



# MUNICIPALITY OF ARRAN-ELDERSLIE

## Committee of Adjustment

### AGENDA

Monday, April 28, 2025, 9:00 a.m.  
Council Chambers and/or Via Microsoft Teams  
1925 Bruce Road 10  
Chesley, ON N0G 1L0

	Pages
1. Call to Order	
2. Adoption of Agenda	
3. Disclosures of Pecuniary Interest and General Nature Thereof	
4. Adoption of Minutes of Previous Meeting(s)	1
5. New Business	
5.1 A-2025-014 - WT Lands c/o Cobide Engineering	12
• minor variance for relief from Section 10.3 of the Municipality's Zoning By-Law which requires a minimum lot frontage of 15 metres and a maximum lot coverage of 40%. The proposed frontage will be 5.8 metres and the lot coverage will be 53%.	
6. Adjournment	



## **MUNICIPALITY OF ARRAN-ELDERSLIE**

### **Committee of Adjustment Meeting**

### **MINUTES**

**Tuesday, November 12, 2024, 9:00 a.m.**

**Council Chambers**

**1925 Bruce Road 10, Chesley, ON**

Council Present: Mayor Steve Hammell  
Deputy Mayor Jennifer Shaw  
Councillor Ryan Nickason  
Councillor Darryl Hampton  
Councillor Brian Dudgeon  
Councillor Moiken Penner  
Councillor Peter Steinacker

Staff Present: Christine Fraser-McDonald - Clerk  
Julie Hamilton - Deputy Clerk  
Emily Dance, CAO

#### **1. Call to Order**

Chair Hammell called the meeting to order at 9:00 a.m. A quorum was present.

#### **2. Adoption of Agenda**

The Committee passed the following resolution:

**13-04-2024**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Nickason

Be It Resolved that the agenda for the Committee of Adjustment Meeting of November 12, 2024 be received and adopted as presented.

**Carried**

#### **3. Disclosures of Pecuniary Interest and General Nature Thereof**

None declared at this time.

#### **4. Adoption of Minutes of Previous Meeting(s)**

The Committee passed the following resolution:

**14-04-2024**

**Moved by:** Deputy Mayor Shaw

**Seconded by:** Councillor Steinacker

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Committee of Adjustment meeting held September 9, 2024.

**Carried**

## **5. Public Meetings**

### **5.1 Minor Variance A-2024-034 - Cheslock - 239 Nelson Street, Paisley**

Chair Hammell advised that this was a Public Meeting under the Planning Act to consider Minor Variance Application A-2024-034 for Robert Cheslock at 239 Nelson Street, Paisley.

Megan Stansfield, Planner for Bruce County, presented the planning report and read correspondence that had been received from the public. This application proposes to sever the land at 239 Nelson Street converting the existing duplexes into semi-detached homes. The minor variance is to permit a reduced frontage. The lots proposed for development were severed in 2020 and certified the following year. Construction on the duplex dwellings began earlier this year.

Section 45(1) of the Planning Act provides for the granting of minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Relief may only be granted if the Variance passes the “Four Tests of a Minor Variance”. The Committee must be satisfied that the application has satisfied all four tests to approve the Minor Variance.

#### **Agency Comments:**

- Arran-Elderslie Staff:

Works/Water Department:

- This property is not serviced individually for subdividing. The duplex currently only has one water and sewer connection at the property line. A second connection would need to be installed and paid for as a capital cost if this application is approved. There will be a capital charge of \$1900.80 (2024) for the pipeline to Paisley as per By-law 5-2010.
- Building Department: No concerns.
- Clerk's Department: No concerns.
- Fire Department: No concerns.

- Saugeen Ojibway Nation Environment Office: No comments received; however the lot is within an area of high archaeological potential and an assessment was completed prior to the certification of the lots in 2021.
- Saugeen Valley Conservation Authority: The property is within the SVCA Approximate Regulated Area associated with the floodplain limit as shown on engineered floodplain mapping. A permit was issued for the construction of the semi-detached buildings.

### **Public Comments:**

There were no comments received from the public at this time.

The Planner recommended that the Committee of Adjustment approve Minor Variance A-2024-034.

The Chair said if attendees wished to be notified of the adoption of the proposed Minor Variance or of further proceedings regarding the variance a written request could be made by email to [publicmeetingcomments@brucecounty.on.ca](mailto:publicmeetingcomments@brucecounty.on.ca).

Chair Hammell asked if the Committee had any questions.

Chair Hammell asked if the applicant or agent was present and if they had any further comments regarding the application.

Chair Hammell asked if there were any comments from the public either in support or opposition to the application.

Chair Hammell asked the Clerk if any written comments had been received. The Clerk noted that that no public comment had been received.

Hearing no further comments from the public, Chair Hammell declared the public meeting closed at 9:11 a.m.

The Committee passed the following resolution:

**15-04-2024**

**Moved by:** Councillor Penner

**Seconded by:** Councillor Hampton

Be It Resolved that the application for Minor Variance A-2024-034, from Comprehensive Zoning By-law 36-09, is hereby **granted** subject to the following conditions:

1. That any future development on the property conforms to the provisions of the Zoning By-law.

2. That the decision applies only to the proposed development as indicated on Schedule 'A' attached to and forming part of this decision.

**Reasons:**

1. The variance maintains the intent and purpose of the Official Plan.
2. The variance maintains the intent and purpose of the Zoning By-law.
3. The variance requested is desirable for the appropriate and orderly development and use of the lands and buildings.
4. The variance is minor in nature.

For (7): Mayor Hammell, Deputy Mayor Shaw, Councillor Nickason, Councillor Hampton, Councillor Dudgeon , Councillor Penner, and Councillor Steinacker

**Carried (7 to 0)**

**5.2 Minor Variance A-2024-035 - Cheslock - 233 Nelson Street, Paisley**

Chair Hammell advised that this was a Public Meeting under the Planning Act to consider Minor Variance Application A-2024-035 for Robert Cheslock at 233 Nelson Street, Paisley.

Megan Stansfield, Planner for Bruce County, presented the planning report and read correspondence that had been received from the public. This application proposes to sever the land at 239 Nelson Street converting the existing duplexes into semi-detached homes. The minor variance is to permit a reduced frontage. The lots proposed for development were severed in 2020 and certified the following year. Construction on the duplex dwellings began earlier this year.

Section 45(1) of the Planning Act provides for the granting of minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Relief may only be granted if the Variance passes the "Four Tests of a Minor Variance". The Committee must be satisfied that the application has satisfied all four tests to approve the Minor Variance.

**Agency Comments:**

- Arran-Elderslie Staff:

Works/Water Department:

- This property is not serviced individually for subdividing. The duplex currently only has one water and sewer connection at the property line. A second connection would need to be installed and paid for

as a capital cost if this application is approved. There will be a capital charge of \$1900.80 (2024) for the pipeline to Paisley as per By-law 5-2010.

- Building Department: No concerns.
- Clerk's Department: No concerns.
- Fire Department: No concerns.
- Saugeen Ojibway Nation Environment Office: No comments received; however the lot is within an area of high archaeological potential and an assessment was completed prior to the certification of the lots in 2021.
- Saugeen Valley Conservation Authority: The property is within the SVCA Approximate Regulated Area associated with the floodplain limit as shown on engineered floodplain mapping. A permit was issued for the construction of the semi-detached buildings.

#### **Public Comments:**

There were no comments received from the public at this time.

The Planner recommended that the Committee of Adjustment approve Minor Variance A-2024-034.

The Chair said if attendees wished to be notified of the adoption of the proposed Minor Variance or of further proceedings regarding the variance a written request could be made by email to [publicmeetingcomments@brucecounty.on.ca](mailto:publicmeetingcomments@brucecounty.on.ca).

Chair Hammell asked if the Committee had any questions.

Chair Hammell asked if the applicant or agent was present and if they had any further comments regarding the application.

Chair Hammell asked if there were any comments from the public either in support or opposition to the application.

Chair Hammell asked the Clerk if any written comments had been received. The Clerk noted that that no public comment had been received.

Hearing no further comments from the public, Chair Hammell declared the public meeting closed at 9:11 a.m.

The Committee passed the following resolution:

**16-04-2024**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Steinacker

Be It Resolved that the application for Minor Variance A-2024-035, from Comprehensive Zoning By-law 36-09, is hereby **granted** subject to the following conditions:

1. That any future development on the property conforms to the provisions of the Zoning By-law.
2. That the decision applies only to the proposed development as indicated on Schedule 'A' attached to and forming part of this decision.

**Reasons:**

1. The variance maintains the intent and purpose of the Official Plan.
2. The variance maintains the intent and purpose of the Zoning By-law.
3. The variance requested is desirable for the appropriate and orderly development and use of the lands and buildings.
4. The variance is minor in nature.

For (7): Mayor Hammell, Deputy Mayor Shaw, Councillor Nickason, Councillor Hampton, Councillor Dudgeon, Councillor Penner, and Councillor Steinacker

**Carried (7 to 0)**

**5.3 Minor Variance - A-2024-037 - Candue Homes 2020 Ltd. c/o Cobide Engineering - No Civic Address - Part Lots 51, Plan 73, Part 3, Plan 3R-10723**

Chair Hammell advised that this was a Public Meeting under the Planning Act to consider Minor Variance Application A-2024-037 for Candue Homes 2020 Ltd., Agent: Cobide Engineering c/o Dana Kieffer for a vacant lot at Part Lot 51, Plan 73, Chesley.

Megan Stansfield, Planner for Bruce County, presented the planning report and read correspondence that had been received from the public. The purpose of this application is to sever the subject parcel to place two semi-detached units on separate lots of record. The minor variance is required to facilitate this consent by permitting a reduced lot area of approximately 265 sq m and frontage of 9m. This lot was created 2 years ago, by consent, along with 2 other lots surrounding the property. The lots meet the minimum required lot size and frontage as stated in the zoning by-law, so permission from the municipality's council was not required.

The lots are zoned R2 – Residential: Low Density Multiple. A duplex dwelling is permitted in this zone.

Section 45(1) of the Planning Act provides for the granting of minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Relief may only be granted if the Variance passes the “Four Tests of a Minor Variance”. The Committee must be satisfied that the application has satisfied all four tests to approve the Minor Variance.

#### **Agency Comments:**

- Arran-Elderslie Staff:
- Works/Water Department
  - This property is not serviced individually for subdividing. This lot has Water and Sewer to the property line only for the south unit. A second set would need to be installed and paid for as a capital cost for the north unit if this is approved. The existing services for the south unit also have not been paid for as Arran-Elderslie covered the cost of installing them for future use when the street was re-constructed. Once the services are connected to, then the capital cost will be billed to the owner.
- Building Department
  - No comment.
- 
- Clerk's Department
  - This application will be subject to Parkland Dedication Fees for each lot.
- 
- Fire Department
  - No comment.
- Saugeen Ojibway Nation Environment Office: No comments received, Planning Staff did follow up with SON staff. The property is not within an area of high archaeological potential, and at the time of severance in 2022, an assessment was not required.
- Saugeen Valley Conservation Authority: Application is acceptable, no natural hazards on the property

#### **Public Comments:**



Planner Megan Stansfield provided a summary of the public comments:

**Historic Home/ neighbourhood character:**

**Public Commenters:** Concerns that this proposal would not fit with the surrounding neighbourhood character. One commenter noted that the proposed development would detract from their historic home, which is significant to Chesley.

**Planner Comment:** The Local Plan notes that proposed development is compatible with surrounding development. This residential use is compatible with the surrounding residential uses. While the proposed development may be newer and look different than the surrounding neighbourhood, that doesn't negate the merit of this proposal.

**Zoning and Privacy:**

**Public Commenters:** Concerns with lot coverage (dwelling being too large for the lot), building height and setbacks to surrounding homes and the street. This was exacerbated by existing stakes on the lot, which property owners assumed were for the proposed development.

**Planner Comment:** The builders confirmed, and it was relayed to the commenters, that the stakes on the property were not representative of the proposed development. The proposed development meets all setbacks required in the zoning by-law. While one commenter noted that they were informed development would only be one-storey in height, staff relayed that maximum building height in this area is 10 metres. The proposed development is also under the required maximum lot coverage of 35%, which may satisfy some concerns that the dwelling is "too large".

**Parking and Infrastructure:**

**Public commenters:** Concerns that the proposed development would put a strain on Municipal services – like water and sewer. It was also noted that parking would be an issue.

**Planner Comment:** Municipal Public Works/Water Staff confirmed that municipal water and sewer connection were available to this lot. The concern regarding parking is common in Arran-Elderslie. In this instance, each unit has parking for 2 cars (one in the garage, one in the driveway), which meets municipal by-laws.

**Housing:**

**Public Commenter:** Opined that the additional housing was not needed, as there were other homes for sale.

**Planner Comment:** While this may be the case, the merit of a planning application is not based on other available housing. It is also important to add that the Country as a whole and the Province, have been working to provide more housing options, as it is known that available housing stock is not sufficient to support growing populations.

### **General Construction Concerns:**

**Public Comment:** It was noted that the proposed construction would be disruptive to neighbours day-to-day lives.

**Planner Comment:** Again, the merit of the planning application is not impacted by construction noise. This development is permitted, and the developer could proceed with construction at any time, without approval of this application. This application seeks only to sever the two units, so they can be separately conveyed.

### **Council Meeting Time:**

**Public Comment:** The meeting time for this proposal is during work hours and many people therefore cannot attend.

**Planner Comment:** This would need to be reviewed by council.

The Chair said if attendees wished to be notified of the adoption of the proposed Minor Variance or of further proceedings regarding the variance a written request could be made by email to [publicmeetingcomments@brucecounty.on.ca](mailto:publicmeetingcomments@brucecounty.on.ca).

Chair Hammell asked if the Committee had any questions.

Chair Hammell asked if the applicant or agent was present and if they had any further comments regarding the application. Planner for the applicants, Dana Kieffer of Cobide Engineering.

Ms. Kieffer noted that the Arran-Elderslie by-law allows for a semi-detached, but the by-law does not contemplate severing that into two sections to accommodate a semi-detached. The use is permitted in the zone. The stakes on the property are not survey stakes. They belong to the previous owner and the new owner has not staked anything yet. The proposal meets everything else in the zone including the height. The property will be staked out prior to possession.

Chair Hammell asked if there were any comments from the public either in support or opposition to the application.

Ali Wilde noted that she expressed strong opposition to the application. She has collected significant community feedback including 40 signatures opposing the application. The current plan for a two-storey duplex has come as a shock. She does not want high-density homes encroaching on her property. Her house is a historically relevant property and she feels there are risks of damage to her home during construction. If development must proceed they are requesting that it be scaled back.

Carol Woods 185 3rd Ave SW had a question if there was a definition of a minor variance and felt that this was not a minor variance.

Garrett Wilde - said the stakes were put in by the surveyors and it was done after the property had left the original owner's possession.

Chair Hammell asked the Clerk if any written comments had been received. The Clerk noted that no public comments had been received to her office.

Hearing no further comments from the public, Chair Hammell declared the public meeting closed at 9:46 a.m.

The Committee passed the following resolution

**17-04-2024**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Penner

Be It Resolved that the application for Minor Variance A-2024-037, from Comprehensive Zoning By-law 36-09, is hereby **granted** subject to the following conditions:

The application for Minor Variance from Comprehensive Zoning By-law 36-09 is hereby **granted** subject to the following conditions:

1. That any future development on the property conforms to the provisions of the Zoning By-law.
2. That the decision applies only to the proposed development as indicated on Schedule 'A' attached to and forming part of this decision.

**Reasons:**

1. The variance maintains the intent and purpose of the Official Plan.
2. The variance maintains the intent and purpose of the Zoning By-law.
3. The variance requested is desirable for the appropriate and orderly development and use of the lands and buildings.
4. The variance is minor in nature.

For (7): Mayor Hammell, Deputy Mayor Shaw, Councillor Nickason, Councillor Hampton, Councillor Dudgeon , Councillor Penner, and Councillor Steinacker

**Carried (7 to 0)**

**6. Adjournment**

The Committee passed the following resolution:

**18-04-2024**

**Moved by:** Councillor Penner

**Seconded by:** Councillor Hampton

Be It Resolved that the meeting be adjourned at the call of the Chair at 9:52 a.m.

**Carried**

---

Steve Hammell, Mayor

---

Christine Fraser-McDonald, Clerk



**Planning & Development Department**  
**Form One**  
**Planning Act Application**

File Number: \_\_\_\_\_

Date Received: \_\_\_\_\_

**Please Note** that the **Planning Act** requires that a complete application be filed before it can be considered. You need to complete this form as well as the **Additional Requirements** for the specific application you are making. Please look at the Information For Applicants sheet for your type of application.

### General Information

You are encouraged to discuss your application with the Planner for your municipality, and with the appropriate officials of the local municipality. You may also contact your local Planner by way of the County of Bruce website ([www.brucecounty.on.ca](http://www.brucecounty.on.ca)) 'Living Here', 'Housing and Property' 'Land Use Planning', then select your municipality. At this point you will be provided with contact information for the planning hub and staff. Staff can provide you with information about your application. To avoid delay in processing, you should gather information about your property, and examine the provisions of Official Plans and Zoning By-Laws in force and effect.

### Incomplete Applications May Be Refused

The Planning Act requires that complete applications be filed before the application(s) may be considered. The requirements for a complete application are defined in the Planning Act, its regulations, the Bruce County Official Plan and in Local Municipal Official Plans. Applications may be refused when incomplete.

A complete application consists of **Form 1** (Property and Applicant Information) completed and signed; a scalable and detailed site plan (site plan requirements are listed in the Application Information Package at the end of Form One), one (1) paper copy and one (1) electronic copy (Word or PDF) of all supplementary documents including reports, studies, maps and schedules as required, together with the associated development application fees (refer to the current fee schedule).

