



Planning Report

To: Township of Huron-Kinloss Council

From: Benito Russo, Planner

Date: January 16, 2022

Re: Zoning By-law Amendment Application - Z-2022-115 (Snobelen)

Recommendation:

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

That Council approve Zoning By-law Amendment Z-2022-115 as attached and the necessary by-law be forwarded to Council for adoption.

Summary:

The purpose of this Application is for the severance of approximately +/- 0.65 hectares (ha) of land from a +/-45.5 ha agricultural parcel for a lot addition. The subject property from which the land is to be severed is 2503 Concession 4 and the abutting recipient lands are 2513 Concession 4 in the Township of Huron-Kinloss. An amendment to the Zoning By-law is required to facilitate the lot addition.

The severed lands will be rezoned to General Agricultural Special (AG1-25.20) matching the existing zoning of the recipient agricultural-commercial property.

The remnant agricultural lands are also proposed to be rezoned General Agriculture (AG1) to General Agricultural Holding (AG1-H1), requiring an Archaeological Assessment for the lands containing high archaeological potential.

The Environmental Protection (EP) zone will remain unchanged.

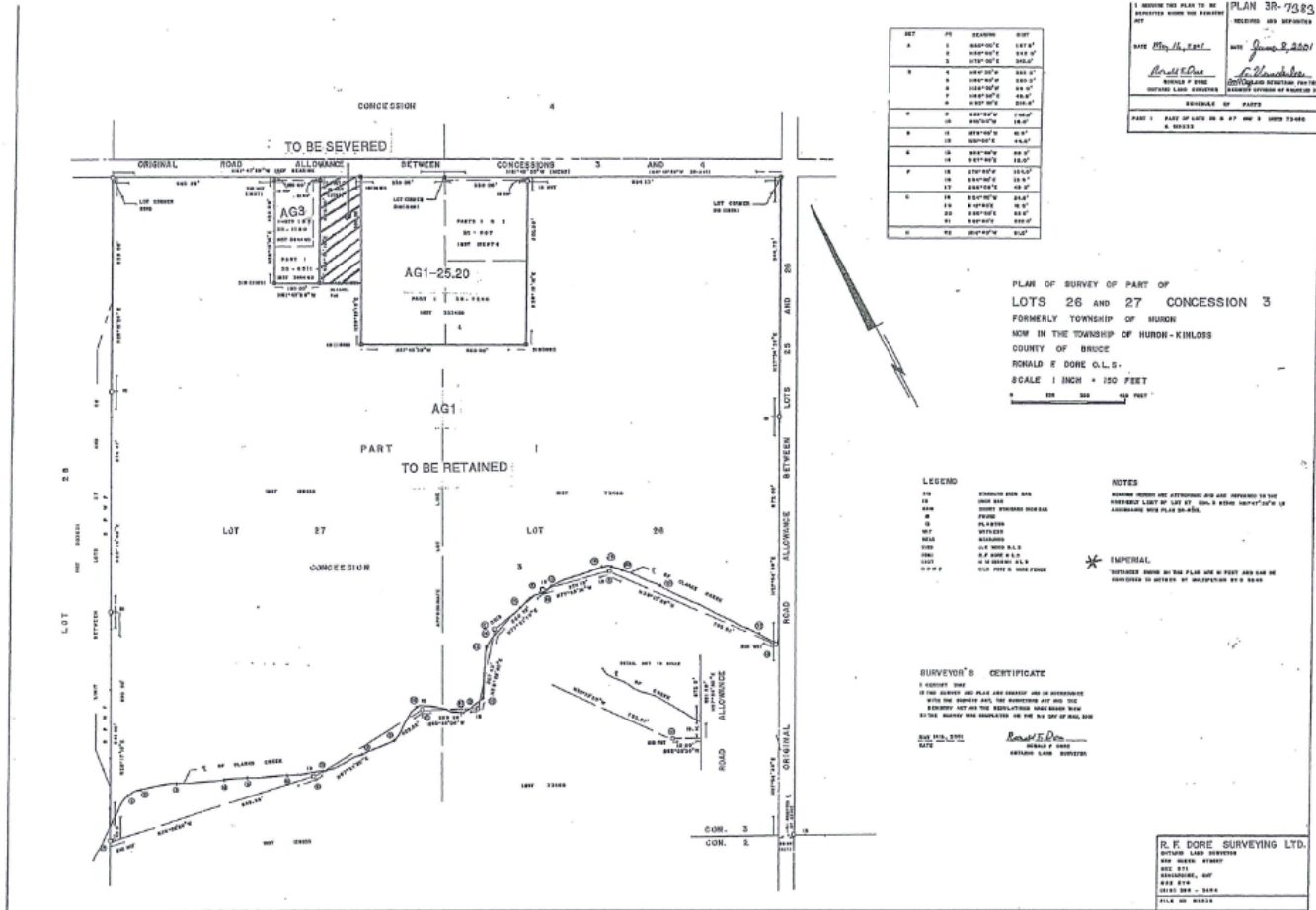
The related consent files (B-2022-053) will be considered by the County at a later date.

