



## Planning Report

**To:** Town of Saugeen Shores Council

**From:** Julie Steeper, Intermediate Planner

**Date:** April 22, 2025

**Re:** Local Official Plan Amendment L-2023-013 and Zoning By-law Amendment Z-2023-050 (Patel)

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### Recommendation:

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

That Council adopt By-law 38-2025, for Local Official Plan Amendment - L-2023-013 (Patel), and that it be forwarded to Bruce County for approval; and

That Council approve Zoning By-law Amendment - Z-2023-050 (Patel) and By-law 39-2025.

### Summary:

The purpose of the application is to amend the Town's Official Plan and the Zoning By-law to add site-specific provisions to the Highway Commercial designation and 'Highway Commercial (HC)' zone. If approved, the amendments would facilitate a mixed commercial and high-density residential building on the subject lands. The proposed five storey building would consist of a ground floor commercial unit and 27 accessory apartment units on the upper floors.

The by-laws associated with this report are included in the By-law section of the Agenda.

The property is located west of Highway 21 (Goderich Street), north of Mary Street, within the Town of Port Elgin. The site is surrounded by mixed commercial and residential uses.

## Airphoto



1032 GODERICH ST - PLAN 111 PARK PT LOT 18;GODERICH  
Town of Saugeen Shores (Port Elgin Town)  
Roll Number 411046000300300

[illegible]



## Images of the Site



## Planning Analysis:

The following section provides an overview of the planning considerations that were factored into the recommendation for this application, including relevant agency comments (attached), and planning policy sections.

## Efficient Use of Land and Infrastructure

The Provincial Planning Statement (PPS) supports the vitality and long-term sustainability of settlement areas. The PPS directs that the majority of growth and development should occur in these areas. The PPS also encourages the development of mixed densities and land uses that make the most efficient use of land and resources. The PPS encourages intensification, a range of housing types and tenures, and a compact form of development where it can be appropriately accommodated. Directing new development and intensification to settlement areas is supported to ensure the wise use of land and resources, to promote efficient development patterns, protect resources (e.g., natural and agricultural), ensure effective use of infrastructure and public facilities, and minimize unnecessary public expenditures.

The Bruce County Official Plan designates the subject lands Primary Urban Communities. The Town of Saugeen Shores Official Plan designates the lands Highway Commercial. The goals and objectives of both the County and local Official Plans direct much of the future growth to Primary Urban Communities, such as Port Elgin, to support the efficient use of land and infrastructure.

Currently, the site is vacant and is partially paved. The applicant is proposing a five-storey mixed-use building with a commercial unit and ground floor parking on the main level and 27 residential apartment units on the upper floors. The site has immediate access to an urban arterial road (Highway 21/Goderich Street) and will connect to existing municipal services. The proposal supports the efficient use of land and infrastructure.

## Mixed Uses

Through an amendment to the Town's Official Plan in 2024, medium and high-density residential uses are now permitted in the Highway Commercial designation provided those residential units are accessory to a commercial use, the uses are compatible and off-street parking is provided. Permitted commercial uses include, but are not limited to, offices, retail stores, food stores, restaurants, hotels/motels, outlet stores, home improvement stores and automotive uses.

The subject lands are currently zoned 'Highway Commercial (HC)' in the Town of Saugeen Shores Zoning By-law. The 'HC' zone is intended to establish areas for the location of large-format retail and commercial uses which require high visibility, larger buildings/floor space, open storage, and increased parking requirements than can be found in other commercial areas. The 'HC' zone permits a broad range of commercial uses and also permits accessory dwelling units in accordance with the provisions of the Zoning By-law.

The proposal includes commercial on the main floor that will be unable to meet the minimum size requirement in the Town's Official Plan and Zoning By-law. The minimum gross floor area for stand-alone retail, office, and food stores in the Highway Commercial designation and 'HC' zone is 300 square metres. The applicant is proposing a commercial unit 160 square metres in size which is a difference of 140 square metres. A local Official Plan Amendment and Zoning By-law Amendment are required for this reason. The predominant use of land in the highway commercial area is for larger format commercial

uses, which because of space and parking demand are not compatible with the compact nature of the core areas, which are dependent upon a high degree of access and visibility to vehicular traffic on main roads. In this case, the subject property is constrained in size and would not be able to accommodate a cluster of buildings or large format businesses. There are some properties in the highway commercial areas of Port Elgin and Southampton that are not conducive to large format retail or commercial uses due to their size or context despite their proximity to Highway 21/Goderich Street. The reduced commercial footprint ensures compatibility with the residential units on site. Smaller commercial units provide for greater integration with the characteristics of residential uses. Several different commercial units and sizes are available within the Powerlink building which is directly adjacent to the subject site. The commercial uses on site are restricted within the proposed zoning bylaw amendment.

