

PLANNING JUSTIFICATION **REPORT**

OFFICIAL PLAN AMENDMENT
ZONING BY-LAW AMENDMENT
CONSENT TO SEVER

3437 Bruce County Road 3
Municipality of Arran-Elderslie, Bruce County

Date:

December 2022

Prepared for:

Abraflex (2004) Inc.

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Our File 22306A

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1.0 INTRODUCTION

MHBC Planning ('MHBC') has been retained by of Abraflex (2004) Ltd. (the 'client') to provide a planning analysis and opinion for the development of their lands located northwest of North Street and Bruce County Road 3, in the settlement area of Paisley, Municipality of Arran-Elderslie (the 'subject land'). The subject land is irregular in shape with approximately 42.5 metres of frontage on Bruce County Road 3, 457.8 metres of frontage on North Street and an area of approximately 17.2 hectares (42.6 acres).

The purpose of this report is to provide a planning analysis and summary of the relevant policy framework, planning considerations and technical study involved to permit residential development on the subject land. This report is provided in support of the Official Plan Amendment, Zoning By-law Amendment, and Severance applications required to permit the development. It is anticipated that further Planning Applications will be submitted in the future for the lands to be retained. This is likely to involve either additional severances or a Plan of Subdivision.

The proposed development includes the severance of two new residential lots (one lot containing an existing dwelling). The residential lots are proposed to have frontage on North Street.

In support of the applications, this Report includes the following:

- An introduction and general description of the subject lands, including surrounding land uses and existing conditions to provide an understanding of the locational and policy context;
- An overview of the proposed development; and a description of the Official Plan Amendment, Zoning By-law Amendment, and Severance Applications;
- A review of the relevant policy framework in relation to the proposed development and assessment of compliance with the Provincial Policy Statement and conformity to the County of Bruce Official Plan, and the Municipality of Arran-Elderslie Official Plan and Zoning By-law;
- Consideration of recommendations and conclusions from the supporting studies/reports; and
- A summary and conclusions in support of the proposed development.

A Pre-consultation meeting was held with County of Bruce and Municipality of Arran-Elderslie Staff on October 18, 2022. This report has been prepared in consideration of comments discussed at this pre-consultation meeting. MHBC has been responsible for the overall coordination of the applications. The required Documentation of Soil Remediation Report identified at the pre-consultation meeting has been submitted with the planning applications.

2.0 SITE DESCRIPTION & SURROUNDING LAND USES

The Municipality of Arran-Elderslie is located in the east central part of the County of Bruce and includes the three main settlement areas: Chesley, Paisley, and Tara/Invermay. The former Village of Paisley was amalgamated with the Town of Chesley and Village of Tara in 1999 to form the Municipality of Arran-Elderslie. Paisley is located at the intersection of three major transportation corridors: Bruce County Roads 1, 3, and 11. Paisley is also located where the Saugeen and Teeswater Rivers meet.

The subject land is located northwest of North Street and Bruce County Road 3, in the settlement area of Paisley, Municipality of Arran-Elderslie (**Figure 1**). The subject land is irregular in shape with approximately 42.5 metres of frontage on Bruce County Road 3, 457.8 metres of frontage on North Street and an area of approximately 17.2 hectares (42.6 acres). The subject land consists of the following:

- The northwest section of the subject land is currently vegetated;
- The central portion of the subject land is cleared of vegetation and contains one dwelling currently used as an office (with access from North Street);
- The eastern portion of the subject land contains the existing Abraflex facility (with access from Bruce County Road 3).

With respect to soil and groundwater existing conditions, the subject land lies within the physiographic region known as the Saugeen Clay Plain. The soils within the region consist of a deep layer of stratified pale brown clay that is derived from the underlying dolomitic limestone. The soils onsite are described as brown, well-drained sandy loam with a few stones. Groundwater flow is inferred to be primarily in a northerly direction, likely with a component of northeasterly flow, toward the Saugeen River, within the northern portion of the subject land.

The subject land is bounded by open space, residential, commercial, and agricultural uses (**Figure 2**). Generally, existing land uses within the vicinity of the subject lands include the following:

NORTH	Lands to the north of the subject land consist of vegetated open space, some low-rise residential uses, and the Saugeen River.
EAST	A mix of low-rise residential and commercial uses are located to the east of the subject land along Bruce County Road 3 (Queen Street North). Commercial uses consist of a restaurant and auto-oriented services.
SOUTH	Lands to the south of the subject land consist of low-rise residential and commercial uses, and agricultural uses. A tractor rental company is located south of North Street.
WEST	Lands to the west of the subject land consists of vegetated open space and agricultural uses. An unopened road allowance is located to the west of the subject land.


The subject land is well located with respect to the existing County and local road network. Bruce County Road 3, which is located to the east of the subject land is an 'Arterial – Semi Urban' road, and North Street, which is located to the south of the subject land is a local road. A number of commercial uses are located within approximately 1-kilometre south of the subject land, including a grocery store, bank, and restaurants. The Paisley Central School is located approximately 1.7 kilometres to the south of the subject land.



**Figure 1
Location Map**

3437 Bruce County Rd 3
Paisley
Bruce County

LEGEND

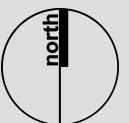
 Subject Lands

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Figure 2
Context Map

3437 Bruce County Rd 3
Paisley
Bruce County

LEGEND

- Subject Lands
- 5, 10 min Walking Distance (400m, 800m)
- Trails
- Paisley Built-up Areas
- Water Body
- Saugeen Valley Conservation Authority
- Park
- Wooded Area

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3.0 PROPOSED DEVELOPMENT AND APPLICATIONS

The following is a review of the existing planning applications; the proposed development; and proposed amendments to the Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay and Municipality of Arran-Elderslie Zoning By-Law (No. 36-09) required to facilitate the proposed development. **Figure 3** identifies the existing and proposed applications required, including the proposed severances.

3.1 Existing Planning Applications

A Consent to Sever Application (B-2021-102) was submitted in late 2021 to sever a 15.05 ha parcel from the subject land. The severed parcel contains the existing Abraflex factory, and the retained parcel would remain as-is for future commercial/industrial purposes. A related Zoning By-law Amendment Application (Z-2021-101) was also submitted that would permit a stand-alone office use on the severed property in an existing building. These applications are currently held in abeyance. **We are proposing to amend the Consent to Sever Application B-2021-102 to adjust the area of the Abraflex factory parcel to be consist with the area shown in Part 1 of Figure 3.**

Additionally, a Consent to Sever Application was provisionally approved on January 19, 2022 for an easement to extend water and sewer services from the Abraflex factory to North Street (shown as Parts 4 and 5 on **Figure 3**). To date the conditions have not been fulfilled.

3.2 Proposed Development and Required Planning Applications

The proposed development includes the severance of two new residential lots (one lot containing an existing dwelling, which was utilized as an office for the Abraflex facility). The residential lots would have frontage on North Street.

The previous owner of the subject land required two sewage treatment lagoons for the previous use (Bruce Packers). The sewage treatment lagoons are no longer required and have been completely remediated and filled. The retained parcel includes planning policies related to the sewage treatment ponds which restrict the development of the subject land. This proposal will remove the Official Plan Special Policy Area related to the ponds as the Special Policy Area is no longer required. No development is currently planned for the retained parcel, however it is noted that the removal of the Special Policy Area is required to facilitate any future development. The retained parcel (shown as Part 6 on **Figure 3**) would have frontage on North Street.

3.2.1 Proposed Official Plan Amendment

The Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay (the “Local Official Plan”) was adopted on September 27, 2004, and approved by County Council on January 6, 2005. The subject land is designated Industrial (IND) and Natural Environment and Hazard (ENVH) on Schedule B – Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay. Special Policy Area 3.10.1 limits the use to two sewage treatment lagoons on a portion of the subject land. Further, the sewage treatment lagoons have a ‘buffer zone’ of 200 metres to the north, south, east and west which limits residential and institutional development.

An Official Plan Amendment is proposed for the subject land to remove the Special Policy Area. The redesignation applies to Parts 2 and 3 of **Figure 3** and proposes to redesignate this portion of the subject land from Industrial to Residential. The Special Policy Area is included under Section 3.10.1 of the Local Official Plan and is proposed to be removed. Additionally, municipal services are not currently available on the section of North Street adjacent to the proposed residential lots; therefore, an Official Plan Amendment is proposed to allow for individual on-site services for the proposed residential lots.

