

# APPLICATION FOR MINOR VARIANCE OR PERMISSION

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TOWNSHIP OF KING  
PLANNING DEPARTMENT  
2075 KING ROAD  
KING CITY, ONTARIO  
L7B 1A1

(905) 833-5321



King Township  
2075 King Road  
King City, Ontario  
Canada L7B 1A1

Phone: 905.833.5321  
Fax: 905.833.2300  
Website: www.king.ca

### **MINOR VARIANCE APPLICATION GUIDE**

This Minor Variance Application Guide has been prepared for your information. It provides a general outline of the Minor Variance process and requirements.

1. The Fee for an Application to the Committee of Adjustment is **\$1,139.50** (non-refundable), in accordance with Fees By-law No. 2015-115. This fee must be paid at the time of submission of the application and is payable to the **Township of King**.
2. The Application must be completed by the registered owner(s) of the property or his/her agent and returned to the Secretary-Treasurer of the Committee of Adjustment. Where such application is being made by an agent, the written authorization of the owner(s) must accompany the application. For your convenience, an authorization form has been included as part of the Application.
3. The Committee of Adjustment Application must be accompanied by a survey or a detailed sketch (in metric) which shows the following:
  - (a) boundaries and dimensions of the entire property;
  - (b) the location and type of all existing and proposed buildings and/or structures on the land indicating the distance of the buildings and/or structures from the Front Yard lot line, Rear Yard lot line and the Side Yard lot lines;
  - (c) the proposed division(s) of land (if applicable);
  - (d) adjacent land uses.
  - (e) the approximate location of all natural and artificial features on the land and on land that is adjacent to the subject property that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks and beds.
4. The Township of King Building Department Inspection Fee form attached must be completed with fee, if applicable, and submitted to the Secretary-Treasurer of the Committee of Adjustment with the Minor Variance Application form.
5. The Conservation Authority Fee Collection form attached and fee (payable to the appropriate Conservation Authority) must be completed, if required, and submitted to the Secretary-Treasurer of the Committee of Adjustment, together with the Minor Variance application form.



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6. The applicant should be aware that additional Municipal Fees associated with the review process may include Township of King peer review fees which would include independent professional consultants which may be retained at the discretion of the Township to review submissions associated with the application and may include the Township's Engineer, Solicitor or Hydrogeologist, environmental consultants, landscape architects or others. Planning staff will usually be in a position to advise upon submission of the application whether such additional costs are to be anticipated.
7. Upon submission of the completed documents, the Secretary-Treasurer will assign a file number to the application and provide a yellow identification sign which is to be posted on the property as per the instructions attached to the sign. A written notice will be circulated to the owner and/or his/her agent, selected government agencies and all landowners within 60 metres (200 ft.) of the subject lands to inform them of the time and date when the Committee of Adjustment will hold a Public Hearing regarding this application.
8. Applicants are advised that the members of the Committee of Adjustment generally undertake a site visit prior to the scheduled hearing date.
9. Following the decision of the Committee of Adjustment, there is a mandatory 20 day appeal period. If no notice of appeal is received during this period, the Decision of the Committee is final and binding. If an appeal is lodged within this period, the Secretary-Treasurer is required to forward the appeal to the Ontario Municipal Board.
10. It generally takes approximately two (2) months to complete this process. However, if an appeal is filed, an Ontario Municipal Board hearing may be required. As a result, the process may be extended by several months. A flow chart is attached herewith showing the applicable time frames.

**(THIS GUIDE MAY BE DETACHED FOR YOUR INFORMATION)**



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**APPLICATION FOR MINOR VARIANCE  
TO THE COMMITTEE OF ADJUSTMENT**

The undersigned hereby applies to the Township of King Committee of Adjustment under Section 45 of the Planning Act, 1990, as amended, for relief, as described in this application, from By-law Number 74-53, as amended.

