



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES
1 BAILEY STREET, P.O. BOX 129, PORT CARLING, ON P0B 1J0

**APPLICATION FOR MINOR VARIANCE
OR FOR PERMISSION CHECKLIST**

Please ensure you have completed this checklist and submit it with your application:

- Fully complete all sections of the Application
- Original signatures on all appropriate pages by Owner(s)/Agent and Witness
 - Minor Variance Application Signature by Owner(s)/Agent found on Page 5
 - Planning Services Agreement found on Page 8
 - Authorization for an Application by a Person Other Than the Legal Owner(s) found on Page 10
- Declaration of Owner(s)/Agent must have a Commissioner's Stamp and signature found on Page 7
- Application fee attached made payable to the Township of Muskoka Lakes
 - Minor Variance Fee: \$1,400
 - When in Conjunction with a Severance Application: \$700
 - When approval is sought for development which exists or is under construction and is in contravention of the requirements of the Township: \$2,450
- Copy of Site Plan, and any other applicable Drawings, studies/reports. etc.
* Note any drawings exceeding 11" x 17" or Studies / Reports are required to be submitted in digital format in addition to hard copy.

*See minimum Site Plan requirements below

- A recent dated photo of the property from the water (if applicable/available)

*** Minimum Site Plan Requirements**

- To scale
- All existing and proposed buildings/structures shown
- All property boundaries shown
- Lot frontage labelled
- Lot areas labelled
- Setbacks labelled (at their closest points)
- Lot coverage(s) labelled
- Shoreline structure widths and lengths labelled (if applicable)



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES
 1 BAILEY STREET, P.O. BOX 129, PORT CARLING, ON P0B 1J0
APPLICATION FOR MINOR VARIANCE
OR FOR PERMISSION

Planning Act, R.S.O. 1990, as amended, Reg. 923 [formerly O. Reg. 447/83]

FOR OFFICE USE ONLY:		DATE STAMP:
A #: _____	ROLL #: _____	
RECEIPT #: _____	911 ADDRESS: _____	
Schedule #: _____	MNR #: _____	Assess Map #: _____

The undersigned hereby applies to the Committee of Adjustment for the **TOWNSHIP OF MUSKOKA LAKES** under Section 45 of *the Planning Act, R.S.O., as amended*, for relief, as described in this application, from By-law Number: _____ (as amended).

- NAME OF OWNER: _____
 PHONE: _____ COTTAGE: _____ FAX: _____
 EMAIL ADDRESS: _____
- MAILING ADDRESS: _____
- NAME OF AGENT (if any): _____
 PHONE: _____ COTTAGE: _____ FAX: _____
 E-MAIL ADDRESS: _____
- MAILING ADDRESS: _____

Note: Unless otherwise requested, all communications will be sent to the agent, if any.
 Please be advised that this application once deemed complete will be circulated to all property owners within 400 feet of the subject property. It is highly recommended that you contact your neighbouring property owners in advance of this circulation to discuss your proposal.

- Nature and extent of relief applied for: _____

The personal information on this form is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O.1990, M.56. S.29(1)(g), 31(b). The information will be used for the purposes of administering this project. The information collected will be protected with appropriate security safeguards. All questions or concerns with respect to the collection, storage, use or retention of the information you provide on this form may be directed to the Township Clerk, 1 Bailey Street Port Carling Ontario P0B 1J0, telephone at 705-765-3156

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

7. Location of subject lands:

Geographic or former Township _____

Lot # _____ Concession # _____

Registered Plan of Subdivision # (if any) _____ Lot # on Plan _____

Reference Plan # (Survey Plan) _____ Part # on Survey _____

Municipal or 911 Address _____

Assessment Roll Number _____

8. Dimensions of land affected:

Frontage	Depth	Area	Width of Street

9. Particulars of all buildings and structures on or proposed for the subject land (Specify ground floor area, gross floor area, number of storeys, width, length, height, etc.):

Existing:

Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Width	Length	Height
#1						
#2						
#3						

Proposed:

Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Width	Length	Height
#1						
#2						
#3						

10. Location of all buildings and structures on or proposed for the subject land (Specify distance from side, rear and front lot lines):

Existing:

Structure	Side Yard	Side Yard	Front Yard	Rear Yard
#1				
#2				
#3				

Proposed:

