

### Who is the Committee of Adjustment?

The Committee of Adjustment panel is a quasi-judicial body composed of five members of the public.

Township Council has delegated authority to the Committee of Adjustment to make decisions on minor variances, alterations to legal non-conforming uses and structures, severances, easement and validation certificates. Members are elected for a 4-year term.

### What is a Minor Variance?

A Minor Variance is a minor deviation or relief from the provisions of the Zoning Bylaw. A variance can apply to land, a building or structure, or the use thereof. Consideration can also be made for changes to legal non conforming uses.

The Committee of Adjustment makes the decisions on all Minor Variance applications in the Township of Wainfleet.

### What is a Consent?

A consent is sometimes referred to as a "land severance" or "consent to sever". It is most commonly used to divide a parcel of land that does not require a plan of subdivision, into two or more new lots, or to add a lot(s) to an abutting property. It can also be used to establish a right of way, easement or disposal of a surplus farm dwelling.



## For more information

Contact the Township of Wainfleet's  
Planning Department

### Office Hours:

Monday to Friday 8:30 a.m. – 4:30 p.m.  
\*closed on Statutory holidays

### Address:

31940 Highway #3  
P.O. Box 40  
Wainfleet, ON  
L0S 1V0

### Contact Information:

Phone: 905-899-3463  
Fax: 905-899-2340  
[www.wainfleet.ca](http://www.wainfleet.ca)

This brochure is intended to provide preliminary information only.

# Committee of Adjustment Application Process



## TOWNSHIP OF WAINFLEET

*"Wainfleet - find your country side!"*

### Step 1: Meeting with Planning Staff (Pre-Consultation)

Before applying for a minor variance or consent (severance), the Applicant will need to meet with Planning Staff regarding the application. This meeting provides the applicant with information necessary to submit a complete application.

### Step 2: Filing your application

A complete copy of the application (minor variance or consent application) are required to be filed with the Secretary-Treasurer, along with the prescribed fee together with copies of a plan (drawn to scale) showing dimensions of the subject land and of abutting land and showing the location, size and type of all building structures on the subject land and Land Surveyor. In order for an application to be deemed complete it must include a completed application form, all required studies identified at the pre-consultation, a survey or sketch and the required fees.

### Step 3: Notice of Public Meeting

For every application the Secretary-Treasurer must give written notice of the time and place of the Public Hearing, together with a brief explanation of the nature of the application. This notice is sent to the applicant and/or agent, all assessed property owners within 60 metres of the subject property, various Municipal and Provincial Officials to give them an opportunity to review the application and make their comments.

### Step 4: Public Meeting

The applicant or agent must appear at the Hearing. The hearing is conducted in public and the applicant is asked to provide a brief explanation of the situation and the reason for requiring a minor variance or consent (severance, easement, right-of-way etc.). All the committee members have read the application and have visited the subject property.

Each committee member, in turn, has an opportunity to ask questions about the application.

### Step 5: Notice of Decision

A written decision of the Committee will be sent within 15 days of the hearing to the applicant and agent. All other persons who wish to receive a copy of the decision must request a copy of the decision in writing.

### Step 6: Appeals

After the Committee hearing, there is a 20 day appeal period for consent and minor variance applications in which prescribed persons and agencies may appeal the committee's decision. If there are no appeals received, then the decision is final and binding.

If there is an appeal, the applicant will receive a notice advising that an appeal has been received and forwarded to the Ontario Land Tribunal (OLT). The OLT is an adjudicative tribunal that hears appeals in relation to municipal planning. More information about the OLT and the appeal process can be found at <https://olt.gov.on.ca/>

The average time to process an application from start to finish is about 2 to 3 months.

**IMPORTANT:** For consent applications, all conditions must be fulfilled and the certificate stamped within two (2) years from the date of the notice of decision. The applicant then has two (2) years to register the consent, after which time the consent lapses if registration is not complete.

