



Information Guide on the Consent Process to Create a New Lot Anticipated Planning Application Requirements

Due to the complexity of a consent application it is recommended to hire a professional consultant to guide you through the process.

Where a Lot May Be Severed

The Region of Waterloo Official Plan and the Township of North Dumfries Official Plan contain polices on where severances (creation of a new lot) may be permitted.

Severances are generally only supported within Settlement Areas that are designated in the Township of North Dumfries Official Plan:

- Ayr Urban Boundary (Map 2.1 of the Official Plan)
- Highway 401/ Regional Road 97 Employment Area (Map 2.27 of the Official Plan)
- Rural Settlement Areas (Maps 2.2 to 2.35 of the Official Plan)

Severances are typically not supported in agricultural areas that are outside of designated settlement areas.

Pre-Consultation:

Pre-Consultation is required with the Township and External Government Agencies (e.g. Region of Waterloo, GRCA) prior to submission of an application to discuss the proposal to determine if the application is supported by provincial, regional and local policies and/or to determine supporting information may be required for a Complete Application.

A Pre-Consultation Application Form is available on the Township website at <https://www.northdumfries.ca/en/doing-business/planning-application-forms.aspx>

Consultation with Neighbours

Early consultation with neighbours is strongly recommended to inform your neighbour of what you are proposing, and to identify and/or resolve potential concerns.

Committee of Adjustment Approval

- All consent applications must be approved by the Committee of Adjustment, which is a Committee of Council.
- A Sign for Notice of a Public Hearing will be posted on the property by Township staff
- A Notice of Public Hearing will be circulated to all owners within 120 m of the subject lands



- A Public Hearing will be held through the Committee of Adjustment. Meetings are typically on the last Tuesday of every month. Public meetings are not scheduled in December, July, or August. A staff report and presentation will be completed as part of the Committee of Adjustment.
- All applications are subject to appeal to the Local Planning Appeals Tribunal.

Is a Zoning Amendment or a Minor Variance Required?

The Township Zoning By-law determines permitted uses and associated regulations for each zone. For example, Section 8.3 of the Zoning By-law sets regulations for factors such as: minimum lot area, minimum lot width, minimum side yard, minimum rear yard, and maximum building height. If a lot is proposed that would not comply with the zoning regulations, a minor variance or zoning by-law amendment will be required. For example, if the minimum lot size is 700 m², and a severance would result in a lot size of 650 m², additional approval outside of the consent process would be required. There are additional Planning Fees if this is required.

Consent Application – Potential Requirements:

A Consent Application Form, Drawings/Studies identified through pre-consultation, and Planning Fees are required in accordance with the Planning Act

An Application Form is available on the Township website at <https://www.northdumfries.ca/en/doing-business/planning-application-forms.aspx>

2022 Consent Application Fees:

- Township Application Fees (see Fees & Charges By-law for more details):
 - \$3,000 non-refundable application fee
 - \$6,500 refundable peer review fee to cover costs of peer review (e.g. urban design, engineering, legal fees)
 - If the lands are on or adjacent to a property on the Municipal Heritage Register or if the development could have an impact on cultural heritage resources, a Cultural Heritage Impact Assessment (CHIA) may be required. Additional fees may be required if a heritage study is required:
 - \$870: Fee to submit a Cultural Heritage Impact Assessment
 - An additional \$5000 refundable Peer Review may be required for a CHIA
 - Region of Waterloo Fees: <https://www.regionofwaterloo.ca/en/doing-business/applications.aspx>
 - GRCA Fees (if in an area regulated by GRCA): <https://www.grandriver.ca/en/Planning-Development/Planning-Act-review-fees.aspx>



2022 Fees if Provisional Approval is granted by the Committee of Adjustment

(agencies such as the Region of Waterloo and Grand River Conservation Authorities. could have additional fees):

- \$7,500 Parkland Fee per Residential lot
- \$5,000: You may be required to enter into a Development Agreement with the Township that addresses to the satisfaction of the Township amongst other matters: urban design and architectural design including elevations; building footprint including finished floor elevation; lot grading and drainage; servicing; tree preservation; noise attenuation measures, and driveway access. The Development Agreement shall be registered against the title of the subject lands:
 - As part of the Development Agreement, the applicant is usually required to post securities (e.g. letter of credit, certified cheque) in the amount of \$20K to ensure that the development is built as proposed

Potential Studies that may be Required:

- Consent Sketch / Survey in accordance with the Planning Act
- Spatial Separation Calculations in accordance with the Ontario Building Code
- CHIA (follow Township Terms of Reference with a Revised date of November 2018)
- Urban Design Brief, Building Elevations/Colour Renderings to be completed by qualified professional (follow Township urban design guidelines)
 - Must be prepared by a qualified expert and submitted to the Township for approval. The design brief shall address the massing elevations of the dwelling; exterior building materials; roof pitch and design; window and door treatments; and tree preservation. The objective is to create a new building(s) that is complementary to residential properties in the vicinity the property. The architectural brief shall inform the future building permit process and be registered against the title of the subject lands;
- Tree Preservation Plan and Replanting Plan. A Replanting Plan may be required to replace trees removed as part of the development
- Lot Grading and Drainage (may be submitted as a condition of approval)
- Studies as required by the Region of Waterloo or GRCA such as:
 - Site Servicing Plan for lateral service lines and associated road restoration in conformance with Region of Waterloo Standards
 - Hydrogeological if privately serviced
 - Environmental impact study if there could be impacts on natural heritage features (e.g. woodlands, wetlands, fish habitat)