

APPLICATION GUIDE

Township of Morley

Q & A

APPLYING FOR CONSENT

NOTE: The following guidelines 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. The Consent Granting Authority (the “Committee”) makes the decision as to whether consent approval is granted or refused. Straight forward applications do not require a hearing and may be decided upon by the Committee at a regularly scheduled meeting. Meetings of the Committee are held on an as required basis. The Committee holds a hearing for disputed applications and renders a decision. The definitions for disputed and straight forward applications can be found in the Glossary at the back of the guide.
2. The Secretary-Treasurer of the Committee consults with provincial government agencies and other public bodies who have responsibilities for matters that may be affected by consent (severance). It is important to note that provincial government agencies, in putting forward their comments on an application, may refer to the Provincial Policy Statement under the Planning Act which came into effect on May 22, 1996. In considering an application, the Committee shall have regard to the Provincial Policy Statement.
3. 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
 - 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.
4. If a hearing is required, applications are reviewed by the Committee at a public meeting.
5. Applicants or authorized agents will be notified and are encouraged to attend. Applications may be denied if the Applicant or agent is not available to answer questions from Committee members. Other interested persons may also attend the public meetings or hearings. The Planning Act now requires that the public be given notice of any application for consent; notice may be given in a local newspaper or by direct mail to abutting landowners.
6. The Secretary-Treasurer of the Committee may decide to hold an application in abeyance to allow for certain matters to be resolved. These matters may include, but are not limited to, policies relating to the Official Plan, outstanding agency comments, insufficient information, legal interpretation and agency concerns. It is the responsibility of the applicant to follow up on these matters.
7. Applications that are held in abeyance receive further attention from the Committee. A file is brought forward once the outstanding matter has had action and/or has been concluded.

widening or parkland dedication. All conditions must be met 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.

9. If the transaction originally applied for is not carried out 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.
10. A decision or any condition(s) can be appealed within twenty (20) days of the giving of notice of the decision.
11. A reference plan (survey) is usually required to be supplied by the applicant. In some cases, a registerable description can be used instead of a survey, if acceptable to the Registry Office. In this instance a letter of exemption signed by the Land Registrar on Registry office letterhead may be 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. Therefore, it is important that the surveyor not be given instructions that differ from the application.

12. If a Certificate finalizing the consent is issued, you have two (2) years from the date of the Certificate to carry out the transfer of title. If the two-year deadline is not met, the consent lapses and the parcel(s) can no longer be conveyed without reapplying and obtaining consent. Once you receive the Certificate of Consent, there is no follow-up reminder from the Secretary-Treasurer of the Committee about the lapsing date.

IF YOU HAVE DETERMINED THAT YOU WISH TO PROCEED, 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. A COMPLETED COPY OF THE APPLICATION FOR CONSENT **AND SEVEN COPIES** must be filed with the Secretary – Treasurer of the Land Division Committee.
2. An application **fee of \$250 .00** is required. This payment can be made in cash or by cheque made payable to “The Township of Morley”.
3. **SEVEN COPIES** of a sketch or plan are required and coloured as follows:

The land to be **SEVERED** must be outlined in **RED AND LABELED**; and the land to be **RETAINED** must be outlined in **GREEN and LABELED**.

These sketches/plans should be letter size (8 1/2 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 OR PLAN REQUIREMENTS”**.

4. Comments from the Northwestern Health Unit as to whether a septic system can be accommodated on both the lot to be severed and the lot to be retained are to be provided with the application.

5. **PROOF OF OWNERSHIP** of the subject property (a copy of deed/tax bill) must accompany application. To assist in analyzing prior consents, it is suggested that a copy of the parcel abstract be obtained from the Land Registry Office.

APPLICATION FORM REQUIREMENTS:

- a) The application form is to be completed by the property owner or his authorized agent. **(TYPED OR BLACK INK ONLY)**
- b) **Where an Agent is applying, the WRITTEN AUTHORIZATION OF THE PROPERTY OWNER MUST** accompany the application.
- c) If the property is jointly owned, the application **MUST** be signed by both/all owners or written authorization of those signatures that do not appear on the application form shall accompany it.
- 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 is authorized in this regard. If the Application is signed and is not Commissioned, it **WILL NOT** be accepted and must be re-signed properly.

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 FULL SIZE DRAWING for reference purposes.
- d) The location of all natural and artificial features on the subject land (e.g. lot, 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.
- e) All dimensions **MUST BE** in metric detailing **lot measurements, all existing buildings, wells and septic systems.**

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

If further assistance is required, please call: Anna Boily, Clerk-Treasurer, (807) 483-5455

Township of Morley

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 Morley 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

- 7 copies of the completed application form and 7 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

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.

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:

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 Morley.**

Township of Morley
P.O. Box 40
Stratton, Ontario
P0W 1N0
Phone: 807-483-5455

Please Print and Complete or (✓) Appropriate Boxes

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? <input type="checkbox"/> No <input type="checkbox"/> 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. Servicing information regarding the subject land. (complete each section)

Severed

Retained

		Severed	Retained
➤ 4.1	Dimensions	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 (✓ 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 use(s) on adjacent lands, such as rural, agricultural, commercial or industrial
 - 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 Land Division Committee 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 Morley, 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 Morley 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
 - The required fee, payable to Township of Morley

Forward To: Township of Morley
P.O. Box 40
Stratton, Ontario
POW 1N0

Inquiries Call: (807) 483-5455

SKETCH SHEET

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

Key Plan

N5

