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Application for Minor Variance or for Permission Instructions and Information City Development Department

Notes

1. Personal information on this form is collected and retained under the authority of the *Municipal Freedom of Information and Protection of Privacy Act*.
2. Variances are identified through a zoning review completed as part of a Building Permit Application, Application for Site Plan Approval or Zoning Certificate Application. It is strongly recommended that if required, building permit or site plan applications be filed prior to filing a minor variance application. A Zoning Certificate is a requirement for complete application for Minor Variance, if the proposed development does not require either a building permit or site plan approval. When an Application for Minor Variance is submitted prior to filing for a Building Permit Application, Application for Site Plan Approval or Zoning Certificate Application, the applicant will be required to acknowledge in the Application for Minor Variance that the identification of incorrect variances may result in delays in processing development applications, building permit refusal, and/or another application to the Committee of Adjustment.
3. Submit this application form to the Secretary-Treasurer of the Committee of Adjustment, Pickering City Development Department, One The Esplanade, Pickering, ON L1V 6K7.
4. To obtain the City of Pickering's Minor Variance Application and Zoning Certificate fees view the [Schedule of Application Fees and Information Price List](#). All fees are to be made payable to the City of Pickering upon submission of the application.

If comments are required by a Conservation Authority or the Region of Durham Health Department they are subject to an [additional fee](#).

5. Submission of this application constitutes tacit consent for the authorization of City of Pickering staff, or their representatives, to inspect the subject lands or premises, and to carry out any inspections, tests and investigations as may be required.
6. Studies submitted with an application will be available to the public for review and may be reproduced for public use.

Additional Fees

1. The City, on behalf of the Toronto and Region Conservation Authority (TRCA), may collect an application fee, if the subject property is located in an area in which the Conservation Authority will have an interest (i.e., if the property is located in proximity to a watercourse, shoreline, flood plain, stream valley, or wetland). The [TRCA Administrative Fee Schedule](#) (if applicable).

The City, on behalf of Central Lake Ontario Conservation Authority (CLOCA), may collect a screening fee, if the subject property is located in an area in which the Conservation Authority will have an interest. The [CLOCA Fee Schedule](#) (if applicable).

2. The City, on behalf of the [Region of Durham Health Department](#), may collect a fee to cover a review process to ensure that all changes in use on properties serviced by a private sewage system and well are reviewed, to ensure compliance with Division B – Part 8 of the Ontario Building Code and Pertinent Local By-laws.
3. At the time of submission of the application, City Development staff will advise you if the preliminary fees for either the Conservation Authority or the Region of Durham Health Department are required. Cheques should be made payable to the appropriate Conservation Authority or to the Region of Durham Health Department.

