



**The Corporation of the Town of Saugeen Shores
Regular Council Meeting Minutes**

**Monday, October 20, 2025, 6:30 p.m.
Council Chambers
600 Tomlinson Drive
Port Elgin, Ontario**

Present: Luke Charbonneau, Mayor
Diane Huber, Deputy Mayor
Mike Myatt, Vice Deputy Mayor
Dave Myette, Councillor
John Divinski, Councillor
Cheryl Grace, Councillor
Bud Halpin, Councillor
Rachel Stack, Councillor

Members Absent: Justin Duhaime, Councillor

Staff Members: Dawn Mittelholtz, Clerk
Mark Paoli, Director, Development Services
Jay Pausner, Manager, Planning and Development
Candace Hamm, Development Services Officer
Ashlynn Kennedy, Licensing and Records Clerk

1. Call To Order

Mayor L. Charbonneau called the meeting to order at 6:30 p.m.

2. Land Acknowledgement

Councillor B. Halpin read the land acknowledgement.

3. Disclosure of Pecuniary Interest and Nature

No pecuniary interests were declared.

4. Additions, Deletions, Amendments

None.

5. Adoption of Minutes

6. Public Meeting

6.1 Zoning By-law Amendment – Z-2024-030 and Minor Revision to Draft Plan of Subdivision - 41T-89017 (Southampton Landing)

Council received a report regarding an application that is to amend the Town's Zoning By-law to add site-specific provisions to the Highway Commercial (HC) zone. If approved, the amendments would facilitate a mix of commercial and residential uses on the subject lands. A H-holding removal is a part of this application and removes the H from subject site and the remainder of the subdivision. A minor revision to the Draft

Approved Plan of Subdivision is being processed concurrently with the Zoning By-law amendment application. The by-law associated with this report is included in the By-law section of the Agenda.

Mayor Charbonneau declared the public meeting open and indicated the purpose of the public meeting.

Mayor Charbonneau asked if any members of the public would like to address Council on this matter.

Julie Steeper, Planner, Bruce County, and the Emily Elliot, Planner for the Applicant provided a brief overview of the report.

Members of the Public had the following comments/questions:

- Dan Vilneauve, a member of public, made a comment regarding access to Highway 21 from McNab and there has been a request for a traffic light to be put in. There is a concern that adding another entrance onto the highway will create a “bottleneck” situation. There is a concern that Lake Forest and Marshall Place will be used as a throughway. Concerns were raised regarding the potential for a commercial business, such as a body shop.
- Rosemary Edgar, a member of public, raised concerns regarding the increased traffic, specifically, Highway 21, as it is already a dangerous road, particularly in the summertime. Concerns were expressed regarding the potential commercial zoning and the increase of residential units, and the access to the highway.

There were no other members of the public wanting to speak to Council.

There were no additional written submissions.

Council members had the following clarifying questions:

- A question was raised regarding the minor change of height from 12 meters to 14.5 meters. It was confirmed that was correct.
- A question was raised regarding who will build the 25 meter left turning lane. It was confirmed that the developer is required to construct the southbound turning lane from the highway into the unit. Additional questions were raised regarding opening Lake Forest Drive to the highway to avoid traffic going through the residential area and if the road construction will come before the building construction. It was confirmed that constructing the road first can be discussed and negotiated at the subdivision agreement stage. Staff can make comments on the phasing and indicate the different pieces of development that should advance. Staff will have those discussions with the developer.
- There were questions raised regarding Block's 94 and 97 and the connection between the different public areas, particularly the park. It is understood that in the original plan, Block 97 was originally deeded to the Town but it would be transferred to public land. This land is about 61 meters by 6 to 7 meters, and what would the public be getting in return. It is hard to make out where Block 94 is on the bigger site. It was confirmed that Block 94 is not close to the subject of the current proposal, and it may have already been conveyed to the Municipality through earlier phases. Block 97 was originally assigned for a utility purpose, however, that is no longer required. The Block could form part of a proposed development which could be for a future amenity space. It is proposed to be added to Block 92, the commercial block, connecting to the public street and adjacent lands. There is no loss in terms of public amenity and parkland dedication provided to the Town in accordance with the *Planning Act*. Since it was a utility corridor that

it did not provide a recreation or amenity function. Access to the public park is off Peel Street.