**If You Are Unable to Answer Any of these Questions, Please Contact Your Local Planning and Development Office for Assistance.**

### For Office Use Only

Deemed to be a Complete Application on: \_\_\_\_\_

Signature of Bruce County Planner: \_\_\_\_\_

**1. Type of Application: (Check All That Apply)**

- ☒ Committee of Adjustment - Choose One of the Options Below
- ☒ Minor Variance
  - ☐ Alteration / Extension of Legal Non-Conforming Use
- ☐ Zoning By-law Amendment
- ☐ Consent (Severance) - Indicate the Type(s) of Consent Below
- ☐ Easement
  - ☐ Lot Addition
  - ☐ New Lot
  - ☐ Other
- ☐ County Official Plan Amendment
- ☐ Local Official Plan Amendment
- ☐ Subdivision / Condominium
- ☐ Draft Approval - Plan of Subdivision or Plan of Condominium
  - ☐ Major Revision to Draft Approved Plan of Subdivision or Plan of Condominium
  - ☐ Minor Revision to Draft Approved Plan of Subdivision or Plan of Condominium
  - ☐ Extension of Draft Approval
  - ☐ Final Approval - Plan of Subdivision or Plan of Condominium
  - ☐ Condominium - Exemption from Draft Approval

(Please Complete and Attach the Appropriate Subdivision / Condominium Application Form)

- ☒ Part Lot Control
- ☐ Foreclosure
- ☐ Power of Sale
- ☐ Validation of Title
- ☐ Other (Please Specify) \_\_\_\_\_



## 2. Purpose of the Application:

Please refer to the Application Information Package available online at <https://brucecounty.on.ca/living/land-use> for Purpose of Application examples. Use additional pages, if needed.

The development concept proposes the parcelization of the seven townhouses units to individual lots.

This proposal will include a minor variance for minimum lot frontage and lot coverage.

A part lot control application is proposed to create the new lots, access easements to the rear yards of the interior units and drainage easements.

## 3. Registered Owner(s) ☒ Applicant ☐ Agent ☐ (please indicate ☒)

Name: W.T. Land LP

Mailing Address (including Unit/Box # and Postal Code): 323110 Durham Rd. E

RR#1 Durham, Ontario N0G1R0

Telephone (Work/Home/Cell): 519-604-8343

E-Mail Address: read@wtlandlp.com + accounts@wtlandlp.com

## 4. Registered Owner(s) ☐ Applicant ☐ Agent ☒ (please indicate ☒)

Name: (If different from Owner) Cobide Engineering Inc. c/o Dana Kieffer

Mailing Address (including Unit/Box # and Postal Code): 517 10th St. Hanover, ON  
N4N 1R4

Telephone (Work/Home/Cell): 5195065959

E-Mail Address: dkieffer@cobideeng.com

\*All owners must be listed. If needed, please list additional owners with contact information on a separate page.

**5. All communication(s) will be sent to the Prime Contact Only.**

Please indicate who this will be:

Owner ☐

Applicant ☐

Agent ☒

**6. A Notice Sign is required to be posted.**

Please indicate who the sign should be sent to:

Owner ☒

Applicant ☐

Agent ☐

Other ☐

\_\_\_\_\_

**7. Location of Property:**

Street # or Civic Address 303 Arnaud St. Paisley

Legal Description (from tax bill) including Municipality and former Town/Village/Township:

Lots 15, East of Albert St.; Lots 15, West of George St.; Part  
Albert St, Registered Plan 3R10854 Part 2, Town Plan of Paisley,  
geographic Village of Paisley, Municipality of ArranElderslie

Roll Number: 410341000120300



**8. Entire Property (please provide metric units: metres / square metres / hectares)**

Frontage: 50.13 m

Depth: 40.7 m

Area: 2040.3 sq. m.

Existing Uses: residential

Existing Structures (number and description): seven townhuose units

Proposed Uses: residential

Proposed Structures (number and description): n/a

Existing Water Services: ☐ Private ☒ Municipal ☐ Communal ☐ None ☐ Other

Existing Sanitary Services: ☐ Private ☒ Municipal ☐ Communal ☐ None ☐ Other

Proposed Water Services: ☐ Private ☒ Municipal ☐ Communal ☐ None ☐ Other

Proposed Sanitary Services: ☐ Private ☒ Municipal ☐ Communal ☐ None ☐ Other

Access: ☐ Provincial Highway ☐ County Road ☒ Year-Round Municipal Road  
☐ Seasonal Municipal Road ☐ Unopened Road Allowance  
☐ Private Right-of-Way ☐ Other

If proposed access is by water, what boat docking and parking facilities are available on the mainland? (Specify): \_\_\_\_\_

Note: For access to a Provincial Highway or County Road, access permits may be required. Please contact the Ministry of Transportation or the County of Bruce Transportation & Environmental Services Department for further information.

Electric Utility Provider (Hydro One, Westario Power, etc): Hydro-one

Natural Gas Provider: Enbridge Gas Inc. (no gas line to units)

Is the property abutting a cemetery? Yes ☐ No ☒

Surrounding Land Uses:

Residential, commercial, park

**Complete Questions # 9 and # 10 ONLY if your application involves a consent.  
Otherwise, skip and continue with Question # 11.**

(please provide metric units: metres / square metres / hectares)

**9. Dimensions of Lands (Parcel to be Severed)**

Frontage (along street) \_\_\_\_\_

Depth: \_\_\_\_\_

Area: \_\_\_\_\_

Existing Structures (number and description): \_\_\_\_\_

Proposed Structures (number and description): \_\_\_\_\_

Proposed Uses: \_\_\_\_\_

Proposed Water Services: ☐ Private ☐ Municipal ☐ Communal ☐ None ☐ Other

Proposed Sanitary Services: ☐ Private ☐ Municipal ☐ Communal ☐ None ☐ Other

Access: ☐ Provincial Highway ☐ County Road ☐ Year-Round Municipal Road  
☐ Seasonal Municipal Road ☐ Unopened Road Allowance  
☐ Private Right-of-Way ☐ Other \_\_\_\_\_

**10. Dimensions of Lands (Parcel to be Retained)**

Frontage (along street) \_\_\_\_\_

Depth: \_\_\_\_\_

Area: \_\_\_\_\_

Existing Structures (number and description): \_\_\_\_\_

Proposed Structures (number and description): \_\_\_\_\_

Proposed Uses: \_\_\_\_\_

Proposed Water Services: ☐ Private ☐ Municipal ☐ Communal ☐ None ☐ Other

Proposed Sanitary Services: ☐ Private ☐ Municipal ☐ Communal ☐ None ☐ Other

Access: ☐ Provincial Highway ☐ County Road ☐ Year-Round Municipal Road  
☐ Seasonal Municipal Road ☐ Unopened Road Allowance  
☐ Private Right-of-Way ☐ Other \_\_\_\_\_

11. Have the subject lands been the subject of a previous application for approval?  
Yes ☐ No ☒ (If yes, please indicate file number, nature of the application, date of the application, and the decision).
- 
12. Are there any easements or restrictive covenants applying to the subject lands?  
Yes ☐ No ☒ (If yes, please attach copies of the covenants or easements, or a detailed description).
- 
13. Have the subject lands been the subject of a Minister's Zoning Order?  
Yes ☐ No ☒
14. Is there a stream, pond, or other wetland within 100 metres of the subject lands?  
Yes ☐ No ☒
15. Are the subject lands within 100 metres of Lake Huron, Georgian Bay?  
Yes ☐ No ☒
16. Are the subject lands within 100 meters of an inland lake?  
Yes ☐ No ☒
17. Has the septic system been re-inspected?  
Yes ☐ No ☒  
If yes, please provide date of re-inspection \_\_\_\_\_
18. Are stormwater sewers present?  
Yes ☒ No ☐ Proposed ☐  
If no, indicate how the subject lands are drained \_\_\_\_\_
19. The date of construction of all buildings and structures on the subject lands:  
2024 \_\_\_\_\_
20. Does the application require demolition of an existing building? Yes ☐ No ☒
21. When did you acquire the subject property or properties? 2019 \_\_\_\_\_
22. Is the Application consistent with the Provincial Policy Statement? Yes ☒ No ☐  
(For more information on the Provincial Policy Statement, visit:  
<https://www.ontario.ca/page/provincial-policy-statement-2020>)



## Public Consultation

23. To meet the minimum requirements for Public Consultation under the *Planning Act*, the County Planning Department undertakes public consultation on your behalf for your proposed development. Do you propose to undertake any further public consultation (at your own expense) on behalf of your proposal?

- ☒ No
- ☐ Yes, I have or plan to speak with my neighbours to clarify any concerns they may have
- ☐ Other plans: (public open houses, radio or newspaper advertisements, etc; please discuss these plans with the Department prior to initiating them)

## Mortgage

24. Names and contact information of any financial institution that is a **holder of mortgages, charges or encumbrances** on the subject lands.

Name: No Mortgage on this Parcel

Contact Staff Name: \_\_\_\_\_

Address and Postal Code \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

## For Farm Related Applications Only:

25. In order to shorten the time associated with processing Zoning/Consent applications for farmers wishing to dispose of surplus dwellings, the Planning Department requires your assistance in providing additional information. This information will assist the Planning Department in evaluating the application and in carrying out future site visits to the property. Additionally, the information will be used to assist in determining the compliance of the proposal with the Official Plan and relevant Minimum Distance Separation Formula.
- a) To what extent are you currently involved in active farming (e.g. farming full time, part time, renting out farm land to other farmers) \_\_\_\_\_
- b) Farm Type: Incorporated ☐ Partnership ☐ Family ☐ Other ☐
- c) Total Land Holdings in Hectares: Own \_\_\_\_\_ Rent \_\_\_\_\_
- d) Location of home farm Municipality \_\_\_\_\_ Lot \_\_\_\_\_ Concession \_\_\_\_\_
- e) Please complete the following table for each livestock facility on neighbouring lots within 460 metres of the new property boundaries proposed by the surplus lot.

Criteria	Barn 1	Barn 2	Barn 3
Distance from Barn or Manure Storage System to Nearest Point of Proposed New Zone or Consent			
Total Lot Size (hectares)			
Description of Animal Type (existing or potential) Beef, Dairy, Pigs Poultry (Chickens, Turkeys) etc. Eg. Beef Cows, including calves to weaning (all breeds) Swine, Weaners (7kg-27kg) Dairy Cattle, Large-framed e.g. Holsteins, Chickens, Broilers on an 8 week cycle			
Maximum Housing Capacity of Livestock Facility Eg. Total # of Chickens that can be housed in barn			
Type of Manure - Solid (dry) Liquid (wet)	Please choose	Please choose	Please choose
Type of Manure Storage System - Inside/Outside, Covered/Not Covered Eg. Liquid, outside with permanent, tight fitting or Solid, outside, no cover, 18-30% dry matter with covered liquid runoff storage			

Additional information regarding livestock facilities on neighbouring lots may be requested.

Questions # 26, 27, 28 and 29 must be completed in the presence of a "Commissioner of Oaths" by the property Owner(s), or the individual authorized below to make the application on behalf of the property Owner(s). Staff in each Planning Office are Authorized Commissioners. Please print names clearly.

26. I/We Brad Wilson hereby authorize a site visit(s) be undertaken by, but not limited to the staff of the following agencies: County of Bruce Planning Department, the Municipality, the Conservation Authority, and, the Grey-Bruce Health Unit, where applicable.

27. I/We Brad Wilson have reviewed the fees for applications, and the refund policy that forms part of this application form.

28. I/We Brad Wilson of the town of Durham in the County/ Regional Municipality Of West Grey, hereby solemnly declare that the statements made herein are to the best of my belief and knowledge, a true and complete representation of the purpose and intent of this application.

29. Date: March 3/2025

Signature Of Owner 

Signature Of Owner \_\_\_\_\_

Signature Of Agent Or Applicant \_\_\_\_\_

Declared Before Me At The

town Of Walkerton

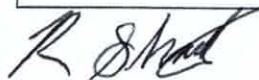
In The County Of Bruce,

This 4th Day Of March, 2025.

Read Shantz

A Commissioner, Etc.

Read Arthur Shantz, a  
Commissioner, etc., Province  
of Ontario, for W.T. Land LP.  
Expires January 8, 2028.



If you are an owner, and wish to have someone else represent you regarding this application, please complete the following:

### Authorization of Owner(s) for Agent to Make the Application

I/We, Brad Wilson, am/are the owner(s) of the land that is the subject of this application and I/we authorize Dana Kieffer to make this application on my/our behalf.

March 3/2025

Date



Signature of Owner

**THE CORPORATION OF THE MUNICIPALITY OF ARRAN-ELDERSLIE**

1925 Bruce Road 10, Box 70, Chesley, ON N0G 1L0  
519-363-3039 Fax: 519-363-2203

April 10, 2025

Via Email: [LMansfield@brucecounty.on.ca](mailto:LMansfield@brucecounty.on.ca)

County of Bruce  
Planning & Economic Development Department  
578 Brown Street  
Box 129  
Warton, ON N0H 2T0

**Re: Minor Variance Application A-2025-014  
WT Lands c/o Cobide Engineering  
303 Arnaud Street, Paisley**

---

Arran-Elderslie staff have reviewed the above noted application and provide the following comments:

- Water Department
  - No comments
- Municipality of Arran-Elderslie
  - The Municipality has entered into a development agreement with the applicant related to the development. The works required is in progress. The Municipality of Arran-Elderslie supports the application.

Should you require further information or documentation, please contact the undersigned.

Yours truly,  
MUNICIPALITY OF ARRAN-ELDERSLIE  
Per:

Christine Fraser-McDonald  
Clerk  
[cfraser@arran-elderslie.ca](mailto:cfraser@arran-elderslie.ca)





County of Bruce  
 Planning & Development Department  
 268 Berford Street PO Box 129  
 Wiarton ON N0H 2T0  
 brucecounty.on.ca  
 226-909-5515



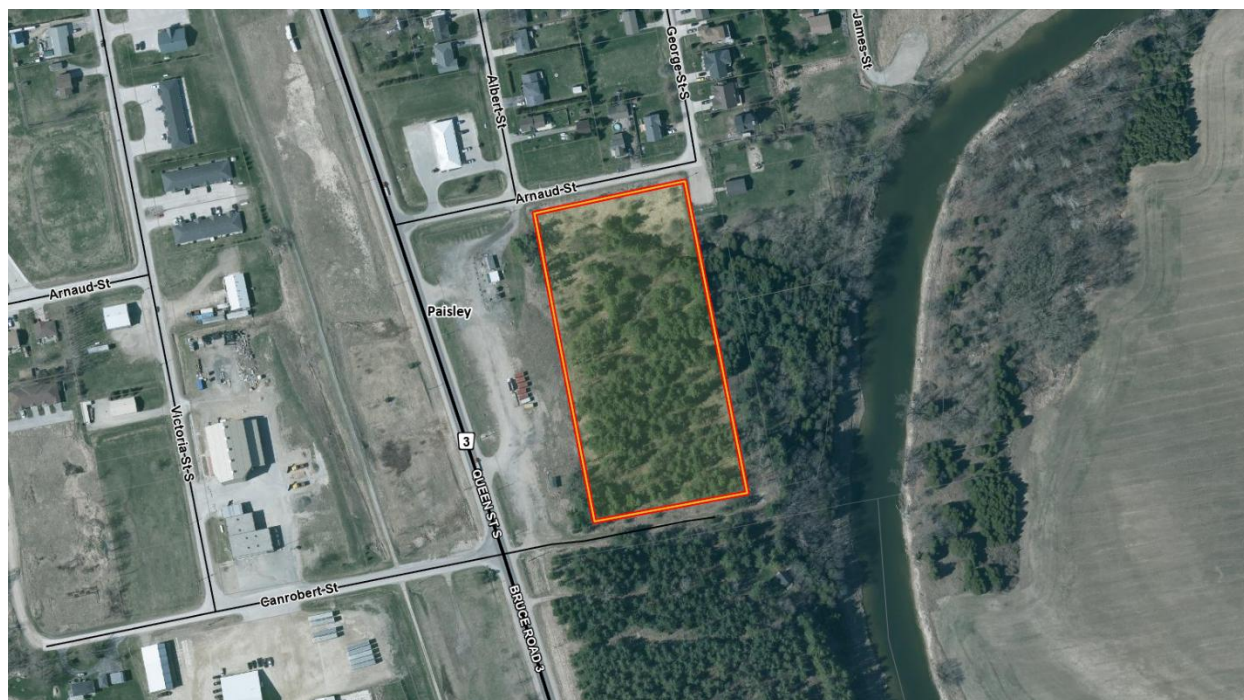
April 4, 2025

File Number: A-2025-014

## Public Hearing Notice

**You're invited to participate in a Public Hearing  
 to consider Minor Variance File No. A-2025-014  
 April 28, 2025 at 9:00 a.m.**

A change is proposed in your neighbourhood. This application further seeks a minor variance for relief from Section 10.3 of the Municipality's Zoning By-Law which requires a minimum lot frontage of 15 metres and a maximum lot coverage of 40%. The proposed frontage will be 5.8 metres and the lot coverage will be 53%. If approved, the variance will facilitate the creation of seven (7) separately conveyable townhouse lots. The related Consent file is B-2025-035.



303 Arnauld Street  
 TOWNPLOT PAISLEY LOTS 1 TO 5; E ALBERT ST LOTS 1 TO 5 W; GEORGE ST PT  
 ALBERT ST AND; RP 3R10854 PART 2  
 Municipality of Arran-Elderslie  
 Roll Number: 410341000120300



## Learn more

Additional information about the application is available online at <https://www.brucecounty.on.ca/active-planning-applications>. Information can also be viewed in person at the County of Bruce Planning Office noted above, between 8:30 a.m. and 4:30 p.m. (Monday to Friday). The Planner on the file is Megan Stansfield.

## Have your say

Comments and opinions submitted on these matters, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in a Planning Report and Council Agenda. Comments received after **April 21, 2025** may not be included in the Planning Report, but will be considered if received prior to a decision being made, and included in the official record on file.

Please contact us by email [bcplwi@brucecounty.on.ca](mailto:bcplwi@brucecounty.on.ca), mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application.

