

**The Corporation of the Town of Saugeen Shores
By-law 65 - 2024**

Being a By-law to adopt Amendment Number 27 to the Town of
Saugeen Shores Local Official Plan 90-2012 for lands in the Town
of Saugeen Shores

Whereas the Corporation of the Town of Saugeen Shores is empowered to amend its Official Plan as required;

And Whereas the process for considering such an Amendment was in accordance with Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13;

And Whereas the Amendment to the Official Plan is deemed to be appropriate and in the public interest;

Now Therefore the Council of the Corporation of the Town of Saugeen Shores enacts as follows:

1. That Amendment Number 27 to the Town of Saugeen Shores Local Official Plan, a copy of which is attached to and forms part of this By-law, is hereby adopted.
2. That the Clerk is hereby directed to forward the adopted Amendment together with the necessary supporting documentation to the County of Bruce for final approval.
3. This By-law shall come into force and take effect pursuant to the provisions and regulations of the Planning Act, R.S.O. 1990, c.P.13.

Read a First and Second Time this 26th Day of August, 2024.

Read a Third Time, Finally Passed, and Sealed this 26th Day of August, 2024.

Luke Charbonneau, Mayor

Dawn Mittelholtz, Clerk

Part B – The Amendment

Introductory Statement

All of this part of the document entitled “Part B – The Amendment” and consisting of the following text constitutes Amendment 27 to the Town of Saugeen Shores Local Official Plan 90-2012.

Details of the Amendment

The Town of Saugeen Shores Local Official Plan is hereby amended as follows:

- 1) Replacing “10%” with “15%” in Section 1.2.1.2b).
- 2) Replacing “30%” with “35%” in Section 1.2.2.2c) and Section 3.3.3.2.
- 3) Adding new Section 1.2.2.2p):
 - 1.2.2.2p) Alignment with Design Guidelines as a framework for the planning and design of residential intensification projects within the Town to create more diversity in housing and complete communities for all.
- 4) Replacing Section 1.2.10.1 and Section 1.2.10.2 with:

1.2.10.1 General Policies

The Town is committed to improving public consultation opportunities and encouraging public participation through transparent and inclusive planning processes in relation to land use planning matters. The Town will achieve this through the following policies:

- a) Effectively using a range of communication methods, to facilitate engagement from all members of the community including alternative public consultation measures to notify prescribed persons and public bodies of proposed developments subject to and in accordance with the Planning Act.
 - b) Providing opportunities for public consultation, open communication and input into decisions that may affect the lifestyle enjoyed by current and future residents and business owners in the Town.
 - c) Consultations are provided in an accessible manner, including the preparation of information that is appropriate for the hearing or visually impaired as requested.
- 5) Replacing Section 2.11.2.1.1 with:
- 2.11.2.1.1 In considering lot creation by consent, the Town and the approval authority shall be satisfied that the proposed lot creation conforms to the following criteria:
- a) The proposed development meets the requirements outlined in Section 51(24) of the Planning Act and the Bruce County Official Plan;
 - b) Frontage on a public road that is maintained year-round can be obtained;
 - c) Safe and suitable access is available, which meets municipal, County or Provincial transportation objectives, standards and policies for safety and access;
 - d) The site contains a suitable building envelope and can be appropriately serviced with appropriate water services, sewage services, stormwater services, schools, and fire protection;
 - e) The development will not have a negative impact on the drainage patterns in the area;
 - f) The division of land represents infilling in a Built-up Area or a minor extension of such area;
 - g) The division of land represents orderly and efficient use of land, and its approval would not hinder future development of the retained lands;
 - h) The development has considered road widenings that may be required to be dedicated to the appropriate authority;

- i) The division of land will result in a developable portion of the lot outside of the limits of the Environmental Hazard designation or outside of a natural heritage feature. Lot creation may be permitted adjacent to a natural heritage feature subject to the results of an Environmental Impact Statement;
- j) The division of land is not located entirely in a floodplain or the 100 Year Erosion Limit or any other physical constraint as determined by the Town;
- k) The development shall not preclude or constrain the continuation or expansion of extractive operation(s) within the licensed area.

6) Replacing “10%” with “15% in Section 3.3.5.1.

7) Replacing Section 3.3.7.2.2 with:

3.3.7.2.2 Additional residential units shall be permitted in a diverse range of housing types.

8) Replacing “two (2)” with “three (3)” in Section 3.3.7.3.2.

9) Replacing Section 3.4.1.1.1 with:

3.4.1.1.1 The Town considers single detached buildings, semi-detached buildings, duplex buildings, townhouse buildings, multi-unit buildings, additional residential units and converted buildings with no more than four units to be low-density residential development. Unless the criteria set out below for Medium or High Density Development have been met, the lands designated “Residential” on Schedule ‘A’ are for low density residential development. Low-density residential uses shall also be permitted in the Recreational designation where full municipal services are provided.