- A question was raised regarding removing the holding provision from the R1 zones in phase three. It was confirmed that holding will be removed from the entire subdivision regarding the Storm Water Management report within this application. It was clarified that the holdings will be removed from the R1 zones in phase three of the plan of subdivision.
- A question was raised regarding the prohibited commercial uses listed within the report. It was confirmed that if the property changes hands before the development is complete that the provision of the by-law will apply. The prohibited uses will be established in the by-law and will form part of the zoning to the property.
- A question was raised regarding the gas bar prohibition given the proximity to the water intake at the end of Bay Street and the inclusion of the source water protection authority is governing that particular use. It was confirmed that the by-law does not speak to source water, only the use. Prohibiting the use will identify it as being prohibited for this development and any future development for this site.
- A question was raised regarding the differently options for designed from the applicant and the staff and council involvement going forward. It was confirmed that prior to the site plan control process, finalization of the approval of this phase of subdivision will be brought back to council regarding the negotiations on the subdivision agreement.
- A question as raised regarding the Transportation Impact Study and the direction traffic will be able to exit from Lake Forest Drive. It was confirmed that there is southbound lane to turn into the property but there are no restrictions on left or right turns exiting the property.
- A question was raised regarding 2%-5% parkland dedication that is owed to the Town. It was confirmed that the Planning Act specifies the parkland dedication and indicates that the Town can seek up to 5% for residential lots and 2% for commercial. The percentage the Town can seek will be based on the breakdown of commercial use verses residential use. Parkland dedication has been covered off for the entire subdivision, but the numbers will be checked to ensure that the request falls within the permitted allowance.
- A question was raised regarding the number of parkland dedications on the map, specifically if Block 95 is different from the parkland that was dedicated many years ago. It was confirmed that based on the draft plan, Block 94 is parklands and Block 95 is the environmental hazard area. Both blocks constitute the entire dedication to the Town. Block 94 contains more of the open space whereas Block 95 connects into the street at the south end.
- A question was raised regarding the storm water retention pond for the entire development, phase 1, 2, and 3. It was confirmed that the intent is that storm water will be directed from phase three to the same storm water pond.
- A question was raised regarding the height of the apartments and condos further north, at the corner of Adelaide or the newer one's further south that were recently built. It was confirmed that the apartments at Adelaide and the highway are four storeys, exceeding the normal standard of 12 meters. Based on the new

apartment's zoning, it is permitted that those buildings are taller than 10 meters, as the buildings are inline with the existing highway commercial buildings.

- A question was raised regarding how and when the development concepts are chosen. It was confirmed that the design is finalized at site plan control.
- A question was raised regarding the access to the development from Highway 21 and if there will be a turning lane on Highway 21. It was confirmed that yes, there will be access from Highway 21 to Lake Forest Drive. The traffic study indicated that a turning lane is required.
- A question was raised regarding the reasoning behind the choices of the additional commercial uses. It was confirmed that the list was based on the permitted uses in the commercial zones of the zoning by-law and selected those that were neighborhood commercial type uses and restricted those that require larger sites and higher traffic, like an automobile service station.

In the absence of any further questions, Mayor Charbonneau declared the public meeting closed.

