

MINOR VARIANCE PROCEDURE

Application Fee:

\$570.00 – Application fee, per application (non-refundable)

Other Fees:

St. Clair Region Conservation Authority (SCRCA) Planning and Regulation Fees are available on their website www.scrca.on.ca or by calling 519-245-3710. These fees are payable directly to the Conservation Authority and may be done over the telephone with a credit card. **The Planning Department will require comments from the SCRCA for any development proposed within lands affected by Ontario Regulation 171/06.** The SCRCA mapping can be used to determine if your property is affected by this regulation, https://maps2.camaps.ca/GVH/index.html?viewer=SCRCA_Public.SCRCA

\$100.00- payable to 'Lambton County' – if subject property is on individual or communal septic systems

\$55.00 – Minimum Distance Separation (MDS) Review Fee (if required)

\$115.00 – Recirculation Fee (if required, non-refundable) – if the application requires a recirculation, due to the actions of the applicant (i.e. Deferral, amendment, etc.), the recirculation fee must be paid before the Planning Department will recirculate the application. If the applicant is absent for the scheduled hearing of their application, the application will be deferred and the recirculation fee must be paid before the application will be brought forth to a future meeting.

Application Forms:

It is recommended that the Planning Department review application material before formal submission. This review can take the form of email correspondence and/or telephone conversations with Planning Staff to assist in understanding and potentially advising on proposed variances. Applications will not be accepted without payment present at the time of submission. Applications will also not be accepted without a sketch (see page 4 of the 'Application for Consent' form).

If the property abuts the shore of Lake Huron, a current survey completed by a professional land surveyor must be included with application submission. The survey is to show the location of the toe of the bank, the 3:1 stable slope allowance and the applicable zoning provisions, including the projected average annual recession rates for 60 years and 100 years.

Applicant is responsible for gathering and providing required information/data for Minimum Distance Separation (MDS) formulae.

All measurements must be provided in **Metric Units**.

Notification:

All property owners within 200 ft. (60 m) of property line and appropriate agencies (send 10 days prior to the meeting). Notice is also posted at the subject property.

Public Meeting:

Applicant gives presentation and answers any questions the Committee or members of public may have with regards to the application.

Decision:

Usually the decision is made during the public meeting while the applicants are present. In the event the applicant is absent for a scheduled hearing, the application may be deferred by the Committee of Adjustment. The applicant must pay the recirculation fee before the application will be brought forth to a future meeting.

Appeal Period:

Objections may be received up to 20 days after the date of decision. Any formal appeals must be filed with the [Ontario Land Tribunal](#). The Committee of Adjustment is the approval authority of any minor variance applications to the Town of Plympton-Wyoming. If the Committee rejects an application, the applicant has the option to challenge the Committee's decision and may file an appeal with the Ontario Land Tribunal. All appeals are subject to an OLT Appeal Administration Fee of **\$300.00** due payable to the Town of Plympton-Wyoming, this fee is to be paid by the appellant.

Finalization:

A decision of the Committee is final and binding after the appeal period has expired and no appeals have been submitted.

MINOR VARIANCE PROCEDURE

COMPLETE APPLICATION CHECKLIST

- Complete Application Form
- Drawing(s) outlining Proposed Minor Variance (see pg. 4)
- Minor Variance Application Fee (\$570.00), payments must be made by cheque, cash or debit, if paying by cheque please make it out to the 'Town of Plympton-Wyoming'
- If the subject land is on a private septic system** – A completed 'Assessment of Sewage Flows for Existing Private Sewage Disposal Systems' form
- If Septic Assessment is required** – Septic Assessment Fee of (\$100.00) in the form of a cheque made out to the 'County of Lambton'
- If Application requires a review of Minimum Distance Separation (MDS)** – MDS Review Fee of \$50 made out to the Town of Plympton-Wyoming (can be same cheque as application fee)

**APPLICATION FOR
MINOR VARIANCE**

FOR OFFICE USE

File No.:

Reviewed by:

Review Date:

NAME OF APPROVAL AUTHORITY: Plympton-Wyoming Committee of Adjustment

NAME OF MUNICIPALITY: Town of Plympton-Wyoming

APPLICATION FEE: \$570.00 per application

Please complete all sections of the application form. The Town of Plympton-Wyoming has the right to refuse any applications that are incomplete, inaccurate, or have not been reviewed by the Planning Department prior to submission. Applications will not be accepted without payment present at the time of submission. Applications for minor variances are governed under section 45 of the Planning Act for relief, as described in this application, from By-law No. 97 of 2003 (as amended).

