

CITY OF TIMMINS APPLICATION GUIDE

Approval of Plan of Subdivision or Condominium

Introduction

The process for submitting an application for approval of a plan of subdivision is provided for under Section 51 of the **Planning Act** and for approval of a plan of condominium under Section 50 of the **Condominium Act**. The Council of the Corporation of the City of Timmins is the approval authority for all such applications in the City of Timmins. Applications are to be made using the attached form.

Preconsultation

It is the responsibility of the applicant to research and evaluate the development proposal against the criteria set out in the Planning Act, the Provincial Policy Statement, the Official Plan and the Zoning By-law. The applicant should preconsult with the City to discuss the appropriateness of the proposal in the context of these documents.

Completing the Application

The information in the attached 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 544/06 made under the **Planning Act**. If the mandatory information, including the draft plan and appropriate fee, is not provided, the City will return the application or refuse to further consider the application.

The application form also sets out other information (eg. technical information or reports) that will assist the City Council and others in their planning evaluation of the development proposal. 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 conduct a complete review within the legislated time frame for making a decision.

Draft Plan

Section 51(17) of the **Planning Act** requires a draft plan, drawn to scale and showing

- the boundaries of the land proposed to be subdivided, certified by an Ontario land surveyor;
- the location, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts;
- on a small key plan on a scale of not less than one centimeter to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which the applicant has an interest, every subdivision adjacent to the proposed subdivision and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot;
- the purpose for which the proposed lots are to be used;
- the existing uses of all adjoining lands;
- the approximate dimensions and layout of the proposed lots;
- natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, wetlands and wooded areas within or adjacent to the land proposed to be subdivided;
- the availability and nature of domestic water supplies;
- the nature and porosity of the soil;
- existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land proposed to be subdivided;
- the municipal services available or to be available to the land proposed to be subdivided; and
- the nature and extent of any restrictions affecting the land proposed to be subdivided, including restrictive covenants or easements.

Concurrent Class EA Project Approval

Section 6 of the **Environmental Assessment Act** prevents draft approval until the requirements of Section 5(1) have been fulfilled. Section 8.2 of the subdivision application requires that any Schedule C water, storm drainage, sewage or road projects be identified and the location and dimensions of such projects must be shown on the subdivision plan, in the key plan, separately on the plan.

Please Attach

- 20 completed application forms (1 original and 19 copies);
- 25 copies of the draft plan with key maps, folded to 8½” by 14” size;
- 3 copies of the draft plan reduced to 8½” by 14”;
- 1 computer disk containing a digitized copy of the proposed draft plan in AutoCad Map 2000 format;
- 5 copies of the information/reports if indicated as needed when completing the relevant sections of this form, including the following:
 - ❖ Schedule 1 – City's Official Plan/Zoning form completed
 - ❖ generalized planning report which outlines, among other things, conformity with the relevant Official Plan, Zoning By-law and Provincial Policy
 - ❖ generalized storm water management plan
 - ❖ hydrogeology study where development will be serviced by private or communal water
 - ❖ lot size assessment where development will be serviced by private septic systems
- 1 copy of the registered transfer/deed for the subject lands

Processing the Application

Once the application is deemed complete, the Council of the City of Timmins is required to give notice of the application to the public and to certain persons and public bodies. At least one public meeting will be held.

After the application has been evaluated and information and recommendations from the appropriate persons, public bodies and interested parties has been obtained, the Council of the City of Timmins will make a decision to either “draft approve” or refuse the subdivision application. Written notice of Council's decision will be sent within 15 days of the decision with a 20-day appeal period to follow.

If draft approval is given, there will be conditions stipulated and these conditions must be fulfilled in order to obtain final approval and registration. In addition, draft approval may also include a lapsing provision which establishes a time frame within which the conditions must be met or the draft approval will lapse.

The applicant can appeal the application to the Ontario Municipal Board if a decision has not been made within 180 days of the receipt of the complete application.

For Help

For more information of the **Planning Act**, the subdivision process or provincial policies, please see the “Citizens’ Guide to Subdivisions” and the “Provincial Policy Statement” available from [Publications Ontario](#) or visit the [Ministry of Municipal Affairs and Housing](#) web site.

To help you complete the application form and prepare a good draft plan, please consult the City of Timmins, Planning Division, 220 Algonquin Boulevard East, Timmins, Ontario P4N 1B3, telephone: (705) 360-2600.

