



## **Planning and Development Committee Agenda**

**June 20, 2019**

**9:30 a.m.**

**Council Chambers**

**County Administration Centre, Walkerton**

- 1. Call to Order**
- 2. Declaration of Pecuniary Interest**
- 3. Public Meetings**
  - a. BCOPA 239-19.49 Harron
  - b. BCOPA 240-19.62 Hobson c/o EBC
  - c. BCOPA 241-19.34 Eidt-Zettler
  - d. BCOPA 237-18.06 Campbell Pit
- 4. Delegations**
  - a. Gemma Mendez Smith, Executive Director, Four County Labour Market Planning Board  
  
Growing Your Workforce
- 5. Action Items**
  - a. BRKOPA-15-19.34 Snyder Farms Ltd. c/o Clancy
  - b. Land Evaluation and Area Review (LEAR) and Natural Heritage Study (NHS) Project Update Report
  - c. Consent Application B-84-16.84

## **6. Information Items**

- a. Bill 108, More Homes, More Choice Proposed Changes Appended
- b. Ontario's Open for Business, Open for Jobs Strategy Recap
- c. Ontario Legislation: Restoring Ontario's Competitiveness Act Overview
- d. Communications in the Field Report

## **7. Act on Recommendations**

That in accordance with the Procedure By-law, staff be authorized and directed to give effect to the actions of the Planning and Development Committee in respect of all resolutions passed during the June 20, 2019 meeting.

## **8. Next Meeting**

July 11, 2019

## **9. Adjournment**



## Committee Report

**To:** Warden Mitch Twolan  
Members of the Planning and Development Committee

**From:** Kara Van Myall  
Director of Planning and Development

**Date:** June 20, 2019

**Re:** BCOPA 239-19.49 Harron

---

### Recommendation:

Subject to the review of objections and submissions arising from the public hearing:

That Bruce County Official Plan Amendment BCOPA 239-19.49 be **approved** and the necessary By-law be forwarded to County Council for adoption.

### Executive Summary:

The subject lands are at the corner of Sideroad 15 Arran and Concession 13 West Arran, south of Elsinore. The application proposes to sever the west part of Lot 17 to be added to the east part of Lot 17.

The consent needs a Bruce County Official Plan Amendment because Lot 17 does not front on a year-round maintained road.

The proposal is consistent with the Provincial Policy Statement and the purpose of the County Official Plan.

### Background:

The applicant owns three lots important to this application:

- Part Lot 16
  - +/- 48.15 ha
  - Merged with the West Part of Lot 17
- W Part of Lot 17
  - +/- 24.48 ha
  - Separate parcel from Crown Patent, but merged with Part Lot 16 through Planning Act consent
- E Part of Lot 17
  - +/- 24.48 ha
  - Separate parcel from Crown Patent

The applicant's lawyer confirmed that the west half of Lot 17 and the east half of Lot 17 were separate parcels. Part Lot 16 and W Pt Lot 17 received Planning Act consent, so they are merged with each other and require a consent application.

The Bruce County Official Plan Amendment is required to facilitate the consent as Lot 17 does not front on a year-round maintained road.

### Description of Proposal

The application proposes to sever the west part of Lot 17 (+/-60.5 ac) to be added to the east part of Lot 17 (+/-60.5 ac) as shown in the below site plan and air photo.

### Air Photo





## Provincial Interests

Provincial Policy Statement (PPS) interests include the protection of prime agricultural areas for long-term use for agriculture.

Lot creation in prime agricultural areas may be permitted for agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.

In Bruce County, 100 ac original Crown surveyed lots are common. Part Lot 16 and Lot 17 would each be +/- 120 ac.

The PPS notes that natural features and areas should be protected for the long term. The GSCA notes that hayfields and prairie lands are typical habitat for some threatened and endangered birds. During their site visit, the GSCA observed the threatened Bobolink on the property. The GSCA recommends that an Environmental Impact Study (EIS) be completed prior to developing the property. At this time, no new development is proposed. The requirement for an EIS can be addressed through a development agreement registered on title.

An overview of the PPS policies is provided in the appendices.

The application is consistent with the PPS.

## County Official Plan

The property to be severed and the receiving property are both designated Agriculture, Rural, Hazard, and Arran Lake Provincially Significant Wetland.

Permitted uses include “agriculture” which refers to the growing of crops or raising of livestock.

The proposal meets the agricultural consent policies. Both the retained (Part Lot 16) and newly created Lot 17 would be more than 40 ha. The proposal does not exceed the maximum number of severances for an original Crown surveyed lot.

The proposal requires relief from a policy in Section 6.5.3.1 which states:

“Nothing in this Plan shall prohibit the recreation of the original Township lot fabric provided both the severed and retained lots comply with the minimum lot area requirements of this Plan and both the severed and retained lots front onto, and have access to, an opened and maintained municipal road that is maintained on a year-round basis at the time of application.”

In this case, Lot 17 does not front on a year-round road. Part of the road known as Concession 13 West Arran is maintained on a year-round basis however year-round maintenance on the road ends before it reaches Lot 17. At Lot 17, Concession 13 West Arran is only maintained on a seasonal basis.

The applicant indicates that Lot 17 is intended to be used for growing crops. He notes that seasonal (non-winter) access is adequate for growing crops.

The applicant understands that by severing the west half of Lot 17 from Part Lot 16 (where it has road frontage) to be added to the east half of Lot 17 (where it would have no road frontage), there may be a negative impact on opportunities available for the west half of Lot 17. The types of agriculture that could be supported would be limited by the lack of a year-round road.

The applicant also understands it would not be possible to get a building permit for Lot 17, as the zoning bylaw prohibits the erection of buildings on lots which do not front on a Class 1 (i.e. constructed and maintained to permit year-round access) Street.

Planning Staff are satisfied that the applicant understands the implications of his proposal.

Planning Staff believe there is merit in granting relief in this case as the intended farming use of Lot 17 can occur without year-round road access.

If the Official Plan amendment is approved, the consent application will conform to the County of Bruce Official Plan.

### **Zoning by-law**

Part Lot 16 and Lot 17 are zoned A1 General Agriculture and EP Environmental Protection.

The proposal meets A1 General Agriculture zone provisions.

Section 3.25 “Frontage On A Street” states that no person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts, and has ingress and egress upon a Class 1 Street.

As noted above, Lot 17 is intended to be used for growing crops. The applicant is aware that the property would not be eligible for a building permit as it does not front on a Class 1 Street.

The application maintains the intent and purpose of the zoning bylaw.

### **Agency Comments**

#### Grey Sauble Conservation Authority:

- Generally no objection to the approval of the subject applications, as new development is not proposed.
- However, given the observance of the threatened Bobolink on the property and its suitable habitat conditions, the GSCA recommends that should any future efforts to develop the properties be made that an environmental impact study be completed and consultation be made with the Ministry of the Environment, Conservation and Parks to determine potential impacts on this species at risk and requirements under the Endangered Species Act.

Comment: The requirement for an EIS can be addressed by way of a development agreement registered on title. The applicant is aware that the requirement for a development agreement will be included as a condition of consent.

#### Municipality:

- Council passed a resolution which noted no objection to the severance and requested standard conditions of consent.

#### Union Gas

- There are service lines running within the area which may or may not be affected by the proposed severance
- If relocation is required, the owner is responsible for costs

#### Other:

- Bell - No concerns
- Historic Saugeen Metis - No objection or opposition
- Hydro One - No comments or concerns

Comments: All agency comments were shared with the applicant.

#### **Public Comments**

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

#### **Planning Analysis and Comments:**

The proposal is consistent with the Provincial Policy Statement and the purpose of the County Official Plan.

While the road in front of Lot 17 is not maintained in the winter, seasonal access is adequate for growing crops which is the intended use.

The proposal meets all other Official Plan policies and zoning bylaw provisions.

#### **Financial/Staffing/Legal/IT Considerations:**

Potential Appeal to Local Planning Appeals Tribunal

Written by:

Amanda Herbert, RPP

Planner, Planning and Development

## Appendix 1 - Provincial Policy Statement 2014

Applies?	Section	Policy	Comment
	<b>1.0</b>	<b>Building Strong Communities</b>	
	1.1	Managing & Directing Land Use To Achieve Efficient Development & Land Use Patterns	
	1.1.3	Settlement Areas	
	1.1.4	Rural Areas in Municipalities	
	1.2	Coordination	
	1.3	Employment Areas	
	1.4	Housing	
	1.5	Public Spaces, Parks and Open Space	
	1.6	Infrastructure and Public Service Facilities	
	1.6.4	Sewage and Water	
	1.6.5	Transportation Systems	
	1.6.6	Transportation and Infrastructure Corridors	
	1.6.7	Airports	
	1.6.8	Waste Management	
	1.7	Long-Term Economic Prosperity	
	1.8	Energy and Air Quality	
	<b>2.0</b>	<b>Wise Use and Management of Resources</b>	
X	2.1	Natural Heritage	
	2.2	Water	
X	2.3	Agriculture	
X	2.3.3	Permitted Uses	
X	2.3.4	Lot Creation and Lot Adjustments	
	2.3.5	Removal of Land from Prime Agricultural Areas	
	2.4	Minerals and Petroleum	
	2.4.2	Protection of Long-Term Resource Supply	
	2.4.3	Rehabilitation	
	2.4.4	Extraction in Prime Agricultural Areas	
	2.5	Mineral Aggregate Resources	
	2.5.2	Protection of Long-Term Resource Supply	
	2.5.3	Rehabilitation	
	2.5.4	Extraction in Prime Agricultural Areas	
	2.5.5	Wayside Pits/Quarries, Portable Asphalt Plants / Concrete Plants	
	2.6	Cultural Heritage and Archaeology	
	<b>3.0</b>	<b>Protecting Public Health and Safety</b>	
	3.1	Natural Hazards	
	3.2	Human-made Hazards	



**By-law Number 2019-xx**

**A by-law to adopt Amendment Number xx**

**to the County of Bruce Official Plan**

Authority is provided in Sections 17 and 21 of the Planning Act, R.S.O. 1990, as amended.

**The Council for the Corporation of the County of Bruce enacts By-law 2019-018 as follows:**

1. Amendment Number xx to the County of Bruce Official Plan attached and forming part of this by-law is approved.
2. That this By-law come into force and take effect on the day of the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990, as amended.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2019

---

**Mitch Twolan**  
**Warden**

---

**Donna Van Wyck**  
**Clerk**

## **Part B – The Amendment**

### **Introductory Statement**

All of this part of the document entitled “Part B – The Amendment” and consisting of the following text, and attached map designated as Schedule “A”, constitutes Amendment Number **xx** to the Bruce County Official Plan.

The subject land is designated Agriculture, Rural, Hazard.

The Official Plan states that the severed and retained lots shall front on an existing road allowance which is opened and maintained on a year-round basis and is constructed to a standard of construction adequate to provide for the additional traffic generated by the proposed development.

The proposed Official Plan amendment is to permit a lot to be created notwithstanding the requirement for frontage on a road maintained on a year-round basis.

### **The Amendment**

1. Schedule A: land Use is amended by adding the following reference to the lands at Concession 13 West Part of Lot 17, geographic Township of Arran, Municipality of Arran-Elderslie:

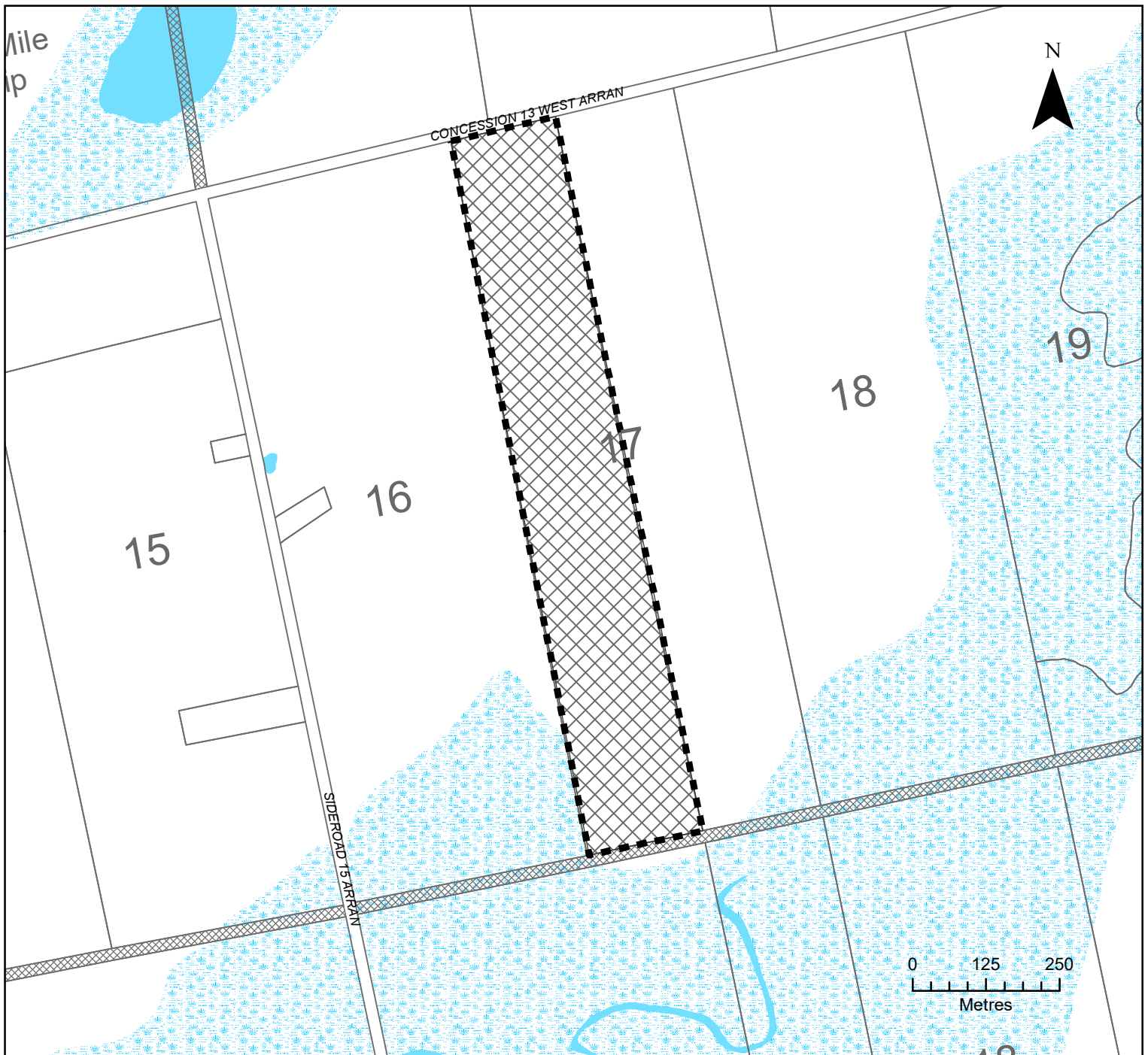
‘Section 5.5.13.xx’

2. The Bruce County Official Plan is amended by adding the following subsection to Section 5.5.13 – Exceptions – Agricultural Areas:

“Harron (OPA xx)

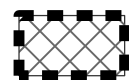
Notwithstanding the policies of Section 6.5.3.1 (i) (Land Division Policies – General Policies) of this Plan, the lands described as Site Specific Policy Area 5.5.13.xx on Schedule A Land Use Plan Concession 13 West Part Lot 17, geographic Township of Arran, Municipality of Arran-Elderslie, may be severed and added to the East Part Lot 17. All other policies of Section 6.5.3 (Land Division Policies) shall apply.”





**Schedule 'A'**  
to  
**Amendment NO. 239**  
**County of Bruce Official Plan**

**Concession 13, Part Lot 16 and  
West Part of Lot 17  
Municipality of Arran-Elderslie  
(Township of Arran)  
County of Bruce**



Lands Subject to Section 5.5.13.??  
Exceptions - Agricultural

File: BCOPA 239  
B-37-2019.49

Applicant: Gary Harron

Date: May, 2019



## Committee Report

**To:** Warden Mitch Twolan  
Members of the Planning and Development Committee

**From:** Kara Van Myall  
Director of Planning and Development

**Date:** June 20, 2019

**Re:** BCOPA 240-19.62 Hobson c/o EBC

---

### Recommendation:

Subject to the review of objections and submissions arising from the public hearing:

That the Bruce County Official Plan Amendment BCOPA 240-19.62 be **approved** and the necessary By-law be forwarded to County Council for adoption.

### Executive Summary:

The subject lands are located on Little Pike Bay. Two severances are proposed to facilitate a transfer of lands for conservation purposes. One severed lot (Areas 1 and 3) would continue to be used for a long-standing seasonal cottage rental establishment. The other severed lot (Area 2) together with the retained lands are expected to be transferred to the Escarpment Biosphere Conservancy (EBC) for conservation purposes.

A Bruce County Official Plan Amendment and Zoning Bylaw Amendment are required to: facilitate the consents.

- Match the commercial campground designation and zone to the existing cottage/campground use
- Establish an open space designation and zone for the conservation lands

This report and recommendation deal with the Official Plan Amendment application. Local Council has expressed support for the zoning by-law amendment at a Council meeting on May 27, 2019.

The application is consistent with the Provincial Policy Statement and conforms to the intent and purpose of the County Official Plan.

### Background:

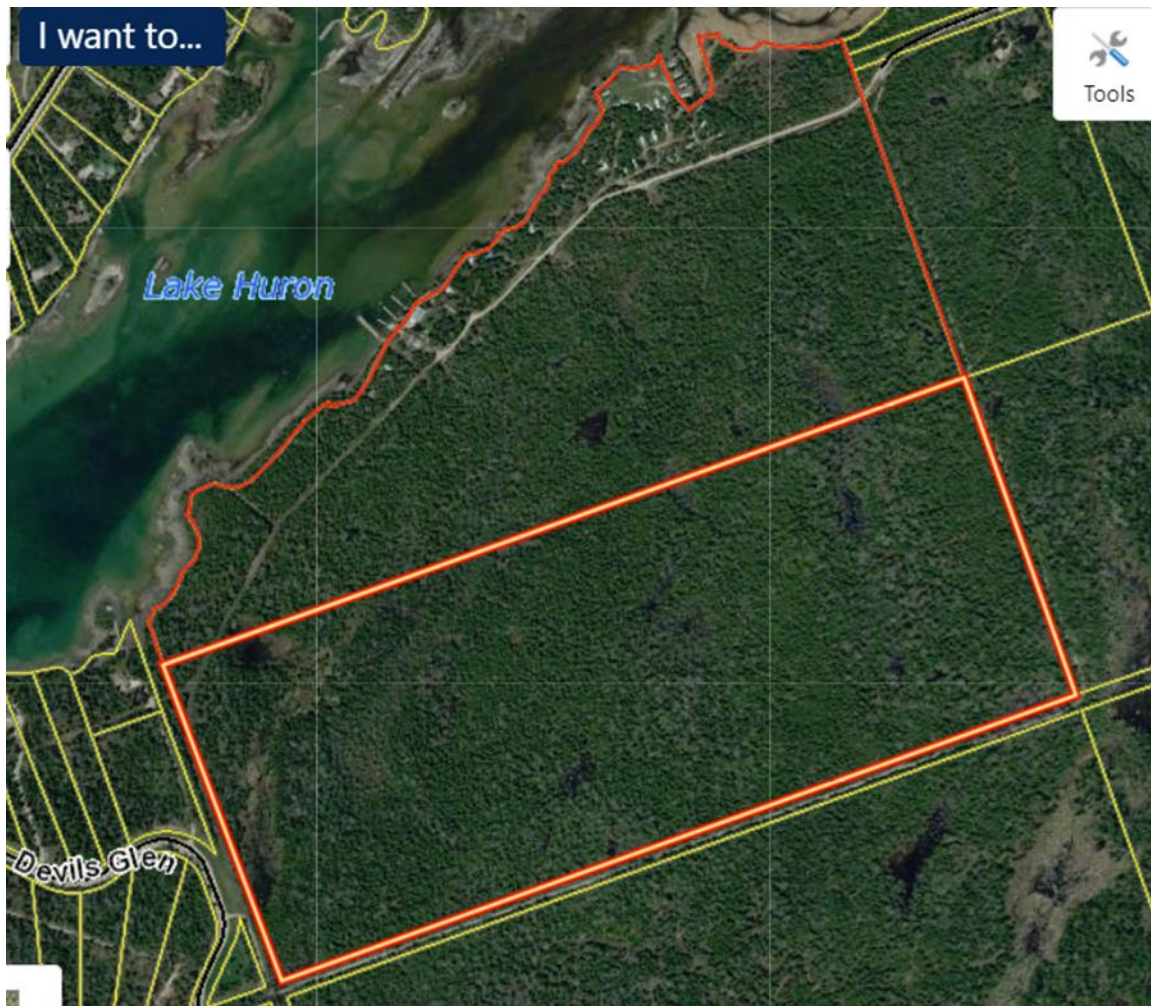
The +/- 62 ha site is located at 423 Shaw Rd, on the shore of Little Pike Bay.

The subject property currently contains thirteen cottages plus a shed on a portion of the property near the water. All cottages except one appear to have been constructed before 1970. The cottages are considered to be legal non-conforming.





## Airphoto



### Provincial Interests

Provincial Policy Statement (PPS) interests include conserving biodiversity and considering the ecological benefits of nature. The proposal zones lands so that the permitted uses in the municipal zoning by-law are consistent with the conservation use of the lands.

Overall activity levels are anticipated to remain low, and no services (parking, water, sewer) are required or planned to be provided for the Open Space lands.

Policy 2.6 of the PPS notes the Province's interest in cultural heritage. A holding provision is proposed for portions of the property where archaeological potential is high (based on proximity to water) and the lands have not yet been assessed.

The application is consistent with the PPS.

### County Official Plan

The County Official Plan designates the property Travel Trailer Park and Commercial Campground (TTPCC), Rural Recreation, and Rural.

The application proposes to:

- Match the TTPCC designation to the existing cottage/campground use
- Remove the TTPCC, Rural Recreation, and Rural designation from the lands to be used for conservation, to be replaced with a Major Open Space designation

The TTPCC classification permits campsites and seasonal recreational uses. In this case, all buildings except for one appear to pre-date the bylaw and official plan. The proposed adjustment of the TTPCC designation is intended to match the existing developed area.

Open Space uses are permitted in the Rural Recreation designation. The County Official Plan notes that much of the remaining Rural Recreational area that is currently undeveloped is subject to environmental constraints. The lands designated Rural Recreation on the subject property do not front on a public road.

In the Rural designation, it is an objective of the Plan to recognize rural lands as an important community and economic resource, while at the same time promoting preservation and enhancement of the rural environment for the benefit of future generations. While Open Space uses are not explicitly permitted in the Rural designation, public conservation, public open space and passive recreation are listed as permitted uses in the more restrictive Agricultural designation.

The Major Open Space designation is for those uses which provide outdoor recreation and preservation of natural areas.

The GSCA recommended updating the hazard areas on the property. The revised hazard boundary is included in the proposed amendment.

At this time, no new development is proposed. Frontage on Shaw Road is being addressed through another consent application (see file B-112 Sasal c/o Barnett).

The proposed amendment has merit and is consistent with the intent and purpose of the Bruce County Official Plan.

### **Zoning by-law**

The property is zoned C4 Travel Trailer Park and Commercial Campground and PD Planned Development. The existing C4 zone generally matches the existing TTPCC designation from the County Official Plan.

The application proposes to establish a C4 Special zone to cover all of Areas 1 & 3 on the site plan, which would match the revised TTPCC designation in the County Official Plan. The C4 Special zone is required to permit reduce lot frontage, a reduced side yard setback from an existing cottage, and recognize buildings that existed as of the date of passing of this bylaw.

The application proposes to rezone the remainder of the property (Area 2 and the retained) to OS Open Space Special. The Open Space zone generally captures various conservation and recreation activities. In this case, the zoning would not include a golf course or buildings.

The EH Environmental Hazard zone on the property would be updated as per GSCA recommendations. A Holding zone provision is proposed to address areas with unassessed archaeological potential.

If the County Official Plan Amendment is approved the proposed Zoning Bylaw Amendment would meet the intent and purpose of the zoning bylaw.

### **Agency Comments**

#### Grey Sauble Conservation Authority:

- Our office generally has no objection to the approval of the proposed severance as there will be no changes to the existing use of the residential area and the remainder of the property will be protected for conservation purposes by the EBC.
- In this regard, we recommend that the proposed parcel to be conveyed to the Escarpment Biosphere Conservancy be zoned and designated Open Space and that buildings be excluded from the permitted uses for the Open Space Designation and Zones. The small environmental hazard areas as noted on the attached map could be included as a separate zone/designation or included in the overall Open Space area as noted above.

Comment: The revised hazard is included in the proposed Official Plan and Zoning Bylaw Amendments. A provision to prohibit buildings in the Open Space zone is included in the proposed Zoning Bylaw Amendment. With that provision in place, Planning Staff note that a Planning Act application would be required to permit any future building, at which time natural heritage matters could be reviewed. Including the same provision in the Official Plan appears to be unnecessary.

#### Municipality of Northern Bruce Peninsula:

- No objection to severances
- Recommends standard conditions of consent plus two application specific conditions related to access

#### Other:

- Historic Saugeen Metis - No objection or opposition
- Hydro One - No comments or concerns
- Union Gas - May have service lines running within the area. Any Service relocation required due to a severance would be at the cost of the property owner.

Comment: All agency comments were shared with the agent.

### **Public Comments**

Public notice of the applications was circulated on May 3, 2019 and notice posted on the property.

A public meeting regarding the Zoning Bylaw Amendment was held on May 27, 2019. Members of the public in attendance at the meeting supported the application.



At the time this report was written, no written comments had been received.

### **Planning Analysis and Comments:**

The proposal is consistent with the Provincial Policy Statement and the intent and purpose of the County Official Plan.

The County Official Plan Amendment would match the TTPCC designation to the existing developed area. It would also remove the TTPCC, Rural Recreation, and Rural designations from the conservation lands, to be replaced with a Major Open Space designation. The Major Open Space designation is intended for uses which provide outdoor recreation and preservation of natural areas.

