

## COUNTY OF RENFREW

### A GUIDE TO THE APPROVAL PROCESS FOR PLANS OF SUBDIVISION

- NOTE:** *This guide has been prepared for information purposes only. Please refer to the Planning Act of Ontario for the complete legislative requirements for plans of subdivision.*
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|---------------------------------------|---|
| <i>Approval Authority</i>             | 1. The Corporation of the County of Renfrew is the approval authority for plans of subdivision in the municipalities that make up the County. The Province of Ontario assigned this authority to the County of Renfrew in June 1997.  |
| <i>What is a plan of subdivision?</i> | 2. A registered plan of subdivision is a legal document that shows, [1] the exact surveyed boundaries and dimensions of lots on which houses or buildings are to be built; [2] the location, width and names of streets; and [3] the sites of any schools or parks. A registered plan of subdivision creates new, separate parcels of land and it can be used legally for the sale of lots.   |
| <i>Who makes the decision?</i>        | 3. The Land Division Committee or the Manager of Planning Services of the County of Renfrew makes the decision on whether to approve or refuse an application, and on what conditions to attach to any draft approval. The Committee reviews any disputed application and renders the decision. Where an application is not disputed, the authority to approve an application is delegated to the Manager of Planning Services.   |
| <i>Consultation</i>                   | 4. The Planning Act sets out a number of public bodies, e.g., the local municipality, utility companies, the school boards, etc., that are to be consulted regarding a proposed plan of subdivision. Also, a public meeting to receive comments on a proposed plan of subdivision must be held, normally in the affected local municipality.  |
| <i>Evaluation</i>                     | 5. The County evaluates the merits of the proposed plan of subdivision against criteria such as: <ul style="list-style-type: none"> <li>▪ whether the subdivision is premature;</li> <li>▪ conformity with the official plan;</li> <li>▪ compliance with the zoning by-law, if any;</li> <li>▪ compatibility with adjacent uses of land;</li> <li>▪ suitability of the land for the proposed purpose, including size and shape of lots;</li> <li>▪ adequacy of access and sewer and water services;</li> <li>▪ protection from flooding and conservation of natural resources;</li> <li>▪ consistent with the Provincial Policy Statement.</li> </ul> |
| <i>Draft Approval</i>                 | 6. The County considers the application, the comments received and the results of its evaluation. If an application is draft approved there will be conditions to be met in order to obtain final approval. The conditions may include but are not limited to a parkland dedication, a rezoning, and a subdivision agreement between the proponent and the local municipality. When a notice of decision is given, a 20-day appeal period follows.<br>Draft approval amounts to approval in principle of the subdivision, subject to the proponent meeting all conditions of draft approval.  |

*Motions and Appeals* 7.

- The applicant may make a motion to the Ontario Municipal Board (OMB) for directions:
  - i) within 30 days of receiving a notice of an incomplete application from the approval authority [Planning Act ss. 51(19.2)]
  - ii) anytime after 30 days of submitting an application, if the approval authority has not provided a notice of complete or incomplete application [Planning Act ss. 51(19.3)].
- The applicant may appeal to the OMB, if the approval authority fails to make a decision within 180 days of receipt of a complete application. [Planning Act ss. 51(34)].
- Not later than 20 days after notice of a decision by the approval authority to draft approve the subdivision, the following may appeal the decision, the lapsing provision or any of the conditions to the OMB [Planning Act ss. 51(39)]:
  - the applicant
  - any person or public body who made oral submissions at a public meeting, or written submissions prior to a decision being made by the approval authority
  - the municipality in which the proposed plan of subdivision is located
  - the Minister.
- The following, may appeal any change of conditions [Planning Act ss. 51(48)]:
  - the applicant
  - any person or public body who made submissions at a public meeting, or written submissions prior to draft approval being made by the approval authority
  - the municipality in which the proposed plan of subdivision is located
  - the Minister.
- Any time before final approval of the plan of subdivision, the following may appeal any of the conditions to the OMB [Planning Act ss. 51(43)]:
  - the applicant
  - any person or public body who made oral submissions at a public meeting, or written submissions prior to a decision being made by the approval authority
  - the municipality in which the proposed plan of subdivision is located
  - the Minister.
- Appeals must be filed with the County of Renfrew and must include the fee (currently \$125.00) required by the Ontario Municipal Board.

*When to Register the Plan?*

8. Final approval is given when all conditions of draft approval have been met. The plan may then be registered in the Registry Office in Pembroke. Considerable time may pass between draft approval and registration of a plan. However, the County has the power to provide that draft approval will lapse after three years, and the power to give extensions to draft approval.

*When to sell lots?*

9. Lots may be sold after the plan of subdivision is registered. Note that the Planning Act does allow lots to be offered for sale after draft approval.

*Timing for services*

10. The subdivision agreement between the applicant/owner and the local municipality will establish the municipality's requirements for when the various services are to be provided.

*Steps*

11. The following is an outline of the basic steps in the County of Renfrew's subdivision approval process:
- i. Preconsult with the local municipality, the County Development and Property Department, other agencies that may have an interest such as the Ministry of Transportation or County Public Works & Engineering Department.
  - ii. Make application for amendment to the official plan if the local municipality and the County Development and Property Department have determined that the proposal would not conform to the existing policies of the official plan.
  - iii. Prepare a "complete" application, including prescribed and required information as set out on the County's application form. **Note that for development that is not on full services, a servicing options report and a hydrogeological and groundwater assessment report must be included with the application.** The need and timing for other reports such as a noise study, archaeological study, storm water management study, may be determined through preconsultation at step i., or after the submission of a complete application.
  - iv. Contract an Ontario Land Surveyor to survey and certify the boundaries of the land proposed to be subdivided.
  - v. Commence the process for certification of title.
  - vi. Prepare, or contract to have prepared, a draft plan of the proposed subdivision showing all information required under Section 51(17) of the Planning Act. Consult with the Clerk and Planner for the municipality regarding lot and street configurations and proposed street names. The County of Renfrew Road Name Registry as maintained by the County Public Works & Engineering Department must be checked to ensure the proposed names do not conflict with the established 9-1-1/Civic Address system. The local municipality must approve by resolution all names proposed for roads in the subdivision.
  - vii. Submit the required number of copies of the complete application, draft plan and reports together with the application fee to the County of Renfrew Development and Property Department. **Note that where technical reports are required, there will be a fee for the services of the County's peer review consultant to analyze the submitted report(s).**
  - viii. Observe further instructions provided by the County during the review and processing of the application, including following up on the conditions of draft approval if given.