



Town of Penetanguishene APPLICATION FOR MINOR VARIANCE

APPLICATION CHECKLIST

It is recommended that you consult with the Town's Planning and Development Department prior to submitting your application.

*A Pre-Consultation fee of **\$100.00** will apply if additional Departments are required (fee can be deducted from application fee once application is submitted)*

Please ensure you have completed the following prior to submitting your application:

- Fully complete all sections of the application.
- Sign application in all appropriate locations and obtain signed authorization from the Owner(s) if you are acting as their Agent.
- Declaration of Owner(s)/Agent must have a Commissioner's stamp and signature.
- Application fee (**\$750.00**) attached made payable to the Town of Penetanguishene.
- Copy of any correspondence, approvals or permits from outside agencies/departments.
- Copy of any studies and reports required to be submitted with your application.
- Two (2)** copies of the completed application form and accompanying sketch or site plan (in metric units). **One (1)** copy if sent electronic mail, see below for email address
- Notice Sign Deposit (**\$100.00**) attached made payable to the Town of Penetanguishene. Please see attached Notice Posting Policy, Municipal Costs Policy and the Notice Sign off form to be accompanied with the application.

If you require additional assistance regarding this application, please contact the Department of Planning and Development at:

Town of Penetanguishene
10 Robert Street West
Penetanguishene, ON L9M 2G2
Ph: (705) 549-2673
Fax: (705) 549-3922
Email: abetty@penetanguishene.ca



Town of Penetanguishene
APPLICATION FOR MINOR VARIANCE

OFFICE USE ONLY		
<input type="checkbox"/> MINOR VARIANCE <input type="checkbox"/> PERMISSION TO EXPAND <input type="checkbox"/> OTHER		
Application No.: A. /20 Civic Address: _____	Date of Application:	
Application Complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	Fee Received: <input type="checkbox"/> Yes <input type="checkbox"/> No	
ROLL # 4372-_____ - _____ - _____ - 0000		

PRESCRIBED INFORMATION AND MATERIAL TO BE PROVIDED PURSUANT TO SECTION 45 OF THE PLANNING ACT, R.S.O. 1990.

1. CONTACT INFORMATION:

All communication will be directed to the Primary Contact only.

Primary Contact: _____

a) Registered Owner(s): _____
(List all owners and contact information if multiple exist)

Mailing Address: _____

Home Phone: _____ Cell Phone: _____

Business Phone: _____

Email Address: _____

b) Agent: _____

Mailing Address: _____

Home Phone: _____ Cell Phone: _____

Business Phone: _____

Email Address: _____

c) Planner: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

d) Surveyor: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

e) Solicitor: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

f) Engineer: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

2. DESCRIPTION OF SUBJECT LANDS:

- a) Concession(s): _____
- b) Lot(s): _____
- c) Registered Plan No. : _____ Lot(s)/Block(s): _____
- d) Reference Plan No. : _____ Part(s): _____
- e) Geographic Township (former municipality): _____
- f) Civic Address: _____
- g) Dimensions of subject lands:

Frontage (m)	Depth (m)	Area (ha)

- h) Official Plan (current designation of subject lands) : _____
- i) Zoning (current zoning of subject lands) : _____
- j) Are there any easements or rights-of-way affecting the subject lands?
 - Yes
 - No

If yes, indicate and describe the purpose of the easement or right-of-way:

3. VARIANCE:

By-law Provision	Required	Proposed	Variance / Relief (difference between Required & Proposed)

a) Nature and extent of the relief from the Zoning By-law:

** Attach a separate description if necessary*

b) Reasons why proposed use cannot comply with the provisions of Zoning By-law:

4. EXISTING AND PROPOSED USES:

a) Date the subject land was acquired by the current Owner: _____

b) Existing uses of the subject land:

c) Length of time that the existing uses have continued: _____

d) Proposed uses of the subject land:

** Attach a separate description if necessary*

e) Date the existing building(s) or structure(s) on the subject land were constructed:

Type of Building/ Structure	Date Constructed
1.	
2.	
3.	
4.	

- f) Location and Dimensions of all **existing** buildings and/or structures on the subject land (metric)*:

Building / Structure	Front Yard (m)	Interior Side Yard (m)	Exterior Side yard (m)	Rear yard (m)
1.				
2.				
3.				
4.				

Building/ Structure	Ground Floor Area (m ²)	Gross Floor Area (m ²)	# of Stories	Length (m)	Width (m)	Height (m)
1.						
2.						
3.						
4.						

**Attach separate sheet if more than 4 existing or proposed structures*

- g) Location and Dimensions of any **proposed** buildings and/or structures for the subject land (metric)*:

Building / Structure	Front Yard (m)	Interior Side Yard (m)	Exterior Side yard (m)	Rear yard (m)
1.				
2.				
3.				
4.				

