

APPLICATION FOR CONSENT PROCESS



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
DEPARTMENT OF PLANNING AND DEVELOPMENT
101-225 HOLDITCH STREET, STURGEON FALLS, ON P2B 1T1
Telephone : 705-753-2250 • Fax : 705-753-3950

DETACH THE FIRST TWO PAGES AND RETAIN FOR FUTURE REFERENCE

1. This process pertains to an Application for Consent Process as well as other related matters;
2. There are different fees for each type of application.
3. Other related applications may be processed concurrently during this process.
4. Applicants may submit a separate justification report to address any of the questions within. In doing so, please ensure that the report identifies all of the questions herein, or use a combination of application form and justification report to ensure all required information is provided.

STEPS IN THE PROCESS

- Step 1** **Consult with the Planning Department:** In West Nipissing, consents are dealt with by the Committee of Adjustment, which consists of the members of Municipal Council and members at large. Before you fill out an application, it is helpful to discuss your plans with the Planning Department to determine:
- the need for a consent and the type of consent involved;
 - whether or not a minor variance application or a rezoning application is required to amend the Zoning By-law;
 - whether or not there might be servicing requirements/limitations, or land dedications involved with a consent proposal; or
 - whether or not the proposal is beyond the scope of the consent process and is, for example, a subdivision situation
- Step 2** **Complete the application form:** To avoid delays, please ensure that your application is complete, that all drawings are neat and legible and that all dimensions are accurate. Please note that all measurements and dimensions must be in metric.
- Step 3** **Circulation of application:** After your application has been received, and at least 14 days prior to the meeting, the Secretary -Treasurer of the Committee of Adjustment will send notice of the application to every person assessed within 60 metres of the subject property, and to every person and public body that has provided a written request for such notice. Anyone wanting to be notified of the decision must make a written request. Your application will also be circulated to prescribed agencies and to Town Departments for the purpose of obtaining written comments and/or advice for consideration when making the decision on the application.
- Step 4** **Decision Making Process:** The Committee of Adjustment will carefully consider all aspects of your application against matters such as:
- what the effect will be on the health, safety, convenience and welfare of the present and future inhabitants;
 - the impact on Provincial interests;
 - whether the application is in the public interest or is premature;
 - are the lands suited to the proposal;
 - if the size and shape of the lots and the overall plan are suitable;
 - whether the lot layout addresses conservation of natural resources and flood control;
 - whether utilities, road systems, municipal services and schools are adequate;
 - if the area of land being dedicated for public purposes is suitable;
 - Whether the application conforms to the applicable planning documents and if it is compatible with adjacent land uses.
 - if your application is approved, the Committee of Adjustment may impose conditions as part of the decision. Conditions could include things such as a requirement for Site Plan Approval, the entering into of an agreement with the Town, or approval of a lot grading plan.

Step 5 **Notice of Decision:** Within 15 days of the date on which the Committee of Adjustment makes a decision, one copy will be mailed to you, to anyone who filed a written request for notice of the decision, to everyone who provided written comments or written submissions, and to anyone else prescribed by regulation.

Step 6 **A Final Binding Decision:** If no appeal is made by the end of the 20 day appeal period, the decision is final and binding. You may then proceed to fulfill the conditions of consent and to prepare and submit to the Secretary - Treasurer of the Committee of Adjustment the appropriate documents such as a deed or a mortgage for certification.

IMPORTANT NOTE: Section 53 of the Planning Act provides that:

- where a consent is granted with conditions, the conditions must be fulfilled within one year of the "giving of notice of a decision" or the consent is deemed to be "refused", and, where a conditional consent has been certified as to the fulfillment of the conditions, the consent itself "lapses" after two years from the date of the certificate.

How Long Does the Process Take?

- On average, approximately 6 to 8 weeks elapse from the time an application is filed with the Committee of Adjustment to the point where a decision of the Committee of Adjustment is final and binding.

Can Anyone Appeal the Decision?

- Anyone may appeal a decision of the Committee of Adjustment to the Ontario Land Tribunal (OLT) within 20 days of the date of the Notice of the Decision of the Committee of Adjustment by personally delivering or sending a Notice of Appeal to the Clerk of the Municipality of West Nipissing. The appeal must set out the reasons for objecting to the decision and must include the OLT's prescribed appeal fee. The Clerk will then prepare an appeal package and forward it to the OLT. The OLT will schedule a hearing and give written notice of the time and date in advance of the hearing.

Consent Application Forms are available in either printed or electronic form

Need more information or have any questions?

