



Planning Report

To: Township of Huron-Kinloss Council

From: Benito Russo, Intermediate Planner

Date: January 13, 2025

Re: Local Official Plan Amendment & Zoning By-law Amendment Applications L-2024-011 & Z-2023-039 (Kinsmen)

Recommendation:

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

That Council adopt Local Official Plan Amendment L-2024-011 submitted by Ron Davison on behalf of the Lucknow and District Kinsmen Club and the necessary by-law be forwarded to the County for approval.

That Zoning By-law Amendment Z-2023-039, as attached, be approved and the necessary by-law be forwarded to Council for adoption.

Summary:

The purpose of these applications is for a local Official Plan Amendment and Zoning By-Law Amendment. If approved, the applications will expand, and clarify, the current permitted uses for the existing special policy area and special zones. This will also allow for a permanent building(s) to be located in a different location on the site than currently permitted.

The following are the proposed uses to be permitted in addition to the general permitted uses, and existing special permitted uses, of the Open Space Zone/Designation:

- Childcare centre
- Community events (generally special occasion events such as 'egg hunt', 'Halloween haunted house', 'movie screenings' etc.,)
- Banquet hall
- Permanent or Temporary Stage
- Outdoor storage
- Recognize the existing electrical facilities within a shipping container
- Portable buildings used for accessory ticket sales, camping registration, etc., to remain on the site year-round.

The holding provision will be updated to reflect areas of high archaeological potential.

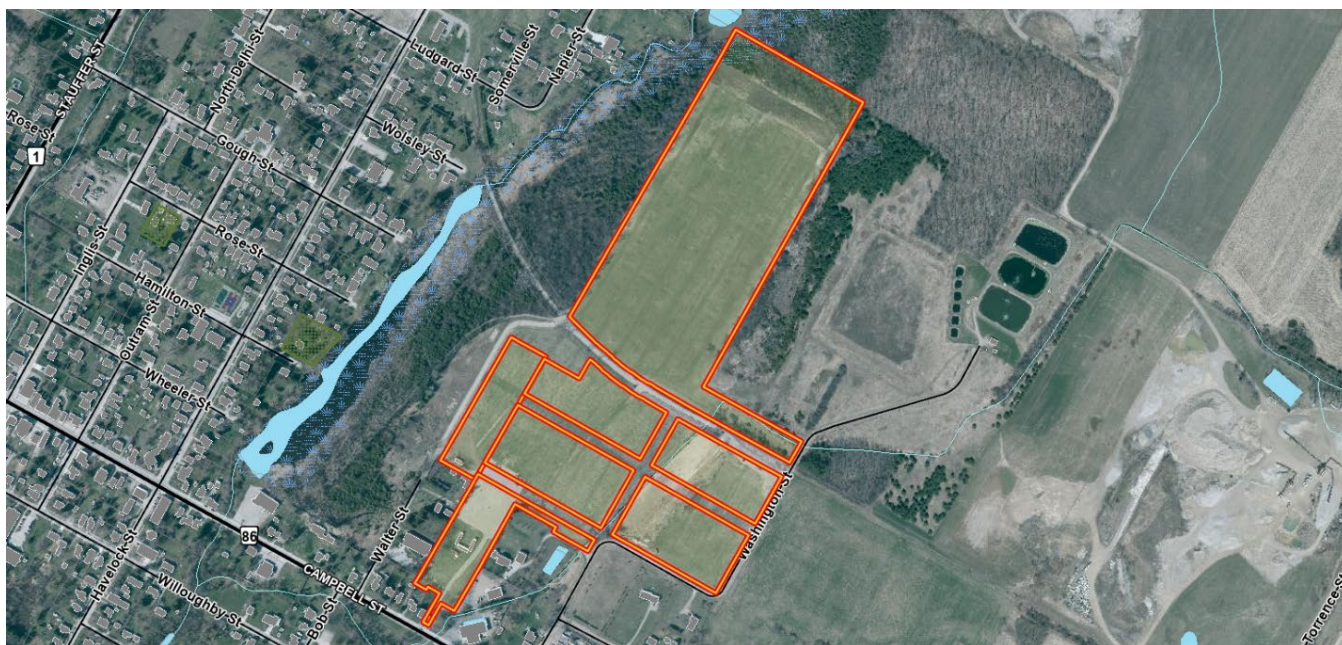
The associated Local Official Plan Amendment is proposed to permit use of the building for childcare centre in the Open Space Designation.

If approved, this will result in the additional permitted uses in expanded areas of the subject lands and provide clarity to the existing zoning text.

It is noted that the subject lands are also permitted to be utilized for four larger community events per calendar year and limit each event to a maximum of five days. The proposed text changes surrounding these events is to improve the clarity of the associated provisions.

The subject property has a civic address of 59 Washington St & 575 Walter St and is located on the Northeast side of Lucknow being North of Bruce Road 86/Cambell St and between Walter St and Washington Street. The adjacent land uses include Residential, Light Industrial, Natural Environment, Future Development, and Institutional (water treatment).

