

Detach and retain Information and Instructions for future reference.**Pre-Consultation**

Prior to the submission of this application, applicants are strongly encouraged to consult with staff of Planning Services in the Development Services Department. Early consultation can result in the identification of matters that will significantly assist in the processing of the application including a determination whether other applications are required.

Questions in respect to the application and process or requests for consultation with staff before an application is made may be made in person at: Planning Services, City Hall, 8th Floor, Rundle Tower, 50 Centre Street South, Oshawa or by telephone at 905-436-3853 or by email at planning@oshawa.ca.

The City, when approving applications for part lot control exemption by-laws, shall ensure the following:

- (a) The land is included within a registered plan of subdivision within the meaning of the *Planning Act*;
- (b) The exemption is only for one of the following circumstances:
 - (i) To create two or more lots to separate semi-detached, townhouse dwellings or similar housing types;
 - (ii) To enable the sale of lots where a road widening will create part of lots in a registered plan;
 - (iii) To create suitable lots for industrial/commercial uses;
 - (iv) To create easements for purposes of utilities or services; or
 - (v) To permit minor redevelopment of proposals; and
- (c) The land to be exempted:
 - (i) Is covered by appropriate zoning to control lot size, access and use;
 - (ii) Has adequate access and services; and
 - (iii) Is not for purposes of creating a road allowance.

Part lot control can only be applied in registered plans of subdivision. As such, the City requires, that the applicant produce a lawyer's letter attesting that the subject property is eligible to be exempted from part lot control pursuant to the *Planning Act*.

Submission Requirements

- Six (6) copies (one original, five photocopies) of a fully completed application form is submitted to:

Director, Planning Services
Development Services Department
Corporation of the City of Oshawa
50 Centre Street South (8th Floor)
Oshawa, Ontario L1H 3Z7

- The applicable processing fee is to be paid as follows:
 - A processing fee of **\$1,903** is required to be submitted with any application to lift Part Lot Control and any application for amendments to Part Lot Control approvals **plus cost of registration of by-law paid to Legal Services after by-law passed.**
 - A processing fee of **\$954** for minor changes to conditions.
 - A processing fee of **\$954** for an extension to a Part Lot Control By-law **plus cost of registration of by-law paid to Legal Services after by-law passed.**

Methods of payments are: Cash, Cheque (payable to the City of Oshawa) and Interac.

- The City collects a **\$1,320** Preliminary Analysis Fee on behalf of the Central Lake Ontario Conservation Authority (CLOCA) for applications requiring a review by CLOCA. If a CLOCA review is required than a cheque payable to CLOCA for this amount is to be attached to the application. An additional fee may be applicable for the review of technical reports.
- The City collects a **\$500** Preliminary Analysis Fee on behalf of Durham Region for applications requiring a review by Durham Region. If a Durham Region review is required than a certified cheque or money order payable to the Regional Municipality of Durham for this amount is to be attached to the application.

Note:

1. The City of Oshawa's Planning Services processing fees for applications (excluding advertising fees) increase annually by 3%, each January 1st. These fees are calculated by Planning Services and will be published in a brochure available at <http://www.oshawa.ca/business-and-investment/development-applications.asp> or by calling Planning Services at 905-436-3853.
2. Additional copies of plans, maps or other material may be required at a later date in response to site specific conditions and circumstances.

Plans and Supplementary Information:

- Three (3) compact discs or usb/flash drives containing digital copies of all plans and documents are required. The drawings shall be in both AutoCad format and PDF format. All studies and reports shall be in PDF format.
- Ten (10) copies of a registered plan, plan of survey or other plan which illustrates the existing lots and/or blocks to which this application applies.
- Ten (10) additional copies of the above-noted plan which illustrates the parcels which will be conveyed if part lot control is removed and the dimensions and areas of the proposed parcels.
- Three (3) copies of the Ontario Building Code Information Sheet (one for each building), which is attached to this application must be completed, if applicable.

- Solicitor's Certificate: The City may require that the owner or applicant provide a letter from a solicitor attesting that the subject property is eligible to be exempted from Part Lot Control pursuant to the *Planning Act*.
- Separate Letter of Authorization, if the applicant is not the owner (see Section 1, 13 and 14).
- Three (3) paper copies of the Site Screening Questionnaire or four (4) paper copies and one (1) digital copy in PDF format of a Phase I Environmental Site Assessment (see Section 10).
- Three (3) copies of the Minimum Distance Separation 1 – Data Sheet (see Section 11).

