



Planning Report

To: Township of Huron-Kinloss Committee of Adjustment

From: Benito Russo, Planner

Date: August 12, 2024

Re: Minor Variance Application - A-2024-024 (Brandon)

Recommendation:

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

That Committee approve Minor Variance A-2024-024 as attached subject to the conditions on the decision sheet.

Summary:

The purpose of this application is a Minor Variance seeking relief from Section 5.1.10.2 of the Huron-Kinloss Zoning By-law. It is proposed that a second driveway be allowed where only one driveway is permitted. If approved, this will facilitate establishment of a second driveway serving a future detached accessory building

The subject property has a civic address of 899 Park Place and is within the Huron-Kinloss Lakeshore Settlement Area South of Snobelen Trl and Tanya Cr and on the East side of Parkplace. It is surrounded by residential land uses.

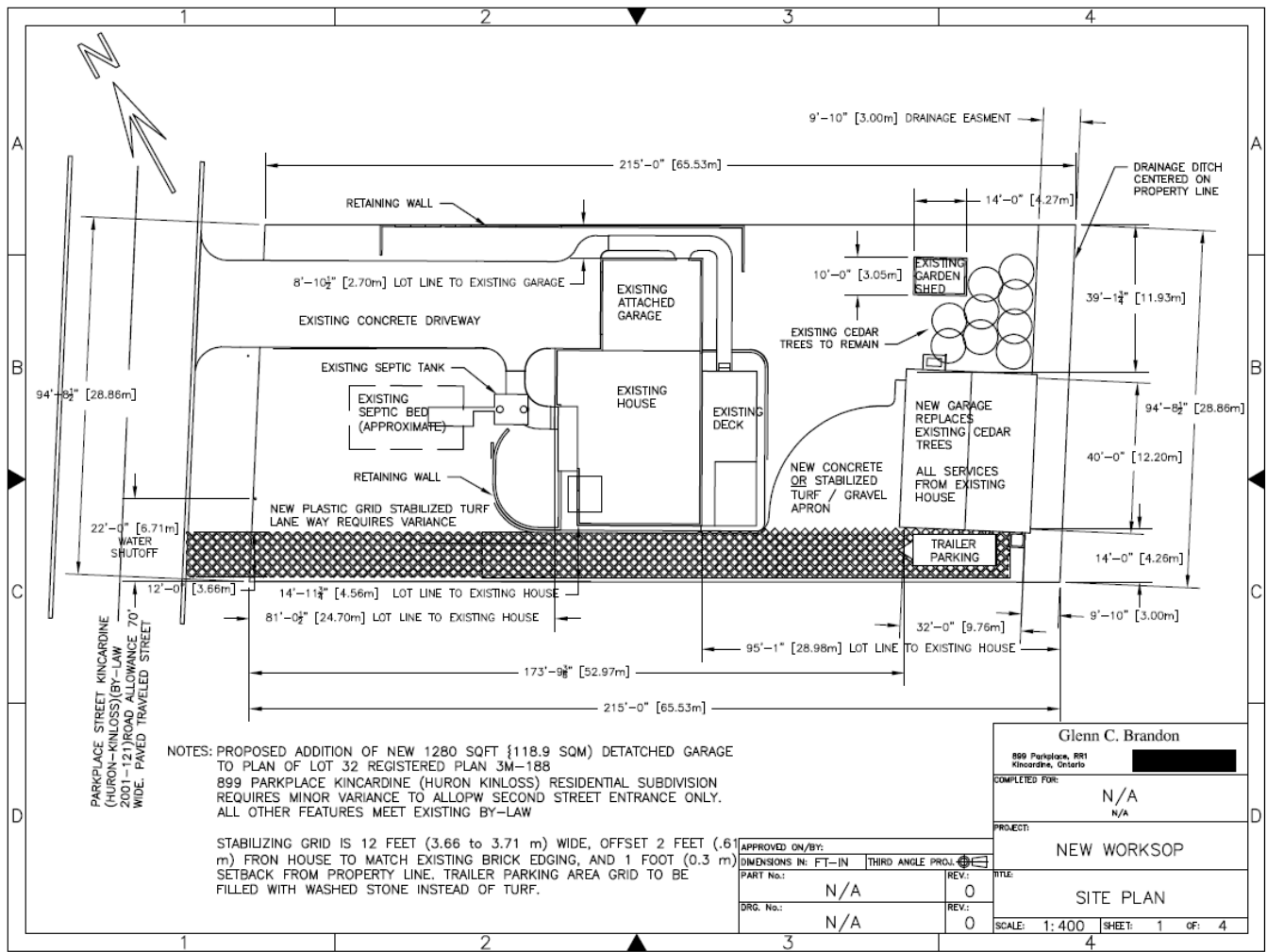
In consultation with the landowner, the proposed Minor Variance is being sought to provide vehicle access into the rear yard for a future detached garage accessory building.