Airphoto

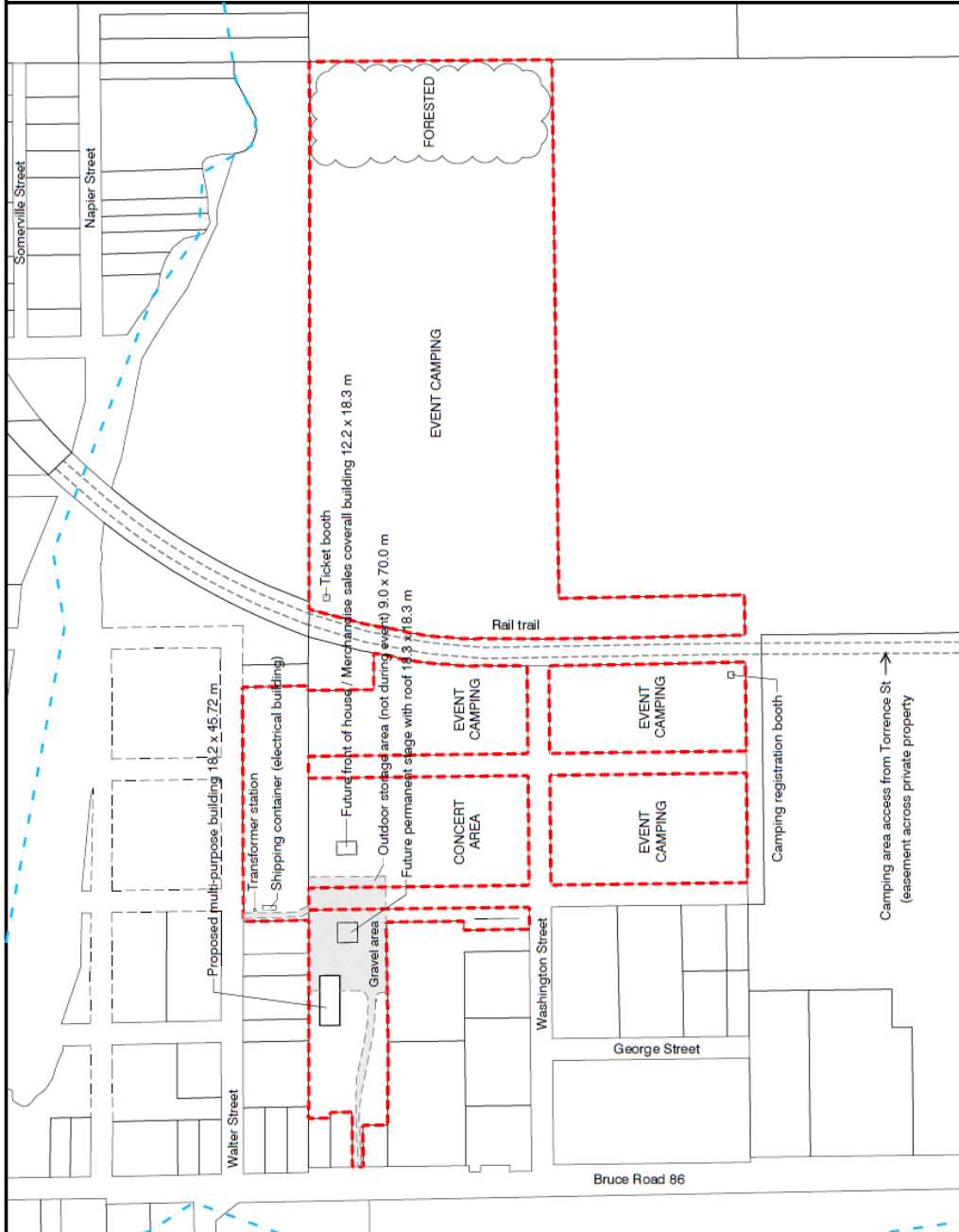


Site Plan Entire Property

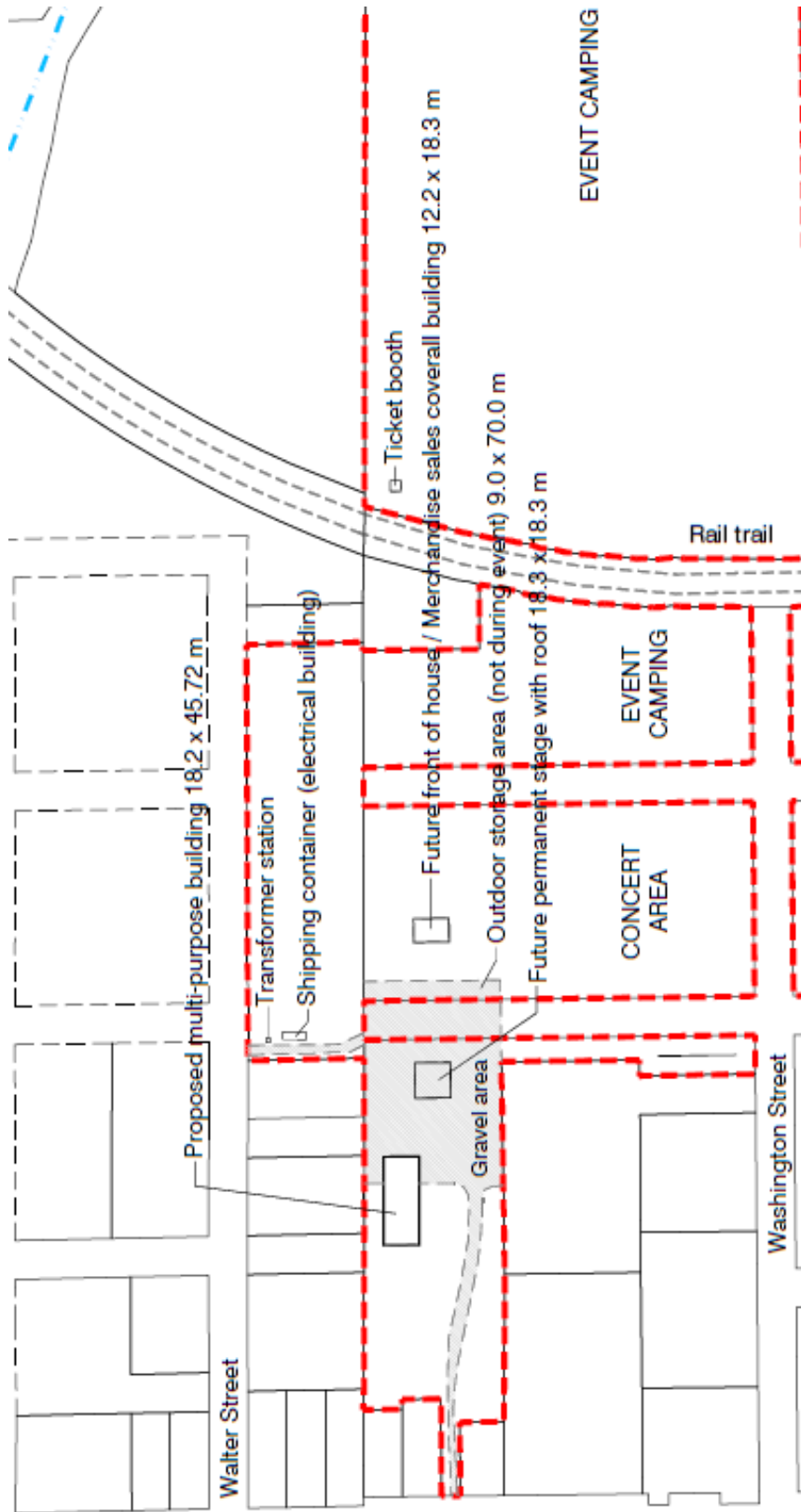
Figure 2: Site Plan
Subject Property



1:3500
Lucknow and District Kinsmen Club
Lucknow, Ontario



Site Plan Continued



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.

Proposed Development

The proposed Amendments to the Huron-Kinloss Official Plan and Zoning By-law are to facilitate clarity of the applicable provisions, and permit a permanent building to be used for hospitality services, offices, facilities, and food preparation during events. This building is also proposed to be utilized throughout the year as a Childcare Centre, as well as a meeting area for the Lucknow and District Kinsmen/affiliate groups for monthly meetings.

A future permanent roofed stage, and a merchandise sales/storage building are also proposed. These buildings are intended to be utilized in association with the permitted special events which occur on the property.

The subject lands currently contain three office trailers utilized during special events, two shipping containers for material storage associated with the special event, two portable ticket sales/registration booths, and one shipping container containing three phase power services to the property.

Once the proposed building has been established it is intended that the office trailers and shipping containers utilized for storage would be removed from the property. The proposal would permit the ticket/registration booths to remain as portable accessory structures, the existing three phase power shipping container would be recognized, and a new outdoor storage area would be established.

The '-H1' holding provision will be updated to reflect areas of high archaeological potential.

Local Official Plan Amendment

The subject property is designated as Open Space Special Policy Area 3.18.5 & 3.18.6, and Environmental Protection in the Huron-Kinloss Official Plan. The special policy areas permit the use of the subject lands for four larger scale community events in a calendar year, each occurring for no more than five consecutive calendar days per event and directs for the Zoning By-law to include greater details regarding activities and structures. These events are comprised of camping, live music, a tractor pull, and a fourth undefined event that is yet to be determined. The proposed changes in relations to these events are not to materially change the permissions associated with them, but to clarify the applicable policies.

The intent of the Open Space Designation is to contribute to the quality of life in the Township by providing opportunities for all ages for active and passive recreation and venues for social, cultural, interpretive and other activities and community events. It is noted that a childcare centre is not a permitted use in the Open Space designation.

The Child Care Centre is a desirable community service establishment. The subject lands are space expansive with large open areas with which to provide for both active and passive recreation opportunities for the children attending the Child Care Centre, this contributes to a healthy and active lifestyle.

The proposal is consistent with the Bruce County Official Plan, which directs for a broad range of uses to occur within fully serviced settlement areas with the intent to establish complete communities.

The proposed Child Care Centre meets the intent and objectives of the Huron-Kinloss Official Plan.

Zoning By-law

The proposed Amendment to the Huron-Kinloss Zoning By-law would rezone the subject property from the existing Open Space Special Zones 'OS-25.123-H', 'OS-25.124', and 'OS-25.125' to be replaced with new provisions. This would facilitate clarity of the applicable provisions, recognize the registration/ticket booths and the shipping container with three phase power services, permit a permanent stage, and permit a permanent building to be used for hospitality services, offices, facilities, and food preparation during events.

The primary building is proposed to be utilized throughout the year as a Childcare Centre, as well as a meeting area for the Lucknow and District Kinsmen/affiliate groups for monthly meetings. In the past a temporary stage is brought in during special events, a future permanent stage is proposed to replace the temporary stage, however, it is to continue to be utilized in accordance with the special event permissions of the subject lands.