CITY OF TIMMINS



TYPE OF APPLICATION

- Plan of Subdivision OR
 Condominium

OFFICE USE ONLY:	
Date Application Received: _____	File Number: _____
Date Application Deemed Complete: _____	Application Fee: _____ Receipt: _____

Print in black or blue ink, complete or (✓) appropriate boxe(es)

1. APPLICATION INFORMATION

▶ **1.1 Name of Owner(s)** 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	Fax No.

▶ **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	Home Telephone No.	Business Telephone No.
Address	Postal Code	Fax No.

▶ **1.3 Planner/Engineer**

Name of Planner	Business Telephone No.
Address	Postal Code Fax No.

▶ **1.4 Ontario Land Surveyor**

Name of Surveyor	Business Telephone No.
Address	Postal Code Fax No.

2. LOCATION OF THE SUBJECT LAND (Complete applicable boxes in Section 2.1)

▶ 2.1 Local Municipality	Geographic Village/Town/Township	Lot(s)	Concession No.
City of Timmins		Registered Plan No.	Lot(s) Block(s)
Name of Street/Road	Street No.	Reference Plan No.	Part(s)

▶ **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. PROPOSED AND CURRENT LAND USE

▶ **3.1** Complete **Table A** on Proposed Land Use

Table A – Proposed Land Use

Proposed Land Use	Number of Units or Dwellings	Number of Lots and/or Blocks on Draft Plan	Area (ha.)	Density (Units/Dwellings per ha.)	Number of Parking Spaces
Residential					
Detached					(1)
Semi-Detached					(1)
Multiple Attached					
Apartment					
Seasonal					
Mobile Home					
Other (specify)					
Commercial					
Industrial					
Park, Open Space					
Institutional (specify)					
Roads					
Other (specify)					
Totals					

(1) Complete only if for approval of condominium description

► 3.2 What is the current use of the subject land?

► 3.3 How is the subject land currently designated in the official plan?

► 3.4 Has there been an industrial or commercial use, or a farm on the subject land or adjacent land?

Yes No Unknown If **Yes**, specify the uses.

	Yes	No	Unknown
3.5 Has the grading of the subject land been changed by adding earth or other material?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.6 Has a gas station been located on the subject land or adjacent land at any time?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has there been petroleum or other fuel stored on the subject land or adjacent land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.7 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.8 What information did you use to determine the answers to the above questions?

	Yes	No
3.9 If Yes , to (3.4), (3.5), (3.6) or (3.7), a previous use inventory showing all former uses of the subject land or, if appropriate, of the adjacent land, is needed. Is the previous use inventory attached?	<input type="checkbox"/>	<input type="checkbox"/>

4. ADDITIONAL INFORMATION FOR CONDOMINIUM APPLICATIONS ONLY

	Yes	No
► 4.1 Has a site plan for the proposed condominium been approved?	<input type="checkbox"/>	<input type="checkbox"/>
► 4.2 Has a site plan agreement been entered into?	<input type="checkbox"/>	<input type="checkbox"/>
► 4.3 Has a building permit for the proposed condominium been issued?	<input type="checkbox"/>	<input type="checkbox"/>
► 4.4 Has construction of the development started?	<input type="checkbox"/>	<input type="checkbox"/>
► 4.5 If construction is completed, indicate the date of completion. _____	<input type="checkbox"/>	<input type="checkbox"/>
► 4.6 Is this a conversion of a building containing rental residential units? If Yes , indicate the number of units to be converted, _____.	<input type="checkbox"/>	<input type="checkbox"/>

5. CONSULTATION WITH LOCAL MUNICIPALITY

5.1 Has the draft plan of subdivision or condominium description that is subject of this application been presented to Council? Yes No

5.2 Have you confirmed with the municipality that the proposed development meets all of the requirements of the official plan? Yes No

(If an official plan amendment is needed, it should be submitted prior to or concurrently with this application.)

6. STATUS OF APPLICATIONS UNDER THE PLANNING ACT

► 6.1 Has the subject land ever been the subject of a previous application for approval of a plan of subdivision or a consent?
 Yes No Unknown

If **Yes** and if **Known**, indicate the application file number and status of the application.

