

Part Lot Control Exemption



The Corporation
of the City
of Cambridge

City of Cambridge
Planning Operations Division
Planning Services Department
50 Dickson Street, 3rd Floor
Cambridge, Ontario, N1R 5W8
519.740.4650

Application for Approval of a Part Lot Control Exemption under Section 50(7) of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended

NOTE TO APPLICANTS:

Where land is within a registered plan of subdivision and the owner wishes to subdivide a lot or a block within such registered plan for the purpose of selling, conveying, leasing or mortgaging such part lots or part blocks, an owner may request the Municipality to pass a Part Lot Control Exemption By-law under Section 50 (7) of the Planning Act. This provision establishes that subsection 50(5), *Part Lot Control*, does not apply to land that is contained within the lands subject to an Exemption of Part Lot Control By-law.

In this form, the term “subject land” means the land that is the subject of the proposed part lot control exemption by-law.

N.B. Submission of this application constitutes consent for authorized municipal staff to inspect the subject lands.

COMPLETENESS OF APPLICATION:

The information requested by this application form must be provided by the applicant, and will be used to process the request under Section 50 (7) of the Planning Act. If the information, including copies of the proposed draft plan and fee are not provided, the City may return the application or refuse to further consider the application until receipt of all the required information and fee have been provided.

This application form also sets out information (i.e. technical information or reports) that will assist the City, the Region and others in the planning evaluation of the proposed amendment. To ensure a prompt complete review, all information must be submitted at the time of the application. In the absence of this information, it may not be possible to complete the review within the legislated time frame for making a decision. As a result, the application may be refused.

USING THE APPLICATION FORM:

The application must be completed by the owner or the owner’s authorized agent. Where an agent makes the application, the owner’s written authorization is required. If more than one owner owns the subject lands, the authorization of all owners is required.

It is the responsibility of the applicant to research and evaluate the site and the proposal to ensure that the development will conform to the interests of the health, safety and welfare of future residents. Sufficient studies for the completion of the application should be carried out prior to submission and should be reflected in the application.

SUBMISSION OF THE APPLICATION:

An application submission must include:

- One original and one copy of the completed application form;
- The application fee as indicated in the Planning Services Department fee schedule;
- Six (6) copies of a Registered Reference Plan, prepared by an Ontario Land Surveyor and showing the proposed parcel fabric to be created; and,
- One (1) copies of undertaking outlining what parcels are created to be proposed and agreeing to advise and seek the City's approval of any changes to this proposal, as well as agreeing to advise the Planning Services Department when the parcels have been conveyed.

REFERENCE PLAN:

The following information is required to be shown on the reference plan:

- Legal description of the subject lands;
 - The true dimensions and bearing of the property;
 - The location of all new lot lines proposed to be created with corresponding lot areas and lot widths indicated thereon;
 - The location, dimensions and setbacks of all residential buildings or foundations thereof, as well as accessory buildings;
 - The existing or proposed height and number of storeys of all buildings; and
 - The location of driveways and parking areas including garages (specify when garages are attached).
- * Please note that measurements are to be in metric units.

PROCEDURE:

1. The formally submitted application is reviewed by Planning Operations staff to ensure all prescribed information and the required fee have been provided. The applicant will be notified, in writing, of whether the application is considered 'complete'.
2. The application and reference plan are circulated to a number of municipal departments and external agencies (i.e. Building Division, Fire Department, Hydro) for comments on the proposal.
3. Once all identified issues are resolved, staff prepares a Commissioner's Approval letter specifying the exact parcels to be created. This approval letter, with the reference plan and a copy of the undertaking, are forwarded to the Clerk's Department so that the by-law can be prepared and enacted by Council.

4. Once the by-law has been enacted by Council, copies are sent to the Regional Municipality of Waterloo, who are the final approval authority. When the Regional Municipality of Waterloo has approved the by-law, it is registered on the title of the land to which it applies. By registering the by-law on title, solicitors acting on future property transaction are advised that individual lot conveyances do not contravene the Planning Act.

HELP:

If you require assistance in completing this application form, please call the City of Cambridge Planning Operations Division at 519.740.4650.

Notes:

- Page 7 of this application form includes several declarations and authorizations that MUST be signed by the owner of the “subject lands” to which this application applies. If there is more than ONE owner, an additional copy of Page 7 must be completed and attached to the application for each additional owner.
- It is the responsibility of the owner(s)/applicant(s) to advise the City of Cambridge of any changes to ownership, agents, their names, addresses and telephone numbers, etc. to ensure that you are advised of all matters pertaining to this application.
- A Part Lot Control By-law can only be passed for lots that are within a Registered Plan of Subdivision. Lots that are only described by Reference Plan or Registrar’s Compiled Plan are not eligible for this process.
- Current City of Cambridge practice is to stipulate a two (2) year expiry date on Part Lot Control By-laws. If one person or entity acquires more than one abutting parcel and holds them in the same name, the title of the two parcels will merge when the Part Lot Control By-law expires.