Compatibility Considerations

The proposed permanent building is adjacent to an industrial zone. The Ontario D-6 Series Guidelines provide recommended separation distances between industrial and sensitive land uses. The intent of these guidelines and provisions is to provide separation between land uses that may have compatibility concerns. In general, separation distances are 20 meters for less impactful businesses and 70 meters where greater impacts can be anticipated.

As a childcare centre is classified as a sensitive land use consideration should be given to ensure appropriate separation exists between surrounding land uses.

Based on the existing zoning in the vicinity of the subject property and the existing/planned developments, the required separation distance is provided between the proposed childcare centre and neighboring developments. It is not anticipated that the introduction of the childcare centre would result in a land use conflict with existing surrounding uses.

Natural Heritage & Hazards

Areas designated and zoned environmental protection are present on the subject lands. These areas are currently held in a natural state or contain manicured grass. No changes are proposed through this application within or immediately adjacent to these areas.

As these areas are zoned Environmental Protection, which does not permit the as of right construction of new buildings or structures, and there are no proposed changes within or adjacent to the identified natural features, it can be anticipated that any impacts resulting from the proposed applicants are negligible.

In addition, the existing policies and provisions detailing that mitigation measures to prevent negative impacts to the areas of the property zoned Environmental Protection (EP) and OS 25.124(f) shall be implemented to the satisfaction of the Township of Huron-Kinloss will continue to apply.

Archaeological Resources

Large portions of the subject lands are identified within the Bruce County screening maps as containing high archaeological potential. These areas are consistent with the Ontario Ministry of Tourism and Culture Criteria for Evaluating Archaeological Potential.

The provincial requirements under the Planning Act require the protection archaeological resources that may be present as part of an application.

Several areas of existing disturbance are located within the subject lands. This includes gravelled areas, driveways, internal roadways, and areas where service lines have been installed. To account for this disturbance, the existing holding provision in these areas will be lifted.

For the remainder of the undisturbed areas, a holding provision is proposed in areas of high archaeological potential, lot grading; excavation; and/or construction shall not be permitted unless the Holding (-H1) zone provision is removed. The holding provision fulfills the provincial requirements for the protection of any potential archaeological resources that may be present on the subject property.

Landscaping

Comments have been received from the public indicating a desire for a planting area to be installed along the lot line where the parking area and proposed childcare centre/private club building is to be located. The planting area is a general requirement of the Zoning By-law when parking requirements exceed 4 parking spaces adjacent to a residential zone.

The existing zoning for the subject lands provides relief from 'Parking, Stacking & Loading Regulations', which included the requirement for a planting area. Based on my evaluation this was originally applied to the subject lands as the primary use of the property was for special

events parking, which only occurred for a few days out of the year and as such would not necessitate a planting area due to infrequent use of the parking area.

Through the proposed amendment, the parking area will now be utilized throughout the year. As such, the inclusion of a planting area is recommended to be included as part of the change in land use. The inclusion of a planting area outside of the parking area next to a residential zone may be further defined through the applicable site plan control process.

Public Comments

Public comments were received that recognized the Kinsmen's efforts to keep the property in a clean and tidy condition, and that the proposed childcare centre is something that the community supports.

In response to questions received:

- With respect to the smaller events (e.g., easter egg hunt, haunted house, movie screenings, etc.) these events would be largely monitored by the hosting group in coordination with the Township By-law enforcement.
- The reduced setback of outdoor storage to a lot line is to facilitate use of the existing gravelled area for outdoor storage. The property contains multiple unopened road allowances owned by the Township, one of which is in close proximity to the gravelled area where the outdoor storage is proposed. A provision has been included to require the general zoning by-law requirements for outdoor storage setbacks from a residential zone and any opened road allowances.
- The subject property contains areas of high archaeological potential, a -H1 holding provision has been applied through this application in areas of high archaeological potential requiring an assessment for those areas. It is noted that the location of the childcare centre/private club is within a disturbed area of the property and no assessment is necessary for this building.
- The location of the building was selected to maximize the use of existing services and gravelled parking area.
- The total number of permitted permanent buildings located within each zone has been limited to ensure that future development opportunities outside of the current uses are maintained.
- The requirement for fencing and landscaping is largely determined through site plan control. However, the general zoning requirement for a planting area along parking areas is recommended to address visual barrier concerns and glare from motor vehicles.

Required Official Plan Amendments

To facilitate the proposal, and provide clarity to the existing special designation policies, and amendment to the Huron-Kinloss Official Plan is required. It is recommended that the policies for the 'Parks and Open Space - Special Policy Areas 3.18.5 & '3.18.6' designations be replaced with the following new policies:

3.18.5 Lucknow Kinsmen Graceland

Within the lands identified as 'Site Specific Policy Area 3.18.5' as shown on 'Schedule A-1 Land Use Plan - Lucknow', the following policies shall apply:

Special Policy Area 3.18.5 is a land use designation that permits a maximum of four events Special Event on the lands four times per calendar year for no more than five consecutive days. Special Event is to be broadly defined and includes: Agricultural fair, market, festival or shop; antique, craft or hobby show; automotive flea market or show, boat or vehicle show; contemporary music and camping festival; contemporary music concert; cultural festival or event; rodeos; tractor pulls, demolition derbies and, similar.

A permanent building constructed for the use a special event may also be used throughout the year to host meetings and similar occasional events, and to serve as a Childcare Centre or similar uses.

Permitted Uses shall be restricted to the following:

- *Special Event as defined below;*
- *Banquet Hall as defined below;*
- *Camping;*
- *Private Club;*
- *Outdoor Recreation but not including a Golf Course;*
- *Childcare Centre;*
- *Community Events;*
- *Buildings and structures accessory to a permitted use; and*
- *Outdoor Storage in association with a permitted use.*

'Special Event' means an outdoor activity, festival, concert, event, show, exhibition or function of any nature or kind, including those done outside but under a tent or other non-permanent building or structure, held a maximum of four times per calendar year for a period not exceeding one hundred and twenty consecutive and cumulative hours at which more than 200 people are anticipated to be, or are in, attendance. A Special Event may include camping/campsites for motor homes, travel trailers, tent-trailers, tents or similar transportable accommodation, as well as ancillary uses such as food and craft vendors and alcohol sales.

"Banquet Hall" shall mean a building or part thereof, used for gathering together no more than 199 persons for specific functions including the consumption of food and drink. Full kitchen facilities shall be provided on the premises.

A 'Private Club' means a group of buildings or structures owned or chartered by an organization, a non-profit organization, or a public body and designed and built for seasonal or periodic use. Included as part of the private club is a principal building that serves as an office and hospitality lounge during the music event, which may include showers and washrooms for the performers involved in the festival and a

kitchen for the caterer providing food to the performers, producers, and similar people. The hospitality lounge will also serve as a childcare centre throughout the year and a meeting room for the private club and other organizations throughout the year. As well, Township of Huron-Kinloss officials may utilize this new building as a dispatch / headquarters during major emergencies.

‘Outdoor Recreation’ shall mean the use of the premise for the conduct of outdoor sports, including playfields, parks, gardens, picnic areas, and other passive leisure activities, but shall not include commercial recreation.

Development Policies:

a) The Implementing Comprehensive By-law shall establish provisions and policies:

- Restricting the months during which a ‘Special Event’ may be held;*
- Restricting the total number of campsites during a ‘Special Event’;*
- Restricting the total number of campsites during periods outside of a ‘Special Event’;*
- Restricting the location of permanent Buildings and structures;*
- Restricting the number of permanent Buildings and structures; and*
- Restricting the total area and location of outdoor storage.*

b) The Implementing Comprehensive Zoning By-law may establish provisions and policies regulating:

- The location of stage areas for concerts/musical performances and the location of any other temporary facilities;*
- The location of ‘Special Event’ vendors, alcohol serving area(s);*
- The location of campsites; and*
- Any other aspect of a Permitted Land use.*

c) The subject lands may be subject to Site Plan Control.

d) Mitigation measures to prevent negative impacts to the areas of the property zoned Environmental Protection (EP) and OS 25.124(f) shall be implemented to the satisfaction of the Township of Huron-Kinloss.

