



**City of Kenora**  
**Application for Plan of Subdivision or**  
**Condominium Description**  
Section 51 of the Planning Act & Ontario  
Regulation 544/06

A plan of subdivision is used to divide a parcel of land into four (4) or more parcels (more than three). A condominium description is the division of property so that multiple individuals hold title to a portion of a building or units. All subdivision and condominium decisions are made by the Planning Advisory Committee/Committee of Adjustment (PAC).

The Planning Advisory Committee (PAC) is a panel delegated by Council under the Planning Act to make land use planning decisions regarding minor variance applications, consents, plans of subdivision and condominium descriptions. Planning Advisory Committee meetings are generally held on the third Tuesday of every month at the City of Kenora Operations Centre Boardroom, 60 Fourteenth Street North, 2<sup>nd</sup> Floor. All applicants and/or agents must attend the PAC meeting to speak to the application.

**GENERAL OVERVIEW AND GUIDELINES**

**Pre-Consultation:** The City of Kenora Official Plan requires that applicant(s) attend a pre-consultation meeting with the Planning Department prior to formally submitting this application. Please ensure that you call ahead to arrange an appointment with Planning Staff at least one week prior to your preferred meeting date. Applicants should also consult with the Municipal Engineer to review technical requirements for municipal roads and sewer and water requirements, if applicable. Please refer to the appropriate checklist for timelines.

Applicants are also encouraged to consult with neighbours about their application prior to submission.

For further information, or to make an appointment, please contact:  
Tara Rickaby, Planning Administrator - Tel: (807) 467-2059 or [trickaby@kenora.ca](mailto:trickaby@kenora.ca)

**Proof of Ownership:** Proof of ownership (deed) or assessment roll number (tax bill) shall accompany each application.

**Fee:** The transaction fee for a plan of subdivision/condominium description application is as stipulated in the tariff of fees by-law. The application fee varies depending on the proposal type. Please make cheques payable to the Corporation of the City of Kenora. Payments may be made by cash or cheque only. Payments made at City hall may be by cash, cheque, debit or credit.

**Application:** The City of Kenora requires (2) original copies of the application and any required supporting documents/reports, together with the application fee or receipt of payment in order for the application to be deemed complete and be processed. All required information must also be submitted electronically.

Applications can be picked up from the Planning Department located at the Operations Centre or downloaded [here](#).

The Planning Act requires that the applicant shall provide all prescribed information contained within this application. Failure to provide this mandatory information shall render the application incomplete and unable to be processed. Please answer all questions in full detail.

Applications must be filled out in Blue or Black ink only. Applications completed in pencil or other colours of ink will not be accepted. If submitting photocopies of your application, the original copy must also be filed.

If the application is being submitted concurrently with another application (i.e. for rezoning) each application must be complete.

Some applications will require clearance letters from the Northwestern Health Unit. Please contact the NWHU at 807-468-3147 for information with respect to private sewage/septic systems.

If access to the subject property is via a Provincial Highway, the Ministry of Transportation (MTO) must be consulted. Please call or visit the local office of the MTO for further information.

Some developments will be subject to site plan control. Please refer to the City of Kenora Portal for further information about site plan control.

Applications shall be signed by the owners(s) or agent in the presence of a Commissioner of Oaths. The City Clerk is a Commissioner. Where an agent or solicitor is authorized to make the application on behalf of the owners(s), their signature shall be witnessed.

Required information, which must accompany your application and information regarding the current Official Plan and Zoning Designations of your property may be obtained from the Planning Department online at [www.kenora.ca/planning](http://www.kenora.ca/planning). The Provincial Policy Statement (2005) is available online as well.

The Planning Act, R.S.O. 1990 (as revised) and Ontario Regulation 544/06, of the Planning Act are available online at: [www.e-laws.com](http://www.e-laws.com)

All applications will be circulated for review and comment to a number of City Departments (such as Planning, Engineering, Building, Parks, Roads, Fire and Emergency Services, Hydro etc., and legislated outside agencies). All applications will also be circulated to all property owners within a 120 metre radius of the subject property. Notices of the application must be given at least 14 days prior to the public meeting and therefore applications must be received and deemed complete at least 21 days prior. For Condominium descriptions public consultation is only required for vacant land and common elements applications. Pre-consultation is required, please make an appointment to review your application at least one month in advance of the PAC meeting.

