



Planning Report

To: Township of Huron Kinloss Committee of Adjustment

From: Monica Walker-Bolton, Sr. Policy Planner

Date: May 8, 2023

Re: Minor Variance - A-2023-019 (Huron Kinloss)

Recommendation:

That Committee approve Minor Variance A-2023-019 as attached subject to the conditions on the decision sheet.

Please sign the Decision Sheet.

Summary:

The purpose of this application is for a minor variance to permit a reduced frontage of +/- 17 metres from the 30 metre requirement. The minor variance will facilitate the creation and sale of a half acre parcel for light industrial use.

The subject property will be created from the existing parcel by the Township of Huron Kinloss using their municipal powers for lot creation without consent from the County of Bruce.

The subject property is to be located within the Ripley Industrial Park, on the east end of the Village of Ripley, south of Bruce Road 6.

The subject property will be surrounded by Industrial uses.

At the time of writing this report no public comments have been received.

Airphoto



The red box on the site plan above shows the approximate location of the subject property to be created by the Township of Huron-Kinloss.

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), and planning policy sections.

Natural Heritage

The subject property is vacant and unforested. There are no apparent Natural Heritage features on the subject lands. An Environmental Impact Assessment was not required by the Planning Department to support the Minor Variance application.

Natural Hazards

Comments have been received from the Saugeen Valley Conservation Authority (SVCA). The SVCA confirms that there are no natural hazards on the subject property. Stormwater management facilities within the adjacent industrial park lands have received permitting approval from the SVCA. The SVCA finds the application to be generally acceptable.

Archaeology

An archaeological assessment was conducted for the subject lands. Two sites of post contact European settler farmsteads were identified. All the archaeological resources have been identified and properly conserved.

Water and Sewer Services

Full municipal water, sewer and drainage facilities are available to service the subject property.

Four Tests of a Minor Variance

Does the variance maintain the intent and purpose of the Official Plans?

The intent and purpose of the Bruce County and Huron Kinloss Official Plans is to maintain appropriate and orderly development. The Huron-Kinloss Official Plan sets out policies for the Industrial designation in Section 3.12 of the plan. The intent is to provide for a range of service related and industrial businesses. The proposed reduced frontage from 30 metres to 17 metres will not hinder the intent and purpose of the Huron-Kinloss Official Plan.

The proposed minor variance to recognize a reduced lot frontage from 30 metres to approximately 17 metres maintains the intent and purpose of both the Bruce County and Huron-Kinloss Official Plans.

Does the variance maintain the intent and purpose of the Zoning By-law?

The subject property is on a corner lot. There is approximately 17 metres of frontage along the front lot line. There are approximately 83 metres of property along the side property line adjacent to Angus Street. The Huron-Kinloss Zoning By-Law defines “frontage” as the distance between the side lot lines. So, even though the property touches on a street at the south end for 83 metres, the “frontage” is considered to be only 17 metres.

The intent of the Zoning By-Law is to ensure that lots have adequate street access for proper entry and exit from the property and access to services. The subject property will not be negatively affected by reduced frontage. The Township may wish to address entrances, exits and other aspects of site design through site plan control.

The variance maintains the intent and purpose of the Zoning By-law.

Is the application desirable for the appropriate development of the land, building or structure?

The variance represents an appropriate form of development for the use of the land because the lot size and frontage have been selected by the Township and the purchaser based on the purchaser’s needs.

Is the application minor in nature?

Whether a variance is minor is evaluated in terms of the impact the proposed development is expected to have on the surrounding neighbourhood. It is not expected that permitting the variance will have any impact on the character of the area or impact the ability of adjacent property owners to use their property for permitted uses.

