

Applications for Consent: The 5 W's

Whom Do I Call? ... Who Decides?

- Schedule a Pre-Consultation meeting with Community Planning & Development Services Department and commenting agencies to ensure your application will be supported.
- Contact the Secretary-Treasurer at Town of Pelham municipal office for assistance in completing the necessary paperwork (appointments recommended).
- The Committee of Adjustment is the Approval Authority. Approval is based on the application's compliance with matters outlined in the Planning Act, Provincial Policy Statement, Greenbelt Plan, Growth Plan, Regional Official Plan and the Town of Pelham Official Plan and Zoning By-law.
- This Committee is appointed by Council, having authority under the Planning Act (Provincial Statute).
- Pre-consultation is important. Submitting an application does not result in an automatic approval of your proposal.

What is a "Consent"?

- When lands are to be developed by means of lot creation (or a boundary adjustment) and a Plan of Subdivision is not appropriate, i.e. development is on a smaller scale and all infrastructure is readily available, "consent" is required to subdivide.
- Approval is required in order to "enter into a transaction over part of a parcel of land"; that is, to separate a parcel of land or enter into lease agreements, easements or rights-of-way for periods in excess of 21 years.
- A "consent" is often referred to as a "severance".

What Do I Do?

- Contact appropriate agencies BEFORE you submit your application. Contact information has been provided in this application kit.
- You will be required to obtain a preliminary severance sketch from an Ontario Land Surveyor which outlines the proposal in accordance with all Provincial requirements. These stipulations are noted on the Application for Consent form, at Item 16.
- Carefully review the information provided in this kit, and ensure that you have provided all documentation needed by the Town to process your application. Contact the Secretary-Treasurer if guidance is needed.

What are the Costs?

Please Refer to the Fee Tariff Attached to this Information Application Package.

When Will I Know?

- Once all necessary information has been submitted, a Public Hearing will be scheduled.
- The Planning Act requires that decisions on consent applications be rendered within 90 days from receipt of the completed application.

- Further, it is the Town of Pelham and Committee of Adjustment's Policy that a public hearing be held on every application for consent.
- Please refer to the Hearing Schedule included with this information kit for hearing dates and submission deadlines.
- As required by Provincial Legislation, notification is given by direct mail to property owners within 60 metres (200') of your property.
- You will be required to erect a mandatory Public Notice Poster which will be provided by the Secretary-Treasurer.
- Committee Members and Agency staff perform site visits.
- The Public Hearing takes place and a decision is rendered based on all evidence presented.
- You, or an authorized agent, are required to attend the hearing and make a verbal presentation to the Committee regarding your proposal.
- The Committee will also consider any presentations by others having an interest in your application, whether in support of or in opposition.
- Approval may be subject to any such conditions as the Committee deems advisable and/or any restrictions the Committee deems appropriate.
- Written decisions are circulated within 15 days, in accordance with the Planning Act. There is a 20-day appeal period following the date of mailing the Notice of Decision, during which time a consent cannot be finalized.
- You will have one year from the date of the decision to complete all conditions and submit the necessary legal documents for issuance of the final certification by the Secretary-Treasurer to complete your consent. The Planning Act does not provide for any extension to this one-year timeframe. Failure to complete the conditions will result in a lapsing of the consent.

Where are the Public Hearings Held?

- The Committee of Adjustment conducts a public hearing about every four weeks. They are held in the municipal building, Council Chambers, 20 Pelham Town Square in Fonthill. All public hearings are scheduled for 4:00 p.m.

Why is Approval Needed?

- Division of land in the Town of Pelham and throughout Ontario is highly regulated by restrictive local, regional and provincial planning policies.
- The Committee of Adjustment must consider several legislative provisions and all planning matters must be "consistent with" Provincial Policy Statements and shall conform with Provincial plans that are in effect.

This information was prepared by the Town of Pelham Committee of Adjustment.
It is intended to be used as a guideline only.