



MINOR VARIANCE

Minor Variances are granted to allow development to proceed without it being in exact conformity with the requirements of the Zoning By-law. They are a special privilege and there must be a valid reason why the by-law cannot be met in order for a Minor Variance to be granted. The Committee of Adjustment must also make sure that the granting of a Minor Variance does not undermine or violate the original purpose of the policies that the municipality has in place.

Minor Variance Applications

Your Minor Variance application will be considered by the Township of North Kawartha Committee of Adjustment. **Any decision rendered by the Committee may be subject to such terms and conditions as the Committee considers advisable.**

** While the Application Form sets out the minimum requirements for a sketch, please be aware that an up-to-date location survey will be required for most applications. Please ensure that all structures (including decks, accessory buildings, site detail and features etc.) are shown on the site/survey and that all setbacks are shown and measured accurately. For Waterfront properties elevation detail should also be indicated on the survey.

FEES: Municipal Application Fee \$900.00**
For amended application and recirculation \$675.00**

*****While every effort is made to ensure that the application fee covers all costs of processing the application, the Applicant will be responsible for any additional fees that may be required by any other agency for the review of planning and development proposals and/or any additional applications for providing related approvals and services.***

If you require any assistance or information with respect to completing this application you may contact:

[Planner](#)

705-656-4445 ext. 265

Please return your completed application and payment to:

The Township of North Kawartha
Building/Planning Department
280 Burleigh Street
Box 550
Apsley, ON K0L 1A0

Procedures

Processing of your application will take a minimum of 50 days upon receipt of a Complete application, including all information that is required and assuming no complications arise.

Upon submitting an Application for Minor Variance, the Committee suggests that the Applicant contact all neighbours, relevant ministries and agencies to inform them of their plans.

Upon receipt of a **complete** Application for Minor Variance, a Public Hearing shall be held within 30 days of the application being received by the secretary-treasurer. The Planning Act prescribes that a **Notice of the Hearing** shall be given at **least 10 days before the day of the Hearing** by prepaid first class mail to all property owners within 60 metres of the subject property and to the appropriate agencies. It is also required to post a Notice of Hearing on the subject property.

The **Public Hearing** will be held in the Council Chambers of the Municipal Building. It is recommended that you attend the Hearing or have someone else represent you. If necessary, arrangements will be made to do a site visit, individually by committee members, after the formal part of the Hearing. If the subject property is on an Island, the Committee will request the Applicant to provide boat transportation. The Committee will reconvene at a future meeting after the site visit and a decision will be rendered. The Committee may also reserve its decision pending receipt of further information, as they may deem necessary.

When making a decision about the application, the Committee must consider:

1. Is the request minor in nature
2. Is it desirable for the appropriate development or use of the land, building or structure
3. Does it maintain the general intent of the Official Plan
4. Does it maintain the general intent of the Zoning By-law.

All four of these requirements must be met in order for the application to be approved.

Upon making a decision, whether granting or refusing, an application, a Notice of Decision will be sent to the applicant and/or his Agent and to each person who filed with the secretary-treasurer a written request for notice of the decision. The approval of a Minor variance may accompany certain conditions.

There is a 20 day appeal period from the date of the decision within which the applicant and/or his Agent or any other person or public body who has an interest in the matter may appeal the decision of the Committee to the Ontario Municipal Board.

If no appeal is received within the 20 day appeal period, the decision of the Committee of Adjustment is final and binding.

*** The information contained in this document is general in nature – for more specific information please contact the Building/Planning Department.