## How to access the public hearing

The public hearing will be held in person, in the municipal Council Chambers located at 1925 Bruce Road 10, Chesley, ON, N0H 1L0. Seating may be limited and you may be required to wait outside until called upon to speak. As an alternative, you may submit written comments to the Bruce County Planning Department which will be considered at the meeting.

Please contact Clerk Christine Fraser-McDonald at [cfraser@arran-elderslie.ca](mailto:cfraser@arran-elderslie.ca) or 519-363-3039, ext. 101 if you have any questions regarding how to participate in the hearing.

## Stay in the loop

If you'd like to be notified of the decision of the Committee of Adjustment on the proposed application(s), you must make a written request to the Bruce County Planning Department on behalf of the Secretary-Treasurer for the Committee of Adjustment.

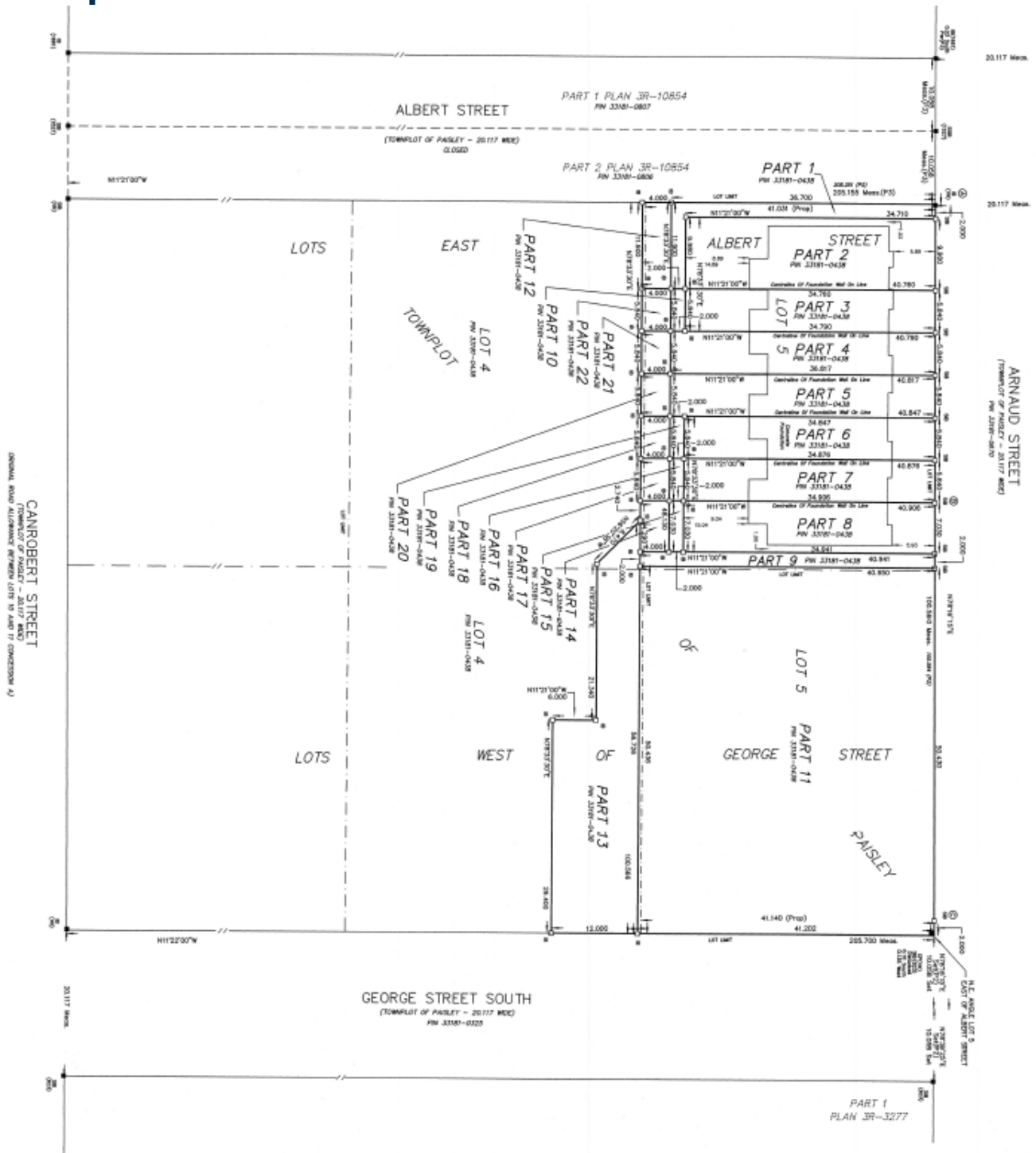
## Notice to Landlords

If you are a landlord of lands containing seven (7) or more residential units, please post a copy of this notice in a location that is visible to all the residents.

## Know your rights

Only the applicant, the Minister, a specified person (being a utility and transportation company) or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection. Appeals must be accompanied by payment of the fee charged by the Tribunal as payable on an appeal from a Committee of Adjustment decision to the Tribunal. For more information, please visit the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/>.

# Site plan



WT LAND LP

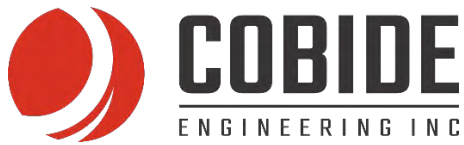
# PLANNING JUSTIFICATION BRIEF

303 ARNAUD ST.

MUNICIPALITY OF ARRAN-ELDERSLIE

MARCH 2025

COBIDE Engineering Inc  
517 10<sup>th</sup> Street  
Hanover, ON N4N 1R4  
TEL: 519-506-5959  
[www.cobideeng.com](http://www.cobideeng.com)



## Planning Brief

To: Jenn Burnett, MCIP, RPP, Senior Development Planner

From: D. Kieffer, MCIP, RPP, Senior Development Planner

On behalf of our client, WT Land LP., Cobide Engineering Inc. is pleased to submit this Planning Brief in support of the Part Lot Control and Minor Variance applications for the property located at 303 Arnaud Street (hereinafter called the subject lands).

This Planning Brief serves to analyze the land use planning merits of the applications and determine the appropriateness of the proposed uses. The request will be analyzed within the context of the surrounding community and the relevant planning documents, including the Provincial Planning Statement, the Bruce County Official Plan, the Municipality of Arran-Elderslie Official Plan and the Municipality of Arran-Elderslie Comprehensive Zoning By-law.

This Brief has been organized in an issue-based format, speaking to the planning policies within the context of the relevant issues identified in pre-consultation rather than a document-based format where each individual policy is addressed in each planning document. Should the approval authority require more information, please contact the author below.

### Site Context:

The subject lands are 2.2 ha in size and are located in the south end of Paisley with frontage on Canrobert St. to the south and Arnauld St. to the north. The subject lands are 10 lots in the original Town Plan of Paisley being Lots 1-5, East of Albert and Lots 1-5, West of George. These lots have been confirmed to be whole lots in a Plan of Subdivision and this correspondence is attached from Ernie MacMillian, LL.B in Appendix B.

The subject lands have seven constructed townhouses on Lot 5, East of Albert. It is noted that the proposal is required to seek relief from the zoning by-law due to the proposed parcelization of the units. As townhouses are a permitted use in the zone, the proposal met the requirements of the zoning by-law to be issued a building permit.

The subject lands are located west of the Saugeen River and are mostly wooded. There is an unopened road allowance to the east of the subject lands. To the west of the subject lands are vacant commercial lands fronting Bruce Road 3/ Queen Street. To the north are Paisley Veterinary Clinic and single-detached homes. There are undeveloped wooded lands to the south of the subject lands.

The proponents have completed the purchase of half of the unopened road to the west of



the subject lands, formerly known as Albert Street.

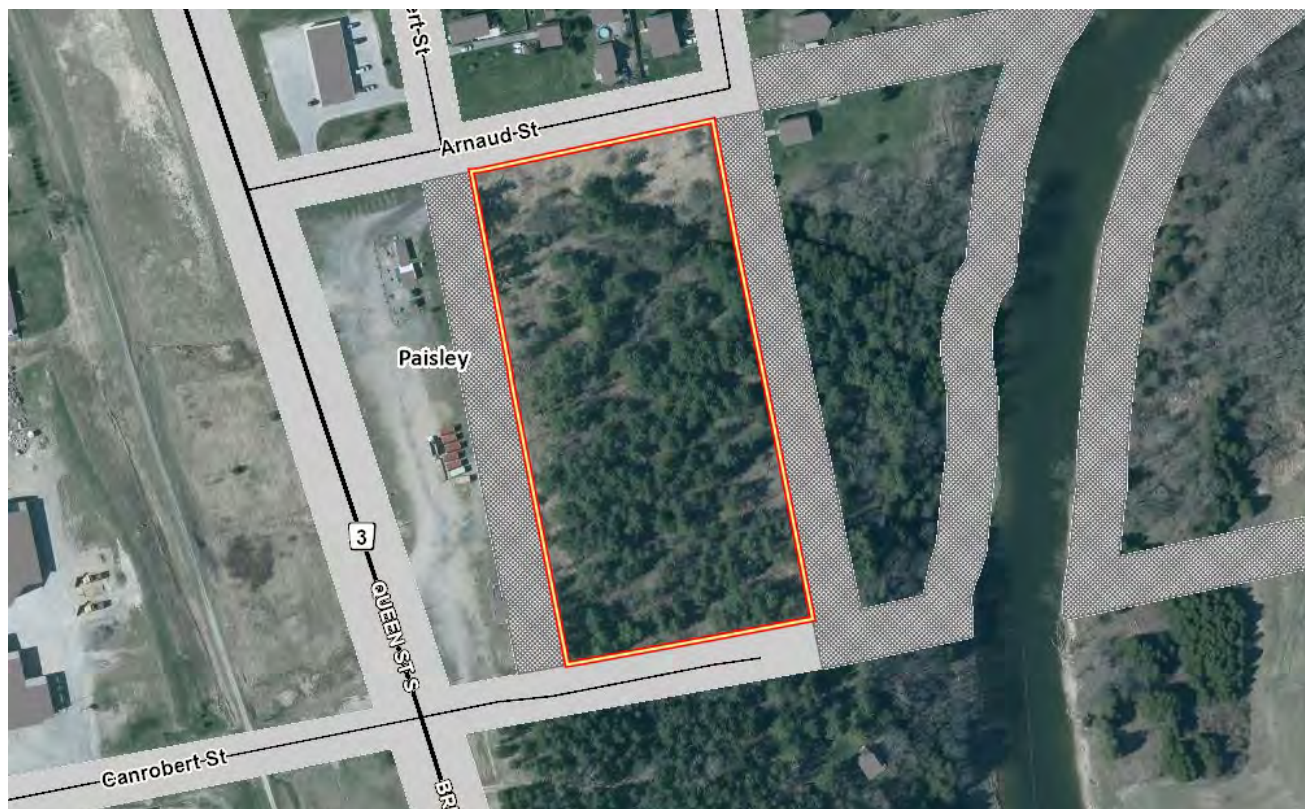
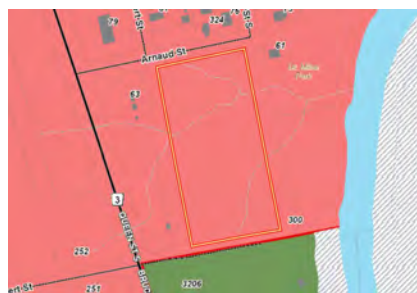


Figure 1: Aerial Photograph of the subject lands. Source: Bruce County Mapping 2020

### Planning Context:

The subject lands are designated as Primary Urban Communities in the Bruce County Official Plan, designed Residential in the Municipality of Arran-Elderslie Official Plan. The subject lands are zoned R2 – Residential Low Density Multiple.



Bruce County Official Plan Map



Municipality of Arran-Elderslie Official Plan Map



Municipality of Arran-Elderslie Zoning By-law Map

### Development Concept:

The development concept proposes the parcelization of the seven townhouses units to individual lots. This will include access easements to the rear yards of the interior units and drainage easements for the drainage corridor that flows from West to East.

3R--10854  
806

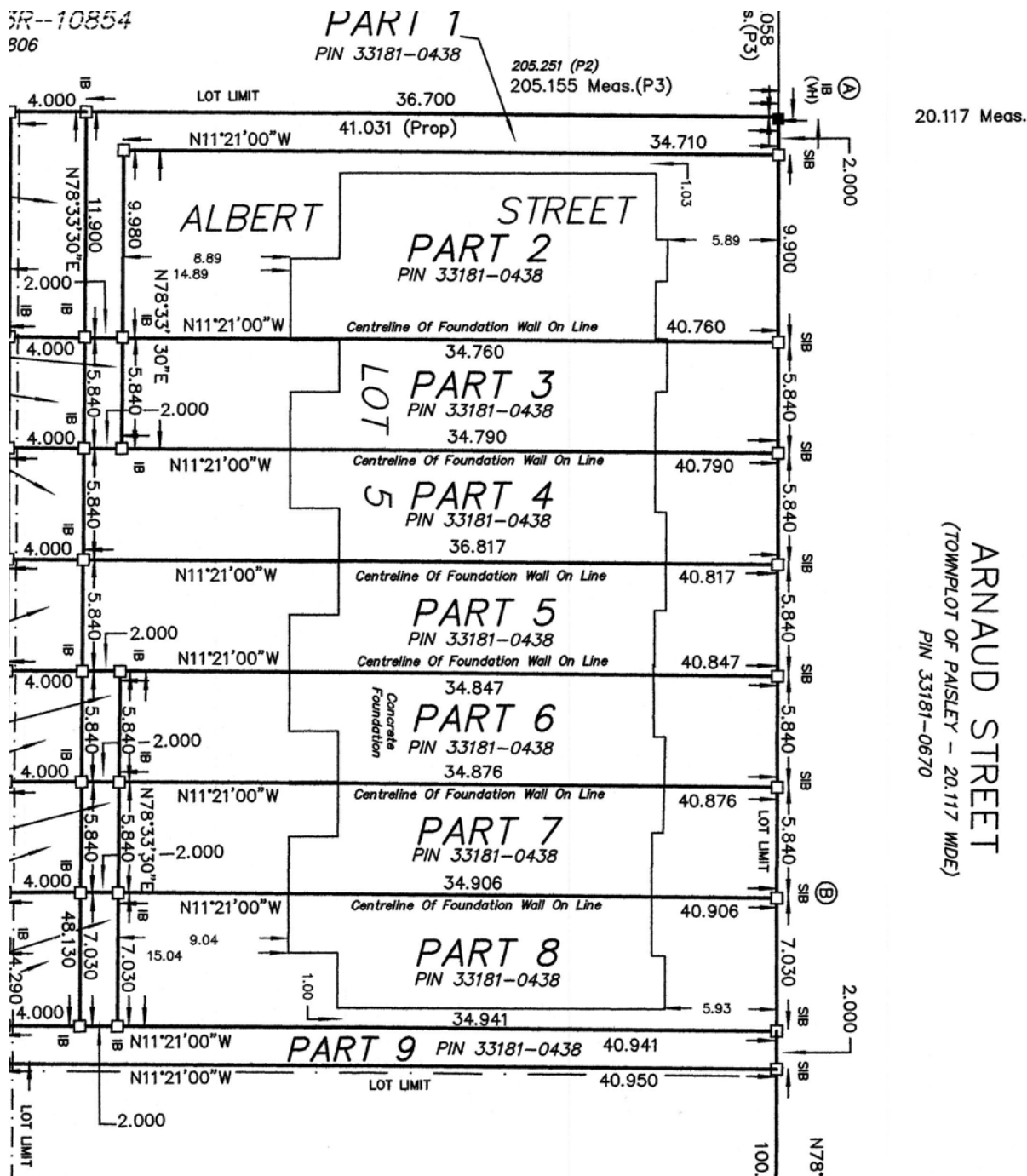


Figure 2: Excerpt of Draft Registered Plan

## Requested Applications and Supporting Materials

A Part Lot Control Exemption for Lots 4 & 5 East of Albert and Lot 4 West of George is requested to create:

Lot 5, East of Albert

1. Seven lots for seven units
2. Access easements to the rear yards for the interior units

3. Drainage easements for overland flow from west to east

Lot 4, East of Albert

1. Drainage easement in favour of the units 1-7 on Lot 5, East of Albert

Lot 4, West of George

1. Drainage easement in favour of the units 1-7 on Lot 5, East of Albert

A site plan is attached in Appendix A. The required easements are discussed in further detail in a section in this report.

A Minor Variance is requested from the following provisions of the R2 zone provisions:

1. Minimum lot frontage from 15.0 m to 5.8 m.
2. Maximum lot coverage from 40% to 53%.

The following studies have been completed in support of the applications:

1. A Planning Brief, completed by COBIDE Engineering Inc.
2. An Archaeological Assessment, completed by AMICK Consultants Limited.
3. A Scoped Archaeological Re-assessment, completed by TMHC.

#### Archaeological Potential:

The subject lands exhibit high archaeological potential due to their location within 300 m of a waterbody (the Saugeen River). A Stage 1 & 2 Archaeological Assessment was completed by Amick Consulting in 2022. Timmins Martelle Heritage Consulting (TMHC) completed a scoped re-assessment with input and review from the Saugeen Ojibway Nation in the fall of 2023. No archaeological resources were recovered through the studies and further archaeological review was not warranted. The report was accepted into the Ontario Public Register of Archaeological Reports on October 5, 2023.

#### SVCA Regulated Area:

The majority the subject lands fall within the Saugeen Valley Conservation Authority Regulated Area as shown on Schedule B of the Paisley Land Use Plan. Within the Fill Regulated Area, no development is permitted unless it is in conformity with the policies in Table 1.

