



**Township of Seguin
Application**

**TO DEEM A LOT NOT TO BE A LOT ON A PLAN OF
SUBDIVISION**

(Section 50(4) of the Planning Act)

AS PER BY-LAW 2015-071, APPLICANTS ARE REQUIRED TO PRE-CONSULT WITH THE TOWNSHIP PLANNING DEPARTMENT PRIOR TO SUBMITTING AN APPLICATION.

DEEMING BY-LAW APPLICATION CHECKLIST

Please ensure you have completed the following prior to submitting your application:

- Fully complete all sections of the application and sign in all appropriate locations.
- It is required that this application be filed with the Planning Department and be accompanied by an application fee in cash or by cheque made payable to the Township of Seguin.
 - \$500.00 – Application Fee
- Copy of your completed Consultation Form from the Planning Department.
- The applicant shall provide one copy of the Plan of Subdivision with the subject lot(s) outlined.
- The applicant should also provide a Deed showing ownership and any registered right of way, together with the current copy of the PIN number assigned to the property by the Land Registry Office.

TOWNSHIP PROCEDURES

Once reviewed, the application will be directed to the Township's Solicitor. The Township's Solicitor will bill the applicant directly for any associated legal fees.

Personal information contained on this form is collected under the authority of the Planning Act, Section 50(4) and will be used to determine eligibility to designate subject lot(s) not to be on a plan of subdivision.

Your application will not be processed until it is complete. A complete application will be determined in accordance with the requirements of the Planning Act, the Provincial Policy Statement, and the Township of Seguin Official Plan. To expedite the processing of your application please ensure it is complete upon submission. Incomplete applications will be returned for you to attend to the identified submission deficiencies. We will not hold incomplete applications in our office.

If you require additional assistance regarding this application please contact the Planning Department at:

Township of Seguin
5 Humphrey Dr.,
Seguin, ON, P2A 2W8
Bus: 705-732-4300
Fax: 705-732-6347
Toll Free: 1-877-473-4846

List of Appendices

1. Endangered Species Act (ESA), 2007 Implications for Landowners



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(Section 50(4) of the Planning Act)

OFFICE USE ONLY		Date Stamp:
Application No.: D- - -		
File Name: _____		
Civic Address: _____		
Application Complete:	Fee Received:	
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	
<input type="checkbox"/> No	<input type="checkbox"/> No	

ROLL # 4903-_____ - _____ - _____ - 0000

Did you pre-consult with the Township Planning Department? Yes No

If yes, please submit a copy of your completed "Pre-Consultation Form".

Pre-consultation Date: _____

Attending Planner: _____

1. CONTACT INFORMATION:

All communication will be directed to the Primary Contact. Copies of correspondence will be sent to all parties and filed according to Township procedure.

Primary Contact: _____

a) Registered Owner(s): _____

(List all owners and contact information if multiple exist)

Mailing Address: _____

Home Phone: _____ Home Fax: _____

Business Phone: _____ Business Fax: _____

Email Address: _____

b) Agent: _____

Mailing Address: _____

Home Phone: _____ Home Fax: _____

Business Phone: _____ Business Fax: _____

Email Address: _____

2. DESCRIPTION OF SUBJECT LANDS

a) Concession(s): _____

b) Lot(s): _____

c) Registered Plan No. : _____ Lot(s)/Block(s): _____

d) Reference Plan No. : _____ Part(s): _____

e) Geographic Township (former municipality) : _____

f) Civic Address: _____

g) Reason for Deeming By-law:

h) Is the subject lands the subject of a current planning application or building permit? Yes _____ No _____

3. LOT TO BE DEEMED NOT ON A PLAN OF SUBDIVISION

I/We herby request that Lot(s) _____ on Registered Plan of Subdivision No. _____ be deemed not to be lot(s) on a Plan of Subdivision for the purpose of Section 50(4) of the *Planning Act*.

Dated this _____ day of _____, 20_____.

Signature of Owner(s) or Authorized Agent

4. FREEDOM OF INFORMATION AND PRIVACY

Personal information contained in this form, collected and maintained pursuant to Section 45 of The Planning Act, will be used for the purpose of responding to the Application and creating a public record. The Owner's Signature acknowledges that "personal information [is] collected and maintained specifically for the purpose of creating a record available to the general public;" per Section 14(1)(c) of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M. 56.

The applicant acknowledges that the Township considers the application forms and all supporting materials, including studies and drawings, filed with this application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the Township photocopying and releasing the application and any supporting material either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. Questions regarding the collection of information should be directed to the Director of Planning at the Township of Seguin at (705) 732-4300.

Signature of Owner

Date

Signature of Owner

Date

Signature of Witness

Date

APPENDIX 1

Ministry of
Natural Resources

Ministère des
Richesses naturelles

Parry Sound District Office
Southern Region
7 Bay Street
Parry Sound, Ontario P2A 1S4

Telephone: (705) 746-4201
Facsimile: (705) 746-8828



February 28, 2011

ENDANGERED SPECIES ACT (ESA), 2007 IMPLICATIONS FOR LANDOWNERS

WHAT IS THE ESA, 2007?