1. NAME

(a) Registered Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

(b) Authorized Agent: \_\_\_\_\_  
Firm (if applicable): \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

(c) Name of Mortgagees,  
Holders, Charges, or  
Other Encumbrancers: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone Number: \_\_\_\_\_

**NB: Please include postal code with address.**

(d) Check the name(s) of whom correspondence should be addressed:  
Owner: \_\_\_\_\_ Agent: \_\_\_\_\_



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2. PROPERTY DESCRIPTION

(a) Township Lot(s) or Part Lot(s) \_\_\_\_\_ Concession \_\_\_\_\_  
Reference Plan Number \_\_\_\_\_ Part(s) Number \_\_\_\_\_  
Registered Plan Number \_\_\_\_\_ Lot \_\_\_\_\_  
Street & Street Number \_\_\_\_\_  
(If applicable)  
Assessment Roll Number: 1949.000. \_\_\_\_\_.

(b) Dimensions of Entire property (metric):  
Area \_\_\_\_\_ Frontage \_\_\_\_\_ Depth \_\_\_\_\_

3. TYPE OF APPLICATION (Please indicate)

- \_\_\_\_ (a) Minor Variance to the Zoning By-law  
(Answer Questions 4-6 and 10-18)
- \_\_\_\_ (b) Permission for Enlargement/Expansion of a non-conforming use  
(Answer Questions 7, 8 and 10-18)
- \_\_\_\_ (c) Permission for a change of a non-conforming use  
(Answer Questions 7 and 9-18)

4. IF MINOR VARIANCE: Explain nature and extent of relief applied for:

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5. IF MINOR VARIANCE: Explain why it is not possible to comply with the provisions of the by-law:

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6. EXISTING use(s) of subject property:

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7. EXISTING uses of abutting properties:

North: \_\_\_\_\_  
 South: \_\_\_\_\_  
 East: \_\_\_\_\_  
 West: \_\_\_\_\_

8. IF THE ENLARGEMENT/EXPANSION OF A NON-CONFORMING USE: Explain current use(s) of subject property; length of time existing uses have continued and how use(s) are to be enlarged or expanded:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

9. IF PERMISSION FOR A CHANGE OF NON-CONFORMING USE: Explain current use(s) of subject property; length of time existing use(s) have continued, and proposed use(s):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**FOLLOWING QUESTIONS TO BE COMPLETED FOR ALL APPLICATIONS**

10. PARTICULARS of all buildings and structures on or proposed for the subject land in **METRIC**.

Requirements	Existing Structures			Proposed Structures		
	1	2	3	1	2	3
<b>Structure Type</b>						
Ground Floor Area						
Gross Floor Area						
Number of Storeys						
Length						
Width						
Height						



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11. LOCATION of all buildings and structures on or proposed for the subject land in **METRIC**.

Requirements	Existing Structures			Proposed Structures		
	1	2	3	1	2	3
<b>Structure Type</b>						
Distance From:						
Front Lot Line						
Side Lot Line						
Other Side Lot Line						
Rear Lot Line						

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

13. DATE of acquisition of subject land: \_\_\_\_\_

14. RESTRICTIONS on the land:

Please indicate the nature of any easements or restrictive covenants affecting the subject lands.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15. SERVICES available: (check appropriate spaces):

- (a) Water Supply: Municipal Water \_\_\_\_\_ Private Well \_\_\_\_\_
- (b) Sewage Disposal: Municipal \_\_\_\_\_ Private \_\_\_\_\_ Other \_\_\_\_\_
- (c) Road Access: Township \_\_\_\_\_ Regional \_\_\_\_\_ Provincial \_\_\_\_\_ Private \_\_\_\_\_
- (d) Street Name \_\_\_\_\_  
 (Is the driveway access gated?) Yes \_\_\_\_\_ No \_\_\_\_\_

16. GREENBELT AREA:

Protected Countryside \_\_\_\_\_ Town & Village \_\_\_\_\_  
 Hamlet \_\_\_\_\_ Oak Ridges Moraine Area \_\_\_\_\_

17. REGIONAL Municipality of York Official Plan Designation:

Town & Village \_\_\_\_\_ Rural Policy Area \_\_\_\_\_  
 Agricultural Policy Area \_\_\_\_\_ Holland Marsh Area \_\_\_\_\_



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18. PRESENT Official Plan provisions applying to the land:  
Document:

Designation: \_\_\_\_\_  
Applicable Sections: \_\_\_\_\_

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 \_\_\_\_\_

If the answer is yes, describe briefly: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

21. Is the subject property the subject of a current application under the Authority of the Planning Act, 1990, as amended? (Consent, Zoning Amendment, Official Plan Amendment)?

