



**City of Kenora**  
**Application for Minor Variance**  
Section 45 of the Planning Act & Ontario  
Regulation 200/96

A minor variance is a small variation from the requirements of the zoning by-law. A minor variance is a certificate of permission, because it allows the property owner to obtain a building permit, even though their property does not comply precisely with the zoning by-law. The zoning by-law is a broad document that regulates the disposition of land throughout the entire City. There are some cases where property owners desire to develop their property in a way that does not precisely comply with the zoning by-law, yet still maintains the general character of the surrounding neighbourhood, and has a minimal overall impact. All minor variance decisions are made by the Kenora Planning Advisory Committee/Committee of Adjustment (PAC).

The Planning Advisory Committee/Committee of Adjustment (PAC) is a committee delegated by Council under the Planning Act to make land use planning decisions regarding minor variance applications, consents, and plans of subdivision and condominium descriptions. Planning Advisory Committee meetings are generally held on the third Tuesday of every month at the City of Kenora Operations Centre Boardroom, 60 Fourteenth Street North, 2<sup>nd</sup> Floor. All applicants and/or agents must attend the PAC meeting to speak to the application.

Please note that the City has developed a checklist to guide you through the planning/approval process. It is available on the City's portal at [www.kenora.ca](http://www.kenora.ca).

Please detach the first eight (8) pages and retain for future reference.

#### GENERAL OVERVIEW AND GUIDELINES

- Pre-Consultation:** The City of Kenora's Official Plan requires that applicant(s) attend a pre-consultation meeting with the Planning Department prior to formally submitting this application. Please ensure that you call ahead to arrange an appointment with Planning Staff at least one week prior to your preferred meeting date.
- Applicants are also encouraged to consult with neighbours about their application prior to submission.
- For further information, or to make an appointment, please contact:
- Tara Rickaby, Planning Administrator - Tel: (807) 467-2059 or [trickaby@kenora.ca](mailto:trickaby@kenora.ca)
- Proof of Ownership:** Proof of ownership (deed) or assessment roll number (tax bill) shall accompany each application.
- Fee:** The transaction fee for a minor variance application is \$325.00. Please make cheques payable to the Corporation of the City of Kenora. Payments may be made by cash or cheque only, or by debit/credit if paid at City Hall.
- Application:** The City of Kenora requires (1) original copy of the application along with any required supporting documents/report(s), together with the prescribed application fee or receipt for payment in order for the application to be deemed complete and be processed. All required information must also be provided electronically.
- Applications can be picked up from the Planning Department located at the Operations Centre or downloaded from the City of Kenora website.
- The Planning Act requires that the applicant shall provide all prescribed information contained within this application. Failure to provide this mandatory information shall render the application incomplete and unable to be processed. Please answer all questions in full detail.

The Planning Advisory Committee may require that a survey of the subject property be a condition of approval for the application. The most recent survey of the property should be attached with the application.

Applications must be filled out in Blue or Black ink only. Applications completed in pencil or other colours of ink will not be accepted. If submitting photocopies of your application, the original copy must also be filed.

If the application is being submitted concurrently with another application (ie. for consent) each application must be complete.

All proposed building areas should have the corners identified by stakes with red flagging.

Some applications will require clearance letters from the Northwestern Health Unit. Please contact the NWHU at 807-468-3147 for information with respect to private sewage systems.

If access to the subject property is via a Provincial Highway, the Ministry of Transportation (MTO) must be consulted. Please call or visit the local office of the MTO for further information.

Applications shall be signed by the owners(s) or agent in the presence of a Commissioner of Oaths. The City Clerk is a Commissioner. Where an agent or solicitor is authorized to make the application on behalf of the owners(s), their signature shall be witnessed.

Required information, which must accompany your application, and information regarding the current Official Plan and Zoning Designations of your property may be obtained from the Planning Department online at [www.kenora.ca/planning](http://www.kenora.ca/planning). The Provincial Policy Statement (2014) is available online as well.

The Planning Act, R.S.O. 1990 (as revised) and Ontario Regulation 200/96, of the Planning Act are available online at: [www.ontario.ca/laws](http://www.ontario.ca/laws)

All applications will be circulated for review and comment to a number of City Departments (such as Planning, Engineering, Building, Parks, Roads, Fire and Emergency Services, Hydro etc., and legislated outside agencies). All applications will also be circulated to all property owners within a 60 metre radius of the subject property. Notices of the application must be given at least 10 days prior to the public meeting and therefore applications must be received and deemed complete at least 21 days prior. Pre-consultation is required, please make an appointment to review your application at least 1 month in advance of the next scheduled PAC meeting.