Plans and Elevation Requirements

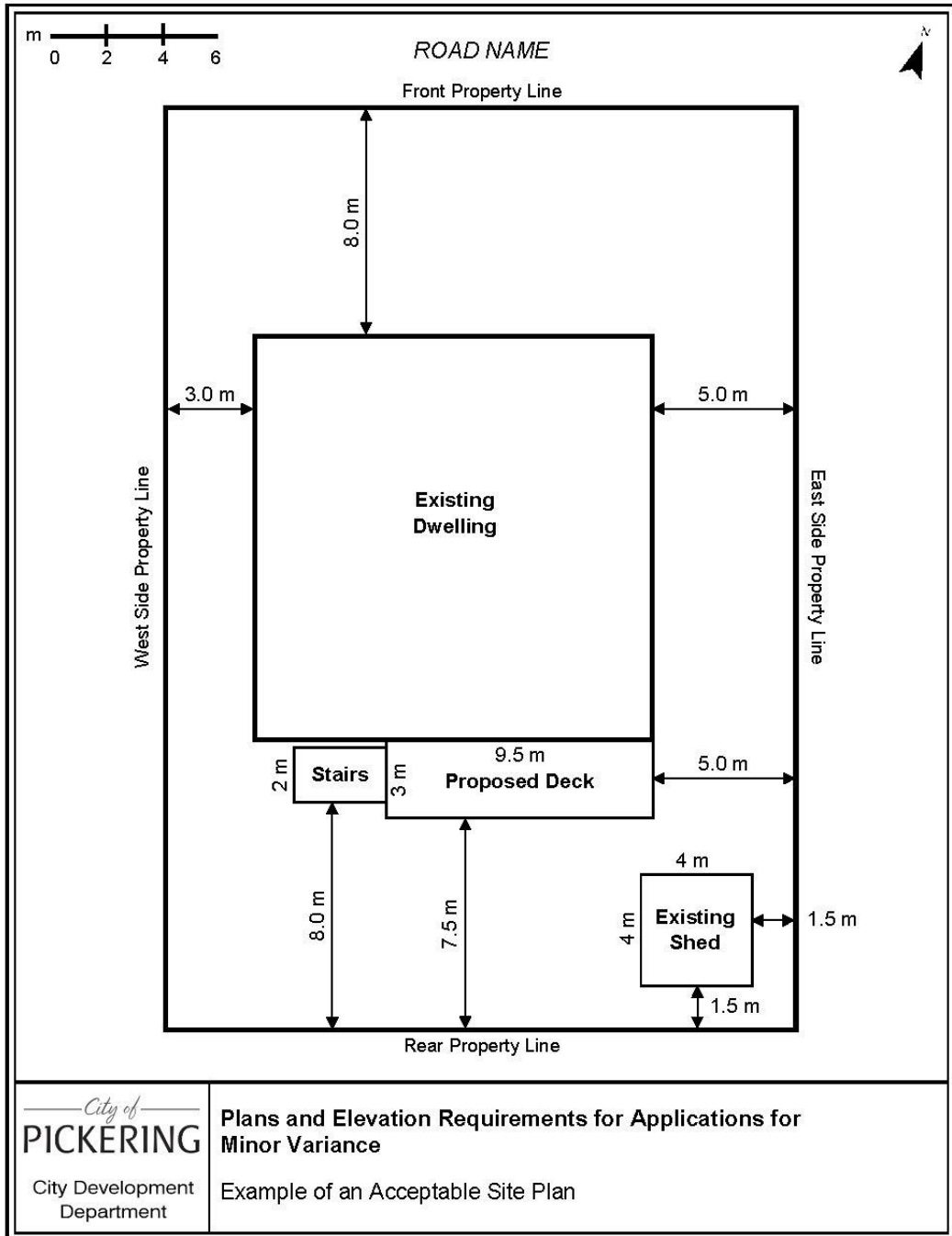
1. Purpose of the Submitted Plan

All applications for Minor Variance require the submission of drawings showing the details of the property and the requested variances. Notices will include the applicant's submitted drawings and will be sent out to all property owners within a 65 metre radius of the subject property. The submitted plan is intended to assist City staff, Committee of Adjustment members, and neighbours in understanding the proposal. A good plan will help move the application process forward in a timely manner. Staff will hold and not schedule applications for a hearing where the drawings are incomplete or missing.

2. Drawing Requirements

All submitted plans are to be drawn to scale and show the following (refer to example site plan):

- the property boundaries and dimensions of the subject lands;
- all existing and proposed structures on the property and their size;
- the distance between all existing/proposed structures and the property lines, measured at the shortest distance;
- all measurements related to the requested variances;
- a north arrow and scale; and
- any additional details requested by City staff.



