

# Guidelines for Consent



1084 Elizabeth St  
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**The Guidelines for Consent provide greater clarity and information for those involved in the consent planning approval process. This document is meant for guidance only, and should not be construed by anyone as a right to development approval if the steps indicated are followed.**

## What is a Consent?

A consent refers to the formal permission given by a municipality in relation to changes to property. Consents are required for severances (lot creation), lot additions, easements, and to register or discharge mortgages.

## How is a Consent Application Evaluated?

Consents are approved by the Township of North Frontenac Committee of Adjustment. When considering an application, the Committee evaluates the application using the criteria in Section 53(12) of the *Planning Act*, including:

- The effects of the proposal on matters of provincial interest;
- Compliance with the Township Zoning By-law;
- Suitability of the land for the proposed use, including size and shape of the lot;
- Adequacy of vehicular access, water supply and sewage disposal;
- The need to ensure protection from potential flooding or other natural hazards; and
- The protection of natural features including waterbodies and wetlands.

All decisions of the Committee of Adjustment must be consistent with the Provincial Policy Statement and conform to the Township and County of Frontenac Official Plans.

When evaluating the application, the Committee of Adjustment will review the planning report and recommendations as well as any comments received by agencies including the Conservation Authority. Any person or public body may submit opinions/concerns to the Committee in writing or in person at the meeting. All comments and reports are considered by the Committee prior to making a decision. Staff, agencies such as the Conservation Authority, as well as one member of the Committee will attend the site prior to the Committee making a decision.

## What should I know about submitting an application?

The applicant (property owner), or their agent, is responsible for the submission of the application and for its accuracy, and applying for the appropriate type of consent. Failure to provide all of the required information may result in processing delays of the application or the submission of multiple applications. **Staff are not permitted to complete application forms.**

Generally, applications are required to be deemed complete a minimum of one month prior to the Committee meeting at which they will be heard, to allow staff sufficient time to fully review the application and meet minimum public notice requirements under the *Planning Act*. Periods of peak development activity throughout the summer months may cause an increase in the time required to review and process applications.

## What is required for a consent application and what are the timelines?

A complete consent application will include:

- The application document filled in completely and accurately;
- A copy of the Deed/Transfer;
- An accurate technical drawing;
- Required application fees including those for commenting agencies identified during pre-application; and
- Any additional studies as identified during pre-application.

Key timelines in the process include:

**One month** – an application is required to be submitted a minimum of one month prior to a Committee of Adjustment meeting. This is to ensure that staff have a suitable amount of time to review the application and to circulate the application to appropriate agencies.

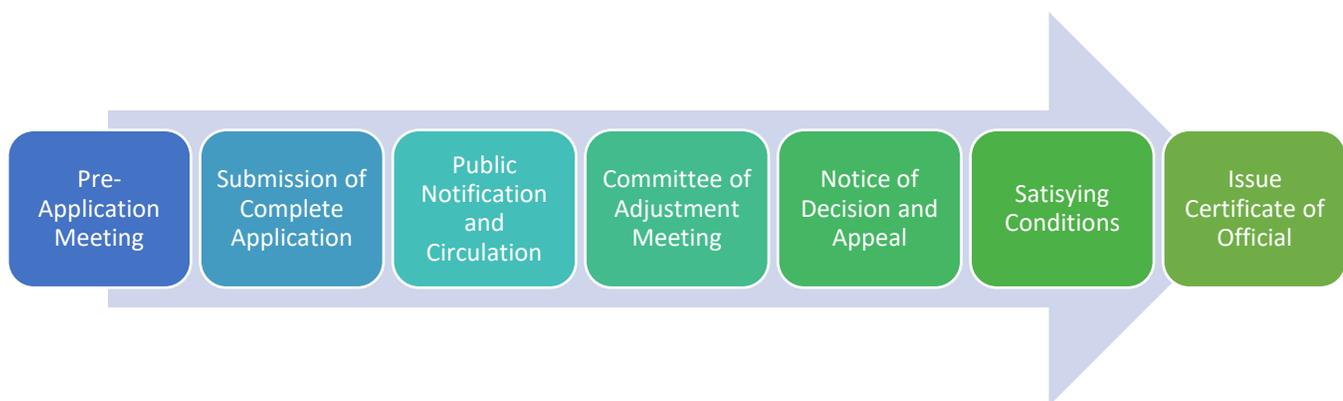
**90 days** – the number of days from when your application is deemed complete until a non-decision can be appealed, in accordance with the *Planning Act*. While planning staff strive to meet these timelines, there can be limitations that prevent this from always being possible, e.g. winter weather conditions preventing sites from being adequately evaluated or delays where additional information is required.

