Understanding the Subdivision & Condominium Application Process

Your Step-By-Step Guide for Approval Authorities

Section 51 of the Planning Act

ontario.ca/municipalleARNING
Understanding the Subdivision & Condominium Application Process

Your Step-By-Step Guide for Approval Authorities

Interpretation of this Document

This document is intended for use as a navigational guide for subdivision and condominium approval authorities pursuant to section 51 of the Planning Act. If you are uncertain whether you are an approval authority for subdivision and condominium approvals, please contact your regional Municipal Services Office.
FUNDAMENTALS OF LAND DIVISION

Land Division in Ontario

What is a Plan of Subdivision?

What is a Plan of Condominium?

Public Bodies That are Approval Authorities

Seven Essential Documents You Should Know
LAND DIVISION IN ONTARIO

(Planning Act, s. 50)

Section 50 of the Planning Act prevents the division of land into smaller parcels, unless one of the exceptions identified in the section applies. This usually means that approval by a governmental body will be required in order for land division to occur (some exceptions to this rule are identified below). As a result, whether a greenfield is being broken up into 50 buildable lots or a single lot is being divided into two, the division of land is generally subject to a public process ensuring that provincial interests and local planning concerns - as expressed in the official plan - are satisfied. The larger the number of lots being created, the more complex the considerations in the planning approval process will generally be.

Exceptions under the Planning Act

Some types of transactions that do not require an application for land division (Planning Act, s. 50(3)):

- A lease for a renewable-energy project for a period of between 21 and 50 years
- Acquisition for an electricity distribution line, electricity transmission line, hydrocarbon distribution line, or hydrocarbon transmission line described in Part VI of the Ontario Energy Board Act, 1998
- Acquisition for purposes of flood control, erosion control, bank stabilization, shoreline-management works, or the preservation of environmentally sensitive lands approved under section 24 of the Conservation Authorities Act
- Transactions by a municipality, by Her Majesty in right of Ontario, or by Her Majesty in right of Canada
- The granting of an easement or covenant under the Conservation Land Act
**Table: Understanding the Subdivision & Condominium Application Process**

<table>
<thead>
<tr>
<th><strong>CONSENT</strong></th>
<th><strong>PLAN OF SUBDIVISION/ CONDOMINIUM</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Application requirements</strong></td>
<td>Less information is required for an application to be deemed complete (O. Reg. 197/96, Schedule 1)</td>
</tr>
<tr>
<td><strong>Time to make a decision before an applicant can appeal to the Ontario Municipal Board for non-decision</strong></td>
<td>90 days [Planning Act, s. 53(14)]</td>
</tr>
<tr>
<td><strong>Time to fulfill conditions</strong></td>
<td>If provisional consent is granted One year (no extension) [Planning Act, s. 53(41)]</td>
</tr>
<tr>
<td><strong>Time to transfer the new lots</strong></td>
<td>If consent is given Two years (no extension) [Planning Act, s. 53(43)]</td>
</tr>
</tbody>
</table>

**Note:** If the applicant does not register a final plan within 30 days of the date of approval, the approval may be withdrawn. [Planning Act, s. 51(59)]. Also, if a plan has been registered for eight years or more, the local municipality can deem the plan to not be registered [s. 50(4)].

The *Planning Act* provides four main ways that a planning approval authority can control land division:

1) consent
2) plan of subdivision
3) plan of condominium
4) exemption from part-lot control
WHAT IS A PLAN OF SUBDIVISION?

The plan of subdivision approval process is described in section 51, 51.1 and 51.2 of the Planning Act. This process allows land to be divided in a comprehensive manner, often requiring the creation of public streets, multiple lots, and the need for extensive infrastructure.

A plan of subdivision is a geographically precise map (survey) completed by a licensed Ontario Land Surveyor. It consists of:

▶ surveyed property boundaries

▶ numbering and dimensions of lots

▶ location and width of streets

▶ sites of future schools and parks

The approval authority must approve a plan of subdivision pursuant to the Planning Act before the plan can be registered at the Land Registry Office.

Timing of sale

Subsection 52(1) of the Planning Act provides that, once an approval authority has granted draft approval of a plan of subdivision, a developer may enter into agreements to sell the parcels of land, based on a description in accordance with the draft-approved plan of subdivision. However, only when the approval authority has granted final approval on a plan of subdivision and the plan is subsequently registered in a local Land Registry Office can a developer complete these sales and actually convey the individual lots described in the plan.

The consent approval process is described in section 53 of the Planning Act and is a helpful alternative for non-complex land-use proposals where a plan of subdivision is not required (e.g., the creation of one or two lots or easements). Please refer to “Understanding the Consent Application Process – a Step-by-Step Guide for Consent-Granting Authorities” for more information.
WHAT IS A PLAN OF CONDOMINIUM?

A condominium can be a high-rise or low-rise apartment, townhouse, freehold or detached house, office complex or commercial mall – any configuration of buildings you can imagine. What sets a condominium apart is the way in which owners share the ownership of common elements (e.g., parking areas, roads and sidewalks, corridors, lobbies, elevators, heat and electrical systems) while having individual ownership of their own unit. The condominium corporation must pay for the upkeep and maintenance of common elements.

A condominium corporation becomes a legal entity once 1) a plan of condominium [description] and 2) information setting out how the condominium corporation is owned [declaration] are registered with a Land Registry Office. However, only the plan of condominium is subject to approval by the approval authority prior to registration.

The Condominium Act, 1998 introduced five new forms of condominium ownership beyond the standard condominium type that had been in existence. All condominium types are described below.

**Types of condominiums**

**Standard condominium:**
Name of the plan: “Standard Condominium Plan No. xxx”

Standard condominiums consist of both units and common elements. All condominiums that existed at the time the Condominium Act, 1998 came into effect are deemed standard condominiums.

**Phased condominium:**
Name of the plan: “Standard Condominium Plan No. xxx”

A phased condominium permits individually
owned units and common elements to be added to a condominium corporation in phases, over a maximum of 10 years. The phases occur by an amendment to the existing declaration and description to re-describe the condominium property with the additional phase. Only standard condominiums may be phased.

**Common elements condominium:**
Name of the plan: “Common Elements Condominium Plan No. xxx”

A common elements condominium consists only of common elements (e.g., a laneway or a golf course), with no units. The owners of common interest are owners of freehold parcels of tied land (POTL) which are not part of the condominium property.

**Vacant land condominium:**
Name of the plan: “Vacant Land Condominium Plan No. xxx”

Units in a vacant land condominium are effectively vacant lots upon which buildings will be located after the condominium is registered. A plan of a vacant land condominium therefore resembles a plan of subdivision – but with land identified as either a unit or a common element.

**Amalgamated condominium:**
Name of the plan: “Standard Condominium Plan No. xxx”

In an amalgamated condominium, two or more standard condominium corporations merge into one corporation. A plan that depicts amalgamation is comprised of the units and common elements of each amalgamating condominium corporation.

**Leasehold condominium:**
Name of the plan: “Leasehold Condominium Plan No. xxx”

Unlike a freehold condominium (standard, phased, common elements, vacant land or amalgamated), units and common elements in a leasehold condominium are leased by the landowner to purchasers who will never own the land. The purchasers buy a leasehold interest in the units and common elements for a
EXAMPLES OF FREEHOLD CONDOMINIUMS

STANDARD CONDOMINIUM:
The applicant proposes to convert an existing warehouse building into a commercial mall with three individually owned units and shared ownership and maintenance of parking, driveway and landscaping areas.

PHASED CONDOMINIUM:
The applicant recently received approval for a two-phased development. Phase one consists of eight townhouse units, a parkette, and office/retail units with underground parking. Phase two of the project consists of eight more additional townhouse units with a north/south laneway connection to the public-road network. The townhouse and office/retail units are individually owned, while the laneway, parking and parkette form the common elements.
COMMON ELEMENTS CONDOMINIUM:
The applicant proposes to create private lanes and visitor parking as common elements that would be owned collectively and maintained by the owners of the 11 townhouse dwellings and two semi-detached dwellings. The properties served by the common elements do not appear on the condominium plan as units but are referred to as parcels of tied land (POTL).

VACANT LAND CONDOMINIUM:
The owner proposes nine condominium units that, for example, will be used for single detached dwellings. All of the internal roadways, entrance feature, and landscaped areas are developed as common element features. A vacant land condominium allows the individual owners of the vacant lots to decide after registration what to build on the land.
Understanding the Subdivision & Condominium Application Process

Components of a plan of condominium

A plan of condominium consists of four parts (O. Reg. 49/01):

- **Part I** – perimeter plan of survey and separate sheets of plans of survey, which designate the units, if any (prepared by a licensed Ontario land surveyor)

- **Part II** – plan of survey of exclusive-use common elements that are restricted for use by one or more owners, such as individual parking spaces, if any (prepared by an Ontario land surveyor)

- **Part III** – architectural plans, if any (prepared by a licensed Ontario architect)

- **Part IV** – structural plans, if any (prepared by a licensed Ontario engineer)

Other parts may be included as the Ontario land surveyor considers appropriate.

Timing of Sale

Subsection 9(12) of the Condominium Act, 1998 allows land described in all types of condominium plans to be sold prior to having the plan registered. However, land in a vacant land condominium is regulated in the same way as land in a plan of subdivision – that is, it may be offered for sale after the approval authority grants draft approval, but can only be sold after the approval authority grants final approval and registration is complete.

Option to exempt from draft approval

The same sections of the Planning Act that describe the approval process of a plan of subdivision application (sections 51,
51.1 and 51.2) also apply to a plan of condominium application. However, the Condominium Act, 1998 provides the approval authority the additional option of exempting a plan of condominium from draft approval. This is discussed later in this toolkit.

**Conversion of rented residential premises**

For applications to convert rented residential properties to condominium ownership, subsection 9(4) of the Condominium Act, 1998 provides that the approval authority can require the applicant to retain a qualified professional to inspect the property and to report on all matters that the approval authority considers may be of concern. This helps to ensure the quality and safety of the building for future residents. If the approval authority is not the local council of the municipality, the local council must be consulted prior to making this requirement. Under the Residential Tenancies Act, 2006, current tenants may have the right to continue to rent their units or to purchase them.
PUBLIC BODIES THAT ARE APPROVAL AUTHORITIES

*Planning Act, ss. 51(3)-(7), 51.2*

A public body that has the authority to approve plans of subdivision and condominium applications is referred to as the “approval authority”.

Most single-tier and upper-tier councils are assigned approval authorities for plans of subdivision and condominium applications by the *Planning Act* and Ontario Regulation 353/02.

In some places, the Minister of Municipal Affairs and Housing is the approval authority for plans of subdivision and condominium applications. This includes all unincorporated areas outside of planning board areas.

**Delegation of Approval Authority**

The *Planning Act* provides assigned approval authorities the option of delegating all or a part of their authority.

In general, these delegated authorities can be grouped into three categories:

- **Municipal councils:** Some municipal councils have been delegated authority to approve plans of subdivision and condominium applications.

- **Planning Boards:** Most of the planning boards in Ontario have been delegated the approval authority for plans of subdivision and condominium applications within their jurisdictions. All approval authority must be retained with the planning board and cannot be further delegated.

- **Appointed officers, committees of council, and municipal-planning authorities:** A municipal council that is the
approval authority for
plans of subdivision
and condominium
applications can further
delegate all or any
part of this authority,
as the case may be, to
a municipal officer, a
committee of council,
or a municipal-planning
authority, including:

1) the authority to
determine if an
application is complete,
pursuant to section 51
of the Planning Act (see
Step 2 of this Guide)

2) the authority to give
draft approval of a plan
of subdivision (see Step
6 of this Guide)

3) the authority to
give draft plan
of condominium
approval (for all types
of condominium
applications or specific
types) (see Step 6 of this
Guide)

4) the authority to give
final approval of a
plan of subdivision/
condominium (see Step
12 of this Guide)

5) the authority to extend
the lapsing period of
draft-approved plans
(see Step 11 of this
Guide)

6) the authority to make
minor revisions to draft-
approved plans and
conditions of draft
approval (see Step 8 of
this Guide)

7) the authority to
execute, amend or
release agreements
securing conditions
of approval of a draft
plan of subdivision/
condominium

8) the authority to exempt
a condominium
application from s. 51
of the Planning Act (see
Exemption from Draft
Approval)

Where a municipal
officer is delegated
authority, the by-law
must identify the name
or position of the officer.
Conditions may also
be attached to the
delegation.
Delegation of Approval Authority for Subdivision and Condominium Applications

Where the Minister of Municipal Affairs and Housing is the assigned approval authority for subdivision and condominium applications, the Minister may delegate his/her authority as follows (Planning Act, ss. 4-5):

- **Minister**
  - **planning board**
    - no further delegation
  - upper-tier, lower-tier or single-tier council
    - committee of council
    - appointed officer (staff)
Where lower-tier or single-tier councils are the assigned approval authorities for subdivision and condominium applications, they may delegate their authority as follows (Planning Act, s. 51.2):
Where upper-tier councils are the assigned approval authorities for subdivision and condominium applications, they may delegate their authority as follows (Planning Act, s. 51.2):
In Ontario, land-division activities are regulated within a policy-led planning system that consists of seven interrelated types of legislation, rules and policies. Decisions by a municipality or planning board on all matters about land division are made in accordance with these documents.

**ONE**

**Planning Act**

The *Planning Act* provides the framework for the province’s policy-led planning system and is administered by the Ministry of Municipal Affairs and Housing. The Act dictates which land-use characteristics can be regulated, how they can be regulated, and who can regulate them. This guide describes the key steps set out in the *Planning Act* for processing subdivision and condominium applications.

**TWO**

**Provincial Policy Statement**

The Provincial Policy Statement sets the policy foundation for regulating the development and use of land in Ontario. It provides for appropriate development while protecting public resources of provincial interest, public health and safety, and the quality of the natural environment. The Provincial Policy Statement is reviewed at least every five years from the time it was issued to ensure that the policies are up-to-date to address current planning challenges. Under the *Planning Act*, decisions in respect of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement.

**THREE**

**Applicable Provincial Plan(s)**

Provincial plans apply to specific geographical areas of Ontario and complement...
Understanding the Subdivision & Condominium Application Process

Ontario’s policy-led planning system

Whole province
- Provincial Policy Statement, 2005
- Provincial plans
  - Upper-tier official plans
  - Single-tier official plans
- Community improvement plans
- Development permit system
  - Zoning by-law
  - Site plan control
  - Minor variance

Regions of the province
- Upper-tier and single-tier municipalities

Lower-tier municipalities and unorganized territories
- Single-tier official plans
the Provincial Policy Statement, which together form the foundation of Ontario’s policy-led planning system. These plans recognize the opportunities and challenges facing Ontario’s communities, and provide leadership in dealing with how our communities will change over the long term. Provisions on a wide range of issues may be included, such as land-use planning, transportation, infrastructure planning, housing, natural heritage, and resource protection. Under the Planning Act, decisions in respect of any authority that affects a planning matter shall conform or not conflict with provincial plans.

FIVE
Community Improvement Plan(s)

A community improvement plan may enable municipalities to offer grants or loans to local businesses and landowners as an
incentive to build or repair properties – including the remediation, rehabilitation and reuse of brownfields. Decisions made about planning applications should include, if applicable, considerations of how the application meets the goals, objectives and policies of the community improvement plan. Your community can use this planning tool if provisions relating to community improvement are contained in the official plan, and there is a community improvement project area by-law in effect.

**SIX**

**Zoning By-law, Development Permit By-law, or Minister’s Zoning Order**

A zoning by-law is another planning tool found in the Planning Act, which enables a council or planning board to implement the vision set out in the official plan. It identifies the permitted land uses and the required standards (e.g., lot sizes, building height, setback, parking requirements) for different areas of the community.

A Development Permit System can also assist a municipality in implementing the vision set out in the official plan. This planning tool combines zoning, site plan, and minor variance into one application and approval process. It promotes development by providing for faster timelines, eliminating potential duplication, incorporating flexibility for uses and development standards, and providing a “one-stop” planning service. If your municipality uses a Development Permit System, you will have a Development Permit By-law in place. This by-law contains a list of permitted uses and standards, and may also set out variances to the uses and standards. Appeal rights are limited for a decision on a development permit, which helps to create more certainty in the process.

A Minister’s zoning order is a regulation that is issued by the Minister of Municipal Affairs and Housing. It overrides local zoning provisions, where they exist. Like a zoning by-law, a Minister’s zoning order identifies the geographic area (zoning area) to which the order applies and contains provisions for the use of land. In other instances, it is used to apply a level of development control in relation to a matter of
provincial interest in a subject area(s).

Under the Planning Act, decisions that affect a planning matter must comply with the applicable zoning by-law, DPS by-law, or Minister’s zoning order in the municipality or planning area.