Structure	Side Yard	Side Yard	Front Yard	Rear Yard
#1				
#2				
#3				

11. Date of acquisition of subject land: _____

12. Date of construction of all buildings and structures on subject land:

Structure	#1	#2	#3	#4
Date				

13. Access to the subject property:

- | | | | | | |
|----|--------------------------|----|--------------------------------------|--------------------------|--------------------|
| i) | <input type="checkbox"/> | a) | Municipal Road Year round maintained | <input type="checkbox"/> | Provincial Highway |
| | <input type="checkbox"/> | b) | Municipal Road Seasonally maintained | <input type="checkbox"/> | Water |
| | <input type="checkbox"/> | c) | Private Road - Existing | <input type="checkbox"/> | Other (specify) |
| | | | - Proposed | <input type="checkbox"/> | _____ |

ii) Name of Street or Road _____

iii) If by water, distance to mainland access _____

14. Existing uses of the subject property: _____

15. Existing uses of the abutting properties: _____

16. Length of time the existing uses of the subject property have continued: _____

17. Municipal services available (check appropriate space or spaces):

Water:		Connected:	
Sanitary Sewers:		Connected:	
Storm Sewers:			
Private Sewage System:	Type:		Certificate #:

18. Present Official Plan provisions applying to the land: _____

19. Present Zoning By-law provisions applying to the land: _____

20. Has the owner previously applied for relief in respect of the subject property?

Yes:		No:	
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If the answer is yes, describe briefly: _____

21. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act, R.S.O. 1990, as amended*?

Yes:		No:	
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(Signature of applicant or authorized agent)

Dated at the _____ of _____, this
_____ day of _____ 20____.

NOTES:

- 1. IT IS REQUIRED THAT ONE COPY OF THIS APPLICATION BE FILED WITH THE SECRETARY - TREASURER OF THE COMMITTEE OF ADJUSTMENT, TOGETHER WITH THE PLAN REFERRED TO IN NOTE 2 AND ACCOMPANIED BY A FEE OF \$1400.00 IN CASH, DEBIT OR CHEQUE MADE PAYABLE TO THE TOWNSHIP OF MUSKOKA LAKES.**
- 2. EACH COPY OF THIS APPLICATION MUST BE ACCOMPANIED BY A PLAN SHOWING THE DIMENSIONS OF THE SUBJECT LAND AND SHOWING THE LOCATION, SIZE, AND TYPE OF ALL BUILDINGS AND STRUCTURES ON THE SUBJECT LAND. THE COMMITTEE OF ADJUSTMENT MAY REQUIRE THE PLAN TO BE SIGNED BY AN ONTARIO LAND SURVEYOR. ANY DRAWINGS EXCEEDING 11" X 17" AND ALL STUDIES / REPORTS ARE REQUIRED TO BE SUBMITTED IN DIGITAL FORMAT IN ADDITION TO HARD COPY.**
- 3. BY SIGNING THE APPLICATION, THE OWNER (AND / OR AGENT) AGREES TO PERMIT STAFF OF THE TOWNSHIP TO INSPECT THE PROPERTY FOR THE PURPOSE OF VERIFYING THE APPLICATION AND DRAFTING A STAFF REPORT FOR COMMITTEE.**
- 4. APPROVAL OF A MINOR VARIANCE DOES NOT RELIEVE AN OWNER FROM THE REQUIREMENTS OF THE BUILDING CODE, SEPTIC SYSTEM APPROVALS, AND SITE PLAN APPROVAL.**
- 5. THAT THERE MAY BE ADDITIONAL APPROVALS SUCH AS BUT NOT LIMITED TO: SITE PLAN, BUILDING PERMIT, ENTRANCE PERMIT, ETC AND ADDITIONAL FEES AND CHARGES SUCH AS BUT NOT LIMITED TO: SITE PLAN APPLICATION FEES & SECURITIES, BUILDING PERMIT FEES, DEVELOPMENT CHARGES, ETC. ASSOCIATED WITH ANY DEVELOPMENT APPROVED IN CONJUNCTION WITH THIS APPLICATION.**
- 6. ADDITIONAL ADMINISTRATIVE PROCESSING FEE: WHERE AN APPROVAL UNDER THE PLANNING ACT IS SOUGHT FOR DEVELOPMENT WHICH EXISTS OR IS UNDER CONSTRUCTION, AND IS IN CONTRAVENTION OF THE REQUIREMENTS OF THE TOWNSHIP, AN ADDITIONAL ADMINISTRATIVE / PROCESSING FEE IN THE AMOUNT OF 75% OF THE RESPECTIVE APPLICATION FEE, AS DEFINED HEREIN, SHALL BE REQUIRED AT THE TIME OF SUBMISSION OF THE APPLICATION.**

Personal information contained on this form is collected under the authority of the *Planning Act, R.S.O. 1990, as amended*, Section 45, and will be used to determine eligibility to vary from the provisions of the Township of Muskoka Lakes zoning by-law(s). Questions about this collection should be directed to: Secretary – Treasurer, Committee of Adjustment, Township of Muskoka Lakes, 1 Bailey Street, P.O. Box 129, Port Carling, Ontario P0B 1J0

Telephone: (705) 765-3156

Fax: (705) 765-6755

DECLARATION of Applicant or Authorized Agent

I, _____, of the _____ of
_____ in the _____ of _____

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*.

