

Part Lot Control Exemption Manual: Information Package



March 2015



6311 Old Church Road
Caledon, ON L7C 1J6
www.caledon.ca

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Copies of the Part Lot Control Exemption Manual (Submission Package), are available on our website at www.caledon.ca or at the Development Approval & Planning Policy Department, Development Section.



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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:
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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 the Development Approval & Planning Policy, Planning at 905-584-2272 ext. 4291 regarding:
 - Zoning of the property;
 - Determining if the property and proposal lie within a regulated area of the applicable Conservation Authority;
 - Obtaining clarification and further information regarding additional submission requirements.

2. Contact the Building Section at 905-584-2272 ext. 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:
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**Step 2:
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The Town of Caledon Development Approval and Planning Policy Department 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 (visit our website www.caledon.ca);
2. Attach a concept plan illustrating the proposal;
3. Submit the form and the plan to the Development Approval and Planning Policy Department.

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 3:
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The applicant is to prepare a Part Lot Control Exemption application in accordance with the Part Lot Control Manual (Information and Submission Packages).

Once the application is compiled as per these documents, the applicant is to submit the completed package to the Town of Caledon Development Approval and Planning Policy Department in person at the Front Counter.

Staff will review the submission with the applicant at the Front Counter.

If an application is incomplete, the application is not accepted by staff, an incomplete letter is provided to the applicant and the applicant will need to visit the Front Counter at a later date to submit the complete application.



Step 1:
What approvals are required?

Step 2:
Preliminary Meeting
(Optional)

Step 3:
Application Submission

**Step 4:
Circulation**

Step 5:
Application Review

Step 6:
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Step 7:
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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:

- Development Approval and Planning Policy Department
 - Zoning
 - Engineering
 - Planning Law
 - Heritage
 - Urban Design
 - Landscape
 - Building
- Public Works Department
 - Property Standards
 - Engineering Services
- Applicable Conservation Authority
 - 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.

Please note that staff strongly recommend that the applicant contact external agencies to assist in the timely submission of comments.



Step 1:
What approvals are required?

Step 2:
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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 Director of Development Approval and Planning Policy 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. The applicant is responsible for providing the required additional information to the Lead Planner, for recirculation and comments.



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What approvals are required?

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Step 3:
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**Step 6:
Revised Submission(s)**

Step 7:
Approval, Enactment and
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Repeals

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 completed package to the Town of Caledon Development Approval and Planning Policy Department in person at the Front Counter.

Staff will review the application with the applicant at the Front Counter.

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 visit the Front Counter at a later date to re-submit the application.

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)

Step 3:
Application Submission

Step 4:
Circulation

Step 5:
Application Review

Step 6:
Final Approval

**Step 7:
Approval, Enactment and
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Extensions, Amendments and
Repeals

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 Director of Development Approval and Planning Policy.

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 Planning Law.

The Manager of Planning Law will review the request and draft a repealing By-law. The proposed By-law is forwarded to the Director of Development Approval and Planning Policy for approval, and then forwarded to Council for enactment.

Once the By-law is enacted by Council, Planning Law 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 ext. 4291

General Zoning Inquiries ext. 4104

General Building Inquiries ext. 2233

Region of Peel 905-791-7800

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

Jennifer Maestre, Planner ext. 4645

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