



# MUNICIPALITY OF ARRAN-ELDERSLIE

## Property Standards Committee

### AGENDA

Monday, March 10, 2025, 9:00 a.m.  
Council Chambers  
1925 Bruce Road 10, Chesley, ON

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Pages

1. Call to Order
  2. Adoption of Agenda
  3. Disclosures of Pecuniary Interest and General Nature Thereof
  4. Adoption of Minutes
- None.

5. Powers of the Committee

The Chair will explain the purpose and the power of the Committee and will outline the procedure to be followed.

Section 15.3 (3.1) Powers of Committee

"On an appeal, the committee has all the powers and functions of the officer who made the order and the committee may do any of the following things if, in the committee's opinion, doing so would maintain the general intent and purpose of the by-law and of the official plan or policy statement:

1. Confirm, modify or rescind the order to demolish or repair.
2. Extend the time for complying with the order. 2002, c. 9, s. 24."

Section 15.3 (4) Appeal to Court

"The municipality in which the property is situate or any owner or occupant or person affected by a decision under subsection (3.1) may appeal to the Superior Court of Justice by notifying the clerk of the municipality in writing and by applying to the court within 14 days after a copy of the decision is sent. 2002, c. 9, s. 24."

6. Municipal Staff Report

6.1 PRSTDS-2025-01 195 1st Ave N, Chesley - NUHN 1

7. Order to Comply

7.1 195 1st Ave N, Chesley 29

The By-Law Enforcement Officer will give details regarding the Order to Comply #2025-OTC-AE01 issued to Kent Hugh Nuhn for 195 1st Ave N, Chesley, as per the Municipality of Arran-Elderslie Property Standards By-Law 18-2000, section 3.1. (A), 3.1 (B), 3.1 (D) and 3.1 (E).

7.2 Municipal Experts 66

Jen Burnett, MSc., MCIP, RPP, Senior Planner for the County of Bruce will provide an explanation on the permitted uses in the Site-Specific Zoning for the property being By-Law 15-2015 and their associated definitions.

8. Appeal from Property Owner

An appeal to the Property Standards Order was received by the Clerk of the Municipality of Arran-Elderslie on February 5, 2025.

***No written submissions were received from the Appellant***

9. Decision from Committee

The Committee will be given an opportunity to deliberate and make a decision to:

1. Confirm, modify or rescind the order to demolish or repair
2. Extend the time for complying with the order. 2001, c.9 s.24

10. Adjournment

**Document Accessibility**

The Municipality of Arran-Elderslie. is committed to providing information in the format that meets your needs. We have made every attempt to make documents for this meeting accessible but there may still be difficulty in recognizing all of the information. Please contact us if you require assistance and we will make every attempt to provide this information in an alternative format.

Please note that third party documents received and found within this document will not be converted to an accessible format by the Municipality of Arran-Elderslie. However, upon request, we will attempt to obtain these documents in an appropriate accessible format from the third party.

For assistance or to make a request please call 519-363-3039 ext. 101 or email [cfraser@arran-elderslie.ca](mailto:cfraser@arran-elderslie.ca).



## Staff Report

Meeting Date: March 10, 2025

Subject: PRSTDS-2025-01 195 1st Ave N, Chesley - NUHN

Report from: Julie Hamilton, Deputy Clerk

Attachments:

Attachment 1 – Correspondence dated January 25, 2023 and associated Pictures

Attachment 2 – Correspondence dated March 21, 2023 and associated Pictures

### **Recommendation**

Be It Resolved that the Property Standards Committee hereby receives for information PRSTDS-2025-01.

### **Background**

The Municipality has received written complaints regarding the condition of the property located at 195 1<sup>st</sup> Ave N, Chesley. By-law Enforcement Officers have inspected the property and confirm it to not be in compliance with the Property Standards By-law.

On January 26, 2023, Staff sent a letter to Mr. Nuhn by regular mail to the mailing address listed on the property file. The letter was returned unclaimed. A subsequent letter was drafted on March 1, 2023, and hand delivered to Mr. Nuhn by a By-law Enforcement Officer.

The pictures in Attachment #1 represent the state of the property the day before the 1<sup>st</sup> letter was drafted. Following receipt of the hand delivered letter, Mr. Nuhn met with the Chief Building Official on site to discuss steps to begin remediating the property into compliance. The pictures in Attachment #2 were taken on March 21, 2023, and present a progress update on the remediation efforts.

Since the remediation efforts in 2023, the property has further received complaints on the state of the property.

On January 16, 2025 the property owner was served with an Order to Comply, Logan Ward, the By-Law Enforcement Officer, is in attendance and will provide further details on the order for the Committee.

On February 5, 2025 the Municipality received an appeal of the Order to Comply with the reason stated that "the zoning allowance on the property is a permitted use being Automobile Carwash, Automobile Repair, Automobile Sales, convenience Store, Restaurant-take out, Repair Shop, Tavern)

Jen Burnett, MSc., MCIP, RPP, Senior Planner for the County of Bruce is in attendance and will provide an explanation on the permitted uses in the Site-Specific Zoning for the property being By-Law 15-2015 and their associated definitions.

