

Guide to Severance*

What is a Severance (Consent)?

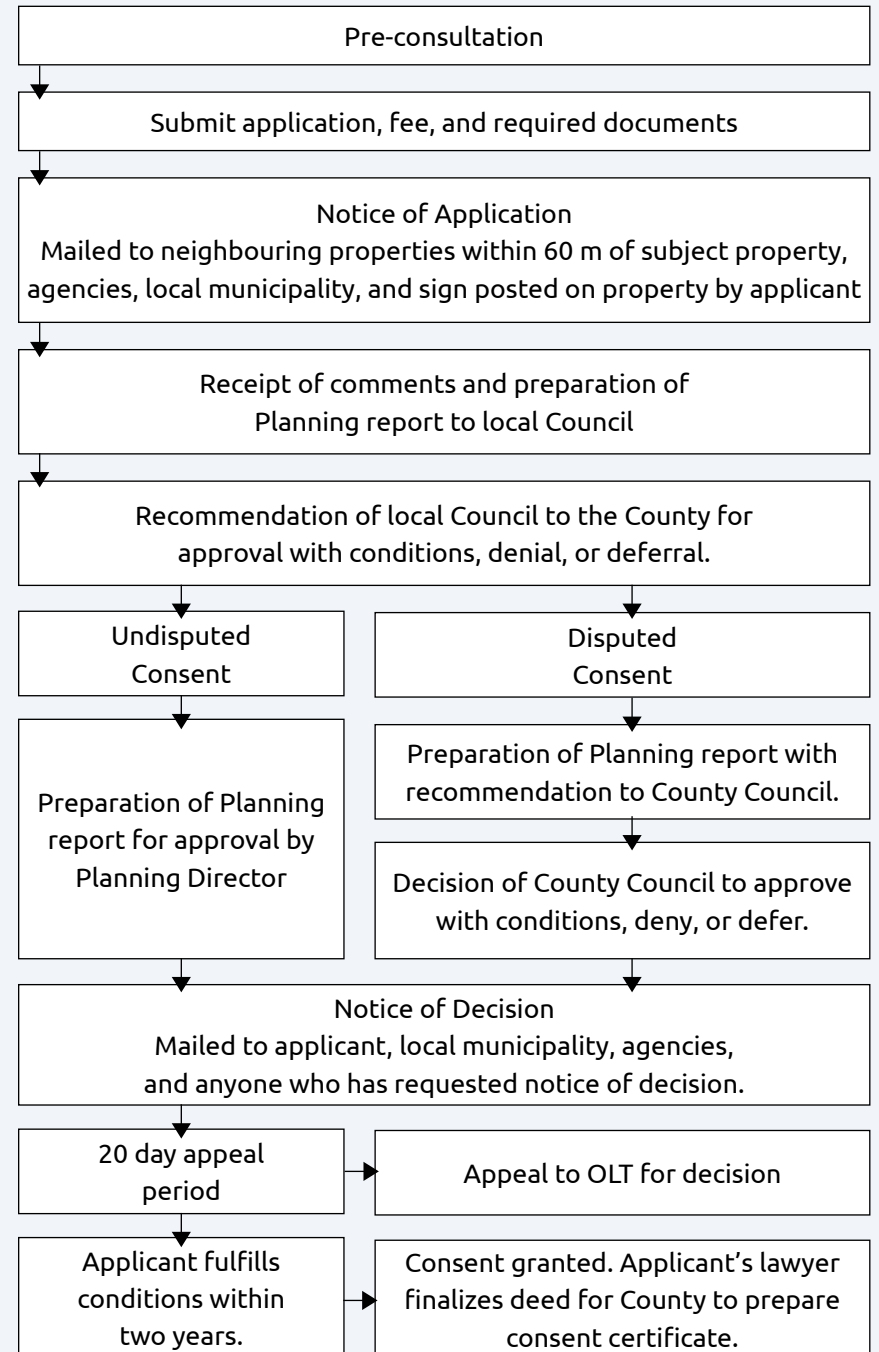
A land severance is the authorized separation of one portion from the rest of a piece of land, to form two or more adjoining properties. This is commonly known as a land severance but is formally called a consent. Making changes to existing properties through rights-of-way, long term leases, easements, or boundary adjustments may also require a severance approval.

The County of Huron is the approval authority in all local municipalities (except for Goderich) for severance applications. If an application is undisputed, the Director of the Planning and Development Department can approve the application. Decisions on disputed applications are made by the Council of the County of Huron.



