

# Consent Process Manual: Information Package



June 2020



6311 Old Church Road  
Caledon, ON L7C 1J6  
[www.caledon.ca](http://www.caledon.ca)  
T. 905.584.2272 | 1.888.225.3366 | F. 905.584.4325

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## What is a Consent?

A consent is an application to create a lot, lot line adjustment, easement or lease for more than 21 years.

The Town's Official Plan provides direction to committees appointed by Council and serves as a guide to local citizens and businesses.

When reviewing a consent application, staff refer to the following:

- Provincial Policy Statement
- Greenbelt Plan
- Niagara Escarpment Plan
- Oak Ridges Moraine Conservation Plan
- Region of Peel Official Plan
- Town of Caledon Official Plan designation
- Town of Caledon Zoning By-law Amendment

A property owner may submit a Consent application to the [Committee of Adjustment](#) for their consideration.

## What is the [Committee of Adjustment](#)?

The *Planning Act* establishes the authority of the Committee of Adjustment to make decisions on Consents, severances, lot addition, easements, and lease in excess of 21 years, etc.

The Committee of Adjustment is made of 7 appointed residents which meet monthly to hear applications for minor variances, consents and validation certificates. At the meeting, the Committee will make a decision on each application, considering the merits, submissions (either written or verbal) from the applicant, owner, Town or agency staff and other stakeholders including residents.

The meeting is open to the public – everyone is welcome to attend! Residents and stakeholders can either provide written or verbal comments in support of or against the application.

Consent applications will not be placed on a hearing date at the time of submission. Applications will only be scheduled for a meeting once the application is deemed to be 'complete' in accordance with Section 53(2) of the *Planning Act*.



## Required Studies and Reports

In accordance with the *Planning Act* and the Town's Official Plan, the Town may require studies, reports and plans to support the application prior to the application being deemed 'complete'. Examples of this material include, but is not limited to:

- survey plan and/ or scalable concept plan
- planning justification report
- storm water management report
- environmental impact study and management plan
- comprehensive broader scale environmental study
- phase 1 environmental site assessment
- grading and drainage plan
- agricultural impact assessment
- sanitary sewer and water servicing study/functional servicing report
- transportation study or traffic impact study
- hydrogeological impact assessment/water resources study/water balance/ budget analysis
- soil stability or geotechnical report
- noise and vibration study
- air quality assessment
- landform conservation plan
- vegetation analysis/tree preservation plan
- demarcation of physical and stable top of bank
- demarcation of limits of natural heritage systems, ecosystem components, natural hazards and/or areas regulated by a conservation authority
- architectural design plan and/or guidelines or urban design brief
- neighbourhood concept plan
- visual impact report
- park/open space concept plan or facility fit plan
- on-street parking analysis/ utilization plan
- cultural heritage survey
- cultural heritage impact statement
- built heritage and cultural heritage landscape assessments
- archaeological heritage resource assessment
- aggregate resource impact study
- rehabilitation plan
- commercial impact study
- housing distribution assessment
- fiscal impact analysis/market study
- sustainability design brief; and
- health background study.

## Fulfilling Conditions and Completing the Transfer

Conditions must be fulfilled within one year of the date of the giving of the notice of decision. If conditions are not fulfilled within a year, the application will be deemed to be refused.

The transfer of land must occur within two years of the Certificate being issued.

*Please note This package is for information only. It should not be considered as a right to approval if the steps indicated are followed.*



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**Step 1:  
What approvals are  
required?**

Step 2:  
Preliminary Meeting

Step 3:  
Application Submission

Step 4:  
Circulation and Site Visit

Step 5:  
Public Notification

Step 6:  
Committee of Adjustment  
Decision

Step 7:  
Appeal Receipt or  
Decision Confirmation

To determine what approvals are required for your proposed project, begin by contacting the following departments and agencies for additional information:

1. Contact the Planning and Development Services Division, at 905.584.2272 ext. 7338 regarding:
  - The designations within the Greenbelt Plan, Niagara Escarpment Plan, Oak Ridges Moraine Conservation Plan, Region of Peel Official Plan, Town of Caledon Official Plan
  - The zoning of the property;
  - Determining if the property and proposal lie within a regulated area of the applicable Conservation Authority;
  - Determining if your proposal is subject to any other planning approvals;
  - Determine if the access for the property is managed by the Ministry of Transportation, Region of Peel or the Town of Caledon
  - Obtaining clarification and further information regarding additional submission requirements.
2. If required, contact the appropriate Conservation Authority regarding permit requirements:
  - Toronto and Region Conservation Authority (TRCA) at 416.661.6600
  - Credit Valley Conservation (CVC) at 905.670.1615
  - Lake Simcoe Region Conservation Authority (LSRCA) at 905.895.1281
  - Nottawasaga Valley Conservation Authority (NVCA) at 705.424.1479