Ms. Burnett will also provide clarification on the definitions of "Automobile Wrecking Yard" and "Salvage Yard" as per the Municipality of Arran-Elderslie Zoning By-law which is not permitted on the property.

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Approved by: Emily Dance, Chief Administrative Officer



**The Corporation of the Municipality of Arran-Elderslie**  
**1925 Bruce Road 10, PO Box 70**  
**Chesley, ON N0G 1L0**  
**Main Office (519)363-3039**  
**Fax (519)363-2203**  
**General Inquiries [info@arran-elderslie.ca](mailto:info@arran-elderslie.ca)**

41-03-390-001-09300-0000  
 NUHN KENT HUGH  
 195 1ST AVE N  
 CHESLEY ON N0G 1L0

January 26, 2023

Sent via Regular Mail

Dear Mr. Nuhn,

I am contacting you today regarding your property located in the Town of Chesley at 195 1<sup>st</sup> Avenue North.

We have received complaints regarding the state of this location and would like to work with you to remediate the site to a more appealing state. Additionally, the site is located directly beside our Chesley Fire and Emergency Services Station and we would like to ensure that there is no obstruction during an emergency situation.

This property is zoned C2 – Transition Commercial and the Permitted Uses in accordance with our Comprehensive Zoning Bylaw. Additional permitted uses of this property pursuant to the passing of a Bylaw Zoning Amendment (ZBA) C2-15-2015-H in 2015, are as follows:

Automobile Car Wash, Automobile Repair, Automobile Sales, Convenience Store, Restaurant – Take Out, Repair Shop, Tavern

For the purposes of the ZBA, Repair shall be defined as: Repair Shop Means premises used for the servicing or repairing of articles, goods or materials, and may include an outlet for service and repair done off the premises and minor retail sales of related goods, but does not include any use involving the sale, rental or servicing of motor vehicles.

The property is not permitted to operate as a:

'AUTOMOBILE WRECKING YARD' means a lot, building or structure used for the wrecking or dismantling of 'motor vehicles' and 'commercial motor vehicles' and for the storage and sale of scrap material, salvage and parts obtained therefrom but does not include any other automobile use defined in this By-law or a 'Salvage Yard'.

Or

'SALVAGE YARD' means an establishment where goods, wares, merchandise, articles or things are processed for further use, and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and includes an 'Automobile Wrecking Yard'.

The property is also subject to the provisions of the that relate to Open Storages in accordance with Section 3.17 of The Comprehensive Zoning Bylaw. Open Storage is defined as:

'OPEN STORAGE' means the keeping or storage of goods, merchandise or equipment, in the open air and in unenclosed portions of buildings, which are open to the air on the sides. Open Storage does not include motor vehicles, commercial motor vehicles, travel trailers, boats, recreational vehicles, tractors and other similar on or off-road vehicles provided all are in working order and are displayed for retail/wholesale purposes.

Due to the conditions of the vehicles being kept on the property, they would not be considered "in working order".

The provisions of Section 3.17 are as follows:

Open Storage' shall be permitted provided that:

- i. the 'Open Storage' is accessory to the principle use on the lot;
- ii. no 'Open Storage' shall be permitted in a front yard or exterior side yard;
- iii. the 'Open Storage' complies with the minimum yard requirements of the Zone;
- iv. the 'Open Storage' is visually screened from the street by a 'Planting Area/Visual Screening' as per Section 3.15.

In the Industrial or Commercial Zones, where any side or rear lot line abuts a lot also zoned Industrial or Commercial, the minimum setback of any 'Open Storage' may be reduced to no less than 3 metres (10 ft.) from the said side or rear lot line.

As you will note, there is no allowance for open storage in the front yard of the property, which is defined as:

'YARD, FRONT' or 'FRONT YARD' means a yard extending across the full width of a lot, measured perpendicularly from the front lot line to the closest wall of any 'Main Buildings' or structures on the said lot. Where a lot does not have a 'front lot line', the front yard shall be measured from edge of the 'street' from which principle access to the lot is gained.

As a secondary to the Open Storage Provisions, you are required to comply with the 'Planting Area/Visual Screening' as per Section 3.15 as follows:

#### Planting Area/Visual Screening

- i. A required Planting Area/Visual Screening shall consist of a dense screen of shrubs and/or evergreen trees, planted or designed in such a manner as to provide a year-round visual barrier.
- ii. A Planting Area/Visual Screening shall be in addition to any other requirements.

#### Required Locations

Except as otherwise provided, a Planting Area/Visual Screening shall be provided as per Section 3.15.2, where required by this By-law, and where the interior side lot line or rear lot line of the lot abuts any lot zoned Residential, Open Space, or Institutional.

