



IMPORTANT NOTICE – MINOR VARIANCE APPLICATION

Please be advised that the Committee of Adjustment recommends that Minor Variance or Consent Applications requiring **Site Plan Agreements, Zoning By-law Amendments, or Subdivision Agreements** receive preliminary approval from the Planning & Regulatory Services Department prior to making a submission.

It is the responsibility of the applicant or appointed agent to confirm if any of these approvals are required prior to submitting an application for Minor Variance or Consent.

Information regarding Site Plan Approvals, Zoning By-law Amendments, and Subdivision Agreements can be obtained by contacting the Town of Richmond Hill Planning & Regulatory Services Department at 905-771-8910.

Tree Inventory

In order to minimize the possibility that tree preservation issues prevent or delay your application, it is strongly recommended that you obtain an inventory of all trees equal to or greater than 20 cm DBH* within 6 metres of the proposed work zone (on your property and on adjacent properties) and discuss the tree inventory with a representative from Parks and Natural Heritage Planning prior to submitting your application or paying any associated fees. If you are making a consent application, the tree inventory should include all trees equal to or greater than 20 cm DBH located on the subject property and on adjacent properties (within 6 metres). More detailed information is provided in Section "H" of the Minor Variance application or Section "I" of a Consent Application, or by contacting the Town of Richmond Hill at 905-771-8800 and requesting Parks and Natural Heritage Planning.

**DBH (diameter at breast height): Trunk diameter measured at 1.4 metres above the ground.*

Parking Study

If applying for parking relief please confirm the requirement of a parking and/or traffic study with the Town's Development Engineering Department by contacting 905-771-8800.

For further information please contact Committee of Adjustment staff 8:30 a.m. to 4:30 p.m.,
Monday through Friday (excluding holidays):

Christine Vigneault, Secretary Treasurer Committee of Adjustment
Tel: (905) 771-2443
Email: christine.vigneault@richmondhill.ca

Kelsey Prentice, Assistant Secretary Treasurer Committee of Adjustment
Tel: (905) 771-2414
Email: kelsey.prentice@richmondhill.ca



Application Complete <i>**To be determined by Committee of Adjustment staff prior to submission.</i>	<input checked="" type="checkbox"/>	Complete Sketch/Survey (See Section H for requirements). <i>**Sketch no larger than 11" x 17"</i>	<input checked="" type="checkbox"/>
Authorization of All Registered Owners (Section L) <i>**If in company/corporate name please ensure that the signing officer includes the corporate seal and/or the statement "I have the authority to bind the Corporation" by their signature.</i>	<input checked="" type="checkbox"/>	Tree Inventory/Arborist Report Submitted with Application <i>**In lieu of Tree Inventory and/or Arborist Report, the applicant can submit a Tree Declaration Form if confirmed by Parks Planning staff that inventory/report not required.</i>	<input checked="" type="checkbox"/>
Application Commissioned (Section K) <i>*Sworn affidavit (by all owners or authorized designates) declaring that the statements and exhibits contained in the application form are true. This can be completed at the time of submission.</i>	<input checked="" type="checkbox"/>	Please note that the applicant may have to provide additional documentation / supporting material, if requested during the review process. All meeting dates are tentative to accommodate deferral of an application, if required.	<input checked="" type="checkbox"/>
Zoning Information Please consult with a Zoning & Compliance Examiner, located in the Planning & Regulatory Services Department (4 th Floor) to obtain the relevant zoning information to assist you in completing the application form. Please note: The Town of Richmond Hill does not assume responsibility for identifying all such deficiencies.	<input checked="" type="checkbox"/>	Site Plan Control Please consult with Planning Staff, located in the Planning & Regulatory Services Department (4 th Floor) to determine whether your property is subject to Site Plan Control prior to submitting the application. Please note: If required, a Site Plan Application must be submitted and reviewed by staff prior to the submission of a related Minor Variance Application.	<input checked="" type="checkbox"/>