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The Planning and Development Services Division provides the applicant with opportunities to discuss a proposal with staff before submitting the application. These opportunities may eliminate the need to defer the Consent application to a subsequent hearing with costs.

The meeting will allow the applicant to discuss the proposal, receive feedback and will assist in identifying all required planning material (i.e., Planning Justification, Grading Plan, Minimum Distance Separation (MDS) Calculation, Environmental Studies, etc.).

At the meeting staff will advise of application fees, the overall process and potential draft conditions including: additional fees, surveying and legal requirements, cash-in-lieu of parkland payments, certificate fees, draft reference plan requirements, development plan, driveway approval, municipal number(s), rezoning/minor variance, etc.

To request a meeting, complete and submit the [Preliminary Meeting Request Form](#) to the Plan Section.

- The form will require that a concept plan be uploaded illustrating the proposal in metric.

Once the information has been received, within 5 business days, the applicant will be contacted to schedule a meeting.

Please note that all comments and direction offered by staff is preliminary and based solely on the information available at the time of the meeting. Through a review of the application, additional information may be identified or discussed.



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## 1. Prepare the Sketch Plan

It is preferred that all plans submitted meet the [Electronic Submission Requirements](#).

The plan shall clearly indicate the following information in metric:

- The boundaries and dimensions of the subject property.
- The boundaries and dimensions of the part that is intended to be severed and the part that is intended to be retained.
- The boundaries and dimensions of any land abutting the subject property that is owned by the same owner of the subject property.
- The location of all land previously severed from the parcel originally acquired by the current owner of the subject property.
- The approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.
- The location, size and type of all existing and proposed buildings and structures on the subject land such as dwellings, barns, indicating the distance of the buildings or structures from the front lot line, exterior lot line rear lot line and side lot lines.
- The location, dimensions, area and shape of any existing structure envelope (as depicted in the Zoning By-law and/or registered on title), if applicable.
- The existing and proposed driveway, driveway setback, driveway width and driveway separation if applicable.
- The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- The current uses of land that is adjacent to the subject land.
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
- If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- The location and nature of any easement affecting the subject land (i.e. hydro).

An example Site Plan is included at the back of this manual.



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## 2. Prepare Other Supporting Material

Through a Preliminary Meeting, Town staff may have identified additional material required to support the application. Examples include MDS calculations, planning justification report, environmental studies, etc. All plans must meet the [Electronic Submission Requirements for Planning Applications](#).

## 3. Contact Planning and Development Services

Before you begin this form please contact Planning staff at 905.584.2272 x. 7338 or [planning@caledon.ca](mailto:planning@caledon.ca) to obtain the following planning information as it relates to the subject property, as this information will be required as part of the form:

- Greenbelt Plan designation
- Niagara Escarpment Plan designation
- Oak Ridges Moraine Conservation Plan designation
- Region of Peel Official Plan designation
- Town of Caledon Official Plan designation
- Zoning of the property and the applicable Zoning By-law Number (i.e. Zoning By-law 2006-50, Zoning By-law 87-250, or other site specific by-law)
- If the property is regulated by a Conservation Authority and if so, which Conservation Authority
- The planning applications applicable to the property including the status and file number

## 4. Complete and Submit the Consent Application Form

Complete the Consent application form [online](#). To complete the form you will need to have the following information/documents with you:

- Property owner contact information
- Application contact information
- Property information such as municipal address, roll number and legal description
- Supporting material and documentation in pdf form
- Preliminary Meeting Date and Staff Names (where a meeting has been held)





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## 5. Making the Fee Payment

Once the Town receives the online application, Planning staff will contact you to arrange for fee payment as follows:

- Where fees are less than \$5,000.00, payment will be accepted by credit card.
- Where fees are greater than \$5,000.00, payment will be accepted by Electronic Funds Transfer.
- Fees can also be paid by cheque, cash or debit when Town Hall is open.