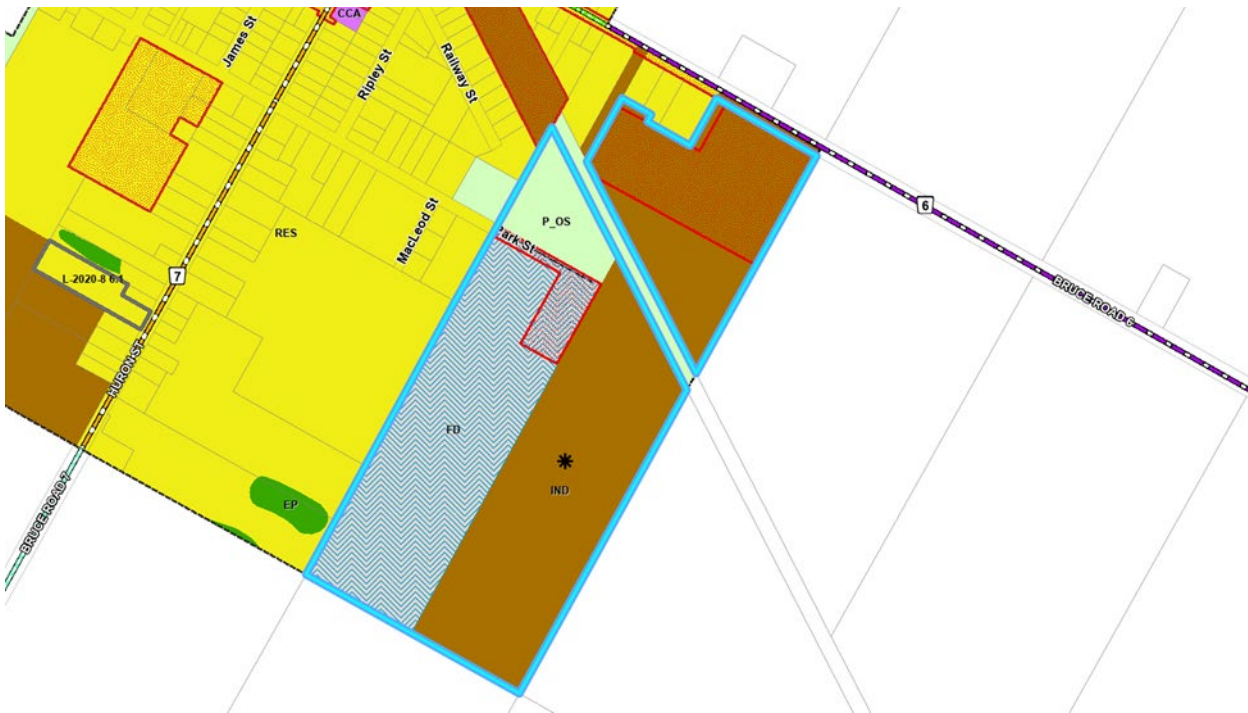
Appendices

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

County Official Plan Map (Designated Primary Urban)



Local Official Plan Map (Designated Industrial and Community Improvement Plan Area)



Local Zoning Map (Light Industrial One 'M1')



Agency Comments

Historic Saugeen Métis: No objection or opposition.

Township of Huron Kinloss: No comment.

Saugeen Valley Conservation Authority: Provided in full below.

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

April 17, 2023

County of Bruce Planning & Development Department
30 Park Street
Walkerton, Ontario N0G 2V0

ATTENTION: Monica Walker-Bolton, Planner

Dear Ms. Walker-Bolton,

RE: A-2023-019 (Huron-Kinloss)
62 Park Street
Roll No.: 410716000211100
Plan 264 Pt Lt 285 Lts 286;To 288, Con 7 Pt Lot 14 RP;3R4476 Pts 1 & 2 RP 3R5774;Parts 1,2&3
Geographic Township of Huron
Township of Huron-Kinloss

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA), dated September 2019, with the County of Bruce representing natural hazards, and water resources; and the application has also been reviewed through our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

Purpose

The purpose of this application is for a minor variance to permit a reduced frontage of +/- 17 metres from the 30 metre requirement. The minor variance will facilitate the creation and sale of a half acre parcel for light industrial use.