### **Financial/Staffing/Legal/IT Considerations:**

Potential Appeal to Local Planning Appeals Tribunal

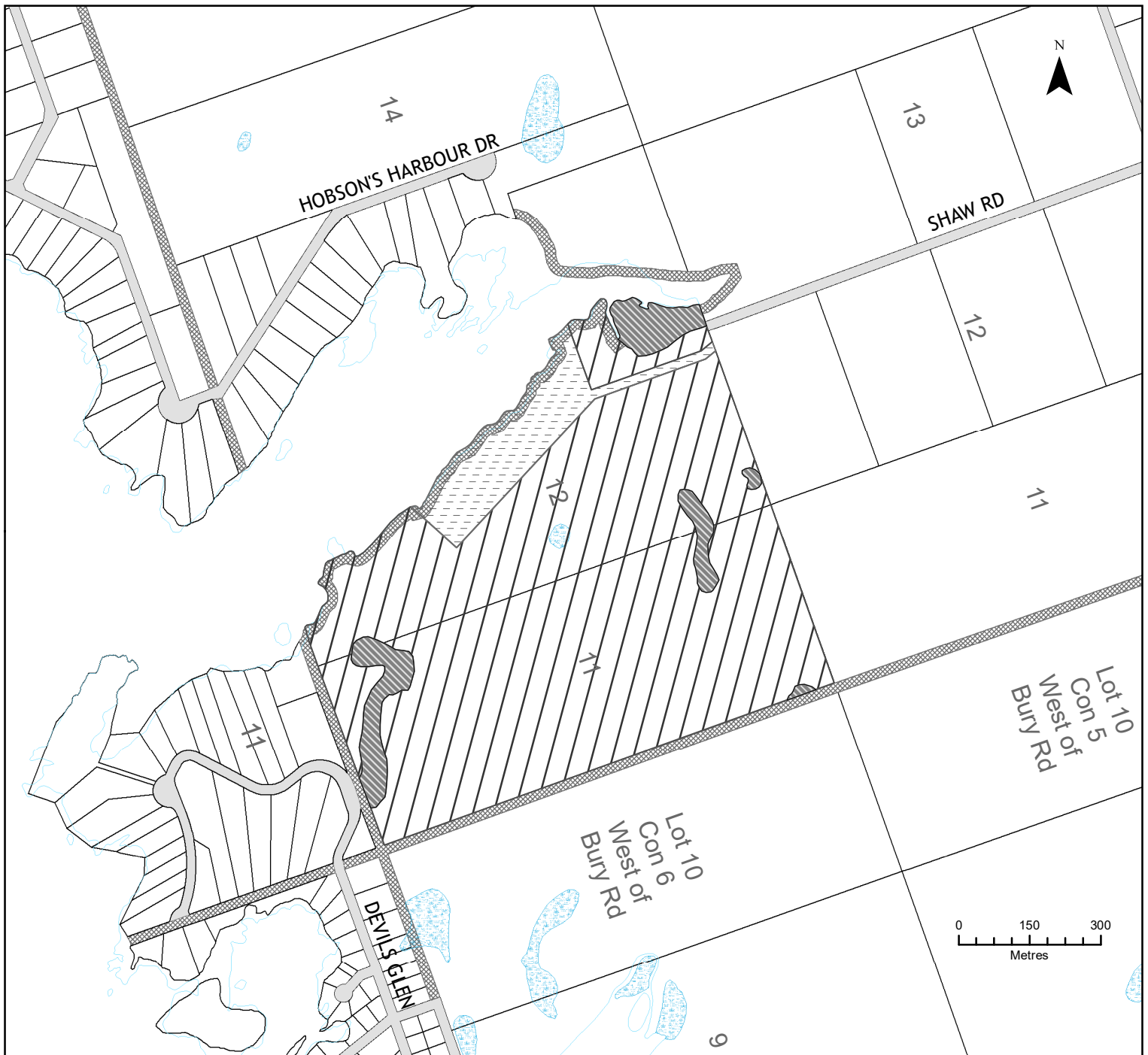
Written by:

Amanda Herbert, RPP

Planner, Planning and Development

## Appendix 1 - Provincial Policy Statement 2014

Applies?	Section	Policy	Comment
	<b>1.0</b>	<b>Building Strong Communities</b>	
	1.1	Managing & Directing Land Use To Achieve Efficient Development & Land Use Patterns	
	1.1.3	Settlement Areas	
	1.1.4	Rural Areas in Municipalities	
	1.2	Coordination	
	1.3	Employment Areas	
	1.4	Housing	
	1.5	Public Spaces, Parks and Open Space	
	1.6	Infrastructure and Public Service Facilities	
	1.6.4	Sewage and Water	
	1.6.5	Transportation Systems	
	1.6.6	Transportation and Infrastructure Corridors	
	1.6.7	Airports	
	1.6.8	Waste Management	
	1.7	Long-Term Economic Prosperity	
	1.8	Energy and Air Quality	
	<b>2.0</b>	<b>Wise Use and Management of Resources</b>	
X	2.1	Natural Heritage	
	2.2	Water	
	2.3	Agriculture	
	2.3.3	Permitted Uses	
	2.3.4	Lot Creation and Lot Adjustments	
	2.3.5	Removal of Land from Prime Agricultural Areas	
	2.4	Minerals and Petroleum	
	2.4.2	Protection of Long-Term Resource Supply	
	2.4.3	Rehabilitation	
	2.4.4	Extraction in Prime Agricultural Areas	
	2.5	Mineral Aggregate Resources	
	2.5.2	Protection of Long-Term Resource Supply	
	2.5.3	Rehabilitation	
	2.5.4	Extraction in Prime Agricultural Areas	
	2.5.5	Wayside Pits/Quarries, Portable Asphalt Plants / Concrete Plants	
	2.6	Cultural Heritage and Archaeology	
	<b>3.0</b>	<b>Protecting Public Health and Safety</b>	
X	3.1	Natural Hazards	
	3.2	Human-made Hazards	



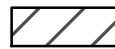
## Schedule 'A'

to  
Amendment NO. 240  
County of Bruce Official Plan

Part Lots 11, 12, 13 Plus 66ft Strip  
along Shore, Concession 6 WBR  
(423 Shaw Rd)  
Municipality of Northern Bruce Peninsula  
(geographic Township of Eastnor)  
County of Bruce



Lands to be designated Travel Trailer Park  
and Commercial Campground



Lands to be designated Major Open Space



Lands to be designated Hazard

File: BCOPA 240  
Z-26-2019.62  
B-39 & 40 2019.62  
B-112-2018.62

Applicant: Kenneth & Emily Hobson

Date: May, 2019



**By-law Number 2019-xx**

**A by-law to adopt Amendment Number xx**

**to the County of Bruce Official Plan**

Authority is provided in Sections 17 and 21 of the Planning Act, R.S.O. 1990, as amended.

**The Council for the Corporation of the County of Bruce enacts By-law 2019-018 as follows:**

1. Amendment Number xx to the County of Bruce Official Plan attached and forming part of this by-law is approved.
2. That this By-law come into force and take effect on the day of the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990, as amended.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2019

---

**Mitch Twolan**  
**Warden**

---

**Donna Van Wyck**  
**Clerk**

## **Part B – The Amendment**

### **Introductory Statement**

All of this part of the document entitled “Part B – The Amendment” and consisting of the following text, and attached map designated as Schedule “A”, constitutes Amendment Number **xx** to the Bruce County Official Plan.

The subject land is designated Rural, Rural Recreation, and Travel Trailer Park and Commercial Campground (TTPCC).

### **The Amendment**

Schedule ‘A:’ Land Use to the County of Bruce Official Plan for Concession 6 WBR Part Lots 11,12, 13 PLUS 66 ft Strip Along Shore is hereby amended by:

- i. Matching the TTPCC designation to the existing cottage/campground use, and
- ii. Removing the TTPCC, Rural Recreation, and Rural designation from the lands to be used for conservation, to be replaced with the Major Open Space designation
- iii. Updating the Hazard designation

as shown on Schedule “A” to this Amendment.



## Committee Report

**To:** Warden Mitch Twolan  
Members of the Planning and Development Committee

**From:** Kara Van Myall  
Director of Planning and Development

**Date:** June 20, 2019

**Re:** BCOPA 241-19.34 Eidt-Zettler

---

### Recommendation:

Subject to the review of objections and submissions arising from the Public Meeting:

That Bruce County Official Plan Amendment 241 be approved; and,

That the By-Law be forwarded to County Council for adoption.

### Executive Summary:

The subject lands are located at 51 Sideroad 15, east of Walkerton.

The application proposes to create a 1.8 acre surplus farm dwelling lot with a 29 acre retained lot that would continue to be used for cash cropping. There is no new development proposed. The proposal involves three applications:

- This Official Plan Amendment to permit the severance, notwithstanding the number of lots that were severed in the past and the size of the retained lot;
- A Consent application to create the surplus farm dwelling lot; and,
- A Zoning By-Law Amendment to: rezone the severed lot to recognize any deficient setbacks resulting from the severance; place a nutrient unit restriction on the property; and rezone the retained lot to prohibit a dwelling.

### Background:

The total land area is about 31 acres. There is a house, barn and shop on the lot to be severed. The applicant rents and cash crops the retained lot and would consolidate the 29 acre field into their farm operation. There is an agreement to purchase between the applicant (Zettler) and the current owner (Eidt).

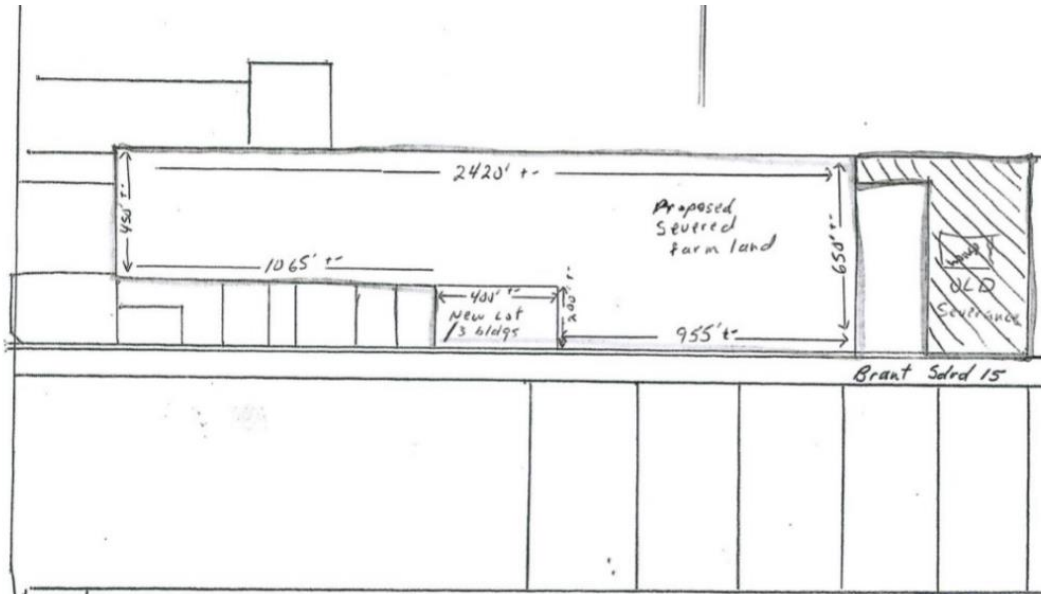


## Description of Proposed Official Plan Amendment

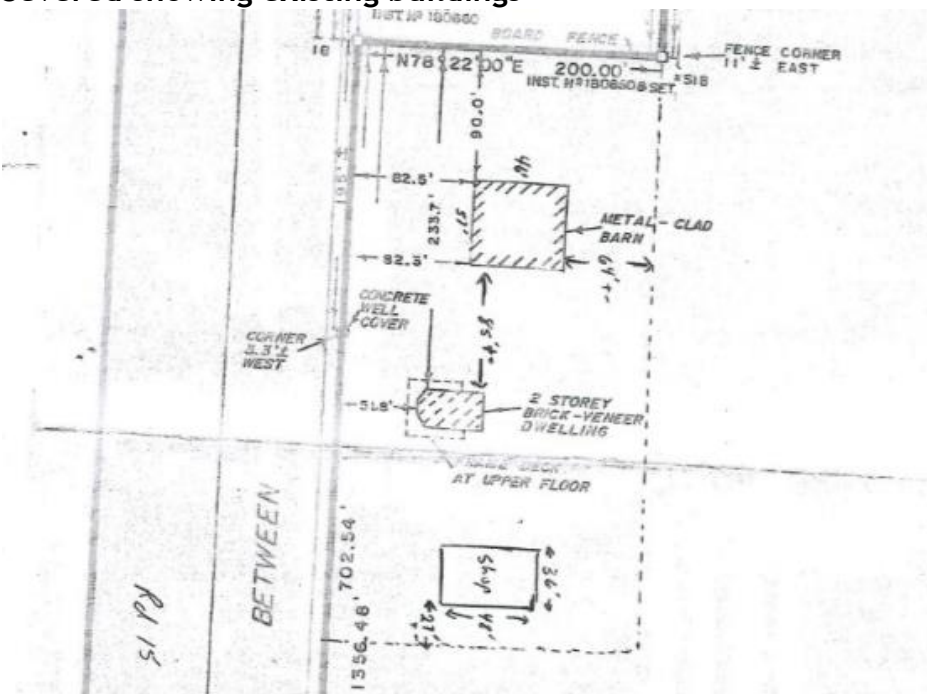
The land is designated Agricultural Area. The Official Plan Amendment would have the effect of permitting a surplus farm dwelling severance, notwithstanding that: more than 2 lots including the retained have been created from the original Crown surveyed lot; and, the 29 acre retained lot is smaller than the 100 acres generally required.

Applicant sketches:

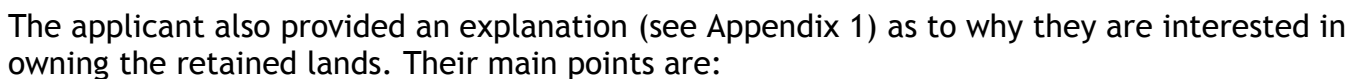
Severed and retained dimensions



Severed showing existing buildings



The applicant's submission included a map of their farm operation and justification of the need to consolidate the retained land, without the residence and accessory buildings, into their farm business. A map of the subject lands within their area of operation is below.



- Page 24 of 161

## Provincial Interests

Under Section 3(5) of the *Planning Act*, Council decisions “shall be consistent with” matters of provincial interest as set out in the Provincial Policy Statement (PPS). The subject lands are in a Prime Agricultural Area. Prime Agricultural Areas are to be protected for long term use for agriculture.

In the PPS, lot creation in ‘prime agricultural areas’ is discouraged and only permitted for agricultural uses, infrastructure, agriculture-related uses and a residence surplus to a farming operation. A severance for a residence that is surplus to a farm operation is permitted provided that:

- it is the result of farm consolidation;
- the new lot is limited in size; and
- residential dwellings are prohibited on the remnant parcel.

The PPS does not set out a minimum size for the remnant parcel.

### Comment:

The retained lot will be consolidated into a farm operation. The new 1.8 acre lot is limited to the existing house, barn and shop and would not encroach onto the field on the retained lot. The retained lot will be rezoned to prohibit a house. Therefore, the application is consistent with the Provincial Policy Statement.

The applicable PPS policies are listed in Appendix 2.

## County Official Plan

The subject lands are designated Agricultural Area in the Bruce County Official Plan.

The policies for the Agricultural Area include: an original Crown surveyed lot shall not be divided into more than two parcels, including the retained lot; and the minimum lot area of lands shall be generally 40 hectares (99 acres).

The consent policies permit a severance for the creation of a lot for an existing residence and buildings surplus to a farming operation as a result of a farm consolidation. To meet these policies, the owner of the farm lands must be a ‘bona fide farmer’. For the purposes of this policy, the ‘bona fide farmer’ must:

- a) own and farm the lands on which the surplus dwelling is proposed to be severed;
- b) own and farm other lands; and,
- c) own a residence elsewhere, or reside as a tenant elsewhere, therefore rendering the residence on the subject farm surplus to their needs.

A ‘bona fide farmer’ is defined as including a limited company, sole proprietorship, incorporated company, numbered company, partnership, non-profit and other similar ownership forms.



The Official Plan also requires that the lot proposed for the residence and buildings surplus to the farming operation is to be limited in area and shall only be of sufficient size to accommodate the residence surplus to the farming operation, accessory buildings (where including accessory buildings does not render the lot excessively large in the opinion of the Land Division Committee), a well and a sewage disposal system, while ensuring that as little land as possible is removed from the agricultural lands.

**Comment:**

The application would conform with the County Official Plan (this is discussed further in the Planning Analysis section below).

**Zoning By-law:**

The subject lands are currently zoned 'General Agriculture (A1)'. The retained lot is proposed to be zoned with a special provision that would not permit a house. The severed lot is proposed to be zoned with a special provision that would: limit the number of nutrient units on the severed parcel to 1.25 units per ha; and recognize any buildings that do not meet zoning setbacks of the A1 Zone.

**Agency Comments:**

- Municipality of Brockton - Civic address number to stay with severed property.
- SVCA - The County Official Plan Amendment is acceptable to SVCA staff.
- Bruce Grey Catholic District School Board - no comments.
- Historic Saugeen Metis - no objection or opposition.
- Hydro One - no comments or concerns.

**Public Comments:**

At the time of writing this report, two letters from the public were submitted in opposition to the proposal (attached in Appendix 7).

**Planning Analysis:**

The applicant (Zettler) meets the definition of a bona fide farmer, has an agreement to purchase the lands, owns and farms other lands in the area, and does not live on the subject lands. The lot to be severed is an appropriate size and has logical lot boundaries with no land taken out of active agricultural production. The lot to be retained will be rezoned to prohibit a house. Therefore, the application meets the PPS and County Official Plan policy tests specifically related to surplus farm dwelling severances.

In terms of the broader County Official Plan policy about the number of lots from an original Crown surveyed lot, this would be the 17<sup>th</sup> lot. While the main intent of this policy is to prevent fragmentation of the land resource, we recognize that this area was allowed to be extensively fragmented some time ago. In our view, this application, which will not result in new development, would not introduce any new impacts into this area.

In considering the broader policy on farm size, we note that the 29 acre retained lot would be smaller than the 100 acre minimum size policy. While the intent of this policy is to promote and maintain viable farming operations and minimize impacts on the farm community, we recognize that this area was allowed to be broken up into smaller farms and residential lots some time ago - the subject lands are already smaller than the minimum farm size policy as a result of these past decisions. Despite its size, it is noteworthy that the retained parcel is ideally located for efficient farm machinery movement and valued within the Zettler operation. Moreover, this application would bring the retained parcel into the ownership of a larger and viable farm operation and would not create negative impacts on the farm community.

### **Conclusion:**

Based on the foregoing points and taking into account the broader purpose of the County Official Plan, which is to strengthen the agricultural community, this application is consistent with the Provincial Policy Statement, would conform with the Bruce County Official Plan and would be good land use planning.

### **Financial/Staffing/Legal/IT Considerations:**

Potential Appeal to Local Planning Appeals Tribunal

Written by:

Mark Paoli, M.Sc., RPP

Senior Planner, Planning and Development

## Appendix 1 - Additional Information Supplied by the Applicant

In support of my Official Plan Amendment Application the following points are provided.

Our farming operation consists of a father and three sons (supported by our wives, of course) so it is a family operation. We are mainly cash crop farmers.

We have been renting the land in question for twenty some years so are quite familiar with this piece of property and know what crops we can get from the land. It has basically become part of our farming operation over the long period of time we have been renting it. We have cleaned this acreage up over the years of use, removing stone piles, dead trees, cross fences, etc. so we do have time invested in the land. With the exception of an access road along the south edge of this field the whole acreage is useable for cash cropping.

This acreage is located very close to our home farm, being about half a block away, and located between our home farm and a number of other farms we own, rent, and farm. Therefore, it is very convenient to our farming operations and we wish to consolidate this acreage which we have been renting and farming for many years with our other owned farming operations. We now take crops from approximately 1500 acres ( it can change yearly, according to what rented lands are available). This may seem like a lot, but, when there are four families to be supported from this acreage it really is not, so when we have a chance to purchase more acreage close to home, we like to take advantage of that opportunity.

We have no interest in owning the house ( or other buildings) on the property as we all have our own homes and are not interested in renting out the house and becoming landlords.

If the Eidt's were to sell the property as a whole, the next owners might have their own plans for the property and then it would not be available to us to rent and to continue farming on it.

Even though it is a smaller acreage, the fact that it is so close and convenient for us, make it a nice asset to consolidate with our existing farming operations.

Sincerely  
Dave Zettler



\* Map Attached

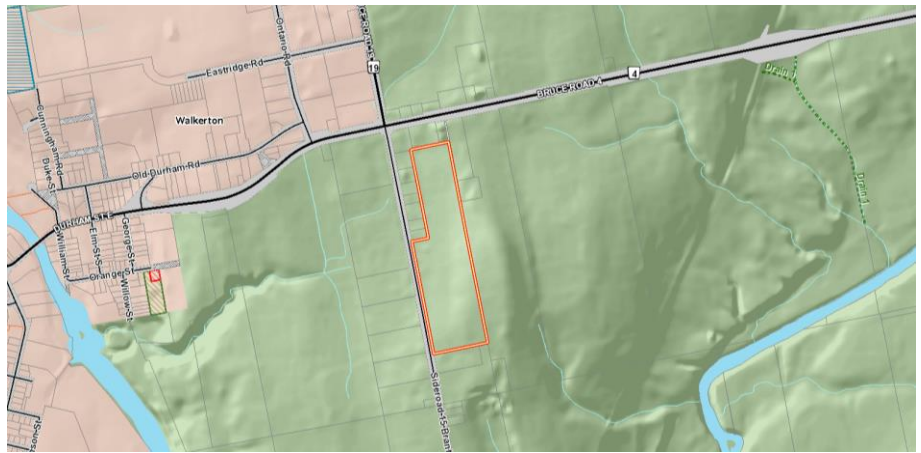


## Appendix 2 - Provincial Policy Statement 2014

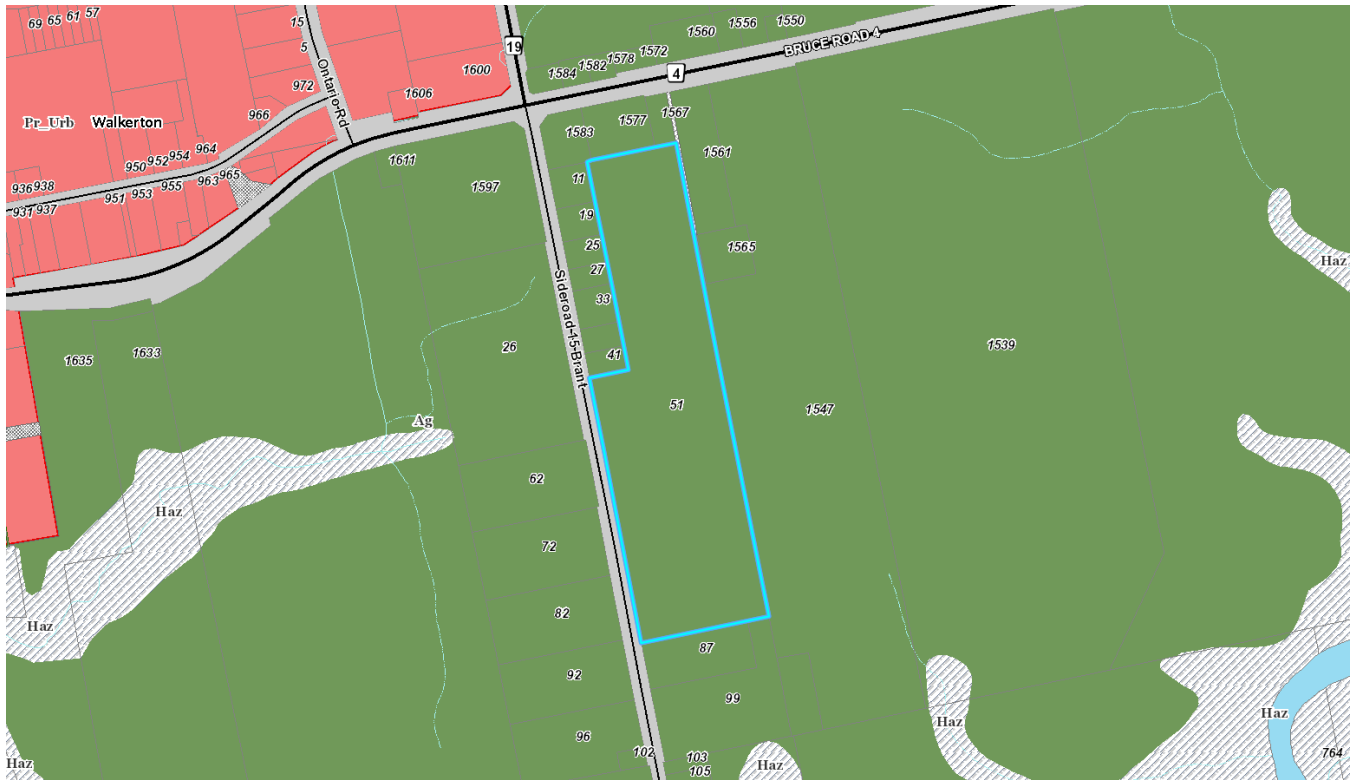
Applies?	Section	Policy	Comment
	<b>1.0</b>	<b>Building Strong Communities</b>	
	1.1	Managing & Directing Land Use To Achieve Efficient Development & Land Use Patterns	
	1.1.3	Settlement Areas	
x	1.1.4	Rural Areas in Municipalities	
	1.2	Coordination	
	1.3	Employment Areas	
	1.4	Housing	
	1.5	Public Spaces, Parks and Open Space	
	1.6	Infrastructure and Public Service Facilities	
	1.6.4	Sewage and Water	
	1.6.5	Transportation Systems	
	1.6.6	Transportation and Infrastructure Corridors	
	1.6.7	Airports	
	1.6.8	Waste Management	
	1.7	Long-Term Economic Prosperity	
	1.8	Energy and Air Quality	
	<b>2.0</b>	<b>Wise Use and Management of Resources</b>	
	2.1	Natural Heritage	
	2.2	Water	
x	2.3	Agriculture	
	2.3.3	Permitted Uses	
x	2.3.4	Lot Creation and Lot Adjustments	
	2.3.5	Removal of Land from Prime Agricultural Areas	
	2.4	Minerals and Petroleum	
	2.4.2	Protection of Long-Term Resource Supply	
	2.4.3	Rehabilitation	
	2.4.4	Extraction in Prime Agricultural Areas	
	2.5	Mineral Aggregate Resources	
	2.5.2	Protection of Long-Term Resource Supply	
	2.5.3	Rehabilitation	
	2.5.4	Extraction in Prime Agricultural Areas	
	2.5.5	Wayside Pits/Quarries, Portable Asphalt Plants / Concrete Plants	
	2.6	Cultural Heritage and Archaeology	
	<b>3.0</b>	<b>Protecting Public Health and Safety</b>	
	3.1	Natural Hazards	
	3.2	Human-made Hazards	

### Appendix 3 - Background

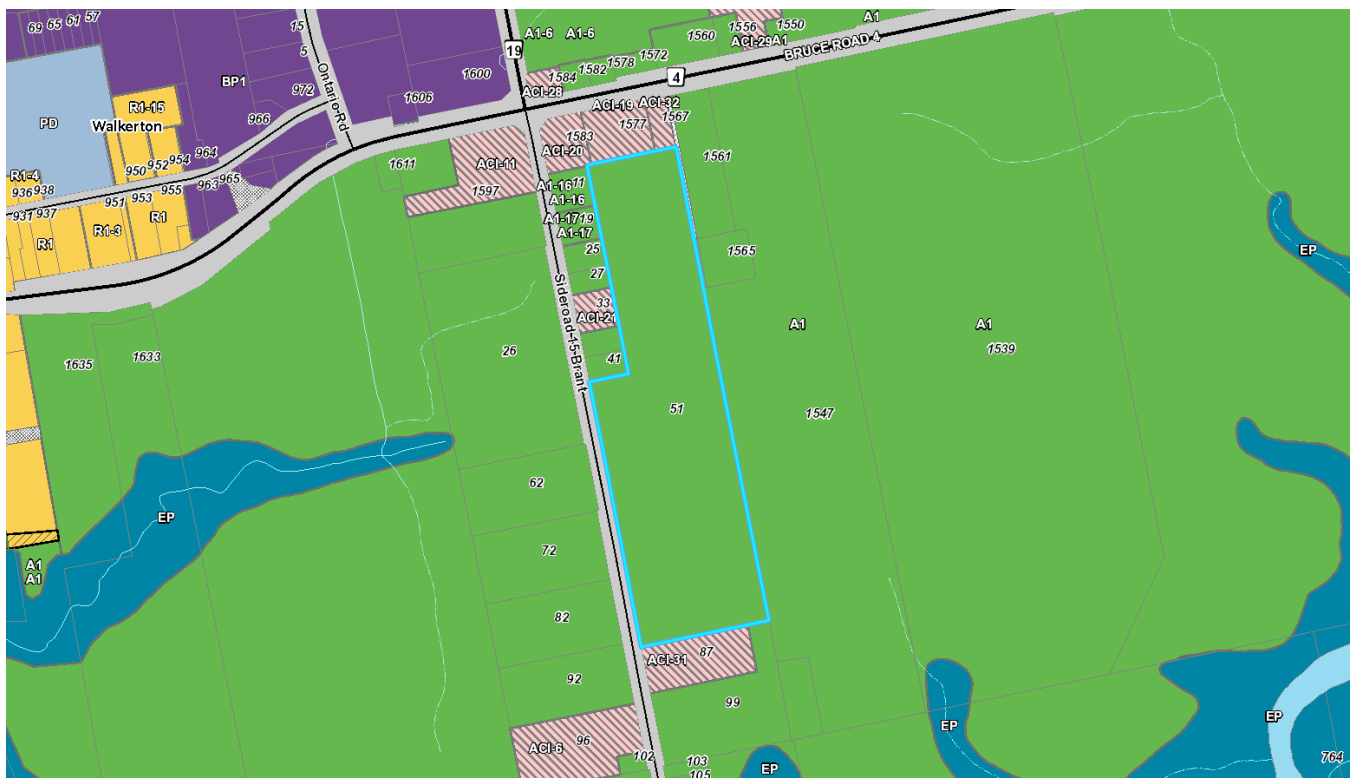
<b>Development Proposal</b>	The purpose of the Official Plan Amendment is to facilitate the severance of a +/- 1.8 acre surplus farm dwelling lot. An Amendment to the Official Plan is required because: more than two lots were previously severed from the Original Crown Lot; and, the retained lot of +/- 29 acres is smaller than 100 acres.
<b>Related Files</b>	Municipality of Brockton Zoning By-law Amendment Z-16-19.34 and County of Bruce Application for Consent B-14-19.34
<b>Owner</b>	William Eidt & Deborah Eidt
<b>Applicant</b>	584653 Ontario Limited (David Zettler)
<b>Legal Description</b>	CON 1 SDR PT LOT 36 RP; 3R3882 PART 1, Geographic Township of Brant, Municipality of Brockton
<b>Municipal Address</b>	51 Sideroad 15 Brant
<b>Lot Dimensions</b>	<b>Entire Lot</b>
<b>Frontage</b>	+/- 413.00 m (1,355 ft)
<b>Width</b>	+/- 737.62 m (2,420 ft)
<b>Depth</b>	+/- 198.12 m (650 ft)
<b>Area</b>	+/- 12.52 ha (30.93 ac)
<b>Lot Dimensions</b>	<b>Retained Lot B-14-19.34</b>
<b>Frontage</b>	+/- 291.10 m (955 ft)
<b>Width</b>	+/- 737.62 m (2,420 ft) (irregular)
<b>Depth</b>	+/- 137.16 m [north] / 198.12 m [south] +/- (450 ft [north] / 650 ft [south])
<b>Area</b>	+/- 11.89 ha (29.38 ac)
<b>Uses Existing</b>	Agricultural
<b>Uses Proposed</b>	No change
<b>Structures Existing</b>	None
<b>Structures Proposed</b>	No new structures proposed
<b>Servicing Existing</b>	None
<b>Servicing Proposed</b>	No new servicing proposed

