

**TOWNSHIP OF LAKE OF THE WOODS**  
**CONSENT APPLICATION INFORMATION**

**WHAT DO I NEED TO KNOW BEFORE APPLYING FOR A CONSENT?**

**FEES and OTHER MATTERS:**

- 1) **The Township does not complete the application. It is the responsibility of the applicant to submit a properly completed application. Section 8 map must be completed showing all requested information.** Information including the Official Plan and zoning information is available from the Township Office.
- 2) The Township charges an application fee of \$450.00 fee for one lot and \$150.00 more for each additional lot proposed to be created. The fee is payable to the Township and must accompany the application. **The applicant is responsible for all additional costs as well, such as an outside planning report, lawyer fees etc.**
- 3) The Township will require a notice from the Northwestern Health Unit. The notice will certify that the severed and the retained lot are capable of supporting a septic system. Contact the NWHU at 807 274-9827 for their fee related to this consent application.
- 4) The new lot(s) will need to be surveyed on a reference plan. There is a fee for the services of the surveyor. You should check with a surveyor for the cost of a reference plan.
- 5) Your application may require a rezoning of the property or an Official Plan Amendment. There is a fee for this and depending on the complexity of the application the Township fee ranges starts at \$250.00.
- 6) If the consent application or if required, the rezoning application is appealed to the Local Planning Appeal Tribunal (LPAT) there will be additional costs.
- 7) If the new lot created needs an entrance off a Provincial Highway the Ministry of Transportation may not allow it or you may need to make special provisions. Prior to filing an application for consent involving this type of entrance check with MTO. The address is Ministry of Transportation 615 South James Street, Thunder Bay, ON P7E 6P6, ATTN: Planning & Design Section Corridor Control Office (807) 473-2117.
- 8) Refer to the attached Question and Answer pages for further information.
- 9) **The municipality requires 6 copies of the application.**

Township of Lake of the Woods  
211 Fourth St  
PO Box 427  
Rainy River, ON  
P0W 1L0  
Phone & Fax 807 852-3529

**TOWNSHIP OF LAKE OF THE WOODS**  
**APPLICATION FOR CONSENT UNDER SECTION 53 OF THE PLANNING ACT**  
**PLEASE PRINT AND COMPLETE OR (X) APPROPRIATE BOX(ES)**

1. **Application Information. No: 46B** \_\_\_\_\_ **Date Application Received** \_\_\_\_\_

1.1 Name of Owner(s). An owner's authorization is required in Section 13.1, if the applicant is not the owner.

\_\_\_\_\_  
 Name of Owner(s) Home Telephone No Business Telephone No

\_\_\_\_\_  
 Address Postal Code email address

1.2 Agent/Applicant: Name of the person who is to be contacted about the application, if different than the owner.

(This may be a person or firm acting on behalf of the owner).

\_\_\_\_\_  
 Name of Contact Person/Agent Home telephone No Business Telephone No

\_\_\_\_\_  
 Address Postal Code email address

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

2.1 Rainy River District	Geographic Township	Concession Number	Lot Number
Reference Plan No.	Part Number(s)	Registered Plan No.	Lot(s) Block(s)
Municipal Address	PIN Number	Parcel Number	Island Number

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 applicant**

3.1 Type and purpose of proposed transaction. (Check appropriate spot)

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 persons(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 for either existing or proposed service).**

4.1 Description	Retained	Severed Lot # 1	Severed Lot # 2	Severed Lot # 3
Frontage (m)				
Depth (m)				
Area (ha)				

4.2 Use of Property	Retained	Severed Lot # 1	Severed Lot # 2	Severed Lot #3
Existing Use(s)				
Proposed Use(s)				

4.3 Building or structures	Retained	Severed Lot # 1	Severed Lot # 2	Severed Lot #3
Existing (date built)				
Proposed				

<b>4.4 Access (check appropriate space)</b>	Retained	Severed Lot # 1	Severed Lot # 2	Severed Lot #3
Provincial Highway				
Municipal road year-round				
Municipal road, season				
Right of way				
Water Access (describe below)				

For Water Access use Section 11 to describe the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.

<b>4.5 Water Supply</b>	Retained	Severed Lot # 1	Severed Lot # 2	Severed Lot #3
Publicly owned & operated piped water system				
Privately owned & operated individual well				
Privately owned & operated communal well				
Lake or other water body				
Other means				

<b>4.6 Sewage Disposal</b>	Retained	Severed Lot # 1	Severed Lot # 2	Severed Lot #3
Publicly owned & operated sanitary sewer system				
Privately owned & operated individual septic system				
Privately owned & operated communal septic system				
Privy				
Other means				

4.7 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., indicated who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year. \_\_\_\_\_

**5 Land Use**

5.1 What is the existing official plan designation(s) of the subject land? \_\_\_\_\_

5.2 What is the existing zoning designation(s) of the subject land? \_\_\_\_\_

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified?

