



## Planning Report

**To:** Township of Huron Kinloss Council

**From:** Julie Steeper, Intermediate Planner

**Date:** August 12, 2024

**Re:** Zoning Bylaw Amendment Application - Z-2024-042 (Shepherd c/o Davidson)

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### Recommendation:

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

That Council approve Zoning By-law Amendment Z-2024-042 and the necessary by-law be forwarded to Council for adoption.

### Summary:

The purpose of the application is to permit 48-unit townhouse development. Zoning By-law Amendments are required to facilitate the application. If approved, the effect of the proposed amendments will facilitate the development of townhouse buildings for a total of 48 units on the subject lands at 24 Park Street.

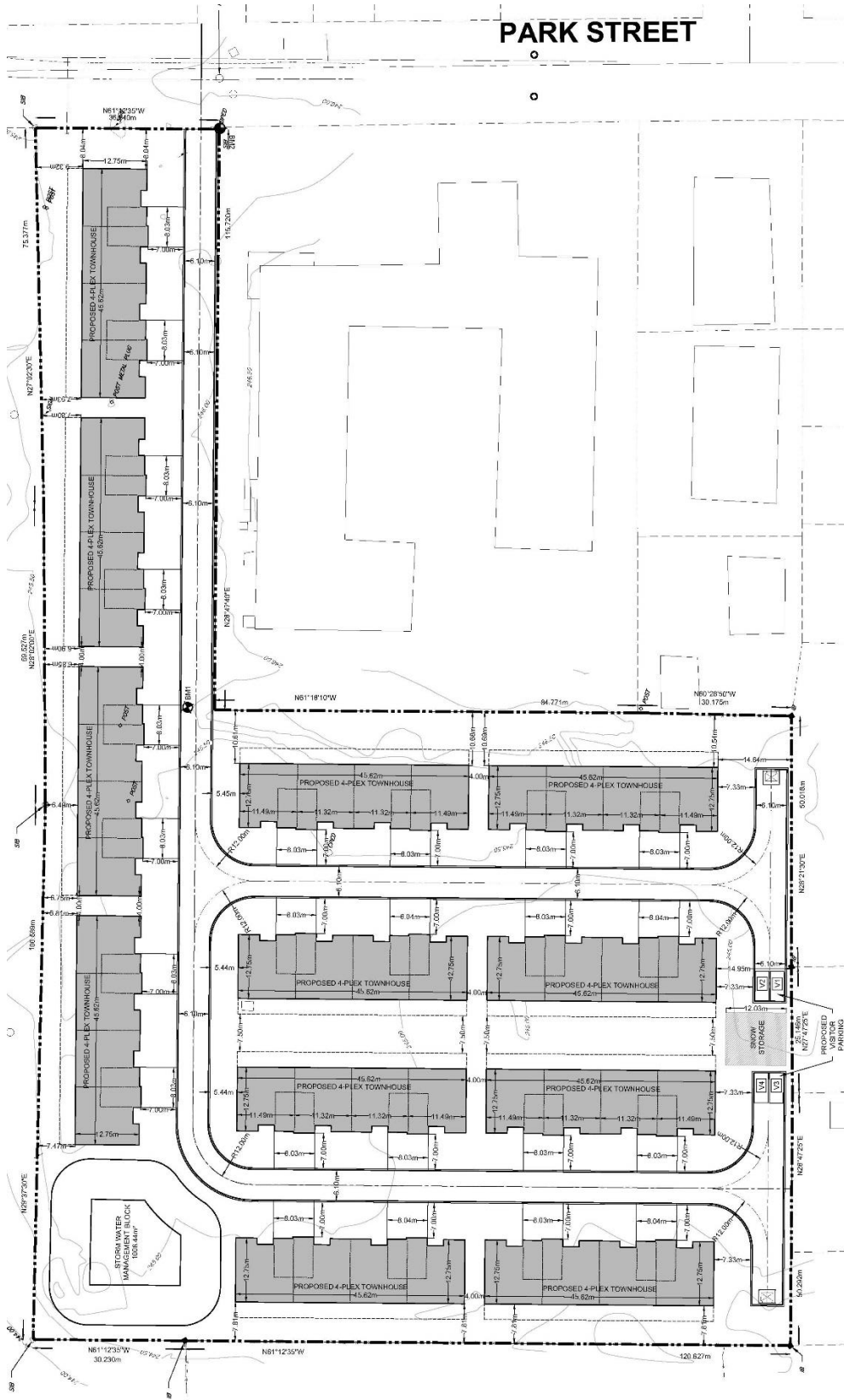
The property is located south of Bruce Road 6 and west of Bruce Road 7 within the Village of Ripley.