#### Height & Width of Planting Area/Visual Screening

- i. Except as otherwise provided, a Planting Area/Visual Screening shall have a minimum width of 1.5 metres (5 ft).
- ii. The required Planting Area/Visual Screening shall be a minimum height of 1 metre (3 ft.) when planted and of a type that will attain a minimum height of 2 metres (6.6 ft.) at maturity to the lot line and the remainder of the ground surface shall be planted with any combination of shrubs, flower beds or grass.
- iii. Notwithstanding the above and subject to Site Plan Approval if required, a solid opaque fence, wall or other landscaping feature of equivalent height and density may be considered in place of a Planting Area. When considering such an alternative, regard shall be given to the location, height, materials, finishing and porosity of the wall or fence.
- iv. The Planting Area/Visual Screening shall be located along the boundary of the lot.

#### Interruption for Driveway or Walkway



- i. Where interrupted by walkways or driveways, a Planting Area/Visual Screening shall not be provided closer than 1.5 metres (5 ft) to a walkway or 3 metres (10 ft.) to a driveway.

#### Maintaining Sight Visibility Triangle

- ii. Where required on a street corner of a corner lot, a Planting Area/Visual Screening shall be located in such a way as not to form an obstruction to traffic and as required by the sight visibility triangles required by this By-law.

The above provides a general basis of justification of our concerns regarding the property of 195 1<sup>st</sup> Avenue North, Chesley. We respectfully request that cleanup begin to remediate the area to be compliant with as required provisions of the Arran-Elderslie Comprehensive Zoning bylaw. The above noted contraventions would be in violation of the Planning Act, R.S.O. 1990, c. Penalties under Section 67 of the Planning Act specify fines of \$25,000 upon first conviction and subsequent convictions of \$10,000 for each day the contravention continues. Also of note, the property appears to be in contravention of Arran-Elderslie Property Standards By-Law 18-2000.

We request compliance by February 28, 2023. Failing to meet this deadline may result in the issuance of an Order To Comply, in accordance with Section 15 of the Building Code Act. and/or other applicable legislation.

If you have any questions or concerns or would like to request an extension of the timeline, please contact Patrick Johnston, Chief Building Official at 519-363-3609 X106.

Regards,

***Original Signed By***

Julie Hamilton  
 Deputy Clerk  
 Municipality of Arran-Elderslie  
 Office 519-363-3039 ext. 105  
 Cell 226-668-8323  
[deputyclerk@arran-elderslie.ca](mailto:deputyclerk@arran-elderslie.ca)



JAN 25 2023



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**The Corporation of the Municipality of Arran-Elderslie**  
**1925 Bruce Road 10, PO Box 70**  
**Chesley, ON N0G 1L0**  
**Main Office (519)363-3039**  
**Fax (519)363-2203**  
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41-03-390-001-09300-0000  
 NUHN KENT HUGH  
 195 1ST AVE N  
 CHESLEY ON N0G 1L0

March 1, 2023

**HAND DELIVERED**

Dear Mr. Nuhn,

On January 26, 2023, a letter was mailed to the address details noted above regarding your property located in the Town of Chesley at 195 1<sup>st</sup> Avenue North. To date, no response has been received from this letter and the property remains to be non-compliant.

We have received complaints regarding the state of this location and would like to work with you to remediate the site to a more appealing state. Additionally, the site is located directly beside our Chesley Fire and Emergency Services Station and we would like to ensure that there is no obstruction during an emergency situation.

This property is zoned C2 – Transition Commercial and the Permitted Uses in accordance with our Comprehensive Zoning Bylaw. Additional permitted uses of this property pursuant to the passing of a Bylaw Zoning Amendment (ZBA) C2-15-2015-H in 2015, are as follows:

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The above provides a general basis of justification of our concerns regarding the property of 195 1<sup>st</sup> Avenue North, Chesley. We respectfully request that cleanup begin to remediate the area to be compliant with as required provisions of the Arran-Elderslie Comprehensive Zoning bylaw. The above noted contraventions would be in violation of the Planning Act, R.S.O. 1990, c. Penalties under Section 67 of the Planning Act specify fines of \$25,000 upon first conviction and subsequent convictions of \$10,000 for each day the contravention continues. Also of note, the property appears to be in contravention of Arran-Elderslie Property Standards By-Law 18-2000.

We request compliance by **March 20, 2023**. Failing to meet this deadline may result in the issuance of an Order To Comply, in accordance with Section 15 of the Building Code Act. and/or other applicable legislation.

If you have any questions or concerns or would like to request an extension of the timeline, please contact Patrick Johnston, Chief Building Official at 519-363-3039 X106.

