



TOWN OF WHITCHURCH-STOUFFVILLE
COMMITTEE OF ADJUSTMENT

APPLICATION FILE NO.
Office Use Only

111 Sandiford Drive

905-640-1900

Fax (905)640-7957

Stouffville, Ontario L4A 0Z8

1-855-642-8696

developmenthelp@townofws.ca

Zoning Compliance completed? Yes No

If you select no, please contact developmenthelp@townofws.ca to inquire about obtaining a zoning compliance.

APPLICATION FOR MINOR VARIANCE OR PERMISSION

pursuant to Section 45 of the Planning Act

Pursuant to Ontario Regulation 200/96 as amended, the following information and material is to be provided by an applicant.

- 1. Name of Owner
Address
Postal Code
Telephone Number
Alternate
Email Address
Name of Authorized Agent
Address
Postal Code
Telephone Number
Alternate
Email Address
Additional Authorized Agent
Address
Postal Code
Telephone Number
Alternate
Email Address

* Specify to whom all communications should be sent (check one box only)

Owner checkbox

Owner

Authorized Agent(s) checkbox

Authorized Agent(s)

2. Description of Subject Land

- Lot(s) No.
Concession No.
Registered Plan No.
Reference Plan No.
Street No.
Name of Street
Former Township/Village

3. **Size of Subject Land**

Frontage metres (..... feet)
Depth metres (..... feet)
Area square metres (..... square feet)
or hectares (..... acres)

4. **Official Plan** (specify current designation)

.....

5. **Zoning By-law** (list applicable By-law and specify zone):

.....

6. **Nature and extent of relief from the Zoning By-law** (specify)

.....
.....
.....

7. **Reason why the proposed use cannot comply with the provisions of the Zoning By-law** (explain):

.....
.....
.....

8. **If known, is the subject land the subject of an application under the *Planning Act* for approval of the following?** (check appropriate box)

Plan of Subdivision
Consent (severance)
Minor Variance or Permission (Section 45 of the *Planning Act*)

9. **If answer to 22 is yes and if known, provide the following** (for each application)

Application file no.
Status of the application

10. **Has the subject property been subject to an approved Zoning By-law Amendment**

in the last two (2) years: yes no

If yes, has Council granted approval for a Minor Variance Application to be submitted prior to two (2) years from the approval of a Zoning By-law Amendment:

yes no

If yes, provide the date of the Council approval that this was granted.....

11. **Date the subject land was acquired by the current owner** (specify)

.....

12. Existing uses of the subject land (specify)

.....

13. If there are any **existing** buildings or structure on the subject lands, provide the following (for each building or structure):

	A	B	C
Type of Building/Structure			
Setback from – front lot line	(metres)	(metres)	(metres)
	(feet)	(feet)	(feet)
- rear lot line	(metres)	(metres)	(metres)
	(feet)	(feet)	(feet)
- side lot line	(metres)	(metres)	(metres)
	(feet)	(feet)	(feet)
- side lot line	(metres)	(metres)	(metres)
	(feet)	(feet)	(feet)
Height	(metres)	(metres)	(metres)
	(feet)	(feet)	(feet)
Floor area (or dimensions)	(sq. metres)	(sq. metres)	(sq. metres)
	(sq. feet)	(sq. feet)	(sq. feet)
Date Constructed (specify)			

14. If there are any buildings or structures **proposed** to be built on the subject lands, provide the following (for each building or structure)

	A	B	C
Type of Building/Structure			
Setback from – front lot line	(metres)	(metres)	(metres)
	(feet)	(feet)	(feet)
- rear lot line	(metres)	(metres)	(metres)
	(feet)	(feet)	(feet)
- side lot line	(metres)	(metres)	(metres)
	(feet)	(feet)	(feet)
- side lot line	(metres)	(metres)	(metres)
	(feet)	(feet)	(feet)
Height	(metres)	(metres)	(metres)
	(feet)	(feet)	(feet)
Floor area (or dimensions)	(sq. metres)	(sq. metres)	(sq. metres)
	(sq. feet)	(sq. feet)	(sq. feet)
Date for Construction (Specify)			

15. **Length of time the existing uses of the subject lands have continued** (specify)

.....

16. **Proposed uses of the subject land** (specify):

.....

.....

.....

17. **Access to Subject Land** (check appropriate box)

- | | | | |
|------------------------|--------------------------|---------------------|--------------------------|
| Provincial Highway | <input type="checkbox"/> | Another Public Road | <input type="checkbox"/> |
| Regional Road | <input type="checkbox"/> | Right-of-Way | <input type="checkbox"/> |
| Municipal Road: | | Water | <input type="checkbox"/> |
| Maintained all year: | <input type="checkbox"/> | | |
| Maintained seasonally: | <input type="checkbox"/> | | |

18. **If access to subject land by water only, specify the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.**

.....