## Airphoto

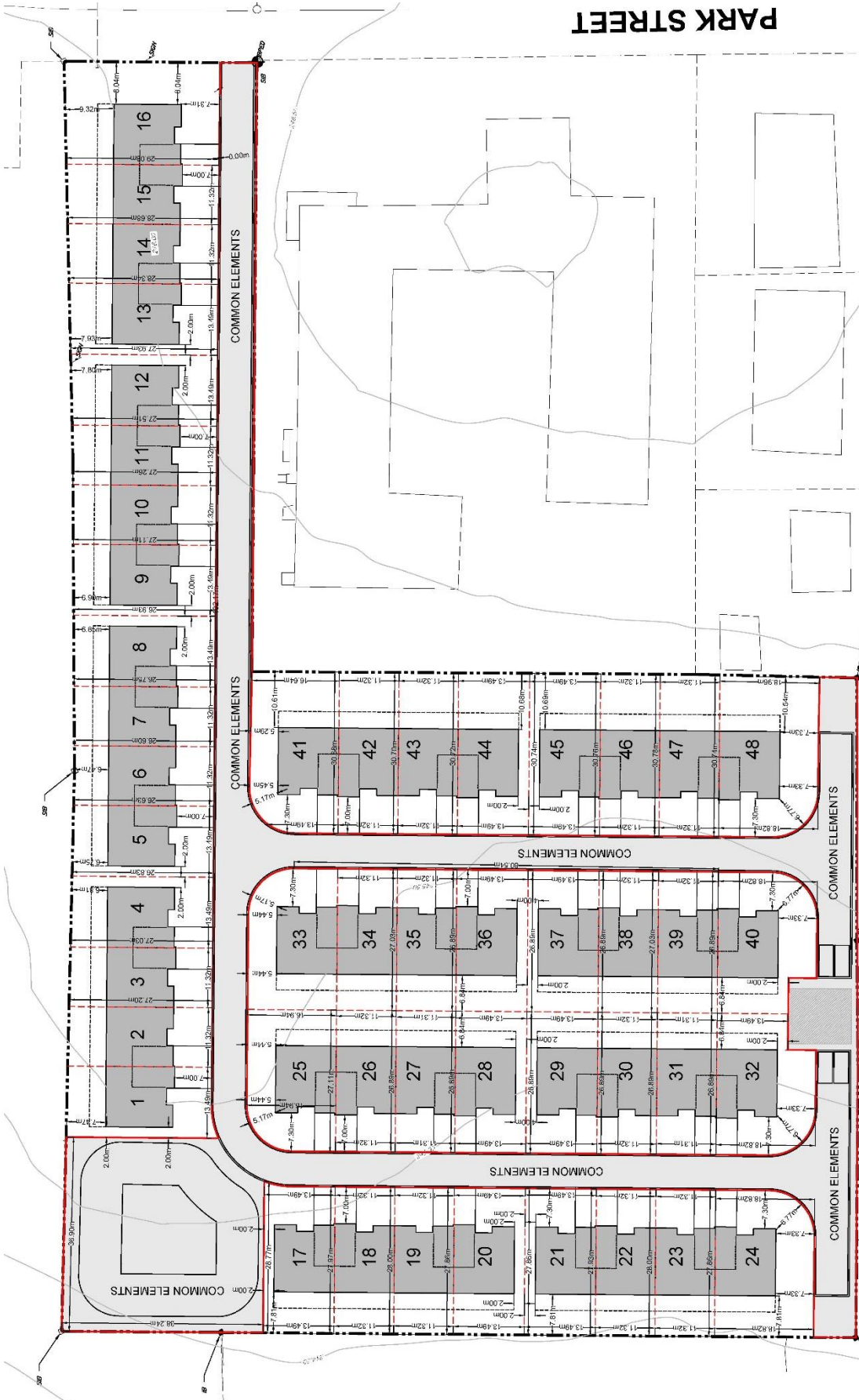


24 Park Street  
CON 7 PT LOT 16 PLAN 252 PT;PARK LOT 232 PLAN 256 PT LOT;247 PARK ST S/S RP  
3R6758;PART 2 (Ripley), Township of Huron-Kinloss, Roll Number 410716001012800