The Zoning By-law states that accessory dwelling units shall be located behind a non-residential unit on the first floor or below a non-residential unit on the first floor or entirely above the first floor of the building, with exception to the entrance or entrances to the dwelling units. The applicant is requesting that Section 3.6.1 Accessory Dwelling Units respecting the minimum lot size and lot frontage for accessory dwelling units located in a non-residential building not apply to the proposal. Section 3.6.1 b) and c) in the Zoning By-law would require 500 square metres in lot size and 15m in lot frontage for each dwelling unit. The subject lands are +/-2908.5 square metres with a frontage of +/-30.48m which meets the minimum lot area and frontage provisions in the 'HC' zone. Section 3.6.1, however, would require the site to have an additional 10,591.5 square metres of lot area and an additional 374.52m of lot frontage for the 27 proposed residential units. The provisions are intended to ensure sufficient space on a site for the proposed commercial and residential uses. The Zoning By-law previously only permitted one accessory residential unit in 'HC' zone but was amended in 2024 to allow for more than one accessory residential unit. The provisions requiring additional lot area and frontage per residential unit were not amended in 2024. This was intended to allow mixed use proposals to be evaluated through a Zoning By-law Amendment to ensure an appropriate development scale for the size of the site. The applicant has provided considerations in the design of the building in order to accommodate the required parking and to facilitate the size of the proposed mixed-use development. Allowing relief from the minimum lot area and frontage requirements of Section 3.6.1 b) and c) are appropriate for this project. It would be considered adequate given the proposal is considered an infill development on an existing lot of record.

#### [Additional Zoning By-law Amendments](#)

The applicant is seeking relief from other provisions of the Zoning By-law, specifically a reduced rear yard setback, increased front yard setback, increased lot coverage, and reduced percentage of landscaped open space in the front yard.

The applicant is requesting a reduction to the minimum rear yard setback. The Zoning By-law requires a minimum rear yard setback of 10m whereas the applicant is proposing 3m. The applicant is requesting relief for 7m. The purpose of a rear yard setback is to ensure sufficient amenity space and to provide separation between multi-storey buildings and

adjacent uses. The property to the rear contains Elgin Lodge, a two-storey retirement residence. The applicant has attempted to limit the impact of the reduction by only requesting the reduced rear yard setback to the ground floor parking level. The residential use of the building on the upper floors is proposed to maintain the minimum 10m setback. An outdoor terrace is proposed above the parking level in the rear yard for use by the residents in the building. Parking on the surface of the site would be permitted within that distance to property boundaries. In this instance, the parking spaces are being incorporated within the building itself. The applicant is also proposing a 6ft/1.8 m-high privacy fence to provide screening along the property boundary. Given these considerations, it is considered reasonable to allow the requested relief.

The proposed structure will exceed the maximum front yard setback in the 'HC' zone. The Zoning By-law allows a maximum front yard setback of 20m whereas the applicant is proposing 25m. The intent of maximum front yard setback is to encourage walkability and prevent parking dominating the front of the site. The setback ensures that building and commercial uses are visible and accessible from the street. The applicant has requested relief in order to accommodate two rows of parking, and a maneuvering aisle between the spaces. A walkway is proposed to be located at the front of the development. The request would facilitate and support the access and parking for the commercial use. The purpose and intent of the maximum front yard setback is being achieved.

The applicant is seeking to increase the lot coverage in the 'HC' zone from 35% to 45% for the proposed mixed use development. This is an increase of 10% and considered reasonable given an apartment building in the comparable 'Residential Fourth Density (R4) zone' is permitted a maximum lot coverage of 45%. Lot coverage helps ensure that a lot maintains permeable surfaces for drainage and allows for amenity space. In this case, the applicant is proposing an underground stormwater management system and is proposing an outdoor amenity space above the parking. There are also landscaped planting strip incorporated into the design. The intent of the lot coverage is being maintained through the development concept design.

The applicant is also seeking to reduce the percentage of landscaped open space in the front yard. The special provisions of the 'HC' zone (Section 13.4.4) require at least 50% of the required landscaped open space to be located in the front yard or in front of the main building on the lot, whichever is farther from the front lot line. The applicant has requested relief in order to accommodate two rows of parking, and a maneuvering aisle between the spaces. The request would facilitate and support the access and parking for the commercial use. The Zoning Bylaw requires 30% of the lot be Landscaped Open Space and the applicant is proposing 40%. The development is exceeding the landscaped open space requirements for the site overall. There is a 3m planting strip proposed to be located at the front. The purpose and intent of landscape open space is being achieved through the proposal.

