

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 applicant shall not cause any trees on the property to be removed without the prior approval of the Commissioner of development services.

APPLICATION: Two copies of the application are to be submitted to 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 in full detail.** "see plan" not a complete application information nor 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, deed of land or current 2010 tax bill). 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 8 ½" x 14", 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.

Minor Variance Application Fee

Prior to submitting the application, please contact Town Staff at 905-475-4861 for the exact cost of the application fee as the HST is applicable.

Please make cheques payable to: "Town of Markham."

(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 \$1604.60 HST total fee
(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 \$1830.60 HST total fee
(iii)	Consents	\$2,530.00 per application plus \$20.00 per sign, PLUS (iii) (a) or (b) below (HST): \$2881.50 HST total fee
(a)	conveyance creating a new residential lot	\$760.00 (HST) per unit, payable prior to finalization of conveyance
(b)	conveyance creating a new industrial, commercial, or institutional lot	\$3,800.00 (HST) per half hectare or part thereof of the newly created lot, payable prior to finalization of conveyance
(c)	establishment of an easement, mortgage, etc.	\$2,640.00 (HST) per application. \$20.00 per sign \$2803.20 HST total fee
(d)	preparation of a development agreement, payable at registration of agreement.	\$6,300.00 per agreement. \$7119.00 HST total fee
(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 \$895.30 HST total fee
(v)	By-law variance for all property types on a Draft Plan of Subdivision	\$3,670.00 (HST) per application plus \$760.00 (HST) 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 (HST) per sign
(vii)	By-law variance for all properties within Heritage Districts or Heritage Property or deemed by Heritage Staff or Heritage Markham for implementation	\$0.00 Fee waived

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 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.



Application No.: _____

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.

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

PROPERTY INFORMATION				
Property Address	Street No.:	Street Name:		Unit Num.:
Registered Plan				
Block and/or Lot				
Legal Description				
Concession/PT LOT				
Tax roll number				
Folder/Bill/Property RSN (Office use only)	Folder RSN	Property RSN	Bill RSN	
OWNER/APPLICANT INFORMATION				
Select One:	<input type="checkbox"/> Person(s)		<input type="checkbox"/> Company	
Registered Land Owner	Surname:		First Name:	
Company Name	(Company ONLY)		Company Officer/Position:	
Application Contact	Surname:		First Name:	
Address	Street No.:	Street Name:		Unit Num.:
City		Province		Postal Code
Telephone	()	Fax ()	E- Mail	
AGENT INFORMATION				
Firm				
Application Contact	Surname:		First Name:	Position:
Address	Street No.:	Street Name:		Unit Num.:
City		Province		Postal Code
Telephone	()	Fax ()	E- Mail	
MORTGAGEES, HOLDERS OF CHARGES OR OTHER EMCUMBRANCES				
Institution / Company				
Contact / Reference	Surname:		First Name:	Position:
Address	Street No.:	Street Name:		Unit No.:
City		Province		Postal Code
Telephone	()	Fax ()	Email	



Application No.: _____

1.

Describe the nature and the extent of relief applied for (<i>please indicate what the bylaw requirement is and what you are proposing</i>):

2.

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

3. Provide the date of the acquisition of the property: _____

4. Provide the date of the construction of all buildings/structures _____

5. What is the existing use of the property? _____

6. Provide the length of time the existing uses of the property have continued: _____

7. Provide the existing uses of the abutting properties _____

Application No.: _____

8. Dimensions of the property affected:

Property Dimensions	Metric	Imperial
Frontage:		
Depth:		
Area:		

9. Describe the particulars (in metric) of all buildings and/or structures on the existing and the proposed for the subject property:

Building/Structure Particulars	Existing	Proposed
Accessory Structure:		
Ground Floor Area (including garage, if applicable):		
Ground Floor Area (excluding garage, if applicable):		
Height:		
Width:		
Length:		
Number of Storeys:		
Please identify side yard setback by minimum distance of the lot lines and which geographical direction (i.e., east, west, etc.)	Existing	Proposed
Front yard Setback:		
Rear yard Setback:		
Side yard Setback:		
Side yard Setback:		

10. Check the box where Municipal Services are applicable and available:

Source of Water/Sewer:	YES	NO
Municipal Water		
Sanitary Sewers		
Storm Sewers		
Well		



Application No.: _____

11. What is the Parent Zoning By-Law number? _____

12. What is the By-Law Zoning Designation? _____

13. What is the Official Plan Designation? _____

14. Has the present owner(s) ever applied for a minor variance or permission regarding the subject property?

Yes No

If yes, briefly describe and include file numbers and the dates of filing:

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

Yes No



Application 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): _____

At the: _____
(town, city, etc.) (Markham, Toronto, etc.)

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

DECLARATION

I/We _____
(name)

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

in the _____
(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.

(signature of owner(s) or authorized agent)

Declared before me at the _____ this _____, _____
(Town or City) (Day) (Month) (Year)

A Commissioner, etc.