

What is a Consent?

A consent is sometimes referred to as a "land severance" or "consent to sever". It is most commonly used to divide a parcel of land that does not require a plan of subdivision, into two or more new lots, or to add a lot(s) to an abutting property. It can also be used to establish a right of way, easement or disposal of a surplus farm dwelling.

Who is the Committee of Adjustment?

The Committee of Adjustment hears applications under Section 45 of the Planning Act and Section 50/52 & 57 of the Planning Act R.S.O. 1990 c.P13, as amended. They are an independent body appointed by Township of Wainfleet Council and is comprised of five members of the public.

When reviewing a Consent application, regard must be had to the provisions of Sections 51(24) and 51(25) of the Ontario Planning Act. Some of the items to consider are:

1. Does the plan conform to the official plan;
2. Is the plan suitable for the land and for the purposes for which it is being subdivided;
3. The dimensions and shape of the proposed lot;
4. Conservation of natural resources and flood control.

These are just four of the many items that the Committee of Adjustment must have regard to when reviewing a consent application. Each case is decided upon its own merit, based on the facts presented in the application and during the hearing.



For more information

Contact the Township of Wainfleet's
Planning Department

Office Hours:

Monday to Friday 8:30 a.m. – 4:30 p.m.
*closed on Statutory holidays

Address:

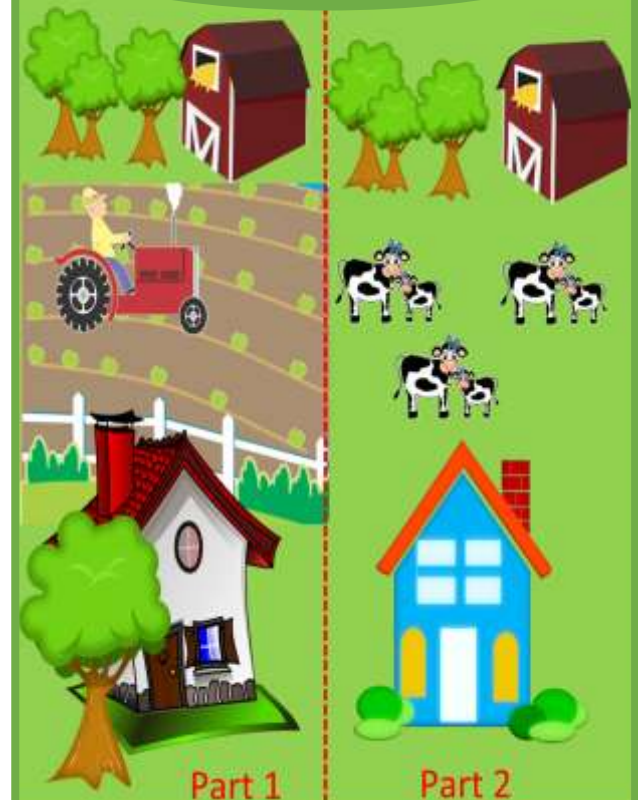
31940 Highway #3
P.O. Box 40
Wainfleet, ON
L0S 1V0

Contact Information:

Phone: 905-899-3463
Fax: 905-899-2340
www.wainfleet.ca

This brochure is intended to provide preliminary information only.

Consents



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WAINFLEET**

"Wainfleet - find your country side!"

Application Process

1. Pre-consultation

A pre-consultation meeting is mandatory and its purpose is to gather all of the applicable review agencies and Township departments to review development proposals and identify any studies or additional information required for a complete application.

2. Submit a Complete Application

In order for an application to be deemed complete it must include a completed application form, all required studies identified at the pre-consultation, a survey or sketch and the required fees.

3. Public Notification

A public notification is circulated to all review agencies and Township departments as well as properties within 60m of the subject property. At this time any member of the public may speak in favour or in opposition to the application. This is also a time to address any questions or concerns as it relates to the application.

4. Recommendation Report & Decision

The Planner will present a recommendation report to The Committee of Adjustment. The recommendation report will review all applicable planning policies as well as all comments received from review agencies and Township departments. The Committee will make a decision on the application. They may include conditions that the applicant must fulfill before provisional consent can be deemed a final consent.

5. Appeal Period

A "Notice of Passing" is mailed to the applicant, external agencies and those who requested to be notified of the decision within 15 days after the decision of The Committee. There is a 20 day appeal period on the decision and the date will be listed on the notice.

Please note that Bill 23, More Homes Built Faster Act, 2022 removed the ability for third parties to file an appeal for consent applications.

6. Decision in Effect

If there are no appeals, the applicant will receive a notice advising that the decision is in full force and effect. The applicant will then be able to begin the process of registering the conditional consent and applying for their Certificate of Consent with the Township.

If there is an appeal, the applicant will receive a notice advising that an appeal has been received and forwarded to the Ontario Land Tribunal (OLT) formerly known as the Local Planning Appeal Tribunal (LPAT). The OLT is an adjudicative tribunal that hears appeals in relation to municipal planning. More information about the OLT and the appeal process can be found at <https://olt.gov.on.ca/>

The average time to process an application from start to finish is about 2 to 3 months.

IMPORTANT: For consent applications, all conditions must be fulfilled and the certificate stamped within two (2) years from the date of the notice of decision. The applicant then has two (2) years to register the consent, after which time the consent lapses if registration is not complete.