The relief requested for the above-mentioned differences in the zoning provisions are not anticipated to create any negative impacts.



## Traffic Impact Study

The existing entrance for the site is located on Highway 21 (Goderich Street) which is an arterial road. The Official Plan policies state that all new development along arterial roads must consider the impact of the proposed use on the functioning of those roads. A Transportation Impact Assessment was conducted as part of this application. The study provided an analysis of existing traffic conditions and assessment of potential traffic impacts with recommendations regarding the proposed development. The study concluded that the development is forecasted to operate within acceptable service levels except for exiting movements during PM peak hour. However, the volumes forecasted exiting are to be low and capacity to accommodate the movement is anticipated. The recommendations indicated that a traffic digital control would not be warranted. A digital control typically refers to signalized traffic control mechanisms that are electronically controlled such as lights, or vehicle detections systems, etc. A northbound turn lane at the proposed driveway on Goderich Street would not be warranted.

## Parking

Regarding parking, the applicant is proposing 8 bicycle and 40 vehicle parking spots. 3 parking spots will be designated accessible. The zoning bylaw requires 6 bicycle, 35 vehicle, and 2 accessible parking spots. Parking is calculated based off the number of units and requires an additional spot for every 8 units for visitor parking. This requires 27 for residential units and 4 additional for visitor parking spots. The number of spots for the commercial use are calculated based off office use which requires 5 parking spaces. The parking for the commercial use is proposed to be provided on the surface level and the parking for the residential use is proposed to be contained within the building. The applicant is exceeding parking requirements. The applicant has demonstrated through design that the subject property can accommodate the required vehicular and bicycle parking for both the commercial and residential development components of the proposal.

## Water and Sewer Services

Full municipal services are the preferred form of servicing in settlement areas. All Highway Commercial uses shall be serviced with municipal water and sewage services unless otherwise approved by the Town. Municipal water and sanitary services are proposed. The proposed water and sanitary services will be connecting to the existing watermain and sewer line along Goderich Street. The proposed development will be serviced by a 200 mm diameter PVC sewer lateral that will be connected to a new manhole at the front property line with an outlet and connection to the existing sanitary manhole and 250 mm diameter sewer that is located within the sidewalk along the west side of Goderich Street. The proposed development will be serviced with a new 150 mm diameter PVC water service that will be connected to the existing 250 mm diameter watermain located on Goderich Street. A hydrant is required to be located within 45 m of the proposed fire department connections that is proposed to be located on the south side of the office building. A fire hydrant will need to be installed on the property.



## Stormwater Management

The Official Plan policies also require stormwater management through new development proposals to control the quantity, quality and erosion potential of stormwater to mitigate impacts to surrounding lands, municipal infrastructure and the environment. The site is generally graded flat across the property. The proposed development will be serviced with a new stormwater drainage system consisting of catch basins and a minimum 300 mm diameter storm sewer pipe that is proposed to discharge into infiltration galleries that will be placed throughout the site. The depth of the existing storm sewer on Goderich Street and the existing soil conditions are the reasons the applicant is proposing infiltration galleries. The rear and sides of the property are not able to accommodate the overland flow route due to the site topography and proposed building design. The consulting engineer considers the total runoff from the rear and sides of the property to be minor given these areas are proposed to be largely pervious. No comments of concern were received from the Town and details regarding the system will be addressed through site plan control.

## Archeological Potential

The County and Town of Saugeen Shores Official Plan identify 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.

