



**Town of Midland
Planning Services
575 Dominion Avenue
Midland, ON L4R 1R2**

**Office Hours:
Monday to Friday
8:30 a.m. to 4:30 p.m.**



How do I get started?

The Applicant is required to complete the Pre-Consultation process prior to submitting a formal application. The Pre-Consultation process outlines the proposal and gives Staff and external agencies the opportunity to provide comments and outlines the requirements for a complete application.

How much will it cost?

The fees associated are noted in the Town's Composite Fees By-law and identified through Pre-Consultation. Additionally, you may need the services of planning consultant(s), engineering consultant(s), environmental consultant(s), and surveyor(s). It is recommended that you retain these services for the Pre-Consultation process.

How long will it take?

Upon completion of the Pre-Consultation stage, the average time to process an Application depends on a number of factors including the complexity of the application and the quality of the submission. It may take several months to receive draft approval and may take several years to receive final approval, pending the fulfillment of draft plan conditions.

What is a Plan of Subdivision?

A Plan of Subdivision is the process through which the Town approves the creation of new lots, blocks, and roads within residential neighbourhoods, commercial areas, and/or industrial areas. A Plan of Subdivision is a legal survey which shows how the property will be subdivided and also includes information and conditions regarding how a parcel of land may be developed. The approval process is governed by Section 51 of the *Planning Act* and the Town's Official Plan.

Upon completion of the application stage, Council will decide to approve or deny the Plan of Subdivision. If approved, the proposal receives Draft Approval subject to a number of conditions that need to be fulfilled prior to registration of the Plan.

When is a Plan of Subdivision Required?

As per Section 7.5.2 of the Town's Official Plan, land division by Plan of Subdivision, rather than Consent, shall generally be required when:

- A new road or extension to an existing road, an extension of services and/or the reconfiguration of the storm water management system is required; or,
- Four or more lots are being created and/or the owner is retaining sufficient lands for the development of additional lots; or,
- The Town deems it necessary in the public interest for the proper development of the lands.

Need More Information?

Contact the Planning Services Department for more information:
Phone: 705-526-4275

Email: planning@midland.ca

Online Resources: [Pre-Consultation webpage](#)
[Plan of Subdivision webpage](#)

Plan of Subdivision Application Process

1. Pre-Consultation Stage

Prior to submitting a Plan of Subdivision Application, you must complete the Pre-Consultation process. This may involve multiple meetings with Town Staff and external agencies as required. The purpose of Pre-Consultation is to:

- Confirm whether a Plan of Subdivision is necessary and whether it may be supportable by Staff
- Provide feedback on the proposed development
- Confirm whether other approvals will be required (e.g. Zoning By-law Amendment, Official Plan Amendment, etc.)
- Outline the plans and studies that will be required to be submitted as part of a complete application

Upon review of the Pre-Consultation request, a Record of Consultation will be provided to the Applicant outlining application submission requirements.

2. Application Submission

The Record of Consultation notes provided will outline the requirements for submitting a complete application. The Record of Consultation will outline the fees, other requirements, and materials required to be submitted. All submissions are to be submitted electronic through the Town's electronic submission platform. After receipt of the application, Staff will review the application for completeness. Applications that are deficient of the required materials or fee(s) have no status and may be returned to the Applicant with additional information or fees being required. The application will not proceed to any further Steps until all outstanding information is received.

3. Notice of Complete Application

After the application is deemed complete, a Notice of Complete Application is circulated to the applicant, internal departments, external agencies, and public bodies for comment. It is also circulated to landowners within 120 metres of the property. Public input is requested and only correspondence received prior to preparation of the Public Meeting Report will be published in the Staff Report.

4. Posting of Development Notice Sign

Where required, the Applicant is to post a Development Notice sign with application information on the subject lands. The Town will provide the Applicant with the Notice Sign template and it is their responsibility to have the sign printed and posted.

5. Review of Application and Planning Considerations

After the circulation, Staff receives comments from internal departments and external agencies. Comments that require clarification, changes, or modifications are provided back to the Applicant and are to be addressed in a subsequent submission. Depending on the quality of the first submission, additional submissions may be required to satisfy concerns raised by Staff and external agencies.

Planning Staff review the merits of the application based on the following, but not limited to, considerations:

- Assessment of the physical, environmental, social, and economic aspects of the plan
- Conformity with all other local planning documents and Provincial Plans and legislation
- Compatibility and suitability with the surrounding neighbourhood
- Proposed Density and impact on the existing built form
- Grading and drainage
- Municipal servicing availability
- Availability of community services including schools, parks, recreation facilities, etc.
- Transportation, access, and road network design
- Lot size and dimensions
- Building height and setbacks
- Environmental, traffic and neighbourhood impacts
- Buffering and landscape screening
- Screening and fencing
- Public input

6. Public Meeting

Due to recent legislative changes, a Public Meeting for a Plan of Subdivision is no longer required under the *Planning Act*. A Public Meeting may still occur where there is a related application that requires a Public Meeting through that process (e.g. Zoning By-law Amendment, Official Plan Amendment).

7. Planning Recommendation Report and Council Meeting

The recommendation report from the Planning Services Department is submitted to Council for a decision and is only prepared once the Applicant has responded to all comments. Council may approve, deny, or amend the recommendation. If the Plan of Subdivision is draft approved, a Notice of Passing is provided within 15 days of the decision to the Applicant, the specified persons or public bodies and to any persons who made written request for notification. If the Plan of Subdivision is refused a Notice of Refusal is administered in the same manner.

8. Ontario Land Tribunal (OLT) Appeals

Appeals must be filed with the Town by the date indicated on the Notice. The OLT may refuse an appeal by an individual or public body who did not initially object to the proposal. Prior to filing an appeal to the OLT, please contact [OLT](#) directly for appeal rights and additional information.

9. Draft Plan Approval

If the application is approved by Council and no appeals are received, then it is considered to be Draft Plan approved. The Draft Plan approval typically includes a list of conditions that must be satisfied before the lots, blocks, and roads can be registered. These conditions must be satisfied prior to a specified date in the Decision or the draft approval may lapse. In order to avoid the lapsing of a Draft Plan approval, the Applicant must apply for a draft plan extension at least 90 days before the lapsing date.

10. Subdivision Agreement & Registration of Plan

Upon completion of all conditions, a Subdivision Agreement is prepared and once finalized is sent to the Applicant for review and signature. The Applicant will need to return the executed copies of

the agreement to the Town together with all items identified by the Subdivision Agreement. This may include, but is not limited to, applicable fees, site works securities, cash-in-lieu of Parkland, and/or proof of insurance. Once all items identified by the Agreement are provided to the Town, it is sent for registration.

11. Other Approvals

Where other approvals are required (e.g. Site Plan Control), those processes would need to be completed before building permits can be applied for.