General Requirements for All Plans - Note: All dimensions are to be in metric.

General Information Required on Plan:

- Street lines and location, length and bearings of property lines.
- Location and dimensions of existing natural and manmade features on the property and on the adjacent properties and road allowance within a minimum of 15 metres of the subject property such as buildings, easements, underground services, overhead services, water courses, trees, driveways, driveway openings, catchbasins and manholes, fences, fire hydrants, street furniture, barriers, free-standing signs, including existing electrical transformers.
- Building entrances and exit doors.
- Future street widening.
- The location, size and type of all existing and proposed buildings and structures on the Subject Lands, indicating their distance from all lot lines.
- Location and dimensions of all parking spaces, loading spaces, aisles and driveways.
- Location and details of existing and proposed refuse collection facilities.
- Extent and details of paved areas.
- Extent and details of sodded and landscaped areas in accordance with the City's "Landscaping Design Policies".
- Location and details of all existing vegetation to be removed or to be retained.
- Location of road intersections and driveways across the street and adjacent to the subject property.
- The location and extent of easements, rights-of-way, restrictive covenants, etc., on the subject property; a note on the plan must explain the nature of the encumbrance.
- The location and extent of any easements, rights-of-way or other rights over adjacent properties (i.e. mutual drives); a note on the plan must explain the nature of the encumbrance.

Site Data Required on Plan:

- Lot area (gross and net).
- Paved area and any gravelled area (m² and %).
- Landscaped area (m² and %).
- Building area coverage (m² and %).
- Gross floor area by type of use calculated in accordance with the definition in Zoning By-law 60-94.
- Number of stories above and below grade. Identify stories below grade as basement or cellar as defined in Zoning By-law 60-94.
- Number of dwelling units and total unit count by bedroom type.
- Number of parking and loading spaces required and proposed.
- Area of road widening, if required.
- Usable floor area of dwelling units by unit type (each one bedroom model, each two bedroom model, etc.).
- Building height above grade per height definition in Zoning By-law 60-94.
- Building height above sea level.
- Location of any openings in walls located less than 1.2 metres from interior property lines.
- Number and width of barrier-free parking spaces (By-law 94-90).

Do not submit these Information and Instructions pages with your application, retain for future reference.



Application for the Removal of Part Lot Control

Office Use
File Number:
Checked by:
Ward:

1. Registered Owner/Applicant/Agent

Name	Mailing Address	Contact Information
Registered Owner*		Telephone
		Email
Applicant (if different than above)		Telephone
		Email
Agent (if different than above)		Telephone
		Email

* If more than one Registered Owner, please attach a sheet of paper with the required information. If numbered company, give name and address of principal Registered Owner.

Matters relating to this application should be sent to (select one only):

Registered Owner
 Applicant
 Agent

The applicant is:

Registered Owner
 Lessee of land/ tenant
 Prospective Owner
 Agent

If the applicant is not the Registered Owner, the Registered Owner **must consent** to the proposed removal of part lot control by signing Sections 13 and 14 of the application or submitting a letter of authorization. Is a separate Letter of Authorization attached? Yes No

Holders of mortgages, charges or other encumbrances in respect to the subject land:	<input type="checkbox"/> Yes No <input type="checkbox"/> Don't Know <input type="checkbox"/>
Name:	Address(es):

2. Details of Subject Lands

Location and Description			
Municipal Address(es) (Street Number and Name of Street)			
Lot(s)	Concession(s)	Former Twp.	
Registered Plan Number	Lot(s)/Block(s)	Reference Plan Number	Part Number(s)

Site Characteristics			
Frontage (metres)	Average Depth (metres)	Average Width (metres)	Area (sq. m./ha)

Other Details	
Date the site was acquired by the current Registered Owner, if known	
Date(s) existing buildings and structures were constructed on the property, if known	
Length of time the existing uses on the site have continued, if known	
Please identify the address of any abutting lands the Registered Owner of the subject property owns:	

3. Interests and Encumbrances

Are there any existing easements, rights-of-way, restrictive covenants affecting the subject land? **If Yes**, please describe and its effect:

Yes No

Are there any Aboriginal land claims negotiations affecting the subject lands or is covered by a Provincial/Aboriginal co-management agreement? **If Yes**, please describe:

Yes No

Does the Registered Owner have an interest in nearby or adjoining lands? **If Yes**, please indicate the location and area of nearby or adjoining lands which the Registered Owner has an interest:

