



*Town of*  
**East Gwillimbury**

## *Minor Variance*

## ***Application Guide***

### **MATERIALS ENCLOSED**

General Information  
Application Form  
Authorization Of Owner Form  
Conservation Authority Review Application  
Form Check List For Owner/Agent/Solicitor  
Summary Of Development Application Fees

*Town of East Gwillimbury, Development Services - Planning Branch  
19000 Leslie Street, Sharon, Ontario L0G 1V0  
Telephone: (905) 478-4282 Fax: (905) 478-2808*

Website: [www.eastgwillimbury.ca](http://www.eastgwillimbury.ca)



## **MINOR VARIANCE APPLICATION** **GENERAL INFORMATION**

### **1. PURPOSE OF THE APPLICATION**

The purpose of this Minor Variance Application Guide is to set forth the information required by the Town to allow it to properly evaluate your application.

The attached application form is to be used only when applying for a Minor Variance to the Committee of Adjustment for the Corporation of the Town of East Gwillimbury. One completed copy of the application must be filed.

### **2. APPLICATION FEES**

Please refer to the Development Application Fees By-law for the schedule of fees. The basic application fee is required to cover normal costs incurred in processing a Minor Variance Application. The fee is payable to the Town of East Gwillimbury.

#### Refund Policy

**NO** refunds will be given for Committee of Adjustment Applications.

#### Revisions to Applications

Should revisions to applications require re-circulation, a fee in the amount of \$1,037 must accompany the request for revision.

#### Additional Fees

In the event that additional costs are incurred by the Town for Special Studies necessitated by an application(s), the additional costs shall be paid by the applicant in the manner and amount to be determined by the Council of the Town of East Gwillimbury.

#### Ontario Municipal Board Hearing Deposits

Ontario Municipal Board Hearing Deposits are due and payable upon the receipt of an appeal with respect to the application. The deposit shall be paid by the applicant in a manner and amount to be determined by the Council of the Town of East Gwillimbury. Fees incurred by the Municipality above and beyond the amount of deposit required will be invoiced to and payable by the applicant. Should the fees incurred be less than the amount of deposit required, the appropriate refund will be issued to the applicant.



### **3. APPLICATION FORM**

The application form should be completed by the owner of the subject lands, his/her solicitor, or his/her authorized agent. If this application is to be submitted by a solicitor or agent on behalf of the owner, the attached authorization form must be completed and signed by the owner. If the owner is a corporation acting without an agent or solicitor, the application must be signed by an officer of the corporation, who has the authority to bind the corporation, and the corporation's seal, if any, must be affixed.

***[NOTE TO OWNER: If the application is to be prepared by a solicitor or agent, authorization should not be given until the completed application and its attachments have been examined and approved by the owner.]***

It is important to note that the signature on the application form must be witnessed by a Commissioner. Where the subject lands are owned by a corporation, the application must be under corporate seal and/or must be signed by an authorized signing officer who has the authority to bind the corporation. Names and titles are to be typed under the signatures, where shown. If there is more than one owner, all parties are required to sign the application and/or authorization form.

The questions on the application form identified with an asterisk (\*) provide information prescribed in accordance with The Ontario Planning Act, R.S.O. 1990. Those questions not identified in this manner provide the Town with required information in order to facilitate a complete review and proper analysis of the proposed Amendment.

### **4. INFORMATION REQUIRED**

It is the responsibility of the owner/authorized agent/applicant to provide complete and accurate information. This form will not be accepted as an application until all questions have been answered and all requirements have been met in the manner requested. If the form is incomplete or inaccurate, the application will be returned for completion, correction or clarification prior to processing.

The following additional information in support of this application is also required by the Town:

- (a) A legal survey of the subject lands, prepared by an Ontario Land Surveyor, showing all boundaries and dimensions of the subject land;
- (b) A plan identifying the following:
  - 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 lot line and the side yard lot lines;
  - the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
  - current uses on land that is adjacent to the subject lands;



- 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 a right-of-way;
- 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 easement affecting the subject land.

A copy of the deed for the subject lands **must** accompany each application as proof of ownership.

## 5. **APPLICATION SIGN**

The Development Sign shall be erected and maintained in accordance with the following requirements.

Written confirmation must be forwarded to the Town advising that the required sign has been erected.

The sign shall be constructed of a durable material and shall be approximately 2 feet square. It shall be supported by a minimum of two uprights and secured in the ground. The sign face should be at eye level [approximately 5 feet above ground].

The sign shall have black lettering on a white background and be clearly visible from the street. The lettering should be plain upper case [Helvetica medium or similar typeface].

The sign shall be completely unobstructed, clearly visible from the street, and shall not be set back more than 15 feet from the lot line.