3.18.6 Lucknow Kinsmen Graceland

Within the lands identified as ‘Site Specific Policy Area 3.18.6’ as shown on ‘Schedule A-1 Land Use Plan - Lucknow’, the following policies shall apply:

Special Policy Area 3.18.6 is a land use designation that permits Outdoor Recreation, Camping, a Tractor Pull track, and a bar and dance area. The Camping, Tractor Pull track, and bar and dance area components are permitted only when a ‘Special Event’ is held on the adjacent lands designated as Special Policy Area 3.18.5.

Permitted Uses shall be restricted to the following:

- *Camping, Tractor Pull track, bar and dance area during a Special Event as permitted in Special Policy Area 3.18.5;*
- *Outdoor Recreation but not including a Golf Course.*

Development Policies:

- a) The Implementing Comprehensive Zoning By-law may establish provisions and policies regulating the location and number of campsites and regulated any other aspect of a permitted land use*
- b) The subject lands may be subject to Site Plan Control.*
- c) Mitigation measures to prevent negative impacts to the areas of the property zoned Environmental Protection (EP) and OS 25.124(f) shall be implemented to the satisfaction of the Township of Huron-Kinloss.*

Required Zoning By-Law Amendments

To facilitate the proposal, an amendment to the Zoning By-law is required to permit the proposed buildings, and uses, and to apply/lift a holding provision (-H1) in areas of high archaeological/disturbed areas. These changes will apply to the 'OS-25.123', 'OS-25.124', and 'OS-25.125' zones and will replace the existing provisions as follows:

25.123

Notwithstanding their 'OS - Open Space' Zoning designation, those lands delineated as 'OS-25.123-H1' and 'OS-25.123' on Schedule 'A' to this By-law shall be used in accordance with the 'OS' Zone provisions contained in this By-law, excepting however, that:

Permitted Uses:

- *Special Event as defined below*
- *Camping during a Special Event as defined below*
- *Private Club as defined below*
- *Outdoor Recreation but not including a Golf Course*
- *Outdoor Storage in association with a permitted use(s)*
- *Community events such as fireworks, outdoor movie screenings, special occasion events such as 'egg hunt', 'Halloween haunted house', etc.*
- *Accessory Use(s) to a permitted use (Section 4.1, where alternative provisions are not addressed below)*

Definitions:

'Special Event' means an outdoor activity, festival, concert, event, exhibition, or function of any nature or kind, including those done outside but under a tent, or on a permanent or temporary stage, or within any other non-permanent building or structure, held a maximum of four times per calendar year. Each event shall not last more than five consecutive days. A Special Event may include camping involving a maximum of 1,550 campsites within the areas zoned OS-25.123 and OS-25.124 combined. Ancillary uses such as food and craft vendors and alcohol sales shall also be permitted.

'Banquet Hall' shall mean a building or part thereof, used for gathering together no more than 199 persons for specific functions including the consumption of food and drink. Full kitchen facilities shall be provided on the premises.

'Camping' shall mean lands used for the parking and use of motor homes, travel trailers, tent-trailers, tents, or similar transportable accommodation. Off-season storage of travel trailers, tent trailers, motor homes, or similar transportable accommodations shall not be permitted.

'Private Club' shall mean a group of buildings or structures owned or chartered by an organization, a non-profit organization, or a public body and designed and built for seasonal or periodic use.

'Outdoor Recreation' shall mean the use of the premise for the conduct of outdoor sports, including playfields, parks, gardens, picnic areas, and other passive leisure activities but shall not include commercial recreation.

Provisions:

- i) Temporary fencing shall be erected when requested by an abutting property owner. 'Snow fencing' or a similar equivalent shall be considered to be 'Temporary Fencing';*
- ii) Minimum setback to all property lines for all buildings and structures (permanent and non-permanent), portable generators, and vehicles of any type including tour buses and transports: 10 metres;*
- iii) A shipping container used as an electrical building shall be permitted on a permanent basis, and notwithstanding ii) above, shall be permitted in the location where it existed on December 1, 2024;*
- iv) Portable buildings used in conjunction with a 'Special Event' for purposes of a ticket booth, camping registration, and similar uses, shall be permitted on a year round basis;*

- v) *Maximum building height for all buildings and structures (permanent and non-permanent): 10 metres;*
- vi) *Minimum setback between all non-permanent buildings and structures, portable generators, and vehicles of any type during a “special event” including tour buses and transports and a dwelling as it existed as of July 10, 2017: 20 metres;*
- vii) *Maximum number of permanent buildings or structures: 3;*
- viii) *Minimum setback between camping and a dwelling existing as of July 10, 2017: 20 metres;*
- ix) *Minimum setback between camping and Walter Street or Washington Street’: 10 metres;*
- x) *Minimum Internal private roadway width: 7.0 metres;*
- xi) *Section 5.1 ‘Parking, Stacking & Loading Regulations’ shall not apply;*
- xii) *‘Outdoor storage’ shall be limited to an area not exceeding 700 square metres and shall be subject to Section 4.22 excepting however that a setback from a lot line of 0 metres shall be allowed provided the reduced setback does not apply to a lot line abutting an open public road or residential zone. ‘Outdoor storage’ shall only be permitted if ‘Outdoor Storage’ does not exist on lands zoned ‘OS-25.125’;*
- xiii) *Mitigation measures to prevent negative impacts to the areas of the property zoned Environmental Protection (EP) and OS 25.124(f) shall be implemented to the satisfaction of the Township of Huron-Kinloss.*

Note: The ‘-H1’ zone provision may be lifted in accordance with Section 2.12 of the Huron-Kinloss Zoning By-law.

25.124

Notwithstanding their ‘OS - Open Space’ Zoning designation, those lands delineated as ‘OS-25.124-H1’ on Schedule ‘A’ to this By-law shall be used in accordance with the ‘OS’ Zone provisions contained in this By-law, excepting however, that:

Permitted Uses:

- *Special Event as defined below*
- *Camping during a Special Event as defined below*
- *Outdoor Recreation but not including a golf course*
- *Community events such as fireworks, outdoor movie screenings, special occasion events such as ‘egg hunt’, ‘Halloween haunted house’, etc.*

Definitions:

'Special Event' means an outdoor activity, festival, concert, event, exhibition, or function of any nature or kind, including those done outside but under a tent, or on a permanent or temporary stage, or within any other non-permanent building or structure, held a maximum of four times per calendar year. Each event shall not last more than five consecutive days. A Special Event may include camping involving a maximum of 1,550 campsites within the areas zoned OS-25.123 and OS-25.124 combined. Ancillary uses such as food and craft vendors and alcohol sales shall also be permitted.

'Camping' shall mean lands used for the parking and use of motor homes, travel trailers, tent-trailers, tents, or similar transportable accommodation. Off-season storage of travel trailers, tent trailers, motor homes, or similar transportable accommodations shall not be permitted.

'Outdoor Recreation' shall mean the use of the premise for the conduct of outdoor sports, including playfields, parks, gardens, picnic areas, and other passive leisure activities, but shall not include commercial recreation.

Provisions:

- i) Minimum setback to all property lines for all buildings and structures (permanent or non-permanent), portable generators, and vehicles of any type including tour buses and transports: 10 metres;*
- ii) Portable buildings used in conjunction with a 'Special Event' for purposes of a ticket booth, camping registration, and similar uses, shall be permitted on a year round basis;*
- iii) Maximum building height for all buildings and structures (permanent and non-permanent): 10 metres;*
- iv) Section 5.1 'Parking, Stacking & Loading Regulations' shall not apply;*
- v) Outdoor storage as per Section 4.22 shall not be permitted;*
- vi) No camping or comparable accommodation is permitted within the areas zoned OS-25.124 (f) flood hazard; and,*
- vii) Mitigation measures to prevent negative impacts to the areas of the property zoned Environmental Protection (EP) and OS 25.124(f) shall be implemented to the satisfaction of the Township of Huron-Kinloss.*

Note: The '-H1' zone provision may be lifted in accordance with Section 2.12 of the Huron-Kinloss Zoning By-law.