Table 1: Evaluation of policies under policy 3.6.6	
a) The development proposal is in conformity with the policies pertaining to the underlying land use designation	The development concept is in conformity with the policies pertaining to the residential land use designation.
b) The development proposal complies with the provisions of the zoning by-law	A minor variance is being requested to facilitate the development.
c) A 'Fill and Construction Permit' has been issued by Saugeen Conservation.	A permit from SVCA was obtained to construct the townhouses.



### The Two 'I's: Intensification and Infill

The subject lands are located within a settlement area. The Provincial Planning Statement (PPS) states that settlement areas shall be the focus of growth and development (policy 2.3.1.1). Within settlement areas, land use patterns shall be based on densities and a mix of land uses which:

- a) Efficiently use land and resources
- b) Optimize existing and planned infrastructure and public service facilities
- c) Support active transportation
- d) Transit-supportive, as appropriate
- e) Freight supportive

The PPS requires that planning authorities permit and facilitate an appropriate range and mix of housing options and densities to meet the current and future needs of residents and to promote densities for new housing that use land, resources, infrastructure and public service facilities efficiently (PPS 2.2.1). Furthermore, the PPS says that planning authorities should support the achievement of complete communities by accommodating an appropriate range of housing options (PPS 2.1.6).

The development concept proposes townhouses, which are a denser form of housing compared to single detached dwellings. This will ensure that land and resources are used efficiently while optimizing existing and planned infrastructure and provide a greater range and mix of housing options.

The Bruce County Official Plan (BCOP) include objectives to direct most of the permanent population growth to Primary and Secondary Urban Communities, ensure that land identified for development is used efficiently and to ensure a range of housing types and tenures to meet the needs of residents. The permitted uses in Primary Urban Communities include a variety of residential, home occupations, commercial, industrial and institutional land uses (policy 5.2.2.3).

The Official Plan for The Urban Areas of Chesley, Paisley & Tara/Invermay (AEOP) promotes a mix and affordable supply of housing to meet the needs of current and future residents, while ensuring that new residential development is in keeping with the character of the neighbourhood.

The AEOP states that lands within the "Residential" designation shall be predominately used for 'Low Density Residential' and 'Medium Density Residential' uses. Under Section 3.1.7 of the Official Plan, the Municipality considers buildings with four or more units, such as townhouses, rowhouses, apartment buildings or other multi-unit housing forms as 'Medium Density Residential'. Policy 3.1.7a) states that 'Medium Density Residential' shall not exceed a gross density of 48 units per gross hectare. It is noted that the proposed density of the site is 34 units per hectare, which is below the maximum.

Table 2: Evaluation of the proposal under policy 3.1.7b) When the Municipality is considering the establishment of 'Medium Density Residential' development, the following development criteria shall be used:



ii) The development shall be compatible with existing land uses in the immediate area and the general built form of surrounding buildings	The subject lands are located adjacent to a residential area composed primarily of single-detached homes. The development concept represents a modest increase in density and has been zoned to facilitate this modest increase accordingly.
iii) Adequate off-street parking and appropriate access and circulation for vehicular traffic, including emergency vehicles shall be required	Each unit has a garage and its own driveway to satisfy the requirement for two parking spaces.
iv) Adequate buffering from abutting uses shall be provided	The lands to the immediate west, south and east of the subject lands are largely undeveloped. There are residential and commercial uses to the north across Arnaud St. The proposed buildings meet the required setback from the street.
v) Suitable landscaping, lot grading, and storm water management/drainage shall be provided.	A lot grading plan was submitted to obtain the building permit prior to the construction of the units.
vi) Suitable on-site open space shall be provided in relation to the size and nature of the development	The on-site open space is suitable for the size and nature of this development.
vii) Water supply and sewage disposal services shall be provided in accordance with Section 5.4.1.	The development concept will be serviced by municipal water and sanitary servicing.

While the policies of Section 3.1.8 of the AEOP does not directly apply since the south side of Arnaud Street does not have any residential development, and therefore the development concept does not meet the infilling definition provided *“Infilling shall be considered as the creation of a new vacant lot(s) of record when the new lot is to be created between two existing dwellings, such dwellings being separated by not more than 30 metres (100 feet), on the same side of the road”* Section 7.12.3 iii Part Lot Control requires its consideration and it has been included to satisfy that section of AEOP.

Table 3: Evaluation of the proposal under policy 3.1.8 An application for consent for infilling purposes shall be reviewed with regard to the following policies...:

a) To determine to what extent infilling is compatible with the character of the surrounding neighbourhood, it shall be demonstrated that the proposed development is in keeping with the traditional development pattern in the immediate area.	The townhouses are constructed and are permitted in the zone. While the residential use is proposed to remain the same as the majority of the surrounding uses, the constructed townhouses represent an increase in density in relation to the immediate surrounding areas, which is a low-density, large-lot, older neighbourhood. It is important to note the compatibility does
--	--

	<p>not mean match the existing, it means that the existing and the proposed can co-exist. The proposed residential built form, albeit different from what is established, is still considered to be at a scale, height and massing that is compatible with, just not the same as, the surrounding area.</p> <p>In terms of the vision as outlined by the PPS and the AEOP to utilize land more efficiently, this increase is desirable. It is natural the scale, massing and built form may be changed when increasing density and offering different housing choices to the community.</p>
<p>b) Factors such as lot sizes, lot frontage, lot coverage and density, streetscapes, building form and typical building setbacks shall be taken into consideration in determining the compatibility of proposed infilling developments with the character of the surrounding residential neighbourhood.</p>	<p>As mentioned in the Zoning By-law Section of this report, a reduction in Minimum Lot Frontage is being requested from 15 m to 5.8 m. The Municipality of Arran-Elderslie Comprehensive Zoning By-law sets the minimum lot frontage to be the same across the different housing styles. Single detached dwellings, semi-detached dwellings and townhouses are all required to have a minimum frontage of 15 m. In our opinion, this generalization does not take into account or give consideration to the advantages gained by the common wall(s). Smaller frontages should be considered since the interior units have no side yards.</p> <p>In the case of townhouses, the lot frontage for interior units is the same as the unit width. A reduction in frontage permits a smaller unit, which has the potential to be more affordable and/or unique in the market, to be constructed.</p> <p>A Minor Variance has been requested to address the relief requested.</p>
<p>c) Infill proposals may be required to provide a 'lot grading and drainage plan' that addresses potential impacts on abutting properties.</p>	<p>A lot grade and drainage plan was provided to obtain the building permit. Through the Part Lot Control application, easements are proposed to facilitate a drainage corridor to the Saugeen River.</p>

### Part Lot Control

The part-lot control provisions of Section 50(5) of *The Planning Act* have the effect of preventing the division of land in a registered plan, other than that which has already been approved in the plan of subdivision, without further approvals.

The part-lot control exemption provisions contained in 50(7) of *The Planning Act* allow a municipality to pass by-laws to remove part-lot control from all or any part of a registered plan of subdivision. Such a by-law has the effect of allowing the conveyance of a portion of a lot without requiring the approval of the land division committee.

A Part Lot Control Exemption by-law exempts land situated in a Registered Plan of Subdivision from Part Lot Control and therefore allows:

- the division of the lands into smaller parcels
- minor boundary adjustments
- to establish easements

Exemptions from Part Lot Control are often used to facilitate several conveyances at once and are particularly useful in types of housing that share common walls, such as the proposed townhouses, to ensure that the property line runs through the common centre walls between the units.

The subject lands are all of Lots 4 & 5, West of Albert St. and Lot 4, East of George St., Plan of Paisley, geographic Village of Paisley and are therefore considered whole lots in a plan of subdivision. This is confirmed by the survey and legal opinion that has been submitted in support of the application.

Table 4: Section 7.12.3 of the Arran-Elderslie Official Plan speaks to Part Lot Control.

Such approval will only be granted by the County of Bruce when:		
i)	no Municipal and/or County conditions for development are required;	It is not anticipated that conditions for development will be required.
ii)	the policies and objectives of this Plan and the regulations of the zoning by-law have been met prior to the approval of the By-law;	The proposal meets the policies and objectives of the Official Plan, and the property is proposed to be subject to a Minor Variance prior to the Part Lot Control process.
iii)	municipal sewer and municipal water services are available to all the lots;	The lots are proposed to be fully serviced with municipal water and sewer.
iv)	for lands within a 'Residential' designation, the proposed lots and development must conform to Section	Table 3 confirms that the development concept meets Section 3.1.8 of the Official Plan

3.1.8 “Residential Infill Policies”. Structural and elevation plans must be submitted;	
---	--

Section 7.12.3 further details that Part Lot Control shall not be used when it will have the effect of creating additional lots within existing subdivisions unless the additional lots proposed have been subject to a previous planning application, which clearly indicated the proposed changes to the lot configuration, and which involved public review/participation. Since this property is subject to a Minor Variance in advance of the Part Lot Control application, it will meet the Official Plan’s requirements for public participation.

A Part Lot Control Exemption by-law is requested to establish seven new lots on the subject lands, each containing a townhouse unit. As part of the part lot control process, easements for rear yard access and drainage will be created. More details on these proposed easements are provided below.

### Easements

The proposed Part Lot Control application seeks to create seven new lots and the appropriate drainage and access easements.

In Table 5 below, working from left to right the townhouse unit number is depicted along with the parts on the plan that make up the proposed lot for the unit. *Subject to* refers to when there is easement over one of the parts of the unit. *Together with* refers to an easement that the unit has over other parts/ properties of the plan. The table includes both subject to/together with for the proposed access and drainage easements.

It is noted that all the units will have an easement over Part 13 on the Plan. This part includes the easement to the stormwater outlet, being the Saugeen River.

Table 5: Easements

Unit	Consisting of Parts	Subject to Easement for Drainage	Together with Easement for Drainage	Subject to Easement for Access	Together with Easement for Access
1	1,2,12	No	22,21,20,18,17, 14,13	2	No
2	3,10,22	22	21,20,18,17,14, 13	10	2
3	4,21	21	20,18,17,14,13	No	2, 10
4	5,20	20	18,17,14,13	No	9, 15, 16,19
5	6,19,18	19	17,14,13	19	9, 15,16
6	7,16,17	17	17,14,13	16	9, 15

7	8,9,15,14	14	13	9,15	No
---	-----------	----	----	------	----

### Zoning Bylaw

Permitted uses include: single-detached dwelling, semi-detached dwelling, duplex, townhouse cluster or townhouse street. The street townhouse provisions have been applied.

Provision	Required	Provided
Minimum Lot Area	155 m <sup>2</sup> per dwelling unit	193 m <sup>2</sup>
Minimum Lot Frontage	15 metres	5.8 metres
Front Yard Setback (Min)	6 metres	6 metres
Exterior Side Yard Setback (Min)	6 metres	N/A
Interior Side Yard Setback (Min)	3 metres	3 metres
Rear Yard Depth (Min)	7.5 metres	14.83 metres
Lot Coverage (Max)	40%	53%
Landscaped Area/Open Space (Min)	30%	31%
Maximum Height	10 metres	Will meet
Gross Floor Area (Min)	90 m <sup>2</sup> per dwelling unit	>90 m <sup>2</sup>

### Requested Relief:

#### Minimum Lot Frontage

A reduction in Minimum Lot Frontage is being requested from 15 m to 5.8 m. The Municipality of Arran-Elderslie Comprehensive Zoning By-law sets the minimum lot frontage to be the same across the different housing styles. Single detached dwellings, semi-detached dwellings and townhouses are all required to have a minimum frontage of 15 m. In our opinion, this generalization does not take into account or give consideration to the advantages gained by the common wall(s). Smaller frontages should be considered for housing styles that do not have two side yards.

In the case of townhouses, the lot frontage for interior units is the same as the unit width. A reduction in frontage permits a smaller unit, potentially more affordable and/or unique in the market option, to be constructed.

#### Lot Coverage

The interior units propose a lot coverage of 53%, the By-law permits up to a maximum of 40% for lot coverage and therefore relief is being requested.

Lot Coverage ensures that there is sufficient area on the lot for amenity space, permeable surfaces for stormwater drainage and provide visual appeal to neighbourhood through natural foliage. Sufficient landscaped open space is provided on this site to implement the drainage plan, and along with the related drainage infrastructure, including the swale and proposed outlet. Therefore, drainage is not anticipated to be an issue.

In summary, the reductions in Lot Coverage will not impact the stormwater management of the site and it is anticipated to not impact the public realm, as the front yard will meet the required setback.

#### Four Tests of a Minor Variance

When a Committee of Adjustment is considering a Minor Variance application, four tests as prescribed in Section 45(1) of the *Planning Act* are evaluated.

#### 1. Is the Variance in keeping with the general intent and purpose of the Official Plan?

The subject lands are designated as Primary Urban Community in the County of Bruce Official Plan and designated Residential in the Official Plan for the Urban Areas of Chesley, Paisley, Tara/Invermay. Both Official Plans permit a variety of residential development in the designations. This development meets the goals and objectives of both plans to provide variety in types and tenures of housing in locations that can be fully-serviced with sanitary sewers and municipal water. This proposal keeps with the general intent and purpose of the Official Plans.

#### 2. Is the Variance in keeping with the general intent and purpose of the Zoning By-Law?

The application requests variances the Urban Residential Zone (R2) including: decreased minimum lot frontage and increased lot coverage. As previously discussed in this report, the reductions and increases requested through this application will not impact site functionality or impact surrounding properties. Notably, the development meets the provisions of the zone to be constructed but the individualization of the units is resulting in a minor variance. The requested variances maintain the general intent and purpose of the Zoning By-law.

#### 3. Is the Variance desirable for the appropriate development or use of the land, building or structure?

The subject lands are designated and zoned for residential development and this is the first phase of the development of the lands. Once completed, the development will provide for more variety in housing tenure arrangements including freehold and dedicated apartment rental units. In considering the test of desirability, the public interest must be reviewed and overall, this increase in tenure variety will provide a net benefit to the community.

#### 4. Is the application minor in nature?

Minor should not be evaluated simply on numbers and increases or decreases, but rather should be evaluated on potential impacts the development may have. In the case of the proposed development, the townhouses are already constructed, the variances are requested to make the properties freehold rather than rental (i.e. on individual lots rather than all seven units on one lot). The drainage has been engineered and constructed to support the increases in lot coverage. Therefore, the application is considered minor in nature.

#### Conclusions:

This application represents good land use planning for the following reasons:

- 
1. The development concept is consistent with the Provincial Planning Statement and conforms to the policies of the Bruce County Official Plan and the Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay.
  2. The development concept will provide a greater range and mix of housing style and ownership options within the community of Paisley.
  3. The development concept, although different than the existing built form, is compatible with the surrounding context.

Thank you for the consideration of this application, please contact the undersigned with any questions.

Kind regards,

**Cobide Engineering Inc.**



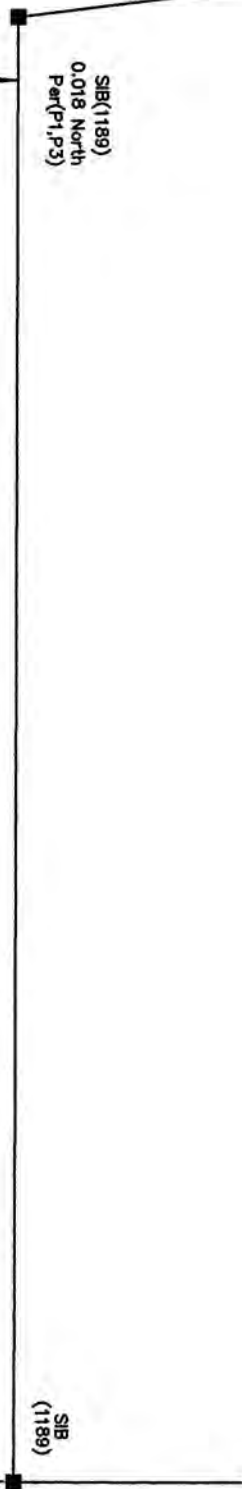
---

Dana Kieffer, M.Sc. (Planning), MCIP, RPP  
Senior Development Planner,  
Cobide Engineering Inc.  
519-506-5959 ext. 106  
dkieffer@cobideeng.com

# Appendix A

**DRAFT REFERENCE PLAN**





20.117 Meas.

20.117 Meas.

ARNAUD STREET  
(TOWNPLOT OF PAISLEY - 20.117 WIDE)  
PIN 33181-0870

20.117 Meas.

INTEGRATION DATA			
COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING SMARTNET NETWORK AND ARE REFERRED TO UTM ZONE 17 (8° WEST LONGITUDE) COORDINATE VALUES ARE TO A RURAL ACCURACY IN ACCORDANCE WITH SECTION 14(2) OF OREG.218/10			
POINT ID	NORTHING	EASTING	
A	4905015.37	475552.80	
B	4905017.79	475554.20	
C	4905035.41	475549.06	
COORDINATES CANNOT IN THEMSELVES BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.			
CAUTION:			
DISTANCES SHOWN ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.998956			
FOR BEARING COMPARISONS, A ROTATION OF 0°55'30" CLOCKWISE CAN BE APPLIED TO MATCH BEARINGS ON (P1)			

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.



# Appendix B

**CORRESPONDENCE**




---

**RE: 2024-11-14 Paisley Towns New Plan 06003**


---

**From** Ernie McMillan <mcmillan@ffmlaw.ca>  
**Date** Thu 11/14/2024 5:58 PM  
**To** Dana Kieffer <dkieffer@cobideeng.com>  
**Cc** Ernie McMillan <mcmillan@ffmlaw.ca>

Good Afternoon Dana

Further to your earlier email and our subsequent telephone conversation this afternoon, I would confirm that from my perspective I have no issue with the manner in which you now intend to proceed.

Please do not hesitate to contact me further if you have any other questions.

Ernie

---

**From:** Dana Kieffer <dkieffer@cobideeng.com>  
**Sent:** November 14, 2024 9:07 AM  
**To:** Ernie McMillan <mcmillan@ffmlaw.ca>  
**Cc:** Travis Burnside <tburnside@cobideeng.com>; Donna Dowler <donna@ffmlaw.ca>; Read Shantz <read@wtlandlp.com>  
**Subject:** 2024-11-14 Paisley Towns New Plan 06003

Hi Ernie,

I hope all is well with you.