<b>Sketch:</b>	A sketch or site plan, preferably prepared to scale by a professional must be submitted as part of each application. The requirements for the sketch will be outlined later in this form.
<b>Authorization:</b>	Should an agent or solicitor represent the applicant(s), written authorization from the applicant(s) must accompany the application.
<b>Posting of Signs:</b>	The Planning Act requires that a “notice of hearing” sign be posted on the subject property at least 10 days prior to the public hearing. Failure to comply with this may result in your application being removed from its scheduled Planning Advisory Committee Agenda. The Planning Department will provide the sign for the applicant.
<b>OMB Cost Recovery:</b>	The applicant acknowledges that if an Ontario Municipal Board hearing is required, that they will be subject to the City of Kenora OMB cost recovery policy for OMB appeals. An undertaking is provided as part of this application and forms part of a complete application.
<b>Special Studies:</b>	Applicants are advised that special studies may be required as part of the application depending on the nature of the proposal. Such studies may include: Environmental Impact Statement (EIS), Heritage Impact Assessment, Lake Capacity Study, Fishery Assessment, Transportation/Traffic Impact Study,

Stormwater management study etc. A full list of potential required studies can be found in Section 8.10 of the Official Plan.

### STEPS IN THE PROCESS

**Step 1:** Applicant will pre-consult with Planning Staff.

**Step 2:** Applicant submits application after consulting with Planning Staff and other relevant departments or agencies.

**Step 3:** Application is deemed complete by Planning Staff and assigned to next Planning Advisory Committee meeting.

**Step 4:** Application is assigned a file number and notices are sent to neighbouring property owners and relevant agencies. Applicants will post sign on property and staff/committee members will conduct a site visit.

**Step 5:** Planning Advisory Committee will approve or refuse the application. Decisions may be tabled to future meeting. Complex applications may require more than one meeting before obtaining approval. Staff will make a recommendation to the Committee on all applications. New conditions of approval may be added at a meeting as well.

**Step 6:** If no appeals to the Ontario Municipal Board are received then the decision is final and binding.

**Step 7:** If a decision is appealed the file will be sent to the Ontario Municipal Board, who will render a final decision.

### Why Problems Occur With Applications

There are several common reasons why problems occur with planning applications:

- The application is rushed in order to meet a cut-off date. Take proper time and care to complete the application properly. Planning staff are available to assist the applicant through the approval process, but are not permitted to fill out an application form for an applicant or provide design advice to a member of the public.
- You have not pre-consulted with the Planning Department. Consult the planning department regarding the subject property Zoning and Official Plan designation before submitting an application.
- The Application is not completed properly. Consider hiring a professional for complex applications
- The planning rationale is not provided. Provide a clear, simple written description of your proposal and describe why it should be approved. If the application is unclear and/or incomplete the notice may be made in error or the application deemed incomplete which may result in further delay and additional costs. Even where staff has deemed an application complete, Council may request additional information before rendering a decision.
- Staff will conduct a site visit for each application prior to its scheduled public meeting. If features are found on site that are not referred to in your application sketch, your application may be delayed.

It is recommended that the applicant/owner/agent is prepared for a pre-consultation meeting with staff before submitting the application. The meeting itself is a mandatory requirement that is free of cost to the applicant and can help raise potential issues that would otherwise arise later causing further delays. Planning Staff will also direct the applicant to other internal departments or external agencies they may need to consult before an application may be approved.

- In order to prepare for the pre-consultation meeting;
  - Prepare an accurate scaled sketch to portray the request
  - Bring a property survey to the meeting if available
  - Consult relevant City planning documents and have questions prepared regarding the applicable municipal and/or Provincial policies

### Frequently Asked Questions (FAQ):

#### When might a Minor Variance be required?

A minor variance is required when an individual desires a development that represents a slight deviation from the zoning by-law yet still maintains its overall intent.

**How is my application evaluated?**

All Minor Variances are reviewed based on the following four tests. Applications must pass all four tests. If an application fails any one of the following four tests, then the variance cannot be approved. Staff will use these four tests as the basis and criteria for their review and recommendation. The Kenora Planning Advisory Committee/Committee of Adjustment bases their decision upon these four tests. The Committee does not use precedent or past decisions for basing decisions; all applications will be considered on their own merit, on a case by case basis. If the application is appealed to the Ontario Municipal Board, the OMB must base their decision on these four tests.

