



The Corporation of the Township of Huron-Kinloss

Staff Report

Report Title: Holding Removal By-law -126 Boiler Beach

Date: Apr. 7, 2025

Report Number: BLD-2025-07

Department: Building and Planning

File Number: C11 BLD 25

Prepared By: Michele Barr, Deputy CBO

Attachments: Property location map

Recommendation:

THAT the Township of Huron-Kinloss Committee of the Whole hereby receives Report BLD-2025-07 prepared by Michele Barr, Deputy CBO;

AND bring forward a by-law to remove the holding symbol from 126 Boiler Beach Rd;

AND FURTHER that as per Section 39.2 of the Planning Act Council delegate the authority to pass a by-law to remove a holding symbol to the Mayor and Clerk.

Background:

The Township has received a request to remove the holding symbol on the property described as 126 Boiler Beach Rd., Con A Pt Lot 52 Pt Lot 53 RP 924 Part 1 to 2, currently zoned Residential One with a Holding Symbol (R1-H1)

Discussion/Analysis/Overview:

On June 19, 2023, the Council approved a zoning amendment for 126 boiler Beach Road-CON A PT LOT 52 PT LOT 53 RP 924 PART 1 TO 2 to facilitate a lot creation. The zoning was to permit a reduced lot area, a reduced frontage and a requirement for a tertiary septic system for both the retained and severed lands. By-law 2023-70 amended the R1 and EP zoning to R1-25.173-H1 and R1-25-176-H1 and EP.

The Township's Comprehensive Zoning By-law 2018-98 as amended includes a provision which places a holding symbol on a property pursuant to Section 36 of the Planning Act.

Notwithstanding their underlying zoning designation, on those lands identified as being subject to the H1 Holding Symbol, 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 completed and accepted into the Ontario Public Register of Archaeological Reports.
- 2) Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented.

The Archaeological Assessment has been completed dated 07/10/2024 by ARA and submitted to the Ontario Public Register. The study recommended that no further assessment be required within the study area.

The conditions of the holding have been met staff recommend that the holding Zone be removed from the property therefore allowing any development to proceed.

General Holding Provision:

Where the zone symbol applies to certain lands as shown on Schedule A of the Comprehensive Zoning By-law, as amended, by the letter H means that the lands have been placed in a "Holding Zone" pursuant to Section 36 of the Planning Act. During the planning application process when the holding provision is placed on the lands there are generally conditions approved by the Township outlined that must be met. Once the conditions have been met staff proceed with the notice requirements and submit reports to Council requesting to remove the holding provision.

Section 39.2 of the Planning Act outlines delegation authority.

The council of a local municipality may, by by-law, delegate the authority to pass by-laws under section 34 that are of a minor nature

As a by-law to remove a holding symbol is one by-law that the Planning Act determines to be of minor nature staff is recommending that Council delegate the authority to pass holding removal by-laws to the Mayor and Clerk.

Financial Impacts:

As per the Township of Huron-Kinloss Consolidated Rates and Fees By-law.

Performance Measurement:

Strategic Area:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Embrace a thriving rural lifestyle | <input checked="" type="checkbox"/> Enhance Municipal Service Delivery |
| <input type="checkbox"/> Prepare for Inclusive Growth | <input type="checkbox"/> Ensure Financial Stability |

Strategic Goal: Strive for continuous improvement and increased efficiency

Respectfully Submitted By:

Michele Barr, Deputy CBO

Report Approved By:

Jodi MacArthur, Chief Administrative Officer