<b>Lot Dimensions</b>	<b>Severed Lot</b>
<b>Frontage</b>	+/- m (400 ft)
<b>Width</b>	+/- m (400 ft)
<b>Depth</b>	+/- m (200 ft)
<b>Area</b>	+/- 0.74 ha (1.84 ac)
<b>Uses Existing</b>	Residential and Agricultural
<b>Uses Proposed</b>	No change
<b>Structures Existing</b>	House, barn, shop
<b>Structures Proposed</b>	No new structures proposed
<b>Servicing Existing</b>	Private water and septic
<b>Servicing Proposed</b>	No change
<b>Access</b>	Sideroad 15 Brant, A Year Round Municipal Road
<b>County Official Plan</b>	Agricultural Area
<b>Proposed Official Plan</b>	Agricultural Area - Exception
<b>Zoning By-law</b>	‘General Agriculture (A1)’
<b>Proposed Zoning By-law</b>	Rezone the severed lot to recognize any deficient setbacks resulting from the severance and place a nutrient unit restriction on the property; and rezone the retained lot to prohibit a dwelling
<b>Surrounding Land Uses</b>	Commercial and Residential to the North; Industrial and Residential to the South; Agricultural to the East; and Residential and Agricultural to the West.
<b>Subject Lands</b>	

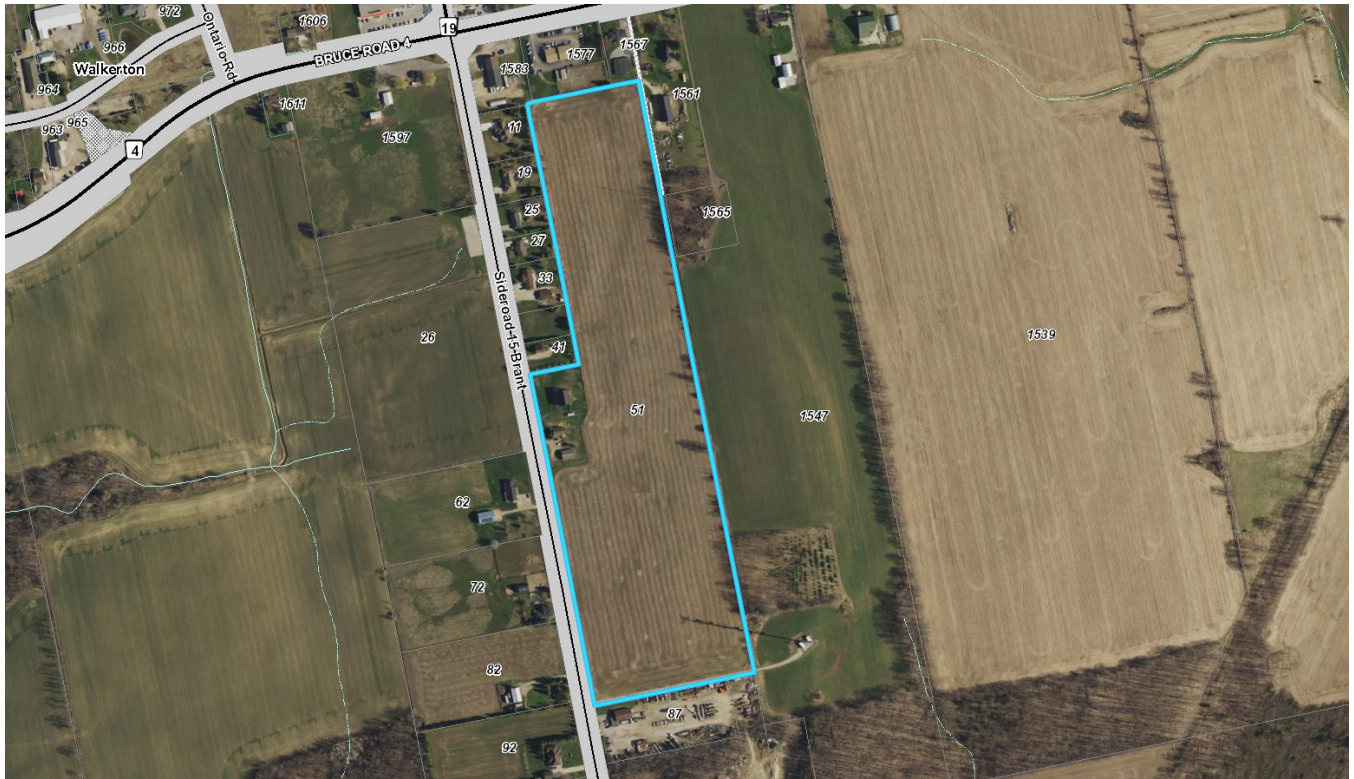
## Appendix 4 - Official Plan - Land Use Schedule A



## Appendix 5 - Zoning By-law



## Appendix 6 - Air Photo



## Appendix 7 - Public Comments

**From:** [Ken Freiburger](#)  
**To:** [Planning Applications Walkerton](#)  
**Subject:** Opposition of Zoning Z-16-19.34  
**Date:** Wednesday, May 29, 2019 12:00:23 PM

---

Good Afternoon,

This email is in reference to the zoning amendment being put forth by Bill & Deb Eidt. I would like to express my concerns, in regards to this amendment, as I am opposed to the severance as indicated in these letters.

I feel as the property should remain as one, being left as a whole. The property is set up with a barn for horses, and if someone wishes to house livestock in the future, they should have the acreage to go with it. The barn itself, without the acreage is not functional for use. The land has been severed previously many times, and my views are that the property should remain as is. The property can be sold, with the land being rented (should the new owners not require) as it has been for a number of years in the past.

There are two properties within close proximity (Strader's & Stephenson's) which has a barn, as well as, larger acreage to accommodate their livestock.

Another concern I have is that, the new buyer of the land itself, down the road applies for a permit to build a house, thus changing the original intent of this severance. I believe there will be other neighbours in opposition, as the land should remain the same.

Feel free to reach out to me should you have any further questions or concerns.

Thank You,

**Ken Freiburger**

**Freiburger Welding & Machine Shop Ltd.**

**Phone:** 519.881.1932

**Email:** [ken@freiburgerwelding.ca](mailto:ken@freiburgerwelding.ca)

**Address:** 96 Side Road 15, R.R.2

Walkerton, Ontario N0G 2V0

**Website:** [www.freiburgerwelding.ca](http://www.freiburgerwelding.ca)



May 29, 2019

Corporation of the County of Bruce  
Planning and Development  
30 Park Street, Box 848,  
Walkerton, ON N0G 2V0

Re: Proposed Official Plan Amendment (Section 22, Planning Act, 1990)

Related Files: Municipality of Brockton Zoning By-Law Amendment Z – 16-19.34 and County of Bruce  
Application for Consent B-14-19.34

Owner: William Edit and Deborah Edit

Applicant: 584653 Ontario Limited (David Zettler)

Municipal Address: 51 Sideroad 15, Brant

As an owner of adjacent property located at 72 Sideroad 15, Brant , I am advising of my strong **objection to this application**. It appears from the information I received on May 27, 2019 (dated May 17, 2019) that my property is shown as residential. It should noted that this property contains as residence but is also used for agricultural purposes and has been for over 45 years in the operation of breeding, selling, and showing horses. This is not a hobby farm and operated as a farm business.

I would like to point out to Counsel and Planners that the property owned by the Edit's is on an extremely busy road which is used as an alternate route to Hanover connecting with the Southline and is extremely busy at all times. This particular road is known to be one of the worst roads in the County for excessive speed even though the posted limit is 50 km. per hour past the property in question. This road **receives very limited speed enforcement** . It is very difficult to safely enter and exit our property with a horse trailer without actually having someone monitoring traffic at the entrance to the property especially when loaded with animals. It is also very dangerous for the feed trucks and other large vehicles entering and exiting our property. Counsel should also be aware that farm vehicles, tractors, tandem wagons etc. also use this road at all hours of the day and night.  
To add another driveway to this already busy road would be dangerous and ill advised.

The property in question has already been allowed two severances. I attended the last public meeting along with other property owners who were not in favour of the severance at that time when the Edit's were allowed to sever a piece of their property so the south of Owen King Construction. It was my understanding at that time that the property was for the personal use of Mr. and Mrs. Edit and they agreed at that time to the stipulation of a buffer zone and that the existing bush south of Owen King Construction was to remain. It was the intent for the bush to remain so as not to interfere with the water table due to the number of private wells servicing the existing properties.

.....2

2.....

This property was sold by the Edit's and a great deal of the bush removed to allow for another residence and business. It should be noted that a car oiling business had operated across from Freiburger Welding. Access to the oiling pit was gained from the road allowance at the south end of the Edit property. The pit was dug out and vehicles drove over top and I believe used motor oil was used to oil the vehicles at that time. To the best of my knowledge this soil was never cleaned or removed and could be an environmental hazard these many years later. The location of the pit was between the existing house and the first driveway to the south.

It should also be noted that there is an existing water drainage problem along the frontage of the Edit property as well as other properties on the east side of Sideroad 15. The Township has attempted to correct the problem but water continues to pond on the road when there are heavy rains and snow and ice buildup. There is and has always been a large run off of water along the front of this property due to springs in the fields.

This farm property like many other farm land has had old fence lines and large stone piles as well as trees and wire buried to allow for large machinery to work the land. Septic systems and wells should also be a concern when considering this application.

Many years ago there was a small gravel pit on the east side of the bush used by the then owner of the farm and into this hollowed out area, local farm garbage was disposed of. While this occurred many years ago there may be others who grew up in the area that are also aware of this information.

There are many good reasons why this application should not proceed and it is my hope counsel will carefully consider this matter.

Sincerely,

Sheila Stephenson-Muir  
P.O. Box 343,  
Walkerton, ON OG 2V0



## Appendix 8

### **Draft** By-law Number 2019-xx

#### A by-law to adopt Amendment Number 241

#### to the County of Bruce Official Plan

Authority is provided in Sections 17 and 21 of the Planning Act, R.S.O. 1990, as amended.

**The Council for the Corporation of the County of Bruce enacts By-law 2019-xx as follows:**

1. Amendment Number 241 to the County of Bruce Official Plan, attached and forming part of this by-law is approved.
2. That this By-law come into force and take effect on the day of the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990, as amended.

Passed this \_ th day of \_\_\_\_\_, 2019

---

Warden

---

Donna Van Wyck  
Clerk

## **Part B - The Amendment**

### **Introductory Statement**

All of this part of the document entitled “Part B - The Amendment” and consisting of the following text, and attached map designated as Schedule “A”, constitutes Amendment Number 241 to the Bruce County Official Plan.

### **The Amendment**

1. Schedule A: Land Use is amended by adding the following reference to the lands at Con 1 SDR Pt Lot 36 RP 3R3882 Part 1, Geographic Township of Brant, Municipality of Brockton:

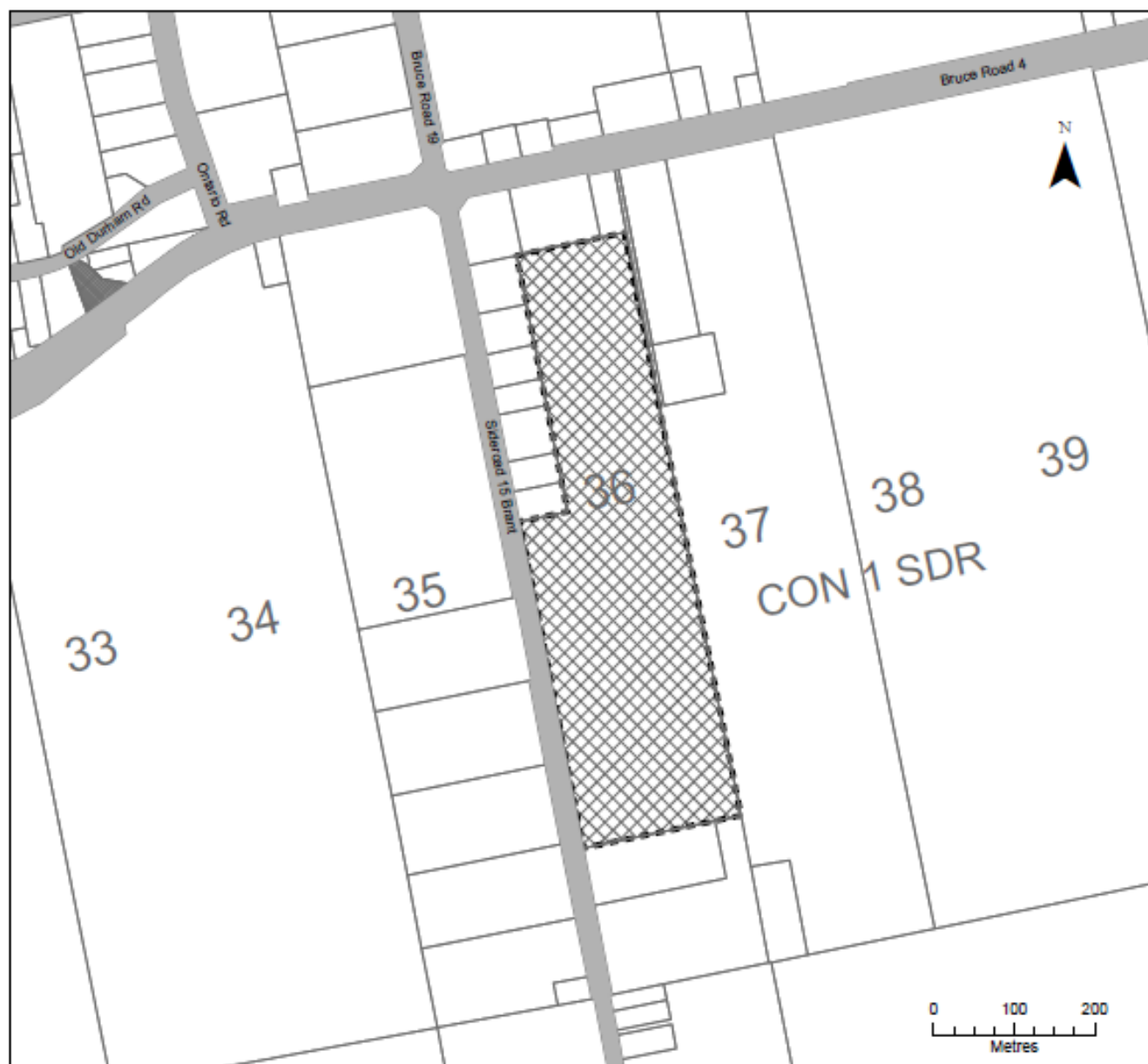
‘Section 5.5.13.XX’

2. The Bruce County Official Plan is amended by adding the following subsection to Section 5.5.13 - Exceptions - Agricultural Areas:

“Zettler (OPA 238)

Notwithstanding the policies of Sections 5.5.6 (Farm Size) and 6.5.3 (Consents - Agricultural Areas) of this Plan, the lands described as Site Specific Policy Area 5.5.13.XX on Schedule ‘A’ Land Use Plan, may have a surplus farm dwelling severance that would divide an original Crown surveyed lot into more than two parcels including the retained lot, and may have a retained lot that is undersized.”

## Schedule A



**Schedule 'A'**  
to  
**Amendment N0. 241**  
**Bruce County Official Plan**

**Concession 1 SDR, Part Lot 36**  
**RP; 3R3882 Part 1**  
**(51 Sideroad 15 Brant)**  
**Municipality of Brockton**  
**(geographic Township of Brant)**  
**County of Bruce**



Lands subject to section 5.5.13.XX -  
Exceptions - Agricultural Areas

File: BCOPA 241-2019.34  
Z-16-2019.34

Applicant: William & Deborah Eldt  
c/o 584653 Ontario Limited (David Zettler)

Date: June, 2019



## Committee Report

**To:** Warden Mitch Twolan  
Members of the Planning and Development Committee

**From:** Kara Van Myall  
Director of Planning and Development

**Date:** June 20, 2019

**Re:** BCOPA 237-18.06 Campbell Pit

---

### Recommendation:

Subject to the review of objections and submissions arising from the Public Meeting:

That Bruce County Official Plan Amendment 237 be approved; and,

That the By-Law be forwarded to County Council for adoption

### Executive Summary:

The subject lands are located approximately 6 km northwest of Teeswater, and about 2 km west of the Teeswater River. The land is legally described as Part of Lot 29, Con. 11, geographic Township of Culross and is on the north side of Concession Road 10.

The application proposes to amend the Bruce County Official Plan to permit a sand and gravel pit. More specifically, this site-specific amendment would:

- Change the designation from Rural to Pits and Quarries;
- Allow extraction within 30 m and within 15 m of a watercourse or Hazard Land area; and
- Allow extraction within 135 m of a residence.

Neighbours have submitted letters objecting to the proposed pit and one neighbor is noted as an objector to the pit license under the Aggregate Resources Act process.

The applicant submitted technical studies with the application and the commenting agencies that provide technical review have no outstanding concerns. A recommendation to approve the related rezoning application was passed by South Bruce Council. The zoning includes a Holding provision that will be lifted only after a Haul Route Agreement has been completed to the satisfaction of South Bruce. If County Council adopts this Official Plan Amendment, the related By-Law would then be put on an agenda of South Bruce Council for approval.

Planning staff are satisfied that the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, conforms with the County Official Plan and is good land use planning.

## Background:

The northern part of the subject lands is part of the Greenock Swamp and is not in the area to be licensed. The southern part to be licensed is about 23 ha and the area to be extracted is about 15 ha. Most of the site is either cash cropped or grasslands. There is a driveway to the existing farm cluster (house and three accessory buildings) from Concession Road 10. The site is hummocky with complex topography. The surrounding lands are generally agricultural or natural areas and there are several existing dwellings within 500m.

## Airphoto with Proposed License Boundary



Proposed Pit  
Norman Campbell Construction Ltd.  
Part Lot 29, Concession 11  
Geographic Township of Culross  
Municipality of South Bruce  
County of Bruce

**RD** RON DAVIDSON  
LAND-USE PLANNING CONSULTING INC.  
OWEN SOUND, ONTARIO  
SCALE 1:7000

## Description of Proposal

The proposal is to permit a Category 3, Class A above the water table licensed sand and gravel pit. Approximately 1,500,000 tonnes of sand and gravel may be available for extraction. The applicant has submitted an application for the pit license under the Aggregate Resources Act. This Official Plan Amendment would change the designation from Rural to Pits and Quarries, and:

- Extraction in certain areas shall be prohibited within 30 m and 15 m lands designated Hazard Land or a watercourse;
- A licensed pit shall be located no closer than 70 m from a residence and extraction shall be no closer than 135 m from a neighbouring residence; and
- Extraction shall not occur within 1.5 m of the established water table.

Additional details from the Site Plans or the applicant's submissions are listed below:

- Lands proposed to be licensed are owned by Norman Campbell Construction;
- Maximum removal per year is 100,000 tonnes;
- Material to be extracted is sand and gravel and extraction is to be carried out in three phases;
- Activities and equipment for daily use may include: hydraulic excavators, dozers, loaders, skid steers, grader, crusher, screener, generators, air compressors, pumps and trucks;
- There is to be no fuel storage or outdoor storage of scrap;
- Depth to water table is to be a minimum of 1.5 metres above the established groundwater table;
- Site will be progressively rehabilitated mostly to croplands as well as an area of wildlife habitat;
- Haul route: primarily east on Concession Road 10 to County Road 4: (approximately 5.5 km)
- Visual screening will be berms to be built along the southern, eastern and western boundaries;
- Topsoil and overburden will be stripped in advance of excavation operations and used for the berms and progressive site rehabilitation; and
- There is to be no diversion or discharge of surface water from the site.

The applicant provided supporting Reports and Studies related to the joint Official Plan Amendment and Rezoning applications, as follows:

1. Planning Report;
2. Hydrogeological Study;
3. Natural Environment Technical Report, and addendum letter to the MNR;
4. Noise Impact Assessment;
5. Archaeological Assessment; and
6. Site Plans.

## Provincial Interests

In provincial policy terms, the subject lands are rural lands (lands outside of settlement areas and not in the prime agricultural area). The area to be licensed does not contain, but is adjacent to, significant natural features (significant wetland, fish habitat, habitat of an endangered or threatened species, and an area of natural and scientific interest). The most relevant PPS policies are set out below. A detailed list of the applicable PPS policies is provided in Appendix 1.

Policy direction for Rural Areas (Section 1.1.4) includes:

- Promoting diversification of the economic base and employment opportunities through goods and services, including ... the sustainable management or use of resources; and
- Conserving biodiversity and considering the ecological benefits provided by nature.

Permitted uses on Rural Lands (Section 1.1.5.2) include:

- The management or use of resources and limited residential development.

In terms of cultural heritage and archaeology, Section 2.6 includes direction that:

- Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

Key policy directions on Natural Heritage are cited below.

- Development and site alteration shall not be permitted in significant wetlands (Section 2.1.4);
- Development and site alteration shall not be permitted in fish habitat or in habitat of endangered and threatened species, except in accordance with provincial and federal requirements (Section 2.1.6 and 7);
- Development and site alteration shall not be permitted in significant wildlife habitat or in areas of natural and scientific interest, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions (Section 2.1.5); and
- Development and site alteration shall not be permitted on adjacent lands to the above-noted features, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions (Section 2.1.8).

Protection of Long-Term Resource Supply (Section 2.5.2)

- As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible
- Demonstrated need for resource (supply/demand) shall not be required;
- Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.



Progressive and Final Rehabilitation (Section 2.5.3) is required to:

- Accommodate subsequent land uses and promote land use compatibility
- Recognize the interim nature of extraction
- Mitigate negative effects to the extent possible
- Take into consideration surrounding land uses and designations.

#### **Comment:**

The PPS considers mineral aggregate operations to be permitted interim uses on rural lands provided that: cultural and natural heritage protection is addressed; and, the application will be carried out in a manner that minimizes social, economic and environmental impacts. Taking into account that there are no outstanding concerns of agencies that comment on the technical reports related to the PPS requirements, planning staff are satisfied these criteria are met. Therefore, the Official Plan Amendment would be consistent with the PPS. Impacts are discussed further in this report under the Planning Analysis section.

#### **County Official Plan**

The Bruce County Official Plan designates the property as Rural Area and Hazard Land Area. The pit is proposed on the lands designated Rural Area, with a small area within the Hazard Land Area. The lands are outside of the area identified on Schedule C as Mineral Resource Area. There is an area identified as having archeological potential on the subject lands.

The applicant submitted a Planning Report with an extensive review of the relevant County Official Plan policies with which we are generally in agreement; rather than duplicate that analysis here, the analysis is attached in Appendix 2.

Key points with regard to Official Plan conformity follow:

- Test pitting confirmed that there is a large high-quality sand and gravel resource, and this meets the requirement for proposals located outside of the Mineral Resource Area on Schedule C;
- The Plan recognizes that the Hazard Land boundaries on Schedule A are not hard and fast lines but are accepted as being flexible to some extent. The limits of the Hazard Land Area on the ground should be determined through consultation with the appropriate Conservation Authority, the appropriate Provincial authority, the local municipality, and by a site inspection and evaluation. The Hazard Land boundary revision is supported by the Natural Environment Report and would align with the Environmental Protection Zone boundary which the Saugeen Valley Conservation Authority confirmed is correct;
- The Official Plan requires a 50 m setback from Hazard Lands or watercourses. Where smaller setbacks are proposed, an amendment is required and the reduced setback must be justified by technical studies. This application includes a number of areas with 30m and 15m setbacks from the Hazard Land boundary, as revised, and watercourses. This reduction is included in the proposed site-specific Official Plan Amendment through reference to the license site plans and justification for the reduced setbacks was provided in the Natural Environment Report;



- Technical studies submitted in support of the application on natural heritage, groundwater resources or cultural heritage resources concluded that no negative impacts are anticipated, and mitigation measures are included on the license site plans; and
- The noise study required by the Official Plan concluded that the proposed operation would meet provincial guidelines provided that the recommended noise control measures are implemented.

**Comment:**

Based on the foregoing and taking into account that there are no outstanding concerns of agencies that comment on the technical reports related to the Official Plan requirements, the proposed Official Plan Amendment conforms with the Bruce County Official Plan. Impacts are discussed further in this report under the Planning Analysis section.

**Zoning by-law**

The subject lands are zoned ‘General Agriculture (A1)’ and ‘Environmental Protection (EP)’. The proposed pit is located in the area zoned General Agriculture which permits a range of agricultural and related uses but does not permit an aggregate extraction use. The Zoning By-Law Amendment proposes to change the zoning to Extractive Industrial (M2) with site-specific provisions.

Permitted uses in the M2 Zone are:

- Agriculture
- Pit
- Portable asphalt plant, portable concrete plant
- Quarry
- Building and structures accessory to a permitted use (i.e. open storage, scales, pump buildings, administration, equipment storage, and fuel pumps)
- Processing of natural materials extracted from the site including screening, sorting, washing, crushing, storing, portable ready mix/concrete, asphalt plant, and other similar operations allied to a Pit or Quarry operation.

Residential uses are prohibited. The minimum lot area is 1 ha and the minimum lot frontage is 30m. The applicable setback for buildings and structures from a watercourse is 30m.

**Comment:**

Removal of the existing house will be required before pit operations begin. The proposed Zoning By-Law Amendment would meet the above-noted zoning provisions and would include a Holding provision to require a Haul Route Agreement. The Haul Route Agreement is discussed further in this report under Planning Analysis.

## Agency Comments

### South Bruce:

- Chief Building Official: need confirmation that existing house will be demolished as the M2 Zone does not permit a residence.
- Operations Manager: questioned the ability of certain sections of Concession 10 to take heavy truck loads.

### Conservation Authority:

- It appears that all of the recommendations outlined in the Environmental Impact Study and Hydrogeological Report have been incorporated into the aggregate application's Operational Plan and Restoration Plan;
- It is SVCA staff's opinion that the applications are in conformance with the County's natural heritage and natural hazards policies and associated PPS policies.

### Bruce County Transportation and Environmental Services:

- The County does not have any issues or comments concerning the rezoning of this property from rural to pit and quarries as it is along a concession road and the closest County Road is 4 (full load). Only possible comment would be intersection improvements on concession road where it meets county road with larger paved radius for truck turning.

### Historic Saugeen Metis:

- no objection or opposition.

### Bruce-Grey Catholic District School Board:

- No comments.

## Public Comments

At the time of writing this report, four letters from the public were submitted in opposition to the proposal (attached in Appendix 7). Verbal comments were also made at the Public Meeting for the Zoning By-Law Amendment at South Bruce. Concerns are generally related to noise, traffic, effect on quality of life and the condition of Concession Road 10.

