



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:

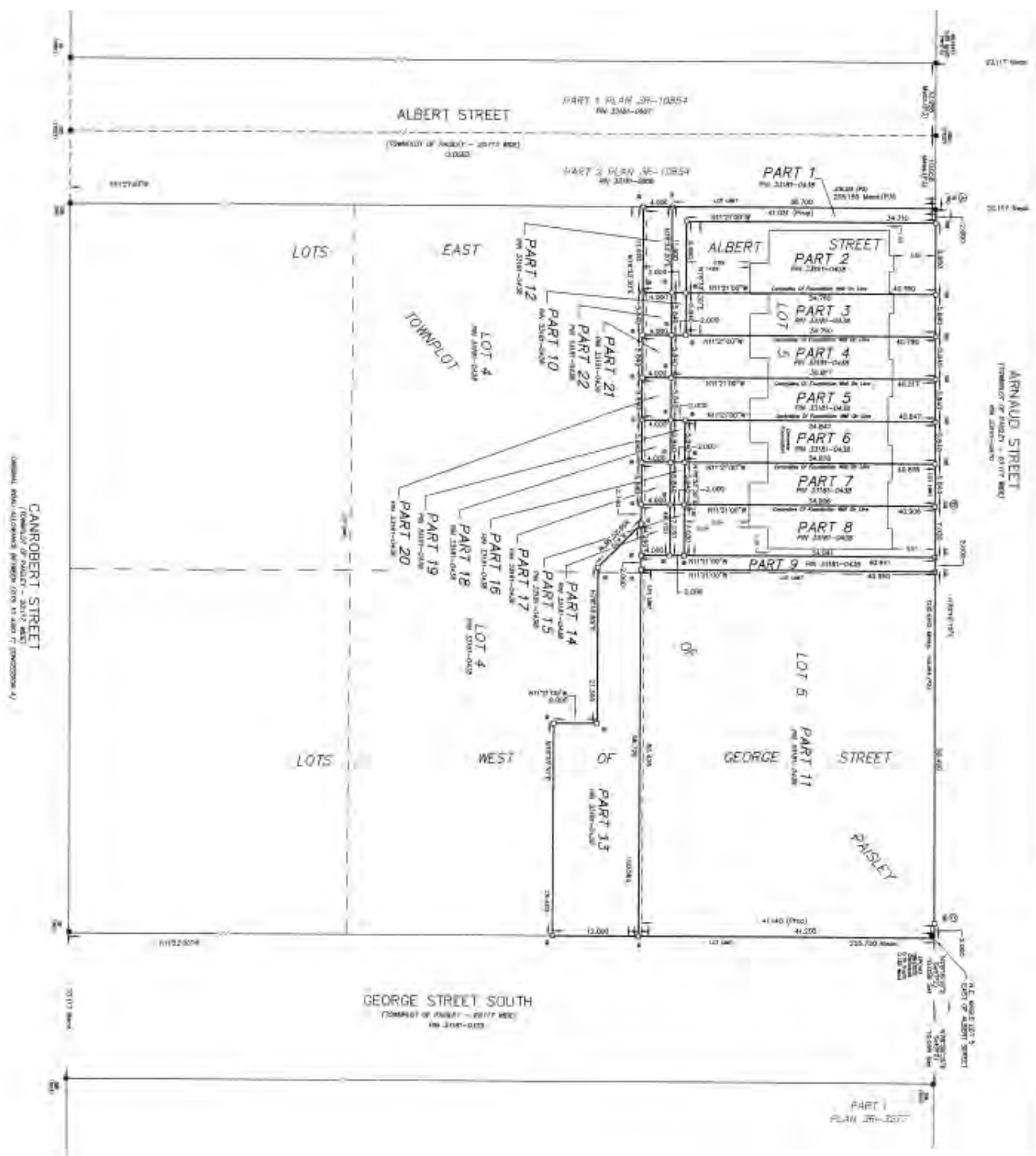
This application seeks a minor variance for **relief from Section 10.3 of the Municipality's Zoning By-Law** which requires a minimum lot frontage of 15 metres and a maximum lot coverage of 40%. The proposed frontage will be 5.8 metres and the lot coverage will be 53%. If approved, the variance will 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 10th Street
Hanover, ON N4N 1R4
TEL: 519-506-5959
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.

