

APPLICATION FOR MINOR VARIANCE OR PERMISSION



TOWNSHIP OF KING
PLANNING DIVISON
2585 KING ROAD
KING CITY, ONTARIO
L7B 1A1

(905) 833-5321



King Township
2585 King Road
King City, Ontario
Canada L7B 1A1

Phone: 905.833.5321
Fax: 905.833.2300
Website: www.king.ca

MINOR VARIANCE APPLICATION GUIDE

This Minor Variance Application Guide has been prepared for your information. It provides a general outline of the Minor Variance process and requirements.

1. The fee for an application to the Committee of Adjustment is in accordance with Fees By-law. This fee must be paid at the time of submission of the application and is payable to the **Township of King**.
2. All applications must be commissioned by a commissioner of oaths prior to submission.
3. The Application must be completed by the registered owner(s) of the property or his/her agent and returned to the Secretary-Treasurer of the Committee of Adjustment. Where such application is being made by an agent, the written authorization of the owner(s) must accompany the application. For your convenience, an authorization form has been included as part of the Application.
4. The Committee of Adjustment Application must be accompanied by a survey or a detailed sketch (in metric) which shows the following:
 - (a) boundaries and dimensions of the entire property;
 - (b) the location and type of all existing and proposed buildings and/or structures on the land indicating the distance of the buildings and/or structures from the Front Yard lot line, Rear Yard lot line and the Side Yard lot lines;
 - (c) the proposed division(s) of land (if applicable);
 - (d) adjacent land uses.
 - (e) the approximate location of all natural and artificial features on the land and on land that is adjacent to the subject property 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 and beds.
5. The applicant should be aware that additional Municipal Fees associated with the review process may include Township of King peer review fees which would include independent professional consultants which may be retained at the discretion of the Township to review submissions associated with the application and may include the Township's Engineer, Solicitor or Hydrogeologist, environmental consultants, landscape architects or others. Planning staff will usually be in a position to advise upon submission of the application whether such additional costs are to be anticipated.
6. Upon submission of the completed documents and the scheduling of your application on the next available date, the Secretary-Treasurer will provide a yellow identification sign which is to be posted on the property as per the instructions attached to the sign. A written notice will be circulated to the owner and/or his/her agent, selected government agencies and all landowners within 60 metres (200 ft.) of the subject lands to inform them of the time and date when the Committee of Adjustment will hold a Public Hearing regarding this application.
7. Applicants are advised that the members of the Committee of Adjustment generally undertake a site visit prior to the scheduled hearing date.



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8. Following the decision of the Committee of Adjustment, there is a mandatory 20 day appeal period. If no notice of appeal is received during this period, the Decision of the Committee is final and binding. If an appeal is lodged within this period, the Secretary-Treasurer is required to forward the appeal to the Ontario Municipal Board.
9. It generally takes approximately two (2) months to complete this process. However, if an appeal is filed, an Ontario Municipal Board hearing may be required. As a result, the process may be extended by several months. A flow chart is attached herewith showing the applicable time frames.

(THIS GUIDE MAY BE DETACHED FOR YOUR INFORMATION)



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SITE SCREENING QUESTIONNAIRE
CONTAMINATED SITES

**TO BE COMPLETED WITH ALL DEVELOPMENT APPLICATIONS
 SUBMITTED TO THE TOWNSHIP OF KING PLANNING DEPARTMENT**

This form must be completed for all development applications where a Phase 1 Environmental Site Assessment in accordance with the Ministry of Environment and Energy's Guideline for Use at Contaminated Sites in Ontario **is not provided.**

SUBJECT LANDS:

Registered Owner: _____

Township Lot: _____ Concession: _____

Part/Lot: _____ Registered/Reference Plan: _____

Municipal Address: _____

Tax Roll No.: _____

SITE AND PROPERTY HISTORY:

Condition	Yes	No
Is the application on lands or adjacent to lands previously used for Industrial uses?		
Is the application on lands or adjacent to lands previously used for commercial uses where there is a potential for site contamination, e.g., a gas station or a dry-cleaning plant?		
Is the application on lands or adjacent to lands where filling has occurred?		
Is the application on lands or adjacent to lands where there may have been underground storage tanks or buried waste on the property?		
Is the application on lands or adjacent to lands that have been used as an orchard, and where cyanide products may have been used as pesticides?		
Is the application on lands or adjacent to lands previously used as a weapons firing range?		
Is the nearest boundary of the application within 500 metres (1,640 feet) of the fill area of an operating or former landfill or dump?		
If there are existing or previously existing buildings, are there any building materials remaining on the site which are potentially hazardous to public health (e.g. asbestos, PCB's etc.)?		
Is there any other reason to believe that the lands may have been contaminated based on previous land use?		

