



Planning Report

To: Committee of Adjustment, Municipality of Arran-Elderslie

From: Megan Stansfield

Date: May 12, 2025

Re: Minor Variance - A-2025-013 (VanSickle)

Recommendation:

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

That Committee approve Minor Variance A-2025-013 as attached subject to the conditions on the decision sheet.

Summary:

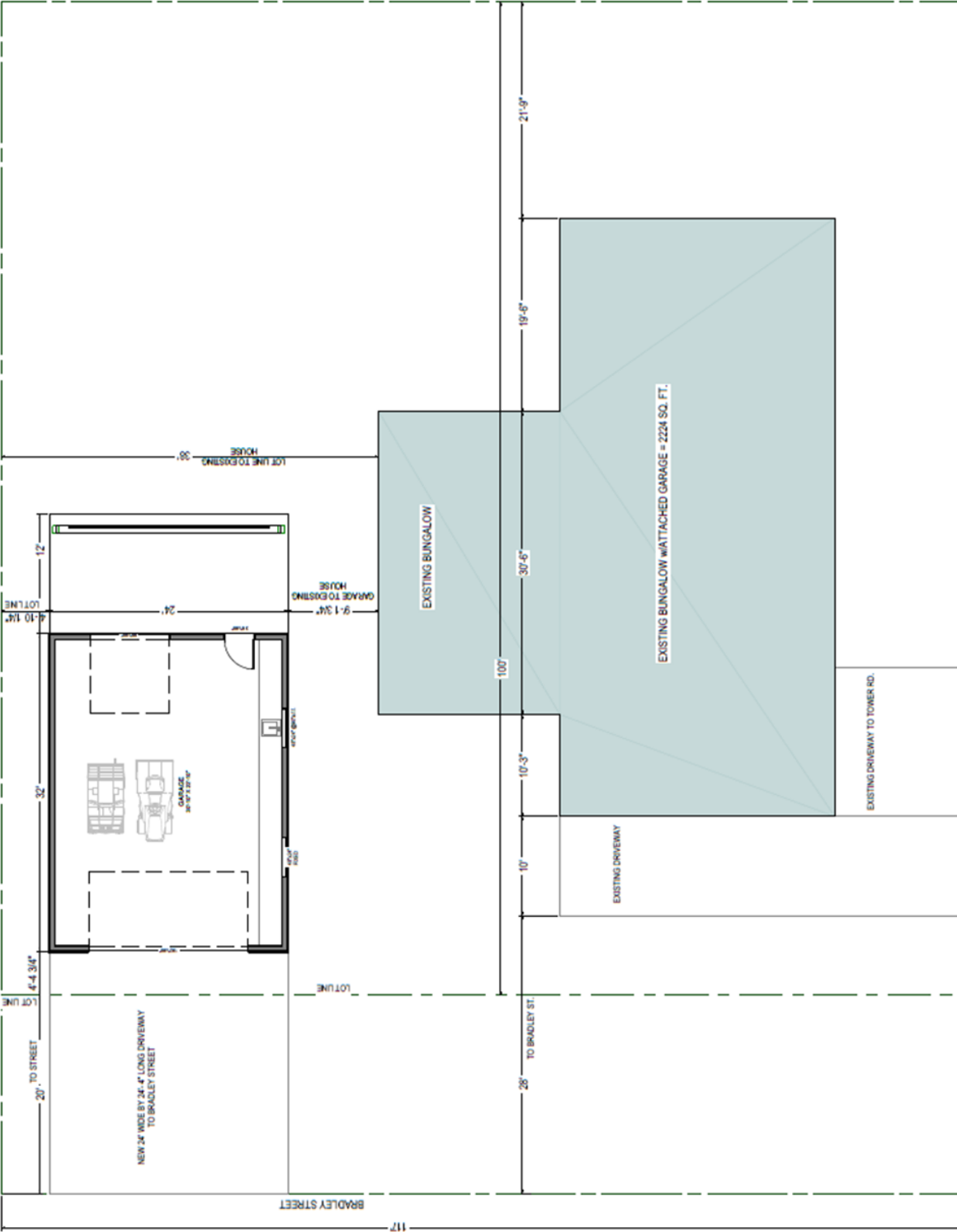
This application seeks relief from Section 3.6.3.1(2) of the Municipality's Zoning By-law which requires an exterior side yard setback of 6 m. This application proposes a setback of 1.73 m and, if approved, will facilitate the construction of a detached accessory building.

Airphoto



55 Tower Road
PLAN 723 LOT 69 (Chesley Town)
Municipality of Arran-Elderslie
Roll Number: 410339000108556

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.