NAME OF OWNER:	NAME OF AGENT: (if applicant is an agent authorized by the owner)
MAILING ADDRESS:	MAILING ADDRESS:
TELEPHONE:	TELEPHONE:
EMAIL:	EMAIL:

LEGAL DESCRIPTION of subject land (the municipality, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers - www.gislambton.on.ca can help with this or a Parcel Abstract from Land Registry Ontario. This information can be found on a Town tax bill.):

MUNICIPAL ADDRESS AND/OR ROLL NUMBER:

CURRENT DIMENSIONS OF SUBJECT LAND FRONTAGE:

DEPTH:

AREA:

DATE subject property was acquired by current owner:

OFFICIAL PLAN - current designation of the subject land (found at the end of the Official Plan, Schedule (Map) A):

ZONING BY-LAW - current zoning of the subject land (found at the end of the Zoning by-law, find subject land on the Schedule (Map)):

RELIEF - nature and extent of relief from the zoning by-law (which section numbers cannot be complied with, i.e. section 8.23 a)):

REASON - why the proposed use cannot comply with the provisions/sections of the zoning by-law (*why the variance is needed*):

PREVIOUS/CONCURRENT APPLICATIONS if known, indicate if the land is the subject of (or will be subject to) an application under the *Planning Act* for:

<input type="checkbox"/>	Official plan amendment	File #	Status/decision
<input type="checkbox"/>	Approval of a plan of subdivision (under section 51)	File #	Status/decision
<input type="checkbox"/>	Severance/consent (under section 53)	File #	Status/decision
<input type="checkbox"/>	Rezoning application (under section 34)	File #	Status/decision
<input type="checkbox"/>	Minister's zoning order	File #	Status/decision
<input type="checkbox"/>	Other (specify)	File #	Status/decision

UTILITY AGREEMENTS: does the property owner have any gas, wind or other utility agreements in place on the property?

Yes

No

If **yes** will the Utility/Utilities need to be notified of this minor variance

Yes

No

ACCESS to the subject lands will be by:

<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Water	<input type="checkbox"/> County Road
<input type="checkbox"/> Municipal Road – year round	<input type="checkbox"/> Right-of-way (ROW)	<input type="checkbox"/> Private Road
<input type="checkbox"/> Municipal Road - Seasonal	<input type="checkbox"/> Other Public Road (please specify)	

WATER ACCESS where access to the subject land is by water only:

Docking facilities (specify): Distance from subject land: Distance from nearest public road:	Parking facilities (specify): Distance from subject land: Distance from nearest public road:
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EXISTING USES OF THE SUBJECT LAND (i.e. dwelling, garage, commercial building):	LENGTH OF TIME THE EXISTING USES OF THE SUBJECT LAND HAVE CONTINUED (months and years, if known):

EXISTING BUILDINGS & STRUCTURES where there are any buildings or structures on the subject land indicate for each (in metric):

Building #1 Type: Date constructed:	Front lot line setback: Rear lot line setback: Side lot line setback: Side lot line setback:	Height in metres: Dimensions: Floor Area: Roof pitch:
Building #2 Type: Date constructed:	Front lot line setback: Rear lot line setback: Side lot line setback: Side lot line setback:	Height in metres: Dimensions: Floor Area: Roof pitch:

*Attach additional page if necessary***PROPOSED USES** of the subject land:

PROPOSED BUILDINGS & STRUCTURES indicate for each proposed building or structure (in metric):

Building #1 Type: Date constructed:	Front lot line setback: Rear lot line setback: Side lot line setback: Side lot line setback:	Height in metres: Dimensions: Floor Area: Roof pitch:
Building #2 Type: Date constructed:	Front lot line setback: Rear lot line setback: Side lot line setback: Side lot line setback:	Height in metres: Dimensions: Floor Area: Roof pitch:

*Attach additional page if necessary***DATE** - subject land was acquired by current owner on: _____**WATER** is provided to the land by:

<input type="checkbox"/> Publicly-owned/operated piped water system	<input type="checkbox"/> Lake or other water body
<input type="checkbox"/> Privately-owned/operated individual well	<input type="checkbox"/> Publicly-owned/operated individual well
<input type="checkbox"/> Privately-owned/operated communal well	<input type="checkbox"/> Other means (specify)

SEWAGE DISPOSAL is provided to the land by:

<input type="checkbox"/> Publicly-owned/operated sanitary sewer system	<input type="checkbox"/> Privy
<input type="checkbox"/> Privately-owned/operated individual septic system	<input type="checkbox"/> Public communal septic system
<input type="checkbox"/> Privately-owned/operated communal septic system	<input type="checkbox"/> Other means (specify)

STORM DRAINAGE is provided to the land by:

<input type="checkbox"/> Sewers	<input type="checkbox"/> Ditches	<input type="checkbox"/> Swales	<input type="checkbox"/> Other means (specify)
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If the lot is on a private septic system, please complete the Assessment of Sewage Flows for Existing Private Sewage Disposal Systems (pages 8-12)

FRONTAGE ONTO LAKE HURON:

Does the property abut the shore of Lake Huron?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes, a current survey completed by a professional land surveyor must be included with application submission. The survey is to show the location of the toe of the bank, the 3:1 stable slope allowance and the applicable zoning provisions, including the projected average annual recession rates for 60 years and 100 years.

*Only to be completed if the applicant is an agent authorized by the property owner,
not the property owner themselves*

AUTHORIZATION BY OWNER

I, the undersigned, being the owner of the subject land, hereby authorize _____ to be the applicant in the submission of this application.

Signature of owner

Signature of witness*

*must be a third party with no interest in the application

Date

To be completed in front of a Commissioner of Oaths

DECLARATION OF APPLICANT

I, _____ of the _____ of _____

in the _____ of _____ solemnly declare that:

All the statements contained in this application and provided by me 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.

DECLARED before me at the _____ in
the _____ this _____ day of _____, 20____.

