre-consultation with municipal staff to discuss your proposal is strongly recommended. In some cases, it may be appropriate to obtain professional services to assist you with the completion of your application. In this form the term "subject land" means the land that is the subject of the application for a minor variance or permission.

Submission Deadline:

Please be advised that a complete application must be submitted at least **30 days** prior to the next Committee of Adjustment hearing. Hearings are scheduled for the first Tuesday of every month, except after a statutory holiday Monday, where the meeting is held the second Tuesday. Proposed buildings/structures must be staked out on the subject lands at least **10 days** prior to the hearing.

Please make an appointment 48 hours prior to submission in order for a staff member to review your application and/or commission your signature. The Planning Technician is available on Monday through Friday during regular office hours 8:30 a.m. to 4:30 p.m. by telephone (705-738-3800 ext. 234), or by appointment.

Minor Variance Application Process:

Section 45(1) of the Planning Act, R.S.O. 1990,c.P.13, as amended, authorizes the Committee of Adjustment to approve minor variances from the provisions of the by-law, in respect of the land, building or structure or use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the Committee the general intent and purpose of the by-law and of the official plan, if any are maintained.

Once an application for a minor variance is received and the application is considered complete, a notice of hearing is drafted by the Planning Technician, posted on the subject lands at least 10 days prior to the meeting and circulated to all property owners within 60 metres of the subject lands. The notice is also circulated to all applicable agencies and public bodies in accordance with the regulations under the Planning Act.

At the Committee of Adjustment hearing, the Committee will hear all pertinent information about the application, correspondence received, planning report and comments from the attending public. The hearing for the application is a public and open process with all decision being made in open session at the meeting with the applicant informed of all decisions and conditions imposed on the application. A copy of the decision is then mailed to the applicant and/or property owner within 10 days. Anyone wishing to be notified of the decision must make a written submission to the Secretary-Treasurer of the Committee of Adjustment at the address listed below.

Only the applicant, public bodies with a specific interest in the matter, or the corporation may appeal the minor variance decision within (20) days from the date of the decision of the Committee of Adjustment to the Ontario Land Tribunal (OLT) by filing a written Notice of Appeal setting out the objection(s) to the Decision and the reasons in support of the objection. Appellants must use "Appellant Form" which will be available from the Ontario Land Tribunal (OLT) website at olt.gov.on.ca/appeals-process/forms or the Planning Department at the address noted below. Each appeal shall be accompanied by payment of the prescribed OLT Hearing Fee of \$1,100.00 for the first appeal in the form of a **certified cheque or money order**, made payable to the **Minister of Finance**. Each appeal **must** be filed with the Secretary-Treasurer of the Committee of Adjustment either personally or by registered mail at the address listed below:

Secretary-Treasurer, Committee of Adjustment
Municipality of Trent Lakes
760 County Road 36
Trent Lakes, ON K0M 1A0

If the Committee reaches a decision on an application and the time for appeal has lapsed without the municipality receiving an appeal of the application, the decision of the Committee of Adjustment becomes final and binding. The applicant will be notified in writing or by email (if provided) when the appeal period has expired.

All conditions imposed by the Committee of Adjustment on a minor variance must be completed within the timeframe outlined in the condition to the satisfaction of the Building and Planning Department, but at no cost to the Municipality. Once all conditions are completed, the minor variance is in full force and effect.

Application Fee:

A \$1,125.00 application fee is required to process an application for Minor Variance. The application fee covers all staff time and mailing costs related to the application. If the subject lands are under the jurisdiction of the Kawartha Region Conservation Authority, an additional **\$500** review fee is required (paid by cheque made payable to 'Kawartha Conservation').

