



### MINOR VARIANCE APPLICATION CHECKLIST

Please ensure that your application contains the following information. Insufficient information will result in the application being RETURNED to you, and delay the processing of your application.

- ALL sections of the application are to be filled out. If you are uncertain of the information, indicate "unknown" in the space. It is important to note ALL existing structures on the property, including their dimensions, and the approximate date of construction. This includes decks and stairs, as well as accessory buildings such as garages, cabins, etc. If necessary, use a separate sheet.
- Only sign the application before a Commissioner of Oaths (a Commissioner is on staff at the Township office, but there may also be one at your local Town/City Hall or solicitor).
- SKETCH** – It is important that all measurements are accurate, particularly the one for which relief is being sought in this application. Remember that this is a legal document, and is binding. Three (3) copies of the sketch are to be submitted as follows:

- \_\_\_ Where possible, on a photocopy of a survey plan of the property
- \_\_\_ To scale (an info sheet with scaling rulers is attached for your assistance)
- \_\_\_ On paper no larger than 8½ x 14 (if on a survey plan that is larger than this, it is acceptable to submit the full size survey plan)
- \_\_\_ In black ink
- \_\_\_ Show the location, setback from property line & dimensions of all structures on the property, including dwellings, cabins, docks, sheds, privies, decks, stairs, etc.
- \_\_\_ Location of septic system & driveway
- \_\_\_ Any topographic features such as streams or cliffs
- \_\_\_ A North arrow

**Please Note: FAXED SKETCHES ARE NOT ACCEPTABLE**

- If the relief you are requesting is for a height exemption, include a profile view of the structure, clearly showing the height dimension.
- If the relief you are requesting is for an additional bedroom, a private cabin, or is an addition to a dwelling that will be more than 15% in size of the existing dwelling, provide a copy of the septic use permit for the property (should you not have a copy of this in your files, contact BOS Engineering at 705-645-5856 to conduct a septic search at a cost of \$50.00).
- A copy of the property deed & indicate, if applicable, if the Original Shore Road Allowance has been closed, or is under a License of Occupation with the Township.

Should you have any questions, please contact the Planning Department at:

Township of Lake of Bays  
1012 Dwight Beach Road  
Dwight, Ontario  
P0A 1H0

Phone No: 705-635-2272  
Toll Free: 1-877-566-0005

Fax No: 705-635-2132

**Office Use Only**

Reviewed by: \_\_\_\_\_

More Info. Required?  Yes  No

Date Accepted: \_\_\_\_\_

Date Returned for Info: \_\_\_\_\_

- Committee of Adjustment Hearing - proposal and all reports reviewed by Committee. Applicant and other parties may make presentation to Committee. Decision made.
- 20 day appeal period
- If not appealed and if approval was given, applicant must fulfill any conditions of approval prior to issuance of building permit.
- If appealed, the file is sent to the Ontario Municipal Board, who will hold a new Hearing.



## MINOR VARIANCE

## PROCEDURES

### The Township of Lake of Bays Committee of Adjustment

*Additional Information* may be obtained from the Township's Planning Department.

Township of Lake of Bays  
1012 Dwight Beach Road  
RR# 1

Dwight, Ontario P0A 1H0  
Telephone: (705) 635-2272  
Fax: (705) 635-2132

Email: [planner@lob.muskoka.com](mailto:planner@lob.muskoka.com)

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*Note: The information contained herein is accurate as of March 2000. Any changes in procedures or information as outlined herein will be documented in a new edition of this brochure as necessary. It is the applicant's responsibility to ensure that they have the most recent edition of this brochure.*

### **When is a Minor Variance Required?**

The Planning Act requires that a minor variance be obtained whenever you wish to construct, renovate, or alter a building or structure in any way that does not meet the requirements of the Township's Zoning By-law. For example, if you wish to build an addition onto the side of your house which comes as close as 10 feet to the side lot line and the Zoning By-law requires a 15 foot setback, a minor variance would be required. A minor variance is also required if you wish to expand or change a use that is considered "legal non-conforming". In the Township of Lake of Bays, you must receive approval for minor variances from the Township's Committee of Adjustment.