Test	Criteria
Does the proposed variance meet the general intent and purpose of the City of Kenora's Official Plan?	This test takes into account the Official Plan polices that are directly associated with the proposed variance (Land use designations, special policy overlays, environmental issues, hazards etc.)
Does the proposed variance meet the general intent and purpose of the City of Kenora's Zoning By-law?	This takes into account the specific provisions of the zoning by-law that apply to the subject property, with regards to the types of uses permitted. For example, proposing to construct a commercial woodworking manufacturing shop in a residential zone would not meet the intent of the Zoning By-law even if the proposition complied with all setback, lot coverage etc. requirements.
Does the proposed variance represent an appropriate and reasonable use of the subject property?	This test takes into account the nature of the proposed variance with regards to the character of the surrounding neighbourhood.
Is the proposed variance minor in nature?	This test reviews the anticipated impact of the variance on the surrounding neighbourhood and property owners, the environment, traffic concerns etc. This is not measured in quantitative mathematical form, but in terms of the overall impact to the community. For example constructing a 500 square foot addition to a house for a private workshop compared to a 500 sq. foot addition for an auto wrecking facility are the same mathematically, however the latter has a much greater impact on the surrounding community.

**If someone from the public objects to my application at the meeting is my application automatically refused?**

NO. The Committee of Adjustment/Planning Advisory Committee must weigh all evidence presented at the public meeting and make a determination on that basis. The Kenora Planning Advisory Committee will use input from the public, section 45 of the Planning Act, the Provincial Policy Statement (2014), City of Kenora Official Plan (2015), Zoning By-law No. 101-2015 as amended, and the statutory four tests for evaluating a minor variance when considering their decision.

**Do I get my application fee refunded if my application is refused?**

NO. City staff time and costs are incurred regardless of the outcome of the application.

**What can I do if my application is refused by the PAC?**

You may file an appeal to the Ontario Municipal Board (OMB), in accordance with their requirements.

**What if my application is approved but a neighbour or other third party is unhappy with the approval?**

They have the same appeal rights that you do. Although only residents within a 60m radius of the subject property are circulated notices regarding the minor variance, any member of the public can speak at the meeting or submit written comments to the PAC. Any member of the public can file an appeal to the OMB. Only individuals and/or agencies that make written or oral submissions at or prior to the scheduled public meeting may file an appeal to the Ontario Municipal Board.

**How long does the application process take?** The Committee of Adjustment/Planning Advisory Committee will take approximately 3-4 weeks from the day your application is deemed complete by City staff to render a decision. The Planning act requires that decisions on minor variance applications must be made within 30 days of the application being deemed complete. Your approval is not in effect until the 20 day appeal period following the notice of decision has ended. In cases where an appeal is lodged, the decision is not final until it has been dealt with by the Ontario Municipal Board.

### **How can I get involved if I receive notice?**

If you have received notice, or have additional questions, about a minor variance application that may affect you, you can:

- Contact the City of Kenora Planning Department to find out more information about the application
- Discuss your concerns with the Kenora Planning Advisory Committee, when attending the statutory public meeting
- Write to the Kenora Planning Advisory Committee, by the date specified on the notice you received or indicated on the sign located on the subject property

### **What could affect the outcome of my application?**

- Valid objections from neighbours or a third party ("Do not like it because do not like it" is not valid).
- Comments from one or more departments or external agencies.
- What departments and agencies are circulated?
  - Northwestern Health Unit (NWHU)
  - Roads Department
  - Operations
  - Planning Department
  - Engineering
  - Building Department
  - Parks and Recreation
  - Ministry of Transportation, Environment, Natural Resources (if applicable)
  - Department of Fisheries and Oceans (if applicable)
  - Kenora Hydro (if applicable)
  - Propane operators (if applicable)
  - Others as determined by the City of Kenora
  - Other agencies as required by the Planning Act

## **Planning Rationale**

A Planning Rationale is a document that will provide an overall description, justification and rationale for understanding the proposed development application, and intended to help the applicant organize and provide written support for the application. The document will assist staff and the approval authority, in the assessment and recommendation for the application. A planning rationale must accompany each application.

### **What is the purpose of a planning rationale?**

A planning rationale is required as part of an application in order to:

- A) Provide a clear description and understanding of the proposal
- B) Provide an opportunity, at the outset, to establish why the proposal should be considered
- C) To highlight important information specific or particular to the application (ie. special history, different circumstances, unique site conditions, etc.)
- D) To enable staff to analyze and prepare recommendations on the application

It is not intended to be a personal analysis or business case for a proposed development, rather it should examine the impact of the proposal on the surrounding area, and vice versa.

