



Planning Report

To: Township of Huron Kinloss Council

From: Julie Steeper, Planner

Date: September 12, 2022

Re: Zoning Bylaw Amendment Application - Z-2022-069 (JNC Holdings)

Recommendation:

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

That Council approve Zoning By-law Amendment Z-2022-069 as attached and the necessary by-law be forwarded to Council for adoption.

Summary:

The purpose of the application is to sever a residential lot from a 1165.6 sq m parcel. An amendment to the Zoning Bylaw is required to permit the existing semi-detached building and rezone the property from Residential 'R1' to Residential 'R2'. If approved, the application would facilitate the severance of an existing semi-detached building down the common wall, such that each half of the building is on an independent lot of record.

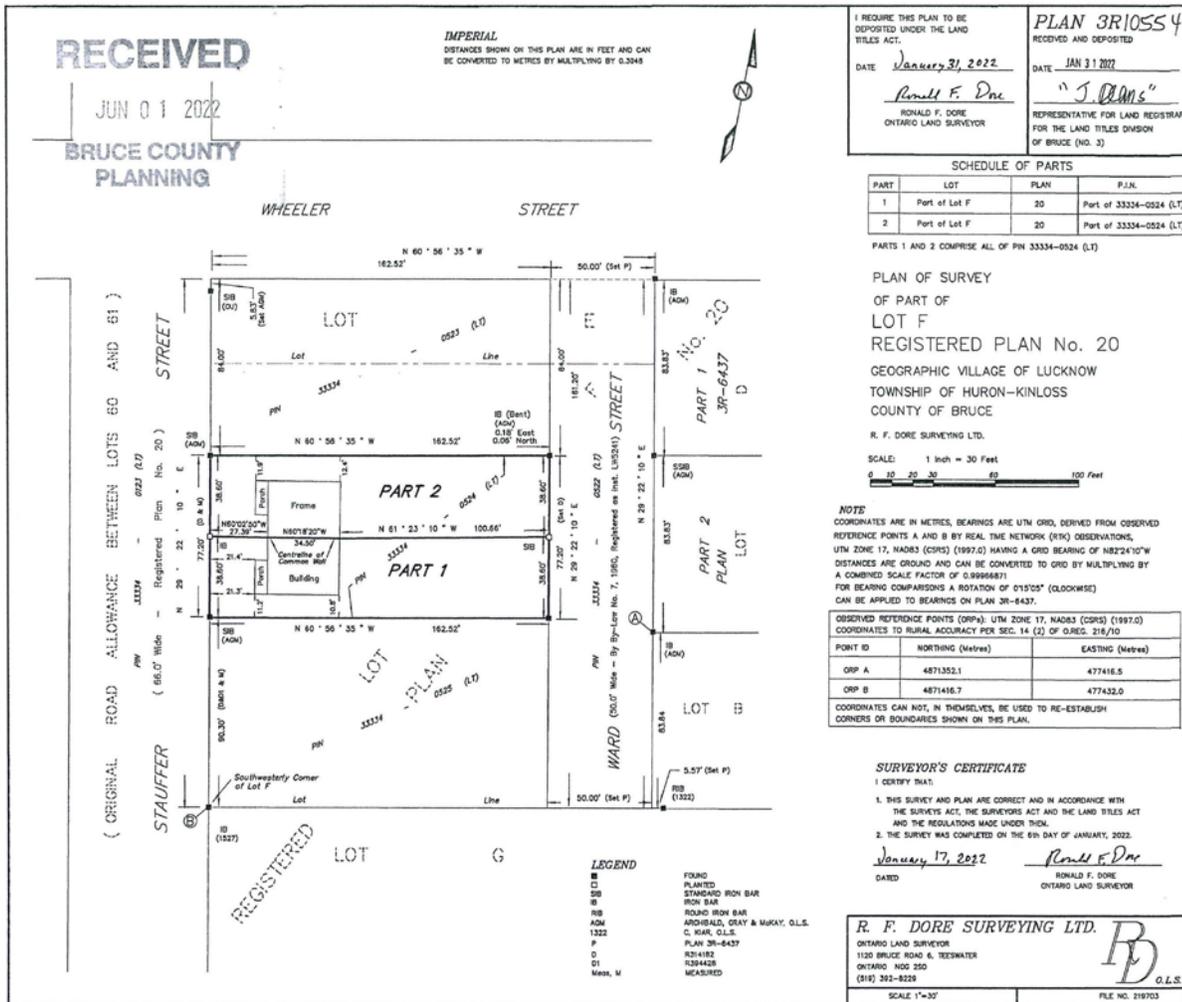
The related consent file (B-2022-062) will be considered by the County at a later date.

