



## PLANNING & DEVELOPMENT

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To: Municipality of South Huron Council  
From: Sarah Smith, Planner  
Date: October 6, 2017

Re: Part Lot Control Exemption Request  
Block 11, Plan 22M-11, Exeter Ward, Taylor Boulevard, Municipality of South Huron  
Owner: 1068775 Ontario Ltd  
Applicant: Raymond and McLean (Kim McLean)

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### RECOMMENDATION

It is recommended that the request to exempt Block 11, Plan 22M-11 from Part Lot Control pursuant to Section 50(7) of the Planning Act **be approved** and the corresponding by-law **be passed** with an expiry date of December 18, 2017.

### PURPOSE AND DESCRIPTION

The subject property is designated Residential in the South Huron Official Plan and zoned R3-12 (High Density Residential Special Provisions) in the Town of Exeter Zoning By-law. The applicant has constructed a three unit grouped house dwelling on the north side of Taylor Boulevard within the east area of Exeter.

The applicant has requested that this lot be exempted from Part Lot Control under the Planning Act to allow the units on the lot to be divided into conveyable parcels for sale and to create easements for rear yard access. See Figures 1-3 on the following pages for the 2015 air photo of the subdivision, the layout of the units on the subject property, and a photograph of the units on this property.

### COMMENTS

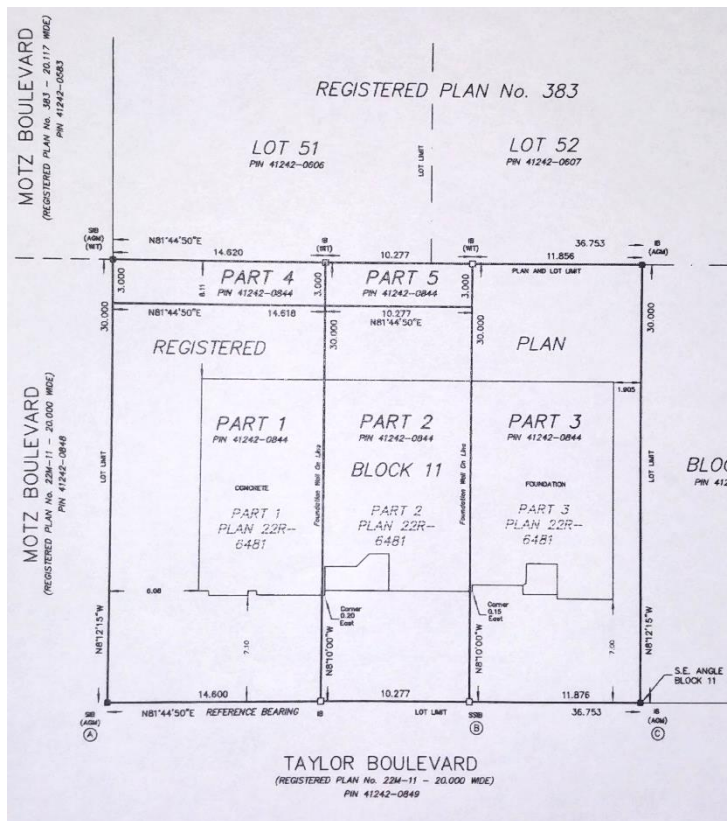
Section 50(5) of the Planning Act prohibits the sale or transfer of property within a registered plan of subdivision with certain exceptions (such as a complete lots in the plan, or if the provincial, federal, or municipal governments are acquiring the parcel or a consent has been granted). However, Section 50(7) permits the Municipality, by by-law, to exempt a property from Section 50(5) for a defined time period. This by-law is passed by South Huron Council and then forwarded to the Director of the Planning Department for approval.

An exemption from Part Lot Control allows the developer to subdivide the lot without consent or plan of subdivision approval by merely registering the deeds at the Land Registry Office.

**Figure 1      2015 Aerial Photograph of Subdivision (red = subject property)**



**Figure 2      Layout of Units on Subject Property**



**Figure 3      Existing Group House Dwelling on Subject Property**



Part Lot Control exemption by-laws are used most frequently with group house developments as it permits the creation of new lots without the time and expense of a consent application. This is a standard request for group house developments as the planning review of the development for group house purposes occurs at the subdivision approval stage. The individual group house unit lots are not created at the subdivision stage to avoid the possibility of the eventual construction of the dwellings not corresponding with the lot lines.

The application to exempt Block 11 of Taylor Boulevard from part lot control is appropriate as this lot has undergone a review when the original subdivision was approved. Further, on review of the R3-12 Zone of the Town of Exeter By-law, each unit does maintain the minimum 5 metre frontage on a street, and each unit also meets minimum parking and amenity area requirements. It is recommended that the exemption request be granted.

An exemption by-law is attached to this report for Council's consideration.

Sincerely,

"original signed by"

Sarah Smith  
Planner

October 6, 2017

Date