



Planning Report

To: Town of Saugeen Shores Council

From: Coreena Smith, Senior Development Planner

Date: December 15, 2025

Re: Consent - B-2024-086 (Taylor)

Recommendation:

That Town staff be authorized to sign the Request for Verification attached for Consent - B-2024-086 (Taylor) and return the same to the County of Bruce.

Summary:

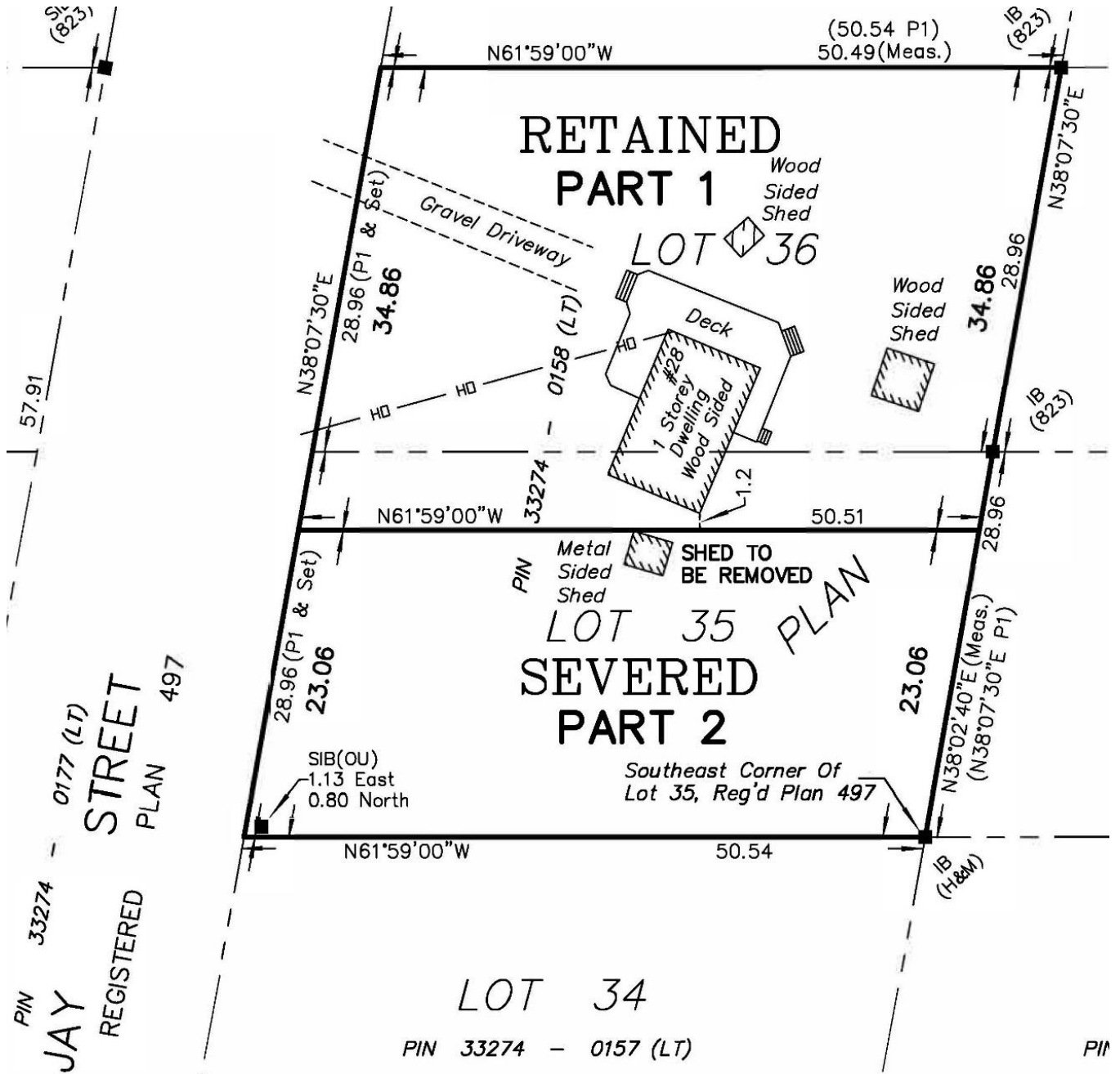
The purpose of the application is to sever a +/- 1147 m² residential lot from an existing +/- 2880 m² residential lot. If approved, the application would facilitate the creation of a vacant residential lot at 28 Jay Street. There is a proposed condition of consent which would require the proponent to enter into an agreement with the municipality regarding the level of onsite wastewater treatment that would be required for the property. Town staff recommended a report be brought forward to Town Council confirming agreement with the proposed conditions.

