



TOWN OF MIDLAND
Application for
**MINOR VARIANCE/ PERMISSION TO EXPAND A LEGAL
NON-CONFORMING STRUCTURE/USE**

**IT IS RECOMMENDED THAT YOU CONSULT WITH THE TOWN PLANNING
AND BUILDING SERVICES PRIOR TO SUBMITTING YOUR APPLICATION.**

APPLICATION CHECKLIST

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 fees attached made payable to the Town of Midland. A **Sign Deposit Fee of \$50.00** shall also be paid to the Town in addition to the required application fee:
 - \$800.00 – Total fee \$850.00 (including sign deposit fee)
- Sketch or site plan (in metric) in accordance with the requirements of the application form.
- Copy of any correspondence, approvals or permits from outside agencies/departments.
- Copy of all studies and reports required to be submitted with your application.
- Copy of your completed Consultation Form or Record of Meeting from Planning and Building Services, if you chose to use this service.

APPLICANT(S) POSTING INSTRUCTIONS

Each Applicant will be provided a sign for posting on the property which indicates that an Application has been submitted to the Town in accordance with the *Planning Act*. A sign deposit of \$50.00 shall be paid to the Town in addition to the required application fee. You are required to post the sign as directed by Planning and Building Services Staff and in accordance with the following:

1. The required sign must be visible to the public; therefore it must be placed adjacent to the principal entrance to the property, where it abuts a public street or right-of-way.
2. Signs should be located on private property and not on the road allowance and should not impact visibility for vehicles entering or leaving the property.
3. Signs should be installed so that the Sign Board is at least one (1) metre above finished grade and visible from the road. The sign should be located no more than three (3) metres from the front property line.
4. If the property does not have adequate frontage on which to post a sign then the sign can be placed in a front facing window or attached to a front facing building façade.
5. If the sign becomes damaged or stolen it will be the responsibility of the applicant/owner to replace the sign as soon as possible.
6. The sign shall not be removed until the day after the Public Hearing of the Committee of Adjustment. The sign shall be returned to the Town Offices within **30 days** of the Hearing Date. If the sign is not returned within 30 days, the owner shall **not** be entitled to the return of the \$50.00 sign deposit.

Committee of Adjustment members and/or Town staff may conduct site inspections of your lands. By submitting this application you are authorizing the Town to access your lands for the purposes of conducting the required site inspection.

You may be required to submit a copy of the Deed for the subject land. If access is provided by private road/right-of-way from a Municipal road, attach a copy of the deed indicating if the access is registered on title.

Your application will not be processed until it is complete. A complete application will be determined in accordance with the requirements of the *Planning Act*, the Provincial Policy Statement, and the Town of Midland Official Plan. Please be advised that technical and supporting studies submitted as part of a complete application may be required to be peer reviewed. If a Peer Review is required, the cost will be at the expense of the applicant in accordance with policies of the Midland Official Plan. Planning and Building Services will obtain prior authorization to proceed with the Peer Review from the applicant. To expedite

the processing of your application please ensure it is complete upon submission. Incomplete applications will be returned for re-submission. We will not hold incomplete applications in our office.

The Staff Report and all written communication received by the Town regarding your application will be included in the Agenda Package for the Committee of Adjustment. The Agenda Package is posted on the Town of Midland website the Friday prior to the Committee of Adjustment meeting in the Meeting/Agenda portion of the website. Staff will provide the reports and correspondence in hard copy format on request; otherwise all matters scheduled for Committee consideration will be available on the website.

If you require additional assistance regarding this application please contact Planning and Building Services at:

**Town of Midland
575 Dominion Avenue
Midland, Ontario
L4R 1R2
(705)526-4275 ext. 2215
Fax: (705)526-9971**

b) Agent: _____

Mailing Address: _____

Home Phone: _____ Cell Phone: _____

Business Phone: _____ Fax: _____

Email Address: _____

c) Planner: _____

Mailing Address: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

d) Surveyor: _____

Mailing Address: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

e) Solicitor: _____

Mailing Address: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

f) Engineer: _____

Mailing Address: _____

Phone Number: _____ Fax 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 the existing 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:

b) Reasons why the proposed use cannot comply with the provisions of the 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:

**Attachseparatedescriptionifnecessary*

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 of all buildings and/or structures on the subject land (metric)*:

Existing:

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

Proposed:

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

g) Dimensions of all buildings or structures on subject land *:

Existing:

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

Proposed:

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. 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

a) 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: _____

6. 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: _____

7. 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)		

8. PLANS REQUIRED:

Please attach 5 copies of the sketch, site plan or survey **drawn to scale, in metric.**

One copy must be submitted on 8.5" x 11" paper and a digital copy if available in AutoCAD 2008 .dwg and Adobe Acrobat .pdf format shall be submitted.

Minimum requirements will be a sketch showing the following:

- The boundaries and dimensions (frontage, depth and area) of the subject land.
- 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.
- Location and distances from property line of all proposed and existing structures.

9. 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

10. 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 Director of Planning and Building Services at the Town of Midland at (705)526-4275.

Signature of Owner

Date

Signature of Owner

Date

Signature of Witness

Date

11. 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 _____.

Signature of Owner

Signature of Agent *(if applicable)*

Signature of Commissioner

Commissioner's Stamp

12. ADDITIONAL FEES:

If Planning, Engineering and/or legal fees are incurred by the Town pertaining to this Application, the Applicant, by endorsing below, hereby agrees to submit the balance due, upon receipt of an invoice for same.

Signature of Owner(s)/Agent

Date

Please submit this application to the Town of Midland Planning and Building Services at:

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575 Dominion Avenue
Midland, Ontario
L4R 1R2
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Fax: (705) 526-9971**