

Township of Nipissing Consent Application Processing Procedure

Fees:

Application Fee: \$500.00 (non-refundable)

Included in this fee:

- pre-consultation
- Review of application
- Deeming application complete, as appropriate
- Issuance of letter confirming complete application
- Advertising the application and applicable notices
- Meeting requirements to deal with the application
- Posting of all notices as required

Deposit Fee: \$2,500.00 (refundable)

This amount is to be submitted once the letter confirming a complete application is issued.

Included in this fee:

- Title Search of property, to be completed by the Township legal Counsel
- Planning Report, to be completed by the Township planning consultant

The Applicant shall be responsible for all actual legal and planning costs of the application process. If the amount exceeds the deposit submitted, the Applicant will be invoiced for the remaining amount. The account must be in good standing in order to finalize the application. The remaining portion of the deposit, if applicable, shall be refunded to the Applicant by means of a cheque issued once the final deed is stamped and the application is finalized.

Granting of a Consent \$250.00 (non-refundable)

Included in this fee:

- Confirm all conditions of approval have been fulfilled
- Sign Certificate of Official
- Legal review of deed and Certificate of Official

Procedure:

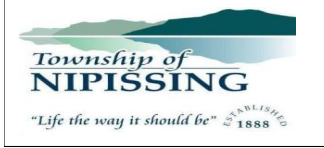
1. Complete and submit an Application for Consent. Application fee to be submitted with the Application package.
2. Upon receipt of an Application and Fee, Staff will review the application using the Components of a Complete Application checklist.
3. Should deficiencies be identified in the application, the applicant will be contacted and the outstanding items will be explained.
4. Once the application meets all requirements of the Components of a Complete Application checklist it will be deemed a complete application. A letter acknowledging the complete application will be issued by Staff to the Applicant.
5. Once this letter is issued, the Deposit Fee will be required and the 90 (ninety) day requirement for hearing the application at a public meeting begins.

6. Staff will forward the application to the Township Planner for a planning report and to the Township Legal Counsel to complete a Title Search of the subject property.
7. Public Notice of the application will be prepared for circulation at least 14 (fourteen) days prior to the scheduled public meeting, to all property owners within 60 metres of the subject property and the notice shall be placed on the Township website.
8. Staff shall post the Public Notice on the subject property in a clearly visible and accessible location for viewing at least 14 (fourteen) days prior to the scheduled public meeting.
9. The Committee of Adjustment shall meet at the scheduled date and time to deal with the application.
10. An approved application will then have a 20 (day) appeal period after passing.
11. A Notice of Decision shall be issued by Staff and provided to the applicant and posted on the Township website.
12. Approved applications where no appeal is received begin the 1 (one) year timeline to complete any conditions listed on the Notice of Decision and have the deed prepared by their legal counsel.
13. Once all conditions are fulfilled and submitted to the Township of Nipissing, Staff will verify the completeness of all conditions.
14. The legal deed for the land shall be provided by the applicant's legal counsel to the Township for stamping and finalizing the file.

Attachments:

- A. Consent Application.
- B. Components of a Complete Application.
- C. Letter Acknowledging Complete Application.
- D. Sample Public Notice of Application and Meeting.
- E. Sample Notice of Decision.
- F. Consent Approval Process Flow Chart.

A. Application for Consent



The Corporation of the Township of Nipissing

45 Beatty Street
Nipissing, ON
705-724-2144

Email: admin@nipissingtownship.com
Website: www.nipissingtownship.com

Office Use Only:

File No. _____

File No. _____

Date Submitted: _____

AN APPLICATION FOR CONSENT UNDER SECTION 53 OF THE PLANNING ACT, R.S.O 1990 c.P.13

PLEASE PRINT OR TYPE AND COMPLETE() APPROPRIATE BOXES.

1. APPLICANT INFORMATION

1.1 Applicant(s):

Name(s) of Property Owner(s): _____

Phone #: Home: _____ Mobile: _____ Business: _____ Fax: _____

Address: _____

Postal Code: _____ Email Address: _____

1.2 Agent for the Applicant

The property owner (s) may appoint a person or a professional firm to act on their behalf for processing this application and attending the meeting at which it will be considered, or a person who is to be contacted about the application for communication. This may be a person or firm acting on behalf of the property owner(s). The owner's authorization is required in section 10.1 if the applicant is an agent appointed by the owner.