**15 days** - the number of days the municipality has to send a Notice of Decision following the decision. You will also receive information on the day of the meeting regarding next steps.

**1 year** – applicants have one year to fulfill conditions from the date of the Notice of Decision

**20 days** – number of days after the Notice of Decision is issued the decision may be appealed to the Local Planning Appeal Tribunal

## What is the process for a consent application?



### Pre-Application Meeting

Before submitting an application, applicants are required to meet with planning staff to discuss the application and understand requirements. Pre-application meetings must be booked in advance. Applicants should review the official plan designation and zoning for the property; [Frontenac Maps](#) is

a helpful tool for this. Applicants may also be advised to speak with the conservation authority or other agencies and Township departments in advance of the meeting.

### **Submission of a Complete Application**

Once all the requirements for the application have been submitted, including any required studies and fees, the application will be deemed complete. Typically, the Township will require the application a minimum of one month to be deemed complete in advance of the upcoming Committee meeting. Applications are not processed until they are deemed complete.

### **Public Notification and Circulation**

Once deemed complete, the application will be scheduled for a Committee of Adjustment meeting. Staff will notify the applicant and property owners within 60 metres of the subject property by mail at least 14 days before the meeting. The applicant will be provided with a notice to be posted on the subject property. Members of the public are invited to send in comments or attend the hearing. The application is also circulated to the commenting agencies as well as to applicable Township departments. If a member of the public wishes to receive a copy of the Committee's decision, they must make a written request. All comments submitted will be reviewed by the Committee of Adjustment and become public documents.

### **Committee of Adjustment Meeting**

The application will be reviewed at the Committee of Adjustment meeting. The agenda for the meeting is posted on the Township's website in advance of the meeting and will include the planner's report, comments from the commenting agencies and any public comments received prior to the agenda being posted. The applicant or agent should attend. Members of the public and agencies may also attend the public meeting. The applicant may be asked to speak to the application and answer questions from the Committee. All other parties in attendance will have the opportunity to speak in support of or opposition to the application.

### **Notice of Decision and Appeal**

The Committee of Adjustment will issue either a conditional approval, denial or deferral. Within 15 days of the meeting, a Notice of Decision will be mailed to the applicant, commenting agencies and anyone who makes a written request to be notified. This notice will outline the decision and any conditions. There is a 20 day appeal period that follows every decision of the Committee of Adjustment. For more information about appeals, including appeal rights and fees, please visit the [Local Planning Appeal Tribunal](#) website.

### **Fulfilling Conditions**

For the decision to be finalized, the applicant is responsible for completing all conditions attached to the conditional approval. Applicants have one year from the date of decision to fulfill the conditions. When all conditions have been met, a Certificate of Official is issued by the Township. The Certificate of Official is sent to the owner's lawyer to be registered with the Land Registry Office. The certificates are valid for two years so it is the applicant's responsibility to ensure the transfer is completed within that time.

## Frequently Asked Questions

### **Do I need a professional to prepare and submit my application?**

Depending on the complexity of the application, some applicants may find the expertise of someone who has an understanding of the planning process and the requirements of the various legislation and policies which pertain to planning as beneficial. It is not a requirement of the application process for most applications, but may be required for complex applications. Contact the Township planning department to obtain a list of frequently used consultants.

