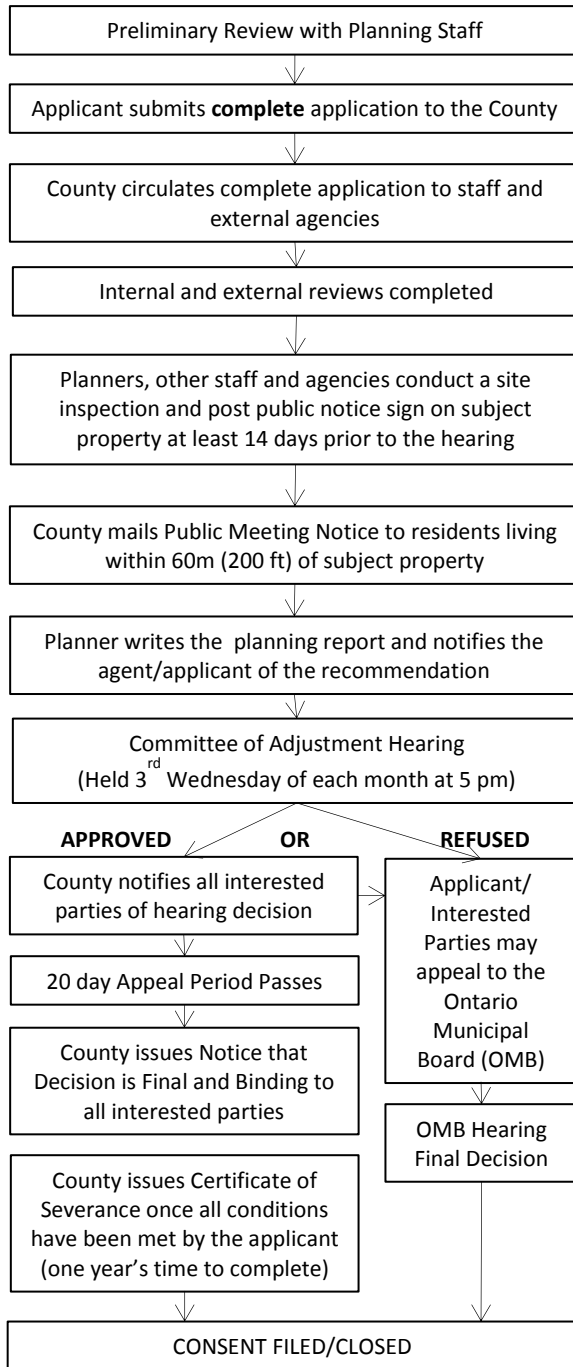
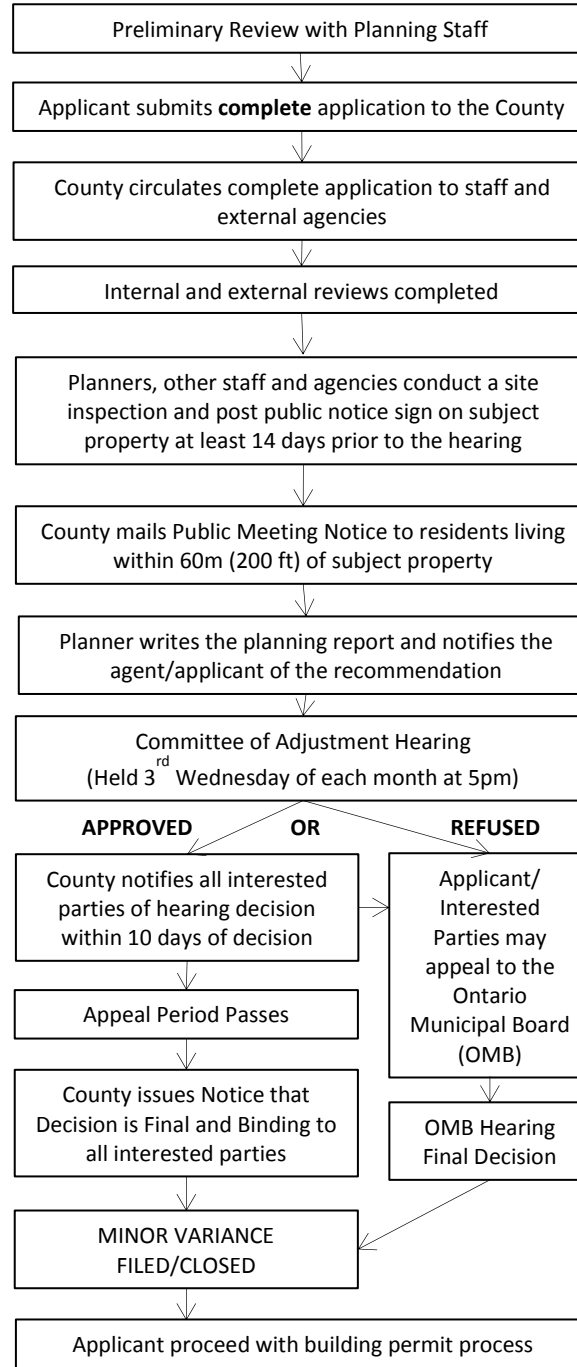