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 Primary Urban in the County Official Plan and designated Residential in the Local Official Plan. A detached accessory building is considered a residential use and permitted in both the county and local plan.

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

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

The property is zoned R1 - Residential: Low Density Single which permits accessory buildings and structures, provided they meet the provisions of Section 3.6 of the by-law. The by-law requires a 6 metre setback from the lot line, for exterior side yards, and the applicant is proposing a setback of about 1.3 metres. The road allowance for Bradley Street is quite wide, so while the garage is about 1.3 metres to the property line, it is about 7.5 metres from the road itself. The exterior side yard setback is in place to ensure site lines can be maintained on the road, and for safety purposes. The proposed accessory building will front Bradley Street, which is a dead end road that sees a smaller volume of traffic at slower speeds. Since the garage will be set back about 7.5 metres from the road, the safety and sightlines will be maintained. Municipal Staff have confirmed that the variance will not impact sightlines or road safety.

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 applicant is proposing a reasonable sized garage, which meets all provisions of the by-law except the side yard setback. To meet the side yard setback would place the garage directly in the centre of their back yard and impact any use of that space.

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

Is the application minor in nature?

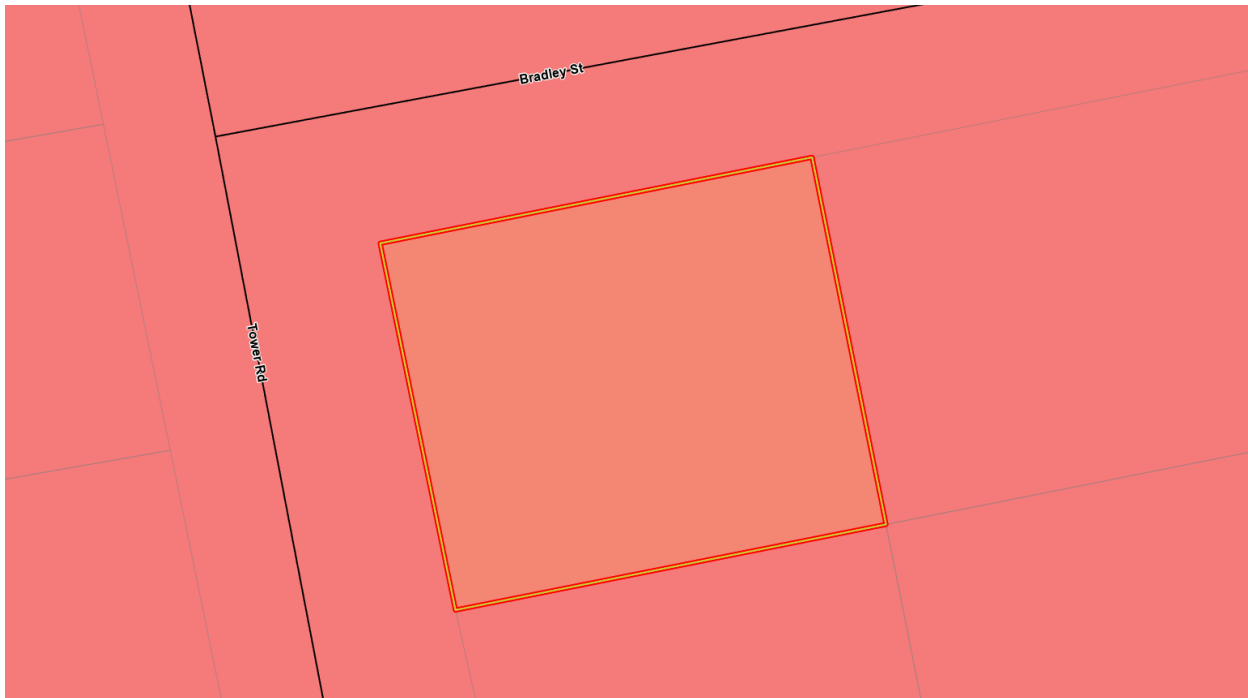
Whether a variance is minor is evaluated in terms of the impact the proposed development is expected to have on the surrounding neighbourhood. It is not expected that permitting the variance will have any impact on the character of the area or impact the ability of adjacent property owners to use their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

The variance is minor.