### **How can I find the information required for my application?**

Information regarding your property can be found on your tax bill (legal description, roll number etc.) as well as on [Frontenac Maps](#) (e.g. zoning). Should you require more assistance with the application, it may be beneficial to hire a planning consultant to assist with the application.

### **What types of conditions may be included in the consent decision?**

There are a number of conditions which may be included with the decision based on the type of consent application and features of the subject property. Attached to this guideline we have included a list of potential conditions with short explanations of their meaning. Please review the Standard Conditions for Consent Applications for a better understanding of which conditions may be included.

### **I'm applying for a severance, how many severances may I have?**

The amount of severances permitted is outlined in the Township Official Plan. The number of lots that may be created depends on the designation of the property and uses proposed. Planning staff will provide additional information during the pre-application meeting.

### **For More Information:**

Township of Central Frontenac

1084 Elizabeth Street

PO Box 89

Sharbot Lake, Ontario

K0H 2P0

<https://www.centralfrontenac.com/en/township-office/building-and-planning-permits.aspx>

# A Guide to Completing the Consent Application Form



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**This document is meant for guidance only, and should not be construed by anyone as a right to development approval if the steps indicated are followed.**

This document is meant to provide greater clarity and information for those involved in the consent planning approval process. It provides step by step information for applicants filling out an application for consent.

## 1. Pre-Application

If you have met with staff from any of the listed organizations or Township departments regarding this application, please check the appropriate box and indicate the date of the meeting.

Please ensure you attach any notes or information regarding your application that you were provided during the pre-application meeting (emails, physical documents, etc.).

## 2. Applicant Information

**2.1. Property Owner(s):** State the owner's name and mailing address, as well as the phone number and email at which you wish to be contacted regarding this application. If there are multiple owners with different contact information you will need to attach an additional piece of paper with their contact information.

**Note:** By filling out this section, you are declaring that you are the owner(s) of this property. If for any reason you are not listed as a legal owner on the deed/land transfer, you are considered an Agent and will need to have at least one of the legal owners sign the Authorization for Agent consent (Section 16 of the application form). Should power of attorney apply, please attach the supporting documentation to the application.

**2.2. Agent/Applicant:** State the agent's name and mailing address, as well as the phone number and email at which they wish to be contacted regarding this application. If you are using an agent make sure to also complete the Authorization for Agent consent (Section 16 of the application form).

## 3. Description of Subject Land

### 3.1. The Lands:

**Civic Number:** This is the civic address of the subject property; if a civic address has not been assigned, please indicate this.

**Concession and Lot Numbers:** This is the legal description of the property; this information may be found on your tax bill or on the property survey.

**Name of Road/Street:** This applies even if the property address is on a private lane.

Reference Plan: If the property has been surveyed, it will have a reference plan number (this begins with 13R and can be found on your survey). If the property has not been surveyed, leave this space blank.

Roll Number: This appears on the tax bill. Please take the time to look it up before submitting the application. It may also be found on Frontenac Maps with the property identification layer feature.

Property Identification Number: The PIN can be found on your deed or on Frontenac Maps with the property identification layer feature.

- 3.2. If the property contains or abuts a waterbody, please include the name of it. This information is important as portions of the Township Zoning By-law and Official Plan directly relate to shoreline and water protection. If the property does not abut a waterbody, you can indicate so with N/A.
- 3.3. Please indicate when you bought the property. The year is sufficient.
- 3.4. Property Dimensions are required in metric. Please do your own conversions if necessary to be consistent with the requirements in the Planning Act and associated documents.
- 3.5. Indicate the name of the benefitting parties of the severance, if known, otherwise leave this space blank. If proposing a lot addition or easement, please ensure you also fill in either Section 13 or 14 (depending on the application type).

#### **4. Purpose of Application**

Please check the appropriate box.

- 4.1. Explain the details of what you are trying to accomplish (e.g. create a new lot).

