

How Do I Apply for a Minor Variance?

1. Consult with Cavan Monaghan Planning Department:

Before you submit an application, discuss your plans with Planning staff in the Planning Department.

2. Complete the Application:

Completed applications must include a scaled drawing of the lot, the location and size of the buildings and distance from all lot lines, the applicable fee and written authorization of the owner, if the applicant is not the owner. In some cases, additional information such as photographs could be helpful.

3. Notice of Public Meeting and Circulation of Application:

A Notice of Public Meeting will be posted on the property and copies of the notice will be sent to all registered property owners within 60 metres (197 feet) of the property, at least 10 days before the date of the Meeting. At the same time, the notice will be circulated to Cavan Monaghan department heads, and external agencies. All written comments will be considered at the public meeting. Site inspections may be carried out by Committee of Adjustment members and Planning staff.

4. Public Meeting and Decision-Making Process:

A hearing on the application must be held within 30 days of receipt of the application. The applicant or agent is encouraged to attend the hearing to explain the reasons for the application. Other interested persons may also attend to express their views. The Committee will consider all aspects of the application consistent with municipal policy, verbal advice and written reports from staff and agencies. The Committee will also use

the following criteria (Section 45(1) of the Planning Act) to evaluate the application to reach its decision:

- Is the variance minor?
- Is the variance desirable for the appropriate development or use of the land, building or structure?
- Is the intent and purpose of the Zoning By-law and of the Official Plan being maintained?

If the application is approved, the Committee may impose conditions as part of its decision.

5. Notice of Decision:

A Notice of Decision is sent not later than 10 days after the Committee has made its decision. The Notice is sent to the applicant, agent and to anyone who requested Notice of the Decision. Anyone may appeal the decision of the Committee within 20 days of the decision. This date is spelled out in the Notice of Decision.

6. When Decision is Final and Binding:

If there is no appeal by the end of the 20 day appeal period, the decision is final and binding. If the decision includes conditions, the conditions must also be satisfied. Once the conditions are satisfied the property has achieved legal relief from the specified provisions of the Zoning By-law.

7. Appealing the Decision of the Committee:

Any person can appeal the decision of the Committee to the *Ontario Land Tribunal* (OLT). Appeals are made through the Township Clerk. The appeal to OLT requires the payment of \$400.00 payable by certified cheque, money order, or credit card and must be in Canadian funds. Certified cheques and money orders should be made payable to the "Minister of Finance". For more information about the appeal process, visit <https://www.ontario.ca/document/citizens-guide-land-use-planning/ontario-land-tribunal>

Township of Cavan Monaghan Minor Variances

Information Pamphlet

Hours of Operation:
Monday to Friday 8:30 a.m. - 4:30 p.m.
988 County Road 10
Millbrook, Ontario L0A 1G0



Tel: 705-932-2929
www.cavanmonaghan.net



Introduction

Municipalities in the Province of Ontario establish standards to achieve orderly and safe development in their communities. These standards are set out in zoning by-laws. A zoning by-law governs the types of use permitted on a property and lists minimum development requirements.

What is a Minor Variance?

A minor variance is a process to seek relief from the terms of a zoning by-law, where a proposed use or structure does not conform exactly to the zoning by-law. The variance can relate to the land, building, structure or use thereof.

When is a Minor Variance Required?

All development proposals must comply with the Township of Cavan Monaghan's Zoning By-Law. Whenever development is proposed where the standards listed in the Township Zoning By-law cannot be met, a minor variance is required. Approval of a minor variance rests with the Township of Cavan Monaghan Committee of Adjustment.

What is the Committee of Adjustment?

The Cavan Monaghan Committee of Adjustment is authorized under the Ontario Planning Act to grant minor variances from the provisions of the Zoning By-law. The Committee currently consists of two community members and one appointed Council member. Meetings are held at the call of the Chair or as required.

How Do I Apply for a Minor Variance?

Application forms for Minor Variances are available in the Planning Department or through the [Township of Cavan Monaghan website](#).

What is the Application Fee?

The application fee for a minor variance is \$1200.00. Ontario Regulation 200/96 sets out the rules for the information to be provided in an application, how and to whom the application must be processed. Any incomplete applications will be returned.

The Township also collects fees on behalf of the Otonabee Region Conservation Authority (ORCA). ORCA's Minor Variance Fee Schedule is:

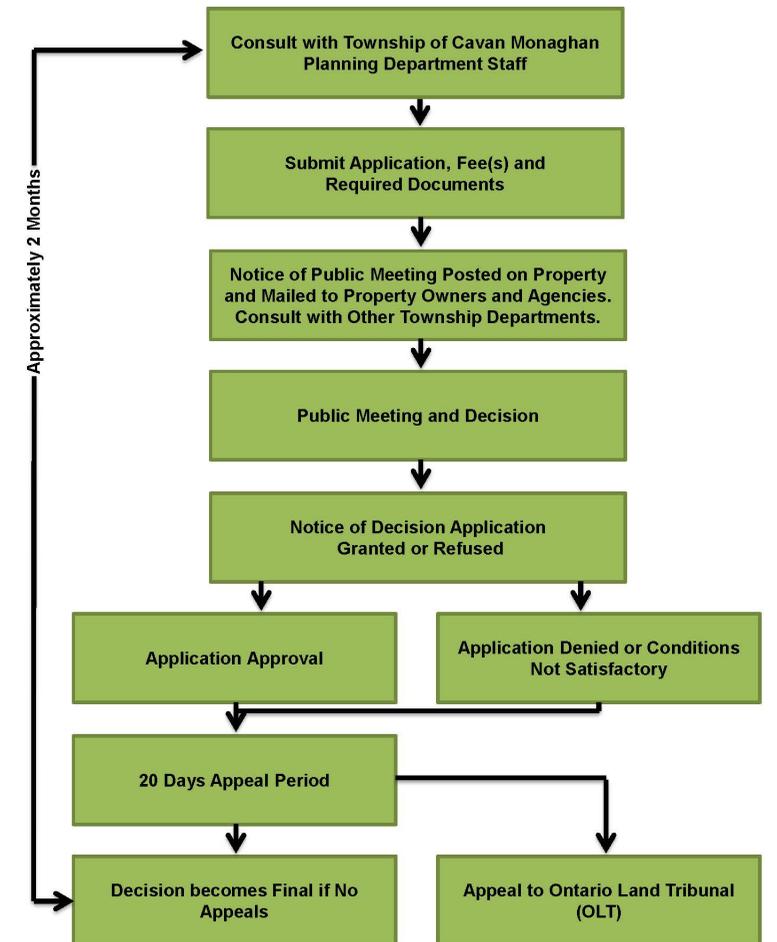
\$365	Minor
\$1,145	Intermediate
\$2,255	Major

Other Considerations

When reviewing an application, The Committee of Adjustment will give consideration to

- The nature of the proposed change;
- The suitability of the land for the propose use;
- Vehicle access;
- Water supply;
- Sewage disposal;
- The design of structures;
- Heritage conservation issues;
- Tree preservation;
- Site parking layout;
- Grading;
- Drainage; and
- Public input.

Minor Variance Process Chart



Contact Information

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