**SEVEN**

**Site Plan Control Area By-Law**

Site plan control provides a council with the added ability to control the design and the development of a site. This includes the location, design and shape (massing) of buildings, the layout of parking and service areas, public-access areas, landscaping, paving materials, and street furniture (e.g., bicycle facilities, benches, lampposts, recycling containers). An updated official plan that includes policies for site plan control, along with a site plan control by-law, allow the implementation of site plan control.
Understanding the Subdivision & Condominium Application Process

**APPROVAL PROCESS**

- **Early consultation**
- **Receive application and fees**
  - **Determine if application is complete**
    - **For:** Draft plans of subdivision
      - **Review and circulate application**
        - **Give notice of complete application and public meeting**
        - **Hold public meeting**
        - **Issue Notice of Decision**
          - **Are there any notices of appeal?**
            - **May change conditions anytime**
              - **Forward notice of appeal, record and fees to the OMB**
              - **OMB Hearing Decision is final**
                - **Verify all conditions are fulfilled**
                  - **Issue final approval**
                    - **Forward approved plans to Registry Office**
                      - **FILE CLOSED**
                    - **REFUSE**
                - **Refuse draft plan**
                  - **Forward notice of appeal, record and fees to the OMB**
                  - **OMB Hearing Decision is final**
                    - **Verify all conditions are fulfilled**
                      - **Issue final approval**
                        - **Forward approved plans to Registry Office**
                          - **FILE CLOSED**
                    - **APPROVE**
                  - **Approve draft plan**
                    - **Forward approved plans to Registry Office**
                      - **FILE CLOSED**

- **For:** Draft plans of condominium (standard, phased and leasehold condominiums only)
  - **Review and circulate application**
  - **Issue Notice of Decision**
    - **Are there any notices of appeal?**
      - **May change conditions anytime**
        - **Give notice of changes**
        - **Are there any notices of appeal?**
          - **Verify all conditions are fulfilled**
            - **Issue final approval**
              - **Forward approved plans to Registry Office**
                - **FILE CLOSED**
            - **Refuse draft plan**
              - **Forward notice of appeal, record and fees to the OMB**
              - **OMB Hearing Decision is final**
                - **Verify all conditions are fulfilled**
                  - **Issue final approval**
                    - **Forward approved plans to Registry Office**
                      - **FILE CLOSED**
                  - **APPROVE**
              - **Approve draft plan**
                - **Forward approved plans to Registry Office**
                  - **FILE CLOSED**
    - **Issue Notice of Decision**
      - **Are there any notices of appeal?**
        - **Forward notice of appeal, record and fees to the OMB**
        - **OMB Hearing Decision is final**
          - **Verify all conditions are fulfilled**
            - **Issue final approval**
              - **Forward approved plans to Registry Office**
                - **FILE CLOSED**
            - **APPROVE**
          - **REFUSE**
      - **Refuse draft plan**
        - **Forward notice of appeal, record and fees to the OMB**
        - **OMB Hearing Decision is final**
          - **Verify all conditions are fulfilled**
            - **Issue final approval**
              - **Forward approved plans to Registry Office**
                - **FILE CLOSED**
            - **APPROVE**
          - **REFUSE**
      - **Approve draft plan**
        - **Forward approved plans to Registry Office**
          - **FILE CLOSED**

Notice of a public meeting can be given at a later date, as long as it is given at least 14 days in advance of the scheduled meeting.
The Condominium Act, 1998 contains provisions permitting an application for a plan of condominium to proceed directly to final approval, thereby bypassing the requirements for notice and draft approval, which are normally part of the approval process under the Planning Act. The approval authority can exempt a plan of condominium application on an application-by-application basis, or by passing a by-law that identifies the class(es) of condominiums that will be exempted from approval.

Criteria for Exemption

The Planning Act does not expressly identify criteria under which an application for a plan of condominium may be exempt from the need for approval. However, plans of condominium are subject to the same legislated criteria as plans of subdivision. In the case of plans of condominium, there may be circumstances in which all relevant planning considerations have been reviewed and found acceptable in the context of other planning applications for the development. In these circumstances, an exemption may be appropriate.

Furthermore, an approval authority may also wish to consider whether:

- The application is supported by municipal council and a by-law or resolution from council has been passed to this effect;
- No conditions of draft approval are required;
- A planning report that has reviewed the above criteria recommends exemption of the application;
- The required number of final plans have been submitted; and
All outstanding fees have been paid.

**Final Plan Registration**

If exemption is granted, it is recommended that the approval authority courier the final plans directly to the local Land Registry Office to ensure that there are no third-party alterations to the approved final plan. If the approval authority chooses not to courier the plans, the applicant must deposit them (including any copies that the approval authority wishes to have).

Once the owner has fulfilled all other requirements of the Land Registry Office, the land registrar will add to the plan the plan number and the date when it was registered. The approval authority may request to receive up to two copies of the registered final plan from the Land Registry Office for its records.

**CHECKLIST FOR REVIEWING AN APPLICATION FOR EXEMPTION FROM DRAFT APPROVAL (CONDOMINIUMS ONLY)**

- Verify that the application for exemption is complete. This includes the required number of copies of final plans and payment of any outstanding fees. If it is not deemed complete, a letter should be sent to the applicant, clearly stating that the approval authority will not be in a position to exempt the plan of condominium unless all the information is received. All copies of the application should be returned to the applicant.

- Complete a planning report that analyzes and summarizes all appropriate planning concerns to determine whether an exemption is appropriate.

- If satisfied that the exemption is appropriate, issue a certificate of exemption to this effect. [Condominium Act, 1998, s.9(3)(b)]

- Forward the number of copies of the final plan required under Ontario Regulation 43/96 under the Registry Act to the local Land Registry Office for registration (O. Reg. 43/96, ss. 7-25).

- Receive 1 or 2 duplicates of the plan from the land registrar with the certificate of registration on it, showing the number of the plan and the date when it was registered [Planning Act, s. 51(60)].
Early consultation with the applicant has potential benefits for both the approval authority and the applicant, and is strongly recommended. For the applicant, it is an opportunity to explain the proposal upfront and to obtain preliminary comments from the approval authority. For the approval authority, it is an opportunity to advise the applicant what plans and studies should be provided to support the application and to guide the applicant on the approval process.

The Planning Act gives the applicant the right to require the approval authority to consult before the applicant submits an application. Furthermore, if the approval authority is a municipality, it can pass a by-law to make early consultation a required procedure prior to the submission of an application.
CHECKLIST FOR STEP 1: EARLY CONSULTATION

- Consider, on a preliminary basis, if the proposal has regard to the matters of provincial interest listed in section 2 of the Planning Act (Planning Act, s. 2).
- Consider, on a preliminary basis, if the proposal is consistent with the Provincial Policy Statement.
- Consider, on a preliminary basis, if the proposal has regard to the criteria listed in subsection 51(24) of the Planning Act.
- Consider, on a preliminary basis, if the proposal conforms or not conflict with any applicable provincial plans.
- Consider, on a preliminary basis, if the proposal conforms with official plan policies. If the application conforms to the spirit and intent of the official plan but not the policies of a specific designation, the applicant should be advised that they have the option to submit an application for an official plan amendment which would be required prior to draft approval.

- Consider, on a preliminary basis, if the proposal complies with the applicable zoning by-law, Minister’s zoning order, or development permit by-law. If not, the applicant should be advised that an amendment to the zoning by-law, development permit by-law, or Minister’s zoning order would be required prior to final approval. The considerations associated with obtaining these approvals should be discussed, including whether the proposal complies with the spirit and intent of the zoning by-law, DPS by-law, or a Minister’s zoning order.

- Identify which drawings, information and studies are required by the Planning Act and the official plan for a complete application (see Step 2 - Complete Application).

- Identify any agencies that the applicant may want to consult with in relation to other permits and approvals.

- If there is a community improvement plan in effect, inform the applicant of any related opportunities (such as the availability of any community improvement grant or loan programs offered by the municipality).
Complete applications help to enable the approval authority and commenting agencies to assess the application and to avoid undue delay in the approval process. The approval authority may refuse to consider an application further if it is not complete.

Components of a Complete Application

Pursuant to the Planning Act, the approval authority can require all of the following information as part of a complete application:

- all information identified by O. Reg. 544/06 (see Appendix 7);
- all information identified in the official plan(s) as part of a complete application for a draft plan of subdivision or condominium; and
- the application fee.

If information is missing from an application, it is recommended that the approval authority return the application to the applicant accompanied by a listing of the outstanding information. Approval authorities should not make changes to a signed application form to avoid misrepresentation of the information.
CHECKLIST FOR STEP 2: COMPLETE APPLICATION

Record the date when both the application and fees have been received.

Determine if the application is complete under the Planning Act.

Notify the applicant accordingly [Planning Act, s. 51 (19.1)].

If the application is not complete, consider returning the application, the fee, and any supporting documents to the applicant, accompanied by a list of missing information.

If the approval authority is an upper-tier municipality or the Minister of Municipal Affairs and Housing, notify the clerk of the local municipality or the secretary treasurer of the planning board whether the application is complete or incomplete [Planning Act, s. 51(19.1)].

To obtain a copy of the subdivision application of the Ministry of Municipal Affairs and Housing, please visit www.ontario.ca/landuseplanning.

Where There Is A Dispute

If the applicant wishes to dispute an approval authority’s decision that their application is incomplete, the applicant can make a motion to the Ontario Municipal Board. The Ontario Municipal Board will make a decision to determine if the application is complete or if the information requirements set out in the official plan are reasonable. The Board’s decision is not subject to appeal.
If the application is deemed complete, the notice of complete application must be given not later than 15 days after advising the applicant and the clerk or the secretary-treasurer (see Step 2) that the application is complete.

3 NOTIFICATION OF COMPLETE APPLICATION [Planning Act, ss. 51(19.4) & 20(a)]

The Planning Act recognizes the importance of providing the public and other agencies that may be affected by the application with the opportunity to comment by setting out detailed notice requirements, including timing and content specifications.

If the approval authority does not receive any oral submissions at a public meeting (see Step 5 - Public Meeting) or written comments from a person or public body prior to making a decision on the draft plan, generally the person or public body will not be able to appeal the decision to the Ontario Municipal Board (see Step 9 - Appeals).

Exception for Condominiums

Because not all types of condominium applications have the same considerations, the only types of condominium applications that require a notice of complete application under the Planning Act are:

- Vacant land condominium applications
- Common elements condominium applications
CHECKLIST FOR STEP 3: NOTICE OF COMPLETE APPLICATION

Regardless of who the approval authority is, it is the responsibility of the applicable council or planning board to [s. 51(19.4)]:

Have a notice of complete application prepared containing all information required by Ontario Regulation 544/06 [O. Reg. 544/06, ss. 3, 4(10)-(12)].

Do ONE of the following:

- Post the notice on the property and provide it to owners within 120m of the subject lands; or
- Publish the notice in a local newspaper [O. Reg. 544/06, ss. 3, 4(2), 4(5)].

Provide the notice of complete application to:

- every person and public body that has provided a written request for such a notice; and
- all other persons and public bodies (conservation authorities, Parks Canada, etc.) required by Ontario Regulation 544/06 [O. Reg. 544/06, ss. 3, 4(7)-(9)].

Have copies of the application available to the public [Planning Act, s. 51(19.4)(b)].

Consider posting the notice on the applicable municipality’s website as an additional way of informing the community about the application.

Consider having an employee complete an affidavit or sworn declaration certifying that requirements for giving notice of application under the Planning Act have been complied with. The sworn declaration would be submitted to the Ontario Municipal Board as part of the record if there is an appeal – see Step 9 [O. Reg. 544/06, s. 8(7)].

NOTE: There are two provisions for notice of application requirements under the Planning Act: a notice of complete application (s. 51(19.4)) and a notice of application (s. 51(20)(a)). These two notices have the exact same content and distribution requirements, with the exception that a notice of application must be given at least 14 days before a decision is made, and therefore can be given later than a notice of complete application. However, the Act also allows these two notices to be given together, which is usually the practice among approval authorities. When a notice of complete application is given, a notice of application is also effectively given; consequently, these notice requirements under the Act are met.
Understanding the Subdivision & Condominium Application Process

**4 APPLICATION REVIEW**

[Planning Act, s. 51(23)]

The approval authority has 180 days (about 6 months) to review the application and make a decision before the applicant can appeal to the OMB for failure to make a decision. The 180-day count begins from the date the complete application and any required fees were received.

During application review, the merits of the application are evaluated against both local and provincial policy – such as compatibility with adjacent land uses, suitability of the land for the proposed use, and adequacy of vehicular access, water supply, and sewage disposal. The approval authority may also circulate the application to obtain information from internal departments and local agencies (e.g., conservation authorities, health units) to assist in its review of the proposal. Any comments received from the public or other bodies (e.g., utility companies) are also important to consider.

The careful review of applications based on planning principles can contribute to the long-term positive results a community desires. For example, it can ensure that municipal services and finances, such as costs for increased snowplowing, school busing and garbage collection, are not strained. It can also help to conserve the natural environment by avoiding the creation of lots that are too small to accommodate adequate sewage disposal systems or that encroach on environmentally sensitive features or habitat.

**Planning Report**

A planning report should be completed (by municipal or planning board staff or a consultant) to determine if the application reflects planning principles embodied in provincial and local planning policies, as further identified below. Reference to any applicable department, agency or other public-body comments that support the analysis should be provided, along with how comments could potentially be addressed.

**Planning Criteria**

The Planning Act sets the
standard to which provincial interests as well as provincial and local policies, and goals are implemented. Accordingly, in order to recommend an application for approval, the application must:

- Have regard to the matters of provincial interest listed in section 2 of the *Planning Act* (see Appendix 1)
- Be consistent with the Provincial Policy Statement
- Conform or not conflict with all applicable provincial plans (see Appendix 5)
- Have regard to criteria listed in subsection 51(24) of the *Planning Act* (see Appendix 3)
- Conform with the official plan(s). In a two-tier structure, this includes both the upper- and lower-tier official plans.

In addition to assessing compliance with the above planning criteria, potential benefits from an existing and applicable community improvement plan may also be identified as part of the report. Furthermore, comments received from departments, agencies and the public should be summarized and addressed.

**Conditions**

If the planning analysis supports draft approval of an application, recommended conditions should be prepared.

* Please note:

If the application does not conform with the official plan(s), the applicant can be asked to submit an application for an official plan amendment and to obtain approval from the approval authority prior to further consideration of the subdivision/condominium application. Hopefully, this would have been communicated to the applicant at the pre-consultation stage.

If the application does not comply with the zoning by-law, Minister’s zoning order, or a development permit by-law, approval of an amendment to the zoning by-law, Minister’s zoning order, or development permit by-law may be included as a condition of draft approval.
as part of the planning report. Conditions are usually attached to the draft approval of a plan of subdivision or condominium application to secure development requirements, including underground requirements (e.g., water and sanitary sewers, gas, hydro, telephone and cable lines) and above-ground services (e.g., paved streets, concrete curbs, sidewalks, street lighting, tree plantings and landscaping). Often, comments received from agencies or other public bodies request certain conditions of approval.

**Lapsing Provision**

The planning report should also indicate a recommended lapsing provision – a period of time after which the approval lapses if all conditions are not fulfilled by the applicant. If the approval authority wants to ensure that the applicant follows through with the subdivision/condominium development, it is a good idea to establish a lapsing provision at the time of draft approval. This time period must not be less than three years.

**Types of Conditions:**

Subsection 51(25) of the *Planning Act* allows the approval authority to impose any condition to a draft approval of an application, as long as it believes the condition is reasonable, having regard to the nature of the development proposed, including:

- Conveyance of land for parks or other public recreational purposes (or pay money in lieu of conveyance)
- Conveyance of land for matters such as road widenings, pedestrian and bicycle pathways, and public-transit right of ways
- Provision of local services such as the construction and dedication of public roads, or the provision of adequate sewer and water supplies (or payment of the costs for their provision)
- Provision of other services such as control of storm-water management and measures for noise attenuation
- Conveyance of any planned school sites to the school board, if designated on the subject property
- Entering into one or more development agreements that are registered on title (a development agreement can include conditions that take a lengthier time to meet, such as the provision of sidewalks and roads that may be provided after a plan is given final approval. Registering the agreement on title guarantees the legal effect of the clauses, even when ownership of the land changes).
CHECKLIST FOR STEP 4: APPLICATION REVIEW

Circulate the application to internal departments for technical review and any other local agencies as appropriate.

Review department, agency, Aboriginal community, and other public comments as they are received. Determine if further clarification is required.

Request any additional information from the applicant to complete the review of the application, if needed.

Note: To ensure that such additional information is submitted up-front in future applications, consider amending the official plan to require the information as part of a complete application.

Determine if there is a need for technical advice from a specialist to review any reports/studies submitted.

Identify a lapsing provision and prepare other draft conditions as necessary.

Continue to meet with the applicant to address and resolve any issues that arise.

Complete a planning report that addresses all the planning criteria described in this section. If the analysis supports draft approval, include a lapsing provision and conditions that could address any issues/concerns raised as well as other requirements of the approval authority.

Consider reminding any persons or public bodies submitting comments to the application that they must also submit a written request to be notified of the decision, in order to ensure that they will be notified (see Step 7).

Additional considerations – Condominium conversions only

Determine if there are any by-laws in effect that prohibit conversion of rental units to condominiums.

Consider requiring the applicant to have a professional engineer or architect to inspect the condition of the building for quality and safety [Condominium Act, 1998, s. 9(4)]. Draft any conditions as a result of this inspection.
A public meeting provides an opportunity to engage residents in the development of their community. It is also an opportunity for the council or planning board to hear and address concerns from residents before making a decision. Under the Planning Act, a public meeting is mandatory for subdivision applications where the subject land is in a municipality or the planning area of a planning board.

### Exception for Condominiums

Because not all types of condominium applications have the same considerations, the only types of condominium applications that require a public meeting are:

- Vacant land condominium applications
- Common elements condominium applications
CHECKLIST FOR STEP 5: PUBLIC MEETING

For approval authorities that are not the local municipality or planning board with jurisdiction over the subject land, decide who will give notice of and hold the public meeting: the approval authority or the local municipality or planning board (Planning Act, s. 51(21)).

If the approval authority is giving notice of and holding the public meeting:

Prepare the notice containing all information required by Ontario Regulation 544/06 [O. Reg. 544/06, ss. 5(4)-(5)].

Do ONE of the following:

▶ Provide the notice to landowners within 120m of the subject lands and post the notice on the property; OR
▶ Publish the notice in a local newspaper [O. Reg. 544/06, s. 5(3)].

Provide the notice to every person and public body that has provided a written request to be notified of a public meeting as well as other required persons and public bodies [O. Reg. 544/06, s. 5(3)].