The applicant has undertaken personal consultation with the neighbouring property owner. This consultation has resulted in minor modifications to the initial site plan to further incorporate low impact building design through the use of stabilized turf instead of concrete for the additional driveway.

Airphoto



Proposed 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.

Development Considerations

The lands are located in areas identified as having high archaeological potential. Archaeological concerns have been reviewed with the Saugeen Ojibway Nation Environment Office and it has been determined that the subject lands have experienced deep geological disturbance, and no archaeological assessment is warranted.

The applicant has provided a site grading and drainage plan to demonstrate that through the proposed development stormwater flows will continue to be managed appropriately. This has

been further improved upon by increasing permeability of proposed driveway through the use of stabilized turf.

Four Tests of a Minor Variance

Section 45(1) of the *Planning Act* gives the authority of granting minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the Minor Variance passes four tests. If the Committee is not satisfied on all four tests, then the Minor Variance cannot be approved.

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

The Bruce County Official Plan designates the property Secondary Urban Areas. The Huron-Kinloss Official Plan designates the lands Lakeshore Residential. Driveways are a key feature to appropriately access permitted uses, such as accessory buildings, within the residential designation of both the County and local Official Plans. The application maintains the intent and purpose of the Official Plans.

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

The following variance is proposed:

- A second driveway where the number of driveways is limited to one (1) based on the length of frontage for the property.

The Zoning By-law Section 5.1.10 details that Every lot shall be limited to the following number of driveways:

- a) Up to the first 30 metres of frontage measured along the street line not more than one driveway.
- b) For each additional 30 metres of frontage measured along the street line - not more than 1 additional driveway to a maximum of three driveways.

The purpose and intent of limiting the number of driveways is to:

- 1) Ensure that the number of private entrances to a public road are minimized to reduce the number of vehicle movements/turns for road safety purposes and to maximize opportunities for public roadway parking.
- 2) Aesthetic and drainage purposes associated with promotion of landscaped open space in the front yard.

The subject lands are located on a dead-end road, comprised of a modest number of low density single detached residences, and experiences an overall low level of local traffic in the area. As such, the number of vehicle movements/turns associated with the additional driveway is not anticipated to result in road safety concerns.

In review of off-street parking availability for residences in the area, most dwellings have larger driveways which exceed the Zoning By-law requirements for off street parking. Further,

lot frontages in this area are +/- 29m metres, and most dwellings appear to be single detached residences which require less overall parking spaces. The wider frontage provides for additional on-street parking, and the surrounding development types do not require extensive parking spaces.

The aesthetics and drainage intent and purpose of limiting the number of driveways is to ensure that landscaped open space and drainage is promoted in the front yard. The applicant has stated their intent to utilize stabilized turf instead of traditional concrete/pavement for the second driveway. The proposed form of development facilitates infiltration of water runoff and greenspace within the footprint of the second driveway.

It is noted that a municipal drainage feature is located to the rear of the subject lands. The Zoning for this property is Lakeshore Residential Special R1-25.80. The special zone provides that setbacks to watercourses shall not apply. The proposal is not anticipated to, nor is it permitted to, interfere with the municipal drainage feature. The protection of this feature will be regulated and monitored through the building permit/entrance permit process.

