

NOTE: This guide has been prepared for information purposes only. A complete procedural manual is available from the County of Lanark Planning Approvals Department. Reference may also be made to the Planning Act, which is the governing provincial legislation.

1. The Lanark County Land Division Committee makes the decision as to whether consent is granted or refused. The Committee holds a public hearing, generally once per month, to hear evidence either for or against the application. The Committee is comprised of three members of the general public, appointed by County Council.
2. Prior to the public hearing, the Secretary-Treasurer of the Land Division Committee consults with provincial government agencies and other public bodies who have responsibilities for matters that may be affected by consent (severance). The local municipality (i.e. Town or Township) are always asked for comments.
3. Consents must meet the policies and requirements of any local Official Plan or Zoning By-law in effect and the Provincial Policy Statement. You can review the Official Plan and the Zoning By-law at the local municipal office.
4. Applications for consent are reviewed by the Land Division Committee at a public hearing. Applicants or authorized agents will be notified of the hearing date and time, and are encouraged to attend. As well, any interested person may attend. The Planning Act requires that the public be given notice of any application for consent: notice is given by direct mail to landowners within 60 metres (197 feet) of the lands that are the subject of the consent application.
5. The Secretary-Treasurer of the Land Division Committee may decide to hold an application in abeyance to allow for certain matters to be resolved. These matters may include official plan policies, zoning, outstanding agency comments; insufficient information supplied by the applicant, legal interpretation and agency concerns. It is the responsibility of the applicant to follow up on these matters. A file is brought forward once the outstanding matters have had action and/or have been concluded.
6. The responsibility for filing a complete application rests solely with the applicant. Anything found to be necessary is the sole responsibility of the applicant.

All studies required to support the application shall be at the expense of the applicant and must be included at the time of submission as a complete application.

7. Following the decision of the Land Division Committee, the Secretary-Treasurer prepares a "Notice of Decision" which is forwarded to the applicant or agent, the municipality and to all other government agencies, other public bodies or agents, landowners, etc that have requested notice. The decision or any condition(s) can be appealed within twenty (20) days of the giving of notice of the decision.

APPLICATION FOR CONSENT

GUIDE TO THE CONSENT PROCESS

8. Consents are usually approved with 'conditions'. Samples are: that the lands be surveyed, that property taxes be paid, that the entrance be installed, that the lands be rezoned, that cash-in-lieu of parklands be paid, etc.
9. All conditions must be met within **two (2) years** from the date of decision. When all the conditions are met within the two-year period, and your solicitor submits a "Transfer" (deed), an "In Preparation Form" is issued. If the two year deadline is not met, the consent will be deemed to be refused and no certificate will be issued. The same conveyance would then require a new application and the consent process would start again. There is no follow up reminder from the Secretary-Treasurer of the Land Division Committee about the lapsing date.
10. A reference plan (survey) is required to be supplied by the applicant. In some cases (usually dealing with large parcels of land) a registerable description can be used instead of a survey. Your surveyor will review this with the Land Titles Office. The survey must closely match the sketch and the information on the application form which the applicant submitted. Therefore, it is important that the surveyor not be given instructions which differ from the application.
11. If an "In Preparation Form" finalizing the consent is issued, you have **two (2) years** from the date of issuance to carry out the land transaction (transfer of ownership). If the two year deadline is not met, the consent lapses and the parcel(s) can no longer be conveyed without reapplying and obtaining a new consent. Once the "In Preparation Form" is issued, there is no follow up reminder from the Secretary-Treasurer of the Land Division Committee about the lapsing date.

For further information contact:

Lanark County Planning Department

Tel: 1-613-267-4200

E-mail: plan@lanarkcounty.ca

Fax: 1-613-267-2964

Submit your application to:

Lanark County Planning Department

99 Christie Lake Road

Perth ON K7H 3C6