



## Planning Report

**To:** Township of Huron-Kinloss Council

**From:** Coreena Smith, Senior Development Planner

**Date:** October 13, 2021

**Re:** Zoning By-law Amendment - Z-2021-074 (Martin)

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### Recommendation:

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

That Council approve Zoning By-law Amendment Z-2021-074 as attached and the necessary by-law be forwarded to Council for adoption.

### Summary:

The purpose of the application is to:

- Create one new lot for medical clinic purposes (Severed Parcel #1) which will maintain its current Institutional zone;
- Create one new lot for residential purposes (Severed Parcel #2) which will be rezoned from Institutional to Residential One Special with Holding; and
- Retain one lot for residential purposes (Retained Parcel) which will also be rezoned from Institutional to Residential One Special with Holding.

An amendment to the Zoning By-law is required to facilitate the lot creation.

The property is located at 2388 Bruce Road 6, in the Hamlet of Holyrood. The lands contain an existing private non-profit community health clinic. The property is located at the west end of the hamlet and currently surrounded by agricultural uses.

The related Consent applications (Files B-2021-085 and B-2021-086) will be considered by the County at a later date.

Airphoto



**Page 1**

LAND USE AGRICULTURAL  
Agriculture??  
N

TOTAL = 528' x 173.23 m

Block = 3 m or 9,144 FT.

**RETAINED PARCEL**  
 $108.26 \text{ m} \times 83.23 \text{ m} = 9011.31 \text{ sq.m.}$

Severed Parcel #2  
5243.4 sqm

SEVERED PARCEL #1 45,000 sqm

PROPOSED SEWERTICES

Septic bed

EXISTING CEMENT BLOCK BUILDING USED AS A HEALTH CLINIC

Lot 1

Lot 2

Lot 3

PROPERTY LINE

BRUCE COUNTY ROAD #6 RAILWAY TRAVELLED TOTAL 100' 32.0 m

Full Application Received July 30, 2021 Bruce County Planning

## 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.

### Lot Creation

There is an existing health clinic on the subject lands. The applicant is looking to sever the property to create three lots (two new lots and the retained lot). Two new residential dwellings are proposed: one on the retained lands and the second on Severed Parcel #2. The medical clinic will be retained on Severed Parcel #1. The Bruce County Official Plan and the Township of Huron-Kinloss Official Plan designate the property Hamlet Community. Both Official Plans permit residential and institutional uses in hamlets like Holyrood.

Lot creation is permitted in the County and local Official Plans in the Hamlet Community designations subject to certain requirements. In general, the proposed use and lot dimensions must be compatible with neighbouring land uses and areas; the proposal should allow for setbacks to be maintained between the new lot line and the existing and proposed structures; the lots shall maintain adequate frontage and lot areas for their intended use; the lots need to have direct access onto a public road; and services including water supply and sanitary sewage disposal shall be adequate to serve the proposed use and meet the requirements of the approval authority. The subject proposal satisfies these requirements as described in more detail below.

### Lot Configuration

The current proposed lot configuration creates one rectangular shaped lot and two irregular shaped parcels. The County and local Official Plans identify that severed and retained lots shall be of an acceptable size and dimension for the intended use and that they represent an orderly and efficient use of land. To satisfy this policy intent, County and Township staff recommended modified property boundaries to provide a more standardized development pattern. The proposed modification would create three rectangular lots, while maintaining the original frontages proposed by the applicant. However, based on subsequent discussions with the applicant, it was noted that the proposed lot configuration achieves the following:

- The Zoning By-law requires a minimum lot area of 0.40 ha in both the existing Institutional and proposed Residential One zones. The proposed lot areas are +/-0.90 ha, +/-0.45 ha and +/-0.52 ha, which satisfies the Zoning By-law requirement. These proposed lot areas are in keeping with other lots in Holyrood, which vary in size from 800 sq. m to 1.63 ha (note: there are other lots in the area that are larger, between 18.96 ha and 59.57 ha, but they extend both within and outside the settlement boundary as part of larger agricultural holdings).
- The Zoning By-law requires a minimum lot frontage of 40 m in both the existing Institutional and proposed Residential One zones. The proposed lot frontages are +/-83.23 m, +/-50 m and +/-40 m, which satisfies the Zoning By-law requirement. All Zoning By-law setbacks would also be satisfied for their respective zones.