### **How Do I Apply for a Minor Variance?**

Application forms are available at the Township Office at 1012 Dwight Beach Road. Before submitting an application, we recommend that you speak to a planning staff member for their comments on the proposal. Since the Planning Department provides the Committee of Adjustment with a review of applications, it is best to pre-consult with them in order to alleviate any potential problems that may arise.

To make an application for minor variance, you must submit the following to the Planning Department:

- 1) The application form completed in full.
- 2) An application fee of \$350.00 per application, made payable to the Township of Lake of Bays, to cover the costs of processing the file(s).
- 3) 1 copy of the original sketch, as well as 2 photocopies, drawn to scale, showing the full extent of the proposal for an addition to, or construction of, structures. (Please note, this is not a survey, but rather a preliminary sketch). Our experience has been that more professionally drawn sketches, such as those drawn by a surveyor or a planner, provide more accurate information and as a result, expedite the process.

### **Costs Involved:**

*Application Fee - \$350.00 to pay for the processing of the application, payable to the Township of Lake of Bays.*

*Development Charges - The Township of Lake of Bays, the District of Muskoka and the Simcoe Muskoka Catholic District School Board may require the payment of a development charge on new construction. However, these charges are payable at the building permit stage and will not be made a condition of the approval of a minor variance. The actual amount paid will depend on the rate in effect at the time of submission of the application for a building permit. Further information in this regard may be obtained from the Township's Chief Building Official at the address noted in the back panel of this brochure*

### **The Committee of Adjustment:**

The Township of Lake of Bays Committee of Adjustment is comprised of Councillors who deal with applications such as the example previously outlined in this brochure, as well as other requests for permission to construct buildings, or to permit uses, which do not meet certain Zoning By-law provisions.

The function of the Committee of Adjustment is to review the application, staff and agency comments on applicable planning policies and regulations, information provided by the applicant, as well as the input of any neighbours. As part of their review of this information, the Committee must satisfy themselves that the minor variance is desirable for the appropriate development or use of the land, building or structure. In addition, the minor variance must conform to the general intent and purpose of the Township's Zoning By-law and Official Plan.

For this reason, it is not possible for any one person or agency to tell an applicant in advance if their application will be approved. The Committee does, however, strongly encourage pre-consultation with some of these agencies in advance of making a formal submission to determine some of the requirements.

### **The Various Steps in the Process:**

- Applicant submits application to the Township Planning Department, including forms, sketches, processing fee of \$350.00.
- Planning Department staff process application and circulates notice to prescribed agencies and neighbours within 200 feet at least 10 days prior to Hearing. Applicant posts lot identification signs to assist those conducting site inspections.
- Township staff reports and any other agency or public comments sent to applicant prior to Hearing.

Received: \_\_\_\_\_  
Report: \_\_\_\_\_

Application No. \_\_\_\_\_  
Other Action: \_\_\_\_\_

### APPLICATION FOR MINOR VARIANCE

The undersigned hereby applies to the Committee of Adjustment for the Corporation of the Township of Lake of Bays under Section 45 of the Planning Act for relief, as described in this application, from By-law 72-10 as amended by By-law 86-50.

