



MUNICIPALITY OF DYSART ET AL APPLICATION FOR MINOR VARIANCE

INFORMATION SHEET

1. Completion of Application

The attached application form is to be completed in full and submitted to the Planning and Land Information Department. In all cases, please ensure that a copy is kept for your files.

The application cannot be processed if insufficient or inaccurate information is provided. Every application must be complete. The information that is prescribed by Ontario Regulation 200/96 must be provided by the applicant. If the mandatory information is not provided, the Municipality will return the form or will refuse to consider the minor variance application until the prescribed information has been provided.

Complete the application and provide as much information as possible to address the four tests of a minor variance. Detailed information as to the reasons for requesting the variance, and particulars of any special circumstances which the owner(s) wishes to bring to the attention of the Committee in support of the application, should be stated. The owner(s) is advised to approach the Planning and Land Information Department for Official Plan, Zoning and policy information before making a formal application.

2. Authorization of Agent

The application is to be completed by the property owner(s) or his authorized agent. Where the application is being submitted by an agent, the written authorization of the owner(s) is required. Section "D" of the application form is provided for this purpose.

3. Application Fee and Planning Services Acknowledgment

Each application shall be accompanied by the application fee (cash, e-transfer, cheque – made payable to the Municipality of Dysart et al), and shall be accompanied by one signed, witnessed and dated copy of the attached "Planning Services Acknowledgment".

The applicable application fee will be based on the Municipality's Fees and Charges By-law and provided to the applicant during the pre-consultation process. Below is a summary of the Minor Variance application fee schedule and applicable definitions.

Standard Minor Variance Application:	\$900.00
Complex Minor Variance Application ⁶ :	\$1200.00

Pre-consultation is not mandatory for minor variance applications, However, applicants are encouraged to consult prior to submission of a Minor Variance application.

⁶Complex Minor Variance Application:

A "Complex" Minor Variance application is an application for minor variance that includes one or more of the following elements:

- i) A minor variance application for a property subject to a site plan or other development agreement with the Municipality;
- ii) Requires studies or reports to support the application;

- iii) Requires consultation and collaboration with external agencies beyond the minimum requirements of the *Planning Act*.

4. Plans Required

Each application shall be accompanied by one (1) hardcopy and one (1) digital copy of a plan showing:

- a) The boundaries and dimensions of the property.
- b) The accurate location, size and type of all proposed and existing buildings and structures on the property.
- c) The distance from side, rear and front lot lines of all existing or proposed buildings.
- d) The location, width and names of all roads within or abutting the property, indicating whether they are public travelled roads, private roads or rights of way or unopened road allowances. The location and number of parking and loading spaces, ingress, egress and direction of traffic.
- e) The location of all natural and artificial features on the property (*i.e. railways, wells, septic tanks, drainage ditches, watercourses, slopes, swamps, wooded areas*), the location of any of these features on adjacent lands which may affect the proposal, and any proposed changes to the land, such as grading, blasting, planting or channelization.
- f) The use of adjoining lands (*i.e. residential, agricultural, commercial, etc.*).
- g) The location and nature of any restrictive covenant or easement affecting the property.

5. Additional Information

Additional information, such as a survey plan may be required to properly process the application, and will be requested if necessary.

6. Declaration Required

The contents of this application and any maps/appendices shall be validated by the owner(s) or applicant in the form of a statutory declaration before a Commissioner or other person empowered to take affidavits.

7. Responsibility of Applicant

The filing of this application is considered as an undertaking by the applicant to accept all conditions as herein set forth.

8. Effective Date

The effective date of this application shall be deemed to be that on which it is received with sufficient information.

9. Submission

Mail or deliver the application to: Municipality of Dysart et al
Planning and Land Information Department
135 Maple Ave, P.O. Box 389
Haliburton, Ontario
K0M 1S0
info@dysartetel.ca

APPLICATION FOR MINOR VARIANCE

**Planning Act, 1990, R.S.O. C.P. 13
O. Reg. 200/96**

OFFICE USE ONLY

Date Application Received: _____	File Number: <u>D13-MV-20</u>
Date Application Deemed Complete: _____	Application Fee: \$ _____ Receipt: _____

The undersigned hereby applies to the Municipality of Dysart et al for a minor variance for the lands described herein.