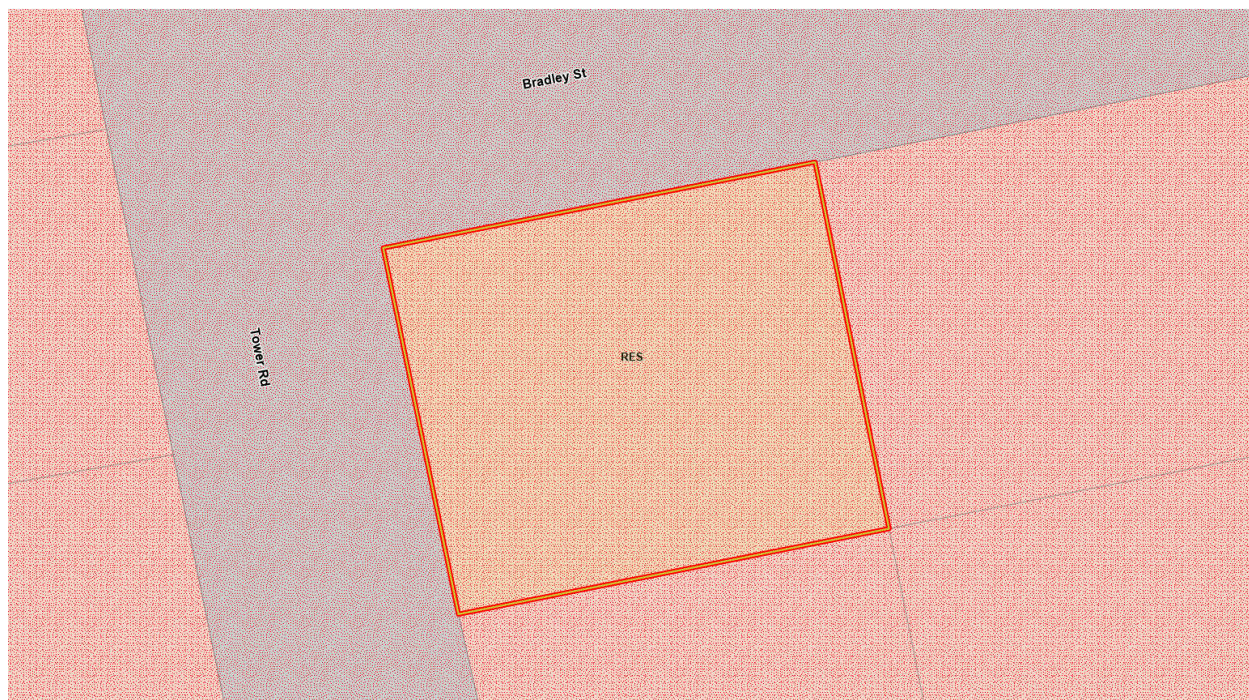
Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- Agency Comments
- Public Notice

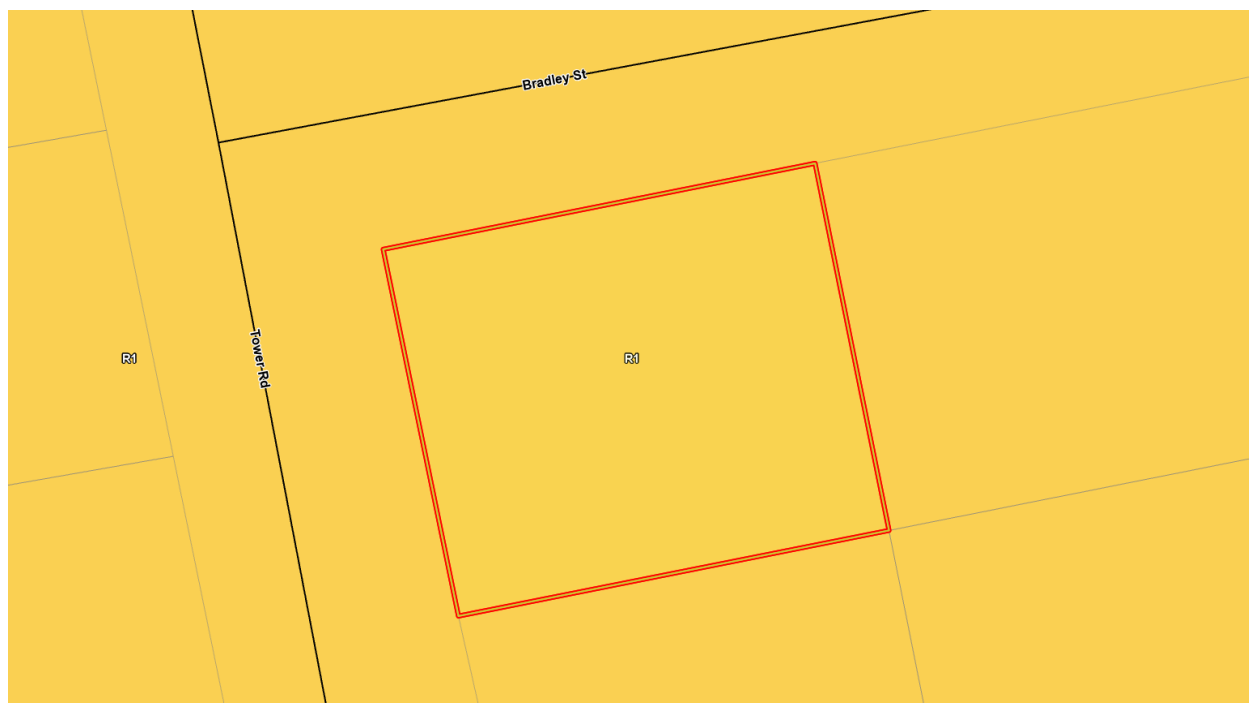
County Official Plan Map (Designated Primary Urban Communities)