25.125

Notwithstanding their 'OS - Open Space' Zoning designation, those lands delineated as 'OS-25.125' on Schedule 'A' to this By-law shall be used in accordance with the 'OS' Zone provisions contained in this By-law, excepting however, that:

Permitted Uses:

- *Special Event as defined below;*
- *Banquet Hall;*
- *Private Club as defined below;*
- *Outdoor Recreation but not including a Golf Course;*
- *Community events such as fireworks, outdoor movie screenings, special occasion events such as an 'egg hunt', 'Halloween haunted house', etc.;*
- *Childcare Centre; and*
- *Accessory Use(s) to a permitted use (Section 4.1, where alternative provisions are not addressed below)*

Definitions:

'Special Event' means an outdoor activity, festival, concert, event, exhibition, or function of any nature or kind, including those done outside but under a tent, or on a permanent or temporary stage, or within any other non-permanent building or structure, held a maximum of four times per calendar year. Each event shall not last more than five consecutive days. Ancillary uses such as food and craft vendors and alcohol sales shall also be permitted.

'Banquet Hall' shall mean a building or part thereof, used for gathering together no more than 199 persons for specific functions including the consumption of food and drink. Full kitchen facilities shall be provided on the premises.

'Private Club' shall mean a group of buildings or structures owned or chartered by an organization, a non-profit organization, or a public body and designed and built for seasonal or periodic use. Included as part of the private club is a principal building that serves as an office and hospitality lounge during the music event, which may include showers and washrooms for the performers involved in the festival and a kitchen for the caterer providing food to the performers, producers, and similar people. The hospitality lounge will also serve as a childcare centre throughout the year and a meeting room for the private club and other organizations throughout the year.

'Outdoor Recreation' shall mean the use of the premise for the conduct of outdoor sports, including playfields, parks, gardens, picnic areas, and other passive leisure activities, but shall not include commercial recreation.

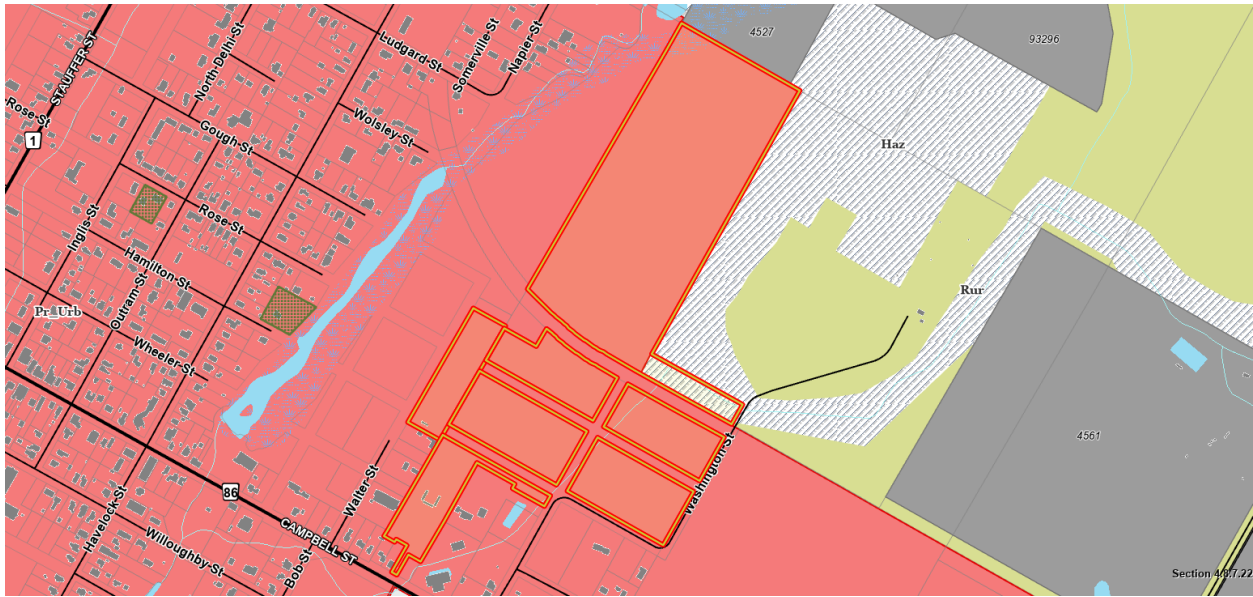
Provisions:

- i) *Temporary fencing shall be erected when requested by an abutting property owner. 'Snow fencing' or a similar equivalent shall be considered to be 'Temporary Fencing';*
- ii) *Permanent buildings, except for the permanent stage, shall be connected to full municipal services;*
- iii) *Minimum setback to all property lines for all buildings and structures (permanent and non-permanent), portable generators, and vehicles of any type during a 'Special Event' including tour buses and transports: 10 metres;*
- iv) *Portable buildings used in conjunction with a 'Special Event' for purposes of a ticket booth, camping registration, and similar uses, shall be permitted on a year round basis;*
- v) *Maximum building height for all buildings and structures (permanent and non-permanent): 10 metres;*
- vi) *Minimum setback between all non-permanent buildings and structures, portable generators, and vehicles of any type during a "special event" including tour buses and transports and a dwelling as it existed as of July 10, 2017: 20 metres;*
- vii) *Maximum number of permanent Buildings or Structures: 2;*
- viii) *With the exception of Section 5.1.11 'Landscaping', Section 5.1 'Parking, Stacking & Loading Regulations' shall not apply;*
- ix) *'Outdoor Storage' as per Section 4.22 shall be limited to an area not exceeding 700 square metres and shall only be permitted if 'Outdoor Storage' does not exist on lands zoned 'OS-25.123';*
- x) *No camping is permitted; and,*
- xi) *The childcare centre shall be located within the principal building. An outdoor play area shall also be permitted.*