* Officially, severances are called Consents under the Planning Act. The more common term severance is used in this guide. This guide does not apply to severances in the other Huron County Municipalities.

Severance (Consent) Process



Pre-consultation

Contact the Huron County Planning and Development Department at 519-524-8394 ext. 3, or your local municipal office to arrange a meeting with the planner for your municipality. Applicants are strongly encouraged to have a pre-consultation meeting with the Planner before they submit an application. During this meeting, the details of the proposal will be discussed to determine if a severance is the best approach and how to apply. The Planner will help you understand the process and assist in finding solutions to problems.

Complete an Application

Please ensure all questions in the application form are answered and detailed explanations are given. Ensure the application is accompanied with a sketch or copy of a survey showing the property and building layout with the proposed severed and retained parcel boundaries, and the applicable application fee. Planning application forms are available online at <https://www.huroncounty.ca/plandev/forms/>; or ask your local Planner for a copy.

Submit Application and Required Documents

Submit the application, sketch, and fee to the County of Huron. Call the Planning and Development Department in advance at 519-524-8394 ext. 3 to ensure a Commissioner is available to sign the application form.

Notice of Application

If the information in the application form is complete, a notification of the public hearing will be sent by mail to neighbouring property owners within 60 metres of the subject property. A sign displaying details of the application will be posted on the subject site. Copies of the application may be circulated to the local Council, municipal staff, the County Biologist, and external agencies such as the Conservation Authority to obtain comments. The Planner will review the application against provincial, county, and local policies, consider all comments received, and conduct a site visit prior to preparing a planning report.

“Planning with the community for a healthy, viable and sustainable future.”

Local Consideration

The Planner will present a planning report to the local municipal Council or Committee of Adjustment. A decision to support or recommend refusal of the application might be made at this meeting or at a later date; a decision may include conditions. The application and recommendation is forwarded to the County of Huron for a decision. If the amendment has no unresolved concerns, it can be approved by the Planning Director. If there are unresolved concerns, the severance goes to the County Council for a decision.

Notice of Decision

Within 15 days of a decision, a notice which identifies appeal rights is mailed to the applicant, and to any members of the public who provided written comments or attended a public hearing and who requested to be notified of the decision. Listed on this notice is the last day for appeals, which is 20 days from the day after the notice is mailed.

This guide is intended to provide preliminary information only.
Last updated: December 1, 2022

Decision is in Effect

If there are no appeals, the applicant will receive a “Notice of No Appeals” in the mail. If the application has been approved, subject to the fulfillment of any conditions set out in the final decision, applicants have up to two years from the date of notice of decision to fulfill conditions or the severance approval will lapse.

The applicant has three years from the date of notice of decision to have the deed prepared by a lawyer and submitted to the County to finalize. Please note that the Planning Act does not permit extensions.

Clearing conditions, and preparing the deed are the applicant’s responsibility; some standard conditions include paying a cash-in-lieu of parkland fee, submitting a survey and reference plan to the municipality, obtaining a rezoning or minor variance for the retained or severed lands, a storm water management plan, or other site specific considerations.

Ask your local Planner if you have any questions about the decision or conditions.

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Appeals

Members of the public do not have the right to appeal the decision; only the applicant, the Minister of Municipal Affairs and Housing, a specified person under the Planning Act or public body that has an interest in the matter, may appeal the decision. Please refer to the County of Huron website for details about appeal rights: <https://www.huroncounty.ca/plandev/guides-and-resources/planning-procedures/additional-appeal-information/>

A decision only becomes final and binding if there are no appeals within the twenty day appeal period.

Application

Forms are available online: www.huroncounty.ca/plandev/forms
Or at your local municipal office. Completed applications and fee(s) can be submitted to the Municipal Office at 57 West Street in Goderich.

The time from submission of a complete application to a final decision is typically two months. The applicant has up to two years to fulfill the conditions, and up to three years to submit the deed to the Town

Fees

Fee* Payable to Treasurer, County of Huron	
Severance Application	2023 fee: \$2,295 (Technical Consent - lot addition, etc.)
	2023 fee: \$3,315 (New Lot Creation - new lot, surplus farm)

*Additional fees may apply such as a Zoning By-law amendment application, septic inspections, Conservation Authority and/or County Biologist & Stewardship Coordinator review, surveying and legal fees.

Further Information

For more specific information related to individual applications, or for assistance in completing applications, please call the number below and ask for the Planner for your local municipality.

Huron County Planning & Development Department

57 Napier St., 2nd Fl Goderich, ON, N7A 1W2
519-524-8394 Ext. 3
E-mail: planning@huroncounty.ca