The property is located within the former village of Lucknow. North of Bruce Road 86, and east of Bruce Road 1. The site is surrounded by residential uses. The proposed severed and retained lots would front onto Stauffer Street.

Airphoto



Site Plan



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), planning policy sections.

Residential Use

The Bruce County Official Plan designates the subject lands Primary Urban Communities. The Township of Huron Kinloss Official Plan designates the lands Residential. Both Official Plans allow for a Residential use at the subject site.

The subject lands are zoned Residential (R1) and Residential Floodfringe (R1(f)) in the Township of Huron Kinloss Zoning Bylaw. An amendment to the Zoning By-law is required to rezone the lands from Residential (R1) to Residential (R2) to allow for the severance of an existing semi-detached building down the common wall, such that each half of the building is on an independent lot of record. The proposal will make efficient use of land and infrastructure as these lands will be connected to municipal water and sewer.

Comments have been received from the Maitland Valley Conservation Authority (MVCA). MVCA confirms that the building and the access to the units are outside of the flood hazard and they have no objection to the zone amendment.

Archaeological Potential

The lands are considered to have high archeological potential due to a watercourse that runs in proximity to the property. In review it was determined that an Archaeological Assessment was not needed due to previous disturbance.

Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- Agency Comments
- Public Notice

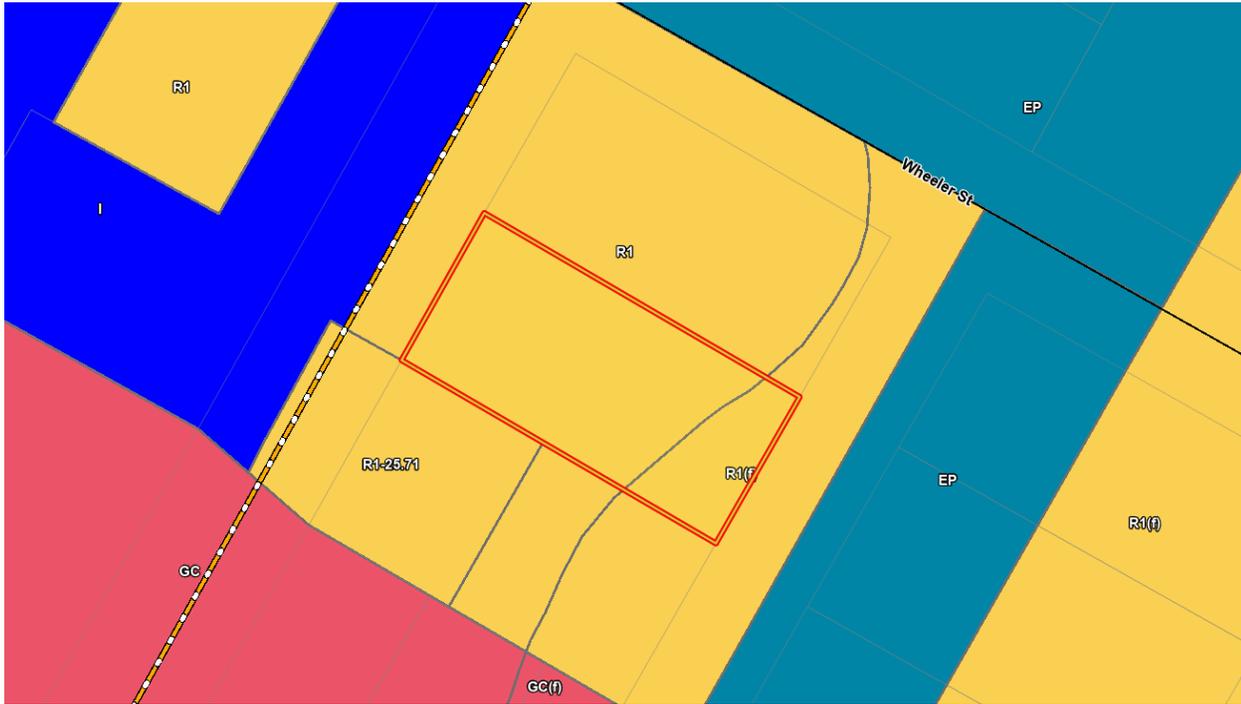
County Official Plan Map (Designated Primary Urban Communities)



Local Official Plan Map (Designated Residential)



Local Zoning Map (Zoned Residential (R1), and Residential Floodfringe (R1(f)))



Agency Comments

Township of Huron Kinloss: Please notify the applicant that permits to allow occupancy of the bottom units will not be permitted until the severance is complete.

