

the information and make a decision to **Approve** subject to conditions, **Deny** or **Defer** the application. After a decision has been made to approve or deny an application, the Land Division Secretary circulates a notice of decision which in the case of an approval would include the conditions that need to be fulfilled. There is a 20 day appeal period (from the date the notice of decision is mailed) which the applicant or any other person or public body **that provided written or oral comments prior to the decision being made** can appeal the decision and/or condition(s) to the Ontario Municipal Board (information regarding the OMB can be found at www.omb.gov.on.ca). Should no appeals be received within the 20 day appeal period, the decision is deemed final.

Step 4 – Fulfilling Conditions

The applicant has **one (1) year from the date of notice of decision to fulfill all conditions.** It is an applicant's sole responsibility to obtain the necessary approvals/information to fulfill all conditions of approval. If all conditions have not been fulfilled within a year, the approval of the severance will lapse and the applicant will need to reapply for consent and go through the entire process again if still desiring the proposed severance. The applicant should begin to address/fulfill conditions as soon as possible as some conditions take substantial time to complete and an extension to the one (1) year time frame **cannot** be granted for any reason.

Below are a few of the typical/common conditions that are most likely to be applied to consent applications:

1) **Proof of Potable Water** -

Prior to the endorsing of deeds for the severed lot, proof be lodged with the Land Division Office that there is a minimum of three and one-half (3½) gallons per minute of

potable water available on the severed lot (*This is generally applied to proposed lots less than 10 acres in area where no municipal water supply is available.*)

2) **Rezoning** -

The severed lot be rezoned to “Rural Residential” for example, and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot. (See Municipality for rezoning procedure.)

3) **Road Widening** -

Sufficient land be deeded to the Township for road widening, by **REGISTERED** deed to provide a road width of 33 feet to the centre line of a Township road, across the frontage of the severed and retained land.

4) **Cash-In-Lieu of Parkland** -

That a cheque in the amount of \$_____ (*determined by Municipality*) under Section 51.1(3) of the Planning Act, be made payable to the Municipality and **lodged with the Land Division Office** prior to the endorsing of deeds for the severed lot.

Additional Information & Contacts

Ministry of Municipal Affairs and Housing
www.mah.gov.on.ca

Ministry of Natural Resources
www.mnr.gov.on.ca

Ministry of Northern Development & Mines
www.mndm.gov.on.ca

Crowe Valley Conservation Authority
www.crowevalley.com

Quinte Conservation Authority
www.quinteconservation.ca

Lower Trent Conservation Authority
www.ltc.on.ca

Contact information for Member Municipalities is available on the County of Hastings website.



The Consent Process:

An applicant's guide to submitting an application for consent in the County of Hastings.

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Planning and Development Department
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(613) 966-7654 (Fax)
www.hastingscounty.com

Staff contacts:

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Step 1 – Pre-Consultation

The most important step in the process is to pre-consult with a Planner from the County of Hastings Planning and Development Department. The purpose of pre-consultation is to provide you with an overview of the consent for severance process and assist you with any initial questions you may have regarding the process. It also allows the Planner to determine if there are any major concerns or issues with your proposal with regard to Federal, Provincial or Municipal policies and regulations. The Planner may also be able to identify what, if any, additional information or studies will be required. Early consultation (before submitting an application) will help avoid unnecessary delays and help eliminate any “surprises/issues” that may arise later on in the process.

It is also important to consult with your local Municipality as they often provide comments and request conditions of consent approval. In addition, there are a variety of other agencies that you may also wish to pre-consult with as they may have an interest and/or provide comments on your proposed severance. These agencies include: the local Conservation Authority, Ministry of Transportation, Ministry of Natural Resources, etc. The County of Hastings Planning Staff can assist you as to which agencies should be consulted prior to submitting an application. (Contact information for some of the more common agencies have been included)

Step 2 - Submitting a Complete Application

Application forms and instructions are available at your local municipal office, at the County of Hastings Planning and Development Office, and on the County of Hastings website at www.hastingscounty.com.

The application form MUST be completed in its entirety (in BLACK ink). If you have any questions regarding the information required in the application form, please contact the Planning and Development Office. An application must include 10 copies of a sketch to scale (**preferably prepared by an Ontario Land Surveyor**) outlining the lands proposed to be severed, the retained lands, and where applicable (lot additions), the benefiting lands. Additional information on how the sketch should be prepared and the information required can be found on the instruction sheet which is attached to the consent application form and should be followed very closely. An application should also include any additional information that you may wish to provide or believe will be helpful in reviewing your application; it should also include information identified during the pre-consultation stage by Planning staff or other agencies.

Your application will be reviewed for completeness by planning staff. Any missing or incomplete information may result in a delay of the process and/or your application form being returned to you. Once an application has been deemed complete, planning staff will initiate the consent process.

Step 3 – The Consent Process

The Consent process is governed by the policies and regulations of the Planning Act. Generally, the process takes three (3) to four (4) months provided decisions are not appealed to the Ontario Municipal Board. However, times can vary greatly depending on the number and complexity of issues arising from an application and/or staff work volumes.

A) Circulation/Notice

The Planning Act requires that when a complete application for consent is received, notice of the application must be sent to a variety of different agencies (i.e local municipality) for review and

comment. Also, the Planning Act requires all land owners within 60 metres of the property subject to the application to be sent notice of it. Any questions or comments from them are directed/sent to the County. In addition the Planning Act requires that notice be posted on the property. In this regard, an applicant will be mailed Orange Identification Cards which are to be posted along the front of the proposed severed lot(s) where they are clearly visible from the road and are to remain there until the Land Division/Planning Committee’s decision becomes final. If the identification cards are lost or damaged/destroyed, please contact the Planning and Development Department immediately so that new cards can be provided.

B) Land Division/Planning Committee

The Hastings County Planning Committee serves as the Land Division Committee. Once all comments have been received from the various agencies, the application will be scheduled for the next available Land Division/Planning Committee meeting. A public meeting is held for those files that are not recommended for approval by County Planning Staff or have been the subject of agency or public concern. Those applications recommended for approval are provided to the Land Division Committee for review/approval.

Planning Staff prepare a report for the consideration of the County of Hastings Land Division/Planning Committee. The staff report assesses the proposed application with regard to consistency with the *Provincial Policy Statement*, conformity to the County of Hastings’ Official Plan and compliance to the local municipality’s comprehensive zoning by-law and other applicable legislation. The staff report provides a recommendation(s) and conditions of draft approval which the Land Division/Planning Committee will consider when reviewing the application and making their final decision. At the public meeting, the Committee will review all of