Signature of owner/applicant

Signature of owner/applicant

Signature and Stamp of Commissioner

It is required this application be accompanied by the application fee of **\$570.00**, as well as any other applicable fees, in cash, debit, or by cheque made payable to '**The Town of Plympton-Wyoming**'. If the subject land is within the Regulation Area of the Conservation Authority, their review fee can be paid directly to that office. Their review will not begin until receipt of said fee. Applications must be witnessed and commissioned by a Commissioner of Oaths, this can include Government Officials such as Municipal Clerks and Treasurers, and Notary Publics. The Town of Plympton-Wyoming offers Commissioner of Oath Services.

Personal information contained on this form, collected pursuant to the *Planning Act*, will be used for the purpose of responding to the initial application. Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under the Act.

____ **I approve of staff and Committee of Adjustment Members attending my property to review and assess this application as submitted. (Please initial if affirmative)**

PLANS REQUIRED
**IT WILL BE NECESSARY TO SUBMIT PRELIMINARY SITE
DRAWINGS FOR THE DEVELOPMENT AT THE TIME OF THE
FILING OF THIS APPLICATION.**

Minimum requirements will be a sketch showing the following

- Date the drawing was drafted or revised
- Boundaries and dimensions of the property/subject land
- Location and size of existing buildings and structures on the land; including distances from property lot lines (front, rear, and side yards). Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- Lot area, area of all structures, and proposed lot coverage
- The current uses on land that is adjacent to the subject land.
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopen road allowance, a public travelled road, a private road or a right-of-way.
- If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- The location and nature of any easement affecting the subject land.
- Location and size of proposed building/structure including:
 - Dimensions and total area
 - Distances from property lines (front, rear, and side yards)
 - Distances from existing buildings and/or structures
 - Height from the finished floor to the highest point of the building or structure
 - Main floor ceiling clearance
 - Roof pitch
 - Eavestrough overhang
 - Sight triangle if the property is a corner lot

EXAMPLE – Minor Variance Drawing

(this drawing is an example and is not to scale)

Required Variances:

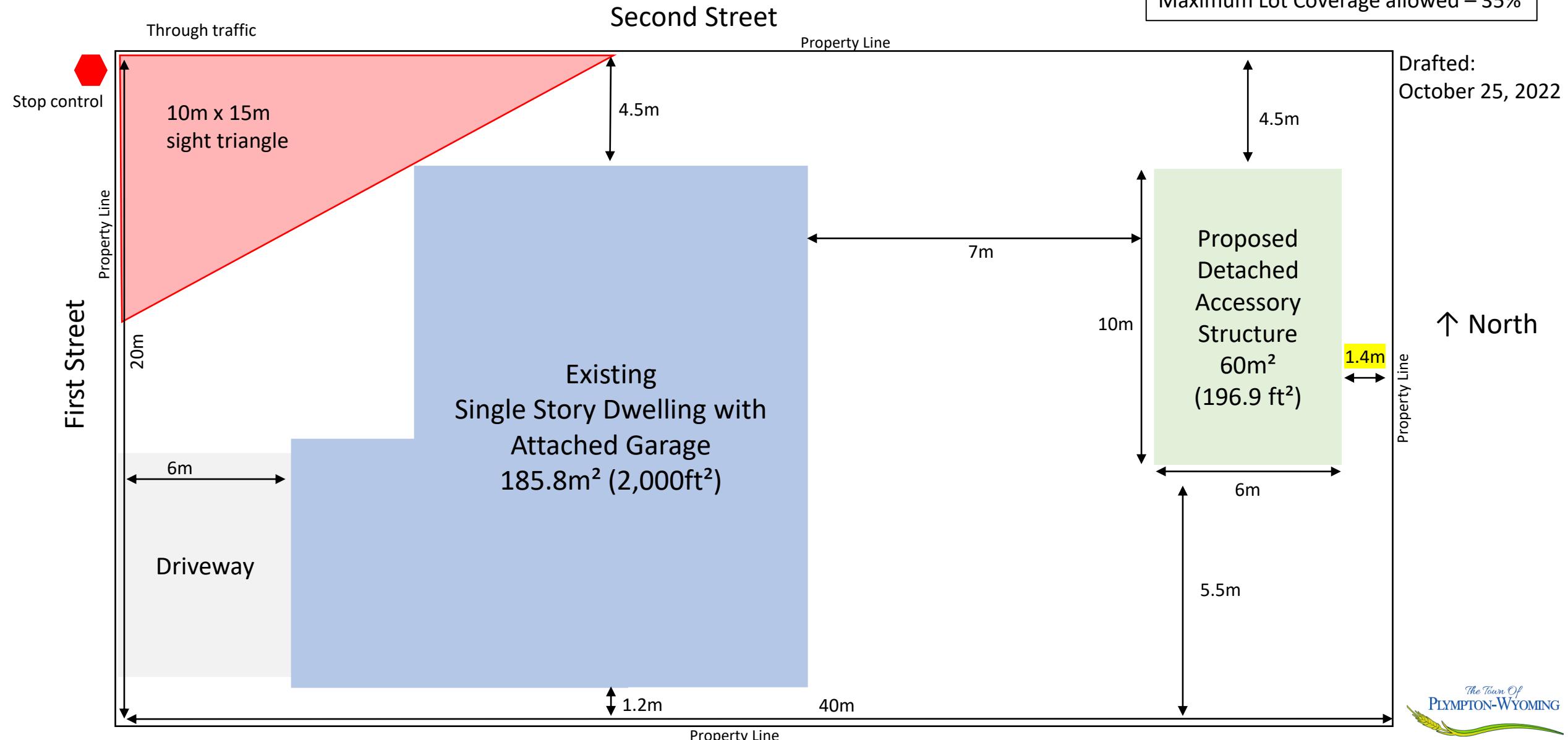
- Rear yard setback (2.4m required, 1.4m proposed)
- Main floor ceiling clearance (3.1m required, 3.5 proposed)

