



APPLICATION FOR MINOR VARIANCE OR PERMISSION

(Under Sections 44 & 45 of the Planning Act, RSO 1990, c. P. 13, as amended)

MV

Planning and Development Services

65 Harwood Avenue South
Ajax ON L1S 2H9

Tel. 905-683-4550

Fax. 905-686-0360

www.ajax.ca

FOR TOWN USE ONLY	
File Number	Date of Receipt

1. Submission Requirements

Information Requirements

- One (1)** copy of this application is to be submitted to Ajax Planning and Development Services, 65 Harwood Avenue South, Ajax, Ontario L1S 2H9.
- Two (2) copies of the proposed development concept**, folded or reduced to either 8 ½ x 11, or 8 ½ x 14 format. This application must be accompanied by a plan showing the dimensions of the subject lands and all adjacent lands illustrating the location, size and type of all buildings and structures on the subject lands and the adjacent lands. In some cases, the Committee of Adjustment may require that the plan be prepared and signed by an Ontario Land Surveyor.
- One (1) copy** of the most recent tax bill or a copy of the property deed to ensure proof of ownership.

The application will not be deemed complete unless these requirements are satisfied.

Fees

(Under the authority of the "Planning Act Fees and Charges By-law", as amended)

Fee Submitted: \$ _____

- An **application fee**, in accordance with the Planning Act Fees and Charges By-law, as amended, exclusive of costs (Regular Meeting) is required to be filed with the Secretary-Treasurer of the Committee of Adjustment. Payments may be made by cheque, cash or money order.

An **application fee**, in accordance with the Planning Act Fees and Charges By-law, as amended, exclusive of costs, when a special meeting of the Committee of Adjustment is requested by the applicant.

Please note that the fee for "tabling" an application at the request of the applicant or where an application is tabled due to the applicant supplying insufficient information is in accordance with the Planning Act Fees and Charges By-law.

Refund Policy

(Under the authority of the "Planning Act Fees and Charges By-law", as amended)

A refund of Town of Ajax Application fees will be calculated as follows:

- **Where an application is withdrawn after a file has been opened, but before it has been circulated: 90%**
- **Where an application is withdrawn after a file has been circulated, but before it has been considered at a public meeting: 50%**
- **Where an application is withdrawn after the file has been considered at a public meeting: No refund**

Conservation Authority Fee

- Payment of fees in accordance with their schedule to the **Central Lake Ontario Conservation Authority** or the **Toronto and Region Conservation Authority**, for lands susceptible to erosion for flooding, within their jurisdiction.

Other Fees

(Under the authority of the "Planning Act Fees and Charges By-law", as amended)

Additional costs for the processing of the application may be charged where studies in support of an application must be reviewed by persons not employed by the Town but retained for that purpose due to an expertise in the area of the study. This requirement applies to matters such as, but not limited to, the review of traffic, marketing, environmental, noise, and engineering reports, etc., in all cases the Town shall notify the applicant to seek approval and payment before proceeding to a third party review of supporting studies.

Payment of Town staff costs in terms of time and expenses and attendance at hearings, mediation or arbitration where the Town becomes involved in an appeal to the Ontario Municipal Board and the Town was in support of the application.

The applicant will be responsible for the costs to the Town of appearing in support of the application and hearings of the Ontario Municipal Board or Environmental Assessment Board.

The applicant will be required to pay the reasonable legal fees of the Town for the preparation and registration of development agreements when such agreements are required.

2. Contact Information

	Mailing Address	Telephone	Facsimile	E-mail
Owner		()	()	
Applicant		()	()	
Agent or Primary Consultant		()	()	
Other: (specify)				
Correspondence relating to this application should be sent to (select one only): <input type="checkbox"/> Owner <input type="checkbox"/> Applicant <input type="checkbox"/> Agent or Primary Consultant <input type="checkbox"/> Other		The applicant is: <input type="checkbox"/> Owner <input type="checkbox"/> Lessee of Land or Tenant <input type="checkbox"/> Prospective Owner		
If the applicant is not the Owner, the Owner must consent to the proposed Minor Variance Application. <input type="checkbox"/> Separate Letter of Authorization attached		Owner's Signature: Date:		

3. Details of the Subject Lands

Location and Description				
Municipal Address	Lot/Part #	Plan/Concession #	Assessment Roll # & PIN #	
Size of Site				
Frontage (m)	Land Area (ha)	Buildable Area (m ²)	Average Depth (m)	Average Width (m)

4. Application Details

Construction dates of all buildings and structures on the property.					
If you have previously applied for relief in respect of the property, please describe the application and the outcome.					
Describe the nature of relief requested.					
Please explain why it is not possible to comply with the provisions of the respective zoning by-law.					
Does the proposal require the removal of any trees or vegetation from the subject property?					
Details of Buildings and Structures on the Subject Lands		Ground Floor Area	Gross Floor Area	No. of Storeys/Height	Length and Width
Existing					
Proposed					
Details of Proposed Building Setbacks/Yards		Front Yard	Side Yard	Rear Yard	Exterior Yard
Existing					
Proposed					
<input type="checkbox"/>	Separate Explanatory Text Attached (If checked, indicate Title, Author and Date of Material provided)	<i>Title and Author</i>			<i>Date</i>

5. Details of the Property

Describe the current use of the property and the length of time the current use has taken place (if known).											
Describe the use of land adjacent to the property.											
Describe the proposed access to the property, whether it is provincially, regionally or municipally owned and maintained, or is by private right-of-way.											
Describe the nature and location of any easements affecting the property, if any.											
Describe the method of servicing available to the property check all that apply):		<input type="checkbox"/>	Water (connected)	<input type="checkbox"/>	Water (unconnected)	<input type="checkbox"/>	Sanitary (unconnected)	<input type="checkbox"/>	Sanitary (connected)	<input type="checkbox"/>	Storm Sewers