- Plans:** A draft plan prepared by an Ontario Land Surveyor is required, per the requirements of Section 51(17) of the Planning Act.
- Authorization:** Should an agent or solicitor represent the applicant(s), written authorization from the applicant(s) must accompany the application.
- Posting of Signs:** The Planning Act requires that a "notice of hearing" sign be posted on the subject property at least 14 days prior to the public hearing. Failure to comply with this may result in your application being removed from its scheduled Planning Advisory Committee meeting. The Planning Department will provide the sign for the applicant.
- OMB Cost Recovery:** The applicant acknowledges that if an Ontario Municipal Board hearing is required, that they be subject to the City of Kenora OMB cost recovery policy for OMB appeals. An undertaking is provided as part of this application and forms part of a complete application.
- Special Studies:** Applicants are advised that special studies may be required as part of the application depending on the nature of the proposal. Such studies may include: Environmental Impact Statement (EIS), Heritage Impact Assessment, Lake Capacity Study, Fishery Assessment, Transportation/Traffic Impact Study, Stormwater Management Study, Discussion of Species at Risk etc. A full list of potential required studies can be found in section 8.9 of the Official Plan.

## FREQUENTLY ASKED QUESTIONS (FAQ):

### **If someone from the public objects to my application at the meeting is my application automatically refused?**

No. The Committee of Adjustment/Planning Advisory Committee must weigh all evidence presented at the public meeting and make a determination on that basis. The Kenora Planning Advisory Committee will use section 51(24) of the Planning Act, the Provincial Policy Statement (2005), City of Kenora Official Plan (2010) and Zoning By-law No. 160-2010 for basing their decision. Objections will be considered based on evidence presented.

**Do I get my application fee refunded if my application is refused?** No. City staff time and costs are incurred regardless of the outcome of the application.

**What can I do if my application is refused by the PAC?** You may file an appeal to the Ontario Municipal Board (OMB), in accordance with their requirements.

### **What if my application is approved but a neighbour or other third party is unhappy with the approval?**

They have the same appeal rights that you do. Although only residents within a 120m radius of the subject property are circulated notices regarding the subdivision or condominium application, any member of the public can speak at the meeting or submit written comments to the PAC. Any member of the public can file an appeal to the OMB. Only individuals and/or agencies that make written or oral submissions at or prior to the scheduled public meeting may file an appeal to the Ontario Municipal Board. For Condominium descriptions, public consultation is only required for vacant land and common element applications.

### **How long does the application process take?**

For plans of subdivisions and condominium descriptions that require public consultation, a decision must be rendered by the Planning Advisory Committee within 180 days of the application being deemed complete. For condominium descriptions that do not require public consultation, a decision must be made within 130 days of the application being deemed complete. Conditions of draft approval must be fulfilled within three (3) years of receiving draft approval.

Approval is not in effect until the 20 day appeal period following the notice of decision has ended. In cases where an appeal is lodged, the decision is not final until it has been dealt with by the Ontario Municipal Board. Only individuals and/or agencies that make written or oral submissions at or prior to the scheduled public meeting may file an appeal to the Ontario Municipal Board.

### **What are the different types of condominium descriptions?**

Leasehold – A form of ownership where a unit is owned by the occupant, while the condominium corporation can lease the land and a third party can retain ownership of the land. Public Consultation is not required.

Vacant Land Condominium – A Plan of Condominium, in which common elements and units are created, but no buildings or structures have been constructed at the time of registration of the condominium plan. Provides flexibility for unit purchasers to choose their own building design, while still benefiting from common services/facilities. Public Consultation is required.

Common Elements Condominium – A Plan of Condominium where the condominium corporation retains ownership of the common elements portion of the condominium. Owners of freehold properties will have common interests in the common elements. Public Consultation is required.

Standard Condominium – A form of ownership in which title to a unit is held together by share in the rest of the property, which is common to all of the owners. Public Consultation is not required.

Phased Condominium – A form of condominium that can be developed in phases; typically in clusters of townhouses and multiple apartment buildings. New units or common elements can be added without Planning Act or Condominium Act approval. A phased condominium can assist developers with completion of sales of units while other areas of the development are still under construction. Public Consultation is not required.

Conversion from Rental to Condominium Status – An owner of a rental building can apply to convert existing rental units to condominium tenure (status) in order to sell the units as separate entities. Public Consultation is not required.

**\*Condominiums are only permitted where municipal services are available**

### **How is my application evaluated?**

Subdivisions and Condominium Descriptions are evaluated on Provincial, City and site-specific circumstances. A subdivision application is evaluated based on having regard the Provincial Policy Statement (2005), The City of Kenora Official Plan (2010), Zoning By-law No. 160-2010 as amended and section 51(24) of the Planning Act.

Section 51(24) of the Planning Act:

The health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- (d) the suitability of the land for the purposes for which it is to be subdivided;
- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- (f) the dimensions and shapes of the proposed lots;
- (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- (h) conservation of natural resources and flood control;
- (i) the adequacy of utilities and municipal services;
- (j) the adequacy of school sites;
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*, 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4).

