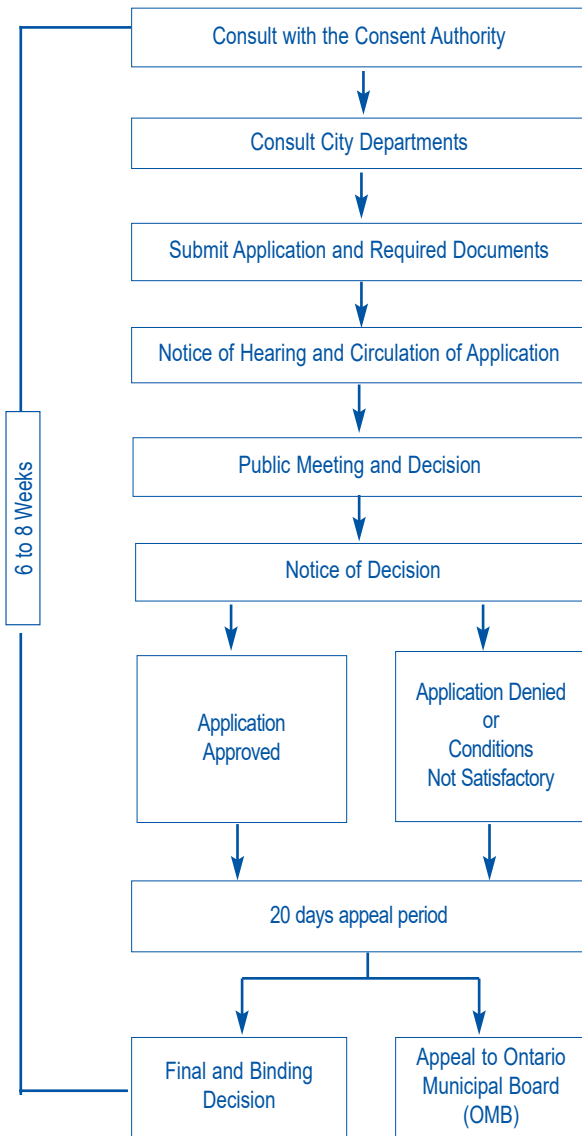


Consent Process Chart



Denial and appeal

If the application is denied, the applicant will be informed. Any person can appeal the decision of the Committee of Adjustment to the Ontario Municipal Board (OMB).

Appeals are made through the Committee of Adjustment, located in the Building & Development Department, 4th floor, City Hall - telephone 255-6267, extension 6436. The appeal to the OMB requires the payment of a fee of \$125 (2005 rate).

For more information about the appeal process, refer to the Ontario Citizen's Guide #6 or visit the OMB web site at www.omb.gov.on.ca.

For general City of Windsor information, telephone 311

For specific inquiries:
*The Corporation of
The City of Windsor*
Building & Development Department
350 City Hall Square West
City Hall, 4th floor
Windsor, ON N9A 6S1

Tel: (519) 255-6267
Fax: (519) 255-6680

Email:
buildingdept@city.windsor.on.ca

Web site:
www.citywindsor.ca

Consent

Building & Development
Department

6



What is Consent?

A Consent is the authorization to create new lots (land severance), right-of-way and easements, add to an existing lot, change lot boundaries, enter into a mortgage or lease in excess of 21 years, and validate title and proceed with a power of sale.

Controlling the division of land through “severancing” gives the municipality a mechanism for ensuring that the creation of lots is consistent with planning policies as set out in the official plan.

When do I need Consent?

Property owners who wish to divide their properties for the purpose of selling, registering or discharging a mortgage, or leasing for a period more than 21 years, must apply for a severance. It means obtaining a “consent to sever” from the Committee of Adjustment.

Pre-Consultation

Prior to submission of an application, applicants are advised to consult a Development Planner at the Building & Development Department to decide whether a Consent application is the best approach, because it is sometimes more appropriate to submit a Subdivision application to promote orderly development. To arrange a meeting with a Development Planner, please contact:

Building & Development Department
350 City Hall Square West
City Hall, 4th floor
Windsor, ON N9A 6S1
Tel: (519) 255 6267
Fax: (519) 255 6680

Application and Fees

Applications are available from the Committee of Adjustment office, located at the Building & Development Department or through the City of Windsor web site www.citywindsor.ca - search “fee

schedule for consent applications.”

Fees are also specified in each application package.

Application Processing

1. Consult with the Consent Authority

Contact the Committee of Adjustment office at (519) 255-6222, extension 6436.

2. Consult City of Windsor departments

Applications must undergo the pre-consultation process prior to submission in order to prevent oversights, errors, delays and additional costs, and to ensure that submissions comply with the minimum standards established by City of Windsor departments.

3. Submit the application and required documents

These are presented to the Consent Authority, Building & Development Department, 350 City Hall Square West, 4th floor.

4. Notice of Hearing and circulation of the application

Notification under the current Planning Act, 1990, as amended, will be sent in a manner deemed appropriate by the Consent Authority at least 14 days prior to the date of the public hearing.

Notification may be given by either notices sent by regular mail or by publication of the Consent Authority's agenda in The Windsor Star.

At the same time, copies of the application will be circulated to other municipal departments and, in some cases, to external agencies. The purpose of this is to obtain advice, comments or requirements from interested groups for the Consent Authority to consider at the public hearing.

5. Public Hearing and decision-making

The applicant/owner and/or the agent attend the public hearing to explain the reasons for the application. If a representative does not attend, the

Consent Authority may proceed. Other interested parties are also entitled to attend the public hearing and express their views about the application.

The Consent Authority considers all aspects of the application consistent with the requirements of the Planning Act, the provincial government's Comprehensive Set of Policy Statements, the policies in the City of Windsor Official Plan, comments from municipal departments, agency comments, and input from the public.

If your application is approved, the Consent Authority may impose conditions as part of the decision. Conditions could include a requirement for Site Plan Approval, entering into a servicing agreement with the City of Windsor, or approval of a lot-grading plan, and must be fulfilled within one year.

6. Notice of Decision

Within 15 days of the date on which the Consent Authority makes a decision, one copy of the decision will be mailed to:

- Owner/applicant and/or agent
- Anyone who filed a written request for notice of the decision
- Any other party prescribed by regulation

7. Final and binding decision

If no appeal is made by the end of the 20-day appeal period, the decision is final and binding. You will be notified by mail and, if the application has been approved, you should be in a position to prepare and submit to the Consent Authority the appropriate documents such as a deed or a mortgage for certification by the Committee of Adjustment Secretary Treasurer.

You can review the Committee of Adjustment Meeting Schedule at www.citywindsor.ca - search the key word "adjustment." Please allow six to eight weeks to process the Application for Consent.

(Denial and appeals - see reverse)