The proposal would maintain the intent and purpose of the zoning by-law.

[Is the application desirable for the appropriate development of the land, building or structure?](#)

Over time, it can be expected that a property owner will grow and replace, add to, or build new structures on their property which allow them to maximize the benefit, value, and use of their property. The proposed development can be considered appropriate with surrounding land uses and would comply with the Zoning By-law requirements except for the requested variance. The requested Minor Variance will enable the property owner to improve access to the rear yards and storage of personal belongings on the property.

As no new compatibility issues are being introduced, and the applicant has utilized low impact development practices through stabilized turf, the anticipated impact is expected to be negligible. The proposal is desirable for the appropriate development of the land, and building.

[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. The variance is considered minor.

[Public Comments](#)

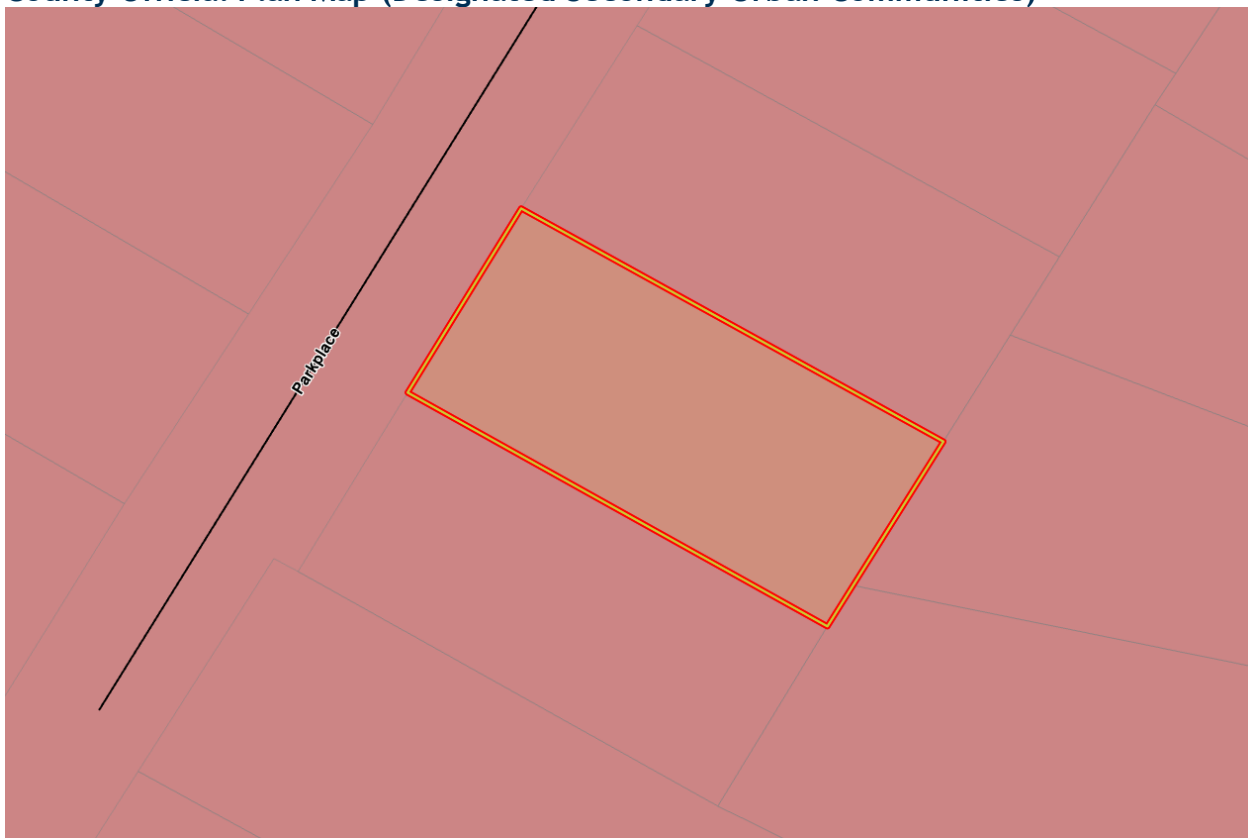
No formal public comments have been received. The applicant has indicated that they have expanded the area of stabilized turf based on informal conversations and input from neighboring landowners.

