

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

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**BY-LAW NO. \_\_\_\_\_ - 2024**

BEING A BY-LAW TO AMEND BY-LAW NO. 36-09, AS AMENDED,  
BEING THE COMPREHENSIVE ZONING BY-LAW OF THE  
MUNICIPALITY OF ARRAN-ELDERSLIE  
RE: LOT 79 & PT. LOT 80, REGISTERED PLAN 132,  
88 5<sup>th</sup> AVENUE SOUTHWEST, CHESLEY,  
MUNICIPALITY OF ARRAN-ELDERSLIE.

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

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

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

1. THAT Schedule “A” of By-law No. 36-09, as amended, is hereby further amended by changing thereon from R3-3 ZONE to R3-\_\_\_\_-2024 ZONE on the subject lands, as outlined in Schedule ‘A’, attached hereto and forming a part of this by-law.
2. THAT By-law No. 36-09, as amended, is hereby further amended by adding the follow subsection to Section 10.7 thereof:

‘R3-\_\_\_\_-2024’

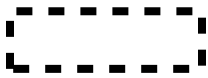
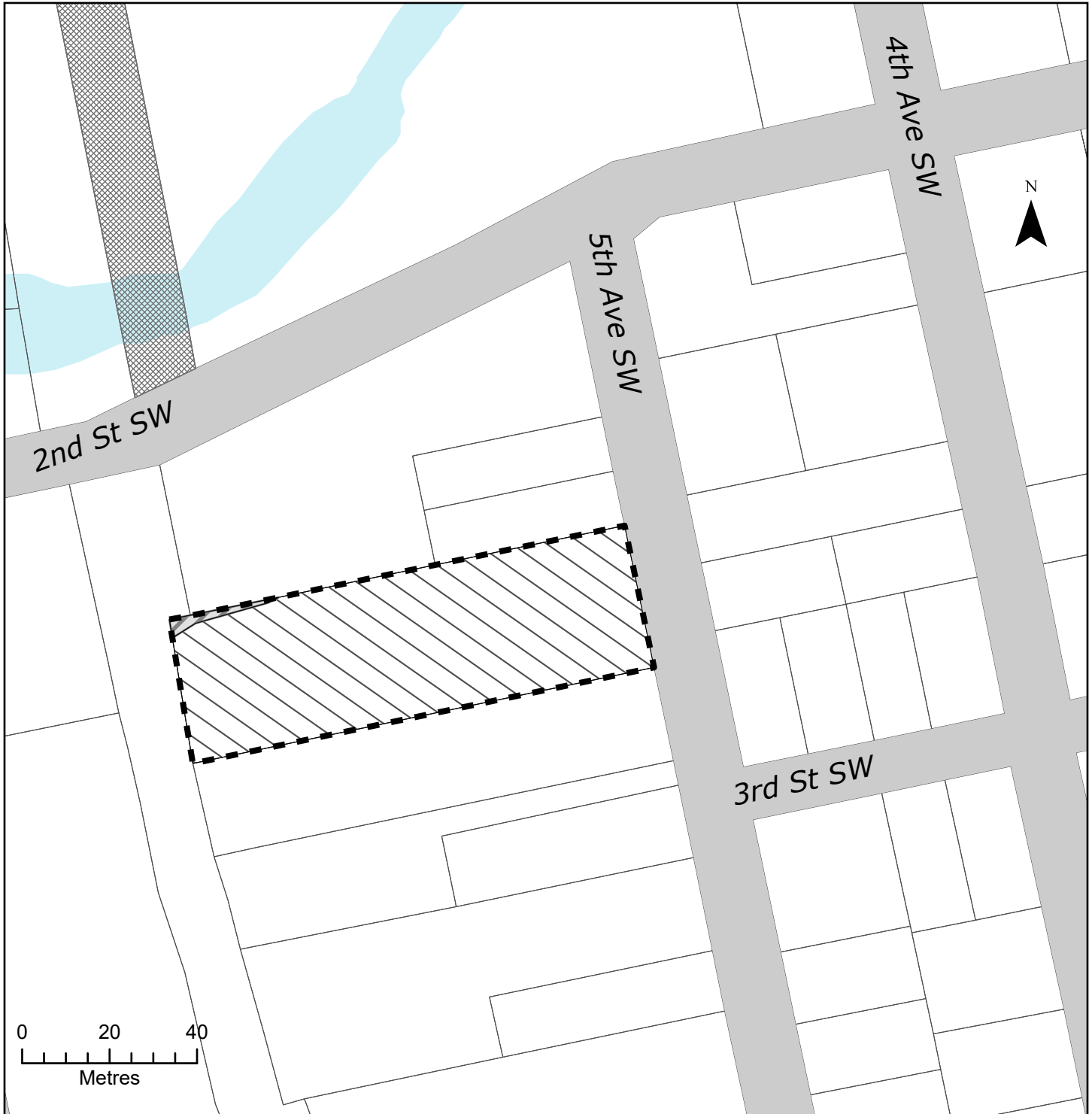
Notwithstanding the Residential - Medium Density (R3) Zone, those lands delineated as R3-\_\_\_\_-2024 on Schedule ‘A’ to this by-law shall be used in compliance with the ‘R3’ zone provisions, excepting however:

- i. The Northerly and Westerly lot line setbacks shall be 0.3 metres (m) for any retaining wall over 1m in height.
  - ii. The Southerly and Westerly lot line setbacks shall be 3.0m for any townhouse structure.
  - iii. The Minimum Gross Floor Area per townhouse unit shall be 75m<sup>2</sup>.
  - iv. The maximum number of main buildings on the lot shall be two.
3. THAT for the purposes of this by-law, a townhouse dwelling shall be defined as a residential dwelling divided vertically into three or more residential dwelling units, each dwelling unit having an independent front entrance for each dwelling unit.
  4. THAT uses existing at the time of passage of this by-law shall be deemed to comply with the provisions of this by-law.
  5. THAT all other provisions, unless specifically modified/amended by this Section, continue to apply to the subject lands.

6. THAT this By-law comes into force and takes effect with the issuance of the Decision of the Ontario Land Tribunal dated \_\_\_\_\_ in OLT Case No. OLT-24-000068.

# Schedule 'A'

88 5TH AVE SW - PLAN 132 LOT 179 PT LOT 180 - Roll 410339000310600  
Municipality of Arran-Elderslie (Chesley Town)



Subject Property



Lands to be zoned R3-xx-2023 - Residential Med Density



Lands zoned EP - Environmental Protection

This is Schedule 'A' to the zoning by-law  
amendment number \_\_\_\_\_ passed this  
\_\_\_\_\_ day of \_\_\_\_\_

Mayor \_\_\_\_\_

Clerk \_\_\_\_\_