

APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

for applying under Section 45 of the Planning Act, R.S.O. 1990 (as revised).

IT IS THE RESPONSIBILITY OF THE OWNER OR AUTHORIZED AGENT TO PROVIDE COMPLETE AND ACCURATE INFORMATION AT ALL TIMES. THIS FORM WILL NOT BE ACCEPTED AS AN APPLICATION UNTIL SUCH TIME AS ALL QUESTIONS HAVE BEEN ANSWERED AND ALL REQUIREMENTS HAVE BEEN MET IN THE MANNER REQUESTED HEREIN. PLEASE READ THE FOLLOWING CAREFULLY:

ANY REZONING AND/OR SITE PLAN APPROVALS ARE TO BE OBTAINED PRIOR TO THE VARIANCES BEING DEALT WITH. THE OWNER OR APPLICATION SHALL NOT CAUSE ANY TREES ON THE PROPERTY TO BE REMOVED WITHOUT THE PRIOR APPROVAL OF THE COMMISSIONER OF DEVELOPMENT SERVICES.

APPLICATION: To be filed with the Secretary-Treasurer, Committee of Adjustment. The wording of the application is contained in Ontario Regulation 200/96, of the Planning Act, R.S.O., 1990 (as revised). **PLEASE ANSWER ALL QUESTIONS EXACTLY AS ASKED - "SEE PLAN" IS NOT ACCEPTABLE.**

FEE: **See over for fee schedule.** Make all cheques payable to Treasurer, Town of Markham.

OWNERSHIP: Proof of ownership is to accompany each application (copy of first page of registered transfer or deed of land). If more than one owner is shown therein, **the application shall be submitted under all names, and all parties are required to sign either the application form or authorization form.**

AUTHORIZATION: All agents **MUST** file an authorization form signed by **ALL REGISTERED OWNERS** when filing on their behalf.

PLANS: A full-sized plan of survey and, if applicable, a site plan, showing the dimensions of the subject land, and location and size of all buildings or structures on the subject land, and building elevation drawings. If full-sized drawings are submitted, a **reduction, with a maximum size of 11" x 17", suitable for reproduction,** must also be filed.

COMMISSIONERS' SIGNATURES: It is required that this form be signed before a Commissioner of Oaths. If more than one owner, **ALL OWNERS or THE AUTHORIZED AGENT** are required to sign before a Commissioner. The Secretary-Treasurer is a Commissioner.

POSTING OF SIGNS: **The Planning Act requires that a "NOTICE OF HEARING" sign be posted on the property prior to the public hearing. An affidavit that this has been done is also required to be filed. Failure to do one or both will result in your application being pulled from the agenda. Please see attached for instructions and cost.**

IMPORTANT NOTICE REGARDING APPLICATION FEES

Effective immediately, the following are **revised** (2008) Committee of Adjustment application fees:

- | | |
|--|--|
| (i) By-law variance, change in legal non-conformity, and zoning interpretation for residential properties
(excludes apartments and condominiums)
see also Sec. 11 (iv) | \$1,400.00 per application plus
\$20.00 per sign |
| (ii) By-law variance, change in legal non-conformity, and zoning interpretation for all other property types, including apartments and condominiums | \$1,600.00 per application plus
\$20.00 per sign |
| (iii) Consents | \$2,300.00 per application plus
\$20.00 per sign, PLUS
(iii) (a) or (b) below: |
| (a) conveyance creating a new residential lot | \$740.00 per unit, payable
prior to finalization of conveyance |
| (b) conveyance creating a new industrial, commercial, or institutional lot | \$3,690.00 per half hectare or
part thereof of the newly
created lot, payable prior to
finalization of conveyance |
| (c) establishment of an easement, mortgage, etc. | \$2,570.00 per application. |
| (d) preparation of a development agreement,
payable at registration of agreement. | \$6,130.00 per agreement. |
| (iv) Technical amendments - residential applications for
variances to rectify existing conditions requiring
minor review by staff, at the discretion of the
Director of Planning. This does <u>not</u> include existing
structures constructed without a building permit
or without approval from the Committee of Adjustment. | \$790.00 per application plus
\$20.00 per sign |
| (v) By-law variance for all property types on a Draft
Plan of Subdivision | \$3,570.00 per application plus
\$740.00 per lot/unit |
| (vi) Signs – One sign is required for each road
frontage on the property -
(i.e. a corner lot has two road frontages) | \$20.00 per sign |

Please make cheques payable to: “Treasurer, Town of Markham.”



APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

Personal information collected in response to this planning notice will be used to assist Town staff and Council to process this application and will be made public.