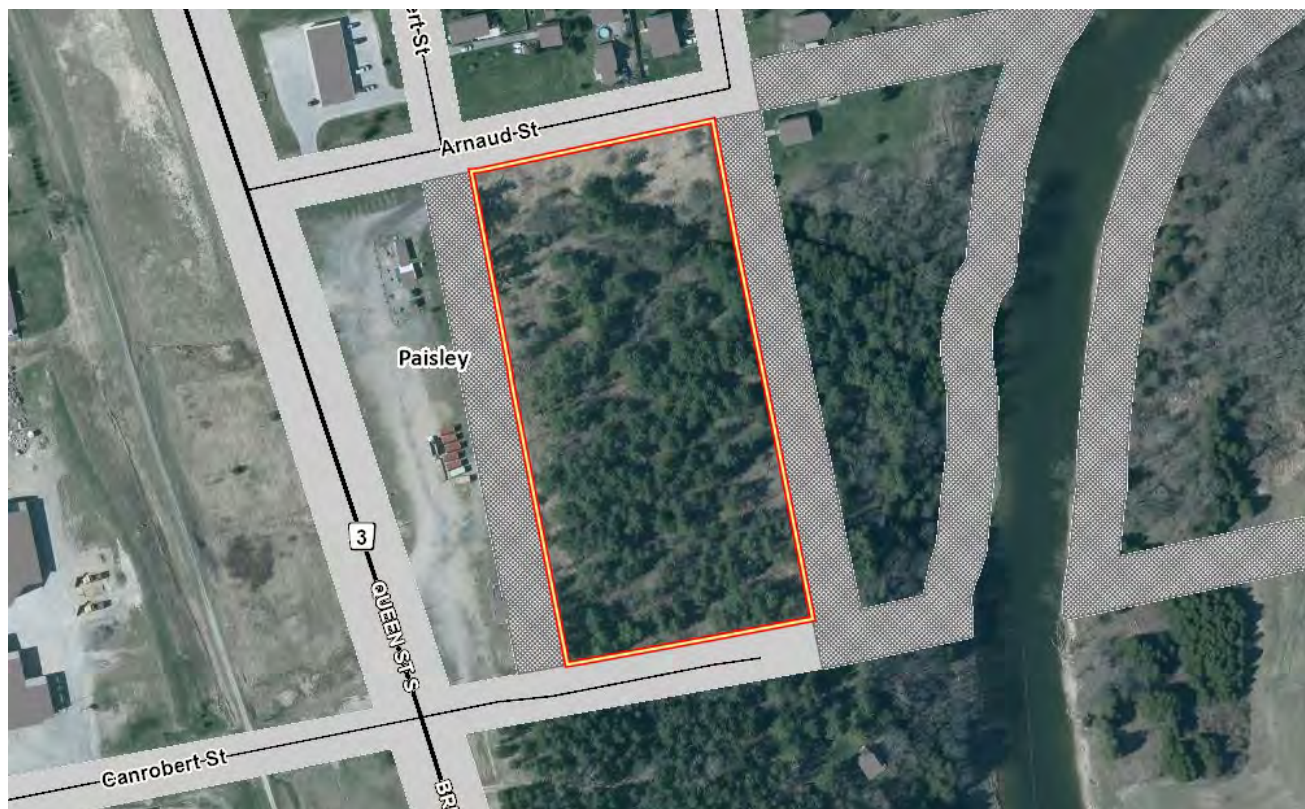
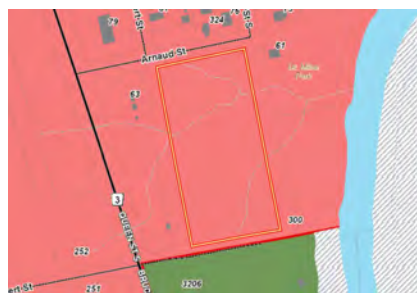


Figure 1: Aerial Photograph of the subject lands. Source: Bruce County Mapping 2020

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.