.....

19. **Water Supply** (check appropriate box)

- | | | | |
|---|--------------------------|-----------------------------|--------------------------|
| Publicly owned and operated
piped water system | <input type="checkbox"/> | Lake or other water
body | <input type="checkbox"/> |
| Privately owned and operated
individual well | <input type="checkbox"/> | Other (specify): | <input type="checkbox"/> |
| Privately owned and operated
communal well | <input type="checkbox"/> | _____ | |

20. **Sewage Disposal** (check appropriate box)

- | | | | |
|--|--------------------------|------------------|--------------------------|
| Publicly owned and operated
sanitary sewage system | <input type="checkbox"/> | Privy | <input type="checkbox"/> |
| Privately owned and operated
individual septic system | <input type="checkbox"/> | Other (specify): | <input type="checkbox"/> |
| Privately owned and operated
Communal septic system | <input type="checkbox"/> | _____ | |

21. **Storm Drainage** (check appropriate box)

- | | | | |
|--------------|--------------------------|------------------|--------------------------|
| Storm Sewers | <input type="checkbox"/> | Other (specify): | <input type="checkbox"/> |
| Ditches | <input type="checkbox"/> | _____ | |
| Swales | <input type="checkbox"/> | | |

22. **Permission to enter** (The Owner(s) must complete this authorization):

The applicant acknowledges that a site walk may be required in order to view the property and its relation to the surrounding lands, and in this regard authorizes members of Council (or a representative thereof), Town staff, Peer Review Consultants retained by the Town, and relevant External Agency Review Staff to enter onto the subject property for the purpose of evaluating the merits of the application.

Date: _____

Please print and sign name(s):

_____/_____
Signature Print

_____/_____
Signature Print

Note: Original signature(s) are required for the record. In the case of a corporation, the signature(s) must be that of an officer with authority to bind the corporation.

23. **Owner's Authorization.** If the declaration (item 24) is made by an agent, and/or an agent will be acting on behalf of the owner on this application, the owner must complete this authorization:

AUTHORIZATION

I/We, _____, hereby authorize
Owner(s)

_____, _____
Agent (1) Agent (2)

to submit the attached application to the Committee of Adjustment, Town of Whitchurch-Stouffville, and to represent me/us in all matters with respect to the application.

Dated at the _____ of _____

this _____ day of _____ 20_____

_____ Signature of Owner(s)

_____ Signature of Owner(s)

24. **Declaration** (Owner or Authorized Agent to complete)

D E C L A R A T I O N

I, of the
..... of in the
..... 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 force and 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, 20

.....
A Commissioner, etc.

.....

PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE
AUTHORITY OF THE *PLANNING ACT* AND WILL BE USED IN THE PROCESSING OF MINOR
VARIANCE OR PERMISSION APPLICATIONS PURSUANT TO SECTION 45 OF THE *PLANNING
ACT*. QUESTIONS CONCERNING THE USE OF PERSONAL INFORMATION REQUESTED
SHOULD BE DIRECTED TO: CLERK, TOWN OF WHITCHURCH-STOUFFVILLE, 111 SANDIFORD
DRIVE, STOUFFVILLE, ON, L4A 0Z8.

ADDITIONAL REQUIREMENTS

Prior to submitting a minor variance application, a Zoning Compliance must be completed. Please email developmenthelp@townofws.ca or call (905) 640-1900 for further assistance.

The Committee of Adjustment requires the following additional information and material:

25. **One (1) Sketch Plan showing the following** (provide as attachment)
**** Show dimensions in metres ****

The following is a guide to the sketch required, as per O. Reg. 200/96 of the *Planning Act*. To avoid delays in processing your application, it is important that the sketch you provide is a clear, detailed, and accurate depiction of the proposed development, and consistent with the dimensions written in your application.

- i. The boundaries and dimensions of the subject land.
 - a. Fully dimensioned (labelled) in metres
 - b. To scale (1:100, 1:200, 1:250, 1:300, 1:400, 1:500)
- ii. 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.

Location

- a. Measurements must be taken from the shortest distance between the closest point of a building wall (not including a deck) to the closest point of the lot line.
- b. For corner lots, the front lot line is the shortest lot line along a street. For through lots, the front lot line is the lot line abutting the street from which the main access (driveway) is taken
- c. Include the existing and proposed (if applicable) driveway location, width and length

Size

- d. **Lot Coverage** is the ground floor area (not the gross floor area) of each building on the property, including accessory buildings. It includes covered porches but not uncovered decks.
- e. **Building length** is measured from the main front wall to the main rear wall of livable space.
- f. **Building height** is taken from the average elevation to the midpoint of the peak of the roof and the ridge of the roof. Provide elevation drawings showing the height of the building in metres. Show the existing grade and the proposed grade.