Municipality of West Nipissing
Planning & Building Department
101-225 Holditch Street
Sturgeon Falls, ON P2B 1T1
Tel.: 705-753-2250 ext. 6926
Fax: 705-753-3950
e-mail: mducharme@westnipissing.ca

APPLICATION FOR CONSENT (SEVERANCE) / CANCELLATION OF CONSENT/ VALIDATION OF TITLE



**THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
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Please Print and Complete or () Appropriate Box(es)

File No.:

SECTION 1 - OWNER / SOLICITOR / AGENT INFORMATION

1.1 Registered Owner(s):

Mailing Address:			Telephone No.:
City:	Province:	Postal Code:	Fax No.:
Email Address:			

1.2 Owner's Solicitor (if any):

Mailing Address:			Telephone No.:
City:	Province:	Postal Code:	Fax No.:
Email Address:			

1.3 Authorized Agent (if any):

Mailing Address:			Business Telephone No.:
City:	Province:	Postal Code:	Fax No.:
Email Address:			

1.4 Please specify to whom all communication should be sent: Owner Solicitor Agent

SECTION 2 - TYPE AND PURPOSE OF PROPOSED TRANSACTION *(Check (✓) appropriate box)*

<p>2.1 <input type="checkbox"/> Creation of a New Lot</p> <p> <input type="checkbox"/> Easement</p> <p> <input type="checkbox"/> Lease/Mortgage</p> <p> <input type="checkbox"/> Cancellation of Prior Consent</p>	<p><input type="checkbox"/> Addition to a Lot</p> <p><input type="checkbox"/> Right-of-Way</p> <p><input type="checkbox"/> Validation of Title</p> <p><input type="checkbox"/> Amendment to Provisional Consent</p>
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2.2 If a lot addition, identify the lands to which the parcel will be added:

2.3 Name of Person(s), if known, to whom the land or interest in lands is intended to be conveyed or mortgaged:

2.4 If **Cancellation of prior Consent** or amendment to Provisional Consent, provide date and/or file number, if known and reasons for cancellation. If required, attach separate page(s):

2.5 If **Validation of Title**, please provide date on which violation occurred and details of violation: If required, attach separate page(s).

SECTION 3 - LOCATION OF LAND

Lot(s) No.(s)		Concession	
Registered Plan No.:		Lot(s):	
Parcel No.:			
PIN No.(s):			
Town/Township:			
Municipal Address:			

SECTION 4 - SUBJECT LAND (SEVERED)

4.1 Description of subject land in metric units:

Frontage:		Depth:		Area:	
Existing Use:				Proposed Use:	
Existing Buildings and Structures on subject land:					
Proposed Buildings and Structures on subject land:					

4.2 Access to Subject Land:

<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Municipal Road maintained all year
<input type="checkbox"/> Water Access	<input type="checkbox"/> Municipal Road (seasonal)
<input type="checkbox"/> Other Public Road	<input type="checkbox"/> Right-of-Way
<input type="checkbox"/> Private Road	

4.3 What type of water supply is proposed for the Subject Lot?

<input type="checkbox"/> Publicly owned and operated piped water system
<input type="checkbox"/> Well
<input type="checkbox"/> Lake
<input type="checkbox"/> Other (specify): _____
<input type="checkbox"/> Not applicable (Easement/ROW/Lot Addition, etc.)

4.4 What type of sewage disposal is proposed for the Subject Lot?

<input type="checkbox"/> Publicly owned and operated sanitary sewage supply
<input type="checkbox"/> Septic System (private or communal)
<input type="checkbox"/> Other (specify): _____
<input type="checkbox"/> Not applicable (Easement/ROW/Lot Addition, etc.)

SECTION 5 - RETAINED LAND

5.1 Description of land to be retained in metric units:

Frontage:		Depth:		Area:	
Existing Use:				Proposed Use:	
Existing Buildings and Structures on retained land:					
Proposed Buildings and Structures on retained land:					

5.2 Access to Retained Land:

<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Regional Road
<input type="checkbox"/> Municipal Road maintained all year	<input type="checkbox"/> Municipal Road (seasonal)
<input type="checkbox"/> Other Public Road	<input type="checkbox"/> Right-of-Way
<input type="checkbox"/> Private Road	<input type="checkbox"/> Water Access

5.3 What type of water supply is proposed for the Retained Lot?

Publicly owned and operated piped water system

Well

Lake

Other (specify): _____

Not applicable (Easement/ROW/Lot Addition, etc.)

5.4 What type of sewage disposal is proposed for the Retained Lot?

Publicly owned and operated sanitary sewage supply

Septic System (private or communal)

Other (specify): _____

Not applicable (Easement/ROW/Lot Addition, etc.)