3.2.2 Proposed Zoning By-law Amendment

The Municipality of Arran-Elderslie Zoning By-Law (No. 36-09) (the “Zoning By-law”) was passed by Municipal Council on June 29, 2009, and approved by the Ontario Municipal Board on July 5, 2010. The subject land is zoned Business Park 1 (BP1) and Environmental Protection (EP) on Schedule A of the Zoning By-law. The in-effect BP1 zoning permits light industrial uses, and the EP zoning generally restricts development.

The proposed Zoning By-law Amendment proposes to rezone Parts 2 and 3 (as illustrated on **Figure 3**) of the subject land from BP1 to ‘Residential: Low Density Single Zoning’ (R1) in order to permit the proposed residential uses. The requested zoning will provide for the development of low-density residential uses which is appropriate for the site. The proposed Zoning By-law Amendment represents the implementation of the proposed Official Plan Amendment.

3.2.3 Proposed Severances

Two severances are contemplated as part of the proposed development. Parts 2 and 3 of the Severance Plan (**Figure 3**) will be severed as two separate lots intended for low-density residential development. An existing building which was utilized as an office for the Abraflex facility is present on Part 2 of the Severance Plan.



Severance Sketch

3437 Bruce County Rd 3
Paisley
Bruce County

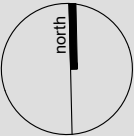
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- Subject Lands
(± 172,461m² / 42.62 ac)
- Proposed Abraflex Severance
- Part 1 (± 15,385m² / 3.80 ac)
- OPA/ZBA and Severance for Residential
- Part 2 (± 5,289m² / 1.31 ac)
- Part 3 (± 3,867m² / 0.96 ac)
- Servicing Easement
- Part 4 (± 822m² / 0.20 ac)
- Part 5 (± 225m² / 0.06 ac)
- Retained Lands
- Part 6 (± 147,098m² / 36.35 ac)
- OPA to delete Special Policy Areas
(± 28,618m² / 7.07 ac)

Notes
- Areas approximate, to be verified by survey

Sources
- Google Satellite Imagery
- Property Boundary: received from GM BluePlan Engineering Limited Sept. 22, 2022
- Contains information licensed under the Open Government Licence - Bruce County

DATE	Dec. 15, 2022
SCALE	1:2,500
DRN	PL
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4.0 POLICY ANALYSIS

4.1 Provincial Policy Statement

The Provincial Policy Statement (the “PPS”) was issued by the Province of Ontario in accordance with Section 3 of the *Planning Act*, and came into effect on May 1, 2020. The PPS provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting planning matters shall be consistent with the PPS.

The PPS outlines policy for Ontario’s long term prosperity, economic health, and social well-being. These directives depend on the efficient use of land and development patterns that support strong, sustainable, and resilient communities that protect the environment and public health and safety, and facilitate economic growth. The PPS directs that the majority of growth shall be within Settlement Areas. The PPS also supports the full range of housing types and encourages compact development.

4.1.1 Settlement Areas

As identified in the Local Official Plan, Paisley is one of the three main settlement areas of the Municipality of Arran-Elderslie. Section 1.1.3 of the PPS states that Settlement Areas shall be the focus of growth and development, and that their vitality and regeneration is critical to their long-term economic prosperity. A range of uses and opportunities for intensification and redevelopment are encouraged. Further, land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- efficiently use land and resources;
- are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- minimize negative impacts to air quality and climate change, and promote energy efficiency; and
- prepare for the impacts of a changing climate.

The proposal represents the development of a parcel within a settlement area (Paisley), which will offer a mix of uses (residential and light industrial) appropriate for the site. A number of commercial and services uses are located within approximately 1-kilometre of the subject land, including a grocery store, a bank, and restaurants. The Paisley Central School is located approximately 1.7 kilometres to the south of the subject lands. These nearby amenities and uses promote the use of active transportation over automobile use, limiting impacts to air quality and climate change. The Abraflex facility will be fully serviced through connections to existing municipal infrastructure (water and sanitary). The residential severances will be on private services but it is anticipated that as the retained lands are further developed in the fullness of time, that these residential lots would be able to connect to full services.

4.1.2 Land Use Compatibility

Section 1.2.6 of the PPS identifies that Major Facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects

from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

Major Facilities are defined in the PPS as facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

The current land use designation for the lands to be retained under the Local Official Plan permits light industrial uses. Section 3.4.2.1 of the Local Official Plan requires that light industrial uses are conducted and wholly contained within an enclosed building. Further, the Municipality of Arran-Elderslie Zoning By-Law zones the lands to be retained as Business Park 1 (BP1). The BP1 zone permits a number of commercial and light industrial uses. The BP1 zone also has a 20 m buffer requirement to separate residential and BP1 uses. Given that the land use designation and zoning for the lands to be retained will remain the same, and where only light industrial uses are permitted the land uses proposed are considered compatible. Additionally, the sewage lagoons have been removed which are considered an incompatible use.

The Provincial D-6 Compatibility between Industrial Facilities Guidelines are intended to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another. The guidelines are intended to be applied only when a change in land use is proposed. The existing Abraflex facility would be considered a Class I Industrial Facility as it is a “small scale, self-contained plant.” Class I facilities have a 70 metre zone of influence and a 20 metre minimum setback distance. The proposed residential lots are over 200 metres from the existing Abraflex facility, therefore they are compatible with existing industrial development.

In the fullness of time as the retained lands develop either by way of further severances or plan of subdivision, a further analysis regarding the noise generated and mitigation of same can be assessed at that time. At this time, we recommend an agreement be registered on title for the new residential lots that noise warning clauses and requirements for retrofitting homes for future installation of A/C be included in all Agreements of Purchase and Sale.

4.1.3 Employment

Section 1.3.1 of the PPS identifies that planning authorities shall promote economic development and competitiveness by:

- providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
- ensuring the necessary infrastructure is provided to support current and projected needs.

The proposed development contemplates the addition of residential uses adjacent to permitted light industrial uses, which provides for a mix of uses on the subject lands. With the decommissioning and restoration of the sewage treatment lagoons (and subsequent removal of the Special Policy Area), employment land is effectively being reinstated to the Municipality's overall employment land supply. The area of the Special Policy Area totals approximately 28,618 m². Approximately 6,568 m² of area is proposed to be re-designated from Industrial to Residential. Therefore, the net amount of employment land that can be developed for employment purposes has increased by approximately 22,050 m². Furthermore, the balance of the employment lands will be protected for long-term use and any compatibility assessments will be undertaken as the retained lands are further developed.

Municipal services are not available for the proposed residential lots. It should be noted that the client is extending services to the existing Abraflex Facility, which will not only satisfy Abraflex's long-term needs to stay within the community, but also provide municipal services to the balance of the vacant industrial lands.

4.1.4 Employment Areas

Section 1.3.2.3 of the PPS provides that within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility. Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas.

Section 1.3.2.4 of the PPS identifies that planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Section 1.3.2.5 of the PPS provides that notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing employment areas may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:

- a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;
- b) the proposed uses would not adversely affect the overall viability of the employment area; and
- c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.

The proposed development contemplates the addition of residential uses adjacent to permitted light industrial uses. Given the size of the proposed residential lots, the permitted light industrial uses under the BP1 zone, and the required 20 m buffer under the BP1 zone, the uses are considered compatible. In the fullness of time as the retained lands develop either by way of further severances or plan of subdivision, a further analysis regarding the noise generated and mitigation of same can be assessed at that time. At this time, we recommend an agreement be registered on title for the new residential lots that noise warning clauses and requirements for retrofitting homes for future installation of A/C be included in all Agreements of Purchase and Sale.

The Official Plan Amendment proposes to remove a Special Policy Area associated with two former sewage treatment lagoons. The two former sewage treatment lagoons have been completely remediated and filled, as they were no longer required. The area of the Special Policy Area totals approximately 28,618 m². Approximately 6,568 m² of area is proposed to be re-designated from Industrial to Residential. Accordingly, it is our opinion that the re-designation of lands designated Industrial should not be considered an employment land conversion as the net amount of employment land that can be developed for employment purposes has increased by approximately 22,050 m². Therefore, a comprehensive review is not warranted. The proposed development does not affect the overall viability of the employment area. Further, it is noted that the County's recent Growth Strategy considered the entirety of the subject lands to be "built or occupied" and not contemplated in the overall employment inventory. Therefore, effectively the retained lands are considered newly available serviced employment lands.

4.1.5 Housing

Section 1.4.3 of the PPS identifies that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- permitting and facilitating: all forms of housing required to meet the social, health, and well-being requirements of current and future residents, including special needs requirements; and all forms of residential intensification, including second units, and redevelopment;
- directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs; and
- promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

The proposed development includes the addition of two residential lots, which will contribute to the range of housing types and densities in Paisley. The subject land has appropriate levels of infrastructure (including the surrounding road network) to support the proposed development. The density is appropriate for the surrounding context. Finally, the subject land is within walking distance of many amenities, which is supportive of active transportation goals.