Regards,

#### **Original Signed By**

Julie Hamilton  
Deputy Clerk  
Municipality of Arran-Elderslie  
Office 519-363-3039 ext. 105  
Cell 226-668-8323  
[jhamilton@arran-elderslie.ca](mailto:jhamilton@arran-elderslie.ca)

March 21 2023





March 21 2023



March 21 2023



March 21 2023



March 21 2023



March 21 2025

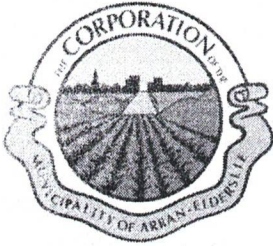


March 21 2023



March 21 2023





THE CORPORATION OF THE MUNICIPALITY OF ARRAN-ELDERSLIE

1925 Bruce Road 10, Box 70, Chesley, ON N0G 1L0  
 Ph.519.363.3039 Fax.519.363.2203  
 BCIN: 21181  
 bylaw@arran-elderslie.ca  
 www.arran-elderslie.ca

**Order to Comply**

Pursuant to Subsection 15.2 (2) of the *Building Code Act, 1992*

Order Number: (optional)

2025-OTC-AE01

Date Order issued: January 22, 2025

**Address to which Order applies:**

CIVIC ADDRESS: 195 1ST AVE NORTH, ARRAN-ELDERSLIE (TOWN OF CHESLEY)  
 LEGAL DESCRIPTION: PLAN 217 PARK PT LOT Y  
 ROLL#410339000109300

**Order issued to (name and address):**

- 1. KENT HUGH NUHN 3.  
 195 1ST AVE NORTH  
 CHESLEY, ON  
 N0G 1L0
- 2. 4.

The inspection on or about May 8, 2024 (date) at the above-referenced address found the following contravention(s) of the Building Code or the *Building Code Act, 1992*.

You are hereby ordered to correct the contraventions itemized below immediately, by the dates listed below, or by MAY 15, 2025 (date).

Item	Reference	Description and location	Required action and compliance date
1	Property Standards Bylaw18-2000 Section 3.1 (A)	RUBBISH, GARBAGE, WASTE AND OTHER DEBRIS	REMOVE ALL SCRAP METAL AND DEBRIS INCLUDING BUT NOT LIMITED TO AUTOMOTIVE PARTS, APPLIANCES, PALLETS
2	Property Standards Bylaw18-2000 Section 3.1 (B)	OBJECTS AND CONDITIONS THAT ARE OR MIGHT CREATE A HEALTH, FIRE OR ACCIDENT HAZARD	REPAIR STAIR AT BACK OF PROPERTY. REMOVE ALL VEHICLE PARTS
3	Property Standards Bylaw18-2000 Section 3.1 (D)	DEAD, DECAYING OR DAMAGED TREES, BRANCHES, LIMBS	TRIM TREES, REMOVE BRUSH PILES

**Order issued by:**

Name Logan Ward BCIN (where applicable) \_\_\_\_\_  
 Signature Logan Ward Telephone 226-910-1322  
 Contact name (optional) \_\_\_\_\_ Contact tel. number (optional) \_\_\_\_\_

**Note:**

\* It is illegal to obstruct the visibility of a posted Order. It is also illegal to remove a posted Order unless authorized by an Inspector, Officer or Registered Code Agency. [Building Code Act, 1992 s. 20]

\* An owner or occupant who has been served with an order made under subsection 15.2 (2) and who is not satisfied with the terms or conditions of the order may appeal to the committee by sending a notice of appeal by registered mail to the secretary of the committee within 14 days after being served with the order. [1997, c. 24, s. 224 (8)].

\* An Order may be appealed to the Superior Court of Justice. [Building Code Act, 1992 s. 15.3]. It may also be appealed to the Building Code Commission concerning the sufficiency of compliance with the technical requirements of the Building Code. [Building Code Act, 1992 s. 24]





THE CORPORATION OF THE MUNICIPALITY OF ARRAN-ELDERSLIE

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**Order to Comply**

Pursuant to Subsection 15.2 (2) of the *Building Code Act, 1992*

Order Number: (optional) 2025-OTC-AE01

Date Order issued: January 22, 2025

**Address to which Order applies:**

CIVIC ADDRESS: 195 1ST AVE NORTH, ARRAN-ELDERSLIE (TOWN OF CHESLEY)  
 LEGAL DESCRIPTION: PLAN 217 PARK PT LOT Y  
 ROLL#410339000109300

**Order issued to (name and address):**

- 1. KENT HUGH NUHN 3.  
 195 1ST AVE NORTH  
 CHESLEY, ON  
 N0G 1L0
- 2. 4.

The inspection on or about May 8, 2024 (date) at the above-referenced address found the following contravention(s) of the Building Code or the *Building Code Act, 1992*.

You are hereby ordered to correct the contraventions itemized below immediately, by the dates listed below, or by MAY 15, 2025 (date).