If the answer to any of the above Questions was Yes, a Phase 1 and Phase 2 Environmental Site Assessment, in accordance with the Ministry of Environment and Energy's Guideline for Use at Contaminated Sites in Ontario, is required. PLEASE SUBMIT TWO COPIES WITH YOUR APPLICATION.

Has an Environmental Site Assessment been prepared for this site within the last 5 years, or is an Environmental Site Assessment currently being prepared for this site? If Yes, please submit two copies of the Phase 1 Assessment with the application.	Yes	No
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DECLARATION:

This form must be completed, signed, and stamped by a Professional Engineer, and by the Property Owner.

To the best of my knowledge, the information provided in this questionnaire is true, and I do not have any reason to believe that the subject site is contaminated.

Consulting Engineer:

Name (Please Print): _____

Signature: _____ Date: _____

Name of Firm: _____

Address: _____

Telephone: _____ Fax: _____

Property Owner, or Authorized Officer:

Name (Please Print): _____

Signature: _____ Date: _____

Name of Company (If Applicable): _____

Title of Authorized Officer: _____

Address: _____

Telephone: _____ Fax: _____



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**APPLICATION FOR MINOR VARIANCE
TO THE COMMITTEE OF ADJUSTMENT**

The undersigned hereby applies to the Township of King Committee of Adjustment under Section 45 of the Planning Act, 1990, as amended, for relief, as described in this application, from By-law Number 74-53, as amended.

1. NAME

(a) Registered Owner(s): _____
Address: _____
Telephone Number: _____
Fax Number: _____
E-Mail Address: _____

(b) Authorized Agent: _____
Firm (if applicable): _____
Address: _____
Telephone Number: _____
Fax Number: _____
E-Mail Address: _____

(c) Name of Mortgagees,
Holders, Charges, or
Other Encumbrancers: _____
Address: _____
Telephone Number: _____

NB: Please include postal code with address.

(d) Check the name(s) of whom correspondence should be addressed:
Owner: _____ Agent: _____



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2. PROPERTY DESCRIPTION

(a) Township Lot(s) or Part Lot(s) _____ Concession _____
Reference Plan Number _____ Part(s) Number _____
Registered Plan Number _____ Lot _____
Street & Street Number _____
(If applicable)
Assessment Roll Number: 1949.000. _____ . _____

(b) Dimensions of Entire property (metric):
Area _____ Frontage _____ Depth _____

3. TYPE OF APPLICATION (Please indicate)

- ____ (a) Minor Variance to the Zoning By-law
(Answer Questions 4-6 and 10-21)
- ____ (b) Permission for Enlargement/Expansion of a non-conforming use
(Answer Questions 6-8 and 10-21)
- ____ (c) Permission for a change of a non-conforming use
(Answer Questions 6, 7 and 9-21)

4. IF MINOR VARIANCE: Explain nature and extent of relief applied for:

5. IF MINOR VARIANCE: Explain why it is not possible to comply with the provisions of the by-law:

6. EXISTING use(s) of subject property:



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7. EXISTING uses of abutting properties:

North: _____
 South: _____
 East: _____
 West: _____

8. IF THE ENLARGEMENT/EXPANSION OF A NON-CONFORMING USE: Explain current use(s) of subject property; length of time existing uses have continued and how use(s) are to be enlarged or expanded:

9. IF PERMISSION FOR A CHANGE OF NON-CONFORMING USE: Explain current use(s) of subject property; length of time existing use(s) have continued, and proposed use(s):

FOLLOWING QUESTIONS TO BE COMPLETED FOR ALL APPLICATIONS

10. PARTICULARS of all buildings and structures on or proposed for the subject land in **METRIC**.

Requirements	Existing Structures			Proposed Structures		
	1	2	3	1	2	3
Structure Type						
Ground Floor Area						
Gross Floor Area						
Number of Storeys						
Length						
Width						
Height						



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11. LOCATION of all buildings and structures on or proposed for the subject land in **METRIC**.