Site Plans



# PARK STREET



## 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.

### Provincial Policy Statement and Bruce County Official Plan

The lands are designated Primary Urban Communities in the Bruce County Official Plan. The Provincial Policy Statement is interested in the vitality and long-term sustainability of settlement areas. The PPS directs that the majority of growth and development should occur in these areas. The PPS also encourages the development of mixed densities and land uses that make the most efficient use of land and resources. The PPS encourages intensification, a range of housing types and tenures, and a compact form of development where it can be appropriately accommodated. The goals and objectives of both the County and local Official Plans direct much of the future growth to Primary Urban Communities, such as Ripley. The subject proposal represents the opportunity to develop an underutilized parcel for high-density residential purposes that will make efficient use of land and municipal services in accordance with the direction of the PPS and Official Plans.

### Land Use Change

The Provincial Policy Statement (PPS) states that approval authorities shall protect and preserve employment areas for current and future uses. Conversion of employment lands to non-employment uses shall be limited and should only be considered when it has been demonstrated those lands are not required for employment purposes and there is a need for the conversion. This helps ensure sufficient vacant, employment land remains available to meet the long-term needs of the community. The subject lands are currently designated Residential. However, the subject property is zoned light industrial, but have never been used for industrial purposes and the balance of the lands are zoned residential. The designation is residential and likely the lands were never considered for employment purposes. The proposed amendment would be compatible with the adjacent residential uses surrounding the property. An amendment to Zoning By-law is required to allow for the proposed future residential development.

In this case, the subject property was historically residential and industrial uses were never formally established on the lands. The property currently has a mobile home and four storage buildings. The surrounding land uses are also primarily residential, with multi-unit residential buildings to the north and northeast and low density residential to the immediate east and south. Lands to the west are vacant but zoned for residential purposes. Staff are of the opinion that the removal of 1.52 ha from the light industrial zone would have no impact on the ability to provide adequate employment and industrial opportunities for the community in the future. The proposed 48 unit townhouse development is a desired housing format and compatible with the existing or planned uses in the immediate area.

## Setbacks

The applicant is seeking relief regarding the rear and interior side yard setbacks. One of the main purposes of rear yard setback is to ensure that there is adequate private amenity space provided in the back yard. The proposed 6.4m yard setback would still fulfil this purpose and is considered adequate. The reduction in the rear yard requirement applies to Units 1 to 11, which are proposed for along the west side of the property, and is required because of the angle of the westerly lot line. It should be noted that only one unit will have a rear yard of 6.47 m, as the rear yard increases toward the south end of the property. A reduced rear yard of 6.84 m will be provided for Units 25-40, which are the interior units. These rear yard reductions are considered reasonable in nature to allow. The proposed setback would still provide ample private amenity space at the rear of each dwelling.

The applicant is requesting a 2 m side yard, but the actual separation distance between buildings will be 4 m. It should be noted that a street townhouse only requires a side yard of 1.5 m, and therefore, it seems reasonable in nature to allow. Side yard setbacks provide separation between buildings and uses on adjacent properties, space for maintenance and landscaping, and buffering. The proposed setbacks will still allow adequate space for maintenance, landscaping, and buffering. There are no anticipated negative impacts on adjacent lands due to the setback reductions.

## Natural Heritage

There is a wetland feature noted in the Local Official Plan, the Northeast extent of which is within 60m of the development, which suggests that natural heritage impacts should be considered. However, the aerial imagery suggests that the wetland feature is less extensive aligning more accurately with the Environmental Protection designation in the local Official Plan. This puts the feature greater than 60m from the boundary of the property proposed for development (roughly 90m). Furthermore, the proposed development is separated from the feature by manicured lawn areas, which would not be anticipated to play a significant ecological or hydrological role for the wetland at that distance. In accordance with Bruce County Official Plan policy 4.3.3.8 enables staff to waive the requirement for an EIS when the site conditions for a development are such that the preparation of an EIS would serve no useful purpose for the protection of the significant environmental features. Therefore, an EIS was not required to be conducted as part of a complete application. No natural heritage impacts are anticipated as a direct result of the application. As such, the proposal is consistent with natural heritage policies of the PPS.

