

# Consent Information Guide

Consent is one of the methods in Ontario to divide land. The Consent process shall generally be used where four or fewer lots are being created. This process may also be used to grant other interests in land such as: boundary adjustments and easements.

## Step 1: Pre-Application Consultation

Pre-Application Consultation is a separate application process where staff review your proposal, determine the appropriate *Planning Act* application, and identify materials, studies, etc., required to form a complete application. More information and the application form are available on our [Planning & Zoning webpage](#).

## Step 2: Prepare & Submit Complete Application

Complete the entirety of the application form and provide any additional information staff identified as being required through your Pre-Application Consultation (if applicable). Submit to [planning@gbtownship.ca](mailto:planning@gbtownship.ca) and pay the associated fee. Payment instructions are located at the bottom of the Planning & Zoning webpage.

## Step 3: Circulation of Notice

In accordance with the *Planning Act* a Public Hearing must be held. Staff will issue Notice of your application to surrounding property owners and you are also required to post a Notice sign on the subject lands. Depending on your lot type, you may be required to post more than 1 sign. Staff will provide you with the notice sign and Posting Notice Guideline with instructions approximately 1 month in advance of your hearing date.

## Step 4: Public Hearing

You may attend the hearing in Council Chambers or online via Zoom, for which a link to attend the meeting will be provided to you the day prior. At the hearing, a Township Planner will present an overview of your application. The Chair will then provide you or your agent the opportunity to add additional information or make a presentation. Any person having an interest in your application will be given the opportunity to make their views known. The Committee may ask questions of the applicant and/or members of the public and once satisfied that all available evidence has been heard, it will render a Decision to approve, deny or defer the application which may include conditions.

## Step 5: Decision & Appeal Period

The *Planning Act* provides for a 20-day appeal period following the Decision of the Committee. An appeal may be filed to the Ontario Land Tribunal by the applicant, a specified person (i.e., Hydro One Inc.) or a public body against the decision during this period. If no appeal is filed, the Committee's decision is final and binding.

## Step 6: Clearance of Conditions

Once the appeal period ends, you will receive a Notice of No Appeal and you should begin fulfilling all conditions attached to the Decision. Once you have provided the Township with the documentation to satisfy all conditions, you will receive a Certificate of Official. Your lawyer must attach the Certificate to the Transfer for the severed lands as evidence to the Provincial Land Registry Office that Consent was granted. Your lawyer will have two years to register the Transfer.

## Can I apply for consent, or do I need a professional to act on my behalf?

Depending on the complexity of your application, you may wish to retain a Registered Professional Planner (RPP) or other knowledgeable representative to act on your behalf. The Ontario Professional Planners Institute provides a "Consultants Directory" to help you find a skilled RPP to meet your needs: <https://ontarioplanners.ca/consultants-directory>. If you require multiple consent applications and/or additional Planning Act applications (i.e., Zoning By-law Amendment) to facilitate your proposal, it may be in your best interest to retain an RPP. If you are unsure, the Planning Department is happy to provide their input.

## What if the Committee of Adjustment denies my consent application?

In accordance with Section 53 of the Planning Act, you can appeal the decision and/or conditions to the Ontario Land Tribunal (OLT). The last day for filing an appeal will be identified on the Notice of Decision. A "Notice of Appeal" may be filed with the Secretary-Treasurer of the Township of Georgian Bay or via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service> by selecting Township of Georgian Bay as the Approval Authority or by mail. The appeal must set out the reasons for the appeal and be accompanied by the fee required by the Ontario Land Tribunal payable to the Minister of Finance.

## Additional Information:

- The Committee of Adjustment meets once per month and the schedule is available on our [Agendas and Minutes webpage](#).
- The application fee is non-refundable. Refer to the User Fees & Charges By-law.
- You may wish to notify your neighbours of your application well in advance of the hearing and you may request that they submit a letter of support for Committee to consider.
- It is beneficial (especially during periods of hazardous access conditions) to provide staff with site photos in case staff or Committee members are unable to conduct a site visit.
- Without disturbing the area, you may wish to identify where the proposed lot line, easement, etc. will be located on the property.
- Please note that if you are present while Committee members are conducting their individual site visits, they will not be able to give advice or discuss the potential outcome of your application.
- Notice sign(s) can be removed from your property after the appeal period.
- Typically, there are several costs associated with consent applications such as (but not limited to):
  - Application fee
  - Cash in-lieu of Parkland
  - Surveying costs for an Ontario Land Surveyor to prepare and register a Reference Plan
  - Legal costs for preparation and registration of conveying documents
  - Costs of any studies or reports required by staff to form a complete application
  - Servicing costs if located in an area where municipal services are established