



**The Corporation of the
Township of Alberton**

Application for Consent

Under Section 53 of the *Planning Act*

NOTE TO APPLICANTS: This application form is to be used when applying to the Township of Alberton for consent. 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 **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 application will be returned and will not be considered until the information and fee have been provided

The application form also sets out other information that will assist the Committee 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 Tariff of Fees By-Law of the Township of Alberton.
- 10 copies of the completed application form (including 10 coloured copies of the sketch) are required. The copies will be used to consult with Provincial Government 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 “ Provincial Policy Statements”.

You can also call the Municipal Office and speak with staff. Applications to be submitted to:

Township of Alberton
RR # 1, B-2
Fort Frances, Ontario
P9A 3M2
Phone: 807-274-6053

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	Please indicate to whom all communications should be sent:	<input type="checkbox"/> Owner	<input type="checkbox"/> Agent

2. Location of Subject Land (Severed and Retained) Complete Applicable Boxes in Section 2.1

➤ 2.1	Municipality	Township	Property Roll No.
	Property descriptor:	Lot/Section No.	Part No.
	Other Information (parcel #, etc.)		Reference Plan No.
			Registered Plan No.

➤ 2.2 Are there any easements or restrictive covenants affecting the subject land? No Yes
If **Yes**, describe each easement or covenant and its effect

3. Purpose of this Application

➤ 3.1 Type and purpose of proposed transaction (✓ appropriate box):

Transfer Creation of a new lot Addition of a lot (see also 3.3) An easement Other purpose

Other A charge A lease 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 on the accompanying sketch the lands to which the parcel will be added.

4. Existing or Proposed servicing information regarding the subject land.

(complete each section)

Severed

Retained

		Severed	Retained
➤ 4.1	Dimensions		
	Frontage (m) (# of ft x .3048)		
	Depth (m) (# of ft. x .3048)		
	Area (ha.) (# of acres x .4047)		
➤ 4.2	Use of Property		
	Existing Use(s)		
	Proposed Use(s)		
➤ 4.3	Buildings or Structures		
	Existing		
	Proposed		
➤ 4.4	Access (✓appropriate space)		
	Provincial Highway (secondary or primary)		
	Municipal Road (maintained all year)		
	Municipal Road (seasonally maintained)		
	Other Public Road		
	Right of Way		
➤ 4.5	Water Supply (✓appropriate space)		
	Publicly owned & operated piped water system		
	Privately owned & operated individual well		
	Privately owned & operated communal well		
	Lake or other water body		
	Other means		

		Severed	Retained
➤ 4.6	Sewage Disposal (✓appropriate space)	Publicly owned & operated sanitary sewage system	
		Privately owned & operated individual septic tank*	
		Privately owned & operated communal septic system	
		Privy	
		Other means	
*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 (✓if service is available)	Electricity	
		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 above, indicate 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), if any of the subject land?

5.2 What is the zoning, if any, of the subject land?

5.3 Are any of the following uses or features on or adjacent to the subject land. (✓appropriate boxes if any apply)

Use or Feature	On subject land	Adjacent to subject land
An agricultural operation		
A landfill		
An industrial or commercial use (specify uses)		
An active railway line		
A Municipal Airport		

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 Ministry or Municipal 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?
 No Yes
 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, Zoning By-Law amendment, a minister's zoning order, a minor variance, an approval or a plan of subdivision or a consent?

Yes No Unknown

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

8. Sketch

- 8.1 The application shall be accompanied by a sketch showing the information indicated below . Mandatory information **MUST** be included on the sketch. Other information must be provided if it applies to the subject property.
- The boundaries and dimensions of the subject land, the part that is to be severed and the part to be retained.
 - The existing zoning use(s) on adjacent lands AND names of property owners for abutting property.
 - 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.
 - 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 systems.
 - 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 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 Committee of Adjustments for the Township or other agencies in reviewing this application? If so, explain below or attach a separate sheet.
-
-

10. Affidavit or Sworn Declaration

- 10.1 **Affidavit OR Solemn Declaration for the Prescribed information**

I, _____ of the _____ of _____

In the _____ of _____, make oath and say OR solemnly declare that the information required by Ont. Regulation 197/96 and all other information required in this application, including supporting documentation is true and I make this solemn declaration conscientiously believing it to be true knowing that it is of the same force and effect as if made under oath and by virtue of the **Canada Evidence Act**.

Sworn/Declared before me at the Township of Alberton, in the District of Rainy River, this _____ day of _____, 20____

}
}

Commissioner for Oaths, etc.

Applicant

11. Owner's authorization if the Owner is not making the Application

- 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 **MUST** be included with this form or the authorization below must be completed.