#### **How can I get involved if I receive notice?**

If you receive notice, or have additional questions, about a subdivision or condominium application that may affect you, you can:

- Contact the City of Kenora Planning Department to find out more information about the application
- Discuss your concerns with the Kenora Planning Advisory Committee, when attending the statutory public meeting
- Write to the Kenora Planning Advisory Committee, by the date specified on the notice you received or indicated on the sign located on the subject property

#### **What could affect the outcome of my application?**

- Valid objections from neighbours or a third party ("Do not like it because do not like it" is not valid).
- Comments from one or more departments or external agencies.
- What departments and agencies are circulated? The Northwestern Health Unit (N/A for condominium descriptions), City Departments such as: Roads Department, -Operations, Planning Department, -Engineering, - Building Department, Parks and Recreation and Provincial Ministries, as required.

- Agencies as required by the Planning Act

### **PLANNING RATIONALE**

A Planning Rationale is a document that will provide an overall description, justification and rationale for understanding the proposed development application, and intended to help the applicant organize and provide written support for the application. The document will assist staff and the approval authority, in the assessment and recommendation for the application. A planning rationale must accompany each application.

#### **What is the purpose of a planning rationale?**

A planning rationale is required as part of an application in order to:

- a) Provide a clear description and understanding of the proposal
- b) Provide an opportunity, at the outset, to establish why the proposal should be considered
- c) To highlight important information specific or particular to the application (i.e. special history, different circumstances, unique site conditions, etc.)
- d) To enable staff to analyze and prepare recommendations on the application

It is not intended to be a personal analysis or business case for a proposed development; rather it should examine the impact of the proposal on the surrounding area, and vice versa.

#### **Who can prepare a planning rationale?**

Depending on the complexity of the application, the information requirements can be addressed in a letter, or a longer report. The material can be prepared by the owner, an agent, the applicant or by a member of a consulting team, depending on the nature of the application.

For a complex application it is recommended that a planning professional be retained to prepare the planning

rationale. The benefits to the applicant, of hiring a planning professional, can be significant in presenting the proposal in its best form, which may result in cost and time savings, as well as making the approval process as efficient as possible.

**Under what authority can a planning rationale be requested?**

The Planning Act, R.S.O. (1990 as revised) gives a Municipality the authority to require that a planning rationale be prepared as part of any development application. The City of Kenora’s Official Plan (2010) also provides this authority.

**What, specifically does a planning rationale address?**

A Planning Rationale shall address, at a minimum, the points listed below.

- a) Provide a physical description of the site, including descriptions of current land use(s) and surrounding land uses, context and/or built form
- b) Include a description of the site’s planning history, including previous planning approvals and/or agreements (i.e. site plan agreement, site-specific zoning by-laws etc.) and provide copies of the pertinent documents
- c) Include a description and overview of the proposal, including any major features or attributes (such as use, height, density, parking, architectural design, natural heritage features, etc.)
- d) Describe the suitability of the site, and indicate reasons why the development is appropriate for the site and will function well to meet the needs of the intended future users
- e) Provide a detailed analysis of the compatibility of the proposed development or land use designation with the existing adjacent developments and land use designations
- f) Provide justification that the proposal is appropriate land use planning, including any details of measures that are to be used to mitigate negative impacts (such as site plan control)
- g) Describe the impact of the proposed development on the natural environment
- h) Indicate the availability of other property already designated for the proposed use, if any
- i) Describe the impact of the proposed development on municipal services (i.e. sewage collection and treatment systems, water distribution and treatment systems, utilities, roads, hydro services, parking, community facilities, parks and open spaces etc.)
- j) Indicate whether there are other planning approvals require, and if those necessary applications have been filed (i.e. Official Plan or Zoning By-law amendment, Site plan Control agreement, site plan approval, minor variance, draft plan of subdivision or condominium etc.)
- k) Provide a draft of the proposed text and mapping (Official Plan/Zoning By-law amendment only), if applicable
- l) Indicate how the proposed development is consistent with the Provincial Policy Statement (PPS) - (2005) and provide any other Planning Act considerations that are relevant. If you are not familiar with these documents, please contact the City of Kenora Planning Department or access the City’s portal, [www.kenora.ca](http://www.kenora.ca) or the Ministry of Municipal Affairs and Housing website at [www.mah.gov.on.ca](http://www.mah.gov.on.ca)
- m) Describe how the proposal conforms to the general purpose and intent and goals of the City of Kenora’s Official Plan and complies with the City’s Zoning By-law
- n) Describe the way in which relevant Official Plan policies will be addressed, including both general policies and site-specific land use designations and policies
- o) Indicate whether the proposal complies with any other relevant City documents and Planning Policies/Secondary Plans etc. (Black Sturgeon Lake Capacity and Management Report, Waterfront Development Guidelines, etc.)