## 6. Submitting the Commissioned Application

The applicant will be required to have the application commissioned prior to the application being considered complete.

Upon receipt of the email confirming the application has been submitted, please print the application form. You will need to get the form signed and commissioned appropriately. When Town Hall is open and during business hours, by appointment Town staff can commission documents for you.

Once the form is commissioned:

- Where the commissioning was completed at Town Hall, Planning Services staff will scan and accept the commissioned document in person.
- Where commissioning was completed elsewhere, the applicant will scan the commissioned document and submit it using the [online form](#).
  - While the Town is accepting applications online and in electronic format, there may be instances where the Secretary-Treasurer will ask for hard copies of the supporting plans. Where this is required, the Secretary-Treasurer will contact you directly.

Step 1:  
What approvals are required?

Step 2:  
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Step 3:  
Application Submission

**Step 4:  
Circulation and Site Visit**

Step 5:  
Public Notification

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Decision

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### Application Circulation

When the application has been received, the Secretary-Treasurer will circulate the application to the following internal departments and external agencies:

- Town of Caledon
  - Building
  - Development Engineering
  - Development Planning
  - Finance
  - Heritage
  - Legal Services
  - Municipal Numbering
  - Open Space Design
  - Regulatory Services
  - Transportation
  - Urban Design
  - Zoning
- Applicable Conservation Authority (if regulated)
  - TRCA
  - CVC
  - LSRCA
  - NVCA
- Ministry of Transportation (if adjacent to a Highway)
- Region of Peel (always circulated if adjacent to Regional Road or for site servicing)
- Hydro One

### Site Visit

During the review of the application, Committee of Adjustment members, external agency staff and Town staff may complete a review of the site which may include a site visit to the property.

### Coordinating Comments and Preparation of Staff Report

The departments and agencies will review the application and provide comments.

The comments from all departments and agencies, except for Planning staff, will be compiled by the Secretary-Treasurer and will be sent to the applicant. If further information is required staff will request the information for further review and comments. Once all comments have been addressed, commissioned documents received, fees have been paid and staff have determined it is deemed 'complete', it will be tentatively schedule for a Committee of Adjustment Meeting date. The applicant will be advised of the tentative date. Planning staff will prepare a report which will be provided through the Committee of Adjustment website when Agenda is released.



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What approvals are required?

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## Notification Signs

As per the *Planning Act*, the applicant shall post a sign(s) indicating that a Consent application has been submitted to the Town for the subject property.

Upon receipt of the application, Town staff will prepare the sign and contact the applicant when it is ready for pick-up.

The sign must be posted on the property a minimum of 14 days prior to the hearing date. The sign is to be posted on each street frontage, or as otherwise directed by the Secretary-Treasurer and should be at a height of approximately 1 m to 1.5 m (3.2 ft to 5 ft) above the ground in a conspicuous place. Failure to post the sign as required will result in a deferral of the application at costs to the applicant.

Once the sign is posted, the applicant is to submit a photo(s) of the sign using the [online form](#).

The applicant is responsible to ensure that the sign remains posted and visible during the 14 days prior to the hearing. If the sign becomes lost or damaged, the applicant is required to notify the Secretary-Treasurer who will work with the applicant to replace the sign. In the event that an application is deferred, the applicant is responsible to update the date and consent (if required) on the sign as directed by the Secretary-Treasurer. The sign shall not be removed until the Committee has made a decision.

## Mail Notice

As per the *Planning Act*, the Secretary-Treasurer will mail out a written notice to all landowners within 60 m (197 ft) of the property boundary. The Notice includes the consent being applied for, a location map, the site plan and information on how to attend the hearing, provide comments and appeal rights.

## Consultation with Neighbours

It is strongly suggested that the applicant/owner contact their neighbours and explain the purpose of their application. The Committee may ask the applicant/owner if this was done at the Hearing.

Anyone can provide written comments in advance of the hearing or attend the hearing and provide verbal comments.



Step 1:  
What approvals are required?

Once an application is deemed complete, it will be tentatively scheduled for a Committee of Adjustment Meeting date. The applicant will be advised of the tentative date.

Step 2:  
Preliminary Meeting

Through the review and processing of the application, the Secretary-Treasurer will discuss and confirm the meeting date with the applicant.

