APPLICATION FOR PART LOT CONTROL
Development & Housing Approvals
200 King Street West, 6th Floor
Kitchener ON N2G 4V6
519-741-2426; planning@kitchener.ca

PURPOSE
Where land is within a registered plan of subdivision and the owner wishes to subdivide a lot or a block within such registered plan for the purpose of selling, conveying, leasing or mortgaging such part lots of part blocks, an owner may request the Municipality to pass a Part Lot Control Exemption By-law under Section 50 (7) of the Planning Act.

This provision establishes that subsection 5 (Part Lot Control) does not apply to land that is contained within the lands subject to a Part Lot Control By-law.

The City of Kitchener will give consideration to using this method of severance of land for development fronting an existing or dedicated road. For example, the division of lots and blocks for semi-detached dwellings or linear townhouses or single detached dwellings within a lotless block. **No part lot control exemption by-law can be approved if the municipality requires conditions to be applied to the division of the subject lands.**

The final passing and registration of a Part Lot Control Exemption By-law eliminates the need for an owner to receive approval of an application for Consent from the Committee of Adjustment.

SUBMISSION REQUIREMENTS AND APPLICATION FEES
Complete applications must be submitted by email to planning.applications@kitchener.ca (maximum 10 MB); for larger files please upload directly to the City’s ShareFile account (contact us if you require access) with a corresponding email to advise that the application has been uploaded. Payment is due immediately following the digital submission. Send a cover letter (be sure to include the address of the subject property) along with the cheque (payable to the City of Kitchener) to Kitchener City Hall, Development & Housing Approvals Division, 200 King Street West, 6th Floor, Kitchener ON N2G 4V6.

- Copy of DRAFT REFERENCE PLAN, prepared by an Ontario Land Surveyor, together with BUILDING LOCATION PLAN (if applicable).
- $3,403.00 per original lot, block or part thereof, including rear yard access easements for town house blocks
  - or
- $3,403.00 for first easement (e.g. maintenance easement) + $220.00 for each subsequent easement required on single detached lots
  - or
- $482.00 for the renewal of a previously approved but expired Part Lot Control By-law, for the identical purpose as the original by-law
- PLUS -
- $301.35 + $82.00 for legal administration fees in connection with by-law preparation and registration

TOTAL FEES SUBMITTED: $______________
(please include a scanned copy of cheque with the digital submission)
PLANS
The following information is required to be shown on the draft reference plan/building location plan:

- Legal description of the subject lands
- The true dimensions and bearings of the property
- The location of all new lot lines proposed to be created with corresponding lot areas and lot widths indicated thereon.
- The location, dimensions and setbacks of all residential buildings or foundations thereof, as well as accessory buildings.
- The existing or proposed height and number of storeys of all residential buildings.
- The location of driveways and parking areas including garages (specify when garages are attached).

PROCESS

1. Applications should be submitted at least 4-5 weeks prior to a scheduled Council meeting. Please consult with staff to determine the appropriate timelines.

2. Applications are reviewed for zoning compliance and circulated to City and outside utilities for compliance with servicing plans.

3. Applicants are required to deposit the reference plan once the plan is deemed to comply with zoning requirements and confirmation is given that it is consistent with any approved servicing plans. The subdivision plan must be registered at this point.

4. Applicants are required to submit a digital file of the deposited reference plan(s) in dwg (AutoCAD) or dgn (MicroStation) format. The file must contain Layers 1-6 as set out below and should be georeferenced in accordance with the City’s standards on georeferencing.

5. All current outstanding taxes must have been paid for the subject lands.

6. The City planner makes a recommendation on the application and the By-law is prepared approximately one week prior to Council’s consideration of the By-law.

7. Following the passing of the By-law by Council, the By-law is registered (requires approximately 1 week).

8. Since the PLC By-law makes specific reference to the Reference Plan, any changes to the lotting configuration thereafter requires a new application for Part Lot Control Exemption and the passing of a new By-law, to ensure compatibility with servicing.

9. Each Part Lot Control By-law in The City of Kitchener remain in force and effect for a period of two (2) years from the date of its passing. Extensions to this date may be made prior to the date of its expiry by contacting the City’s Legal staff.