Building/ Structure	Ground Floor Area (m ²)	Gross Floor Area (m ²)	# of Stories	Length (m)	Width (m)	Height (m)
1.						
2.						
3.						
4.						

**Attach separate sheet if more than 4 existing or proposed structures*

- h) What are the adjacent land uses:

To the north: _____

To the south: _____

To the west: _____

To the east: _____

5. SOUTHERN GEORGIAN BAY LAKE SIMCOE SOURCE PROTECTION PLAN:

a) Is the subject land within a Wellhead Protection Area (WHPA) or an Issue Contributing Area (ICA)?

- Yes No

b) If yes, please identify the WHPA/ICA?

c) If yes, do you have an Approved Risk Management Plan (RMP) and/or a Section 59 Notice to Proceed from the Risk Management Official (RMO)? (Please attach the document you have).

- Yes No

6. ACCESS:

a) Access to the subject land is provided by: _____

- Provincial Highway
- County Road
- Municipal Road (year round)
- Municipal Road (seasonal)
- Private Road / Right-of-Way
- Water

b) If access to the subject land is by water only, indicate the following:

Provide written confirmation of parking and docking facilities.

Docking facility: _____

Distance from docking to subject land: _____

Distance from docking to nearest public road: _____

Parking facility: _____

Distance from docking to parking: _____

Distance from parking to nearest public road: _____

7. SERVICES:

a) Water is provided to the subject land by:

- Town water
- Private well
- Privately owned/operated communal well
- Lake or other water body
- Other: _____

b) Sewage disposal is provided to the subject land by:

- Town sewer
- Private sewage system
- Privately owned/operated communal sewage system
- Other: _____

c) Storm drainage is provided to the subject land by:

- Town storm sewers
- Ditches
- Swales
- Natural
- Other: _____

8. OTHER APPLICATIONS:

Indicate if the subject land is the subject to any other applications currently under the *Planning Act*:

Application	File #	Status
Plan of Subdivision/Condominium (Section 51)		
Consent (Section 53)		
Minor Variance (Section 45)		
Zoning By-law (Section 34)		
Official Plan (Section 22)		
Site Plan (Section 41)		

9. PLANS REQUIRED:

Please attach **2** copies of the sketch, site plan or survey **drawn to scale, in metric**. *One reduced size copy (8.5" x 11") and a digital copy in Adobe Acrobat .pdf format must also be submitted.* abetty@penetanguishene.ca

Minimum requirements will be a sketch showing the following:

- The boundaries and dimensions (frontage, depth and area) of the subject land.
- Location and distances from property line of all proposed and existing structures. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front lot line, rear lot line and the side lot lines.
- The approximate location of all topographical, natural and artificial features on the subject land and on land that is adjacent to the subject land 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.

- The current uses on land that is adjacent to the subject land.
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public road, a private road or a right-of-way.
- If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- If the subject land has lake frontage, label the lake name.
- The location and nature of any easement affecting the subject land.
- North arrow and scale.

10. AUTHORIZATION BY OWNER:

Applicable if an Agent is making this application on your behalf.

If the Applicant is not the Owner of the subject land of this Application, the written authorization of the Owner stating that the Agent is authorized to make the Application on their behalf must be included with this application form or the authorization set out below must be completed.

Please Note: If the Owner is an incorporated company, authorization of the appropriate signing officer(s) is required in accordance with the company's by-laws.

I (we), _____ the undersigned, being the
Registered Owner(s)

Registered Owner(s) of the subject land, hereby authorize _____
Agent

to act as my Agent with respect to the preparation and submission of this Application.

 Signature of Owner
(If Corporation, I have the authority to bind the Corporation)

 Date

11. FREEDOM OF INFORMATION AND PRIVACY:

Personal information contained in this form, collected and maintained pursuant to Section 45 of *The Planning Act*, will be used for the purpose of responding to the Application and creating a public record. The Owner's Signature acknowledges that "personal information [is] collected and maintained specifically for the purpose of creating a record available to the general public;" per Section 14(1)(c) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M. 56.

The applicant acknowledges that the Town considers the application forms and all supporting materials, including studies and drawings, filed with this application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the Town photocopying and releasing the application and any supporting material either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement. Questions regarding the collection of information should be directed to the Department of Planning and Development at the Town of Penetanguishene at (705) 549-2673.

Signature of Owner

Date

Signature of Owner

Date

Signature of Witness

Date

12. DECLARATION OF OWNER/AGENT:

Must be signed by the Owner(s)/Agent in the presence of a Commissioner.