1. Name of Owner: \_\_\_\_\_ Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_
2. Name of Owner's Solicitor / Agent: \_\_\_\_\_ Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
**NOTE: Unless otherwise requested, all communications will be sent to the agent, if any.**
3. Names and addresses of any mortgagees, holders of charges or other encumbrances: \_\_\_\_\_  
\_\_\_\_\_
4. Name and extent of relief applied for: \_\_\_\_\_  
\_\_\_\_\_
5. Why is it not possible to comply with the provisions of the By-law? \_\_\_\_\_  
\_\_\_\_\_
6. Legal description of subject land (registered plan number and lot number or other legal description and, where applicable, street and street number \_\_\_\_\_  
\_\_\_\_\_ Assessment Roll No. \_\_\_\_\_
7. Dimensions of land affected:  
Frontage of lot \_\_\_\_\_ Depth of Lot \_\_\_\_\_ Area of Lot \_\_\_\_\_ Width of Street: \_\_\_\_\_  
Name of Street / Road: \_\_\_\_\_
8. Particulars 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) These are not required if plans in Note 2 are supplied. Existing: \_\_\_\_\_  
Proposed: \_\_\_\_\_
9. Location 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.) These are not required if plans in Note 2 are supplied. Existing: \_\_\_\_\_  
Proposed: \_\_\_\_\_
10. Date of acquisition of subject land: \_\_\_\_\_
11. Date of construction of all buildings and structures on subject land: \_\_\_\_\_  
\_\_\_\_\_
12. Existing uses of subject property: \_\_\_\_\_
13. Existing uses of abutting properties: \_\_\_\_\_  
\_\_\_\_\_
14. Length of time the existing uses of the subject property have continued: \_\_\_\_\_
15. Municipal Services available. Check appropriate spaces(s): Water \_\_\_\_\_ Sanitary Sewers \_\_\_\_\_  
Private Septic \_\_\_\_\_ Private Water \_\_\_\_\_ Road \_\_\_\_\_ Storm Sewers \_\_\_\_\_ Water Access \_\_\_\_\_ (All  
water access lots require an agreement)

- 16. Present Official Plan provisions applying to the land: \_\_\_\_\_
- 17. Present Zoning By-law provisions applying to the land: \_\_\_\_\_
- 18. Has the owner previously for relief in respect of the subject property? Yes \_\_\_ No \_\_\_; if yes, describe briefly: \_\_\_\_\_

**THE APPLICANT HEREBY AGREES:**

- a) to reimburse the Municipality for any costs incurred in processing this application which are above and beyond the amount of the application fee, under the Cost Acknowledgment Agreement,
- b) if required by the Municipality to pay a deposit in addition to the application fee, prior to the processing of this application
- c) to pay all costs legal and otherwise, that may be incurred by the Municipality with respect to an Ontario Municipal Board Hearing, that may be held as a result of this application for a minor variance.

I hereby submit this application for a Minor Variance in respect of the land hereinbefore described.

**THIS DECLARATION IS MADE IN RESPECT TO AN APPLICATION FOR MINOR VARIANCE ON PROPERTY UNDER ASSESSMENT ROLL NUMBER \_\_\_\_\_ DATED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_.**

I, \_\_\_\_\_, of the \_\_\_\_\_ in the County/District/Regional Municipality 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 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 \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
A Commissioner, etc.

\_\_\_\_\_  
Signature of Applicant / Solicitor / Authorized Agent

**NOTE:**

- 1. It is required that **3** copies of this application be filed with the Secretary-Treasurer of the Committee of Adjustment, together with the plan referred to in Note 2, accompanied by the required fees. (\$350.00)
- 2. Each copy of this application must be accompanied by a plan showing the dimensions of the subject land and of all abutting land and showing the location, size and type of all buildings and structures on the subject and abutting land. The Committee of Adjustment may required that the plan be signed by an Ontario Land Surveyor.

**Appointment of an Agent According to the Planning Act**

I \_\_\_\_\_ being the owner of \_\_\_\_\_ hereby appoint \_\_\_\_\_ to act as my agent in respect to the processing of an application under the Planning Act for \_\_\_\_\_  
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Signature