Site Plan Requirements:

The application must be accompanied by a site plan/sketch drawn to an appropriate scale showing the following (this is not an exhaustive list, for reference only):

- Boundaries and dimension of the subject lands
- Location, size and type of all existing buildings and structures
- Location, size and type of all proposed buildings and structures
- Setbacks of the buildings and structures from the front, rear and side lot lines
- Setbacks of the buildings and structures from the high water mark (if applicable)
- Approximate location of all natural and artificial features on the subject lands and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application, such as buildings, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks, tile beds, utilities (e.g. overhead hydro lines or buried cables), retaining walls
- 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 travelled road, a private road or a right of way
- If access to the subject land is by water only, the location of the parking and docking facilities to be used
- The location and nature of any easement affecting the subject land
- All present and proposed entrances and culverts onto the subject lands
- All proposed loading and parking areas or waste disposal areas (commercial/industrial only)
- Location of any agricultural buildings capable of housing animals, if the buildings are located within 500 metres of the subject lands
- North arrow

Measurements on the sketch shall correspond to those identified in the application. Photocopies of your survey, if you have one, should be used. If no survey is available, a detailed, to-scale, hand-drawn sketch is acceptable. **In some cases, it may be appropriate to obtain professional services to determine the accuracy of your property dimensions.**

Please Note: As of April 1, 2016, the Municipality of Trent Lakes will be amending the application process for building permits, Minor Variances, and Zoning By-law Amendments by requesting a survey for any construction (not including a sewage system) within the 30 meter water yard setback. This survey is to be prepared by an Ontario Land Surveyor. If the application is to rebuild on the same footprint, the Chief Building Official may allow a Surveyor's Real Property Report in lieu of a survey. If the property is located on any body of water governed by the Trent Severn Waterway, a flood contour line is to be added to the survey.

Notice of Collection Personal information contained in this form and schedules collected will be used in the administration of the application and information contained herein may be available to the public in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Questions regarding this collection and its release under the Act should be directed to the Municipality of Trent Lakes, Attention: Clerk, 760 County Rd 36, Trent Lakes, ON K0M 1A0, telephone 705-738-3800 ext. 240 during business hours.

Municipality of Trent Lakes
 Application for Minor Variance or Permission
 (Under Section 45 of the *Planning Act*)

Office use only:
 Application #: A- _____ / _____ Date Received: _____ Date of Meeting: _____
 Assessment Roll #: _____

The undersigned hereby applies to the Committee of Adjustment for the Municipality of Trent Lakes under section 45 of the *Planning Act* for relief, as described in this application, from By-law No. B2014-070.

1. Applicant/Agent Information:

1.1 Name of applicant/agent: _____
 Mailing address: _____
 _____ Postal code _____
 Telephone number: (____) ____ - _____ Fax number: (____) ____ - _____
 Cell number: (____) ____ - _____
 E-mail address: _____

1.2 Name of owner(s): _____
(if different from the applicant)
 Mailing address: _____
 _____ Postal code _____
 Telephone number: (____) ____ - _____ fax number: (____) ____ - _____
 Cell number: (____) ____ - _____
 E-mail address: _____
(All owner(s) authorization is required in section 15.1, if the applicant is not the owner.)

1.3 Communication should be sent to: owner applicant or to the following:
 Name: _____
 Mailing address: _____
 _____ Postal code _____
 Telephone number: (____) ____ - _____ Fax number: (____) ____ - _____
 Cell number: (____) ____ - _____

2. Description and location of the subject land: *(complete applicable lines)*

2.1 Geographic municipality: (ward) _____
 Concession number(s) _____ Lot number(s): _____
 Registered plan number: _____ Lot(s)/block(s): _____
 Reference plan number: _____ Part number(s): _____
 Road/street number and name: _____
 Attach survey plan, if available.

2.2 Are there any easements or restrictive covenants affecting the subject land? (i.e. Hydro, Bell, etc.) yes no
If yes, describe the easement or covenant and its effect:

3. Purpose of application:

3.1 Relief: (nature and extent of relief from the zoning by-law)

From Section: _____

To permit the construction of: _____

From Section: _____

To permit the construction of: _____

From Section: _____

To permit the construction of: _____

Example:

From section: 8.2 (Regulations for Uses Permitted in Shoreline Residential)

To reduce the minimum side yard setback from 4.5 m (15 ft.) to 3.5 m (11.5 ft.)