Financial/Staff/Legal/IT Considerations:
Potential Appeal to the Ontario Land Tribunal.

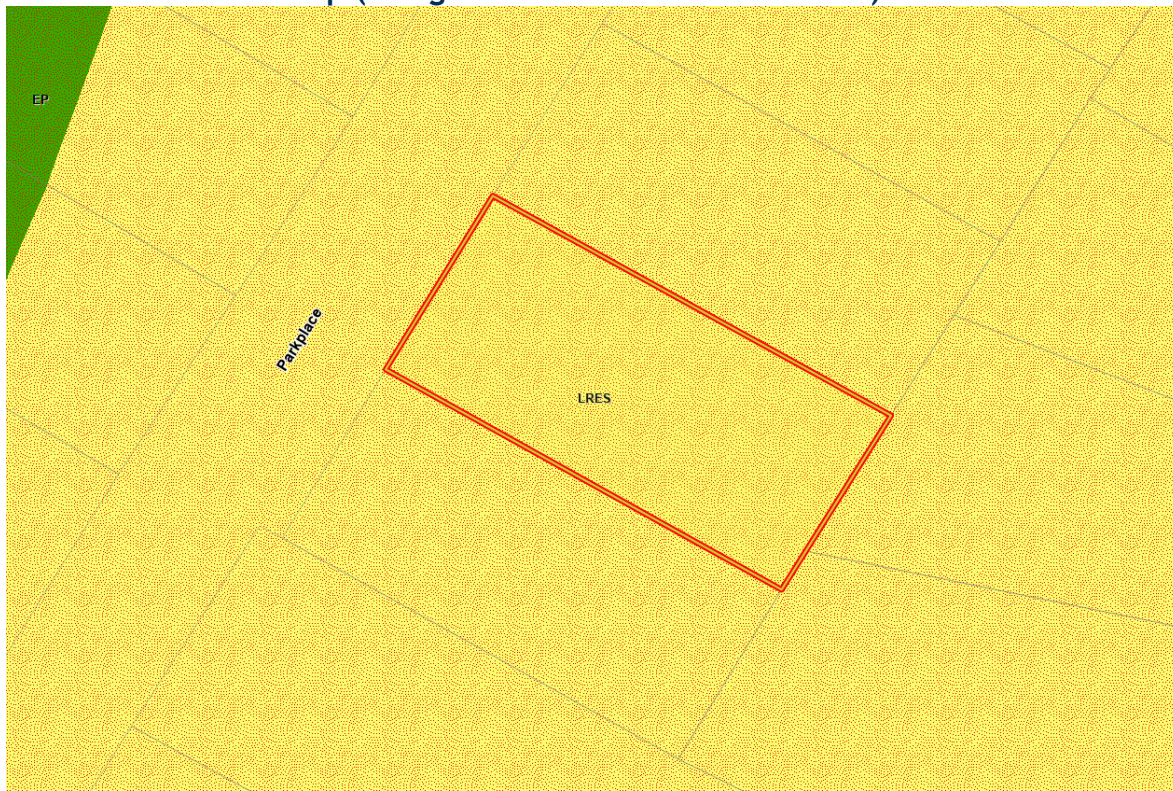
Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Supporting Materials
- Agency Comments
- Public Notice

County Official Plan Map (Designated Secondary Urban Communities)



Local Official Plan Map (Designated Lakeshore Residential)



Local Zoning Map (Zoned Residential One Special 'R1-25.80')



List of Supporting Materials

- Grading & Drainage Plan - Prepared by D. Culbert LTD.

Agency Comments

The Corporation of the Township of Huron-Kinloss:

- Applicant is required to obtain an entrance permit.
- Driveway to meet construction requirements set out by the director of public works.