Fees: Please refer to Committee of Adjustment Fee Schedule or consult the Secretary Treasurer for all applicable fees. Applicable fees must be submitted with the application. An additional fee, payable to Toronto Region Conservation Authority (TRCA) will be applicable if this application is within the TRCA regulation limit and may be imposed as a condition of approval. **All fees are subject to change. Accepted payment methods include cash, cheque, debit and credit (*credit maximum \$3000.00).**

Public Notice Requirements: In accordance with the Planning Act, the applicant will be required to post a sign (provided by Committee of Adjustment staff at the time the application is submitted). The sign must be posted at least 10 days prior to the hearing date, and be placed in a location that is **clearly visible and legible from a public highway**. The applicant will be required to submit a sworn affidavit stating that the signs have been posted in accordance with the provisions of the Planning Act. **Failure to meet public notice requirements may result in deferral of the application.** In addition to the sign being posted on the subject land, Committee of Adjustment staff will mail public notice to every owner of land within 60 metres.

Staff Review: Once an application is submitted, it will be reviewed by staff and outside agencies for the purposes of providing comments and recommendations to the Committee of Adjustment. In the event an unforeseen issue or concern should arise or additional information (i.e. environmental and/or technical studies) is required, staff will provide the applicant with an opportunity to defer the application prior to the public notice release (10 days before hearing). **If an application requires deferral AFTER the public notice has been released, applicable adjournment and/or recirculation fees will apply.** Please refer to Committee of Adjustment Fee Schedule or consult the Secretary Treasurer for all applicable fees.

Staff Report: A Staff Report containing all comments and recommendations received from staff and outside agencies will be available on the Friday before your scheduled meeting date. It is the applicant's responsibility to obtain a copy of the Staff Report and/or any related correspondence. You can email committeeofadjustment@richmondhill.ca to obtain a copy or call 905-771-2443.

Meeting: Committee of Adjustment meetings typically begin at 7:00 p.m. in the Council Chambers located on the first floor of the Municipal Offices, in the Richmond Hill Tower, 225 East Beaver Creek Road. Please see the Committee of Adjustment meeting schedule for dates or contact the Secretary Treasurer to confirm. **Please note that all meeting dates and location are subject to change.**

Attendance at Meeting: The applicant (owner) or agent is to attend the meeting to respond to any questions or concerns the Committee or members of the public may have. In the absence of representation, the Committee may adjourn an application or make a decision. Adjournment and/or recirculation fees will be applicable. Please refer to Committee of Adjustment Fee Schedule or consult the Secretary Treasurer for all applicable fees.

Ontario Municipal Board: A Notice of Decision will be mailed to the applicant within 10 days after the decision has been made. There is a period of 20 (twenty) days from the date of the making of the decision during which it may be appealed to the Ontario Municipal Board. The Ontario Municipal Board charges an appeal fee of \$300.00, plus \$25 for each related appeal. **Please note that the Town also charges an additional administrative fee per application appealed (see Fee Schedule).**

For additional information regarding the Town of Richmond Hill's Committee of Adjustment, including meeting dates and fees, please visit: http://www.richmondhill.ca/subpage.asp?pageid=planning_committee_of_adjustment



Office Use Only	
File No.	A- _____
By-law No.	_____
Date Submitted	_____
Date Received	_____
Sign Issued	_____

**COMMITTEE OF ADJUSTMENT
THE PLANNING ACT-SECTION 45
APPLICATION FOR MINOR VARIANCE**

NOTE: This application must be typed or printed in **BLACK** ink and completed in full. An incomplete or improperly prepared application may not be accepted and could result in processing delays. The applicant may be advised to provide additional documentation & supporting material, if requested, during the review process. All meeting dates are **tentative** to accommodate deferral of the application, if required.