Council had the following comments:

- A comment was made regarding the proposed height of the development, even though it is almost 50% higher than what would be allowed, it is the right place for a development with height. It is adjacent to the highway. Residential and commercial mixing is the way of the future, however, there is concern about changing the zoning from highway commercial to something else. There is a stretch through Southampton that does not have potential for any highway commercial on the west side of the highway because there are residential units almost right to the highway, and you have the rail trail there. The other end of Southampton, one side of the highway is the river, and there are not any big areas that can be developed. This is really the only highway commercial zoned land that is left along the stretch of the highway coming in from the south. The point of having highway commercial zoning is to have space for large developments. Neighbour commercial activity is supported but there will not be an opportunity for anything larger if the zoning is changed. It was suggested that the developer continue to develop the stretch along the highway up on the berm. Originally it was mentioned that the raised area above the highway was going to be significantly landscaped because that was the entrance into Southampton. This is one of the few spots that has highway commercial potential in Southampton.
- A comment was made regarding the location of highway commercial and that it being on the highway is the perfect place. It is positive to have mixed commercial and residential, and it is not a new concept. It is a good use of lane and density. Based on the traffic study, there will be a turning lane going into the development and the study may have looked at the neighborhood to determine any features that can be designed to assist with traffic control. It is a good proposal, and council will have an opportunity to look at the development again during site planning. There is support for this project.
- A comment was made regarding the zoning by-law and its purpose when minor variances are continued to be requested. Amendments and variances are being made frequently and they are not always minor in nature.

- A comment was made regarding the transportation impact study and its accuracy. It was noted that it would be helpful to see terms of reference on how the study is conducted, since they are relied very heavily on the study. It is not clear who hires the assessment agency.
- There is a concern that there are a number of new buildings being approved but there continues to be a high vacancy rate and rent is still at the \$2,200 - \$2,500 mark. There is a lot of community feedback, which is not always positive and there does not seem to be a lot of benefit to the community with these large-scale buildings. It was noted it would be beneficial to see the affordability and vacancy data with all these buildings. There is no data to determine if Council is making the right decisions.
- A comment was made that it is a good idea to make it commercial and residential. Even though there is a direct entrance off Highway 21 onto Lake Forest and into the development, it is a valid concern that residents will try to avoid the intersection by taking a route through the subdivision. It is positive to see the list of prohibited businesses that will apply to new owners as well.
- A comment was made regarding recommending traffic calming features through Lake Forest Drive at the site control process. It was noted that Council is not the decision-making authority when it comes to site planning and that it is reserved for the administration. It was confirmed that there are things such as landscaping in the boulevards that can be negotiated, and it can be explored if necessary. There may be an opportunity at the subdivision agreement stage to look at traffic calming measures.
- A comment was made regarding the further involvement of Council in terms of decision making. It was confirmed that Council will be involved with the subdivision agreement and site plan control application. The subdivision agreement is executed by Council and site plan control applications are presented to council for their input and feedback. If there are recommendations or changes needed those are discussed with the developer before it goes to the CAO for final approval.
- A comment was made regarding the potential of the land being developed without Council's input as it is zoned for development. The developer could go ahead with building a highway commercial development and traffic would head in and out of that development into surrounding subdivisions, causing a fair amount of traffic. There was not really a choice about whether or not to develop the land, the developer has a right to develop the land without it coming to Council. The question is about whether or not the residential component should be added and there is not a compelling reason to say no to the Application. There has been community feedback that adding residential components to commercial development is a good way to add housing to community. The traffic situation for this area is not changing from what has been long planned for this area.

Resolution Number: 288-2025

Moved by: D. Huber

Seconded by: B. Halpin

That Council approve Zoning By-law Amendment - Z-2024-030 (Southampton Landing) and By-law 99-2025; and

That Council resolve that no further notice is necessary with respect to the minor change in the proposed Zoning By-law Amendment in accordance with the provisions of Section 34(17) of the Planning Act; and

That Council provide direction to the County of Bruce Approval Authority to approve Minor Revision to Draft Plan of Subdivision - 41T-89017 (Southampton Landing) in accordance with the Draft Plan and Conditions of Draft Approval attached.