## Planning Analysis and Comments:

New pits introduce changes to the rural landscape. These changes create the need for a wide range of technical studies and proactive planning and design. While all of the technical studies and agency comments were taken into account, the following main points are discussed from a land use planning standpoint: noise; groundwater; natural heritage; cultural heritage; agriculture; and roads.

### Noise

A key consideration in whether extraction can be carried out with minimal impacts is compliance with provincial noise standards. The province has set out guidelines for noise impacts on sensitive receptors (nearby residences in the case of this application) from mineral aggregate operations. The Noise Impact Assessment prepared for this application considered impacts on the receptors shown below (which is an excerpt from the Site Plan package, drawing number 3). The study considered both existing (R1, R2, etc.) and potential future receptors (VL1, VL1, etc.).



The noise study recommended twelve measures to mitigate noise to acceptable levels, including such things as: limiting hours of operation; building 5m berms; directing the order and direction of the extraction work to take advantage of the pit face; and using stockpiles as noise shields for crushing and screening activities. According to the noise study, the proposed pit with the recommended noise mitigation measures would meet the provincial guidelines for a new pit in a rural setting. The mitigation measures are set out on Drawing 3 of the Site Plan package. The Official Plan Amendment includes a 135 metre setback from the nearest house and this is consistent with the license site plans.

## **Groundwater**

Groundwater is a potential concern depending on the nature of the landform change that will result from the pit. The groundwater study looked at the water table and wells in the vicinity of the subject lands in relation to the proposed extraction. The main conclusion of the groundwater study is:

“Based on the proposed extraction of aggregate to depths that are 1.5 m or greater above the water table with no proposed dewatering or water diversion, the occurrence of clay or till soils overlying the bedrock or sand and gravel systems used to supply water, and in consideration of the required setback distances, it is reasonable to expect that the proposed aggregate extraction would not impact the local water supply wells or surface water features in the area.”

The study recommended mitigation measures that are included on the license site plans. The technical review agencies have no outstanding concerns with the groundwater assessment.

## **Natural Heritage**

The applicant prepared a Natural Environment Report to address the requirement to protect natural heritage features and functions. The main conclusion in the report is:

“This report has demonstrated that with the proper mitigative measures in place, no measurable negative impacts should occur to the natural heritage features or ecological functions identified both on- or off-site. This Level 2 assessment has also demonstrated that the Natural Environment Technical Report mitigative measures recommended for the establishment of the Extraction Limit is considered to be in compliance with Aggregate Resource Act standards, ESA 2007, the Provincial Policy Statement and the Bruce County Official Plan environmental policies.”

The study recommended mitigation measures and setbacks that are included on the license site plans. The technical review agencies have no outstanding concerns with the natural environment report.

## **Cultural Heritage**

The applicant prepared a Stage 1 -2 Archaeological Assessment to address the requirement to conserve archaeological resources. The Stage 1 -2 Archaeological Assessment found that: no further archeological assessment of the study area is warranted; the provincial interest in archaeological resources has been addressed; and the proposal is clear of any archaeological concern.

The technical review agencies have no outstanding concerns with the archaeological assessment.

## **Agriculture**

The subject lands are part of an area of South Bruce where agricultural uses are interspersed with natural features. Agricultural uses are important to the economy of South Bruce and Bruce County. We note that most of the pit will be rehabilitated to agriculture use.

**Roads:**

According to the applicant's planning report, "trucks leaving the site will primarily head east on Concession Road 10 toward County Road 4. For local deliveries, other roads in the area may be utilized."

The pit will require an Entry Permit from South Bruce. In response to the agency circulation for this application, South Bruce noted that this part of Concession 10 has a swamp through it with poor sections that may not be able to take a lot of heavy loads. The picture below shows Concession 10 facing west towards the subject lands.



In follow-up, staff noted that some sections are underlain by corduroy road and loaded trucks from the pit would likely break the road up more quickly than with current use.

In order to address this concern, planning staff recommended that the applicant be required to enter into a Haul Route Agreement that would allocate the costs of road works that may be needed in the future. To this end, South Bruce passed a recommendation to approve the Zoning By-Law Amendment with a Holding provision that has wording to the effect that the symbol may be removed upon the approval by South Bruce of a Haul Route Agreement between the pit licensee and the Municipality of South Bruce.

## **Planning Analysis Summary**

The proposal addresses key land use planning considerations of noise, groundwater, natural heritage, cultural heritage, agriculture, and roads.

### **Conclusion:**

Planning staff are satisfied that the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, conforms with the County Official Plan, and is good land use planning.

### **Financial/Staffing/Legal/IT Considerations:**

Potential Appeal to Local Planning Appeals Tribunal

Written by:

Mark Paoli, M.Sc., RPP

Senior Planner, Planning and Development



## Appendix 1 - Provincial Policy Statement 2014

Applies?	Section	Policy	Comment
	<b>1.0</b>	<b>Building Strong Communities</b>	
	1.1	Managing & Directing Land Use To Achieve Efficient Development & Land Use Patterns	
	1.1.3	Settlement Areas	
x	1.1.4	Rural Areas in Municipalities	
	1.2	Coordination	
	1.3	Employment Areas	
	1.4	Housing	
	1.5	Public Spaces, Parks and Open Space	
	1.6	Infrastructure and Public Service Facilities	
	1.6.4	Sewage and Water	
x	1.6.5	Transportation Systems	
	1.6.6	Transportation and Infrastructure Corridors	
	1.6.7	Airports	
	1.6.8	Waste Management	
	1.7	Long-Term Economic Prosperity	
	1.8	Energy and Air Quality	
	<b>2.0</b>	<b>Wise Use and Management of Resources</b>	
x	2.1	Natural Heritage	
x	2.2	Water	
	2.3	Agriculture	
	2.3.3	Permitted Uses	
	2.3.4	Lot Creation and Lot Adjustments	
	2.3.5	Removal of Land from Prime Agricultural Areas	
x	2.4	Minerals and Petroleum	
x	2.4.2	Protection of Long-Term Resource Supply	
x	2.4.3	Rehabilitation	
x	2.4.4	Extraction in Prime Agricultural Areas	
x	2.5	Mineral Aggregate Resources	
x	2.5.2	Protection of Long-Term Resource Supply	
x	2.5.3	Rehabilitation	
x	2.5.4	Extraction in Prime Agricultural Areas	
	2.5.5	Wayside Pits/Quarries, Portable Asphalt Plants / Concrete Plants	
x	2.6	Cultural Heritage and Archaeology	
	<b>3.0</b>	<b>Protecting Public Health and Safety</b>	
	3.1	Natural Hazards	
	3.2	Human-made Hazards	

## Appendix 2 - Applicant's Bruce County Official Plan Analysis

*Norman Campbell Construction Ltd.  
Licensed Pit*

### **5.1 County of Bruce Official Plan**

#### **5.1.1 Existing Land Use Designation**

The lands proposed to be licensed are designated predominantly 'Rural' on Schedule A to the County of Bruce Official Plan, as shown on Figure 3 to this Planning Report. A very small portion of the licensed area appears to be designated 'Hazard'; however, this mapping appears to be incorrect and does not reflect the more accurate zoning of the site.

The 'Rural' land use designation generally permits agriculture, forestry and conservation. A licensed gravel pit is not allowed without an amendment to the Official Plan.

#### **5.1.2 Official Plan Policies Pertaining to Extractive Industrial Operations**

Section 4.8 MINERAL RESOURCE of the County of Bruce Official Plan is very clear in its intent to protect and promote the mineral resources within the County. This section states:

#### *4.8 MINERAL RESOURCE*

##### *4.8.1 Objectives*

- i) utilize the aggregate resources of the County in an efficient environmentally sustainable manner;*
- ii) encourage the orderly site extraction of mineral resources and the appropriate development in these areas to ensure the utilization of mineral aggregate resources is not negatively affected;*
- iii) encourage the orderly site extraction of mineral resources and the appropriate development in these areas that would negatively affect the utilization of mineral aggregate resources; and*
- iv) encourage the proper rehabilitation and reuse of extracted sites.*

Comment: These objectives promote the utilization of the County's mineral resources such as sand and gravel while ensuring that such extraction occurs with minimal impact on the natural environment and that extracted sites are appropriately rehabilitated.

#### 4.8.2 Identified Areas

1. *Schedule "C" shows primary and secondary sand and gravel resources and primary bedrock resources as derived from mapping completed by the Department of Mines and Northern Development and utilized by the Ministry of Natural Resources in its Aggregate Resources Inventory. Tertiary sand and gravel resources should be considered as part of any justification for any change of land use status not related to agriculture, forestry or conservation.*
2. *County Council, in conjunction with the Province of Ontario, has identified likely sources of mineral aggregates and bedrock resources on Schedule "C", which forms part of this Plan.*
3. *It is the policy of County Council to protect the Mineral Resource Areas shown on Schedule "C", by not allowing development or land uses, which would hinder the future extraction of the resource with the exception of Urban Areas, Rural Recreational Areas, and Inland Lakes Areas. Extraction of mineral aggregate and bedrock resources are subject to the Aggregate Resources Act.*

Comment: The subject lands are not identified within the 'Mineral Resource Area' on Schedule C to the Official Plan, as illustrated on Figure 4 to this Planning Report, although a series of test pitting has confirmed the existence of a large quantity of top-quality sand and gravel across the site.

#### 4.8.3 Permitted Uses

1. *Within the Mineral Resource Areas shown on Schedule "C", uses in accordance with the underlying land use designation on Schedule "A" are permitted subject to the policies of this Plan. Land Uses, which would sterilize the mineral resource, are not permitted except as provided for in Section 4.8.2 of this Plan.*
2. *When seeking an approval for a new pit or quarry or the expansion of an existing pit or quarry, the permitted uses associated with such pit or quarry are deemed to include sand and gravel pits, quarries, aggregate storage areas, crushing plants, concrete batching plants and saw houses as well as uses directly related and essential to the primary operation.*

Comment: In addition to the extraction of sand and gravel, the proposed licensed operation will also include crushing and screening.

#### 4.8.4 General Policies

1. *All existing licensed or approved pits and quarries are designated on Schedule "A" by a symbol. The expansion of an existing pit or quarry, as identified on Schedule "A", by a symbol, may proceed by way of an Amendment to the Local Zoning By-Law provided it does not conflict with the site specific policies contained in Section 4.8.7 "Exceptions" of this Plan.*
2. *The establishment of a pit or quarry on lands not designated for such use on Schedule "A" shall be subject to the policies of Section 4.8.5 (Establishment/Expansion of New Pits and Quarries) and shall also require an Amendment to this Plan, and an Amendment to the Local Zoning By-Law.*
3. *Prior to making a decision on an Amendment to the Official Plan or Zoning By-Law to permit a new extractive use, or to allow for the expansion of an existing extractive use, the applicant shall provide information in support of the application addressing the issues outlined in Section 4.8.5 (Establishment/Expansion of New Pits and Quarries).*

**Comment:** An application to amend the County Official Plan has been filed with the County. The amendment would change the land use designation of the licensed area from 'Rural' to 'Pits and Quarries'. An application to amend the Municipality of South Bruce Comprehensive Zoning By-law has also been submitted.

#### 4.8.5 Establishment/Expansion of New Pits and Quarries

##### 4.8.5.1 Supporting Information Requirements

1. *It is the policy of County Council that for lands not designated Pits and Quarries on Schedule "A", all applications to establish a pit or quarry shall be accompanied by a justification report for a Class "A" license or Site Plan for a Class "B" license, prepared in accordance with the requirements of the Aggregate Resources Act.*

**Comment:** GM BluePlan Engineering has processed the Aggregate Resources Act application to the greatest extent possible at this time. As part of the submission of the application to the various government agencies, a series of backgrounds reports were provided including a Summary Statement, Hydrogeological Study, Natural Environment Technical Report, Noise Impact Assessment and an Archaeological Assessment.

2. *In addition to the requirements of the Aggregate Resources Act, the applicants shall also prepare a report addressing the following issues:*
  - i) *impact on adjacent land uses and residents;*

Comment: In addition to the studies required under the Aggregate Resources Act, this Planning Report has been prepared to demonstrate compliance with the various relevant policies of the County of Bruce Official Plan and those of the Provincial Policy Statement.

With regard to potential impact on adjacent land uses and residents, please consider the following:

The Hydrogeological Study and Natural Environment Report were commissioned by the applicant to address potential impacts on nearby residents, natural heritage features on the site and adjacent lands, groundwater and surface water. Provided the pit operations follow the recommendations contained within these background studies, there should be no measureable impacts on the adjacent land uses. The recommendations have been carried forward onto the Site Plans, and therefore the pit operations will be required to comply with the recommended mitigation measures.

Of note, such mitigation measures include the berming of the pit and appropriate setbacks of the processing equipment from the closest residences in order to eliminate potential noise impacts. The proposed pit will comply with requirements regarding noise attenuation under the Aggregate Resources Act.

To ensure that the neighbours are not impacted by dust, the pit operator will apply water or other dust suppressant approved by the Ministry of the Environment and Climate Change on the internal haul road.

The Hydrogeological Assessment has determined that the neighbours' wells will not be impacted by the pit.

- ii) *impact on the physical and natural environment, including ground water and surface water impacts, noise, vibration and dust impacts;*

Comment: The Natural Environment Technical Report, as explained in Section 3.5.2 of this Planning Report, has studied the physical and natural environment of this area and has concluded that the pit would have no noticeable impact on the natural heritage features identified in the study area, provided a series of recommendations are followed. Those recommendations have been incorporated into the Site Plans.

With regard to potential impacts on the ground water, the proposed pit will not involve extraction within 1.5 metres of the established watertable and therefore no impact on the groundwater should occur, as confirmed by the Hydrogeologist. With regard to groundwater monitoring, water level measurements will be obtained from four on-site monitoring well locations on an annual basis for the life of the pit

The Hydrogeologist and the Biologist have also concluded that the proposed pit operations should have no measureable impacts on the surface water features in the area including the adjacent wetland and seeps.

No blasting within the pit will be necessary; and, as such, no vibration impacts should occur.

The day-to-day operations of this proposed pit - like any gravel pit - will generate some noise. The operation, however, will employ noise attenuation measures to ensure that the noise is mitigated to the greatest extent possible, as per the requirements of the Ministry of the Environment and Climate Change (MOECC).

Pits can also create dust; however, with the proper application of water or other MOECC-approved dust suppressant, the dust should not be a problem for the neighbours.

iii) *compatibility for agriculture and other land uses;*

Comment: Agriculture and gravel pits can co-exist. The aggregate operation is an interim use and the lands will revert primarily to agriculture through progressive and final rehabilitation efforts. Some lands will revert to a natural state, as per the recommendations of the Natural Heritage Technical Report.

iv) *impact on the transportation system;*

Comment: The site is located within a geographic area that is accessible by well-maintained transportation routes that allow for the aggregate to be shipped efficiently throughout the general area.

Most of the trucks leaving the site will travel east along Concession Road 10 until reaching County Road 4. At that point, the trucks will head either north or south, depending on the destination. For local deliveries, some trucks leaving the site will travel west along Concession Road 10.

v) *impact on any existing or potential municipal water supply resource areas;*

Comment: Schedule C-2 (Constraints) to the County of Bruce Official Plan identifies the intake protection zones and the wellhead protection areas pertaining to municipal water supplies. The subject lands are not located in such areas.

vi) *the manner in which the operation will be carried out;*



## Appendix 2 - Applicant's Bruce County Official Plan Analysis

Norman Campbell Construction Ltd.  
Licensed Pit

Comment: Section 3.2 of this Report explains in detail the manner in which the proposed pit operations will be carried out.

iii) *the nature of the rehabilitation work that is proposed;*

Comment: As discussed in Section 3.2 of this Report, the extracted lands will revert mostly to an agricultural use through progressive and final rehabilitation. Some lands must return to a natural state, as required by the Natural Environment Technical Report.

All topsoil and overburden originating on the site will be retained and used for rehabilitation purposes. The licensee will minimize the mixing of soils during the stripping operations of the pit. The site could be rehabilitated utilizing all of the onsite topsoil and overburden including any unmarketable aggregate; however, it is possible that materials will be imported to achieve restoration. Following the application of topsoil to the rehabilitated areas, the lands will be prepared for seeding by fine grading or agricultural tilling.

viii) *if the proposal is located outside of the Mineral Resource Area on Schedule "C", the applicant must demonstrate the quantity and quality of the resource on the proposed site;*

Comment: None of the proposed licensed lands is situated within a 'Mineral Resource Area' on Schedule C to the Official Plan, as shown on Figure 4 to this Planning Report. Test pitting has been conducted throughout the site to confirm the existence of a large quantity of top-quality sand and gravel. Approximately 1,500,000 tonnes of sand and gravel could be made available for extraction from the proposed pit.

ix) *any other matters deemed necessary by Council; and,*

Comment: If other pertinent issues are raised by Municipal Council, they will be addressed by the team of consultants.

x) *when there is a proposal to extract below the water table an assessment of the impacts on the ground water will be required and the results will have to demonstrate no negative impact on quality, quantity and other uses of the resource.*

Comment: The pit will not involve extraction below the watertable. A minimum 1.5 metre buffer between the pit floor and the watertable will be established.

3. *In considering these matters, the evaluation will be premised on the fact that, notwithstanding the need for mineral aggregate, it is essential to ensure that aggregate extraction is carried out with minimal social and environmental disruption.*

## Appendix 2 - Applicant's Bruce County Official Plan Analysis

Norman Campbell Construction Ltd.  
Licensed Pit

Comment: All efforts are being made to ensure that the proposed pit is carried out with minimal social and environmental impacts, as discussed earlier in this Report.

### 4.8.5.2 Locational Criteria

*The establishment of new pits or quarries or the expansion of existing pits or quarries shall be subject to the following locational criteria:*

- i) *in order to preserve the scenic beauty and amenity of the area, extractive operations will be screened from public view, where possible;*

Comment: Berms will be constructed along the southeastern, southern and southwestern boundaries of the site, at a height of five metres, as shown on the Operational Plan. This will effectively screen the pit from public view.

- ii) *gravel pits within 125 m and stone quarries within 215 m of any residential zone or structure used for human habitation shall not normally be permitted. Pits or quarries proposed within such areas shall require an amendment to this Plan. Any proposed amendment to these setbacks shall be supported by an impact study addressing noise, dust, groundwater and traffic impact on the neighbouring residential use or uses.*

Comment: A detached dwelling is located on the property to the immediate east, approximately 100 metres from the extraction area boundary. An amendment to the above policy is therefore necessary. The following is rationale for reducing the required setback by 25 metres:

The Noise Impact Assessment was conducted because of the proximity of this detached dwelling to the proposed extraction operation. A series of recommendations were provided in the Assessment to buffer this dwelling from any noise impacts, including the requirement to erect a five metre high berm and controlling the screening and crushing operations on the site. The consultant concluded that the proposed pit will, under worst case operating scenarios, comply with the Ministry of Environment and Climate Change provided the recommended noise control measures are implemented.

Dust control measures will be carried out in order to not impact any of the residents in the neighbourhood. As stated previously in this Planning Report, dust will be mitigated on site. Water or other provincially approved dust suppressant will be applied to internal haul roads, processing and stockpile areas and equipment as often as required to mitigate dust. Regular visual inspections of the site will be undertaken by the pit operator during dry weather periods to identify potential dust emissions and determine the necessary mitigation measures to be applied. The existing

treed area located on the neighbouring property, between the proposed pit and the dwelling in question, will also assist in mitigating potential dust problems, should they arise.

The Hydrogeologist has determined that the proposed pit operations, which will not involve extraction below the groundwater table, will not impact any water supplies in the area including the well associated with the dwelling located 100 metres to the east of the proposed pit.

The majority of the traffic associated with the proposed pit will be travelling east on Concession Road 10, i.e. in front of the detached dwelling on the property to the east. Whether the pit is located 100 metres from the neighbour's dwelling or 125 metres from this house does not appear to be relevant, as it pertains to the haulage Route. What is important, however, is the location of the pit entrance. The original proposal was to utilize an existing field entrance for the entrance/exit of the pit, with said existing entrance being located approximately 144 metres from the mutual property boundary. In an attempt to address the concerns of this particular neighbour during the Aggregate Resources Act application process, the proposed entrance/exit was moved farther west such that the existing entrance to the house on the subject property is now proposed as the pit entrance/exit. This entrance is approximately 211 metres west of the mutual property boundary. Moving the entrance and driveway further from the neighbour's dwelling should reduce the perceived impact on these residents.

Based on the forgoing, the proposed reduction in the required separation distance between the pit and the adjacent dwelling from 125 metres to 100 metres should not create any problems.

- iii) *no excavation or processing shall be allowed so that its edge is at a point less than 15 metres from the boundary of the site, or 30 metres from any residential structure, highway or such greater distance that the municipality feels warranted. Setbacks may be reduced or eliminated where two licensed operations abut each other;*

Comment: The extraction area of the proposed pit will be in accordance with the above policy.

- iv) *no aggregate operation shall be located closer than 50 metres to any body of water or watercourse, or Hazard Land Area;*

Comment: As noted earlier in this Planning Report, the 'Hazard Land' boundary as shown on Schedule A of the Official Plan appears to encroach slightly into the proposed licensed area; however, this hazard mapping would appear to be incorrect and is more accurately depicted on the Zoning By-law

schedule (see Figure 5) where it shows the hazard line (i.e. 'EP' zone boundary) as approximately following the boundary of the licensed area. A 30 metre buffer area between the hazard boundary and the closest point of the extraction area will be maintained along most of the site, although a 15 metre setback from the "wetland finger" is proposed and has been justified. In this regard, an exemption from the above policy is necessary.

- v) *In the Agricultural area, on prime agricultural land, extraction of mineral aggregates is permitted as an interim use provided that rehabilitation of the site will be carried out whereby substantially the same areas and same average soil quality for agriculture are restored where reasonably possible.*

Comment: The subject lands are designated 'Rural\ and not 'Agricultural' on Schedule A to the County Official Plan (see Figure 3

- vi) *In the Agricultural area, on prime agricultural land, if extraction is proposed below the water table and complete agricultural rehabilitation is not required, only if it is demonstrated that:*
  - a) *there is substantial quantity of mineral aggregate below the water table warranting extraction;*
  - b) *or the depth of planned extraction in a proposed quarry makes restoration of pre-extractive agricultural capabilities unfeasible;*
  - c) *there will be minimal impacts on surrounding wells and ponds due to extraction below the water table;*
  - d) *in those areas remaining above the water table following extraction, agricultural rehabilitation will be maximized; and*
  - e) *other reasonable alternatives have been considered by the applicant and found unsuitable.*

Comment: As noted above, the subject lands are not designated 'Agricultural'.

### 5.1.3 Official Plan Policies Pertaining to the Natural Environment

Section 4.3 of the Bruce County Official Plan states the following policies with regard to protecting the natural environment:

#### 4.3 THE ENVIRONMENT

##### 4.3.1 Objectives

- i) *identify and protect the County's unique natural resources and environment;*

- ii) *identify, conserve, and where possible enhance the natural environment to ensure that natural systems are sustained, which will also serve to maintain human health;*
- iii) *maintain, enhance and protect aquatic habitat in and around Bruce County;*
- iv) *promote environmentally sound watercourse management that enhances the quality of lakes and rivers;*
- v) *protect ground and surface water quality;*
- vi) *work in conjunction with local conservation authorities, local municipalities and the public to develop a long-term comprehensive drinking water source protection plan for the County;*
- vii) *recognize the role of forests and wetlands in ground and surface water rehabilitation;*
- viii) *protect headwater areas of rivers and streams;*
- ix) *protect identified significant woodlands;*
- x) *protect natural areas along shorelines and rivers;*
- xi) *restrict or prohibit development on lands subject to environmental hazards;*
- xii) *ensure that growth does not exceed the carrying capacity of the natural environment;*
- xiii) *maintain the character of the Niagara Escarpment, a World Biosphere Site by abiding by the Niagara Escarpment Plan and the Niagara Escarpment Planning and Development Act;*
- xiv) *collaborate with adjacent municipalities in the preservation of the natural environment;*
- xv) *encourage the use of alternate energy sources, such as wind, solar, biomass and hydroelectric;*
- xvi) *discourage land uses and activities which are noxious in nature and may contribute to air, water or land pollution;*
- xvii) *identify, protect and enhance all Provincially significant wetlands and Areas of Natural and Scientific Interest (ANSI's);*

- xviii) *identify and preserve areas of Environmentally Significant Areas (E.S.A.'s);*
- xix) *encourage the preservation of locally significant Environmentally Significant Areas (E.S.A.'s); and,*
- xx) *protect the habitat of endangered and threatened species;*
- xxi) *encourage the preparation of watershed and subwatershed plans, where they are deemed necessary; and,*
- xxii) *discourage the extraction of groundwater that exceeds the recharge capacity of the aquifer.*

Comment: A significant amount of research and field work by the team of experts has gone into the designing of the proposed pit in order to ensure that any impact on the natural environment is minimal. Detailed assessments of the environmental issues listed above are provided in the Natural Environment Technical Report.

#### 4.3.2 General Policies

1. *The natural resources of the County shall be protected and managed in order to maintain and preserve a healthy living environment for existing and future generations.*
2. *County Council recognizes that natural areas or features within Bruce County provide a wide range of benefits to the residents of the County. Those areas shall be protected from the negative effects of development.*
3. *Some natural features, such as ANSI and Provincially Significant Wetlands, Escarpment Natural Areas, some Locally Significant Wetlands and areas of Karst topography have been identified and are shown on the Schedules of this Plan. Other features, such as significant ravines, valley, river and stream corridors, significant woodlands, significant portions of threatened and endangered species habitat, significant fish habitat and significant wildlife habitats have not been specifically identified. Dynamic beaches are considered to be significant natural features, yet may or may not be mapped. As more detailed mapping of these natural features becomes available, the appropriate Schedules will be updated to include this more detailed information.*
4. *In the absence of mapping showing the various components of the natural areas, this Plan will rely on Environmental Hazard mapping, ANSI mapping and Wetland mapping to achieve much of the County's environmental goals and objectives. Therefore, new development proposed in or adjacent to these areas must also address all of the applicable natural environment features.*
5. *For some environmentally sensitive areas new development may be permitted within and adjacent to them, provided it can be demonstrated that the development will not*



*have an adverse or negative impact on the area. For other areas such as Environmental Hazard Lands, significant habitat of threatened and endangered species and Provincially Significant Wetlands, new development and site alteration is not permitted.*

6. *In the review of site development proposals the proponent and/or review agencies may identify natural heritage features, which have not been incorporated in the Schedules to the Plan. In these instances, the policies of Section 4.3 and 5.8 will apply and the applicant must demonstrate protection of the natural heritage functions and features.*

Comment: This Planning Report demonstrates compliance with these general policies and the specific policies of Sections 4.3 and 5.8, as explained in the comments below.

#### 4.3.2.1 Cold and Warm Water Streams

1. *No development shall be permitted within 30 metres of the banks of a cold water stream or 15 metres of a warm water stream. Landowners are encouraged to forest the area within 30 metres of any stream to maintain and improve fish habitat, ecological function of the stream and to increase natural connections.*

Comment: The proposed pit will be set back in accordance with the above minimum standards.

#### 4.3.2.2 Drinking Water Source Protection

1. *The Province of Ontario has established the Drinking Water Source Protection (DWSP) program that is guided by the Clean Water Act, 2006. The purpose of this Act is to protect existing and future sources of drinking water. Under this program, it is the responsibility of a Source Protection Committee to develop Assessment Reports and Source Protection Plans for a Source Protection Region.*
2. *This program is generally designed to protect Municipal Wellhead Protection Areas (WHPA), and Intake Protection Zones (IPZ), as well as Highly Vulnerable Aquifers (HVA) and Significant Groundwater Recharge Areas (SGRA). The Assessment Reports will delineate these areas, determine their vulnerability, and identify and assess threats to these areas. The Source Protection Plans will include policies to be followed by municipalities, landowners, and other, to discuss significant threats to these areas.*
3. *The County will support the work of the Source Protection Committee as it prepares Source Protection Plans. Once the Source Protection Plans have been completed (legislated deadline: Aug 2012) and approved, the County will assist with the implementation of the Plan by incorporating the appropriate Source Water Protection Plan policies in the Official Plan.*

Comment: This site is situated within any of the above-noted constraint areas.

