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## **Application for a Minor Variance** under Subsection 45(3) of the *Planning Act*

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This application form is to be used to request minor variances from the Town's Zoning by-law. In this form, the term "subject land" means the land that is subject of the proposed variance.

Each application must be accompanied by the application fee in the form of either cash or a cheque payable to the Town of Greater Napanee. A sketch of the subject land must also be submitted.

If the applicant is not the owner of the subject land, a written statement by the owner which authorizes the applicant to act on behalf of the owner as it relates to the subject application must accompany the application (see section 9.0).

Note that additional information may be required by the Town or by local and provincial agencies in order to evaluate the proposed amendment. The required information may include studies or reports dealing with such matters as impacts on the environment, transportation network, water supply, sewage disposal, and storm water management. In addition, the applicant may be required to submit a more detailed site plan in accordance with Section 41, of the Planning Act.

Most of the information requested in this form is prescribed in the Schedule to *Ontario Regulation 2005/96* under the *Planning Act*. This information must be provided with the appropriate fee and draft plan. If the mandatory information is not provided, the municipality will return the application or refuse to further consider the application.

The application form also requests other information that will assist the approval authority and others in their planning evaluation of the development proposal. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Upon receipt of an application, the required fee and other information (as required), public notice will be given in accordance with the Regulations under the Planning Act. At least 10 days after this public notice, a public meeting will be held concerning the application, as required by the Ontario Planning Act.

Minor Variance applications are circulated to various agencies for their comments. These agencies may require additional information to evaluate the proposal.

The applicant is encouraged to attend the public meeting, to present the proposal. The applicant and other interested parties will be provided notice of the decision made by the Committee of Adjustment concerning the application. If no notice of appeal is received within 20 days, the decision of the Committee is final and binding.

To help you complete the application form, please consult the Development Services office at (613) 354-3351.

## Application for a Minor Variance

**For office use only**

Date Received	Date Complete	File No(s)	Fee(s) Paid
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### 1.0 APPLICANT INFORMATION

1.1 Complete the information below and indicate which contact is the Prime Contact (to whom all communications will be directed).

Name	Address	Phone/Fax/E-mail
Registered Owner(s)*		Business
		Fax
		Home/Cell
		E-mail
Applicant(s)		Business
		Fax
		Home/Cell
		E-mail
Agent, if any (eg. Planning Consultant)		Business
		Fax
		Home/Cell
		E-mail
Solicitor		Business
		Fax
		Home/Cell
		E-mail

\* If a company, please give name and phone number(s) of principal owner (or president).

### 2.0 PROPERTY INFORMATION

Lot(s)/Block(s)	Concession	Registered Plan No.
Reference Plan No.	Part(s)	Parcel No.
Former Municipality	Municipal Address	
Assessment Roll #:		

2.1 Particulars of the Subject Land (use metric units):

Frontage	Average Depth	Area
Current Official Plan Designation		Current Zoning Designation

2.2 Date the subject land was acquired by the current owner: \_\_\_\_\_

**3.0 EXISTING AND PREVIOUS USES OF THE SUBJECT LANDS**

3.1	Existing use(s) and duration	
3.2	Previous uses and duration	

3.3 List any existing Buildings or Structures on the Property

Building/Structure	Yard Setbacks				Year Built	Number of Storeys	Building Height	Ground Floor Area
	Front	Rear	Side	Side				

3.4 Is the subject land (or buildings) subject to a demolition control by-law or is it designated or identified for possible designation under the Ontario Heritage Act? YES                      NO

**4.0 PROPOSED USE OF THE SUBJECT LANDS**

4.1 What is the proposed use of the subject lands?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4.2 List any Proposed Buildings and Structures

Building/Structure	Yard Setbacks				Number of Storeys	Building Height	Ground Floor Area
	Front	Rear	Side	Side			

4.3 Attach a sketch showing (in metric units):

- a) The boundaries and dimensions of the subject land;
- b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the lot lines;
- c) The approximate location of all natural and artificial features located on the subject land or adjacent land that might affect that application;
- d) The current uses of land that is adjacent to the subject land;
- e) The location, width, name and type of any roads within or abutting the subject land;
- f) The location of parking and docking facilities if access is to be by water only; and
- g) The location and nature of any easements affecting the subject land.