Airphoto



28 JAY ST - PLAN 497 LOT 36 JAY E
 Town of Saugeen Shores (Saugeen Township)
 Roll Number 411044000505200
 PLAN 497 LOT 35 JAY E
 Town of Saugeen Shores (Saugeen Township)
 Roll Number 411044000505100

Site Plan



Planning Analysis:

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application.

Wastewater Treatment

The subject lands are two lots in a historic plan of subdivision with a dwelling constructed across the lot boundary.

The application proposes to sever an undeveloped area within one of the lots to create a vacant residential lot with municipal water service and individual onsite wastewater treatment (septic) systems.

Due to the proposed lot sizes, a hydrogeological report was required in accordance with the policies of the County Official Plan.

The hydrogeological report was prepared in accordance with the provincial D-5-4 guideline, albeit the Official Plan requires that the evaluation be undertaken at the individual lot level.

The Official Plan requires that any new lots created be capable of maintaining groundwater quality, using the Ontario Drinking Water Standard for Nitrate Concentration of 10mg/l as per the provincial guideline.

The hydrogeological report indicates that using a conventional wastewater treatment system would not maintain drinking water quality as there would be insufficient area for dilution of nitrate (based on the smaller lot size). The report notes that advanced or 'tertiary' wastewater treatment systems that pre-treat wastewater to improve its quality prior to discharging it into the environment would maintain the drinking water standard for nitrate.

The Bruce County Official Plan provides the following policy 4.7.5.8.2:

ii) Development(s) that proposes to use a private individual tertiary sewage system in order to meet the 10mg/l groundwater nitrate loading at the property boundary shall be zoned to recognize that such a treatment system shall be required in perpetuity. A restriction on title, or subdivision agreement/subdividers agreement requiring a tertiary treatment system to be used in perpetuity may be required as a Condition of Consent/Conditions of Draft Approval at the discretion of the County of Bruce.

Septic Systems are regulated under the Ontario Building Code, which does not regulate nitrates. Staff has become aware of a limitation on the ability to use zoning to address wastewater treatment technologies as indicated by the Official Plan, specifically in Section 35(2) of the Ontario Building Code:

Different treatments

(2) In the event that this Act or the building code and a municipal by-law treat the same subject-matter in different ways in respect to standards for the use of a building described in section 10 or standards for the maintenance or operation of a sewage system, this Act or the building code prevails and the by-law is inoperative to the extent that it differs from this Act or the building code.

As such, a zoning by-law would not be an effective regulatory mechanism for the proposed lot. The Official Plan provides a second option, being a restriction on title or subdivision agreement. The Official Plan provides this may be required at the discretion of the County. Given the inability to effectively use a zoning by-law, planning staff recommend an agreement is necessary to address the policy expectation that the system be required in perpetuity (unless municipal sewers are extended and the development is connected).

Planning staff recognize the potential for administrative burden, and the desire to avoid ongoing agreements where possible. Agreements of this nature have been applied elsewhere, including where the Ontario Land Tribunal has approved development that would require advanced onsite wastewater treatment systems.

Condition 6 in the attached Request for Verification is recommended to address the servicing requirements. The condition proposes a registered agreement, requiring a system holding a specific certificate of nitrogen removal performance to be installed and operated on the property in perpetuity (unless connected to municipal sewers).

Bruce County is the approval authority for the consent application. County staff are seeking municipal support for the application and the proposed conditions of consent. Given Council's previous comments on the use of agreements, Town staff recommended that a report be brought forward to Town Council.