10) Replacing Section 3.4.1.2.1 with:

3.4.1.2.1 Although existing densities within the Residential designation are in the order of 7 to 11 units per gross hectare, the Town encourages better utilization of existing designated residential lands, to limit sprawl, increase housing diversity and set the stage for active transportation and the potential for public transportation. In a desire to promote efficient development, the following minimum and maximum gross residential densities will be permitted when assessing applications for new Low Density Residential development:

Housing Types	Minimum Density	Maximum Density
<u>Low Density</u> Residential building containing up to a maximum of 4 units	15 units per gross hectare	30 units per gross hectare

Approval may be granted for developments that do not meet this density when justified and appropriate. An applicant / developer requesting a reduced density must provide planning justification at the time of application.

11) Replacing Section 3.4.2.1.1 with:

3.4.2.1.1 The Town considers medium density development to be any combination of more than four units that is not considered high density development in accordance with the policies of this Plan. Medium density residential uses are permitted in the Residential designation, Core Commercial designation and Highway Commercial designation, subject to the following policies:

12) Adding new Section 3.4.2.3.4:

3.4.2.3.4 Where medium density development proposals are considered within the Core Commercial designation, a mixed residential and commercial form of development will be encouraged.

13) Adding new Section 3.4.2.3.5:

3.4.2.3.5 Medium density residential uses shall be permitted in the Highway Commercial designation as an integral part of a commercial establishment provided the uses are compatible and they do not constitute a safety hazard.

14) Replacing Section 3.4.2.2.1 with:

3.4.2.2.1 The following maximum gross residential densities will be permitted when assessing applications for new Medium Density Residential development:

Housing Types	Maximum Density
<u>Medium Density</u> Residential building containing more than 4 units	40 units per gross hectare

15) Replacing Section 3.4.3.1.1 with:

3.4.3.1.1 The Town considers development of more than 40 units per gross hectare to be high density residential development. High density residential development may be permitted in the Residential designation, Core Commercial designation and Highway Commercial designation, subject to the following policies:

16) Deleting Section 3.4.3.2 and Section 3.4.3.2.1.

17) Adding new Section 3.4.3.3.4:

3.4.3.3.4 High density residential uses shall be permitted in the Highway Commercial designation as an integral part of a commercial establishment provided the uses are compatible and they do not constitute a safety hazard.

18) Deleting the following from Section 3.4.4.1.1:

The establishment of new or expanded Mobile Home Park areas and the conversion of seasonal recreational trailer parks or recreational camping facilities for permanent year-round habitation will require an amendment to this Plan. Proposals for new, expanded or converted Mobile Home Park areas must be accompanied by a Planning Report.

19) Adding new Section 3.8.3.2:

3.8.3.2 Low-density residential uses shall also be permitted where full municipal services are provided to promote diversification of housing and efficiently use the current recreational land, resources, infrastructure, and public service facilities, and support the use of active transportation.

20) Deleting “shall require an Official Plan Amendment and” from Section 3.8.4.2.1.

21) Replacing Section 3.10.3.1 with:

3.10.3.1 Permitted uses shall be limited to those commercial establishments offering goods and services that primarily serve the entire Town and surrounding market area. Permitted uses include but are not limited to retail commercial establishments, offices, personal service establishments, banks, places of entertainment, assembly halls, hotels, motels, child care centres, community facilities, public uses, recreational uses, restaurants, convenience stores, residential units accessory to the commercial use on the main floor, and medium and high density residential development in accordance with the medium density and high density residential development policies of this Plan. Home-based child care and unlicensed child care in legally existing single detached and semi-detached dwellings are permitted.

22) Adding new Section 3.12.3.3:

3.12.3.3 Medium and High-density residential uses shall be permitted in accordance with policy 3.12.4.1.5 and the medium density and high density residential development policies of this Plan.

23) Replacing Section 3.12.4.1.5 (currently incorrectly labelled as 3.11.4.1.5) with:

3.12.4.1.5 Residential units as accessory uses shall be permitted on commercial lands as an integral part of a commercial establishment provided the uses are compatible, they do not constitute a safety hazard and off-street parking is provided.

24) Replacing Section 3.12.2.1 with:

3.12.2.1 To encourage Highway Commercial developments that do not adversely affect the commercial activities contained in the Core Commercial designation and encourage medium and high density residential development where compatible with the commercial use.

25) Adding the following at the end of Section 6.1.1:

and the Bruce County Official Plan may be referred to as the applicable policy framework where specific policies are not outlined in this Plan.

26) Removing the duplicate reference to "Record of Site Condition" and adding the following to the list of supporting information in Section 6.3.4:

Any additional required assessments, evaluations, reports, statements, studies or plans as requested by the Province of Ontario, County of Bruce, Town of Saugeen Shores, or any agency at the sole discretion of the Town.

