



Township of Black River-Matheson

P.O. Box 601, Matheson, ON P0K 1N0

Ph: 705-273-2313 Fax: 705-273-2140

reception@blackriver-matheson.com

Application Guide

Applying for a CONSENT

To Create A New Lot?

Tips that can help.

These tips are intended as a guide to help you decide if your proposed lot might qualify for a severance through the consent application process. There are other factors which may be considered in assessing your application for consent.

Is there an official plan for your area?

Official plans are local land use planning documents adopted by a local municipality or planning board and approved by the province. They reflect provincial and local planning issues and, among other things, establish policies for lot creation.

Your proposed lot must conform to the requirements of the official plan, if any, and be consistent with the Comprehensive Set of Policy Statements (under section 3 of the **Planning Act**).

Is there a zoning order or zoning by-law for your area?

Local zoning by-laws or zoning orders may exist in your area. They set out specific requirements for new development (e.g. Minimum lot size, frontage, acceptable access etc.)

Your proposed new lot must conform to any zoning controls.

Your municipal Clerk, Planning Board Administrator or staff at the Ministry of Municipal Affairs Plans Administration Branch, North and East or local Field Management office can help you interpret your local official plan and zoning by-law or zoning order.

Is consent the way to go?

Generally, the creation of new lots by consent may be considered where:

- Only one or two are proposed:
- No more than two lots have been severed from the parcel since 1970, when approval of lot creations became mandatory:
- The new and remaining lot will have direct access to an existing publicly-owned and maintained road:
- Extensions of municipal or communal sewer or water services are minor and can be done at no cost to your local municipality.



Township of Black River-Matheson

P.O. Box 601, Matheson, ON P0K 1N0

Ph: 705-273-2313 Fax: 705-273-2140

reception@blackriver-matheson.com

Where can new lots be created?

Generally, only limited development is permitted in rural areas. This helps protect the natural environment and character of rural areas and also discourages the inefficient provision of services.

New lots created for permanent, year-round use should be located in existing, built-up areas.

If your area is not municipality organized, industrial or commercial lots can only be created on or near a natural resource. For example, a small resort or campground next to a lake might be permitted. However, related uses, such as residential lots to house employees, would have to be located in nearby municipalities.

All new lots must be suitable for their intended use. For example, new lots must be large enough to accommodate the proposed building and all servicing requirements.

Where can't new lots be created?

Generally, lots cannot be created on provincially significant wetlands, prime agricultural lands, lands containing mineral aggregate resources, hazardous lands such as steep slopes and areas susceptible to flooding or where fish or wildlife habitats will be disturbed.

In areas without municipal organization new permanent residential lots cannot be created where they are in close proximity to municipalities or settlement areas. Seasonal lots usually cannot be created in areas where there is potential for conversion to year-round use.

New lots cannot be created where they are not compatible with surrounding land uses. For example a new lot for a house probably would not be permitted next door to a factory or a waste disposal site.

What kind of access do new lots need?

Any new lot must provide safe, long-term access for all vehicles, including service and emergency vehicles.

Generally, this means:

- Lots should be located on publicly-owned roads which are maintained year round:
- A limited number of seasonal residential lots on private roads may be considered, on an infill basis, provided they won't be converted to permanent residential use and they have registered rights-of-way with direct access to a public road:
- Water access may be acceptable for cottage lots if the lots are on an island or in a remote location, where future demand for road access is not anticipated: lots should be located within a reasonable distance to publicly-owned and maintained parking, docking and boat launching facilities.



Township of Black River-Matheson

P.O. Box 601, Matheson, ON P0K 1N0

Ph: 705-273-2313 Fax: 705-273-2140

reception@blackriver-matheson.com

What kind of services do new lots need?

In general:

- Where municipal sewer and water services exist, lots should hook into that service:
- Where municipal services cannot be provided, municipally-owned communal services are preferred:
- In other areas a new lot must be acceptable for the installation of a septic tank and tile bed system and wells:
- Lake water for cottage lots may be permitted, subject to the approval of the Ministry of the Environment and Energy.

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

The Township is required to give notice of a complete application to persons and agencies that may have an interest in the proposed consent. This can occur in 2 ways: (1) by mail or personal service to all landowners and any condominium corporation within 60 meters of the subject land, or (2) by publishing a notice in a local newspaper.

Generally, the notice, circulation, site visit, if necessary, and a decision on a consent request will be done in 60 days from the receipt of a complete application.

If the Township decides to approve the application, in most cases there will be conditions stipulated and these conditions must be fulfilled prior to granting the consent. The applicant has one year to fulfill conditions, otherwise the application is deemed to be refused. The applicant, or any person or public body can appeal the decision and any or all of the conditions to the Ontario Municipal Board within 20 days receiving the notice of decision.

If the Township proposes not to approve the application, the Township will send a notice, giving the reasons for the proposed refusal. The applicant, or any person or public body has up to 20 days from the notice to appeal the decision to the Ontario Municipal Board. If at the end of 20 days there is no appeal, the refusal decision becomes final.

The applicant can appeal the application to the Ontario Municipal Board if a decision has not been reached on the consent request within 60 days of the Township's receipt of an application that contains all of the prescribed or mandatory information. Before filing a notice of appeal, the applicant should determine the status of the file since it might be possible for the Township to make a decision on the application within a reasonable time. If all the needed information is submitted at the time of application, delays in processing the application can be avoided.