At the meeting, consider informing the public that, under the Planning Act, only persons and public bodies that make oral presentations at the public meeting or submit written comments before a decision on the application is made are entitled to appeal the decision to the Ontario Municipal Board.

Record the minutes of the public meeting. The minutes would be submitted to the Ontario Municipal Board as part of the record if there is an appeal – see Step 9 [O. Reg. 544/06, s. 8(10)].

Consider having an employee complete an affidavit or sworn declaration:

▶ Certifying that the notice requirements and the requirement for holding a public meeting under the Planning Act have been complied with; and
▶ Listing all persons and public bodies that made oral submissions at the public meeting.

The sworn declarations would be submitted to the Ontario Municipal Board as part of the record if there is an appeal - see Step 9 (O. Reg. 544/06, s. 8, para 9).
CHECKLIST FOR STEP 5: PUBLIC MEETING (CONT’D)

If a lower-tier municipality or a planning board was requested to hold the public meeting

Receive the following from the lower-tier municipality or planning board within 15 days after the meeting is held:

- the original or copy of all written submissions and comments received on or before the day of the public meeting
- an affidavit or sworn declaration by an employee of the local municipality or planning board, certifying that requirements for holding a public meeting under the Act have been complied with
- an affidavit or sworn declaration by an employee of the local municipality or planning board, listing all persons and public bodies that made oral submissions at the public meeting
- a copy of the minutes of the public meeting (Planning Act, s. 51(21.2)(c), O. Reg. 544/06, s. 6(3))

Advise the applicant of any concerns raised and, as appropriate, encourage the applicant to negotiate and resolve any outstanding issues. This may include, among other actions, a redesign of some or all of the plan, the preparation of supporting studies, or agreements for certain conditions of draft-plan approval which address issues raised.

Continue to analyze and assess new information received and incorporate this into the planning report.
After considering the comments received, recommendations made, and evidence presented in the planning report, it is time to make a decision to give draft approval or refuse the draft-plan application.

**Criteria for Approval**

As explained in Part I of this guide, all decisions related to planning matters must be in accordance with the Province’s policy-led planning system. Therefore, the decision made by the approval authority must:

- Have regard to the matters of provincial interest listed in section 2 of the *Planning Act* (see Appendix 1)
- Be consistent with the Provincial Policy Statement
- Conform or not conflict with all applicable provincial plans (see Appendix 5)
- Have regard to criteria listed in subsection 51(24) of the *Planning Act* (see Appendix 3)
- Conform with the official plan(s). In a two-tier structure, this includes both the upper- and lower-tier official plans.
- Either comply with the applicable zoning by-law, Minister’s zoning order or development permit by-law, or make a decision that requires amendments to these as a condition of approval

In addition, agency requests should have been considered and conditions imposed where they are reasonable in the opinion of the approval authority.
Conditions of Approval

When an approval is granted with conditions, it is referred to as “draft approval.” The Planning Act empowers the approval authority to impose any conditions that it believes are reasonable, having regard to the nature of the development proposed. A list of conditions should be prepared in advance for the approval authority to approve.

Red-Line Revision

“Red-lining” is a common term referring to minor changes made directly on a plan in red ink as part of a draft approval or prior to final approval. Changes made at the time of draft approval have force and effect, as they are part of the drawing that is draft approved by the approval authority.

CHECKLIST FOR STEP 6: DECISION

Consider the planning report as well as any supporting information and materials, including agency comments and issues raised at the public meeting.

The decision is consistent with the Provincial Policy Statement (Planning Act, s. 3(5)(a)).

The decision conforms or does not conflict with any applicable provincial plans (Planning Act, s. 3(5)(b)).

The decision has regard to the matters of provincial interest listed in section 2 of the Planning Act (Planning Act, s. 2).

The decision has regard for criteria listed in subsection 51(24) of the Planning Act (described in Step 4).

The decision conforms to the policies in the official plan as it relates to the subject application (Planning Act, s. 24(1)).

The decision complies or requires compliance with the provisions in the zoning by-law, development permit by-law, or Minister’s zoning order as it relates to the subject application.

If draft approval is given, consider providing a lapsing provision (Planning Act, ss. 51(25) & (32)).
Notice of the decision must be given within 15 days from the date the decision was made.

After a decision is made, written notice of the decision must be given to both the applicant and the municipality or planning board in which the subject land is situated – and to those who have requested in writing to be given notice of the decision. This notice must include a copy of the decision, the appeal provisions, and all other information required under Ontario Regulation 544/06.

**Withdrawing approval**

A decision to give draft approval of a plan of subdivision or condominium may be withdrawn any time prior to final approval. Although this authority historically has rarely been exercised, it provides the approval authority with some flexibility to address changing circumstances that may occur over time.
CHECKLIST FOR STEP 7: NOTICE OF DECISION

☐ Have a notice prepared containing all the information required by Ontario Regulation 544/06 [O. Reg. 544/06, s. 9(1)].

☐ Send the notice to the applicant [Planning Act, s. 51(37)(a)].

☐ Send the notice to each person or public body that made a written request to be notified of the decision [Planning Act, s. 51(37)(b)].

☐ Send the notice to a municipality or planning board in which the land is situated [Planning Act, s. 51(37)(d)].

☐ Send the notice to the regional director of the Municipal Services Office, at the Ministry of Municipal Affairs and Housing, ONLY IF the regional director has given the approval authority a written request to be given notice of decisions on applications for approval of plans of subdivision/condominium [Planning Act, s. 51(37)].

☐ Consider having an employee provide a sworn declaration that notice requirements under the Act have been complied with. The sworn declaration is submitted to the Ontario Municipal Board as part of the public record if there is an appeal – see Step 9 (O. Reg.544/06, para. 4 of s. 11).
Under the Planning Act, changes can be made to the conditions any time prior to final approval.

CHANGES TO CONDITIONS

([Planning Act, ss. 51(44)-(47)] (if necessary)

If the approval authority identifies the need to amend conditions of draft approval, the Planning Act enables it to do so.

Notice Requirements

If the changes are minor, no notice of the changes is required. If, however, the changes are not minor, notice must be given within 15 days of the date when the changes are made to the applicant, a municipality or planning board in which the land is situated. The persons and public bodies that submitted written requests should be notified of the changes to conditions as well as the regional director of the Municipal Services Office at the Ministry of Municipal Affairs and Housing (if requested to be notified). This notice must include a copy of the changes to the conditions and other required information under Ontario Regulation 544/06.
CHECKLIST FOR STEP 8: CHANGES TO CONDITIONS

Consult with any affected persons and/or agencies as necessary.

Determine if the changes are appropriate.

Determine if the changes are minor. If yes, make the changes. As a best practice, notify the applicant and any interested local agencies or public bodies (Planning Act, s. 51(47)).

Continue below if the changes are not minor

Make the changes.

Prepare a notice containing the changes and all other required information under Ontario Regulation 544/06 (O. Reg. 544/06, s. 10).

Send the notice to the applicant (Planning Act, s. 51(45)(a)).

Send the notice to each person or public body that made a written request to be notified of changes to the conditions. (Planning Act, s. 51(45)(b)).

Send the notice to the municipality or planning board in which the land is situated (Planning Act, s. 51(45)(c)).

Send the notice to the regional director of the Municipal Services Office at the Ministry of Municipal Affairs and Housing responsible for the applicable region, ONLY IF the regional director has requested to be notified of changes to conditions of draft-approved plans (O. Reg. 544/06, s. 10(2)).

Consider having an employee provide a sworn declaration certifying that notice requirements have been complied with. The sworn declaration is submitted to the OMB as part of the public record if there is an appeal – see Step 9 (O. Reg. 544/06, s. 11, para 6).
The notice of appeal, the Ontario Municipal Board’s filing fee and the record must be forwarded to the Ontario Municipal Board within 15 days of receiving the notice of appeal or within 15 days after the last day for filing a notice of appeal, as the case may be (see table on the following page).

**APPEAL** (if applicable)  
*Planning Act, ss. 51(34)-(43) & (48)-(51)*

The Planning Act allows the applicant as well as certain persons and public bodies to appeal the decision, lapsing provisions, conditions or changed conditions to the Ontario Municipal Board. As well, if a decision is not made within 180 days of receiving the complete application and any application fees, the applicant can appeal for failure to make a decision. Once a notice of appeal is received, all the information required by Ontario Regulation 544/06 (the record) must be forwarded to the Ontario Municipal Board.

**Who Can Appeal**

The Planning Act indicates who can appeal, based on what is being appealed. See table on the following page for more information.

**The Ontario Municipal Board**

The Ontario Municipal Board is an independent administrative tribunal responsible for hearing appeals and deciding on a variety of municipal matters, including land-use planning applications. The Board is similar to a court of law, but with less formality. Board members are appointed by the Ontario Cabinet and are responsible for the adjudication of Board matters. For more information, visit www.omb.gov.on.ca or view the Citizen’s Guide on the Ontario Municipal Board at www.ontario.ca/landuseplanning.

**If Appeals Are Withdrawn**

Where there is a 20-day appeal period (see table on the following page) and a notice of appeal is withdrawn within 15 days after this period, the approval authority is not required to forward the information to the Ontario Municipal Board.
Understanding the Subdivision & Condominium Application Process

### APPEALS RECEIVED BY THE APPROVAL AUTHORITY FOR A DRAFT PLAN OF SUBDIVISION/CONDOMINIUM

<table>
<thead>
<tr>
<th>WHO CAN APPEAL:</th>
<th>ITEMS REQUIRED TO BE SUBMITTED:</th>
</tr>
</thead>
<tbody>
<tr>
<td>IS THE SUBJECT LAND LOCATED IN A MUNICIPALITY OR PLANNING AREA OF A PLANNING BOARD?</td>
<td>WHEN THE APPROVAL AUTHORITY MUST FORWARD MATERIALS TO THE OMB:</td>
</tr>
<tr>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>NO</td>
<td></td>
</tr>
</tbody>
</table>

#### WHAT CAN BE APPEALED:

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Oral Submissions at a Public Meeting</th>
<th>Written Submissions to the Approval Authority</th>
<th>A Request to Be Notified of Changes to Conditions to Conditions</th>
<th>Minister of MHH</th>
<th>Municipality or Planning Board</th>
<th>Any Person or Public Body</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to make a decision</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Decision</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Lapsing provision</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Conditions</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Any conditions after the appeal period for the draft approval is over</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Changed conditions within the 20-day appeal period</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Changed conditions anytime before final approval</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

#### When to File a Notice of Appeal:

<table>
<thead>
<tr>
<th>Planning Act Section:</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ 51(34)</td>
</tr>
<tr>
<td>✓ 51(39)</td>
</tr>
<tr>
<td>✓ 51(43)</td>
</tr>
<tr>
<td>✓ 51(48)</td>
</tr>
</tbody>
</table>

- Within 15 days after the notice is filed
- Within 15 days after the end of the 20-day appeal period
- Within 15 days after the notice of appeal was received
- Within 15 days after the notice of appeal was received
CHECKLIST FOR STEP 9: APPEAL

If no notice of appeal is received:

Consider having an employee provide a sworn declaration that no notice of appeal was filed within the time allowed for appeal ([Planning Act, s. 51(42)].

If a notice of appeal is received:

Verify that the appeal is received within the time allowed for appeal - see table to the left ([Planning Act, ss. 51(34), (39), (43) & (49)].

Verify that the reasons for the appeal are included ([Planning Act, ss. 51(39), (43) & (48)].

Verify that the OMB filing fee is included ([Planning Act, ss. 51(34), (39), (43) & (48)].

Prepare a record containing all the information required by Ontario Regulation 544/06 ([O. Reg. 544/06, ss. 8 & 11]).

Forward the record, notice of appeal, and the Ontario Municipal Board’s filing fee to the Ontario Municipal Board within the legislated timeframes - see table to the left ([Planning Act, ss. 51(35) & (50)].

Appendices 24 & 28

Appendix 29

Appendix 29
HEARING AT THE ONTARIO MUNICIPAL BOARD

[Planning Act, ss. 2.1, 51(52)-(56)] (if applicable)

To defend provincial and local interests at the Ontario Municipal Board in the case of an appeal, the approval authority has three options, as applicable:

▶ negotiate with the appellant and any other parties to reach a settlement with a revised proposal;

▶ prepare to defend the decision made in a full hearing (if a decision was made); or

▶ seek to have the appeal dismissed without a hearing.

Criteria for a Decision

Under the Planning Act, the Ontario Municipal Board is bound by the same planning considerations as the approval authority when making a decision. That is, the decision must:

▶ Have regard to the matters of provincial interests as listed in section 2 of the Planning Act (see Appendix 1)

▶ Be consistent with the Provincial Policy Statement

▶ Conform or not conflict with all applicable provincial plans (see Appendix 5)

▶ Have regard to criteria listed in subsection 51(24) of the Planning Act (see Appendix 3)

▶ Conform with the official plan(s). In a two-tier structure, this includes both the upper- and lower-tier official plans.

▶ Either comply with the applicable zoning by-law, Minister’s zoning order, or development permit by-law; or make a decision that requires amendments to these as a condition of approval.

Visit www.omb.gov.on.ca for information on appeal procedures.
Furthermore, section 2.1 of the Planning Act requires the Board to have regard to any planning decisions that have been made by the municipal council or approval authority relating to the same matter, and any supporting information and material that the municipal council or approval authority considered in making the decision. In addition, if any new information is presented at the hearing that the Board determines could have materially affected the decision, the approval authority will be given an opportunity to consider this information and to make written recommendations to the Board. The Board must have regard to the approval authority’s recommendation if it is made within 60 days (O. Reg. 549/06, s. 1).

**Settlement**

Often, prior to the Board reaching a decision on an appeal, parties may decide to resolve issues and come to a mutually acceptable solution (settlement). In general, a settlement will still need to be justified and approved before the Ontario Municipal Board. As such, parties should ensure that there is sufficient planning rationale based on the above-mentioned criteria to support the proposed settlement.

---

**Dismissal Without A Hearing**

Under the Planning Act, the Ontario Municipal Board may dismiss an appeal without holding a hearing on a number of grounds such as:

- It is of the opinion that:
  - the reasons set out in the notice of appeal do not disclose any apparent grounds for land-use planning,
  - the appeal is frivolous, vexatious or made in bad faith,
  - the appeal is made only for the purpose of delay, or
  - the appellant has persistently and unreasonably commenced proceedings at the Board that constitute an abuse of process.

- The appellant has not provided written reasons for the appeal.

- The appellant has not paid the filing fee.

- The appellant has not responded to a request by the Board for further information within the time specified by the Board.
CHECKLIST FOR STEP 10: HEARING AT THE ONTARIO MUNICIPAL BOARD

Consider if provincial and municipal interests may be affected by the appeal.

Consider one of the following three options:

▶ seek to have the appeal dismissed without a hearing;
▶ prepare to defend the decision on the application (where a decision was made); or
▶ negotiate with the appellant(s) and any other parties to reach a settlement with a revised proposal.

For the latter two cases, there must be a planning rationale in support of the decision or the negotiated settlement.

If anyone introduces new information at an Ontario Municipal Board hearing, consider bringing a motion to have the Board determine whether the information could have materially affected the approval authority’s decision. If this motion is granted, the approval authority will have the opportunity to review this information and to make a written recommendation to the Board. If the recommendation is made within 60 days, the Board must have regard to this recommendation when making its decision ([Planning Act, s. 51(52.3)-(52.6)]).

Where the Ontario Municipal Board determines that an application be granted draft approval, the approval authority may be assigned to give final approval once it is satisfied that all conditions have been or will be fulfilled ([Planning Act, s. 51(56.1)].)
An extension to the period of draft approval must be given prior to the lapsing date.

11 EXTENSION OF DRAFT APPROVAL

[Planning Act, s. 51(33)] (if applicable)

If the applicant is unable to fulfill the conditions prior to the lapsing date, the Planning Act permits the approval authority to extend the period of draft approval.

Calculating the lapsing date

If no appeals are received, the lapsing period starts from the date the decision was made on the application. If appeals are received, the lapsing period starts from the date the Ontario Municipal Board issues its decision in respect of the appeal(s), or from the date when the Ontario Municipal Board issues a notice that all appeals have been withdrawn.

CHECKLIST FOR STEP 11: EXTENSION OF DRAFT APPROVAL

Specify the length of the extension, if the approval authority extends draft approval [Planning Act, s. 51(33)].

The extension must be given prior to the lapsing date in order to be valid [Planning Act, s. 51(33)].
**FINAL PLAN APPROVAL**

*Planning Act, ss. 51(58)-(60)*

The approval authority grants final approval when it is satisfied that all conditions have been or will be fulfilled and that final plan conforms to the approved draft plan.

**Delivering Final Plans**

It is recommended that the approval authority courier the final plans directly to the local Land Registry Office to ensure there are no third-party alterations to the approved final plan. If the approval authority chooses not to courier the plans, the applicant must deposit them directly with the land registrar (including any copies that the approval authority wishes to have). The land registrar will add to the plan the number of the plan and the date when it was registered. The approval authority may request to receive up to two copies of the registered final plan from the Land Registry Office for its records. There may be other documents that will need to be registered, such as subdivision agreements, transfers, easements, and restrictions on future transfers. Arrangements should be made to ensure that any such documents are appropriately registered. Registration of the plan is governed under the *Land Titles Act* or the *Registry Act*.

**Final Plan Registration Within 30 Days**

Registration should not be delayed if the requirements of the Act are met. To ensure that the applicant registers the plan promptly, the *Planning Act* authorizes the approval authority to withdraw its approval if the final plan is not registered within 30 days of receiving the final approval. The approval authority should first confirm with the Land Registrar that the plan has not been registered before doing so.
CHECKLIST FOR STEP 12: FINAL PLAN APPROVAL

- Confirm that all clearance letters have been received or otherwise obtain satisfaction that all conditions have been or will be fulfilled.
- Ensure that the final plan is in conformity with the draft-approved plan or revised draft-approved plan.
- Approve and sign the final plan.