### **Who can prepare a planning rationale?**

Depending on the complexity of the application, the information requirements can be addressed in a letter, or a longer report. The material can be prepared by the owner, an agent, the applicant or by a member of a consulting team, depending on the nature of the application.

For a complex application it is recommended that a planning professional be retained to prepare the planning rationale. The benefits to the applicant, of hiring a planning professional, can be significant in presenting the proposal in its best form, which may result in cost and time savings, as well as making the approval process as efficient as possible.

**Under what authority can a planning rationale be requested?**

The Planning Act, R.S.O. (1990 as revised) gives a Municipality the authority to require that a planning rationale be prepared as part of any development application. The City of Kenora's Official Plan (2015) also provides this authority.

**What, specifically does a planning rationale contain?**

A Planning Rationale shall contain and/or address, at a minimum, the points listed below. The failure to address the following points may result in the application being considered incomplete.

- A) Provide a physical description of the site, including descriptions of current land use(s) and surrounding land uses, context and/or built form
- B) Include a description of the site's planning history, including previous planning approvals and/or agreements (ie. site plan agreement, site-specific zoning by-laws etc.) and provide copies of the pertinent documents
- C) Include a description and overview of the proposal, including any major features or attributes (such as use, height, density, parking, architectural design, natural heritage features, etc.)
- D) Describe the suitability of the site, and indicate reasons why the development is appropriate for the site and will function well to meet the needs of the intended future users
- E) Provide a detailed analysis of the compatibility of the proposed development or land use designation with the existing adjacent developments and land use designations
- F) Provide justification that the proposal is appropriate land use planning, including any details of measures that are to be used to mitigate negative impacts (such as site plan control)
- G) Describe the impact of the proposed development on the natural environment
- H) Describe the impact of the proposed development on municipal services (ie. sewage collection and treatment systems, water distribution and treatment systems, utilities, roads, hydro services, parking, community facilities, parks and open spaces etc.)
- I) Describe how your application meets the four tests for approving a minor variance
- J) Indicate whether there are other planning approvals require, and if those necessary applications have been filed (ie. Official Plan or Zoning By-law amendment, Site plan Control agreement, site plan approval, minor variance, draft plan of subdivision or condominium etc.)
- K) Provide a draft of the proposed text and mapping (Official Plan/Zoning By-law amendment only), if applicable
- L) Indicate how the proposed development is consistent with the Provincial Policy Statement (PPS) - (2014) and provide any other Planning Act considerations that are relevant. If you are not familiar with these documents, please contact the City of Kenora Planning Department or access the City's portal, [www.kenora.ca](http://www.kenora.ca) or the Ministry of Municipal Affairs and Housing website at [www.mah.gov.on.ca](http://www.mah.gov.on.ca)
- M) Describe how the proposal conforms to the general purpose and intent and goals of the City of Kenora's Official Plan and complies with the City's Zoning By-law
- N) Describe how the proposal is appropriate and desirable development for the land and is minor in nature
- O) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies
- P) Indicate whether the proposal complies with any other relevant City documents and Planning Policies/Secondary Plans etc. (Black Sturgeon Lake Capacity and Management Report, Waterfront Development Guidelines, etc.)

**This Application must be submitted to:**

Tara Rickaby, Planning Administrator & Secretary-Treasurer, AMCT, ACST  
Planning Department & Planning Advisory Committee  
60 Fourteenth Street North, 2nd Floor  
Operations Centre - Kenora, ON P9N 4M9

Telephone: 807-467-2059  
Email: [trickaby@kenora.ca](mailto:trickaby@kenora.ca)  
Fax: 807-467-2246

## **Prescribed Information**

**Personal Information collected within this document will be used to assist City staff to process this application and will be made public. The information prescribed in this application is contained in Ontario Regulation 200/96, of the Planning Act, R.S.O. 1990 (as revised).**