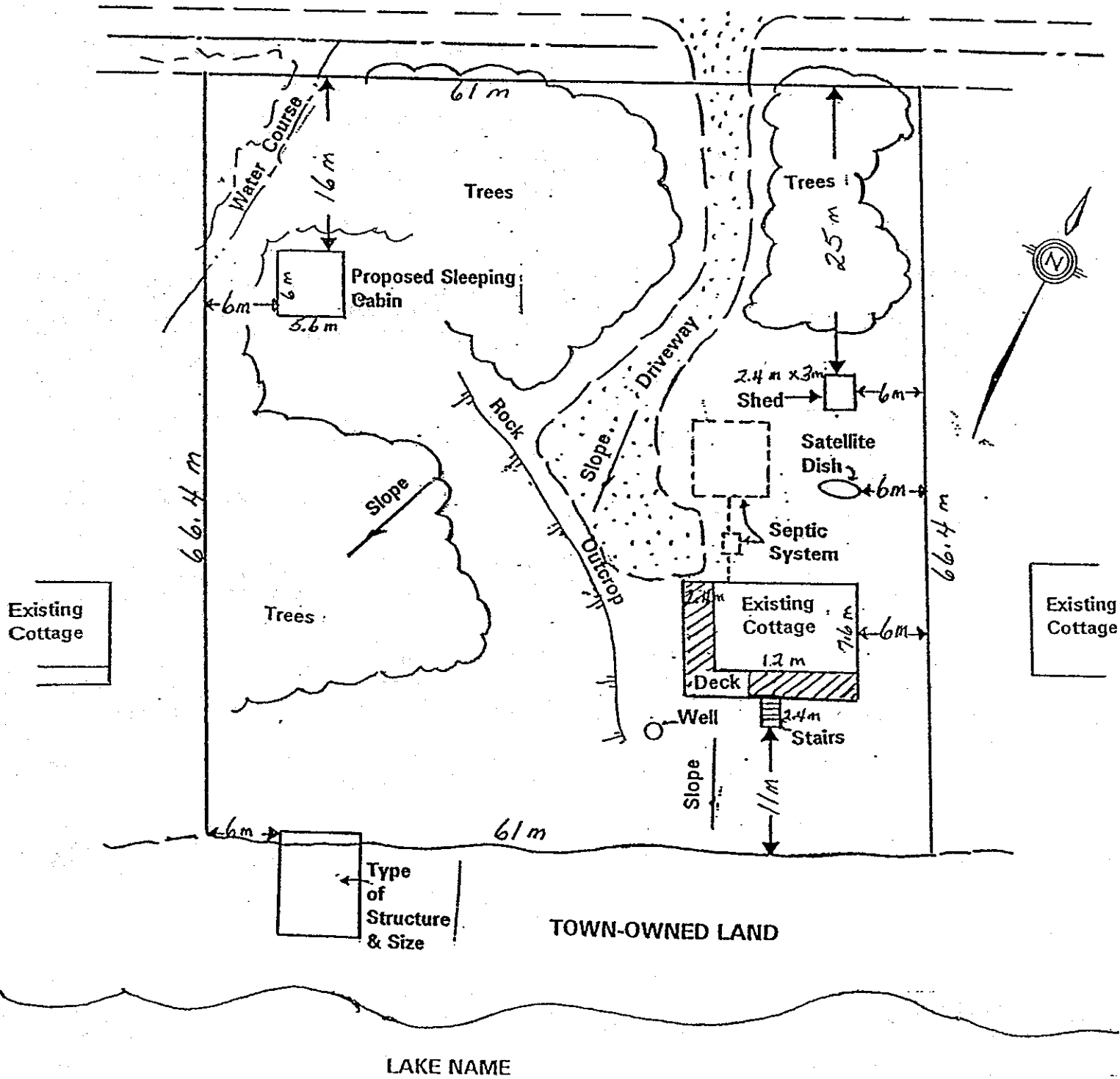
LOCATION PLAN OF:

Part of Lot \*\*, Concession II  
 former Township of \*\*  
 Town of Gravenhurst  
 District of Muskoka  
 being Lot \*\*, Plan \*\*