Requirements	Existing Structures			Proposed Structures		
	1	2	3	1	2	3
Structure Type						
Distance From:						
Front Lot Line						
Side Lot Line						
Other Side Lot Line						
Rear Lot Line						

12. DATE of construction of all buildings and structures on subject land:

13. DATE of acquisition of subject land: _____

14. RESTRICTIONS on the land:
 Please indicate the nature of any easements or restrictive covenants affecting the subject lands.

15. SERVICES available: (check appropriate spaces):

(a) Water Supply: Municipal Water _____ Private Well _____

(b) Sewage Disposal: Municipal _____ Private _____ Other _____

(c) Road Access: Township _____ Regional _____ Provincial _____ Private _____

(d) Street Name _____

(Is the driveway access gated?) Yes _____ No _____

16. GREENBELT AREA:

Protected Countryside _____ Town & Village _____

Hamlet _____ Oak Ridges Moraine Area _____

17. REGIONAL Municipality of York Official Plan Designation:

Town & Village _____ Rural Policy Area _____

Agricultural Policy Area _____ Holland Marsh Area _____



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18. PRESENT Official Plan provisions applying to the land:
Document:

Designation: _____
Applicable Sections: _____

19. PRESENT Zoning By-law provisions applying to the land:

20. HAS the owner previously applied for relief in respect of the subject property?

Yes _____ No _____

If the answer is yes, describe briefly: _____

21. Is the subject property the subject of a current application under the Authority of the Planning Act, 1990, as amended? (Consent, Zoning Amendment, Official Plan Amendment)?

Yes _____ No _____



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CERTIFICATE - (to be signed by Owner, if Agent has been appointed)

As of the date of this application, I am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I concur with the submission of this application by:

_____ Of _____
who I have appointed as my Agent.

Date: _____ Signed: _____
Signature of Owner(s)

AFFIDAVIT

I, _____ of the _____
in the Region 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 _____, _____

Commissioner, Etc.

Registered Owner(s) or Agent

Personal information on this form is collected under the legal authority of the Planning Act, R.S.O. 1990, C.P.13 as amended. This information will be used to process an application for Minor Variance and Consent for the Committee of Adjustment. Information on this application and any documentation submitted in support of or in opposition, becomes the property of the Township of King. This information is collected and maintained for the purpose of creating a record that is available to the general public pursuant to s.1.0.1 Information and material that is required to be provided to a municipality or approval authority under the Planning Act shall be made available to the public. Questions about this collection should be directed to the Secretary-Treasurer, Township of King, L7B 1A1 (905) 833-5321.



Township of King

**COMMITTEE OF ADJUSTMENT
SIGN REQUIREMENT**

NOTICE TO OWNER/AGENT

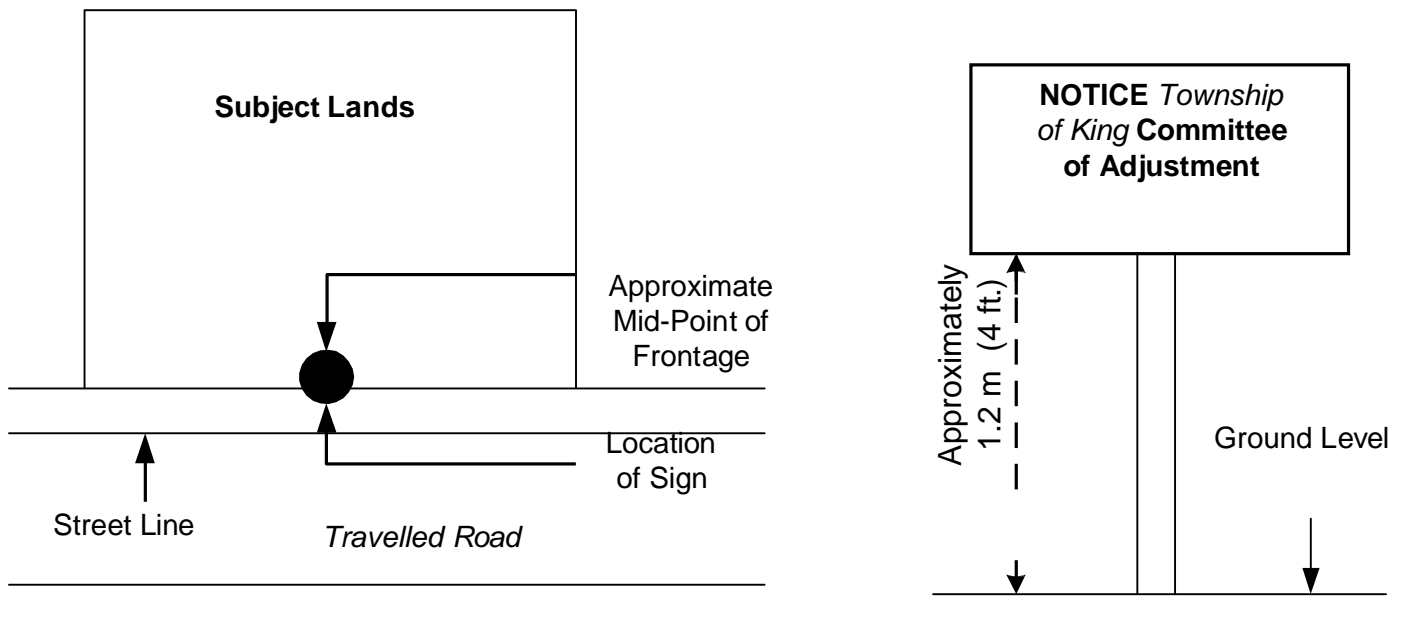
Please be advised that in order to give proper notice of the Public Hearing respecting the application, the Planning Act requires that an information sign be placed on the subject property prior to the Hearing.

