



## APPLICATION for MINOR VARIANCE or PERMISSION

### 1. **COMPLETION OF THE APPLICATION**

The application must be completed in its entirety. Measurements shall be in metric. A sketch map (refer sample attached) is required showing the features outlined in Section 20 of the application. Failure to file a complete and accurate application may result in the application being returned or delayed in processing.

### 2. **LETTER OF AUTHORIZATION**

If the application is signed by an agent (e.g. planner or solicitor) on behalf of an applicant, a letter of authorization (refer sample attached) duly signed by the owner must accompany the application. If the applicant is a corporation acting without an authorized agent, the application must be signed by an officer of the corporation who has the authority to bind the corporation.

### 3. **FILING THE APPLICATION**

A duly signed and completed application shall be filed with the Municipality along with a fee of **\$1000.00** payable in cash or by cheque to the CORPORATION of the MUNICIPALITY OF WEST ELGIN as set out in By-law No. 2005-62. Applications must be filed at least **30 days** prior to the public hearing being held in order to allow sufficient time for processing (including a determination of the completeness of the application), circulation of the application and the giving of notice of hearing.

### 4. **NOTICE OF PUBLIC HEARING**

Notice of the public hearing will be given by the Secretary-Treasurer of the Committee of Adjustment by personal service or ordinary mail to every owner of land within **60 metres** of the subject lands and by posting a notice on the lands which are the subject of the application or, if posting on the lands is impractical, at a nearby location chosen by the Secretary-Treasurer. Alternatively, notice will be given by publishing in a newspaper that, in the opinion of the Secretary-Treasurer, is of sufficiently general circulation to which the application would apply that it would give the public reasonable notice of the public hearing.

Notice will also be given to every person and public body that has given the Secretary-Treasurer a written request for a notice as well as to persons and public bodies as prescribed by the Planning Act, except those that have advised the Secretary-Treasurer that they do not wish to receive notice. Notice will be given at least **10 days** prior to the day of the public hearing.

### 5. **ATTENDANCE AT PUBLIC HEARING**

The applicant or his/her agent is expected to attend the hearing in order to present the application and answer any questions of the Committee of Adjustment or the public. The Committee may grant (with or without conditions) or deny the application, or defer its decision. In the case of a deferral, the applicant or his/her agent will be notified by the Municipality of the date the hearing will be resumed.

### 6. **NOTICE OF DECISION**

Notice of the decision of the Committee of Adjustment will be forwarded not later than **10 days** after the making of the decision. The decision will be forwarded to the applicant (or authorized agent) in addition to any person appearing at the hearing who filed a written request to be notified of the decision.

**7. APPEAL**

Any person or public body including the applicant may appeal the decision of the Committee of Adjustment to the Local Planning Appeal Tribunal (LPAT) within **20 days** of the making of the decision. The appeal must be filed with the Municipality and must state the reasons for the appeal accompanied by a fee of \$300.00 payable to the MINISTER OF FINANCE. The appeal must be submitted on an 'appellant form' available at the LPAT website (<http://elto.gov.on.ca>).

If no appeals are received within **20 days** of the making of the decision, the decision is deemed to be final and binding and a certified copy of the decision will be forwarded to the applicant and his/her agent and filed with the Clerk of the Municipality.

**8. CONDITIONS IN GRANTING AN APPLICATION**

Where the Committee of Adjustment has imposed one or more conditions in granting an application, the applicant must fulfill the conditions, where required, prior to undertaking the works and/or the development granted by the variance or permission, otherwise, the minor variance or permission is deemed to be null and void. The owner is responsible for ensuring all conditions imposed are satisfied at all times.

**9. AGREEMENTS**

Where the Committee of Adjustment has imposed one or more conditions in granting an application, it may also require the owner to enter into an agreement with the Municipality dealing with some or all of the conditions, in which case the requirement to enter into said agreement shall be set out in the decision. Any agreement entered into may be registered on title against the land to which it applies and may be binding on all subsequent owners of the lands.

**10. OTHER REQUIREMENTS**

Acceptance of the application by the Municipality, along with granting the application, shall not be construed as relieving the applicant from the obligation to obtain any license, permit, authority or other approval required by the Municipality, the conservation authority having jurisdiction, or any other public authority or body.