CARRIED

6.2 Zoning By-law Amendment - Z-2025-037 (Mitchell)

Council received a report regarding an application is to rezone the property to allow for two (2) additional residential units and to seek relief for the rear yard and exterior yard setbacks to the existing garage. If approved, the application would recognize an existing additional residential unit in the single detached building and facilitate the conversion of the existing detached garage into an additional residential unit at 570 Johnston Avenue in the Town of Saugeen Shores. The property is located southeast of Waterloo Street and Johnston Avenue, within the Town of Port Elgin. The site is surrounded by residential and commercial uses. The by-law associated with this report is included in the By-law section of the Agenda.

Mayor Charbonneau declared the public meeting open and indicated the purpose of the public meeting.

Mayor Charbonneau asked if any members of the public would like to address Council on this matter.

Julie Steeper, Bruce County Planner, and Ron Davidson, Planner for the Applicant provided a brief overview of the report. The Applicant, Scott Mitchell, took the opportunity to address Council indicating he did not know originally that re-zoning was required and was unaware a permit was needed. The Applicant presumed it was a renovation on an existing structure.

There were no other members of the public wanting to speak to Council.

There were no additional written submissions.

Council members had the following clarifying questions:

- A question was raised regarding the possibility for the report to be amended to include the Applicant's explanations, including that the residential unit was in the main building already constructed when it was purchased. This explanation made a difference, and it would be helpful for the public to have this context. The County Planner indicated that it was established that it was existing in the unit when it was purchased. However, the property did undergo zoning a couple years ago which addressed a single detached dwelling and at no time was an existing unit mentioned as an additional residential unit in the primary building. Although the Planner could not confirm who the owner was at the time of the re-zoning, it was believed to be the Applicant. It was confirmed that the minutes of the meeting will form part of the record.
- A comment was made that the Applicant has received quite a bit of cooperation from Council with building residential units to add to the rentals that are needed. This feels very disheartening and seems to disregard the work that has been done.
- Questions were raised regarding the green space in the boulevard that was discussed at the Council meeting on December 18, 2023 and if the concrete will be removed to allow the green space. Council was told that the asphalt adjacent to Waterloo Street was to be removed and a boulevard of grass was to be planted, however concrete was poured. The intent was that it would improve

the situation at that intersection and return it to green space, but there are still many cars that park there. The concrete can stay adjacent to the house on the property. It was confirmed that it is existing concrete that was there when the property was purchased and it was not poured. It was further confirmed that there were discussions about the green space, and it can be discussed further to remove the concrete pad.

- A question was raised regarding the property when it was purchased and if there was already an apartment upstairs. The Applicant confirmed that there was an constructed apartment upstairs at the time he purchased the property. It was further questioned if the garage was developed as an apartment unit or if it has been done since 2023 without a permit. It was confirmed that the house was rented to a family with adult children and the adult children lived on the second floor. When they left, the Applicant refreshed the residence and updated the electrical. The detached garage was insulated with sewer, water and electricity when purchased. When the adjacent lot was being developed, the existing structure was moved on top of a new foundation. Work was completed without a permit as the Applicant was under the impression that work was being done under a renovation and connecting to existing services. It was confirmed that the CBO was on the adjacent site looking at a site plan agreement and staff issued a stop work order. It was confirmed that the original proposal was that there was parking on Waterloo Street but was not appropriate based on the amount of traffic. The garage was moved to allow parking in the laneway. When the new foundation was put in, the plumbing hook ups were transferred over to the new pad and the structure was put in on top of the new pad.
- A question was asked about the zoning. It was confirmed that it is a commercial core zoning that has special provisions. It is a distinction that in the commercial core accessory dwelling units were allowed, which means those are accessory to the primary use. Additional residential units are permitted in the residential zones. There is not a commercial use, the additional residential unit is not an outright permitted use. It was confirmed that they are asking for that change.
- Questions were raised regarding the conversations in 2023, it was proposed to tear the garage down. It was chosen to be retained and moved to allow for the off-street parking, but there was not any discussion about the existing building and what was inside that building. The focus of the application was for the severance, the new building and the parking. It was further questioned about when it discovered that the property required a zoning change for the additional residential unit in the building. This property operated as a bed and breakfast in the downtown commercial zone. It was confirmed that it was determined that after the application was filed. If there was a commercial unit downstairs the apartment in the upper floor is permitted, but since there is a residential unit downstairs, the second unit is not permitted upstairs. The Planner did not interpreted the Zoning By-law that way. A planning report was filed and it dealt solely with the garage. It was brought to the attention of the Planner through discussions with the Town and County. It was at that point that the application was changed to correct what had been a longstanding non-conformance and the garage is a separate matter.
- A question was raised regarding the property being zoned core commercial and that request is to make it 100% residential. It was questioned if it could potentially be commercial and if it would trigger a conversion application or would that just happen. Would a