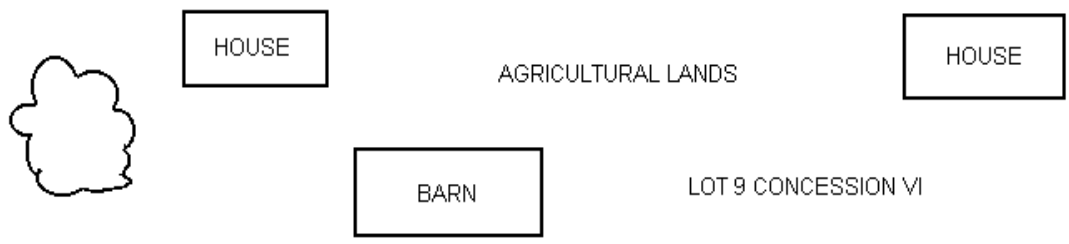
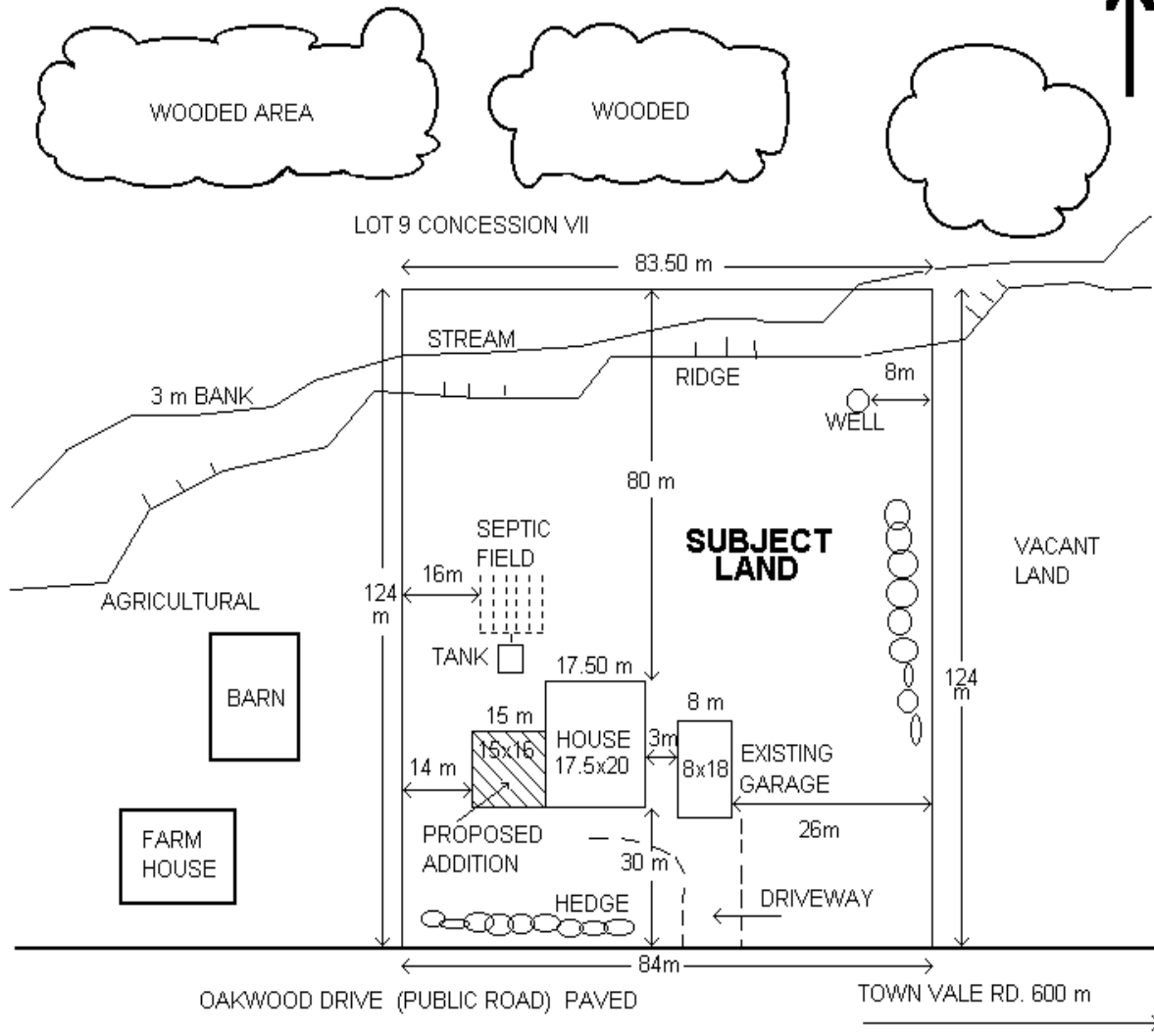
**The undersigned hereby applies to the Planning Advisory Committee for the City of Kenora under Section 45 of the Planning Act, R.S.O. 1990 (as revised), for a minor variance, as described in this application.**