INFORMATION AND MATERIAL SUBMITTED WITH THIS APPLICATION SHALL BE MADE AVAILABLE TO THE PUBLIC

A. APPLICANT INFORMATION

1. **Registered Owner(s):** _____
(Please Indicate Name(s) *Exactly* as Shown on the Transfer/Deed of Land)

Mailing Address: _____

City: _____ Province: _____

Postal Code: _____ Phone No. _____

E-Mail Address: _____

2. **Applicant(s):** _____

Mailing Address: _____

City: _____ Province: _____

Postal Code: _____ Phone No. _____

E-Mail Address: _____

3. **Authorized Agent (if any):** _____

Mailing Address: _____

City: _____ Province: _____

Postal Code: _____ Phone No. _____

E-Mail Address: _____

Please specify by checking the box where correspondence (by phone, mail and email) should be directed:

Owner Applicant Agent

B. LOCATION/LEGAL DESCRIPTION OF PROPERTY

1. Region of York, Town of Richmond Hill

Former Municipality (if known) _____

Legal Description: _____

Street No _____ Name of Street _____

2. Are there any easements or restrictive covenants affecting the property?
 Yes No If Yes, describe the easement or covenant and its effect:

C. LAND USE

1. What is the existing **Official Plan** designation(s) of the subject land: _____
2. Is the subject land located within the Town’s **Site Plan Control Area?** Yes No
3. Does the subject land contain hazardous land (lands that could be unsafe for development due to naturally occurring processes i.e. flood susceptibility, steep slopes, erosion susceptibility), key natural heritage features (features and areas, such as significant wetlands, fish habitat, significant woodlands etc.) and key hydrological features? Yes No
4. What is the existing **Zoning** of the subject land: _____ **By-Law No.** _____

(For assistance with C.1, C.2 and C.3 please speak with a Town Planner. For assistance with C.4 please speak with Zoning staff in the Building Department).

NOTE: *If the response to C.3 is yes, it is the applicant’s responsibility to review the Town of Richmond Hill’s Official Plan policies pertaining to hazardous lands and sites, as well as key natural heritage features and key hydrological features as the application may require additional studies, such as a Natural Heritage Evaluation. In addition, the Town may seek dedication of these lands through the Minor Variance development process. Further discussion with Planning Staff and the Toronto Region Conservation Authority should occur prior to making a submission.*

D. PURPOSE OF APPLICATION

1. Please explain what you propose to do on the land/premises which makes this application necessary.
 (If additional space is required, please attach a separate sheet)

2. **PROPOSED MINOR VARIANCE(S) IN (METRIC UNITS):**

****Only complete portion of chart that relates to your requested minor variances (the entire chart is **not** required)****

Development Standard	By-law Requirement	Proposed (Based on Site Plan)	Deficiency
Lot Area			
Lot Frontage			
Front Yard Setback			
Exterior Side Yard (Flankage)			
Interior Side Yard N S E W (circle)			
Interior Side Yard N S E W (circle)			
Rear Yard			
Gross Floor Area			
% Lot Coverage			
Height of Building			
Accessory Building			
Parking Spaces <i>* A parking and/or traffic study may be required. Please confirm with Development Engineering staff prior to applying.</i>			
Other:			
Other:			

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

E. PROPERTY, ACCESS AND SERVICING INFORMATION

1. Dimensions of subject land in **METRIC UNITS** (must be consistent with Site Plan provided):

Frontage: _____ metres Width: _____ metres

Depth: _____ metres Lot Area: _____ square metres

Width of Street _____

2. Existing or proposed access to subject land (check all boxes that apply):

- | | |
|--------------------------------------|-------------------|
| Provincial Highway | Regional Road |
| Municipal Road maintained all year | Other Public Road |
| Municipal Road maintained seasonally | Right-of-Way |
| Water Access | Private Road |

Name of Road/Street _____

If access to the land will be by water only:

Parking and docking facilities to be used _____

Approximate distance of facilities from land _____

Nearest public road _____

3. **Existing** use of the subject property: _____

4. **Proposed** use of the subject property: _____

5. Date of acquisition of the subject land: _____

6. Date the existing buildings or structures on the subject land were constructed: _____

NOTE: If buildings were constructed before the present by-law came into effect and do not comply with the present by-law requirements, the applicant/owner must provide proof that the buildings are considered to be legal non-conforming.