Forward the number of copies required by Ontario Regulation 43/96 of the Registry Act (for plans of subdivision) or Ontario Regulation 49/01 of the Condominium Act, 1998 to the local Land Registry Office. The Land Registrar will add the number of the plan and the date when it was registered.

- Receive duplicates of the registered plan from the land registrar for record-keeping (Planning Act, s. 51(60)).
All planning decisions shall have regard to the matters of provincial interests listed in section 2 of the Planning Act. These are:

- The protection of ecological systems, including natural areas, features and functions;
- The protection of the agricultural resources of the Province;
- The conservation and management of natural resources and the mineral resource base;
- The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- The supply, efficient use and conservation of energy and water;
- The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- The minimization of waste;
- The orderly development of safe and healthy communities;
- The accessibility for persons with disabilities to all facilities, services and matters to which the Planning Act applies;
- The adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- The adequate provision of a full range of housing, including affordable housing;
- The adequate provision of employment opportunities;
- The protection of the financial and economic well-being of the Province and its municipalities;
- The co-ordination of planning activities of public bodies;
- The resolution of planning conflicts involving public and private interests;
- The protection of public health and safety;
- The appropriate location of growth and development; and
- The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.
The following checklist is intended to assist approval authorities in the preliminary assessment of subdivision and condominium applications. A “yes” or “no” answer to a given question does not automatically dictate a particular outcome but may indicate an area where detailed consideration will be required by an approval authority. A thorough review of the application requires that you read the Provincial Policy Statement, 2005 (PPS) in its entirety and apply all relevant policies to each situation. Some considerations may be applied later in the approval process.

This checklist includes suggested examples that are not required by the Provincial Policy Statement, 2005 (PPS) but are for information only.

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>QUESTION</th>
<th>YES</th>
<th>NO</th>
<th>PPS POLICIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Settlement Areas</td>
<td>If the subject lands are located in a settlement area, does the application represent opportunities for intensification and redevelopment?</td>
<td>☐</td>
<td>☐</td>
<td>See policies 1.1.3.2a) &amp; b).</td>
</tr>
</tbody>
</table>
| | Suggested examples:  
- the application is an infill development  
- the application proposes a higher density than currently exists | | | |
| Rural Areas in Municipalities | If the subject lands are located in a rural area in a municipality: | ☐ | ☐ | See policy 1.1.4.1. |
| | Is the proposed use related to one of the following:  
i. the management or use of resources  
ii. resource-based recreational activities  
iii. limited residential development  
iv. other rural land uses | ☐ | ☐ | |
<p>| | Does the application comply with the Minimum Distance Separation formulae? | ☐ | ☐ | See policy 1.1.4.1c). |
| Rural Areas in Territory Without Municipal Organization | If the subject lands are located in a rural area in territory without municipal organization: | ☐ | ☐ | See policies 1.1.5.1 and 1.1.5.3. |
| | Is the proposed use related to the management or use of resources and resource-based recreational activities? | ☐ | ☐ | |
| | Does the development propose to establish a new permanent townsite? | ☐ | ☐ | See policy 1.1.5.2. |</p>
<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>QUESTION</th>
<th>YES</th>
<th>NO</th>
<th>PPS POLICIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment Areas</td>
<td>If the subject lands are located in an employment area, does the application represent employment uses (e.g., manufacturing, warehouse and office and associated retail)?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Housing</td>
<td>Does the application contribute to supplying a diverse range of housing types, including housing that is affordable to households with low and moderate incomes?</td>
<td></td>
<td></td>
<td>See PPS 1.4.3 a).</td>
</tr>
<tr>
<td></td>
<td>Suggested examples:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- lots/units for rowhouses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- lots/units for live/work buildings</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- lots/units for single-detached housing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Are the subject lands located where appropriate levels of infrastructure and public service facilities are or will be available?</td>
<td></td>
<td></td>
<td>See policy 1.4.3c).</td>
</tr>
<tr>
<td>Public spaces</td>
<td>Do the planned streets facilitate pedestrian and non-motorized movement (e.g., walking and cycling)?</td>
<td></td>
<td></td>
<td>See policy 1.5.1a).</td>
</tr>
<tr>
<td></td>
<td>Suggested examples:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- streets are inter-connected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- streets contain sidewalks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- streets contain bicycle facilities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- streets reflect their proposed function without being excessively wide</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Does the application propose a range of public spaces, such as parklands, open spaces and facilities?</td>
<td></td>
<td></td>
<td>See policy 1.5.1b).</td>
</tr>
<tr>
<td></td>
<td>Suggested examples:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- pocket park(s)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- small playground(s)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- ball-field park(s)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- public squares and spaces</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- space for community gardens and urban agriculture (urban areas esp.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- pedestrian passages</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- public access to ponds, streams, marshes, tree stands, nature trails and parks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Does the application provide public access to shorelines, where they exist?</td>
<td></td>
<td></td>
<td>See policy 1.5.1c).</td>
</tr>
<tr>
<td>SUBJECT</td>
<td>QUESTION</td>
<td>YES</td>
<td>NO</td>
<td>PPS POLICIES</td>
</tr>
<tr>
<td>------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>-----</td>
<td>----</td>
<td>--------------</td>
</tr>
<tr>
<td>Sewage and Water</td>
<td>Does the application use existing municipal sewage services and municipal water services?</td>
<td>☐</td>
<td>☐</td>
<td>See policies 1.6.4.1 to 1.6.4.5.</td>
</tr>
<tr>
<td></td>
<td>Is there confirmation of sufficient capacity for reserve sewage and reserve water systems?</td>
<td>☐</td>
<td>☐</td>
<td>See policy 1.6.4.1e.</td>
</tr>
<tr>
<td>Transportation</td>
<td>Do the land-use pattern, density and mix of uses minimize the length and number of vehicle trips?</td>
<td>☐</td>
<td>☐</td>
<td>See policy 1.6.5.4.</td>
</tr>
<tr>
<td></td>
<td>Does the application propose transportation systems that are appropriate for the projected needs of the development?</td>
<td>☐</td>
<td>☐</td>
<td>See policy 1.6.5.1.</td>
</tr>
<tr>
<td></td>
<td>Suggested examples:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- lot sizes are varied to accommodate a diversity of uses and proximity to them</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- block sizes are small to promote walkability</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- any proposed road system is interconnected within the development and to neighbouring developments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Does the application make efficient use of existing and planned infrastructure?</td>
<td>☐</td>
<td>☐</td>
<td>See policy 1.6.5.2.</td>
</tr>
<tr>
<td></td>
<td>Suggested examples:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- streets are connected to the developments around it</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- road network consists of connected thoroughfares instead of dead-end street systems</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- the application proposes buildings that cluster closely together (compact form)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- the application proposes mixed-use buildings such as offices or housing located above stores to maximize use of the transportation system,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- and/or the application proposes a variety of uses, such as large and small dwellings, workplaces, retail services, schools and recreational centres (community facilities)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Airports</td>
<td>Are the subject lands in the vicinity of an airport?</td>
<td>☐</td>
<td>☐</td>
<td>See policies 1.6.7.1 and 1.6.7.2.</td>
</tr>
</tbody>
</table>
### Natural Heritage Areas

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>QUESTION</th>
<th>YES</th>
<th>NO</th>
<th>PPS POLICIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Heritage Areas</td>
<td>Significant habitat of endangered species and threatened species?</td>
<td></td>
<td></td>
<td>See policy 2.1.3a).</td>
</tr>
<tr>
<td></td>
<td>Significant wetlands?</td>
<td></td>
<td></td>
<td>See policies 2.1.3b) &amp; 2.1.4a).</td>
</tr>
<tr>
<td></td>
<td>Significant coastal wetlands?</td>
<td></td>
<td></td>
<td>See policy 2.1.3c).</td>
</tr>
<tr>
<td></td>
<td>Significant woodlands?</td>
<td></td>
<td></td>
<td>See policy 2.1.4b).</td>
</tr>
<tr>
<td></td>
<td>Significant valleylands?</td>
<td></td>
<td></td>
<td>See policy 2.1.4c).</td>
</tr>
<tr>
<td></td>
<td>Significant wildlife habitat?</td>
<td></td>
<td></td>
<td>See policy 2.1.4d).</td>
</tr>
<tr>
<td></td>
<td>Significant areas of natural and scientific interest (ANSI)?</td>
<td></td>
<td></td>
<td>See policy 2.1.4e).</td>
</tr>
<tr>
<td></td>
<td>Lands adjacent to natural heritage features and areas?</td>
<td></td>
<td></td>
<td>See policy 2.1.6.</td>
</tr>
<tr>
<td></td>
<td>Sensitive surface water features and sensitive ground water features?</td>
<td></td>
<td></td>
<td>See policy 2.2.2.</td>
</tr>
</tbody>
</table>

### Prime Agricultural Areas

<table>
<thead>
<tr>
<th>QUESTION</th>
<th>YES</th>
<th>NO</th>
<th>PPS POLICIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prime agricultural areas?</td>
<td></td>
<td></td>
<td>See policy 2.3.1.</td>
</tr>
</tbody>
</table>

### Minerals and Petroleum Areas

<table>
<thead>
<tr>
<th>QUESTION</th>
<th>YES</th>
<th>NO</th>
<th>PPS POLICIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>In areas adjacent to or in known mineral deposits or known petroleum resources?</td>
<td></td>
<td></td>
<td>See policy 2.4.2.2.</td>
</tr>
<tr>
<td>In areas adjacent to or in significant areas of mineral potential or petroleum potential?</td>
<td></td>
<td></td>
<td>See policy 2.4.2.2.</td>
</tr>
</tbody>
</table>

### Mineral Aggregate Resource Areas

<table>
<thead>
<tr>
<th>QUESTION</th>
<th>YES</th>
<th>NO</th>
<th>PPS POLICIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Near a mineral aggregate operation and may interfere with it?</td>
<td></td>
<td></td>
<td>See policy 2.5.2.4.</td>
</tr>
<tr>
<td>In areas adjacent to or in known deposits of mineral aggregate resources (e.g., gravel, sand, limestone, shale, clay) and may interfere with it?</td>
<td></td>
<td></td>
<td>See policy 2.5.2.5.</td>
</tr>
</tbody>
</table>

### Cultural Heritage and Archaeology Areas

<table>
<thead>
<tr>
<th>QUESTION</th>
<th>YES</th>
<th>NO</th>
<th>PPS POLICIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>On lands containing archaeological resources or areas of archaeological potential?</td>
<td></td>
<td></td>
<td>See policy 2.6.2.</td>
</tr>
<tr>
<td>Adjacent to a protected heritage property?</td>
<td></td>
<td></td>
<td>See policy 2.6.3.</td>
</tr>
</tbody>
</table>

### Are the Subject Lands Within:

- Policies related to natural heritage, prime agricultural areas, minerals and petroleum areas, mineral aggregate resource areas, cultural heritage and archaeology areas.
<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>QUESTION</th>
<th>YES</th>
<th>NO</th>
<th>PPS POLICIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Hazards</td>
<td>A dynamic beach hazard?</td>
<td>☐</td>
<td>☐</td>
<td>See policy 3.1.2a).</td>
</tr>
<tr>
<td></td>
<td>Portions of the one hundred year flood level along connecting channels?</td>
<td>☐</td>
<td>☐</td>
<td>See policy 3.1.2b).</td>
</tr>
<tr>
<td>Natural Hazards</td>
<td>Areas inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards?</td>
<td>☐</td>
<td>☐</td>
<td>See policy 3.1.2c).</td>
</tr>
<tr>
<td></td>
<td>A floodway?</td>
<td>☐</td>
<td>☐</td>
<td>See policy 3.1.2d).</td>
</tr>
<tr>
<td></td>
<td>Hazardous lands or hazardous sites?</td>
<td>☐</td>
<td>☐</td>
<td>See policies 3.1.4 &amp; 3.1.6.</td>
</tr>
<tr>
<td>IS THE PROPOSED DEVELOPMENT ON, ABUTTING OR ADJACENT TO LANDS AFFECTED BY:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Human-made Hazards Areas</td>
<td>Mine hazards?</td>
<td>☐</td>
<td>☐</td>
<td>See policy 3.2.1.</td>
</tr>
<tr>
<td></td>
<td>Oil, gas and salt hazards?</td>
<td>☐</td>
<td>☐</td>
<td>See policy 3.2.1.</td>
</tr>
<tr>
<td></td>
<td>Former mineral mining operations, mineral aggregate operations or petroleum resource operations?</td>
<td>☐</td>
<td>☐</td>
<td>See policy 3.2.2.</td>
</tr>
</tbody>
</table>
### PLANNING ACT CRITERIA [s. 51(24)]

<table>
<thead>
<tr>
<th>DOES THE APPLICATION HAVE REGARD TO:</th>
<th>YES</th>
<th>NO</th>
<th>PLANNING ACT SECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>The health, safety, convenience, accessibility for persons with disabilities and welfare of present and future residents of the community?</td>
<td></td>
<td></td>
<td>s. 51(24)</td>
</tr>
<tr>
<td>The matters of provincial interest in section 2 of the Planning Act?</td>
<td></td>
<td></td>
<td>s. 51(24)(a)</td>
</tr>
<tr>
<td>Whether the proposed subdivision (or condominium) is premature or in the public interest?</td>
<td></td>
<td></td>
<td>s. 51(24)(b)</td>
</tr>
<tr>
<td>Whether the proposed subdivision (or condominium) conforms to the official plan and adjacent plans of subdivision, if any?</td>
<td></td>
<td></td>
<td>s. 51(24)(c)</td>
</tr>
<tr>
<td>Whether the land is suitable for the proposed use?</td>
<td></td>
<td></td>
<td>s. 51(24)(d)</td>
</tr>
<tr>
<td>Whether road access is adequate?</td>
<td></td>
<td></td>
<td>s. 51(24)(e)</td>
</tr>
<tr>
<td>The dimensions and shapes of the proposed lots?</td>
<td></td>
<td></td>
<td>s. 51(24)(f)</td>
</tr>
<tr>
<td>Whether there are any restrictions, or proposed restrictions, on the subject land and proposed buildings, or adjoining land and buildings?</td>
<td></td>
<td></td>
<td>s. 51(24)(g)</td>
</tr>
<tr>
<td>Whether natural resources are conserved and flood control is mitigated?</td>
<td></td>
<td></td>
<td>s. 51(24)(h)</td>
</tr>
<tr>
<td>Whether the provision of municipal services is adequate, such as water supply, wastewater systems, garbage collection, snow removal, fire protection and school busing?</td>
<td></td>
<td></td>
<td>s. 51(24)(i)</td>
</tr>
<tr>
<td>Whether the availability of utilities (e.g., gas, hydro, cable) is adequate?</td>
<td></td>
<td></td>
<td>s. 51(24)(j)</td>
</tr>
<tr>
<td>Whether the provision of primary and secondary schools are adequate?</td>
<td></td>
<td></td>
<td>s. 51(24)(k)</td>
</tr>
<tr>
<td>Whether there is adequate provision of parks and open spaces?</td>
<td></td>
<td></td>
<td>s. 51(24)(l)</td>
</tr>
<tr>
<td>Whether the layout of any new lots (or units) proposed by the subdivision (or condominium) optimizes energy efficiency?</td>
<td></td>
<td></td>
<td>s. 51(24)(m)</td>
</tr>
<tr>
<td>The interrelationship between the proposed subdivision (or condominium) and matters of site plan control, as applicable?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### ADDITIONAL CONSIDERATIONS FOR CONDOMINIUM APPLICATIONS

<table>
<thead>
<tr>
<th>IF THE APPLICATION IS A CONVERSION OF RENTED RESIDENTIAL UNITS:</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has the property been inspected by a certified engineer or architect?</td>
<td>![ ]</td>
<td>![ ]</td>
</tr>
<tr>
<td>Does the municipality have a by-law prohibiting conversion of rental units to condominiums?</td>
<td>![ ]</td>
<td>![ ]</td>
</tr>
<tr>
<td>Have tenant rights been addressed?</td>
<td>![ ]</td>
<td>![ ]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>IF THE APPLICATION IS AN AMALGAMATION OF CONDOMINIUMS:</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there confirmation that at least 90% of unit owners in all of the corporations consented to the amalgamation within 90 days of a meeting to consider the issue?</td>
<td>![ ]</td>
<td>![ ]</td>
</tr>
</tbody>
</table>
If the subject lands are located in any of the areas governed by the plans shown below or any other provincial plans, ensure that the application conforms or does not conflict with the applicable policies.
The list below recommends who may be contacted for technical information/other permits and approval in specific areas, but is not intended to be exhaustive.