**This application also sets out other information that will assist the Committee of Adjustment/Planning Advisory Committee in their evaluation of the application and Staff review. In the absence of this information, it may not be possible to do a complete review within the legislated timeframe for making a decision. As a result, the application may be refused.**

**It is the sole responsibility of the authorized agent and/or owner to ensure that this application form is complete and that the information provided is accurate and correct. This application form will not be accepted until all required questions have been answered and all other requirements have been satisfied.**

Sample Sketch

AREA OF SUBJECT LANDS - 0.79 hectares







**City of Kenora**  
**Application for Minor Variance**  
 Section 45 of the Planning Act & Ontario  
 Regulation 200/96

**Office Use Only**

Date Stamp - Date Received: _____	File Number: _____ Roll Number: _____ Date Received: _____ Application Fee Paid: _____ Application Deemed Complete (Date): _____
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**1.0 - REQUIREMENTS/CHECKLIST FOR A COMPLETE APPLICATION:**

Note: If the information below is not received the application cannot be deemed complete.

- Pre-consultation meeting
- 1 copy of the completed application form
- 2 copies of any reports/letters of support etc.
- Entrance Permit or MTO clearance if fronting a Provincial Highway
- Sketch as per the requirements of Ontario Regulation 200/96
- 2 copies of information/reports as indicated on application form
- The required application fee of \$325.00 as per the schedule of fees By-law
- Planning Rationale
- Required studies identified at pre-consultation or any other time (See section 8.10 of the Official Plan for full list of studies)
- Authorization
- Electronic version of all required information (i.e. Reports/studies etc.)
- Ontario Municipal Board (OMB) cost recovery undertaking
- Proof of Ownership

**2.0 - CONCURRENT APPLICATIONS FILED**

Please check if you have filed any concurrent applications:

<input type="checkbox"/> Official Plan Amendment	<input type="checkbox"/> Plan of Subdivision or Condominium
<input type="checkbox"/> Site Plan Application	<input type="checkbox"/> Other (Please Specify): _____
<input type="checkbox"/> Consent	<input type="checkbox"/> Zoning By-law Amendment

**3.0 - APPLICANT INFORMATION**

**SUBJECT PROPERTY INFORMATION**

Civic Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
Registered Plan Number	M-			
Legal Description				
Reference Plan Number	23R-			
Lot No.(s)/Block No.(s)				
Concession Number(s)/PT LOT				
Part Numbers(s)				
Tax Roll Number	6016			

**OWNER/APPLICANT INFORMATION**

Check Appropriate Box:	<input type="checkbox"/> Person(s)		<input type="checkbox"/> Company	
Registered Land Owner	Surname:		First Name:	
Mailing Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
City			Province:	
Contact Information	Phone:		Fax:	
Email				
Acquisition Date of Subject Land				

**AGENT/SOLICITOR INFORMATION**

Company or Firm Name				
Name	Surname:		First Name:	
Mailing Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
City			Province:	
Contact Information	Phone:		Fax:	
Email				

**MORTGAGES, ENCUMBRANCES, HOLDERS OF CHARGES ETC. OF SUBJECT LAND**

Company				
Contact Person	Surname:		First Name:	
Mailing Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
Contact Information	Phone:		Fax:	
Email				

**4.0 - PLEASE LIST THE REPORTS AND/OR STUDIES THAT WILL ACCOMPANY THIS APPLICATION**

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**5.0 - LAND USE DESIGNATION (Please see [www.kenora.ca/planning](http://www.kenora.ca/planning) for schedules/maps)**

What is the current Official Plan Designation of the subject property?

\_\_\_\_\_

What is the current Zoning By-law designation of the subject land and the uses permitted by that zone?

**6.0 - NATURE AND EXTENT OF RELIEF REQUESTED**

Section of Zoning By-law No.	Zoning Provision	Proposed Provision	Relief Required

**7.0 - PLEASE EXPLAIN THE EXTENT OF THE PROPOSED VARIANCE AND WHY IT IS NOT POSSIBLE TO COMPLY WITH ZONING BY-LAW NO. 101-2015 AS AMENDED.**

**8.0 - PROPERTY CHARACTERISTICS**

Frontage (metres): \_\_\_\_\_ Depth (metres): \_\_\_\_\_ Area (m<sup>2</sup> or Ha.): \_\_\_\_\_

Existing Use of subject land: \_\_\_\_\_

Proposed Use (if applicable): \_\_\_\_\_

Length of time that the existing uses have continued? \_\_\_\_\_

**Type of Access:**

- Municipal Maintained Road       Seasonally Maintained Municipal Road       Provincial Highway  
 Private Road or Laneway       Water       Other Public Road