Accordingly, a sign will be provided by the Township indicating the nature of the application, the hearing date and file number. This sign should be posted as soon as it is received, in the manner shown below or attached to an appropriately located existing feature such as a fence or pole which provides adequate visibility from the road.

Failure to post the sign will result in the hearing of the application being delayed.

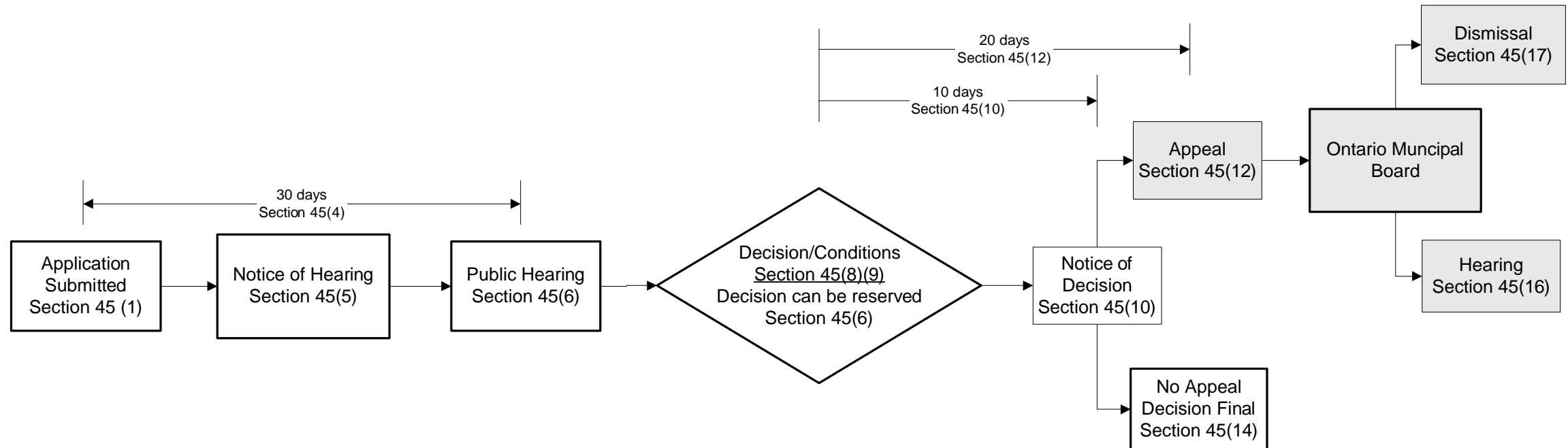
PLEASE ENSURE THAT A SIGN IS OBTAINED FROM THE TOWNSHIP OF KING AT THE TIME OF SUBMISSION OF THE APPLICATION.

TYPICAL EXAMPLE




Township of King

Minor Variance Process



LEGEND

 Committee of Adjustment Process

 Ontario Municipal Board (OMB) Process

Please note that the section numbers refer to the Ontario Planning Act, R.S.O., 1990 c.P.13

* Any person may appeal the decision or any conditions within 30 days

** Committee of Adjustment Secretary/Treasurer to forward record within 15 days