<table>
<thead>
<tr>
<th>APPROVAL TYPE</th>
<th>DESCRIPTION</th>
<th>AGENCY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ACCESS ONTO PROVINCIAL HIGHWAYS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Entrance Permit (Public Transportation and Highway Improvement Act)</td>
<td>Required for plans of subdivision/condominium that are in close proximity to a provincial highway or have the potential to impact upon a provincial highway.</td>
<td>Contact your local Ministry of Transportation office for more information.</td>
</tr>
<tr>
<td><strong>SEWAGE WORKS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part 8 permit (Building Code)</td>
<td>Required for plans of subdivision/condominium proposed on small, private sewage servicing systems generating 10,000 or less litres of effluent per day on one lot.</td>
<td>Contact the local municipality, public health unit or area conservation authority (where it exists and there is no health unit).</td>
</tr>
<tr>
<td>Certificate of Approval (Ontario Water Resources Act)</td>
<td>Required for plans of subdivision/condominium proposed on larger sewage systems that generate more than 10,000 litres of effluent per day on one lot.</td>
<td>Contact your local Ministry of the Environment office for more information.</td>
</tr>
<tr>
<td><strong>CONTAMINATED SITES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Site Assessment (ESA)</td>
<td>Completed by a qualified person for proposed sensitive land uses on sites with potential soil contamination to determine the extent of contamination and recommend actions for site remediation.</td>
<td>Contact your local Ministry of the Environment office</td>
</tr>
<tr>
<td>Record of Site Condition (RSC) (Environmental Protection Act)</td>
<td>Required where the proposal represents a change in activity from industrial, commercial or community use to a more sensitive land use, such as residential or school.</td>
<td>Contact your local Ministry of the Environment office for more information, or visit <a href="http://www.ontario.ca/brownfields">www.ontario.ca/brownfields</a>.</td>
</tr>
<tr>
<td>APPROVAL TYPE</td>
<td>DESCRIPTION</td>
<td>AGENCY</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Permit for Alteration to Shoreline</td>
<td>Required prior to any site alteration or erecting of structures where a proposal has potential to impact fish habitat or cause alteration to a shoreline.</td>
<td>Contact your area conservation authority or the Ministry of Natural Resources (if there is no conservation authority) for more information.</td>
</tr>
<tr>
<td>WORKS ON PUBLIC LANDS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Work permit</td>
<td>Required for the construction of trails, roads, water crossings and structures that would be located on any public lands under the administration and control of the Ministry of Natural Resources.</td>
<td>Contact the Ministry of Natural Resources for more information.</td>
</tr>
<tr>
<td>Work permit (for ‘in water’ work)</td>
<td>Required for filing, dredging, removal of aquatic vegetation, and structures occupying over 15 sq. meters of a shore land (this includes the beds of most navigable waters which are normally Crown owned, as well as adjacent private shore lands, only if they are contiguous with Crown owned lands.)</td>
<td>Contact the Ministry of Natural Resources for more information.</td>
</tr>
<tr>
<td>WATER SUPPLY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Permit to Take Water</td>
<td>Required when more than a total of 50,000 litres of water in a day from wells or a surface water supply is proposed to be taken.</td>
<td>Contact your local Ministry of the Environment office for more details.</td>
</tr>
</tbody>
</table>
The approval authority can require all of the information below as part of a complete application for a proposed plan of subdivision or condominium:

A. Information to be submitted

<table>
<thead>
<tr>
<th>INFORMATION TO BE SUBMITTED (O. Reg. 544/06, Schedule 1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The name, address, telephone number and, if applicable, the e-mail address of the owner of the subject land, and of the agent if the applicant is the owner’s authorized agent, are included.</td>
</tr>
<tr>
<td>2. The date of the application is included.</td>
</tr>
<tr>
<td>3. A description of the subject land, including such information as the municipality, or the geographic township in unorganized territory, concession and lot numbers, reference plan and part numbers, and street names and numbers, is included.</td>
</tr>
<tr>
<td>4. Whether there are any easements or restrictive covenants affecting the subject land is indicated. If the answer is yes, a description of each easement or covenant and its effect are included.</td>
</tr>
<tr>
<td>5. If known,</td>
</tr>
<tr>
<td>i. whether the subject land was ever the subject of an application for approval of a plan of subdivision under section 51 of the Act, for a consent under section 53 of the Act, for a minor variance, for approval of a site plan, or for an amendment to an official plan, a zoning by-law or a Minister’s zoning order, is indicated; and</td>
</tr>
<tr>
<td>ii. if the answer to clause (i) is yes, the file number and status of the application are included.</td>
</tr>
<tr>
<td>6. The following totals are provided:</td>
</tr>
<tr>
<td>- the total number of lots and blocks shown on the draft plan;</td>
</tr>
<tr>
<td>- the total number of units or dwellings shown on the draft plan;</td>
</tr>
<tr>
<td>- the total area of land shown on the draft plan in hectares;</td>
</tr>
<tr>
<td>- the total number of units or dwellings shown on the draft plan per hectare; and</td>
</tr>
<tr>
<td>- the total number of parking spaces shown on the draft plan.</td>
</tr>
</tbody>
</table>
INFORMATION TO BE SUBMITTED (O. Reg. 544/06, Schedule 1)

7. For each of the uses 1-13 identified below, the following information is provided:
   i. The number of lots or blocks shown on the draft plan.
   ii. The number of units or dwellings shown on the draft plan, except uses 11 and 12.
   iii. The area of land shown on the draft plan in hectares.
   iv. The number of units or dwellings shown on the draft plan per hectare, except uses 11 and 12.
   v. The number of parking spaces shown the draft plan, except uses 1, 2, 11 and 12.
   vi. If one of the uses is identified as “other residential”, “institutional” or “other,” a description of the use.

<table>
<thead>
<tr>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Detached residential</td>
</tr>
<tr>
<td>2. Semi-detached residential</td>
</tr>
<tr>
<td>3. Multiple attached residential</td>
</tr>
<tr>
<td>4. Apartment residential</td>
</tr>
<tr>
<td>5. Seasonal residential</td>
</tr>
<tr>
<td>6. Mobile home residential</td>
</tr>
<tr>
<td>7. Other residential</td>
</tr>
<tr>
<td>8. Commercial residential</td>
</tr>
<tr>
<td>9. Industrial</td>
</tr>
<tr>
<td>10. Institutional</td>
</tr>
<tr>
<td>11. Park or open space</td>
</tr>
<tr>
<td>12. Roads</td>
</tr>
<tr>
<td>13. Other</td>
</tr>
</tbody>
</table>

8. If the application is for approval of a condominium description, the number of parking spaces shown on the draft plan for detached and semi-detached residential use is included.

9. The current designation of the subject land in the applicable official plan is included.

10. Whether access to the subject land will be,
    i. by a provincial highway, a municipal road that is maintained all year or seasonally, another public road or a right of way; or
    ii. by water.

11. If access to the subject land will be by water only, the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road are described.

12. Whether water will be provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake or other water body or other means.

13. Whether the subject land contains any areas of archaeological potential.

14. Whether sewage disposal will be provided to the subject land by a publicly owned and operated sanitary sewage system, a privately owned and operated individual or communal septic system or other means.

15. Whether storm drainage will be provided by sewers, ditches, swales or other means.
<table>
<thead>
<tr>
<th>INFORMATION TO BE SUBMITTED (O. Reg. 544/06, Schedule 1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>16. If the application is for approval of a condominium description,</td>
</tr>
<tr>
<td>i. whether a site plan for the proposed condominium has been approved and</td>
</tr>
<tr>
<td>whether a site plan agreement has been entered into;</td>
</tr>
<tr>
<td>ii. whether a building permit for the proposed condominium has been issued;</td>
</tr>
<tr>
<td>iii. whether the proposed condominium is under construction or has been</td>
</tr>
<tr>
<td>completed;</td>
</tr>
<tr>
<td>iv. if construction has been completed, the date of completion; and</td>
</tr>
<tr>
<td>v. whether the proposed condominium is a conversion of a building containing</td>
</tr>
<tr>
<td>residential rental units, and in that case the number of units to be converted.</td>
</tr>
<tr>
<td>17. Whether the plan is consistent with policy statements issued under subsection 3(1) of</td>
</tr>
<tr>
<td>the Act.</td>
</tr>
<tr>
<td>18. Whether the subject land is within an area of land designated under any provincial</td>
</tr>
<tr>
<td>plan or plans. If the answer is yes, whether the plan conforms to or does not conflict</td>
</tr>
<tr>
<td>with the applicable provincial plan or plans.</td>
</tr>
<tr>
<td>19. If the applicant is not the owner of the subject land, the owner’s written authorization</td>
</tr>
<tr>
<td>to the applicant to make the application.</td>
</tr>
<tr>
<td>20. An affidavit or sworn declaration by the applicant that the information required and</td>
</tr>
<tr>
<td>provided by the applicant is accurate.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DRAFT PLAN OF SUBDIVISION REQUIREMENTS [Planning Act, s. 51(17)]</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The boundaries of land proposed to be subdivided, certified by an Ontario land</td>
</tr>
<tr>
<td>surveyor, are shown.</td>
</tr>
<tr>
<td>2. The locations, widths and names of the proposed highways within the proposed</td>
</tr>
<tr>
<td>subdivision and of existing highways on which the proposed subdivision abuts, are</td>
</tr>
<tr>
<td>indicated.</td>
</tr>
<tr>
<td>3. A small key plan is provided, on a scale of not less than one centimetre to 100 metres,</td>
</tr>
<tr>
<td>showing:</td>
</tr>
<tr>
<td>- all of the land adjacent to the proposed subdivision that is owned by the applicant</td>
</tr>
<tr>
<td>or in which the applicant has an interest; and</td>
</tr>
<tr>
<td>- every subdivision adjacent to the proposed subdivision and the relationship of the</td>
</tr>
<tr>
<td>boundaries of the land to be subdivided to the boundaries of the township lot or</td>
</tr>
<tr>
<td>other original grant of which the land forms the whole or part.</td>
</tr>
<tr>
<td>4. The purpose for which the proposed lots are to be used, is indicated.</td>
</tr>
<tr>
<td>5. The existing uses of all adjoining lands are shown.</td>
</tr>
<tr>
<td>6. The approximate dimensions and layout of the proposed lots are shown.</td>
</tr>
<tr>
<td>7. Natural and artificial features, such as buildings or other structures or installations,</td>
</tr>
<tr>
<td>railways, highways, watercourses, drainage ditches, wetlands and wooded areas</td>
</tr>
<tr>
<td>within or adjacent to the land proposed to be subdivided, are shown.</td>
</tr>
<tr>
<td>8. The availability and nature of domestic water supplies are indicated.</td>
</tr>
<tr>
<td>9. The nature and porosity of the soil are indicated.</td>
</tr>
</tbody>
</table>
Understanding the Subdivision & Condominium Application Process

C. Studies submitted by the applicant (O. Reg. 544/06, Schedule 1)

<table>
<thead>
<tr>
<th>CIRCUMSTANCE</th>
<th>STUDIES REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewage Disposal:</td>
<td></td>
</tr>
<tr>
<td>Where sewage disposal is to be provided by privately owned and operated individual or communal septic system(s),</td>
<td>Servicing Options Report</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>i. on 5 or more lots/units, or</td>
</tr>
<tr>
<td></td>
<td>ii. for a development that would produce &gt; 4500 litres/day of effluent, or</td>
</tr>
<tr>
<td></td>
<td>iii. on &lt; 5 lots/units and for a development that would produce less than or equal to 4500 litres/day of effluent</td>
</tr>
<tr>
<td>Water Supply:</td>
<td></td>
</tr>
<tr>
<td>Where water is provided by privately owned and operated individual or communal wells</td>
<td>Servicing Options Report</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hydrogeological Report</td>
</tr>
<tr>
<td>Archaeological:</td>
<td></td>
</tr>
<tr>
<td>Where there are known archaeological resources or areas of archaeological potential on the subject lands</td>
<td>Archaeological assessment prepared by a person who holds a license issued under Part VI of the Ontario Heritage Act</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A conservation plan for any archaeological resources identified in the assessment</td>
</tr>
</tbody>
</table>

D. Official plan requirements

<table>
<thead>
<tr>
<th>ADDITIONAL STUDIES/INFORMATION REQUIREMENTS IN AN OFFICIAL PLAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>See your Official Plan(s) for additional application requirements</td>
</tr>
</tbody>
</table>

E. Application fees

<table>
<thead>
<tr>
<th>APPLICATION FEES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application fees in the amount indicated in your local tariff of fees.</td>
</tr>
</tbody>
</table>
POSSIBLE FORMAT OF A LETTER ACKNOWLEDGING RECEIPT OF A COMPLETE APPLICATION

(Planning Act, s. 51(19.1))

(insert letterhead)

[insert date, 20__]

Subject: Verification of a complete application for a draft plan of (subdivision/condominium)
(enter address/legal description)
(enter name of subdivision/condominium, if any)
(enter name of the municipality/description of unincorporated area)
File No.: [underline number]

Dear Sir/Madam:

This letter is to acknowledge receipt of the information dated [underline date, 20__] and to advise that the above-noted application for draft plan of (subdivision/condominium) has been determined to be complete having met the requirements of subsections 51(17) and (18) of the Planning Act.

Should you have any questions or concerns, do not hesitate to contact me at (enter phone number or e-mail address).

Sincerely,

[underline name]

(Approval authority designate)
SAMPLE AFFADAVIT OR SWORN DECLARATION FOR NOTICE OF APPLICATION

[O. Reg. 544/06, s. 8(7)]

I ______________________ of the __________________________________________
(name of employee) (municipality or planning board)
in the ____________________________ (name of county/region/district)
solemnly declare that the requirements for giving notice under clause 51(20)(a)
of the Planning Act have been complied with, and I make this solemn
declaration conscientiously believing it to be true, and knowing that it is of the
same force and effect as if made under oath, and by virtue of the Canada
Evidence Act.

Declared before me at:

________________ in the Region/County/District of
________________ this _____ day of
________________, _____.
(month) (year)

____________________
(municipality or planning board designate)

____________________
(Commissioner of Oaths)
A public notice of a complete application is required for:

- draft plan of subdivision applications
- draft plan of condominium applications for vacant land condominiums (where an exemption has not been granted)
- draft plan of condominium applications for common elements condominiums (where an exemption has not been granted)

### CONTENT REQUIREMENTS

<table>
<thead>
<tr>
<th>CONTENT REQUIREMENTS BY ORDINARY MAIL, PERSONAL SERVICE, FAX OR PUBLISHED IN A NEWSPAPER</th>
<th>CONTENT REQUIREMENTS BY POSTING ON THE PROPERTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔️ A description of the proposed plan</td>
<td>✔️ A description of the proposed plan</td>
</tr>
<tr>
<td>✔️ A description of the subject land or a key map showing the location of the subject land</td>
<td>✔️ Where and when additional information and material regarding the proposed plan will be available to the public for inspection</td>
</tr>
<tr>
<td>✔️ Where and when additional information regarding the proposed plan will be available to the public for inspection</td>
<td>✔️ How to obtain a copy of the notice of the application that is given by mail/personal service/fax or newspaper</td>
</tr>
<tr>
<td>✔️ The statement:</td>
<td></td>
</tr>
<tr>
<td>“If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to (enter name of the approval authority) in respect of the proposed plan of (subdivision/condominium) before the approval authority gives or refuses to give approval to the draft plan of (subdivision/condominium), the person or public body is not entitled to appeal the decision of (enter name of the approval authority) to the Ontario Municipal Board.”</td>
<td></td>
</tr>
</tbody>
</table>

* See Appendix 11 for a sample of a notice by mail, personal service or fax.
** See Appendix 12 for a sample of a notice by posting on the property.
**CONTENT REQUIREMENTS (CONT’D)**

<table>
<thead>
<tr>
<th>BY ORDINARY MAIL, PERSONAL SERVICE, FAX OR PUBLISHED IN A NEWSPAPER **</th>
<th>** BY POSTING ON THE PROPERTY ** **</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔ The statement:</td>
<td></td>
</tr>
<tr>
<td>“If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to (enter name of the approval authority) in respect of the proposed plan of (subdivision/condominium) before the approval authority gives or refuses to give approval to the draft plan of (subdivision/condominium), the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.”</td>
<td></td>
</tr>
<tr>
<td>✔ The statement:</td>
<td></td>
</tr>
<tr>
<td>“If you wish to be notified of the decision of (enter name of the approval authority) in respect of the proposed plan of (subdivision/condominium), you must make a written request to (enter name and address of the approval authority).”</td>
<td></td>
</tr>
<tr>
<td>✔ If the lands are subject of other planning applications, a statement of this fact and the associated file numbers</td>
<td></td>
</tr>
</tbody>
</table>

* See Appendix 11 for a sample of a notice by mail, personal service or fax.  
** See Appendix 12 for a sample of a notice by posting on the property.

**NOTE:** There are two provisions for notice of application requirements under the Planning Act: a notice of complete application [s. 51(19.4)] and a notice of application [s. 51(20)(a)]. These two notices have the exact same content and distribution requirements with the exception that a notice of application must be given at least 14 days before a decision is made, and therefore can be given later than the notice of a complete application. However, the Act also allows these two notices to be given together, which is usually the practice among approval authorities. When a notice of a complete application is given, a notice of application is also effectively given; consequently, these notice requirements under the Act are met.
POSSIBLE FORMAT OF A NOTICE OF COMPLETE APPLICATION BY ORDINARY MAIL, PERSONAL SERVICE, FAX OR PUBLISHED IN A NEWSPAPER
(O. Reg. 544/06, s. 4)

A public notice of a complete application is required for:

- draft plan of subdivision applications
- draft plan of condominium applications for vacant land condominiums (where an exemption has not been granted)
- draft plan of condominium applications for common elements condominiums (where an exemption has not been granted)

NOTICE OF A COMPLETE APPLICATION FOR DRAFT PLAN OF (SUBDIVISION/CONDONMINIUM) APPROVAL
(Planning Act, s. 51(19.4))

(enter name of the municipality or planning board) is in receipt of an application for approval of a proposed plan of (subdivision/condominium) for property as described below. The application was deemed to be complete by (enter name of the municipality or planning board) on _____, 20__ in accordance with subsections 51(17) and (18) of the Planning Act.

LOCATION OF PROPERTY
The subject lands are located (east or west) of (enter name of road) and (north or south) of (enter name of road), in (enter name of community). The subject lands are approximately (enter number of hectares) hectares with a frontage of approximately (enter number of metres) m on (enter name of road) and a depth of approximately (enter number of metres) m. The subject lands are municipally known as (enter municipal address) and are legally described as (enter full legal description as found on the draft plan). See key map below.