\* If access is by water only please describe the parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road:

\*If access is by private road, or other public road, please state who owns the land or road, and who is responsible for its maintenance and whether it is maintained seasonally or all year. Please attach a copy of the registered easement/agreement if available

**Water Supply:**

- Municipal Water       Private Well       Communal Well  
 Lake       Other: \_\_\_\_\_

<b>Sewage:</b>			
<input type="checkbox"/> Municipal Sewer	<input type="checkbox"/> Private Septic System/Field	<input type="checkbox"/> Communal Septic System/Field	
<input type="checkbox"/> Privy	<input type="checkbox"/> Other: _____		
<b>Site Drainage:</b>			
<input type="checkbox"/> Storm Sewers	<input type="checkbox"/> Swales	<input type="checkbox"/> Ditches	<input type="checkbox"/> Other

**9.0 - SKETCH**

A sketch or site plan, preferably prepared to scale by a professional shall be submitted as part of each application. The sketch or site plan must clearly demonstrate:

- i. The boundaries and dimensions of the subject land.
- ii. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- iii. The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land 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.
- iv. The current uses on land that is adjacent to the subject land.
- v. 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.
- vi. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- vii. the location and nature of any easement affecting the subject land.

All necessary information must be contained on one single sketch or site plan.

Applications and plans will be accepted in Metric only (1 foot = 0.3048 metres, 1 acre = 0.4046 hectares). The maximum size for the accompanying sketch/site plan shall be 11"x 17". If there is information provided on larger sizes, at least one copy shall be provided on the 11"x 17" format. Elevation drawings shall also be provided if applicable.

A copy of the most recent available survey of the subject property completed by a registered Ontario Land Surveyor (OLS) should also accompany the application.

**10.0 - BUILDINGS/STRUCTURES ON SUBJECT PROPERTY\*** Dimensions must match those indicated on the required sketch

**Existing Structures:**

	Principle	Accessory	Accessory	Parking
Ground Floor Area				
Total Gross Floor Area				
Number of Storeys				
Length				
Width				
Height				
Front Yard Setback				
Rear Yard Setback				
Side Yard Setback				
Side Yard Setback				
Date Constructed				
Lot Coverage (%)				
Floor Area Ratio				

**Proposed Structures:**

	Principle	Accessory	Accessory	Parking
Ground Floor Area				
Total Gross Floor Area				
Number of Storeys				
Length				
Width				
Height				
Front Yard Setback				
Rear Yard Setback				
Side Yard Setback				
Side Yard Setback				
Date Constructed				
Lot Coverage (%)				
Floor Area Ratio				

\*Please place an asterisk next to any existing buildings that will be removed as part of the application.

\*Please indicate whether the side yards are interior or exterior.

**Other Services (Check box if the service is available):**

- Electricity
  School Buses
  Garbage Collection

**11.0 - EASEMENTS**

Are there any easements or restrictive covenants affecting the subject lands?  YES  NO

If Yes, please describe each easement and/or covenant and its effect:

Reference Plan Number	Instrument Number	Purpose of Easement and/or Covenant (e.g. hydro, utility, sewer, etc.)

**12.0 - OTHER APPLICATIONS UNDER THE PLANNING ACT**

Has the subject land ever been the subject of an application for approval of any of the following?

Draft Plan of Subdivision	File No.:	Status:
Condominium Description	File No.:	Status:
Official Plan Amendment	File No.:	Status:
Zoning By-law Amendment	File No.:	Status:
Minister's Zoning Amendment	File No.:	Status:
Site Plan Application	File No.:	Status:
Consent	File No.:	Status:
Minor Variance	File No.:	Status:
Part Lot Control	File No.:	Status:
Other (Please Specify)	File No.:	Status:

**13.0 - IS THE EFFECT OF THE PROPOSED VARIANCE CONSISTENT WITH POLICY STATEMENTS ISSUED UNDER SUBSECTION 3(1) OF THE PLANNING ACT?**

Please state how this application is consistent with the 2014 Provincial Policy Statement (PPS).

**14.0 - ADDITIONAL INFORMATION**

Please provide any additional information that you feel would be beneficial to the application:

**15.0 - DIRECTIONS**

Please provide directions to the subject property:

**16.0 - AUTHORIZED AGENT/SOLICITOR**

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner(s) that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

I/We \_\_\_\_\_, am/are the owner(s) of the land that is subject of this application for a minor variance and I/We hereby authorize \_\_\_\_\_ to make this application on my/our behalf and to provide any of my personal information that will be included in this application or collected during the processing of the application.