#### 4.3.2.3 Areas of Natural or Scientific Interest (ANSI)

1. *County Council recognizes that most ANSI are held in private ownership. The objective of the policies of this section will therefore be to provide for the continued private use while encouraging landowners to voluntarily protect and manage the unique environmental resources of their land. This encouragement can be achieved by demonstrating wise environmental management of public land, the distribution of information concerning the establishment of new ANSI and the management of environmental features found within the ANSI.*
2. *County Council is in a position to influence the nature of development occurring within and contiguous to ANSI. The policies of this Plan seek to protect and improve the natural environment of ANSI affected by the development of land in recognition of the fact that:*
  - i) *the protection, management and renewal of ANSI is essential if the County's natural heritage is to survive;*
  - ii) *some forms of development may be accommodated within and contiguous to ANSI;*
  - iii) *when development and environmental objectives cannot be reconciled, the County shall attempt to protect the affected area by requesting a public agency or non-profit Corporation or the Conservation Authority to acquire the land, or to permit re-evaluation of the ANSI designation, or refuse to approve the development;*
  - iv) *the policies and objectives of this Section can complement the actions of other agencies in the protection and wise management of the natural environment; and*
3. *the distribution of information on the state of environmental conditions is essential to ensure the survival of the County's natural heritage. County Council has designated on Schedule C those areas identified and judged by the Province of Ontario as Areas of Natural or Scientific Interest (ANSI) of Provincial significance.*
4. *County Council is prepared to consider mapping of ANSI at an improved scale to more accurately represent or determine the lands designated ANSI on Schedule C. Such mapping shall be used in the application of policies associated with this Plan and shall be revised as improved information and Environmental Impact Statements indicate more precise boundaries. Where more accurate mapping becomes available, this mapping will be incorporated by Amendment to this Plan.*
5. *It is the policy of County Council to consider the use of land within an ANSI identified on Schedule C in accordance with the underlying land use designation on Schedule A,*

*provided it can be shown that the development would not adversely impact upon the ANSI. In order to further clarify the intent of this policy, the following use of land and buildings as they existed on the date of adoption of this Plan may continue:*

- i) farming operations and the expansion of the same in accordance with the Minimum Distance Separation Formula;*
  - ii) management and harvesting of timber in accordance with sound forest management practices;*
  - iii) construction or expansion of a residence on a legally separated parcel of land existing on the date of the adoption of this Plan, provided that measures are taken to minimize negative impacts on the ANSI and subject to other policies of this Plan, the local Municipal Zoning By-Law and the applicable policies and regulations of other agencies or Government ministries; and,*
  - iv) the existing use of the area for public recreational uses.*
- 6. It is the policy of County Council that when a change in the use of land not in conformity with the above policy is proposed for lands within the ANSI such that adverse effects on the ANSI are likely to occur, a full, scoped or check list, Environmental Impact Statement (EIS) in regard to the merits of the proposal as determined by the appropriate Council, shall be prepared prior to the consideration of approval of the proposal according to the policies of Section 4.3.3. Where it cannot be shown that the development proposal will have minimal impacts on the ANSI, such proposal shall be refused.*
- 7. ANSI are identified by the Province of Ontario. It is the policy of County Council to ensure that an EIS is reviewed with respect to the merits of the proposal. A recommendation will then be submitted to the County and/or local municipality for consideration of the proposed change in the use of the land.*
- 8. It is the policy of County Council that the lands identified as ANSI, which are privately owned, are not free and open for the public to use. Public access to ANSI on privately owned lands may occur by permission of the land owner, and the use of other mechanisms such as Land Trusts or Conservation Easements.*
- 9. County Council recognizes that the existing statutory powers of the County to fully achieve the objectives of environmental protection are inadequate.*
- 10. In order to supplement the provisions of the above policies, County Council may from time to time consider:*
- i) the acquisition (by donation) of ANSI that may be suitable for the extension of existing County forests or for the establishment of new County forests;*

- ii) negotiating with the owners of an ANSI to have all or part of it privately preserved or managed in accordance with sound environmental practices, or conveyed by the owner to a public authority;
- iii) the use of conservation measures such as Land Trusts or Conservation Easements; and,
- iv) requesting the public agency or non-profit Corporation, or the Conservation Authority, having jurisdiction to acquire such ANSI.

Comment: The Natural Environment Technical Report provides recommended setbacks between the proposed pit and the adjacent natural heritage features, including the Life Science ANSI. With these setbacks in place, no negative impacts to the ANSI are anticipated.

#### 4.3.2.5 Provincially Significant Wetlands

1. Schedule C to this Plan identifies Provincially Significant Wetlands. The following policies apply to those wetlands.
2. It is the policy of County Council that development except for infrastructure permitted by the Provincial Policy Statement shall not be permitted within Provincially Significant Wetlands.
3. It is the policy of County Council that development may be permitted on adjacent lands only if it does not result in any of the following:
  - i) a loss of wetland function;
  - ii) subsequent demand for future development, which will negatively impact on existing wetland functions;
  - iii) conflict with existing site specific wetland management practices; and
  - iv) loss of contiguous wetland areas.
4. Wetland Area is a single continuous wetland, which may be composed of one or more wetland types.
5. Adjacent lands are those lands within 120 metres of an individual wetland area.
6. It is the policy of County Council that the policies of Section 4.3.2.5.e i), ii), iii) and iv) shall be addressed by an Environmental Impact Study (EIS), prepared in accordance with established procedures and carried out by the proponent. The EIS shall be subject to review and comment by the appropriate Provincial authority, the Conservation Authority, where one exists, and other public authorities having jurisdiction.

7. *Development proposals may be considered on adjacent lands without an Amendment to this Plan, in accordance with the abutting land use designation if supported by a site specific EIS indicating how the above policy has been met.*
8. *It is the policy of County Council that wetlands shall be designated in local Official Plans where they exist, and that policies be included to preclude new development within Provincially Significant Wetlands.*
9. *It is the policy of County Council that Provincially Significant Wetlands shall be zoned in the local Municipal Zoning By-Law to preclude new development within Provincially Significant Wetlands.*

Comment: No negative impact on the Provincially Significant Wetland is anticipated, provided the mitigation measures listed in the Natural Heritage Technical Report and stipulated on the Operational Plan and Rehabilitation Plan are followed.

#### 4.3.2.6 Significant Woodlands

1. *It is the intent of County Council to protect significant woodlands as they are one of the key components of our natural heritage areas. Wood lands provide significant economic value as well as habitat for wildlife, erosion control and maintenance of the 'cold water' for fish habitat.*
2. *Although significant wood lands have not been mapped in this Plan, the following policies shall apply to the protection of wood lands:*
  - i) *For Townships with less than 30% forest cover, wood lots of 40 hectares or greater are considered significant. Prior to development being permitted in these areas the proponent of the development shall be required to undertake an Environmental Impact Study.*
  - ii) *For municipalities with greater than 30% forest cover, an Environmental Impact Study shall only be required for developments that propose four or more lots in one development, or that involve the removal of more than 1.0 ha of forest cover in a single proposal. In certain instances, where the County may be concerned about cumulative losses to a significant wood lot, an EIS may also be required.*
3. *Where it cannot be demonstrated through the preparations of an Environmental Impact Study that the proposed development will not impact on the habitat/resource function of the wood lot, the development shall be refused.*
4. *The County recognizes that the evaluation of significant woodlands on a case-by-case basis may no longer be adequate. In this regard, the County shall endeavour to*

*undertake a countywide evaluation of woodlands, provide required mapping, and update this section as required.*

Comment: The Natural Environment Technical Report provides recommended measures, including minimum separation distances, to protect the woodland features on the adjacent lands to the north and east and their associated functions.

#### 4.3.2.7 Threatened and Endangered Species

1. *Detailed mapping showing the significant portions of the habitat for threatened and endangered species in the county is not included on Schedule C to this Plan. Until such mapping becomes available and is incorporated in the Plan, these heritage resources shall require protection in accordance with the following policies where they are identified by the proponent and/or review agencies as being on or adjacent to a development proposal through individual review. The following policies apply to significant habitat of threatened and endangered species.*
2. *When mapping does become available, it is the policy of County Council to designate such areas in the County Plan. It may be difficult to maintain up-to-date mapping showing significant habitat of endangered species and threatened species given that the listing of the species and their respective rankings change often. Reference should be made to the Ministry of Natural Resources official species at risk list, as updated and amended from time to time.*
3. *It is the policy of County Council that development except for infrastructure permitted by the Provincial Policy Statement shall not be permitted within significant portions of the habitat of threatened and endangered species.*
4. *It is the policy of County Council that development and site alteration may be permitted on adjacent lands only if it has been demonstrated through an EIS, carried out by the proponent, that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.*
5. *Adjacent lands are those lands within 50 metres of an identified area.*
6. *Development proposals may be considered on adjacent lands without amendment to this Plan, in accordance with the abutting land use designation if supported by a site specific EIS indicating how the above policies have been met.*
7. *It is the policy of County Council that significant habitat of threatened and endangered species be designated in local Official Plans where they exist, and that policies be included to preclude new development within such areas.*

8. *It is the policy of County Council that significant portions of habitat of threatened and endangered species shall be zoned in the local Municipal Zoning By-law to preclude new development within such areas.*

Comment: The Natural Environment Report identified the grasslands on the southern one-third of the subject property as Bobolink habitat, which is a threatened species. The Report provides a series of recommendations intended to protect this habitat through controlled disturbance and progressive rehabilitation. Through discussions with the Ministry of Natural Resources and Forestry, however, it has been deemed acceptable to provide off-site compensation on another property owned by Norman Campbell Construction Ltd. in accordance with the Endangered Species Act, as explained in the July 18, 2108 prepared by AWS Environmental Consulting Inc.

#### 4.3.2.8 Significant Valleylands

1. *Detailed mapping showing significant valleylands is not included on Schedule C to this Plan. Until such mapping becomes available and is incorporated in the Plan, significant valleylands are identified on a case-by-case basis.*
2. *When mapping does become available, it is the policy of County Council to designate such areas in the County Plan.*
3. *It is the policy of County Council that no development or site alteration may be permitted within or adjacent (50 metres) to a significant valleyland unless it has been demonstrated through an EIS, carried out by the proponent, that there will be no negative impacts on the natural features or the ecological function of the significant valleylands.*

Comment: The Natural Environment Technical Report confirmed that the subject lands are not situated within a Significant Valleyland.

#### 4.3.2.9 Deer Wintering Areas

1. *Detailed mapping showing deer wintering areas in the County is not included on Schedule C to this Plan. The deer wintering areas are identified on a case-by-case basis.*
2. *In the interim, it the policy of County Council that development or site alteration may be permitted within or adjacent (120 metres) to deer wintering areas only if it has been demonstrated through an EIS, carried out by the proponent that there will be no negative impacts on the deer wintering area.*

Comment: The Wintering Dear Yards on the subject property and adjoining properties are identified in 8A of the NETR. With the recommended setbacks in place, no impact on these areas is anticipated



#### 4.3.2.10 Significant Wildlife Habitat

1. Detailed mapping showing significant wildlife habitat in the County is not included on Schedule C to this Plan. Until such mapping becomes available and is incorporated in the Plan, these heritage resources are identified on a case-by-case basis.
2. It is the policy of County Council that no development except for essential municipally owned infrastructure shall be permitted within areas of significant wildlife habitat provided no adverse environmental impact will result.
3. It is the policy of County Council that no development or site alteration may be permitted within 120 metres to a significant wildlife habitat unless it has been demonstrated through an EIS, carried out by the proponent, that there will be no negative impacts on the natural features or the ecological functions for which the area is identified.

Comment: Situated on the subject property are deer wintering yards, seeps which influence the fish habitat of the unnamed watercourse, amphibian breeding habitat and movement corridors. These Significant Wildlife Habitat features are located outside of the licensed areas, except for the secondary deer movement corridor. The NETR has determined that the proposed aggregate operation will not negatively impact any of these features provided the recommended mitigation measures are followed. Such measures are stated on the Operational Plan and Rehabilitation Plan which form part of the Aggregate Resource Application license.

#### 4.3.2.11 Karst

1. The Bruce-Grey Regional Groundwater Study identifies areas of karst topography. This mapping is at a regional scale and therefore all areas may not be adequately shown. Development or site alteration in areas have karst topography shall not proceed in the absence of a detailed evaluation. The evaluation shall investigate the potential threat of the proposed development or site alteration on groundwater resources and shall be completed by an individual who specializes in karst topography. Development shall be prohibited unless it can be shown that these threats can be overcome through mitigation resources.

Comment: The site has not been identified as exhibiting karst topography, as confirmed by the Hydrogeological Study.

#### 4.3.2.12 Headwater/Recharge Areas (The Environment)

1. It is the intent of County Council to protect headwater areas, groundwater recharge areas and aquifers as one means of protecting groundwater and surface water from degradation. In doing so, the County acknowledges that comprehensive mapping indicating the location of these areas for the entire County is not available from the

*appropriate Provincial authority. Where mapping or site specific studies or observations for headwater areas, groundwater recharge areas is made available by the proponent and/or review agencies, new development will be required to demonstrate protection of these sensitive water resources and that the associated environment and any water resource uses are not detrimentally impacted.*

2. *County Council will encourage consultation and communication between the County, local municipalities, the appropriate Provincial authority, interested agencies, and development interests to identify and protect headwater areas, groundwater recharge areas and aquifers.*

Comment: The extraction setbacks and the controlled depth of the pit (i.e. 1.5 metres above the watertable) will ensure that extraction will not affect groundwater or surface waters in the area.

#### 4.3.3 Requirements for Environmental Impact Studies

1. *In order to achieve County objectives for the protections of the natural environment, development proponents shall be required to prepare an EIS for any proposal that is:*
  - i) *In, or within 120 metres of, a provincially significant wetland;*
  - ii) *In, or within 60 metres of, a locally significant wetland;*
  - iii) *In, or within 120 metres of, the habitat of endangered or threatened species*
  - iv) *In, or within 120 metres of, a significant woodland, significant valleyland, significant wildlife habitat, deer wintering area;*
  - v) *In, or within 120 metres of, fish habitat;*
  - vi) *Within the '100 Metre Buffer Zone' or 2 Year Time of Travel (WHPA-b) for Wellhead Protection Areas or within the 'Intake Protection Zone 1 (IPZ-1)' or 'Intake Protection Zone 2 (IPZ-2)' for Intake Protection Zones;*
  - vii) *Within known areas of karst topography;*
  - viii) *In, or within 50 metres of, Areas of Natural and Scientific Interest (ANSI) Earth Science.*
2. *Regardless if any of the above appear on Schedules of this Plan or are identified by the proponent and/or review agencies.*
3. *The EIS shall be prepared prior to any development approvals and any site alteration (except as may be necessary for the preparation of pre-development studies or surveys) or development. In considering the loss of functions or features, particularly with*

*regard to wetlands and fish habitat, the proponent is also advised to consult with the First Nations to determine potential impacts on resource utilization, aboriginal interests, and other cultural values.*

4. *The proponent is encouraged to consult early in the application process with the County and other appropriate agencies regarding the specific EIS requirements.*
5. *Should review of the EIS determine that the natural features or functions can not be protected development will not be approved.*
  - i) *Be completed by a qualified professional;*
  - ii) *the study shall consist of:*
    - a) *A description of the purpose of the undertaking, the duration of impacts to the site, as well as the possible effects of the proposed undertaking.*
    - b) *A description and statement of the rationale for:*
      - 1) *the undertaking;*
      - 2) *the alternative methods of carrying out the undertaking; and,*
      - 3) *the alternatives to the undertaking.*
    - c) *A description of:*
      - 1) *the environment that will be affected or that might reasonably be expected to be affected, directly or indirectly;*
      - 2) *the effects that will be caused or that might reasonably be expected to be caused to the environment; and,*
      - 3) *the actions that are necessary or that may be reasonable expected to be necessary to prevent, change, mitigate or remedy the effects or the effects that might reasonably be expected upon the environment by the undertaking.*
    - d) *An evaluation of the undertaking's advantages and disadvantages.*
    - e) *The cost for preparing an EIS shall be the responsibility of the proponent.*
6. *It is the policy of County Council to involve the affected Conservation Authority, the Province, and the local municipalities whenever an EIS is required.*

7. *The County may allow for the waiving of the requirement for the preparation of an EIS when: a) a development is subject to a duplicate or similar environmental assessment process; or b) a development is minor in nature; or c) 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. The County may seek outside independent advice as to whether the proposed development is minor OR advice as to whether an EIS would serve any useful purpose.*

Comment: The Natural Environment Technical Report prepared by AWS Environmental Consulting Inc. satisfies the aforementioned requirements of an Environmental Impact Study.

#### 5.1.4 Official Plan Review Summary

Based on the foregoing, the proposed pit is in compliance with the relevant policies of the County of Bruce Official Plan.

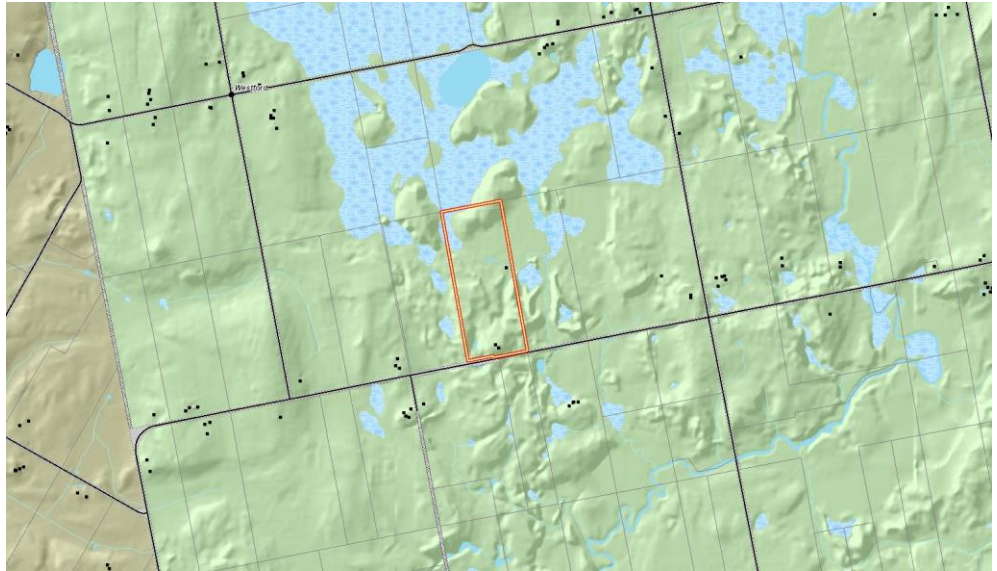
The proposed Official Plan Amendment would change the land use designation of the proposed licensed area from 'Rural' to 'Pits and Quarries'. The amendment would shift the 'Hazard Lands' boundary to reflect the 'EP' zone boundary of the Zoning By-law, which appears to generally follow the boundary of the proposed licensed area.

The requested amendment would also provide the following exceptions:

- relief from Section 4.8.5.2 (ii) which requires a pit to be located at least 125 metres from a residential dwelling. The extraction area would be situated 100 metres from the closest house; and,
- relief from Section 4.8.5.2 (iv) which requires a pit to be located 50 metres from any watercourse or 'Hazard Lands' designation. The extraction area would be situated 15 metres, at its closest point, from a water feature and the 'Hazard Lands' designation.

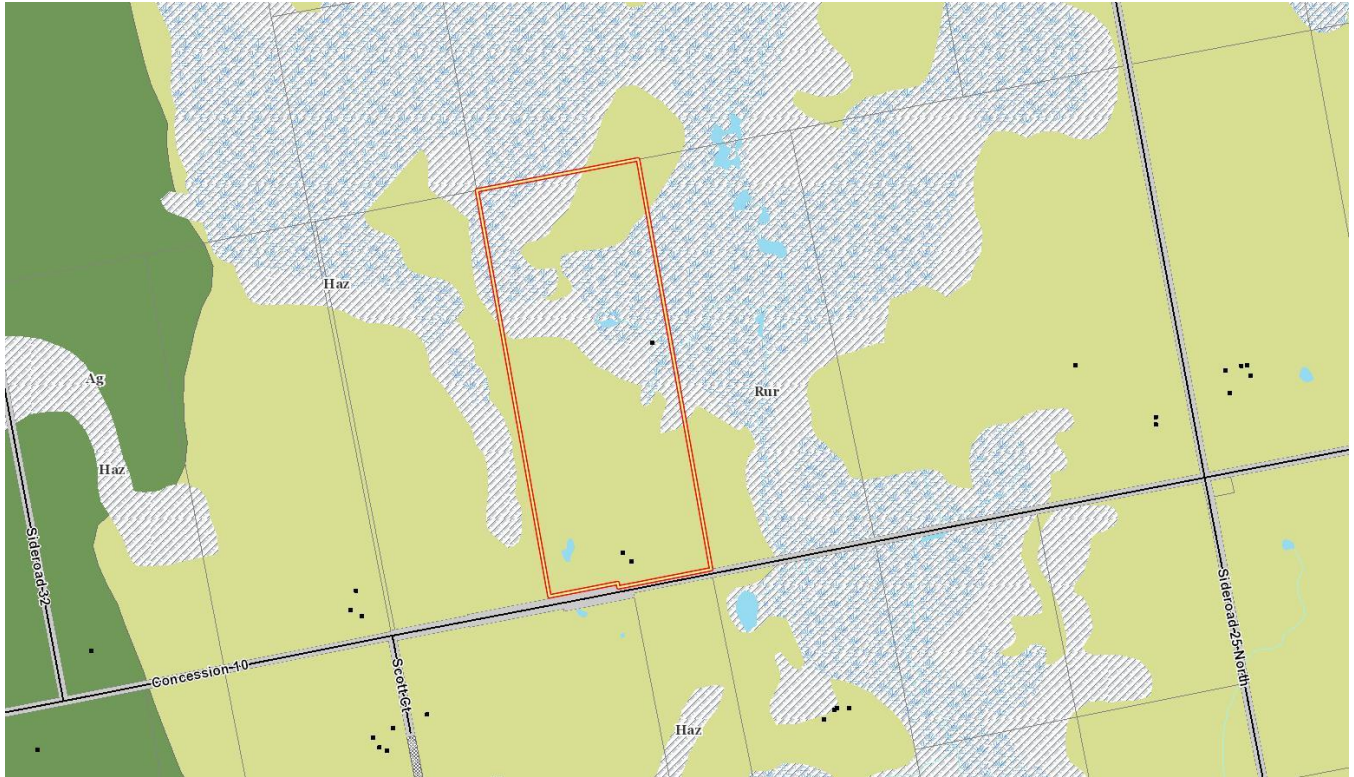
### Appendix 3 - Background

<b>Development Proposal</b>	<p>The purpose of the proposed Official Plan Amendment is to re-designate a portion of the subject lands, +/- 23.34 ha (57.67 ac), from 'Rural Area' to 'Pits and Quarries' to permit a mineral aggregate operation.</p> <p>The purpose of the proposed Zoning By-law Amendment is to rezone a portion of the subject lands from 'General Agricultural (A1)' to 'Extractive Industrial (M2)' to permit a mineral aggregate operation.</p>
<b>Supporting Documents</b>	<p>The following Reports and Studies have been provided in support of the applications:</p> <ol style="list-style-type: none"> <li>1. Planning Report - Ron Davidson, Land Use Planning Consultants - November 2, 2018;</li> <li>2. Hydrogeological Study - GM Blue Plan Engineering - October 2014, Revised August 29, 2016;</li> <li>3. Natural Environment - Level 1 &amp; 2 Report - AWS Environmental Consulting - October, 2014;</li> <li>4. EIS Addendum - July 18, 2018;</li> <li>5. Stage 1 - 2 Archaeological Assessment - AMICK Consultants Limited - January 27, 2016;</li> <li>6. Noise Impact Assessment - HGC Engineering - July 26, 2016;</li> <li>7. Existing Features Plan (September 4, 2018);</li> <li>8. Operational Plan (September 4, 2018);</li> <li>9. Noise Impact Assessment Recommendations (September 4, 2018);</li> <li>10. Rehabilitation Plan (September 4, 2018); and,</li> <li>11. Cross Sections (September 4, 2018).</li> </ol>
<b>County Official Plan</b>	Rural Area and Hazard Land Area
<b>County Official Plan Amendment</b>	To re-designate a portion of the subject lands from Rural Area to 'Pits and Quarries' with site-specific policies to allow extraction: 100 m from the closest house; and 15 m from the Hazard Land Area designation
<b>Zoning By-law</b>	'General Agriculture (A1)', 'Environmental Protection (EP)'
<b>Zoning By-Law Amendment</b>	Rezone the proposed licensed area from 'General Agriculture (A1)' to 'Extractive Industrial (M2)'
<b>Related File</b>	Municipality of South Bruce Zoning By-law Amendment <b>Z-75-18.06</b>
<b>Owner</b>	Paul and Susan Campbell
<b>Applicant</b>	Ron Davidson, Land Use Planning Consultant
<b>Legal Description</b>	Part of Lot 29, Concession 11, geographic Township of Culross

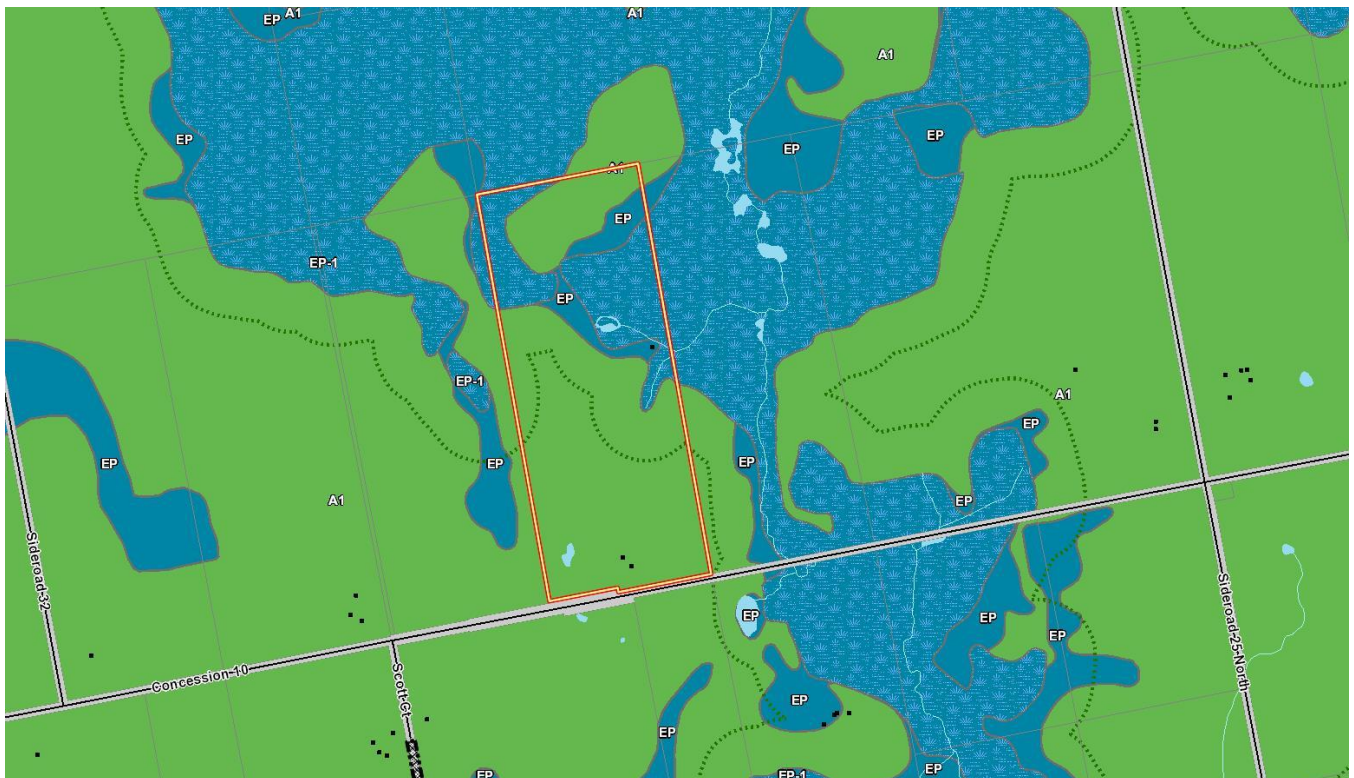
<b>Municipal Address</b>	<b>1604 Concession 10</b>
<b>Lot Dimensions</b>	<b>Entire Lot</b>
<b>Frontage</b>	+/- 404.9 m (1328.41 ft)
<b>Width</b>	+/- 404.9 m (1328.41 ft)
<b>Depth</b>	+/- 1020.3 m (3347.44 ft)
<b>Area</b>	+/- 40.69 ha (100.54 ac)
<b>Uses Existing</b>	Agriculture (cash cropping) with residence and 3 accessory buildings, plus a wetland
<b>Uses Proposed</b>	Sand and gravel extraction; crushing and screening
<b>Servicing Existing</b>	Private water and Septic
<b>Access</b>	Concession 10, a year-round municipal road
<b>Surrounding Land Uses</b>	Wetland and small cropped field to the North; Detached dwelling, wetland and small cropped field to the East; Two predominantly cropped lots, one with a detached dwelling, to the South; and Cropped lands with an agricultural building to the West.
<b>Subject Lands</b>	



## Appendix 4 - Official Plan - Land Use Schedule A



## Appendix 5 - Zoning By-law





## Appendix 6 - Agency Comments



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, www.svca.on.ca

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

February 12, 2019

Corporation of the County of Bruce  
Planning and Development  
30 Park Street, Box 848  
Walkerton, ON N0G 2V0

ATTENTION: Candace Hamm, Applications Technician

Dear Mrs. Hamm,

RE: Proposed County Official Plan Amendment: BCOPA 237-18.06  
Proposed Zoning By-law Amendment: Z-75-18.06  
1604 Concession 10  
Roll No. 410506000306300  
Part of Lot 29, Concession 11  
Geographic Township of Culross  
Municipality of South Bruce (Ron Davidson)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed amendments in accordance with the SVCA's mandate, SVCA's Environmental Planning and Regulations Policies Manual, amended October 16, 2018, and the Memorandum of Agreement between the Authority and the County of Bruce relating to Plan Review. Please be advised, SVCA staff finds both the Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) acceptable.