**REQUIREMENTS/CHECKLIST FOR A COMPLETE APPLICATION:**

Note: If the information below is not received the application cannot be deemed complete.

	Pre-consultation meeting
	2 copies of the completed application form (keep a copy for your own records)
	10 copies of the draft plan per the requirements of Section 51 (17) of the Planning Act (All units must be in metric)
	2 copies of the draft plan on sheet 8 <sup>1/2</sup> " x 11" or 11" x 17" (All units must be in metric)
	The required application fee as per the schedule of fees By-law
	Planning Rationale
	Required studies identified at pre-consultation (See section 8.9 of the Official Plan for full list of studies) – one unbound
	Electronic version of all required information (i.e. reports/studies/planning reports etc.)
	Authorization
	Ontario Municipal Board (OMB) cost recovery undertaking
	Proof of Ownership
	Entrance Permit or MTO clearance if fronting a Provincial Highway

**THIS APPLICATION MUST BE SUBMITTED TO:**

Tara Rickaby, Planning Administrator & Secretary-Treasurer, AMCT, ACST  
Planning Department & Planning Advisory Committee  
60 Fourteenth Street North, 2nd Floor  
Operations Centre - Kenora, ON P9N 4M9

Telephone: 807-467-2059  
Email: trickaby@kenora.ca  
Fax: 807-467-2246

**PRESCRIBED INFORMATION**

**Personal Information within this document will be used to assist City staff to process this application and will be made public. The information prescribed in this application is contained in Ontario Regulation 544/06, of the Planning Act, R.S.O. 1990 (as revised).**

**The undersigned hereby applies to the Planning Advisory Committee for the City of Kenora under Section 51 of the Planning Act, R.S.O. 1990 (as revised), for plan of subdivision or condominium description, as described in this application.**

**This application also sets out other information that will assist the Committee of Adjustment/Planning Advisory Committee in their evaluation of the application and Staff review. In the absence of this information, it may not be possible to do a complete review within the legislated timeframe for making a decision. As a result, the application may be refused.**

**It is the sole responsibility of the authorized agent and/or owner to ensure that this application form is complete and that the information provided is accurate and correct. This application form will not be accepted until all required questions have been answered and all other requirements have been satisfied. Prior to the final approval of a plan of subdivision or condominium description, the subject lands must be appropriately zoned. A zoning amendment can also be a condition of approval for a plan of subdivision or a condominium.**



**City of Kenora**  
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 Section 51 of the Planning Act & Ontario  
 Regulation 544/06

**OFFICE USE ONLY**

Date Stamp - Date Received:	File Number: _____ Roll Number: _____ Date Received: _____ Application Fee Paid: _____ Application Deemed Complete (Date): _____
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**1.0 - APPLICANT INFORMATION**

Purpose of application:      Subdivision            Condominium Description     

*If application is for Condominium please check the appropriate box indicating the type of Condominium proposal:*

                            

Standard      Phased      Vacant Land      Leasehold      Common Elements      Conversion from Rental to Condominium Status

**SUBJECT PROPERTY INFORMATION**

Civic Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
Registered Plan Number	M-			
Legal Description				
Reference Plan Number	KR -	23R-		
Lot No.(s)/Block No.(s)				
Concession Number(s)/PT LOT				
Part Numbers(s)				
Tax Roll Number	6016			
Lot Frontage (Metres)				
Depth (Metres)				
Area (Ha.)				

**OWNER/APPLICANT INFORMATION**

Check Appropriate Box:	<input type="checkbox"/> Person(s)		<input type="checkbox"/> Company	
Registered Land Owner	Surname:		First Name:	
Mailing Address	Street No.:	Street Name:	Postal Code:	Unit Num.:
City			Province	
Contact Information	Phone:		Fax:	
Email				
Acquisition Date of Subject Land				

**AGENT/SOLICITOR INFORMATION**

Company or Firm Name				
Name		Surname:		First Name:
Mailing Address		Street No.:	Street Name:	Postal Code: Unit Num.:
City		Province:		
Contact Information		Phone:		Fax:
Email				

**MORTGAGES, ENCUMBRANCES, HOLDERS OF CHARGES ETC. OF SUBJECT LAND**

Company				
Contact Person		Surname:		First Name:
Mailing Address		Street No.:	Street Name:	Postal Code: Unit Num.:
Contact Information		Phone:		Fax:
Email				

**CONCURRENT APPLICATIONS FILED**

Please check if you have filed any concurrent applications:

- |  |  |
|--|--|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Minor Variance                |
| <input type="checkbox"/> Site Plan Application   | <input type="checkbox"/> Other (Please Specify): _____ |
| <input type="checkbox"/> Consent                 | <input type="checkbox"/> Zoning By-law Amendment       |

**PLEASE LIST THE REPORTS AND/OR STUDIES THAT WILL ACCOMPANY THIS APPLICATION**

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**2.0 - EASEMENTS**

Are there any easements or restrictive covenants affecting the subject lands?  YES  NO

If Yes, please describe each easement and/or covenant and its effect:

Reference Plan Number	Instrument Number	Purpose of Easement and/or Covenant (e.g. hydro, utility, sewer, etc.)



### 3.0 - OTHER APPLICATIONS UNDER THE PLANNING ACT

Has the subject land ever been the subject of an application for approval of any of the following?

	Draft Plan of Subdivision	File No.:	Status:
	Condominium Description	File No.:	Status:
	Official Plan Amendment	File No.:	Status:
	Zoning By-law Amendment	File No.:	Status:
	Minister's Zoning Amendment	File No.:	Status:
	Site Plan Application	File No.:	Status:
	Consent	File No.:	Status:
	Minor Variance	File No.:	Status:
	Part Lot Control	File No.:	Status:
	Other (please specify)	File No.:	Status:

### 4.0 - DEVELOPMENT LAYOUT

PROPOSED USES	Number of Blocks as labelled on plan	Number of Lots as labelled on plan	Number of Residential Units Proposed	Net Area (Hectares)	Density Proposed (Units per Hectare)	Number of Parking Spaces Provided
<b>RESIDENTIAL USES</b>						
Detached Dwellings						
Semi-Detached Dwellings						
Row, Townhouse or Multiple Attached						
Apartment Residential						
Seasonal Residential						
Mobile Home						
Other Residential Use						
<b>NON-RESIDENTIAL USES</b>						
Commercial						
Industrial						
Institutional (specify in section 6.0)						
Park or Open Space						
Roads						
Other (please specify)						
<b>TOTAL</b>						

### 5.0 - CONDOMINIUM APPLICATIONS ONLY

Number of parking spaces provided for detached and semi-detached residential use: \_\_\_\_\_

Has a site plan for the proposed condominium been approved? \_\_\_\_\_

Has a site plan agreement been entered into? \_\_\_\_\_

Has a building permit for the proposed condominium been issued? \_\_\_\_\_

Has construction of the development started? \_\_\_\_\_

If Yes to the above, indicate the date of completion. \_\_\_\_\_

Is this a conversion of a building containing rental residential units? \_\_\_\_\_

If Yes to the above, indicate the number of units to be converted. \_\_\_\_\_

**6.0 - DESCRIBE OTHER PROPOSED USES:**

Other Residential:

Other Commercial:

Other Institutional:

Other (Please specify):

**7.0 - LAND USE (Please see [www.kenora.ca/planning](http://www.kenora.ca/planning) for schedules/maps)**

What is the land use designation in the City of Kenora Official Plan (2010)?  
\_\_\_\_\_

Does the proposal conform to the City of Kenora Official Plan (2010)?    YES                          NO   

Please provide explanation in rationale.

If No, have you made a concurrent application for an Official Plan Amendment?

YES     NO     File No.: \_\_\_\_\_                      Status: \_\_\_\_\_

What is the current zoning designation of the subject property? \_\_\_\_\_

Does the proposal conform to Zoning By-law No. 160-2010 as amended?    YES                          NO   

If No, have you made a concurrent application for a zoning by-law amendment?

YES     NO     File No.: \_\_\_\_\_                      Status: \_\_\_\_\_

What is the existing use of the subject land?  
\_\_\_\_\_

What is the proposed use of the subject land?  
\_\_\_\_\_

What are the uses of the abutting properties?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How long have existing uses been present?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has there ever been an industrial or commercial use on the subject land or adjacent land? If yes, please explain the uses:

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CONTAMINATION	YES	NO	UNKNOWN
Has the grading of the subject land been changed by adding earth or other material?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has a commercial, industrial use or a gas station ever been located on the subject land or adjacent land at any time?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has there been petroleum or other fuel stored on the subject land or adjacent land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is there any reason to believe the subject land or adjacent lands may have been contaminated by former uses (brownfields, industrial waste etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
What information did you use to determine the answers to the above questions? If an environmental assessment has been performed please submit it with the application.			
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>			
<p>*If the answer to any of the above questions from regarding contamination were checked yes or if there was a previous industrial or commercial use, please attach a previous use inventory with this application form showing all former uses of the subject land. A soils investigation study may also be required.</p>			

### 8.0 - ACCESS

- Municipal Maintained Road     
  Seasonally Maintained Municipal Road     
  Provincial Highway  
 Private Road or Laneway     
  Water     
  Other Public Road

\*An Entrance Permit or MTO clearance is required if fronting a Provincial Highway

\* For Municipal roads a detailed road alignment and access will be confirmed when development application is made.