The subject property is located South-West of the town of Ripley, West of Sideroad 25, and to the south of Concession 4. The subject property is surrounded by agricultural, agricultural-commercial, and residential land uses.

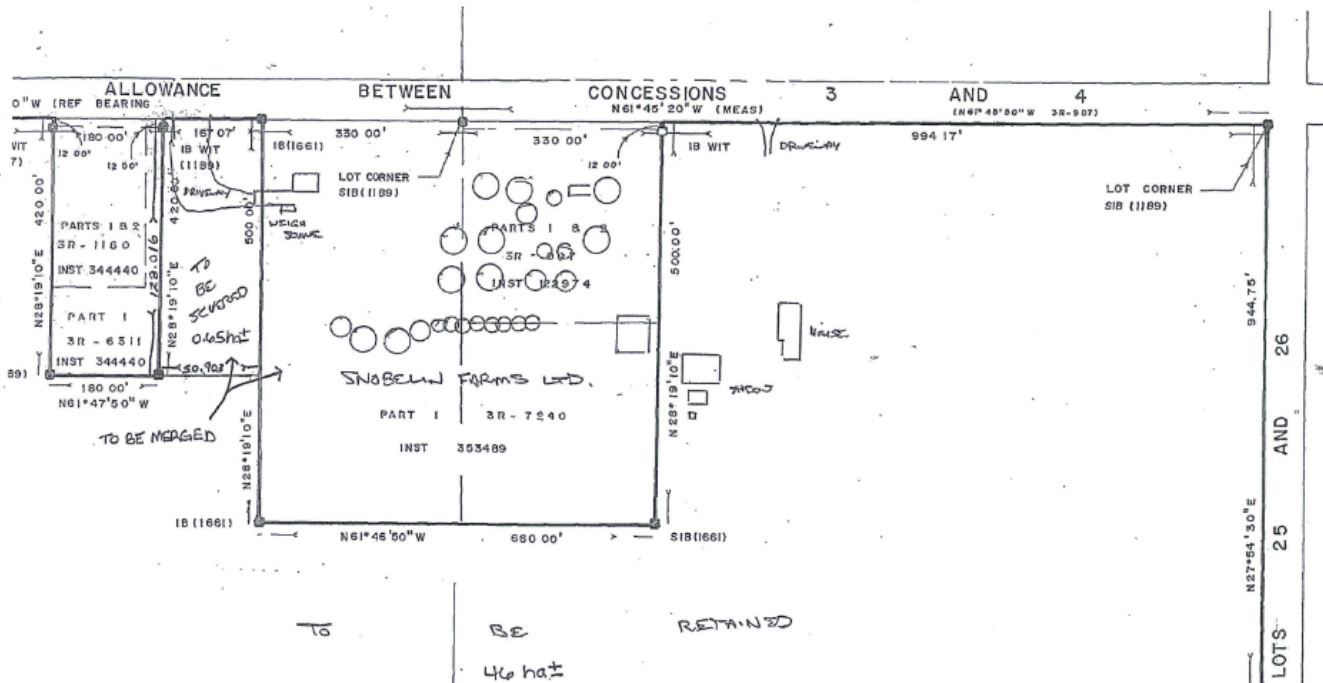
Airphoto



Site Plan - Entire Property



Site Plan - Proposed Lands to Severance for Lot Enlargement



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), and planning policy sections.

Consents for Farm Related Commercial and Industrial Uses

The Provincial Policy Statement and Bruce County Official Plan support the severance of lands for farm related commercial and industrial uses and consider this good planning. These areas are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and services to farm operations.

The subject lands are designated Agricultural Area, and Hazard Area in the Bruce County Official Plan. Among others, within the Agricultural Area designation severances may be sought for applications pertaining to access and servicing purposes that do not result in a new conveyable parcel or increase development potential. The Official Plan sets out the following policies, among others, that must be satisfied for severances of Farm Related Commercial and Industrial use:

- 1) The maximum size of any Non-Farm lot shall be 4 hectares.
- 2) The severed and retained parcels must be viable for their proposed future use in the opinion of the County of Bruce.

The proposed land to be severed is approximately +/-0.65 hectares in size, containing an existing driveway that services the abutting agricultural-commercial (proposed recipient) lands, and is otherwise vacant. If approved, the lot enlargement will correct any future issues of legal ingress/egress through consolidation of the existing driveway with the agricultural-commercial parcel. This also secures the functionality and operational integrity of the existing business as the purpose of the driveway, beyond egress/ingress, is for access onto a weight scale which is vital to the business's operations.