Name of Contact Person/Agent: _____

Phone #: Home: _____ Mobile: _____ Business: _____ Fax: _____

Address: _____

Postal Code: _____ Email Address: _____

2. LOCATION OF THE SUBJECT LAND

Municipality _____ Tax Roll Number _____

Name of street/road _____ Street number _____

Concession number(s) _____ Lot numbers(s): _____

Reference Plan no.(s) _____ Part number(s) _____

Parcel number _____ Property Identification Number(s) PIN _____

Registered Plan (Subdivision) no. _____ Lots(s)/Block(s) no. _____

2.2 Are there any easements or restrictive covenants affecting the subject land? Yes/No: _____ If yes, describe the easement or covenant and its effect and attach a copy of the relevant document.

3. PURPOSE OF THE APPLICATION;

3.1 Type and Purpose of proposed transaction(s) that requires the Consent:

A Transfer for the Creation of a New Lot _____ A Lot Addition _____

An Easement _____ A Charge _____ A Lease _____ Correction of Title _____

3.2 Name of Person(s) if known, to whom the 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 (Fully complete each subsection. If not completed, application will be returned).

4.1 Description/Size	SEVERED #1	SEVERED #2	RETAINED
Frontage (m)			
Depth (m)			
Area (ha)			

4.2 Land Use	SEVERED #1	SEVERED #2	RETAINED
Existing Use of Property			
Proposed Use of Property			

4.3 Buildings and Structures Are there any buildings or structures on the subject land YES NO

	Building One	Building Two	Building Three
Type of Building			
Setback from Front Lot Line			
Setback from Rear Lot Line:			
Setback from Side Lot Line:			
Setback from Side Lot Line:			
Height (metres):			
Dimensions:			
Floor Area:			
Date of Construction			

* Attach separate sheet if required.

Are any buildings or structures being proposed to be built on the severed and/or retained lands? YES NO

	SEVERED #1	SEVERED #2	RETAINED
Type of Building			
Setback from Front Lot Line			
Setback from Rear Lot Line:			
Setback from Side Lot Line:			
Setback from Side Lot Line:			
Height (meters):			
Dimensions:			
Floor Area:			
Date of Construction			

*Attach a separate sheet if required

4.4 Road Access	SEVERED #1	SEVERED #2	RETAINED
Provincial Highway			
Municipal Road that is maintained all year			
Municipal Road that is seasonally maintained			
Another Public Road			
4.5 Water Access: If access to the land will be by water only, the parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road.			
4.6 Water Supply	SEVERED #1	SEVERED #2	RETAINED
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			

4.7 Sewage Disposal	SEVERED #1	SEVERED #2	RETAINED
Privately owned and operated individual septic tank			
Privately owned and operated communal septic tank			
Privy			
Other Means			

4.8 Other Service (check mark if service is available)	SEVERED	SEVERED #2	RETAINED
Electricity			

4.9 If access to the subject land is by private road or other public road or right of way was indicated in Section 4.4, advise who owns the land or road, and 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)? (Contact Municipality)

5.2 What is the Zoning on the subject land? (Contact Municipality)

If the subject land is covered by a Minister's Zoning Order, what is the registration number? _____

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? Please check the boxes that apply.

Use or Feature	On the Subject Land	Within 500 meters of subject land, unless otherwise specified (indicate approximate distance)
An Agricultural Operation including Livestock Facility or Stockyard		
A Waste Disposal Site		
Known Fish Habitat		
A Provincially Significant Wetland		
Flood Plain		
A Rehabilitated Mine Site		
A Non-Operating Mine Site within one kilometer of the subject land		
A Contaminated Site		
An Industrial or Commercial use, and specify the use (e.g. gravel pit)		
Wildland Fire Risk		
Utility corridors		
A Cold Water Stream		
A Water Body		
ANSI, Life Sciences		
Candidate ANSI, Life Science		
Deer Yard		
Source Protection Area		
Bird Nesting		

5.4 Is the Proposed Development withing 120 metres of an unclassified wetland in excess of 2 hectares? NO YES

6. HISTORY OF SUBJECT LAND

6.1 If known, has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Act or a consent under section 53 of the Act. If yes, the file number of the application and the status of the application.