Item	Reference	Description and location	Required action and compliance date
4	Property Standards Bylaw 18-2000 Section 3.1 (E)	WRECKED, DISMANTLED, INOPERATIVE, UNUSED OR UNLICENCED VEHICLES, TRAILERS & OTHER MACHINERY	REMOVE ALL DERELICT AND/OR INOPERABLE VEHICLES

**Order issued by:**

Name Logan Ward BCIN (where applicable) \_\_\_\_\_  
 Signature *Logan Ward* Telephone 226-910-1322  
 Contact name (optional) \_\_\_\_\_ Contact tel. number (optional) \_\_\_\_\_

**Note:**

- It is illegal to obstruct the visibility of a posted Order. It is also illegal to remove a posted Order unless authorized by an Inspector, Officer or Registered Code Agency. [Building Code Act, 1992 s. 20]
- An owner or occupant who has been served with an order made under subsection 15.2 (2) and who is not satisfied with the terms or conditions of the order may appeal to the committee by sending a notice of appeal by registered mail to the secretary of the committee within 14 days after being served with the order. [1997, c. 24, s. 224 (3)].
- An Order may be appealed to the Superior Court of Justice. [Building Code Act, 1992 s. 15.3]. It may also be appealed to the Building Code Commission concerning the sufficiency of compliance with the technical requirements of the Building Code. [Building Code Act, 1992 s. 24]

Jul 23, 2024 at 10:06:02 AM  
N 44° 18' 19", W 81° 5' 50"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:08:23 AM  
N 44° 18' 19", W 81° 5' 48"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:06:00 AM  
N 44° 18' 19", W 81° 5' 50"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:08:19 AM  
N 44° 18' 19", W 81° 5' 48"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada

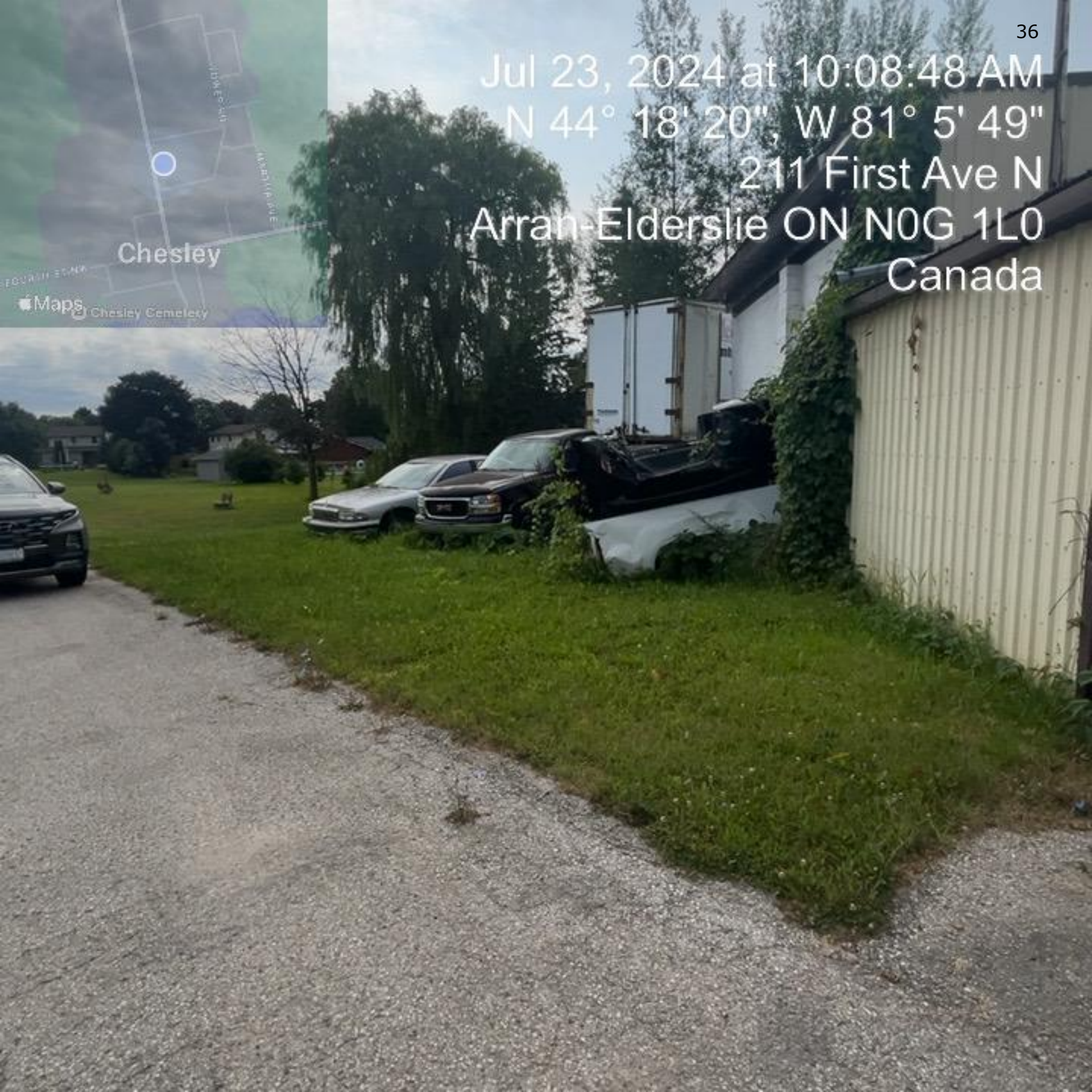


Apple Maps Chesley, Ontario, Canada

Jul 23, 2024 at 10:07:57 AM  
N 44° 18' 18", W 81° 5' 48"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:08:48 AM  
N 44° 18' 20", W 81° 5' 49"  
211 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:08:23 AM  
N 44° 18' 19", W 81° 5' 48"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Apple Maps Chesley Cemetery