BM Ross: No objections. The septic system for this property was last inspected in 2018. It will be due for the Cycle 3 inspection in 2026.

Historic Saugeen Metis: No objection or opposition.

Saugeen Ojibway Nation: The subject lands are considered disturbed; an archaeological assessment is not necessary for the new development as indicated. If archaeological resources are revealed, please contact SON immediately.

Saugeen Valley Conservation Authority: The application is acceptable to SVCA staff. Full comments provided below.

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

July 24, 2024

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

ATTENTION: Benito Russo, Planner

Dear Mr. Russo,

RE: A-2024-024 (Brandon)
899 Parkplace
Roll No.: 410716000904762
Lot 32, Plan 3M188
Geographic Township of Huron
Township of Huron-Kinloss

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 41/24 (SVCA's Prohibited Activities, Exemptions and Permits Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the County of Bruce representing natural hazards. 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. Finally, we have screened the application to determine the applicability of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006.

Purpose

The purpose of the application is seeking relief from Section 5.1.10.2 of the Huron-Kinloss Zoning By-law. It is proposed that a second driveway be allowed where only one driveway is permitted. If approved, this will facilitate the establishment of a second driveway serving a future detached accessory building.

Recommendation

The application is generally acceptable to SVCA staff.

Drinking Water Source Protection

The property appears to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan.

Summary

SVCA staff find the application acceptable. The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features of interest to SVCA or as per our MOA with the County of Bruce. As such, it is the opinion of SVCA staff that the application is consistent with the Natural Hazard Policies of the PPS, 2020 and the Bruce County Official Plan. Additionally, the property is not subject to Ontario Regulation 41/24, or to the policies of SVCA at this time, and as such, permission from the SVCA is not required for development on the property.

Please inform this office of any decision made by the Township of Huron-Kinloss and/or the County of Bruce with regard to the proposal. Should you have any questions, please contact the undersigned.

Sincerely,



Vivian Vanceeder
Environmental Planning Technician
Saugeen Conservation
VV/

cc: Jennifer White, Clerk, Township of Huron-Kinloss (via email)
Larry Allison, SVCA member representing the Township of Huron-Kinloss (via email)
Amy Rogers, Applications Technician, Bruce County (via email)



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



July 8, 2024

File Number(s): A-2024-024

Public Hearing Notice

You're invited to participate in a Public Hearing to consider a Minor Variance / file #A-2024-024 August 12, 2024 at 7:00 p.m., Council Chambers, Township of Huron-Kinloss, 21 Queen Street, Ripley, ON

For information on how to participate in the public hearing, please visit the township website at: <https://events.huronkinloss.com/meetings>.

Please contact the Township of Huron-Kinloss jwhite@huronkinloss.com or 519-395-3735 x123 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 a Minor Variance seeking relief from Section 5.1.10.2 of the Huron-Kinloss Zoning By-law. It is proposed that a second driveway be allowed where only one driveway is permitted. If approved, this will facilitate establishment of a second driveway serving a future detached accessory building.



899 Parkplace

PLAN 3M188 LOT 32
(Huron)

Township of Huron-
Kinloss

Roll Number:
410716000904762

Learn more

Additional information about the application is available online at <https://www.brucecounty.on.ca/active-planning-applications>. 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: Benito Russo