Type

- g. Label the use of each structure. Distinguish between farm buildings and indicate any livestock. If there is more than 1 outbuilding on the property, label each differently: 'work shed,' 'garage,' 'frame shed 1,' 'frame shed 2,' etc.
 - h. If the minor variance is for a unit within a condominium, provide a floor plan. Label uses in adjacent units, if known.
- iii. 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.
 - a. Show the existing and proposed dimensions of the septic tank and bed, including its distance from building foundations, lot lines and structures in metres

- b. Indicate any utility lines crossing the property
 - c. Show existing and proposed grades at 5, 10, and 15 m surrounding the property.
 - d. Indicate whether any of the adjacent properties have livestock.
- iv. The current uses on land that is adjacent to the subject land.
- a. Label uses surrounding the property, e.g. 2-storey residential dwelling; commercial plaza
- v. 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.
- a. Label any roads next to the subject property, including their width in metres
- vi. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- vii. The location and nature of any easement affecting the subject land.

**** The sketch should be legible on a letter size (8.5 x 11") sheet ****

Submissions on 8.5 x 14" or 11x17" are still acceptable.

**** Show dimensions in metres ****

26. **Notice Sign(s) – Minor Variance(s) or Permission**

Pursuant to the *Planning Act*, Ontario Regulation 200/96 as amended by O.Reg. 175/16, O.Reg. 432/96, O.Reg. 508/98 and O.Reg. 471/09 requires that Notice of Application be given to every Owner of land within 60 metres of the subject land **and posting a Notice (sign)**.

The posting of a sign at least 10 days before the day of the Hearing constitutes part of the legal notice. Failure to fulfil the posting requirements by the specified date will result in the Public Hearing being rescheduled to a later date and at additional expense.

The Secretary-Treasurer of the Committee of Adjustment will prepare an 11" X 17" laminated notice sign. At least 14 days before the day of the Hearing, the Owner or Authorized Agent will be contacted and advised to pick up the sign. The Owner or Authorized Agent will be provided with the date by which the sign must be posted and a Statutory Declaration confirming the date of posting will also be provided. This Declaration must be completed by the person who posted the sign (Owner or Authorized Agent) and filed with the Secretary-Treasurer by the due date.

Staff may conduct a site visit to ensure that the sign was posted by the specified date.

The cost of each sign is \$20.00, payable on pick-up, which includes preparation, lamination and site visit.

GUIDELINES FOR MINOR VARIANCE APPLICATIONS

Prior to submitting a minor variance application, a Zoning Compliance must be completed. Please email developmenthelp@townofws.ca or call (905) 640-1900 for further assistance.

To assist you in making your presentation at the Hearing before the Committee of Adjustment, the following guidelines are provided:

- IN ORDER TO AVOID DEFERRAL of your application for a Minor Variance, it is essential that ALL SECTIONS of the application be completed
- The Owner or Agent must complete the Declaration in **Section 24** confirming that all statements in the application are true and have the Declaration sworn before a Commissioner of Oaths. A Commissioner of Oaths will be available at the Town offices
- In accordance with **Section 25**, please ensure that all applicable documentation and plans as outlined are filed with your application
- **Section 7 of the Application** asks you to state why you cannot comply with the provisions of the Zoning By-law:
 - a) In a situation where you wish to erect a structure that would not be in compliance with the by-law, please set out in full detail why you believe the by-law should be 'varied' to accommodate your plans, OR
 - b) In a situation where a structure currently violates the by-law, please set out in full detail (as best you understand the circumstances) how and why the violation came into being and why you are of the opinion that a variance to the zoning by-law should be granted
- For Minor Variance Applications, you must meet all of the following four tests and you should be prepared to discuss them according to the variance you seek:
 1. Maintains the general intent and purpose of the by-law
 2. Maintains the general intent and purpose of the Official Plan
 3. Is desirable for the development of the neighbourhood
 4. Is minor in nature
- Photographs of the land or structure are generally very helpful
- Including elevations, floor plans, and any information that would supplement the application is helpful in evaluating the application
- In addition, you are invited to bring to the Hearing any of your neighbours who are in support of your proposal or, as an alternative, they may write to the Committee
- Should you have any questions with respect to these Guidelines, they should be addressed to the Secretary-Treasurer of the Committee of Adjustment