To permit the construction of: an addition to the existing cottage

3.2 Reason: (why the proposed use cannot comply with the provisions of the zoning by-law)

4. Dimensions of subject land:

4.1 Frontage: _____ m Depth: _____ m
Area: _____ sq.m _____ ha

Existing use(s) of the subject land: _____

Length of time the existing uses of the subject land have continued:

Date subject land was acquired by current owner:

Existing buildings or structures:

Please identify each existing building on the sketch and provide information for each building. If there are more than three building on the property, please attach a separate sheet.

Note: Ground Floor Area means the area that the building occupies on the ground (i.e. footprint but not incl. open decks)

Building 1

| | |
|-----------------------------------|-----------------------------------|
| Type: | Date Constructed: |
| Existing Use: | Date Existing Use Commenced: |
| Ground Floor Area: | Gross Floor Area: |
| Water Yard Setback: | Front Lot Line Setback: |
| Interior Side Lot Line Setback 1: | Interior Side Lot Line Setback 2: |
| Exterior Side Lot Line Setback: | Rear Lot Line Setback: |
| Building Height: | Dimensions: |
| No. of Units: | Gross floor area per unit: |
| Loading Spaces: | Parking Spaces: |
| (Commercial and Industrial Uses) | |

Building 2

| | |
|-----------------------------------|-----------------------------------|
| Type: | Date Constructed: |
| Existing Use: | Date Existing Use Commenced: |
| Ground Floor Area: | Gross Floor Area: |
| Water Yard Setback: | Front Lot Line Setback: |
| Interior Side Lot Line Setback 1: | Interior Side Lot Line Setback 2: |
| Exterior Side Lot Line Setback: | Rear Lot Line Setback: |
| Building Height: | Dimensions: |
| No. of Units: | Gross floor area per unit: |
| Loading Spaces: | Parking Spaces: |
| (Commercial and Industrial Uses) | |

Building 3

| | |
|-----------------------------------|-----------------------------------|
| Type: | Date Constructed: |
| Existing Use: | Date Existing Use Commenced: |
| Ground Floor Area: | Gross Floor Area: |
| Water Yard Setback: | Front Lot Line Setback: |
| Interior Side Lot Line Setback 1: | Interior Side Lot Line Setback 2: |
| Exterior Side Lot Line Setback: | Rear Lot Line Setback: |
| Building Height: | Dimensions: |
| No. of Units: | Gross floor area per unit: |
| Loading Spaces: | Parking Spaces: |
| (Commercial and Industrial Uses) | |

4.2 Nature of proposed development:

Please provide the information for each proposed building (*if more than three buildings, attach a separate sheet to this application*).

Proposed use(s) of the subject land: _____

Building 1

| | |
|-----------------------------------|-----------------------------------|
| Type: | Date Constructed: |
| Existing Use: | Date Existing Use Commenced: |
| Ground Floor Area: | Gross Floor Area: |
| Water Yard Setback: | Front Lot Line Setback: |
| Interior Side Lot Line Setback 1: | Interior Side Lot Line Setback 2: |
| Exterior Side Lot Line Setback: | Rear Lot Line Setback: |
| Building Height: | Dimensions: |
| No. of Units: | Gross floor area per unit: |
| Loading Spaces: | Parking Spaces: |
| (Commercial and Industrial Uses) | |

Building 2

| | |
|-----------------------------------|-----------------------------------|
| Type: | Date Constructed: |
| Existing Use: | Date Existing Use Commenced: |
| Ground Floor Area: | Gross Floor Area: |
| Water Yard Setback: | Front Lot Line Setback: |
| Interior Side Lot Line Setback 1: | Interior Side Lot Line Setback 2: |
| Exterior Side Lot Line Setback: | Rear Lot Line Setback: |
| Building Height: | Dimensions: |
| No. of Units: | Gross floor area per unit: |
| Loading Spaces: | Parking Spaces: |
| (Commercial and Industrial Uses) | |

