

The Corporation of the County of Lanark
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What is Part Lot Control

Part lot control, under Section 50(5) of the Planning Act, prevents the conveyance of portions of **full** lots in registered plans of subdivision without first obtaining a consent under Section 53 of the Act. However, the council of a local municipality may, by by-law, exempt all or part of a registered plan of subdivision from part lot control in order to allow the conveyance of a

- minor changes to lots or blocks
- street width adjustment
- creation of individual lots for semi-detached, rowhouses or townhouses
- servicing easements
- long term leases for stores in shopping centres.

Requesting Removal of Part Lot Control

The landowner must make their request for removal of part lot control to the local municipality by submitting the completed "*Application for Part Lot Control Exemption*" along with the required fees and any other supporting documentation required by the local municipality.

Part Lot Control By-law

If the local municipality determines the proposal is appropriate, the council of the local municipality will pass a by-law under Section 50(7) of the Planning Act.

The by-law may provide that the by-law will expire at the end of a specified time period. The council of the local municipality may, at any time **before** the expiration of the by-law, amend the by-law to extend the time period for the expiration of the by-law.

The council of the local municipality may repeal or amend the by-law to delete part of the land described in it and, when the requirements for the registration of the by-law have been complied with, part lot control will come back into effect.

Approval of By-law

A by-law passed by the local municipality does not take effect until it has been approved by the County of Lanark. The County was delegated authority by the Minister of Municipal Affairs and Housing to approve by-laws designating lands not subject to part-lot control on July 4, 2000.

portion of a lot or block without the approval of the Lanark County Land Division Committee.

Reasons to Remove Part Lot Control

The effect of removing part lot control permits certain "desirable" transactions to occur quickly. Typically, the reasons to remove part lot control are to allow:

Once the by-law has been passed, the local municipality will forward the following documentation to the County with a cover letter explaining the part lot control by-law and providing background information about existing zoning, proposed uses, type of access available to the property servicing, etc.:

- one original by-law
- two certified copies of the by-law
- one copy of completed application
- one copy of the registered plan of subdivision showing the property for which part lot control is to be removed
- one copy of the reference plan describing the proposed conveyances.
- required fee payable to "The County of Lanark"

In assessing the submission from the local municipality, the County will consider, among other things, the adequacy of existing zoning controls and the adequacy of access and servicing for the proposed use. The County may determine that a more thorough review should be undertaken and require that a consent should be obtained instead.

If the by-law is approved, the original by-law and one certified copy of the by-law are stamped (signed and dated) with a certificate and returned to the local municipality.

Registration of By-law

A certified copy of the part lot control by-law, stamped with the certificate of the County of Lanark, must be registered by the clerk of the local municipality in the proper land registry office under Section 50(28) of the Planning Act.