It is SVCA staff's understanding the purpose of the proposed Official Plan Amendment (OPA) is to re-designate a portion of the subject lands, from 'Rural Area' to 'Pits and Quarries' to facilitate a license for aggregate extraction. Additionally, based on our review of s. 5.1.4 of the Planning Report (Ron Davidson, November 2, 2018), the applicant proposes to amend the 'Hazard Lands' boundary in two locations on the Property to reflect the 'Environment Protection (EP)' zone as delineated on Schedule A of the Municipality of South Bruce Zoning By-law. It is the opinion of SVCA staff the EP zone accurately reflects the hazard boundary as exists on-site (see below for more information.) The zoning amendment will rezone the corresponding portion of the proposed licensed area from 'General Agriculture (A1)' to 'Extractive Industrial (M2)' to facilitate the licensing for the proposed extraction. There is no change proposed to the EP zone as part of this application.

SVCA staff have reviewed the following reports and plans that were submitted in support of the proposed amendments:

1. Planning Report, Ron Davidson Land Use Planning Consultants Inc., dated November 2, 2019;
2. Hydrogeological Study, GM BluePlan, October 2014, revised August 29, 2016;
3. Natural Environment – Level 1 and 2 Report, AWS Environmental Consulting, October 2014;



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

4. Natural Environment Report Addendum, AWS Environmental Consulting, July 18, 2018;
5. Existing Features Plan, revised September 4, 2018;
6. Operational Plan, revised September 4, 2018;
7. Rehabilitation Plan, revised September 4, 2018; and,
8. Cross Sections, revised September 4, 2018.

Please note, SVCA staff finds the above-noted reports and plans acceptable. We did not review the Stage 1 -2, Archaeological Assessment by AMICK Consultants nor the Noise Impact Assessment and Recommendations by HGTC Engineering as it is not in our current mandate and policies to do so.

#### **Natural Hazards**

In the opinion of SVCA staff, the subject property is affected by wetlands. Wetlands are flood prone lands that contain unstable organic soils not suitable for development. Both the County Official Plan (OP) Hazard Lands designation, Schedule A, and the EP zoning delineated on Schedule A-1 of the Municipality of South Bruce are a generally accurate depiction of the hazard land boundary. However, as noted above, Schedule A of the OP does require a minor adjustment to the Hazard lands boundary to reflect the EP zone. SVCA staff finds the applicants proposal for Hazard land boundary adjustment acceptable.

Based on our review of the application, it appears all aggregate extraction is located outside the hazard lands boundary.

#### **Natural Heritage**

In the opinion of SVCA staff the subject property features Provincially Significant Wetland (PSW), Area of Natural and Scientific Interest (ANSI), Significant Woodlands, Significant Wildlife Habitat, Fish Habitat, and Habitat of Endangered Species and Threatened Species. Proposed limits of extraction are located on adjacent lands approximately 15 metres to 50 metres from these features, except Habitat of Endangered Species and Threatened Species, which is confirmed on the property. The property also features a Headwater and Groundwater Recharge Area and Dear Wintering area. The AWS Natural Environment Report, October 2014 confirms the aforementioned natural heritage features. Please be advised, the AWS Natural Environment Report is also referred to as Environmental Impact Study (EIS) in this report.

#### **Environmental Impact Study (EIS)**

Section 4.3.3 of the County of Bruce Official Plan (OP) requires an applicant to undertake an Environmental Impact Study (EIS) for development proposed on lands adjacent to the above-noted natural heritage features. As per these policies, the EIS must demonstrate the development will not have an impact on the natural features or functions of the significant natural heritage features. Adjacent land definitions are defined in s. 4.3.3 of the OP. The adjacent lands policies of the County OP are in general conformance with s. 2.1, Natural Heritage Policies of the Provincial Policy Statement (PPS, 2014).

As such, the applicant retained the services of AWS Environmental Consulting Inc. to carry out the EIS, titled "Natural Environment Technical Report-Level I & II", dated October 2014. In general, the EIS concludes "This report and the Campbell Pit Hydrogeological Assessment (GM BluePlan Engineering) have examined in detail, the potential for negative effects on natural features and functions with and beyond the subject Study Lands. This report has demonstrated that with the proper mitigative measures in place, no measureable negative

impacts should occur to the natural heritage features or ecological functions identified both on and off-site.” SVCA staff has reviewed the EIS and finds the conclusions and recommendations acceptable. All recommendations provided in the EIS have been included on the Operation Plan and Restoration Plan for the proposed aggregate license application.

#### Provincially Significant Wetland (PSW)

Located on the property is a portion of the Greenock Swamp Provincially Significant Wetland Complex. This wetland is delineated on SVCA mapping and Schedule C of the County of Bruce Official Plan (OP). Section 4.3.2.5.3 of the County OP does not support development on adjacent lands to a PSW unless the development does not result in; a loss of wetland function; subsequent demand for future development, which will negatively impact on existing wetland functions; conflict with existing site specific wetland management practices; and, result in a loss of contiguous wetland area. The EIS for this proposal has demonstrated the proposed extraction will be in conformance with this policy, provided their recommendations are implemented.

#### Area of Natural and Scientific Interest (ANSI)

Located within the confines of the PSW is an Area of Natural and Scientific Interest (ANSI). This feature is identified on SVCA mapping and Schedule C of the County OP. As noted above, s. 4.3.3 of the OP does not support development on adjacent lands to an ANSI unless it can be demonstrated the development will not impact the natural features and functions of the feature. The EIS for this proposal has demonstrated the proposed extraction should not impact the natural features and functions of this feature; and therefore, the application is in conformance with this policy, provided recommendations outlined in the EIS are implemented.

#### Significant Wildlife Habitat

While mapping showing significant wildlife habitat is not included in the County OP, it has been demonstrated via EIS that the property features Significant Wildlife Habitat. Section 4.3.2.10.3 of the County OP does not support development within adjacent lands to this feature unless it has been demonstrated through an EIS that there will be no negative impacts on the natural features or the ecological functions for which the area is identified. However, the EIS for this proposal has demonstrated the proposed extraction should have no negative impacts on the natural features and ecological functions of this feature; and therefore, the application will be in conformance with this policy, provided recommendations outlined in the EIS are implemented.

#### Fish Habitat

As per the EIS, Fish Habitat has been confirmed within an unnamed tributary to the McGlinn Creek, just beyond the proposed license boundary’s north perimeter. Section 4.3.3 of the OP does not support development on adjacent lands to Fish Habitat unless it can be demonstrated the development will not impact the natural features and functions of this feature. The EIS for this proposal has demonstrated the proposed extraction should not impact Fish Habitat; and therefore, the application is in conformance with this policy, provided recommendations outlined in the EIS are implemented.

#### Habitat of Threatened or Endangered Species

It has come to the attention of SVCA staff and is further confirmed in the EIS, that Habitat of Endangered Species or Threatened Species are located on the property. Section 4.3.2.7 of the County OP does not support

development within Habitat of Endangered Species or Threatened Species. These policies are in conformance with s. 2.1.7 of the PPS, 2014. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS are appropriately addressed in accordance with provincial and federal requirements.

#### Headwater/Recharge Area

Three seeps have been identified adjacent to the proposed aggregate license boundary, which suggests the subject lands represent a general groundwater discharge area. As per GM BluePlan's Hydrogeological Study (August 2016), data collected implies that this is an area wide feature, as opposed to a specific or point-source feature. Section 4.3.2.12 of the County OP requires that new development demonstrate protection of these sensitive water resources and that the associated environment and any water resource uses are not detrimentally impacted. Based on SVCA staff review of both the EIS and Hydrogeology Report, recommendations have been made to mitigate the impacts to this feature. Provided the mitigation measures are implemented, the application will be in conformance with County OP policy 4.3.2.12.

#### Deer Wintering Area

The EIS has identified wintering deer yard habitat within the Study Lands. However, no deer wintering area is located within the proposed licensed boundary. Section 4.3.2.9 of the County OP permits development within or adjacent to deer wintering areas provided an EIS shows no negative impacts on the deer wintering area. The EIS for this proposal has demonstrated the proposed extraction should not impact this feature; and therefore, the application is in conformance with this policy, provided recommendations outlined in the EIS are implemented.

#### **SVCA Regulation**

As previously noted, the subject property features wetlands and watercourse. Wetlands plus 120 metres from the boundary of a PSW, and watercourses plus 15 metres are SVCA regulated areas pursuant to the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (*Ontario Regulation 169/06, as amended*). This Regulation is made in accordance with Section 28 of the *Conservation Authorities Act*, R.S.O. Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or alteration to a wetland or watercourse.

Subject to subsection 28(25) of the *Conservation Authorities Act* defines "development" is defined as:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind,*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure increasing the number of dwelling units in the building or structure,*
- c) *site grading, or*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And further that;

“Alteration”, according to s. 5 of *Ontario Regulation 169/06*, as amended, generally includes the straightening, diverting or interfering in any way the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.


Notwithstanding the above, and pursuant to s. 28 (11) of *the Conservation Authorities Act*, a requirement for permission of the SVCA under *Ontario Regulation 169/06* does not apply to an activity approved under the *Aggregate Resources Act*. As such, this clause would apply to lands on the property within the approved licensed boundary only.

#### **Conclusion**

All of the plan review functions listed in SVCA’s Environmental Planning and Regulations Policies Manual and the Memorandum of Agreement between the Authority and the County of Bruce relating to Plan Review have been assessed by SVCA staff with respect to this proposal. Based on our review of the aforementioned reports and plans, it appears all recommendations outlined in the EIS and Hydrogeological Report have been incorporated into the application’s Operational Plan and Restoration Plan. It is SVCA staff’s opinion the applications are in conformance with the County’s natural heritage and natural hazard policies (s. 4.0 and s. 5.8) and associated PPS, 2014 policies (s. 2.1 and 3.1).

We trust you find these comments helpful. Should questions arise, please do not hesitate to contact this office. Please provide a copy of these comments to the applicant for their information.

Sincerely,



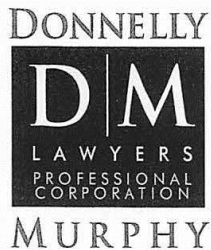
Brandi Walter  
Environmental Planning Coordinator  
Saugeen Conservation

BW/

cc: Mark Goetz, SVCA Member (via email)



## Appendix 7 - Public Comments



Reply to: **Gregory F. Stewart**

18 Courthouse Square  
Goderich, ON N7A 3Y7  
Tel: 519-524-2154 x209  
Fax: 519-524-8550  
Email: [gstewart@dmlaw.ca](mailto:gstewart@dmlaw.ca)  
Assistant: Victoria (x206)

May 17, 2019

VIA EMAIL [bcplwa@brucecounty.on.ca](mailto:bcplwa@brucecounty.on.ca)

Bruce County Planning and Development Department  
30 Park Street  
Walkerton, ON N0G 2V0

**Attention: Candace Hamm, Applications Technician**

Dear Ms. Hamm:

**RE: Proposed Zoning By-law Amendment; File Z-75-18.06;  
1604 Concession 10, Part of Lot 29, Concession 11, Geographic Township  
of Culross  
Owner: Paul and Susan Campbell  
Our File #20871**

---

We have been retained by Nick and Sarah Filsinger with respect to the above-noted application for a Zoning By-law Amendment. Mr. and Mrs. Filsinger are the owners of lands located at 1576 Concession 10 and thereby stand to be impacted by the application. I am writing to confirm my clients' opposition to this Zoning By-law Amendment.

The lands in question are currently zoned General Agriculture (AG1) and Environment Protection (EP) under the Municipality's Zoning By-law. The proposed amendment would re-zone a portion of the subject lands from General Agriculture (AG1) to Extractive Industrial (M2) to permit licensing for Aggregate Extraction. The existing zoning of these lands is characteristic of the use of surrounding lands which are predominately wetlands, cropped fields and detached dwellings. As such, the amendment which is being sought is totally out of character for this primarily agricultural and wetland area.

The creating of an aggregate extraction facility on these subject lands will have an adverse effect upon the surrounding lands thereby being contrary to the requirements of Provincial Policy Statement. "Adverse Effect" is defined by the *Environment Protection Act* and outlined in Section 6 of the Provincial Policy Statement to have the following impacts:

Problem Solved.  
Right Here.

GODERICH ▪ GRAND BEND ▪ KINCARDINE ▪ PORT ELGIN  
[www.donnellymurphy.com](http://www.donnellymurphy.com)

- (a) impairment of the quality of the natural environment for any use that can be made of it,
- (b) injury or damage to property to plant or animal life,
- (c) harm or material discomfort to any person,
- (d) an adverse effect on the health of any person,
- (e) impairment of the safety of any person,
- (f) rendering any property or plant or animal life unfit for human use,
- (g) loss of enjoyment or normal use of property, and
- (h) interference with the normal conduct of business.

It is the position of my clients that introduction of the proposed aggregate operation into this agricultural, wetland and residential area will very likely have one or more of these adverse effects.

In addition to the above adverse effects, Mr. and Mrs. Filsinger have the following specific concerns:

1. My clients indicate that their quality of life is inherently a function of enjoyment of their lands as they have historically been used and enjoyed. They want to ensure the continued use of the lands as in the past so that their family can continue to enjoy that use in the future. The installation of an aggregate extraction operation and its attendant impacts on the area will undoubtedly have an adverse effect on the Filsingers' property and their ability to enjoy its use as in the past.
2. Living in close proximity to an aggregate operation would be clearly less desirable than the uses that currently exist. This will result in the decrease of the value of my clients' property.
3. Concession Road 10 which would be the route for traffic for the aggregate operation is a road assumed by the Municipality. Unlike most roads assumed by Bruce County, Concession Road 10 has never been widened to deal with modern traffic, let alone the degree of traffic that would result from an aggregate operation. The travel portion of the road appears to be tar and chip (chipseal). It is approximately 22 feet across and has very limited shoulders. The current traffic on the road is local and involves large farm machinery which services the surrounding farms. Increasing the number and size of vehicles travelling this road, considering the nature and condition of the road, increases the potential for traffic hazards thereby potentially jeopardizing the safety of all concerned.
4. Due to the nature of the road, the shoulders of the road are very narrow or in some places almost non-existent. Snapping turtles have been observed using the shoulders of the road for nesting. The increased traffic on the road raises the potential for disrupting or destroying this nesting activity. Snapping turtles are considered at risk and all attempts should be made not to disturb their habitat. These turtles have also been observed crossing the road at various periods.
5. The increased traffic on the road from the aggregate haul trucks will prove to be a disturbance. This will be the source of increased noise as well as noise from idling trucks and the application of airbrakes on trucks in the vicinity. There will be further noise resulting from construction equipment from the site itself which would be involved in the processing of the



aggregate. Our clients advise that when they purchased their lands, one of the significant attractions was the tranquility of a rural (agricultural and environmental) area, the predominance of natural sounds and minimal traffic. This will be adversely impacted by an aggregate operation.

6. It is of note that although a proposed aggregate operation would be installed, there appears to be no monitoring program with respect to water quality or quantity.

Basically my clients are opposed to the rezoning to permit an aggregate operation because of the overall adverse effect it will have on their property and their way of life as referred to above.

We ask that this letter be included in the record as the written submission on behalf of our clients respecting this proposed zoning amendment. We would further request that we be provided with Notice of the Decision of Council on the Application as well as being included in the circulation list on all documents on this matter in the future, including the upcoming documents respecting the related Official Plan Amendment Application.

Yours very truly,

**DONNELLY MURPHY LAWYERS PC**



Per:

Gregory F. Stewart

GFS/vm

*c.c. client*

To whom it may concern,

We have recently received notice from a neighbour, of an application for a gravel pit at 1604 Concession 10 and wish to express our concerns.

We reside at 1154 Concession 10 and feel the likelihood that we and our neighbours will be impacted in a negative way if this application goes through.

Our concerns are as follows in order of priority:

- a) This proposed gravel pit is surrounded by swamp, an environmentally sensitive area. The history of building the road on concession 10 west of the 25th sideroad involved great risk and challenge. It is a sink hole with no good bottom. Residents have already expressed concern with the increased traffic in recent years. Our main concern that additional gravel truck traffic pounding the road, will very likely cause significant road damage. We fear that damage in the sinkhole area could be irreparable or at the very least be of huge expense and inconvenience. Repair will result in road closure for an unknown period of time.

In addition to the concern about the sinkhole and general wear and tear on the road, we know that the bridge closest to highway # 4 crossing the Caslick Drain has a crumbling foundation. Additional heavy traffic will reasonably result in the need for closure and repair.

We have already been impacted by the damage to the bridge on the 25th sideroad between Con 10 and 8 which has not been fixed because of insufficient funds. We are not confident that if there is major damage to our road that it will be covered by the municipality or the taxes supplied by the project. In a nutshell what guarantee will we have that the road that we deem important to us, will not be impacted in serious ways?

- b) Gravel pits result in loss of value to neighbouring properties. We are particularly concerned for the damaging effect to the beautiful new build east of 1605. We feel that no one on Con. 10 W will benefit from this proposed pit other than the land owner. Is there reasonable compensation for individuals whose property values are impacted?

- c) There are numerous effects to local residents. Families with young children will need to take additional measures to ensure that their children are safe on roads used by gravel trucks. Many laneways including ours will be more hazardous. Dust, noise, and increased traffic will impact all of us. No one can take away those concerns if the project goes through.

It would appear that the landowner would have all of the benefits and none of the negative implications mentioned. To our knowledge they are not part of the neighbourhood they would be impacting if this proposal goes through.

Although we recognize the value to this project, we feel there are definitely sufficient concerns that need to be taken into consideration. We are disappointed that many neighbours like ourselves who will be impacted were not adequately informed.

Alan and Elizabeth Grant

R.R. # 1 1154 Con 10 W


Formosa, On N0G 1W0



JOHN LEITCH  
RR1 FORMOSA ONT.  
1125 CONC. 10  
N0G1W0

TO WHOM IT MAY CONCERN,

THIS IS IN REGARDS TO THE PLANNED GRAVEL  
PIT AT LOT 29 CONC. 11 IN CULROSS TOWNSHIP. THE  
CONCRETE BOX CULVERT ON CONC. 10 AT LOT 17 IS  
BEGINNING TO DISINTEGRATE. IT TAKES A BEATING  
FROM THE LARGE TRUCKS USING THIS ROAD AT HIGH  
SPEEDS - MORE HEAVY GRAVEL TRUCKS WILL MAKE  
IT WORSE. I BELIEVE THE PRICE OF THE  
CULVERT REPLACEMENT. SHOULD BE INCLUDED  
IN THE COST ESTIMATE OF THE GRAVEL PIT  
APPLICATION. THANK YOU.

YOURS TRULY,  


**From:** [Vickey Scott](#)  
**To:** [Planning Applications Walkerton](#)  
**Subject:** File #BCOPA 237-18.06  
**Date:** Thursday, May 30, 2019 7:06:45 PM

---

Attention: Candance Hamm

We would like our opinion submitted regarding the proposed Gravel Pit on 1604 Concession 10 Culross Township.

We are opposed to this development.

We aren't interested in the constant noise and dust this development will create.

Our roads aren't capable of handling the extra traffic and heavy equipment this endeavour will cause.

Brent & Vickey Scott  
24 Scott Crt  
RR1  
Holyrood, Ontario  
NOG 2BO

Sent from [Mail](#) for Windows 10

## Appendix 8

### Draft By-law Number 2019-xx

#### A by-law to adopt Amendment Number 237

#### to the County of Bruce Official Plan

Authority is provided in Sections 17 and 21 of the Planning Act, R.S.O. 1990, as amended.

**THE COUNCIL FOR THE CORPORATION OF THE COUNTY OF BRUCE ENACTS BY-LAW 2019-XX AS FOLLOWS:**

1. Amendment Number 237 to the County of Bruce Official Plan, attached and forming part of this by-law is approved.
2. That this By-law come into force and take effect on the day of the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990, as amended.

Passed this \_\_ day of \_\_\_\_\_, 2019

---

Warden

---

Clerk

## **Part B - The Amendment**

### **Introductory Statement**

All of this part of the document entitled “Part B - The Amendment” and consisting of the following text, and attached map designated as Schedule “A”, constitutes Amendment Number 237 to the Bruce County Official Plan.

### **The Amendment**

1. Schedule A: Land Use is amended by changing the designation on the lands at Part of Lot 29, Con. 11, geographic Township of Culross, Municipality of South Bruce to ‘Licensed Aggregate/Quarry Operation’ which indicates the lands are approved as a licenced pit.
2. The Bruce County Official Plan is amended by adding the following subsection to Section 4.8.7.

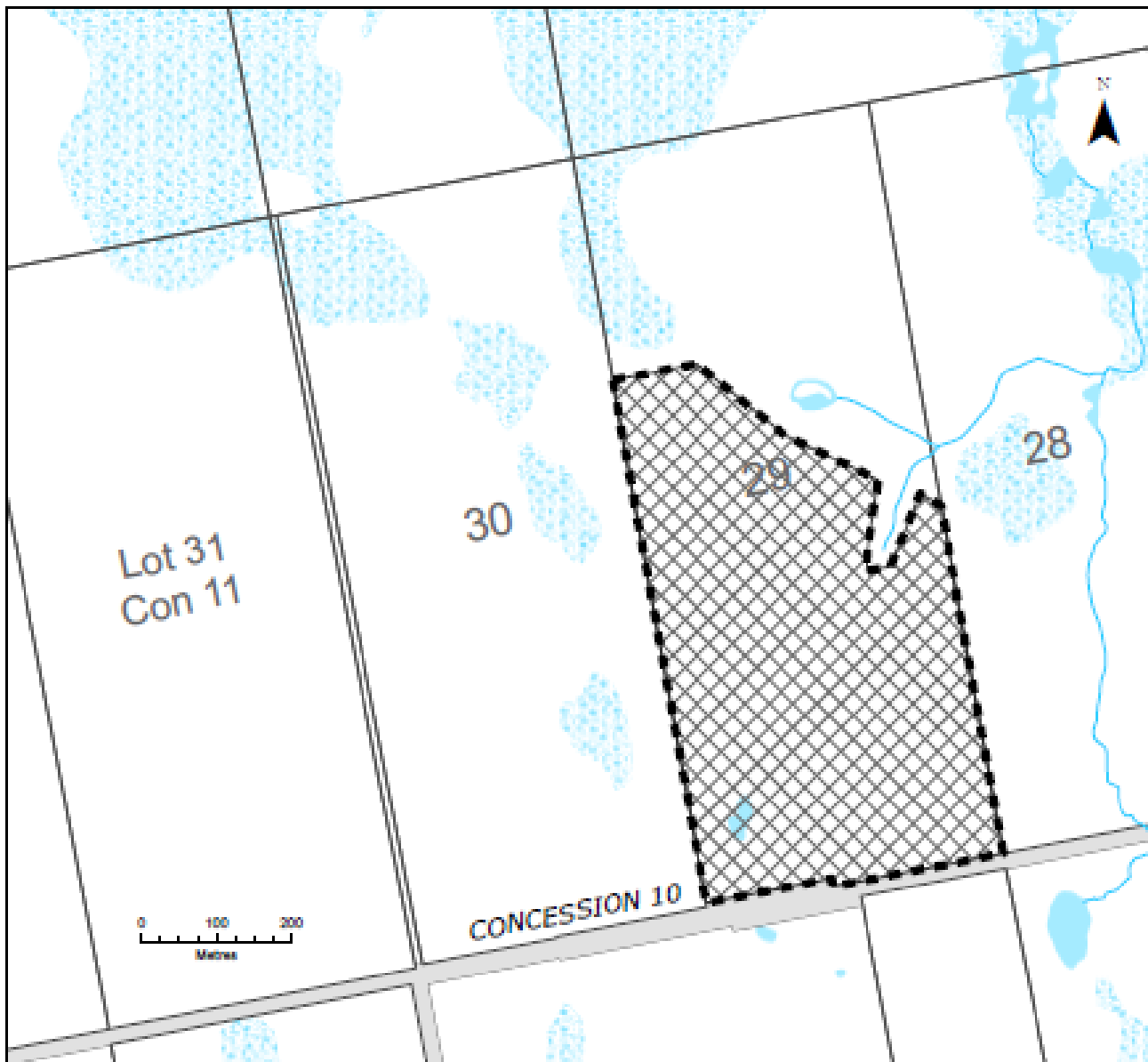
#### **4.8.7.XX**

Notwithstanding the policies of Section 4.8 (Mineral Resource) of this Plan, the lands subject to Site Specific Policy Area 4.8.7.XX and designated ‘Licensed Aggregate/Quarry Operation’ on Schedule ‘A’ Land Use shall be subject to the following:

- i) a licensed sand and gravel pit may be permitted no closer than 70 m from the dwelling as it existed on November 5, 2018 at Lot 28, Con. 11, geographic Township of Culross, Municipality of South Bruce;
- ii) mineral aggregate extraction may be permitted no closer than 135 m from the dwelling as it existed on November 5, 2018 at Lot 28, Con. 11, geographic Township of Culross, Municipality of South Bruce;:
- iii) mineral aggregate extraction shall be subject to hazard land and watercourse setbacks as set out in the plans approved through the License issued under the Aggregate Resources Act; and
- iv) mineral aggregate extraction may be permitted no closer than 1.5 m above the water table.