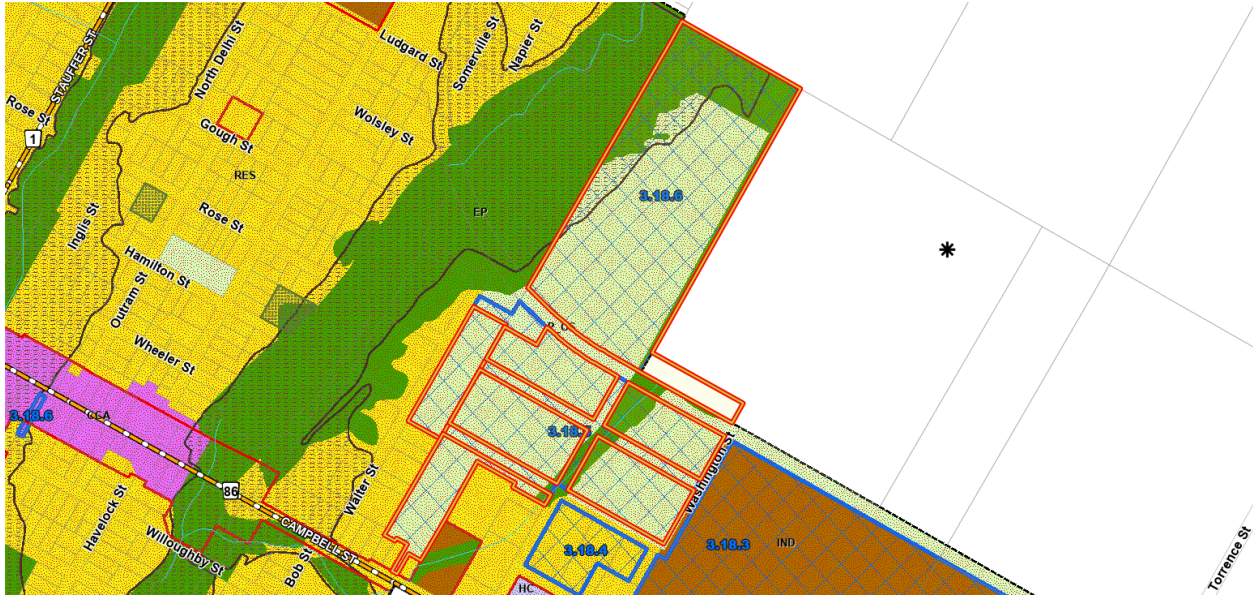
Appendices

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

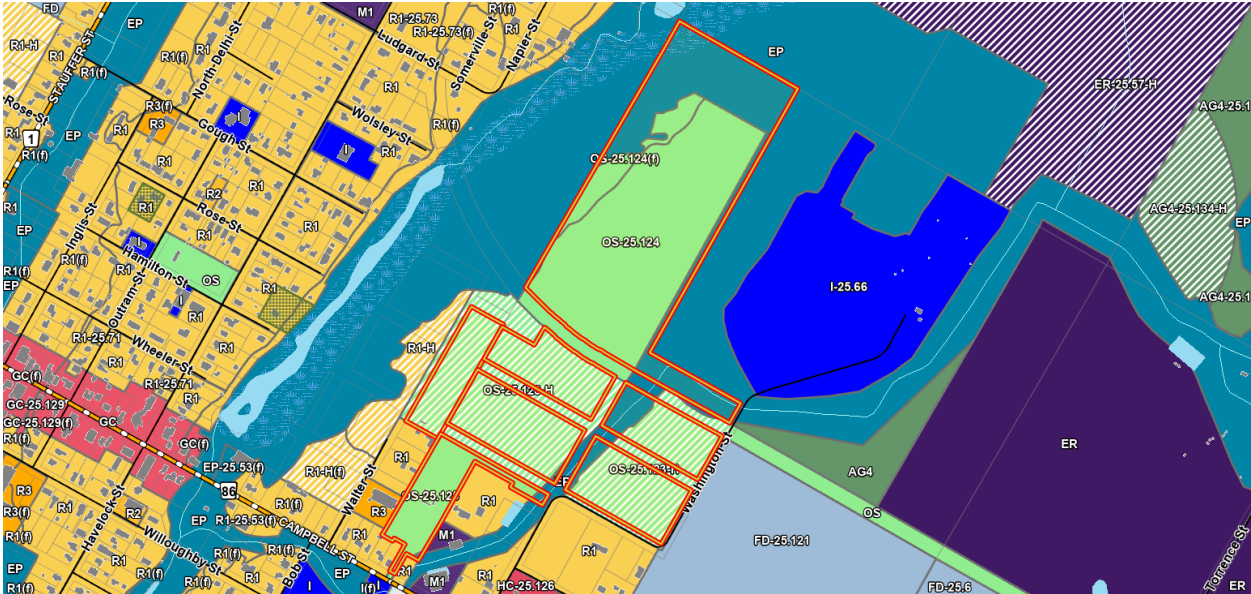
County Official Plan Map (Designated Primary Urban Areas, Hazard Land Areas)



Local Official Plan Map (Designated Parks and Open Space Special Policy Areas '3.18.5' & '3.18.6', Environmental Protection)



Local Zoning Map (Zoned Open Space Special 'OS-25.124, Open Space Special Flood Frings 'OS-25.124(f)', Open Space Special Holding 'OS-25.123-H', Environmental Protection 'EP')



Supporting Materials

- Justification Report - Ron Davidson Land Use Planning Consulting Inc.- Nov 29, 2024.

Agency Comments

The Corporation of the Township of Huron-Kinloss:

- Site Plan Control applies to the entire property.
- Permits will be required to be obtained for temporary stages due to upcoming changes for the 2025 Ontario Building Code.

Historic Saugeen Métis:

- No objection or opposition.
- Given the large area of lawn on this property, HSM encourages the property owner to consider adding naturalization to the property to increase soil health and biodiversity and to reduce the emissions caused by lawn maintenance.

Westario: Please let our office know if any deviations to the existing servicing is required.

Maitland Valley Conservation Authority:

- The application is in general conformance with Section 3.1, Natural Hazard Policies of the PPS, 2020; and as such MVCA has no objections.

- Wetlands, plus 15 meters from the boundary of the wetland, and floodplains, plus 15 meters from the boundary of the floodplain, are regulated by the Maitland Valley Conservation Authority (MVCA) pursuant to O. Reg 41/24. Subject to the regulation, any proposed development (construction, reconstruction, filling and/or site grading) interference and/or site alteration within MVCA's regulated area must be reviewed and approved by MVCA prior to any works beginning.
- Full comments attached.

Saugeen Ojibway Nation Environment Office:

- As the development would be restricted to the disturbed area. An archaeological holding provision being left of the remainder will address SON's concerns.

Source Water Risk Management Office:

- No concerns with this proposal. As the subject property is located in the wellhead protection area (WHPA) it is designated as 'restricted land use' per section 59 of the Clean Water Act. As such, a S.59 Notice is issued in regard to the Application.
- Based on a review of the information submitted and discussions with the agent, it has been determined that there are no apparent land use activities associated with the Application that are subject to Section 57 (Prohibition) or Section 58 (Risk Management Plan) of the Clean Water Act.
- The north part of the property with ARN 410711000101500 is located in wellhead protection area (WHPA) zones B and C, where the vulnerability score is 6 to 10. The Source Protection Plan policies prohibit or manage activities in the WHPAs that pose a significant drinking water threat.
- Current activities as identified in the application do not present a significant drinking water threat. Note that future activities may be restricted per Plan policies. This includes, but is not limited to the following (refer to the Maitland Source Protection Plan for details):
 - Handling and storage of fuel or chemicals
 - Agricultural activities (including grazing)
 - Application of fertilizer or pesticides
 - Sewage works, including stormwater management

Transportation & Environmental Services: No comment.

Public Comments

One public comment has been received at the time of this report's submission. The full comment has been attached below.

January 5th 2025

I am writing this letter regarding the rezoning of the property and plan amendment proposed by the Lucknow Kinsmen and the Music in the Fields committee, which we received in the mail. I am one of the executors for my mother's estate Gladys Haldenby who passed away in 2023. We own the property to the west and south of Graceland on Walter St.

First of all, we appreciate the cleaning up of all the materials and items along the fence that have now been moved to more appropriate homes. The temporary trailers and seacans are still on the property but I see on the planning report they are to be gone within 2 years.

Regarding the zoning amendment for the construction of a multi-purpose building:

Childcare Center – No opposition, this is something the town desperately needs.

Dispatch/Headquarters in case of Major Emergencies: Are the Community Centre, Arena or Firehall not already equipped for these with generators etc.?

Banquet Hall: Again, we seem to have quite a few in the township that are underused most of the time - Community Centre, Arena rental rooms, Lucknow Legion, The United Church rents out its kitchen and basement. A lot of these places are having trouble in these challenging times so it does not seem beneficial to the town to add another similar hall.

Private Club: This was in the previous application from 2024. Our concern remains as to what a Private Club actually entails, what types of activities are allowed, how often can it be used, who monitors the noise etc. Another concern would be a liquor license. Would there be alcohol at this private club and how does that work with a daycare in the same building?

Special Events: Egg hunt, haunted house, movies were included as examples. While we are certainly not opposed to these types of events I am concerned that these events may exceed over the 200 people limit that then counts as a special event. How will this be monitored and in the case that an event does draw over that limit, how is that to be handled? These events have always been held at the local parks and other open areas in town with very few issues that I am aware of.

Storage: While I agree that this is something that the area needs but we do have some concerns. In the planning report it says that outdoor storage can not exceed 700 sq ft but the set back is 0 meters. If buildings have to have a certain setback it seems reasonable that any storage should also have a similar set back.

Will and archeological assessment have to be done? On the original zoning done when they first purchased this land it was listed as highly archeological.