Jul 23, 2024 at 10:07:05 AM  
N 44° 18' 18", W 81° 5' 49"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:06:40 AM  
N 44° 18' 19", W 81° 5' 49"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:06:57 AM  
N 44° 18' 19", W 81° 5' 49"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:07:32 AM  
N 44° 18' 18", W 81° 5' 48"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:08:48 AM  
N 44° 18' 20", W 81° 5' 49"  
211 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:06:04 AM  
N 44° 18' 19", W 81° 5' 50"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:06:02 AM  
N 44° 18' 19", W 81° 5' 50"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jul 23, 2024 at 10:06:23 AM  
N 44° 18' 19", W 81° 5' 49"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada





Jul 23, 2024 at 10:07:47 AM  
N 44° 18' 18", W 81° 5' 48"  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



Jan 17, 2025 at 10:25:19  
195 First Ave N  
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Canada



Jan 17, 2025 at 10:24:29  
211 First Ave N  
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Canada



Jan 17, 2025 at 10:25:02  
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Canada



Feb 15, 2025 at 14:24:25  
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Canada



Feb 15, 2025 at 14:23:43  
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Canada



Feb 15, 2025 at 14:23:54  
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Canada



Feb 15, 2025 at 14:22:04  
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Canada





Feb 15, 2025 at 14:23:59  
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Canada



Feb 15, 2025 at 14:22:55  
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Canada



Feb 15, 2025 at 14:23:17  
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Canada



Feb 15, 2025 at 14:23:01  
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Canada



Feb 15, 2025 at 14:23:23  
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Canada



Feb 15, 2025 at 14:22:09  
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Arran-Elderslie ON N0G 1L0  
Canada



Feb 15, 2025 at 14:24:08  
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Canada



Feb 15, 2025 at 14:21:43  
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Canada





Feb 15, 2025 at 14:24:30  
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Canada



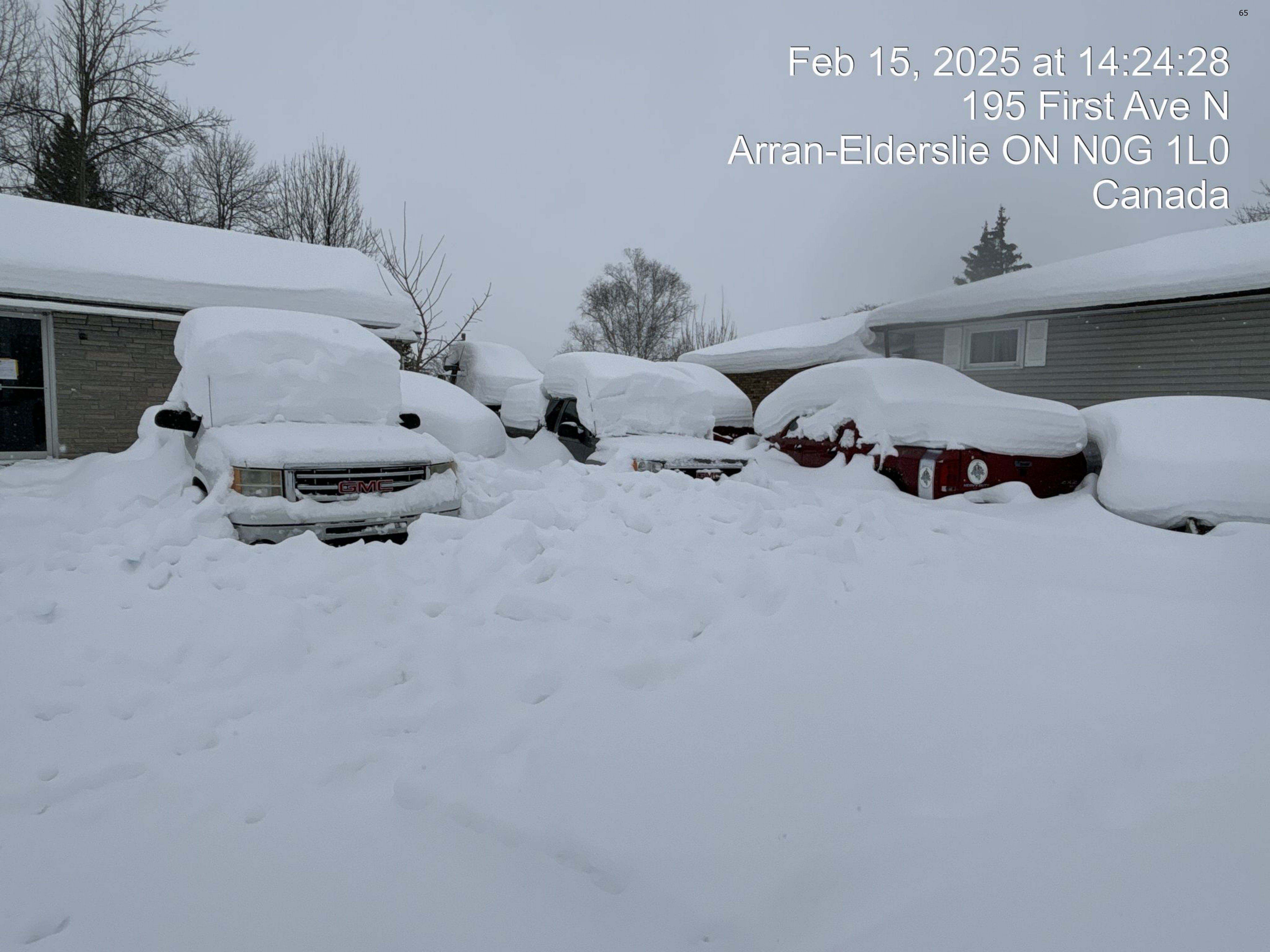
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Canada