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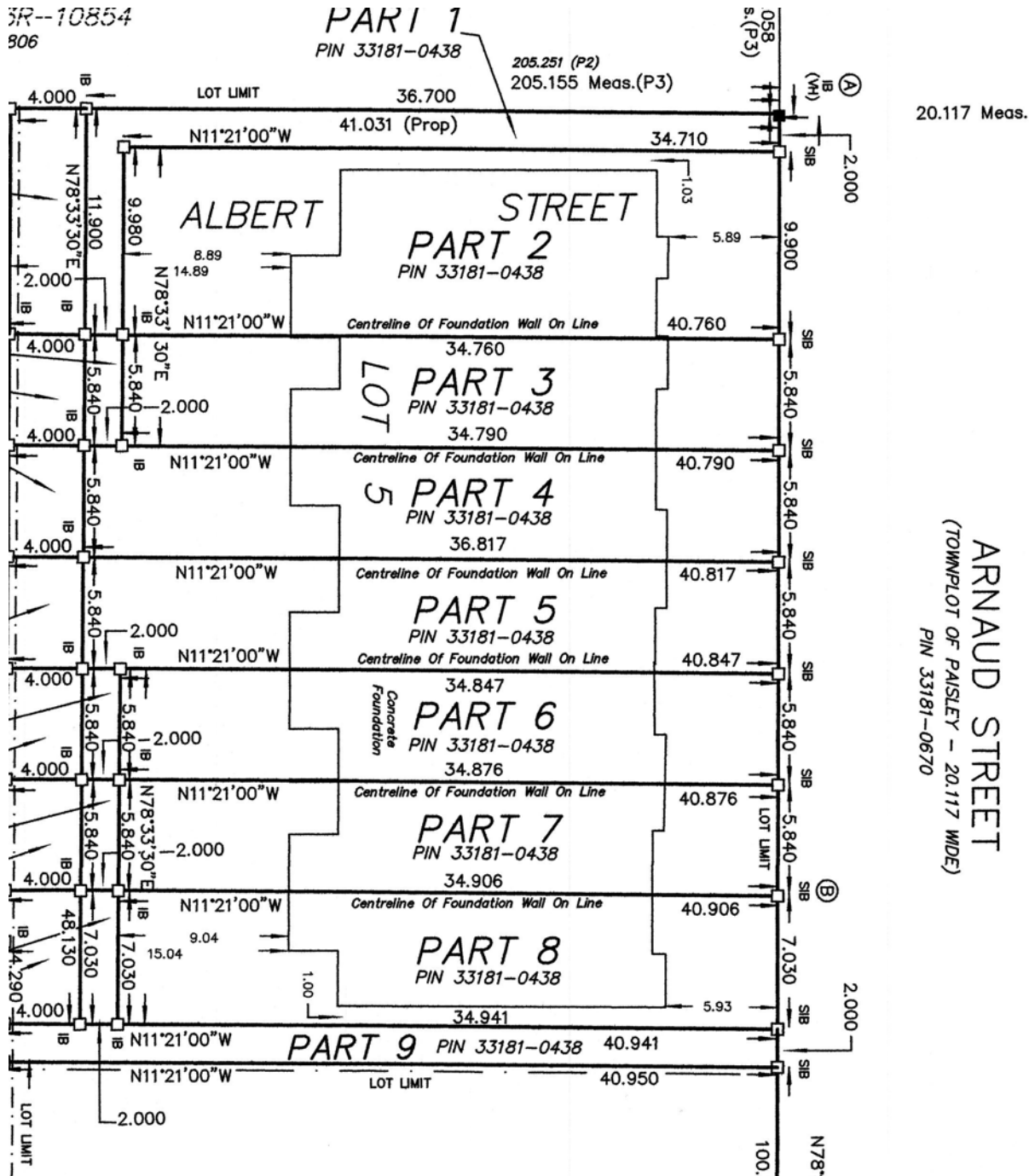


Figure 2: Excerpt of Draft Registered Plan

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.