Yes \_\_\_\_\_ No \_\_\_\_\_





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CERTIFICATE - (to be signed by Owner, if Agent has been appointed)

As of the date of this application, I am the registered Owner 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:

\_\_\_\_\_ Of \_\_\_\_\_  
who I have appointed as my Agent.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Signature of Owner(s)

AFFIDAVIT

I, \_\_\_\_\_ of the \_\_\_\_\_  
in the Region 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 \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Commissioner, Etc.

\_\_\_\_\_  
Registered Owner(s) or Agent

**Personal information on this form is collected under the legal authority of the Planning Act, R.S.O. 1990, C.P.13 as amended. This information will be used to process an application for Minor Variance and Consent for the Committee of Adjustment. Information on this application and any documentation submitted in support of or in opposition, becomes the property of the Township of King. This information is collected and maintained for the purpose of creating a record that is available to the general public pursuant to s.1.0.1 Information and material that is required to be provided to a municipality or approval authority under the Planning Act shall be made available to the public. Questions about this collection should be directed to the Secretary-Treasurer, Township of King, L7B 1A1 (905) 833-5321.**



# Township of King

## COMMITTEE OF ADJUSTMENT

### SIGN REQUIREMENT

### NOTICE TO OWNER/AGENT

Please be advised that in order to give proper notice of the Public Hearing respecting the application, the Planning Act requires that an information sign be placed on the subject property prior to the Hearing.

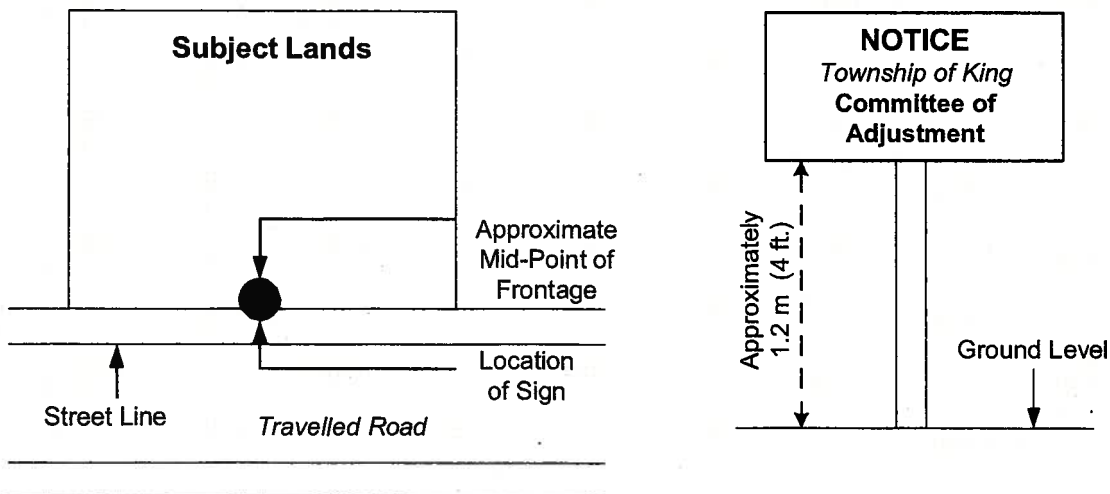
Accordingly, a sign will be provided by the Township indicating the nature of the application, the hearing date and file number. This sign should be posted as soon as it is received, in the manner shown below or attached to an appropriately located existing feature such as a fence or pole which provides adequate visibility from the road.