DESCRIPTION OF PROPOSAL
The draft plan of (subdivision/condominium) consists of (enter number and type of lot e.g., single family residential, commercial, industrial lot(s)/ number and type of units and common elements). Access to all (lots/units) is proposed via (enter the number of new local streets / water access from a public launch facility located at _____) that would connect to (enter name(s) of public street(s)).

This application is being considered in conjunction with an application under the Planning Act for (enter minor variance/zoning by-law amendment/official plan amendment/site plan/Minister’s zoning order/development permit), File Number(s) ________.
NOTES REGARDING YOUR RIGHTS
i) If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to (enter name of the approval authority) in respect of the proposed plan of (subdivision/condominium) before the approval authority gives or refuses to give approval to the draft plan of (subdivision/condominium), the person or public body is not entitled to appeal the decision of (enter name of the approval authority) to the Ontario Municipal Board.

ii) If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to (enter name of the approval authority) in respect of the proposed plan of (subdivision/condominium) before the approval authority gives or refuses to give approval to the draft plan of (subdivision/condominium), the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

iii) If you wish to be notified of the decision of (enter name of the approval authority) in respect of the proposed plan of (subdivision/condominium), you must make written request to (enter name and address of the approval authority).

A copy of the application is available for inspection at (enter office or counter location) of the (enter name of the office) between the hours of (enter business hours and days of the week). Additional information is available from (enter name of staff member), tel (enter telephone number) or by e-mail (enter e-mail address), quoting file number (enter file number).

Sincerely,

__________

(municipality or planning board designate)

NOTE: There are two provisions for notice of application requirements under the Planning Act: a notice of complete application [s. 51(19.4)] and a notice of application [s. 51(20)(a)]. These two notices have the exact same content and distribution requirements with the exception that a notice of application must be given at least 14 days before a decision is made, and therefore can be given later than the notice of a complete application. However, the Act also allows these two notices to be given together, which is usually the practice among approval authorities. When a notice of complete application is given, a notice of application is also effectively given; consequently, these notice requirements under the Act are met.
POSSIBLE FORMAT FOR POSTING A NOTICE OF COMPLETE APPLICATION ON THE PROPERTY
[O. Reg. 544/06, s. 4(12)]

NOTICE OF COMPLETE APPLICATION FOR APPROVAL OF DRAFT PLAN OF (SUBDIVISION/CONDOMINIUM)

(enter name of the approval authority) is in receipt of a complete application for approval of a proposed draft plan of (subdivision/condominium), consisting of (enter number and type of lots, e.g., 20 townhouse units) serviced by (enter number of internal roads, municipal, communal or individual water and municipal, communal or individual sewer as applicable).

To obtain a written notice of the application or for additional information, please contact:

_________
_________
Tel: ____________
Email: ____________

Grade
### PERSONS AND PUBLIC BODIES TO WHOM A NOTICE OF COMPLETE APPLICATION OR PUBLIC MEETING MUST BE GIVEN

(O. Reg. 544/06, s. 4)

A notice of a complete application or public meeting is required for:

- draft plan of subdivision applications
- draft plan of vacant land condominium applications (where an exemption has not been granted)
- draft plan of common elements condominium applications (where an exemption has not been granted)

<table>
<thead>
<tr>
<th>PERSONS OR PUBLIC BODIES TO WHOM NOTICE MUST BE GIVEN</th>
<th>METHOD</th>
<th>ATTACH COPY OF APPLICATION?</th>
<th>O. REG. 544/06</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Every landowner within 120m of the subject land, and of any adjacent (abutting) land owned by the same landowner as the subject land; AND</td>
<td>By ordinary mail or personal service</td>
<td></td>
<td>s. 4(2)</td>
</tr>
<tr>
<td>b) At every separately assessed property within the subject land, or, if this is impractical, at a nearby location chosen by the official</td>
<td>By posting a notice that is clearly visible and legible from a place where the public has access (e.g., public highway)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>In a newspaper that in the official’s opinion is of sufficient circulation in the area that it would give the public reasonable notice of the application</td>
<td>By publishing in a newspaper</td>
<td></td>
<td>s. 4(5)</td>
</tr>
<tr>
<td>Every person or public body that has given the approval authority a written request for notice</td>
<td>By ordinary mail; personal service; or fax</td>
<td></td>
<td>s. 4(7)</td>
</tr>
</tbody>
</table>

For the following persons and public bodies, notice does not have to be given if the approval authority has received confirmation that they do not wish to be notified:

- The clerk of every local municipality or the secretary-treasurer of every municipal planning authority or planning board having jurisdiction in the area to which the plan of subdivision/condominium would apply

(∗) and (∗∗) indicate further definitions on page 90
### PERSONS OR PUBLIC BODIES TO WHOM NOTICE MUST BE GIVEN

<table>
<thead>
<tr>
<th>PERSONS OR PUBLIC BODIES</th>
<th>METHOD</th>
<th>ATTACH COPY OF APPLICATION?</th>
<th>O. REG. 544/06</th>
</tr>
</thead>
<tbody>
<tr>
<td>The clerk of every upper-tier municipality having jurisdiction in the area to which the plan of subdivision/condominium would apply</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 2</td>
</tr>
<tr>
<td>The secretary of every school board having jurisdiction in the area to which the plan of subdivision/condominium would apply</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 3</td>
</tr>
<tr>
<td>The secretary-treasurer of every conservation authority having jurisdiction in the area to which the plan of subdivision/condominium would apply</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 4</td>
</tr>
<tr>
<td>The secretary of every municipal or other corporation operating an electric utility in the local municipality or planning area to which the plan of subdivision/condominium would apply</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 5</td>
</tr>
<tr>
<td>The Executive Vice–President, Law and Development, of Ontario Power Generation Inc.</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 6</td>
</tr>
<tr>
<td>The secretary of Hydro One Inc.</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 7</td>
</tr>
<tr>
<td>The secretary of every company operating a natural gas utility in the local municipality or planning area to which the plan of subdivision/condominium would apply</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 8</td>
</tr>
<tr>
<td>The secretary of every company operating an oil or natural gas pipeline in the local municipality or planning area to which the plan of subdivision/condominium would apply</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 9</td>
</tr>
</tbody>
</table>
| Every propane operator of a propane operation, if:  
1. any part of the propane operation’s hazard distance is within the area to which the plan of subdivision/condominium would apply, and  
2. the approval authority has been notified of the propane operation’s hazard distance by a director appointed under section 4 of the Technical Standards and Safety Act, 2000. | By ordinary mail; personal service; or fax | ✓ | s. 4(8), para 9.1 |
<p>| The secretary of the company operating the railway line if any of the subject land is within 300 m of a railway line | By ordinary mail; personal service; or fax | ✓ | s. 4(8), para 10 |
| The secretary of every company operating as a telecommunication infrastructure provider in the area to which the plan of subdivision/condominium would apply | By ordinary mail; personal service; or fax | ✓ | s. 4(8), para 11 |</p>
<table>
<thead>
<tr>
<th>PERSONS OR PUBLIC BODIES TO WHOM NOTICE MUST BE GIVEN</th>
<th>METHOD</th>
<th>ATTACH COPY OF APPLICATION?</th>
<th>O. REG. 544/06</th>
</tr>
</thead>
<tbody>
<tr>
<td>The chair or secretary of the municipal heritage committee of the municipality, if any, if the land to which the plan of subdivision/condominium would apply includes or adjoins with a property or district designated under Part IV or V of the Ontario Heritage Act</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 12</td>
</tr>
<tr>
<td>The Senior Planner of the district office of the Niagara Escarpment Commission having jurisdiction over the land or the area that it abuts, as the case may be, if any of the subject land is within or abuts the area covered by the Niagara Escarpment Plan</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 13</td>
</tr>
<tr>
<td>The Niagara Parks Commission, if any of the subject land adjoins with the Niagara Parkway and is in the jurisdiction of the Niagara Parks Commission</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 14</td>
</tr>
<tr>
<td>The St. Lawrence Parks Commission, if any of the subject land adjoins with the 1000 Islands Parkway and is within the jurisdiction of the St. Lawrence Parks Commission under section 9 of the St. Lawrence Parks Commission Act</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 15</td>
</tr>
<tr>
<td>Parks Canada, if any of the subject lands adjoins with an historic site, park or historic canal under the jurisdiction of Parks Canada</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 16</td>
</tr>
<tr>
<td>The clerk of every municipality and the secretary-treasurer of every municipal planning authority or planning board, if any part of the municipality, municipal planning area or planning area is within one kilometre of the area to which the plan of subdivision/condominium would apply</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 17</td>
</tr>
<tr>
<td>The chief of every First Nation council, if the First Nation is located on a reserve any part of which is within one kilometre of the subject land</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(8), para 18</td>
</tr>
<tr>
<td>The regional director of the Ministry of Municipal Affairs and Housing’s Municipal Services Office responsible for the region that includes the municipality or planning area where the subject land is located, ONLY IF the regional director has given the approval authority a written request to be given such notice of applications for approval for plans of subdivision/condominium</td>
<td>By ordinary mail; personal service; or fax</td>
<td>✓</td>
<td>s. 4(9)</td>
</tr>
</tbody>
</table>
*Who is the landowner?*

The landowner is deemed to be the person shown on the last revised assessment roll of the municipality or on the current provincial land tax roll at the address shown on the roll. But if the approval authority is a municipality and the clerk of the municipality has received written notice of a change of ownership, the notice shall be given to the new owner instead, at the address set out in the notice of change of ownership.

If a condominium development is located within 120m of the subject land, notice may be given to the condominium corporation, according to its most recent address for service or mailing as registered under section 7 of the *Condominium Act, 1998*, instead of being given to all owners assessed in respect of the condominium development.

**Who is the official?**

<table>
<thead>
<tr>
<th>APPROVAL AUTHORITY</th>
<th>OFFICIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council of the municipality</td>
<td>Clerk of the municipality</td>
</tr>
<tr>
<td>Committee of the Council</td>
<td>Clerk of the municipality</td>
</tr>
<tr>
<td>Planning Board</td>
<td>Secretary-Treasurer of the planning board</td>
</tr>
<tr>
<td>Minister</td>
<td>Employee of the Ministry of Municipal Affairs and Housing</td>
</tr>
<tr>
<td>Municipal planning authority</td>
<td>Secretary-Treasurer of the municipal planning authority</td>
</tr>
<tr>
<td>Committee of the municipal planning authority</td>
<td>Secretary-Treasurer of the municipal planning authority</td>
</tr>
<tr>
<td>Appointed officer (staff)</td>
<td>Clerk of the municipality or Secretary-Treasurer of the municipal planning authority</td>
</tr>
</tbody>
</table>

**NOTE:** There will likely be other local/regional/provincial bodies that an approval authority should consider providing notice to in order to ensure a comprehensive and meaningful analysis of the application. See Appendix 6 for a list of some potentially applicable additional public bodies.
POSSIBLE OUTLINE OF A PLANNING STAFF REPORT

Outline of a Planning Report

A. Background
   i. Purpose of the proposal and description
   ii. Site and surrounding area characteristics
   iii. History of the application

B. Planning Analysis
   i. Consistency with the Provincial Policy Statement (PPS)
   ii. Conformity with any Provincial Plans
   iii. Conformity with the Official Plan(s)
   iv. Compliance with the Zoning By-law(s), Minister’s zoning order or Development Permit System by-law, as applicable
   v. Compliance with any Site Plan Control Area By-law(s), as applicable
   vi. Application of benefits under the Community Improvement Project Area By-law, as applicable
   vii. Community Consultation (summary of public comments and how they could potentially be addressed)
   viii. Summary of any documents submitted

C. Recommendation
   i. Proposed decision and a summary synopsis of the planning rationale

Attachments:
   a. Draft conditions
   b. Map showing applicable overlaying designations/zones in the Provincial Plan(s), Official Plan(s) and Zoning by-law
   c. Draft plan of subdivision
   d. Other plans (elevation plans, grading plans, concept plans, etc.)
   e. Copies of written submissions

Note: When providing your analysis in B(i)-(vi), reference to any applicable department, agency or other public body comments that support the analysis should be provided, along with how comments could potentially be addressed.
SAMPLE CONDITIONS FOR APPROVAL OF A DRAFT PLAN OF SUBDIVISION OR CONDOMINIUM

NOTE: Other conditions may be imposed to address matters raised by the municipality, circulated agencies and the public.

GENERAL
- That this approval applies to the draft plan (enter Drawing no.), prepared by (enter Firm’s name), dated (enter date), (enter “as revised on the attached plan” if necessary), which shows a total of (enter the number and type of units/common elements/lots) (lots/units/blocks).
- The owner agrees, by entering into an agreement(s), to satisfy all terms, conditions and obligations, financial and otherwise, of the (enter name of the municipality or approval authority), at the owner’s sole expense, all to the satisfaction of the (enter name of the municipality or approval authority).

HIGHWAYS/ROADS
- That the street(s) shall be named to the satisfaction of the (enter name of the municipality/planning board).
- That (enter amount of land/sufficient land/Block no.__), to widen (enter name of the road/highway), shall be shown and dedicated as public highways on the final plan.
- That a 0.3 metre reserve adjacent to, but outside of the widened limit of (enter name of road), as shown on the draft plan, shall be conveyed to the municipality.
- That Block(s) (enter block number(s)) as shown on the draft plan, shall be shown and dedicated as public walkways on the final plan.

PARKS
- That the owner convey (enter % conveyed: up to 5% residential, up to 2% commercial/industrial) of the land included in the plan to the municipality or the appropriate authority for park or other public recreational purposes. This shall include (enter block or lot numbers). Or,
- That the owner pay (enter % of the value of the land: up to 5% residential, up to 2% commercial/industrial) to the (enter name of the municipality or the appropriate approval authority) for park or other public recreational purposes.

ZONING
- That prior to final approval by the (enter name of the approval authority), we are to be advised by (enter name of the applicable municipality) that the development of these lands in accordance with this draft approved plan of (subdivision/condominium) is permitted by the (enter zoning by-law/Minister’s zoning order/development permit system by-law) in effect.
TAXES
▶ That prior to final approval by the (enter name of the approval authority), the owner provide confirmation of payment of all outstanding taxes.

CLOSING CONDITIONS
▶ That provision is made for the agreement(s) between the owner and the (enter name of the municipality or approval authority) to be registered against the lands to which it applies once the plan of (subdivision/condominium) has been registered.
CONTENT REQUIREMENTS FOR A NOTICE OF PUBLIC MEETING

[O. Reg. 544/06, s. 5(4)-(5)]

A notice of a public meeting is required for:
- draft plan of subdivision applications
- draft plan of vacant land condominium applications (where an exemption has not been granted)
- draft plan of common elements condominium applications (where an exemption has not been granted)

<table>
<thead>
<tr>
<th>CONTENT REQUIREMENTS</th>
<th>BY ORDINARY MAIL, PERSONAL SERVICE, FAX OR PUBLISHED IN A NEWSPAPER</th>
<th>BY POSTING ON THE PROPERTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>The date, time and location of the public meeting</td>
<td>✅</td>
<td>✅ The date, time and location of the public meeting</td>
</tr>
<tr>
<td>A description of the proposed plan</td>
<td>✅</td>
<td>✅ A description of the proposed plan</td>
</tr>
<tr>
<td>This statement: “If a person or public body does not make oral submissions at the public meeting or make written submissions to (enter name of the approval authority) in respect of the proposed plan of (subdivision/condominium) before the approval authority gives or refuses to give approval to the draft plan of (subdivision/condominium), the person or public body is not entitled to appeal the decision of (enter name of the approval authority) to the Ontario Municipal Board.”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>This statement: “If a person or public body does not make oral submissions at the public meeting or make written submissions to (enter name of the approval authority) in respect of the proposed plan of (subdivision/condominium) before the approval authority gives or refuses to give approval to the draft plan of (subdivision/condominium), the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.”</td>
<td>✅</td>
<td>✅ How to obtain a copy of the notice of public meeting that is given by mail, personal service, fax or is published in a newspaper</td>
</tr>
<tr>
<td>A description of the subject land or a key map showing the location of the subject land</td>
<td>✅</td>
<td></td>
</tr>
</tbody>
</table>
POSSIBLE FORMAT OF A NOTICE OF PUBLIC MEETING BY MAIL, PERSONAL SERVICE OR FAX

A public notice of a public meeting is required for:

- draft plan of subdivision applications
- draft plan of vacant land condominium applications (where an exemption has not been granted)
- draft plan of common elements condominium applications (where an exemption has not been granted)

NOTICE OF PUBLIC MEETING FOR A PROPOSED DRAFT PLAN OF (SUBDIVISION/CONDOMINIUM)

[Planning Act, s. 51 (20)(b)]

Reference File No. _______

You are invited to attend a public meeting to be held by (enter name of the municipality or planning board) to consider an application for a proposed draft plan of (subdivision/condominium) pursuant to subsection 51(20) of the Planning Act.

DATE: ________________, 20__
TIME: _:__
PLACE: __________

LOCATION OF PROPERTY
The subject lands are located (east or west) of (enter name of the road) and (north or south) of (enter name of road), in (enter name of community). The subject lands are approximately (enter number of hectares) hectares with a frontage of approximately (enter number of metres) m on (enter name of road) and a depth of approximately (enter number of metres) m. The subject lands are municipally known as (enter municipal address) and are legally described as (enter full legal description as found on the draft plan of subdivision/condominium). See key map below.

DESCRIPTION OF PROPOSAL
The draft plan of (subdivision/condominium) consists of (enter number and type of lot e.g., single family residential, commercial, industrial lot(s)/enter number and type of units and common elements). Access to all (lots/units) is proposed via (enter number of new local streets/water access from a public launch facility located at _____) that would connect to (enter...
name(s) of public street(s)).