Step 3:  
Application Submission

About a week prior to the Committee of Adjustment Meeting date, Town staff will create an Agenda and make it available on the Town's website with all supporting documents (i.e. application submission materials, comments, draft conditions and staff report). Town staff will provide you with a link to the Agenda to obtain and review the material.

Step 4:  
Circulation and Site Visit

### Committee of Adjustment Meeting

On the day of the meeting, the authorized applicant or owner must attend the meeting to be present and respond to any questions, participate in the meeting and be notified of the decision.

Step 5:  
Public Notification

The Committee of Adjustment is a public forum where the Committee will hear from the applicant, staff and every other person who desires to be heard in favour of or against the application. The Chair of the Committee of Adjustment runs the meeting.

**Step 6:  
Committee of Adjustment  
Decision**

### Committee of Adjustment Decision

The Committee can make the following decisions:

Step 7:  
Appeal Receipt or  
Decision Confirmation

1. **Defer the Application:** The applicant/staff/Committee may request to defer the application to a subsequent meeting date to allow the applicant time to address comments/concerns/questions pertaining to the application.
2. **Refuse the Application:** The Committee may decide to refuse an application, meaning that the consent was not supported.
3. **Conditionally Approve the Application:** The Committee may decide to conditionally approve an application, supporting the consent. Where conditions are made as part of the decision, those conditions must be cleared before the consent can receive a Certificate. Examples of conditions include cash-in-lieu of parkland, rezoning/minor variance, road widening, securities, payment of fees, draft reference plan, etc.

### Notice of Decision

Within 15 days of the decision being made, the Secretary-Treasurer must send a Notice of Decision to those who requested notice, attaching a copy of the decision and notifying the recipient that there is a 20 day appeal period.

Step 1:  
What approvals are required?

Step 2:  
Preliminary Meeting and/or  
Zoning Certificate  
(Optional)

Step 3:  
Preparing and Submitting an  
Application

Step 4:  
Circulation and Site Visit

Step 5:  
Public Notification

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Committee of Adjustment  
Decision

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### Monitoring the Appeal Period

The Secretary-Treasurer will monitor the appeal period. The day after the appeal period ends, the Secretary-Treasurer will confirm if any appeal(s) have been received.

### No Appeal Received – Decision Final

If no appeals have been received, the Secretary-Treasurer will complete an Expiry of Appeal stating such.

If the approval was conditional, the Secretary-Treasurer will prepare and forward a letter to assist in fulfilling the conditions. It is the applicant’s responsibility to work on and manage the clearing of their conditions in order for a Certificate to be issued. The consent does not come into full force and effect until the Certificate has been registered.

The Secretary-Treasurer requires a copy of the Registration of the Certificate and Transfer.

If there are permits or approvals waiting for the consent to come into effect, the applicant can forward the notification to the respective departments to resolve that outstanding matter.

### Appeal Received – Decision Not Final

Where an appeal(s) has been received, the Secretary-Treasurer will notify the applicant accordingly. The decision is not final, and the consent is not in effect (if it was approved).