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| 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: |
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| 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...:

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| 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 |
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| | <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 |

| | | |
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| | 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 ² per dwelling unit | 193 m ² |
| 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 ² per dwelling unit | >90 m ² |

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,

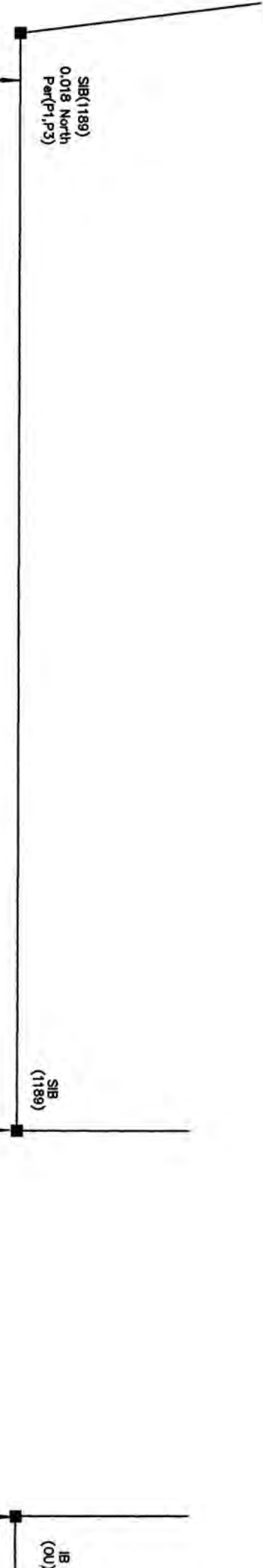
Cobide Engineering Inc.



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

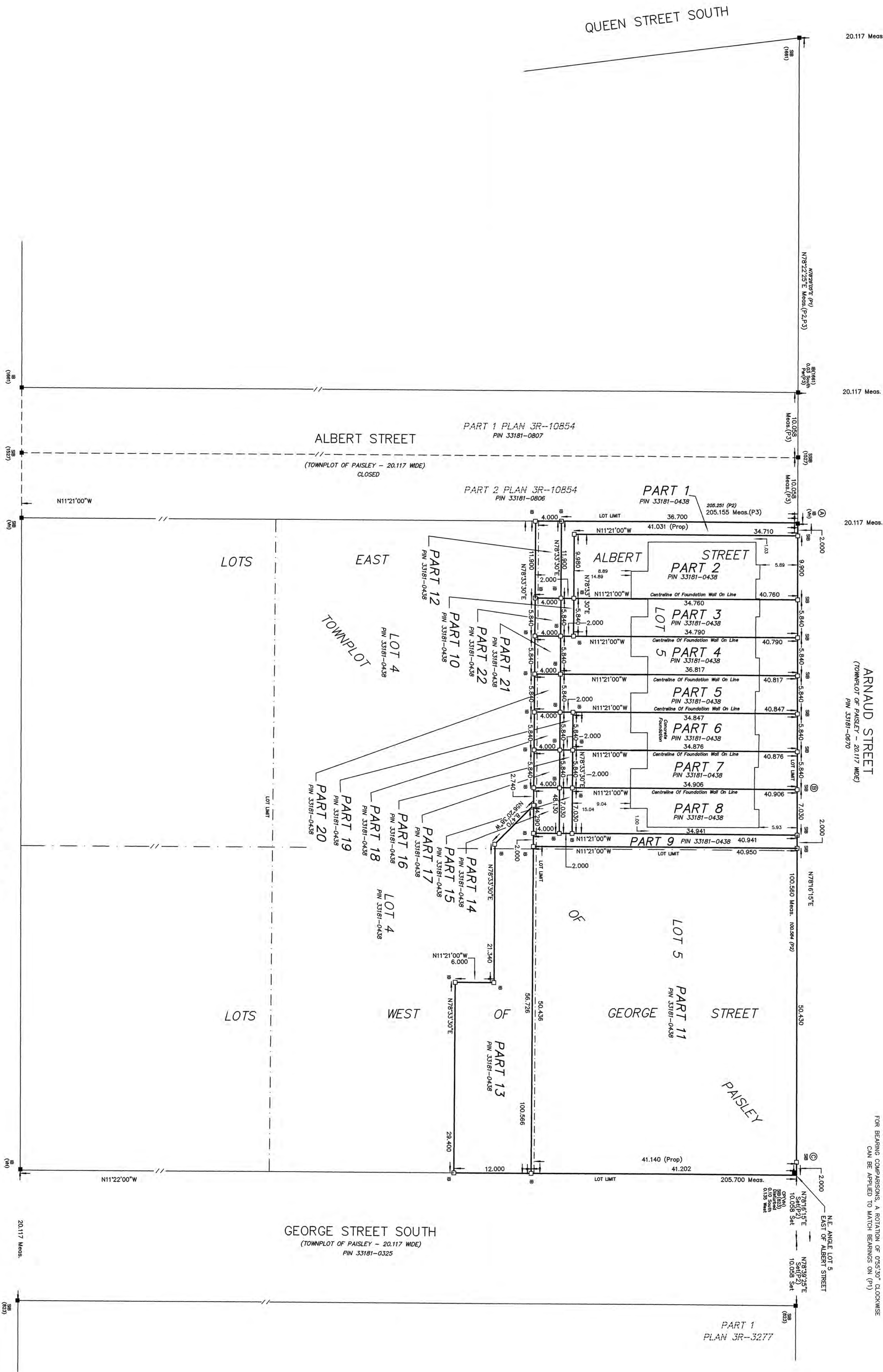
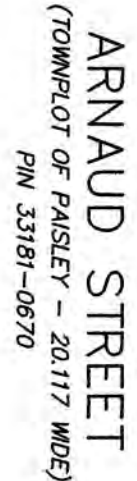


