

**TOWNSHIP OF EAST GARAFRAXA**

065371 DUFFERIN COUNTY ROAD 3 • UNIT 2

EAST GARAFRAXA • ON • L9W 7J8

T: 226-259-9400 • TOLL FREE: 877-868-5967 • F: 1-226-212-9812

[www.eastgarafraxa.ca](http://www.eastgarafraxa.ca) • [planner@eastgarafraxa.ca](mailto:planner@eastgarafraxa.ca)**Township of East Garafraxa****Committee of Adjustment Application for****Minor Variance s.45(1) or Special Permission s.45(2)**

(Under Section 45 of the Planning Act for Relief from Zoning By-Law 60-2004, as Amended)

Office Use Only				
File Number:	Date of Receipt:	Payment of Required Fees & Deposits:	Completion Initial Evaluation:	Date Circulated (if Parts A, C and D deemed complete):

Where additional space is required, please add pages at the back of the application identified by the section number.

**Part A****Information to Be Provided Under Section 45 of the Planning Act in Accordance with O. Reg. 200/96 Amended O. Reg. 432/96; O. Reg. 508/98****1. Specify the type of application being submitted:**Minor Variance under Section 45(1) ☐Special Permission under Section 45(2) ☐**2. Applicant Information:***Owner authorization is required if the applicant and/or agent is not the registered owner(s).*

Name:	
Mailing Address:	
Telephone Number:	
Email Address:	

**3. Registered Owner(s):**☐ Same as Applicant

Name(s):	
Mailing Address:	
Telephone Number(s):	
Email Address(es):	

**4. Agent, Solicitor or Consultant (if applicable):**

Name:	
Mailing Address:	
Telephone Number:	
Email Address:	

**5. Communication:**

Please specify to whom all communication should be sent to:

Owner ☐      Applicant ☐      Agent ☐

**6. Names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject property (if known):**

Name	Address
1.	
2.	
3.	
4.	

**7. Location and description of the subject property:**

7.1 Emergency/Street Number and Street/Road Name:	
7.2 Legal Description:	
7.3 Roll Number:	
7.4 Lot Frontage (m):	
7.5 Lot Depth (m):	
7.6 Lot Area (hectares):	

7.7 Are there any easements or restrictive covenants affecting the property?

Yes ☐      No ☐

If yes, describe the easement or covenant and its effect:

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## 8. Existing Land Use

8.1 What are the existing use(s) of the subject land?

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8.2 Are there existing buildings on the subject lands?

Yes ☐

No ☐

If yes (also include this information on an attached sketch). See Part D.

Existing Type of Building / Structure	Date Constructed	Setbacks (metric)				Height (metric)	Dimensions or Floor Area (metric)
		Front Lot Line	Rear Lot Line	Side Lot Lines			

8.3 If known:

Date the subject land was acquired by the current owner(s): \_\_\_\_\_

Length of time the existing uses of the subject land have continued: \_\_\_\_\_

## 9. Proposed Changes

9.1 The uses proposed for the subject lands:

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9.2 Are there any buildings or structures proposed to be built on the subject lands?

Yes ☐

No ☐

If yes (also Include this on an attached sketch). See Part D.

Proposed Type of Building / Structure	Setbacks (metric)				Height (metric)	Dimensions or Floor Area (metric)
	Front Lot Line	Rear Lot Line	Side Lot Lines			

9.3 Current Zoning:

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9.4 Explain what is being proposed which makes the application necessary:

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9.5 Nature and extent of the relief requested from the Zoning By-Law:

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9.6 Explain why it is not possible to comply with the provisions of the Zoning By-Law:

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9.7 What is the current Official Plan designation(s) of the subject land:

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## 10. Status of Other Planning Applications

10.1 If known, is the subject land the subject of an application under the Planning Act for approval of a plan of subdivision or for a consent:

Yes ☐ No ☐

If **yes**, fill in the information below:

File Number: \_\_\_\_\_ Status of Application: \_\_\_\_\_

File Number: \_\_\_\_\_ Status of Application: \_\_\_\_\_

10.2 If known, has the subject land ever been the subject of an application under Section 45 of the Planning Act:

Yes ☐ No ☐

If **yes**, fill in the information below:

File Number: \_\_\_\_\_ Status of Application: \_\_\_\_\_

File Number: \_\_\_\_\_ Status of Application: \_\_\_\_\_

## 11. Servicing

Indicate which services are available (A) or proposed (P):

*\*A = Available; P = Proposed*

Water Supply			Sewage Treatment			Storm Drainage		
	A	P		A	P		A	P
Municipal Water			Municipal Sewers			Storm Sewers		
Communal System			Communal System			Open Ditches		
Individual Well(s) (private)			Septic Tank & Tile Field			Swales		
Other (describe)			Other (describe)			Other (describe)		

## 12. Property Access

Is access provided by:

☐ Municipal Year Round Maintained Road

☐ County Road

☐ Seasonal or Private Road

☐ Other, please specify:

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## Part B

### Additional Information

Depending on the nature of the application, in order for the Committee of Adjustment to carry out an appropriate evaluation with respect to the tests under the Planning Act, additional information beyond that prescribed in Part A may be required. The requirements for each application will be determined through the pre-application consultation process prior to submission of the application. The owner/applicant may be contacted once the application has been reviewed if additional information is required. To assist the Township in determining the exact information requirements the applicant is requested to provide the following information.

1. Does the site or adjacent lands include any significant trees or other natural features?

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2. Is the site adjacent to any significant source of noise or vibration (e.g., railway, major road, major industrial use)?