NOTES REGARDING YOUR RIGHTS
i) If a person or public body does not make oral submissions at the public meeting or make written submissions to (enter name of the approval authority) in respect of the proposed plan of (subdivision/condominium) before the approval authority gives or refuses to give approval to the draft plan of (subdivision/condominium), the person or public body is not entitled to appeal the decision of (enter name of the approval authority) to the Ontario Municipal Board.

ii) If a person or public body does not make oral submissions at the public meeting or make written submissions to (enter name of the approval authority) in respect of the proposed plan of (subdivision/condominium) before the approval authority gives or refuses to give approval to the draft plan of (subdivision/condominium), the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

iii) If you wish to be notified of the decision of (enter name of the municipality or planning board) in respect of the proposed plan of (subdivision/condominium), you must make written request to (enter name and address of the approval authority) or by e-mail at (enter applicable e-mail address).

ADDITIONAL INFORMATION
A copy of the application is available for inspection at (enter office or counter location, and address) between the hours of (enter business hours and days of the week). Additional information is available from (enter name of staff member), at (enter telephone number) or (enter e-mail address), quoting file number (enter file number).

Sincerely,

__________________
(municipality or planning board designate)

KEY MAP
POSSIBLE FORMAT FOR POSTING A NOTICE OF PUBLIC MEETING ON THE PROPERTY

[O. Reg.544/06, s. 5(5)]

NOTICE OF PUBLIC MEETING
RE: APPLICATION FOR APPROVAL OF DRAFT PLAN OF (SUBDIVISION/CONDOMINIUM)

An application for approval of a draft plan of (subdivision/condominium) has been submitted to permit (enter number and type of lots, e.g., 20 townhouse units) serviced by (enter number of internal roads, municipal, communal or individual water and municipal, communal or individual sewer as applicable).

A public meeting will be held on (enter date and time of the public meeting) at (enter location of the public meeting).

To obtain a written notice of the public meeting or for additional information, please contact

__________
__________
tel: ___________
e-mail: ___________
SAMPLE AFFIDAVIT OR SWORN DECLARATION FOR COMPLETING A NOTICE FOR AND HOLDING OF A PUBLIC MEETING
[O. Reg. 544/06, s. 8(9)]

I ______________________ of the __________________________________________ in the
(name of employee) (municipality or planning board)
__________________________________________________________________ solemnly declare that
(name of county/region/district)

the notice requirements and the requirement for holding a public meeting under clause 51(20)(b) of the Planning Act have been complied with, and that all persons and public bodies that made oral submissions at the public meeting are as stated below. I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

Declared before me at:

________________________ in the Region/County/District of
________________________ this _____ day of
_________________________  ______
(month)                     (year)

________________________
(employee)

________________________
(Commissioner of Oaths)
CONTENT REQUIREMENTS OF A NOTICE OF DECISION

[O. Reg. 544/06, s. 9(1)]

THIS NOTICE MUST BE SENT BY ORDINARY MAIL, PERSONAL SERVICE OR FAX TO:

- the applicant
- each person or public body that made a written request to be notified of the decision
- a municipality or planning board having jurisdiction over the subject land
- the regional director of the Ministry of Municipal Affairs and Housing, Municipal Services Office, ONLY IF the regional director has given the approval authority a written request to be given notice of changes to the conditions of approval of plans of subdivision/condominium (if the approval authority is not the Minister)

[Planning Act, s. 51(37), O. Reg. 544/06, s. 9(2)]

CONTENT CHECKLIST:

- A copy of the decision including the conditions and the lapsing provision, if any

- The last date for filing a notice of appeal, and a statement that the notice of appeal:
  - must be filed with the approval authority;
  - must set out the reasons for the appeal; and
  - must be accompanied by the fee required by the Ontario Municipal Board.

- A statement that any of the following may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by the approval authority to the Ontario Municipal Board by filing a notice of appeal with the approval authority:
  - the applicant;
  - any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority;
  - the Minister;
  - the municipality in which the subject land is located, or the planning board in whose planning area it is located; and
  - if the subject land is not located in a municipality or planning area, any public body.
CONTENT CHECKLIST (cont’d):

The following statements, if applicable:

i. “You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of (subdivision/condominium) if you have made a written request to be notified of changes to the conditions.”

ii. “No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes of the conditions.”

The following statements:

i. “Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of (subdivision/condominium) to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.”

ii. “No person or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council or, in the Ontario Municipal Board’s opinion, there are reasonable grounds to add the person or public body as a party.”

A statement, if applicable, providing the file numbers of other applications that the subject property is also the subject of under the Planning Act (e.g., minor variance, an amendment to an official plan, a zoning by-law or a Minister’s zoning order)
POSSIBLE FORMAT FOR A NOTICE OF DECISION OF DRAFT APPROVAL

NOTICE OF DECISION

[Planning Act, s. 51(31)]

(enter address/legal description)
(enter name of subdivision/condominium, if any)
(enter name of the municipality.setDescription of unincorporated area)

File No. : _________

Pursuant to subsection 51(31) of the Planning Act, the above-noted draft plan of (subdivision/condominium) was approved by (enter name of the approval authority) on ______, 20___, subject to conditions listed in Attachment A. Unless otherwise noted, these conditions must be fulfilled prior to final approval of the plan.

The approval lapses on (enter lapsing date). The approval may be extended pursuant to subsection 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.

The subject land is also the subject of an application for (enter minor variance/zoning by-law amendment/official plan amendment/site plan/Minister’s zoning order/development permit), File Number(s) ___________.

APPEAL

The last date for filing a notice of appeal to the Ontario Municipal Board in relation to this decision is ______, 20___. A notice of appeal must be filed with the approval authority, must set out the reasons for the appeal, and must be accompanied by a filing fee of $___ (verify the amount with the OMB) paid by certified cheque or money order, in Canadian funds, payable to the Minister of Finance.

Any of the following may, at any time before the approval of the final plan of (subdivision/condominium), appeal any of the conditions imposed by the approval authority to the Ontario Municipal Board by filing a notice of appeal with the approval authority:

▶ the applicant,
▶ any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority,
▶ if the subject land is not located in a municipality or planning area, any public body
▶ the Minister of Municipal Affairs and Housing,
▶ the municipality in which the subject land is located/the planning board in whose planning area it is located, if applicable
Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of (subdivision/condominium) to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the approval authority or, in the Ontario Municipal Board’s opinion, there are reasonable grounds to add the person or public body as a party.

**NOTES REGARDING YOUR RIGHTS WITH RESPECT TO CHANGES TO CONDITIONS**

You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan if you have made a written request to be notified of changes to the conditions.

No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions.

---

*(municipality or planning board designate)*

---

**KEY MAP**
ATTACHMENT A

(insert copy of the decision on the application, including the conditions and the lapsing provision, if any)
POSSIBLE FORMAT OF A NOTICE OF DECISION OF REFUSAL

NOTICE OF DECISION

(enter address/legal description)
(enter name of subdivision/condominium, if any)
(enter name of the municipality/description of unincorporated area)

File No. : ________

Pursuant to subsection 51(31) of the Planning Act, the above-noted draft plan of (subdivision/condominium) was refused by (enter name of the approval authority) on ______, 20___. A copy of the decision is attached.

APPEAL

The last date for filing a notice of appeal to the Ontario Municipal Board in relation to this decision is ______, 20___. A notice of appeal must be filed with the approval authority, must set out the reasons for the appeal, and must be accompanied by a filing fee of $___ (verify the amount with the OMB) paid by certified cheque or money order, in Canadian funds, payable to the Minister of Finance.

Any of the following may, at any time before the approval of the final plan of (subdivision/condominium), appeal any of the conditions imposed by the approval authority to the Ontario Municipal Board by filing a notice of appeal with the approval authority:

- the applicant,
- any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority,
- (if the subject land is not located in a municipality or planning area, enter “any public body”)
- The Minister of Municipal Affairs and Housing,
- (enter name of the municipality in which the subject land is located/the planning board in whose planning area it is located, if applicable)

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of (subdivision/condominium) to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal of the
decision of the approval authority, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the approval authority, or in the Ontario Municipal Board’s opinion, there are reasonable grounds to add the person or public body as a party.

OTHER APPLICATIONS
The subject land is also the subject of an application for (enter minor variance/zoning by-law amendment/official plan amendment/site plan/Minister’s zoning order/development permit). File Number(s) _________.

(municipality or planning board designate)
ATTACHMENT A

(insert copy of the decision on the application)
Appendix 23

SAMPLE AFFIDAVIT OR SWORN DECLARATION THAT NOTICE OF DECISION HAS BEEN GIVEN
[O. Reg. 544/06, s. 8(7)]

I ______________________ of the __________________________________________
(name of employee) (municipality or planning board)
in the _________________________________________________________________
(name of/county/region/district)
solemnly declare that the requirements for giving notice under subsection 51(37) of the Planning Act have been complied with, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

Declared before me at:
________________ in the Region/County/District of
(name of employee or planning board)
________________ this ___ day of
(name of/county/region/district)
(municipality or planning board designate)
____________________
(Commissioner of Oaths)
SAMPLE AFFIDAVIT OR SWORN DECLARATION THAT NO NOTICES OF APPEAL (OF THE DECISION) WERE FILED WITHIN THE APPEAL PERIOD

[Planning Act, s. 51(42)]

I ______________________ of the __________________________________________
(name of employee) (municipality or planning board)
in the __________________________________________________________________
(name of/county/region/district)
solemnly declare that no appeal was filed within the time allowed for the
appeal under subsection 51(39) of the Planning Act, and I make this solemn
declaration conscientiously believing it to be true, and knowing that it is of the
same force and effect as if made under oath, and by virtue of the Canada
Evidence Act.

Declared before me at:
________________ in the Region/County/District of
________________ this _____ day of
________________, ____
(month) (year)

____________________
(municipality or planning board designate)

____________________
(Commissioner of Oaths)
CONTENT REQUIREMENTS OF A NOTICE OF CHANGE OF CONDITIONS FOR CHANGES THAT ARE NOT MINOR
[O. Reg. 544/06, s. 10(1)]

THIS NOTICE MUST BE SENT BY ORDINARY MAIL, PERSONAL SERVICE OR FAX TO:

- the applicant
- each person or public body that made a written request to be notified of changes to the conditions
- a municipality or a planning board for a planning area in which the land to be subdivided is situate.
- the regional director of the Ministry of Municipal Affairs and Housing, Municipal Services Office, ONLY IF the regional director has given the approval authority a written request to be given notice of changes to the conditions of approval of plans of subdivision/condominium (if the approval authority is not the Minister)

[Planning Act, s. 51(45), O. Reg. 544/06, s. 10(2)]

CONTENT CHECKLIST:

- A copy of the proposed changes to the conditions of draft approval
- A statement that any of the following may, at any time before the approval of the final plan, appeal any of the conditions imposed by the approval authority to the Ontario Municipal Board by filing a notice of appeal with the approval authority:
  - the applicant,
  - any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority,
  - the Minister,
  - the municipality in which the subject land is located, or the planning board in whose planning area it is located,
  - if the subject land is not located in a municipality or planning area, any public body.
- The last date for filing a notice of appeal
CONTENT CHECKLIST:

✔️ A statement that a notice of appeal must be filed with the approval authority, must set out the reasons for the appeal, and must be accompanied by the fee required by the Ontario Municipal Board.

✔️ The statement:

“Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.”

✔️ The statement:

“No person or public body shall be added as a party to the hearing of an appeal regarding any changed conditions imposed by the approval authority. This is true unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of its changes to the conditions.”
POSSIBLE FORMAT FOR A NOTICE OF CHANGES TO CONDITIONS

NOTICE OF CHANGES TO CONDITIONS

\textit{(Planning Act, s. 51(44))}

\begin{itemize}
  \item \textit{(enter address/legal description)}
  \item \textit{(enter name of subdivision/condominium, if any)}
  \item \textit{(enter name of the municipality/unincorporated area)}
  \item File No. : ______
\end{itemize}

Pursuant to subsection 51(44) of the \textit{Planning Act}, changes were made by \textit{(enter name of the approval authority)} to the above-noted draft plan of \textit{(subdivision/condominium)} on ______, 20___. Unless otherwise noted, these conditions must be fulfilled prior to final approval of the plan.

The approval of this draft plan of \textit{(subdivision/condominium)} lapses on \textit{(enter lapsing date)}. The approval may be extended pursuant to subsection 51(33) of the Act, but no extension can be granted once the approval has lapsed.

\textbf{APPEAL}

The last date for filing a notice of appeal to the Ontario Municipal Board in relation to the changed conditions is ______, 20___. A notice of appeal must be filed with the approval authority, must set out the reasons for the appeal, and must be accompanied by a filing fee of $\text{___} \text{ (verify amount with the OMB)} paid by certified cheque or money order, in Canadian funds, payable to the Minister of Finance.

\textbf{NOTES REGARDING YOUR RIGHTS}

Any of the following may, at any time before the approval of the final plan, appeal any of the conditions imposed by the approval authority to the Ontario Municipal Board by filing a notice of appeal with the approval authority:

\begin{itemize}
  \item the applicant,
  \item any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority,
  \item the Minister of Municipal Affairs and Housing,
  \item the municipality in which the subject land is located, or the planning board in whose planning area it is located,
  \item \textit{(if the subject land is not located in a municipality or planning area, enter “any public body”).}
\end{itemize}
Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of (subdivision/condominium) to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of an appeal regarding any changed conditions imposed by the approval authority. This is true unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions.

(municipality or planning board designate)
SUGGESTED FORMAT OF AN AFFIDAVIT OR SWORN
DECLARATION FOR NOTICE OF CHANGES TO CONDITIONS
(O. Reg. 544/06, s. 11, para 6)

I ______________________ of the __________________________________________
(name of employee)   (municipality or planning board)
in the _____________________________________________
(name of county/region/district)
solemnly declare that the requirements for giving notice under subsection
51(45) of the Planning Act have been complied with, and I make this solemn
declaration conscientiously believing it to be true, and knowing that it is of the
same force and effect as if made under oath, and by virtue of the Canada
Evidence Act.

Declared before me at:
____________________ in the Region/County/District of
____________________ this _____ day of
____________________  ,  ___.
(month)                (year)
____________________ (municipality or planning board designate)
____________________ (Commissioner of Oaths)
SUGGESTED FORMAT OF AN AFFIDAVIT OR SWORN DECLARATION THAT NO NOTICES OF APPEAL (OF THE CHANGED CONDITIONS) WERE RECEIVED WITHIN THE APPEAL PERIOD

[Planning Act, s. 51(42)]

I ____________________ of the __________________________________________

(name of employee)  (municipality or planning board)

in the ____________________________________________________________

(name of/county/region/district)

solemnly declare that no appeal was filed under subsection 51(48) of the

Planning Act within the time allowed for the appeal, and I make this

solemn declaration conscientiously believing it to be true, and knowing that it is

of the same force and effect as if made under oath, and by virtue of the

Canada Evidence Act.