#### **5. Supporting Material and Checklist**

This section provides you with a useful checklist to ensure you have included the required items. During the application process you may have been asked to include other information – make sure to include it in the application as well.

#### **6. Technical Drawing Requirements**

The technical drawing or “sketch” submitted with your application is very important. The technical drawings provides a comprehensive look at the various physical requirements of the site and can provide the foundation for later phases such as building permits.

If there is a deck/patio attached to any building, please list and include its dimensions in the technical drawing.

If the property is substantial in size and the proposed changes are concentrated to one area (a side lot line for example) you may want to include a location map, in addition to the technical drawing.

#### **7. Easements**

Encumbrances are rights, interest, or legal liability on property. Rights-of-way and easements as a form of encumbrance are fairly common in the County of Frontenac. If someone has permission to cross over the property (whether legally defined or through historical access) to access another piece of property or for some other use make sure to disclose that in the application. Other easements could include those for drainage, conservation, or electricity transmission lines.

## **8. Planning Policy**

- 8.1.** Official Plan information can be found on the Township Website. Utilize the schedule for the specific designation. Frontenac Maps may also provide you with useful information.
- 8.2.** The Zoning By-law can be found on the Township website. You may also want to use Frontenac maps and the zoning layer appropriate for the Township.
- 8.3.** Provincial Policy Statement: Please indicate if your application is consistent with the Provincial Policy Statement. All planning decisions in Ontario have to be in line with the document, as the overarching guidance document for the province. The PPS is available on the Ministry website.
- 8.4.** Please indicate how your application conforms to the Township Official Plan. This document can be found on the Township website.
- 8.5.** Please indicate how your application conforms to the County Official Plan. This document can be found on the [County website](#).

## **9. Description of Lands**

- 9.1.** Land Intended to be Severed: this is the part to be taken away from the existing lot.
- 9.2.** Land Intended to be Retained: this is what is left over after you have taken the severed piece away from the existing lot.

## **10. Property Features**

Please check the appropriate box if any of the property features listed apply to the property. If you know your property contains a unique feature, which is not listed, which may limit or dictate development in some capacity, check off Other and write in a description. If none of these features describe the property, make sure to select None of the Above Apply.

## **11. Property Servicing**

Please indicate, by checking the appropriate box for each section, what services are available or proposed for both the severed and retained parcels. If you are proposing to change or add any services, please indicate the details on the technical drawing and in Section 8. If the application is for an easement, please complete Section 13.

## **12. Other Existing Services**

Please check the appropriate box(es) as applies to the property and provide any additional information required.

## **13. Other Information**

If there is anything else that has not been covered, which you feel is applicable to the application, please explain here.

## **14. New Easements**

- 14.1.** Description: the dimensions of the area proposed for the easement.
- 14.2.** Easement Proposal: what is the purpose of the easement you are proposing to create (e.g. right-of-way, well sharing, access to the waterfront)? Who will benefit from this easement (e.g. which property is the easement for)?

## **15. Lot Additions**

Please complete this section with the information on the lot which will be enlarged by the lot addition.

### **16. Previous Applications**

If there has ever been another application under the *Planning Act* for the property, please check the appropriate box and provide the details of the application (if applicable).

### **17. Authorization for Agent**

This release is **only** required if authorizing another person to complete this application process on your behalf. The information on the person authorized as an agent **must** be detailed in Section 2.2.

### **18. Permission to Enter Subject Lands**

This section is a required portion of the application.

### **19. Acknowledgement of Additional Requirements**

This is a required portion of the application.

### **20. Agreement to Indemnify**

This is a required portion of the application. The application will not be processed without its completion.

### **21. Declaration for the Prescribed Information**

This is a required portion of the application. This section must be signed and witnessed by a Commissioner of Oaths (or Notary Public). You may bring it in to the local Township office for signature or find a commissioner on your own accord (e.g. clerk in local township, lawyer).

### **Do You Still Have Questions?**

For more information and guidance with regards to Consent Applications, contact the planning department through the online [Planning Inquiry Form \(Link\)](#).