Building 3

| | |
|-----------------------------------|-----------------------------------|
| Type: | Date Constructed: |
| Existing Use: | Date Existing Use Commenced: |
| Ground Floor Area: | Gross Floor Area: |
| Water Yard Setback: | Front Lot Line Setback: |
| Interior Side Lot Line Setback 1: | Interior Side Lot Line Setback 2: |
| Exterior Side Lot Line Setback: | Rear Lot Line Setback: |
| Building Height: | Dimensions: |
| No. of Units: | Gross floor area per unit: |
| Loading Spaces: | Parking Spaces: |
| (Commercial and Industrial Uses) | |

5. Services:

5.1 Access is provided to the subject land by: *(check appropriate spaces)*

Access type

- provincial highway
- municipal road
- private road (i.e. Fire route)
- right of way
- unopened road allowance
- water access only

where access to the subject land is by water only:

- docking facilities used (specify) _____
- distance from nearest public road _____
- parking facilities used (specify) _____
- distance from nearest public road _____

5.2 Water is provided to the subject land by: *(check appropriate spaces)*

- publicly-owned/operated piped water system
- privately-owned/operated individual well
- privately-owned/operated communal well
- lake or other water body
- other means *(specify)* _____

5.3 Sewage disposal is provided to: *(check appropriate space)*

- publicly-owned/operated piped sewage system
- privately-owned operated individual septic system
- publicly-owned/operated communal sewage system
- privately-owned/operated communal sewage system
- privy
- other means *(specify)* _____

(a certificate of approval for the septic system from the district health unit submitted with this application will facilitate the review.)

5.4 Storm drainage is provided to the subject land by: *(check appropriate space)*

- ditches
- swales
- other means *(specify)* _____

6. Official plan and Zoning information:

6.1 Does the application conform to the Municipality's Official Plan? yes no
 What is the current official plan designation(s) of the subject land? _____
(note: please contact the building & planning department if unknown)

6.2 Has the subject land ever been the subject of a rezoning?
 yes by-law no. _____ no unknown

6.3 What is the current zoning of the subject land? _____
(note: please contact the building & planning department if unknown.)

7. Significant land uses and features:

7.1 Are any of the following uses or features on the subject land or within 500 metres (1,640 ft.) of the subject land? (**check the appropriate boxes, if any apply**)

| Use or feature | on subject land | or | within 500 m |
|--|--------------------------|----|--------------------------|
| livestock facility, stockyard or manure storage facility | <input type="checkbox"/> | | <input type="checkbox"/> |
| Active or closed landfill site | <input type="checkbox"/> | | <input type="checkbox"/> |
| provincially significant wetland floodplain | <input type="checkbox"/> | | <input type="checkbox"/> |
| communication tower | <input type="checkbox"/> | | <input type="checkbox"/> |
| aggregate extractive use | <input type="checkbox"/> | | <input type="checkbox"/> |
| commercial use (<i>specify</i>) _____ | <input type="checkbox"/> | | <input type="checkbox"/> |
| industrial use (<i>specify</i>) _____ | <input type="checkbox"/> | | <input type="checkbox"/> |
| municipal use (<i>specify</i>) _____ | <input type="checkbox"/> | | <input type="checkbox"/> |

8. History of the subject land:

8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent (severance) under the *Planning Act*?
 yes no unknown

If yes, and known, provide the Ministry or Municipality's application file number and the decision made on the application.

8.2 If this application is a re-submission of a previous minor variance application, describe how it has been changed from the original application.

8.3 Has there ever been an industrial or commercial use on the subject land or adjacent land?
 yes no unknown

If yes, please specify the use. _____

8.4 Has the grading of the subject land ever been changed by adding earth or other material?
 yes no unknown

8.5 Has a gas station ever been located on the subject property or adjacent land?
 yes no unknown

8.6 Has there been gasoline or other fuel stored on the subject land or adjacent land?
 yes no unknown

8.7 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent site? yes no unknown

9. Current applications:

9.1 Is the subject land the subject of an application for a zoning by-law amendment, minister's zoning order amendment, consent or approval of a plan of subdivision/condominium?
 yes no unknown

If yes, and if known, specify the appropriate file number(s) and status of the application(s).