Total Lot Area - 800m²

Area of all Structures – 245.8m²

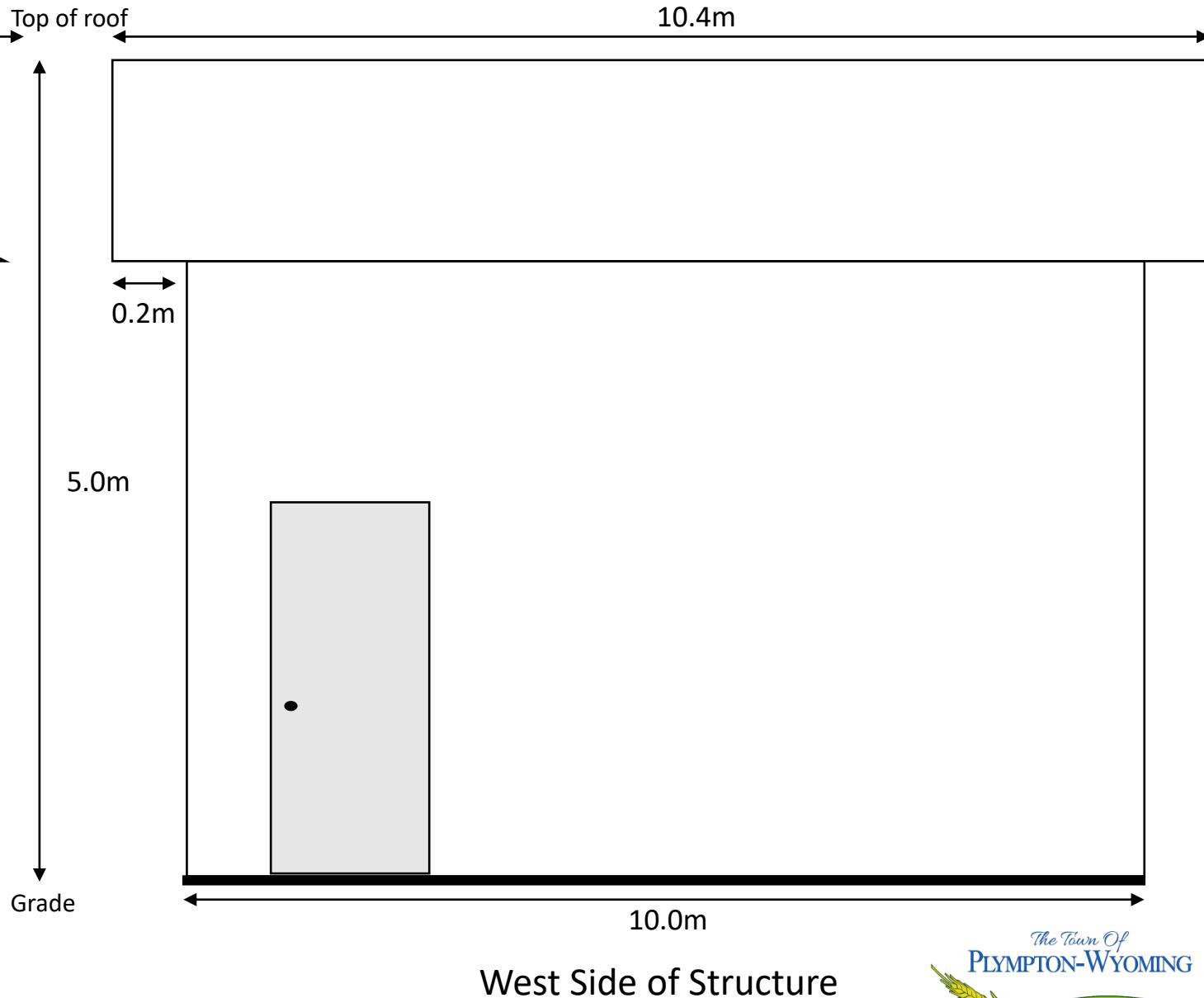
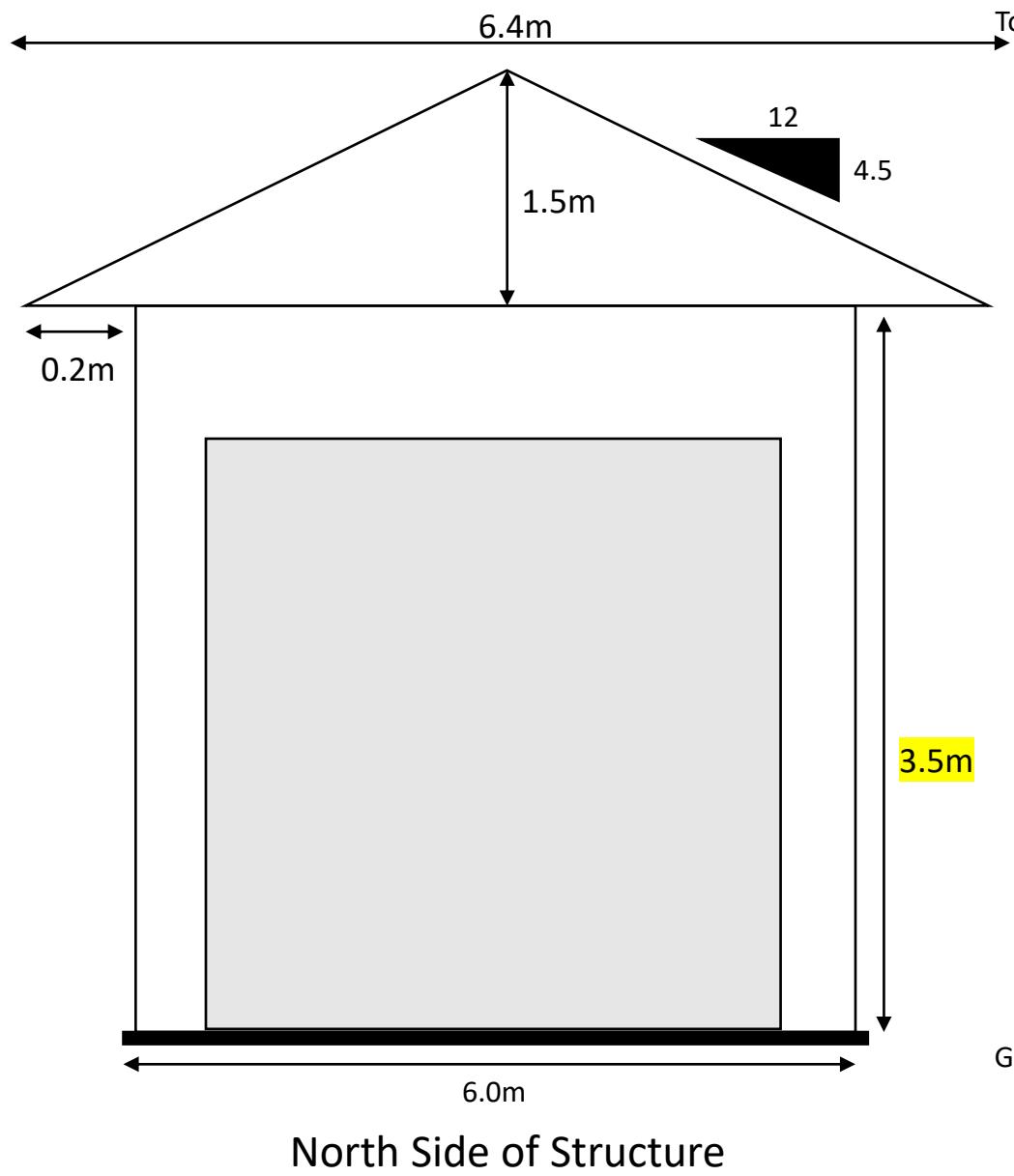
Proposed Lot Coverage – 30.7%