The undersigned hereby applies to the Committee of Adjustment for the Town of Markham under Section 45 of the Planning Act, R.S.O. 1990 (as revised), for relief, as described in this form from:

By-law No.: _____, as amended by By-law No.: _____

OWNER / APPLICANT INFORMATION

PROPERTY OWNER INFORMATION: (check one)			<input type="checkbox"/> Person(s)	<input type="checkbox"/> Company
Registered Land Owner:	Surname:	First Name:		
Name	(if Company)	Company Officer:		
Application Contact:	Surname:	First Name:	Position:	
Address:	Street No.:	Street Name:		Unit Num.:
Municipality:	Province:		Postal Code:	
Telephone:	No. ()	Fax: ()	E- Mail:	

AGENT, SOLICITOR, OR PLANNING CONSULTANT

Firm:				
Application Contact:	Surname:	First Name:	Position:	
Address:	Street No.:	Street Name:		Unit Num.:
Municipality:	Province:		Postal Code:	
Telephone:	No. ()	Fax: ()	E- Mail:	
Designate to Which All Correspondence Will be Sent:				

MORTGAGEES, HOLDERS OF CHARGES OR OTHER ENCUMBRANCERS

Institution / Company:				
Contact / Reference:	Surname:	First Name:	Position:	
Address:	Street No.:	Street Name:		Unit No.:
Municipality:	Province:		Postal Code:	
Telephone:	No. ()	Fax: ()	Email:	



OTHER APPLICATION CONTACTS

Name:	
Address:	
Phone / Fax:	

1. Nature and extent of relief applied for (*please indicate both what the by-law requirement is and what you are providing:*

2. Why is it not possible to comply with the provisions of the by-law?:

3. Legal description of the subject land (registered plan number, lot number, or legal description, and street name and street number, is applicable):

4. Date of acquisition of the said lands: _____

5. Date of construction of all buildings or structures: _____

6. Existing use of the subject property: _____

7. Length of time the existing uses of the subject property have continued: _____

8. Existing use of abutting properties: _____

9. Dimensions of **lands** affected:

	Metric	Imperial
Frontage:		
Depth:		
Area:		

10. Particulars of all buildings or structures on or proposed for the subject lands:

Existing: Ground Floor Area (including garage, if applicable): _____
 Gross Floor Area (excluding garage, if applicable): _____
 Height: _____ Width: _____ Length: _____
 Number of Storeys: _____

Proposed: Ground Floor Area (including garage, if applicable): _____
 Gross Floor Area (excluding garage, if applicable): _____
 Height: _____ Width: _____ Length: _____
 Number of Storeys: _____

11. Location of all buildings or structures on or proposed for the subject land (specify minimum distance from side, rear, and front lot lines):

Existing:

Front: _____ Rear: _____
 Side: _____ Side: _____

Proposed:

Front: _____ Rear: _____
 Side: _____ Side: _____

Note: Please identify side-yard setbacks by geographic direction (i.e. east, west, etc.)



12. Municipal services available (check appropriate space or spaces):

- | | | | |
|------------------|--|------------|--|
| Water: | <input type="checkbox"/> Yes <input type="checkbox"/> No | Connected: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Sanitary Sewers: | <input type="checkbox"/> Yes <input type="checkbox"/> No | Connected: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Storm Sewers: | <input type="checkbox"/> Yes <input type="checkbox"/> No | Connected: | <input type="checkbox"/> Yes <input type="checkbox"/> No |

13. Present Official Plan provisions applying to the subject lands: _____

14. Present zoning by-law provisions applying to the subject lands: _____

15. Has the present owner(s) ever applied for relief in respect to the subject property?

- Yes No

If yes, describe briefly, including file number and dates: _____

16. Is the subject property the subject of a current application for consent under section 53 of the Planning Act, R.S.O. 1990 (as revised)?

- Yes No



AUTHORIZATION OF OWNER(S)

I/We, _____ the undersigned,

hereby authorize _____
(print full name, including company)

to submit the enclosed application to the Committee of Adjustment of the Corporation of the Town of Markham, and to appear on my/our behalf at any hearing(s) of the application, and further, to provide any information or materials required by the Committee relevant to the application.

Signature(s): _____

Dated at: _____ of _____
(town, city, etc.) (Markham, Toronto, etc.)

this _____ day of _____, _____.
(Day) (Month) (Year)

DECLARATION

I/We _____
(name)

of the _____ of _____
(town, city, etc.) (Markham, Toronto, etc.)

in the _____ of _____
(Region, County, etc.) (York, Durham, etc.)

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 _____,
(town, city, etc.) (Markham, Toronto, etc.)

this _____ of _____.
(Day) (Month) (Year)

(signature of owner(s) or authorized agent)

A Commissioner, etc.

REQUIREMENTS FOR THE POSTING OF SIGNS

AFFIDAVIT

The Planning Act requires that a “Notice of Hearing” sign be erected on the subject property prior to the public hearing. The owner or authorized agent will be required to sign an affidavit in the presence of a Commissioner of Oaths certifying that the sign has been posted, no later than noon on the date specified.

FAILURE TO PLACE THE SIGN ON THE SUBJECT PROPERTY AND SIGN THE AFFIDAVIT WITHIN THE REQUIRED TIME LIMITS WILL RESULT IN REMOVAL OF THE APPLICATION FROM THE AGENDA.

COST

Signs and stakes will be supplied by the Municipality, at a cost of \$20.00 each.

TIMING

The sign for a **variance** application shall be erected no later than **12 days prior to the hearing date.**

The sign for a **consent** application shall be erected no later than **14 days prior to the hearing date.**

The applicant or agent will be advised of the date of the public hearing and the last day on which the sign must be placed on the subject property.

LOCATION

Unless otherwise directed by the Secretary-Treasurer, the sign shall be posted in a location that is clearly visible and legible from a public highway, or other place to which the public has access.

Signs shall not be obscured from view by vegetation or other obstructions. Signs shall not be erected on any municipal property or on the right-of-way of any public highway. Signs shall not be located closer than within 1.0 m (3.28 feet) of any driveway.

REMOVAL

Signs shall be removed within 7 days following the public hearing.