



County of Oxford
Application Guide: Exemption from Part Lot Control
under section 50(5) of the Planning Act

PLEASE READ CAREFULLY BEFORE COMPLETING THE ATTACHED APPLICATION FORM.

Section 50(5) of the Planning Act, 1990 prevents parts of lots or blocks on a registered plan from being conveyed, mortgaged or entered into an agreement of purchase and sale without municipal approval if abutting land is being retained.

The two mechanisms available under the Planning Act which permit a landowner to sell part of a lot or block on a registered plan are through Section (53) dealing with Consents (severances) or Section 50(7) dealing with Exemption from Part-Lot Control. An application for exemption from Part Lot Control will generally only be considered appropriate when it has been deemed that an application for consent is not necessary.

The County of Oxford Official Plan states that applications for Part Lot Control Exemption (Section 10.3.3) "will only be permitted when no further conditions for development are required."

A. COMLETING THE APPLICATION

- 1. Applicants are encouraged to discuss the nature of their proposal with representatives of the County of Oxford Community Planning Office to determine whether an application for Exemption from Part Lot Control is appropriate given their particular circumstance.
2. The application shall be completed by the property owner or their authorized agent. Where the application is being made by an agent, the written authorization of the owner shall accompany the application. For convenience, an authorization form has been included in the attached application.

B. PLANS, LOT DETAILS & EASEMENTS

- 1. All Part Lot Control application submission must be accompanied by a draft reference plan. DO NOT have the plan deposited with the Land Registry Office before submitting the application.
2. A list describing which parts make up which lots must be submitted with the application.
3. A list of any required easements (for example, access easements) must be provided with the application, and should specifically detail with parts are subject to and in favour of each required easement.

C. SUBMISSION OF THE APPLICATION and FEES

- 1. The attached, ORIGINAL application form should be submitted to: Community Planning, County of Oxford, 21 Reeve Street, PO Box 1614, Woodstock ON N4S 7Y3
2. The application must be accompanied by the appropriate fee paid by credit card, cash or cheque payable to the 'Treasurer, County of Oxford'.

The following application fees (current as of January 1, 2022) are as follows:

Table with 2 columns: Fee Description and Amount. Row 1: Application Fee \$785.00. Row 2: Plus: For 1-6 new lots \$165.00 per new lot. Row 3: For more than 6 new lots (7+) \$1,085.00 (maximum). Note: (All lots/parts must be exempted under one by-law)

- 3. Please review the application submission checklist on the following page, before submitting your application.

## **D. PROCESSING THE APPLICATION**

1. Application is submitted and reviewed for completeness.
2. Once deemed complete, the application is circulated to local agencies, who are given approximately one week to provide comments. Additional review time may be required for larger developments or more complex draft reference plans.
3. When the Planner is satisfied that all comments from agencies have been addressed, our office will contact you to deposit the draft reference plan. Once the plan has been deposited, please provide our office with a white copy and electronic copy of the registered plan.
4. After we have received the registered plan, our office will prepare the Part Lot Control agreement and by-law. This agreement will be sent to your lawyer for review. Once the lawyer has deemed the agreement to be satisfactory, we will contact you regarding signing of the agreement.
5. When the agreement is signed in full, the by-law will be scheduled for the next available County Council meeting.
6. A copy of certified by-law is provided to the owner/applicant, for registration. Lots cannot be transferred until the by-law is registered.
7. Please be aware that many factors can affect the length of time it takes to process a Part Lot Control application. Factors such as application volumes, application complexity, surveyor availability and County Council meeting schedules can all play a role in the amount of time it takes to fully process the application. As such, Part Lot Control applications can take anywhere from 60-90 days to be fully processed, including the passing of the required by-law. Lots may not be transferred until the by-law lifting Part Lot Control has been registered. Please plan accordingly.

## **F. CHECKLIST**

- Complete application form including:
  - Owner name, as it appears on title
  - Application is signed AND Commissioned
- Authorization form or letter, signed by registered owner, authorizing Applicant to make the application, if required.
- Draft Reference Plan
- List of lots, including which parts make up each lot
- List AND description of any required easements (ex. Access easement descriptions must include the parts subject to the easement and in favour of the easement.)
- Appropriate fee (please see previous page for fee breakdown)



FILE NO: \_\_\_\_\_

## COUNTY OF OXFORD

### APPLICATION FOR EXEMPTION FROM PART LOT CONTROL

The undersigned hereby requests the County of Oxford to consider an application for exemption from Part Lot Control pursuant to Section 50(7) of the Planning Act, R.S.O. 1990, on the lands hereinafter described.

