

Part Lot Control Exemption Manual: Information Package



June 2020



6311 Old Church Road
Caledon, ON L7C 1J6
www.caledon.ca
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Section 50(7) of the Planning Act, R.S.O. 1990, c.P13, provides that part of a lot on a registered plan of subdivision cannot be transferred without the approval of the municipality. This has the effect of preventing the division of land in a registered plan, other than that allowed for in the approved plan of subdivision, without further approvals.

The part lot control provisions under Section 50(7) of the Planning Act, allow a municipality to pass by-law removing or “lifting” part lot control from all or any part of a registered plan of subdivision. Such a by-law has the effect of allowing the conveyance of a portion of a lot without requiring the approval of the Committee of Adjustment, or the submission of a new plan of subdivision.

Exemption from part lot control is appropriate when a number of land transactions are involved, but the resulting changes will not affect the nature or character of the subdivision. This commonly occurs to facilitate the division of blocks for townhouses and semi-detached dwellings, and for the development of industrial subdivisions where large blocks are further subdivided to accommodate the needs of purchasers. In order for the boundary between dwelling units to be determined more accurately, exemption from part lot control is usually applied after construction has commenced and the building foundations have been surveyed.

The Town will not process any requests for exemption from part lot control which will have the effect of creating additional lots unless the development proposed under the request has been subject to a previously planning application which clearly indicated the proposed changes to the lot configuration and which involved a public meeting. Exemption from part lot control cannot be used to re-align lots within existing residential plans of subdivision which will create additional building lots.

The process takes approximately 4 to 6 weeks to complete and application fees are outlined in the Fee By-law.

***Note: Deadlines are approximate only. While deadlines are adhered to as best as possible, factors arise from time to time which may cause delays to these deadlines.*



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**Step 1:
What approvals are
required?**

Step 2:
Preliminary Meeting
(Optional)

Step 3:
Application Submission

Step 4:
Circulation

Step 5:
Application Review

Step 6:
Revised Submission(s)

Step 7:
Approval, Enactment and
Registration

Step 8:
Extensions, Amendments and
Repeals

In order to determine what approvals are required for your proposed project, begin by contacting the following departments and agencies for additional information:

1. Contact Planning and Development Services staff at 905.584.2272 x. 7338 regarding:
 - Zoning of the property;
 - Determining if the property and proposal lie within a regulated area of the applicable Conservation Authority; and,
 - Obtaining clarification and further information regarding additional submission requirements.

2. Contact the Building Section at 905.584.2272 x. 2233 regarding Building Permit applications, requirements and timelines.

3. If required, contact the Region of Peel at 905.791.7800 regarding servicing and access to a Regional Road.

4. If required, contact the appropriate Conservation Authority regarding permit requirements:
 - Toronto and Region Conservation Authority (TRCA) at 416.661.6600
 - Credit Valley Conservation (CVC) at 905.670.1615
 - Lake Simcoe Region Conservation Authority (LSRCA) at 905.895.1281
 - Nottawasaga Valley Conservation Authority (NVCA) at 705.424.1479



Step 1:
What approvals are required?

**Step 2:
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(Optional)**

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Town of Caledon Planning and Development Services staff provides the opportunity for applicants to meet with Planning staff to discuss their proposal prior to submitting a Part Lot Control Exemption Application. While the meeting is not mandatory, it is strongly recommended.

To request a meeting:

1. Complete the [Preliminary Meeting Request Form](#) available online;
2. Attach a concept plan illustrating the proposal;
3. Submit the form and the plan to the Planning and Development Services.

When the applicant has submitted the form and supporting material, the meeting will be arranged within 5 business days.

At the meeting, Planning staff will provide the applicant feedback regarding the proposal. Please note that all comments and direction offered by staff is preliminary and based solely on the information available at the time of the meeting. Through a review of the application, additional information may be identified or discussed.