DIGITAL SUBMISSIONS

General Notes

a) The City of Kitchener uses level symbology (ie. assigns colours, line weights, line styles by layer). Any symbology assigned by the applicant to an element will be overwritten by our symbology. Please use common linetypes and fonts (TrueType Fonts).

b) For MicroStation users, the city will also provide a seed file, which contains the predefined working units, global origin and all symbology.

c) The City of Kitchener inserts all plans into MicroStation. Please ensure that there are no more than 63 layers or levels in the submitted file.

d) All files should be in 2 dimensional (2D) format.

e) All linework should be closed. This means that all lines that meet should be snapped together.

f) Content contained on any other layers/levels will be discarded when inserted into our MicroStation file.

g) Only content described under “Description of Content” shall be allowed on the outlined layers/levels.
<table>
<thead>
<tr>
<th>Level/Layer #</th>
<th>Name</th>
<th>Description of Content</th>
<th>Entity Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>BOUNDARY</td>
<td>Legal property boundary of the subject plan. All line work must be closed (snapped together at meeting points)</td>
<td>Line</td>
</tr>
<tr>
<td>2</td>
<td>BEARINGS_DIST</td>
<td>Bearings and distances of plan boundary (metric)</td>
<td>Line &amp; text</td>
</tr>
<tr>
<td>3</td>
<td>LEGAL</td>
<td>Any relevant background legal lines and text (legal descriptions: lots, concessions, Registered Plans)</td>
<td>Line &amp; text</td>
</tr>
<tr>
<td>4</td>
<td>PLAN_LINES</td>
<td>All plan lines defining parts. All line work must be closed (snapped together at meeting points).</td>
<td>Line</td>
</tr>
<tr>
<td>5</td>
<td>PLAN_DIM</td>
<td>Dimensions in metric.</td>
<td>Line &amp; text</td>
</tr>
<tr>
<td>6</td>
<td>PLAN_TEXT</td>
<td>Plan text (lot numbers, block numbers)</td>
<td>Text</td>
</tr>
</tbody>
</table>

**STAFF USE ONLY – COMPLETE APPLICATION REVIEW**

- [ ] Original, signed application form received and reviewed
- [ ] Applicable fees submitted
- [ ] “Staff Use Only” fields completed on form
- [ ] Signed Record of Pre-submission Consultation attached
- [ ] Any additional information provided as required by Pre-submission Consultation Record (confirm that information meets submission criteria as requested by department/agency)
- [ ] Confirmation of ownership, address & legal description
- [ ] Affidavit completed and signed by applicant & commissioner
- [ ] Authorization provided, if required

Deemed as a complete application by: ___________________________  Date: ___________________________
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STAFF USE ONLY

<table>
<thead>
<tr>
<th>Date Received:</th>
<th>Date Accepted as Complete:</th>
<th>Pre-submission Record Date:</th>
<th>Fees Paid:</th>
</tr>
</thead>
</table>

1. REGISTERED OWNER (list on additional page if required)
   - Name(s): ____________________________
   - Company (if applicable): ____________
   - Street Address: ______________________
   - City/Province: _______________________
   - Phone: _____________________________
   - Extension: _________________________
   - Email: _____________________________
   - Postal Code: _________________________

2. APPLICANT (if other than registered owner)
   - Name: ______________________________
   - Company (if applicable): ____________
   - Street Address: ______________________
   - City/Province: _______________________
   - Phone: _____________________________
   - Extension: _________________________
   - Email: _____________________________
   - Postal Code: _________________________

3. ALL PERSONS OR INSTITUTIONS WHO HAVE ANY MORTGAGE CHARGE OR ENCUMBRANCE ON THE PROPERTY
   - Name: ______________________________
   - Company (if applicable): ____________
   - Street Address: ______________________
   - City/Province: _______________________
   - Phone: _____________________________
   - Extension: _________________________
   - Email: _____________________________
   - Postal Code: _________________________

4. ONTARIO LAND SURVEYOR
   - Name: ______________________________
   - Company (if applicable): ____________
   - Street Address: ______________________
   - City/Province: _______________________
   - Phone: _____________________________
   - Extension: _________________________
   - Email: _____________________________
   - Postal Code: _________________________