27) Replacing Section 6.7.1 with:

6.7.1 The Town may adopt design guidelines applicable to the Town as a whole or for specific areas, land uses and or built form to encourage a high standard of urban design. The goals and policies of such Guidelines are to preserve the identity of the unique communities that jointly form the Town of Saugeen Shores and contributes towards a strong community design that is liveable and safe with a greater sense of place.

28) Replacing Section 6.11.1 and Section 6.11.2 with:

6.11.1 In accordance with the Planning Act, Council may pass a By-law applying the use of a Holding symbol (H) in conjunction with any zoning category in the Zoning By-law. Where such Holding (H) symbols are applied, no development or new use shall be permitted on such lands unless otherwise permitted in the Zoning By-law or until such (H) symbol is removed by amendment.

6.11.2 The Holding (H) symbol shall be applied to the specific lands where such lands are zoned for their future intended use until such time as certain objectives are met. The objective of applying a Holding Provision to the identified lands is to ensure that:

- a) the appropriate phasing of development or redevelopment occurs;
- b) development does not proceed until services and utilities are available to service the development; and/or,
- c) agreements respecting the proposed land use or development are entered into.

29) Adding new Section 6.12.6:

6.12.6 The Town may prepare a feasibility study in support of eligible, designated projects pursuant to the Tax Increment Financing Act and may implement such tax increment financing measures as authorized under the Act.

30) Replacing Section 6.15 with:

6.15 LEGAL NON-CONFORMING USES

6.15.1 Intent of the Official Plan

6.15.1.1 Existing uses that do not conform to this Plan shall be gradually phased out to bring the affected land use into conformity with the Official Plan and the intent of the Implementing Zoning By-law. As per the Planning Act, this Plan recognizes legal non-conforming permissions where an existing, legal, non-conforming use may continue regardless of this Plan and the Zoning By-Law. In some instances, it may be necessary and practical to allow the repair, strengthening, alteration or reconstruction so long as such repair, strengthening,

alteration or reconstruction does not increase the height, volume or extent of non-conformity or non-compliance of the use, building, or structure. In the case of non-conforming uses in natural hazard areas, height and volume may be increased provided the natural hazard features have been adequately addressed to the satisfaction of Saugeen Valley Conservation Authority and Town staff. Reconstruction may also occur provided such use is further from the source of the natural hazard.

6.15.1.2 Applications for the enlargement, extension or alteration of non-conforming uses shall be considered by way of an expansion to a legal non-conforming use application or Zoning By-law Amendment in which the Committee of Adjustment or Council shall have regard for the following principles:

- a) The feasibility of acquiring the property for holding, sale, lease or development by the Town for a more appropriate permitted use; and,
- b) The possibility of relocating the non-conforming use to another site.

31) Replacing Section 6.17.1 and Section 6.17.2 with:

6.17.1 The Town shall regularly review and monitor this Plan to ensure alignment with Provincial direction, consistency with the Planning Act, and to address emerging community needs.

The review shall consist of an assessment of:

- a) Changes in legislation and policies including conformity with the County of Bruce Official Plan and their effect on development in the Town;
- b) Strategic direction forming the Policies of this Plan and the degree to which they have been met;
- c) Community needs as a result of changes in demographics, technology, social, economic or environmental factors;
- d) Effectiveness of this Plan in protecting water quality, natural and cultural heritage resources, natural resources and habitat and the environment;
- e) Availability and location of lands for urban development that maintains a desired balance of commercial, industrial and residential lands including that of attainable and affordable options; and
- f) Appropriateness of infrastructure to accommodate planned urban development.

32) Replacing Section 6.23.1 with:

6.23.1 Secondary Plans establish a detailed planning framework applied to a specific area in support of the general policy framework established in this Plan.

33) Replacing Section 6.29.1 with:

6.29.1 Zoning by-laws are important tools used by municipalities to implement land use regulations in accordance with the Planning Act. The Town of Saugeen Shores Comprehensive Zoning By-law shall be reviewed following the approval of this Plan by the County of Bruce to ensure that it implements the policies of this Plan.

6.29.2 As per the Planning Act, the Town may delegate the authority to pass minor bylaws to a committee or an authorized municipal officer, provided that all notice and public meeting requirements are met and in accordance with the following:

- a) Delegated authority is limited to the following:
 - (i) applying or removing Holding "H" symbols;
 - (ii) temporary use by-laws; and
 - (iii) minor administrative amendments, such as zoning amendments to reflect minor lot boundary adjustments.
- b) Council may apply conditions to its delegation of authority.

34) Adding new Section 6.32:

6.32 INCLUSIONARY ZONING

6.32.1 The Town of Saugeen Shores may work to develop inclusionary zoning policies in the Built-up Area to require affordable housing units through the development process and to ensure their affordability for a specified time period.