## Natural Hazards

The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features that would relate to natural hazards. Therefore, the proposed development is sighted outside any natural hazard. The Saugeen Valley Conservation has provided comments and find the application acceptable.

## Archeological Potential

The subject property is considered to have high archeological potential due a watercourse that runs in proximity to the property. In review it was determined that an Archeological Assessment was required to facilitate the application.

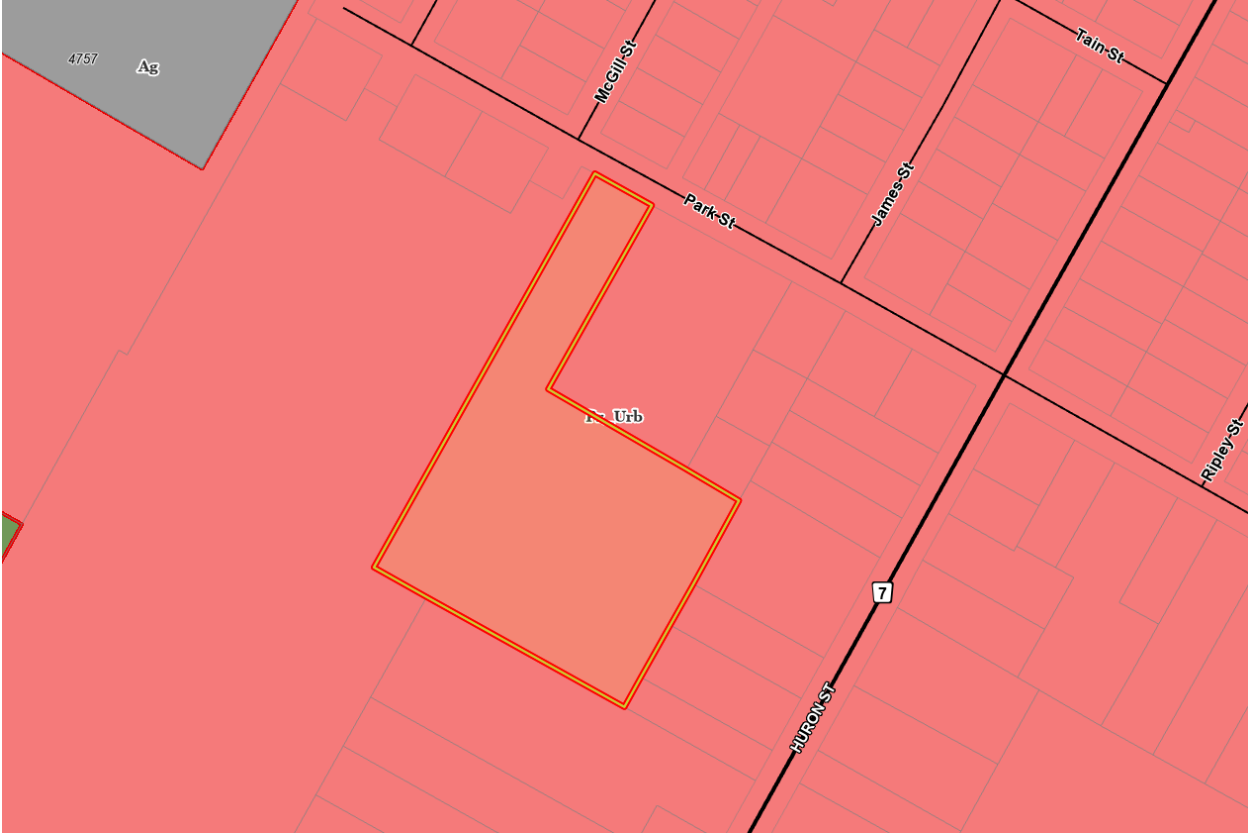
The County Official Plan identifies that development on lands containing possible archaeological resources or areas of archaeological potential, should occur in such a manner as to avoid destruction or alteration of these resources. Where this is not possible, the development proponent shall conserve the resources through removal and documentation in accordance with the Ontario Heritage Act.

First Nations were consulted and in engaged in review and it was determined that an Archeological Assessment was not needed due to previous disturbance on the subject lands.

