

HOW DO I PAY THE FEE?

- Payments should be made by certified cheque or money order, payable to the Municipality of Machin.

WHY ARE THESE FEES BEING CHARGED NOW?

- In many parts of the province, municipalities and planning boards now process these applications and charge a fee for doing so.

ANY QUESTIONS?

- If you have any questions, or if you want more information, call Tammy Rob, Machin Municipal office (807) 227-2633.

**Applying for a
Consent
To Create a New Lot?**

Tips that can help.

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.

Is there an official plan for your area?

Official plans are local land use planning documents adopted by a local municipality or 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 must conform to the requirements of the official plan, if any, and be consistent with the Comprehensive Set of Policy Statements (under section 3 of the **Planning Act**).

Is there a zoning order or zoning by-law for your area?

Local zoning by-laws or zoning orders may exist in your area. They set out specific requirements for new development (Eg. Minimum lot size, frontage, acceptable access etc.).

Your proposed new lot must conform to any zoning controls.

Your municipal Clerk, can help you interpret your local official plan and zoning by-law or zoning order.

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 1970, when approval of lot creations became mandatory;
- the new and remaining lot will have direct access to an existing publicly-owned and maintained road;
- extensions of municipal or communal sewer or water services are minor and can be done at no cost to your local municipality.

Where can new lots be created?

Generally, only limited development is permitted in rural areas. This helps protect the natural environment, the natural resources and the character of rural areas and also discourages the inefficient provision of services.

New lots created for permanent, year-round use should be located in existing, built-up areas.

If your area is not municipally organized, industrial or commercial lots can only be created on or near a natural resource. For example, a small resort or campground next to a lake might be permitted. However, related uses, such as residential lots to house employees, would have to be located in nearby municipalities. ie. Septic you may want to contact the health unit prior to filling out your application.

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.

In areas without municipal organization new permanent residential lots cannot be created where they are in close proximity to municipalities or settlement areas. Seasonal lots usually cannot be created in areas where there is potential for conversion to year-round use.

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, on an in-fill basis, provided they won't be converted to permanent residential use and they have registered rights-of-way with direct access to a public road;
- water access may be acceptable for cottage lots if the lots are on an island or in a remote location, where future demand for road access is not anticipated; lots should be located within a reasonable distance to publicly-owned and maintain parking, docking and boat launching facilities.

What kind of services do new lots need?

In general:

- where municipal sewer and water services exist, lots should hook into that service;
- where municipal services cannot be provided, municipally-owned communal services are preferred;
- in other areas, 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 and Energy.

What happens to my application after I submit it to the Municipality?

The Municipality is required to give notice of a complete application to persons and agencies that may have an interest in the proposed consent. This can occur in 2 ways: (1) by mail or personal service to all landowners and any condominium corporation within 60 meters of the subject land, or (2) by publishing a notice in a local newspaper.

Generally, the notice, circulation, site visit, if necessary, and a decision on a consent request will be done in 90 days from the receipt of complete application.

If the Municipality 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 fulfill 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 30 days of receiving the notice of decision.

If the Municipality proposes not to approve the application, the Municipality will send a notice, giving the reasons for the proposed refusal. The applicant, or any person or public body has up to 30 days from the notice to appeal the decision to the Ontario Municipal Board. If at the end of 30 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 90 days of the Minister'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 Minister 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.

List of things the Sketch need to include:

- all Buildings, sheds, barns and dugouts
- location of all septic fields and wells
- any utilities (Waterline, Union Gas Lines)
- all Hydro poles
- Roadways and Laneways

- Waterways and Rivers
- Define the different areas (wooded area, lowland area)
- Measurements of each lot
- Lots to be severed and retained labeled on the sketch

Municipality of Machin

Application for Consent Under Section 53 of the Planning Act

Note to Applicants: In this form the term “subject” land means the land to be severed and the land to be retained.

Completeness of the Application

The information in this form that **must** be provided by the applicant is indicated by **black arrows** on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulation 41/95 made under the Planning Act. The mandatory information must be provided with the appropriate fee. If the mandatory information and fee are not provided, the Municipality will return the application or refuse to further consider the application until the information and fee have been provided.

The application form also sets out another information that will assist the Municipality and others in their planning evaluation of the consent application. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Submission of the Application

- **One application form is required for each parcel to be severed.**
- The applicable fee as indicated by the Municipality’s Fee Schedule.
- 2 copies of the completed application form and 2 copies of the sketch are required by the Municipality. The copies will be used to consult with other ministries or agencies that may have an interest in the application. (Measurements are to be in metric units.)

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 “Comprehensive Set of Policy Statements”.

Please Print and Complete or (✓) Appropriate Box(es)

1. Applicant Information

1.1 Name of Applicant	Home Telephone No.	Business Telephone No.
Address	Postal Code	

1.2 Name of Owner(s) (if different from the applicant). **An owner’s authorization is required in Section 11.1, if the applicant is not the owner.**

Name of Owner(s)	Home Telephone No.	Business Telephone No.
Address	Postal Code	

1.3 Name of the person who is to be contacted about the application, if different than the applicant. (This may be a person or firm acting on behalf of the applicant.)

Name of Contact Person	Home Telephone No.	Business Telephone No.
Address	Postal Code	Fax No.

**** 2 . Location of the Subject Land (Complete applicable boxes in 2.1)**

2.1 County/Region/District	Local Municipality/Unorganized Township	Former Municipality	Section or Mining Location No.
Concession No. (s)	Lot No. (s)	Registered Plan No.	Lot(s)/Block(s)

Reference Plan No. Part No. (s)

Name of St./Rd.

Street No.

2.2 Are there any easements or restrictive covenants affecting the subject land?

No Yes If **Yes**, describe the easement or covenant and its effect.