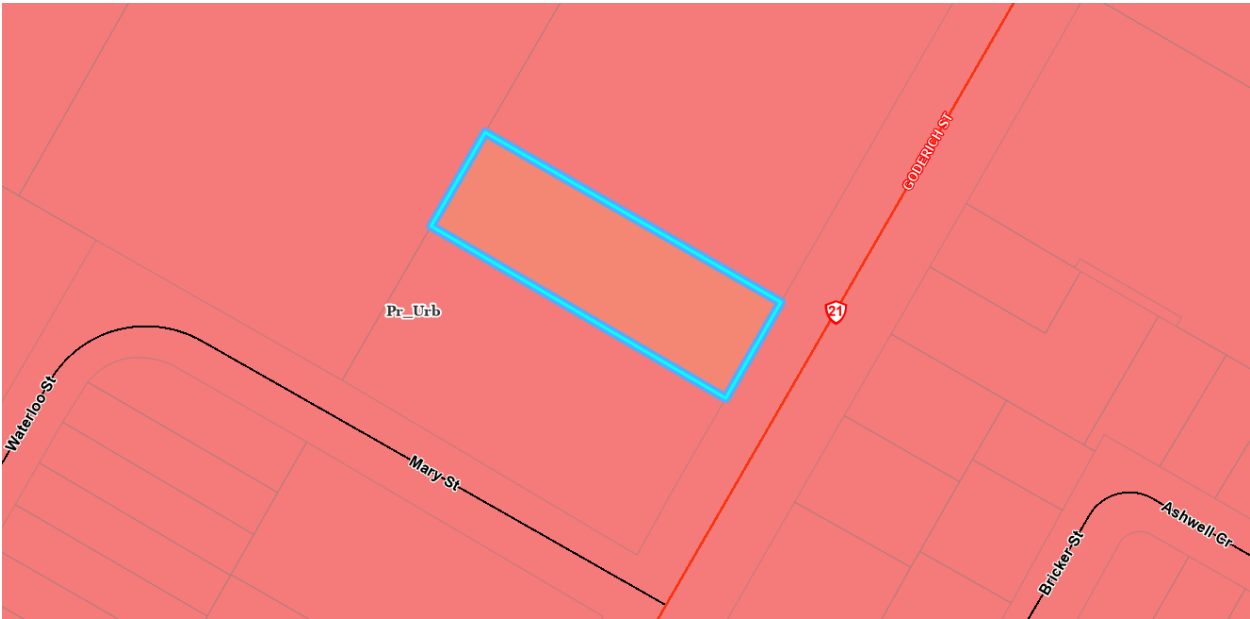
For this project, a Stage 1 and 2 Archaeological Assessment was prepared in support of the subject applications as the lands fall within an area of high archaeological potential. No archaeological resources were identified in the study area during the Stage 2 assessment. The report concluded that no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

The Archaeological Assessment has been provided by a qualified individual; the appropriate Ministry has accepted and registered the assessment. This implements Provincial and Official Plan policies.

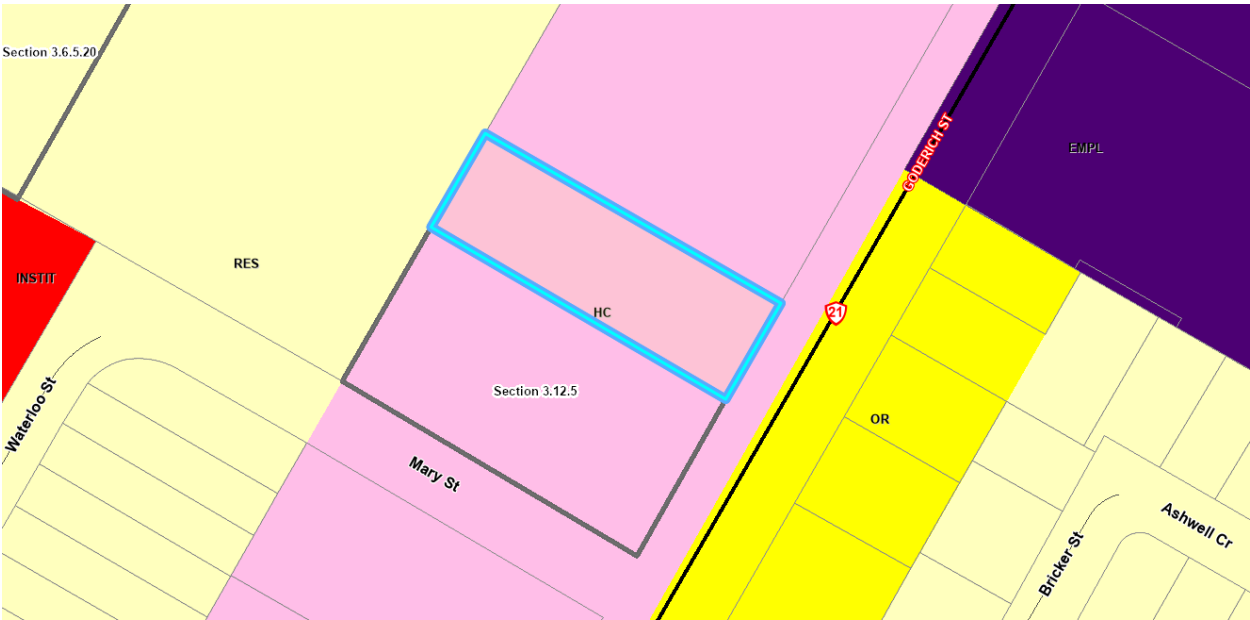
## Appendices

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

County Official Plan Map (Designated Primary Urban Communities)