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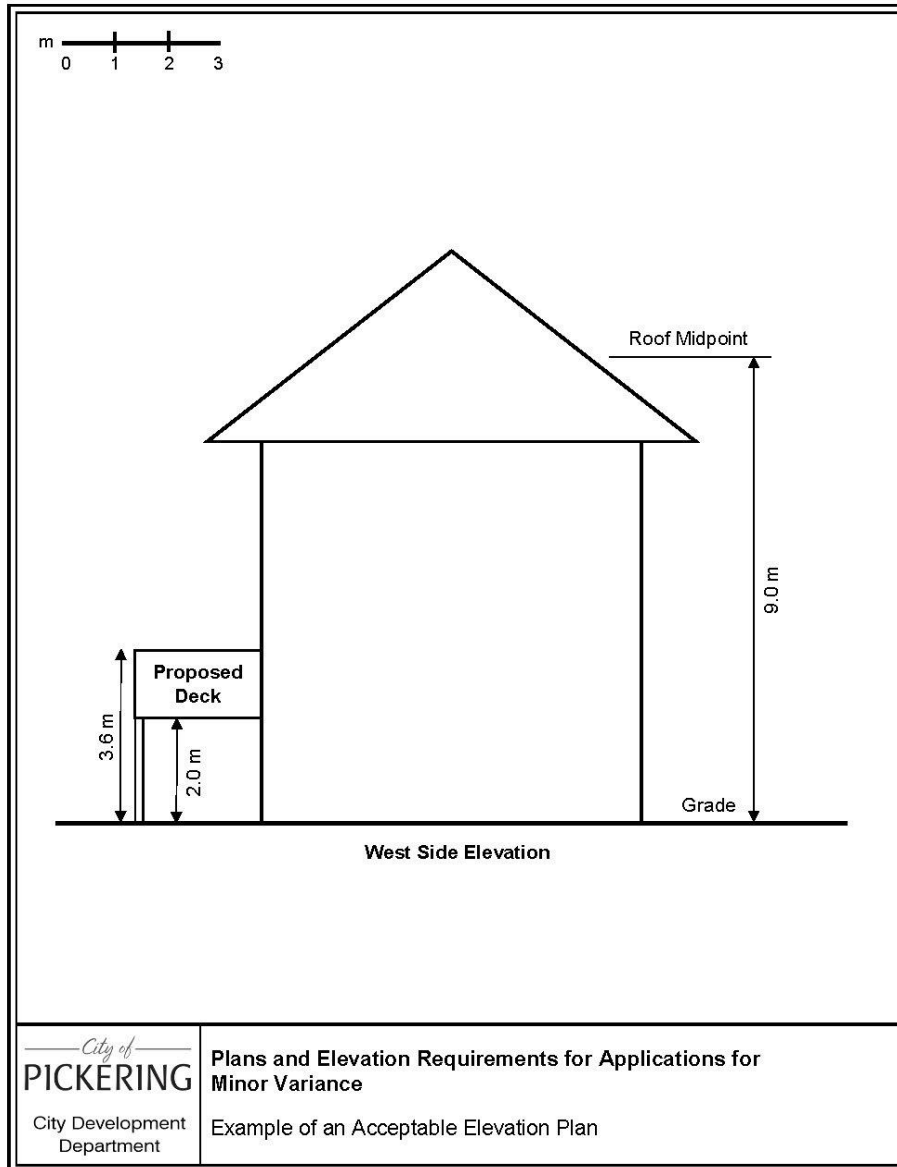


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Elevation plans will be required for all new dwellings, major additions, variances pertaining to height, or when otherwise requested by City staff. Elevation plans are to show the following (refer to example elevation):

- architectural details, if available;
- height of all buildings measured from grade to the mid-point of the roof;
- height of balconies and other structures; and
- the direction of the view show in the elevation (e.g., “view from west side of house”).

Please note: **all measurements are to be provided in metres only.**



3. What not to Submit

While all drawings should show the details of the variances and important features on the site, drawings should not be difficult to understand. Unless required by City staff, do not include the following information:

- contours of elevations points;
- underground electrical or water features (e.g. hydro lines, sewer pipes, etc.);
- unnecessary measurements;
- imperial units; and
- survey directions or legal descriptions.

General Information

Procedure

1. This form will not be accepted as an application until all questions have been answered and all requirements have been met. If the application form is not complete (or surveys, drawings missing), the application may not be scheduled for the next Committee hearing, and scheduling will be delayed until the information is received.
2. The completed application form is submitted to the City Development Department. Notification summarizing the application, date, time and place of the Committee of Adjustment hearing is sent to various government agencies and departments. Notice is also sent to the owner, agent (if applicable) and all property owners within 65 metres of the subject property for their information and comments in support of or objection to the requested variance(s).