**5.0 NATURE OF PROPOSED MINOR VARIANCE**

5.1 Describe the nature and extent of the relief sought from the zoning by-law.

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5.2 State the reason(s) why the proposed use cannot comply with the provisions of the zoning by-law.

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**6.0 STATUS OF OTHER PLANNING APPLICATIONS**

6.1 Is there currently an application for a consent or approval of a plan of subdivision involving the subject land, or has there ever been an application for a minor variance?      YES      NO

If YES, and if known, list below or attach on a separate page:

Type of Application	File Number/Ontario Regulation Number	Details	Status

**7.0 SERVICING**

7.1 Indicate the existing and proposed servicing type for the subject land.

<u>Water Supply</u>	<u>Existing</u>	<u>Proposed</u>
Public piped water system		
Private communal well(s)		
Private individual well(s)		
Lake or other water body		
Other means		

<u>Sewage Disposal</u>	<u>Existing</u>	<u>Proposed</u>
Public piped sewage system		
Private communal septic system		
Individual septic system(s)		
Privy		
Other means		

<u>Storm Drainage</u>	<u>Existing</u>	<u>Proposed</u>
Sewers		
Ditches or swales		
Other means		

<u>Access</u>	<u>Existing</u>	<u>Proposed</u>
Provincial highway		
County Road		
Municipal road		
Water		
Other means		

**8.0 DECLARATION**

I, \_\_\_\_\_, of the \_\_\_\_\_ in the  
(name of applicant) (name of municipality/township)  
County of \_\_\_\_\_ solemnly declare that all the information contained in this  
application and any supporting documents is true.

Declared before me at the Town of Greater Napanee in the County of Lennox and Addington this \_\_\_\_\_  
day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Commissioner of Oaths Applicant

**9.0 OWNER'S AUTHORIZATION (if the applicant is not the owner)**

I, \_\_\_\_\_, of the \_\_\_\_\_ in the  
(name of owner) (name of municipality/township)  
County of \_\_\_\_\_ am the owner of the land that is the subject of this  
application for a minor variance and I hereby authorize \_\_\_\_\_ to act as my  
agent in this application.

\_\_\_\_\_  
Signature of Owner

**10.0 ACKNOWLEDGEMENT**

In accordance with the provisions of the Planning Act, it is the policy of the Town of Greater Napanee to  
provide public access to all development applications and supporting documentation.

I, \_\_\_\_\_, agree and acknowledge that this application and any supporting  
(name of applicant)  
material, including studies and drawings, filed with the application is public information, and forms part  
of the public record. As public information, I hereby consent to the Town photocopying and releasing  
the application and supporting materials for either its own use in the processing of the application or at  
the request of any third party.

\_\_\_\_\_  
Signature Date

**SCHEDULE "B"**  
**TO**  
**PLANNING FEES BY-LAW**

**AGREEMENT TO INDEMNIFY**

The applicant hereby agrees to indemnify and save harmless The Corporation of the Town of Greater Napanee ("the Municipality") from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under the Planning Act.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Ontario Municipal Board from any decision of the Council or Committee of Adjustment, as the case may be, approving the applicant's application.

The applicant acknowledges and agrees that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not be required to process or to continue processing the application, or to appear before the Ontario Municipal Board in support of a decision approving the application until the amount has been paid in full.

The applicant further acknowledges and agrees that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Applicant



The Town of Greater Napanee has a duty to protect employees from all forms of Harassment and Violence while in the workplace. By signing this application, I agree that all dealings with employees will be handled in a respectful and appropriate manner. I further agree that I and/or persons acting on my behalf, will conform to all applicable policies of the Town of Greater Napanee, which can be provided on request. Breach of a policy could result in processing delays, denial of service or other remedies contained in the approved policy.

Thank-you for your cooperation.

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Name

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Signature

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Date