6.2 Whether any land has been severed from the parcel originally acquired by the owner of the subject land. If yes, the date of the transfer, the name of the transferee and the uses of the severed land.

7. CURRENT APPLICATION

7.1 Is the subject land currently the subject land of a proposed official plan or official plan amendment that has been submitted to the Ministry of Municipal Affairs and Housing for approval?

NO YES UNKNOWN

If yes and if known, specify the file number and status of the application

7.2 Is the subject land the subject of any other application under the Act, such as an application for an amendment to an Official Plan, a Zoning By-law or a Minister’s Zoning Order, an application for a Minor Variance, or an application for approval of a Plan of Subdivision or a Consent.

NO YES UNKNOWN

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

7.3 An explanation of how the application is consistent with policy statement issued under subsection 3 (1) of the Act.

*(Attached separate sheet if required)

7.4 Whether the subject land is within an area of land designated under any provincial plans or plans? If yes, an explanation of how the application conforms or does not conflict with the provincial plan or plans.

*(Attached separate sheet if required)

8. SKETCH:

The application must be accompanied by a sketch showing the following:

- a. The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained, showing the location of existing structures and driveway(s), other permanent features (e.g. swimming pools, man-made ponds) boulders, flat rock, etc.
- b. 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.
- c. The location of all land previously severed from the parcel originally acquired by the current owner of the subject land.
- d. 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, roads, watercourses, drainage ditches, river or stream bank, wetlands, wooded areas, wells and septic tanks.
- e. The existing use (s) on adjacent lands.
- f. 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 right of way.
- g. If access to the subject land is by water only, the location of the parking and boat docking facilities to be used.
- h. The location and nature of any easement affecting the subject land.
- i. Other information: Is there any other information that you think may be useful to the Committee or other agencies reviewing the application? If so, explain below or attach on a separate page.

9. AFFADAVIT OR SWORN DECLARATION

I, _____ of the _____
(municipality)

in the province of _____, make oath and say that the information contained in this

application is true and that the information contained in the documents that accompany this application is true.

DECLARED BEFORE ME:

AT THE _____

IN THE _____

THIS _____ DAY OF _____

Commissioner of OATHS

Signature of Registered Owner(s) or agent.

10. AUTHORIZATION

10.1 If the applicant is not the owner of the land subject in this application, written authorization of the property owner authorizing the particular person to act as their agent to make the application and represent them at the meeting when the Committee considers this matter, must be submitted with this application form OR the authorization section below 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
CONSENT AND HERBY AUTHORIZE _____
TO MAKE THIS APPLICATION ON MY BEHALF.

DATED: _____ SIGNATURE OF PROPERTY OWNER _____

10.2 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.

APPOINTMENT AND AUTHORIZATION OF AN AGENT AND CONSENT TO PROVIDE PERSONAL INFORMATION

I, _____, AM THE OWNER OF THE LAND THAT IS THE SUBJECT OF THIS APPLICATION FOR
CONSENT AND FOR THE PURPOSES OF THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT, I
AUTHORIZE _____ TO SUBMIT THE INFORMATION REQUIRED FOR THIS PURPOSE.

DATED _____ SIGNATURE OF PROPERTY OWNER _____

11. CONSENT OF 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.

DATED _____ SIGNATURE OF PROPERTY OWNER _____

B. Components of a Complete Application
CONSENT APPLICATION
COMPONENTS OF A COMPLETE APPLICATION
(O. Reg. 197/96)

The following information must be submitted in order to have an application deemed complete.