The applicant is required to post a sign, supplied by the City Development Department, at least 10 days prior to the meeting date. Failure to do so may result in the application not being heard by the Committee on the scheduled hearing date.

3. A report is prepared by staff, which includes any comments received, for the Committee members and applicant. The Monday prior to the meeting the staff report will be emailed or is available for pick up at the City Development Department.
4. The Committee of Adjustment meets to hear applications approximately once a month (a yearly meeting schedule is adopted by the Committee each year). The applicant or someone representing the applicant is required to attend the hearing.
5. Please note that a member of staff from the City Development Department or a Committee of Adjustment member (or both; together or separately) may attend at the property in question to complete a site inspection. Please also be aware that photographs may be taken of the subject property. Note that Committee of Adjustment members are not to engage in discussion with applicants, residents and neighbours about the proposal outside of the Committee of Adjustment Hearing.

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6. The Committee will render its decision at the hearing or at a later date only upon deferral or tabling of the application. From the date of the decision there is a 20 day period during which the Committee's decision may be appealed to the Ontario Land Tribunal.
7. If no appeal is lodged within 20 days, the Committee's decision becomes final and binding.

Timing

1. Under normal circumstances, approximately 8 to 10 weeks from the date of application may be required before the decision of the Committee becomes final.

Appeals

1. The Decision of the Committee may be appealed to the Ontario Land Tribunal as provided in Section 45, Subsection 12, of the *Planning Act, R.S.O. 1990*, chapter P.13.
 - If you are thinking of appealing the Committee's decision, visit the Ontario Land Tribunal's website: <https://olt.gov.on.ca/appeals-process/forms/>.

If you have any questions, please do not hesitate to contact the City Development Department at 905.420.4617 or 905.683.2760.

| Application for (Check Appropriate Box) | City of Pickering Use Only |
|--|---|
| <input type="checkbox"/> Accessory Buildings, Structures, Decks, Platform and Driveway Widening <input type="checkbox"/> Minor Residential <input type="checkbox"/> Major Residential <input type="checkbox"/> Institutional, Commercial & Industrial | <div style="border-bottom: 1px solid black; padding: 5px;">File Number:</div> <div style="border-bottom: 1px solid black; padding: 5px;">Application Fee:</div> <div style="padding: 5px;">Date Received:</div> |

The undersigned hereby applies to the Committee of Adjustment for the City of Pickering under Sections 44 and 45 of the *Planning Act, R.S.O. 1990*, chapter P.13 for relief, as described in this application.

Zoning By-law Number _____, as amended.

1. Owner/Applicant/Agent

1.1 Name of Registered Owner _____

Address _____ Postal Code _____

Telephone _____ Email Address _____

Contact Name (if different from Registered Owner)

_____ Telephone _____

1.2 Name of Applicant/Agent (if any) _____

Address _____ Postal Code _____

Telephone _____ Email Address _____

Contact Name (if different from registered owner)

_____ Telephone _____

(Unless otherwise requested, all communications will be sent to the Agent, if any)

1.3 Name of Mortgagee or Holders of Charges

Name _____

Address _____ Postal Code _____

Telephone _____ Email Address _____

2. Details of the Application

2.1 Proof of ownership accompanying application (check one)

Copy of Registered Deed or Transfer

Other (please specify) _____

(Copy of document indicated above **must** be attached hereto)

2.2 Survey of the Property

A survey drawn to a standard metric scale shall accompany this application, showing the following:

- a) The boundaries and dimensions of any land abutting the subject lands;
- b) 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 and the side yard lot lines;
- c) The approximate location of all natural and artificial features on the subject lands and on the land that is adjacent to the subject land that, in the opinion of the Applicant may affect the Application, such as buildings, railways, roads, watercourses, drainage ditches, rivers or stream banks, wetlands, wooded areas, wells, septic tanks, and tile fields;
- d) The current uses on land that is adjacent to the subject land;
- e) 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 right-of-way;
- f) If access to the subject land is by water only, the location of the parking and boat docking facilities to be used; and
- g) The location and nature of any easement affecting the subject land.

