

SAULT STE. MARIE NORTH PLANNING BOARD

APPLICATION FOR A CONSENT TO CREATE NEW LOTS

APPLICATION GUIDE Q & A

These tips are intended as a guide to help you decide if your proposed lot might qualify for a severance through the consent application process. There are other factors which may be considered in assessing your application for consent.

What is an official plan?

Official plans are local land use planning documents adopted by a local municipality and planning board and approved by the province. They reflect provincial and local planning issues and among other things, establish policies for lot creation.

Your proposed lot(s) must conform to the requirements of the official plan and be consistent with the Provincial Policy Statement (under Section 3 of the **Planning Act**).

What is a Zoning By-law?

Local zoning by-laws exist in your area. They set out specific requirements for new development (e.g. minimum lot size, frontage, acceptable access, etc.).

Your proposed new lot must conform to any zoning controls. Your Planning Board Administrator can help you interpret your local official plan and zoning by-law.

Is consent the way to go?

Generally, the creation of new lots by consent may be considered where:

- only one or two are proposed;
- no more than two lots have been severed from the parcel since 1999, when the current Sault Ste. Marie North Planning Area Official Plan was adopted.
- the new and remaining lot will have direct access to an existing publicly-owned and maintained road;

Where can new lots be created?

Lot creation can be considered in all parts of the Planning Area as long as the proposed new lots would comply with the Official Plan and Zoning bylaw.

All new lots must be suitable for their intended use. For example, new lots must be large enough to accommodate the proposed building and all servicing requirements.

Where can't new lots be created?

Generally, lots cannot be created on provincially significant wetlands, prime agricultural lands, lands containing mineral aggregate resources, hazardous lands such as steep slopes and areas susceptible to flooding or where fish or wildlife habitats will be disturbed.

New lots cannot be created where they are not compatible with surrounding land uses. For example, a new lot for a house probably would not be permitted next door to a factory or a waste disposal site.

What kind of access do new lots need?

Any new lot must provide safe, long term access for all vehicles, including service and emergency vehicles.

Generally, this means:

- lots should be located on publicly-owned roads which are maintained year round;
- a limited number of seasonal residential lots on private roads may be considered, provided they won't be converted to permanent residential use and they have registered right-of-way with direct access to a public road;
- water access may be acceptable for cottage lots, where future demand for road access is not anticipated; lots should be located within a reasonable distance to publicly-owned and maintained parking, docking and boat launching facilities.

What kind of services do new lots need?

In general:

- a new lot must be acceptable for the installation of a septic tank and tile bed system and wells;
- lake water for cottage lots may be permitted, subject to the approval of the Ministry of the Environment.

What happens to my application after I submit it to the Sault Ste. Marie North Planning Board?

When the application form is complete, the applicant may be required to obtain certain preconsultation reports, i.e. the Ministry of Transportation and Algoma Public Health. The required Circulation and Public Notice will then be given as required by Ontario Regulation 197/96. The applicant may assist in this process by providing the names and addresses of all owners within 60 metres.

Generally, the notice, circulation, site visit, if necessary, and a decision on a consent request will be done in 60 days from the receipt of a complete application.

If the Planning Board decides to approve the application, in most cases there will be conditions stipulated and these conditions must be fulfilled prior to granting the consent. The applicant has one year to fulfil conditions, otherwise the application is deemed to be refused. The applicant, or any person or public body can appeal the decision and any or all of the conditions to the Ontario Municipal Board within 20 days after the giving of notice of decision.

If the Planning Board proposes not to approve the application, the

Planning Board will send a notice, giving the reasons for the proposed refusal. The applicant, or any person or public body has up to 20 days after the giving of notice to appeal the decision to the Ontario Municipal Board. If at the end of 20 days there is no appeal, the refusal decision becomes final. The applicant can appeal the application to the Ontario Municipal Board if a decision has not been reached on the consent request within 60 days of the Planning Board's receipt of an application that contains all of the prescribed or mandatory information. Before filing a notice of appeal, the applicant should determine the status of the file since it might be possible for the Planning Board to make a decision on the application within a reasonable time. If all the needed information is submitted at the time of application, delays in processing the application can be avoided.

SAULT STE. MARIE NORTH PLANNING BOARD

APPLICATION FOR CONSENT UNDER SECTION 53 OF THE PLANNING ACT

Note to Applicants: This application form is to be used if the Sault Ste. Marie North Planning Board is the consent granting authority. In this form the term "subject" land means the land to be severed and the land to be retained.

Completeness of the Application

All application questions must be answered. Incomplete applications will be returned.

Submission of the Application

- A fee of \$800.00 for the first parcel/consent proposed + \$350 for each additional parcel/consent proposed must accompany the application.
- The original and 3 copies of the completed application form and 3 copies of the sketch are required by the Sault Ste. Marie North Planning Board. The copies will be used to consult with other ministries or agencies that may have an interest in the application.

For Help

To help you understand the consent process and information needed to make a planning decision on the application, refer to the "Application Guide Q & A". For more information on the **Planning Act**, the consent process or provincial policies, please see the "Guide to Planning Applications" and the "2005 Provincial Policy Statement".

