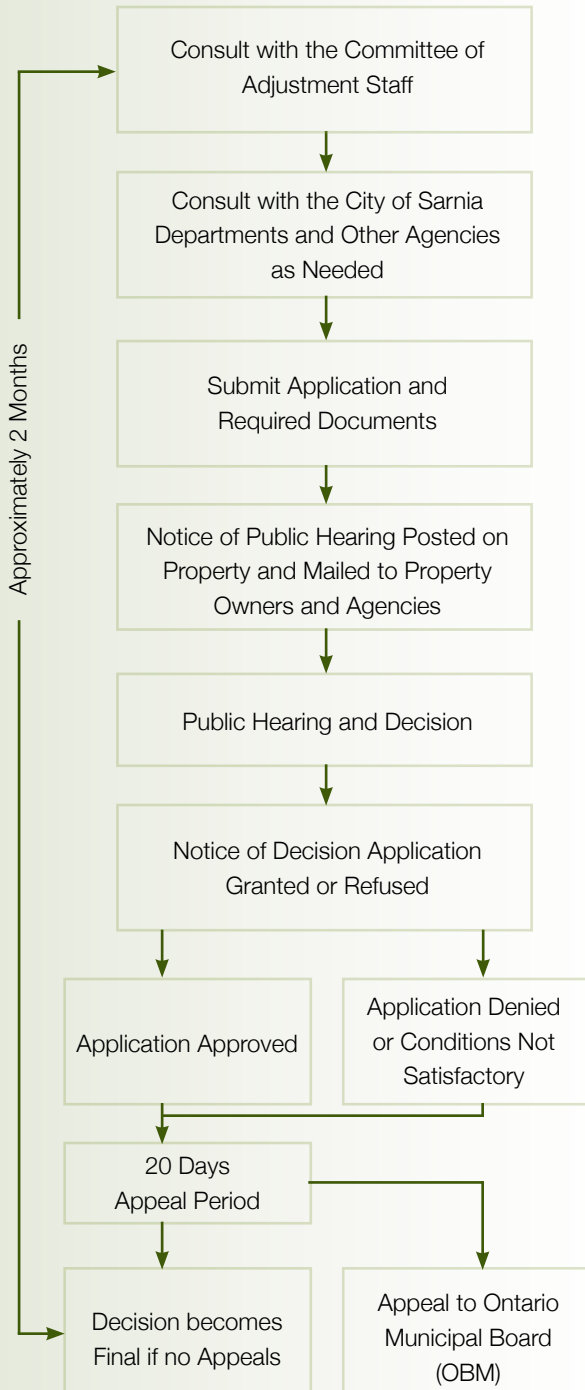


MINOR VARIANCE PROCESS CHART



The *Planning Act* grants authority to Sarnia City Council to appoint a Committee of Adjustment to consider minor variances from the provisions of the Zoning By-law, Sign By-law and Fence By-law; permission to enlarge or change legal and non-conforming land uses.

MINOR VARIANCE DEFINITION:

Small changes or exceptions to existing land use or development restrictions contained in the zoning, sign and fence by-laws are called minor variances.

PUBLIC HEARINGS OF THE COMMITTEE

The Committee meets on Tuesdays at 5:00 p.m. on average every three (3) weeks. Please contact the Planning and Building Department for the full public hearing schedule.



CITY OF SARNIA PLANNING & BUILDING DEPARTMENT

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COMMITTEE OF ADJUSTMENT VARIANCE

A Guide To
Minor Variances

APPLICATION AND APPROVAL PROCESS

1. CONSULT WITH THE SECRETARY-TREASURER AND PLANNER:

Before you submit an application, discuss your plans with the Secretary-Treasurer and Planner from the Planning and Building Department.

2. COMPLETE THE APPLICATION, INCLUDING THE FOLLOWING:

Completed applications must include a dimensioned and scaled drawing of the lot, the location and size of the buildings and distance from all lot lines, the applicable fee and written authorization of the owner, if the applicant is not the owner. In some cases, additional information could be helpful in assessing an application. You are encouraged to submit photographs and relevant documentation.

3. NOTICE OF PUBLIC HEARING AND CIRCULATION OF APPLICATION:

A notice of Public Hearing will be posted on the property and copies of the notice will be sent to all registered property owners within 60 metres (200 feet) of the property, at least 10 days before the date of the Hearing. At the same time, the notice will be circulated to City Departments, and external agencies for their comments. All written comments will be considered at the public hearing.

4. PUBLIC HEARING AND DECISION MAKING PROCESS:

The public hearing will normally be held within 25 days of receiving the application. The applicant or agent is required to attend the hearing to explain the reasons for the application. Other interested persons may also attend to express their views. The Committee will consider all aspects of the application consistent with municipal policy, verbal advice and written reports from staff and agencies. The Committee will also use the following criteria to evaluate the application to reach its decision:

- Is the variance minor;
- Is it desirable for the appropriate development or use of the land, building or structure;
- And is the general intent and purpose of the Official Plan and the Zoning By-law being maintained.

If the application is approved, the Committee may impose conditions as part of its decision.

5. NOTICE OF DECISION:

A Notice of Decision is mailed within 10 days of the Committee making its decision to the applicant, agent and to anyone who requested a Notice of the Decision.

6. WHEN DECISION IS FINAL AND BINDING:

If there is no appeal by the end of the 20 day appeal period, the decision is final and binding. If the decision includes conditions, the conditions must also be satisfied. Once the conditions are satisfied the applicant may:

- Apply for a building permit; or
- The infraction is deemed to have complied with the By-law.

APPEALING THE DECISION OF THE COMMITTEE:

Any person can appeal the decision of the Committee to the *Ontario Municipal Board* (OMB). The appeal must be filed within 20 days of the date of the Committee's decision. Appeals are made through the Secretary-Treasurer, Committee of Adjustment. The appeal to the OMB requires the payment of a \$125.00 fee payable to the Ontario Minister of Finance.

For more information about the appeal process, visit the OMB website at www.omb.gov.on.ca.

CONTACT INFORMATION:

For further information about the Committee of Adjustment, contact the Planning Department located on the 3rd floor of City Hall.

To telephone please contact **Beth Gray**, *Secretary-Treasurer* at **519-332-0330** (ext 344) or **Max Williams**, *Planner* (ext 293).

Minor variance application forms may be obtained at the Planning Department or online at www.sarnia.ca.