## Schedule 'A'



**Schedule 'A'**  
to  
**Amendment NO. 237**  
**Bruce County Official Plan**

**Part Lot 29, Concession 11**  
**1604 Concession 10)**  
**Municipality of South Bruce**  
**(geographic Township of Culross)**  
**County of Bruce**



Lands subject to Section 4.8.7.XX -  
Exceptions - Pits and Quarries

File: BCOPA 237-2018.08  
2-75-2018.08

Applicant: Paul & Susan Campbell  
c/o Ron Davidson, Land Use Planning Consultant

Date: June, 2018



**FOUR COUNTY LABOUR MARKET PLANNING BOARD**



*Local Labour Market Plan*  
FOUR COUNTY LABOUR MARKET PLANNING BOARD



2018





## LOCAL LABOUR FORCE PARTICIPATION RATE

INCREASED



BETWEEN 2017 & 2018

## 2018 LOCAL UNEMPLOYMENT RATE

LOWEST



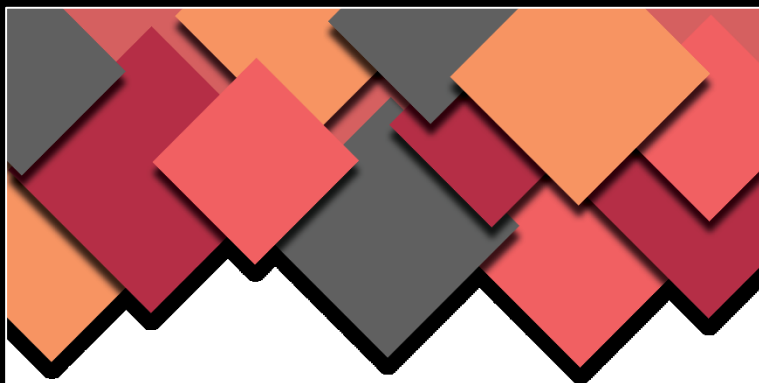
IN ONTARIO

## LOCAL UNEMPLOYMENT RATE

DECREASED



BETWEEN 2017 & 2018



# EmployerOne

SURVEY OBSERVATIONS 2019

BRUCE  
GREY  
HURON  
PERTH





ECONOMIC PROFILE

88% HIRED  
IN 2018

78% *Reported* HARD-TO-FILL  
POSITIONS  
IN 2018

79% PLAN TO HIRE  
IN 2019





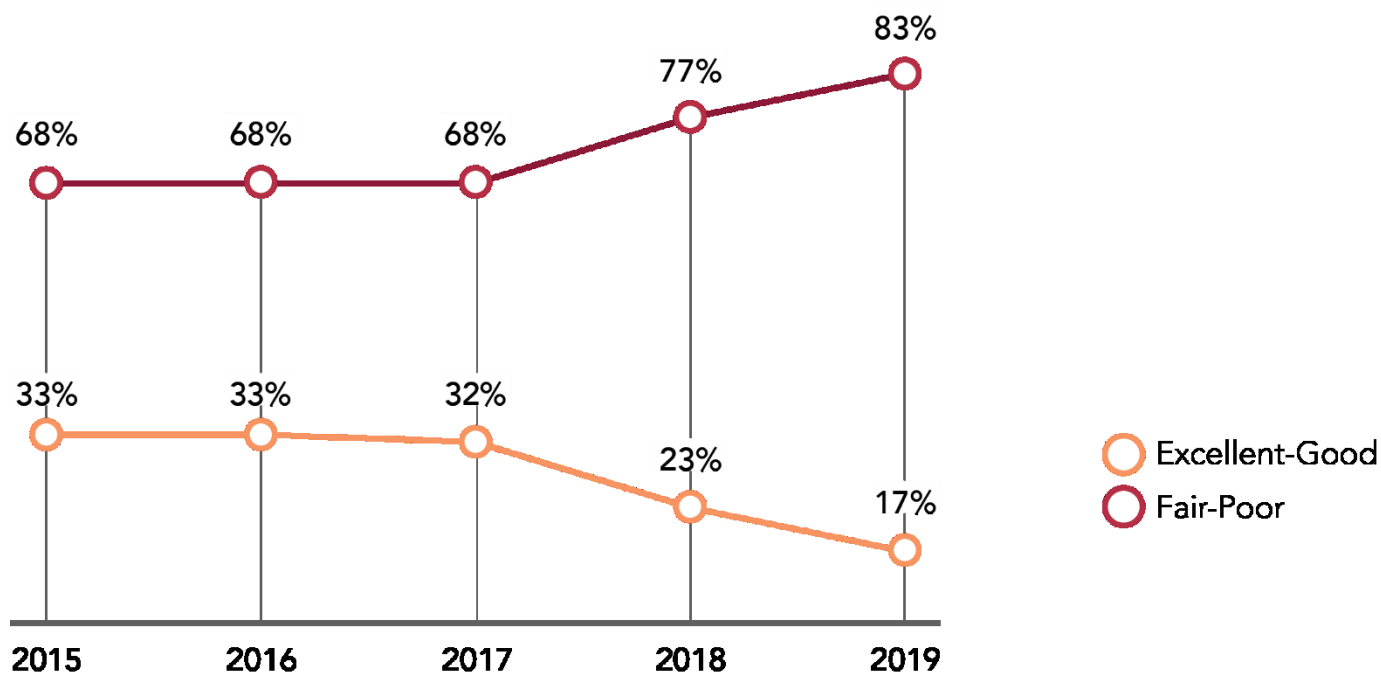
## SKILLS SHORTAGE

*Employers rated the availability of qualified workers as:*

EXCELLENT-GOOD 18%

FAIR-POOR 82%

### AVAILABILITY OF QUALIFIED WORKERS OVER A FIVE-YEAR PERIOD



\* Totals do not always equal 100% due to rounding



## HIRING DYNAMICS



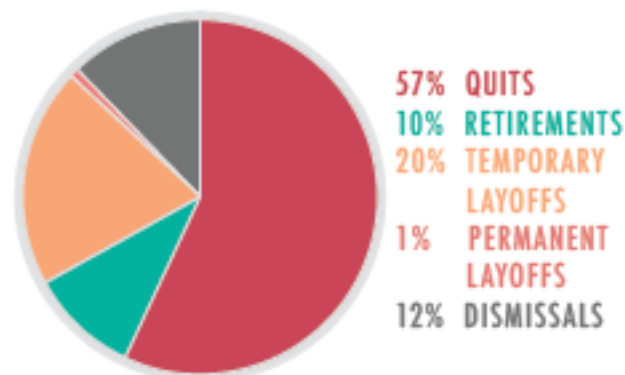
TOTAL NUMBER OF HIRES  
**68** EMPLOYERS **509** *positions*  
*filled* IN 2018



POSITIONS FILLED IN 2018  
MANAGERS/DIRECTORS/SUPERVISORS  
ADMINISTRATIVE ASSISTANTS  
SALES REPRESENTATIVES

## RETENTION DYNAMICS

TOTAL NUMBER OF SEPARATIONS  
**52** EMPLOYERS **526** *separations*  
*experienced* IN 2018





**78%**  
*Experienced*  
**HARD-TO-FILL  
POSITIONS  
IN 2019**

**TOP HARD-TO-FILL  
POSITIONS  
IN 2018:**

---

**MANAGERS**  
**PERSONAL SUPPORT  
WORKERS**  
**NURSES\***  
**RETAIL/CASHIERS\***

\*Need for additional frequent response

**31%**  
*of employers have spent*  
**OVER A YEAR  
TRYING TO FILL**  
hard-to-fill positions

**VS.**  
**25%**  
*of job seekers have spent*  
**OVER A YEAR  
TRYING TO  
FIND A JOB\***

\*Employee Survey 2018



 **77%** OF EMPLOYERS *supported*  
**TRAINING IN 2018**

### TOP 3 TRAINING BARRIERS:



**COST**



**RELEVANT TRAINING IS  
NOT OFFERED LOCALLY**



**DISTANCE TO TRAINING  
FACILITY**



# Employee Survey 2018



We asked.  
You answered.



This project is funded in part by the Government of Canada and the Government of Ontario.



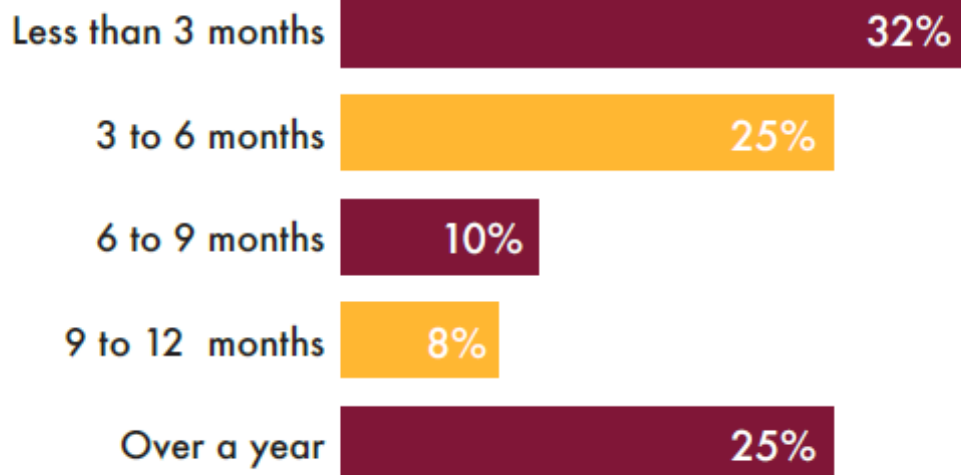
Online Job Boards



Word of Mouth



Social Media





I experienced harassment or bullying	37%
My schedule was unpredictable	31%
I found a different job that paid more	26%*
I was not using my skills/experience/education/training in my work	26%*
There were no opportunities for variety at work (i.e., learning new things, moving into a different role)	26%*
I was not given enough hours	25%
I had health concerns (including mental health) that required me to leave my job	24%
There was no grievance process for addressing concerns in the workplace	22%

Total does not equal 100% because respondents were asked to select up to three responses

\*Tied for third most frequent response





## *Top 3* BARRIERS to employment



### YOUNGER WORKERS

- Lack of transportation getting to/from work
- Need to improve training/education to be eligible for available jobs
- Lack of postings in chosen field of employment

### MIDDLE-AGED WORKERS

- Lack of postings at a desirable pay or salary level
- Lack of postings in chosen field of employment
- Need to improve training/education to be eligible for available jobs\*
- Lack of postings in preferred geographical area\*

\*Tied for third most frequent response

### OLDER WORKERS

- Lack of postings at a desirable pay or salary level\*\*
- Lack of postings in preferred geographical area\*\*
- Lack of postings in chosen field of employment

\*\*Tied for most frequent response





## Committee Report

**To:** Warden Mitch Twolan  
Members of the Planning and Development Committee

**From:** Kara Van Myall  
Director of Planning and Development

**Date:** June 20, 2019

**Re:** BRKOPA-15-19.34 Snyder Farms Ltd. co Clancy

### Recommendation:

That Amendment Number 15 to the Walkerton Community Official Plan be approved; and

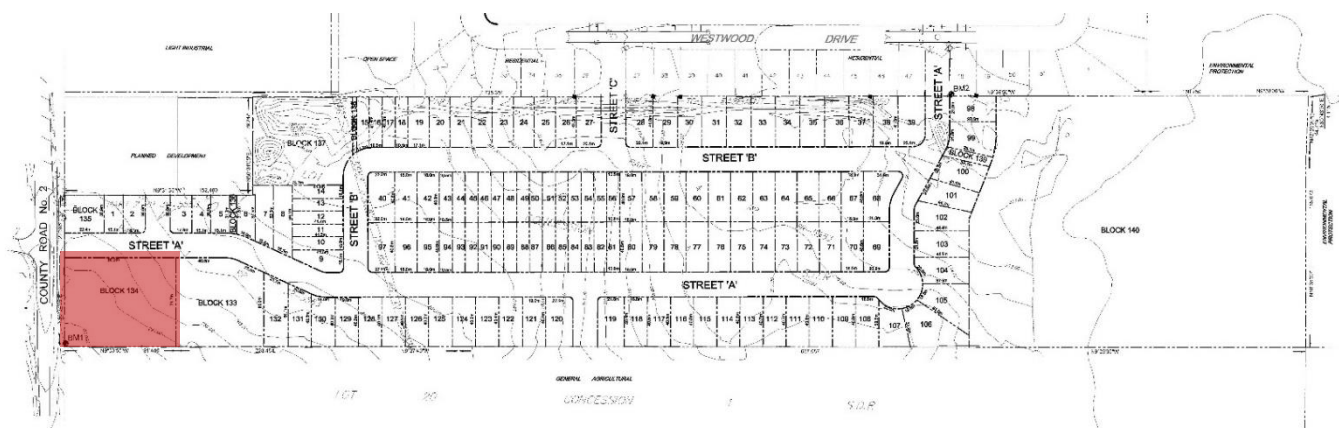
That the Director or Manager of Land Use Planning be authorized to sign the appropriate approval or decision sheet.

### Executive Summary:

The Amendment applies to Block 134 of the draft approved Plan of Subdivision located at Part Lot 2, Concession 1 SDR, RP;3R5553 Parts 1 TO 4.

The application proposes to:

- Amend the Local Official Plan to to permit an increased density from 50 units per ha. to 100 units per ha. This will allow the developer to construct two apartment buildings 30 units each and four-storeys high. The first storey of each building will be used for parking.



The application is consistent with the Provincial Policy Statement and conforms to the intent and purpose of the County Official Plan.



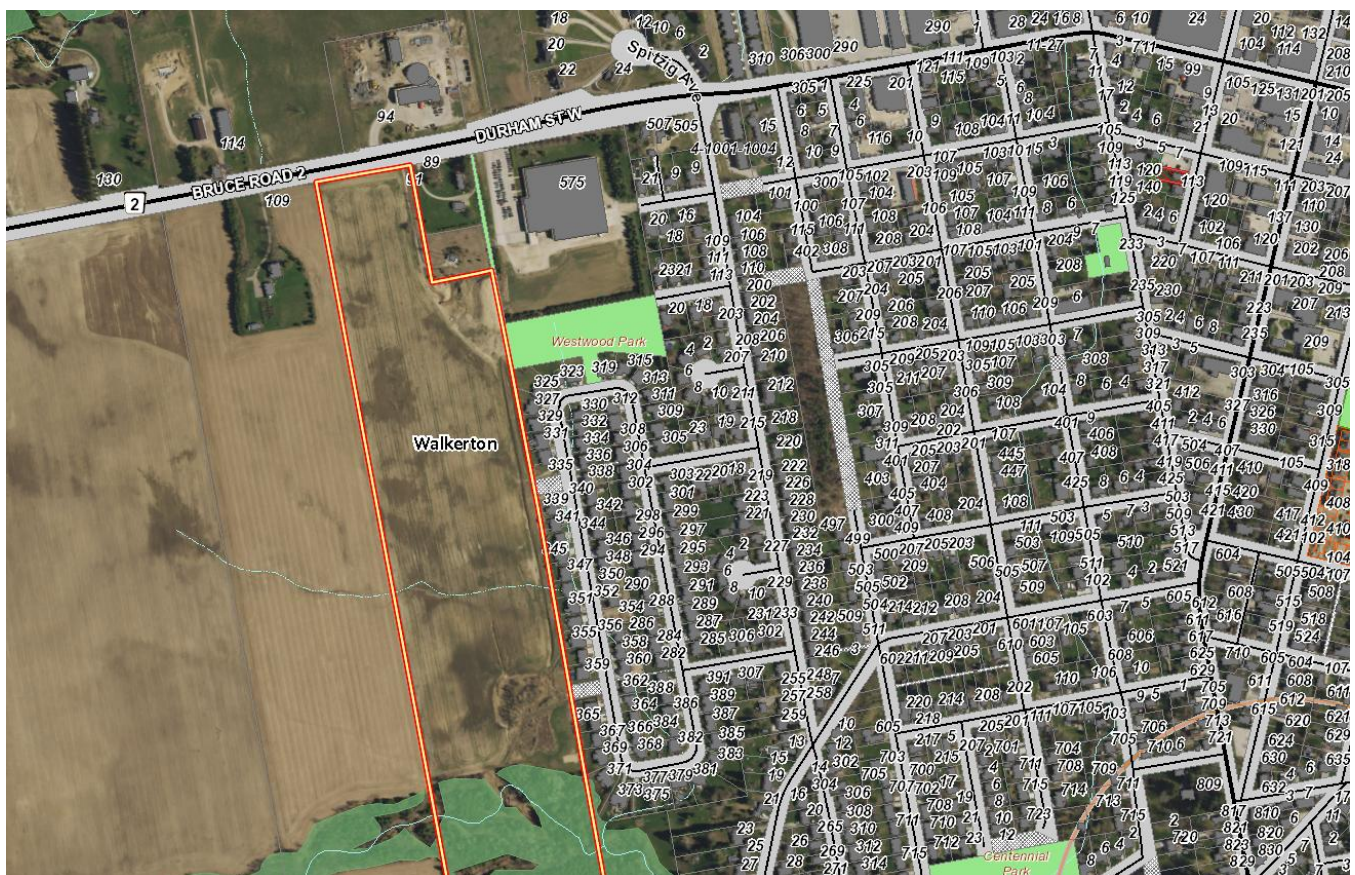
## Background:

The subject lands are in a draft approved subdivision that was approved in April of 2019. The lands are located at Part Lot 2, Concession 1 SDR, RP;3R5553 Parts 1 TO 4. The Plan of Subdivision includes several different types of housing including single-family, townhouses and two proposed apartment buildings of 30 units each, 4 storeys high.

## Description of Proposal

The maximum density permitted in the High-Density Residential section of the Walkerton Community Official Plan is capped at 50 units per ha. The applicant has proposed to amend this provision to permit a maximum of 100 units per ha.

## Airphoto



## Provincial Interests

See Appendix 1.

The application is consistent with the Provincial Policy Statement

## County Official Plan

The County Official Plan (BCOP) directs the majority of permanent population growth to primary urban communities such as Walkerton.

The BCOP requires subdivisions to have a density target of no less than 15 dwelling units per gross developable hectare (6.1 dwelling units per gross developable acre). The proposed overall density for the subdivision is 15.69 units per hectare and the proposed apartment buildings make up a portion of this. Therefore, the approval of this OPA would allow the developer to achieve the density goal, meeting the County requirement.

The proposed amendment is consistent with the intent and purpose of the County Official Plan.

### **Local Official Plan**

The amendment will permit a site-specific change that allows Block 134 on the Plan of Subdivision an overall net density of 100 units per. ha. All other policies of 3.1.9 a) High Density Residential will apply.

The proposed amendment is consistent with the intent and purpose of the Local Official Plan

### **Zoning by-law**

The lands were subject to a Zoning By-law Amendment that was approved March 28, 2019. The Official Plan Amendment is in compliance with the zoning by-law.

### **Agency Comments**

Brockton: Clerk had no comments

Historic Saugeen Metis: - no objection or concerns

Hydro One: No comments

Bruce County Transportation & Environmental Services: No comments

SVCA:

- Based on our preliminary review of the aforementioned plans/documents, it appears Block 134 is located outside of the Hurricane Hazel Flood Event.
- In the opinion of SVCA staff, the Significant Natural Heritage Features affecting the property (Draft Plan of Subdivision 41T-18-1.34) include Fish Habitat and potentially the Habitat of Endangered Species and Threatened Species. It is also noted that the Walkerton Natural Heritage System (WNHS), as shown on Schedule 'C' of the Walkerton Community OP identifies not evaluated wetlands, streams and wooded areas on and adjacent to the subject property.
- Block 134 of Draft Plan of Subdivision 41T-18-1.34 is not located within a SVCA Regulated Area. As such, construction of the proposed apartment buildings will not require a permit from SVCA.
- The proposed OPA is acceptable to the SVCA

### **Public Comments**

Although there were several comments made during the subdivision and zoning portions of this application regarding the density, at the time of preparation of this report, no comments had been received from the Public specifically about the Official Plan Amendment.

### **Planning Analysis and Comments:**

This Official Plan Amendment would permit a well-rounded development that supports a mix of housing and makes efficient use of municipal infrastructure. This Amendment would help create a complete community that supports a wider range of types, styles, ownership options and prices of residences.

The location of the proposed apartment building is appropriate due to its access onto Bruce Road 2 which does not require the residents of the apartment buildings to drive through the subdivision.

By permitting increased density on Block 134, the development will be following all other policies in the Walkerton Community and Bruce County Official Plans.

### **Financial/Staffing/Legal/IT Considerations:**

Potential Appeal to Local Planning Appeals Tribunal

Written by:

Dana Kieffer, M.Sc.,

Planner, Planning and Development



## Appendix 1 - Provincial Policy Statement 2014

Applies?	Section	Policy	Comment
	<b>1.0</b>	<b>Building Strong Communities</b>	
x	1.1	Managing & Directing Land Use To Achieve Efficient Development & Land Use Patterns	
x	1.1.3	Settlement Areas	
	1.1.4	Rural Areas in Municipalities	
	1.2	Coordination	
	1.3	Employment Areas	
x	1.4	Housing	
	1.5	Public Spaces, Parks and Open Space	
	1.6	Infrastructure and Public Service Facilities	
	1.6.4	Sewage and Water	
	1.6.5	Transportation Systems	
	1.6.6	Transportation and Infrastructure Corridors	
	1.6.7	Airports	
	1.6.8	Waste Management	
	1.7	Long-Term Economic Prosperity	
	1.8	Energy and Air Quality	
	<b>2.0</b>	<b>Wise Use and Management of Resources</b>	
	2.1	Natural Heritage	
	2.2	Water	
	2.3	Agriculture	
	2.3.3	Permitted Uses	
	2.3.4	Lot Creation and Lot Adjustments	
	2.3.5	Removal of Land from Prime Agricultural Areas	
	2.4	Minerals and Petroleum	
	2.4.2	Protection of Long-Term Resource Supply	
	2.4.3	Rehabilitation	
	2.4.4	Extraction in Prime Agricultural Areas	
	2.5	Mineral Aggregate Resources	
	2.5.2	Protection of Long-Term Resource Supply	
	2.5.3	Rehabilitation	
	2.5.4	Extraction in Prime Agricultural Areas	
	2.5.5	Wayside Pits/Quarries, Portable Asphalt Plants / Concrete Plants	
	2.6	Cultural Heritage and Archaeology	
	<b>3.0</b>	<b>Protecting Public Health and Safety</b>	
	3.1	Natural Hazards	
	3.2	Human-made Hazards	

## Committee Report

**To:** Warden Mitch Twolan  
Members of the Planning and Development Committee

**From:** Kara Van Myall  
Director of Planning and Development

**Date:** June 20, 2019

**Re:** Land Evaluation and Area Review (LEAR) and Natural Heritage Study (NHS) Project Update Report

---

### Recommendation:

That the Land Evaluation and Area Review and Natural Heritage Study Project Report has been provided for information; and

That Committee adopt the membership of the LEAR Steering Committees as outlined; and

That Committee endorse two members of County Council to be members of the NHS Steering Committee; and

That the Committee provide direction to proceed with the RFP for the Natural Heritage Study.

### Background:

#### Land Evaluation and Area Review (LEAR):

On March 15, the Ontario Ministry of Agriculture and Rural Affairs (OMAFRA) provided a draft of the Bruce County LEAR results, using the same methodology that was used in mapping the Agricultural System in the area of the Greater Golden Horseshoe. The mapped results of the draft Bruce County LEAR exercise appear to generally align with the larger prime agricultural areas designated on Schedule 'A' of the current Bruce County Official Plan. A meeting with OMAFRA staff was held to discuss the parameters used in the evaluation, as well as mapping refinements and possible next steps.

In a Report to Committee on March 21, staff had suggested that the composition of the LEAR Steering Committee should be, as follows:

- One or two members of County Council,
  - Anne Eadie, Planning and Development Committee Chair (Mayor of Kincardine),
  - Chris Peabody, member of Council (Mayor of Brockton);
- Two individuals representing the Agricultural Sector,
  - Les Nichols, Bruce County Federation of Agriculture

- Robert Emerson, Executive Director, Bruce County Federation of Agriculture;
- One or two individuals of Local Councils,
  - Steve Hammell, Mayor of Arran-Elderslie,
  - James Mielhausen, Northern Bruce Peninsula Councilor,
  - Mike Niesen, South Bruce Councilor;
- Bruce Stickney, Manager of Land Use Planning
- Mark Paoli, Senior Planner, Project Manager.

Currently we have one additional elected official that has agreed to participate on the LEAR Steering Committee, bringing the total to nine (9) members. Staff has no concerns with the current composition.

Planning for agricultural areas and uses does not preclude the need to plan for the long-term protection of natural heritage features and areas and therefore, the timing of both studies moving forward in concert is important.

It is a common and often appropriate municipal practice to use an overlay approach in the Official Plan to identify natural heritage systems and they often may contain agricultural uses. Reviewing where this dual function exists, should be considered when the County moves forward with its Official Plan review.

#### **Natural Heritage Study (NHS):**

On April 18, the Committee directed staff to issue a Request for Proposals (RFP) from consultants to perform a Natural Heritage Study for the County of Bruce; and further directed staff to return to the Committee before contracting with a consultant or proceeding with the study.

The delay at the time was in response to a letter from the Minister of Municipal Affairs and Housing, suggesting that more information would follow related to the Province's streamlining and housing supply objectives. Since that time first reading was given to Bill 108, the More Homes, More Choice Act on May 2, 2019 that is proposing changes to the Planning Act, Local Planning Appeals Tribunal Act, Development Charges Act, Conservation Authorities Act, and more. In addition, the More Homes, More Choice: Ontario's Housing Supply Action Plan has been released.

Bill 108 also proposes to make changes to the Endangered Species Act to clarify certain matters and give the Minister additional powers; the Environmental Assessment Act to exempt certain undertaking for class assessments, clarify certain matters and update the name of the Minister or Ministry; and, the Environmental Protection Act, to allow officers to seize vehicles, if necessary.

To date, there is no indication that the Province intends to make changes to the Provincial Policy Statement, or the requirement to identify a natural heritage system in the Official Plan.

Therefore, staff recommend advancing the RFP for the Natural Heritage Study. The results of the consultant selection will be brought to Committee for information.

Staff had suggested that the composition of the NHS Steering Committee should be, as follows:

- One or two members of County Council;
- One staff individual from Transportation and Environmental Services (Kerri Meier);
- One individual from Grey Sauble Conservation Authority, Andrew Sorensen, Environmental Planning Coordinator;
- One individual from Saugeen Valley Conservation Authority, Erik Downing, Manager, Environmental Planning & Regulations;
- One individual from Saugeen Ojibway Nation (SON - Doran Ritchie);
- One or two individuals of Local Councils (Debbie Myles, Deputy Mayor of NBP, Laurie Golden, Councilor in NBP, Terry Bell, Councilor of SBP and Don Murray Councilor of H-K have been offered);
- Bruce Stickney, Manager of Land Use Planning
- Jack Van Dorp, Senior Planner, Project Manager.

Staff request that Committee endorse two members of County Council to participate in the NHS Steering Committee. Also, staff are looking for Committee's consideration of the local Council representatives. Currently, four local municipal Councilors have expressed an interest in participating, including two from Northern Bruce Peninsula, one from South Bruce Peninsula and one from Huron-Kinloss.

It is further recommended that one or two individuals from the Bruce County Federation of Agriculture should be added to the Committee that would result in eleven or twelve (11 or 12) members. Bruce County Federation of Agriculture have put forward John Rodgers and Robert Emerson as their current selection. It is anticipated that the Committee would meet monthly or as required to guide the general course of activities until a final report is provided to the Planning and Development Committee.

#### **Financial/Staffing/Legal/IT Considerations:**

There are no financial, staffing, legal or IT considerations associated with this report.

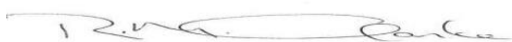
#### **Interdepartmental Consultation:**

Transportation and Environmental Services has recommended Kerri Meier to be a member of the Steering Committee.

#### **Link to Strategic Goals and Elements:**

Written by: Bruce Stickney, Manager of Land Use Planning.

#### **Approved by:**



Murray Clarke  
Acting Chief Administrative Officer



## Committee Report

**To:** Warden Mitch Twolan  
Members of the Planning and Development Committee

**From:** Kara Van Myall  
Director of Planning and Development

**Date:** June 20, 2019

**Re:** Consent Application B-84-16.84

---

### Recommendation:

That Consent Application B-84-16.84 be approved subject to the attached conditions recommended by staff.

### Executive Summary:

The application proposes to sever a 149 hectare lot to yield a 72 hectare lot and retain a 77 hectare lot. The owner's son is acquiring the severed lands with plans to replace one or more farm buildings.

The subject lands are located north of Highway 6 in the Municipality of Northern Bruce Peninsula and consist of most of 4 original Township lots.

A number of planning issues identified through the application led to it taking significantly longer than a routine approval. These include:

- Municipality obtaining ownership of Hidden Valley Road (currently a trespass road) and an easement to access the McVicar Cemetery
- Natural heritage features (significant woodlands)
- Protection of groundwater in a karst area
- Archaeological Potential
- Appropriate tools to ensure studies are completed at the right time and whether conditions can apply to 'retained' lands

The remaining issue to be resolved by the Land Division Committee is karst and archaeological potential. Staff recommends that this be addressed through a development agreement condition for specific types of future development on the severed and retained lots.

### Background:

Staff received the application in 2016. One of the more complex issues that needed to be resolved is the Municipal interest in obtaining title to Hidden Valley Road. Progress on the application was placed on hold during preliminary negotiations with the owner and agent.

Planning staff review identified Archaeological potential related to Hidden Valley Road (early transportation route from Lions Head to Tobermory); McVicar Cemetery; McVicar Sawmill; and the Crane River (primary water source).

