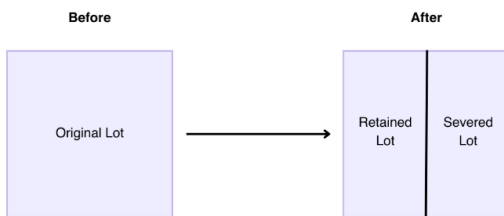


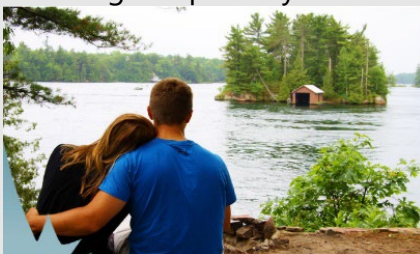
What is a consent?

A consent (or severance) is a process to create a new parcel of land from an existing property, making an adjustment to an existing lot line (lot addition), or allowing use of legal access over your property by a right-of-way or easement.



Why do I need approval?

Approval is required under the Planning Act to ensure there is no long-term, negative impact on our community. For example, land division without approval could result in over-extension of municipal services, such as snow plowing, school busing and garbage collection. Or, it might result in damage to the natural environment, for example because lots are too small to accommodate adequate sewage disposal systems.



Further, the approval process ensures land division complies with the overall planning goals respecting community vision. Consent approval also ensures your property has the proper legal title should you want to pass it along to relatives or sell it.

What conditions of approval may be imposed?

All decisions have conditions attached to them. The final conditions will depend on the application. Some possible conditions include:

- Provision of an accurate survey
- Payment of outstanding taxes
- Dedication of lands for future road purposes. (This is giving a certain width of land along the front of the property to the Municipality for their potential future use for road purposes. It does not require any road work to be undertaken.)
- Parkland dedication (or cash-in-lieu of parkland)
- Rezoning (or a minor variance), for example to allow a new land use or to recognize deficiencies in lot area or setbacks
- Easements
- Development agreements
- Provision of supportive studies (although these are often required as part of the application)
- Provision of a Certificate of Official or schedule for endorsement by the Secretary-Treasurer
- Registration of stamped certificate/schedule.

If all conditions are not satisfied within two years of the decision notice, the application will lapse and is deemed to be refused (meaning you will have to start all over). View our "Guide to Complete Typical Conditions of Consent" available on the [website](#).

Consent (Severances) Frequently Asked Questions

Can conditions be changed?

The Consent Granting Authority may approve a change to conditions of a consent approval at any time prior to the lapsing date of the approval. A new appeal period and a new lapsing date for fulfilling conditions may apply in these cases.

Can the two years to meet conditions be extended?

No, unfortunately the Planning Act does not permit this.

Do I need a lawyer?

Yes, at the end of the process your solicitor will have to prepare a "Transfer in Preparation" and "Certificate of Official" or schedule (draft legal documents for review and approval by the Secretary-Treasurer). Once endorsed by the Secretary-Treasurer, the lawyer will need to register the documents at the Land Registry Office.

Do I need other professional assistance?

Yes, a surveyor is required at the end of the process. Other qualified individuals are required to prepare certain studies that the Municipality and County may require as part of a complete application. Examples of such studies include planning rationales, aggregate impact studies, compatibility studies, archaeological studies, environmental impact studies, etc.. Some people find it helpful to hire an agent to oversee the application process on their behalf, but this is not required.

What are the fees?

Please refer to the annual "*Consent Application Fees*" document available on the [website](#). Review fees can change without notice.



How long does the severance process take?

The preliminary review stage can take anywhere from two to four weeks, depending on the number of proposals the Municipal Planning Department has received at any given time.

The length of time the formal process may take can vary. If it is a straight-forward application, such as one where application conforms to the relevant policies in the respective Official Plans and comments received are supportive, the expected time is about three months. This time is required to give notice of application through mail, to receive comments from all relevant agencies and for the approval authority to review all applicable documentation before rendering a decision.

An application can take significantly longer if objections are raised, policy issues are identified or if additional studies are determined to be required.

What is the process for a consent?

Please refer to the "*Applicants Guide to the Consent Process*" available on the [website](#)

What if my proposal does not conform to the Official Plans?

A consent will not be approved if it does not conform to the Official Plan of the County or the Official Plan of the Municipality.

Sometimes you can amend your proposal to be compliant with the Official Plan. Other times an application would have to be denied. It is highly recommended that you consult with the Municipality prior to applying for a consent.

Should I contact the commenting agencies?

Discussing your proposal with the agencies prior to submitting your application is encouraged. This can include, but is not limited to: the Municipality, the applicable Conservation Authority, the road authority), and any body recommended by the Municipality.

This lets you know any concerns the agency might have which can help avoid any potential problems after you submit a formal application.

What rights of appeal do I have?

As an applicant, if you do not agree with the decision or its conditions, you may appeal to the Ontario Land Tribunal (OLT), an administrative tribunal appointed by the Province to settle contentious planning matters. The appeal must be filed within 20 days of the date of mailing of decision and

the process to appeal is outlined in the decision.

An OLT hearing can be as brief as a couple of hours if it involves few witnesses and only one or two planning issues. But in more complex situations involving a number of parties, the hearing could stretch out over several days.

Please note that as of 2022 neighbours are no longer eligible to file appeals. Appeals to severance applications may only be filed by the applicant, the Minister of Municipal Affairs and Housing, a "specified person" (as defined by Planning Act), and any "public body" (as defined by Planning Act).

What is a supporting study?

Studies by qualified professionals may be necessary to be filed with the application to help determine compliance with policy. For example, an Environmental Impact Study may be needed to demonstrate that the consent and subsequent construction will not negatively affect natural feature(s) identified in the area. Other common studies include: hydrogeological and terrain analysis (for a small lot or a lot in an area with a number of existing small lots), archaeology (for lots near water or historical areas), aggregate impact assessment, compatibility, hazard studies etc.. Sometimes these studies will need to be peer reviewed at the applicant's cost as staff do not have the required technical knowledge to assess the study.