



Staff Report

Report Title: Holding Removal Request HURON CON 5 PT LOTS 1 and 2

Prepared By: Jennifer White, Manager of Legislative Services/Clerk

Department: Legislative Services

Date: Sep. 18, 2023

Report Number: CLK-2023-09-52

File Number: C11 CLK 23

Attachments: Draft Holding Removal By-law

Recommendation:

THAT the Township of Huron-Kinloss Council hereby approves Report Number CLK-2023-09-52 prepared by Jennifer White, Manager of Legislative Services/Clerk;

AND FURTHER authorizes a by-law coming forward as a matters arising to remove the holding provisions from the property described as HURON CON 5 PT LOTS 1 AND 2, as outlined on Schedule "A" included with the report.

Background:

The Township has received a request to remove the Holding Provisions in the zoning by-law on the property described as HURON CON 5 PT LOTS 1 AND 2. Conditions have been met to permit the removal of the holding provisions.

Discussion:

The Township's Zoning By-law No. 2018-98 as amended, includes a provision which places a Holding Zone on a property pursuant to Section 36 of the *Planning Act*. The Holding Symbol may be removed at such time in the future when plans to develop the lands have been submitted and approved by the Corporation or other such conditions have been met. When the Holding Symbol has been removed, the lands shall be developed according to the requirements of the Zone used in conjunction with the Holding Symbol.

A request has been received to remove the H1 Holding Provision on the property described as HURON CON 5 PT LOTS 1 AND 2 (no civic address). The owner of the property wishes to remove the holding on their property to facilitate construction of a greenhouse on the property.

Within the Zoning By-law, a H1 provision indicates that:

Notwithstanding their underlying zoning designation, on those lands identified as being subject to the "H1" Holding zone, lot grading; excavation; and/or construction shall not be permitted unless the Holding (H1) zone provision is removed. The area of the H1 zone that may be lifted shall be limited to the area included in the assessment and may only be removed by Council upon:

- 1) Approval by the Zoning Administrator of an Archaeological Assessment which has been: a. Conducted by an archaeologist licensed in the Province of Ontario; and b. Confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports and,
- 2) Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented.

The request to remove the holding was received by Planning staff at the County of Bruce. County Staff have investigated the need for an archaeological assessment. A determination, in consultation with the Saugeen Ojibway Nation has been made that an archaeological assessment is not required on the area identified on the subject property. The Zoning Administrator has confirmed that the holding may be removed on the property as identified in the attached Schedule "A".

As per Section 36 of the Planning Act, notice of the meeting where the By-law will be considered was given as required.

Financial Impacts:

As per the Township of Huron-Kinloss Consolidated Fees By-law a fee of \$150 applies.

Strategic Alignment / Link:

We are an accessible community by being open and transparent.

Respectfully Submitted By:

Jennifer White, Manager of Legislative Services/Clerk

Report Approved By:

Mary Rose Walden, Chief Administrative Officer