

Minor Variance Info Sheet

What is a Minor Variance?

- Ontario's Planning Act allows municipalities to make small exceptions to the Zoning By-law. These are called minor variances. They can be approved when following the rules exactly would be unreasonable or unnecessary, and when the change will not cause problems.
- These applications are reviewed under Section 45 of the Planning Act and are decided by a Committee of Adjustment.
- The Committee of Adjustment is a group of five members appointed by Council. In Ramara, they review and make decisions on applications for minor variances and consents.
- For an exception to be considered 'minor', the Planning Act provides four tests that the development must meet.

The Four Tests

Minor variances come in handy when the proposed development or change doesn't exactly meet the requirements of the Zoning by-law, but it follows the overall purpose. Zoning By-laws set the rules for how land can be developed in the Township.

For example, if you want to build a garage and the by-law requires it to be 1.5 metres from the lot line, but your lot only allows for 1 metre, you can apply for a minor variance.

If you are not sure whether you need a minor variance or a zoning by-law amendment, a minor variance must meet the four tests set out in the Planning Act.

Is it minor in nature?

This may seem like a simple question, but it is important. A minor variance must be small or slight and must not have a significant impact on the property or nearby properties.

It is desirable for the appropriate development or use of the land?

This test makes sure the type of development is suitable for the property and does not negatively affect nearby properties.

Does it maintain the general purpose and intent of the Official Plan?

The Official Plan sets the overall direction for how land can be used and developed. New development must follow the Official Plan.

Does it maintain the general purpose and intent of the Zoning By-law?

A Minor Variance allows a small change to the Zoning By-law, but it must still follow the overall purpose of the zone and the main rules for land use

Minor Variance vs. Zoning By-law Amendment

- A **Minor Variance** allows for a small, specific change to a zoning rule for one property. It is usually used for things like slightly smaller setbacks, slightly taller buildings, small increases in lot coverage, or a minor change to parking requirements.
- A minor variance is a small change. It does not change how the land is used and only applies to one property. It must also meet the four tests described earlier.
- Minor variance applications are reviewed and decided by the Committee of Adjustment.
- A **Zoning By-law Amendment** changes the zoning rules for a property. It may be needed to change how the land is used (for example, from residential to commercial), to allow more units, introduce a new type of development, or make a major change to height, size or permissions.
- A Zoning By-law Amendment allows for larger, more significant changes and may create a new set of zoning rules for a property. These applications must be approved by Council.

How are Minor Variances connected to the Zoning By-law Update?

- Zoning By-law 2005-85, as amended, is the Township of Ramara's current Zoning By-law. It now needs to be reviewed and updated to align with the new Official Plan and current provincial laws.
- Minor variance applications are related because they show where people often ask for exception. This information can help identify where the zoning rules may need to be updated.
- This review is also an opportunity for the Township to modernize the by-law and bring it in line with current planning standards.

How to Participate

- Community Survey
- Interactive Zone Mapping
- Open Houses

More details about each of these consultation opportunities will be provided in the Community Engagement Strategy and posted on the Township's website www.ramara.ca/ZoningUpdate

Where can I find more general information about Minor Variances?

[Citizens guide to Zoning By-laws](#)

<http://www.mah.gov.on.ca/AssetFactory.aspx?did=11156>

Who can I contact if I would like to find out more about the Township's Comprehensive Zoning By-law review process, or I have comments or suggestions to make?

You can contact the Project Team by emailing "zoningupdate@ramara.ca" and a project member will get back to you regarding your questions, comments, or concerns.