



CLEARVIEW

## Consent Via Farm Consolidation Information Sheet

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In accordance with the Provincial Policy Statement (2014), in order to protect prime agricultural areas, residential lot creation is no longer permitted. Therefore, a consent on an agricultural lot is only possible through a farm consolidation, where the existing residential uses are considered surplus to the agricultural operation (Policy 2.3.4.3). As part of this process, the applicant will be required to survey the land that contains the house and accessory structures. A surveyor sketch is recommended to ensure accuracy and avoid errors in the dimensions.

This information sheet has been created as an explanation of how consent applications via farm consolidation can be considered in agricultural areas.

When thinking about how to undertake a farm consolidation, please note the following:

- You must be consolidating lands under one title.
- The maximum size of the severed lands containing the existing surplus dwelling is 1 ha, with a minimum frontage of 30 m, and all buildings must also meet the required setbacks.
- Not including the surplus dwelling severance, the remaining lands must merge with other farmlands.
- Currently, the minimum lot area for an agricultural lot is 35 ha; therefore, any undersized, consolidated lots would require a rezoning.
- The remaining lands may be required to be rezoned to not allow any additional residential uses, as well as to not permit livestock.
- The zoning application fee is currently \$1,500, which needs to be filled out, then signed and commissioned at the Township offices.
- The rezoning is typically a three- to six-month process including the associated public meeting at Council. This requires 20 days notice and a sign posted on the property (the sign costs \$90 plus taxes). After the meeting and at the next available Council meeting, Staff will make a recommendation to the Council and Council will decide on the application. After the decision is made, there is another 20-day period where Council's decision is open for appeal, otherwise the by-law comes into effect.
- After the rezoning, the consent application can be made to the Committee of Adjustment (CoA).
- The consent application fee is currently \$1,500, which needs to be filled out, then signed and commissioned at the Township offices.
- The consent is typically a three-month process including the associated public meeting at the CoA, which requires 20 days notice and another sign posted on the property (\$90 plus taxes). At the meeting, Staff will make a recommendation to the CoA and the CoA will decide on the application. After the public meeting, there is another 20-day period where CoA's decision is open for appeal. The lot addition is typically approved with conditions. The applicant will need to complete the conditions within a year and register the new lot within two years (see next page for an example).



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Sample of Conditions that Committee may impose on their decision:

Be it resolved, that Committee of Adjustment of the Township of Clearview hereby:

Approves consent 17-BXX pertaining to lands at XX, XX and XX subject to the following conditions:

1. That the applicant meet all the requirements, financial and otherwise of the Municipality including payment of the fee of \$150.00 for each Certificate of Consent to be issued;
2. That the applicant provides a description of the land which may be registered under the requirements of the Registry Act or Land Titles Act as applicable;
3. That the applicant successfully apply to the municipality to amend the Zoning By-law to prohibit a new residential use as well as prohibit livestock in the existing barns which are located on the retained lands;
4. That the property subject to the farm consolidation is conveyed into the same name as the owner of abutting land to the XXX being assessed as Roll No. XXXXX (XXX and XXX XXX Sideroad) and that the solicitor provide an undertaking in writing that this condition will be fulfilled;
5. That any mortgage on the property be discharged from any lands being severed and that the solicitor provide an undertaking in writing that this condition will be fulfilled.

### NOTES REGARDING CONSENT:

- As per Section 53(41) of the Planning Act, R.S.O., 1990, all conditions of this decision shall be fulfilled and the Certificate of Consent issued within one year of this date. If all of the conditions have been met and all the authorities concerned have so notified the Committee in writing, the Secretary is authorized to issue the Certificate of Consent.
- This consent is granted on the basis that Subsection (3 or 5) of Section 50 of the Planning Act, R.S.O., 1990, applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.

For more information, please see the follow reference: [Provincial Policy Statement \(2014\)](#)