4.1.6 Infrastructure and Public Service Facilities

Section 1.6.6 of the PPS identifies that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Section 1.6.6.4 of the PPS identifies that where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.

Additionally, Section 1.6.7 of the PPS promotes multimodal transportation systems, and a land use pattern, density and mix of uses which minimize the length and number of vehicle trips and support current and future use of transit as well as active transportation.

Municipal services are not available for the proposed development. A Preliminary Sewage System Feasibility Assessment for Private Servicing of Proposed Severance has been prepared for the subject land and

submitted with the Planning Applications. The Study concludes that the proposed severed lots are determined to be suitable for servicing with standard Class 4 on-site sewage systems with a low potential for impact to local water resources. Additionally, the subject land is within walking distance of many amenities, which is supportive of active transportation usage.

In summary, the proposed development on the subject land is consistent with the Provincial Policy Statement.

4.2 County of Bruce Official Plan

The County of Bruce Official Plan (the “County Official Plan”) was adopted by County Council on May 20, 1997, approved by the Minister of Municipal Affairs on September 15, 1998, and approved by the Ontario Municipal Board on November 16, 1999. The County Official Plan guides the physical, social, and economic development in the County. The County Official Plan provides the planning policy framework and direction for the entire County including municipalities with their own Local Official Plan and for those municipalities without a Local Official Plan. A Local Official Plan applies to the subject land and is discussed in **Section 4.4**.

The County of Bruce is currently undertaking an Official Plan Review process to align the County Official Plan with Provincial Policy and to address new planning opportunities and challenges within the County. Stage 1 involved an amendment to the existing County of Bruce Official Plan to establish a growth strategy so local municipalities can plan accordingly. It is noted that the Growth Strategy considered the entirety of the subject land to be built or occupied and not contemplated in the overall employment inventory.

4.2.1 Detailed Land Use Policies - Primary Urban Communities

The subject land is designated Primary Urban Community on Schedule A – County of Bruce Official Plan, as shown on **Figure 4**. Section 5.2.2.2 of the County Official Plan outlines a number of general policies applicable to the Primary Urban Communities designation:

1. It is the policy of County Council to encourage and strengthen the role of Primary Urban Communities as regional service centres within the County. These communities will accommodate the largest concentration and the widest range of residential, tourism, economic and social services and facilities.
2. It is the policy of County Council to direct the majority of anticipated permanent population growth to Primary Urban Communities.
4. It is the policy of County Council that industrial growth, particularly that requiring municipal water and sewage services will locate in Primary Urban Communities where such services exist.

Section 5.2.2.3 outlines permitted uses in Primary Urban Communities. A number of uses including residential, commercial, industrial, and institution land uses are permitted.

The subject land is designated Primary Urban Community and currently contains industrial land uses, with proposed residential uses. Both land uses are permitted in this designation. The proposed development will assist the County in accommodating population and employment growth. Currently, the proposed residential lots cannot be serviced by municipal services but perhaps in the fullness of time as the balance of the employment lands are developed services can be provided.

4.2.2 The Environment

Schedule C - ‘Constraint’ of the County Official Plan does not identify any environmental constraints on the subject land. It is noted, however, that part of the subject land is designated Natural Environment and Hazard (ENVH) on Schedule B – Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay (the ‘Local Official Plan’). The subject land is not located within a Source Water Protection Area. Finally, the majority of the subject land is regulated by the Saugeen Valley Conservation Authority.

Section 4.3.2 of the County Official Plan provides that:

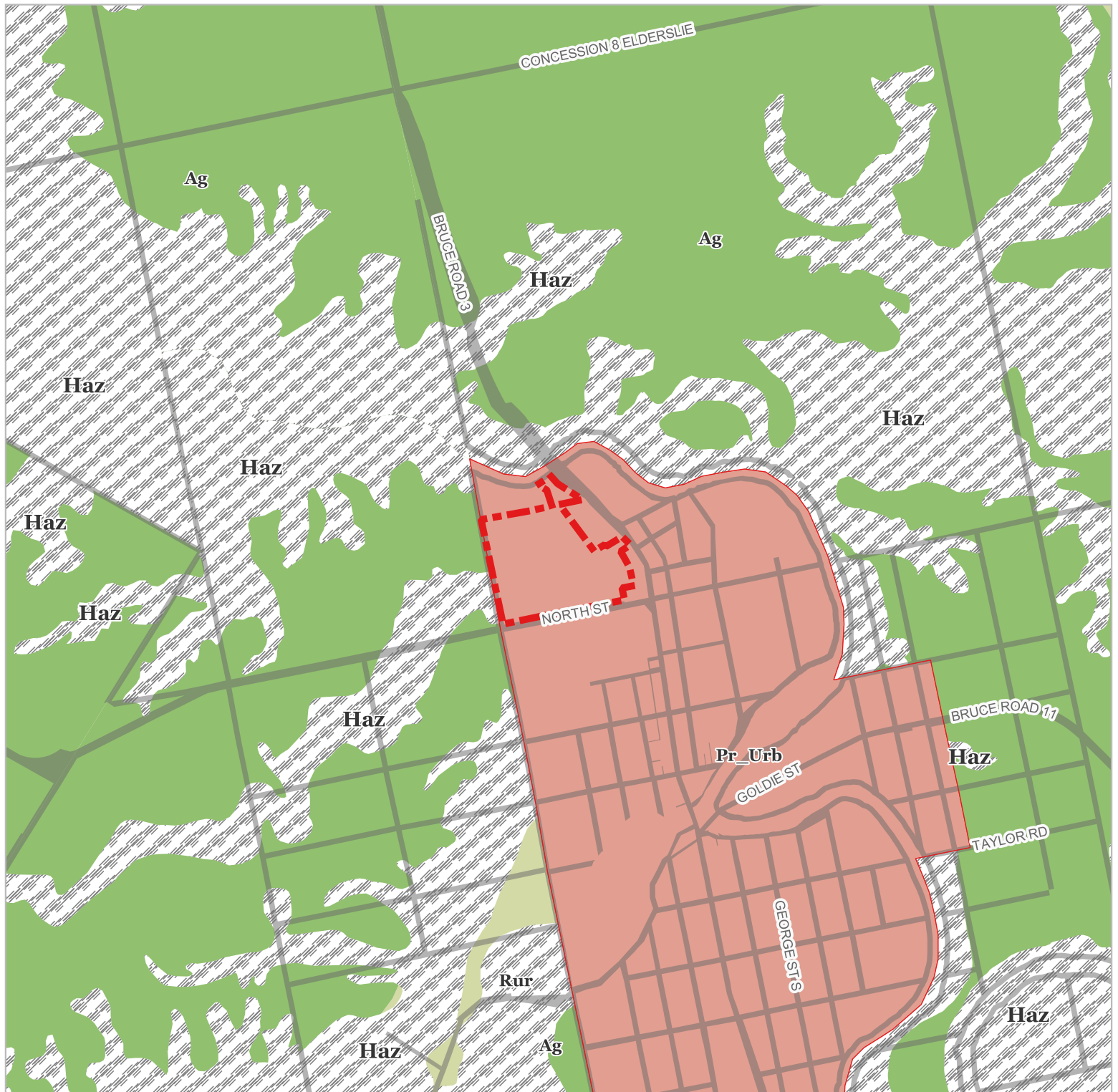


Figure 4
County of Bruce
Official Plan -
Schedule A

LEGEND

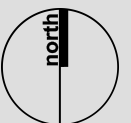
-  Subject Lands
-  Hazard Areas
-  Primary Urban Communities
-  Rural Areas
-  Agricultural Areas

Date: November 2022

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Drawn: PL



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3437 Bruce County Rd 3
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Bruce County

2. County Council recognizes that natural areas or features within Bruce County provide a wide range of benefits to the residents of the County. Those areas shall be protected from the negative effects of development.

No development is proposed within the area designated Natural Environment and Hazard by the Local Official Plan. This ensures there will be no negative effects to these sensitive lands. Further, it is expected that a Saugeen Valley Conservation Authority permit will be required to permit the development of the two proposed residential lots as these lands are regulated.

4.2.3 Population and Housing

Section 4.4.3.7 of the County Official Plan provides that:

If growth proceeds in accordance with the forecasts outlined in this plan, Sauble Beach, Tiverton, Mildmay, Lucknow, Ripley, Chesley, **Paisley**, Teeswater, and Tara may be constrained by their current designated commercial land supply over the 25 year plan horizon.