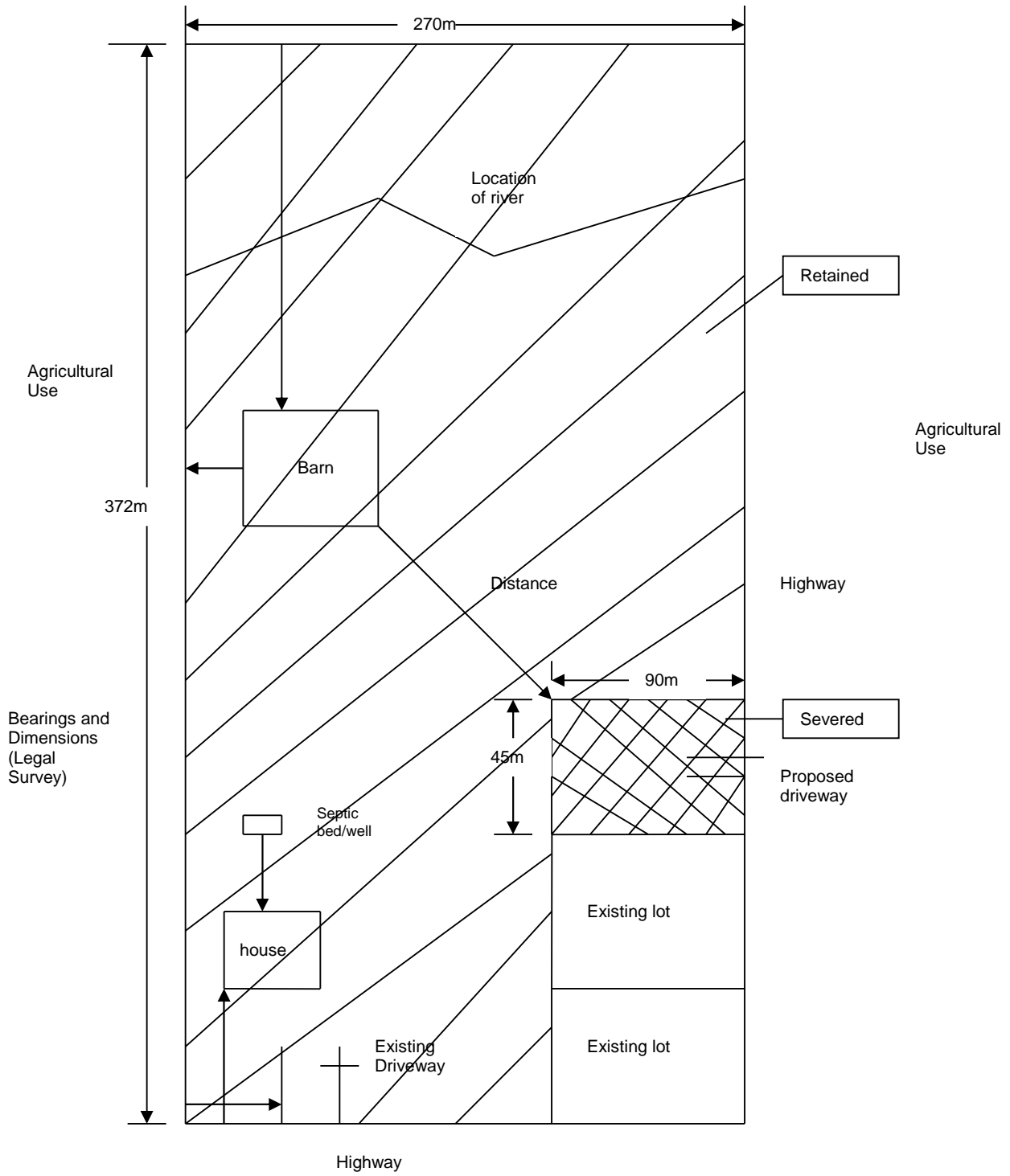
The Secretary-Treasurer will compile the record to be forwarded to the [Local Planning Appeal Tribunal \(LPAT\)](#) as per the *Planning Act*.

Once the decision is appealed, the LPAT will manage the application and work to schedule a hearing. Further inquiries should be directed to the LPAT.

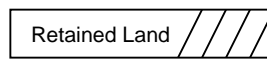


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<u>Town of Caledon</u>	<u>905.584.2272</u>
6311 Old Church Road, Caledon, ON, L7C 3J6	
General Planning Inquiries	x. 7338
General Building Inquiries	x. 2233
<u>Region of Peel</u>	<u>905.791.7800</u>
10 Peel Centre Drive, Brampton, ON, L6T 4B9	
<u>Ministry of Natural Resources</u>	<u>905.713.7400</u>
Aurora Office – 50 Bloomington Road, Aurora, ON, L4G 0L8	
<u>Ministry of Transportation</u>	<u>416.235.4592</u>
1201 Wilson Avenue, 7 <sup>th</sup> Floor, Building 'D', Downsview, ON, M3M 1J8	
<u>Toronto Region Conservation Authority</u>	<u>416.661.6600</u>
5 Shoreham Drive, Downsview, ON, M3N 1S4	
<u>Credit Valley Conservation</u>	<u>905.670.1615</u>
1255 Old Derry Road, Mississauga, ON, L5N 6R4	
<u>Lake Simcoe Region Conservation Authority</u>	<u>905.895.1281</u>
120 Bayview Parkway, Box 282, Newmarket, ON, L3Y 4X1	
<u>Nottawasaga Valley Conservation Authority</u>	<u>705.424.1479</u>
John Hix Conservation Administration Centre, 8195 8 <sup>th</sup> Line, Utopia, ON, L0M 1T0	



Total Area =  
ac(ha)



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