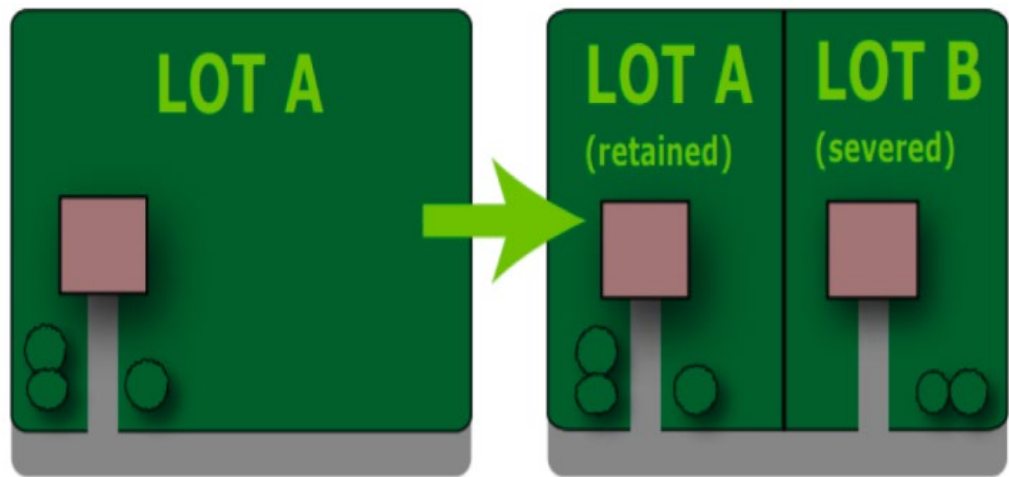




**Town of Midland  
Planning Services  
575 Dominion Avenue  
Midland, ON L4R 1R2**

**Office Hours:  
Monday to Friday  
8:30 a.m. to 4:30 p.m.**



### **How do I get started?**

The Applicant is required to complete the Pre-Consultation process prior to submitting a formal application. The Pre-Consultation process outlines the proposal and gives Staff and external agencies the opportunity to provide comments and outlines the requirements for a complete application.

### **How much will it cost?**

The fees associated are noted in the Town's Composite Fees By-law and requires a sign deposit(s). Additionally, you will incur costs for a surveyor and a land use lawyer. Depending on the complexity of the proposal, the Town may recommend you hire a Registered Professional Planner.

### **How long will it take?**

Upon completion of the Pre-Consultation process, the average time to process an Application depends on a number of factors including the complexity of the application and the quality of the submission. It generally takes 1 to 2 months to process the formal application. If approved, the Applicant then has 2 years to fulfil any conditions imposed.

### **What is a Consent Application?**

A Consent Application is the process through which the Committee of Adjustment (COA) makes decisions on proposed subdivisions of land and is governed by Section 53 of the *Planning Act*. Examples of Consent Applications include, but are not limited to, land severances to divide a parcel of land, lot line adjustments or lot additions, and easements.

### **General Criteria for New Lots by Consent**

As per Section 7.5.4 of the Town's Official Plan, the maximum number of new lots that can be approved on one property through provisional consent shall be 3. Proposals for 4 or more new lots shall be processed by a Plan of Subdivision. The Committee shall be generally satisfied that the retained and severed lots:

- i. Are fully serviced by municipal water and wastewater systems or meet the servicing policies of this Plan;
- ii. Comply with the policies of this Plan;
- iii. Comply with the Zoning By-law or an approved minor variance;
- iv. Will not restrict the development of adjacent lands; and
- v. Reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontage and area, building height, coverage, mass, setbacks, privacy, and overview.

