

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

BY-LAW NO. 35 – 2023

Being A By-Law to amend Comprehensive Zoning By-Law No. 36-09, as amended, of the Municipality of Arran-Elderslie.

Whereas the Council of the Municipality of Arran-Elderslie deems it in the public interest to pass a By-law to amend Bylaw No. 36-09.

And Whereas pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, By-laws may be amended by Councils of Municipalities.

Therefore, the Council of the Municipality of Arran-Elderslie enacts the following:

1. By-law No. 36-09 is hereby amended as it affects lands described as Part Lot 16-17 Con A Elderslie; Plan 156, Part Lot 3-25; RP3R-7788 Municipality of Arran-Elderslie, 3437 Bruce Road 3, Paisley and shown on Schedule “A” affixed hereto.
2. Schedule “A” to By-law No. 36-09, as amended, being the Comprehensive Zoning By-law for the Municipality of Arran-Elderslie, is hereby further amended by changing the zoning from Business Park 1 ‘BP1’ to Residential: Low Density Single ‘R1’, ‘R1-35-2023-H’, ‘BP1’, ‘BP1-35-2023-H1-H2 and BP1-35-2023-H3’ on the subject lands, as outlined in Schedule ‘A’, attached hereto and forming a part of this by-law.
3. By-law No. 36-09, is further amended by adding the follow subsection to Section 10.5 thereof:

‘R1-35-2023-H’

“Notwithstanding Section 10 to this By-law shown as ‘R1-35-2023-H’ on Schedule ‘A’ no development or site alteration is permitted within 30 m of the existing hazard land limit identified on Schedule ‘A’ to this by-law. The holding symbol ‘H’ shall be lifted subject to the submission of the following:

- a. a slope stability study that assesses slope conditions and provides an erosion hazard setback to future development. All other provisions of By-law 36-09 shall apply.”

4. By-law No. 36-09, is further amended by adding the following subsection to Section 15.5 thereof:

‘BP1-35-2023-H1-H2’

“Notwithstanding Section 15 to this By-law shown as ‘BP1-35-2023-H1-H2’ on Schedule ‘A’, the holding symbol ‘H1’ shall be lifted subject to the criteria stated in Section 4.4.4 of Zoning By-law 36-09.”

“Notwithstanding Section 15 to this By-law shown as ‘BP1-35-2023-H1-H2’ on Schedule ‘A’, the holding symbol ‘H2’ shall be lifted subject to the submission of the following:

- a. an Environmental Impact Study that demonstrates future development will not have an impact on significant valleylands, significant wildlife habitat, fish habitat, and habitat of endangered/threatened species; and,
- b. a hydrogeological study that demonstrates future development will not negatively impact groundwater quality and quantity; and
- c. an agreement to connect to full municipal services. All other provisions of By-law 36-09 shall apply.”

‘BP1-35-2023-H3’

“Notwithstanding Section 15 to this By-law shown as ‘BP1-35-2023-H3’ on Schedule ‘A’, no development or site alteration is permitted within 30 m of the existing hazard land limit identified on Schedule ‘A’ to this by-law. The holding symbol ‘H3’ shall be lifted subject to the submission of the following:
a. a slope stability study that assesses slope conditions and provides an erosion hazard setback to future development. All other provisions of By-law 36-09 shall apply.”

- 5. Schedule ‘A’ attached, and all notations thereon are hereby declared to form part of this By-law.
- 6. THAT this By-law takes effect from the date upon which the Municipality of Arran-Elderslie Official Plan Amendment No. L-2022-014 comes into force and effect, subject to compliance with the provisions of the *Planning Act, R.S.O. 1990, as amended*.