## Appendices

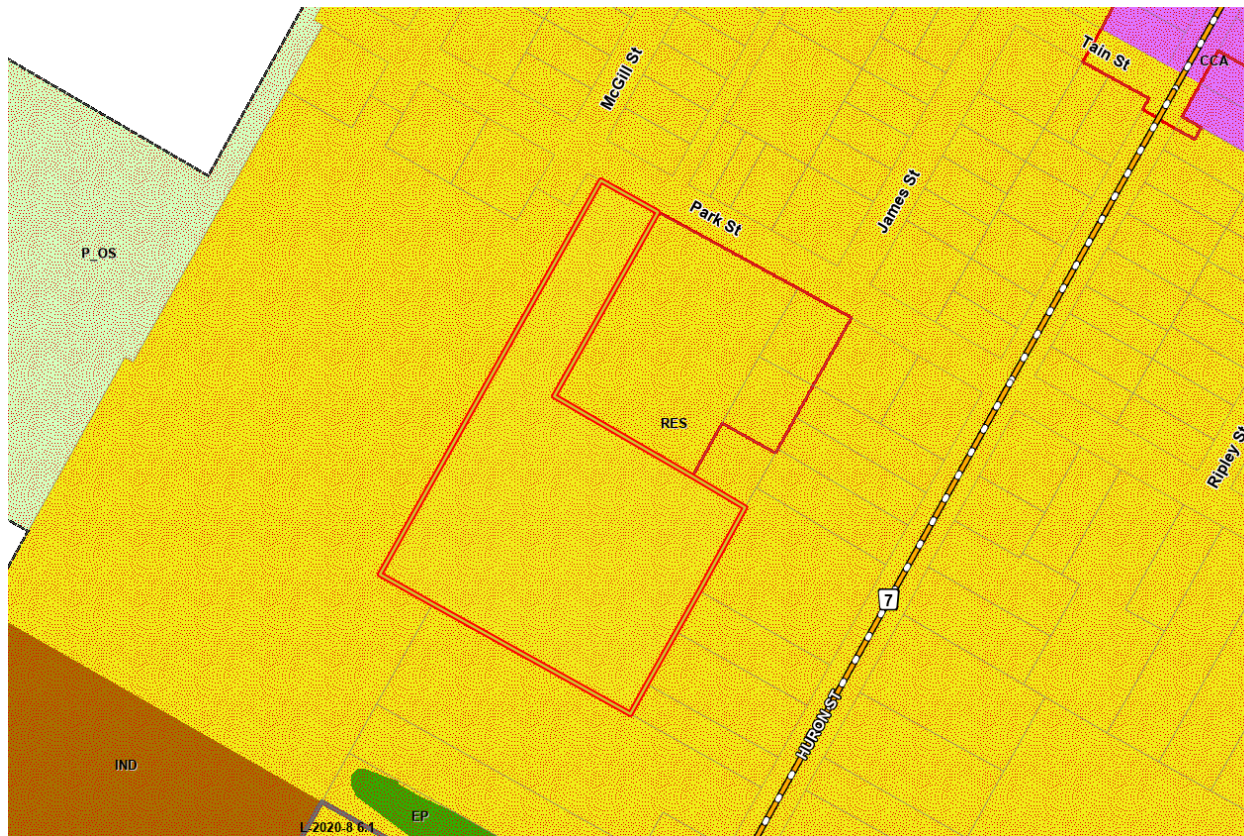
- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
- Agency Comments
- Public Comments
- Public Notice

County Official Plan Map (Designated Primary Urban Communities)