BM Ross, Township of Huron-Kinloss Engineers: No comment.

Bruce County Transportation Services: No comment.

Hydro One Networks Inc.: We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time.

Saugeen Valley Conservation Authority: The applications are generally acceptable to SVCA staff and provided in full below.

Maitland Valley Conservation Authority: The application to rezone and sever lands has demonstrated that the existing buildings, and access to them, are outside the regional flood hazard and is in general conformance with Section 3.1, Natural Hazard Policies of the P.P.S., 2020. MVCA has no objections to Zoning By-Law Amendment Z-2022-069 & Application for Consent to Sever B-2022-062 JNC Holdings. Comments are provided in full below.

SENT ELECTRONICALLY ONLY: jsteeper@brucecounty.on.ca and bcplwa@brucecounty.on.ca

August 8, 2022

County of Bruce Planning & Development Department
30 Park Street
Walkerton, Ontario NOG 2V0

ATTENTION: Julie Steeper, Planner

Dear Ms. Steeper,

RE: Z-2022-069 and B-2022-062 (JNC Holdings)
529 Stauffer Street
Roll No.: 410712000208200
Part Lot F Stauffer
Geographic Township of Kinloss
Township of Huron-Kinloss

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted applications as per our Memorandum of Agreement (MOA), dated September 2019, with the County of Bruce representing natural heritage within the Maitland Valley Conservation Authority (MVCA) watershed. The applications have also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Member approved Environmental Planning and Regulations Policies Manual (Policies Manual), amended October 16, 2018, with regard to Natural Heritage Features.

Purpose

The purpose of the application is to sever a residential lot from a 1165.6 sq m parcel. An amendment to the Zoning Bylaw is required to permit the existing semi-detached building and rezone the property from Residential 'R1' to Residential 'R2'. If approved, the application would facilitate the severance of an existing semi-detached building down the common wall, such that each half of the building is on an independent lot of record.

Recommendation

The applications are generally acceptable to SVCA staff.

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the application through our responsibilities as a service provider to the County of Bruce in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural heritage as set out in the PPS 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Heritage:

It is the opinion of SVCA staff that the natural heritage features affecting the property is fish habitat and its adjacent lands.

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in fish habitat, and the adjacent lands to the above referenced features, except in accordance with the policies found in Section 2.1 of the PPS, 2020.

Bruce County OP Policies

Fish Habitat and its Adjacent Lands

Nine Mile River flows through lands adjacent to the south of the property. The river is considered fish habitat by SVCA staff. Section 4.3 of the Bruce County OP generally prohibits development within fish habitat and its adjacent lands, except in accordance with applicable policies. SVCA staff are of the opinion that the negative impacts to fish habitat and its adjacent lands as a result of these applications will be negligible, and SVCA staff are not recommending the preparation of an Environmental Impact Study (EIS) to address fish habitat at this time.

SUMMARY

SVCA staff has reviewed the applications in accordance with our MOA with the County of Bruce representing natural heritage; and the applications have also been reviewed through our role as a public body under the *Planning Act* as per our SVCA Member approved Policies Manual.

The applications are generally acceptable to SVCA staff.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 2.1, Natural Heritage policies of the PPS, 2020 has been demonstrated; and
- 2) Consistency with local planning policies for natural heritage has been demonstrated.

Please inform this office of any decision made by the Township of Huron-Kinloss with regards to the applications. We respectfully request to receive a copy of the decision and notices of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Coordinator
Saugeen Conservation
MO/

cc: Emily Dance, Clerk, Township of Huron-Kinloss (via email)
Patrick Huber-Kiddy, Planning and Regulations Supervisor, MVCA (via email)
Don Murray, SVCA Member representing the Township of Huron-Kinloss (via email)



MEMORANDUM

TO: Julie Steeper, Planner, Bruce County, via email
CC: Candace Hamm, Applications Technician, Bruce County, via email
Ryan Bagnell, Listowel Lawyers, via email
FROM: Anna Marie Soleski, Environmental Planner & Regulations Officer, MVCA
DATE: August 24, 2022
SUBJECT: Zoning By-Law Amendment: Z-2022-069 &
Application for Consent to Sever: B-2022-062 JNC Holdings
Plan 20, Part Lot F, Kinloss ward, Municipality of Huron-Kinloss, County of
Bruce; known as 529 Stauffer St.