<b>USE OR FEATURE</b>	<b>On the subject land</b>	<b>Within 500 metres of subject land unless otherwise specified</b>
<b>You must answer yes or no for each of the Uses or Features.</b>		
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 metres of subject land		
A Flood plain		
A rehabilitated mine site or non-operating mine with 1km		
An active mine site		
An industrial or commercial use, and specify the use(s)		
An active railway line		
A municipal or federal airport		
Utility corridors		

**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 under Section 51 or consent under Section 53?  No  Yes If yes and if known, provide the file number and the status of the application. And further provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

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

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

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**7 Current Applications**

7.1 Is the subject land currently the subject of any other application under the Act, such as an application for an amendment to an official plan?

No  Yes. If yes and if known, specify the file number and status of the application \_\_\_\_\_

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7.2 Is the subject land currently the subject of any application for an amendment to a zoning by-law or a Minister's zoning order, an application for a minor variance, or an application for an approval of a plan of subdivision or a consent?  No  Yes if yes & known specify the file number & status.

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8. Is this application consistent with policy statements issued under subsection 3 (1) of the Planning Act?  Yes  No.

9. Is the subject land within an area of land designated under any provincial plan or plans?  No  Yes. If yes state whether the application conforms to or does not conflict with the applicable provincial plan or plans \_\_\_\_\_

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**10. Retained land:**

- Is the applicant requesting a certificate for the retained land  Yes  No;
- If the answer is yes, the applicant must provide a lawyer's statement that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act;

11. **Sketch** (Use the attached Sketch Sheet and use metric units)

The application shall be accompanied by a sketch (including a suitable key map) showing the following:

- the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- the approximate distance between the subject land and the nearest township lot line or landmark, such as a bridge or railway crossing;
- the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- 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 (for example, *buildings, railways, roads, watercourses, drainage ditches, banks of river or stream banks, wetlands, wooded areas, well and septic tanks*) that,
  - (i) are located on the subject land and on land that is adjacent to it, and
  - (ii) in the applicant's opinion may affect the application;
- the current uses of land that is adjacent to the subject land (*for example, residential, agricultural or commercial*);
- 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 will be by water only, the location of the parking and boat docking facilities to be used and
- the location and nature of any easement affecting the subject land.

**12. Other Information**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**13. Affidavit or Sworn Declaration**

I/WE \_\_\_\_\_ of the \_\_\_\_\_ in the District of Rainy River, 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\_\_\_\_\_

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Commissioner of Oaths/Notary Public

\_\_\_\_\_  
Applicant

**14. Authorizations**

**13.1 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/WE \_\_\_\_\_, am/are the owner(s) of the land that is subject of this application for a consent and I/we authorize \_\_\_\_\_ to make this application on my/our behalf.

\_\_\_\_\_  
Date Signature of owner Signature of owner

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

I/we \_\_\_\_\_, am/are the owner(s) of the land that is 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 Signature of owner

**15. 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/we \_\_\_\_\_ am/are 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 purpose of processing this application.

\_\_\_\_\_  
Date Signature of owner Signature of owner

## SKETCH SHEET

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Sketch Accompanying Application (Please use metric units)

## **Q&A**

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?**

Yes, the official plan is a local land use planning documents adopted by the municipality and approved by the province. It reflects provincial and local planning issues and among other things, establishes policies for lot creation.

Your proposed lot must conform to the requirements of the official plan and have regard to the Provincial Policy Statement under section 3 of the Planning Act.

### **Is there an official plan and a zoning by-law for your area?**

Yes, a zoning by-law exists in your area. It sets out specific requirements for new development (e.g. minimum lot size, frontage acceptable access etc.).

Your proposed new lot must conform to the zoning controls.

The municipal Clerk can help you interpret the 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 to three are proposed;
- no more than two lots have been severed from the parcel since adoption of the official plan;
- the new lot and the remaining lot will have access to an existing publicly-owned and maintained road or for cottage lake or remote lots have adequate parking & docking facilities available;

### **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.

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 new lots can't 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 will not 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 have safe, long-term access for all vehicles, including service and emergency vehicles.

Generally, this means:

- lots should be located on publicly-owned road(s) 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 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 and Energy and/or local Health Unit.

### **What happens to my application after I submit it to the Township?**

The Township 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 metres of the subject land, or (2) by publishing a notice in a local newspaper.

If the Township 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 Local Planning Appeal Tribunal (LPAT) within 20 days of the giving of the notice of decision.

If the Township proposes not to approve the application, the Township will send a notice, giving the reasons for the proposed refusal. The applicant or any person or public body has up to 20 days from the giving of the notice to appeal the decision to the Local Planning Appeal Tribunal (LPAT). If at the end of 20 days there is no appeal, the decision to refuse becomes final.

The applicant can appeal the application to the Local Planning Appeal Tribunal (LPAT) if a decision has not been reached on the consent request within 180 days of the Township'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 Township to make a decision on the application within a reasonable time. If all the necessary information is submitted at the time of application, delays in processing the application can be avoided.