Information to be Submitted (O. Reg. 197/96, Schedule 1)		
1.	The name, address, telephone number and email address of the owner of the subject land, and of the agent if the applicant is the owner's authorized agent.	
2.	The date of the application.	
3.	The type and purpose of the proposed transaction (for example, a transfer for the creation of a new lot, a lot addition, an easement, a charge, a lease or a correction of title).	
4.	If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.	
5.	A description of the subject land, including such information as the municipality, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers, and street names and numbers.	
6.	Whether there are any easements or restrictive covenants affecting the subject land.	
7.	If the answer to 6. is yes, a description of each easement or covenant and its effect.	
8.	For the land intended to be severed:	
	a. The frontage, depth and area, in metric units	
	b. The existing and proposed uses of the land	
	c. The existing and proposed buildings and structures on the land	
	d. Whether access to the land will be:	
	i) By a provincial highway, a municipal road that is maintained all year or seasonally, another public road or a right of way or	
	ii) By water;	
	e. If access to the land will be by water only, the parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road;	
	f. Whether water will be provided by a privately owned system and operated individual or communal well; a lake or other water body or other means; and	
	g. Whether sewage disposal will be provided by a privately owned and operated individual or communal septic system, a privy or other means.	
9.	For the land intended to be retained:	
	a. The frontage, depth and area, in metric units	
	b. The existing and proposed uses of the land	
	c. The existing and proposed buildings and structures on the land	
	d. Whether access to the land will be:	
	i) By a provincial highway, a municipal road that is maintained all year or seasonally, another public road or a right of way or	
	ii) By water;	
	e. If access to the land will be by water only, the parking and docking facilities to be	

	used and the approximate distance of these facilities from the land and the nearest public road;	
	f. Whether water will be provided by a privately owned system and operated individual or communal well; a lake or other water body or other means; and	
	g. Whether sewage disposal will be provided by a privately owned and operated individual or communal septic system, a privy or other means.	
10.	The current designation of the subject land in the applicable official plan.	
11.	The following information if known by the applicant: a. Whether the subject land has ever been the subject of an application for approval of a plan of subdivision under Section 51 of the Act or a consent under Section 53 of the Act; and b. If the answer to a. is yes, the file number of the application and the status of the application.	
12.	Whether any land has been severed from the parcel originally acquired by the owner of the subject land.	
13.	If the answer to 12) is yes, the date of the transfer, the name of the transferee and the uses of the severed land.	
14.	The following information if known by the applicant: a. Whether the subject land is the subject of any other application under the Act, such as an application for an amendment to an Official Plan, a Zoning By-Law or a Minister's Zoning Order, an application for a Minor Variance or an application for approval of a Plan of Subdivision or a Consent; and b. If the answer to a. is yes, the file number of the application and the status of the application.	
15.	Whether the application is consistent with policy statements issued under Subsection 3(1) of the Act.	
16.	Whether the subject land is within an area of land designated under any provincial plan(s).	
17.	If the answer to 16. Is yes, whether the application conforms to or does not conflict with the applicable provincial plan(s).	
18.	If the applicant is not the owner of the subject land, the owner's written authorization to the applicant to make the application.	
19.	An affidavit or sworn declaration by the applicant that the information required under this Schedule and provided by the applicant is accurate.	
SKETCH REQUIREMENTS		
A sketch is submitted as part of the application showing the following in metric units:		
A.	The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;	
B.	The approximate distance between the subject land and the nearest Township lot line or landmark such as a bridge;	
C.	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;	
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 (for example, buildings, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells 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;	
F.	The current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);	
G.	The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a publicly travelled road, a private road or a right of way;	
H.	If access to the subject land will be by water only, the location of the parking and boat docking facilities to be used; and	
I.	The location and nature of any easement affecting the subject land.	
OFFICIAL PLAN REQUIREMENTS		
	Any information (e.g., reports or studies) required by the Township Official Plan	
APPLICATION FEES		
	Application fees in the amount indicated in the current User Fee By-Law.	

Applicant
Name: _____

Date Application Deemed
Complete: _____

Deemed Complete
by: _____
(PLEASE PRINT)

LETTER ACKNOWLEDGING RECEIPT OF A COMPLETE APPLICATION COMPLETED
AND MAILED OR RELEASED TO APPLICANT

*Please place a copy of the letter with this completed checklist.



