

Application for Minor Variance Municipality of Highlands East Committee of Adjustment

Office Use Only:	
Date of Receipt of Application:	_____
Date of Receipt of Payment:	_____
Preconsultation completed? <input type="checkbox"/> Yes <input type="checkbox"/> No	File Number: _____
Application Number: HE-MV- _____ - 20 _____	

This is an application to request a variance to the Zoning Bylaw for the Municipality of Highlands East under the *Planning Act*. The information below must be provided in full in accordance with the current regulation under the *Planning Act*.

1. Property Owner Information

Registered Owner's Name: _____

Mailing Address: _____

Telephone Number: _____

E-mail Address: _____

Would you prefer to receive notices via email or by mail? Email Mail

Date Property Was Acquired by Property Owner: _____

2. Agent Information (if required)

Agent's Name: _____

Mailing Address: _____

Telephone Number: _____

E-mail Address: _____

Would you prefer to receive notices via email or by mail? Email Mail

Where is correspondence to be directed? Agent Property Owner

3. Property Information for Subject Property

Civic Address (911 Address if assigned): _____

Tax Roll Number: 46 – 01 - _____ - 000 - _____ - 0000

Legal Description:

Lot(s): _____ Concession(s) or Registered Plan Number: _____

Part(s) _____ on Plan 19R- _____



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Former/Geographic Township of: Bicroft Cardiff Glamorgan Monmouth

Frontage (Road): _____ Frontage (Water): _____

Depth: _____ Lot Area: _____

Is the property subject to any easements or rights-of-way? Yes No Unknown

If yes, please provide information on the nature of the easements or rights-of-way: _____

Are there any agreements, restrictive covenants or encumbrances (mortgages, charges, liens) registered against the title for the property?

Yes No

If yes, please provide information on the nature of the agreements, covenants or encumbrances:

4. Planning Information

Current Zoning: _____

Current Official Plan Designation: _____

Reason for the Variance Application: _____

Please explain the nature and extent of the relief from the zoning by-law that is required: _____

Please explain why the proposed development cannot comply with the zoning by-law:

Is the property subject to an application for consent, subdivision or condominium? Yes No



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If yes, please provide the file number: _____

Has the property ever been the subject of an application for consent, subdivision, zoning bylaw amendment, minor variance or Minister's Zoning Order? Yes No

If yes, please provide a file number if known: _____

5. Access to the Subject Property

- Municipal Road (Year Round)
- Municipal Road (Seasonal)
- Municipal Road (unmaintained)
- Provincial Highway
- County Road
- Private Right of Way
- Water Access Only
- Crown Land

Name of Street or Road: _____

If Water Access, please provide information regarding the mainland docking and parking location and the distance from the water access point to the subject property:

If via private road or Crown land access, does the property have a legal right of way (please provide details about access)?

6. Existing and Proposed Land Use

What is the current use of the property? _____

Date that current use was established: _____

What is the proposed use of the property? _____

7. Existing and Proposed Structures

Are there any existing structures on the property? Yes No

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Please fill in the following information for all existing or proposed structures and buildings on the property. Please add an additional sheet if there is not enough space.

	Existing	Proposed
Number of Buildings/Structures on the Property		
Date of Construction of Buildings/Structures on the Property		Not Applicable
Type and Use of Buildings / Structures		
Height, Dimensions and Floor Area of Buildings/Structures		
Setback from the Property Boundaries (Include distances from the front, side and rear for each building and structure as well as a distance to the high-water mark for properties abutting lakes or rivers)		

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8. Site Servicing for the Subject Property

Sewage:

- Existing Proposed
- Municipal Sewers
- Communal Private Septic System
- Private Septic System

Drinking Water:

- Existing Proposed
- Municipal Water Supply
- Communal Private Water Supply
- Private Water Supply

Storm Water Management:

- Existing Proposed
- Storm Sewer
- Ditches / Swales
- Storm Water Pond

If sewage servicing is private, please provide information on the existing or proposed system (type of system, age, capacity):

If the water servicing is private, please provide information on the existing or proposed system (type of system, capacity, and source):

9. Site Plan

All applications must be accompanied by a site plan that provides the prescribed information below in metric units:

- a. the boundaries and dimensions of the subject land;
- b. the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- c. the approximate location of all natural and artificial features (*for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks*) that,
 - i. are located on the subject land and on land that is adjacent to it, and
 - ii. in the applicant's opinion, may affect the application;
- d. the current uses of land that is adjacent to the subject land;
- e. 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;
- f. if access to the subject land will be by water only, the location of the parking and docking facilities to be used; and
- g. the location and nature of any easement affecting the subject land.

Measurements shown on the sketch **must** correspond with those provided on the application. The use of a legal survey is recommended as a base for all sketches. Incomplete or inadequately drafted site plans may delay the review or processing of applications.



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10. Authorized Agent

Please fill in this section if you are authorizing anyone other than the registered owners of the property to submit an application on your behalf. This must be signed by all registered owners.