\* If access is by water only please describe the parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road:

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### 9.0 - WATER SUPPLY

- Municipal Water                       Private Well                       Communal Well  
 Lake     Other: \_\_\_\_\_

If the plan would permit development of more than five lots or units on privately owned and operated individual communal wells, you are required to provide:

- A servicing options report; and
- A hydrogeological report

**10.0 - SEWAGE DISPOSAL**

- Municipal Sewer                       Private Septic System/Field                       Communal Septic System/Field  
 Privy     Other: \_\_\_\_\_

If the plan would permit development of more than five lots or units on privately owned and operated individual septic systems you are required to provide:

- A servicing options report; and
- A hydrogeological report

If the plan would permit development of fewer than five lots or units on privately owned and operated individual septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, you are required to provide:

- A servicing options report; and
- A hydrogeological report

If the plan would permit development of fewer than five lots or units on privately owned and operated individual septic systems, and 4500 litres of effluent or less would be produced per day as a result of the development being completed, you are required to provide:

- A servicing options report; and
- A hydrogeological report

**11.0 - ARCHEAOLOGICAL POTENTIAL**

Does the subject land contain any areas of archaeological potential?                      Yes                       No

If the plan would permit development on lands with known archaeological resources OR areas of archaeological potential, you are required to provide:

- An archaeological assessment prepared by a person who holds a license that is effective with respect to the subject land, issued under Part VI (Conservation of Resources of Archaeological Value) on the Ontario Heritage Act; and
- A clearance letter from the appropriate ministry indicating that the assessment and any required mitigation plan meets the requirements of the applicable legislation.

**12.0 – SPECIES AT RISK OR NATURAL HERITAGE Values**

Does the subject land include any areas of natural heritage? Yes  No

Does the subject land include any potential habitat for a species at risk? Yes  No

Reporting will be required if the plan would permit development that affects known habitat OR areas of potential habitat.

**13.0 - SUBJECT PROPERTY DRAINAGE**

**Subject Property Site Drainage is provided by:**

Storm Sewers       Swales       Ditches       Other (Please explain)

\*A preliminary stormwater management report is recommended, and should be prepared concurrent with any Hydrogeological reports for submission with the application. A stormwater management plan is required prior to final approval of a plan of subdivision or as a requirement of site plan approval.

**14.0 - FOR CONDOMINIUM APPLICATIONS ONLY**

	YES	NO
Has a site plan agreement for the proposed condominium been approved?	<input type="checkbox"/>	<input type="checkbox"/>
Has a site plan agreement been entered into?	<input type="checkbox"/>	<input type="checkbox"/>
Has a building permit for the proposed condominium been approved?	<input type="checkbox"/>	<input type="checkbox"/>
Is the proposed condominium currently under construction or completed?	<input type="checkbox"/>	<input type="checkbox"/>
If construction has been completed, what was the date of completion? _____		
Is the proposed condominium a conversion of a building containing residential units (adaptive re-use)?	<input type="checkbox"/>	<input type="checkbox"/>
If yes to the above please state the number of units to be converted. _____		

**15.0 – SIGNIFICANT FEATURES CHECKLIST**

Check through the following list. Indicate under YES, NO or UNKNOWN if a listed feature is on-site or within 500 metres. Indicate under YES, NO or UNKNOWN if a listed development circumstance applies. Be advised of the potential information requirements.

FEATURE OR DEVELOPMENT CIRCUMSTANCE	YES	NO	UNKNOWN	IF YES, PLEASE SPECIFY DISTANCE IN METRES	POTENTIAL INFORMATION NEEDS
Non-farm development near designated urban areas or rural settlement areas					Demonstrate sufficient need within 20 year projections and that proposed development will not hinder efficient expansion of urban areas or rural settlement areas.
Class 1 Industry <sup>1</sup>					Assess development for residential and other sensitive uses within 70 metres.
Class 2 Industry <sup>2</sup>					Assess development for residential and other sensitive uses within 300 metres.
Class 3 Industry <sup>3</sup>					Assess development for residential and other sensitive uses within 1000 metres.