Feb 15, 2025 at 14:24:28  
195 First Ave N  
Arran-Elderslie ON N0G 1L0  
Canada



## THE CORPORATION OF THE MUNICIPALITY OF ARRAN-ELDERSLIE

### BY-LAW NO. 15 - 2015

BEING A BY-LAW TO AMEND SCHEDULE A OF BY-LAW NO. 36-09, AS AMENDED  
(BEING THE COMPREHENSIVE ZONING BY-LAW  
OF THE MUNICIPALITY OF ARRAN-ELDERSLIE)

RE: Plan 217, Park Lot Y, R295973 except part 3R6306 (Chesley)

Whereas Section 34(1) of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, provides that: "Zoning by-laws may be passed by the councils of local municipalities:

1. For prohibiting the use of land, for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway.
2. For prohibiting the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway.

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF ARRAN-ELDERSLIE HEREBY ENACTS AS FOLLOWS:

1. THAT Schedule "A" of By-law No. 36-09, as amended being the Comprehensive Zoning By-law for the Municipality of Arran-Elderslie, is hereby further amended by changing thereon of those lands described as Plan 217, Park Lot Y, R295973 except part 3R6306 (Chesley), as outlined in Schedule 'A', attached hereto and forming a part of this by-law, from the Transition Commercial (C2) Zone to Transition Commercial Special (C2-15-2015) Zone.

2. THAT By-law No. 36-09, as amended, is hereby further amended by adding the follow subsection to Section 12.5 thereof:

3. C2-15-2015-H Plan 217, Park Lot Y, R295973 except part 3R6306 (Chesley), (Stade Z-01-15.39) Notwithstanding their Transition Commercial (C2) zoning designation, those lands delineated as C2-15-2015 on Schedule 'A' to this By-law shall be used in compliance with the 'C2' zone provisions contained in this by-law, excepting however:

- i. Additional Permitted uses: Automobile Car Wash, Automobile Repair, Automobile Sales, Convenience Store, Restaurant – Take Out, Repair Shop, Tavern
- ii. Repair Shop, for the purposes of this by-law, shall be defined as:  
**REPAIR SHOP**  
Means premises used for the servicing or repairing of articles, goods or materials, and may include an outlet for service and repair done off the premises and minor retail sales of related goods, but does not include any use involving the sale, rental or servicing of motor vehicles.

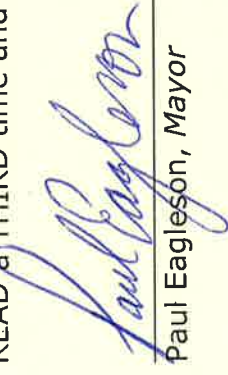
i. The Holding Provision may be removed upon confirmation that suitable entrances have been installed to the satisfaction of Bruce County Highways department."

3. THAT this By-law takes effect from the date of passage by Council, subject to compliance with the provisions of the *Planning Act, R.S.O. 1990, as amended.*

\*\*\*\*\*

READ a FIRST and SECOND time this 23<sup>rd</sup> day of MARCH, 2015.