SECTION 6 - ADDITIONAL INFORMATION

6.1 What is the current Official Plan designation of the land?

6.2 What is the current property zoning?

6.3 Is the "subject land" the subject of any other application under the Planning Act for example: approval of a Plan of Subdivision, an official plan amendment, a zoning by-law amendment, a minor variance or a consent?

Yes No Unknown

If the above answer is "Yes", please provide the following information:

File No.:	Status of Application:
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6.4 Has the subject land ever been the subject of an application for approval of a plan of subdivision under Section 51 of the Planning Act or a Consent under Section 53 of the Planning Act?

Yes No Unknown

If the above answer is "Yes", please provide the following information:

File No.:	Decision:
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6.5 Has any land been severed from the parcel originally acquired by the owner of the Subject Land?

Yes No

If the above answer is "Yes", please indicate previous severances on the required sketch and supply the following information for each lot severed:

Grantee's (Purchaser's) Name:	
Land use on severed parcel:	
Date Parcel Transferred:	
Consent File No. (if known):	

6.6 Are there any existing easements or restrictive covenants affecting the land?

Yes No

If the above answer is "Yes", please describe the easement or covenant and its effect:

SECTION 7 - SKETCH REQUIREMENTS

7.1 As provided for in Ontario Regulation 197/96, as amended, this application must be accompanied by a sketch or drawing, in metric units, signed and dated, setting out the information below:

(a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

- (b) the distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) 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, wooded areas, wells and septic tanks;
- (f) the existing uses on adjacent land, such as residential, agricultural and commercial uses;
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way;
- (h) if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
- (i) the location and nature of any easement affecting the subject land.

SECTION 8 - CHECK LIST

8.1 Applicants check list :

HAVE YOU REMEMBERED TO ATTACH:

- 1 original copy of the complete application form
- 1 photocopy of the application
- copy of PIN (Property Identification Number) Sheet for subject property
- 1 copy of the required sketch
- the required fee (cash, money order or cheque made payable to the Corporation of the Municipality of West Nipissing). Payment can also be made by debit.
- If applicant is a corporation, a copy of the Articles of Incorporation and Director/Officer register is required.

Fees are calculated as follows:

- \$425 per proposed severed lot – (i.e. two new lots: fee = \$850.00)
- Amendment to Provisional Consent: \$225.00
- Validation of Title: \$100.00
- Cancellation Certificate of Prior Consent: \$125.00

SECTION 9 - AUTHORIZATION

9.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form of the authorization set out below must be completed.

AUTHORIZATION OF OWNER FOR AGENT TO MAKE THE APPLICATION

I/We the undersigned, being the registered owner(s) of the above lands, hereby authorize :

to make this application on my/our behalf to the Committee of Adjustment of the Municipality of West Nipissing for Consent to convey an interest in the lands in accordance with Subsection 1 of Section 53 of the *Planning Act*, R.S.O. 1990.

Date

Signature of Owner

Name of Owner (Printed)

Signature of Owner

Name of Owner (Printed)

NOTE: This form is only to be used for applications which are to be signed by someone other than the owner(s). If the applicant is a corporation, the corporate seal or statement "I/We have authority to bind the corporation" is to accompany the owner's signature(s).

9.2 Consent of Owner:

Complete the consent of the owner concerning personal information set out below

AUTHORIZATION OF OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION

I/We am/are the owner(s) of the land that is subject of this application and for the purpose of the *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 Owner

Name of Owner (Printed)

Signature of Owner

Name of Owner (Printed)

SECTION 10 - AFFIDAVIT

NOTE: ALL APPLICANTS SHALL ENSURE THAT A "COMPLETE APPLICATION" UNDER THE PLANNING ACT HAS BEEN MADE BEFORE COMPLETING THIS DECLARATION.

I/We _____ of the _____ in the District of _____ in the province of Ontario, MAKE OATH and state that all the statements contained in this application 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 and by virtue of the Canada *Evident Act*.

Declared before me at the _____ in the District of _____ on this _____ day of _____, 20__ /

Signature of Commissioner of Oaths

Signature of Applicant, Solicitor or Authorized Agent

SECTION 11 - TO BE COMPLETED BY MUNICIPALITY

11.1 Date received by Planning & Building Services :

11.2 In addition to the information contained within Sections 1 to 11 of this Application, the following information/studies are requested to satisfy the requirements of a complete application under the Planning Act.

11.3 I have reviewed the information contained in this application and have deemed it to satisfy the requirements of a complete application under the Planning Act.

Date

Signature of Planning Services Staff