DECLARED before me at the _____
of _____
in the _____ of _____
this _____ day of 20_____ (signature of Applicant / Authorized Agent)

(Signature of Commissioner, etc.)

FOR OFFICE USE ONLY

CERTIFICATION

I, _____,
for the _____
of _____ in the _____ of _____
certify that the above application is a true copy.

Dated this _____ day of _____ 20 _____

Signature

MINOR VARIANCE

PLANNING SERVICES AGREEMENT

BETWEEN: _____
hereinafter called the Applicant

- and - **THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES**
hereinafter called the Township

WHEREAS:

The Applicant has filed an application for Minor Variance with the Township, and has agreed to retain the services of the Township in connection with the processing of that application:

THIS AGREEMENT WITNESSES THAT IN CONSIDERATION OF THE MUTUAL COVENANTS SET OUT BELOW, THE PARTIES AGREE AS FOLLOWS:

1. **Obligation of the Township:** The Township agrees to provide, for the benefit of the Applicant in connection with the Minor Variance application, the following services (which are additional to any services that the Applicant may wish to privately retain from other persons):
 - a) The initial planning evaluation of application, and recommendations if any as to form of application;
 - b) Drafting the Notice;
 - c) Submission of document to District Municipality with supporting information and related conferences with District Planning Staff;
 - d) Research for circulation purposes and mailing of circulation;

and if a Local Planning Appeal Tribunal hearing is necessary and the Township takes a position on the matter:

 - e) Retaining the Municipal solicitor and expert witnesses and preparation for hearing;
 - f) Attendance of the persons described in item (e) at the hearing;
 - g) Correspondence with the Local Planning Appeal Tribunal in respect of its Order, and preparation of any by-laws, agreements, or other materials required by the Tribunal as a result of the hearing.
2. **Applicant's Responsibilities:** The Applicant agrees to provide the Township with the following:
 - a) Any information in the Applicant's possession concerning the planning aspect of the application;
 - b) All surveys as required to process the application;
 - c) The sum of \$1400.00 for an application;
 - d) All legal fees and disbursements paid to the Municipal solicitor, title searcher or conveyance related to the application;

- e) If a Local Planning Appeal Tribunal hearing is required to defend appeals brought before the Local Planning Appeal Tribunal by parties other than the Applicant/Owner or Township, and the Township takes a position on the matter, the sum of \$5,000.00 prior to submission of the request for approval to the Local Planning Appeal Tribunal and this amount shall be applied to the costs referred to in item (f) below, any surplus to be refunded to the Applicant following final approval of the by-law;
 - f) All fees and disbursements paid to the Municipal solicitor and expert witnesses called to testify by the Municipality;
 - g) All disbursements incurred by the Municipality in connection with the application.
3. **Appeal:** If an appeal is taken from the decision of the Local Planning Appeal Tribunal, and the Applicant wishes the Municipality to take an active part in the appeal proceedings, the parties agree that a further agreement as to services and the costs of same will be entered into, failing which the Municipality has no obligation to the Applicant to participate further in the proceedings.
4. **Interim Billing:** Where the Township finds it necessary to make extensive use of professional assistance in preparation for the hearing, or where the hearing is of more than two days in duration, the Township may submit to the Applicant, and the Applicant agrees to pay promptly, interim accounts from time to time in respect of expenses incurred by the Township, payment for which have been made by the Township or invoices for which have been received by the Township.

DATED this _____ day of _____ 20__.

IN WITNESS THEREOF the APPLICANT and the TOWNSHIP have caused their corporate seals to be affixed over the signatures of their respective signing officers.

SIGNED, SEALED AND DELIVERED
in the presence of:

Witness

Signature of Applicant, Solicitor or Authorized Agent

Witness

Signature of Applicant, Solicitor or Authorized Agent

THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

Mayor, Peter Kelley

Clerk, Lauren Tarasuk



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

AUTHORIZATION FOR AN APPLICATION

BY A PERSON OTHER THAN THE LEGAL OWNER(S)

I / We, _____, being
the legal owner(s) of the property described as Lot(s) _____,
Concession(s) _____, Part(s) _____, on Plan(s) _____,
located at Civic Address _____,
in the former Township of _____, now in the Township of
Muskoka Lakes, and having Tax Assessment Roll # _____,
hereby authorize _____ to make

an application for

- Minor Variance Severance Concurrent Severance/Zoning By-law
 Zoning By-law Deeming By-law Site Plan

for the property noted above.

Date

Signature of Legal Owner(s)