### **Need More Information?**

Contact the Planning Services Department for more information:

Phone: 705-526-4275

Email: [planning@midland.ca](mailto:planning@midland.ca)

Online Resources: [Committee of Adjustment webpage](#)

[County of Simcoe Official Plan webpage](#)

# Consent Application Process Steps

## 1. Pre-Consultation Process

Prior to submitting a Consent Application, you must complete the Pre-Consultation process. This may involve multiple meetings with Town Staff and external agencies as required. The purpose of Pre-Consultation is to:

- Confirm whether a Consent is necessary and whether it may be supportable by Staff
- Provide feedback on the development (if proposed)
- Confirm whether other approvals will be required (e.g. Minor Variance, Zoning By-law Amendment, Site Plan, etc.)
- Confirm if approvals are required from external agencies
- Outline the plans and studies that may be required to be submitted as part of a complete application

Upon review of the Pre-Consultation request, a Record of Consultation will be provided to the Applicant outlining application submission requirements.

## 2. Application Submission

The Record of Consultation notes provided will outline the requirements for submitting a complete application. The Record of Consultation will outline the fees, other requirements, and materials required to be submitted. All submissions are to be submitted electronic through the Town's electronic submission platform. After receipt of the application, Staff will review the application for completeness. Applications that are deficient of the required materials or fee(s) have no status and may be returned to the Applicant with additional information or fees being required. The application will not proceed to any further Steps until all outstanding information is received.

## 3. Circulation of Application

After the application is received, a Notice of Public Hearing is circulated to internal departments and external agencies for comment. It is also circulated to landowners within 60 metres of the property.

## 4. Posting of Public Notice Sign

A Notice Sign is required for each property frontage which must be visible from the road. Failure to post the sign in the prescribed manner will result in the application being deferred for proper notice to be given under the *Planning Act*. The Applicant is required to pick up the Public Notice Sign(s) from the Town and instructions for posting will be provided at that time. The sign must remain posted on the subject lands until after the hearing date.

## 5. Review of Application and Planning Considerations

After the circulation, Staff receives comments from internal departments and external agencies. Town Staff review the merits of the application with consideration of the following, but not limited to:

- Whether the proposal has regard to the provincial interests as set out in s.2 of the *Planning Act*
- Whether the proposal is consistent with the Provincial Policy Statement (the "PPS") and the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") and conforms to or does not conflict with all applicable provincial plans

- Whether the Proposal conforms to all applicable official plans (County of Simcoe)
- Whether the proposed severance is premature or in the public interest
- The dimension and shapes of the proposed lots, the adequacy of the utilities and municipal services to the severed and retained parcels
- Restrictions on the subject lands, all existing or proposed structures or buildings, and any restrictions on adjoining lands
- Whether the proposed severance complies with the applicable Zoning By-law

## **6. Planning Recommendation Report**

After comments are received from Town Staff and external agencies, a recommendation report is prepared by Planning Staff, which recommends approval, denial, or deferral of the application to the Committee. The recommendation report is included in the agenda package and circulated to the Committee of Adjustment (COA) members, Applicants, Agents, and interested parties. Where Staff recommend support of the application, Staff will also provide recommended conditions of the approval.

Recommended conditions outlined in the Staff Report may include:

- That a Reference Plan be prepared by an Ontario Land Surveyor
- That a preliminary Lot Grading and/or Drainage Plan be submitted
- That a sewer service lateral and water service lateral be installed
- Payment of cash-in-lieu of Parkland
- Other approvals that may be necessary

## **7. Committee of Adjustment Hearing and Decision**

The COA hearing is generally held within 30 days of a complete application being received and in accordance with the meeting schedule. The COA makes a decision on whether the application is approved, denied or deferred pending more information. Town Staff circulate the decision of the Committee to the Applicant, Agent, selected departments/agencies, and members of the public who requested a copy of the decision. There is also a 20-day appeal period for which an appeal can be filed to the Ontario Land Tribunal (OLT). If no appeals are received, confirmation will be provided to the Applicant. The decision is generally subject to conditions that need to be satisfied within 2 years or the decision lapses and it would become void. Once conditions are satisfied, a Certificate of Official is issued to enact the decision.

## **8. Ontario Land Tribunal (OLT) Appeals**

Appeals must be filed with the Town by the date indicated on the Notice. The OLT may refuse an appeal by an individual or public body who did not initially object to the proposal. Prior to filing an appeal to the OLT, please contact [OLT](#) directly for appeal rights and additional information.