The location of this proposed building is a major concern. As of right now it is back to being placed right beside my parents' house and garage. There is a whole field to use but the plans seem to come back to this same area each time. When you drive up the driveway to the garage the building would be right there. If the trailers are going to be moved why not move it closer to the highway and municipal services. Could it possibly be moved farther south? Will the setback for the building and any attached patios be 10 meters or 15 meters? Is there an overall limit to the number of buildings that can be built on this particular lot?

Right now, we feel there is absolutely no barrier between the house and the proposed building and would like to suggest that they should consider a fence or a solid hedge along where the building is placed. We do not really want to have to see everything that is happening in that property especially as the usage of the area continues to grow from one event a year when the property was first zoned to now a proposed community hub.

We do appreciate the effort they have made to ease the traffic congestion by developing another entrance to the Music in the Fields and I appreciated all the information and the quick response I received from Mr Russo when I reached out to him.

Kandra Clark



MEMORANDUM

TO: Bruce County Planning Department, via Email
FROM: Ethan Dykstra, Environmental Planner - Regulations Officer, MVCA
DATE: January 6, 2024
SUBJECT: Application For Official Plan Amendment: L-2024-011
Application For Zoning By-law Amendment: Z-2023-039
Plan 20 N Pt Lt 219 Lt 220;to 229 Walter/ Plan 101 21 to 30 39 to 47;66 to 101 Lot 105 Pt Lot 102;to 104 And 106/ Con 1 S Pt Lots 55 & 56 Subj;to Easement Over Rp 3r4526;Part 2, Kinloss Ward, Municipality of Huron - Kinloss, County of Bruce; Known as 575 Walter St & 59 Washington St

The Maitland Valley Conservation Authority (MVCA) has reviewed the above-noted application with respect to natural hazards in accordance with our Memorandum of Understanding with the County of Bruce; and in accordance with our delegated responsibility for representing the “Provincial Interest” for natural hazards. Based on our review, we offer the following comments.

It is from our understanding the purpose of these applications are to adjust the current zoning to allow for the permanent building(s) to be located in a different location then currently permitted, and to permit the buildings to be used for: a childcare centre, banquet hall, community events etc. It is also proposed to allow for a permanent stage and recognize current buildings to allow for portable buildings and year-round use.

Natural Hazards:

The subject properties feature a wetland and floodplain that covers much of the northeastern portion of Part Lots 55 & 56.

MVCA Regulated Lands:

Wetlands, plus 15 meters from the boundary of the wetland, and floodplains, plus 15 meters from the boundary of the floodplain, are regulated by the Maitland Valley Conservation Authority (MVCA) pursuant to O. Reg 41/24. Subject to the regulation, any proposed development (construction, reconstruction, filling and/or site grading) interference and/or site alteration within MVCA’s regulated area must be reviewed and approved by MVCA prior to any works beginning.

Drinking Source Water Protection

This property is located within a highly vulnerable aquifer (HVA) area. An HVA is one of four types of vulnerable areas where local drinking water sources are at risk of contamination from nearby activities, as outlined in the Ontario *Clean Water Act, 2006*.

The drinking water source protection committee for this region has developed source protection plans locally. Those plans have been approved by the Province of Ontario. Plan policies that apply to highly vulnerable aquifers rely on education and outreach to reduce risk to drinking water sources. The policies in the HVA areas are recommendations only as they do not have legal effect that requires property owners to comply. However, the local source protection committee, through the source protection plan, asks that you have regard for these policies.

When local municipalities draw drinking water from a well, that groundwater is drawn from aquifers. Aquifers are areas of soil or rock under the ground where cracks and spaces allow water to pool. These underground sources of local drinking water are considered highly vulnerable based on a number of factors, including how deep it is underground, what sort of soil or rock is covering it, and the characteristics of the soil or rock surrounding it. A thin layer of permeable soil, such as sand or gravel, over an aquifer, could make that water source particularly vulnerable to the threat of contamination.

Wellhead Protection Area (WHPA)

Please be advised that the subject property is located within a Wellhead Protection Area. This means that activities on the subject property may be subject to policies contained within the Maitland Valley Source Protection Plan. For more information please contact Donna Clarkson, Risk Management Official/ Source Protection Specialist at 519-335-3557 ext. 224 or email to dclarkson@abca.ca.

Background & Recommendations

The application is in general conformance with Section 3.1, Natural Hazard Policies of the PPS, 2020; and as such MVCA has no objections.

Thank you for the opportunity to comment at this time. Feel free to contact this office if you have any questions.

Restricted Land Use Notice

Date: December 18, 2024

Issued under the Clean Water Act, Section 59 (2) (a);

Via email to applicant, Owner; cc to Bruce Cty and Huron-Kinloss CBO

No prohibition or risk management plan required for existing activities and land use. Application may proceed.	
Notice number: 545-2024	Property ID: 5506
Description of Application and supporting Documents: ‘Request for Comments, Public Meeting Notice L11 Z39 Lucknow Kinsmen’ received via email from Amy Rogers AmRogers@brucecounty.on.ca on Dec 9/24. Included Request for Comments, Public Meeting Notice, Application, and Planning Justification Report for a local official plan amendment and zoning by-law amendment for file numbers L-2024-011, Z-2023-039, Lucknow Kinsmen	

Agent name and email: Ron Davidson, Land Use Planning Consultant Inc. ronalddavidson@rogers.com			
Property Owner:	Lucknow Kinsmen c/o Paul Zinn		
Phone, email	paulz@hurontel.on.ca		
Property Location	ARN (Roll) #:	410712000101200/ 410711000102300/ 410711000101500	
Legal Description	PLAN 20 N PT LT 219 LT 220;TO 229WALTER/ PLAN 101 21 TO 30 39 TO 47;66 TO 101 LOT 105 PT LOT 102;TO 104 AND 106/ CON 1 S PT LOTS 55 & 56 SUBJ;TO EASEMENT OVER RP 3R4526;PART 2		
911 Address:	575 WALTER ST/ 59 WASHINGTON ST/ No Civic Address		
Lot, Concession		Municipality:	Huron-Kinloss
Drinking water system	Lucknow	WHPA: B, C	Vulnerability Score: 6, 8 10

This Notice was prepared in response to the Application submitted for the development-related proposal on the property identified above. This property is designated for Restricted Land Use under Section 59 of the *Clean Water Act, 2006 (Act)* in relation to the Lucknow Municipal Drinking Water System. As required under the *Act*, the Application was reviewed in consideration of the Maitland Valley Source Protection Plans which came into effect April 1, 2015, and contains policies to protect municipal drinking water sources.

The following is proposed under the application:

-Amendment to the Huron-Kinloss Official Plan to allow for a childcare centre on the subject lands;

Based on a review of the information submitted and discussions with the agent, it has been determined that there are no apparent land use activities associated with the Application that are subject to Section 57 (Prohibition) or Section 58 (Risk Management Plan) of the *Clean Water Act*.

Rationale:

The north part of the property with ARN **410711000101500** is located in wellhead protection area (WHPA) zones B and C, where the vulnerability score is 6 to 10. The Source Protection Plan policies prohibit or manage activities in the WHPAs that pose a significant drinking water threat. Current activities as identified in the application do not present a significant drinking water threat. Note that future activities may be restricted per Plan policies. This includes, but is not limited to the following (refer to the Maitland Source Protection Plan for details):

- Handling and storage of fuel or chemicals
- Agricultural activities (including grazing)
- Application of fertilizer or pesticides
- Sewage works, including stormwater management

Limitations and Provisos:

- As per policies in the Source Protection Plan, future activities which pose a significant drinking water threat may be prohibited at this property.
- The Applicant is advised that this Notice relates strictly to the proposals as described above and in the Application
- This Notice is not valid for any subsequent approvals which the proposals may require under the Planning Act, or for any other building permits that may be required under the Building Code Act. Prior to applying for any subsequent municipal approvals under the Planning Act, or for building permits under the Building Code Act, a new application for a Restricted Land Use Notice must be submitted for review by the Risk Management Official
- Pursuant to Section 53 (3), Ontario Regulation 287/07 under the Clean Water Act, this notice, once issued, is a public document. All information submitted for development of this notice is subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

If you require further information, please contact the undersigned.