- The proposal maximizes the land available for residential purposes on Severed Parcel #2, lands which are not needed for the medical clinic which is to be retained on Severed Parcel #1.
- The proposal provides optimum separation between the existing septic system, proposed well and proposed shed for horse drawn vehicles on the medical clinic lands.

For these reasons, County and Township staff are satisfied with the lot area, frontage and configuration as proposed.

### Servicing

Most hamlets in the Township of Huron-Kinloss are on private services. In Holyrood, there are no municipal services available so each of the proposed lots will have their own septic system and well in accordance with County and Township Official Plan policies and comments provided by Township staff.

B.M. Ross and Associates Limited has recommended that the sewage flows for the medical clinic be reviewed and based on the current usage of the building. The runs of the existing septic field may also need to be shortened to be wholly located within Severed Parcel #1. This can be addressed as a future condition on the related consent application, which will be considered by the County at a later date. A Building Alteration/Change of Use application will also need to be submitted to the Township for the clinic. Approvals will also be required for the installation of septic systems on the other two lots and will be confirmed to the Township's satisfaction.

### Road Access

The subject lands are located on Bruce Road 6, which is a rural collector road. In accordance with County Official Plan policy, access onto County Roads designated as "Collector Road" or "Proposed Collector Road" shall be restricted and only permitted where no traffic hazards exist or will be created and where the volume of traffic from the proposed new use will not impede the expeditious flow of traffic. In this case, Bruce County Transportation and Environmental Services (TES) staff advised that they have no objection to the lot creation proposal but requested amendments to the proposed driveway locations. More specifically, the new entrance for the Retained Parcel needs to be installed to the east side of the lot to obtain the minimum site stopping distance of 200 m from the hill to the west. The medical clinic on Severed Parcel #1 can continue to use the existing west entrance of the circular driveway while the existing east entrance needs to be reconfigured to accommodate access to Severed Parcel #2. The applicant had proposed a shared driveway for Severed Parcels #1 and #2, which TES staff do not support because of potential ownership problems. A condition can be included on the related consent files to satisfy these comments.

### Home Business

The applicant is proposing a home business for professional uses on the Retained Parcel to allow for the repair and sales of agricultural driveline components (e.g., belts, bearings,



power shafts, etc.). A home business for professional uses is permitted in the proposed Residential One zone. A home business permits storage within an accessory building for a tradesman and contractor's establishment, but otherwise requires the business to be located in the dwelling unit. A special provision is proposed in this instance to allow the home business to be located in an accessory building no larger than 1,000 sq. m in size. A holding provision is proposed to ensure that a site plan agreement is entered into between the applicant and the Township of Huron-Kinloss to ensure the home business is conducted within the intent of the Zoning By-law.

### Required Zoning By-law Amendment

The proposed Retained Parcel will be rezoned from I - Institutional to R1-25.158-H - Residential One Special with Holding with the following provisions:

- That a Home Business - Professional use be permitted in an accessory building and that the building be no greater than 1,000 sq. m;
- That the permitted Home Business - Professional use be limited to the repair and sales of agricultural driveline components;
- That the residential property can be used for the keeping of horses without applying Minimum Distance Separation requirements provided such horses are the primary means of transportation for the occupants of the dwelling unit and all manure can be appropriately stored away from sensitive land uses and appropriately disposed of. The maximum number of horses permitted on the property shall be determined to the satisfaction of the Township of Huron-Kinloss; and
- That a site plan agreement be entered into and accepted by the Township of Huron-Kinloss prior to site alteration and development.

Severed Parcel #1 will maintain its I - Institutional zone.

Severed Parcel #2 will be rezoned from I - Institutional to R1-25.159-H - Residential One Special with Holding with the following provisions:

- That the residential property can be used for the keeping of horses without applying Minimum Distance Separation requirements provided such horses are the primary means of transportation for the occupants of the dwelling unit and all manure can be appropriately stored away from sensitive land uses and appropriately disposed of. The maximum number of horses permitted on the property shall be determined to the satisfaction of the Township of Huron-Kinloss; and
- That a site plan agreement be entered into and accepted by the Township of Huron-Kinloss prior to site alteration and development.

## Appendices

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

### County Official Plan Map (Designated Hamlet Community)



## Local Official Plan Map (Designated Hamlet Community)



## Local Zoning Map (Zoned I - Institutional)





## List of Supporting Documents and Studies

- Historical Plan
- Supporting Letter

## Agency Comments

Township of Huron-Kinloss: The Township requests that:

1. That the Owner provide written verification to the Clerk of the Municipality that the wells are in use or proof of wellhead decommissioning from a qualified well driller.
2. That the Owner provide written verification to the Clerk of the Municipality of septic re-inspection or intent for a new septic system for the severed and retained parcels.
3. The Township notes concerns with the proposed lot configuration and suggests that the applicant make better use of the lands available more in keeping with typical lot configurations.