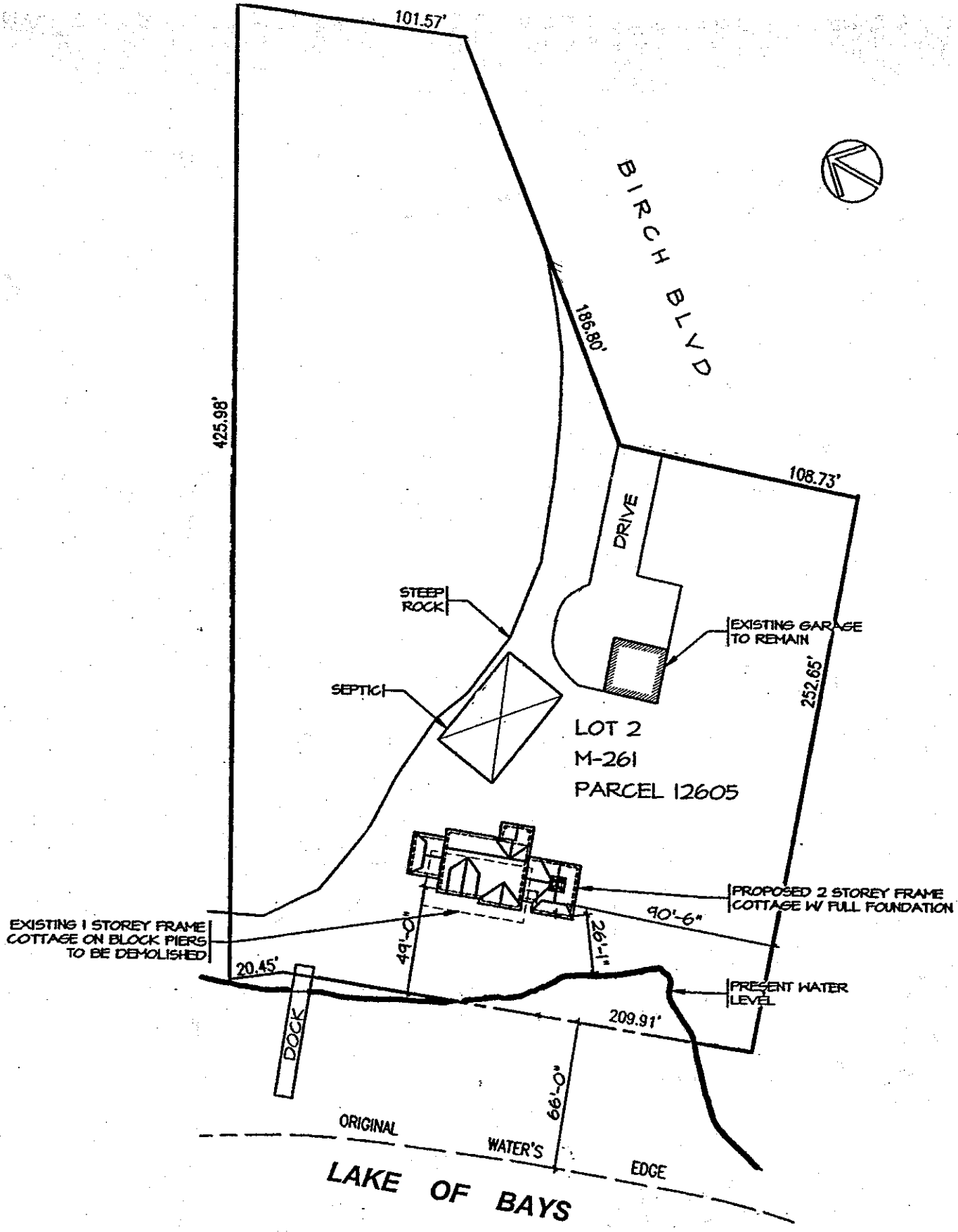
SAMPLE BUILDING LOCATION PLAN

Scale: 1

ROAD NAME







Scale 1" = 60 feet