SECTION "A" - OWNER AND OWNERSHIP INFORMATION

1. Name of Owner(s): _____
Telephone No.: _____ Residence: _____ Office: _____
Address: _____
Postal Code: _____
E-mail address: _____
2. Name of Agent (if any): _____
Telephone No.: _____ Residence: _____ Office _____
Address: _____
Postal Code: _____
E-mail address: _____

Note: Unless otherwise requested, all communications will be sent to the agent, if any.

SECTION "B" - DESCRIPTION OF SUBJECT LAND

3. Legal Description of subject land:
Lot: _____ Concession: _____
Lot/Part: _____ Plan: _____
Geographic Township of: _____
Civic Address: _____
4. Dimensions of land affected:
(a) Area: _____ Frontage: _____

5. Access:

(a) Is the lot accessed by road? Yes _____ No _____

If yes:

Provincial Highway (*name*): _____

County Road (*name*): _____

Municipal Road (*name*): _____

Private Right of Way (*name*): _____

(b) Is the lot a water access lot? Yes _____ No _____

If yes; where is the mainland boat docking facilities?

SECTION "C" - PLANNING INFORMATION

6. Official Plan Designation: _____

7. Zoning By-law Designation: _____

8. Variance Requested: _____

9. Reasons for the variance: _____

10. Land Use:

(a) What is the existing use of the subject lands? _____

(b) How long has the property been used for the existing use? _____

(c) What is the proposed use of the property? _____

(d) Dimensions of all buildings and structures on or proposed for the subject land (*Specify ground floor area, gross floor area, number of storeys, width, length, height, etc.*):

Existing:

Proposed:

(e) Location of all buildings and structures on or proposed for the subject land (*Specify distance from side, rear and front lot lines*):

Existing:

Proposed:

(f) Date of Acquisition of the property: _____

Date of Construction of buildings: _____

11. Servicing: Indicate the following:

Sewage Disposal System	Storm Drainage System
<i>Please check one</i>	<i>Please check one</i>
- municipal sewers: _____	- municipal storm sewer: _____
- private communal sewers: _____	- storm water pond: _____
- private individual system - (<i>septic system, filter bed, etc.</i>): _____	- ditches and swales: _____
- other (<i>please specify</i>): _____	
Water System	Water Source
<i>Please check one</i>	<i>Please check one</i>
- municipal water system: _____ N/A	- drilled well: _____
- private communal system - (<i>5 or more users</i>): _____	- dug well: _____
- private individual system: _____	- lake: _____
	- other (<i>please specify</i>): _____

12. Other Applications:

Is the property presently the subject of any other applications under the Planning Act?

- (a) Application for official plan amendment: Yes ___ No ___ File No. _____
- (b) Application for subdivision / condominium approval: Yes ___ No ___ File No. _____
- (c) Application for zoning by-law approval: Yes ___ No ___ File No. _____
- (d) Application for consent: Yes ___ No ___ File No. _____

13. Has the property ever been subject to any other Minor Variance application? If yes, please list below:

SECTION "D" - AUTHORIZATION

If the applicant is not the owner(s) of the land that is subject of this application, the owner(s) must complete the following or a similar authorization:

I/We, _____, am/are the registered owner(s) of the lands subject of this application and I/we hereby authorize _____ to prepare and submit this application on my/our behalf and, for the purposes of the Freedom of Information and Protection of Privacy Act, to provide any of my/our personal information that will be included in this application or collected during the processing of the application.

(Date)

(Signature of Owner)

(Date)

(Signature of Owner)

SECTION "E" - CONSENT OF THE OWNER(S)

The owner(s) must also complete the following or a similar authorization:

I/We, _____, are the registered owner(s) of the lands subject of this application and, for the purposes of the Freedom of Information and Protection of Privacy Act, I/we hereby 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. I/we also authorize and consent to representatives of Council, committee members, municipal staff and/or any consultant/professional employed by the municipality for the purpose of processing this application, entering upon the lands subject of this application for the purpose of conducting any site inspections as may be necessary to assist in the evaluation of this application.

(Date)

(Signature of Owner)

(Date)

(Signature of Owner)

SECTION "F" - AFFIDAVIT

I, WE _____ of the Township/Town/City of _____ in the County/District/Region of _____ solemnly declare that all of the above statements contained in 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".