Declared before me at:

_______________ in the Region/County/District of

________________ this _____ day of

______________  ________________

(month) (year)

(municipality or planning board designate)

____________________

(Commissioner of Oaths)
# MATERIALS TO BE FORWARDED TO THE APPEAL BODY

<table>
<thead>
<tr>
<th>TYPE OF APPEAL</th>
<th>MATERIAL TO BE FORWARDED TO THE APPEAL BODY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Failure to make a decision [s. 51(34) of the Planning Act]</td>
<td>The record shall include:</td>
</tr>
<tr>
<td>2. All other types of appeals O. Reg. 544/06 section</td>
<td>- Original or certified copy of the application received by the approval authority</td>
</tr>
<tr>
<td></td>
<td>- Original or certified copy of the information and material required to be provided as part of an application under the Planning Act</td>
</tr>
<tr>
<td></td>
<td>- Original or certified copy of any additional materials that the applicant was required to provide</td>
</tr>
<tr>
<td></td>
<td>- Original or certified copy of the notice of appeal and the date it was received</td>
</tr>
<tr>
<td></td>
<td>- Original or copy of all written submissions and comments received, and the date they were received</td>
</tr>
<tr>
<td></td>
<td>- An affidavit or sworn declaration certifying that notice of application requirements under the Planning Act [clause 51(20)(a)] have been complied with and signed by:</td>
</tr>
<tr>
<td></td>
<td>i. an employee of the local municipality or planning board if it was requested by the approval authority to give notice of the application, OR</td>
</tr>
<tr>
<td></td>
<td>ii. an employee of the approval authority if it gave notice of the application</td>
</tr>
<tr>
<td></td>
<td>- An affidavit or sworn declaration certifying that the notice requirements and the requirement for holding a public meeting under the Planning Act [clause 51(20)(b)] have been complied with and signed by:</td>
</tr>
<tr>
<td></td>
<td>i. an employee of the local municipality or planning board, if it was requested by the approval authority to hold the public meeting, OR</td>
</tr>
<tr>
<td></td>
<td>ii. an employee of the approval authority, if it held the public meeting</td>
</tr>
</tbody>
</table>

---

MATERIAL TO BE FORWARDED TO THE APPEAL BODY

- Original or certified copy of the application received by the approval authority
- Original or certified copy of the information and material required to be provided as part of an application under the Planning Act
- Original or certified copy of any additional materials that the applicant was required to provide
- Original or certified copy of the notice of appeal and the date it was received
- Original or copy of all written submissions and comments received, and the date they were received
- An affidavit or sworn declaration certifying that notice of application requirements under the Planning Act [clause 51(20)(a)] have been complied with and signed by:
  - an employee of the local municipality or planning board if it was requested by the approval authority to give notice of the application, OR
  - an employee of the approval authority if it gave notice of the application
- An affidavit or sworn declaration certifying that the notice requirements and the requirement for holding a public meeting under the Planning Act [clause 51(20)(b)] have been complied with and signed by:
  - an employee of the local municipality or planning board, if it was requested by the approval authority to hold the public meeting, OR
  - an employee of the approval authority, if it held the public meeting
### MATERIAL TO BE FORWARDED TO THE APPEAL BODY

<table>
<thead>
<tr>
<th>TYPE OF APPEAL</th>
<th>Failure to make a decision [s. 51(34) of the Planning Act]</th>
<th>All other types of appeals</th>
<th>O. Reg. 544/06 section</th>
</tr>
</thead>
<tbody>
<tr>
<td>An affidavit or sworn declaration listing all persons and public bodies that made oral submissions at the public meeting and signed by:</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>i. an employee of the local municipality or planning board, if it was requested by the approval authority to hold the public meeting, OR</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>ii. an employee of the approval authority if it held the public meeting</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>A copy of the minutes of the public meeting</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>A copy of any planning report considered by the approval authority</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>A copy of the decision of the approval authority, including the conditions and the lapsing provision, if any</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>A statement by an employee of the approval authority as to whether the decision of the approval authority</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>i. is consistent with the Provincial Policy Statement</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>ii. conforms to or does not conflict with any applicable provincial plan or plans, and</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>iii. conforms to the official plan of the municipality or planning board</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>(if applicable) An affidavit or sworn declaration by an employee of the approval authority certifying that the requirements with respect to a notice of decision have been complied with</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>(if applicable) A copy of the proposed changes to the conditions of draft approval</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
<tr>
<td>(if applicable) An affidavit or sworn declaration by an employee of the approval authority certifying that the requirements with respect to a notice of changed conditions have been complied with</td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
<td><img src="checkmark.png" alt="Checkmark" /></td>
</tr>
</tbody>
</table>

### FILING FEE

The filing fee for the Ontario Municipal Board as of the date of the writing of this document is $125. To verify the most up-to-date fees, visit www.omb.gov.on.ca.
Ontario Municipal Board’s Municipal Submission Form

In addition, the Ontario Municipal Board provides a Municipal Submission Form for approval authorities to fill out when forwarding the notices of appeal. This form can be downloaded by visiting: http://www.omb.gov.on.ca/english/OMBInformation/OMB_Municipal_Forms_Bill_51.html and clicking on the Plan of Subdivision option. This form also applies to appeals received for condominium proposals.
POSSIBLE CERTIFICATE FORMAT FOR GIVING DRAFT AND FINAL APPROVAL
(appears on the plan)

FOR PLANS OF SUBDIVISION

Approval of a draft plan of subdivision

Subject to the conditions set forth in our decision dated _____ this draft plan is approved under section 51 of the Planning Act.

_________________
(position title)
(name of approval authority)

Approval of a final plan of subdivision

This final plan of subdivision is approved under section 51 of the Planning Act on this ______ day of ______, 20__.  

_________________
(position title)
(name of approval authority)
FOR PLANS OF CONDOMINIUM

Approval of a draft plan of condominium

Subject to the conditions set forth in our decision dated _______, this draft plan of condominium is approved under section 51 of the Planning Act and section 9 of the Condominium Act, 1998.

_________________
(position title)
(name of approval authority)

Approval of a final plan of condominium

This final plan of condominium is approved under section 51 of the Planning Act and section 9 of the Condominium Act, 1998 on this _______ day of ________, 20____.

_________________
(position title)
(name of approval authority)

Approval of a condominium exemption

Parts ___________ of this description are exempted under subsection 9(3) of the Condominium Act, 1998 this ___ day of __________, 20__.

_________________
(position title)
(name of approval authority)
POSSIBLE FORMAT OF A LETTER TO THE LAND REGISTRAR
ACCOMPANYING THE APPROVED FINAL PLANS

(insert letterhead)

_______, 20__

(enter address of local Land Registrar)

Subject: Notice of Final Plan Approval to Land Registrar
(enter address/legal description)
(enter name of subdivision/condominium, if any)
(enter name of the municipality/unincorporated area)
File No.: __________

Dear Sir/Madam:

Enclosed are the original and the required copies of the above-noted final plan, as approved under subsection 51(58) of the Planning Act.

When the owner requests the registration of the final plan, and the requirements of your office have been satisfied, the enclosed copies should be endorsed with a certificate of registration and distributed.

Yours truly,

___________
(municipality or planning board designate)

Encl.
# FORWARDING FINAL PLANS TO THE LOCAL LAND REGISTRY OFFICE

## Number of Final Plans

<table>
<thead>
<tr>
<th>FINAL PLANS OF SUBDIVISION [O. Reg. 43/96, s. 25(c)-(d) of the Registry Act]</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
</tr>
<tr>
<td>✓</td>
</tr>
<tr>
<td>✓</td>
</tr>
<tr>
<td>✓</td>
</tr>
<tr>
<td>✓</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FINAL PLANS OF CONDOMINIUM [O. Reg. 49/01, s.17(1) of the Condominium Act, 1998]</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
</tr>
<tr>
<td>✓</td>
</tr>
<tr>
<td>✓</td>
</tr>
<tr>
<td>✓</td>
</tr>
<tr>
<td>✓</td>
</tr>
<tr>
<td>✓</td>
</tr>
</tbody>
</table>
# LAND REGISTRY OFFICE LOCATIONS

## NORTHEASTERN DISTRICT

<table>
<thead>
<tr>
<th>Location</th>
<th>Land Registry Office No.</th>
<th>Address</th>
<th>Phone</th>
<th>Fax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algoma</td>
<td>1</td>
<td>420 Queen Street East</td>
<td>(705) 253-8887</td>
<td>(705) 253-9245</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>143-4th Avenue (Court House)</td>
<td>(705) 272-5791</td>
<td>(705) 272-2951</td>
</tr>
<tr>
<td></td>
<td>31</td>
<td>27 Phipps Street</td>
<td>(705) 282-2442</td>
<td>(705) 282-2131</td>
</tr>
<tr>
<td>Nipissing</td>
<td>36</td>
<td>Court House</td>
<td>(705) 474-2270</td>
<td>(705) 495-8511</td>
</tr>
<tr>
<td></td>
<td>42</td>
<td>28 Miller Street</td>
<td>(705) 746-5816</td>
<td>(705) 746-6517</td>
</tr>
<tr>
<td>Timiskaming</td>
<td>54</td>
<td>375 Main Street</td>
<td>(705) 672-3332</td>
<td>(705) 672-3906</td>
</tr>
</tbody>
</table>

## NORTHWESTERN DISTRICT

<table>
<thead>
<tr>
<th>Location</th>
<th>Land Registry Office No.</th>
<th>Address</th>
<th>Phone</th>
<th>Fax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kenora</td>
<td>23</td>
<td>220 Main Street South</td>
<td>(807) 468-2794</td>
<td>(807) 468-2796</td>
</tr>
<tr>
<td>Rainy River</td>
<td>48</td>
<td>353 Church Street</td>
<td>(807) 274-1704</td>
<td>(807) 274-1704</td>
</tr>
<tr>
<td>Thunder Bay</td>
<td>55</td>
<td>189 Red River Road, Suite 201</td>
<td>(807) 343-7436</td>
<td>(807) 343-7439</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Algoma</td>
<td>1</td>
<td>420 Queen Street East</td>
<td>(705) 253-8887</td>
<td>(705) 253-9245</td>
</tr>
<tr>
<td>Cochrane</td>
<td>6</td>
<td>143-4th Avenue (Court House)</td>
<td>(705) 272-5791</td>
<td>(705) 272-2951</td>
</tr>
<tr>
<td>Manitoulin</td>
<td>31</td>
<td>27 Phipps Street</td>
<td>(705) 282-2442</td>
<td>(705) 282-2131</td>
</tr>
<tr>
<td>Nipissing</td>
<td>36</td>
<td>Court House</td>
<td>(705) 474-2270</td>
<td>(705) 495-8511</td>
</tr>
<tr>
<td>Parry Sound</td>
<td>42</td>
<td>28 Miller Street</td>
<td>(705) 746-5816</td>
<td>(705) 746-6517</td>
</tr>
<tr>
<td>Sudbury</td>
<td>53</td>
<td>199 Larch Street, Suite 301</td>
<td>(705) 564-4300</td>
<td>(705) 564-4148</td>
</tr>
</tbody>
</table>

## EASTERN DISTRICT

<table>
<thead>
<tr>
<th>Location</th>
<th>Land Registry Office No.</th>
<th>Address</th>
<th>Phone</th>
<th>Fax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dundas</td>
<td>8</td>
<td>8 - 5th Street West, PO Box 645</td>
<td>(613) 543-2583</td>
<td>(613) 543-4541</td>
</tr>
<tr>
<td>Frontenac</td>
<td>13</td>
<td>1 Court Street</td>
<td>(613) 548-6767</td>
<td>(613) 548-6766</td>
</tr>
<tr>
<td>Glengarry</td>
<td>14</td>
<td>63 Kenyon Street West</td>
<td>(613) 525-1315</td>
<td>(613) 525-0509</td>
</tr>
</tbody>
</table>
### EASTERN DISTRICT (CONT’D)

<table>
<thead>
<tr>
<th>Region</th>
<th>Land Registry Office No.</th>
<th>Address</th>
<th>City</th>
<th>province</th>
<th>Tel:</th>
<th>Fax:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grenville</td>
<td>15</td>
<td>499 Centre Street</td>
<td></td>
<td></td>
<td>(613) 925-3177</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>P.O. Box 1660</td>
<td></td>
<td></td>
<td>(613) 925-0302</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Prescott ON K0E 1T0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lanark</td>
<td>27</td>
<td>2 Industrial Drive</td>
<td></td>
<td></td>
<td>(613) 256-1577</td>
<td>(613) 256-0940</td>
</tr>
<tr>
<td></td>
<td></td>
<td>P.O. Box 1180</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Almonte ON K0A 1A0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northumberland</td>
<td>39</td>
<td>1005 Elgin St. West, Suite 105</td>
<td></td>
<td></td>
<td>(905) 372-3813</td>
<td>(905) 372-4758</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cobourg ON K9A 5J4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tel: (905) 636-0314</td>
<td></td>
<td></td>
<td>(905) 636-0772</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fax: (905) 636-0772</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prescott</td>
<td>46</td>
<td>179 Main Street East</td>
<td></td>
<td></td>
<td>(613) 636-0314</td>
<td>(613) 636-0772</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hawkesbury ON K6A 1A1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tel: (613) 636-0314</td>
<td></td>
<td></td>
<td>(905) 645-2138</td>
<td>(905) 645-0614</td>
</tr>
<tr>
<td>Russell</td>
<td>50</td>
<td>1122 Concession Street</td>
<td></td>
<td></td>
<td>(519) 941-1481</td>
<td>(519) 941-6444</td>
</tr>
<tr>
<td></td>
<td></td>
<td>P.O. Box 10</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Russell ON K4R 1C8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stormont</td>
<td>52</td>
<td>127 Syden Street</td>
<td></td>
<td></td>
<td>(613) 932-4522</td>
<td>(613) 932-4524</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cornwall ON K6H 3H1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tel: (613) 932-4522</td>
<td></td>
<td></td>
<td>(905) 665-5247</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fax: (613) 932-4524</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Victoria</td>
<td>57</td>
<td>Provincial Court Building</td>
<td></td>
<td></td>
<td>(705) 324-4912</td>
<td>(705) 324-6290</td>
</tr>
<tr>
<td></td>
<td></td>
<td>440 Kent Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>West Lindsay ON K9V 6G8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### CENTRAL DISTRICT

<table>
<thead>
<tr>
<th>Region</th>
<th>Land Registry Office No.</th>
<th>Address</th>
<th>City</th>
<th>province</th>
<th>Tel:</th>
<th>Fax:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dufferin</td>
<td>7</td>
<td>41 Broadway Avenue, Unit #7</td>
<td></td>
<td></td>
<td>(519) 941-1481</td>
<td>(519) 941-6444</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Orangeville ON L9W 1J7</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Durham</td>
<td>40</td>
<td>590 Rossland Road East</td>
<td></td>
<td></td>
<td>(905) 665-4007</td>
<td>(905) 665-5247</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Whitby ON L1N 9G5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Halton</td>
<td>20</td>
<td>2800 Highpoint Drive</td>
<td></td>
<td></td>
<td>(905) 864-3500</td>
<td>(905) 864-3549</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2nd Floor</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Milton ON L9T 6P4</td>
<td></td>
<td></td>
<td>(905) 864-3500</td>
<td>(905) 864-3549</td>
</tr>
</tbody>
</table>

Understanding the Subdivision & Condominium Application Process

LISTS AND TEMPLATES
<table>
<thead>
<tr>
<th>CENTRAL DISTRICT (CONT’D)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Muskoka</strong></td>
</tr>
<tr>
<td>Land Registry Office No. 35</td>
</tr>
<tr>
<td>15 Dominion Street,</td>
</tr>
<tr>
<td>Bracebridge ON P1L 2E7</td>
</tr>
<tr>
<td>Tel: (705) 645-4415</td>
</tr>
<tr>
<td>Fax: (705) 645-7826</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Peel</strong></td>
</tr>
<tr>
<td>Land Registry Office No. 43</td>
</tr>
<tr>
<td>7765 Hurontario Street</td>
</tr>
<tr>
<td>Brampton ON L6W 4S8</td>
</tr>
<tr>
<td>Tel: (905) 874-4008</td>
</tr>
<tr>
<td>Fax: (905) 874-4012</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Wentworth</strong></td>
</tr>
<tr>
<td>Land Registry Office No. 62</td>
</tr>
<tr>
<td>119 King Street West 4th Floor</td>
</tr>
<tr>
<td>Hamilton ON L8P 4Y7</td>
</tr>
<tr>
<td>Tel: (905) 521-7561</td>
</tr>
<tr>
<td>Fax: (905) 521-7505</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WESTERN DISTRICT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Brant</strong></td>
</tr>
<tr>
<td>Land Registry Office No. 2</td>
</tr>
<tr>
<td>Court House</td>
</tr>
<tr>
<td>80 Wellington Street</td>
</tr>
<tr>
<td>Brantford ON N3T 2L9</td>
</tr>
<tr>
<td>Tel: (519) 752-8321</td>
</tr>
<tr>
<td>Fax: (519) 752-0273</td>
</tr>
<tr>
<td><strong>Essex</strong></td>
</tr>
<tr>
<td>Land Registry Office No. 12</td>
</tr>
<tr>
<td>949 McDougall St., Suite 100</td>
</tr>
<tr>
<td>Windsor ON N9A 1L9</td>
</tr>
<tr>
<td>Tel: (519) 971-9980</td>
</tr>
<tr>
<td>Fax: (519) 971-9937</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Huron</strong></td>
</tr>
<tr>
<td>Land Registry Office No. 22</td>
</tr>
<tr>
<td>38 North Street</td>
</tr>
<tr>
<td>Goderich ON N7A 2T4</td>
</tr>
<tr>
<td>Tel: (519) 524-9562</td>
</tr>
<tr>
<td>Fax: (519) 524-2482</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
## WESTERN DISTRICT (CONT'D)

<table>
<thead>
<tr>
<th>Location</th>
<th>Office Number</th>
<th>Address</th>
<th>Phone</th>
<th>Fax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middlesex</td>
<td>33</td>
<td>100 Dundas Street, Ground Floor, London ON N6A 5B6</td>
<td>(519) 675-7600</td>
<td>(519) 675-7611</td>
</tr>
<tr>
<td>Oxford</td>
<td>41</td>
<td>75 Graham Street, Woodstock ON N4S 6J8</td>
<td>(519) 537-6287</td>
<td>(519) 537-3107</td>
</tr>
<tr>
<td>Perth</td>
<td>44</td>
<td>5 Huron Street, Stratford ON N5A 5S4</td>
<td>(519) 271-3343</td>
<td>(519) 271-2550</td>
</tr>
<tr>
<td>Waterloo</td>
<td>58</td>
<td>30 Duke Street West, 2nd Floor, Kitchener ON N2H 3W5</td>
<td>(519) 571-6043</td>
<td>(519) 571-6067</td>
</tr>
<tr>
<td>Wellington</td>
<td>61</td>
<td>1 Stone Road West, Guelph ON N1G 4Y2</td>
<td>(519) 826-3372</td>
<td>(519) 826-3373</td>
</tr>
</tbody>
</table>
Disclaimer

This guide has been prepared for education and training purposes. It summarizes and deals with complex matters. As well, the guide refers to and reflects laws, policies and practices that are subject to change. Municipalities, planning boards, and municipal planning authorities are responsible for making local decisions, including compliance with all applicable law. This guide should not be relied on, or used as a substitute for specialized legal or professional advice in connection with any particular matter. The user is solely responsible for any use or application of this guide. Although the guide has been carefully prepared, the Ministry of Municipal Affairs and Housing does not accept any legal responsibility for its contents or for any consequences, including direct or indirect liability, arising from its use.

For More Information

Contact your local Municipal Services Office for further information on the subdivision and condominium application process.

Ministry of Municipal Affairs and Housing Municipal Services Offices

Northwestern
Suite 223, 435 James St S
Thunder Bay ON P7E 6S7
807-475-1651

Northeastern
Suite 401, 159 Cedar St
Sudbury ON P3E 6A5
705-564-0120

Central
2nd Floor, 777 Bay St
Toronto ON M5G 2E5
416-585-6226

Western
2nd Floor, 659 Exeter Rd
London ON N6E 1L3
519-873-4020

Eastern
Rockwood House
8 Estate Lane
Kingston ON K7M 9A8
613-545-2100