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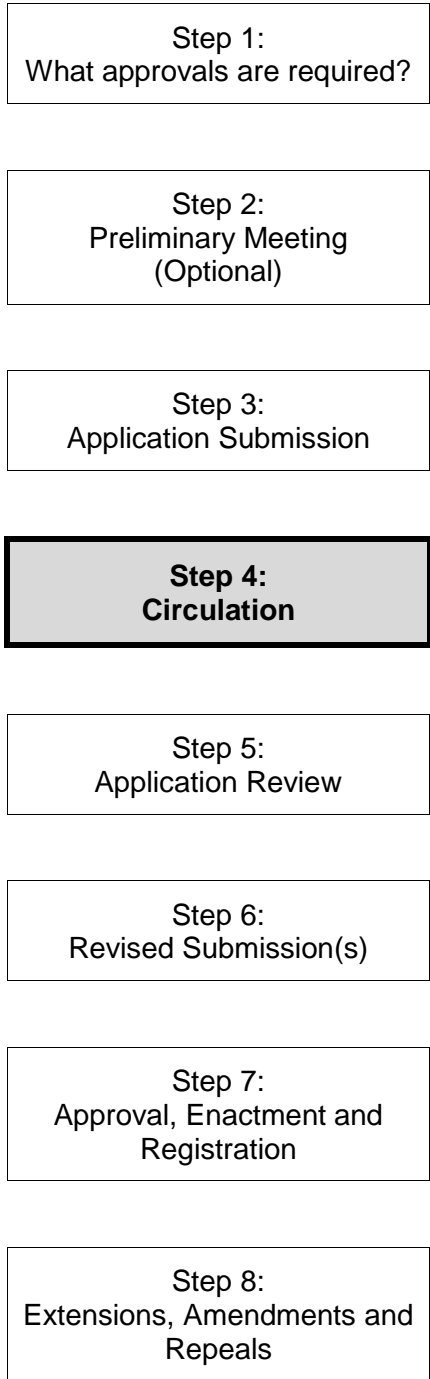
Step 8:
Extensions, Amendments and
Repeals

Preparing and Submitting a Part Lot Control Application

1. Prepare and complete the supporting documents. It is preferred that any drawings/plans submitted meet the [Electronic Submission Requirements](#).
 - Cover Letter
 - Current Legal Survey
 - Draft Reference Plan
 - Ontario Land Surveyor's Certificate
 - Certification from a Consulting Engineer
2. Complete the Part Lot Control Application form [online](#). To complete the form you will need to have the following information/documents with you:
 - Property Owner Contact Information
 - Application Contact Information
 - Owner's Authorization (where the owner is not the applicant)
 - Property Information such as municipal address or roll number/ARN
 - Details of the Proposed Application
 - Property Closing Date
 - Supporting material in PDF format
3. Payment of the application fee.

If an application is incomplete, an incomplete letter is provided to the applicant identifying all material which remains outstanding. Once the applicant has compiled all outstanding material, the applicant will be required to submit the outstanding material using the [online form](#).





When the complete application has been received, a Lead Planner will be assigned to the file and the application will be circulated for review. The application may be circulated to the following internal departments and external agencies:

- Town of Caledon
 - Zoning
 - Development Engineering
 - Legal
 - Heritage
 - Urban Design
 - Building
 - Engineering Services
- Applicable Conservation Authority (if regulated)
 - Toronto and Region Conservation Authority (TRCA)
 - Credit Valley Conservation (CVC)
 - Lake Simcoe Regional Conservation Authority (LSRCA)
 - Nottawasaga Valley Conservation Authority (NVCA)
- Ministry of Transportation (if adjacent to a Provincial Highway)
- Region of Peel (if adjacent to a Regional Road or for site servicing)

Please note that this list is not an exhaustive list of agencies and departments, and other agencies and departments may be circulated.

Where an application is circulated within the Town of Caledon (internally) only, the application is in circulation for a minimum of 2 weeks. If the application requires circulation to an external agency, comments may take longer to receive.

Please note that staff strongly recommend that the applicant contact external agencies to assist in the timely submission of comments. Where an application requires technical review by external agencies, the submission of comments may take longer than requested by staff.



Step 1:
What approvals are required?

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(Optional)

Step 3:
Application Submission

Step 4:
Circulation

**Step 5:
Application Review**

Step 6:
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When the circulation period is complete, typically, one of the following may occur:

No Comments/Concerns

If all comments have been received and it is identified that there are no comments or concerns with the application, the Lead Planner will recommend approval of the application to the Manager and prepare to take the proposed By-law to Council.

Additional Information Required

Through the review of the application, commenting agencies and departments may require additional information to be provided by the applicant, or revisions to the plan.