9.2 Is the subject land the subject of a previous minor variance approval (section 45 of the Planning Act)?

yes no unknown

If yes, and if known, specify the appropriate file number(s), status of the application(s) and description of relief sought/granted.

10. Minimum Distance Separation

10.1 For applications that are within 500 metres of an agricultural operation the following additional information must also be provided. Applicants should discuss this application with or obtain information from the owner/operator of the agricultural operation.

distance from proposed variance to nearest barn(s): _____

housing capacity of barn(s) _____

type of livestock kept on farm containing nearest barn: _____

number of tillable hectares on farm containing nearest barn: _____

11. Preconsultation:

Have you previously consulted with any provincial ministries or agencies concerning their position on this proposal and consistency with provincial policy? yes no

If yes, please indicate which ministry or agency, which policy, the date of the consultation and attach a copy of any written comments provided to you.

12. Other information

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

13. Affidavit or sworn declaration (to be signed in person)

I/We, _____ of the _____ of _____ in the _____ of _____ make oath and say (or solemnly declare) that all the information and statements contained in this application and that the information contained in the documents that accompany this application 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.

Sworn (or declared) before me at the _____ of _____, in the _____ of _____ on this _____ day of _____, 20_____.

Commissioner of Oaths

Applicant

Applicant

14. Authorizations and Advisories

14.1 Consent of the owner(s) to the use and disclosure of personal information

I/We, _____, being the registered owner(s) of the land that is the subject of this application for minor variance, hereby agree and acknowledge that this application and any supporting material, including studies and drawings, filed with the application is public information, and forms part of the public record. As public information, and for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I/We hereby authorize and consent to the Municipality disclosing, copying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any person, agency, public body or third party.

I/we hereby authorize the members of the Municipality of Trent Lakes Council, staff or the agent(s)/representative(s) to enter onto the property subject to this application during normal working daytime hours in order to evaluate the application. This permission does not include entering any buildings or doing any alterations to the property.

Date

Signature of owner

Date

Signature of owner

Note: *If the owner is a corporation, the signature of signing officer and corporate seal is required or the wording "I have authority to bind the Corporation" is required.*

14.2 Acknowledgement Regarding the Endangered Species Act (ESA), 2007

The Endangered Species Act (ESA), 2007 came into force on June 30th 2008. The ESA prohibits harm or harassment of endangered and threatened species. The act also provides for immediate habitat protection for some endangered and threatened species with a phased in approach to habitat protection for all endangered and threatened species by 2013. It is the responsibility of landowners and those conducting activities which could impact species at risk or their habitat to show due diligence under the Endangered Species Act. MNR recommends a species at risk site assessment be done to determine if proposed activities would impact species at risk. Feel free to contact the Bancroft District Species at Risk Biologist for information on which species may occur in a given area and for advice regarding site assessments. They can be reached at 613-332-3940. More information on species at risk is available at <http://www.mnr.gov.on.ca/en/Business/Species/>

I/We, _____, being the registered owner(s) of the land that is the subject of this application for minor variance, have read the acknowledgement above and understand the information contained herein.

Date

Signature of owner

Date

Signature of owner

15.3 Consent of the owner(s) for applicant to make application

If the applicant is not the sole owner of the land that is the subject of this application, the written authorization of all owner(s), that the applicant is authorized to make the application, must be included or the authorization set out below must be completed by the owner(s).

I/We, _____ am/are the registered owner(s) of the land that is the subject of this application and I/We authorize _____ to prepare and submit this application on my/our behalf and to provide any of my/our personal information that will be included in this application or collected during the processing of the application and to act on my/our behalf with respect to this application.

Date

Signature of owner

Date

Signature of owner

Note: if the owner is a corporation, the signature of signing officer and corporate seal is required **or** the wording "I have authority to bind the corporation" is required.