Land Fill Site					Address possible leachate, odour, vermin and other impacts.
Sewage Treatment Plant					Assess the need for a feasibility study for residential and other sensitive land uses.
Waste Stabilization Pond					Assess the need for a feasibility study for residential and other sensitive land uses.
Active Railway Line					Evaluate impacts within 300 metres.
Operating mine site					Will Development hinder continuation or expansion of operations?
Non-operational mine site within 1 kilometre of subject land					Have potential impacts been addressed? Has mine been rehabilitated so there will be no adverse affects?
Airports where noise exposure forecast (NEF) or noise projection (NEP) is 28 or greater					Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP contour, development of sensitive land uses is not permitted.
Electric Transformer Facility					Determine possible impacts within 200 metres.
High Voltage Transmission Lines					Consult the appropriate electric power service.
Transportation and Infrastructure corridors					Will corridor be protected? Noise Study Prepared?
Agricultural Operations					Development to comply with the Minimum Distance Separation Formulae and Official Plan.
Mineral Aggregate Resource area					Will development hinder access to the resource or the establishment of new resource operations?
Mineral Aggregate Operations					Will development hinder continuation of extraction? Noise and Dust Study completed?
Existing Pits and Quarries					Will development hinder continued operation or expansion? Noise and Dust Study completed?
Mineral and Petroleum Resources					Will development hinder access to the resource or the establishment of new resource operations?
Significant Wetlands or potentially significant Wetlands					Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Significant portions of habitat of Endangered or Threatened Species					Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Significant Fish Habitat, Wildlife Habitat and areas of Natural and Scientific Interest					Provide Environmental Impact Study (EIS). Must demonstrate that no negative impacts will occur.
Sensitive Groundwater Recharge Areas, Headwaters and Aquifers					Demonstrate that groundwater recharge areas, headwaters and aquifers will be protected.
Significant Built Heritage Resources and Cultural Heritage Landscapes					Development should conserve significant built heritage resources and cultural heritage landscapes.
Significant Archaeological Resources					Assess development proposed in areas of medium and high potential for significant

					archaeological resources. These sources are to be studied and preserved, or where appropriate, removed. Catalogued and analyzed prior to development.
Lake of the Woods/Winnipeg River: Within defined Portions of Dynamic Beach and 1:100 year flood level along connecting channels					Development not permitted
Lands Subject to Flooding and/or Erosions					Development may be permitted. Must demonstrate that hazards can be addressed.
Erosion Hazards					Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.
Floodplains					Determine limit of Development or where a Special Policy Area (SPA) is in effect, development must meet the Official Plan policies.
Hazardous Sites <sup>4</sup>					Slope Study, Flood Line Study. Demonstrate that hazards can be addressed.
Rehabilitated Mine Sites					Application for approval from Ministry of Northern Development and Mines should be made concurrently.
Contaminated and/or Brownfield sites					Assess and inventory of previous uses in areas of possible contamination.

<sup>1</sup>Class 1 Industry - small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.

<sup>2</sup>Class 2 Industry - medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.

<sup>3</sup>Class 3 Industry - indicate if within 1000 metres - processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.

<sup>4</sup>Hazardous sites - property or lands that could be unsafe for development or alteration due to naturally occurring hazards. These hazards may include unstable soils (sensitive marine clays, organic soils) or unstable bedrock (Karst topography).

### 16.0 - AFFORDABLE HOUSING

Unit Type	Number of Units	Unit Size (sq. ft.) and/or Lot Frontage	Estimated Selling Price/Rent
Semi-Detached			
Link/Semi-detached			
Row Housing or Townhouse			
Apartment Block			
Other			

Please state any additional information regarding this application related to affordable housing:

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**17.0 - IS THE PLAN CONSISTENT WITH POLICY STATEMENTS ISSUED UNDER SUBSECTION 3(1) OF THE PLANNING ACT?**

Please state how this application is consistent with the 2005 Provincial Policy Statement (PPS).

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**18.0 - ADDITIONAL INFORMATION**

Please provide any additional information that you feel would benefit Staff, the Planning Advisory Committee or any potential external agencies that would be providing comments in evaluating this application:

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**19.0 - DIRECTIONS**

Please provide directions to the subject property:

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**20.0 - SUBSURFACE RIGHTS**

Are the subsurface rights and the surface rights to the property held by the same owner? YES  NO

If no, who owns the subsurface rights? \_\_\_\_\_

If no, please have the owner complete the following declaration:

**AUTHORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS  
(If subsurface rights are different from the Owner of the lands)**

I, \_\_\_\_\_, the Owner of the subsurface rights for the subject property, am aware of this application and consent to it. (please print)

\_\_\_\_\_  
(signature) (date)

\_\_\_\_\_  
(address)

\_\_\_\_\_  
Telephone Number Facsimile Number



**21.0 - AUTHORIZED AGENT/SOLICITOR**

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner(s) that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