Failure to post the sign will result in the hearing of the application being delayed.

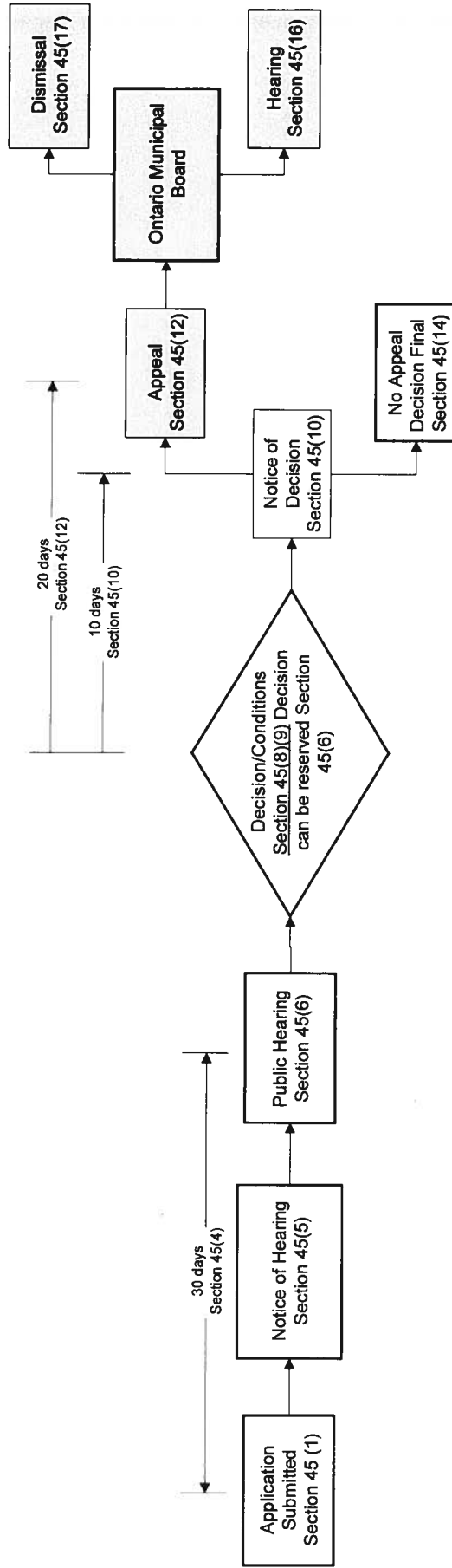
**PLEASE ENSURE THAT A SIGN IS OBTAINED FROM THE TOWNSHIP OF KING AT THE TIME OF SUBMISSION OF THE APPLICATION.**

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### TYPICAL EXAMPLE



# Township of King Minor Variance Process



## LEGEND

 Committee of Adjustment Process

 Ontario Municipal Board (OMB) Process

Please note that the section numbers refer to the Ontario Planning Act, R.S.O., 1990 c.P.13

\* Any person may appeal the decision or any conditions within 30 days

\*\* Committee of Adjustment Secretary/Treasurer to forward record within 15 days



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**BUILDING DEPARTMENT - INSPECTION FEE**

Registered Owner: \_\_\_\_\_

Township Lot: \_\_\_\_\_ Concession: \_\_\_\_\_

Part/Lot: \_\_\_\_\_ Registered/Reference Plan: \_\_\_\_\_

Municipal Address: \_\_\_\_\_

\_\_\_\_\_

Tax Roll No.: \_\_\_\_\_

\_\_\_\_\_  
(Please Print)

Owner / Agent: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

As part of the Planning approval process, your application must be circulated to the Township of King Building Department. The Building Code Act, R.S.O. 1997, allows for the collection of a user fee to pay a portion of the inspection and administration costs.

A fee payable by cheque, cash, or money order to the Township of King, as allowed for by by-law 98-162, must accompany your application.