The notice shall contain the following information and in the following form:

<b><u>NOTICE</u></b>
A Minor Variance Application [File No.: _____ ] has been made to facilitate _____ . A public meeting has been scheduled for _____, at _____ p.m. to be held at the East Gwillimbury Civic Centre, 19000 Leslie Street, Sharon, to discuss this matter.
For further information contact the Town of East Gwillimbury, Committee of Adjustment [Telephone No. 905-478-4282].

All proposed wording should be approved by the Town.

The applicant and/or owner of the lands shall be responsible for preparing, erecting and maintaining the sign and the removal of same and all costs involved.

Failure to erect the prescribed sign and maintain such in good order may be considered sufficient grounds to stop the processing of the application at any time.



**6. APPLICATION PROCESS**

It is recommended that the owner/agent meet with Planning Staff prior to making the formal submission. This should assist in avoiding delays due to incomplete applications or lacking information requirements. Staff may also recommend pre-consultation with other applicable commenting public bodies or agencies.

Once the completed application has been submitted, a request for written comments is sent to various agencies. A notice of your proposal is also sent to property owners within 60 metres [200 feet] of the subject lands. These owners will have the right to attend the scheduled Hearing and express any concerns or support they may have to the Committee. The request for comments and notices of hearing are circulated a minimum of ten days prior to the date when the application is to be heard by the Committee.

The applicant, his/her staff and/or consultant, is required to attend the public meeting. They should be prepared to make a brief presentation of the proposal and answer any questions that may arise.

Once the Committee has considered all evidence available, they will make their decision. The written decision will be mailed within ten days from the date in which the Committee made its decision. From the date the Committee made its decision and including the above noted ten days, there is a twenty day waiting period within which the decision may be appealed.

If no appeal is lodged, the decision of the Committee is final and binding.

If an appeal is lodged, a record of information pertaining to the Application will be forwarded to the Ontario Municipal Board [O.M.B.]. The O.M.B. will schedule and hold a public hearing to decide the final disposition of the application.



**MINOR VARIANCE APPLICATION**

This application must be filed with the Development Services, Planning Branch of the Town of East Gwillimbury together with the required documents and fees.

---

I hereby submit a Minor Variance Application to the Committee of Adjustment for the Town of East Gwillimbury under Section 45 of The Planning Act, R.S.O. 1990, for relief as identified in this application in respect of the property herein after described.

1. Date of the Application: \_\_\_\_\_

2. \*Assessed Owner[s] of the subject property:

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone (Daytime): \_\_\_\_\_ Cell: \_\_\_\_\_

Contact E-mail: \_\_\_\_\_

3. \*Applicant:

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone (Daytime): \_\_\_\_\_ Cell: \_\_\_\_\_

Contact E-mail: \_\_\_\_\_

4. Solicitor:

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone (Daytime): \_\_\_\_\_ Cell: \_\_\_\_\_

Contact E-mail: \_\_\_\_\_



Town of  
**East Gwillimbury**

5. \*If known, the names and addresses of the holder(s) of any mortgages, charges or other encumbrances in respect of the subject land:

---

---

---

---

---

---

---

---

---

---

[If space is insufficient, attach a separate sheet.]

6. \*Describe, in detail, the nature and extent of the relief applied for:

---

---

---

---

---

---

---

---

---

---

[If space is insufficient, attach a separate sheet.]

7. \*Outline, in detail, the reason why the proposed use cannot comply with the provisions of the Zoning By-law:

---

---

---

---

---

---

---

---

---

---

[If space is insufficient, attach a separate sheet.]

8. \*If known, identify the date the subject land was acquired by the current owner:

---



# Town of East Gwillimbury

9. \*Legal description of property which is the subject of this application: [if description in metes and bounds, attach separate sheet]

Lot: \_\_\_\_\_ Concession: \_\_\_\_\_  
 Registered  
 Lot: \_\_\_\_\_ Plan: \_\_\_\_\_  
 Street \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Property Tax Roll  
 Number: \_\_\_\_\_

10. \*Size of property:

(a) Frontage: \_\_\_\_\_ metres \_\_\_\_\_ feet  
 (b) Depth: \_\_\_\_\_ metres \_\_\_\_\_ feet  
 (c) Area: \_\_\_\_\_ hectares \_\_\_\_\_ acres

11. \*Are there any buildings or structures currently located on the subject property?

Yes  No

12. \*If the answer to item #11 is yes, for each building or structure, identify the following:

Type Of Building/Structure	Setbacks From Lot Lines				Height Of Building/Structure	Dimensions [Ground Floor Area]
	Front	Rear	Side	Side		

[If space is insufficient, attach a separate sheet.]

13. \*If known, identify the date the existing buildings or structures on the subject land were constructed.

Type Of Building Or Structure	Date Of Construction

Type Of Building Or Structure	Date Of Construction

[If space is insufficient, attach a separate sheet.]