Section 4.4.4.1 of the County Official Plan provides that by 2046, the County's permanent housing base is forecast to increase to 40,100 households, which represents an increase of 9,600 households over the planning horizon. Further, the Municipality of Arran-Elderslie housing forecast is provided in Table 3 of the County Official Plan. Projections range from 2,810 households in the year 2021 to 3,220 households by 2046.

The Official Plan Amendment proposes to remove a Special Policy Area that is no longer required, allowing for the eventual industrial development of the lands to be retained. The in-effect zoning for the subject land, Business Park 1 (BP1), permits both light industrial and some commercial uses. Therefore, the proposed development has the potential to assist the County in meeting its employment land requirements over the 25-year plan horizon. It is noted that the recently passed County Growth Strategy considered the entirety of the subject land to be built or occupied and not contemplated in the overall employment inventory. Further, the proposed development will assist the County and Municipality in meeting their housing requirements without a reduction the amount of employment land provided.

4.2.4 Economic Development

Section 4.5.2 of the County Official Plan includes the following relevant general policies for economic development:

1. County Council recognizes the economic importance to Bruce County of agriculture, tourism, the Bruce Nuclear Power Development, the Bruce Energy Centre and other forms of business, industrial and recreational and resource development. County Council recognizes industrial lands as employment areas.
2. County Council shall foster a favourable climate for sustainable economic development of the County and shall promote the County as a desirable location for new business investment.

The Official Plan Amendment proposed to remove the Special Policy Area will allow for the area of the former sewage lagoons to be eventually developed with industrial uses. This will contribute to the County's available land supply of employment lands and will assist in promoting the County as a desirable location for new business investment.

4.2.5 Services and Utilities

Section 4.7.5.1 (iii) of the County Official Plan provides that development may be serviced by individual on-site services where the use of communal systems is not feasible (environmentally), and where site conditions are suitable over the long term.

Municipal services are not available for the proposed development. The proposed lots have been adequately sized to support services on-site. On-site servicing is the preferred servicing method given only two dwellings are proposed. A Preliminary Sewage System Feasibility Assessment for Private Servicing of Proposed Severance has been prepared for the subject land and submitted with the Planning Applications. The Study concludes that the proposed severed lots are determined to be suitable for servicing with standard Class 4 on-site sewage systems with a low potential for impact to local water resources.

4.2.6 Implementation

Section 6.5.3.2 outlines a number of policies relevant to consents for primary, secondary urban and hamlet communities:

1. Consents to sever land in Primary and Secondary Urban, and Hamlet Communities shall only be granted when the scale of development proposed or the total development potential of the property would not require a plan of subdivision;
2. The proposed lots are in keeping with the lot area, frontage and density pattern of the surrounding area;
3. In determining whether a Plan of Subdivision under the Planning Act is necessary, consideration shall be given to the necessity of major service extensions to properly service the development. In instances where major service extensions are not required to properly service a development, development by consent may be considered.

The proposed development is located within a primary community. The scale of development (two residential lots) is minor; the consent process is the most appropriate process. Residential lots in the surrounding area differ in area, frontage, and density. The area, frontage, and density of the proposed lots is larger than lots that front Queen Street which is appropriate given that the lots on Queen Street North are more urban and have municipal services. On-site services are proposed given the scale of the development proposed.

4.3 Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay

The Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay (the 'Local Official Plan') was adopted on September 27, 2004, and approved by County Council on January 6, 2005. The Local Official Plan represents the urban areas of Chelsey, Paisley and Tara/Invermay and form the three main settlement areas of the Municipality of Arran-Elderslie. The Local Official Plan sets out the general policies concerned with shaping the physical growth of the three aforementioned communities. The subject land is located within the Paisley community urban boundary.

The proposed Official Plan Amendment proposes to redesignate a portion of the subject lands to Residential to permit the existing and proposed residential uses. Additionally, the Official Plan Amendment

proposes to remove a Special Policy Area associated with two former sewage treatment lagoons which is required for the eventual development for light industrial uses on the parcel to be retained.

4.3.1 Land Use Policies

The subject land is designated Industrial (IND) and Natural Environment and Hazard (ENVH) on Schedule B – Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay, as shown on **Figure 5**. Residential land use policies are also included in the discussion below as the proposed development includes an Official Plan Amendment to permit residential land uses. The proposed Official Plan Amendment is shown on **Figure 6**.

4.3.1.1 Industrial

Section 3.4.2 outlines permitted uses within the Industrial designation. The designation is further divided into Light and Heavy Industrial uses in the implementing Zoning By-law. The retained portion of the subject lands are zoned Business Park 1 (BP1), which permits light industrial uses. Section 3.4.2.1 of the Local Official Plan outlines light Industrial uses, which include manufacturing, processing, assembling, etc. Light Industrial Uses are required to be conducted and wholly contained within an enclosed building.

Section 3.4.3 of the Local Official Plan provides a number of Industrial designation policies. Relevant to the proposed development, these include:

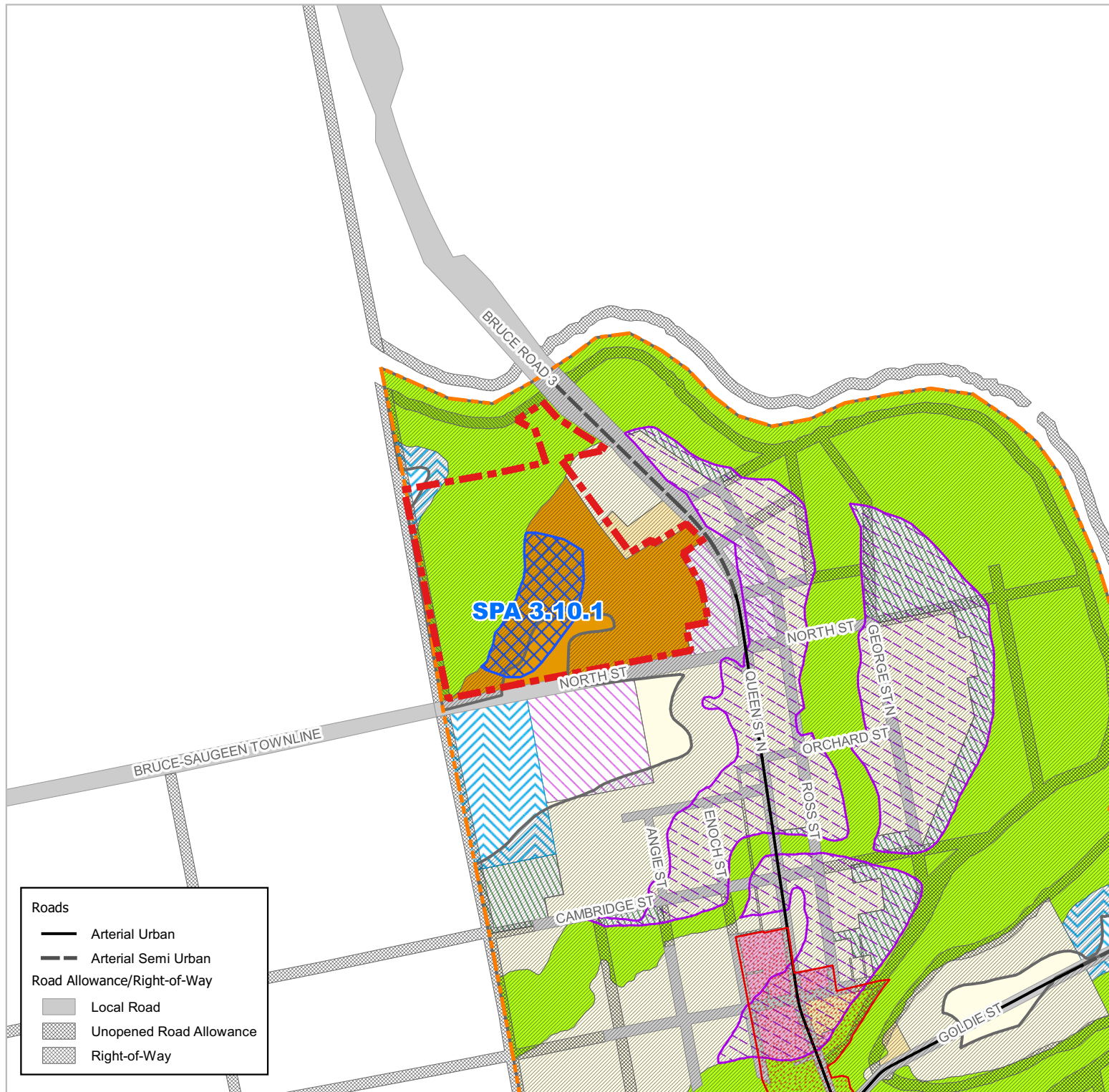
- c) The type of industry permitted in close proximity to residential and/or institutional uses shall be such that there are no adverse effects on the residential and/or institutional uses resulting from the emission of odour, dust, noise, smoke, fumes, glare, radiation or other noxious emissions and which is not detrimental in appearance or effect to surrounding uses.
- e) Water supply and sewage disposal services shall be provided in accordance with Section 5.4.1.