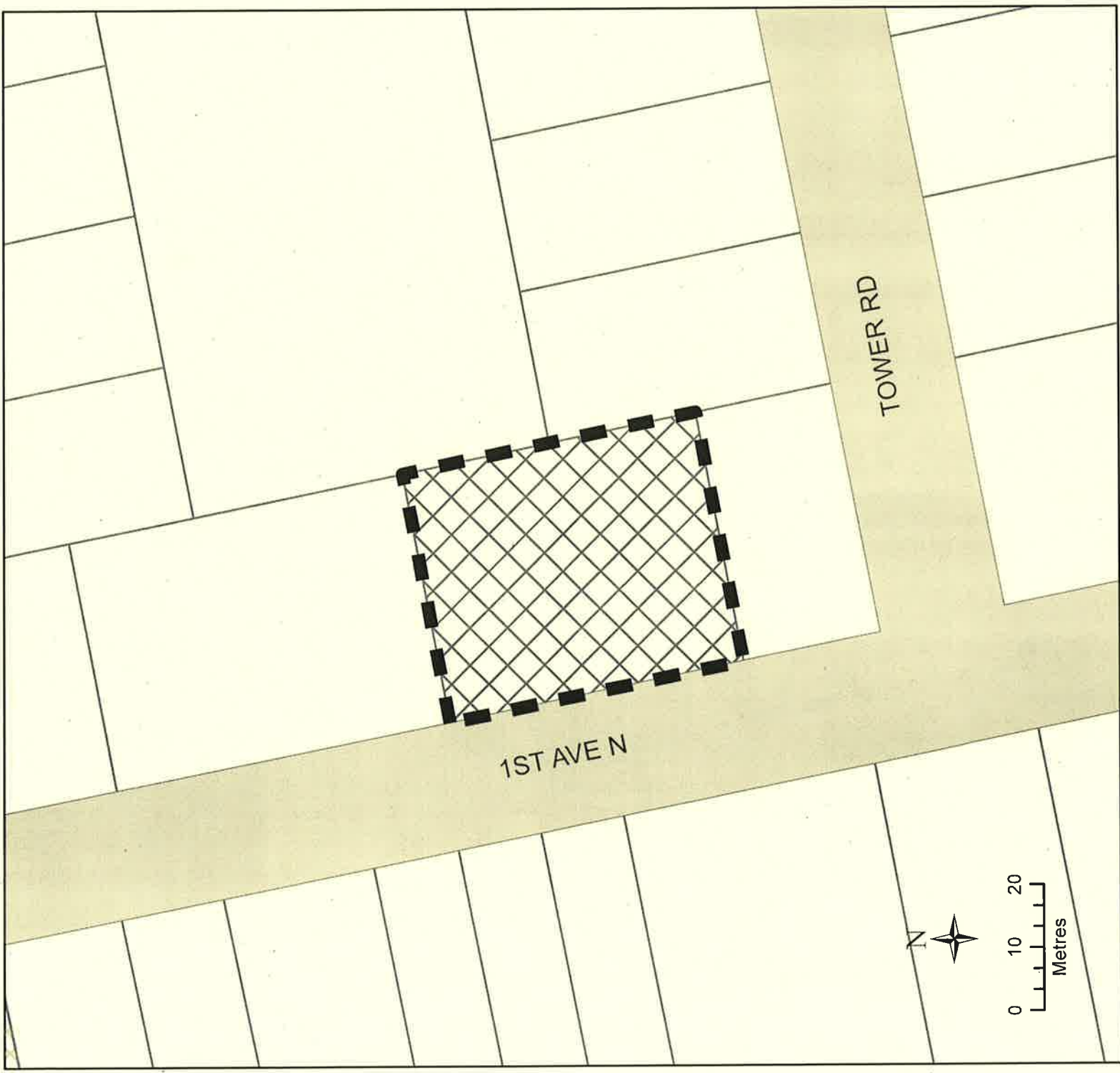
READ a THIRD time and finally passed this 23<sup>rd</sup> day of MARCH, 2015.

  
\_\_\_\_\_  
Paul Eagleson, Mayor

  
\_\_\_\_\_  
Peggy Rouse, Clerk

**Schedule 'A'**

Plan 217 Park Lot Y, R295973 except part 2R6306 (195 1st Ave N)  
Municipality of Arran-Elderslie (Town of Chesley)



Subject Property



Lands to be zoned C2-15-2015-H - Transition Commercial Special Holding

This is Schedule 'A' to the zoning by-law  
amendment number 15-2015 passed this  
23<sup>rd</sup> day of MARCH 2015  
Mayor *Karl Hagler*  
Clerk *Lynda D. Duncanson*



Feb 5 2025

- I Kent Nuhn Owner of the property of 195 1st Ave North Chesley Ontario will be appealing the property Standards Order for the reasons of the zoning allowance on property with the permitted uses as listed (Automobile carwash, Automobile Repair, Automobile Sales, convenience store, Restaurant - take out, Repair Shop, Tavern)

The business that has been operating on property 195 1st Ave North Chesley is Automobile Repair and Automobile Sales. ~~The~~

Kent Nuhn

Phone

Address