change of use trigger another application. It was confirmed that the current zoning of the property is core commercial special, it identifies the single detached dwelling, if a commercial proposal was to move forward, a rezoning would be required depending on the proposed type of use but potentially a Planning Act application would be required for rezoning for a different use.

- A question was raised regarding the entrance that is on the one meter set back. It was confirmed that the parking is to the side of the garage, the access to the garage at the rear which is within the one meter. Access to the physical building is the rear one meter set back. There is a request for relief of 4.3 meters. It was confirmed that the applicant needs to meet some of the comments regarding the Building Code and provided by the fire chief.
- Questions were raised regarding the two meters of relief that is being sought on the rear yard, which from the standpoint of the dwelling unit is really the front yard. Traffic is in the parking lot back up with one meter of space and if someone backed over the curb, the vehicle would be very close to the front door and if this complies with the Building Code. It was confirmed that the building official has reviewed the proposal from strictly the zoning perspective, looking at the relief required to allow the building to stay in existence where it is and be used as a residential unit. There has not been any objections or negative comments. A more detailed review under the Building Code has yet to be done. A stop work order was issued and what needs to be assessed under the Building Code for the actual structure will be undertaken after there is compliance with the Zoning By-law. The review will occur after the application is approved and the proposal can meet the Zoning By-law based on any amendments that are proposed, there will be a thorough review done by the building official. A building is not normally considered when doing zoning because the two are separate, but in this case the built form already exists and needs to be taken into consideration to avoid a situation where the existing unit can get a building permit. The building review by the building official may result in revision or changes to the structure meaning the access may not stay there. It will be a conversation between the designer and the building official to determine compliance with the code.
- A question was raised regarding the parking, originally parking could be accommodated off the road but with the additional units, parking won't be accommodated. It was confirmed that the property subject of the application has sufficient parking.
- A question was raised regarding the legal non-conforming and what has to happen to the legal non-conforming with this application. There is a need in the community for the apartment unit. It cannot be confirmed if a determination has been made on the legal non-conforming at this stage. The Building Department will review any work that has been done and evaluate what needs to be done in terms of meeting code. There are separate requirements and other criteria, it is understood that there was an existing scenario in that dwelling, typically a bed and breakfast would only have one kitchen and additional bedrooms. The building department will need to do a review to determine the number of kitchens and if a second standalone residence has been created within the dwelling. It was confirmed that if it was in fact a legal non-conforming use, there would be no discussion because it would have legal status and there would be nothing the Town could do about it, and there is not proof that it is.

In the absence of any further questions, Mayor Charbonneau declared the public meeting closed.