**1. Purpose of Application:**

\_\_\_\_\_

**2. a) Registered Owner(s): (AS REGISTERED ON TITLE)**

Name \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address \_\_\_\_\_ Fax No. \_\_\_\_\_  
Postal Code \_\_\_\_\_ Email: \_\_\_\_\_

**b) Applicant:**

Name \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address \_\_\_\_\_ Fax No. \_\_\_\_\_  
Postal Code \_\_\_\_\_ Email: \_\_\_\_\_

**c) Solicitor or Agent: (if any)**

Name \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address \_\_\_\_\_ Fax No. \_\_\_\_\_  
Postal Code \_\_\_\_\_ Email: \_\_\_\_\_

**d) List of any mortgage, charge or encumbrance on the property**

Name \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address \_\_\_\_\_ Postal Code: \_\_\_\_\_

**e) Location of Subject Land:**

Lot Number(s) \_\_\_\_\_ Reg. Plan No. \_\_\_\_\_ Year Registered \_\_\_\_\_  
Part Number(s) \_\_\_\_\_ Reference Plan No. \_\_\_\_\_  
Municipality \_\_\_\_\_ Former Municipality \_\_\_\_\_

**Street/911 Civic Address** \_\_\_\_\_

The subject land is located on the \_\_\_\_\_ side of the Street, lying between  
\_\_\_\_\_ (St./Rd./Ave./Line) and \_\_\_\_\_ St./Rd./Ave./Line)

OFFICE USE ONLY

Date Application Received Date

Prescribed Information Complete

PIN

f) **Specific indication of uses of land and buildings** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

g) **Official Plan Designation:** \_\_\_\_\_  
**Zoning:** \_\_\_\_\_

**3. Site Information: (attach separate sheet if more than one lot.) A draft reference plan is required.**

Lot Frontage _____	ft/m	Interior Side Yard _____	ft/m
Lot Depth _____	ft/m	Exterior Side Yard (corner lot) _____	ft/m
Lot Area _____	ft <sup>2</sup> /m <sup>2</sup>	Landscaped Open Space _____	%
Lot Coverage _____	%	No. of Parking Spaces _____	
Front Yard _____	ft/m	Width of Planting Strip _____	ft/m
Rear Yard _____	ft/m	Driveway Width _____	ft/m

**4. Date of First Closing Date (if known):**

\_\_\_\_\_  
 \_\_\_\_\_

<b>THIS SECTION TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS</b>	
I / We _____	
of the _____	in the _____
(Township or Municipality)	(County or Region)
<i>DO SOLEMNLY DECLARE THAT:</i>	
<i>All of the prescribed information contained in this application is true and that the information contained in the documents that may accompany this application is true.</i>	
DECLARED before me at the _____	_____
of _____ in the _____	Owner / Applicant
_____ of _____	_____
this _____ day of _____ 20_____.	Owner / Applicant
_____	
A Commissioner for Taking Affidavits	

MFIPPA Notice of Collection & Disclosure

The collection of personal information on this form is legally authorized under Sec.50(5) the *Planning Act* for the purpose of processing your planning application. Questions about this collection should be directed to the Director of Community Planning at the County of Oxford, 21 Reeve St., P.O. Box 1614, Woodstock, ON N4S 7Y3 or at 519-539-9800 (ext.3207).

Pursuant to Sec.1.0.1 of the *Planning Act*, and in accordance with Sec.32(e) of the *Municipal Freedom of Information and Protection of Privacy Act*, it is the policy of the County of Oxford to make all planning applications and supporting material available to the public.

**AUTHORIZATION OF OWNER(S) FOR AGENT/APPLICANT TO MAKE AN APPLICATION**

I/We, \_\_\_\_\_ of  
(name(s) of owner/signing authority)

\_\_\_\_\_,  
(name of company, if applicable)

am/are the owner(s) of the land that is the subject of this/these application(s), and I/We hereby authorize

\_\_\_\_\_, of  
(name of applicant)

\_\_\_\_\_,  
(name of company, if applicable)

to make this/these development application(s) on my/our behalf.

Signature: \_\_\_\_\_  
(signature of owner/signing authority)

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
(signature of owner/signing authority)

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
(signature of owner/signing authority)

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
(signature of owner/signing authority)

Date: \_\_\_\_\_

**NOTE:**

Authorization must be provided by ALL parties that appear on title, or by a designated signing officer for a business or organization. Names of individual persons signing must be listed on the authorization form.