Maximum Lot Coverage allowed – 35%



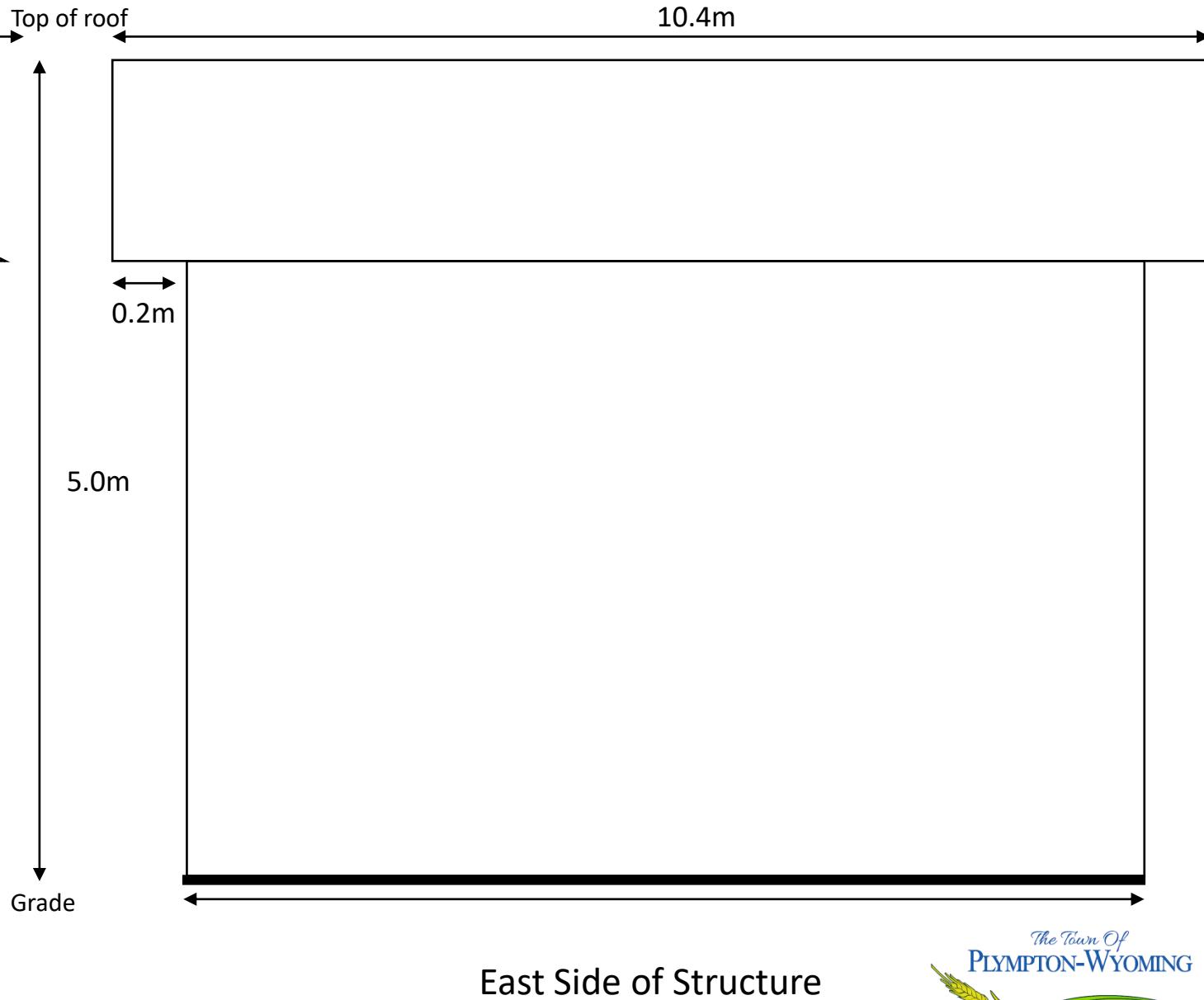
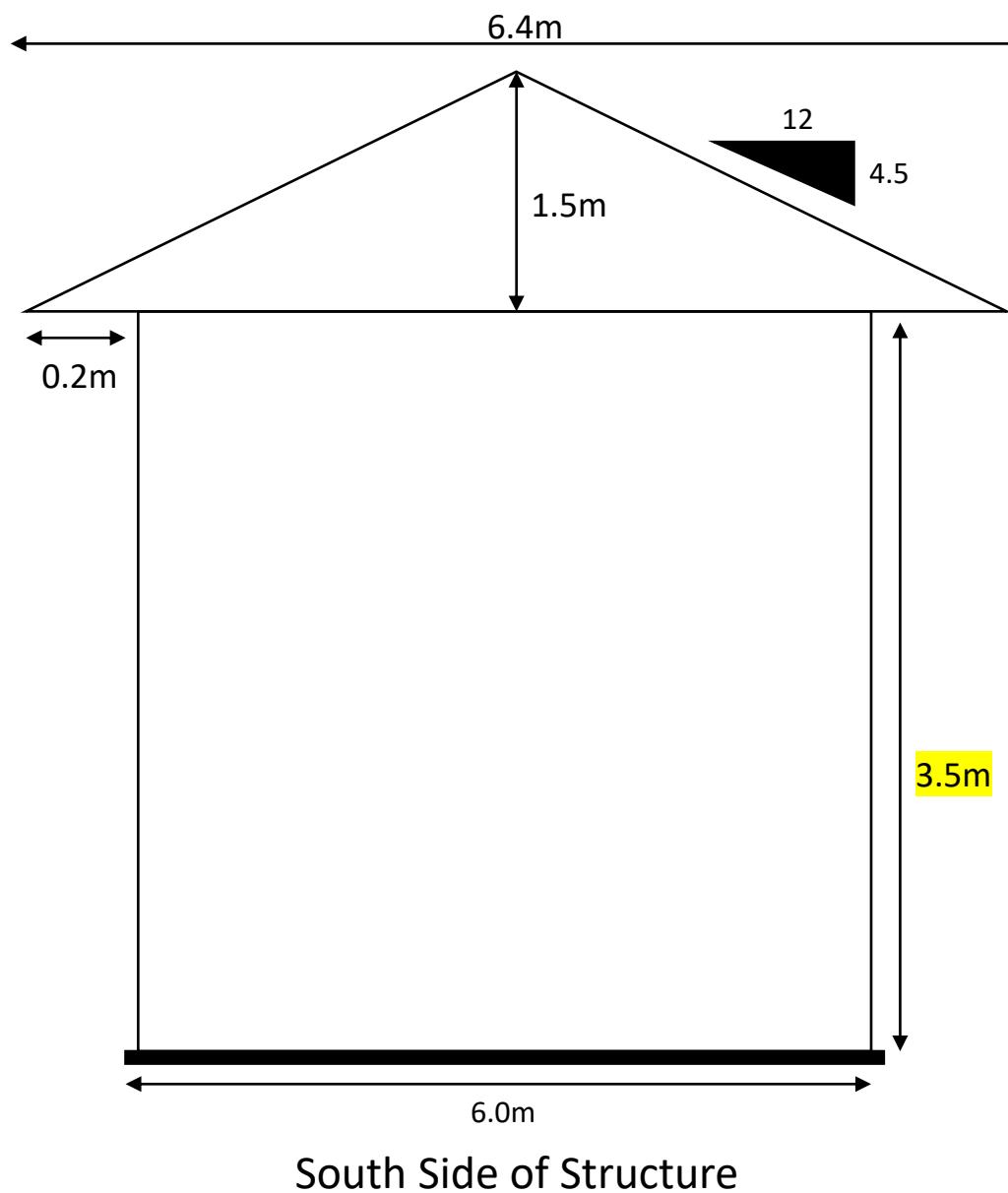
EXAMPLE – Minor Variance Drawing (this drawing is an example and is not to scale)