The Municipality of Arran-Elderslie Zoning By-Law zones the lands to be retained as Business Park 1 (BP1). The lands to be retained will maintain the same zoning. The BP1 zone permits only light industrial uses. Light industry is defined under Section 2 of the Zoning By-law as: *the use of land, buildings or structures for the purpose of an 'Industrial Use' which is wholly enclosed within a building or structure, except for parking and loading facilities and outside storage accessory to the permitted uses, and which in its operation does not result in emission from the building of odours, smoke, dust, gas, fumes, noise, cinder, vibrations, heat, glare or electrical interference*. Therefore, the permitted light industrial uses adjacent to residential uses will not result in the emission of odour, dust, noise, smoke, fumes, glare, radiation or other noxious emissions. Additionally, the BP1 zone also has a 20 m buffer requirement to separate residential and BP1 uses.

4.3.1.2 Natural Environment & Hazard

Section 3.6 of the Local Official Plan notes that lands designated Natural Environment & Hazard are either hazardous and susceptible to flooding, erosion, instability and other physical conditions; or include adjacent valley slopes of major rivers and tributaries. These lands should be left in a natural state where possible. Section 3.6.5 outlines the general policies of the Natural Environment & Hazard designation. 3.6.5 (a) provides that no new development, structures, including enlargements or additions shall be permitted within the Natural Environment & Hazard designation.

The Official Plan Amendment does not propose to re-designate any part of the subject land currently designated Natural Environment & Hazard. Further, no development is proposed on the portion of the subject land currently designated Natural Environment & Hazard.



3437 Bruce County Rd 3
Paisley
Bruce County

LEGEND

- Subject Lands
- Plan Boundary
- Community Improvement Plan Area
- Special Policy Area
- Plan Designation
- Central Business District
- Commercial
- Future Development
- Industrial
- Institutional And Community Facility
- Natural Environment and Hazard
- Recreation & Open Space
- Residential
- Regulated Area
- SVCA Regulated Area (See Note)
- Flood Fringe

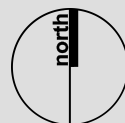
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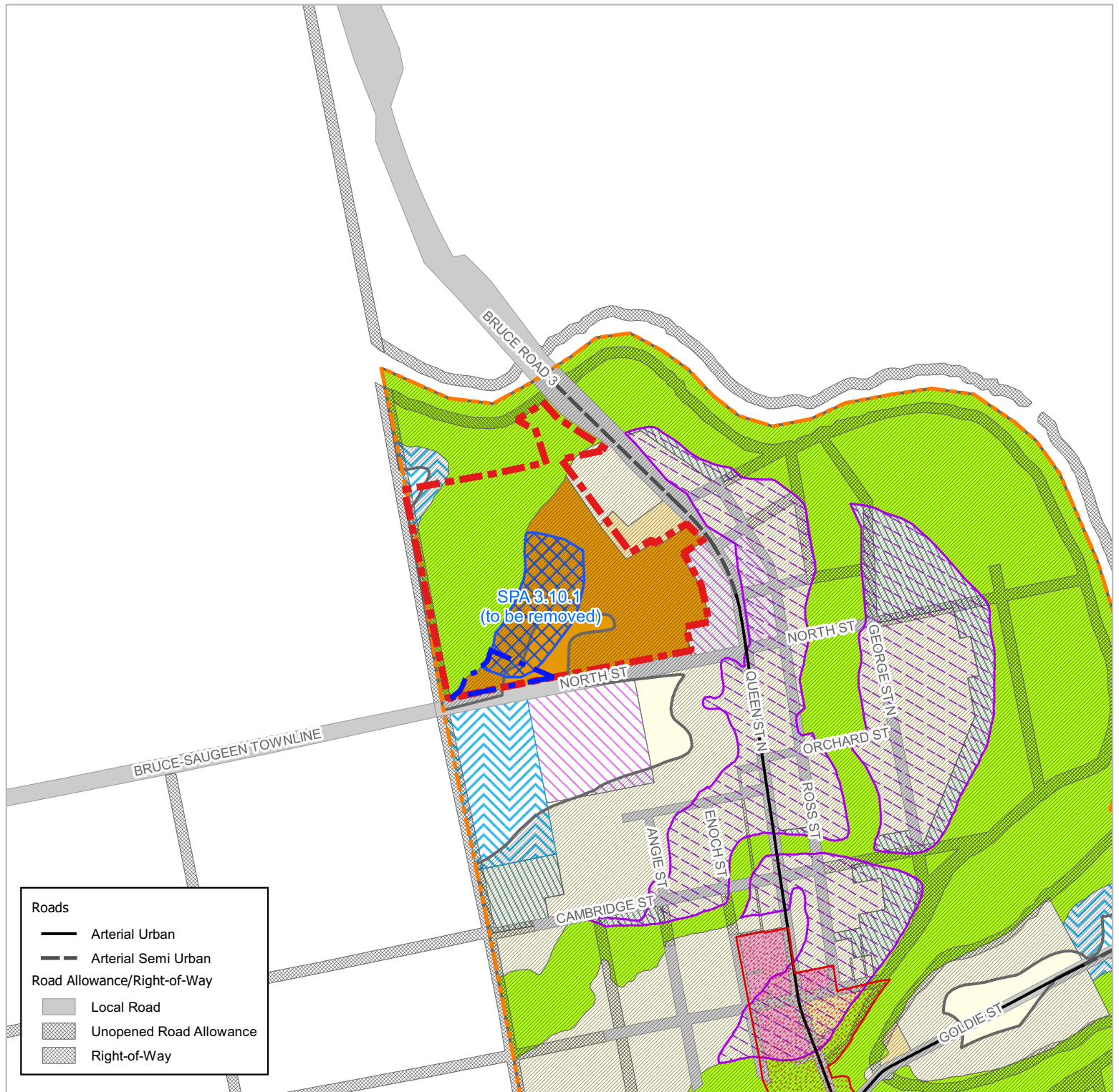
















Figure 6
Proposed Official
Plan Amendment

3437 Bruce County Rd 3
Paisley
Bruce County

LEGEND

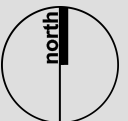
-  Subject Lands
-  Lands to be re-designated to Residential(RES)
-  Plan Boundary
-  Community Improvement Plan Area
-  Special Policy Area(to be removed)
- Plan Designation**
-  Central Business District
-  Commercial
-  Future Development
-  Industrial
-  Institutional And Community Facility
-  Natural Environment and Hazard
-  Recreation & Open Space
-  Residential
- Regulated Area**
-  SVCA Regulated Area (See Note)
- Flood Fringe

Date: December 2022

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4.3.1.3 Residential

Section 3.1.3 of the Local Official Plan outlines a number of permitted uses in the Residential Designation, including low and medium residential density uses, other uses compatible with residential neighbourhoods, and institutional and community facilities.

Relevant to the proposed development, Section 3.1.4 of the Local Official Plan provides that:

- c) The Municipality shall support a wide range of housing types, zoning standards and subdivision design standards to provide a full range of housing types and opportunities.
- g) Adequate physical buffers and/or distance separation from adjacent industrial uses shall be provided. Required distance separations shall be established in the zoning by-law with regard to the Guidelines of the Ministry of Environment.
- h) Applications to redevelop/convert existing or previously used industrial lands shall include documentation of the present and past use(s) of the property and surrounding properties sufficient to provide initial information about the likelihood of site contamination.

Where this preliminary analysis indicates the likelihood of contamination, further detailed site investigation will be required to determine the nature, extent and levels of contamination and appropriate clean-up measures, consistent with the requirements of the appropriate provincial ministry.

- j) Water supply and sewage disposal services shall be provided in accordance with Section 5.4.1.
- k) The creation of new 'low density' residential lots or residential development shall not be permitted along arterial or collector roadways as identified on Schedules "A", "B" or "C" except on existing lots of record which are suitably zoned and designated.

Section 3.1.5 of the Local Official Plan provides that:

- 1) The Municipality shall support a wide range of housing types consistent with the needs of residents with this range being reflected in zoning standards and subdivision design standards.