\_\_\_\_\_  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_  
Signature of owner(s)

**17.0 - SWORN DECLARATION OR AFFIDAVIT**

I, \_\_\_\_\_ of the \_\_\_\_\_ in the province of \_\_\_\_\_, make oath and say (or solemnly declare) that the information required under Ontario Regulation 200/96, and provided in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the \_\_\_\_\_ in the \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_

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

\_\_\_\_\_  
Applicants(s)

**18.0 - PRIVACY CONSENT/FREEDOM OF INFORMATION DECLARATION**

Consent of Owner(s) to the use and disclosure of personal information and to allow site visits to be conducted by City Staff, members of the Planning Advisory Committee or Council members.

I/We, \_\_\_\_\_ being the registered owner(s) of the lands subject of this application, and for the purpose of the Freedom of Information and Protection of Privacy Act, hereby authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act (R.S.O. 1990 as amended) for the purposes of processing this application.

I/We also authorize and consent to representatives from the City of Kenora and the persons and public bodies conferred with under the Planning Act (R.S.O. as amended) entering upon the subject lands of this application for the purpose of conducting any site inspections as may be necessary to assist in the evaluation of the application.

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

Owner(s) Signature

**PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED PURSUANT TO THE MUNICIPAL ACT, AND WILL BE USED FOR THE PURPOSE OF PROCESSING AND APPROVAL OF THIS APPLICATION AND ASSOCIATED APPLICATIONS. QUESTIONS ABOUT THIS COLLECTION SHOULD BE DIRECTED TO: FREEDOM OF INFORMATION AND PRIVACY COORDINATOR, CITY OF KENORA, ONE MAIN STREET SOUTH, KENORA, ON P9N 3X7 - (807) 467-2295.**



**19.0 - UNDERTAKING FOR ONTARIO MUNICIPAL BOARD APPEAL**

TO: CITY OF KENORA

FROM: Name: \_\_\_\_\_

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

SUBJECT: APPLICATION FOR MINOR VARIANCE

Address of Site: \_\_\_\_\_

*Where the City of Kenora substantially supports the application for Minor Variance,*

Name of Applicant: \_\_\_\_\_

Hereby undertakes to pay, in accordance with the Ontario Municipal Board cost recovery policy of the City of Kenora, upon receipt of invoice from the City, any and all legal costs, including all disbursements of the City, all legal expenses beyond the first \$1,000 and deposit \$4,000 with the City upon notice of the hearing in the event of a site specific third party appeal.

AND

In the event of a policy or major issue third party appeal, hereby undertakes to pay, in accordance with the Ontario Municipal Board cost recovery policy of the City of Kenora, upon receipt of invoice from the City, any and all legal costs, including disbursements of the City. The applicant shall deposit a sum of \$10,000 to the City of Kenora upon receipt of the notice of hearing. In instances where the municipality and applicant share a solicitor, the City of Kenora will fund fifty percent of the total expenses with an upset limit of \$5,000. The applicant will be responsible for any expenses above and beyond this point.

It is hereby acknowledged that "hearing" shall include all attendances before the Board in respect of the said application whether in person, telephone call or other means as directed by the Board.

Dated at City of Kenora this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

*Where the City of Kenora refuses the application for Minor Variance,*

Name of Applicant: \_\_\_\_\_

Hereby undertakes to pay, in accordance with the Ontario Municipal Board cost recovery policy of the City of Kenora, upon receipt of invoice from the City, any and all legal costs, including all disbursements of the City, in respect of preparation for and attendance at an Ontario Municipal Board hearing, until the matter is finally resolved by the said Board. The estimated cost for the City of Kenora for a one day Ontario Municipal Board Hearing is approximately \$10,000.

It is hereby acknowledged that "hearing" shall include all attendances before the Board in respect of the said application whether in person, telephone call or other means as directed by the Board.

Dated at City of Kenora this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Please complete 1 or 2	
1. For Applicants and Individuals	2. For Corporations and Companies
<p>_____ Signature of Applicant</p> <p>_____ (Please print name)</p> <p>_____ Signature of Witness</p> <p>_____ (Please print Name)</p>	<p>_____ Corporate name (if applicable)</p> <p>_____ (Authorized Signature) I have the authority to bind the Corporation</p> <p>_____ (Please print Name and Title)</p>