Drafted:
October 25, 2022



EXAMPLE – Minor Variance Drawing *(this drawing is an example and is not to scale)*

Drafted:
October 25, 2022





Development Services Department
789 Broadway Street, Box 3000
Wyoming, ON N0N 1T0

Telephone: 519-845-5420
Toll-free: 1-866-324-6912
Fax: 519-845-3817

ASSESSMENT OF SEWAGE FLOWS FOR EXISTING PRIVATE SEWAGE DISPOSAL SYSTEMS

Name of Property Owner: _____

Mailing Address: _____

Postal Code: _____ Telephone No.: _____

Lot: _____ Concession: _____

Sub Lot No: _____ Plan No: _____

Municipal Address: _____

Municipality: _____

	Existing Structure	Office Use	Structure After Construction	Office Use
Fixture	Number	Fix. Units	Number	Fix. Units
Bedrooms				
Dishwasher				
Laundry Tub				
Shower Stalls				
Bath Tubs				
Toilets				
Wash-up Sinks				
Kitchen Sinks				
Other				
Total				

Please answer the following questions:

1. Will any component of the existing sewage system be relocated or replaced?

Yes _____ No _____

2. Will the proposed construction decrease the existing separation distance between the structure and the existing sewage system?

Yes _____ No _____

3. Is the existing system malfunctioning or discharging sewage onto the ground or into surface water?

Yes _____ No _____

4. What is the size of the existing septic tank? _____

5. What is the size of the existing leaching bed? _____

6. What is the floor area of the present dwelling? _____

7. What will the floor area be of the dwelling after construction? _____

I _____ CERTIFY THAT THE INFORMATION.
(Print name in full)

CONTAINED HEREIN IS TRUE AND CORRECT.

Signature

Owner _____ Agent _____

Date: _____

ASSESSMENT OF REQUIREMENT TO SUBMIT AN APPLICATION UNDER PART 8 OF THE ONTARIO BUILDING CODE

The following circumstances dictate when an upgrade or replacement of an existing sewage system is necessary. An application for a sewage permit is required when:

1. The performance level of the existing building is reduced. The Ontario Building Code states that the performance level of a dwelling is reduced where the total daily design sanitary sewage flow of the dwelling exceeds the capacity of any component of the sewage system. The capacity of the sewage system must be evaluated when the construction:
 - increases the number of bedrooms in the existing home;
 - exceeds 15% of the gross area of the dwelling unit or;
 - adds new plumbing fixtures to the existing home.
2. The proposed structure will decrease the separation distance to the existing sewage system.
3. The sewage system is malfunctioning or is discharging sewage onto the ground or into surface water (e.g. Septic connections to agricultural field tiles and drainage ditches are not permitted).
4. The owner/agent is unable to answer either question 1, 2 or 3.

