

COUNTY OF WELLINGTON AND MUNICIPALITY OF ...

Application for Part Lot Control Exemption By-law

GUIDELINES AND EXPLANATORY NOTES

Introduction: The submission of an application to the municipality to seek approval for a Part Lot Control Exemption By-law is provided for under Section 50 (7, 7.1 through to 7.5) of The Planning Act, R.S.O. 1990, as amended. This form is to be completed and accompanied with the required fee prior to municipal consideration and final approval by the County of Wellington.

General Purpose: An application for approval of a Part Lot Control Exemption By-law is generally submitted for the purpose of reconfiguring existing lots or blocks within a Registered Plan of Subdivision in order to facilitate further development (e.g. semi-detached, townhouses, commercial or industrial units). Requests for exemption from Part Lot Control that will have the effect of creating a new lot(s) will only be considered for land that was subject to a planning application which involved formal public notice (e.g. zoning or minor variance) and clearly indicated the potential reconfiguration of the property. Proposals for the creation of a new lot(s) not consistent with the above, are to be considered through the Land Division (consent) process.

Application Fees: Each application must be accompanied by the application fee in the form of a cheque/cash/money order payable to the _____. This fee shall be considered a deposit which is used to pay all legal, planning and other associated costs with respect to the processing of the subject application. If the total costs incurred by the municipality should exceed the amount of the above noted application fee, the applicant shall provide the municipality with an additional deposit of \$_____ or may be requested to pay the outstanding balance. Alternatively, if the application costs are less than the deposit, the balance will be returned once all matters are finalized. There is an additional fee which will be payable to the County of Wellington for final approval of the by-law if the by-law is passed by your municipality.

Authorization: If the applicant (agent or solicitor) is not the owner of the subject land, a written statement by the owner must accompany the application which authorizes the applicant to act on behalf of the owner as it relates to the subject application (See Section 9).

Drawing: All applications for a Part Lot Control Exemption By-law must include:

A drawing to scale which has been prepared by a Surveyor, Engineer or Planner which shall include the following applicable items:

- the proposed development of the site and proposed new ownership boundary lines and,
- Dimensions of new parcels
- Abutting properties
- Driveways and lanes
- North arrow
- Other features (bridges, wells, railways, septic systems)
- Distance to lot lines
- Abutting land uses
- Natural features
- Public roads, private roads, allowances, rights-of-way
- Easements, restrictive covenants
- Parking and loading areas
- Municipal Drains/Award Drains

Reference Plans: The applicant will be required to prepare and submit a Reference Plan prior to approval of an exemption by-law that illustrates the reconfigured lots/blocks to be created.

Approval Process: Upon receipt of an application, the required fee and other information as may be required, the Clerk of the municipality may notify the applicant or agent to attend a meeting with Municipal Council to present the proposal. It is in the applicant's (agent's) best interest to be present at this meeting.

Fees: Local Deposit: \$ _____ Part Lot Control Exemption By-law (Initial Filing)
County Fees: \$ _____ Part Lot Control Exemption By-law (Final Approval)

Copies: _____ copies of this application, including the drawing, reference plan and other information as may be specified, shall be required.

PART LOT CONTROL EXEMPTION BY-LAW APPLICATION FORM

COUNTY OFFICE USE ONLY

LOCAL OFFICE USE ONLY

COUNTY FILE NUMBER: _____

LOCAL FILE NUMBER: _____

Fee Received: \$ _____

Amount Paid: \$ _____

Date Received (Completed): _____

Date Fee Received: _____

1. TYPE and PURPOSE of APPLICATION:

- a) Reconfiguration of lots/blocks on registered plan or subdivision.
 Creation of townhouse lots
 Creation of semi-detached lots
Date and Number of Registered Plan _____ or Subdivision File Number _____.

- b) Reconfiguration of lots/blocks on registered plan or subdivision.
 Creation of commercial lots
 Creation of industrial lots
Date and Number of Registered Plan _____ or Subdivision File Number _____.

