



This pamphlet is part of a series that outlines development processes in the Town of Halton Hills. It is intended to provide general information only. More detailed information can be obtained through the Pre-Consultation process or through discussions with Town staff.

How do I get started?

A standalone Minor Variance Application does not typically require the Applicant to attend a formal Pre-Consultation Meeting. The Applicant is required to attend a Pre-Consultation meeting with Town and external agency staff when a Minor Variance Application is being submitted in addition to another development application. The meeting allows the Applicant to explain the development proposal and gives staff the opportunity to provide preliminary comments and advise what plans and studies will be required in support of a formal application. If required, a Pre-Consultation meeting request can be made by completing the Pre-Consultation Form available at the Planning counter or online.

How much will it cost?

The fees associated with a Minor Variance Application can be confirmed by Planning & Development and are payable at the time an application is submitted. Additional fees will also be required by the Region of Halton and may be required by the Conservation Authority for their review of the application.

How long will it take?

The average time to process an application depends on a number of factors including, complexity of the application, the quality of the submission and results of the review. Application timing from start to finish may take 2 to 3 months.

What is a Minor Variance Application?

A **Minor Variance** is the process through which the Committee of Adjustment (COA) makes decisions on the proposed changes to a property that do not conform with the Zoning By-law. The proposed changes to the Zoning By-law typically deal with building setbacks, building height, building floor area, parking, landscaping, etc. The process engages the public by offering an opportunity to voice any questions or concerns prior to a decision for the application. Examples of **Minor Variance** Applications may include, but are not limited to, the following:

- New buildings or additions to buildings;
- New accessory buildings such as garages, sheds, gazebos, pool houses, cabanas, etc.;
- Porch enclosures or new decks; and,
- Parking spaces required for new or expanded commercial or industrial uses.

Permission Applications are typically submitted to enlarge, extend or alter any legal non-conforming building or use and are governed under Section 45(2) of the Planning Act.

Required Criteria for Minor Variance Applications

As per Section 45(1) of the Planning Act, the COA must consider the following criteria when reviewing the merits of an application:

- The variance must be minor;
- The variance must be desirable for the appropriate use of the land, building or structure; and,
- The general intent and purpose of the Town's Official Plan and Zoning By-law must be maintained.

Criteria for Permission Applications are outlined in Section 45(2) of the Planning Act.

Need More Information?

Contact the Planning & Development Department for more information:

Phone: (905) 873-2601 ext. 2900 **Fax:** (905) 877-3524
Website: www.haltonhills.ca/planning/index.php

Online Resources:

[Minor Variance Information Sheet & Application Form](#)

Minor Variance or Permission Application Process

1 Pre-Consultation Meeting (If Required)

A standalone Minor Variance application does not typically require the Applicant to attend a formal Pre-Consultation Meeting. However, the Town encourages Applicants to speak to Town staff to explain their proposal prior to submitting a Minor Variance Application. The Applicant is only required to attend a Pre-Consultation meeting with Town and external agency staff when a Minor Variance Application is being submitted in addition to another development application.

2 Application Submission

When the Applicant has prepared their Minor Variance submission package, the following must be submitted: a complete Minor Variance Application; the application fee(s); and, plans the Town requires. After receipt of the application, a notification of completeness will be sent to the Applicant. Applications that are deficient of required materials or fee(s) have no status and may be returned to the Applicant or additional information or fees will be requested. The application will not proceed to Steps 3 and 4 until all outstanding information is received.

3 Notice of Received Application and Circulation

After the application is received, a Notice of Received Application is circulated to the Committee of Adjustment, internal departments, and external agencies for comment. A Notice is further circulated to neighbouring properties located within 60 metres of the site for information.

4 Posting of Public Notice Sign

After receiving a Notice of Received Application letter, the Applicant is required to post an enclosed Public Notice Sign with application information on the subject lands. The sign must remain posted on the subject lands until after the appeal period has expired.

5 Review of Application and Planning Considerations

After the circulation, staff receives comments from internal departments and external agencies. Town staff review the merits of the application based on the following considerations:

- Meets the required criteria for Minor Variance Applications
- Conformity with all other local planning documents and Provincial plans and legislation
- Compatibility and suitability with the surrounding neighbourhood
- Proposed density and impact on the existing built form
- Grading and drainage
- Parking
- Building floor area
- Lot size and dimensions
- Building height and setbacks
- Urban design
- Landscaping
- Screening and Fencing
- Public input

6 Planning Recommendation Report

After comments are received from Town staff, external agencies and the public, a recommendation report is prepared by Planning staff, which recommends approval or refusal of the application. The recommendation report is circulated to the Committee of Adjustment (COA) members, Applicants/Agents and interested parties.

7 Committee of Adjustment Hearing and Decision

The COA hearing is held within 30 days of complete application. The COA makes a decision on whether the application is approved, denied or deferred pending more information. Town staff circulate the decision to the Owner (Applicant), agent, selected departments/agencies, and members of the public who requested a copy of the decision. The decision may be subject to conditions that would have to be satisfied.

8 Local Planning Appeal Tribunal (LPAT) Appeals

Appeals must be filed within 20 days of the Notice of Decision. The LPAT may refuse an appeal by an individual or public body who did not initially object to the proposal.

This document is available in an alternate format – upon request