You may also call the Sault Ste. Marie North Planning Board Office – 705-254-6649

Please Print and Complete or check the Appropriate Box(s)

1. Registered Owner(s):	Telephone Numbers:
	Home:
	Business:
Address:	Fax:
	Email:
2. Agent (if applicable):	Telephone Numbers:
	Home:
	Business:
Address:	Fax:
	Email:
3. Legal Description of the Subject Lands	
Township:	
Lot and Concession No. or Section No. or Subdivision Registered Plan No. and Lot(s)/Block(s) or Reference Plan No. and Part No. or Island No.	
911 No and Name of Street/Road	
Tax Roll No. (on your tax bill) 5727-	
Are there any easements or restrictive covenants affecting the subject land? <input type="checkbox"/> No <input type="checkbox"/> Yes	
If Yes, describe the easement or covenant and its effect.	

4. Purpose of this Application

Type and purpose of proposed transaction (check appropriate box):

Transfer: Creation of new lot(s) Addition to a lot An easement Other purpose
 Other: A charge A lease A correction of title

Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

If a lot addition, identify the lands to which the parcel will be added.

5. Description of Subject Land and Servicing Information

<i>Description</i>	<i>Severed 1</i>	<i>Severed 2</i>	<i>Retained</i>
Lot Description (Ensure to include units, i.e. ft or m)			
Frontage			
Depth			
Area			
Use of Property			
Existing Use(s)			
Proposed Use(s)			
Buildings or Structures			
Existing Buildings (year of construction)			
Proposed Buildings			
Access			
How are the lots accessed (i.e. Provincial highway, Local roads board road – maintained year around, Local roads board – seasonally maintained, Right-of-Way, Private road, Water access, other)			
If other, explain?			
If water access, describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject lands and the nearest public road.			
If access to the subject land is by private road, or if “other public road” or “right-of-way”, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.			
Water Supply and Sewage Disposal (A certificate of approval from Algoma Public Health or the Ministry of the Environment must be submitted.)			
Type of water supply (e.g. privately owned and operated individual well, privately			

<i>Description</i>	<i>Severed 1</i>	<i>Severed 2</i>	<i>Retained</i>
owned and operated communal well, lake, river, etc.)			
Type of Sewage Disposal (e.g. Privy, Individual Septic System, Communal septic system, other			
Other Services (Check if the service is available)			
School Bussing			
Electricity			

6. Description of Subject Land and Servicing Information

Are any of the following uses or features on the subject land or within 500 m (1640 ft) unless otherwise specified? Please check the appropriate boxes.

Use or Feature	On the Subject Land			Within 500 metres of the subject land (indicate approximate distance)			
	Yes	No	Unknown	Yes	No	Unknown	Distance
An agricultural operation including livestock facility or stockyard							
A landfill							
A sewage treatment plant or waste stabilization plant							
A provincially significant wetland							
An unevaluated wetland							
Flood plain							
A rehabilitated mine site							
A non-operating mine site within 1 kilometre of the subject land							
An active mine site							
An industrial or commercial use, and specify the use(s)							
An active railway line							
An airport							
A utility corridor							

7. History of the Subject Land

Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?	Yes	No	Unknown
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If Yes, provide the file number and the decision made on the application. Also provide for each parcel severed, the date of transfer, the name of the transferee and the land use

Has any land been severed from the parcel originally acquired by the current owner?	Yes	No	Unknown
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If Yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

Has there been an industrial use(s) on the site?	Yes	No	Unknown
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If Yes, what was the nature and type of industrial use(s)?

Has there been a commercial use(s) on the site?	Yes	No	Unknown
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If Yes, what was the nature and type of commercial use(s)?

Has fill been brought to and used on the site (other than fill to accommodate septic systems or residential landscaping)?	Yes	No	Unknown
Has there been commercial petroleum or fuel storage on the site, underground fuel storage, or has the site ever been used for a gas station?	Yes	No	Unknown

If Yes, what was the use and type of fuel(s)?

If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

8. Current Applications

Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Ministry of Municipal Affairs and Housing? No Yes Unknown

If Yes, specify the Ministry file number and status of the application.

Is the subject land the subject of an application for a zoning by-law amendment, minor variance, consent or approval of a subdivision? No Yes Unknown

If Yes, specify the file number and status of the application.