Donna Clarkson
Risk Management Official, Ausable Bayfield Conservation Authority

Regional Risk Management Office – Ausable Bayfield Conservation Authority

Phone: 519-235-2610 or 888-286-2610 Fax: 519-235-1963

Address: 71108 Morrison Line, RR #3, Exeter ON N0M 1S5

www.sourcewaterinfo.on.ca

Staff Contacts - Risk Management Official / Inspectors:

Donna Clarkson

Phone: 519-335-3557 ext 224

dclarkson@abca.ca

Mary Lynn MacDonald

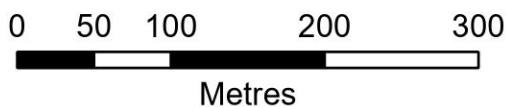
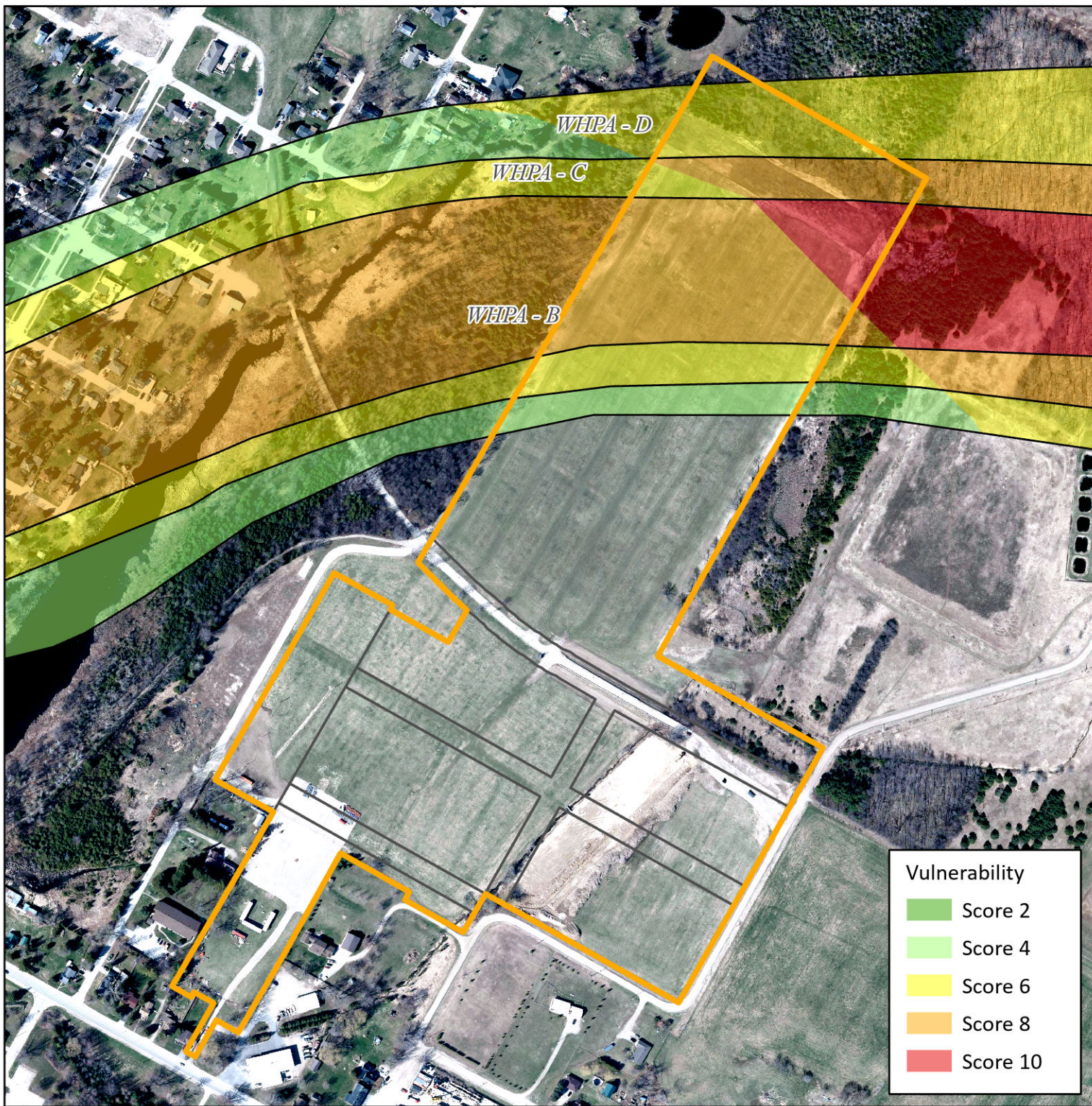
Phone: 1-888-286-2610 ext. 247

mmacdonald@abca.ca

Aaron Clarke

Phone: 1-888-286-2610 ext. 228

aclarke@abca.ca





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



December 9, 2024

File Number(s): L-2024-011, Z-2023-039

Public Meeting Notice

You're invited:

In-Person Public Meeting

**to consider Official Plan Amendment / file #L-2024-011,
and Zoning By-law Amendmet / file #Z-2023-039**

**January 13, 2025, at 1:00 p.m., Council Chambers,
Township of Huron-Kinloss, 21 Queen Street, Ripley, ON**

A change is proposed in your neighbourhood: The purpose of this application is for an amendment to the Huron-Kinloss Official Plan to allow for a childcare centre on the subject lands. If approved, this will facilitate the site-specific use of a childcare centre within the Open Space designation for the subject lands and provide clarity to the existing Huron-Kinloss Official Plan text.

The purpose of this Zoning By-law Amendment application is to adjust the current zoning provisions of the subject lands to allow for a permanent building(s) to be located in a different location on the site than currently permitted, to permit the building(s) to be used for a childcare centre, banquet hall, community events (generally special occasion events such as 'egg hunt', 'Halloween haunted house', 'movie screenings' etc.) and a private club in addition to the permitted uses of the Open Space Special Zone. It is also proposed to allow for a permanent stage and recognize the existing electrical building within a shipping container and allow for portable buildings used for accessory ticket sales, camping registration, etc., to remain on the site year-round. The holding provision will be updated to reflect areas of high archaeological potential. If approved, this will result in the additional permitted uses and provide clarity to the zoning text.



575 WALTER ST/ 59 WASHINGTON
ST/No Civic Address
PLAN 20 N PT LT 219 LT 220;TO
229WALTER/ PLAN 101 21 TO 30 39 TO
47;66 TO 101 LOT 105 PT LOT 102;TO
104 AND 106/ CON 1 S PT LOTS 55 & 56
SUBJ;TO EASEMENT OVER RP
3R4526;PART 2
Township of Huron-Kinloss
Roll Number: 410712000101200/
410711000102300/ 410711000101500

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 January 6, 2025 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.

How to access the public meeting

Meetings are open to the public. Please visit the Township of Huron-Kinloss website at <https://events.huronkinloss.com/meetings> to view the agenda. Contact the Township at jwhite@huronkinloss.com or 519-395-3735 x123 by 4:30 pm on January 3, 2025 if you have any questions about participating in the meeting.

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 17(36) of the [Planning Act](#) outlines rights of appeal for Official Plan Amendment applications.

If a person or public body would otherwise have an ability to appeal the decision of the County of Bruce 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 Township of Huron-Kinloss before the proposed official plan (or official plan amendment) is adopted, 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 Township of Huron-Kinloss before the proposed official plan (or official plan amendment) is adopted, 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 add the person or public body as a party.

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 Township of Huron-Kinloss 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 Township of Huron-Kinloss 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.

Please note that third parties (anyone who is not a specified person or public body) do not have the right to appeal a decision to the Ontario Land Tribunal.

For more information please visit the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/>.

Site plan