2. APPLICANT INFORMATION:

- a) **Registered Owner's Name:** _____
Address: _____
Phone: (____) _____ Fax: (____) _____ Email _____

- b) **Applicant (Agent) Name:** _____
Address: _____
Phone: (____) _____ Fax: (____) _____ Email _____

- c) **Surveyor Name:** _____
Address: _____
Phone: (____) _____ Fax: (____) _____ Email _____

3. PROVIDE A DESCRIPTION OF THE SUBJECT PROPERTY:

- a) Lot(s) Block(s) _____ Registered Plan # _____ Subdivision File # _____
Municipal Address (if applicable) _____

- b) **Are there any easements, restrictive covenants affecting the subject lands? YES [] NO []**
If YES, supply a copy of such documents or provide a brief description of registered instrument number(s).

- c) Current number of Lots _____ Proposed number of Lots after approval of By-law _____

4. PROPOSED LAND USE and DEVELOPMENT:

What is the current Official Plan Designation? _____

What is current Zoning Category? _____

Does proposal comply with present zoning? YES [] NO []

Proposed Use: _____

5. ADDITIONAL INFORMATION:

- | | | |
|--|---------|--------|
| a) Has a site plan agreement been entered into? | YES [] | NO [] |
| b) Is the draft reference plan consistent with the approved site plan? | YES [] | NO [] |
| c) Has a building permit been issued? | YES [] | NO [] |
| d) Is the proposed development under construction? | YES [] | NO [] |

6. SERVICING INFORMATION:

- a) WATER SUPPLY: Municipal [] Other [] _____
- b) SEWAGE DISPOSAL: Municipal [] Other [] _____
- c) STORM DRAINAGE: Storm Sewers [] Other [] _____
- d) ROAD ACCESS: Provincial [] County [] Local [] Other [] _____

7. STATUS OF OTHER PLANNING RELATED APPLICATIONS:

- 7.1 Is the subject land the subject of any other planning applications (e.g. consent application, minor variance, zoning amendment, site plan approval)?

YES [] NO [] If YES, please provide some details, e.g. file no., status of application

8. UNDERTAKING REGARDING REFERENCE PLAN

I (we) _____ the applicants(s) do hereby undertake to provide to the County of Wellington a full copy of the deposited reference plan(s) which will be used in the conveyancing of the parcels which are created as the result of the final approval of a Part-Lot Control Exemption By-law which may become applicable to the subject lands of this application.

Dated: _____

Signature: _____

9. OWNER’S AUTHORIZATION (If an agent is employed, the registered owner(s) must complete the following:

I, (we) _____

being the registered owner(s) of the subject lands, hereby authorize _____

_____ to prepare and submit an application for part lot control exemption by-law.

Owner’s Signature: _____ Date: _____

NOTE: If the Owner is an incorporated company, the company seal shall be applied. If there is no company seal, a statement of authority to bind is required.

10. DECLARATION: (This must be signed in the presence of a Commissioner)

I, (we) _____ of the _____

of _____ in the

County/Region of _____

solemnly declare that all the statements contained in this application are true, and I (we) make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the **CANADA EVIDENCE ACT**

Signature of Owner of Authorized Agent _____

DECLARED before me at the _____ of _____

In the County/Region of _____

This _____ day of _____ 20 ____.

Signature of Commissioner _____

Printed Name of Commissioner _____

11. APPLICANT'S CONSENT (FREEDOM OF INFORMATION)

In accordance with the provisions of the Planning Act, it is the policy of the County Planning and Development Department to provide public access to all development applications and supporting documentation. In submitting this development application and supporting documentation,

I, _____

the Owner/Applicant, hereby acknowledge the above-noted and provide my consent in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Signature of Owner/Applicant _____

Date: _____

**THIS APPLICATION PACKAGE IS TO BE SUBMITTED TO
YOUR LOCAL MUNICIPAL OFFICE**