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| POINT ID | NORTHING | EASTING | |
| A | 49505015.37 | 4785822.60 | |
| B | 49505015.78 | 4785822.60 | |
| C | 49505016.78 | 4785824.58 | |

COORDINATES CANNOT BE TRUSTED TO
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN
ON THIS PLAN.

CAUTION:

| | |
|--|--|
| DATE: | |
| I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT | |
| GREG RODGER ONTARIO LAND SURVEYOR | |
| DATE: | |
| REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF BRUKE (No 3) | |
| SCHEDULE | |



| PLAN | | SCHEDULE |
|------|---|------------------------|
| 1 | Port of LOT 5 | Part of PIN 33181-0438 |
| 2 | Port of LOT 5 | Part of PIN 33181-0438 |
| 3 | Port of LOT 5 | Part of PIN 33181-0438 |
| 4 | Port of LOT 5 | Part of PIN 33181-0438 |
| 5 | Port of LOT 5 | Part of PIN 33181-0438 |
| 6 | Port of LOT 5 | Part of PIN 33181-0438 |
| 7 | Port of LOT 5 | Part of PIN 33181-0438 |
| 8 | Port of LOT 5 | Part of PIN 33181-0438 |
| 9 | Port of LOT 5 | Part of PIN 33181-0438 |
| 10 | Port of LOT 5 | Part of PIN 33181-0438 |
| 11 | Port of LOT 5 All of LOT 5 West of George Street | Part of PIN 33181-0438 |
| 12 | Port of LOT 4, 5 East of Albert Street | Part of PIN 33181-0438 |
| 13 | Part of LOT 4, 5 East of Albert Street Part of LOT 4 West of George Street | Part of PIN 33181-0438 |
| 14 | Port of LOT 4, 5 | Part of PIN 33181-0438 |
| 15 | Port of LOT 5 | Part of PIN 33181-0438 |
| 16 | Port of LOT 5 | Part of PIN 33181-0438 |
| 17 | Port of LOT 5 | Part of PIN 33181-0438 |
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| 20 | Port of LOT 4, 5 | Part of PIN 33181-0438 |
| 21 | Port of LOT 4, 5 | Part of PIN 33181-0438 |
| 22 | Port of LOT 4, 5 | Part of PIN 33181-0438 |

PLAN OF SURVEY
OF PART OF
LOT 4 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 3 WEST OF GEORGE STREET
PLAN OF PAISLEY
VILLAGE OF PAISLEY
MUNICIPALITY OF ARRAN — ELDERSLIE
COUNTY OF BRUCE

SCALE 1:300

0 6 18 30
METRIC

D. CULBERT LTD.
ONTARIO LAND SURVEYOR

BEARINGS HEREON ARE GIRD. (SEE INTERACTION CHART FOR DETAILS)

NOTES AND GROUND

DENOTES MONUMENTATION FOUND

DENOTES MONUMENTATION PLANTED

DENOTES 2.5cm sq. STANDARD IRON BAR

DENOTES 2.5cm sq. SHORT STANDARD IRON BAR

DENOTES 1.6cm sq. IRON BAR

DENOTES WITNESS

DENOTES PROPORTION

DENOTES CONCRETE PIN

DENOTES VAN HARTEN, O.L.S.