Section 3.1.6 of the Local Official Plan defines single detached residential buildings as "Low Density Residential" Development. Further, Section 3.1.6 (a) provides that Low Density Residential shall not exceed a Gross Density of 27 units per Gross Hectare of new residential development created by Plan of Subdivision.

The proposed development conforms to the Residential policies of the Local Official Plan by:

- Proposing two residential lots, which will assist the municipality in meeting its goal to provide a full range of housing types and opportunities.
- Providing a buffer between residential and light industrial uses. The implementing zoning includes a requirement for a 20 m between permitted BP1 uses and residential zones. Additionally, only light industrial uses are permitted which limits operations to those that do not result in emission from the building of odours, smoke, dust, gas, fumes, noise, cinder, vibrations, heat, glare or electrical interference.

- The two sewage lagoons on the subject land have been removed, thus removing any incompatibility from these uses.
- The proposed lots have been adequately sized to support services on-site. A Preliminary Sewage System Feasibility Assessment for Private Servicing of Proposed Severance has been prepared for the subject land and submitted with the Planning Applications. The Study concludes that the proposed severed lots are determined to be suitable for servicing with standard Class 4 on-site sewage systems with a low potential for impact to local water resources.
- The proposed density of the residential lots is 2.2 units/hectare, which is well below the requirement for new subdivision development.

4.3.1.4 Special Policy Areas

Section 3.10 of the Local Official Plan includes Special Policy Areas within the Municipality. Special Policy Area 3.10.1 of the Local Official Plan is applicable to the subject land. Section 3.10.1 provides the following text, identified as the Bruce Packers Treatment Ponds:

Notwithstanding the “Industrial” policies of this Plan, for those lands identified as Special Policy Area 3.10.1, described as Part Lot 16, Concession A [former Township of Elderslie] the permitted uses shall be limited to two sewage treatment lagoons. The sewage treatment lagoons have a ‘buffer zone’ of 200 metres to the north, south, east and west.

Development of new residential and institutional land uses will not be permitted in the ‘buffer zone’.

The Official Plan Amendment proposes to remove this Special Policy Area. The two sewage treatment lagoons have been completely remediated and filled, as they were no longer required. As a result, the Special Policy Area and related buffer zone is no longer required.

4.3.2 General Community Policies

4.3.2.1 Economy

Section 4.1.2 (b) seeks to provide sufficient suitable lands and necessary municipal services for a broad range of economic activities.

The proposed removal of the Special Policy Area will allow for the development of subject land for residential and eventually industrial uses. This land is suitable for development given the ponds have been properly remediated. Without the removal of this Special Policy Area, the remediated developable land would likely remain underutilized.

4.3.2.2 Environment

Section 4.4.3 (a) of the Local Official Plan provides that depending on the scale, intensity and type of development being proposed, environmental studies, as determined by the Municipality or various government agencies, may be required prior to the Municipality making a decision on development proposals.

Section 4.4.3.1 outlines policies for Land Use Compatibility and Sensitive Land Uses, including:

- a) The Municipality shall consider the land use compatibility between sensitive land uses such as residential, and transportation, utility and industrial facilities.
- b) Land uses which are incompatible because of noise, dust, odour, vibration and other adverse environmental impacts should generally be kept separate from sensitive land uses.
- c) The Municipality shall strive to maintain compatibility between sensitive land uses and industrial facilities. Measures including land use separation, buffering, screening and site design measures shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of the Environment. Distances shall vary depending on the nature of the industrial facility and the intervening land use.

Section 4.4.3.4 (c) provides that contaminated sites must be thoroughly investigated and a clean-up plan prepared in accordance with Ministry of the Environment guidelines, prior to the Municipality's consideration of the re-development proposal.

As discussed at the Pre-consultation meeting held with County of Bruce and Municipality of Arran-Elderslie Staff on October 18, 2022, a Documentation of Soil Remediation Report has been provided with the Planning Applications. This Report outlines the steps taken to remediate the two sewage treatment lagoons on the subject land and the applicable legislation followed.

With respect to land use compatibility, although the Planning Applications propose to add residential lots to the subject land, the permitted industrial uses on the retained portion of the subject land are considered to be light industrial and are more compatible with residential uses than heavy industrial. The subject land is zoned Business Park 1 (BP1) which permits light industrial uses. It is likely that a Plan of Subdivision and/or site plan approval will be required in the future to facilitate development on the retained industrial parcel. At that time, mitigation measures for land use compatibility (such as noise, odour and dust) could be implemented, if warranted, as part of the subdivision agreement and/or site plan agreement. It is noted that the in-effect BP1 zoning requires a 20 m to separate residential and BP1 uses.

4.3.3 Municipal Services

Section 5.4.1 identifies that all lands within the urban boundaries of Chesley, Paisley and Tara/Invermay shall ultimately be serviced with full municipal sewage and water services.

Section 5.4.1.1 of the Local Official Plan provides policies for partial servicing and Section 5.4.1.2 provides policies for full municipal services within the Municipality.

Section 5.4.2 of the Local Official Plan provides that well drilling, and/or the extraction of groundwater for any purpose, shall not be permitted within the urban boundaries of this Plan unless such well or extraction is constructed or undertaken on behalf of the Corporation, any agency authorized by the Corporation, the County of Bruce or the Province of Ontario.

Municipal services are not currently available on the section of North Street adjacent to the proposed residential lots; therefore, an Official Plan Amendment is proposed to allow for individual on-site services for the proposed residential lots. Further, the PPS and County Official Plan support full on-site services as noted previously. It is anticipated that as the retained lands are further developed in the fullness of time, that these residential lots would be able to connect to full services.

4.3.4 Transportation

Bruce County Road 3, adjacent to the subject land, is identified as an 'Arterial – Semi Urban' road under the Local Official Plan. The right-of-way width for Arterial – Semi Urban has a minimum required width of 30 m. North Street is considered a local road under the Local Official Plan. A minimum width is not noted for Local Roads.

Section 6.4 (a) of the Local Official Plan provides that road widening shall take place in conformity with the standards outlined in Section 6.2 - Road Classification. Privately owned land required for road allowance widening may be acquired by the appropriate road authority through purchase or by dedication as a condition of subdivision, severance, minor variance, zoning by-law amendment, site plan approval, or other appropriate means.

Given the transition from 'Arterial – Semi Urban' (30 m minimum requirement) to 'Arterial – Urban' (20 m minimum requirement) in proximity to the subject land, it is not anticipated that Bruce County will require a right-of-way taking at Bruce County Road 3 as the approximate width adjacent to the subject land is approximately 21.5 m at its most narrow width.

4.3.5 Implementation

Section 7.2 of the Local Official Plan outlines a number of considerations, in order of priority, for Council when contemplating amendments to this Plan:

1. The desirability and appropriateness of changing the official plan to accommodate the proposed uses in light of the basic objectives of the official plan.
2. The goals and policies of this plan.
3. The need for the proposed use.
4. The effect on the economy and financial position of the municipality.
5. The compatibility of the proposed use with uses in adjoining areas and the effect of such use on the surrounding area including the natural environment.
6. The location of the site with respect to the transportation system, the adequacy of the potable water supply, sewage disposal facilities, solid waste disposal, and other municipal services as required.
7. The physical suitability of the land for the proposed use.

The proposed Official Plan Amendment (**Figure 6**) is desirable and appropriate as it proposes the removal of a Special Policy Area that is no longer required. The proposed area to be designated residential is appropriate for residential development and does not conflict with the goals and policies of the Local Official Plan. The net amount of employment land has increased with the removal of the Special Policy Area. As demonstrated throughout this Report, the residential land uses are compatible with the proposed light industrial uses on the subject land.

4.4 Municipality of Arran-Elderslie Zoning By-Law (No. 36-09)

The Municipality of Arran-Elderslie Zoning By-Law No. 36-09 (the “Zoning By-law”) was passed by Municipal Council on June 29, 2009, and approved by the Ontario Municipal Board on July 5, 2010. It regulates land use within the Municipality of Arran-Elderslie. The Subject land is zoned Business Park 1 (BP1) and Environmental Protection (EP) on Schedule A of the Zoning By-law, as shown on **Figure 7**. The eastern portion of the subject land, which today consists of the existing factory, remediated ponds, and a dwelling, is zoned BP1. The western portion of the subject land, which does not contain any existing or proposed development, is zoned EP.

A Zoning By-law Amendment (**Figure 8**) is required to permit residential uses on the subject land. The proposed Zoning By-law Amendment proposes to rezone Parts 2 and 3 of the subject lands from BP1 to R1 with a site-specific provision in order to permit the proposed residential uses. The requested zoning will provide for the development of low-density residential uses which are appropriate for the site. The proposed Zoning By-law Amendment represents the implementation of the proposed Official Plan Amendment.

