

**SUBDIVISION & CONDOMINIUM APPLICATION GUIDE  
for applying for approval under Section 50  
of the Planning Act, 1983  
and under Section 50 of The Condominium Act**

**A. APPLYING FOR SUBDIVISION/CONDOMINIUM APPROVAL**

1. The first step in preparing for the application is a Pre-application Consultation with Planning staff. The Appendix “A” highlights the areas for review at that time.
2. The attached application form is to be used when applying to Council for condominium and subdivision approval.

**B. USING THE APPLICATION FORM**

1. The attached application form should be completed with four copies to the Planning Division of the City of Sault Ste. Marie. In all cases please ensure that you keep a copy for your files. The applicant is advised however, to approach the local municipality for official plan, zoning and policy information before making a formal application.

It is also important to note that circulation of new applications cannot be guaranteed unless the draft plan of subdivision conforms to the official plan or is subject to an official plan amendment. In those cases where a corresponding official plan amendment has been made, the plan of subdivision and the official plan amendment will be circulated simultaneously.

2. The application should be completed by the property owner or his authorized agent. Where it is being made by an agent, the written authorization may be shown on the face of the draft plan.
3. It is the responsibility of the owner to research and evaluate the site and the proposal to ensure that the development will conform with the interests of the health, safety and welfare of the future residents, either owners or tenants. Sufficient studies for the completion of the application should be carried out prior to a submission for approval, and should be reflected in the application form. This information will assist in a quick and comprehensive assessment of the application. If further studies are required, the applicant will be notified. If the form or the draft plans seem incomplete or inaccurate the application will be returned for completion, correction or clarification prior to processing.

**C. DRAFT PLANS**

1. The Planning Act, 1983 requires that all applications must be accompanied by copies of the draft plan as required by Council. The draft plan must be drawn to scale, with boundaries certified by an Ontario Land Surveyor. To carry out the review of condominium applications, a minimum of 25 copies of the draft plan will be required. If further copies are needed, the applicant will be notified.
2. The draft plans should indicate all items as required by Section 51(17) of the Planning Act, 1983 (listed on page 2 of this guide).
3. Draft plans proposing condominium ownership require additional information (listed on page 3 of this guide).

**D. DEALING WITH THE APPLICATION**

1. After accepting the completed application, Council may confer with officials of municipalities and other ministries, commissions and authorities and with others who may be concerned, to obtain information and recommendations.
2. After an evaluation of the plan and of the recommendations from other bodies as noted above, conditions may be imposed in granting approval of the draft plan (draft approval).

3. The conditions of draft approval must be fulfilled prior to the approval of the final plan. The agencies affected by the conditions must indicate that they have been fulfilled.

In some cases, agencies may require that a copy of the completed subdivision agreement be forwarded to them prior to notifying the Municipality that the conditions have been fulfilled.

### **LEGISLATIVE REQUIREMENTS FOR SUBDIVISION APPROVAL ADAPTED FROM THE PLANNING ACT**

Section 51:

i) Subsection 17; Information required to be shown on draft plans:

- (a) the boundaries of the land to be subdivided, certified by an Ontario Land Surveyor;
  - (b) the locations, widths and names of the proposed subdivision and of existing highways on which the proposed subdivision abuts;
  - (c) on a small key plan, on a scale of not less than one centimetre to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which he has an interest, every subdivision adjacent to the proposed subdivision and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which such land forms the whole or part;
  - (d) the purpose for which the lots are to be used;
  - (e) the existing uses of all adjoining lands;
  - (f) the approximate dimensions and layout of the proposed lots;
  - (g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, swamps and wooded areas within or adjacent to the land proposed to be subdivided;
  - (h) the availability and nature of domestic water supplies;
  - (i) the nature and porosity of the soil;
  - (j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land;
  - (k) the municipal services available or to be available to the land proposed to be subdivided; and
  - (l) the nature and extent of any restrictive covenants or easements affecting the land proposed to be subdivided.
- (ii) Subsection 24; It is necessary to take into account the health, safety, conveniences and welfare of the future inhabitants when considering a draft plan of subdivision.
- (iii) Subsection 25; Council may impose as a condition of approval that 2% of the land in a proposed commercial or industrial subdivision be conveyed to the municipality for park or other public recreational purposes. For other types of subdivisions Council may require the conveyance of 5% of the land instead.
- (iv) Subsection 26; The municipality may enter into subdivision agreements imposed as a condition of draft approval.
- (v) Section 51.1; Where Council imposes a condition regarding parkland conveyance, the municipality may, in lieu of accepting such conveyance, require the payment of money by the owner of the land to the value of the land otherwise required to be conveyed.

### **ADDITIONAL INFORMATION FOR CONDOMINIUM DRAFT PLANS**

- (i) Proposed exclusive use areas of the common element such as backyards, parking.
- (ii) Roadways and pedestrian access to proposed private units.

### **SUBMISSION OF APPLICATIONS FOR SUBDIVISION/CONDOMINIUM APPROVAL ARE FILED WITH**

CITY OF SAULT STE. MARIE

CIVIC CENTRE

P.O. BOX 580

SAULT STE. MARIE, ONTARIO

P6A 5N1

ATTENTION: PLANNING DIVISION

**DO NOT RETURN THESE INSTRUCTION SHEETS WITH COMPLETED APPLICATION**