Council had the following comments:

- A comment was made expressing appreciation to Town staff for doing their best to reflect the decisions that are made at the Council table. However, there are still a number of items that seem to require some additional decision making. It was confirmed that it would not be task approval but it would be approval of the Zoning By-law amendments that are reflected in the Zoning By-law.
- A comment was made indicating that there are too many issues with the Application. Council has been very clear that it is not appropriate to start work without permission. Concerns were raised regarding the location of the front door being only a foot off the parking lot as snow could be pushed into it.
- A comment was made regarding retroactively approving non-conformances as it has been done previously where things have been built out of compliance and then it has been approved later. There should be a good reason for why it does not merit approval.
- A comment was made expressing support for the application because the applicant has residential units in the community and has complied. The applicant is assisting with creating residential rentals in the communities and is the intent was to take advantage of a space that was in the garage to create affordable housing.
- A comment was made to the community to ensure they speak with Town staff and the Building Department before building as there is a building permit process.
- A comment was made expressing lack of support because there appeared to be more questions than answers. It was agreed that the entrance being one foot from the parking lot was an issue to be dealt with.
- A comment was made that people build things without permits and they get approved when it makes sense, but there is no precedence. Council reviews each Application individually. The Applicant's apology for undertaking the work was appreciated. There were concerns about the reduction from three meters to one meter in the rear yard because of the access and parking lot. However there were still concerns regarding the front door being so close to the parking lot.

Resolution Number: 289-2025

Moved by: D. Myette

Seconded by: R. Stack

That Council approve Zoning By-law Amendment - Z-2025-037 (Mitchell) and By-law 100-2025.

DEFEATED

7. Report of Municipal Officers / Committees

7.1 Use of Development Agreements

Council received a report regarding reports brought by the County Planning and Development Department to County and/or local municipal Councils to provide updates or educate Council on planning matters. The report discussed the use of agreements between municipalities and proponents of development to address planning issues.

Resolution Number: 290-2025

Moved by: B. Halpin
Seconded by: R. Stack

That this report be received for information.

CARRIED

7.2 Amendment to Northport Meadows Phase 2B Subdivision Agreement

Council received a report regarding By-law 90-2025 that was passed in September, which authorized the entering into of a Subdivision Agreement with Barry’s Construction and Insulation Ltd. for Phase 2B of the Northport Meadows Subdivision (41T-2016-03.44). Certain clauses were inadvertently excluded from the agreement, which are preventing the developer from fulfilling the Conditions of Draft Approval necessary to obtain Final Approval of the subdivision. The developer has requested an amendment to the Subdivision Agreement.

Resolution Number: 291-2025

Moved by: C. Grace
Seconded by: D. Myette

That Council adopt By-law 101-2025 to amend By-law 90-2025, being the By-law that Authorized the Entering into of a Subdivision Agreement with Barry’s Construction and Insulation Ltd. for Phase 2B of the Northport Meadows Subdivision.

CARRIED

8. Consent Agenda

9. Motions and Notice of Motions

10. Closed to Public

11. Report and Business Arising from Closed Session

12. By-laws

12.1 By-law 99-2025 - Zoning By-law Amendment - Southampton Landing

12.2 By-law 100-2025 - Zoning By-law Amendment - Mitchell

12.3 By-law 101-2025 - Northport Meadows Subdivision Agreement Amendment

Resolution Number: 292-2025

Moved by: D. Huber
Seconded by: B. Halpin

That By-laws 99-2025, as amended and 101-2025 are hereby read, passed and sealed this 20th day of October, 2025.

CARRIED

13. By-law 102-2025 - Confirm the Proceedings of October 20, 2025

100-2025 defeated

Moved by: D. Huber
Seconded by: B. Halpin

That By-law 102-2025 being a By-law to confirm the proceedings of the Council of the Town of Saugeen Shores is hereby read, passed and sealed this 20th day of October, 2025.

CARRIED

14. Adjournment

Resolution Number: 294-2025

Moved by: D. Myette
Seconded by: R. Stack

That this Regular Council meeting of October 20, 2025, hereby adjourns
at 8:32 p.m.

CARRIED

Luke Charbonneau, MAYOR

Morgan McCulloch, DEPUTY
CLERK