# Town of East Gwillimbury

14. \*Current use of Property: \_\_\_\_\_

15. \*Identify the length of time that the existing uses of subject land have continued:  
\_\_\_\_\_

16. \*Current Official Plan designation of the property:  
\_\_\_\_\_

17. \*Current Zoning of the property:  
\_\_\_\_\_

18. \*Proposed use of the property:  
\_\_\_\_\_

19. \*Are there any buildings or structures proposed to be built on the subject property?

- Yes       No

20. \*If the answer to item #19 is yes, for each building or structure, identify the following:

Type Of Building/Structure	Setbacks From Lot Lines				Height Of Building/Structure	Dimensions [Ground Floor Area]
	Front	Rear	Side	Side		

[If space is insufficient, attach a separate sheet.]

21. \*Indicate what type of access is provided to the subject property:

- Provincial Highway       Regional Road  
 Open Town Road       Unopened Town Road  
 Right-of-way       Water



# Town of East Gwillimbury

22. \*If access to the subject property is by water only, identify the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject property and the nearest public road:

---

---

---

---

---

---

---

---

[If space is insufficient, attach a separate sheet.]

23. \*Identify the water supply provided to the subject property:

- Municipal Water       Individual Well  
 Communal Well       Lake or Other Water Body  
 Other (explain) \_\_\_\_\_

24. \*Identify the type of sewage disposal system provided to the subject property:

- Municipal Sanitary Sewer       Private Septic System  
 Communal Septic System       Privy  
 Other (explain) \_\_\_\_\_

25. \*Identify the type of storm drainage provided to the subject property:

- Municipal Sewers       Ditches       Swales  
 Other (explain) \_\_\_\_\_

26. \*Are the subject lands subject of an application for approval of a Plan of Subdivision or a Consent?

- Yes       No

27. \*If the answer to item #26 is yes, and if known, identify the file number and the status of the application:

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

[If space is insufficient, attach a separate sheet.]



# Town of East Gwillimbury

28. \*Have the subject lands ever been the subject to a previous Minor Variance Application?

- Yes                       No                       Unknown

29. Does the subject property have any of the following located thereon? [if so, show location[s] on a plot plan]

- Marshland, or area[s] subject to flooding or surface ponding  
 Watercourses or drainage ditches or drainage swales  
 Oak Ridges Moraine

30. Is the subject property predominately: [answer yes or no]

Low Lying: \_\_\_\_\_ Level: \_\_\_\_\_  
Rolling: \_\_\_\_\_ Hilly: \_\_\_\_\_

31. Does the assessed owner[s] of the subject property agree to pay the costs of the Town related to an appeal if the application is approved and the matter comes before the Ontario Municipal Board?

- Yes                       No

Dated at the \_\_\_\_\_ this \_\_\_\_\_  
[Name of Municipality] [Day]

day of \_\_\_\_\_, \_\_\_\_\_, I, \_\_\_\_\_  
[Month] [Year] [Applicant's Full Name]

of the \_\_\_\_\_ in the  
[Name of Municipality]

\_\_\_\_\_ solemnly declare that all the above  
[Name of Regional Municipality]

statements contained in this application and all the exhibits transmitted herewith are true, and I make 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 "Canada Evidence Act".

By signing this application form, I also confirm that I have read and understand the information included in the Minor Variance Application Guide.

\_\_\_\_\_  
Signature of Assessed Owner/Authorized Agent

Declared before me at the \_\_\_\_\_ in the  
[Name of Municipality]

\_\_\_\_\_ this \_\_\_\_\_ day of  
[Name of Regional Municipality] [Day]

\_\_\_\_\_, \_\_\_\_\_  
[Month] [Year]

\_\_\_\_\_  
Signature of a Commissioner, etc.

[If signed by other than Owner, written authorization of the Owner must accompany the application.]



Town of  
**East Gwillimbury**

---

*NOTE: The questions on the application form identified with an asterisk (\*) represent information prescribed in accordance with The Ontario Planning Act, R.S.O. 1990. Those questions not identified in this manner provide the Town with required information in order to facilitate a complete review and proper analysis of the proposed variance.*



**AUTHORIZATION OF OWNER**

I \_\_\_\_\_, hereby authorize  
[print full name of assessed owner]

\_\_\_\_\_, to submit the enclosed  
[print full name of agent]

application to the Development and Legal Services, Planning Branch of the Town of East Gwillimbury, and to appear on my behalf at any Hearing[s] of the application and to provide any information or material required by the Council or Planning Committee of said Town relevant to the application.

Furthermore, for the purposes of the Freedom of Information and the Protection of Privacy Act, I authorize \_\_\_\_\_, as my agent for this application, to  
[print full name of agent]

provide any of my personal information that will be included in this application or collected during the processing of the application.

Dated at the \_\_\_\_\_ of

\_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_.

\_\_\_\_\_  
[signature of assessed owner]