



Instructions for Minor Variance Application

PLEASE DETACH AND RETAIN THE FIRST THREE PAGES FOR FUTURE REFERENCE

BACKGROUND INFORMATION

This process pertains to an application for minor variance pursuant to Section 45 of the Planning Act. Prior to the Municipality processing the application, it is required that a copy of the attached application form be completed including the required sketch and processing fee of \$1000.

Depending on the location of the subject lands, the Township also collects planning application review fees on behalf of the Upper Thames River Conservation Authority (\$200) and/or the Ausable Bayfield Conservation Authority (\$150). A septic review fee may also be required on behalf of the Municipality of Middlesex Centre (\$100). All fees are payable at the time of application filing.

Please note:

- The Municipality may require that an Ontario Land Surveyor verify the measurements provided.
- The receipt of inaccurate information may cause delays in the processing of this application.
- Additional information may be required by the Committee of Adjustment prior to a decision being issued.

APPLICATION SUBMISSION

Please submit the application, sketch and fee to:

Township of Lucan Biddulph
270 Main Street
Box 190
Lucan, ON
N0M 2J0

Dan FitzGerald, MPL
Planner
519.930.1008
dfitzgerald@middlesex.ca

APPLICATION PROCESS

| | |
|---------------|---|
| Step 1 | Consult with Planning Staff: Applicants are encouraged to meet with staff prior to submitting an application. Please contact the Senior Planner |
| Step 2 | Application submission: Complete the attached application form and include the submission of the required sketch and processing fee. |
| Step 3 | Complete application accepted: The file is opened and timelines for processing are established. |
| Step 4 | Notice of Hearing: The application is circulated to the public, agencies and municipal departments. The public circulation applies to every person assessed within 60 metres of the subject land and to every person and public body that has provided a written request for such notice. A “Possible Land Use Change” sign is erected on the subject land. |
| Step 5 | Planning Evaluation Report: Staff undertakes an evaluation of the application using the relevant planning documents. A recommendation is provided to the Committee of Adjustment, including conditions of approval (if applicable). |
| Step 6 | Committee of Adjustment Hearing: Within 30 days of the submission of a complete application, the application is heard by the Committee of Adjustment. It is recommended that you and/or your agent attend the Hearing to explain the reasons for your application; if you do not attend, the Committee may proceed in your absence. The Committee will consider your submission as well as recommendations from staff. In addition, members of the public will be given an opportunity to speak to your application. |
| Step 7 | Notice of Decision: Within 10 days of the Committee making its decision, the Secretary-Treasurer of the Committee will mail one copy of the decision to you and others who filed a written request for notice of the decision. The Notice of Decision will outline appeal procedures and identify the last day for appealing the Committee's decision to the Local Planning Appeal Tribunal. “Possible Land Use Change” sign is removed. |
| Step 8 | A final and binding decision: If no appeal is made by the end of the 20 day appeal period, the decision is final and binding. You will be notified by mail and, if the application has been approved, you should (subject to the fulfillment of any conditions set out in the final decision) be in a position to apply for a building permit or be in compliance with the Zoning By-law. |

APPEAL TO THE LOCAL PLANNING APPEAL TRIBUNAL

The applicant, the Minister or any other person or public body who has an interest in the matter may appeal a decision of the Lucan Biddulph Committee of Adjustment to the Local Planning Appeal Tribunal (LPAT) within 20 days of the date of the Decision of the Committee by personally delivering or sending a Notice of Appeal to the Secretary-Treasurer of the Committee of Adjustment and the required forms, downloadable from the LPAT's website (<http://www.elto.gov.on.ca>). The appeal must set out the reasons for objecting to the decision, and must include the prescribed fee. The Secretary of the Committee of Adjustment will then prepare an appeal package and forward it to the LPAT. The LPAT will schedule a hearing and give written notice of the time and date in advance of the hearing.

| For Office Use Only | |
|---------------------|--|
| Date Received: | |
| File Number: | |