4.4.1 Business Park 1 Zoning

Section 14 of the Zoning By-law outlines the provisions applicable to all Industrial zones, including the BP1 zone. Section 14.4 provides that all Business Park 1 and 2 uses shall be connected to a municipal water and sewer system. Section 14.11 provides that buffers shall be provided per the requirements of Section 3.3 of the Zoning By-law. Section 3.3 of the Zoning By-law provides that:

- i. No part of any Industrial principle use building shall be located closer than 20 metres (65.6 feet) to a Residential Zone, Institutional Zone, residential use or institutional use; and
- ii. No part of any residential use or institutional use shall be located closer than 20 metres (65.6 feet) to a Industrial Zone.

Section 15 of the Zoning By-law outlines a number of permitted uses in BP1 zones. A number of commercial and industrial uses are permitted in the BP1 zone, including light industry. Residential uses are not permitted unless the use existed prior to the passing of the Zoning By-law. Provisions specific to the BP1 zone are provided under Section 15.3 of the Zoning By-law, and include requirements for lot area, frontage, setbacks, lot coverage, and building height.

Light industry is defined under Section 2 of the Zoning By-law as: the use of land, buildings or structures for the purpose of an ‘Industrial Use’ which is wholly enclosed within a building or structure, except for parking and loading facilities and outside storage accessory to the permitted uses, and which in its operation does not result in emission from the building of odours, smoke, dust, gas, fumes, noise, cinder, vibrations, heat, glare or electrical interference.

The lands to be retained are zoned BP1; a zone change is not proposed for these lands. No development is proposed for the lands to be retained at this time.

4.4.2 Environmental Protection Zoning

Section 23.2 of the Zoning By-law outlines permitted uses within EP zones. Development within the EP zone is limited to agriculture, conservation areas, public parks, and boat launching and docking.

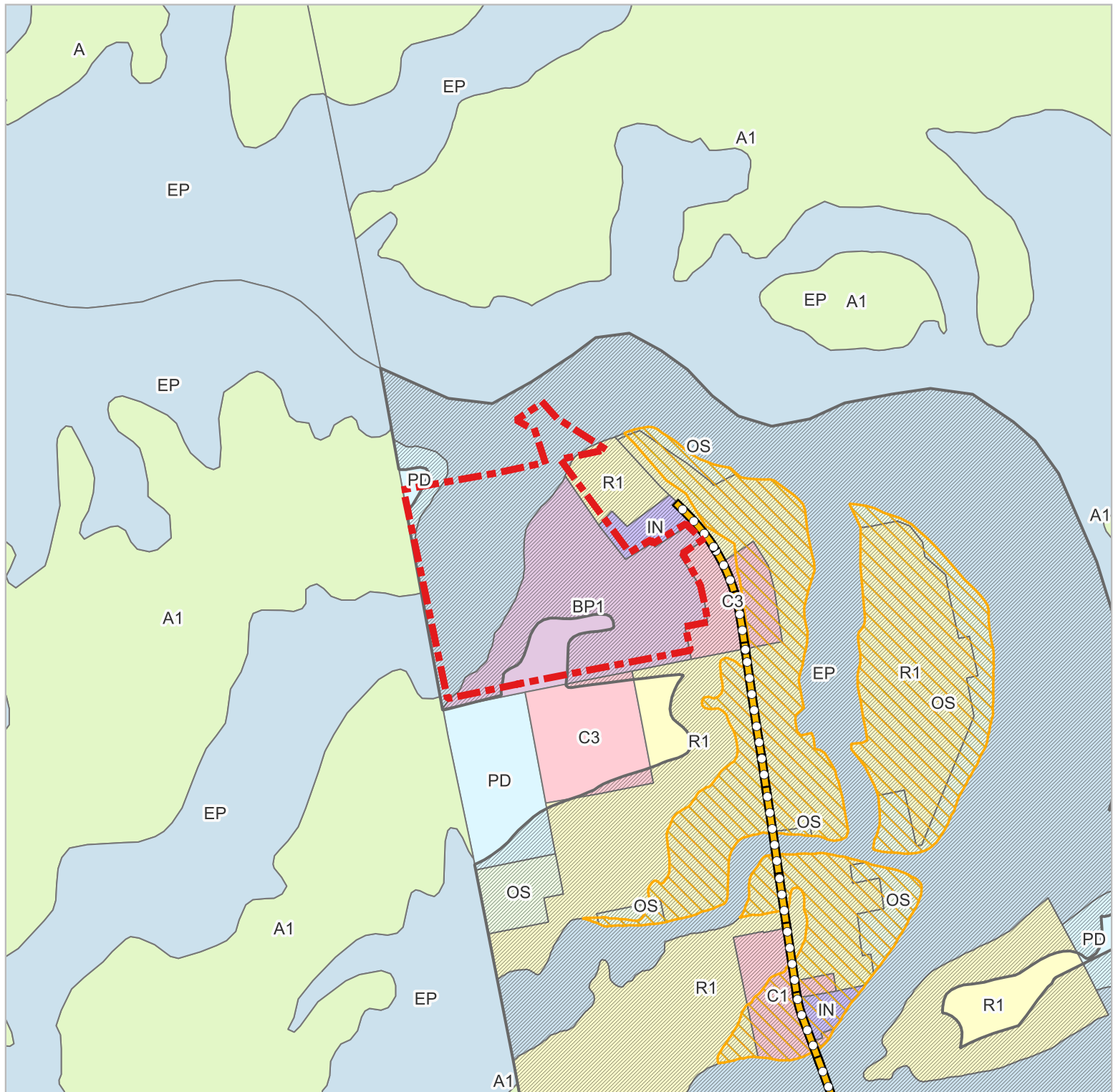














Figure 7
Municipality of Arran-
Elderslie Zoning By-
Law (No. 36-09) -
Schedule A

3437 Bruce County Rd 3
 Paisley
 Bruce County

LEGEND

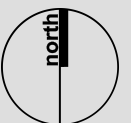
-  Subject Lands
-  County Road Urban
- Regulated Area
 -  Flood & Fill Regulated Area
 -  Fill & Construction Regulated Area
- Zoning By-Law
 -  Agricultural
 -  Business Park
 -  Commercial
 -  Environmental Protection
 -  Future Development
 -  Institutional
 -  Open Space
 -  Residential

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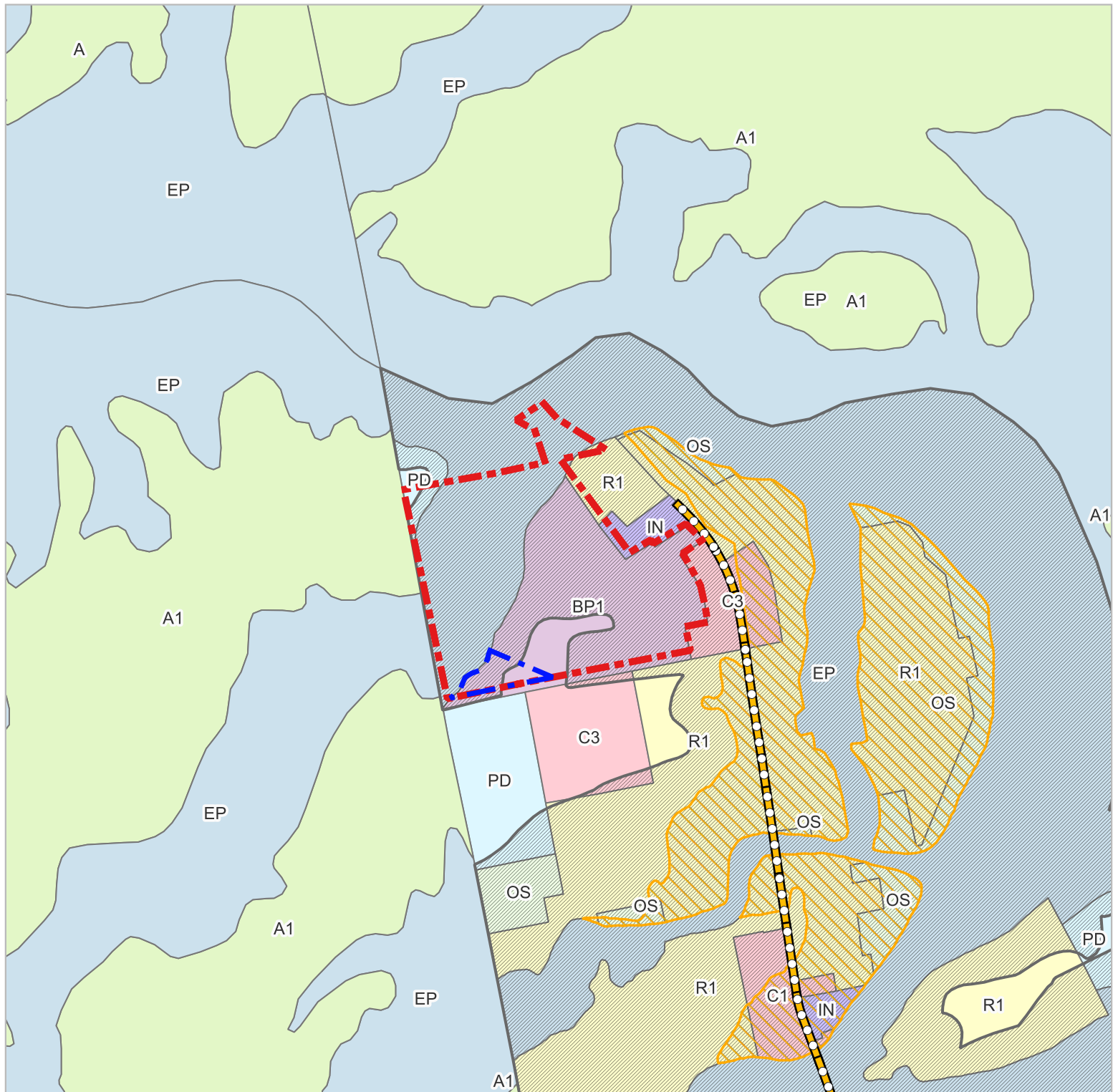