- **6.2** Is the subject land also the subject of a proposed official plan amendment that has been submitted for approval?
 Yes No Unknown

If **Yes** and if **Known**, indicate the application file number and status of the application.

- **6.3** Is the subject land also the subject of an application for consent, approval of a site plan, minor variance, zoning by-law or zoning order amendment?
 Yes No Unknown

If **Yes** and if **Known**, indicate the type of application file number and status of the application.

- **6.4** If the subject land covered by a Minister's Zoning Order, what is the Ontario Regulation Number?

- 6.5** Are the water, sewage or road works associated with the proposed development subject to the provisions of the **Environmental Assessment Act**:

Yes No

If **Yes**, will the notice of public meeting for this application be modified to state that the public meeting will address the requirements of both the **Planning Act** and the **Environmental Assessment Act**?

Yes No

7. PROVINCIAL POLICY

- 7.1** Provide a planning report detailing how the proposal is consistent with the Provincial Policy Statement 2005 (PPS).

- 7.2** Table B below lists the features or development circumstances of interest to the Province. Complete Table B and be advised of the potential information requirements in noted section.

TABLE B – Significant Features Checklist

Feature	Is the proposal with 500 metres of the feature?		Specify distance to feature	Potential Information Required
	Yes (√)	No (√)		
Non-farm Development near designated urban areas or rural settlement area			metres	Demonstrate sufficient need within 20-year projections and that proposed development will not hinder efficient expansion of urban or rural settlement areas
Class 1 industry ₁			metres	Assess development for residential and other sensitive uses within 70m.
Class 2 industry ₂			metres	Assess development for residential and other sensitive uses within 300m.
Class 3 industry ₃			metres	Assess development for residential and other sensitive uses within 1,000m.
Land Fill Site			metres	Assess possible leachate, odour, vermin and other impacts.
Sewage Treatment Plan			metres	Assess the need for a feasibility study for residential and other sensitive land uses

Feature	Is the proposal with 500 metres of the feature?		Specify distance to feature	Potential Information Required
	Yes (√)	No (√)		
Waste stabilization pond			metres	Assess the need for a feasibility study for residential and other sensitive land uses
Active railway line			metres	Evaluate impacts within 100m.
Controlled access highways or freeways including designated future ones			metres	Evaluate impacts within 100m.
Operating mine site			metres	Will development hinder continuation or expansion of operations?
Non-operating mine site within 1000m.			metres	Have potential impacts been addressed? Has the mine been rehabilitated so there will be no adverse effects?
Airports where noise exposure forecast (NEF) or noise exposure protection (NEP) is 28 or greater			metres	Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP, development of sensitive land uses is not permitted
Electric transformer station			metres	Determine possible impacts within 200m.
High voltage electric transmission line			metres	Consult the appropriate electric power service
Transportation and infrastructure corridors			metres	Will the corridor be protected?
Prime agricultural land			metres	Demonstrate need for use other than agricultural and indicate how impacts are to be mitigated
Agricultural operations			metres	Development to comply with the Minimum Distance Separation Formulae.
Mineral aggregate resource areas			metres	Will development hinder access to the resource or the establishment of new resource operations?
Mineral aggregate operations			metres	Will development hinder continuation of extraction?
Mineral and petroleum resource areas			metres	Will development hinder access to the resource or the establishment of new resource operations?
Existing pits and quarries			metres	Will development hinder continued operation or expansion?
Significant wetlands in the Canadian Shield			metres	Demonstrate no negative impacts
Significant portions of habitat of endangered and threatened species			metres	Development is not permitted
Significant fish habitat, woodlands south and east of the Canadian shield, valley lands, areas of natural and scientific interest, wildlife habitat			metres	Demonstrate no negative impacts
Sensitive groundwater recharge areas, headwaters and aquifers				Demonstrate that groundwater recharge areas, headwaters and aquifers will be protected
Significant built heritage resources and cultural heritage landscapes				Development should conserve significant built heritage resources and cultural heritage landscapes
Significant archaeological resources				Assess development proposed in areas of medium and high potential for significant archaeological resources. These sources are to be studied and preserved, or where appropriate, removed, catalogued and analyzed prior to development
Erosion Hazards				Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams

Feature	Is the proposal with 500 metres of the feature?		Specify distance to feature	Potential Information Required
	Yes (√)	No (√)		
Floodplains				Where one-zone flood plain management is in effect, development is not permitted within the floodplain Where two-zone flood plain management is in effect, development is not permitted within the floodway Where a Special Policy Area (SPA) is in effect, development must conform with official plan policies for the SPA
Hazardous sites ₄				Demonstrate that hazards can be addressed
Rehabilitated mine sites				
Contaminated sites				Assess an inventory or previous uses in areas of possible soil contamination
<p>1. Class 1 industry – small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.</p> <p>2. Class 2 industry – medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.</p> <p>3. Class 3 industry – indicate if within 1000m. – processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.</p> <p>4. Hazardous sites – property or land that could be unsafe for development or alteration due to a naturally occurring hazard. These hazards may include unstable soils (sensitive marine clays (Leda), organic soils) or unstable bedrock (Karst topography).</p>				

7.3 For applications that include permanent housing (ie. not seasonal) complete Table C – Housing Affordability. If lots are to be sold as vacant lots, indicate the lot frontage. Information should be based on the best information available at the time of application. If additional space is needed attach on a separate page.

Table C – Housing Affordability

Housing Type	No. of Units	Unit Size (sq. ft.) and/or Lot Frontage	Estimated Selling Price/Rent
Semi-Detached			
Link/Semi-Detached			
Row or Townhouse			
Apartment Block			
Other Types or Multiples			

7.4 Is there any other information which may relate to the Affordability of the proposed housing needs served by the proposal? Yes No If **Yes**, explain in Section 9.1 or attach on a separate page.

8. SERVICING

8.1 Indicate in (a) and (b) the proposed servicing type for the subject land. Select the appropriate servicing type from Table D. Attach and provide the title of the servicing information/reports as indicated in Table D.

- ▶ a) Indicate the proposed sewage disposal system.
- ▶ b) Indicate the proposed water supply system.
- ▶ c) Indicate the proposed water supply system.

Attached

Table D – Sewage Disposal and Water Supply

Sewage Disposal	a) Public piped sewage system	Applicant to provide a report confirming that capacity will be available to service the development at the time of lot creation or re-zoning.
	b) Public or private communal septic	Communal systems for the development of more than 5 lots/units: servicing options statement, hydrogeological report, and indication whether a public body is willing to own and operate the system. Communal systems for the development of 5 or less lots/units and generating less than 4500 litres per day effluent hydrogeological report.
	c) Individual septic system(s)	Individual septic systems for the development of more than 5 lots/units servicing options statement and hydrogeological report. Individual septic systems for the development of 5 or less lots/units and generating less than 4500 litres per day effluent hydrogeological report.
	d) Other	Description of sewage disposal system.
Water Supply	a) Public piped water system	Applicant to provide a report confirming that capacity will be available to service development at the time of lot creation or re-zoning.
	b) Public or private communal well(s)	Communal well systems for the development of more than 5 lots/units servicing options statement ₁ , hydrogeological report ₂ and indication whether a public body is willing to own and operate the system ₃ . Communal well systems for non-residential development where water will be used for human consumption: hydrogeological report.
	c) Individual well(s)	Individual wells for the development of more than 5 lots/units servicing options statement, hydrogeological report. Individual wells for non-residential development where water will be used for human consumption: hydrogeological report.
	d) Communal surface water	Approval of a “water taking permit” under Section 34 of the Ontario Water Resources Act is necessary for this type of servicing.
	e) Individual surface water	Service options report.
	f) Other	Description of water supply system.

NOTES:

1. Confirmation that the City concurs with the servicing options statement will facilitate the review of the proposal.
2. Before undertaking a hydrogeological report, consult the Subdivision Approval Authority about the type of hydrogeological assessment that is expected given the nature and location of the proposal.
3. Where communal services are proposed (water and/or sewage), these services must be owned by the City.
4. A Certificate of Approval from MOE submitted with the application will facilitate the review – see attached Appendix 'A'.

8.2 Indicate in (a) and (b) the proposed type of storm drainage and access to the subject land. Select the appropriate type from Table E. Attach and provide the servicing information as indicated in Table E.

- ▶ a) Indicate the proposed storm drainage system.
- ▶ b) Indicate the proposed road access.
- ▶ c) Is water access proposed?

Yes No

If **Yes**, attach a description of the parking and docking facilities to be used and the appropriate distance of these facilities from the subject land and nearest public road.