Have your say

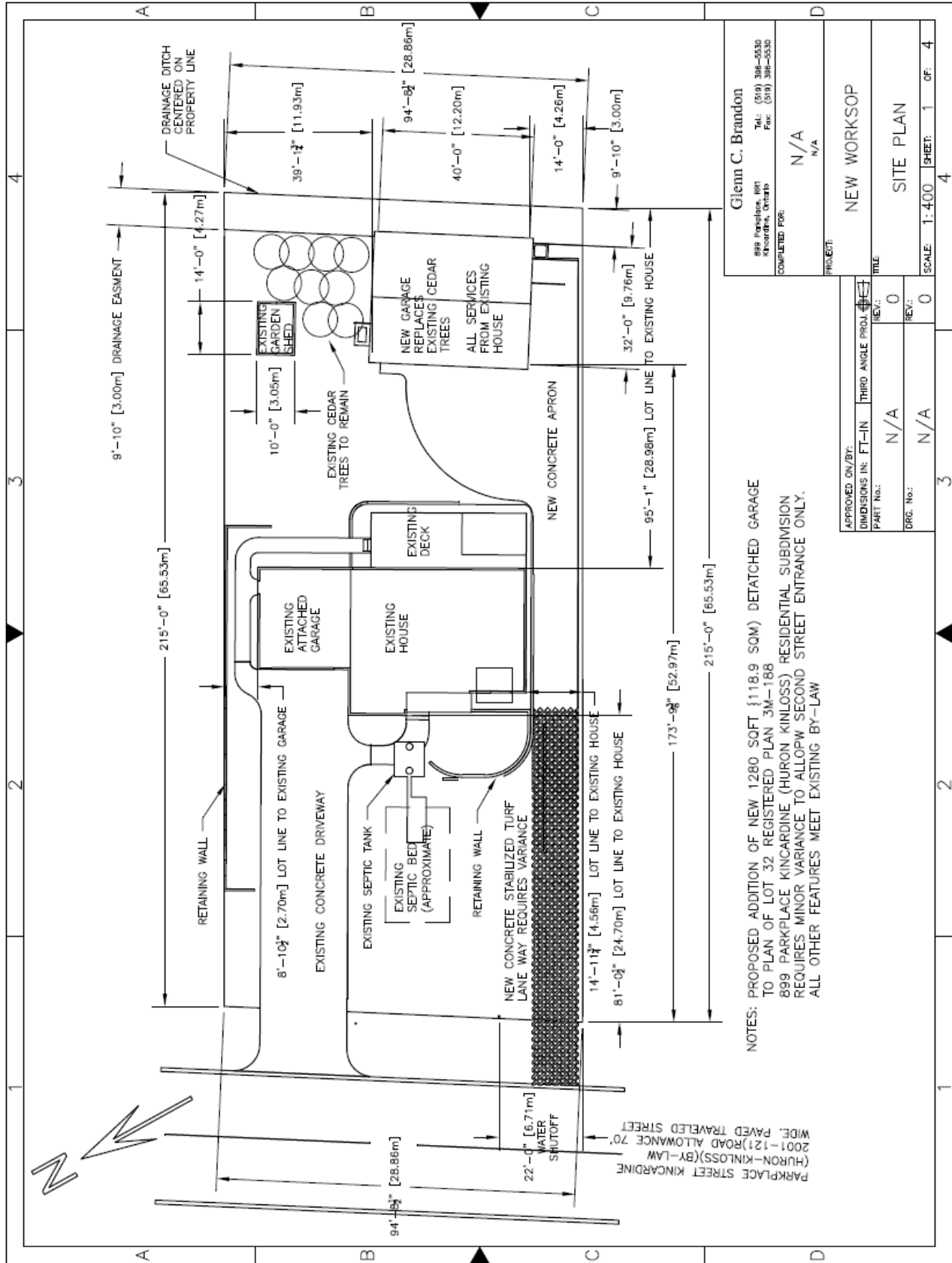
Comments and opinions submitted on these matters, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in a Planning Report and Council Agenda. Comments received after July 29, 2024 may not be included in the Planning 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.

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



Glenn C. Brandon
 899 Parkplace Bldg
 Kincardine, Ontario
 Tel: (519) 386-5530
 Fax: (519) 386-5535

COMPLETED FOR: N/A
 N/A

PROJECT: NEW WORKSHOP

TITLE: SITE PLAN

SCALE: 1:400 SHEET: 1 OF: 4

APPROVED ON/ BY:	THIRD ANGLE PROJ:	REV:
		0
DIMENSIONS IN: FT-IN		0
PART No.:	N/A	0
ORG. No.:	N/A	0