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

8. Existing use of abutting properties (i.e. residential, industrial): _____

9. Servicing:

Proposed Water Supply (Check appropriate space)	Existing	Proposed
Publicly owned and operated piped water system		
Privately owned and operated individual or communal well		
Lake or other water body		
Other means (specify)	_____	_____

Proposed Sewage Disposal (Check appropriate space)	Existing	Proposed
Publicly owned and operated sanitary sewage system		
Septic system (private or communal)		
Other (specify)	_____	_____

10. LOCATION of ALL buildings or structures EXISTING or PROPOSED on the subject land (in **METRIC UNITS**). (This must also be included on the attached sketch.)

SPECIFICS	EXISTING DWELLING	EXISTING ACCESSORY STRUCTURE	PROPOSED DWELLING	PROPOSED ACCESSORY STRUCTURE
Front Yard Setback				
Rear Yard Setback				
Interior Side Yard Setback N S E W				
Interior Side Yard Setback N S E W				
Exterior Side Yard Setback (Flankage)				

11. DIMENSIONS of ALL buildings or structures EXISTING or PROPOSED on the subject land (in **METRIC UNITS**). (This must also be included on the attached sketch.)

SPECIFICS	EXISTING DWELLING	EXISTING ACCESSORY STRUCTURE	PROPOSED DWELLING	PROPOSED ACCESSORY STRUCTURE
Ground Floor Area				
Gross Floor Area				
Number of Storeys				
Height				
Length				
Width				

If an addition to an existing building is proposed, what will it be used for? (i.e., bedroom, kitchen, bathroom, etc.) _____

F. STATUS OF OTHER PLANNING APPLICATIONS

- Is the subject land the subject of an application under Section 51 of the *Planning Act*, R.S.O., 1990, as amended, for approval of a Plan of Subdivision?
 Yes No If yes, File No. _____
- Is the subject land the subject of an application under Section 53 of the *Planning Act*, R.S.O., 1990, as amended, for approval of a Consent?
 Yes No If yes, File No. B - _____ / _____
- Has the subject land ever been the subject of an application under Section 45 of the *Planning Act*, R.S.O., 1990, as amended, for approval of a Minor Variance?
 Yes No If yes, File No. A- _____
- Is there any other application on this property? (i.e. Site Plan)
 Yes No
 If yes, File No. D06- _____
- Has the subject land been the subject of a Zoning By-law Amendment Application?
 Yes No
 If yes, File No. D02- _____
 Date of the passing of the Zoning By-law Amendment? _____

Please note: No person shall apply for a minor variance from the provisions of the by-law in respect of the land, building or structure before the second anniversary of the day on which the by-law was amended unless permitted by Council resolution.

G. TREE INVENTORY

Please confirm with a representative from Parks and Natural Heritage Planning the requirement of a Tree Inventory and check the following statement that applies to your application:

No, a Tree Inventory is not required and a Tree Declaration Form has been submitted.

Yes, a Tree Inventory is required and has been submitted as part of this application.

H. SUPPORTING MATERIAL TO BE SUBMITTED BY APPLICANT

In order for your application to be considered complete, a sketch drawn to scale must be included as part of this application which shows:

1. The boundaries and dimensions of the subject land.
2. The location, size, height 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 yard lot line, rear yard lot line and side yard lot lines.
3. The approximate location of all 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.
4. The current uses on land that is adjacent to the subject land.
5. 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 right-of-way.
6. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
7. The location and nature of any easement affecting the subject land.
8. The surveyed location of all individual trees and tree groupings* equal to or greater than 20 cm DBH**, and all trees of any species listed pursuant to the *Endangered Species Act* must be provided with your application. The inventory must include all trees within 6 m of any proposed work (on the subject property and on adjacent property). Please note that the work zone includes any area to be used for the purposes of construction, grading and excavation, storage of construction materials/equipment, movement of machinery, paving, demolition/replacement of accessory structures etc. Individual trees and tree groupings must be numbered on the drawing.