C. Letter Acknowledging a Complete Application

<Date>

Subject: File Number: _____
 Address: _____
 Municipality: _____
 Legal Description: _____
 Roll Number: _____

Dear <Name>:

This letter is to acknowledge receipt of the information dated _____, 20__ and to advise that the application for consent has been determined to be complete in accordance with the Planning Act.

The Township of Nipissing will begin processing the application as soon as possible. You will be advised of the date set by the Township of Nipissing Committee of Adjustment to consider your application as soon as it is set.

Should you have any questions or concerns, do not hesitate to contact our office.

Sincerely,

Charles Barton
CAO-Clerk

Cc: Property File

D. Sample Public Notice of Application and Meeting.

NOTICE OF A CONSENT APPLICATION (AND PUBLIC MEETING)



The Township of Nipissing Committee of Adjustment is in receipt of a consent application, for lands located at (enter municipal address), as shown on the map below.

Time and Location of the Public Meeting

Date: _____, 2020

Time: ____:____

Location: _____

PURPOSE AND EFFECT OF THE PROPOSED APPLICATION

The subject land is located (east/west) of (enter name of road) and (north/south) of (enter name of road), in (enter name of community). The proposed severance parcel(s) has a frontage(s) of ____m on (enter name of road) and area(s) of ____m². The proposed retained parcel has a frontage of ____m on (enter name of road) and an area of ____m². The proposed severed parcel(s) is to be used for _____. See map below.

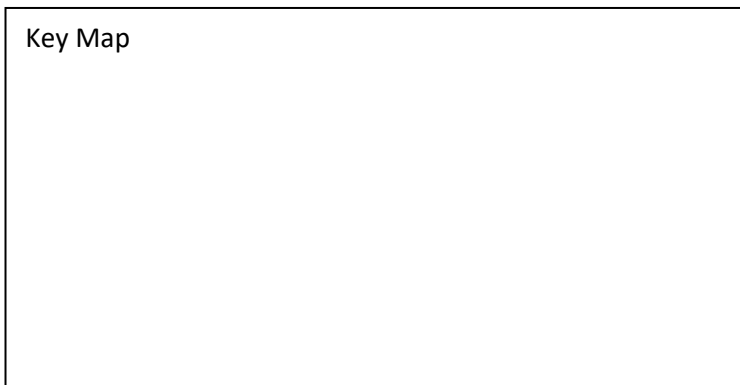
NOTES REGARDING YOUR RIGHTS

If a person or public body that files an appeal of a decision of The Township of Nipissing Committee of Adjustment in respect of the proposed consent does not make written submissions to Township of Nipissing Committee of Adjustment before it gives or refuses to give a provisional consent, the Land Planning Appeal Tribunal (LPAT) may dismiss the appeal.

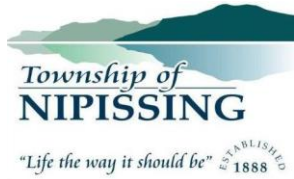
FOR MORE INFORMATION

Additional information is available for inspection at the municipal office by contacting _____ at 705-724-2144 or by email at _____@_____.com quoting File Number _____.

SUBJECT PROPERTY



E. Sample Notice of Decision.



**NOTICE OF DECISION
(SECTION 53 OF THE PLANNING ACT)**

_____, 20__

Subject: Notice of Decision on Application for Consent

Address: _____

Owner: _____

Municipality _____

File No. : _____

Dear Sir/Madam,

Pursuant to section 53 of the Planning Act, *(A provisional consent has been granted on the above application/the above application was refused)*. Please find enclosed a copy of the decision.

The last date for appeal is *(enter date of this letter + 20 days)*. If by this date, no notice of appeal is received, the decision of the Township of Nipissing Committee of Adjustment is final and binding.

The Township of Nipissing Committee of Adjustment may, prior to the lapsing date, change a condition(s) of consent. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent. The process of changing a condition will involve another twenty day appeal period, unless the Township of Nipissing Committee of Adjustment considers the change to be minor.