DECLARED before me at the _____)
_____)
of _____ in the _____)
_____)
of _____ this _____)
day of _____, 20 _____)

Signature of Owner(s) - or Authorized Agent

Signature of Commissioner, etc.

The following acknowledgement must be signed by the registered owner(s), witnessed and dated:

SECTION "G" – PLANNING SERVICES ACKNOWLEDGEMENT

The filing of this application is considered as an undertaking by the registered owner(s) to accept all terms and conditions as set forth herein. Where the applicant is not the registered owner(s), the owner will be responsible for any and all outstanding costs related to the processing of this application.

APPLICANT'S RESPONSIBILITY:

1. The Applicant agrees to provide the Municipality with the following:
 - (a) Any information in the Applicant's possession concerning all planning matters with respect to this application.
 - (b) All surveys, drawings, sketches or plans as required to process this application.
 - (c) The required application fee as determined by the Municipality's Fees and Charges by-law, and provided during the mandatory pre-consultation process.
2. The Applicant understands and agrees that where the services of the Municipal Solicitor are required to process this application, the Applicant shall reimburse the Municipality for all such costs immediately upon receipt of an invoice.
3. The Applicant understands and agrees that where the Municipality is required to engage the services of any other professional, including but not limited to, a surveyor, a hydrologist, a limnologist, etc. to process this application, the Applicant shall reimburse the Municipality for all such costs immediately upon receipt of an invoice.
4. If Council supports an application and its decision on the application is appealed to the Ontario Land Tribunal (OLT) by someone other than the applicant, the applicant will be responsible for all Municipal costs to defend the decision. These costs may include all planning fees, legal fees, engineering fees, fees of other professionals, disbursements, reproduction costs, telephone charges, facsimile charges, peer review fees and any other reasonable costs which may be incurred by the Municipality.

The applicant will submit a Five Thousand Dollars (\$5,000.00) deposit to the Municipality, upon submission of the file to the Ontario Land Tribunal (OLT).

Additional funds may be requested to fully cover the Municipal expenses. Work will not be completed by the Municipality, its solicitor or consultants until such deposit has been paid by the applicant.

The applicant will be responsible for the full cost of the Municipality's expenses at the hearing.

MUNICIPALITY'S RESPONSIBILITY:

5. The Municipality agrees to process the application in accordance with the provision of the Planning Act, R.S.O. 1990,c..p.13, as amended.

SITE VISITS:

6. The Owner(s) acknowledges that Municipal staff, Councillors or Committee members may be required to visit the property which is the subject of this application in order to process this application. The Owner(s) consents to such site visits as may be required.
7. The Owner(s) acknowledges that the processing of this application may require the taking of pictures, either still or video, of the subject property. The Owner(s) consents to such pictures as may be required.

DEPOSITS / INVOICES:

8. The Municipality may require the payment of deposits upon submission of any application. Deposits may be applied to cover peer review fees, professional fees should the Municipality require the expertise or advice of a third party consultant, as well as any legal costs incurred. Where the Municipality finds it necessary to make use of professional assistance in the processing of this application, the Municipality will request a deposit from the applicant to cover the cost of the service and processing of the application will not continue until the deposit is received by the Municipality. The deposit will be requested upon submission of the application.

Should fees exceed the initial deposit received, the Municipality shall request further deposits or payments of invoices. Additional funds may be requested from time to time, to fully cover the municipal expenses. Work will not be completed by the Municipality, its solicitor or consultants until such deposit has been paid by the applicant.

The Municipality will keep an accurate record of all costs incurred with respect to planning applications. Upon completion of the processing of an application, the Municipality will reconcile the account for the applications where a deposit has been paid. A refund of the deposit will be made with the exception of those costs incurred by the Municipality.

The applicant agrees to pay promptly, interim accounts from time to time in respect of all reasonable expenses incurred by the Municipality, payment for which has been made by the Municipality or invoices for which have been received by the Municipality.

Below is a summary of the deposits as per the Municipality's Fees and Charges By-law:

Peer Review Deposit:	\$5000.00
Professional Services Deposit:	\$2500.00
Legal Fees Deposit:	\$750.00
Ontario Land Tribunal Deposit:	\$5000.00

WITNESSED BY:

Per: _____
Signature of Owner

Per: _____
Signature of Owner

DATE: _____ **20** _____