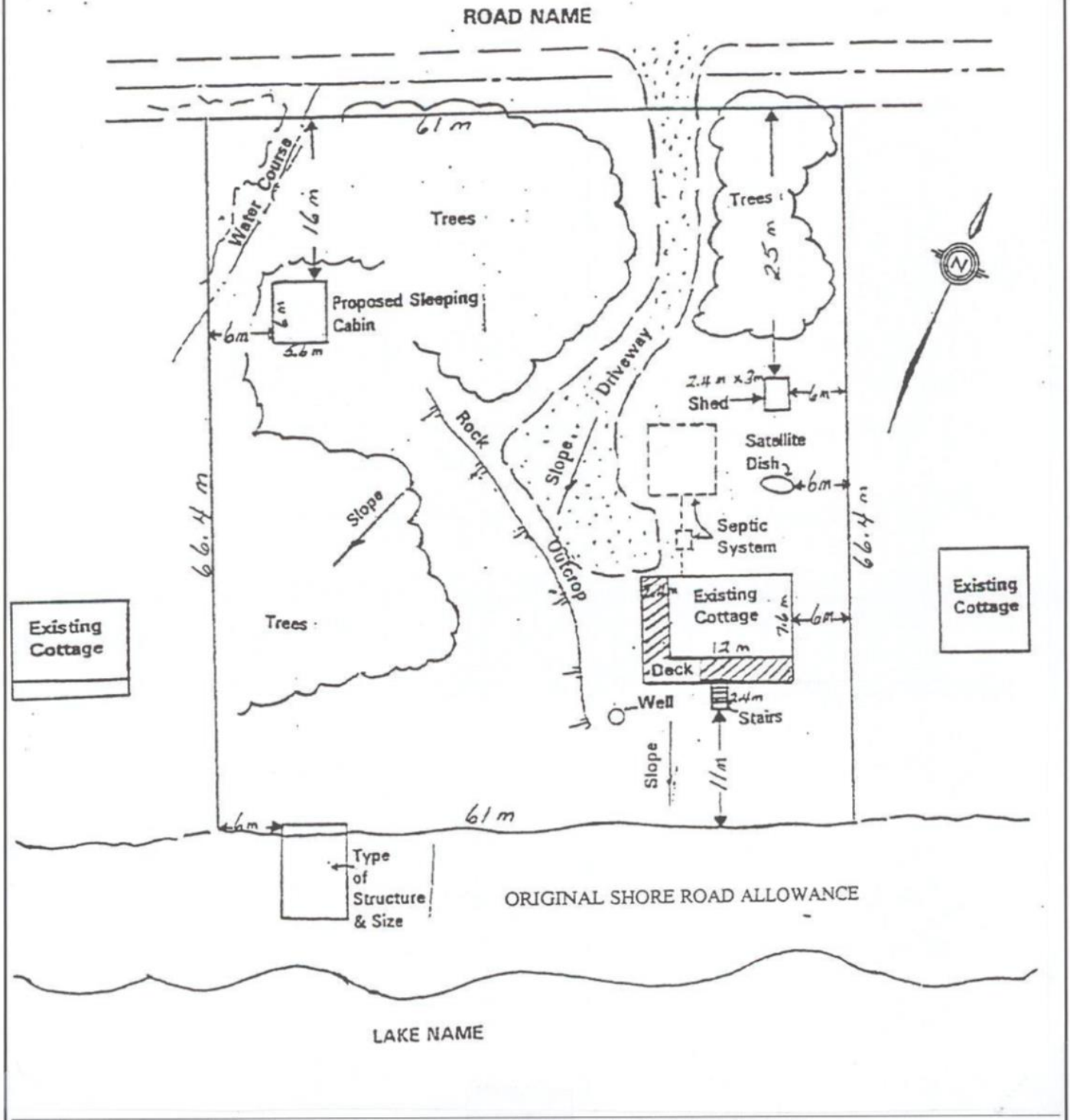
9. Other information

Is there any other information that you think may be useful to the Board or other agencies in reviewing this application? If so explain below or attach a separate page.

10. Sketch Requirements:

- Sketch plan will be no larger than 8.5" x 14"
- Show the following:
 - The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land,
 - The boundaries and dimension of the subject land, the part(s) that is(are) to be severed and the part to be retained,
 - The location of all land previously severed from the parcel originally acquired by the current owner of the subject land,
 - The location of any buildings on the subject land and identify their respective setback to all property lines including the proposed new property line(s)
 - The approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, well and septic tanks,
- Where it is determined that a sketch will not adequately provide the information required, it may be necessary to provide a plan provided by an Ontario Land Surveyor.
 - The existing uses on adjacent land, such as residential, agricultural and commercial,
 - The location and name of any roads and water bodies abutting the subject,
 - The location and nature of any easement affecting the subject land

SAMPLE SKETCH



11. Affidavit or Sworn Declaration

I, _____ of the _____
in the _____ make oath and say (or solemnly declare) that the information contained in this
application is true and that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me

at the _____

in the _____

this _____ day of _____, 20____

Commissioner of Oaths

Applicant

12. Authorized Agent

I/We _____ am/are the registered owner(s) of the subject lands for which
this application is to apply. I/We do hereby grant authorization to
_____ to act on my/our behalf in regard to this application.

Date

Signature of Registered Owner(s)

13. Consent Of Owner(s) to the Use and Disclosure of Personal Information

I/We _____, am/are the owner(s) of the land that is the subject of this
consent application and for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I 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* for the purposes of processing this application.

Date

Signature of Registered Owner(s) or Authorized Agent

14. Permission To Enter

I/We hereby authorize the members of the staff of the Sault Ste. Marie North Planning Board to enter upon the subject lands and
premises for the limited purpose of evaluating the merits of this application. This is their authority for doing so.

Date

Signature of Registered Owner(s) or Authorized Agent