Maitland Valley Conservation Authority (MVCA) has reviewed the above proposed amendment with regard for the natural hazard policies contained in the Provincial Policy Statement, 2020 (P.P.S., 2020) and pursuant to our 'Memorandum of Agreement' with the Corporation of the County of Bruce. This amendment has also been screened with regard for MVCA's policies made under *Ontario Regulation 164/06* (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation). Based on our review, we offer the following comments.

We understand that this application's purpose is to rezone the property from residential 'R1' to Residential 'R2', allowing for a duplex and severing an existing semi-detached building down the common wall to create a new lot.

Natural Hazards:

The subject lands to be rezoned and severed are within the regional flood hazard.

MVCA Regulated Lands:

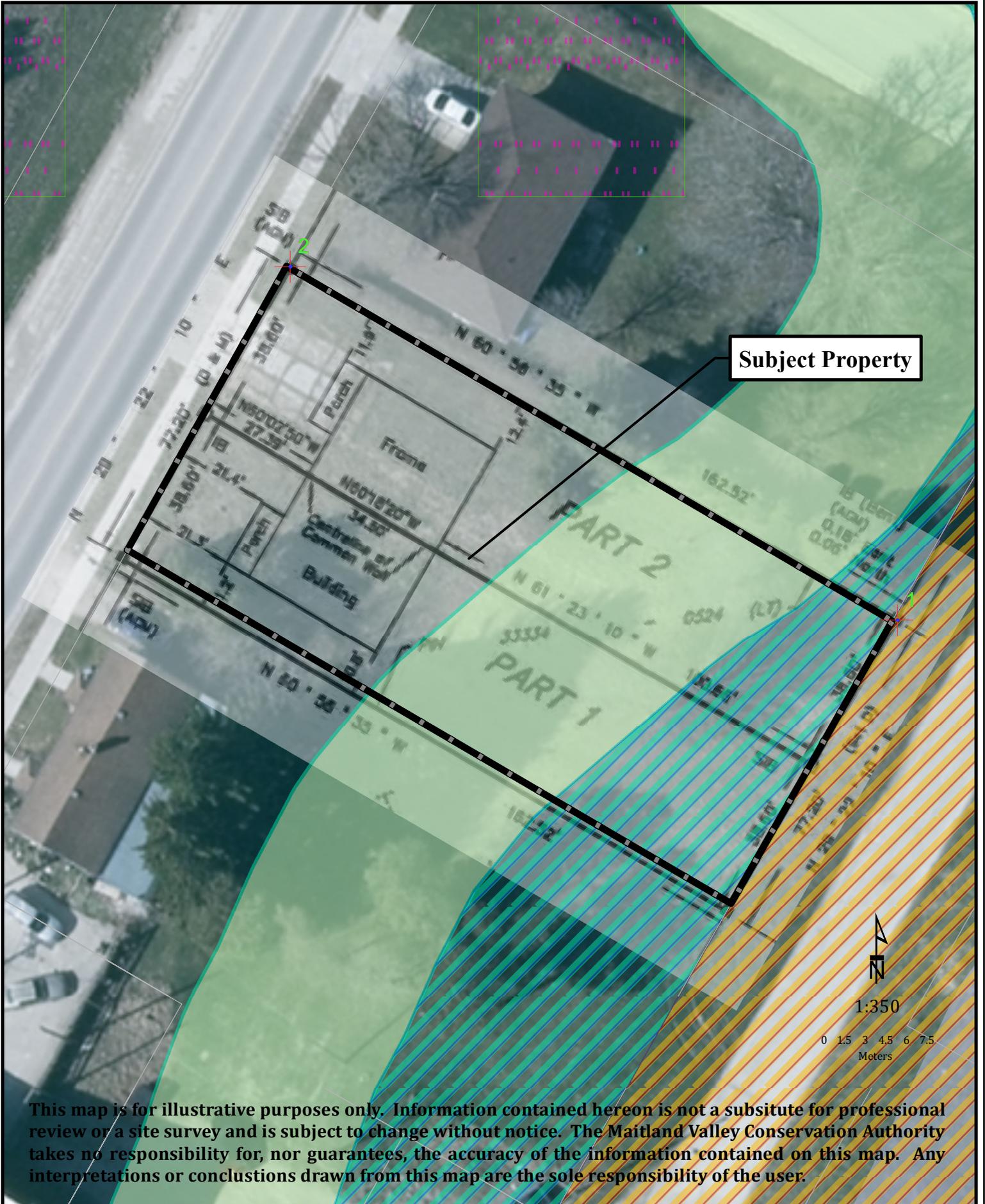
Floodplains plus 15 meters are regulated pursuant to *Ontario Regulation 164/06* made under the *Conservation Authorities Act (R.S.O., 1990, chapter C.27)*. Subject to the Regulation, development (construction, reconstruction, filling, grading), alteration and interference within Authority regulated lands requires permission from MVCA, prior to undertaking the work.