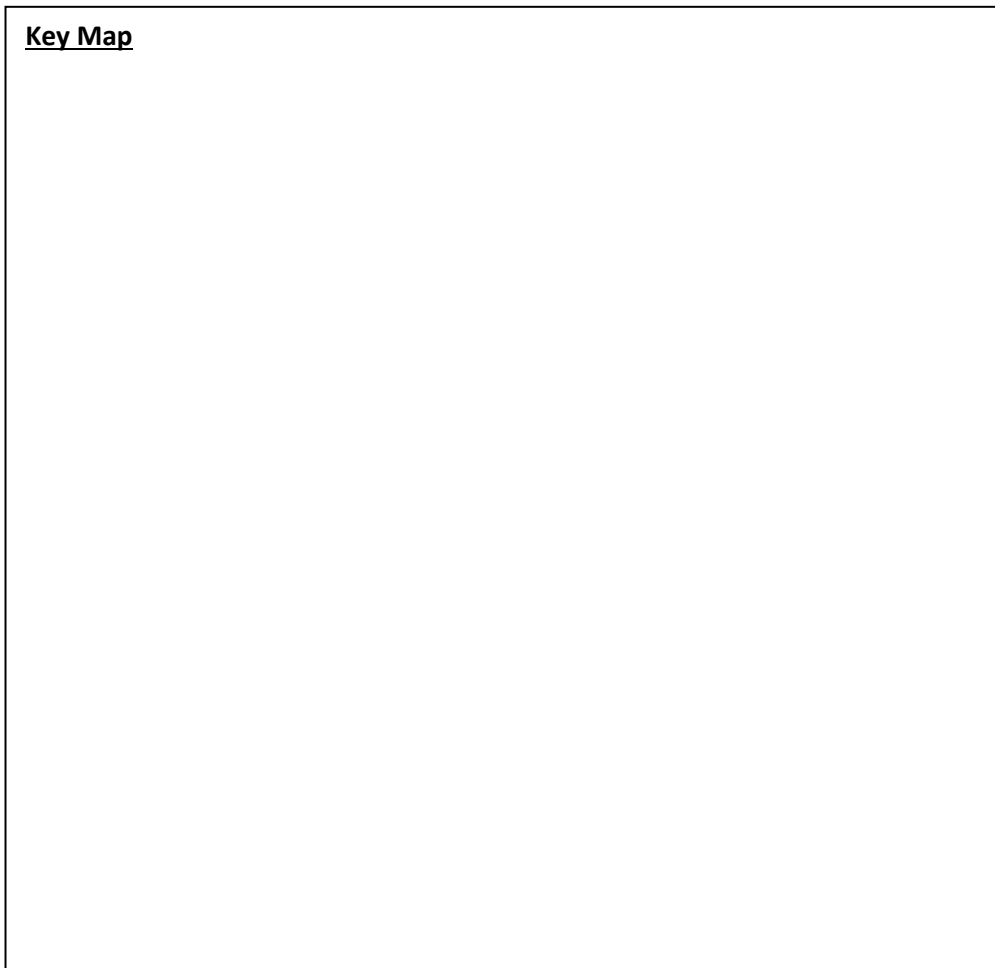
Any person or public body may appeal to the Land Planning Appeal Tribunal against the decision of the Township of Nipissing Committee of Adjustment, or any condition(s) imposed by the Township of Nipissing Committee of Adjustment, by sending a letter outlining the reasons for the appeal to the Secretary Treasurer, accompanied by a filing fee of \$400 as required by the Land Planning Appeal Tribunal. The fee must be paid by certified cheque or money order, in Canadian Funds, payable to the Minister of Finance.

The application and associated files are available for public viewing Monday to Friday 8:30am to 12 noon and 12:30pm to 4:30pm at the Township of Nipissing Municipal office located at 45 Beatty Street, Nipissing Ontario, P0H1W0.

Sincerely,

(consent-granting authority designate)

SUBJECT PROPERTY



ATTACHMENT A
(INSERT COPY OF THE DECISION)

F. Consent Approval Process Flow Chart

Consent Approval Process