Yes No

4. Existing and Proposed Use of the Subject Land

Existing use:	
Proposed use:	

5. Current Planning Status

Current Oshawa Official Plan designation:	
Current Part II Plan designation (where applicable):	
Current Zoning:	

6. Lands Subject To Other Applications

Please indicate if the subject land was ever subject of an application for approval for any of the following applications as applicable:

Type of Application	Submitted		File Number	Land Affected	Purpose and Effect of Application	Status of Application
	Yes	No				
Durham Regional Official Plan Amendment						
Plan of Subdivision/ Condominium						
Zoning By-law Amendment						
Official Plan Amendment						
Application for Minor Variance						
Application for Consent						
Application for Site Plan Approval						

7. Purpose of Application

	Explanation
Why is the removal of part lot control being requested	(i.e. to "split" an attached structure, to create a new lot, to create a lot addition)?
For how long do you need part lot control lifted	(i.e. one year)?

8. Servicing and Infrastructure

(a) Water Service

Existing type of water service:

a municipal piped water system

a privately owned and operated individual or communal well

Please indicate the title, date and author of the report in the space provided.

Title	Author	Date	Attached?	To be Submitted

11. Other Information

(a) Woodlots

Does the subject property contain one or more woodlots as defined below?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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For the purposes of defining a woodlot, the diameter of a tree is measured at a point which is 1.37 metres (4.5 ft.) above the highest point of the undisturbed ground at the base of the tree. With that in mind, a “woodlot” is defined as any area which has a minimum of:

- (a) 1,000 trees per hectare (400 trees/ac.) of any size;
- (b) 750 trees per hectare (300 trees/ac.) which measure more than 5 centimetres (2 in.) in diameter;
- (c) 500 trees per hectare (200 trees/ac.) which measure more than 12 centimetres (4.7 in.) in diameter; or
- (d) 250 trees per hectare (100 trees/ac.) which measure more than 20 centimetres (8 in.) in diameter.

For further information on “woodlots”, refer to the Regional Municipality of Durham’s Tree Conservation By-law 30-2020 and any amendments thereto.

(b) Minimum Distance Separation

Are there one or more livestock barns or manure storage facilities located within 500 metres (1,640 ft.) of the boundary of the subject property? If Yes , complete the “Minimum Distance Separation 1 – Data Sheet” which is attached to this application.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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12. Acknowledgements and Affidavit or Sworn Declaration

Applicant’s Acknowledgements
<p>1. If the information and materials submitted by the applicant contains third party information as defined in Section 10(1) of the <i>Municipal Freedom of Information and Protection of Privacy Act</i>, RSO 1990, c M.56, as amended from time to time, the applicant shall specifically identify such information to the City of Oshawa at the time of submission and the applicant shall provide support for its position that such information comprises third party information, however, the identification and support evidence for such a position will not necessarily result in the withholding of the information or material from public disclosure. The applicant’s failure to identify any third party information and provide support for its position with respect to the same will result in the full disclosure of the information or material to the public.</p> <p>2. Personal information on this form is collected under the authority of the <i>Planning Act</i> and will be used to determine compliance with City of Oshawa by-laws and policies.</p> <p>3. Plans submitted in conjunction with this application are not reviewed for compliance with the <i>Ontario Building Code</i> (OBC) and related regulations. It is the responsibility of the Registered Owner/agent and designer to ensure that all plans submitted with this application comply with the basic requirements of the OBC. If you need assistance in determining whether your plans</p>

Declared before me at the _____ of _____ in the _____
(City, Town, etc.) (Oshawa, Toronto, etc.) (Region, County, etc.)

of _____ this _____ day of _____ in the year of _____.
(Durham, Simcoe, etc.)

A Commissioner, etc. Signature of Registered Owner, Applicant or Authorized Agent

13. Authorizations

If the applicant is not the Registered Owner of the land that is the subject of this application, the written authorization of the Registered Owner (or the written authorization of each owner, in the case of shared ownership) that the applicant is authorized to make the application **must be attached**, or in the case of a single owner, the authorization set out below must be completed by the Registered Owner.

I, _____ (please print) am the Registered Owner of the land that is the subject of this application for removal of part lot control and I authorize

_____ (please print) to make this application on my behalf and for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act* to provide any of my personal information that will be included in this application or collected during the processing of the application.

Date Signature of Registered Owner

14. Consent of Registered Owner

Complete the consent of the owner concerning personal information set out below (or the written authorization of each owner in the case of shared ownership).