2.3 If this variance is to facilitate an application for Consent (i.e. land severance), please advise if the subject land is the severed or retained parcel.

Severed Retained Not applicable

2.6 Provide planning rationale for why it is not possible to comply with the provisions of the by-law (justification for the application)

2.7 Related applications (include file number(s) if applicable)

2.8 Municipal address and legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number)

2.9 Dimensions of land affected

Frontage _____ Depth _____ Total Lot Area _____ Width of Street _____

2.10 Easements/Encumbrances

Are there any easements, right-of-ways, restrictive covenants, etc., affecting the subject land(s):

If **yes**, please identify and indicate on a site plan, the nature and location of the easement, right-of-way, restrictive covenant, etc.:

2.11 Particulars of all buildings and structures on or proposed for the subject land (specify ground floor area, gross floor area, number of stories, width, length, height)

All particulars are indicated on submitted plan

Existing

Proposed

2.12 Location of all buildings and structures on or proposed for the subject land (specify distance from side, rear and front lot lines)

All distances are indicated on submitted plan

Existing

Proposed

2.13 Date of acquisition of subject land _____

2.14 Date of construction of all buildings and structures on the subject land

a) Main Building(s) _____

b) Accessory Building(s) _____

2.15 Existing use(s) of subject property

2.16 Length of time the existing use(s) of the subject property have continued

2.17 Existing use(s) of abutting properties

a) North _____ c) East _____

b) South _____ d) West _____

2.18 Services available (check appropriate)

a) Municipal Services

- | | | |
|--|------------------------------------|-------|
| <input type="checkbox"/> Water | <input type="checkbox"/> Connected | _____ |
| <input type="checkbox"/> Sanitary Sewers | <input type="checkbox"/> Connected | _____ |
| <input type="checkbox"/> Storm Sewers | <input type="checkbox"/> Connected | _____ |

b) Private Services

- | | | | |
|--|---|--------------------------|-------|
| <input type="checkbox"/> Private well | <input type="checkbox"/> Not Applicable | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> Septic System | <input type="checkbox"/> Not Applicable | <input type="checkbox"/> | _____ |

2.19 Present official plan provisions applying to the land

2.20 Present zoning by-law provisions applying to the land

2.21 Has any variance application previously been applied for on the subject property

If **yes**, please indicate nature and application number

2.22 Status of subject property

Is the subject property currently

a) the subject of an application for a plan of subdivision under Section 51 of the *Planning Act*, R.S.O. 1990, chapter P.13

- Yes No Not applicable

b) the subject of an application for consent under Section 53 of the *Planning Act*, R.S.O. 1990, chapter P.13

- Yes No Not applicable

3. Declaration/Authorization

3.1 If the property owner or applicant is a corporation or a limited company, the application shall be signed by an officer of the corporation or company and its seal shall be affixed.

Dated this _____ day of _____, 20____

Signature of Owner/Applicant (affix company seal)

3.2 To appoint an authorized agent, please complete this section.

I/We _____ am the owner(s) of the property,
hereby authorize and direct _____ to act as my/our
agent in applying to the Committee of Adjustment for the City of Pickering for a minor variance
and/or for permission as outlined above.

Date _____

Signature of Owner/Applicant

Signature of Owner/Applicant

3.3 The following section is to be completed in the presence of a Commissioner of Oaths by the applicant or authorized agent: A Commissioner of Oaths is usually available in the Municipal Offices.

| | |
|--|------------------------------------|
| I/We _____ in the | |
| City of _____ in the Region of _____ | |
| solemnly declare that all the statements contained in this application are 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 <i>Canada Evidence Act</i> . | |
| Declared before me at the | |
| City of _____ | _____ |
| | Signature of Owner/Applicant/Agent |
| in the Region of _____ | |
| this ____ day of _____, 20 ____ | _____ |
| | Signature of Owner/Applicant/Agent |
| _____ A Commissioner, etc. | |