We are proposing to slightly alter our plan for the Paisley townhouses for WT and just wanted to run it by you before we advanced the applications.

**New Plan**

Part Lot Control Exemption (PLCE) by-laws for Lots 4 & 5 East of Albert and Lot 4 West of George to create:

**Lot 5, East of Albert**

1. 7 lots for 7 units
2. access easements for rear yards
3. drainage easement for overland flow from west to east

**Lot 4, East of Albert**

1. Drainage easement in favour of the units 1-7 on Lot 5, East of Albert

**Lot 4, West of George**

1. Drainage easement in favour of the units 1-7 on Lot 5, East of Albert
2. Drainage easements in favour of units 1-7 on Lot 5, East of George (if timing allows)

### **The Why**

The reason for the shifting plan is that the townhouses on Lot 5, west of George have an unknown construction date. Since the foundations are not yet in the ground, it is challenging to advance an application on this lot and ensure that the conveyances occur within the time limit of the PLCE .

So, the solution we have come up with is encapsulated on site plan 06003 300 Canrobert Street Base Plan 2024-11-04 attached wherein we would take the drainage easement wholly off Lot 5, west of George thereby preserving it as a whole lot in a plan of subdivision for a future PLCE bylaw. Now, we would apply for PLCE on Lots 4 & 5 East of Albert and Lot 4 West of George as outlined above.

So my thoughts would be that this builds a little more flexibility into our approach and timeline for the future units on Lot 5, West of George. Hopefully, we can still convey the drainage easement needed for these lands across Lot 4, west of George within that timeframe. If not, we will have to do consents in the future (or try for an extension) but it does preserve our ability to create the lots needed for the future units/ access easements for those units.

Please let me know if this conceptually works from a legal perspective. Very open to other creative solutions if you have any!

I am in the office today and tomorrow if you wanted to chat further 519-506-5959 ext. 106.

Thanks again- your expertise is appreciated!  
dk



**Dana Kieffer, M.Sc (Planning), MCIP, RPP**

**Cobide Engineering Inc.**  
517 10<sup>th</sup> Street

Hanover, ON N4N 1R4

T +1 519-506-5959 ext. 106

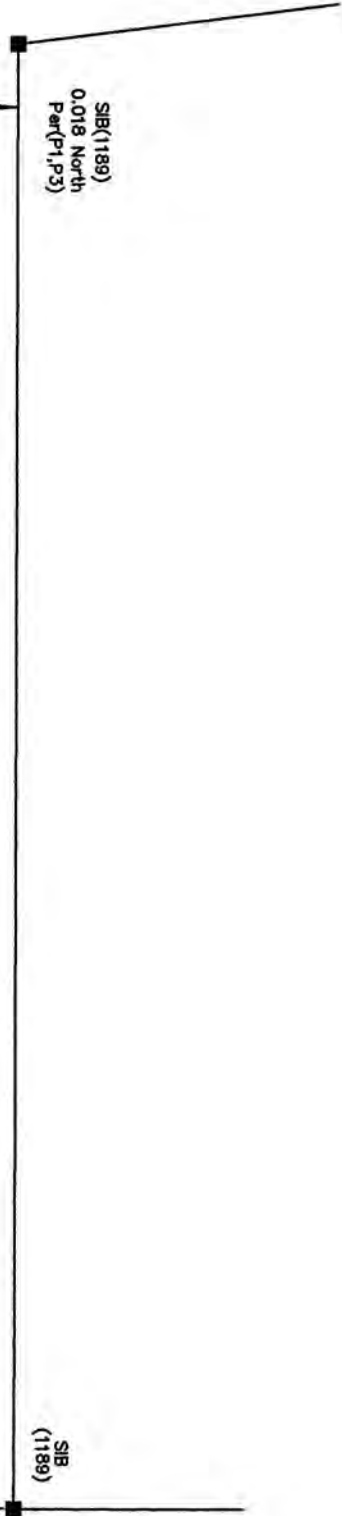
E [dkieffer@cobideeng.com](mailto:dkieffer@cobideeng.com)

[www.cobideeng.com](http://www.cobideeng.com)

-

*Please consider the environment before printing...*





20.117 Meas.

20.117 Meas.

20.117 Meas.

ARNAUD STREET  
(TOWNPLOT OF PAISLEY - 20.117 WIDE)  
PIN 33181-0870

INTEGRATION DATA			
COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING SMARTNET NETWORK AND ARE REFERRED TO UTM ZONE 17 (8° WEST LONGITUDE) COORDINATE VALUES ARE TO A RURAL ACCURACY IN ACCORDANCE WITH SECTION 14(2) OF OREG.218/10			
POINT ID	NORTHING	EASTING	
A	4905015.37	475552.80	
B	4905017.79	475554.20	
C	4905035.41	475549.06	
CAUTION: COORDINATES CANNOT IN THEMSELVES BE USED TO RE-DEFINE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.			

DISTANCES SHOWN ON THIS PLAN ARE GROUND AND CAN BE FACTOR 1.00946 BY MULTIPLYING BY A COMBINED SCALE FOR BEARING COMPARISONS. A ROTATION OF 0°55'30" CLOCKWISE CAN BE APPLIED TO MATCH BEARINGS ON (P1)

QUEEN STREET SOUTH

PART 1 PLAN 3R-10854  
PIN 33181-0807

PART 2 PLAN 3R-10854  
PIN 33181-0806

PART 1  
PIN 33181-0438

205.251 (P2)  
205.155 Meas.(P3)

LOT LIMIT

41.031 (Prop)

36.700

N11°21'00"W

34.710

5.89

9.910

2.000

5.840

40.760

5.840

40.790

5.840

40.817

5.840

40.847

5.840

40.876

5.840

40.906

5.840

40.941

5.840

40.950

5.840

40.960

5.840

40.970

5.840

40.980

5.840

40.990

5.840

41.000

5.840

41.010

5.840

41.020

5.840

41.030

5.840

41.040

5.840

41.050

5.840

41.060

5.840

41.070

5.840

41.080

5.840

41.090

5.840

41.100

5.840

41.110

5.840

41.120

5.840

41.130

5.840

41.140

5.840

41.150

5.840

41.160

5.840

PART 2 PLAN 3R-10854  
PIN 33181-0806

PART 1  
PIN 33181-0438

205.251 (P2)  
205.155 Meas.(P3)

LOT LIMIT

41.031 (Prop)

36.700

N11°21'00"W

34.710

5.89

9.910

2.000

5.840

40.760

5.840

40.790

5.840

40.817

5.840

40.847

5.840

40.876

5.840

40.906

5.840

40.941

5.840

40.950

5.840

40.960

5.840

40.970

5.840

40.980

5.840

40.990

5.840

41.000

5.840

41.010

5.840

41.020

5.840

41.030

5.840

41.040

5.840

41.050

5.840

41.060

5.840

41.070

5.840

41.080

5.840

41.090

5.840

41.100

5.840

41.110

5.840

41.120

5.840

41.130

5.840

41.140

5.840

41.150

5.840

41.160

5.840

ALBERT STREET

(TOWNPLOT OF PAISLEY - 20.117 WIDE)  
CLOSED

N11°21'00"W

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

20.117 Meas.

LOTS

EAST

TOWNPLOT

LOT 4

PIN 33181-0438

PART 12

PIN 33181-0438

PART 10

PIN 33181-0438

PART 21

PIN 33181-0438

PART 22

PIN 33181-0438

PART 10

PIN 33181-0438

PART 11

PIN 33181-0438

PART 12

PIN 33181-0438

PART 13

PIN 33181-0438

PART 14

PIN 33181-0438

PART 15

PIN 33181-0438

PART 16

PIN 33181-0438

PART 17

PIN 33181-0438

PART 18

PIN 33181-0438

PART 19

PIN 33181-0438

PART 20

PIN 33181-0438

PART 21

PIN 33181-0438

PART 22

PIN 33181-0438

PART 23

PIN 33181-0438

PART 24

PIN 33181-0438

PART 25

PIN 33181-0438

PART 26

PIN 33181-0438

PART 27

PIN 33181-0438

PART 28

PIN 33181-0438

PART 29

PIN 33181-0438

PART 30

PIN 33181-0438

PART 31

PIN 33181-0438

PART 32

PIN 33181-0438

PART 33

PIN 33181-0438

PART 34

PIN 33181-0438

PART 35

PIN 33181-0438

LOTS

WEST

TOWNPLOT

LOT 4

PIN 33181-0438

PART 12

PIN 33181-0438

PART 10

PIN 33181-0438

PART 21





## Planning Report

To: Committee of Adjustment, Municipality of Arran-Elderslie

From: Megan Stansfield, Planner

Date: April 28, 2025

Re: Minor Variance Application - A-2025-014 (WT Land Corp c/o Cobide)

---

### Recommendation:

Subject to a review of submissions arising from the public meeting:

That Committee approve Minor Variance A-2025-014 as attached subject to the conditions on the decision sheet.

### Summary:

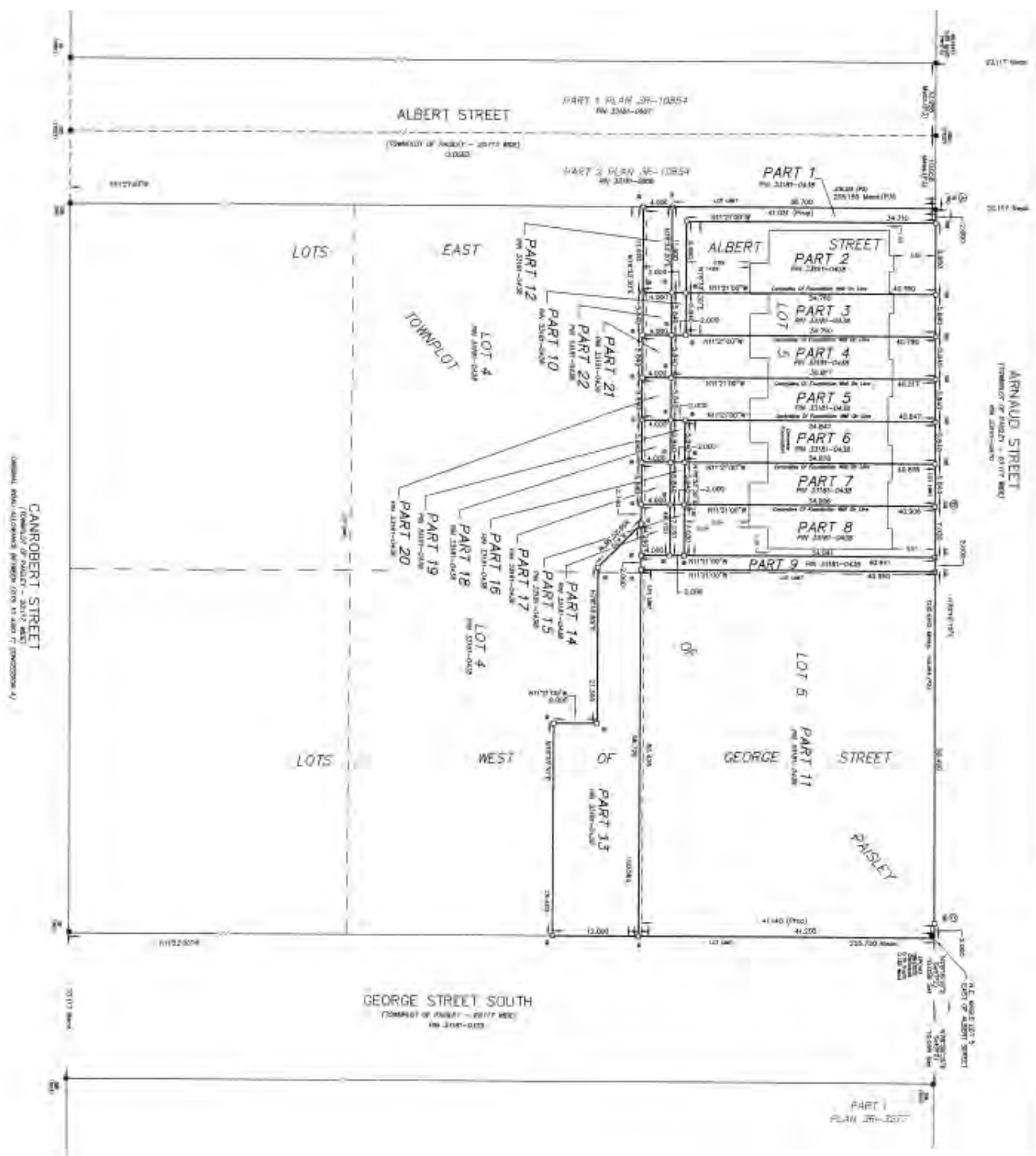
This application seeks a minor variance for **relief from Section 10.3 of the Municipality's Zoning By-Law** which requires a minimum lot frontage of 15 metres and a maximum lot coverage of 40%. The proposed frontage will be 5.8 metres and the lot coverage will be 53%. If approved, the variance will facilitate the creation of seven (7) separately conveyable townhouse lots, through the Part Lot Control Exemption process.

### Airphoto



303 Arnaud Street  
TOWNPLOT PAISLEY LOTS 1 TO 5;E  
ALBERT ST LOTS 1 TO 5 W;GEORGE ST PT  
ALBERT ST AND;RP 3R10854 PART 2  
Municipality of Arran-Elderslie  
Roll Number: 410341000120300

## Site Plan





## Planning Analysis:

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant agency comments (attached), and planning policy sections.

### Overview

The property is located on the south side of Paisley. The property owners have constructed 7 townhomes and are seeking to separately convey each townhouse lot.

### Part Lot Control Exemption

The separation of the townhouses will be completed through a Part Lot Control Exemption By-law which is a lot creation tool identified in the Planning Act. This tool allows the conveyance of lots, without going through the severance process. The Planning Act prohibits the conveyance of lots or parts of lots, unless a Planning Act Application has been completed (consent, or subdivision application). The Part Lot Control Exemption by-law allows for lots, or parts of a lot to be conveyed without going through that process. The by-law is passed by council and is accompanied by a registered plan, completed by a surveyor, which ensures each lot line follows the shared wall of the townhomes. This tool can only be used for lots within a plan of subdivision. The minor variance is required to recognize a reduced frontage and reduced lot coverage.

### Four Tests of a Minor Variance

Section 45(1) of the Planning Act provides for the granting of minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Relief may only be granted **if the Variance passes four tests (“Four Tests of a Minor Variance”). The Committee must be satisfied that the application has satisfied all four tests to approve the Minor Variance.**

#### Does the variance maintain the intent and purpose of the Official Plans?

The property is designated as Primary Urban Community in the Bruce County Official Plan which supports residential development. The Local Official Plan designates the property as Residential. The Local Plan emphasizes the need for a range of housing options within **communities. The Province’s recent push for diverse housing options in serviced areas** further supports this amendment. The construction of townhouses fits provincial, county and municipal housing objectives.

The application maintains the intent and purpose of the Official Plan.

#### Does the variance maintain the intent and purpose of the Zoning By-law?

The property is zoned R2 - Residential, Low Density Multiple, and permits the use of **Townhouses, whether in a ‘cluster’ or along the street.** The zoning by-law permits a reduced lot area of 155 sqm per unit, but does not provide a reduction in frontage, which is required to be 15 m (the same for a single detached dwelling). The zoning by-law permits a reduced

side yard setback for townhouses, for the lot line which shares a wall, which helps to facilitate a reduced frontage. The applicant is proposing a minimum frontage of 5.8m for the interior lots, and 7m and 9.9 m for the end lots. The zoning by-law permits a reduced lot area for these more compact developments, so it would stand to reason, that the frontage could be reduced to accommodate these more compact developments.

The Arran-Elderslie Zoning By-law does not specify a reduced frontage for townhouses. In comparison, South Bruce and Brockton permit reduced areas and frontage of 7.5 m when townhomes are located on separate lots of record. It's therefore reasonable to conclude that a reduced frontage and area, would be appropriate for fully serviced lots.

The minor variance also seeks an increase in the lot coverage for these properties. The Lot coverage is required to ensure that there is sufficient permeable area for any stormwater runoff and sufficient outdoor amenity space. The applicant completed a lot grading plan to obtain a building permit, and the plans required for the part lot control exemption by-law include drainage easements for each of the lots. The increase in lot coverage is reasonable.

The variance maintains the intent and purpose of the Zoning By-law.

#### Is the application desirable for the appropriate development of the land, building or structure?

The proposed development is supported by Provincial, County and Local objectives which encourage higher density, diverse housing, especially when the proposal can be appropriately serviced. The development has municipal sewer and water services available, is within a settlement area and fits with the surrounding residential uses. The grading plan, proposed drainage easements and the property survey support appropriate development of the land.

The variance represents an appropriate form of development for the use of the land.

#### Is the application minor in nature?

Whether a variance is minor is evaluated in terms of the impact the proposed development is expected to have on the surrounding neighbourhood. It is not expected that permitting the variance will impact the ability of adjacent property owners to use their property for permitted uses.