Following the lot enlargement, the recipient agricultural-commercial parcel will be approximately +/- 3.65 hectares and therefore meet the maximum allowed non-farm lot size. The zoning by-law amendment(s) as proposed will ensure consistent zoning of the entire parcel, and a holding provision will be placed on lands identified as having high archeological potential.

The retained vacant farm parcel will be approximately +/-44.8 hectares and therefore meet the minimum farm size.

Required Zoning By-Law Amendments

An amendment to the Zoning By-law is required in order to facilitate the severance.

The proposed lands to be severed will be rezoned from General Agriculture (AG1) to General Agriculture Special (AG1-25.20) with the following provisions:

- Notwithstanding their 'AG1' Zoning designation, those lands delineated as 'AG1-25.20' on Schedule 'A' to this By-law shall be used in accordance with the 'AG1' Zone provisions contained in this By-law, excepting however, that:
 - i) The existing grain handling and drying facility is permitted.

In areas of high archeological potential on the remnant farm parcel will be rezoned from General Agriculture (AG1) to General Agriculture Holding (AG1-H1) with the following provisions:

- Notwithstanding their 'AG1' Zoning designation, those lands delineated as 'AG1-H1' on Schedule 'A' to this By-Law, shall be used in accordance with the 'AG1' Zone provisions contained in this By-Law excepting however that:
 - i) In areas of high archeological potential, lot grading; excavation; and/or construction shall not be permitted unless the Holding (H1) zone provision is removed. Normal farm practices may continue without the need for an archeological assessment.

The EP - Environmental Protection zone will remain unchanged.

Archaeological Potential

The subject lands have a watercourse in the nearby vicinity of the property, as such, a portion of the property has been identified to be within an area of high archaeological potential. Therefore, as noted above, a holding provision is recommended for a portion of the remnant agricultural lot to ensure that any future development will require an archaeological assessment completed by a qualified individual, and that the recommendations of the assessment, if any, would be implemented prior to development on those lands. Normal farm practices can continue without the need for an assessment.

Natural Heritage and Hazards

Portions of the agricultural property are identified as hazard areas, associated with wetlands and watercourses on both the subject and adjacent properties. Development is not occurring in these areas, and the proposed EP zone will remain unchanged.

Appendices

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

County Official Plan Map (Designated Agricultural Areas & Hazard Land Areas)



Local Zoning Map (Zoned AG1 - General Agriculture, AG1-25.20 - General Agriculture, EP - Environmental Protection)



Agency Comments

The Corporation of the Township of Huron-Kinloss: No Comments.

Bruce-Grey Catholic District School Board: No Comments.

BM Ross and Associates: No Objection.

Saugeen Ojibway Nation: If an Archeological Study occurs as part of this application, or in the future, to please contact Saugeen Ojibway Nation in advance of retaining an Archeological consultant.

Public Comments: No comments have been received at the time of this report's submission.



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



December 13, 2022

File Number(s): Z-2022-115

Public Meeting Notice

You're invited

**Monday, January 16, 2023 at 2:00 pm, Council Chambers,
Township of Huron-Kinloss, 21 Queen Street, Ripley, ON**

A change is proposed, and we're asking for your input. The purpose of this Application is for the severance of approximately +/- 0.65 hectares of land for a lot enlargement. The lands to be merged are proposed to be rezoned AG1-25.20 to match the zoning of the recipient property. The retained lands will be rezoned AG1-H1 in areas of high archaeological potential. If approved, this will facilitate an existing driveway to be added to the Agricultural-Commercial lands that it currently serves. The related Consent file is B-2022-053.



2503 CONCESSION 4 – CON 3 PT LOT 26 & PT LOT 27; RP 3R7383 PART 1; and
2513 CONCESSION 4 – CON 3 PT LOT 26 PT LOT 27 RP; 3R 907 PART 1 RP 3R7240
PART; 1 (Huron), Township of Huron-Kinloss
Roll Numbers 410716000119510; 410716000119501

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).

OR

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. Our staff would be pleased to connect with you by e-mail bcplwa@brucecounty.on.ca or phone (226-909-5515). Once our offices re-open, information about the application will be available 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: Benito Russo

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 January 9, 2023 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 Township of Huron-Kinloss website at: <https://calendar.huronkinloss.com/meetings>, or contact the Township by 4:30 pm on January 16, 2023 (jwhite@huronkinloss.com or 519-395-3735 ext. 123) if you have any questions regarding how to participate in the hearing.

Stay in the loop

If you'd like to be notified of the decision of the approval authority on the proposed application(s), 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