I, _____ (please print) am the Registered Owner of the land that is the subject of this application for removal of part lot control and, for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the *Planning Act* for the purposes of processing this application.

Date Signature of Registered Owner



Screening Questionnaire for Identifying Potentially Contaminated Sites

This questionnaire has been developed to assist the City of Oshawa in identifying development applications on sites that may be contaminated as a result of a previous use or activity. The Ministry of the Environment, Conservation and Parks (MECP) has developed a "[Guideline for Use at Contaminated Sites in Ontario \(February 1997\)](#)" that outlines the process recommended for the restoration and clean-up of contaminated sites. Applicants on sites that may be contaminated will be required to demonstrate to the satisfaction of the City that they have addressed this Guideline.

This questionnaire is not required to be completed if a Phase 1 or Phase 2 Environmental Site Assessment (ESA), Remedial Work Plan (RWP) or Record of Site Condition (RSC) in accordance with the MECP's Guideline has been provided to the City of Oshawa.

1. Details of Subject Lands

Location and Description		
Landowner Name		
Mailing Address (Street Number and Street Name)		
Location of Subject Lands (Street Number and Name of Street)		
Lot(s)	Concession(s)	Former Twp.
Registered 40M Plan Number	Lot(s)/Block(s)	Registered 40R Plan Number

2. Current Use of the Property

What is the current use of the property? (Check the appropriate uses(s):

Category 1: Industrial Commercial Community

Category 2: Residential Institutional Parkland

Category 3: Agricultural Other

Note: daycare facilities and a property that contains a religious building(s) are considered institutional uses. See [Ontario Regulation 153/04](#), as amended, for definitions.

3. Previous Use of Subject Site

Questions	Yes	No
Does this development proposal require a change in property use that is prescribed under the Environmental Protection Act and O.Reg. 153/04 (e.g. a change to a more sensitive use from Category 1 to 2; 2 to 3; or 1 to 3 as identified above)? If yes, a Record of Site Condition must be filed on the Provincial Environmental Site Registry.	<input type="checkbox"/>	<input type="checkbox"/>
Has the property or any adjacent lands ever been used as an Enhanced Investigation Property (e.g. industrial uses; chemical warehousing; automotive repair garage; bulk liquid dispensing facility, including a gasoline outlet and/or a dry-cleaning equipment)?	<input type="checkbox"/>	<input type="checkbox"/>
Has fill (earth materials used to fill in holes) ever been placed on the property?	<input type="checkbox"/>	<input type="checkbox"/>
Is the property or any adjacent lands identified as a wellhead protection zone? (Please review the Ministry of the Environment, Conservation and Parks Source Protection Information Atlas to confirm).	<input type="checkbox"/>	<input type="checkbox"/>
Is the property within 250 metres from an active or decommissioned landfill/dump, waste transfer station or Polychlorinated Biphenyl (PCB) storage site?	<input type="checkbox"/>	<input type="checkbox"/>
Has the property ever stored/generated/accepted hazardous materials requiring Hazardous Waste Information Network (HWIN) registration or other permits?	<input type="checkbox"/>	<input type="checkbox"/>
Does the subject lands or lands abutting it previously or currently support one or more of the Potentially Contaminating Activities identified in Table 2 of Schedule D of O.Reg 153/04 , as amended?	<input type="checkbox"/>	<input type="checkbox"/>

Note: If the answer is “Yes” to any question above, a Phase One ESA (and possibly a Phase Two ESA) at a minimum prepared in accordance with O.Reg. 153/04, is required. Please submit two hard copies and a digital copy of the Phase One and/or a Phase Two ESA that satisfies the requirements of O.Reg 153/04, as amended.

The City must be granted third party reliance on all ESA work through the completion of its Reliance Letter and Certificate of Insurance. City third-party reliance is not required if a Record of Site Condition is filed on the Environmental Site Registry for the proposed property use and/or the Ministry of the Environment, Conservation and Parks (MECP) issues a notice of a Certificate of Property Use where applicable.

Note: The City may scope the Environmental Site Assessment requirements for minor development proposals on Enhanced Investigation Properties (e.g. accessory structures) or determine if additional environmental work is required.

4. Declarations

This form must be completed and signed by both a Qualified Person and the property Owner(s) or Authorized Agent for all development applications made under the Planning Act and reviewed by the City of Oshawa Planning Department.