Background

As part of the stormwater management plan for the property and the adjacent properties, SVCA issued permit 21-341 on December 17, 2021 to: install a stormwater pond outlet pipe and to undertake associated drain improvements for the adjacent Ripley Relief Drain Municipal Drain. SVCA staff also provided comments (dated April 6, 2023) to application Z-2023-022 and L-2023-006 (Huron-Kinloss).

Recommendation

The application is generally acceptable to SVCA staff.

Natural Hazards

There are no natural hazard features located on the property. We note that Ripley Relief Drain Municipal Drain is located on lands to the west of the property. As such it is the opinion of SVCA staff that the application is generally consistent with Section 3.1. of the PPS, 2020; and the natural hazard policies of the County of Bruce OP, and the Township of Huron-Kinloss OP.

SVCA Regulation 169/06

SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

A small area of the property along the western property boundary is within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Screening Area may require permission from SVCA, prior to carrying out the work.

"Development" as defined under the Conservation Authorities Act means:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind;*
- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;*
- c) site grading; or,*
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And;

"Alteration" as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a rive, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA Approximate Screening Area is located associated with our Regulation on the property, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>. For the property, the SVCA Approximate Screening Area includes Ripley Relief Drain Municipal Drain (located on lands to the west), any floodplain of the Municipal Drain, and an offset distance of 15 metres outwards from the floodplain of the Municipal Drain.

Drinking Water Source Protection

The subject property appears to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan. To confirm, please contact Source Water Risk Management Official (RMO).

Summary

SVCA staff has reviewed the application in accordance with our MOA with the County of Bruce, and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

The application is generally acceptable to the SVCA.

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

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS, 2020 has been demonstrated;
and
- 2) Consistency with local planning policies for natural hazards has been demonstrated.

Please inform this office of any decision made by the Township of Huron-Kinloss and/or the County of Bruce with regard to the application. We respectfully request to receive a copy of the decisions 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: Jennifer White, Clerk, Township of Huron-Kinloss (via email)
Larry Allison, SVCA Member representing the Township of Huron-Kinloss (via email)



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



April 13, 2023

File Number(s): A-2023-019

Public Hearing Notice

You're invited to participate in an In-Person Public Hearing to consider a Minor Variance application file #A-2023-019 May 8, 2023 at 7:00 p.m.

For information on how to participate in the public meeting, please visit the municipal website at: <https://calendar.huronkinloss.com/meetings>.

Please contact the Township of Huron-Kinloss at jwhite@huronkinloss.com or 519-395-3735 if you have any questions regarding how to participate in the meeting.

A change is proposed in your neighbourhood: The purpose of this application is for a minor variance to permit a reduced frontage of +/- 17 metres from the 30 metre requirement. The minor variance will facilitate the creation and sale of a half acre parcel for light industrial use.



62 Park Street, Ripley
HURON CON 7 PT LOT 14 PLAN;264 LOTS 286 TO 288 PT LOT;285 RP 3R4476 PARTS 1 AND 2;RP 3R5774 PARTS 1 AND 3 PT;PART 2
(Huron) Township of Huron-Kinloss
410716000211100

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: Monica Walker-Bolton

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 May 4, 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 email bcplwa@brucecounty.on.ca, mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application.
2. You can participate in the public hearing. For information on how to participate in the public meeting, please visit the municipal website at: <https://calendar.huronkinloss.com/meetings>.

Stay in the loop

If you'd like to be notified of the decision of the Committee of Adjustment on the proposed application(s), you must make a written request to the Bruce County Planning Department on behalf of the Secretary-Treasurer for the Committee of Adjustment.

Know your rights

Only the applicant, the Minister, a specified person (being a utility and transportation company) or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection. Appeals must be accompanied by payment of the fee charged by the Tribunal as payable on an appeal from a Committee of Adjustment decision to the Tribunal. For more information, please visit the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/>.

Site plan