AUTHORIZATION OF OWNER FOR APPLICANT TO MAKE THIS APPLICATION

I, _____, am the owner of the land that is the subject of this application for consent and, as evidenced by my signature below, I hereby 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 REGARDING PERSONAL INFORMATION

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

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

The Township of Alberton will assign a File Number for complete applications and this should be used in all communications.

Applicant's Checklist:

Have you remembered to attach:

- Required number of copies of Application
- Required number of copies of sketch
- Copy of comments of local Health Unit
- A current copy of the Parcel abstract
- The required fee, payable to Township of Alberton

Forward To:

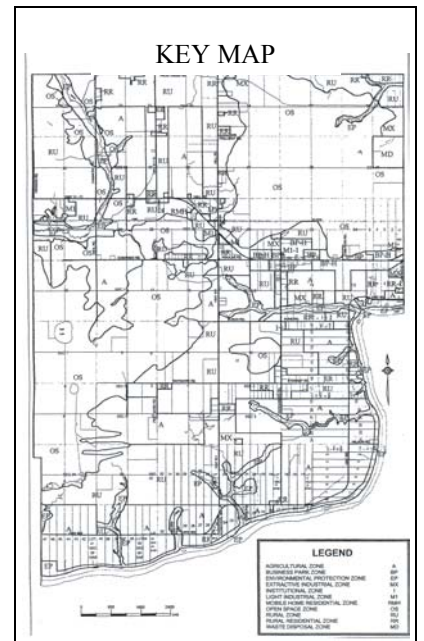
Township of Alberton
RR#1 – B2
Fort Frances, Ontario P9A 3M2

Inquiries Call:

(807) 274-6053

SKETCH SHEET

Sketch accompanying Application. (Use metric Units) (See Section 8)



Highlight lot location on Key Map



Township of
Alberton

APPLICATION GUIDE

(INCLUDES WORKING COPY OF APPLICATION)

Q & A

APPLYING FOR CONSENT

NOTE: The following frequently asked questions are intended to assist you in deciding 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.

1. What do I do?

After you review this guideline, complete the working copy of the application with as much information as you can. Maps for the Official Plan and Zoning By-Law are attached to help you determine what your property is designated and zoned. As well, the requirements from the zoning by-law for properties in the Agricultural, Rural, Rural Residential and Business Park zones are attached to assist you. If you need information on any other zone or on accessory buildings, please ask us for a copy.

Once the working copy of the application and the sketch is completed, drop them off at the municipal office for the Committee's secretary to review. Expect to allow a minimum of three days for review of the application. If there are no amendments, you will be notified by telephone. If amendments are required, a deficiency notification will be sent to you by mail. When the application is submitted in final form, it must be accompanied by the application fee.

2. How much does it cost to create a new lot?

The application fee is \$450.00 for *each* new lot or part lot created. We strongly recommend that, if you have doubts or questions about your application, that you "pre-consult" with the municipal office before submitting the application so you don't find yourself in the unfortunate position of paying the fee only to discover the severance could not have been permitted in the first place.

3. Who makes the decision for approval?

The Alberton Committee of Adjustments makes the decision as to whether consent approval is granted or refused. Meetings of the Committee are held only on an "as required" basis when applications are received.

4. Why are ten copies of the application required?

The Secretary of the Committee must consult with provincial government agencies and other public bodies who have responsibility for matters that may be affected by the consent (severance). A copy of your application will be sent to each of these agencies and bodies for their comments. In addition, each member of the Committee of Adjustments will receive a copy with coloured sketch.

It is important to note that provincial government agencies, in putting forward their comments on an application, may refer to the *Provincial Policy Statement, 2005*. In considering an application, the Committee must comply with the *Provincial Policy Statement*.

5. Does each copy of the application need to have an original signature?

One originally signed copy is required. The remaining nine copies may bear original signatures or may be photocopies of the signed original application.

6. How does the Committee determine whether or not an approval should be granted?

In considering each application for land severance, the Committee evaluates the merits of each proposal against criteria such as:

- Conformity with official plan and compatibility with adjacent uses of land
- Compliance with the Zoning by-Law and Official Plan
- Suitability of the land for the proposed purpose, including the size and shape of the lot(s) being created.
- Adequacy of vehicular access, water supply and sewage disposal, et cetera.

To help you determine whether your application would meet these criteria, you must review the criteria for the Zone in which your property lies. Please be aware that there may be other aspects of the Official Plan or Zoning By-Law that should be considered in submitting your application in addition to the specific Zone criteria. The Official Plan and Zoning By-Law for the Township are available for viewing at the municipal office and are posted online at www.alberton.ca.

