

**PROCEDURE FOR PROCESSING
AN APPLICATION FOR A MINOR VARIANCE
MUNICIPALITY OF DYSART ET AL**

1. The applicant submits an application for a minor variance accompanied by the applicable fee to the Municipality.
2. The application is reviewed by the Secretary-Treasurer of the Committee of Adjustment to determine that it is complete.
3. If the application is not complete, the application is returned to the applicant for further information.
4. Once the application is determined to be complete, it will be scheduled for a hearing by the Committee of Adjustment.
5. The Committee of Adjustment meets once a month on the second Wednesday of each month. Applications must be received and deemed to be complete at least three and one half weeks in advance of the hearing date to accommodate the required processing and notification requirements.
6. Public notice of the application, including the date, time and location of the public hearing is given in compliance with the provisions of the Planning Act. Specifically:
 - an advertisement is placed in the Haliburton County Echo, two weeks in advance of the meeting; and
 - written notice is sent directly to all owners of land within 30 metres (100 feet) of a proposal for residential land uses and 60 metres (200 feet) of any other type of land use.
7. The file is available for public review prior to the hearing. Written comments are accepted at the Municipal office at any time before the hearing. The Committee of Adjustment receives a copy of all written comments.
8. Anyone may attend the public hearing to express his or her views about the application. You may be represented by counsel for that purpose, if you so choose. If you do not attend at the hearing, the Committee may proceed in your absence.
9. The Committee of Adjustment hears the application. If there are several files at the same meeting, the Committee generally hears the applications in numerical order. The meeting will generally proceed as follows:
 - The Chairman will introduce the Committee members and give a general explanation of the procedure that will be followed during the hearing.
 - The Chairman will then announce the file that is being heard.
 - The owner (or his/her agent) will be asked to explain the proposal.
 - The Chairman will then ask if there is anyone in attendance who would like to comment on the file.
 - The Committee is able to ask questions at any time during the hearing.
 - The Committee will make a decision at the end of the meeting or will defer their decision if a site inspection or additional information is required to assist them with their decision.

10. To grant a requested variance, the Committee of Adjustment must determine that the application satisfies the four tests outlined by the Planning Act as follows:
 - The requested variances satisfy the general intent of the Official Plan;
 - The requested variances satisfy the general intent of the Zoning By-law;
 - The requested variances are minor in nature; and
 - The requested variances are desirable for the development of the land.
11. Within 10 days of the decision, the Secretary-Treasurer will mail a copy of the *Notice of Decision*, to the owner, his/her agent and to anyone who has filed a written request to be notified of the Committee's decision. The *Notice of Decision* will include a copy of the decision and information on how to appeal the decision to the Ontario Municipal Board. It will specify the final date to appeal the decision.
12. Any person has the right to appeal the decision of the Committee of Adjustment, for a hearing by the Ontario Municipal Board, within 20 days from the date of the decision by the Committee. An appeal is initiated by filing a *Notice of Appeal*, accompanied by the required fee of \$125.00, with the Secretary-Treasurer of the Committee. The Secretary-Treasurer will forward the file to the Ontario Municipal Board.
13. If no appeal is received by the Secretary-Treasurer at the end of the 20 day appeal period, the decision of the Committee is final and binding. A certified copy of the decision is then provided to the Municipality.