

TOWNSHIP OF SOUTH GLENGARRY

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Monday to Friday
8:30 am to 4 pm

Removal of Part Lot Control Fact Sheet

What is Part Lot Control?

Once a plan of subdivision has been registered, a landowner may sell any complete lot within that plan. However, a landowner may not sell a piece of a lot in that registered plan without further approvals under the Ontario Planning Act. Section 50(28) 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 or sold without the approval of the municipality. This is referred to as part lot control.

The *Planning Act* permits municipalities to pass By-Laws to exempt any or all lots or blocks within registered plans of subdivision from part-lot control, so further subdivision of individual lots or blocks can take place.

Why remove Part Lot Control?

The part-lot control provisions of the Planning Act allow a municipality to pass By-Laws to remove part-lot control from all or any parts of a registered plan of subdivision. This allows landowners to further subdivide their lot. Such a By-Law has the effect of allowing the conveyance of a portion of a lot without requiring a Consent (severance). Exemption from part-lot control can be used when several land transactions are involved but the resulting changes will not affect the nature or character of the subdivision.

For example, exemption from part-lot control is commonly used to facilitate semi-detached and town-house developments as individual semi-detached or townhouse lots are not normally indicated on a registered plan of subdivision. This approach is used because of the difficulty the builder would have in ensuring that the common centre wall between two dwelling units was constructed exactly on the property line.

Exemption from part-lot control can also be employed where a plan of subdivision is older and lot sizes are larger than required by the Zoning By-Law. In this case, a developer can request permission to adjust lot lines to increase the number of available building lots. Part-lot control exemptions are also used where there will be several small parcels created for such purposes as service easements or to make minor boundary adjustments.

What is the process to remove Part Lot Control?

1. Submit a complete application including the application fee. It may be circulated to other departments for comment.
2. Reference plan(s) are reviewed by the Planning Department. A Staff Report and Part Lot Control Exemption By-Law is prepared for the next Council Meeting.
3. Council adopts the Part Lot Control Exemption By-Law at the Council Meeting.
4. The Part Lot Control Exemption By-Law is signed by the Mayor and Clerk.
5. The adopted By-Law is sent to the United Counties of SDG for approval. The By-Law must be registered on the title. This is completed either by the United Counties of SDG or the applicant at the applicant's expense. The United Counties of SDG has a processing fee (check the SDG Counties website for the current fee).
6. Part lots/blocks must be transferred to owners **before** lapsing provision of By-Law (typically 1 year).

What are the timelines?

1. Requests for exemption from part-lot control are processed within **approximately 6 weeks**.
2. Expiration: All By-Laws exempting lands from part-lot control shall expire typically 1 year after the date of the enactment of the exempting By-Law. At the request of the property owner, Council may extend the term of the exempting By-Law.



Requirements for a complete application:

Forms, Information, and Materials:

- One (1) original copy of the completed application form.
- One (1) original cover letter outlining the nature of the requested Removal of Part Lot Control.
- One (1) copy of a site location map, or keymap, in 8½" x 11" format.
- One (1) copy of the proposed Building Siting Plan for any proposed semi-detached and/or townhouse dwelling lots proposed for Part Lot Control.
- Two (2) copies of a draft Reference Plan (14R- Plan), with a Surveyor's Frontage and Area Certificate (All dimensions are to be in metric).
- One (1) **reduced copy** of the Reference Plan (14-R-Plan) to fit 8 ½ x 11 paper.
- One (1) copy of the Registered Plan (4M-Plan) with the proposed area for Removal of Part Lot Control clearly highlighted (All dimensions are to be in metric).
- One (1) **reduced copy** of the Registered Plan (4M-Plan) with the proposed area for Removal of Part Lot Control clearly highlighted to fit 8½" x 11" sheets of paper.
- One (1) digital PDF of the plan(s).

Application Fee: \$500.00