DENOTES IAN DUNSMORE, O.L.S.

DENOTES J.C. WOOD, O.L.S.

DENOTES R.F. DORE, O.L.S.

DENOTES D. CLIBBERT LTD., O.L.S.

DENOTES A PLAN BY SURVEY BY (1661) FILE 1666536

DENOTES A PLAN BY (VH) DATED MAY 9, 1923

DENOTES PLAN 34-10864

ALL PINS ARE SURPHED (L) UNLESS NOTED (R)

METRIC: DISTANCES AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY 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

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM
NUMBER V-90752

D. GULBERT LTD.
DGL
 ONTARIO LAND SURVEYOR
 GOBERGCH, ONTARIO PHONE: 519-524-5321
 LAND SURVEYOR
 DRAWN BY: BOOS
 CHECKED BY: GR
 DIGITAL FILE: PYZ40HR2
 FILE NO: PA-0253--0-10
 PLAN NO:
 8-CL-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 10th Street

Hanover, ON N4N 1R4

T +1 519-506-5959 ext. 106

E dkieffer@cobideeng.com

www.cobideeng.com

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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

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

SENT ELECTRONICALLY: mstansfield@brucecounty.on.ca and 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



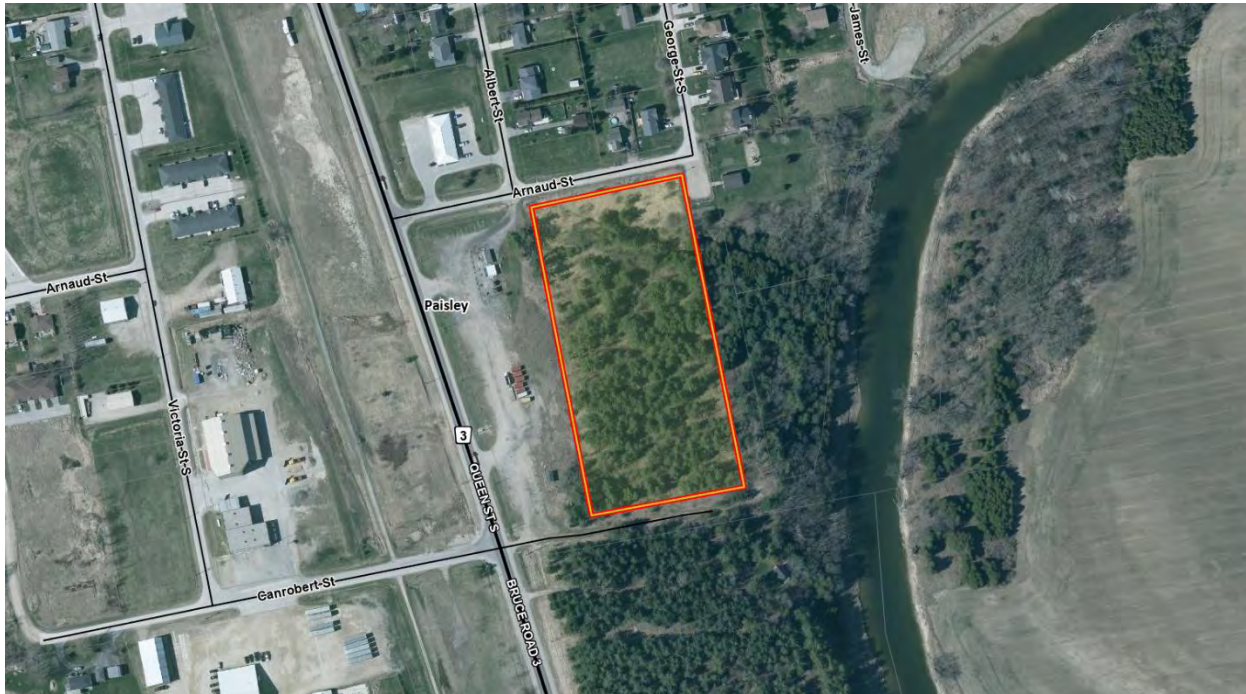
April 4, 2025

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 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, 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/>.

ALBERT STREET

TOWNSHIP OF PAISLEY - 2017 (REV)

GEORGE STREET SOUTH

PAISLEY STREET

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