6. Current Planning Status

Existing Land Use Designation in the Town of Ajax Official Plan	
Existing Zoning	

7. Other Planning Applications or Approvals Required

Please indicate whether the property is the subject of the following planning applications:

Application Type		Submitted?		Office Use Only (File No.)
		yes	no	
<input type="checkbox"/>	Plan of Subdivision or Condominium	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	Land Division (Severance)	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	Other (Specify)	<input type="checkbox"/>	<input type="checkbox"/>	

8. Affidavit and Sworn Declaration of Owner or Application

I agree that all studies submitted in support of this application may be made available for public review, pursuant to the Municipal Freedom of Information and Protection of Privacy Act.

I agree to reimburse the Town of Ajax for any costs associated with the preparation of studies required to evaluate the application by qualified consultants, and any costs which may be incurred before the courts and tribunals arising from the disposition of this application.

I hereby certify that all statements contained within this application are true and agree to allow Town staff reasonable access to the property.

Declared before me at the _____ of _____
in the _____ of _____
this _____ day of _____, 20_____

Commissioner of Oaths

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Signature of Owner or Applicant

Date

Personal information contained on this form is collected under the authority of the Planning Act, RSO 1990, c. P13 and the applicable implementing Ontario Regulation, and will be used to evaluate the Minor Variance application. Questions about the collection of personal information should be directed to the Records Manager/FOI Coordinator, 65 Harwood Avenue South, Ajax, Ontario, L1S 2H9, (905) 683-4550, ext. 3343.

If you have any comments on the format or content of this application form, please complete a Customer Feedback Form, which is available at Planning and Development Services, Town of Ajax.

INTRODUCTION TO THE COMMITTEE OF ADJUSTMENT OF THE TOWN OF AJAX

Organization

The Committee of Adjustment of the Town of Ajax is composed of five (5) members who are appointed by Ajax Council. Council may appoint any person to the Committee of Adjustment whom they consider appropriate. Committee members hold office for a term concurrent to that of the Council who appointed them, three years.

Legislation

The Committee of Adjustment is constituted and appointed by a By-law of the Corporation of the Town of Ajax and operates in accordance with Sections 44 and 45 of the Planning Act, RSO 1990, c. P13 and Ontario Regulation 200/96.

Function

The primary function of the Committee of Adjustment is to consider applications for minor variance from the provisions of Zoning By-law 95-2003. The Committee must evaluate each application for minor variance as follows:

The Committee may authorize a minor variance from the provisions of the By-law, in respect of the land, building or structure;

The Committee must satisfy itself that the granting of a minor variance does not violate the general intent of the By-law and the Official Plan and is minor in nature.

In addition to requests for minor variance approval, an application may be filed with the Committee of Adjustment for permission. A request for permission entails either of the following:

The enlargement or extension of a legal non-conforming building or structure; or

The conversion of the use of land, building or structure from a legal non-conforming use to a similar legal non-conforming use or to a use which is more compatible with the uses permitted under the Zoning By-law.

Finally, application may be made to the Committee of Adjustment for clarification of the uses permitted by the By-law. Where such uses are defined in general terms the Committee is empowered to permit the use of land, building or structure for any purpose that the Committee considers as being in conformity with the uses permitted by the By-law.

Guidelines for Filing an Application

1. Upon filing of the application, submit one (1) completed copy of the application form submitted to the Secretary-Treasurer of the Committee of Adjustment along with the a minimum of two (2) copies of a Plan. The Plan will need to show the dimensions of the subject land and all abutting land, the location, size and type of all buildings and structures on the subject and abutting land, parking facilities, and the location of any easements affecting the subject lands. The Plan should also indicate approximate location of all natural and artificial features on the subject and adjacent lands (ie. Railways, watercourses, roads, drainage ditches, sidewalks, wells, septic tanks, wooded areas etc.). The Committee of Adjustment may require that the Plan be signed by an Ontario Land Surveyor.
2. The application is reviewed to ensure the information contained therein is accurate and complete. If the application is satisfactory, a file is opened.
3. A hearing date is established at the discretion of the Secretary-Treasurer. However, in no case shall the time period between the date of receiving the application and the hearing date be greater than thirty (30) days.
4. A mailing list, consisting of the owner, the agent, the mortgagee and all property owners and tenants within 60 meters of the subject site, will be prepared. Each entry on the list is mailed at least ten (10) days in advance of the meeting a Notice of Public Hearing. The Notice will indicate the nature and extent of the variance, a legal description and the location of the property and the date, time and location of the Hearing.
5. A site inspection will be carried out by a member of the Planning Department.
6. The application is considered by the Committee of Adjustment. The application may be granted, denied, or tabled (pending further information).
7. Notice of the Committee of Adjustment Decision is sent to the Commissioner of Planning for the Region of Durham, the applicant, the agent, the mortgagee(s), and each person who attended the meeting and who requested a copy of the Decision.
8. Within twenty (20) days of the sending of the Notices referred to in (7) above, the applicant, the Commissioner of Planning for the Region of Durham, or any person who has an interest in the matter may appeal the Decision of the Committee of Adjustment to the Ontario Municipal Board.
9. If no appeal is received by the Secretary-Treasurer within the twenty (20) day period, the Decision of the Committee becomes final and binding. Notices to this effect are sent to the applicant, agent, and mortgagee.
10. If an appeal is received, the Ontario Municipal Board will hear the appeal and may approve, deny, modify or make another Decision that the Committee could otherwise have made.

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