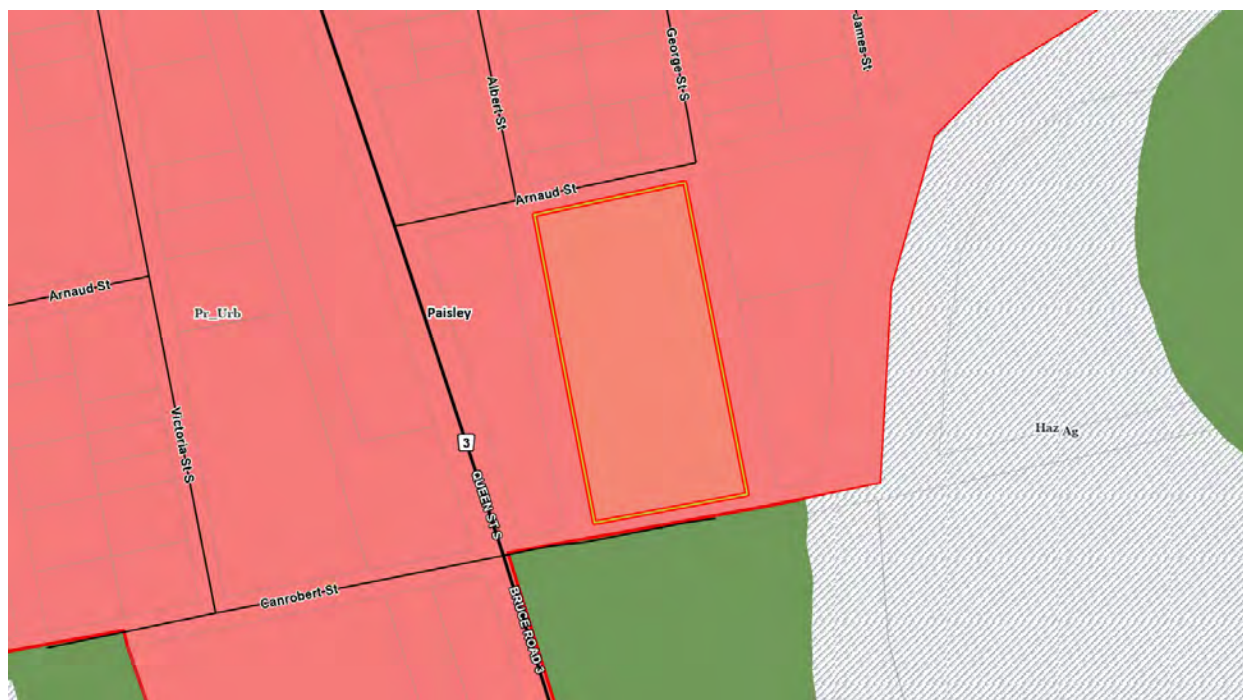
The variance is minor.

#### Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
  - Planning Justification Report

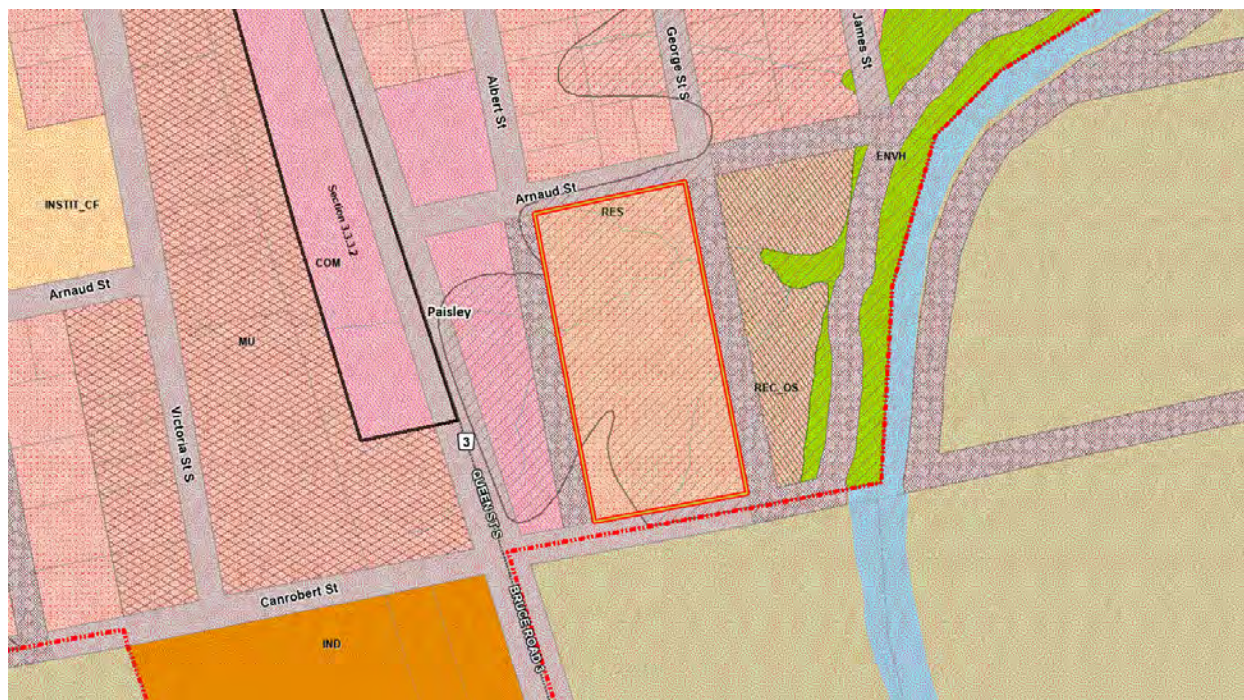
- Archaeological Assessments
- Agency Comments
- Public Comments
- Public Notice

### County Official Plan Map (Designated Primary Urban Communities)





Local Official Plan Map (Designated Residential)



Local Zoning Map (Zoned R2 - Residential: Low Density Multiple)



## List of Supporting Documents and Studies

The following documents can be viewed in full at [Planning Arran-Elderslie | Bruce County](#)

- Planning Justification Report

## Agency Comments

Arran-Elderslie: no comments/concerns. The Municipality has entered into a development agreement with the land owner and the works are in progress.

Saugeen Ojibway Nation: The property is within an area of high archaeological potential. As **noted in the PJR** “A Stage 1 & 2 Archaeological Assessment was completed by Amick Consulting in 2022. Timmins Martelle Heritage Consulting (TMHC) completed a scoped re-assessment with input and review from the Saugeen Ojibway Nation in the fall of 2023. No archaeological resources were recovered through the studies and further archaeological review was not warranted. The report was accepted into the Ontario Public Register of Archaeological Reports on October 5, 2023.

Saugeen Valley Conservation Authority: The property is within the SVCA Screening area and the applicants have obtained a permit from the SVCA.

## Public Comments

No comments were received from the public at the time of writing this report.

WT LAND LP

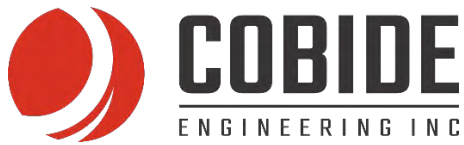
# PLANNING JUSTIFICATION BRIEF

303 ARNAUD ST.

MUNICIPALITY OF ARRAN-ELDERSLIE

MARCH 2025

COBIDE Engineering Inc  
517 10<sup>th</sup> Street  
Hanover, ON N4N 1R4  
TEL: 519-506-5959  
[www.cobideeng.com](http://www.cobideeng.com)



## Planning Brief

To: Jenn Burnett, MCIP, RPP, Senior Development Planner

From: D. Kieffer, MCIP, RPP, Senior Development Planner

On behalf of our client, WT Land LP., Cobide Engineering Inc. is pleased to submit this Planning Brief in support of the Part Lot Control and Minor Variance applications for the property located at 303 Arnaud Street (hereinafter called the subject lands).

This Planning Brief serves to analyze the land use planning merits of the applications and determine the appropriateness of the proposed uses. The request will be analyzed within the context of the surrounding community and the relevant planning documents, including the Provincial Planning Statement, the Bruce County Official Plan, the Municipality of Arran-Elderslie Official Plan and the Municipality of Arran-Elderslie Comprehensive Zoning By-law.

This Brief has been organized in an issue-based format, speaking to the planning policies within the context of the relevant issues identified in pre-consultation rather than a document-based format where each individual policy is addressed in each planning document. Should the approval authority require more information, please contact the author below.

### Site Context:

The subject lands are 2.2 ha in size and are located in the south end of Paisley with frontage on Canrobert St. to the south and Arnauld St. to the north. The subject lands are 10 lots in the original Town Plan of Paisley being Lots 1-5, East of Albert and Lots 1-5, West of George. These lots have been confirmed to be whole lots in a Plan of Subdivision and this correspondence is attached from Ernie MacMillan, LL.B in Appendix B.

The subject lands have seven constructed townhouses on Lot 5, East of Albert. It is noted that the proposal is required to seek relief from the zoning by-law due to the proposed parcelization of the units. As townhouses are a permitted use in the zone, the proposal met the requirements of the zoning by-law to be issued a building permit.

The subject lands are located west of the Saugeen River and are mostly wooded. There is an unopened road allowance to the east of the subject lands. To the west of the subject lands are vacant commercial lands fronting Bruce Road 3/ Queen Street. To the north are Paisley Veterinary Clinic and single-detached homes. There are undeveloped wooded lands to the south of the subject lands.

The proponents have completed the purchase of half of the unopened road to the west of



the subject lands, formerly known as Albert Street.

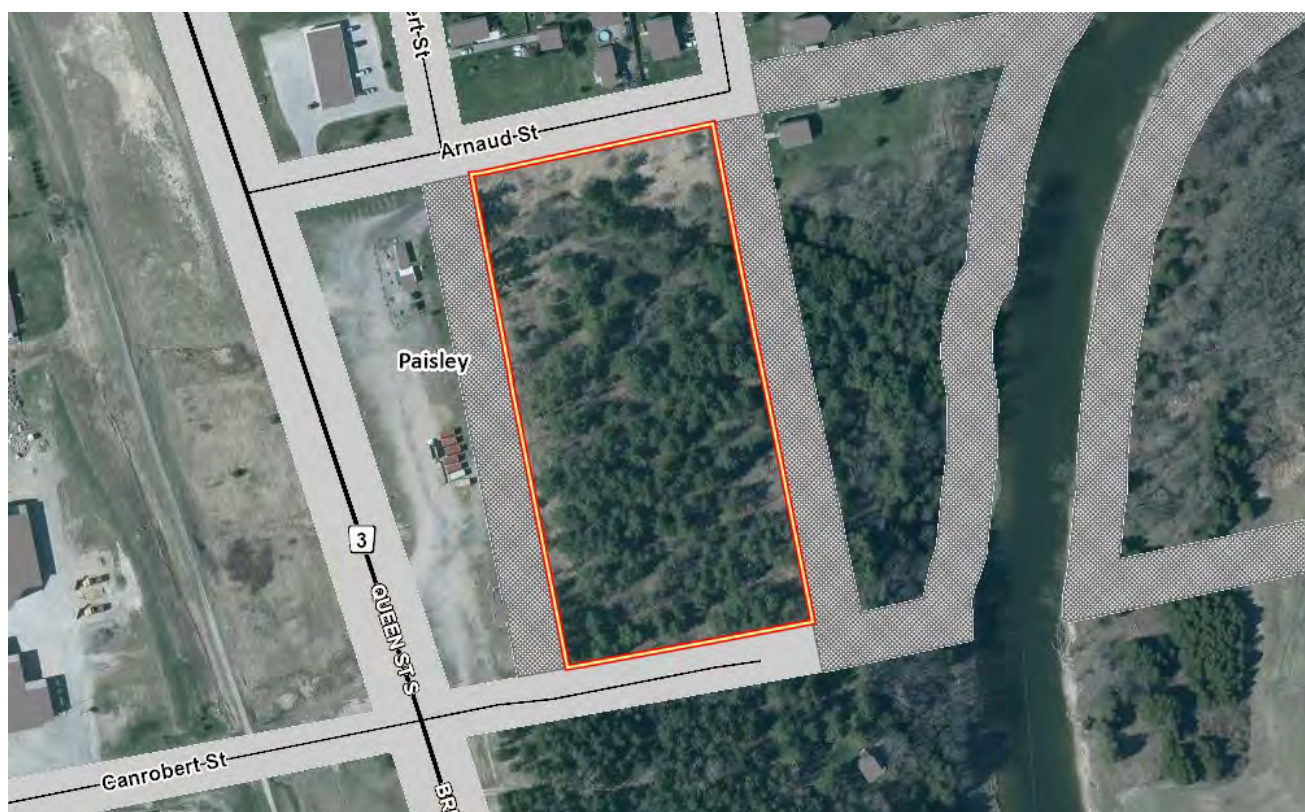
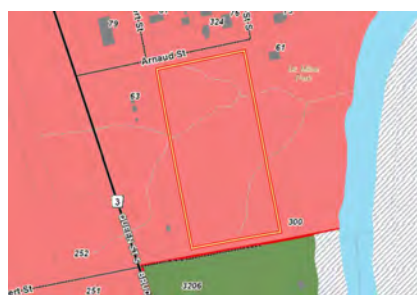


Figure 1: Aerial Photograph of the subject lands. Source: Bruce County Mapping 2020

### Planning Context:

The subject lands are designated as Primary Urban Communities in the Bruce County Official Plan, designed Residential in the Municipality of Arran-Elderslie Official Plan. The subject lands are zoned R2 – Residential Low Density Multiple.



Bruce County Official Plan Map



Municipality of Arran-Elderslie Official Plan Map



Municipality of Arran-Elderslie Zoning By-law Map

### Development Concept:

The development concept proposes the parcelization of the seven townhouses units to individual lots. This will include access easements to the rear yards of the interior units and drainage easements for the drainage corridor that flows from West to East.

3R--10854  
806

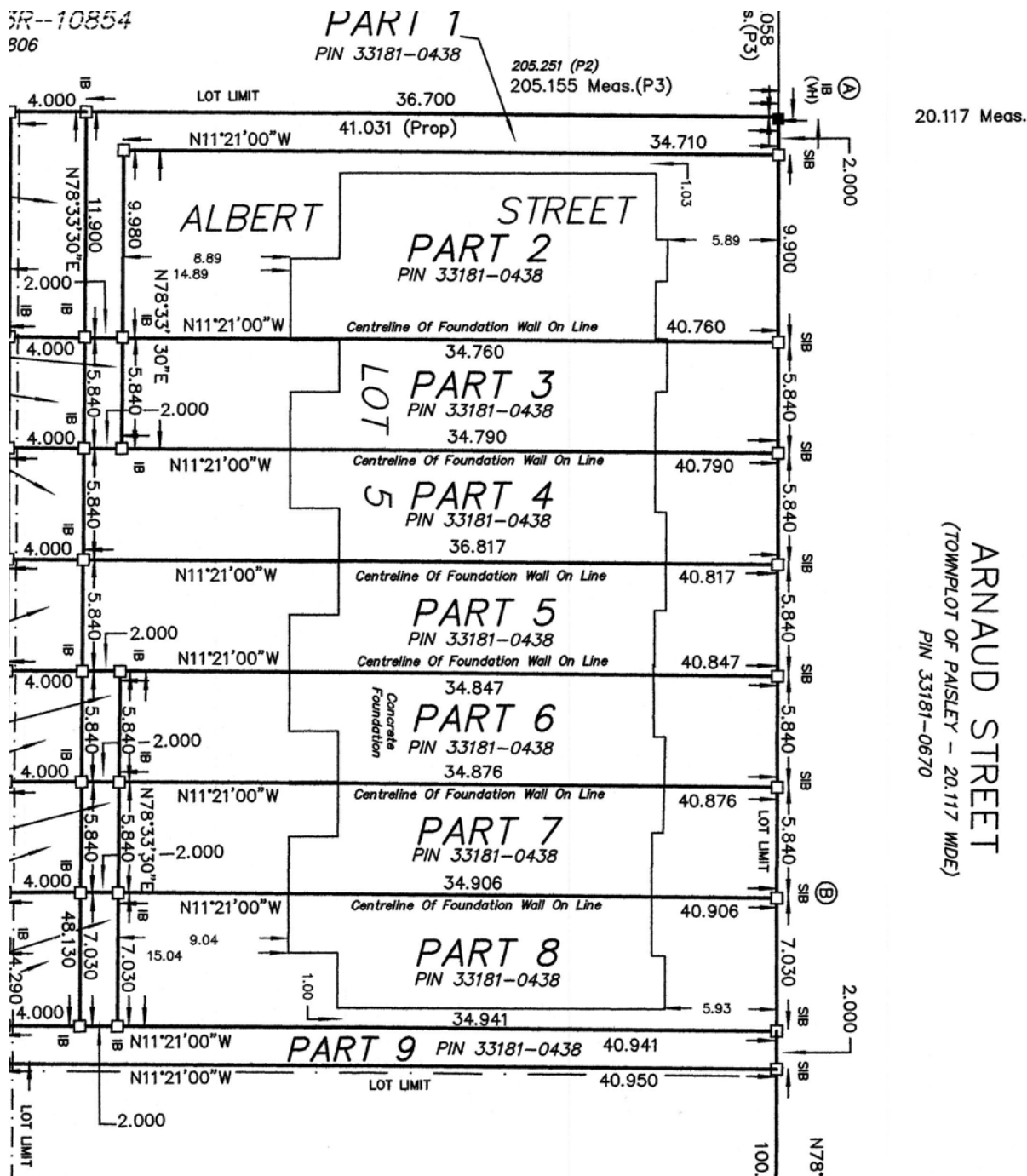


Figure 2: Excerpt of Draft Registered Plan

## Requested Applications and Supporting Materials

A Part Lot Control Exemption for Lots 4 & 5 East of Albert and Lot 4 West of George is requested to create:

Lot 5, East of Albert

1. Seven lots for seven units
2. Access easements to the rear yards for the interior units

3. Drainage easements for overland flow from west to east

Lot 4, East of Albert

1. Drainage easement in favour of the units 1-7 on Lot 5, East of Albert

Lot 4, West of George

1. Drainage easement in favour of the units 1-7 on Lot 5, East of Albert

A site plan is attached in Appendix A. The required easements are discussed in further detail in a section in this report.

A Minor Variance is requested from the following provisions of the R2 zone provisions:

1. Minimum lot frontage from 15.0 m to 5.8 m.
2. Maximum lot coverage from 40% to 53%.

The following studies have been completed in support of the applications:

1. A Planning Brief, completed by COBIDE Engineering Inc.
2. An Archaeological Assessment, completed by AMICK Consultants Limited.
3. A Scoped Archaeological Re-assessment, completed by TMHC.

