



Planning Report

To: Town of Saugeen Shores Council

From: Julie Steeper, Intermediate Planner

Date: August 26, 2024

Re: Zoning By-law Amendment Application - Z-2024-037 (Lowlace)

Recommendation:

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

That Council approve Zoning By-law Amendment Z-2024-037 (Lowlace) and By-law 64-2024.

Summary:

The purpose of the application is to sever 3 vacant residential lots from a 78.5 ha agricultural parcel. All lots are proposed to be 1892 sq m in size and will front onto Bruce-Saugeen Townline. An amendment to the Zoning By-law is required to permit the residential lot creation. If approved, the application would facilitate the creation of 3 residential lots in the hamlet of North Bruce. The retained parcel will continue to be used for agricultural purposes. A holding provision requiring an Archaeological Assessment for the lands containing high archaeological potential is proposed.

The by-law for this report is included in the By-law section of the Agenda.

The related consent files (B-2024-034, B-2024-035, B-2024-036) will be considered by the County at a later date.

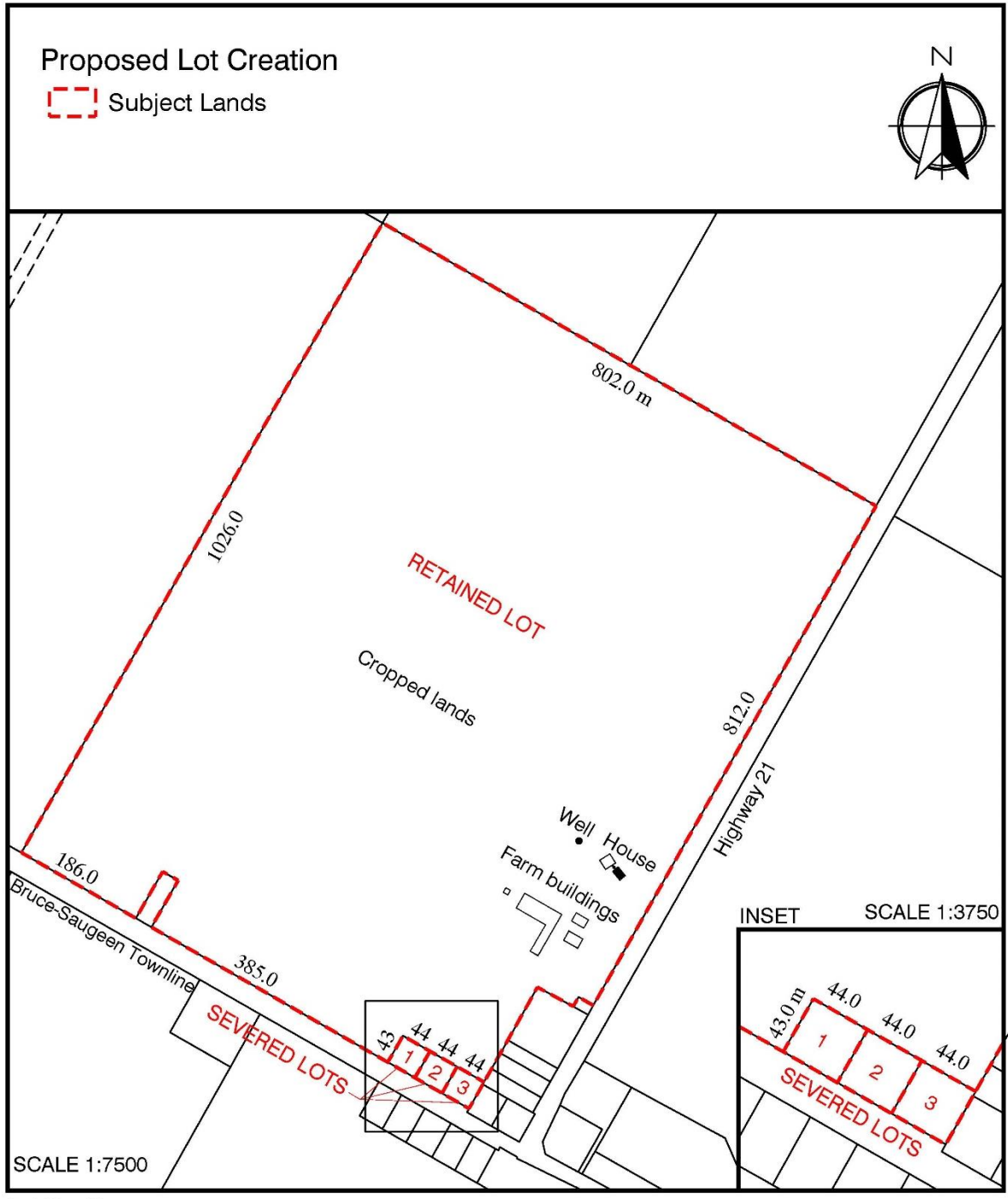
The property is located north of Bruce-Saugeen Townline and west of Highway 21 within the hamlet of North Bruce. The subject site is surrounded by residential uses and agricultural lands.

