

What is a Minor Variance?

If a proposed use or structure does not comply with the provisions of the Zoning By-law, but follows its general intent, the owner may apply for a Minor Variance. It allows the owner to vary from a specific requirement of the By-law. A Zoning By-law amendment may be required if the relief from the Zoning By-law is not considered “minor”.

The decision to approve or deny a Minor Variance is made by the South Frontenac Committee of Adjustment. Section 45 of the *Planning Act* sets out the process and requirements for Minor Variance applications.

Application

Forms are available online (www.southfrontenac.net) or at the Township office. Completed applications and fee(s) are submitted to the Development Services Department - Planning at the Township office during business hours.



The time from submission of a complete application to a final decision is typically two months.

Fee*—Payable to the Township of South Frontenac

2019 fee: \$766.00

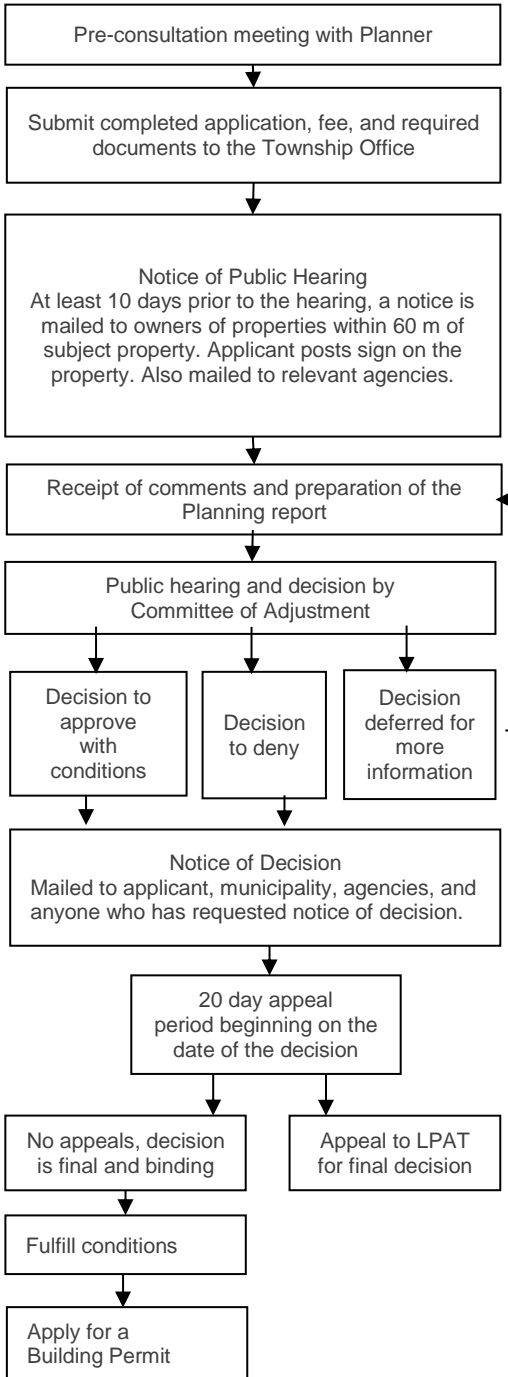
*Additional fees may apply if the application needs to

be reviewed by the Conservation Authority and/or Public Health

This pamphlet is intended to provide preliminary information only.

Last updated: 30 January 2019

Minor Variance Process



MINOR VARIANCE PROCESS GUIDE



Township of South Frontenac
Development Services Department
4432 George Street, P.O. Box 100,
Sydenham, ON, K0H 2T0
613-376-3027 Extension 2224
planning@southfrontenac.net



Pamphlet is available in an accessible format if requested.

Application Process

1. Pre-consultation

Contact the South Frontenac Development Services Department at 613-376-3027 X2224 to arrange a meeting with the Planner. Applicants or Agents are strongly encouraged to have a pre-consultation meeting with the Planner before they submit an application. During this meeting, the details of the proposal will be discussed to determine if a Minor Variance is required and how to apply. The Planner will help you understand the process and identify what information is needed for a complete application. The Planner may also recommend you pre-consult with other agencies in advance of submitting your application.

2. Complete an Application

Please ensure all questions in the application form are answered and detailed explanations are given, especially for questions about the nature and extent of relief requested and why it is not possible to comply with the Zoning By-law. Also ensure that the application is accompanied with elevation drawings, a detailed sketch, or survey sketch showing the property and building layout, as well as the applicable application fee. Planning application forms are available online at www.southfrontenac.net or at the Township Office.

3. Submit Application

Submit the application, sketch, and fee to the Township office. It is recommended that you call the Township office (613-376-3027 X2224) in advance of submitting your application to ensure a Commissioner is available to sign the application form and staff are available to ensure the application is complete. The Committee of Adjustment meets once a month. Information about meeting dates and submission deadlines is available online at www.southfrontenac.net

4. Notice of Public Hearing

If the information in the application form is complete, a public hearing date is set for the application to be heard by the Committee of Adjustment. Notification of the public hearing will be sent by mail to neighbouring property owners within 60 metres of the subject property at least 10 days prior to the hearing. A sign displaying details of the public hearing will also be posted on the subject site. Copies of the application are circulated to Committee of Adjustment members, municipal staff and external agencies such as the Conservation Authority and Public Health to obtain comments. The Planner will review the application against provincial, county, and local policies, consider all comments received, and conduct a site visit prior to preparing a planning report.

5. Public Hearing and Decision

At the public hearing, the Planner will present the planning report to the Committee of Adjustment. Those present are given the opportunity to speak and the Committee makes a decision on the application. If your application is approved, the Committee may impose conditions as part of its decision.

6. Notice of Decision

A notice of the decision is mailed to the applicant. It is also sent to any members of the public who provided written comments or attended the public hearing and who requested to be notified of the decision of the Committee. This notice is sent within 10 days after the public hearing. The notice lists the decision of the Committee of Adjustment and any imposed conditions. This notice included information about filing and appeal and states the last day for appeals (20 days from the date the Committee of Adjustment made a decision).

7. Appeals

Any person who spoke at the public meeting or sent a written submission to the Committee of Adjustment can appeal the decision of the Committee of Adjustment within the 20 day appeal period. Appeals are decided by the Local Planning Appeal Tribunal (LPAT). Those wishing to appeal must submit a completed Appellant Form to the Municipal Clerk along with the \$300 filing fee payable to the Minister of Finance.

<http://elto.gov.on.ca/tribunals/lpat/about-lpat/>

The applicant will be notified if an appeal is filed.

8. Decision is in Effect

If there are no appeals, the applicant will receive a "Notice of No Appeals" in the mail.

If the application has been approved, there may be conditions that need to be fulfilled before applying for a Building Permit.

Common conditions include:

- entering into a development agreement with the Township,
- servicing (e.g. obtaining a septic permit, decommissioning or drilling a well),
- access (obtaining an entrance permit)
- building plans must match the plans submitted with the minor variance application

Please contact the Planner or Planning assistant if more information is needed about fulfilling conditions.

Further Information

For more specific information related to individual applications, please call:

613-376-3027 Ext. 2224
Ask for the Planning Assistant