#### Archaeological Potential:

The subject lands exhibit high archaeological potential due to their location within 300 m of a waterbody (the Saugeen River). A Stage 1 & 2 Archaeological Assessment was completed by Amick Consulting in 2022. Timmins Martelle Heritage Consulting (TMHC) completed a scoped re-assessment with input and review from the Saugeen Ojibway Nation in the fall of 2023. No archaeological resources were recovered through the studies and further archaeological review was not warranted. The report was accepted into the Ontario Public Register of Archaeological Reports on October 5, 2023.

#### SVCA Regulated Area:

The majority the subject lands fall within the Saugeen Valley Conservation Authority Regulated Area as shown on Schedule B of the Paisley Land Use Plan. Within the Fill Regulated Area, no development is permitted unless it is in conformity with the policies in Table 1.

Table 1: Evaluation of policies under policy 3.6.6	
a) The development proposal is in conformity with the policies pertaining to the underlying land use designation	The development concept is in conformity with the policies pertaining to the residential land use designation.
b) The development proposal complies with the provisions of the zoning by-law	A minor variance is being requested to facilitate the development.
c) A 'Fill and Construction Permit' has been issued by Saugeen Conservation.	A permit from SVCA was obtained to construct the townhouses.



### The Two 'I's: Intensification and Infill

The subject lands are located within a settlement area. The Provincial Planning Statement (PPS) states that settlement areas shall be the focus of growth and development (policy 2.3.1.1). Within settlement areas, land use patterns shall be based on densities and a mix of land uses which:

- a) Efficiently use land and resources
- b) Optimize existing and planned infrastructure and public service facilities
- c) Support active transportation
- d) Transit-supportive, as appropriate
- e) Freight supportive

The PPS requires that planning authorities permit and facilitate an appropriate range and mix of housing options and densities to meet the current and future needs of residents and to promote densities for new housing that use land, resources, infrastructure and public service facilities efficiently (PPS 2.2.1). Furthermore, the PPS says that planning authorities should support the achievement of complete communities by accommodating an appropriate range of housing options (PPS 2.1.6).

The development concept proposes townhouses, which are a denser form of housing compared to single detached dwellings. This will ensure that land and resources are used efficiently while optimizing existing and planned infrastructure and provide a greater range and mix of housing options.

The Bruce County Official Plan (BCOP) include objectives to direct most of the permanent population growth to Primary and Secondary Urban Communities, ensure that land identified for development is used efficiently and to ensure a range of housing types and tenures to meet the needs of residents. The permitted uses in Primary Urban Communities include a variety of residential, home occupations, commercial, industrial and institutional land uses (policy 5.2.2.3).

The Official Plan for The Urban Areas of Chesley, Paisley & Tara/Invermay (AEOP) promotes a mix and affordable supply of housing to meet the needs of current and future residents, while ensuring that new residential development is in keeping with the character of the neighbourhood.

The AEOP states that lands within the "Residential" designation shall be predominately used for 'Low Density Residential' and 'Medium Density Residential' uses. Under Section 3.1.7 of the Official Plan, the Municipality considers buildings with four or more units, such as townhouses, rowhouses, apartment buildings or other multi-unit housing forms as 'Medium Density Residential'. Policy 3.1.7a) states that 'Medium Density Residential' shall not exceed a gross density of 48 units per gross hectare. It is noted that the proposed density of the site is 34 units per hectare, which is below the maximum.

Table 2: Evaluation of the proposal under policy 3.1.7b) When the Municipality is considering the establishment of 'Medium Density Residential' development, the following development criteria shall be used:

ii) The development shall be compatible with existing land uses in the immediate area and the general built form of surrounding buildings	The subject lands are located adjacent to a residential area composed primarily of single-detached homes. The development concept represents a modest increase in density and has been zoned to facilitate this modest increase accordingly.
iii) Adequate off-street parking and appropriate access and circulation for vehicular traffic, including emergency vehicles shall be required	Each unit has a garage and its own driveway to satisfy the requirement for two parking spaces.
iv) Adequate buffering from abutting uses shall be provided	The lands to the immediate west, south and east of the subject lands are largely undeveloped. There are residential and commercial uses to the north across Arnaud St. The proposed buildings meet the required setback from the street.
v) Suitable landscaping, lot grading, and storm water management/drainage shall be provided.	A lot grading plan was submitted to obtain the building permit prior to the construction of the units.
vi) Suitable on-site open space shall be provided in relation to the size and nature of the development	The on-site open space is suitable for the size and nature of this development.
vii) Water supply and sewage disposal services shall be provided in accordance with Section 5.4.1.	The development concept will be serviced by municipal water and sanitary servicing.

While the policies of Section 3.1.8 of the AEOP does not directly apply since the south side of Arnaud Street does not have any residential development, and therefore the development concept does not meet the infilling definition provided *“Infilling shall be considered as the creation of a new vacant lot(s) of record when the new lot is to be created between two existing dwellings, such dwellings being separated by not more than 30 metres (100 feet), on the same side of the road”* Section 7.12.3 iii Part Lot Control requires its consideration and it has been included to satisfy that section of AEOP.

Table 3: Evaluation of the proposal under policy 3.1.8 An application for consent for infilling purposes shall be reviewed with regard to the following policies...:

a) To determine to what extent infilling is compatible with the character of the surrounding neighbourhood, it shall be demonstrated that the proposed development is in keeping with the traditional development pattern in the immediate area.	The townhouses are constructed and are permitted in the zone. While the residential use is proposed to remain the same as the majority of the surrounding uses, the constructed townhouses represent an increase in density in relation to the immediate surrounding areas, which is a low-density, large-lot, older neighbourhood. It is important to note the compatibility does
--	--

	<p>not mean match the existing, it means that the existing and the proposed can co-exist. The proposed residential built form, albeit different from what is established, is still considered to be at a scale, height and massing that is compatible with, just not the same as, the surrounding area.</p> <p>In terms of the vision as outlined by the PPS and the AEOP to utilize land more efficiently, this increase is desirable. It is natural the scale, massing and built form may be changed when increasing density and offering different housing choices to the community.</p>
<p>b) Factors such as lot sizes, lot frontage, lot coverage and density, streetscapes, building form and typical building setbacks shall be taken into consideration in determining the compatibility of proposed infilling developments with the character of the surrounding residential neighbourhood.</p>	<p>As mentioned in the Zoning By-law Section of this report, a reduction in Minimum Lot Frontage is being requested from 15 m to 5.8 m. The Municipality of Arran-Elderslie Comprehensive Zoning By-law sets the minimum lot frontage to be the same across the different housing styles. Single detached dwellings, semi-detached dwellings and townhouses are all required to have a minimum frontage of 15 m. In our opinion, this generalization does not take into account or give consideration to the advantages gained by the common wall(s). Smaller frontages should be considered since the interior units have no side yards.</p> <p>In the case of townhouses, the lot frontage for interior units is the same as the unit width. A reduction in frontage permits a smaller unit, which has the potential to be more affordable and/or unique in the market, to be constructed.</p> <p>A Minor Variance has been requested to address the relief requested.</p>
<p>c) Infill proposals may be required to provide a 'lot grading and drainage plan' that addresses potential impacts on abutting properties.</p>	<p>A lot grade and drainage plan was provided to obtain the building permit. Through the Part Lot Control application, easements are proposed to facilitate a drainage corridor to the Saugeen River.</p>



## Part Lot Control

The part-lot control provisions of Section 50(5) of *The Planning Act* have the effect of preventing the division of land in a registered plan, other than that which has already been approved in the plan of subdivision, without further approvals.

The part-lot control exemption provisions contained in 50(7) of *The Planning Act* allow a municipality to pass by-laws to remove part-lot control from all or any part of a registered plan of subdivision. Such a by-law has the effect of allowing the conveyance of a portion of a lot without requiring the approval of the land division committee.

A Part Lot Control Exemption by-law exempts land situated in a Registered Plan of Subdivision from Part Lot Control and therefore allows:

- the division of the lands into smaller parcels
- minor boundary adjustments
- to establish easements

Exemptions from Part Lot Control are often used to facilitate several conveyances at once and are particularly useful in types of housing that share common walls, such as the proposed townhouses, to ensure that the property line runs through the common centre walls between the units.

The subject lands are all of Lots 4 & 5, West of Albert St. and Lot 4, East of George St., Plan of Paisley, geographic Village of Paisley and are therefore considered whole lots in a plan of subdivision. This is confirmed by the survey and legal opinion that has been submitted in support of the application.

Table 4: Section 7.12.3 of the Arran-Elderslie Official Plan speaks to Part Lot Control.

Such approval will only be granted by the County of Bruce when:		
i)	no Municipal and/or County conditions for development are required;	It is not anticipated that conditions for development will be required.
ii)	the policies and objectives of this Plan and the regulations of the zoning by-law have been met prior to the approval of the By-law;	The proposal meets the policies and objectives of the Official Plan, and the property is proposed to be subject to a Minor Variance prior to the Part Lot Control process.
iii)	municipal sewer and municipal water services are available to all the lots;	The lots are proposed to be fully serviced with municipal water and sewer.
iv)	for lands within a 'Residential' designation, the proposed lots and development must conform to Section	Table 3 confirms that the development concept meets Section 3.1.8 of the Official Plan

3.1.8 “Residential Infill Policies”.	
Structural and elevation plans must be submitted;	

Section 7.12.3 further details that Part Lot Control shall not be used when it will have the effect of creating additional lots within existing subdivisions unless the additional lots proposed have been subject to a previous planning application, which clearly indicated the proposed changes to the lot configuration, and which involved public review/participation. Since this property is subject to a Minor Variance in advance of the Part Lot Control application, it will meet the Official Plan’s requirements for public participation.

A Part Lot Control Exemption by-law is requested to establish seven new lots on the subject lands, each containing a townhouse unit. As part of the part lot control process, easements for rear yard access and drainage will be created. More details on these proposed easements are provided below.

### Easements

The proposed Part Lot Control application seeks to create seven new lots and the appropriate drainage and access easements.

In Table 5 below, working from left to right the townhouse unit number is depicted along with the parts on the plan that make up the proposed lot for the unit. *Subject to* refers to when there is easement over one of the parts of the unit. *Together with* refers to an easement that the unit has over other parts/ properties of the plan. The table includes both subject to/together with for the proposed access and drainage easements.

It is noted that all the units will have an easement over Part 13 on the Plan. This part includes the easement to the stormwater outlet, being the Saugeen River.

Table 5: Easements

Unit	Consisting of Parts	Subject to Easement for Drainage	Together with Easement for Drainage	Subject to Easement for Access	Together with Easement for Access
1	1,2,12	No	22,21,20,18,17, 14,13	2	No
2	3,10,22	22	21,20,18,17,14, 13	10	2
3	4,21	21	20,18,17,14,13	No	2, 10
4	5,20	20	18,17,14,13	No	9, 15, 16,19
5	6,19,18	19	17,14,13	19	9, 15,16
6	7,16,17	17	17,14,13	16	9, 15

7	8,9,15,14	14	13	9,15	No
---	-----------	----	----	------	----

### Zoning Bylaw

Permitted uses include: single-detached dwelling, semi-detached dwelling, duplex, townhouse cluster or townhouse street. The street townhouse provisions have been applied.

Provision	Required	Provided
Minimum Lot Area	155 m <sup>2</sup> per dwelling unit	193 m <sup>2</sup>
Minimum Lot Frontage	15 metres	5.8 metres
Front Yard Setback (Min)	6 metres	6 metres
Exterior Side Yard Setback (Min)	6 metres	N/A
Interior Side Yard Setback (Min)	3 metres	3 metres
Rear Yard Depth (Min)	7.5 metres	14.83 metres
Lot Coverage (Max)	40%	53%
Landscaped Area/Open Space (Min)	30%	31%
Maximum Height	10 metres	Will meet
Gross Floor Area (Min)	90 m <sup>2</sup> per dwelling unit	>90 m <sup>2</sup>

### Requested Relief:

#### Minimum Lot Frontage

A reduction in Minimum Lot Frontage is being requested from 15 m to 5.8 m. The Municipality of Arran-Elderslie Comprehensive Zoning By-law sets the minimum lot frontage to be the same across the different housing styles. Single detached dwellings, semi-detached dwellings and townhouses are all required to have a minimum frontage of 15 m. In our opinion, this generalization does not take into account or give consideration to the advantages gained by the common wall(s). Smaller frontages should be considered for housing styles that do not have two side yards.

In the case of townhouses, the lot frontage for interior units is the same as the unit width. A reduction in frontage permits a smaller unit, potentially more affordable and/or unique in the market option, to be constructed.

#### Lot Coverage

The interior units propose a lot coverage of 53%, the By-law permits up to a maximum of 40% for lot coverage and therefore relief is being requested.

Lot Coverage ensures that there is sufficient area on the lot for amenity space, permeable surfaces for stormwater drainage and provide visual appeal to neighbourhood through natural foliage. Sufficient landscaped open space is provided on this site to implement the drainage plan, and along with the related drainage infrastructure, including the swale and proposed outlet. Therefore, drainage is not anticipated to be an issue.

In summary, the reductions in Lot Coverage will not impact the stormwater management of the site and it is anticipated to not impact the public realm, as the front yard will meet the required setback.

#### Four Tests of a Minor Variance

When a Committee of Adjustment is considering a Minor Variance application, four tests as prescribed in Section 45(1) of the *Planning Act* are evaluated.

#### 1. Is the Variance in keeping with the general intent and purpose of the Official Plan?

The subject lands are designated as Primary Urban Community in the County of Bruce Official Plan and designated Residential in the Official Plan for the Urban Areas of Chesley, Paisley, Tara/Invermay. Both Official Plans permit a variety of residential development in the designations. This development meets the goals and objectives of both plans to provide variety in types and tenures of housing in locations that can be fully-serviced with sanitary sewers and municipal water. This proposal keeps with the general intent and purpose of the Official Plans.

#### 2. Is the Variance in keeping with the general intent and purpose of the Zoning By-Law?

The application requests variances the Urban Residential Zone (R2) including: decreased minimum lot frontage and increased lot coverage. As previously discussed in this report, the reductions and increases requested through this application will not impact site functionality or impact surrounding properties. Notably, the development meets the provisions of the zone to be constructed but the individualization of the units is resulting in a minor variance. The requested variances maintain the general intent and purpose of the Zoning By-law.

#### 3. Is the Variance desirable for the appropriate development or use of the land, building or structure?

The subject lands are designated and zoned for residential development and this is the first phase of the development of the lands. Once completed, the development will provide for more variety in housing tenure arrangements including freehold and dedicated apartment rental units. In considering the test of desirability, the public interest must be reviewed and overall, this increase in tenure variety will provide a net benefit to the community.

#### 4. Is the application minor in nature?

Minor should not be evaluated simply on numbers and increases or decreases, but rather should be evaluated on potential impacts the development may have. In the case of the proposed development, the townhouses are already constructed, the variances are requested to make the properties freehold rather than rental (i.e. on individual lots rather than all seven units on one lot). The drainage has been engineered and constructed to support the increases in lot coverage. Therefore, the application is considered minor in nature.

#### Conclusions:

This application represents good land use planning for the following reasons:

- 
1. The development concept is consistent with the Provincial Planning Statement and conforms to the policies of the Bruce County Official Plan and the Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay.
  2. The development concept will provide a greater range and mix of housing style and ownership options within the community of Paisley.
  3. The development concept, although different than the existing built form, is compatible with the surrounding context.

Thank you for the consideration of this application, please contact the undersigned with any questions.

Kind regards,

**Cobide Engineering Inc.**



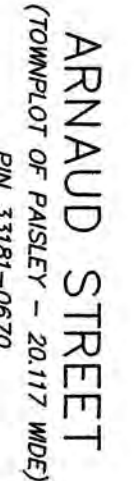
---

Dana Kieffer, M.Sc. (Planning), MCIP, RPP  
Senior Development Planner,  
Cobide Engineering Inc.  
519-506-5959 ext. 106  
dkieffer@cobideeng.com

# Appendix A

**DRAFT REFERENCE PLAN**





DISTANCES SHOWN ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999956

FOR BEARING COMPARISONS, A ROTATION OF 0°55'30" CLOCKWISE CAN BE APPLIED TO MATCH BEARINGS ON (P1)

THIS PLAN COMPRISES PART OF PIN 33181-0433

LOT 1 EAST OF ALBERT STREET  
 AND ALL OF  
 LOT 5 EAST OF ALBERT STREET  
 OF PART OF  
 LOT 4 WEST OF GEORGE STREET  
 AND ALL OF  
 LOT 5 WEST OF GEORGE STREET  
 PLAN OF PASLEY  
 VILLAGE OF PASLEY  
 MUNICIPALITY OF ARRAN — ELDERSLIE  
 COUNTY OF BRUCE



BEARINGS HEREON ARE GRID (SEE INTEGRATION CHART FOR DETAIL)

- |           |  |
|-----------|--|
|           | DENOTES KOMUMENTATION FOUND                |
| ■         | DENOTES KOMUMENTATION PLANTED              |
| SIB       | DENOTES 2.5cm x STANDARD IRON BAR          |
| SSB       | DENOTES 2.5cm x SHORT STANDARD IRON BAR    |
| IB        | DENOTES 1.6cm x IRON BAR                   |
| WIT       | DENOTES WITNESS                            |
| PROP      | DENOTES PROPER                             |
| OP        | DENOTES CONCEPT PLAN                       |
| OP        | DENOTES PLAN                               |
| OP        | DENOTES VAN DENBURGE, O.L.S.               |
| 823       | DENOTES VAN DENBURGE, O.L.S.               |
| 1189      | DENOTES J.C. WOOD, O.L.S.                  |
| 1861      | DENOTES R.F. DORE, O.L.S.                  |
| 1527      | DENOTES D. CULBERT, O.L.S.                 |
| P1        | DENOTES A PLAN BY SURVEY BY (1861) FILE    |
| P2        | DENOTES A PLAN BY (1474) DATED MAY 9, 2023 |
| P3        | DENOTES PLAN 3R-10854                      |
| ALL PLANS | ARE SUPPLIED (14) UNLESS NOTED (R)         |

I CERTIFY THAT:

- 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYOR'S ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- 2) THE SURVEY WAS COMPLETED ON THE 17TH DAY OF DECEMBER, 2024.