I/We \_\_\_\_\_, am/are the owner(s) of the land that is subject of this application for a plan of subdivision or condominium description and I/We hereby authorize \_\_\_\_\_ to make this application on my/our behalf and to provide any of my personal information that will be included in this application or collected during the processing of the application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Date \_\_\_\_\_ Signature of owner(s)

**22.0 - SWORN DECLARATION OR AFFIDAVIT**

I, \_\_\_\_\_ of the \_\_\_\_\_ in the province of \_\_\_\_\_, make oath and say (or solemnly declare) that the information required under Ontario Regulation 544/06, and provided in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the \_\_\_\_\_ in the \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioner of Oaths \_\_\_\_\_ Applicants(s)

**23.0 - PRIVACY CONSENT/FREEDOM OF INFORMATION DECLARATION**

Consent of Owner(s) to the use and disclosure of personal information and to allow site visits to be conducted by City Staff and members of the Planning Advisory Committee or Council Members.

I/We, \_\_\_\_\_ being the registered owner(s) of the lands subject of this application, and for the purpose of the Freedom of Information and Protection of Privacy Act, hereby authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act (R.S.O. 1990 as amended) for the purposes of processing this application.

I/We also authorize and consent to representatives from the City of Kenora and the persons and public bodies conferred with under the Planning Act (R.S.O. as amended) entering upon the subject lands of this application for the purpose of conducting any site inspections as may be necessary to assist in the evaluation of the application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Owner(s) Signature

**PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED PURSUANT TO THE MUNICIPAL ACT, AND WILL BE USED FOR THE PURPOSE OF PROCESSING AND APPROVAL OF THIS APPLICATION AND ASSOCIATED APPLICATIONS. QUESTIONS ABOUT THIS COLLECTION SHOULD BE DIRECTED TO: FREEDOM OF INFORMATION AND PRIVACY COORDINATOR, CITY OF KENORA, ONE MAIN STREET SOUTH, KENORA, ON P9N 3X7 (807) 467-2027.**

**24.0 - UNDERTAKING FOR ONTARIO MUNICIPAL BOARD APPEAL**

TO: CITY OF KENORA

FROM: Name: \_\_\_\_\_

Address: \_\_\_\_\_

SUBJECT: APPLICATION FOR PLAN OF SUBDIVISION OR CONDOMINIUM DESCRIPTION

Address of Site: \_\_\_\_\_

*Where the City of Kenora substantially supports the application for Plan of Subdivision or Condominium Description,*

Name of Applicant: \_\_\_\_\_

Hereby undertakes to pay, in accordance with the Ontario Municipal Board cost recovery policy of the City of Kenora, upon receipt of invoice from the City, any and all legal costs, including all disbursements of the City, all legal expenses beyond the first \$1,000 and deposit \$4,000 with the City upon notice of the hearing in the event of a site specific third party appeal.

AND

In the event of a policy or major issue third party appeal, hereby undertakes to pay, in accordance with the Ontario Municipal Board cost recovery policy of the City of Kenora, upon receipt of invoice from the City, any and all legal costs, including disbursements of the City. The applicant shall deposit a sum of \$10,000 to the City of Kenora upon receipt of the notice of hearing. In instances where the municipality and applicant share a solicitor, the City of Kenora will fund fifty percent of the total expenses with an upset limit of \$5,000. The applicant will be responsible for any expenses above and beyond this point.

It is hereby acknowledged that "hearing" shall include all attendances before the Board in respect of the said application whether in person, telephone call or other means as directed by the Board.

Dated at City of Kenora this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

*Where the City of Kenora refuses the application for Plan of Subdivision or Condominium Description,*

Name of Applicant: \_\_\_\_\_

Hereby undertakes to pay, in accordance with the Ontario Municipal Board cost recovery policy of the City of Kenora, upon receipt of invoice from the City, any and all legal costs, including all disbursements of the City, in respect of preparation for and attendance at an Ontario Municipal Board hearing, until the matter is finally resolved by the said Board. The estimated cost for the City of Kenora for a one day Ontario Municipal Board Hearing is approximately \$10,000.

It is hereby acknowledged that "hearing" shall include all attendances before the Board in respect of the said application whether in person, telephone call or other means as directed by the Board.

Dated at City of Kenora this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

**Please complete 1 or 2**

1. For Applicants and Individuals	2. For Corporations and Companies
<p>_____ Signature of Applicant</p> <p>_____ (Please print name)</p> <p>_____ Signature of Witness</p> <p>_____ (Please print Name)</p>	<p>_____ Corporate name (if applicable)</p> <p>_____ (Authorized Signature) I have the authority to bind the Corporation</p> <p>_____ (Please print Name and Title)</p>