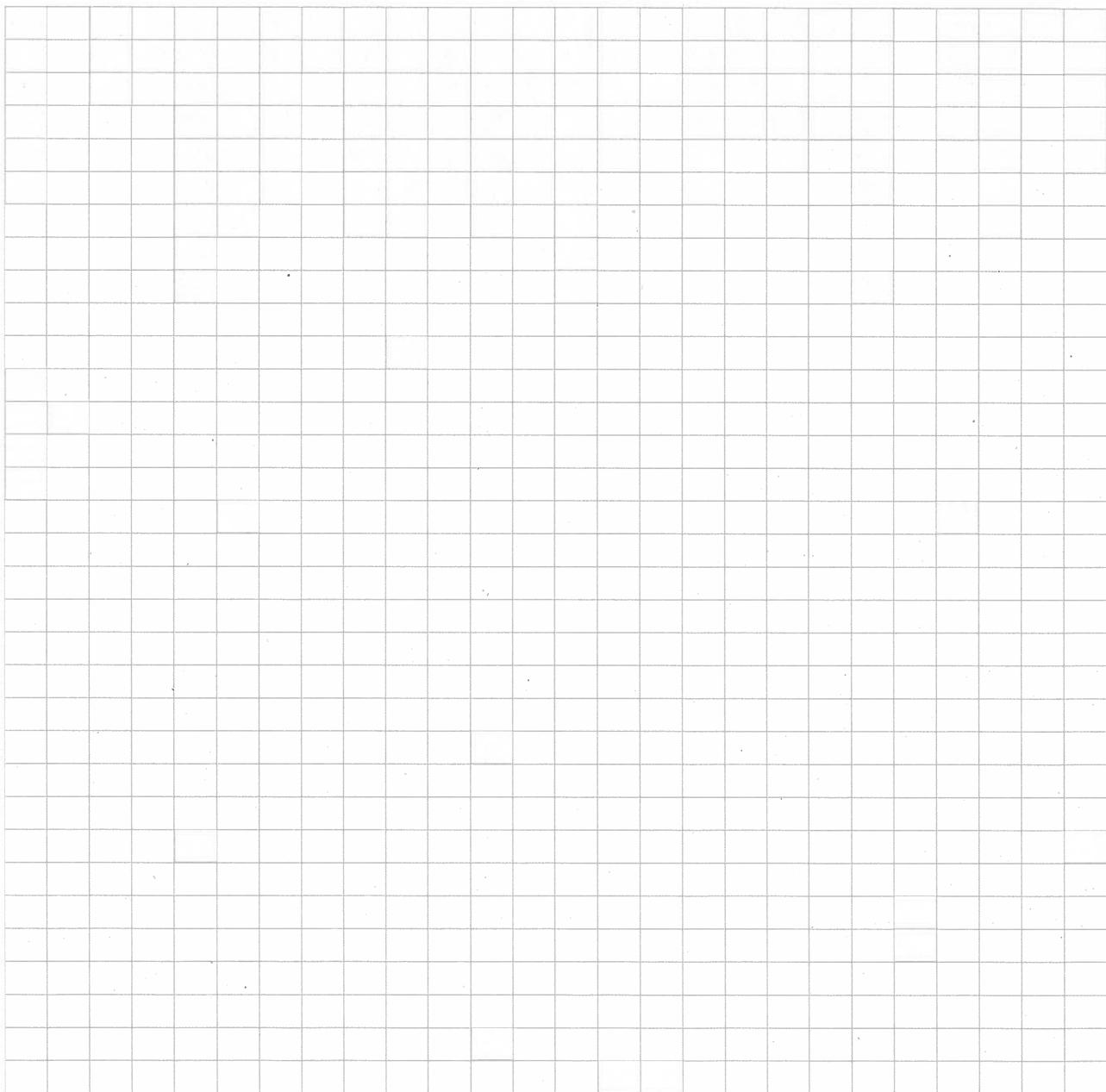
On the attached graph paper, please provide a sketch of the subject property showing lot dimensions, the location(s) of all buildings and structure and the location of the septic tank and leaching (show as much detail regarding the bed as possible - i.e. number of distribution pipes, length of tiles et cetera). If the size of the lot makes it impractical to show the entire property, focus on the area where the sewage system and dwelling are (to be) located.

This office will conduct an inspection of the subject property. An inspection/administrative fee of \$100.00 is therefore required of the applicant to cover the cost of the septic system evaluation/inspection. If it is necessary to make application for septic approval to replace or upgrade the existing sewage system, the evaluation fee will be applied to the cost of the septic permit.

LOT DIAGRAM AND SEWAGE SYSTEM PLAN: Draw to scale and indicate the direction of north.

SHOW:

- 1) Location of sewage system components (i.e. tanks, leaching beds)
- 2) Horizontal distances from system to adjacent existing or proposed buildings, well water supplies (including neighbours'), existing on-site sewage systems, driveways, property lines, swimming pools and watercourses (including ditches).
- 3) Lot dimensions, roads and topographic features (i.e. steep slopes, swamps)



Declaration of Applicant

Project Address:

Section A

Is this project a commercial, agricultural, or industrial application? Yes No
Does the proposal involve fuel handling/storage $\geq 15,000$ litres? Yes No

Section B

Are there any hydro poles/hydro easements on this property? Yes No
Is there any gas or oil or any other utility easement on this property? Yes No
Are there any Right-of-Way accesses on this property? Yes No
Are there any easements (of any nature) on this property? Yes No
Are there any closed private/municipal drains on this property? Yes No
Are there any agreements/leases attached to title (i.e. wind, gas/oil etc.)- Yes No

If you answered **YES** to any of the questions in **Section B** - you are required to clearly indicate on your site/plot/lot diagram the location of such items and provide sufficient documentation where applicable/requested.

Section C

I understand that property locates are my sole responsibility. Yes No
I understand it is my sole responsibility to ensure all substantial completion inspections (as outlined in the issued permit) are requested with 48 hours' notice, carried out and approved prior to proceeding to the next stage of construction. Yes No

I understand that I will be responsible to remit all applicable fees prior to my permit being officially issued and further I may be subject to the said fees if my application is denied, revoked or cancelled (by myself), as per the applicable building permit by-law. Yes No

I, _____ certify that:

(Print name)

1. The information contained in this declaration, application, attached plans and specifications, and other attached documentation is true to the best of my knowledge.
2. As the Owner/Agent/Contractor I take responsibility to ensure compliance to all federal, provincial and municipal legislation and or regulations prior to, during and after construction.
3. I will not hold The County of Lambton or its employees liable for any actions by myself resulting in; non-issuance of a permit, revoking of a permit, civil action and or possible fine.
4. I have authority to bind the corporation or partnership (if applicable).

(Date)

(Signature of Applicant)

Personal information contained in this form and schedules is collected under the authority of Section 7 Subsections 8(2) of the Building Code Act, and will be used in the administration and enforcement of the Building Code Act, 1992. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality to which this application is being made.

Please Note: This declaration must be completed in its entirety prior to the issuance of a building/plumbing/septic permit, no exceptions