The Lead Planner will forward comments and identify all required resubmission material to the applicant.



Step 1:
What approvals are required?

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Step 4:
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**Step 6:
Revised Submission(s)**

Step 7:
Approval, Enactment and
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In the event that a revised submission is required, the Lead Planner will identify all required resubmission material to the applicant.

Note: Revised submissions must contain the following:

- *Cover Letter detailing the revisions made and addressing all comments; and,*
- *Revised plans are to include revision bubbles/clouds.*

Once the revised submission is compiled, the applicant is to submit the revised submission using the [online form](#).

If the resubmission package is incomplete, the material is not accepted by staff, an incomplete letter is provided to the applicant and the applicant will need to re-submit the additional information using the [online form](#).

Circulation

The Lead Planner will recirculate the revised material as per Step 4 in this manual. A deadline of two weeks is established for agency and department review and comments on recirculated applications.

Revised Submission(s)

Steps 5 to 6 will repeat until such time that all comments are addressed. Once comments are addressed, the application will proceed from Step 7 in this manual.



Step 1:
What approvals are required?

Step 2:
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(Optional)

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Step 6:
Final Approval

**Step 7:
Approval, Enactment and
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Approval

When staff is of the opinion that the proposal is satisfactory and all comments and concerns have been addressed, the Lead Planner will forward a draft By-law to the applicant for review and approval.

Once approval of the proposed By-law has been received from the applicant, the Lead Planner will recommend approval of the application to the Manager.

Once approval is received from the Director, the proposed By-law will be brought forward to Council for enactment.

Note: Generally, Council Reports are not required to be brought forward to Council along with the By-law. However, Senior Management staff may decide that a Council Report is required to accompany the By-law in unique circumstances.

Enactment

Once the By-law is enacted by Council, the Lead Planner will forward a copy of the By-law and Notice of Passing to both the applicant and lawyer.

Registration

Once the By-law is received from the Lead Planner, and the restrictions are received from the applicant's lawyer, Planning Law staff will register the By-law on title. The applicant's lawyer will register the restriction on title.

Once registered, the Lead Planner will send a Registration Letter along with a copy of the Registered By-law and restriction to the applicant.

Once the draft R-plan(s) have been registered, the applicant will forward four copies of the registered R-Plan(s) to the Lead Planner.



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**Step 8:
Extensions, Amendments
and Repeals**

Requests for Extension

In the event that the applicant requires an extension, the applicant is to make a written request to the Lead Planner.

The Lead Planner will then process the application from Step 4 in this manual.

Requests for Amendments

In the event that the applicant requires an amendment (i.e. number of lots), the applicant is to make a written request to the Lead Planner.

The Lead Planner will then process the application from Step 4 in this manual.

Requests for Repeals

Applicants make a written request that a By-law is repealed to the Manager of Legal Services/Town Solicitor.

The Manager of Legal Services/Town Solicitor will review the request and draft a repealing By-law. The proposed By-law is forwarded to the Manager of Development Review Services for approval, and then forwarded to Council for enactment.

Once the By-law is enacted by Council, Legal Services staff will register the By-law and notify the applicant's lawyer.



Town of Caledon 905.584.2272

6311 Old Church Road, Caledon, ON, L7C 3J6

General Planning Inquiries x. 4291

General Building Inquiries x. 2233

Region of Peel 905.791.7800

10 Peel Centre Drive, Brampton, ON, L6T 4B9

Ministry of Natural Resources 905.713.7400

Aurora Office – 50 Bloomington Road, Aurora, ON, L4G 0L8

Ministry of Transportation 416.235.4592

1201 Wilson Avenue, 7th Floor, Building 'D', Downsview, ON, M3M 1J8

Toronto Region Conservation Authority 416.661.6600

5 Shoreham Drive, Downsview, ON, M3N 1S4

Credit Valley Conservation 905.670.1615

1255 Old Derry Road, Mississauga, ON, L5N 6R4

Lake Simcoe Region Conservation Authority 905.895.1281

120 Bayview Parkway, Box 282, Newmarket, ON, L3Y 4X1

Nottawasaga Valley Conservation Authority 705.424.1479

John Hix Conservation Administration Centre, 8195 8th Line, Utopia, ON, L0M 1T0