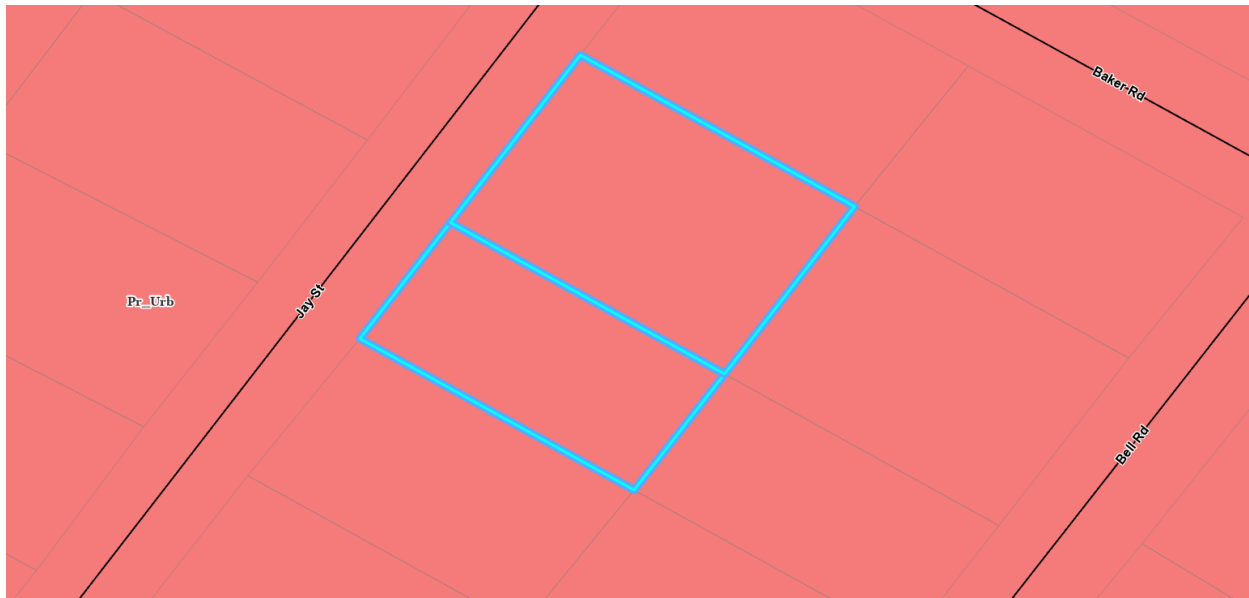
Unless there are specific concerns with the conditions, the next steps for the application are verification of the conditions by Town staff and delegated approval of the consent by County staff.

If the municipality is unable to verify the conditions, the application must be referred to County Council for a decision.