Local Official Plan Map (Designated Residential)



Local Zoning Map (Zoned R1 - Residential: Low Density Single)



Agency Comments

Municipality of Arran-Elderslie: A certified lot grading and drainage plan is required
Planner's Comments: this has been added as a condition of minor variance, the applicant has been made aware and is working on it

Saugeen Valley Conservation Authority: Provided in full below; no objections. The property is not within a regulated area and does not exhibit any natural hazard features.

Historic Saugeen Metis: No objections to the application.

Public Comments

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



1078 Bruce Road 12 | P.O. Box 150 | Formosa ON
Canada | N0G 1W0 | 519-364-1255
www.saugeenconservation.ca
publicinfo@svca.on.ca

SENT ELECTRONICALLY bcplpe@brucecounty.on.ca

April 28, 2025

County of Bruce
Planning & Development Department
1243 Mackenzie Rd
Port Elgin, ON N0H 2C6

ATTENTION: Megan Stansfield, Planner

Dear Megan Stansfield,

RE: Application for Proposed Minor Variance A-2025-013
55 Tower Road
PLAN 723 LOT 69 (Chesley Town)
Roll Number: 410339000108556
Geographic Town of Chesley
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.

The purpose of the application is to seek relief from Section 3.6.3.1(2) of the Municipality's Zoning By-law which requires an exterior side yard setback of 6 m. This application proposes a setback of 1.73 m and, if approved, will facilitate the construction of a detached accessory building.

Drinking Water Source Protection

The Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan came into effect on July 1st, 2016 and contains policies to protect sources of municipal drinking water from existing and future land use activities.

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. To confirm, please contact the Risk Management Official (RMO) at rmo@greysauble.on.ca

Summary

SVCA staff find the application acceptable. The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other natural hazard features of interest to SVCA or environmental features or as per our MOA with the County of Bruce. As such, it is the opinion of SVCA staff that the application is consistent with the Natural Hazard policies of the Provincial Policy Statement (PPS, 2024) and the County and local Official Plan. Additionally, the property is not in a SVCA regulated area, and therefore, a permit from the SVCA is not required for development activities related to this application.

Please inform this office of any decision made by County/Municipality of Arran-Elderslie regarding this 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 j.dodds@svca.on.ca.

Sincerely,



Jason Dodds
Environmental Planning Technician
Saugeen Valley Conservation Authority
JD/

cc: Christine Fraser-McDonald, Clerk, Arran-Elderslie (via email)
Moiken Penner, SVCA Authority Member representing Arran-Elderslie (via email)



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 23, 2025

Via Email: LMansfield@brucecounty.on.ca

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

**Re: Minor Variance A-2025-013
Curtis Van Sickle
55 Tower Road, Chesley**

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

- Works/Water Department
 - The applicant has already applied for an entrance permit.
 - A certified lot grading and drainage plan is required to be submitted to the satisfaction of the Municipality to ensure there are no negative impacts to the structure or neighboring properties.
- Clerk/CAO Department
 - No comments.

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

Yours truly,
MUNICIPALITY OF ARRAN-ELDERSLIE

Per:

A handwritten signature in black ink, appearing to read "CE Fraser-McDonald".

Christine Fraser-McDonald
Clerk

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 23, 2025

File Number: A-2025-013

UPDATED Public Hearing Notice

**You're invited to participate in a Public Hearing
to consider Minor Variance File No. A-2025-013
May 12, 2025 at 9:00am**

This Notice has been updated to include the location of the Public Hearing, which was inadvertently omitted from the earlier Notice. The application remains unchanged.

A change is proposed in your neighbourhood. This application seeks relief from Section 3.6.3.1(2) of the Municipality's Zoning By-law which requires an exterior side yard setback of 6 m. This application proposes a setback of 1.73 m and, if approved, will facilitate the construction of a detached accessory building.



55 Tower Road, PLAN 723 LOT 69 (Chesley Town)
Municipality of Arran-Elderslie, Roll Number: 410339000108556

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 May 5, 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, 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 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