Figure 8
Proposed Zoning By-
Law Amendment

3437 Bruce County Rd 3
Paisley
Bruce County

LEGEND

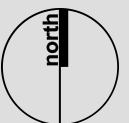
-  Subject Lands
-  Lands to be re-zoned to R1
-  County Road Urban
- Regulated Area**
 -  Flood & Fill Regulated Area
 -  Fill & Construction Regulated Area
- Zoning By-Law**
 -  Agricultural
 -  Business Park
 -  Commercial
 -  Environmental Protection
 -  Future Development
 -  Institutional
 -  Open Space
 -  Residential

Date: November 2022

Scale: 1:10,000

File: 22306A

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No development is proposed within the portion of the subject land zoned EP; a zone change is not contemplated for the lands zoned EP.

4.4.3 Residential: Low Density Single Zoning

The residential lots are proposed to be rezoned to 'Residential: Low Density Single (R1)' with a site-specific provision. Section 10.2 of the Zoning By-law outlines the provisions applicable to R1 zoning. A number of low density uses are permitted including single detached, semi-detached, and duplex dwellings. Further, a number of businesses compatible with residential uses such as childcare, home occupations, and Bed & Breakfast Establishments are permitted as well.

Section 10.3 of the Zoning By-law outlines the R1 zone provisions for lots serviced by municipal water and sewer. The table below includes the R1 provisions and compliance with the proposed lots.

Table 1: Zoning Compliance

	Required	Part 2 Compliance	Part 3 Compliance
Minimum Lot Area	465 m ²	Yes - 5,289 m ²	Yes - 3,867 m ²
Minimum Lot Frontage	15 m	Yes – 124.8 m	Yes – 73.8 m
Minimum Front Yard And Exterior Side Yard	6 m	Unknown	Unknown
Minimum Interior Side Yard	1.2 m	Unknown	Unknown
Minimum Rear Yard	7.5 m	Unknown	Unknown
Maximum Height	10 m	Unknown	Unknown
Minimum Ground Floor Area	70 m ²	Unknown	Unknown

Noting the compliance of a number of provisions are unknown at this time; when the proposed dwellings are designed, they will be designed to be compliant with R1 zoning.

A site-specific amendment is requested as part of the Zoning By-law Amendment to permit the proposed zoning in an area without full municipal water and sewer.

As a result, the proposed Zoning By-law Amendment conforms to the proposed Official Plan Amendment.

5.0 OVERVIEW OF SUPPORTING REPORTS

5.1 Documentation of Soil Remediation Report

GM BluePlan Engineering Limited was retained to complete a Documentation of Soil Remediation Report (the 'Report') in support of the Planning Applications. The Report documents background work (including the Phase Two Environmental Site Assessment previously completed), the applicable soil and groundwater regulatory framework, methodology, soil remediation completed, confirmation soil samples, soil disposal, and conclusions and recommendations.

A Phase Two Environmental Site Assessment was previously completed for the subject land in November of 2021. The Report documented two ponds in the westerly portion of the subject land. It is understood that these ponds were used as wastewater/industrial sewage ponds that formerly serviced the "Bruce Packers" facility. The ponds have not been connected to the adjacent facility since municipal services were extended to the property. Various soil and surface water samples were collected as part of the Phase Two Site Assessment. The samples within both ponds exceeded the regulatory criteria of a number of standards.

The owner of the subject land retained Karcher Construction as the Remediation Contractor. Remedial excavations commenced on June 15, 2022, and encompassed an area of approximately 2,500 m². For the purpose of remediation efforts, impacts to the subject land were determined by comparison to the criteria identified in the *Soil, Ground Water, and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act* (the 'standard'), Ministry of the Environment, April 15, 2011, under Ontario Regulation 153/04. Thirteen soil samples were collected from July 20th, 2022, from the floors and sidewalls of the remedial excavation area to confirm the post-remediation condition of the soils against the standard. Five samples did not meet the applicable criteria of the standard, and Karcher Construction was directed to remove additional soil. Additional samples were collected on August 11, 2022, and the results indicated that the samples met the applicable criteria of the standard.

802.12 tonnes of impacted soil, classified as a solid, non-hazardous waste, was excavated and hauled offsite to a registered waste disposal facility. The Report concludes that based on field evidence and on the reported analytical findings, remediation of the identified petroleum hydrocarbons (PHC) impacts is complete. Therefore, no additional investigation or remediation is considered necessary at this time.

5.2 Preliminary Sewage System Feasibility Assessment for Private Servicing of Proposed Severance

GM BluePlan Engineering Limited was retained to complete a Preliminary Sewage System Feasibility Assessment for Private Servicing of Proposed Severance (the 'Assessment') in support of the Planning Applications. The purpose of the Assessment is to establish whether it will be feasible to service the severed residential lots with a private on-site sewage system. The Assessment was completed in reference to the Ministry of Environment, Conservation and Parks (MECP) Guideline D-5-4 for water quality impact risk assessment for the on-site sewage systems.

The findings of the Assessment indicate that:

- With respect to nitrogen attenuation, the proposed severed lots have been determined to be suitable for servicing with standard Class 4 on-site sewage systems with a low potential for impact to local water resources. Using the MECP D-5-4 estimation method, the resultant nitrate concentration for the entire proposed lot layout (i.e., one existing facility on the Site and two proposed residential properties) was calculated to be 0.48 mg/L, which is below the ODWS criteria of 10 mg/L; and
- Based on GM BluePlan's review, it is reasonable to expect that the lot will be able to accommodate a Class 4 on-site sewage system constructed with a raised conventional leaching bed as per Section 8.7.2 of the Ontario Building Code.

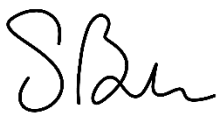
6.0 SUMMARY & CONCLUSIONS

The proposed development has been evaluated within the context of the existing land use policies and regulations, including the Provincial Policy Statement, the County of Bruce Official Plan, the Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay, and the The Municipality of Arran-Elderslie Zoning By-Law No. 36-09. As outlined in this report together with the supporting documentation, it is concluded that the proposed Official Plan, Zoning By-law Amendment, and Severances represent good planning. This opinion recognizes the following:

- The proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the Provincial Policy Statement, 2020;
- The removal of the Local Official Plan Special Policy Area is appropriate given the two sewage treatment lagoons have been completely remediated and filled;
- These applications should not be considered an employment land conversion as the net amount of employment land that can be developed has increased;
- The proposed residential lots are compatible with surrounding land uses;
- The proposed Official Plan Amendment conforms to the general intent of the Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay, as it assists the municipality in meeting its goal to provide a full range of housing types and opportunities;
- The proposed Zoning By-law Amendment will permit two dwellings which conforms to the general intent of the the Official Plan for the Urban Areas of Chesley, Paisley & Tara/Invermay; and
- The proposed development is well-connected to the existing road network.

It is concluded that the proposed development is desirable, appropriate, and represents good planning.

Respectfully submitted,



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