FEBRUARY 26, 2025

GREG RODGER  
ONTARIO LAND SURVEYOR

**D. GULBERT LTD.**  
**ONTARIO LAND SURVEYOR**  
 GODFREY, ONTARIO    PHONE: 519-924-3531

**DGL**  
**LAND SURVEYOR**

DRAWN BY: BDCS  
 CHECKED BY: GF  
 FILE NO: PAL-0255-0-10  
 DIGITAL FILE: P2420R2

PLAN NO:  
**8-GL-1682**



# Appendix B

**CORRESPONDENCE**




---

**RE: 2024-11-14 Paisley Towns New Plan 06003**


---

**From** Ernie McMillan <mcmillan@ffmlaw.ca>  
**Date** Thu 11/14/2024 5:58 PM  
**To** Dana Kieffer <dkieffer@cobideeng.com>  
**Cc** Ernie McMillan <mcmillan@ffmlaw.ca>

Good Afternoon Dana

Further to your earlier email and our subsequent telephone conversation this afternoon, I would confirm that from my perspective I have no issue with the manner in which you now intend to proceed.

Please do not hesitate to contact me further if you have any other questions.

Ernie

---

**From:** Dana Kieffer <dkieffer@cobideeng.com>  
**Sent:** November 14, 2024 9:07 AM  
**To:** Ernie McMillan <mcmillan@ffmlaw.ca>  
**Cc:** Travis Burnside <tburnside@cobideeng.com>; Donna Dowler <donna@ffmlaw.ca>; Read Shantz <read@wtlandlp.com>  
**Subject:** 2024-11-14 Paisley Towns New Plan 06003

Hi Ernie,

I hope all is well with you.

We are proposing to slightly alter our plan for the Paisley townhouses for WT and just wanted to run it by you before we advanced the applications.

**New Plan**

Part Lot Control Exemption (PLCE) by-laws for Lots 4 & 5 East of Albert and Lot 4 West of George to create:

**Lot 5, East of Albert**

1. 7 lots for 7 units
2. access easements for rear yards
3. drainage easement for overland flow from west to east

**Lot 4, East of Albert**

1. Drainage easement in favour of the units 1-7 on Lot 5, East of Albert

**Lot 4, West of George**

1. Drainage easement in favour of the units 1-7 on Lot 5, East of Albert
2. Drainage easements in favour of units 1-7 on Lot 5, East of George (if timing allows)

### **The Why**

The reason for the shifting plan is that the townhouses on Lot 5, west of George have an unknown construction date. Since the foundations are not yet in the ground, it is challenging to advance an application on this lot and ensure that the conveyances occur within the time limit of the PLCE .

So, the solution we have come up with is encapsulated on site plan 06003 300 Canrobert Street Base Plan 2024-11-04 attached wherein we would take the drainage easement wholly off Lot 5, west of George thereby preserving it as a whole lot in a plan of subdivision for a future PLCE bylaw. Now, we would apply for PLCE on Lots 4 & 5 East of Albert and Lot 4 West of George as outlined above.

So my thoughts would be that this builds a little more flexibility into our approach and timeline for the future units on Lot 5, West of George. Hopefully, we can still convey the drainage easement needed for these lands across Lot 4, west of George within that timeframe. If not, we will have to do consents in the future (or try for an extension) but it does preserve our ability to create the lots needed for the future units/ access easements for those units.

Please let me know if this conceptually works from a legal perspective. Very open to other creative solutions if you have any!

I am in the office today and tomorrow if you wanted to chat further 519-506-5959 ext. 106.

Thanks again- your expertise is appreciated!  
dk



**Dana Kieffer, M.Sc (Planning), MCIP, RPP**

**Cobide Engineering Inc.**

517 10<sup>th</sup> Street

Hanover, ON N4N 1R4

T +1 519-506-5959 ext. 106

E [dkieffer@cobideeng.com](mailto:dkieffer@cobideeng.com)

[www.cobideeng.com](http://www.cobideeng.com)

-

*Please consider the environment before printing...*



# THE CORPORATION OF THE MUNICIPALITY OF ARRAN-ELDERSLIE

1925 Bruce Road 10, Box 70, Chesley, ON N0G 1L0  
519-363-3039 Fax: 519-363-2203

April 10, 2025

Via Email: [LMansfield@brucecounty.on.ca](mailto:LMansfield@brucecounty.on.ca)

County of Bruce  
Planning & Economic Development Department  
578 Brown Street  
Box 129  
Warton, ON N0H 2T0

**Re: Minor Variance Application A-2025-014  
WT Lands c/o Cobide Engineering  
303 Arnaud Street, Paisley**

Arran-Elderslie staff have reviewed the above noted application and provide the following comments:

- Water Department
  - No comments
- Municipality of Arran-Elderslie
  - The Municipality has entered into a development agreement with the applicant related to the development. The works required is in progress. The Municipality of Arran-Elderslie supports the application.

Should you require further information or documentation, please contact the undersigned.

Yours truly,  
MUNICIPALITY OF ARRAN-ELDERSLIE  
Per:

Christine Fraser-McDonald  
Clerk  
[cfraser@arran-elderslie.ca](mailto:cfraser@arran-elderslie.ca)



1078 Bruce Road 12 | P.O. Box 150 | Formosa ON  
 Canada | N0G 1W0 | 519-364-1255  
[www.saugeenconservation.ca](http://www.saugeenconservation.ca)  
[publicinfo@svca.on.ca](mailto:publicinfo@svca.on.ca)

SENT ELECTRONICALLY: [mstansfield@brucecounty.on.ca](mailto:mstansfield@brucecounty.on.ca) and [bcplwi@brucecounty.on.ca](mailto:bcplwi@brucecounty.on.ca)

April 21, 2025

County of Bruce Planning & Development Department  
 30 Park Street  
 Walkerton, Ontario N0G 2V0

ATTENTION: Megan Stansfield, Planner

Dear Megan Stansfield,

RE: A-2025-014  
 303 Arnauld Street  
 Roll No. 410341000120300  
 Townplot Paisley Lots 1 to 5; E Albert St Lots 1 to 5 W; George St Pt Albert St And;  
 3R10854 Part 2  
 Geographic Village of Paisley  
 Municipality of Arran-Elderslie

The above-noted application has been received by the Saugeen Valley Conservation Authority (SVCA) in accordance with the Mandatory Programs and Services Regulation (Ontario Regulation 686/21) made under the *Conservation Authorities Act* (CA Act). SVCA staff have reviewed the proposal for consistency with SVCA's environmental planning and regulation policies ([https://www.saugeenconservation.ca/en/permits-and-planning/resources/Environmental-Regulations/January-2019-Consolidated-Manual Interim.pdf](https://www.saugeenconservation.ca/en/permits-and-planning/resources/Environmental-Regulations/January-2019-Consolidated-Manual%20Interim.pdf)) made in conformance with the Provincial Planning Statement, CA Act, O. Regulation 41/24, and associated provincial guidelines. Where a Memorandum of Agreement (MOA) exists between a planning partner and the SVCA, staff have reviewed the application for conformity with the natural hazard policies of the applicable municipality or county.

## Purpose

The purpose of the application is for Part Lot Control Exemption for seven (7) townhouse dwellings, to be separately conveyed. This application further seeks a minor variance for relief from Section 10.3 of the Municipality's Zoning By-Law which requires a minimum lot frontage of 15 metres and a maximum lot coverage of 40%. The proposed frontage will be 5.8 metres and the lot coverage will be 53%. If approved, the variance will facilitate the creation of seven (7) separately conveyable townhouse lots.



## **Recommendation**

The application is generally acceptable to SVCA staff.

## **Background**

Directly related to this proposal, prior to purchase of the property, the owner contacted the SVCA in January 2022 regarding information about the property. SVCA staff provided formal comments dated January 31, 2022. SVCA issued SVCA permit 24-210 on September 9, 2024, for the construction of two-seven unit residential buildings, and related excavation, filling, and grading.

## **Documents Reviewed by Staff**

Staff have received and reviewed the following documents submitted with this application: Request for Agency Comments, dated April 4, 2025; Application dated March 3, 2025; and Site Plan dated February 26, 2025.

## **Site Characteristics**

The majority of the property is within the SVCA's Screening Area. The natural hazard features affecting the property include the main Saugeen River, and its related floodplain, valley slope, and gullies that exist on lands to the east of the property.

The property is not designated Natural Environment and Hazard in Schedule B of the Community of Arran-Elderslie OP, and is not zoned as EP in the Municipality of Arran-Elderslie Zoning By-law; however, there is Conservation Authority Regulated Area overlay in both the OP and Zoning By-law schedules, which accurately identifies SVCA's Regulated Area on the property.

## **Provincial Planning Statement (PPS, 2024)**

In accordance with s. 7 of O. Regulation 686/21, SVCA shall act on behalf of the Province or as a public body under the *Planning Act* (PA) to ensure municipal decisions made under the PA are consistent with the natural hazards policies of the PPS, Chapter 5. Chapter 5.1 of the PPS, 2024 states in part that development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to ...and not create new or aggravate existing hazards. Furthermore, Chapter 5.2 states in part that development shall generally be directed to areas outside of hazardous lands and hazardous sites. It is the opinion of the SVCA that the proposal is consistent with Chapter 5 of the PPS, 2024.

## **Bruce County Official Plan and Arran-Elderslie Official Plan Policies**

The following comments are made in accordance with the MOA with the County of Bruce.

Section 5.8 of the Bruce County OP states in part that development should not be located within the Hazard Lands designation. It is the opinion of SVCA staff that, based on the site plan submitted with the application, the application is consistent with section 5.8 of the Bruce County OP.

Section 3.6.5 of the Arran-Elderslie OP states in part that lands susceptible to flooding, erosion, instability, and other physical conditions which may pose a risk to occupants of loss of life, or property damage, are considered Natural Environment and Hazard lands. No new development, structures, including enlargements or additions shall be permitted within these areas. It is the opinion of SVCA staff

that, based on the site plan submitted with the application, the application is consistent with section 3.6.5 of the Arran-Elderslie OP.

### **Conservation Authorities Act and O. Regulation 41/24**

Within SVCA's regulated areas and in accordance with the CA Act and O. Regulation 41/24, a permit from the SVCA is required to change or interfere with watercourses or wetlands and for development activities in or adjacent to hazardous lands, wetlands, river or stream valleys, Great Lakes and inland lake shorelines. When reviewing an application, SVCA staff must assess the proposal for impacts to the control of flooding, erosion, dynamic beaches, or unstable soil or bedrock, and ensure the activity will not create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property. Provided staff are satisfied the proposal is consistent with SVCA's policies, designed to mitigate these risks, a permit can be issued.

A large area of the property is within the SVCA Approximate Screening Area. To determine the SVCA Approximate Regulated Area on the property, please refer to the SVCA's online mapping, available via SVCA's website

<https://camaps.maps.arcgis.com/apps/webappviewer/index.html?id=f0ec744c8d6d4e499895aaaab3d83761>.) Should you require assistance, please contact our office directly.

#### **SVCA Permit**

As mentioned above, SVCA permit 24-210 was issued on September 9, 2024, for the construction of two-seven unit residential buildings, and related excavation, filling, and grading. Further development on the property may require additional SVCA review and permit.

### **Drinking Water Source Protection**

The subject property appears to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan.

### **Summary**

SVCA staff have reviewed the proposal for consistency with SVCA's policies made in conformance with the Provincial Planning Statement, CA Act, O. Regulation 41/24, and associated provincial guidelines. Where a Memorandum of Agreement (MOA) exists between a planning partner and the SVCA, staff have reviewed the application for conformity with the natural hazard policies of the applicable municipality/county.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with the Natural Hazard policies of the PPS, Chapter 5 has been demonstrated.
- 2) Consistency with local planning policies for natural hazards has been demonstrated.

Please inform this office of any decision made by the County of Bruce regarding the application. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, or require this information in an accessible format, please contact the undersigned.

A-2025-014

April 21, 2025

Page 4 of 4

Sincerely,

Michael Oberle

Environmental Planning Technician

Saugeen Conservation

MO/

cc: Christine, Fraser-McDonald, Clerk, Municipality of Arran-Elderslie (via email)

Moiken Penner, Authority Member, SVCA (via email)



County of Bruce  
Planning & Development Department  
268 Berford Street PO Box 129  
Wiarton ON N0H 2T0  
brucecounty.on.ca  
226-909-5515



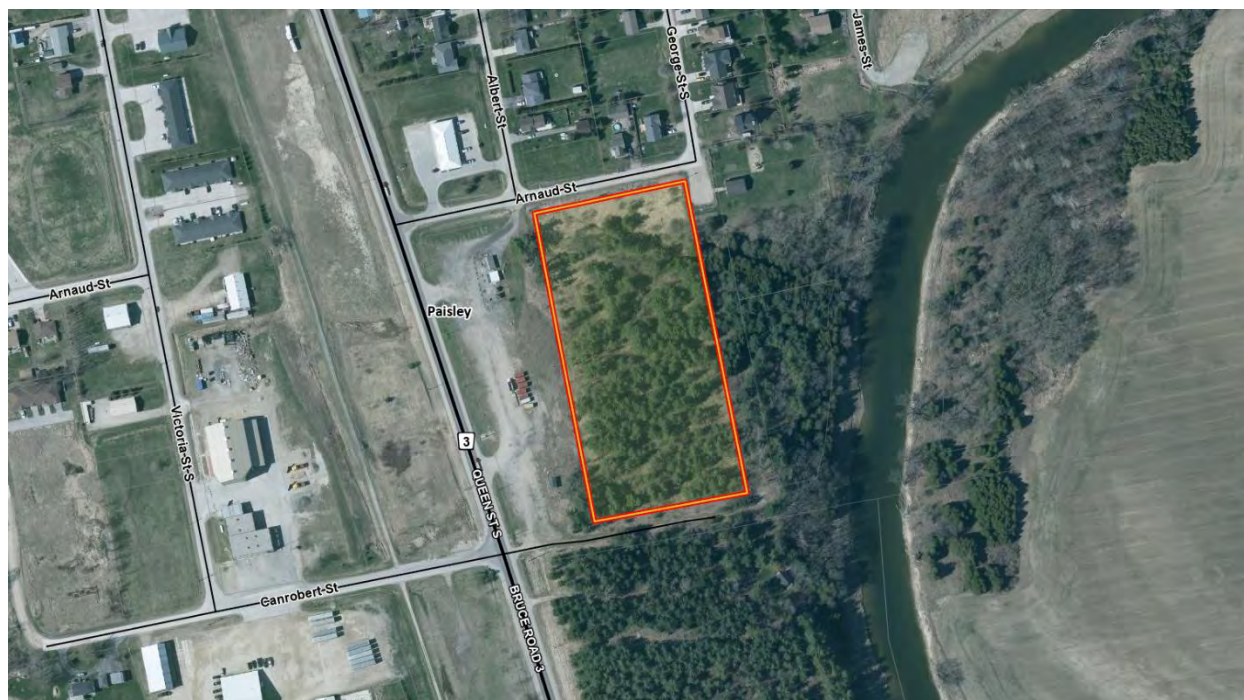
April 4, 2025

File Number: A-2025-014

## Public Hearing Notice

**You're invited to participate in a Public Hearing**  
to consider Minor Variance File No. A-2025-014  
April 28, 2025 at 9:00 a.m.

A change is proposed in your neighbourhood. This application further seeks a minor variance for relief from Section 10.3 of the Municipality's Zoning By-Law which requires a minimum lot frontage of 15 metres and a maximum lot coverage of 40%. The proposed frontage will be 5.8 metres and the lot coverage will be 53%. If approved, the variance will facilitate the creation of seven (7) separately conveyable townhouse lots. The related Consent file is B-2025-035.



303 Arnould Street  
TOWNPLOT PAISLEY LOTS 1 TO 5; E ALBERT ST LOTS 1 TO 5 W; GEORGE ST PT  
ALBERT ST AND; RP 3R10854 PART 2  
Municipality of Arran-Elderslie  
Roll Number: 410341000120300

## Learn more

Additional information about the application is available online at <https://www.brucecounty.on.ca/active-planning-applications>. Information can also be viewed in person at the County of Bruce Planning Office noted above, between 8:30 a.m. and 4:30 p.m. (Monday to Friday). The Planner on the file is Megan Stansfield.

## Have your say

Comments and opinions submitted on these matters, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in a Planning Report and Council Agenda. Comments received after **April 21, 2025** may not be included in the Planning Report, but will be considered if received prior to a decision being made, and included in the official record on file.

Please contact us by email [bcplwi@brucecounty.on.ca](mailto:bcplwi@brucecounty.on.ca), mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application.

## How to access the public hearing

The public hearing will be held in person, in the municipal Council Chambers located at 1925 Bruce Road 10, Chesley, ON, N0H 1L0. Seating may be limited and you may be required to wait outside until called upon to speak. As an alternative, you may submit written comments to the Bruce County Planning Department which will be considered at the meeting.

Please contact Clerk Christine Fraser-McDonald at [cfraser@arran-elderslie.ca](mailto:cfraser@arran-elderslie.ca) or 519-363-3039, ext. 101 if you have any questions regarding how to participate in the hearing.

## Stay in the loop

If you'd like to be notified of the decision of the Committee of Adjustment on the proposed application(s), you must make a written request to the Bruce County Planning Department on behalf of the Secretary-Treasurer for the Committee of Adjustment.

## Notice to Landlords

If you are a landlord of lands containing seven (7) or more residential units, please post a copy of this notice in a location that is visible to all the residents.

## Know your rights

Only the applicant, the Minister, a specified person (being a utility and transportation company) or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection. Appeals must be accompanied by payment of the fee charged by the Tribunal as payable on an appeal from a Committee of Adjustment decision to the Tribunal. For more information, please visit the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/>.