5. LOCATION OF LANDS
   - Municipal Address: ________________________
   - Assessment Roll No.: ________________________
   - City: __________________
   - Lot: __________________
   - Concession: __________
   - Former Twp.: __________
   - Registered Plan No.: __________
   - Lot(s)/Block(s): __________
   - Reference Plan No.: __________
   - Part(s): __________

A city for everyone
Working together • Growing thoughtfully • Building community
6. **TYPE AND PURPOSE OF TRANSACTION** (check all that apply)

- [ ] Creation of new lot(s) involving change to lot lines shown on registered plan of subdivision
- [ ] Creation of Part Lots from Whole Lots or Blocks
- [ ] Creation of maintenance easements for zero side yard development
- [ ] Creation of easement for rear yard access for street townhouse dwellings
- [ ] Revision to lot line of previously approved PLC By-law Number ____________________________
- [ ] Re-application for expired approved PLC By-law Number ____________________________
- [ ] Mortgage or Charge
- [ ] Other (specify) ____________________________

7. **TOTAL NUMBER OF LOTS TO BE CREATED:** ____________________________

8. **DESCRIPTION OF PARTS TO BE SUBJECT TO PART LOT CONTROL BY-LAW**
   (list all Parts which are the subject of this application; attach additional sheets as necessary)

<table>
<thead>
<tr>
<th>PART NO.</th>
<th>PIN (property identification number)</th>
<th>WIDTH (m) at setback</th>
<th>Part Without Easement</th>
<th>Utility Easement (specify)</th>
<th>Rear Yard Easement (specify)</th>
<th>Maintenance Easement</th>
<th>Eave Encroachment Easement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: PT. 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>PT. 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>PT. 3</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PT. 4</td>
<td></td>
<td></td>
<td></td>
<td>overland flow</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### 9. INTENDED LOTTING FABRIC (attach additional sheets as necessary)

<table>
<thead>
<tr>
<th>All Parts Comprising a Lot</th>
<th>Combined Lot Width</th>
<th>Combined Lot Area</th>
<th>Type of Dwelling</th>
<th>Attached Garage? Y or N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: 1, 2, 3, 4</td>
<td>13.8 m</td>
<td>468 m²</td>
<td>semi detached</td>
<td>Y</td>
</tr>
</tbody>
</table>

The personal information contained on this form is collected pursuant to the Planning Act and will be used for the purpose of responding to your application. If you have any questions on the gathering of personal information, please contact the Manager of Corporate Records & Archive Services at 519-741-2200 ext-7766.
AUTHORIZATION OF OWNER FOR AGENT TO MAKE THE APPLICATION

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner is required, as below:

I, ________________________________, am the owner of the land that is the subject of this application. I have disclosed to my agent and the City of Kitchener all agreements or encumbrances that apply to the subject lands and I authorize ________________________________ to make this application on my behalf.

Signature of Owner: ________________________________ Date: ________________________________

ACKNOWLEDGEMENT

I understand that receipt of this application by the City of Kitchener - Planning Division does not guarantee it to be a ‘complete’ application. Further review of the application will be undertaken and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted. Once the application is deemed to be fully complete, the application fee will be deposited and the application will be processed. Submission of this application constitutes consent for authorized municipal staff to enter upon the subject property for the purpose of conducting site visits, including photographs, which are necessary for the evaluation of this application.

Signature of Owner/Applicant: ________________________________ Date: ________________________________

AFFIDAVIT (to be completed in person in the presence of a Commissioner of Oaths)

I, ________________________________, of the City/Town/Township of ________________________________, in the County/Region of ________________________________, solemnly declare that the information contained in this application is true, the information contained in the documents that accompany this application is true and that the owner as of the day on which this application is made has unconditional ownership of the subject lands and has disclosed any agreements or encumbrances that apply to the subject lands.

Signature of Owner/Applicant: ________________________________

Declared before me at the
City/Town/Township of ________________________________ in the County/Region of ________________________________ this ____________ day of ________________________________, 20 ________________

Commissioner of Oaths: ________________________________