**** 3. Purpose of this Application**

3.1 Type and purpose of proposed transaction (check appropriate line)

Transfer Creation of a new lot Addition to a lot An easement Other purpose

Other A charge A lease A correction of title

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

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

4. Description of Subject Land and Servicing Information (Complete each subsection).

4.1 Description

Severed

Retained

Frontage (m.)

Depth (m.)

Area (ha.)

4.2 Use of Property

Existing Use(s)

Proposed Use(s)

4.3 Buildings or Structures

Existing

Proposed

4.4 Access

(check appropriate)

Provincial Highway

space)

Municipal road, maintained all year

Municipal road, seasonally maintained

Other public road

Right of way

Water Access (if so, describe below)

Describe in section 9.1, the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.

4.5 Water Supply

Publicly owned and operated
Piped water system

Privately owned and operated Individual well

Privately owned and operated
Communal well

Lake or other water body

Other means

4.6 Sewage Disposal
(Check appropriate
space)

Publicly owned and operated
sanitary sewage system

Privately owned and operated
individual septic tank

Privately owned and operated
individual septic system

Privy

Other means

(1) A certificate of approval from the local Health Unit or Ministry of the Environment and Energy submitted with this application will facilitate the review.

4.7 Other Services

Electricity

(Check if the service _____ is
available) School Bussing

Garbage Collection

4.8 If access to the subject land is by private road, or if "other public road" or "right of way" was indicated in section 4.4, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.

5. Lane Use

5.1 What is the existing official plan designation(s), if any, of the subject land?

5.2 What is the zoning, if any, of the subject land? If the subject land is covered by a Minister's zoning order, what is the Ontario Registration Number?

5.3 Are any of the following uses or features on the subject land or within 500 meters of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

SUBJECT	ON THE SUBJECT LAND	WITHIN 500 METERS OF LAND, UNLESS OTHERWISE SPECIFIED (INDICATE APPROX. DISTANCE)
USE OR FEATURE		
An agricultural operation, including livestock facility or stockyard		
A landfill		
A sewage treatment plant or waste stabilization plant		
A provincially significant wetland (Class 1,2, or 3 wetland)		
A provincially significant Wetland within 120 meters of the subject land	N/A	
Flood plain		
A rehabilitated mine site		
A non-operating mine site within 1 kilometer of the subject land		
An active mine site		
An industrial or commercial use, and specify the use(s)		
An active railway line		
A municipal or federal airport		
Aboriginal historical site		

6. History of the Subject Land

6.1 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 If **Yes** and **if known**, provide the Municipality's application file number and the decision made on the application.

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

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

**** 7. Current Applications**

7.1 Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?

Yes No Unknown If **Yes**, and **If Known**, specify the file number and status of the application.

7.2 Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, consent or approval of a plan of subdivision:?

Yes No Unknown If **Yes**, and **If Known**, specify the appropriate file number and status of the application.

8. Sketch (Use the attached Sketch Sheet) To help you prepare the sketch, refer to the attached Sample Sketch.

8.1 The application shall be accompanied by a sketch showing the following:

- the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- the boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- the distance between the subject land and the nearest township lot line or landmark, such as a railway crossing or bridge
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
- the approximate location of all natural and artificial features on the subject land and adjacent lands 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

- the existing use(s) on adjacent lands
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way
- If access to the subject land is by water only, the location of the parking and boat docking facilities to be used
- the location and nature of any easement affecting the subject land

9. Other Information

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

10. Affidavit or Sworn Declaration

10.1 Affidavit or Sworn Declaration for the Prescribed Information

I, _____ of the _____ in the _____ make oath and say (or solemnly declare) that the information contained in Sections 1.1, 1.2, 2, 3.1, 3.2, 4.1 to 4.6 inclusive, 5.1, 6.1, 6.3, 7, and 8 of this application is true and that the information contained in the documents that accompany this application in respect of the above Sections is true.

Sworn(or declared before me

at the _____

in the _____

this ____ day of _____ 19____

Commissioner of Oaths

Applicant

10.2 Affidavit or Sworn Declaration for Requested Information

I, _____ of the _____ in the _____ make oath and say (or solemnly declare) that the information contained in Sections 1.3, 3.3, 4.7, 4.8, 5.2, 5.3, 6.2 and 9 of this application is true and that the information contained in the documents that accompany this application in respect of the above Sections is true.

Sworn (or declared) before me

at the _____

in the _____

this _____ day of _____ 19 _____

Commissioner of Oaths

Applicant

11. Authorizations

11.1 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 or the authorization set out below must be completed.

Authorization of Owner for Agent to Make the Application

I, _____, am the owner of the land that is the subject of this application for a consent and I authorize

_____, to make this application on my behalf.

Date

Signature of Owner

11.2 If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

Authorization of Owner for Agent to Provide Personal Information

I, _____, am the owner of the land that is the subject of this application for a consent and for the purposes of the **Freedom of Information and Protection of Privacy Act**, I authorize _____, as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

Date

Signature of Owner

12. Consent of the Owner

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

Consent of the Owner to the Use and Disclosure of Personal Information

I, _____, am the owner of the land that is the subject of this consent application and for the purposes 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

*****T

he Municipality will Assign a File Number for complete applications and this should be used in all communications.

- Applicant's Checklist:** Have you remembered to attach: Yes
- 1 copies of the completed application form?
 - 1 copies of the Sketch.
 - 2 copies of the certificate of approval from the local Health Unit or Ministry of the Environment and Energy?
 - The required fee, either as a certified cheque or money order, payable to the Municipality of Machin?

Forward to:

Municipality of Machin

P.O. Box 249
75 Spruce Street
Vermilion Bay, On
P0V 2V0