Background & Recommendation:

The application to rezone and sever lands has demonstrated that the existing buildings, and access to them, are outside the regional flood hazard and is in general conformance with Section 3.1, Natural Hazard Policies of the P.P.S., 2020.

MVCA has no objections to Zoning By-Law Amendment Z-2022-069 & Application for Consent to Sever B-2022-062 JNC Holdings.

Thank you for the opportunity to comment at. Please contact this office if you have any questions.



This map is for illustrative purposes only. Information contained hereon is not a substitute for professional review or a site survey and is subject to change without notice. The Maitland Valley Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

Plan 20, Part Lot F, Kinloss ward, Municipality of Huron-Kinloss, County of Bruce; known as 529 Stauffer St.

LEGEND

-  Floodway
-  Floodfringe
-  Flood Hazard 15m Buffer
-  Significant Ground Water Recharge



County of Bruce
Planning & Development Department
30 Park Street, Box 848
Walkerton, ON N0G 2V0
brucecounty.on.ca
226-909-5515



August 5, 2022

File Number: Z-2022-069

Public Meeting Notice

You're invited

Monday, September 12, 2022 at 7:00 pm, Council Chambers,
Township of Huron-Kinloss, 21 Queen Street, Ripley, ON

A change is proposed in your neighbourhood: The purpose of the application is to sever a residential lot from a 1165.6 sq m parcel. An amendment to the Zoning Bylaw is required to permit the existing semi-detached building and rezone the property from Residential 'R1' to Residential 'R2'. If approved, the application would facilitate the severance of an existing semi-detached building down the common wall, such that each half of the building is on an independent lot of record. The related Consent file is B-2022-062.



529 STAUFFER ST – PLAN 20 PT LOT F STAUFFER (Lucknow)
Township of Huron-Kinloss, Roll Number 410712000208200

Learn more

You can view limited information about the application at <https://brucecounty.on.ca/living/land-use>. Additional information, including the supporting materials, can be provided upon request by e-mailing bcplwa@brucecounty.on.ca or calling 226-909-5515. Information can also be viewed in person at the County of Bruce Planning Office noted above, between 8:30 a.m. and 4:30 p.m. (Monday to Friday).

The Planner on the file is: Julie Steeper

Have your say

Comments and opinions submitted on these matters, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in a Planning Report and Council Agenda. Comments received after August 26, 2022 may not be included in the Planning report but will be considered if received prior to a decision being made, and included in the official record on file.

1. Please contact us by mail (address above) or bcplwa@brucecounty.on.ca if you have any questions, concerns or objections about the application.
2. You can speak at the Public Meeting.

For information on how to participate in the public meeting, please visit the municipal website at <https://calendar.huronkinloss.com/meetings>, or contact the Township of Huron-Kinloss by 12:00 pm on September 12, 2022 (edance@huronkinloss.com or 519-395-3735 ext. 123) if you have any questions regarding how to participate in the meeting.

Stay in the loop

If you'd like to be notified of the decision of the Township of Huron-Kinloss on the proposed application, you must make a written request to the Bruce County Planning Department.

Know your rights

Section 34(11) of the [Planning Act](#) outlines rights of appeal for Zoning By-law Amendment applications.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Township of Huron-Kinloss to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Bruce County Planning Department before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Bruce County Planning Department before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. For more information please visit the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/>.

