

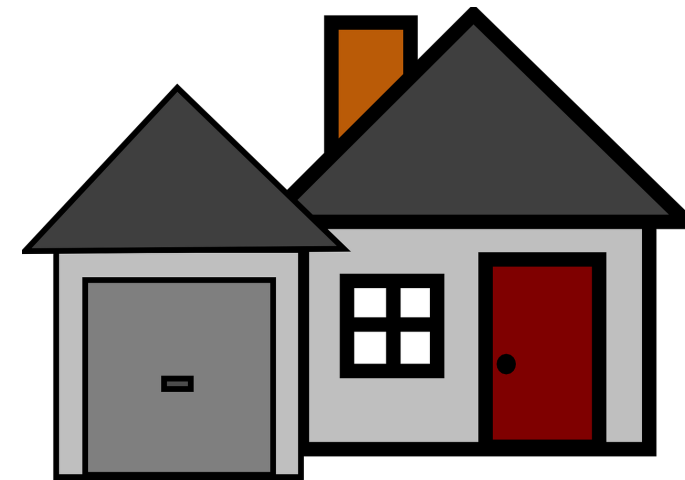
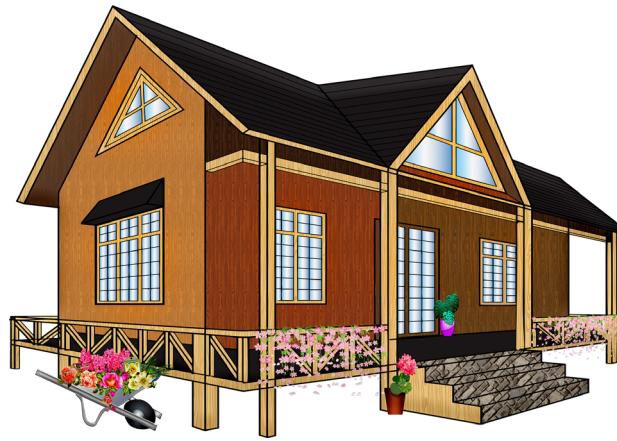
Minor Variance Process

Questions about Minor Variances should be directed to the Municipal Planner

NORTH GLENGARRY

Ontario's Celtic Heartland

Minor Variance Guide



**90 Main Street South,
Alexandria, ON, K0C 1A0**

**T. 613-525-1116, ext. 250
planner@northglengarry.ca**

This pamphlet is intended to provide preliminary information only.

A minor variance is applied for whenever you wish to construct, renovate, or alter a building or structure in any way that does not meet the requirements of the Townships's Zoning By-law.

- (1) Applicant submits application to the Planning Department, including the application form, sketch and fee.
- (2) Planning staff process the application and circulate a notice to prescribed agencies and neighbours within 60 metres (200 feet); a minimum of ten (10) days prior to the hearing.
- (3) Township staff-reports; and any other agency or public comments regarding the application; are sent prior to the Hearing.
- (4) Committee of Adjustment Hearing – During a public meeting, the Committee of Adjustment reviews the proposal and all reports. The applicant and other parties may make a presentation at this time. A decision is made by the Committee during this hearing.
- (5) A twenty (20) day period follows the decision during which appeals can be made.
- (6) If not appealed; and if approved; the applicant must fulfill any conditions of approval prior to issuance of a building permit.
- (7) If appealed, the file is sent to the Local Planning Appeal Tribunal (LPAT), who will hold a new Hearing.

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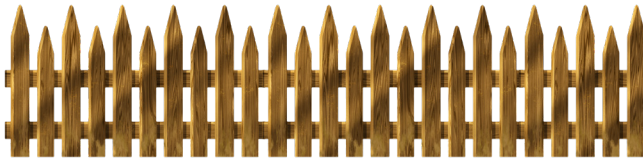
The Planning Act

Section 45 of the Planning Act authorizes the **Committee of Adjustment for Minor Variances** to consider minor variance applications. A minor variance is applied for whenever you wish to construct, renovate, or alter a building or structure in any way that does not meet the requirements of the Township's Zoning By-law. For example, if a shed is proposed to be set back 10 metres from the lot-line, when the zone requires a setback of 15 metres, a variance of 5 metres is required. A minor variance is also required if you wish to expand or change a use that is considered "legal non-conforming". In the Township of North Glengarry, you must receive approval for a minor variance from the Township's Committee of Adjustment.

The Committee of Adjustment

The Township of North Glengarry Committee of Adjustment is a quasi-judicial composed of the members of Council. The Committee deals with applications such as the example previously outlined, as well as other requests for permission to construct buildings, or to permit uses, which do not meet certain Zoning By-law provisions.

The function of the Committee of Adjustment is to review the application; staff and agency comments on applicable planning policies and regulations; information provided by the applicant; as well as the input of any neighbours. As part of their review of this information, **the Committee must satisfy themselves that each application meets the four tests of a minor variance as required by the Planning Act.**



The Four Tests required by the Planning Act

#1 – Is the application minor in nature?

- How will it impact the neighbourhood?
- How will it impact the subject lands?
- Not a numeric value.
- Size as well as impact should be considered in the assessment.

#2 – Is the application appropriate?

- Is the application in keeping with the neighbourhood?
- Does it permit development that is good for the Municipality?
- Does the variance allow proper use of the property?

#3 – Does the application meet the intent of the Zoning By-law?

- What is the purpose of the requirement for which a variance is being applied?
- Is the purpose of that requirement still being maintained if the variance is granted?
- Is the purpose of the standards in the Zoning By-law being considered?

#4 – Does the application meet the intent of the Official Plan?

- Is the use in keeping with the policies of the Official Plan?
- Is the application considerate of the surrounding environment, both natural and man made?
- What is the effect on policy discretion and long term goals of the Official Plan?

**Fees are payable to the
Township of North Glengarry**
Minor Variance.....\$500.00

Application

Application forms are available from at the Building, By-law and Planning Department, of the Township of North Glengarry, located at 90 Main Street South, Alexandria, ON K0C 1A0, or our website at www.northglengarry.ca

Before submitting an application, we strongly suggest that you consult with the municipal planner.

Since Planning Staff generally provide the Committee of Adjustment with a review of applications, it is best to pre-consult with them in order to alleviate any potential problems that may arise. Please be advised, however, that it is ultimately the Committee of Adjustment's decision to approve or deny applications.

To make an application for a minor variance, you must submit the following to the Planning Department:

(1) The application form completed in full

(2) An application fee of \$500.00

(cash, interac, or cheque made payable to the Township of North Glengarry)

(3) One (1) copy of the original sketch showing the full extent of the proposal for an additional to, or construction of, structures. (Please note that this is not a survey, but rather a preliminary sketch). Our experience has been that more professionally drawn sketches, such as those drawn by a surveyor or planner, provide more accurate information and as a result may expedite the process. The Planning Department may also request other documents, such as a Survey, a Building Location Certificate, proof of ownership, etc.

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