Note: Township Comments 1 and 2 will be addressed through conditions on the related consents (Files B-2021-085 and B-2021-086), while Comment 3 has been discussed above.

B.M. Ross and Associates Limited for the Township of Huron-Kinloss: It is recommended that the sewage flows based on current usage be established for the medical clinic and the runs of the septic field be shortened to be wholly located within Severed Parcel #1. A Building Alteration/Change of Use application form and applicable fee should be submitted to the Township. An Application for Permit to Construct or Demolish and associated fee will be required for the installation of septic systems, including greywater systems, on Severed Parcel #2 and the Retained Parcel. Letter attached in full to this report.

Note: The B.M. Ross comment related to the location of the septic system for the medical clinic will be addressed through a condition on the related consents (Files B-2021-085 and B-2021-086). The remaining comments will need to be addressed by the applicant directly with the Township.

Bruce County Transportation and Environmental Services (TES): New entrance for Retained Parcel to be installed to the east side of the lot to obtain the minimum site stopping distance of 200 m. Severed Parcel #1 to continue to use existing west entrance and existing east entrance to be reconfigured to accommodate access to Severed Parcel #2. TES does not support mutual driveways because of potential ownership problems.

Note: TES comments will be addressed through a condition on the related consents (Files B-2021-085 and B-2021-086).

Hydro One Networks Inc.: No comments or concerns at this time. This preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only. For proposals affecting 'Low Voltage Distribution Facilities', the applicant must consult the local area Distribution Supplier.

Bruce-Grey Catholic District School Board: No comments.

Saugeen Ojibway Nation (SON): SON has no further comments on this project. If at any point anything of archeological interest is revealed on-site, the applicant should contact the SON Environment Office immediately.

Saugeen Valley Conservation Authority (SVCA): SVCA staff find the application acceptable based on their review of the project in relation to natural heritage features. Letter attached in full to this report.

**B. M. ROSS AND ASSOCIATES LIMITED**  
**Engineers and Planners**  
62 North Street, Goderich, ON N7A 2T4  
p. (519) 524-2641  
[www.bmross.net](http://www.bmross.net)

File No. 11187

**(EMAILED)**

September 30, 2021

County of Bruce  
Planning and Development  
30 Park Street  
P.O. Box 848  
Walkerton, ON N0G 2V0

**Attention: Candace Hamm**

Dear Ms. Hamm

**Re: File: B-2021-085, B-2021-086, Z-2021-074**  
**2388 Bruce Road 6, Con 8 Pt Lot 9**  
**Clarence Martin, Levi Martin**  
**Township of Huron-Kinloss (Geographic Township of Kinloss)**

We received the above mentioned "Request for Agency Comment" on September 14, 2021. As the Township of Huron-Kinloss' agent for administration of the Ontario Building Code (OBC), Part 8, Sewage Systems we appreciate the opportunity to comment on this application.


The application was submitted to sever two lots from the existing parcel at 2388 Bruce Road 6. Based on the application it is our understanding that a lot will be created for the existing medical clinic (severed parcel 1), and another will be severed for residential purposes (severed parcel 2). The retained lot (retained parcel) will be rezoned to be used for a residence and home business.

The application has been reviewed by OBC Part 8 Inspector Dave Bell (BCIN# 34600). The septic system associated with the existing medical clinic was inspected on July 27, 2021, as part of the Huron-Kinloss Community Septic Inspection (HKCSI) program. At that time, the system was identified as appearing to be in good working order and was given a risk rating of: High – Age. Given that the system was originally installed for a school, it is suspected the septic field is of a significant size and may cross the proposed northern property line with severed parcel 2.

Given this, it is recommended that the sewage flows based on current usage be established for the medical clinic and the runs of the septic field be shortened to be wholly located within severed Parcel 1. A Building Alteration/Change of Use application form and applicable fee should be submitted to the Township. An *Application for Permit to Construct or Demolish* and associated fee will be required for the installation of septic systems, including greywater systems, on severed parcel 2 and the retained parcel.