Airphoto



4503 HIGHWAY 21 - SAUGEEN CON 1 PT LOTS 7 AND;8 AND RP 3R10068 PART 1
Town of Saugeen Shores (Saugeen Township)
Roll Number 411044000101500

Site Plan



Lot Creation
North Bruce
Town of Saugeen Shores

RD **RON DAVIDSON**
LAND USE PLANNING CONSULTANT INC
OWEN SOUND, ONTARIO

Images of Existing Site



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), public comments (attached) and planning policy sections.

Septic Servicing

The lands to be severed are designated Hamlet Community in the Bruce County Official Plan and the Plan allows for lot creation on private septic with proposed lot areas of less than 4047 square meters but requires a submission of a nitrate study. The purpose is to ensure that no development proposal shall result in a nitrate concentration of more than 10mg/L of nitrate at each new property boundary. A Sewage System Impact Assessment was submitted with the subject application and addressed the matters as prescribed in the *D-5-4 Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment of the Ministry of Environment*. The proposed severed lots meet the policy requirements with a Tertiary septic system. The need for a Tertiary septic system for each of the three severed lots is reflected in the proposed Residential First Density (R1) special zone in the site-specific by-law. The proposed lots are in keeping with the lot area, frontage, and density pattern of the surrounding area.

The retained lands will be maintained for agricultural purposes and will continue to be zoned Agricultural (A) and Environmental Protection (EP).

Archaeological Potential

The proposed severed and retained lots are considered to have high archeological potential due to a watercourse that runs on the property. In review it was determined that an Archaeological Assessment was required to facilitate the application.

The County Official Plan identifies that development on lands containing possible archaeological resources or areas of archaeological potential, should occur in such a manner as to avoid destruction or alteration of these resources. Where this is not possible, the development proponent shall conserve the resources through removal and documentation in accordance with the Ontario Heritage Act.

For this project, a Stage 1 and 2 Archaeological Assessment was prepared in support of the subject applications as the lands fall within an area of high archaeological potential. No archaeological resources were identified in the study area during the Stage 2 assessment. The report concluded that no further assessment was required for the proposed severed lots.

A holding provision requiring an Archaeological Assessment for the lands containing high archaeological potential is proposed for the retained lot in the site-specific by-law. The holding provision will not allow site alteration or development until an archaeological assessment has been provided by a qualified individual; the appropriate Ministry has accepted and registered the assessment, if required; and the recommendations of the archaeological assessment (if any) have been implemented. This approach would implement Provincial and Official Plan policies.

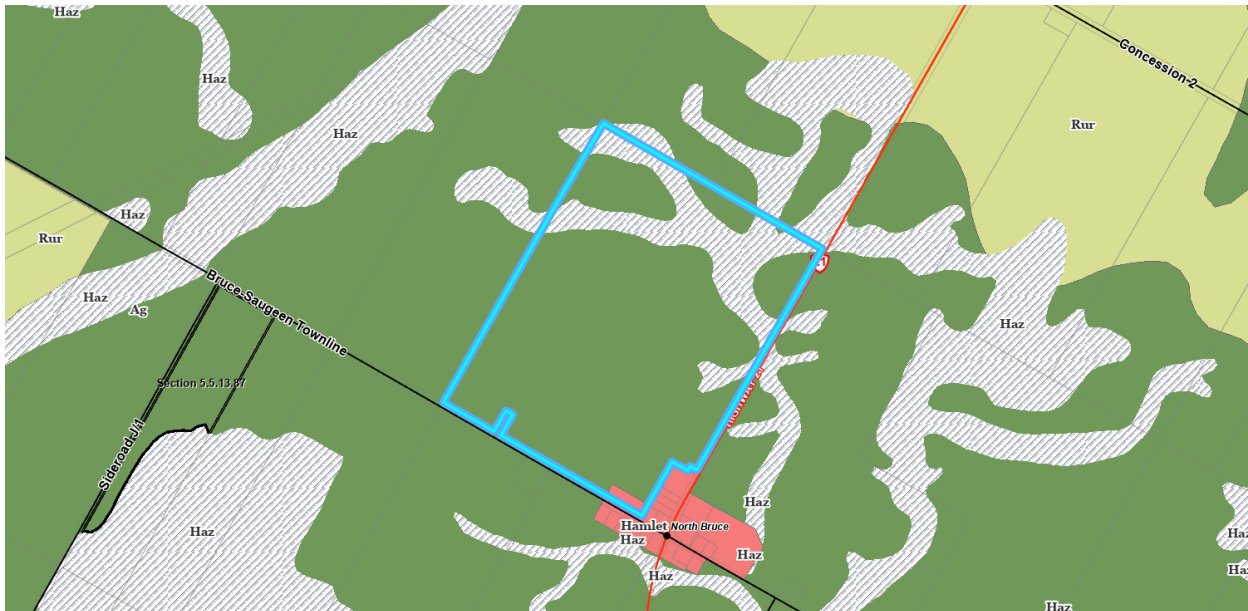
Public Comments

Public comments were received from a neighbouring property owner across the street relating to potential construction noise, potential loss of farmland, and the potential loss of privacy. The proposed severed lots are designated Hamlet in the County Official Plan, and the proposed residential uses are permitted. The retained lands will continue to be used for agricultural purposes. Privacy was considered but not deemed a concern for the application as future development on the three proposed severed lots will be required to meet all setback and height requirements of the proposed Residential First Density (R1) zone.