Attached

- ▶ d) Is the preliminary stormwater management report attached:

Yes No

Attached

Table E – Storm Drainage, Road Access and Water Access

	Service Type	Potential Information/Reports
Storm Drainage	a) Sewers	A preliminary stormwater management report is recommended and should be prepared concurrent with any hydrogeological reports for submission with the application. A stormwater management plan will be needed prior to final approval of a plan of subdivision or as a requirement of site plan approval
	b) Ditches or swales	
	c) Other	
Road Access	a) Provincial highway	Application for an access permit should be made prior to submitting this application. An access permit is required from MTO before any development can occur
	b) Municipal road maintained all year	Detailed road alignment and access will be confirmed when the development application is made
	c) Municipal road maintained seasonally	Subdivision or condominium development is not usually permitted on seasonally maintained roads
	d) Right of Way	Access by right of ways on private roads are not usually permitted, except as part of condominium
Water Access		Information from the owner of the docking facility on the capacity to accommodate the proposal will assist the review

9. OTHER INFORMATION

9.1 Is there any other information that may be useful to the City in reviewing this development proposal (ie. efforts made to resolve outstanding objections or concerns)? If so, explain below or attach a separate page.

10. AFFIDAVIT OR SWORN DECLARATION

► I, _____ of the City of Timmins in the District of Cochrane 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 _____, _____

Commissioner of Oaths/Witness

Applicant

11. AUTHORIZATIONS OF OWNER

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 made 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 approval of a plan of subdivision (or condominium description) 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 approval of a plan of subdivision (or condominium description) 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

12.1 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 application for approval of a plan of subdivision (or condominium description) 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

13. AGREEMENT TO INDEMNIFY

The Owner/Applicant agrees to reimburse and indemnify the City of Timmins (hereinafter referred to as the "City") for all fees and expenses incurred by the City to process the application for plan of subdivision or condominium, as the case may be, including any fees and expenses attributable to proceedings before the Ontario Municipal Board or any other administrative tribunal if necessary to defend the City's decision to support the application.

Without limiting the foregoing, such fees and expenses shall include the fees and expenses of consultants, planners, engineers, lawyers and such other professional and technical advisors as the City may, in its absolute discretion acting reasonably, consider necessary or advisable to more properly process and support the application.

Attached to this application is a cheque payable to the City of Timmins in the amount of \$_____ representing payment of the application fee.

The Owner/ Applicant further agrees to provide the municipality, upon request, a deposit against which the City may, from time to time charge against the deposit any fees and expenses incurred by the City in order to process the application. If such fees and expenses exceed the deposit, the Owner/Applicant shall pay the difference forthwith upon being billed by the City with interest at the rate of 1.25% per month (15% per annum) on accounts overdue more than 30 days.

The Owner/Applicant further agrees that, upon request by the City from time to time, the Owner/Applicant shall make such additional deposits as the City considers necessary, and until such requests have been complied with, the City will have no continuing obligation to process the application or attend or be represented at the Ontario Municipal Board or any court or other administrative proceeding in connection with the application.

Date

Signature of Owner

The City will assign a File Number for complete applications and this File Number should be used in all communications with the City.

Applicants's Checklist:	Have you attached?	Yes
	<ul style="list-style-type: none">• 20 completed application forms (1 original and 19 copies) (Ensure you have a copy for yourself)	<input type="checkbox"/>
	<ul style="list-style-type: none">• 25 copies of the draft plan with key maps, folded to 8½ x 14 size	<input type="checkbox"/>
	<ul style="list-style-type: none">• 3 copies of the draft plan reduced to 8½ x 14" size	<input type="checkbox"/>
	<ul style="list-style-type: none">• 1 computer disk containing a digitized copy of the proposed draft plan in AutoCad Map 2000	<input type="checkbox"/>
	<ul style="list-style-type: none">• 5 copies of the information/reports that form part of the application	<input type="checkbox"/>
	<ul style="list-style-type: none">• 1 copy of the registered transfer/deed for the subject lands	<input type="checkbox"/>
	<ul style="list-style-type: none">• the required fee, a certified cheque or money order, payable to the City of Timmins	<input type="checkbox"/>

FORWARD TO:
City of Timmins
Planning Division
City Hall
220 Algonquin Boulevard East
Timmins, Ontario
P4N 1B3