A Qualified Person sign-off may be waived by the City for minor variances; and/or part lot control applications where site contamination was recently addressed by a related planning application.

For a full list of Qualified Person exemptions, please see [Appendix B of the Regional Municipality of Durham's Soil and Groundwater Assessment Protocol](#). Where a Qualified Person sign-off is required on this form, the completion of a Regional Reliance Letter and Certificate of Insurance may be waived.

To the best of my knowledge, the information provided in this questionnaire is true, and I do not have any reason to believe that the subject property contains contaminants at a level that would interfere with the proposed property use.

I am a Qualified Person in accordance with Ontario Regulation 153/04 and carry the required liability insurance in accordance with [Appendix F of the Regional Municipality of Durham's Soil and Groundwater Assessment Protocol](#).

Qualified Person

Name of Qualified Person (please print)

Signature of Qualified Person

Name of Firm

Address

Telephone Number

Fax

Email Address

Date

Professional Seal:

Property Owner, or Authorized Agent:

Name of Registered Owner or
Authorized Agent (please print)

Signature of Registered Owner or Authorized Agent

Name of Company (if applicable)

Title of Authorized Agent

Address

Telephone Number

Fax

Email Address

City of Oshawa File Number

Regional File Number

Date



Minimum Distance Separation 1 – Data Sheet

This form is to be completed and attached to a development application when applying for a new non-farm use within 750 metres of a proposed Type A¹ land use or 1,500 metres of a proposed Type B² land use. Complete one sheet for each set of farm buildings.

This form does not need to be completed if the Minimum Distance Separation (MDS) Data Sheet is completed in relation to a subdivision/condominium application.

Closest distance from the livestock facility to the nearest boundary of the subject site:	metres
Closest distance from the manure storage to the nearest boundary of the subject site:	metres
Tillable hectares where livestock facility located:	hectares

Location of Livestock Facility			
Registered Owner of Livestock Facility		Telephone of Registered Owner of Livestock Facility	
Municipal Address(es) (Street Number and Name of Street)			
Lot(s)	Concession(s)	Former Twp.	
Registered Plan Number	Lot(s)/Block(s)	Reference Plan Number	Part Number(s)

Type of Livestock	Existing Housing Capacity #	Manure System (Check one box)			
		Covered Tank	Open Solid Storage	Open Liquid Tank	Earthen Manure Storage
Dairy <input type="checkbox"/> Milking Cows <input type="checkbox"/> Heifers <input type="checkbox"/> Calves		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Beef <input type="checkbox"/> Cows <input type="checkbox"/> Backgrounders <input type="checkbox"/> Feeders <input type="checkbox"/> Shortkeepers		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

¹ Type A Land Uses:

Industrial
 Agricultural Related
 Recreational-Low Intensity
 Residential Dwelling on an existing lot
 Creation of up to 3 lots

² Type B Land Uses:

Residential Subdivisions
 Multiple Residential
 Rural Residential Cluster
 Institutional
 Recreational-High Intensity
 Commercial
 Expansion of a settlement area

Type of Livestock	Existing Housing Capacity #	Manure System (Check one box)			
		Covered Tank	Open Solid Storage	Open Liquid Tank	Earthen Manure Storage
Swine <input type="checkbox"/> Sows <input type="checkbox"/> Weaners <input type="checkbox"/> Breeder gilts <input type="checkbox"/> Feeder Hogs		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poultry <input type="checkbox"/> Chicken Broiler/Roasters <input type="checkbox"/> Caged Layers <input type="checkbox"/> Chicken Breeder Layers <input type="checkbox"/> Pullets <input type="checkbox"/> Meat Turkeys (>10kg) <input type="checkbox"/> Meat Turkeys (6-10kg) <input type="checkbox"/> Meat Turkeys (<6kg) <input type="checkbox"/> Turkeys Breeder Layers		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Horses		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheep <input type="checkbox"/> Adult Sheep – for dairy <input type="checkbox"/> Adult Sheep – for meat <input type="checkbox"/> Feeder Lambs		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mink – Adults		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> White Veal Calves – milk fed <input type="checkbox"/> Veal – grain fed		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Goats <input type="checkbox"/> Adult Goats <input type="checkbox"/> Feeder Goats		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Declaration by Registered Owner or Authorized Agent

To the best of my knowledge, the information provided in this questionnaire is true. I agree for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, 1989, to authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

Name (please print)

Signature of Registered Owner or Authorized Agent

Date