The Corporation
of the City
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**Application for Approval of a Part
Lot Control By-law Exemption
Under Section 50(7) of the Planning
Act, R.S.O. 1990, Ch. P 13,
as amended**

City Use Only

Date Received:	Date Accepted:	Fee Paid:	File No.
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Is this application associated with a subdivision application?

- Yes (File No. 30T-_____)
 No
 Unknown

1.0 GENERAL INFORMATION

Name	Address	Phone Nos.
1.1 Registered Owner of Subject Land*		Home
	Postal Code	Business
	Email Address	Fax
1.2 Applicant (if different)**		Home
	Postal Code	Business
	Email Address	Fax
1.3 Agent or Consultant		Home
	Postal Code	Business
	Email Address	Fax
1.4 Ontario Land Surveyor		Home
	Postal Code	Business
	Email Address	Fax

* If a numbered company, also give the name and address of the principal owner. If more than one owner, complete an additional page for each owner.

** Owner's authorization (Part 10.0) required if applicant is not owner.

1.5 To whom should all correspondence be sent? (One only)

Owner Applicant Agent/Consultant

2.0 LOCATION OF LANDS

Assessment Roll No.	Lot	Concession	Former Twp.
Registered Plan No.	Lot(s)	Reference Plan No.	Part(s)
Municipal Address			

2.1 Particulars of Property (in metric units)

Frontage	Depth	Area
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3.0 TYPE AND PURPOSE OF TRANSACTION (please check all applicable)

- Creation of new lot(s) involving change to lot lines shown on registered plan of subdivision.
- Creation of Part Lots from Whole Lots or Blocks for semi-detached dwellings or street townhouse dwellings.
- Creation of Part Lots from Whole Lots or Blocks for single detached dwellings.
- Creation of easements for zero sideyard development (may not require Part Lot Control if Subdivision Agreement contains granting condition).
- Creation of easement for rear yard access for street townhouse dwellings.
- Revision to lot line of previously approved Part Lot Control By-law Number _____
- Re-application for expired approved Part Lot Control By-law Number _____
- Mortgage or Charge

4.0 TOTAL NUMBER OF LOTS (to be created) _____

5.0 DESCRIPTION OF PARTS TO BE SUBJECT TO PART LOT CONTROL BY-LAW

(list all Parts that are the subject of this application; attach additional sheets as necessary)

Part Number	Width (m) At setback	Purpose				
		Part Without Easement	Utility Easement (specify)	Rear Yard Access Easement	Maintenance Easement	Eave Encroachment Easement
Example:						
PT. 1					X	
PT. 2						X
PT. 3		X				
PT. 4			Overland Flow			

6.0 STATUS OF OTHER RELATED PLANNING APPLICATIONS:

All Parts Comprising a Lot	Combined Lot Width	Combined Lot Area	Attached Garage? Y or N
Example:			
1, 2, 3, 4	18.6 m	423 m ²	N

7.0 AFFIDAVIT OR SWORN DECLARATION:

I, _____ of the _____
(Name of Owner) (City/Town or Township)

in the _____ make oath and say (or solemnly declare)
(Region or County)

that the information contained in this application is true and accurate, the information contained in the documents that accompany this application is true and that the owner as of the day on which this application is made has unconditional ownership of the subject lands and has disclosed any agreements or encumbrances that apply to the subject lands.

Signature of Applicant

This _____ day of _____, 20_____.

8.0 AUTHORIZATIONS OF OWNER FOR AGENT TO MAKE THE APPLICATION:

If the applicant is not the owner of the subject land, the written authorization of the owner that the applicant is authorized to make the application must be completed by the owner.

I, _____, am the owner of the land that is the
(Owner's Name)

subject of this application for approval of Part Lot Control By-law exemption, and I

authorize _____ to make this application on my behalf.
(Name of Agent)

Date

Signature of Owner

The personal information contained on this form is collected pursuant to the Planning Act and will be used for the purpose of responding to your application. If you have any questions on the gathering of personal information, you can contact the City's Freedom of Information and Privacy Coordinator who can be reached through the Clerk's Division of the Corporate Services Department at 519.740.4680, ext. 4610.

For Office Use Only	
File Number Assigned:	_____
AMANDA Number Assigned:	_____
Planner Assigned To:	_____