Site plan

RECEIVED

JUN 01 2022

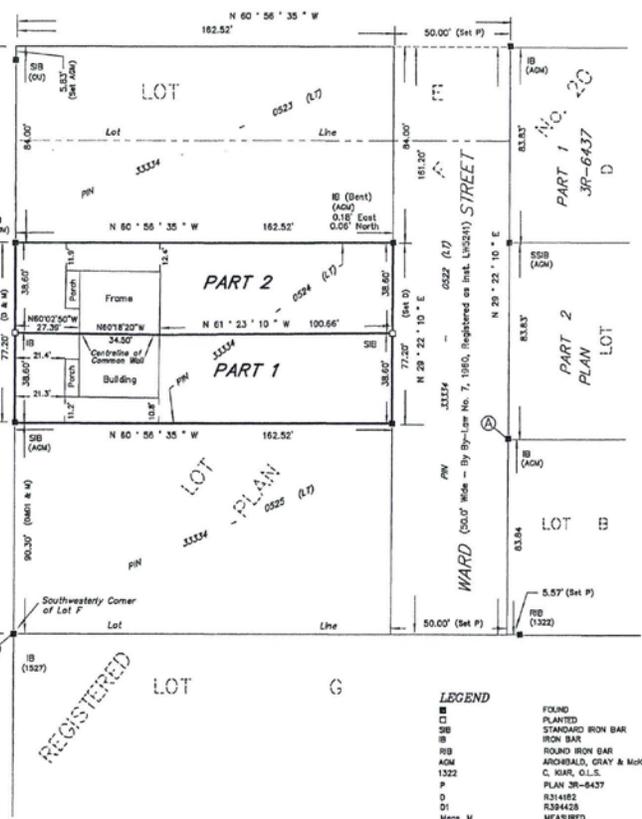
**BRUCE COUNTY
PLANNING**

IMPERIAL
DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN
BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048



WHEELER STREET

(ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 60 AND 61)
STAUFFER STREET
JESSIE - Registered Plan No. 20
N 29° 22' 10" E
66.0' Wide
PW



REGISTERED

- LEGEND**
- FOUND
 - PLANTED
 - ▣ STANDARD IRON BAR
 - IRON BAR
 - ROUND IRON BAR
 - ▲ ARDHALD, GRAY & MURKAY, O.L.S.
 - △ C. KIRK, O.L.S.
 - ☆ PLAN 38-6437
 - ◇ R31482
 - ◇ R39428
 - ◇ MEASURED

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: January 31, 2022

Ronald F. Dore
RONALD F. DORE
ONTARIO LAND SURVEYOR

PLAN 3R10554
RECEIVED AND DEPOSITED

DATE: JAN 31 2022

"J. Dore"
REPRESENTATIVE FOR LAND REGISTRAR
FOR THE LAND TITLES DIVISION
OF BRUCE (NO. 3)

SCHEDULE OF PARTS

PART	LOT	PLAN	P.I.N.
1	Part of Lot F	20	Part of 33334-0524 (L1)
2	Part of Lot F	20	Part of 33334-0524 (L1)

PARTS 1 AND 2 COMPRISE ALL OF PIN 33334-0524 (L1)

PLAN OF SURVEY
OF PART
OF LOT F
REGISTERED PLAN No. 20
GEOGRAPHIC VILLAGE OF LUCKNOW
TOWNSHIP OF HURON-KINLOSS
COUNTY OF BRUCE

R. F. DORE SURVEYING LTD.

SCALE: 1 inch = 30 Feet
0 10 20 30 60 100 Feet

NOTE
COORDINATES ARE IN METRES, BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK (RTK) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (1997.0) HAVING A GRID BEARING OF N82°24'10"W DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99966871 FOR BEARING COMPARISONS A ROTATION OF 0°15'05" (CLOCKWISE) CAN BE APPLIED TO BEARINGS ON PLAN 38-6437.

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (1997.0) COORDINATES TO RURAL ACCURACY PER SEC. 14 (2) OF O.Reg. 216/10

POINT ID	NORTHING (Metres)	EASTING (Metres)
ORP A	4871352.1	477416.5
ORP B	4871416.7	477432.0

COORDINATES CAN NOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 6th DAY OF JANUARY, 2022.

January 17, 2022 Ronald F. Dore
DATED: RONALD F. DORE
ONTARIO LAND SURVEYOR

R. F. DORE SURVEYING LTD.

ONTARIO LAND SURVEYOR
1120 BRUCE ROAD 6, TEESWATER
ONTARIO N0G 2S0
(519) 352-9229

SCALE: 1"=30'
FILE NO. 219703