Ontario is home to more than 30,000 plant and animal species. Most have stable populations, but some have declined or disappeared. Currently, more than 180 species are considered "at risk" because of a variety of threats including habitat loss, pollution, competition from invasive species, climate change and over harvesting.

Ontario's new *Endangered Species Act (ESA), 2007* provides a strong legislative framework for the protection and recovery of Ontario's native endangered and threatened species and their habitats, while balancing the social and economic well-being of citizens and communities.

One component of the *ESA, 2007* is the establishment of the Species at Risk in Ontario (SARO) List. This list identifies species that have been classified as being at risk by the Committee on the Status of Species at Risk in Ontario (COSSARO).

There are two key protection provisions in the *ESA, 2007*:

- Section 9 prohibits killing, harming, harassing, possessing, collecting, buying and selling etc species listed as extirpated, endangered or threatened on the SARO List.
- Section 10 prohibits the damage or destruction of the protected habitat of species listed as extirpated, endangered or threatened on the SARO List.

DOES THIS AFFECT ME?

The *ESA, 2007* came into force in June 2008 and is binding on everyone including individuals, businesses, municipal governments and the provincial government. This information sheet is designed to assist you in understanding the various responsibilities under the *ESA* when planning or conducting activities that may affect endangered or threatened species and their habitat.

DEFINITIONS

Species are classified based on five status definitions that include:

Extinct – A native species that no longer lives anywhere in the world.

Extirpated – A native species that no longer exists in the wild in Ontario but still exists elsewhere.

Endangered – A native species facing extinction or extirpation.

Threatened – A native species at risk of becoming endangered in Ontario.

Special Concern¹ – A native species that is sensitive to human activities or natural events which may cause it to become endangered or threatened.

¹ Special Concern species are listed on the SARO list but are not protected under the *ESA 2007*. However, new Planning Act decisions should ensure that the significant habitat of special concern species is protected as "significant wildlife habitat" (as per the Provincial Policy Statement).

ROLES AND RESPONSIBILITIES

Landowners and Development Proponents:

Landowners and development proponents are responsible for ensuring that they follow *all* relevant laws in Ontario including the *ESA*. They may need to take specific action to ensure that land uses or activities would not contravene the *ESA*.

Proponents considering new development or land use activities should consult with the municipality and MNR as appropriate, to determine the potential for endangered or threatened species in an area. Proponents should consider conducting an appropriate level of ecological site assessment² where there is potential that an endangered or threatened species or its habitat is present on a site. The purpose of such site assessment is to obtain information on endangered and threatened species and their habitat that may exist on or adjacent to a site, and the nature of these values.

Since the *Building Code Act* does not enable a municipality to withhold issuance of a building permit where the *ESA* could be contravened, the onus is on the proponent to ensure that a development or activity under the authority of a building permit is in compliance with the *ESA*.

Municipalities:

As with other landowners and development proponents, municipalities are responsible for ensuring that their activities don't contravene the *ESA*.

Municipalities must also continue to ensure that their *Planning Act (PA)* decisions are consistent with the habitat protection direction set out in the Provincial Policy Statement (PPS) and ensure they have adequate information about the potential for listed species and their habitats before making a *PA* decision.

MNR recommends that municipalities check existing available information sources to determine the potential endangered and threatened species whose range encompasses a subject property, and then review available information on the habitat requirements of these species. Where there is a potential that an endangered or threatened species or its habitat is present on or adjacent to a site, MNR recommends that municipalities generally require proponents to undertake an appropriate level of ecological site assessment as described in MNR's *Natural Heritage Reference Manual (2010)*.

Municipalities may also assist by raising awareness with landowners and proponents about the *ESA*, and endangered and threatened species, and could play a valuable role in knowledge transfer, communication and stewardship.

Ministry of Natural Resources (MNR):

MNR is available to advise municipalities, landowners or development proponents on how to avoid being in contravention with the *ESA* and when authorizations may be required for activities, where there is a potential impact on an endangered or threatened species or its protected habitat.

To assist municipalities and planning boards, MNR's Parry Sound District provided information in 2009 that identified the species at risk that are either known to occur, or presumed to occur, in each geographic township and municipality. The information provided included descriptions of the key habitats and the timing of key life history events for each species. MNR will provide updates as new information becomes available.

MNR's role under the *PA* and One Window Planning Service (OWPS) **was not changed by the *ESA, 2007*** such that MNR does not have a role in reviewing site-specific development applications that are under municipal approval authority unless the municipality makes a request through MMAH. MNR will continue to provide technical advice and approve what is significant habitat for endangered and threatened species for purposes of the *PA* and the *PPS*.

For more information on the *ESA, 2007* or to view the Species at Risk in Ontario List, please visit the species at risk website at: www.ontario.ca/speciesatrisk or contact:

Phung Tran, Landscape Planning Biologist
Telephone: 705-646-5557 E-mail: phung.tran@ontario.ca

² Additional information regarding ecological site assessment may be obtained from MNR's *Natural Heritage Reference Manual, 2nd Edition, 2010* at <http://www.mnr.gov.on.ca/en/Business/LUEPS/Publication/249081.html>