



Municipality of Arran-Elderslie  
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November 25, 2024

File Number: B-2023-082

**Re: Application for Exemption from Part-Lot Control  
Recommended Approval of By-law  
551 Queen Street North  
LOT 5 QUEEN N E/S (Paisley Village)  
Roll No. 410341000210400**

Section 50(7) of the Planning Act permits a municipality to pass a By-law exempting all or part of a Registered Plan of Subdivision from the requirements of Part Lot Control under Subsection 50(5) to allow for the conveyance of part of a lot or block of land that would otherwise be prohibited by the Act. This enables new lots to be created without the need to undergo the Consent/Land Division approval process. County approval of the municipal Part Lot Control Exemption By-law is required prior to it being registered on title.

**Proposal**

The applicant, Candue Homes, proposes to obtain an exemption from the provisions of Part Lot Control, as contained in the Planning Act, to facilitate the creation of 4 new lots. The result would be two duplex dwellings with each unit contained to their own lot on the subject lands and with easements for servicing and access purposes.

A reference plan, Plan 3R-10935, has been registered that shows the details of the proposed conveyance.

**Review**

The subject lands are designated Residential in the local Official Plan and are zoned R1-19-2024 in the municipality's Zoning By-law. The lots resulting from the proposed division of the lands conform to the requirements of the Zoning By-law and comply with the local Official Plan.

Use of a Part Lot Control Exemption By-law is a useful means of lot creation in such cases, since it provides the opportunity to obtain an accurate survey of the common walls, which allows the placement of the property lines in the exact location required.

Typically, Part Lot Control exemptions are not general alternatives to consents, but something that can be used in specific instances where there is no public interest that requires 'Notice'. One duplex dwelling is already constructed on the property, and the applicant has a purchaser. The applicants previously received a zoning by-law amendment for this development, which was approved by council, with public comments addressed at that time. I am of the opinion that no 'Notice' is required.

### **Recommendation**

The application requirements are complete, and I request the municipality consider the approval of the attached By-law.

If you have any questions, please do not hesitate to contact this office.

Regards,

Megan Stansfield  
Peninsula Hub  
Planning and Development

Encl.