## Consent / Boundary Adjustment Process



## Minor Variance Process



# Committee of Adjustment Consents / Severances & Minor Variances



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## What is the Committee of Adjustment?

The Committee of Adjustment is a Committee comprised of citizen members, who are appointed by Norfolk County Council, as authorized under Section 45 and 54 of the *Planning Act*, R.S.O., 1990, c.P. 13. The Committee deals with both minor variances and consents (land severances).

The Committee of Adjustment is authorized to grant minor variances from the Norfolk County Zoning By-law; give consent to sever a parcel of land into more than one lot, or as an addition to abutting properties (boundary adjustment), or as an easement; and permit enlargements, extensions or changes to existing non-conforming uses.

## Committee of Adjustment's Decision

Any person or public body has the right to appeal the Committee's decision to the Local Planning Appeal Tribunal (LPAT). The appellant has the right to appeal Committee's decision if he or she has provided written comments to staff or speaks at the meeting. For variances, an appeal must be filed with the Secretary-Treasurer of the Committee of Adjustment 20 days from the date of the variance decision. For consents, an appeal must be filed with the County Clerk within 20 days from the date of mailing of the decision. If an appeal is received, the entire matter is forwarded to the LPAT, and the LPAT will arrange a new hearing. The decision of the LPAT is considered final.

At the end of the appeal period, if there has been no appeal filed, the decision will become final and a notice to this effect will be issued. The Committee of Adjustment is authorized to impose conditions on the decision. In order for a consent/severance to be complete, all conditions imposed by the Committee must be fulfilled to the satisfaction of the specified agency within one year of the date of the decision. If the conditions are not fulfilled within the one year time period, the application is deemed to be refused and the decision will lapse. An example of a condition is one in which the applicant must obtain a new civic address from GIS Services for the newly severed lands.

## What is a Consent (Land Severance)?

A consent is the authorized separation of a piece of land to form a new lot or a new parcel of land. This is also commonly known as a land severance. Consent approval is also required for rights-of-way, easements, and any change to your existing property boundaries (boundary adjustment).

In considering each application for consent, the Committee of Adjustment will evaluate the merits of each proposal against criteria such as:

- The intent and purpose of the Official Plan and Zoning By-law;
- Relevant servicing policies of the Official Plan;
- Compatibility with adjacent uses of land;
- Adequacy of vehicular access;
- The need to ensure the protection from the natural environment (example – potential flooding); and
- Public input.

## What is a Minor Variance?

A minor variance is a minor change to the provisions of the zoning by-law. The variance can relate to the land, building, or structure. The Committee of Adjustment may approve minor variances if, in the opinion of the Committee, the application:

- Is considered to be a 'minor' change from the zoning provisions;
- Is desirable for the appropriate development or use of the land, building, or structure;
- Maintains the general intent and purpose of the Official Plan; and
- Maintains the general intent and purpose of the Zoning By-law.

Planning staff provide comments and make a recommendation to the Committee based on the four tests listed above.

## How to Start?

Before you make an application it is recommended that you consult with Planning Department staff. Staff will be able to explain the process, outline the submission requirements, and list any other applicable permits and approvals that may be required. To make an appointment, please contact Planning Staff at one of the two offices below:

Simcoe Planning Office – 519-426-5870  
Langton Planning Office – 519-875-4485

The County will consider your application to be 'complete' if it is accompanied by the following compulsory information:

- 1) Completed application form
- 2) Drawings/ survey (8.5" x 11")\*
- 3) Consent from the registered owner
- 4) Application fees
- 5) Additional reports if required, such as a zoning deficiency form or an on-site sewage disposal system evaluation.

\*It is strongly recommended that applications be accompanied with a survey sketch, to ensure accuracy.

The submission of an incomplete application may result in delays in the processing of your application. Usually, the County will return your application and request that you submit the outstanding information. Making your submission in person is recommended as this provides an opportunity for immediate confirmation of the completeness of your submission.

## Application Fees

The application fees are outlined on the fee schedule and are payable at the time an application is submitted. A fee may also be required by the applicable Conservation Authority and may be submitted as part of the application.