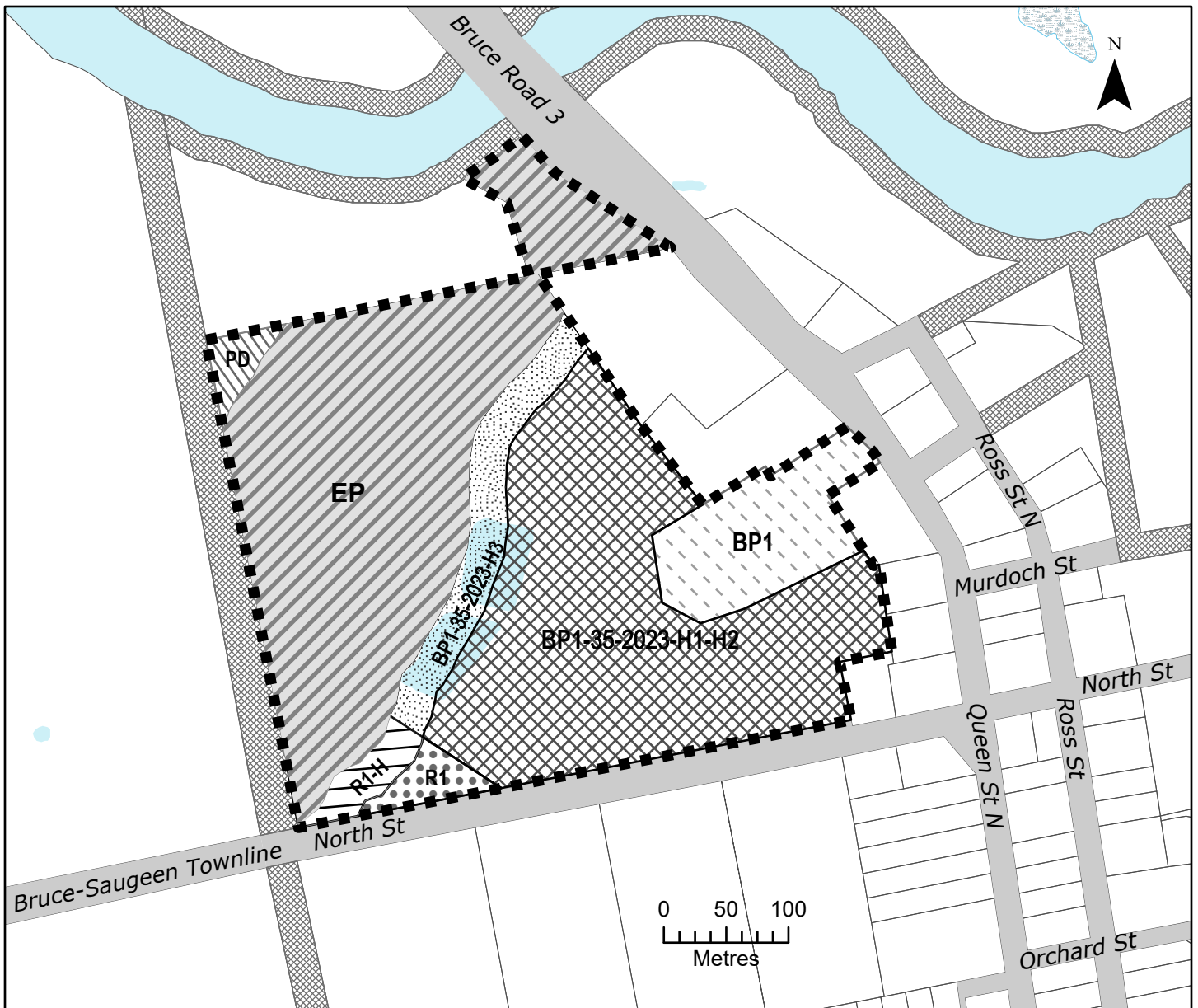
READ a FIRST and SECOND time this 10th day of July, 2023.
READ a THIRD time and finally passed this 10thday of July 2023.

Steve Hammell, Mayor

Christine Fraser-McDonald, Clerk

Schedule 'A'

3437 Bruce Road 3 - Concession A Part Lots 16 & 17 Plan;156 Lot 3 to 25 - Roll # 410338000101900
Municipality of Arran-Elderslie (geographic Township Elderslie)



- | | |
|---|--|
|  | Subject Property |
|  | Lands zoned BP1 - Business Park |
|  | Lands to be zoned BP1-35-2023-H1-H2 - Business Park Special Holding |
|  | Lands to be zoned BP1-35-2023-H3 - Business Park Special Holding |
|  | Lands zoned R1-35-2023 - Residential: Low Density Single Special |
|  | Lands zoned R1-35-2023-H - Residential: Low Density Single Special Holding |
|  | Lands zoned PD - Planned Development |
|  | Lands zoned EP - Environmental Protection |

This is Schedule 'A' to the zoning by-law amendment number 35-2023 passed this 10th day of July, 2023.

Mayor _____
Clerk _____