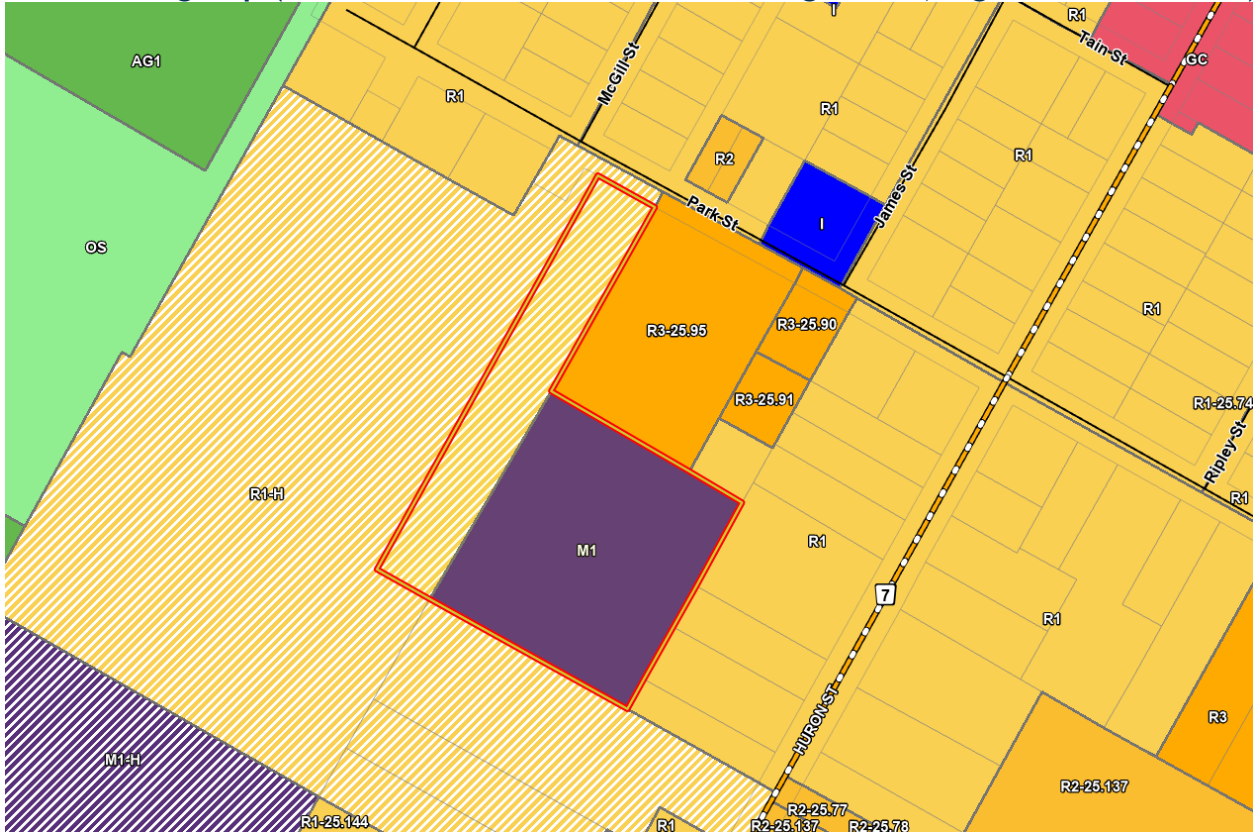




# Local Official Plan Map (Designated Residential, Community Improvement Area)



## Local Zoning Map (Zoned Residential One with Holding 'R1-H', Light Industrial 'M1')



## List of Supporting Documents and Studies

The following documents can be viewed in full at [Planning Huron Kinloss | Bruce County](#)

- Planning Report Submitted by Ron Davidson Land Use Planning Consultant Inc. Dated March 22, 2024
- Planning Justification Report Addendum by Ron Davidson Land Use Planning Consultant Inc. Dated May 22, 2024
- Ministry of the Environment, Conservation and Parks Receipt of Record of Site Condition Dated April 2, 2024
- Functional Servicing and Stormwater Management Report by COBIDE Engineering Inc Dated March 2023

## Agency Comments

Township of Huron Kinloss:

- 1) subject lands will be under site plan control.
- 2) A detailed stormwater management plan will be required by the Township to confirm that the existing trunk storm sewer is sufficient outlet for the proposed development.

3) A section 65 (drainage act) re-appointment report (FAIR MD) will be required if subject lands are subdivided.

B. M. Ross, Township of Huron Kinloss Engineers: The proposed development will utilize municipal wastewater services, so I have no comments to offer with respect to septic systems. If the proposed method of wastewater servicing changes, please advise.

Bruce County Transportation & Environmental Services, Engineering Technician: No comments.

Westario:

- What are the proposed electrical demand requirements for the development?
- What are the proposed timelines for the construction of this project?
- Depending on projected load and servicing requirements, Westario will need to extend the 3-phase overhead line from Huron St.
- Westario will need to verify capacity limits with Hydro One.

The pole line work/extension costs will be included within the total cost presented to the developer. If the developer could fill out the form below, that would be great.

<https://westario.com/wp-content/uploads/2023/07/Subdivison-Service-Request-Form.pdf>

Saugeen Valley Conservation Authority: The proposed zoning by-law amendment application is generally acceptable to SVCA staff. Provided in full below.

### **Public Comments**

No comments were received from the public at the time of writing this report.