The sketch described above must be accompanied by a table that lists all trees and tree groupings with numbers corresponding to those on the sketch. The species, size (DBH), and condition (health and structural) of each tree and tree grouping must be described in the table. The table should be prepared by a Certified Arborist.

In the event that there are no trees located within 6 m of the proposed work zone, a Tree Declaration should be submitted confirming this is the case.

For further clarification on the above requirements or whether a Tree Declaration is appropriate in the context of your proposal, please contact Parks Planning and Natural Heritage.

**Tree groupings may be shown if the entire grouping is to be preserved.*

***DBH (diameter at breast height): Trunk diameter measured at 1.4 metres above the ground.*

I. NOTIFICATION SIGN REQUIREMENTS

For the purpose of public notification and in order for staff to easily locate your land, you will be given a sign to indicate the intent and purpose of your application. It is your responsibility to:

1. Post one sign per frontage in a conspicuous location on the subject property.
2. Ensure one sign is posted at the front of the property at least three feet above ground level.
3. Return the Sign Affidavit when the sign is in place in order to avoid processing delays.
4. Maintain the sign until the application is finalized and thereafter removed.

For the purposes of this application, the Owner/Applicant/Agent grants permission to the members of the Committee of Adjustment, Town of Richmond Hill staff, and their agents to enter upon the said property for inspection purposes.

J. FREEDOM OF INFORMATION *All signees must be authorized by owner(s) in Section L

For the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act* for the purposes of processing this application.

Owner/Applicant/Agent Signature

Date

Owner/Applicant/Agent Signature

Date

K DECLARATION *All signees must be authorized by owner(s) in Section L

***Driver's license of all signees required to verify identity.*

I, _____ of _____
Print Name City/Town of Residence (as shown on Driver's License)

I, _____ of _____
Print Name City/Town of Residence (as shown on Driver's License)

I, _____ of _____
Print Name City/Town of Residence (as shown on Driver's License)

solemnly declare that: All of the above statements and the statements contained in all of the exhibits transmitted herewith 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.

TO BE SIGNED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS:

Owner / Applicant / Agent Signature

Owner / Applicant / Agent Signature

Owner / Applicant / Agent Signature

DECLARED BEFORE ME AT THE _____ IN THE REGION OF _____
City/Town Region

this _____ day of _____
_____ 2016
(month)

Signature of Commissioner or Public Notary

Please provide Commissioner or Public Notary stamp in this box
(declaration invalid if not provided):

L. AUTHORIZATION

If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed by the owner(s). All registered owners must complete the authorization form for it to be valid.

Please Note: If the owner is a Corporation, the application must be signed by an officer of the corporation and the corporation's SEAL (if any) should be affixed OR the words, "I have authority to bind the Corporation" may be printed under the signing officer's name instead of affixing the corporate seal.

AUTHORIZATION OF OWNER(S)

I/we:

(Print owner(s)/corporate name)

am/are the owner(s) of the land that is the subject of this Minor Variance Application.

I/we authorize:

(Print name of applicant(s) and/or agent(s))

to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application.

Print Owner Name: _____ Date _____

Signature: _____

* Corporate Authorization (if required, see above)

Print Owner Name: _____ Date _____

Signature: _____

Print Owner Name: _____ Date _____

Signature: _____

M. ADDITIONAL / OUTSTANDING INFORMATION REQUIRED: This section will be provided to the applicant after completion of a preliminary review, which is conducted by Committee of Adjustment staff at the time of submission. Please note that staff may refuse to accept an incomplete application.

<p>The following information is required to complete and process this application:</p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p> <p>Information to be provided no later than (staff to provide deadline): _____</p> <p>Owner/ Applicant / Agent signature below is to acknowledge outstanding information listed above and deadline. In the absence of required/outstanding information the application may be deferred to a future meeting date by Committee of Adjustment staff. Please note that this list is not comprehensive. Additional information may be requested during the processing of this application.</p> <p>_____ Signature of Owner/ Applicant / Agent</p> <p>_____ Date</p>
