

Purpose of the Application

A Minor Variance or Permission Application is required when a proposal cannot meet one or more provisions of the Zoning Bylaw. The Committee of Adjustment evaluates whether the request satisfies the tests under the *Planning Act*.

Pre-Consultation Application is strongly encouraged before submitting a formal application. It allows staff and agencies to review the proposal early, identify required studies, and flag potential issues before the application is filed.

Minor Variance/Permission Submission Requirements

Applicants must provide:

- A completed online application
- Planning Application Supplementary Form
- Minor Variance/Permission Table Form
- Required fees
- A site sketch or survey showing all existing/proposed structures and relevant measurements
- Any additional material requested by Planning staff

Site Plan Sketch & Cross Section

A Site Plan Sketch and Cross Section must be submitted with your application. These drawings must include the following information:

- North arrow
- The boundaries and dimensions of the subject lands
- The location, size, height and type of all existing and proposed buildings/structures on the subject lands (indicating distances from lot lines, sewage system and other buildings/structures)
- The approximate location of all natural and artificial features on the subject lands and lands that are adjacent that may affect the application (i.e. railways, water courses, wetlands, adjacent wells & septic systems)
- The name and location of all roadways abutting the subject property (including unopened road allowances, private roads, rights-of-way, etc.)
- 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 easements affecting the subject land
- Floor plans (if applicable)
- A sample Site Plan Sketch is provided on the last page of this guide

Lake Simcoe Conservation Authority (LSRCA) Review Fee

If the Minor Variance Application involves a property within an area regulated by the LSRCA, the *Planning Act* requires that your application be circulated to the LSRCA for review:

- Check whether the property is regulated by using the mapping tools on the LSRCA website: www.lsrca.on.ca
- Have questions about the regulated area? The LSRCA will confirm whether the subject lands are regulated under *Ontario Regulation 179/06*.
- Please note that all planning applications reviewed by the LSRCA are subject to review fees in accordance with their current Planning and Development Fee Schedule.

General Application Minor Variance/Permission Process

1. Submit Your Application

Submit your complete application to the Planning Department by the deadline listed in the Meeting Schedule. Applications submitted on time will be placed on the next available Committee of Adjustment meeting agenda.

2. Pick Up Your Application Sign

Planning staff will notify you once the application sign has been prepared. You may then pick it up from the municipal office.

3. Post the Application Sign

You must:

- Post the sign **at least 10 days before the meeting**
- Place it in a **highly visible location**
- Ensure it is **at least 3 feet (1 metre) above ground level**

The sign must remain posted **until the application is fully finalized**, including the **20-day appeal period**.

It is the **Applicant's responsibility** to ensure the sign stays in place.

4. Notice of Hearing

A Notice of Hearing will be sent to:

- Property owners within **60 metres** of the subject property
- Internal and external reviewing agencies

Staff and Committee members may visit the property as part of their review.

5. Meeting Agenda

An agenda outlining application details and staff recommendations will be published approximately **7 days before the meeting**.

6. Committee of Adjustment Meeting

At the meeting, the Committee will:

- Review the staff report
- Hear from the Applicant or their Agent
- Receive public comments

The Committee may **approve**, **defer**, or **deny** the application.

The Applicant or Agent is **strongly encouraged** to attend, but the Committee may proceed with or without them.

7. Decision & Appeal Period

A Notice of Decision will be sent within **10 days** of the meeting. A **20-day appeal period** begins on the date of the Committee's decision at the public meeting.

Appeals may be filed by:

- The Applicant
- The Minister
- A Specified Person
- A Public Body

The appeal is made to the **Ontario Land Tribunal (OLT)**. The Committee may also approve an application **with conditions**. If so, the Applicant must complete all required conditions for the variance to be valid.

8. Finalization of Decision

If no appeals are received:

- A **Notice of No Appeal** will be issued within **10 days** after the appeal period ends
- This confirms the Committee's Decision is final

If an appeal **is** filed:

- No Notice of No Appeal will be issued
- The Applicant will be notified of the appeal

Minor Variance Applications – Section 45(1) of the *Planning Act*

When a Committee of Adjustment considers a Minor Variance, all four tests must be satisfied under Section 45(1) for the application to be approved:

1. That the General Intent and Purpose of the Official Plan(s) are Maintained;
2. That the General Intent and Purpose of the Zoning Bylaw are Maintained;
3. That the Variance is Desirable for the Appropriate Development or Use of the Land; and
4. That the Variance is Minor in Nature.