**11. ADDITIONAL INFORMATION**

For additional information/clarification of the procedure which is followed and the requirements for submitting and processing your application, contact the Municipality at:

***Municipality of West Elgin***  
*22413 Hoskins Line*  
*Rodney, Ontario*  
*N0L 2C0*  
*Phone: (519) 785-0560*  
*Fax: (519) 785-0644*  
*Email: westelgin@westelgin.net*

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**APPLICATION  
for MINOR VARIANCE or  
PERMISSION**

Application No. \_\_\_\_\_

**PART 1: MANDATORY INFORMATION**

**1. Registered Owner of Lands**

- a) Name \_\_\_\_\_
- b) Mailing Address \_\_\_\_\_  
\_\_\_\_\_
- c) Telephone \_\_\_\_\_
- d) Fax \_\_\_\_\_
- e) E-mail \_\_\_\_\_

**2. Applicant (if different from owner)**

- a) Name \_\_\_\_\_
- b) Mailing Address \_\_\_\_\_  
\_\_\_\_\_
- c) Telephone \_\_\_\_\_
- d) Fax \_\_\_\_\_
- e) E-mail \_\_\_\_\_

**3. Agent (if retained)**

- a) Name \_\_\_\_\_
- b) Mailing Address \_\_\_\_\_  
\_\_\_\_\_
- c) Telephone \_\_\_\_\_
- d) Fax \_\_\_\_\_
- e) E-mail \_\_\_\_\_

**4. Communication**

To whom should all communication be directed? (check only one)

- a) Owner \_\_\_\_\_      b) Applicant \_\_\_\_\_      c) Agent \_\_\_\_\_

**5. Location of Land**

- a) Lot No. \_\_\_\_\_      Concession No. \_\_\_\_\_
- b) Lot No. \_\_\_\_\_      Registered Plan No. \_\_\_\_\_
- c) Part No. \_\_\_\_\_      Reference Plan No. \_\_\_\_\_
- d) Street No. and Name \_\_\_\_\_

6. **Description of Lands**

- a) Frontage \_\_\_\_\_m
- b) Depth \_\_\_\_\_m
- c) Area \_\_\_\_\_ha

7. **Date Lands Acquired by the Current Owner:** \_\_\_\_\_

8. **Existing Use of Lands** (include length of time existing uses(s) have continued)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. **Existing Buildings and Structures** (include type, height, floor area and date of construction)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. **Proposed Use of Lands**

\_\_\_\_\_  
\_\_\_\_\_

11. **Proposed Buildings and Structures** (include type, height and floor area)

\_\_\_\_\_  
\_\_\_\_\_

12. **Existing Use of Adjacent Lands**

north: \_\_\_\_\_  
south: \_\_\_\_\_  
east: \_\_\_\_\_  
west: \_\_\_\_\_

13. **Method of Water Supply**

- a) public water supply \_\_\_\_\_
- b) private individual well \_\_\_\_\_
- c) private communal well \_\_\_\_\_
- d) lake or other water body \_\_\_\_\_
- e) other (specify) \_\_\_\_\_

14. **Method of Sewage Disposal**

- a) public sanitary sewage system \_\_\_\_\_
- b) private individual system \_\_\_\_\_
- c) private communal system \_\_\_\_\_
- d) other (specify) \_\_\_\_\_

15. **Method of Storm Drainage**

- a) storm sewers \_\_\_\_\_
- b) swales \_\_\_\_\_
- c) ditches \_\_\_\_\_
- d) other (specify) \_\_\_\_\_

16. **Access** (indicate name)

- a) County Road: \_\_\_\_\_
- b) Municipal Street/Road: \_\_\_\_\_
- c) Private Road: \_\_\_\_\_
- d) Right-of-Way: \_\_\_\_\_
- e) If b), is the street or road maintained year-round? Yes \_\_\_\_\_ No \_\_\_\_\_

17. **Local Official Plan**

land use designation:

\_\_\_\_\_

**County Official Plan**

land use designation:

\_\_\_\_\_

18. **Zoning By-law**

- a) Current zoning:  
\_\_\_\_\_
- b) Describe the nature and extent of the minor variance or permission being applied for.  
\_\_\_\_\_  
\_\_\_\_\_
- c) Describe the reason(s) why the provisions of the Zoning By-law cannot be complied with (attach additional pages if necessary)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

19. **Applications under the Planning Act**

Has the subject land ever been the subject of an application for?