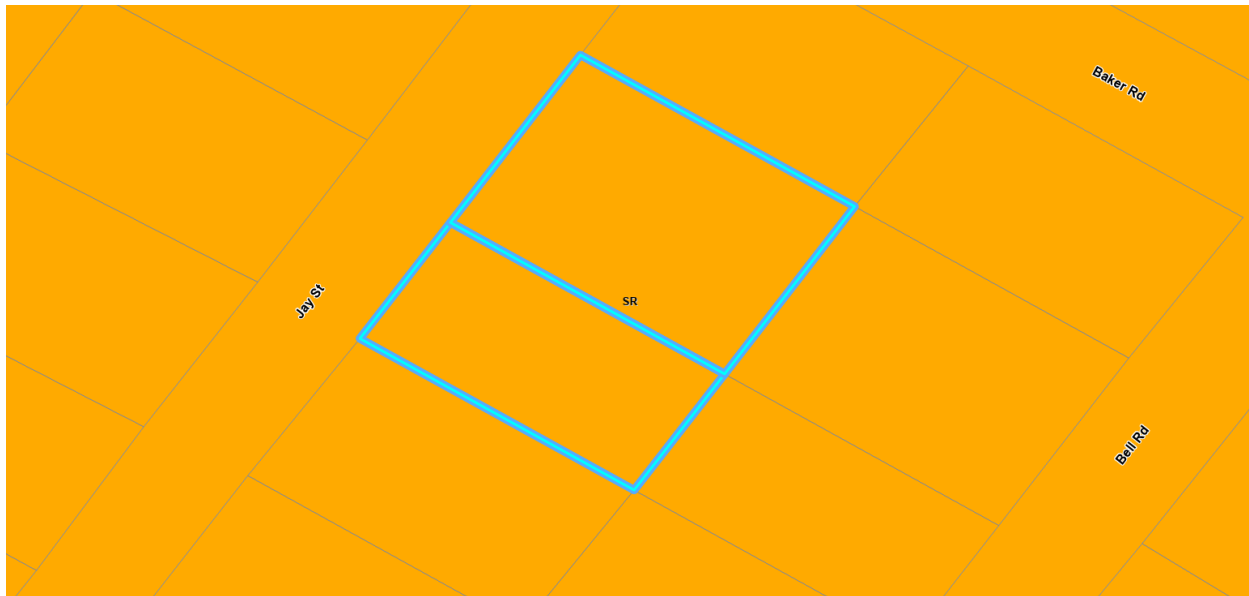
Appendices

- County Official Plan Map (included below)
- Local Official Plan Map (included below)
- Local Zoning Map (included below)
- List of Supporting Documents and Studies (included below)
- Agency Comments (include below and attached)
- Request for Municipal Verification (attached)

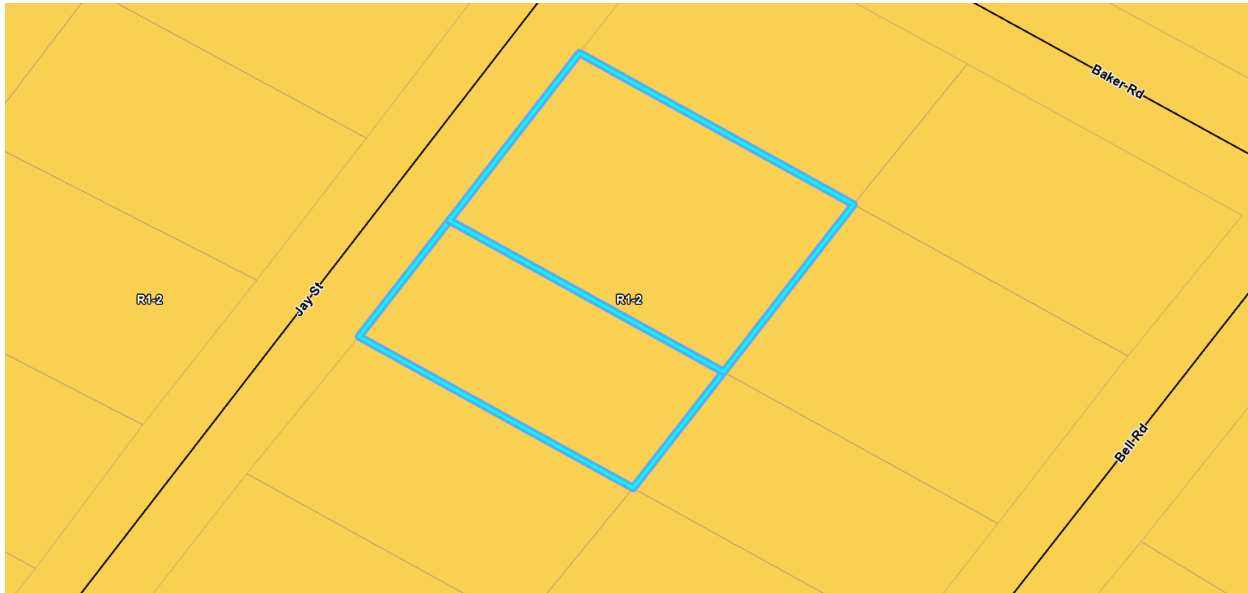
County Official Plan Map (Designated Primary Urban Communities)



Local Official Plan Map (Designated Shoreline Residential)



Local Zoning Map (Zoned Residential First Density 'R1-2')



List of Supporting Documents and Studies

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

- Sewage System Impact Assessment Dated February 2025 Prepared by COBIDE Engineering Inc.
- Septic Report Letter Dated October 2024 Prepared by Keith Snyder Construction Ltd.
- Stage 1 and 2 Archaeological Assessment Dated August 2024 Prepared by Great Lakes Archaeology

Agency Comments

Town of Saugeen Shores: Comments attached to this report.

Saugeen Valley Conservation Authority: Comments attached to this report.

Historic Saugeen Métis (HSM): The HSM Lands, Waters and Consultation Department has reviewed the relevant documents and has no objections to the proposed Consent Application as presented.