



The Corporation of the  
**Township of Otonabee-South Monaghan**

**Minor Variance**

Often a property owner will find that when they plan to construct an addition to their home or construct an accessory building such as a garage, that their building plans do not allow the construction to meet applicable setback requirements contained in the Zoning By-law.

On other occasions the deficiency is found when a property has been sold and in order to have clear title, the purchaser requires a minor variance to be granted by the municipality.

The authority to grant a minor variance is set out in the Planning Act, R.S.O. 1990, c.P.13, as amended. – Section 45.

The Council for the Township of Otonabee-South Monaghan sits as the Committee of Adjustment and deals with all filed Minor Variance applications.

**Minor Variance Applications**

Copies of the Minor Variance application can be located on the municipal website [www.osmtownship.ca](http://www.osmtownship.ca) or at the municipal office.

The Committee of Adjustment will schedule a public meeting to deal with the application filed. Notice of the public meeting will be circulated to all property owners within 60 metres of the subject property.

In reaching a decision the Committee considers the following points:

1. The requested variance is minor;
2. The variance is desirable for the appropriate development or use of the land;
3. The general intent and purpose of the Official Plan of the Township of Otonabee-South Monaghan is being maintained; and
4. The general intent and purpose of Zoning By-law No. 12-79 of the former Township of Otonabee, or Zoning By-law No. 74-8 of the former Township of South Monaghan as amended, is being maintained.

**Application fee:**

An application fee of \$750.00 is payable upon filing an application for minor variance. This fee is considered a deposit towards costs, and the applicant is required to complete and sign an Acknowledgement form stating that all costs associated with processing this application are the sole responsibility of the applicant.



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The Otonabee Region Conservation Authority charges a fee of \$200.00 to review the application. This fee is collected by the municipality at time of application and forwarded to ORCA.

**Process:**

The completed application, application fee, and required sketch are filed with the municipality. The sketch should be to scale and include all structures (including decks, accessory buildings, etc); existing setbacks shown accurately; and location and dimension of proposed construction.

Upon receipt of a complete application a Public Hearing shall be scheduled. Notice will be circulated to property owners within 60m of the subject property; and all other agencies/public bodies as prescribed in the Planning Act.

It is recommended that the property owner contact neighbouring property owners to inform them of their plans and obtain their feedback. This is not a mandatory step but often helps prevent delays in processing the application, due to concerns expressed related to the nature of the minor variance.

Public hearings are held in the Council chambers at 20 Third Street, Keene. Unless decision is deferred, the Committee of Adjustment will render their decision after they have heard all particulars.

It is recommended that you or an authorized agent attend the Public Hearing to provide additional information or answer any questions posed by the Committee.

The Notice of Decision (approval or denial) is sent by first class mail to the applicant and/or authorized agent; and to each person who filed in writing with the Secretary-Treasurer a request for the Notice of Decision. It is noted that the Notice of Decision may include conditions to be met by the applicant.

A 20-day appeal period from the date of decision is required under the Planning Act. The applicant and/or authorized agent, or any person or public body who has an interest in the matter may file an appeal to the Ontario Municipal Board.

The appeal is required in writing, filed with the Secretary-Treasurer with a \$125.00 fee payable to the Minister of Finance.

If no appeal is received within the appeal period, the decision of the Committee is final.

**Contact:** Christine Wright  
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