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3. Does the site include a building or structure designated under the Ontario Heritage Act?

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4. Are there any indications that the subject lands include any archaeological features?

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5. Are there any outstanding work orders on this property? Yes ☐ No ☐

If **yes**, please explain:

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6. Is there an existing Site Plan Agreement for this property? Yes ☐ No ☐

7. Potentially Contaminated Land

7.1. Has there been an industrial or commercial use of the site?

Yes ☐

No ☐

Last Year of Use \_\_\_\_\_

7.2. Has there been any filling on the site or subject land?

Yes ☐

No ☐

Last Year of Use \_\_\_\_\_

7.3. Is there reason to believe that the site may have been contaminated by former uses on the site or adjacent sites? (i.e., gas stations, petroleum or other fuel stored on site or adjacent site)?

Yes ☐

No ☐

Last Year of Use \_\_\_\_\_

If **yes**, then an environmental investigation including all former uses of the site, and if appropriate the adjacent site is required. The study must be prepared by a qualified consultant.

Report attached? Yes ☐

If **no**, on what basis was this determined?

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8. Drainage

8.1. Have you consulted the Township Public Works Department regarding stormwater management?

Yes ☐

No ☐

8.2. Does a legal and adequate outlet for storm drainage exist?

Yes ☐

No ☐

Unknown ☐

8.3. Has the existing drainage on the subject land been altered?

Yes ☐

No ☐

Unknown ☐



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## Part C

### **Affidavits Required as Part of the Information to be Provided Under Section 45 of The Planning Act in Accordance with O. Reg. 200/96, Amended O. Reg. 432/96; O. Reg. 508/98**

- For the purposes of this application, the Owner/Applicant/Agent grants permission to the members of the Committee of Adjustment to enter the subject property for inspection purposes.
- This form must be completed by the Owner(s) or Authorized Applicant/Agent and signed by all Owner(s). All Correspondence, notices, etc. initiated by the Township in respect to this application will, unless requested, be directed to the applicant's agent; when no agent is employed, then it will be directed to the applicant.
- If this application is signed by an applicant or agent, then written authorization from the owner(s) must accompany the application. If the applicant is a corporation, the application shall be signed by an officer of the corporation and the corporation's seal shall be affixed.

### **Notice Of Collection – Municipal Freedom of Information and Protection of Privacy Act**

Personal information collected on this form is collected under the authority of the *Planning Act* as amended and will be used to assist in making a decision on this matter. All names, addresses, opinions and comments will be made available for public disclosure. Questions regarding this collection should be forwarded to the Clerk's Department.

#### **1. Certificate (to be Signed by Owner(s) if Applicant or Agent has been Appointed)**

As of the date of this application, I am the registered Owner(s) of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I concur with the submission of this application by \_\_\_\_\_

Print Name

of \_\_\_\_\_ who I have appointed as my Applicant or Agent.  
Location/Place

Date: \_\_\_\_\_  
YYYY-MM-DD

\_\_\_\_\_  
Signature(s) of Owner(s)

\_\_\_\_\_  
Print Names of Owner(s)

## 2. AFFIDAVIT

I, \_\_\_\_\_ of the \_\_\_\_\_ in  
Print Name

the \_\_\_\_\_ solemnly declare that all the above statements contained herein and in all 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, and by virtue of the "The Canada Evidence Act".

\_\_\_\_\_  
Signature(s) of Owner(s) or Applicant/Agent

\_\_\_\_\_  
Print Name(s) of Owner(s) or Applicant/Agent

DECLARED BEFORE ME AT \_\_\_\_\_

in the \_\_\_\_\_ this \_\_\_\_\_ day of

\_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Commissioner of Oaths



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## Part D

### **Materials Required as Part of the Information to be Provided Under Section 45 of the Planning Act in Accordance with O. Reg. 200/96; Amended O. Reg. 432/96; O. Reg. 508/98**

The Minor Variance application under Section 45(1) or application for permission under Section 45(2) of the Planning Act must include a scaled detailed drawing (in metric units) showing the following information (in some cases it may be appropriate to combine with a survey plan).

A digital file of a completed application and drawings are required and **must be submitted** with the following information:

- (a) Boundaries and dimensions of the subject land;
- (b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- (c) The approximate location of all natural and artificial features (*for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks*) that,
  - i) Are located on the subject land and on land that is adjacent to it, and;
  - ii) In the applicant's opinion, may affect the application;
- (d) The current uses of land that is adjacent to the subject land;
- (e) 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 a right of way; and
- (f) The location and nature of any easement affecting the subject land.

As noted in Part B of this application, further information and/or plans may be required after the application has been given a preliminary review by the Township staff and Township Consultants.



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## Part E

### Signage Requirements

A Notice of Hearing Sign for your minor variance application under Section 45(1) or application for permission under Section 45(2) of the Planning Act will be provided to you by the Township.

Two signs will be issued for a corner lot.

**The signage must be posted at least 10 days before the hearing/meeting date in order to comply with the requirements of the Planning Act.**

The sign must be attached to a stake (stakes are not provided by the Township) and placed on the subject property so that it is clearly visible from the road (do not post signage on a tree or on a building).

A sign declaration form, to be provided, shall be completed and returned to the Township accordingly.

**Failure to comply will result in your application being tabled until the next available meeting and until the sign is posted and you have complied with the requirements of the Planning Act.**

The signage is to be removed 21 days after the Committee of Adjustment has made a decision on your application.