I / We _____ **am / are** the registered owner(s) of the property to which this application applies. **I / We** hereby appoint _____ to act on **my / our** behalf for all matters regarding this application.

(date)

(signature of registered owner)

(date)

(signature of registered owner)

11. Consent of the Owner

I / We, _____ **am / are** the registered owner(s) of the lands subject of this application and, for the purposes of the Freedom of Information and Protection of Privacy Act, **I / we** hereby authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application. **I / We** also authorize and consent to representatives of Council, committee members, municipal staff, staff of other public agencies and/or any consultant/professional employed by the municipality for the purpose of processing this application, entering upon the lands subject of this application for the purpose of conducting any site inspections as may be necessary to assist in the evaluation of this application.

(date)

(signature of registered owner)

(date)

(signature of registered owner)

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12. Affidavit

Either the registered owners or the authorized agent must sign the following affidavit in front of a commissioner for oaths in Ontario or a notary public.

I / We, _____ of the Municipality / Town / City of _____ in the County / District / Region of _____ solemnly declare that all of the above statements contained in this application are true and 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:

The _____
of _____
in the _____
of _____
this _____ day of _____,
20__.

Signature of Registered Owner or Authorized Agent

Signature of Registered Owner or Authorized Agent

Signature of the Commissioner

13. Planning Services Acknowledgement

The filing of this application is considered as an undertaking by the registered owner(s) to accept all terms and conditions as set forth herein. Where the applicant is not the registered owner(s), the owner will be responsible for any and all outstanding costs related to the processing of this application.

Applicant's Responsibility:

1. The Applicant agrees to provide the Municipality with the following:
 - a. Any information in the Applicant's possession concerning all planning matters with respect to this application.
 - b. All surveys, drawings, sketches or plans as required to process this application.

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- c. The required application fee as determined by the Municipality's Fees and Charges bylaw and provided during the mandatory pre-consultation process.
2. The Applicant understands and agrees that where the services of the Municipal Solicitor are required to process this application, the Applicant shall reimburse the Municipality for all such costs immediately upon receipt of an invoice.
3. The Applicant understands and agrees that where the Municipality is required to engage the services of any other professional, including but not limited to, a surveyor, a hydrologist, a limnologist, etc. to process this application, the Applicant shall reimburse the Municipality for all such costs immediately upon receipt of an invoice.
4. If Council supports an application and its decision on the application is appealed to the Ontario Land Tribunal (OLT) by someone other than the applicant, the applicant will be responsible for all Municipal costs to defend the decision. These costs may include all planning fees, legal fees, engineering fees, fees of other professionals, disbursements, reproduction costs, telephone charges, facsimile charges, peer review fees and any other reasonable costs which may be incurred by the Municipality.

The applicant will submit a Five Thousand Dollars (\$5,000.00) deposit to the Municipality, upon submission of the file to the Ontario Land Tribunal (OLT).

Additional funds may be requested to fully cover the Municipal expenses. Work will not be completed by the Municipality, its solicitor or consultants until such deposit has been paid by the applicant. The applicant will be responsible for the full cost of the Municipality's expenses at the hearing.

5. The Owner(s) acknowledges that Municipal staff, Councillors or Committee members may be required to visit the property which is the subject of this application in order to process this application. The Owner(s) consents to such site visits as may be required.
6. The Owner(s) acknowledges that the processing of this application may require the taking of pictures, either still or video, of the subject property. The Owner(s) consents to such pictures as may be required.

Municipality's Responsibility:

7. The Municipality agrees to process the application in accordance with the provisions of the Planning Act, R.S.O. 1990,c..p.13, as amended.

Deposits:

8. The Municipality may require the payment of deposits upon submission of any application. Deposits may be applied to cover peer review fees, professional fees should the Municipality require the expertise or advice of a third party consultant, as well as any legal



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costs incurred. Where the Municipality finds it necessary to make use of professional assistance in the processing of this application, the Municipality will request a deposit from the applicant to cover the cost of the service and processing of the application will not continue until the deposit is received by the Municipality. The deposit will be requested upon submission of the application.

Should fees exceed the initial deposit received, the Municipality shall request further deposits or payments of invoices. Additional funds may be requested from time to time, to fully cover the municipal expenses. Work will not be completed by the Municipality, its solicitor or consultants until such deposit has been paid by the applicant.

The Municipality will keep an accurate record of all costs incurred with respect to planning applications. Upon completion of the processing of an application, the Municipality will reconcile the account for the applications where a deposit has been paid. A refund of the deposit will be made with the exception of those costs incurred by the Municipality.

The applicant agrees to pay promptly, interim accounts from time to time in respect of all reasonable expenses incurred by the Municipality, payment for which has been made by the Municipality or invoices for which have been received by the Municipality.

Witnessed By:

(signature of witness)

(signature of registered owner)

(date)

(signature of registered owner)