

## GENERAL INFORMATION SHEET

1. The fee for processing a consent application by the Committee has been set at \$1,000.00. A cheque, made payable to **Land Division Committee**, or cash must be submitted with the application.
  
2. Each application must be filled out completely and carefully. Applications received without all the required information, will be returned to the Applicant/Agent.  
To assist in providing a complete package, the following tips are provided:
  - A. Application Form
    - a) Complete pages 1 to 4 of the application form and, once complete, photocopy all pages once.
    - b) Sign both copies of the application form (Sections 12 to 15). These two copies represent the original applications.
    - c) Photocopy the completed application form. It is suggested that the following copies are prepared:
      - 3 copies for the Land Division office (required)
      - 1 copy for the applicant (optional)
      - 1 copy for the agent (optional)
      - 1 copy for the local municipality (if the application is for a new lot or lot addition and preconsultation comments are required).
  - B. Sketch
    - a) Prepare the sketch as required in Section 9, without highlighting the severed and retained lands.
    - b) Photocopy the sketch (See the direction under Application Form to confirm the number of copies required)
    - c) Highlight the severed and retained lands in different coloured highlighters.
  
3. The application must be signed by all registered owners of the property. If the property has multiple owners, additional authorization may be attached to the application. Authorization, as set out in Section 13, may be used to appoint one individual to make the application on behalf of all of the owners. If the owner is a corporation, please provide documentation confirming that the individual signing in Sections 12, 13, 14 or 15 has the authority to bind the corporation. If you have purchased the land in the past six months, please include a copy of your deed.
  
4. Stakes must be placed showing the frontage boundaries of the severed lot.
  
5. A Notice will be provided for posting on the property. Please make sure that this notice is placed on a stake near the centre of the proposed severance prior to Committee Members, Agencies or Staff making site inspections.

6. The Application(s) will be considered on the day assigned, unless the Committee requires additional information and adjourns the Application to a future meeting for a decision. If you, or your representative, do not attend, the Committee will consider the Application as scheduled.
  
7. If you have any questions or require further clarification on any matter concerning the filing of your Application, please contact:

Michele Moore  
Secretary-Treasurer  
Haliburton County Land Division Committee  
11 Newcastle Street  
P. O. 399  
Minden, Ontario K0M 2K0  
Telephone: (705) 286-1333  
or 1-866-886-8815, Ext. 248  
Fax: (705) 286-4829  
e-mail: [mmoore@county.haliburton.on.ca](mailto:mmoore@county.haliburton.on.ca)

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## Applying for a Consent To Create a New Lot?

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### Tips that can help.

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

#### **Check the official plan for your area?**

Official plans are land use planning documents adopted by the local municipality and the County and approved pursuant to the *Planning Act*. 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 local and County official plan and have regard to the Provincial Policy Statement under section 3 of the *Planning Act*.

#### **Check the zoning by-law for your area?**

All local municipalities have passed Zoning By-laws. Zoning By-laws set out specific requirements for new development (eg. minimum lot size, frontage, acceptable access, etc.)

Your proposed new lot must conform to any zoning controls.

Your municipal planning staff or staff at the Haliburton County Land Division Office can help you interpret your local official plan and zoning by-law.

#### **Is consent the way to go?**

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

- Only a few lots are proposed;

- the total number of lots proposed and created previously are within the limitations provided in the local Official Plan;
- the new lot and the remaining lot will have direct access to an existing publicly-owned and maintained road or by a private right-of-way.
- extensions of municipal or communal sewer or water services are minor and can be done at no cost to your local municipality.

#### **Where can new lots be created?**

Generally, only limited development is permitted in rural areas. This helps protect the natural environment, the natural resources and the 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.

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.

New lots will not 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 have safe, long-term access for all vehicles, including service and emergency vehicles.

Generally, this means:

- lots should be located on publicly-owned road(s) which are maintained year round;
- a limited number of seasonal residential lots on private roads may be considered, 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.

### **What kind of services do new lots need?**

In general:

- where municipal sewer and water services exist, lots should hook into that service;
- 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 and/or local Health Unit.

### **What happens to my application after I submit it to the Land Division Office?**

The Land Division Committee 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 one of two ways: (1) by mail or personal service to all landowners and any condominium corporation within 60 metres of the subject land and posting a notice on the property; or (2) by publishing a notice in a local newspaper.

If the Land Division Committee 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 of the giving of the notice of decision.

If the Land Division Committee decides not to approve the application, the Committee 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 giving of the notice to appeal the decision to the Ontario Municipal Board. If at the end of 20 days there is no appeal, the decision to refuse 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 90 days of the Land Division Committee'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 Land Division Committee to make a decision on the application within a reasonable time. If all the necessary information is submitted at the time of application, delays in processing the application can be avoided.