Minor Variance Application

Pursuant to Section 45 of the *Planning Act*

| | |
|--|--------------|
| 1. Applicant information | |
| Registered owner(s) of the subject land | |
| Name: | |
| Address: | |
| Town: | Postal Code: |
| Phone: | Cell: |
| Fax: | Email: |
| Authorized agent (authorized by the owner to file the application, if applicable) | |
| Name: | |
| Address: | |
| Town: | Postal Code: |
| Phone: | Cell: |
| Fax: | Email: |
| 2. Current Official Plan land use designation: | |
| 3. Current Zoning: | |
| 4. Describe the nature and extent of the relief from the Zoning By-law (what is being varied): | |
| 5. Provide reasons why the proposed use cannot comply with the provisions of the Zoning By-law: | |

| 6. Description of subject land | | | | | | |
|--|----------------------|------------------------------|-----------------------------|------------------------------|--------|------------|
| Geographic Township: | | | Lots(s)/Concession: | | | |
| Registered Plan: | | | Lot(s): | | | |
| Reference Plan: | | | Part(s): | | | |
| Street Address: | | | Municipal Roll Number: | | | |
| 7. Dimensions of subject land (in metric units) | | | | | | |
| Frontage: | | Depth: | | Area: | | |
| 8. Access to subject land (please provide information for only those that apply to this property) | | | | | | |
| Provincial Highway: | | | County Road: | | | |
| Municipal Road: | | | Other Public Road: | | | |
| Right of Way: | | | Water: | | | |
| 9. Describe all existing uses of the subject land? | | | | | | |
| | | | | | | |
| 10. Please indicate whether there are any existing buildings or structures on the subject lands? | | | | | | |
| Yes* <input type="checkbox"/> No <input type="checkbox"/> | | | | | | |
| *If yes, please complete the following table indicating the types of buildings and structures, including date of construction, that currently exist on the lot and the specified measurements (in metric units): | | | | | | |
| Type of Building / Structure | Date of construction | Distance from front lot line | Distance from rear lot line | Distance from side lot lines | Height | Floor Area |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| 11. Describe all proposed uses of the subject land? | | | | | | |
| | | | | | | |

12. Please indicate whether any buildings or structures are proposed to be built on the subject land?

Yes* No

*If yes, please indicate the type of buildings or structures proposed on the subject land and the specified measurements (in metric units):

| Type of Building / Structure | Distance from front lot line | Distance from rear lot line | Distance from side lot lines | Height | Floor Area |
|------------------------------|------------------------------|-----------------------------|------------------------------|--------|------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

13. Please indicate the date when the subject land was acquired by the current owner?

14. Please indicate the length of time that the existing uses of the subject land have continued?

15. Water Supply: Water supply is provided to the subject land via?

| | |
|---|---|
| <input type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned well or communal well | <input type="checkbox"/> other (please specify) _____ |

16. Sewage Disposal: Sewage disposal is provided to the subject land via?

| | |
|---|---|
| <input type="checkbox"/> publicly owned and operated sanitary sewage system | <input type="checkbox"/> privy |
| <input type="checkbox"/> privately owned individual or communal septic system | <input type="checkbox"/> other (please specify) _____ |

17. Storm Drainage: Storm drainage is provided to the subject land via?

| | |
|---|---|
| <input type="checkbox"/> storm sewers | <input type="checkbox"/> swales |
| <input type="checkbox"/> municipal drainage ditches | <input type="checkbox"/> other (please specify) _____ |

18. Is the subject land the subject of:

An application for approval of a Plan of Subdivision under the *Planning Act*?

Yes* No

*If yes, provide the following: File No. _____ Status _____

An application for an application for Consent under the *Planning Act*?

Yes* No

*If yes, provide the following: File No. _____ Status _____

19. Please indicate whether the subject land has previously been the subject of an application for Minor Variance?

Yes No

20. This application must be accompanied by a sketch showing the following information. Failure to supply this information will result in a delay in procession the application. Please fill out the checklist below to ensure you have included all the required information.

- The boundaries and dimensions of the subject land.
- The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings and 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 (for example buildings, railways, roads, watercourses, drainage ditches, rivers or stream banks, wetlands, wooded areas, wells and septic tanks)
- The current uses on land that is adjacent to the subject land.
- 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 will be 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.

STATUTORY DECLARATION

I, _____ of the _____
(Name) (Name of City, Town, Township, Municipality, etc.)

in the _____
(Name of County, Region or District)

SOLEMNLY DECLARE THAT

The information provided in this application as required under Section 45 of the *Planning Act* and Ontario Regulation 200/96 is true.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that is of the same force and effect as if made under oath.

Declared before me at the _____

of _____ in the _____

this _____ day of _____ 20 _____

A Commissioner of Oaths

Applicant or Authorized Agent*

*** If applicable, please complete the attached authorization for an agent to act on behalf of the owner of the subject land.**

AGENT AUTHORIZATION

I, _____, being the owner of the property described in
(Name)

Section 1 of this application for Minor Variance, hereby authorize _____
(Agent)

to act as my agent in matters related to this application for Minor Variance.

Dated this _____ day of _____ 20 _____

Owner