Permission Applications – Section 45(2) of the *Planning Act*

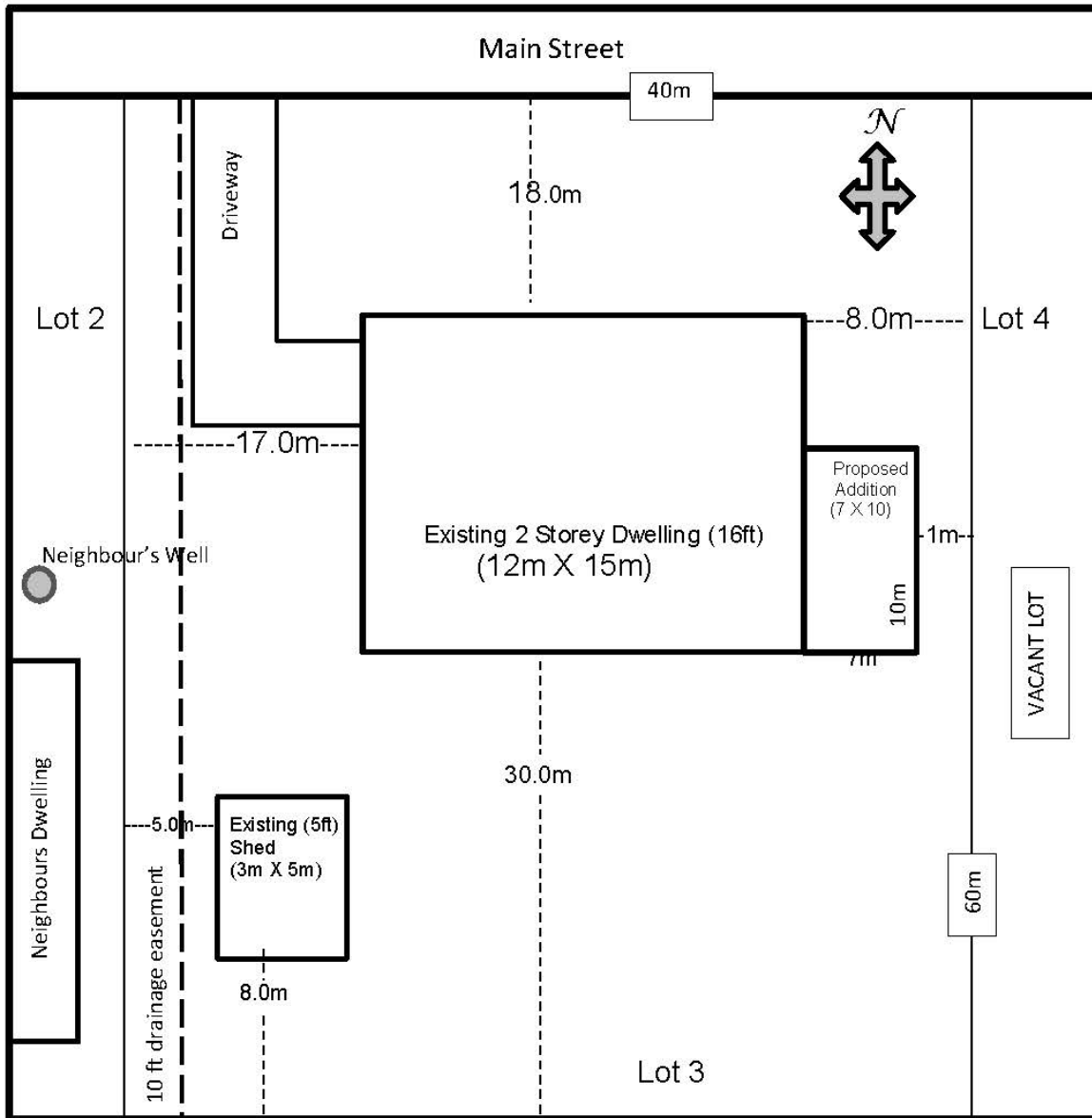
Section 45(2) provides authority for Committees of Adjustment to make decisions involving legal non-conforming uses to:

1. Permit the enlargement or extension of a building or structure;
2. Permit a use that is similar to the original use, or a purpose that is more compatible; and
3. Where permitted uses are in broad or general terms, permit a use that, in the Committee's opinion, fits within or is consistent with the intended uses of the zoning category.

Minor Variance/Permission Guide

Minor Variance/Permission Site Plan Sketch

* Include Owner Name & Subject Lands Municipal Address *



Resources:

www.ramara.ca | planning@ramara.ca | 705-484-5374 | 2297 Hwy 12, Brechin, ON L0K 1G0