



GUIDE TO APPLICATION FOR EXEMPTION FROM PART LOT CONTROL

Under Section 50(5) of the *Planning Act* R.S.O. 1990, c.P.13, as amended

What is Part Lot Control?

Part Lot Control is a provision of the *Planning Act* that prevents the further division of individual lots or blocks within a registered plan of subdivision, without additional approval. The *Planning Act* does allow, however, a municipal Council to remove part lot control from a parcel of land under certain appropriate circumstances. An application for exemption from part lot control can only be made if the subject property is a lot or block within a registered plan of subdivision. Please check with the Planning and Development Department to specifically determine whether a proposal meets the prerequisites for the removal of part lot control. Examples may include: minor changes to the lot pattern created through a registered plan of subdivision; division of large blocks within industrial plans of subdivision for individual end-users; and/or creation of individual lots for semi-detached and street townhouse dwelling units.

Submission Requirements:

- Electronic copies of all requested documents are now required at submission. Digital files must be in .pdf format and generated directly from the software used to create them (AutoCAD, Softplan, Revit, etc.) using a PDF printer or converter (no scanned copies). All .pdf files must have the document properties/restrictions/security settings/permissions set to allow, "Printing" and "Adding Markups" so Town staff can apply redline notes and approval stamps to the documents. No zip files or folders on electronic devices.
- Completed Application form, including Owner's Authorization (if required) (*Owner name(s) shown on the application form must be identical to the Owner name(s) registered on title.*)
- Six (6) full-size copies and one (1) reduction of each deposited reference plan(s) prepared by an O.L.S. in metric showing:
 - all dimensions of subject lands
 - proposed lotting arrangements
 - access and/or maintenance easements
 - **existing** building foundation(s)
- Each print must be certified by an O.L.S. to confirm that final as-built ties to building foundations have been shown.
- If draft plans are submitted initially, the Applicant must provide five (5) full-size copies of each deposited plan at least thirty (30) days prior to the scheduled Council adoption date.
- One (1) original copy of Lot Area, Lot Frontage and Lot Coverage Calculations, certified by an O.L.S.
- One (1) original copy of the Land Use Schedule of proposed parts identified on reference plan(s) indicating proposed land use and dwelling unit type for each part or parts.
- One (1) original copy of the Engineers Certification Letter (**P.Eng. signature and seal required**). The certification shall include a brief description of existing and/or proposed municipal services, no conflicts exist and confirm that the location(s) of all service utility connections is/are acceptable relative to the proposed lot lines.

Fees and Financial Requirements:

- In order for an application to be considered complete for processing, all required fees must be included with your application and must be submitted on two (2) separate cheques as the Town of Milton collects application fees on behalf of the Region of Halton in addition to its own fees. Town of Milton fees applicable include a base fee, plus a per unit fee plus a by-law registration fee. The current fee schedule (including associated application form and guidelines) is available from the Town's web site at www.milton.ca. Town fees are reviewed annually. Fees are exempt from HST and are made payable as follows:

Town of Milton:	2020 Base Fee:	\$1,458.00
	2020 Per Unit Fee:	\$ 105.00
	2020 By-law Registration Fee	\$ 333.00
	2020 Extension By-law fee:	\$1,069.00
Halton Region:	2020 Fee:	\$ 569.68

- The fee covers **one** part lot control by-law per application submitted. In cases where Town staff considers that an additional by-law(s) is required to deal with certain lots/blocks, a supplementary fee will be payable per by-law.
- The Town's fees include the cost of registration of one (1) Part Lot Control Exemption By-law. If difficulty is encountered in registering the by-law as a result of information provided by the Application, the Applicant will be responsible for any additional costs incurred by the Town. If issues arise requiring Conservation Authority review, additional fees may apply.

Important Information for the Applicant:

Processing of an application will commence when all necessary supporting documentation and plans have been submitted together with the required application fees. Incomplete submissions will be returned to the applicant.

It is the Applicant's responsibility to ensure that building permits have been issued and applicable development charges are paid, prior to the processing of an application for exemption from part lot control. If the application does not conform to the Town of Milton's Zoning by-law, a rezoning or minor variance application must be submitted, approved and finalized prior to Council enacting the exempting part lot control by-law.

Part Lot Control By-laws are approved for a term of one (1) year and automatically expire after that timeframe. Please ensure that all land transfers occur within the one (1) year of the enactment of the part lot control exemption by-law. Follow-up with respect to extensions or renewals are the responsibility and cost of the Applicant.

More Information:

For inquiries please contact the Planning and Development Department at 905-878-7252, ext. 2398 or via email at planning@milton.ca.