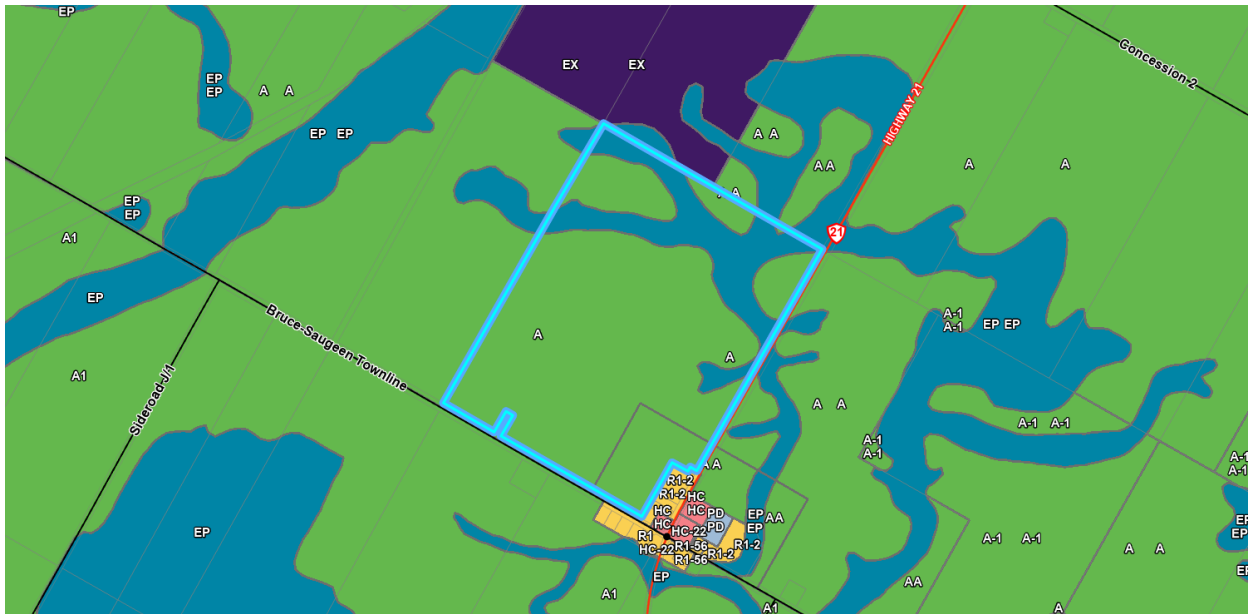
Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
- Agency Comments
- Public Comments
- Public Notice

County Official Plan Map (Designated Agricultural Areas, Hazard Land Area, Hamlet)



Local Zoning Map (Zoned Agricultural 'A', and Environmental Protection 'EP')



List of Supporting Documents and Studies

The following documents can be viewed in full at [Planning Saugeen Shores | Bruce County:](#)

- Planning Report by Ron Davidson Land Use Planning Consultant Inc. Dated May 2024
- Sewage System Impact Assessment by Cobide Engineering Dated May 2024
- Archeological Assessment Stage 1 and 2 by Fisher Archaeological Consulting Dated July 19, 2024

Agency Comments

Town of Saugeen Shores: The Town is requesting that the recommendation from the Sewage System Impact Assessment for the requirement of the installation for on-site tertiary sewage systems that are certified under CAN/BNQ 3680-600 with the ability to provide denitrification of the sewage effluent to at least mg/L for the three (3) severed lots be included in the proposed Residential First Density Special with Holding 'R1-XX-H' provisions. The Preliminary Conditions of Approval included in the Request for Agency Comments satisfactorily address the Town's interests.

Historic Saugeen Métis (HSM): The Lands, Waters and Consultation Department has reviewed the relevant documents and has no objection or opposition to the proposed Severances and Zoning By-Law Amendment as presented.

Hydro One: Upon review by our design technician, it has been determined that there are no restrictions or requirements related to this severance. No comment or concerns at this time.

Risk Management Office (Source Water): Please note that this property is not located within a vulnerable source protection area where policies apply, therefore have no comments on the proposed application under the Clean Water Act.

Saugeen Valley Conservation Authority: Find the applications acceptable and their comments are provided in full below.

Municipality of Kincardine: 1. With the creation of new residential lots, an adjustment to the urban settlement area will be needed

2. Farming operations may be impacted with respect to MDS and any double-distance requirements. May need to verify MSD Guidelines #7, #36, #41 and separation to existing farm operations from newly created conveyable lots. There appears to be no active livestock facilities within the vicinity of the proposal for the Municipality of Kincardine.

Note: No adjustment to the settlement boundary is required to facilitate the application.

For residential within the settlement boundaries MDS does not apply.