Yours very truly

B. M. ROSS AND ASSOCIATES LIMITED

Per   
Lisa J. Courtney, M.Sc. R.P.P., M.C.I.P.  
Environmental Planner

cc. Matt Farrell, Chief Building Official, Township of Huron-Kinloss



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0  
Tel 519-367-3040, Fax 519-367-3041, [publicinfo@svca.on.ca](mailto:publicinfo@svca.on.ca), [www.svca.on.ca](http://www.svca.on.ca)

SENT ELECTRONICALLY ONLY: [cjsmith@brucecounty.on.ca](mailto:cjsmith@brucecounty.on.ca) and [bcplwa@brucecounty.on.ca](mailto:bcplwa@brucecounty.on.ca)

October 4, 2021

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

ATTENTION: Coreena Smith, Planner

Dear Ms. Smith,

RE: Proposed Z-2021-074 and B-2021-085 and B-2021-086 (Martin)  
2388 Bruce Road 6  
Part Lot 9 Concession 8  
Roll No.: 410711000126400  
Geographic Township of Kinloss  
Township of Huron-Kinloss

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our Memorandum of Agreement (MOA), dated September 2019, with the County of Bruce representing natural heritage within the Maitland Valley Conservation Authority (MVCA) watershed. The applications have also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Member approved Environmental Planning and Regulations Policies Manual (Policies Manual), amended October 16, 2018, with regard to Natural Heritage Features.

#### Purpose

The purpose of the applications are to create one new lot for medical clinic purposes, one new lot for residential purposes, and to retain one lot for residential and home business purposes. An amendment to the Zoning By-law is required to facilitate the lot creation (consents).

#### Recommendation

SVCA staff find the applications acceptable. The subject property does not contain any significant natural heritage features of interest to SVCA as per our MOA with the County of Bruce. As such, it is the opinion of SVCA staff that the applications are consistent with the Natural Heritage Policies of the PPS, 2020; the County of Bruce Official Plan (OP); and the Township of Huron-Kinloss OP.

Please inform this office of any decision made by the planning approval authority with regards to these applications. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, please contact the undersigned.



#### **Watershed Member Municipalities**

Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,  
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,  
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,  
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey



County of Bruce Planning & Development Department  
Z-2021-074 and B-2021-085 and B-2021-086 (Martin)  
October 4, 2021  
Page 2 of 2

Sincerely,



Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation  
MO\

cc: Emily Dance, Clerk, Township of Huron-Kinloss (via email)  
Don Murray, SVCA Member representing the Township of Huron-Kinloss (via email)



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



September 14, 2021

File Number: Z-2021-074

## Public Meeting Notice

You're invited:

On-line Public Meeting

Wednesday, October 13, 2021 at 7:00 pm

A change is proposed in your neighbourhood: The purpose of the application to create one new lot for medical clinic purposes, one new lot for residential purposes, and to retain one lot for residential and home business purposes. An amendment to the Zoning By-law is required to facilitate the lot creation (consents). The related consent files are B-2021-085 & B-2021-086.



2388 BRUCE ROAD 6 - CON 8 PT LOT 9 (Kinloss)  
Township of Huron-Kinloss, Roll Number 410711000126400

## Learn more

You can view more information about the application at <https://brucecounty.on.ca/living/land-use> or 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: Coreena Smith

## 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 October 4, 2021 may not be included in the Planning report but will be considered and included in the official record on file.

**Before the meeting:** You can submit comments by email [bcplwa@brucecounty.on.ca](mailto:bcplwa@brucecounty.on.ca) or mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application. Comments will be provided to Council for its consideration.

**On the day of and during the Public Meeting:** you can speak during the online public meeting.

## How to access the public meeting

As a result of the COVID-19 Pandemic, the Township of Huron-Kinloss is holding public meetings in electronic format.

For information on how to participate in the public meeting, please visit the municipal website at: <https://www.huronkinloss.com/minutes-agendas.cfm>.

Details on participating in the electronic meeting will be provided when the agenda is published. Please contact the Township of Huron-Kinloss by 4:30 pm on October 13, 2021 ([edance@huronkinloss.com](mailto:edance@huronkinloss.com) or 519-395-3735 ext. 123) if you have any questions regarding how to participate 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 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 Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Bruce County Planning Department before the by-law is passed, the person or public body is not entitled to appeal the decision.

For more information please visit the Local Planning Appeal Tribunal website at <https://olt.gov.on.ca/tribunals/lpat/about-lpat/>.

## Site plan