I _____ (Owner(s)/Agent) of the
_____ of _____ in the
(Town/Township/City)

County/District/Regional Municipality of _____

do solemnly declare that all of 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 County/District/Regional
(Town/Township/City)

Municipality of _____ this ____ day of _____, 20__.

Signature of Owner

Signature of Agent *(if applicable)*

Signature of Commissioner

Commissioner's Stamp

Please submit this application to the Town of Penetanguishene's Department of Planning and Development at:

**Town of Penetanguishene
10 Robert Street West
P.O Box 5009
Penetanguishene, ON L9M 2G2
Ph: (705) 549-2673
Fax: (705) 549-3922
Email: abetty@penetanguishene.ca**



Town of /Ville de Penetanguishene

POSTING OF PLANNING ACT APPLICATION ADVISORY SIGN

MINOR VARIANCE/CONSENT

Applicants must post an advisory sign on each property under application. A sign will be made available to applicants upon submission of an application. Applicants will be required to pay a **\$100.00** deposit per sign, which will be refunded upon the return of the sign. The deposit will automatically be **forfeited** if the sign is lost, damaged or not returned within 60 days of the date of decision for the application.

The sign should be placed so that it is legible from the roadway. In most cases the sign should be posted in the same manner as a "real estate" type sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance (outside). The applicant must post Notice Sign(s), provide photographic proof that the Notice Sign has been posted via email to abetty@penetanguishene.ca. Failure to do so will result in the deferral of the application to the next applicable meeting date.

The sign must remain posted beginning **14 days** prior to the Hearing until the day of the Hearing, after which time the sign is to be returned for a refund of the deposit. Please fill in the form below indicating your agreement to post the sign as required. Failure to post the sign as required may result in the deferral of the application.

Thank you for your co-operation.

Planning and Community Development Department

Town of Penetanguishene

OWNER/AGENT: _____

PROPERTY: _____

I understand that each sign must be posted at least **14 days** before the Hearing, and must remain posted and be replaced if necessary, until the day of the Hearing.

I acknowledge that the Planning and Community Development Department has confirmed these requirements with me.

Signature (Owner/Agent)

Date



Town of /Ville de Penetanguishene

MUNICIPAL COSTS POLICY – APPLICANT’S ACKNOWLEDGEMENT

1. MUNICIPAL POLICY

It is the policy of the Town of Penetanguishene that Applicants pay for professional assistance that the Municipality may require to process a development application. Professional assistance may include, but is not limited to, Solicitor, Engineer, Consulting Land Use Planner, Landscape Architect, Environmental Consultant or other similar consultants and also includes the Severn Sound Environmental Association as a review agency.

2. PROFESSIONAL SERVICES

At an appropriate juncture of the approval process as determined by the Municipality, the Municipality may engage the aforementioned professional services it deems appropriate to process the application on the understanding that the Applicant will be responsible for the cost of these services as per the Undertaking below. The professional engaged may include an employee/independent contractor of the Municipality.

3. DEVELOPER ACCOUNTS

- a. The Applicant agrees to submit the initial deposit and any subsequent deposits as required by the Town’s Composite Fees By-law when requested by the Municipality.
- b. The Town will place funds deposited by the Applicant for planning approvals in a separate General Ledger account for each development or phases thereof. No co-mingling or transfer of funds between Developer Accounts is permitted.
- c. The Town will issue invoices to the Applicant when the initial and/or subsequent deposit has been drawn down to pay for professional fees incurred by the Municipality. Copies of all invoices paid by the Municipality for expenses incurred from engaging professional services and/or summary of costs incurred by the Town Engineer on the development will be provided to the Applicant at the time of invoice. The invoice may include the Municipality’s requirement for a subsequent deposit under the Town’s Composite Fees By-law.

Municipal Costs Policy page 2 of 2

d. If the Applicant does not pay an invoice within 30 days of the date of invoice, the Town may charge interest on unpaid accounts at the rate of 1.25% percent per month. In the event that the applicant has entered into a Development Agreement with the Town, the Municipality may collect unpaid accounts in accordance with the terms of the agreement.

e. Where such invoices remain outstanding or unpaid by the Applicant, no further time will be spent on the file by the Town staff or professionals working on behalf of the Municipality until payment is received in full including any supplementary deposit.

f. When the Applicant withdraws their application or when all works required by the Applicant under a Development Agreement have been completed and accepted by the Municipality, any surplus amount on deposit with the Municipality shall be returned to the Applicant.

4. APPLICANT’S UNDERTAKING

THE APPLICANT HEREBY ACKNOWLEDGES AND AGREES that the Applicant is responsible for Municipal Costs for professional services as outlined in this Policy and that the Applicant agrees to submit the initial deposit and any subsequent deposits when requested by the Municipality.

Dated this _____ day of _____, 20__.

Signature of Applicant