- a) Official Plan Amendment Yes \_\_\_\_\_ No \_\_\_\_\_ Don't Know \_\_\_\_\_
- b) Zoning By-Law Amendment Yes \_\_\_\_\_ No \_\_\_\_\_ Don't Know \_\_\_\_\_
- c) Minor Variance or Permission Yes \_\_\_\_\_ No \_\_\_\_\_ Don't Know \_\_\_\_\_

If the answer to any of the above is yes, and if known, indicate in the space provided, the file number or the application, the name of the approval authority considering the application, the lands affected by the application, the purpose of the application and the status of the application (attach additional pages if necessary).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**20. Sketch Map**

Prepare and include a sketch map (in metric units) and containing the following information must accompany every application where a specific development or change in use is being proposed.

- a) property boundaries, dimensions and abutting roads;
- b) existing buildings and structures (if any) and their dimensions;
- c) distance of existing buildings and structures (if any) to property lines;
- d) proposed buildings and structures (if any) and their dimensions;
- e) distance of proposed buildings and structures (if any) to property lines;
- f) name, location and width of any roads or highway within or abutting the subject lands and the status of the road or highway (e.g. unopened road allowance, public travelled road, private road, right-of-way);
- g) land uses and buildings on neighbouring properties and opposite any abutting roads or highways;
- h) any easements or rights-of-way on the property;
- i) significant physical features (e.g. watercourses, drains, woodlots, wetlands, rail lines);
- j) location of any existing or proposed entrance driveways;
- k) location and number of any off-street parking spaces, loading area, outside storage;
- l) use of adjacent lands;
- m) other information considered appropriate by the applicant.

**PART 2: REQUESTED ADDITIONAL INFORMATION**

**1. Municipal Drains**

Are the subject lands presently assessed under the Drainage Act?

Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, and if known, state the name of the drain: \_\_\_\_\_

**2. Livestock Barns and Manure Storage Facilities**

- a) In order to determine compliance with the Minimum Distance Separation (MDS), provide the following information for every barn on the subject lands which accommodates or is capable of accommodating livestock:

<u>Description of Barn</u>	<u>Type of Livestock</u>	<u>Capacity</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- b) In order to determine compliance with the Minimum Distance Separation (MDS), provide the following information for every manure storage facility on the subject lands:

<u>Description/Location</u>	<u>Type of System*</u>
_____	_____
_____	_____
_____	_____
_____	_____

\* where A means - covered storage system  
 where B means - open solid and runoff storage system  
 where C means - open liquid tank and runoff storage system  
 where D means - earthen liquid and runoff storage system

- c) How much tillable land is there on the subject lands? \_\_\_\_\_ha

- d) Are there any livestock building or manure storage facilities within 1 km of the subject lands?

Yes \_\_\_\_\_ No \_\_\_\_\_ Don't Know \_\_\_\_\_

If Yes, indicate name of the operation and location in relation to the subject lands.

\_\_\_\_\_  
 \_\_\_\_\_

**DECLARATION**

I/We (please print) \_\_\_\_\_  
am/are the \_\_\_\_\_ Owner(s) \_\_\_\_\_ Applicant(s) \_\_\_\_\_ Agent  
of the \_\_\_\_\_ of \_\_\_\_\_, in the  
County of \_\_\_\_\_, do solemnly declare:

**THAT** to the best of my/our knowledge and belief, all the information and statements given in this requested amendment and in all the plans, drawings and exhibits transmitted herewith are true; and

**THAT** I/We 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

\_\_\_\_\_  
of \_\_\_\_\_, in the  
\_\_\_\_\_ of \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_\_.

\_\_\_\_\_  
a Commissioner, etc.

\_\_\_\_\_  
Owner(s), Applicant(s) or Authorized Agent

\_\_\_\_\_  
Owner(s), Applicant(s) or Authorized Agent

**AUTHORIZATION**

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner must be included with this form or the authorization set out below must be completed.

**Authorization of Owner for Agent  
To Make the Application**

I/We \_\_\_\_\_ am the owner of the land that is the subject of this  
Application for Minor Variance or Permission, and I/we authorize \_\_\_\_\_  
to make this application on my/our behalf.

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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



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**FOR OFFICE USE ONLY**

1. Date of Receipt: \_\_\_\_\_

2. Checked By: \_\_\_\_\_

3. Approved for Processing: \_\_\_\_\_  
name date

4. Application Fee Received: \_\_\_\_\_

5. Application No: \_\_\_\_\_

6. Assessment Roll No: \_\_\_\_\_

7. Tax Arrears (if any): \_\_\_\_\_

8. Outstanding Orders (if any): \_\_\_\_\_

9. Additional Information:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_