

Guidelines for Consent



1191 County Rd 96
Wolfe Island, ON
K0H 2Y0
(613) 385 2216

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 Township Council in the Township of Frontenac Islands. When considering an application, Council 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 Council must be consistent with the Provincial Policy Statement and conform to the Township and County of Frontenac Official Plans.

When evaluating the application, Council 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 Council in writing or in person at the meeting. All comments and reports are considered by Council prior to making a decision. Staff and agencies such as the Conservation Authority will attend the site prior to Council 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 Township Council meeting where 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.

The process has the following key timeframes:

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

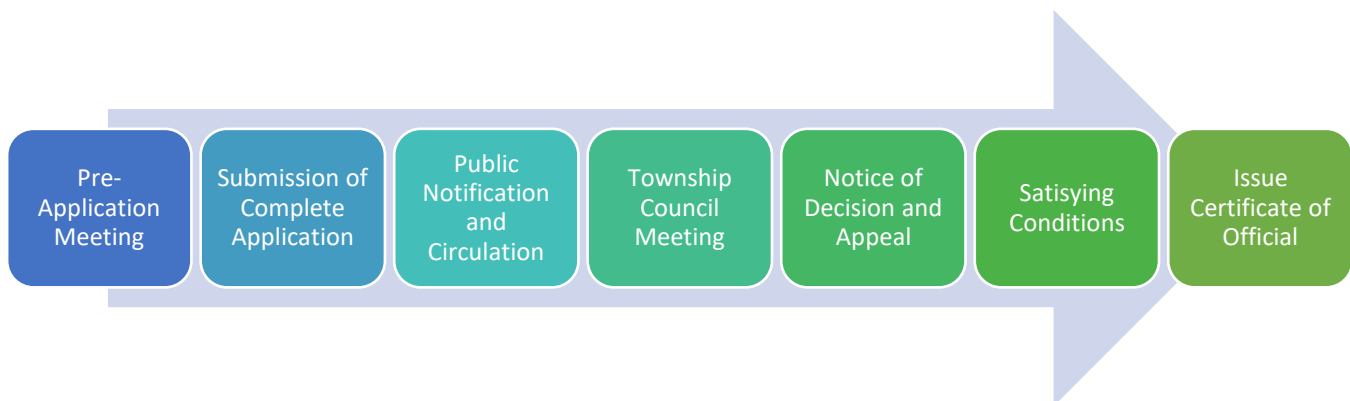
90 days – the number of days from when your application is deemed complete until a non-decision can be appealed, in accordance with the *Planning Act*. While planning staff strive to meet these timelines, there can be limitations that prevent this from always being possible, e.g. winter weather conditions 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 that 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 to be deemed complete a minimum of one month in advance of the upcoming Council meeting. Applications are not processed until they are deemed complete.

Public Notification and Circulation

Once an application is deemed complete, it will be scheduled to be heard at a Council meeting. Township staff will notify the applicant of the date of the meeting and will provide notice cards which are to be posted at the entrance of the subject property; along the waterfront (if applicable) and at the nearest public road. Property owners within 60 metres of the subject property will be sent a Notice of Application by mail. The *Planning Act* requires public notice to be provided a minimum of 14 days in advance of the meeting at which the application will be heard. Any person or public body may submit comments which will be reviewed by Council and become public documents.

The application may be circulated to the Conservation Authority, as well as to any other applicable agencies or Township departments. If any member of the public wishes to receive a copy of Council's decision, they must make a written request.

Township Council Meeting

The application will be reviewed at a Frontenac Islands Council 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 is encouraged to attend to speak to the application and answer questions from Council. 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 Council. All other parties in attendance will have the opportunity to speak in support of or opposition to the application.

Notice of Decision and Appeal

Council will issue either a conditional approval, denial or deferral. When a decision is made, a Notice of Decision will be mailed out outlining the decision and any conditions within fifteen (15) days of the hearing. There is a 20 day appeal period that follows every planning decision of Council. 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 applicant's lawyer to be registered with the Land Registry Office. The certificates are valid for two years and 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 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 in the area.

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 is 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 Frontenac Islands

1191 County Rd 96

Wolfe Island, Ontario

K0H 2Y0

<https://frontenacislands.ca/township/building-planning/>

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, mailing address, phone number and email at which they 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, mailing address, 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 (911 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 which is found on your tax bill, deed 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 (PIN): The PIN may be found on the deed for the property 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 the property was purchased. 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 drawing 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. Encumbrances

Encumbrances are rights, interest, or legal liability on real estate. Rights-of-way and easements as a form of encumbrance are fairly common in the Township of Frontenac Islands. 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. You may also want to use Frontenac maps and the Official Plan layer appropriate for the Township.

- 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 Provincial Policy Statement is available on the [Ministry of Municipal Affairs and Housing 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 of Frontenac 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 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 (right-of-way) you are proposing to create? Who will benefit from this easement?

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 is a required portion of the application. Please read carefully and ensure this section is signed by the owner. A site visit may be completed by County planning staff and/or staff of any required commenting agencies/departments.

19. Acknowledgement of Additional Requirements

This is a required portion of the application. Please read carefully and ensure this section is signed by the owner / applicant.

20. Agreement to Indemnify

This is a required portion of the application. Please read carefully and ensure this section is signed by the owner. 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 (e.g. Clerk in local township office, 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 \(Link\)](#).