7. How long does it take to have a lot severed?

Prior to holding a meeting there is a requirement for at least 14 days to be allowed between the date notice is published in a newspaper and the date of the hearing/meeting. After a decision is made by the Committee, a 20 day appeal period must elapse before the decision is final. These time requirements are prescribed by the *Planning Act* and cannot be changed. In order to expedite the approval process, we strongly recommend that you submit your application to the Clerk in draft so any deficiencies can be identified and remedied before the application is formally submitted.

8. When are Committee meetings held?

Committee meetings are held only when required. You will be notified of the date of any meeting which is held with regard to your application.

9. Do I have to attend the meeting?

Applicants or their authorized agents will be notified and are encouraged to attend. It is possible that an application could be denied if the Applicant or agent is not available to answer questions of Committee members. Other interested persons may also attend the public meetings or hearings. The Planning Act requires that the public be given notice of any application for consent so notice of the meeting is given in a local newspaper or may be given by direct mail to abutting landowners as well.

10. What if there are other issues such as zoning or official plan concerns?

The Secretary of the Committee may elect to hold an application in abeyance to allow for certain matters to be resolved or sufficiently addressed. These matters may include, but are not limited to, policies relating to the Official Plan or Zoning By-Law, outstanding agency comments, insufficient information, legal interpretation and agency concerns. It is the responsibility of the applicant to make sure these matters are addressed.

Applications that are held in abeyance receive further attention from the Committee. A file is brought forward once the outstanding matter has been addressed, resolved and/or concluded.

11. Once a severance is granted, how long do I have to fulfill the conditions of approval?

A severance approval may be granted subject to certain conditions which could include requirements for road widening, parkland dedication, rezoning or minor variance. All conditions must be satisfied within one (1) year from the date of the decision. When all the conditions are met a Certificate finalizing the consent will be issued and the severance goes into effect. If the conditions are not satisfied by the one-year deadline, the consent will be deemed to be refused and no certificate will be issued. The same conveyance would then require a new application and the consent process would start again.

If the transaction originally applied for is not completed within two (2) years of the date of the certificate, the severance is considered lapsed. An earlier lapsing date can be specified by the Committee at the time of the severance decision.

A decision or any condition(s) can be appealed within twenty (20) days of the giving of notice of the decision.

12. What about a survey? How do I know if I need one?

A reference plan (survey) is usually required to be supplied by the applicant. In some cases, the Land Registrar may agree to accept a registrable description instead of a survey. In this instance a letter of exemption signed by the Land Registrar on Registry office letterhead is required.

The applicant will be notified when a reference plan is required. Usually this is a condition of consent but, in some cases, it may be requested prior to the making of a decision. The survey must closely match the sketch and the information on the application from which the applicant submitted. If your application is approved, it is strongly suggested that you simply give a copy of the sketch to your surveyor. Therefore, it is important that the surveyor not be given instructions that differ from the application. If the survey does not match, this requirement will not be considered met and the deed will not be endorsed with consent approval.

13. After approval is given by the Committee how long do I have to transfer the property?

If a Certificate finalizing the consent is issued, you have one (1) year from the date of the Certificate to carry out the transfer of title. If the one-year deadline is not met, the consent lapses and the parcel(s) can no longer be conveyed without reapplying for and obtaining consent. Once you receive the Certificate of Consent, there is no follow-up reminder from the Secretary of the Committee about the lapsing date.

IF YOU HAVE DETERMINED THAT YOU WISH TO PROCEED WITH AN APPLICATION, PLEASE READ AND FOLLOW THE INSTRUCTIONS BELOW CAREFULLY. IF THE DOCUMENTATION IS NOT COMPLETE, it may be necessary to return documents or delay hearing until all requirements are met.

1. TEN COMPLETED SIGNED COPIES OF THE APPLICATION FOR CONSENT must be filed with the Secretary of the Committee of Adjustment.
2. An application **fee of \$450 .00** must be submitted with the application. This payment can be made in cash or by cheque made payable to the "Township of Alberton".
3. **TEN COPIES** of a sketch or plan are required and coloured as follows:

The land to be **SEVERED** must be outlined in **YELLOW AND LABELED**; and the land to be **RETAINED** must be outlined in **GREEN and LABELED**. Rights-of-way must be shown in **RED**.

The sketch/plan should be letter size (8½ x 11, the same size as the Application form and drawn with "NORTH" indicated at the top of the page. Copies are distributed to those agencies required to give comments (e.g. regional and municipal agencies). For further information, see below "**SKETCH OF PLAN REQUIREMENTS**".

A key area map (overview) is to be provided to indicate the property location in relationship to the entire township. A map is attached that you can use for this purpose.

4. **PROOF OF OWNERSHIP** in the form of a copy of the parcel abstract should accompany your application - a copy can be obtained from the Land Registry Office. You must have the parcel number and Township name (Crozier/Roddick) in order to obtain a copy of the parcel.