Local Official Plan Map (Designated Highway Commercial 'HC')



## Local Zoning Map (Zoned Highway Commercial 'HC')



## List of Supporting Documents and Studies

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

- Stage 1 and 2 Archaeological Assessment prepared by TMHC Inc
- A Functional Servicing Letter prepared by Cobide Engineering Ltd.
- Traffic Impact Study completed by Paradigm Transportation Solutions Limited.
- Cover Letter with updated Amendments prepared by Cobide Engineering Ltd.
- Planning Justification Report Third Submission prepared by Cobide Engineering Ltd.
- Functional Servicing and Stormwater Management Letter Third Submission prepared by Cobide Engineering Ltd.
- Photometrics Third Submission prepared by Cobide Engineering Ltd.
- Architectural Drawings Third Submission G.M Diemert Architect Inc.
- Engineering Drawings Third Submission prepared by Cobide Engineering Ltd.
- Letter From Agent Town Comments prepared by Cobide Engineering Ltd.
- Survey prepared by Genesis Land Surveying Inc.
- Site Plan prepared by Cobide Engineering Ltd.

## Agency Comments

Town of Saugeen Shores: The Town has reviewed the above noted application and supporting materials and offer the following comments.

Mixed-use commercial/residential developments that will maintain commercial uses and add rental units to the housing supply are generally supported. This development is designed to be high-density, and represents an efficient use of land, infrastructure, and services. The Town is interested in ensuring that proposals along Goderich Street / Highway 21 enhance the qualities and character of the corridor. To effectively facilitate the anticipated growth and limit negative visual impact, when reviewing development proposals, Scale & Massing, Building Height, Setbacks, Building Orientation, Landscaping and Parking are reviewed closely.

It is noted that the application was submitted prior to the implementation of the Provincial Planning Statement (PPS, 2024), and that there have been housekeeping amendments to both the Town's Official Plan and Zoning By-law. The Agent representing the owner/applicant has provided additional correspondence to be considered in conjunction with the Planning Justification Report to address how the changes in legislation and local planning documents have impacted the proposal.

- The Cobide letter dated January 23, 2025 is indicating the proposed building height is 18.75 m, which differs from the 17.5 m height noted in the supporting materials. The proposed building height should be confirmed, as it will determine the required setbacks, as per Section 3.10.4 a) of the Zoning By-law, which state:
  - iv. Buildings at 17.5 metres shall have an interior side yard setback of 9 m and a rear yard setback of 10 metres
  - v. Buildings at 20.0 metres shall have an interior side yard setback of 11 m and a rear yard setback of 12 metres
- If the building height is above 17.5 m, addition relief for the interior side yard will be required, and the required setbacks should be updated in the Zoning Matrix.
- All parking is underground with restricted access for firefighters. Consideration should be given to a second access point. Charging stations and electric vehicles should also be prevented within parking garage.
- A drop curb should be included for accessibility on the southerly sidewalk (with tactile plates, if possible), with delineation of a crosswalk to account for changes in grade.

- Confirmation of the stormwater treatment device used for collected water within the parking garage catch basins should be given to the Town before construction. Location, connections, and pipe routing to also be confirmed prior to construction.
- The Section 3.24.12 Bicycle Parking provisions of the By-law should be reviewed, and the Zoning Matrix and site plan updated. A total of 7 bicycle parking spaces are required for the site, 1.8 m in length and 0.6 m in width.
- The lands are subject to Site Plan Control, and further input will be provided by the Town at the design stage. The following should be considered:
  - The sidewalk from Goderich Street should lead to the building.
  - Street Trees along within the planting strip along Goderich Street should be incorporated into a Landscape Plan and submitted with the Site Plan Control Application.
  - Wooden fencing is proposed. The use of more durable/robust fencing materials should be considered.
  - The Subdivision and Site Plan Development Guide should be referred to, specifically Appendix K - Highway 21 Corridor Site Plan Design Guidelines. The property is within the Highway Commercial District, and the proposal should align with the area-specific guidelines.
  - The Port Elgin Toolkit can be referred to for design. The materials referenced within the Toolkit should be incorporated into the façade, where feasible, to create visual interest and alignment with the community's brand.

Risk Management Office (Source water): no policies apply to the activities identified in the application, under the approved Source Protection Plan for the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region (effective July 1, 2016). However, it is important to note that the above property is located within the Events-based Area for the Southampton Drinking Water System, whereby the storage of fuel greater than 22,500 litres is regulated.

Historic Saugeen Métis (HSM): Lands, Waters and Consultation Department has reviewed the relevant documents and has no objections to the proposed Local Official Plan Amendment as presented.

### Public Comments

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