**A fee is not payable under the following circumstances.**

If the new lot is:

1. Serviced by municipal sanitary sewers.

**Consent Applications Only:**

2. Comprises a public highway;
3. Designated for the purpose of an easement;

4. Larger than 4 hectares (10 acres);
5. Land on which the owner lives and from which he derives his chief source of income by farming, where no person other than the applicant and one or more members of his immediate family \* are parties to the transaction for which the application is made.

\*(immediate family means child, son-in-law, daughter-in-law, parent, stepchild, grandchild, grandparent, legal guardian)

APPLICATION TYPE	APPLICATION FEE	NUMBER OF LOT(S) OR APPLICATION(S)	FEE AMOUNT PROVIDED	EXEMPT (STATE NO.)
Official Plan Amendment	\$200.00 / application			
Zoning / By-law Amendment	\$200.00 / application			
Plan of Subdivision up to 3 reviews	\$300.00 / lot or block			
Site Plan	\$200.00 / application			
Consent / Severance (proposed and remaining)	\$200.00 / lot			
Minor Variance	\$200.00 / application			

**NOTE:** Only one set of application fees (the highest fee) will apply when processing and reviewing consolidated application circulation. Additional fees may apply to applications which require extensive investigation (i.e. reports) by Building Department staff. The applicant will be informed of these additional fee requirements if applicable.



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**SITE SCREENING QUESTIONNAIRE**  
**CONTAMINATED SITES**

**TO BE COMPLETED WITH ALL DEVELOPMENT APPLICATIONS  
 SUBMITTED TO THE TOWNSHIP OF KING PLANNING DEPARTMENT**

This form must be completed for all development applications where a Phase 1 Environmental Site Assessment in accordance with the Ministry of Environment and Energy's Guideline for Use at Contaminated Sites in Ontario **is not provided.**

**SUBJECT LANDS:**

Registered Owner: \_\_\_\_\_

Township Lot: \_\_\_\_\_ Concession: \_\_\_\_\_

Part/Lot: \_\_\_\_\_ Registered/Reference Plan: \_\_\_\_\_

Municipal Address: \_\_\_\_\_

Tax Roll No.: \_\_\_\_\_

**SITE AND PROPERTY HISTORY:**

Condition	Yes	No
Is the application on lands or adjacent to lands previously used for Industrial uses?		
Is the application on lands or adjacent to lands previously used for commercial uses where there is a potential for site contamination, e.g., a gas station or a dry-cleaning plant?		
Is the application on lands or adjacent to lands where filling has occurred?		
Is the application on lands or adjacent to lands where there may have been underground storage tanks or buried waste on the property?		
Is the application on lands or adjacent to lands that have been used as an orchard, and where cyanide products may have been used as pesticides?		
Is the application on lands or adjacent to lands previously used as a weapons firing range?		
Is the nearest boundary of the application within 500 metres (1,640 feet) of the fill area of an operating or former landfill or dump?		
If there are existing or previously existing buildings, are there any building materials remaining on the site which are potentially hazardous to public health (e.g. asbestos, PCB's etc.)?		
Is there any other reason to believe that the lands may have been contaminated based on previous land use?		

If the answer to any of the above Questions was Yes, a Phase 1 and Phase 2 Environmental Site Assessment, in accordance with the Ministry of Environment and Energy's Guideline for Use at Contaminated Sites in Ontario, is required. PLEASE SUBMIT TWO COPIES WITH YOUR APPLICATION.

Has an Environmental Site Assessment been prepared for this site within the last 5 years, or is an Environmental Site Assessment currently being prepared for this site? If Yes, please submit two copies of the Phase 1 Assessment with the application.	Yes	No
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**DECLARATION:**

This form must be completed, signed, and stamped by a Professional Engineer, and by the Property Owner.

To the best of my knowledge, the information provided in this questionnaire is true, and I do not have any reason to believe that the subject site is contaminated.

**Consulting Engineer:**

Name (Please Print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**Property Owner, or Authorized Officer:**

Name (Please Print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Company (If Applicable): \_\_\_\_\_

Title of Authorized Officer: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_