APPLICATION FORM REQUIREMENTS:

- a) The application form is to be completed by the property owner or the owner's authorized agent and **must be typed or printed legibly in black or blue ink only.**
- b) Where an Agent is applying on behalf of the owner, the written authorization of the property owner must accompany the application.
- c) If the property is jointly owned, the application must be signed by **all** owners or written authorization of the joint owner not signing must accompany the application.
- d) If the Applicant is a Corporation acting without an Agent or Solicitor, the application form must be signed by an Officer of the Corporation and the Corporation seal (if any) must be affixed.
- e) The Application can only be signed before a Commissioner for taking Affidavits. The Clerk or Reeve are both authorized in this regard. If the Application is signed but is not commissioned, it *cannot* be accepted.

SKETCH OR PLAN REQUIREMENTS:

- a) The sketch or plan must be neat and accurate.
- b) Sketch/plan must be coloured and labeled as noted above.
- c) When a reduction of a sketch or plan is used, please include one copy of the full-size drawing for reference purposes.
- d) The location of all natural and artificial features on the subject land (e.g. lot and concession, plan numbers, road allowances, roadways, rights-of-way, railways, easements or restrictive covenants,

buildings, wells and septic systems, municipal addresses, watercourses, flood and fill lines, drainage ditches, banks, slopes, swamps and wooded areas) and the location of any of these features on adjacent lands which may affect the application. Sketch requirements are indicated in Section 8 of the application.

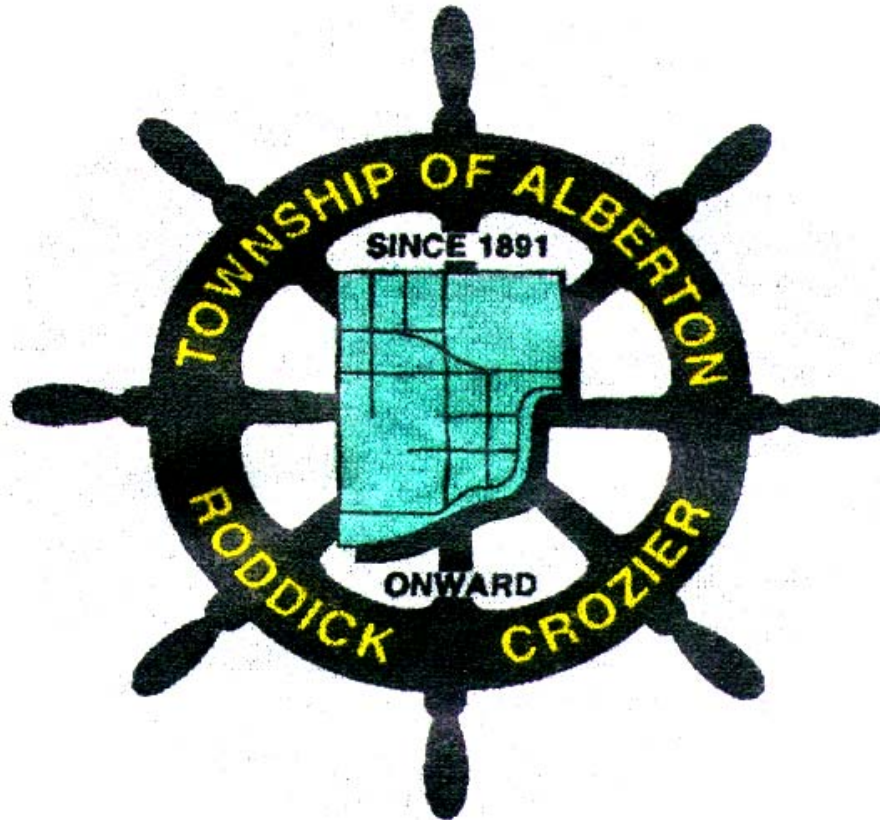
- e) All dimensions **MUST BE** shown in meters, including lot measurements, dimensions of all existing buildings, wells and septic systems, and present and proposed setbacks.

NOTE: A SITE INSPECTION may be necessary before and/or after the hearing.

If you have questions about your application or require further assistance, please call or e-mail:

Dawn Hayes, CMO
Secretary - Alberton Committee of Adjustments
CAO/Clerk-Treasurer
274-6053
alberton@jam21.net

GUIDE TO APPLYING FOR CONSENT TO SEVER



TOWNSHIP OF ALBERTON COMMITTEE OF ADJUSTMENT

Dawn Hayes
Secretary-Treasurer
c/o Township of Alberton
RR#1 – B 2
Fort Frances, On P9A 3M2
Phone: 807- 274-6053
Fax: 807-274-8449
e-mail: alberton@voyageur.ca