Further, the Grey Sauble Conservation Authority identified karst and significant woodlands as key natural heritage features. Through several rounds of correspondence staff worked to provide flexibility and a focused scope for studies that may be required if development occurs within areas of archaeological potential or involves a sewage disposal system, livestock facility, or manure storage facility in areas mapped as karst.

The Archaeological potential and karst hazard are the two outstanding elements of the application that remain unresolved.

Staff proposed a development agreement, registered on title as part of the consent process, to address these matters. Cuesta had no objection to the agreement being applied on the severed lands, and Cuesta and Municipal staff acknowledged that final details could be worked out pending conditional approval. As of February 2019, Planning staff understood the only issue to be related to applying the condition to the retained lot.

Since this consensus was reached, the applicant through their agent now objects to any conditions being applied to the application which is a deviation from the application as it was originally received. We reviewed the change with the SON who recommend that the condition remain.

Northern Bruce Peninsula Council received a delegation from Cuesta on May 27, 2019 (attached, including the legal opinion). The delegation requested that the karst assessment and archaeological assessment requirements be removed entirely and that Council advise the Land Division Committee that the only conditions required by the Municipality relate to obtaining title to the road. Northern Bruce Peninsula Council passed a resolution to this effect (attached).

Bruce County is the approval authority for consents. Staff can approve consents when there are no issues with approval. The consent is before the Land Division Committee for decision on the development agreement condition related to karst and archaeological potential.

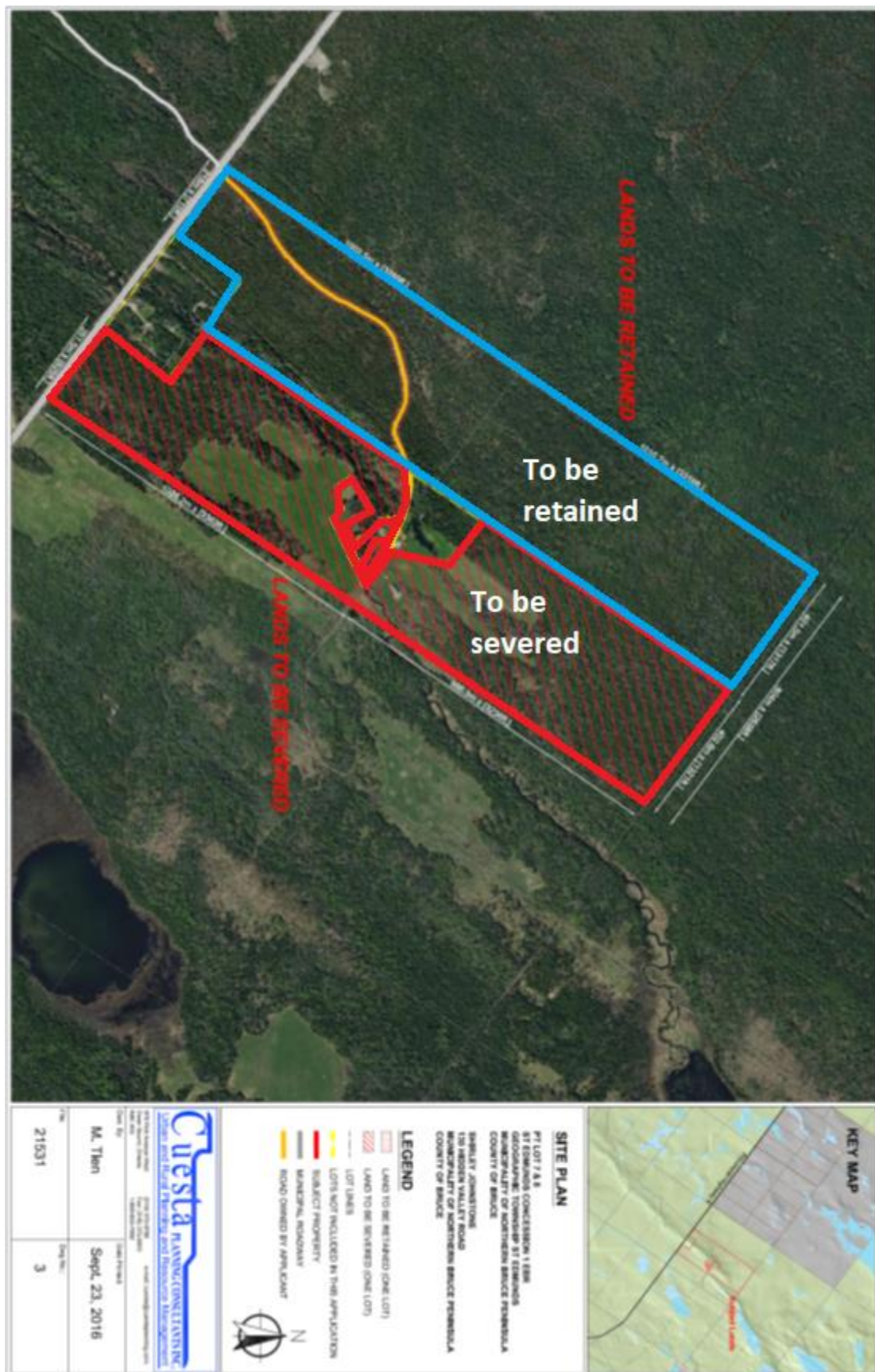
### **Description of Proposal**

The application proposes to sever Concession 1 EBR Part Lot 8, and Part of Concession 2 EBR Lot 8 and Part Lot 7 EBR.

A tourist facility, single detached dwelling, municipal cemetery, and part of the Crane River Park have been previously severed from Lot 7, Concession 1 EBR and Lot 7 Concession 2 EBR.



# Airphoto / Site Plan





## Provincial Interests

See Appendix '1.' Decisions must be consistent with the Provincial Policy Statement.

In this application, relevant interests from the Provincial Policy Statement are:

### Water:

2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:

- e. implementing necessary restrictions on development and site alteration to:
  - 1. protect all municipal drinking water supplies and designated vulnerable areas; and
  - 2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;

Sensitive [...] ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Hazardous sites: means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Comment: Staff propose a development agreement, registered on title, that requires for a Karst Hazard assessment prior to issuance of building permit for new development of a sewage disposal system, livestock facility, or manure storage facility.

### Cultural heritage and archaeology

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

**Areas of archaeological potential:** means areas with the likelihood to contain *archaeological resources*. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The *Ontario Heritage Act* requires archaeological potential to be confirmed through archaeological fieldwork.

Comment: Staff identified archaeological potential using the Ministry of Tourism Culture and Sport (MTCS) [Checklist for identifying archaeological potential](#). A consent is Development under the *Planning Act* and enables further development as there is an additional lot. As there is no site alteration proposed at this time, staff propose that the Development Agreement noted above require assessment within areas of potential, except for replacement of existing buildings. This is similar to "Holding" provisions used for zoning by-law amendments and is proposed in this case as a zoning by-law amendment is not required for the consent to proceed.

The proposed Development Agreement condition addresses risks associated with the development permitted as a result of the consent and is consistent with the Provincial Policy Statement.

### County Official Plan

The application meets general consent policies and the severance meets lot creation policies for the applicable designations.

The County Official Plan is also concerned with karst, as an area where fractured and dissolved limestone makes groundwater vulnerable to impacts from surface water. The primary concern relates to groundwater quality impacts arising from manure and/or sewage.

The Plan notes:

#### 4.3.2.11 Karst

The Bruce-Grey Regional Groundwater Study identifies areas of karst topography. This mapping is at a regional scale and therefore all areas may not be adequately shown. Development or site alteration in areas having karst topography shall not proceed in the absence of a detailed evaluation. The evaluation shall investigate the potential threat of the proposed development or site alteration on groundwater resources and shall be completed by an individual who specializes in karst topography. Development shall be prohibited unless it can be shown that these threats can be overcome through mitigation resources.

Areas identified in the Bruce County Official Plan 'Constraints' Schedule as karst topography are shown in yellow on the map below.

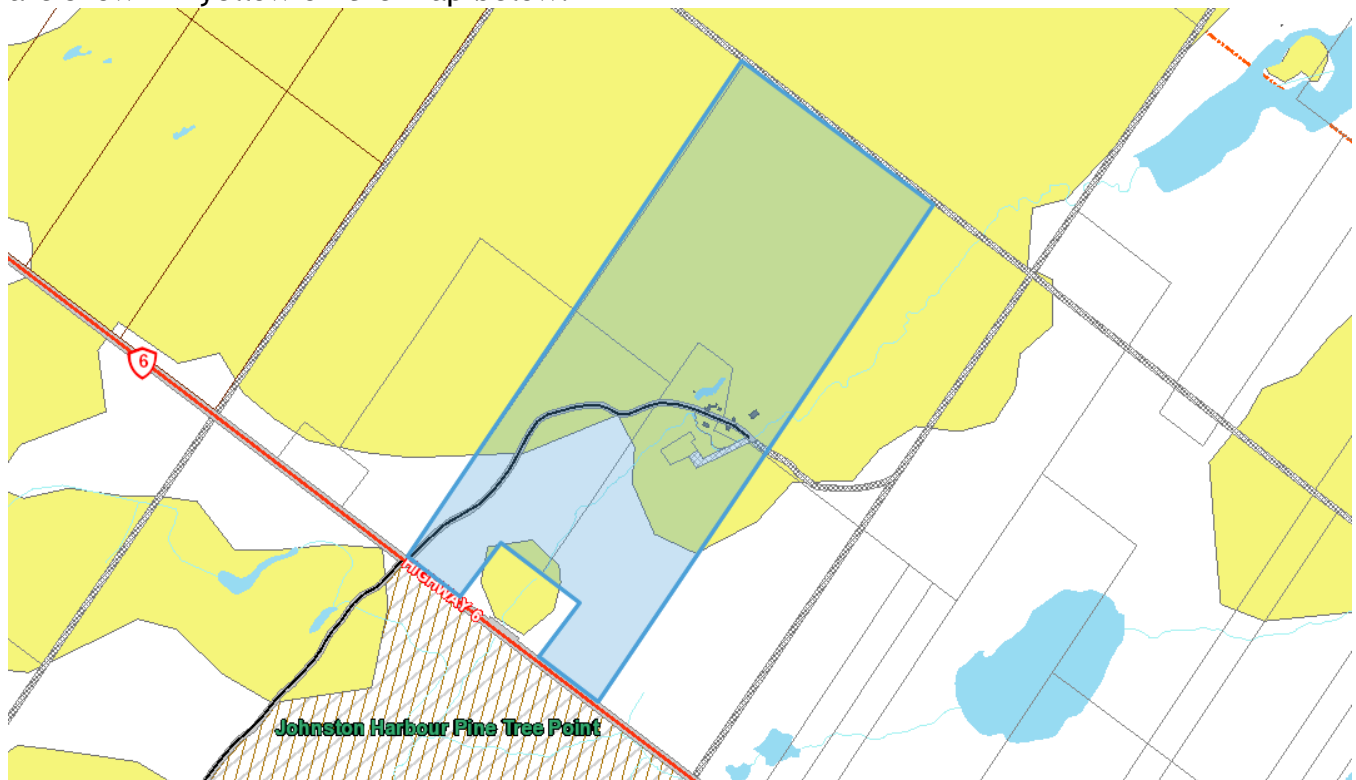


Figure 1: Karst areas (yellow) from Bruce County Official Plan Schedule 'C' under general subject lands (blue)

## Zoning by-law

The proposed consent conforms to the applicable zoning by-law.

Additional lots will be created by the dedication of Hidden Valley Road to the Municipality. The resulting lots are exempt from conformity with the lot area requirements of the by-law by a provision that addresses expropriations and road widenings.

## Agency Comments

MTO: No concerns or objections

Eastlink: Not affected by application

GSCA: Initially recommended EIS for significant woodlands and a karst hazard assessment prior to future development. Upon further discussion noted that the Bruce County Forest Conservation by-law can address woodlands in this circumstance and karst hazard assessment could be limited to pathogen risks associated with sewage disposal system, livestock facility, or manure storage facility.

MTCS: Does not want a Restrictive Covenant related to archaeological potential, recommends addressing potential through site plan control.

Municipality: Reviewed conditions several times; verified proposed conditions including the site plan / development agreement condition, Council subsequently resolved that the condition is not a requirement of the Municipality.

Saugeen Ojibway Nation: Did not comment on the initial circulation that included a condition proposing an agreement. Staff notified SON of the request that the condition be removed. SON Comments: "After reviewing the materials, comments and application, SON agrees and supports a condition requiring karst and archeological assessment for consent of the said property. These conditions are consistent with SONs principles for the protection of water and cultural resources."

## Public Comments

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

## Planning Analysis and Comments:

Karst features and archaeological potential exist across the subject lands and in the broader area. Cuesta noted in its delegation that Northern Bruce Peninsula should address these features throughout the Municipality using the comprehensive zoning by-law, rather than applying them only for applications under the *Planning Act*. This may be appropriate. However, it is not in place at this time, and the absence of a zoning-based approach does not mean that we should ignore these features as they are identified through planning applications. It also does not mean that we should address features only on half of the subject lands (the severed portion) of the application.

The legal opinion that is the basis of the argument for not using a **development agreement** for this application notes that conditions can be applied to severed and the retained lands.

The legal opinion also states that conditions must be related to the application and be relevant. It suggests that site plan control is not appropriate because:

1. It is not related to the application (ie Council has to pass a separate by-law)
2. The Assessments noted may be beyond the scope of Site Plan Control as outlined in the Planning Act and the County's Official Plan
3. May not be relevant to the application as there is no development proposal and these assessments could be required as a condition of any future development application(s) if/when made, so no need for the by-law.

Points 1 and 2 are addressed by using a **Development Agreement** under Section 51(24) (25) as a condition of the consent approval.

Staff disagree with point 3 as the consent is development and enables further development. Staff also disagree with the assertion that the assessments could be required as a condition of any further development application(s). Absent an agreement, the Municipality does not have the means to require a karst assessment or archaeological assessment when someone comes in for a building permit. These are triggered only when development requires a *Planning Act* approval, for example a minor variance, zoning by-law amendment, or consent.

While the Building Code requires depth to groundwater or bedrock for sewage disposal systems, typical information submitted for permits to establish sewage disposal systems do not investigate the condition of the bedrock underlying the sewage disposal system.

The new owner of the severed lot may wish to replace an existing building. We have worked to accommodate this interest, with no additional steps required, in the consent condition.

The current owner may have no intentions for the retained lot. The delegation to North Bruce Peninsula Council noted that the retained lot contains lands that are not particularly suitable for development. If so, a development agreement presents no burden to the owner.

As a result, staff recommends that the condition that requires a development agreement regarding completion of a karst assessment and archaeological assessment where applicable be applied to the consent, and that the condition be applied to both the severed and retained lots. The Municipality has the capacity to implement the agreement, has done so with several similar applications, and previously verified conditions for this application including a registered agreement.

#### **Financial/Staffing/Legal/IT Considerations:**

Potential Appeal to Local Planning Appeals Tribunal

Written by:

Jakob Van Dorp RPP,  
Senior Planner, Planning and Development

## Appendix 1 - Provincial Policy Statement 2014

Applies?	Section	Policy	Comment
	<b>1.0</b>	<b>Building Strong Communities</b>	
	1.1	Managing & Directing Land Use To Achieve Efficient Development & Land Use Patterns	
	1.1.3	Settlement Areas	
x	1.1.4	Rural Areas in Municipalities	
	1.2	Coordination	
	1.3	Employment Areas	
	1.4	Housing	
	1.5	Public Spaces, Parks and Open Space	
	1.6	Infrastructure and Public Service Facilities	
	1.6.4	Sewage and Water	
	1.6.5	Transportation Systems	
x	1.6.6	Transportation and Infrastructure Corridors	No objection from MTO
	1.6.7	Airports	
	1.6.8	Waste Management	
	1.7	Long-Term Economic Prosperity	
	1.8	Energy and Air Quality	
	<b>2.0</b>	<b>Wise Use and Management of Resources</b>	
x	2.1	Natural Heritage	Significant Woodlands-covered by Forest Conservation By-law
x	2.2	Water	Proposed condition re: karst assessment for future development
x	2.3	Agriculture	
	2.3.3	Permitted Uses	
x	2.3.4	Lot Creation and Lot Adjustments	Meets policies
	2.3.5	Removal of Land from Prime Agricultural Areas	
	2.4	Minerals and Petroleum	
	2.4.2	Protection of Long-Term Resource Supply	
	2.4.3	Rehabilitation	
	2.4.4	Extraction in Prime Agricultural Areas	
	2.5	Mineral Aggregate Resources	
	2.5.2	Protection of Long-Term Resource Supply	
	2.5.3	Rehabilitation	
	2.5.4	Extraction in Prime Agricultural Areas	
	2.5.5	Wayside Pits/Quarries, Portable Asphalt Plants / Concrete Plants	
x	2.6	Cultural Heritage and Archaeology	Archaeological Potential

	<b>3.0</b>	<b>Protecting Public Health and Safety</b>	
x	3.1	Natural Hazards	Mapped karst hazards
	3.2	Human-made Hazards	

## Decision Of The Approval Authority With Reasons (Section 53, Planning Act, 1990)

<b>File Number</b>	B-84-16.68
<b>Consent Application For</b>	Johnstone c/o Cuesta Planning Consultants Inc.
<b>Description in respect of</b>	Part Lot 7 & 8 Concessions 1 EBR & 2 EBR and Part Lot 8 Concession 2 EBR (St Edmunds), Northern Bruce Peninsula As shown on the attached Schedule 'A'
<b>Consent Granted For</b>	Severance of Part Lot 7 Concession 1 EBR and Part Lot 7 Concession 2 EBR.
<b>Effect of Submissions</b>	No public submissions were received in respect of this application.

### Decision

### Approved Conditionally

- That the Clerk of the Municipality provide written confirmation to the Approval Authority that a development agreement has been entered into for the severed and retained lands which requires:
  - Receipt by the Zoning Administrator of an Archaeological Assessment which has been:
    - conducted by an archaeologist licensed in the Province of Ontario; and,
    - confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports; and,
  - Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented,

prior to construction or site alteration and applicable to the area proposed for site alteration associated with development within 300m of the Crane River, 100 metres of Hidden Valley Road, or 300 metres of the McVicar Cemetery and Sawmill site, whichever is greater;

except where such construction or site alteration is for renovation, replacement, or construction that is within the area occupied by, or within 5 metres of, an existing building, in which case no archaeological assessment is required by the development agreement; and

  - Receipt by the Municipality, Grey Sauble Conservation Authority, and Bruce County Planning Department of a karst hazard assessment prior to future development of any onsite sewage disposal system, livestock facility, or manure storage facility.
- That the Municipality provides written confirmation that Hidden Valley Road has been surveyed and dedicated to the Municipality or that arrangements for same have been addressed by a development agreement.



3. That the Municipality provides written confirmation that an easement acceptable to the Municipality has been granted by the Owner to the Municipality from Hidden Valley Road to McVicar Cemetery or that arrangements for same have been addressed by a development agreement.
4. That the Municipality provide written confirmation to the Approval Authority that the Municipal conditions as imposed herein have been fulfilled.
5. That, pursuant to Section 53(42) of the Planning Act, the Certificate of Consent be affixed to the deed within one year of the giving of the Notice of Decision. Note that Section 53(43) of the Planning Act requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (ie. stamping of the deed).
6. That the applicant pays the applicable fee at the time of certification of the deeds.
7. That a Reference Plan be completed and a copy filed with the Municipal Clerk and two copies filed with the Approval Authority, or an exemption from the Reference Plan be received from the Approval Authority.

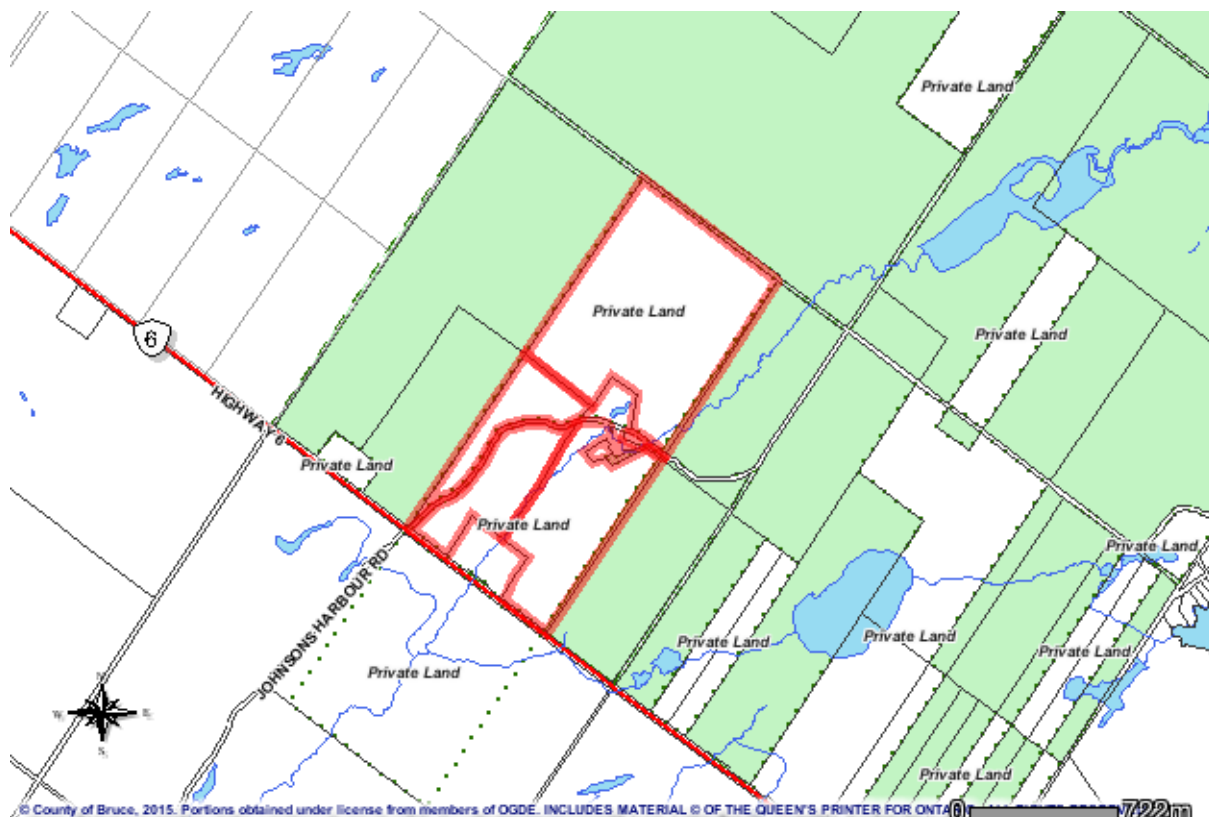
**Reasons**

**Conforms to the Zoning By-Law and Official Plan**

Certified to be a true copy of the Decision of the Approval Authority for the County of Bruce with respect to the application recorded therein.

Kara Van Myall, Secretary-Treasurer  
Land Division Committee, County of Bruce

June 20, 2019



## Presentation Materials

Delegation – May 27th, 2019 Council Meeting –Municipality of Northern Bruce Peninsula

Subject: Shirley Johnstone consent application File

File no: B-84-16.68

Request for Council Resolution in support of reconsideration of proposed Condition no. 1 of subject consent

---

Mayor McIvor and Members of Council:

I hope today to draw a close to this long approval process to what started out as a simple consent to sever. Briefly, Mrs. Johnstone owns all of Lots 8 in Concession 1 and 2 EBR except for lands previously sold for part of the Crane River Park and 177 acres in Lots 7, Concession 1 and 2 EBR. She wants to convey the 177 acres and retain Part Lot 8, Concession 1 EBR and Lot 8 Concession 2 EBR.

This seemed simple enough until the conditions of consent were proposed to Mrs. Johnstone. These conditions included:

- An archaeological assessment be completed and recommendations implemented prior to any development within 300 metres (984) feet of the Crane River, McVicar Cemetery and Sawmill site and 100 metres of the Hidden Valley Road (since amended)
- A Scoped Environmental Impact prior to development (since removed)
- A Karst Hazard assessment prior to future development of any sewage disposal system, livestock facility or manure storage facility
- Deeding the right-of-way for the Hidden Valley Road

These conditions are to be applied to the 177 acres being severed and the lands being retained.

At your April 8<sup>th</sup>, 2019 Council meeting, Mr. Jack Van Dorp provided a chronology of Mrs. Johnstone's fairly straightforward severance application. I have reviewed the chronology provided and would note the following:

- The application process has taken too long. The early part of delay was caused by the imposition of Site Plan Control to obtain an archaeological assessment and karst assessment.

I think we have come to the understanding that one cannot use site plan control for purposes that are not included in Section 41 of the Planning Act.

Frustratingly, we had to get a legal opinion to confirm our position on site plan control matters. A copy of this legal opinion is attached. While Mr. Van Dorp's report made mention of this opinion his report omitted relevant information related to the proposal. The legal opinion noted a number of items as outlined below.

- Site Plan control cannot be applied without a Site Plan Control By-law
- A development agreement, as suggested by our office, as well as within the legal opinion, is an acceptable method of imposing conditions
- **Conditions of a consent must be related to the application and must be relevant and reasonable**
- **In the opinion of the lawyer, the conditions suggested are not related to the application and not relevant or reasonable and should not be applied to either the retained or severed lots**

The karst assessment is really not necessary as the protection of groundwater in the approval process is covered by the Ontario Building Code at the time of building permit application. **This property is no different than any other existing lot where the owner wants to put up an agricultural building or house.**

Mrs. Johnstone's son may want to replace an old barn with a drive-in shed on the same footprint. He could get a permit for such a structure today, if he applied, just like anyone else who wants to build.

The need for an archaeological assessment seems to be only required at the time of requesting permission to develop something. If there is truly a need for this type of assessment at the time of development, this requirement should be applied evenly across the municipality, perhaps through provisions in the comprehensive zoning by-law similar to the hazard designation along the Crane River which limits development.

## Summary

Mrs. Johnstone is prepared to enter into a development agreement as a condition of consent that would enable the municipality to proceed with the deeding of a right-of-way for the Hidden Valley Road and an easement from the road to the McVicar Cemetery. The width of the right-of-way and how far it will extend would be put in the agreement and be mutually satisfactory to both parties

The need for any special provisions related to building on the property would be addressed the Ontario Building Code at the time of building permit. The need for the karst assessment is redundant.

Mrs. Johnstone feels that any conditions imposed should only apply to the lands being severed.

As stated previously, the legal opinion states that the archaeological and karst assessment are not relevant as there is no development proposed at this time. We agree.

Planning staff is of the opinion that transferring the road to the Municipality creates new development potential, however, Mrs. Johnstone did not initiate this request. Is it now reasonable to hold Mrs. Johnstone to a higher standard than any owner of an existing lot?

Beyond this, it is my understanding from speaking with Mrs. Johnstone that this retained lot contains lands which are not particularly suitable for development.

I would respectfully request Council to advise the Bruce County Land Division Committee that the only condition it requires is for Mrs. Johnstone to enter into a development agreement to arrange for the deeding of the right-of-way for the Hidden Valley Road.



DEVRY SMITH FRANK *LLP*  
Lawyers & Mediators

*marc.kemerer@devrylaw.ca*  
416.446.3329

December 6, 2018

Our File # CUEPL851

By E-mail: [cuesta@cuestaplanning.com](mailto:cuesta@cuestaplanning.com)

Cuesta Planning Consultants  
978 1<sup>st</sup> Avenue West  
Owen Sound, ON N4K 4K5  
Attention: Don Scott

Dear Don:

**Re: Part Lot 7, Concession 1 EBR & Part Lot 7, Concession 2 EBR (the "Subject Lands")**  
**Former Township of St. Edmund's**  
**Municipality of Northern Bruce Peninsula (the "Municipality")**  
**County of Bruce (the "County")**

---

Your client Mrs. Johnstone has filed an application (the "**Application**") with the Municipality to sever 177 acres (the "**Severed Lands**") from the Subject Lands in order to gift the Severed Lands to one of her sons. The remaining 200 acres (the "**Remainder Lands**") will be gifted to her other son. The Remainder Lands contain an aging agricultural building that would likely be rebuilt using the same building footprint. No other form of development is proposed for either Lands.

The County's Planning Department is requesting that, as a condition of approval of the Application, the Municipality confirm that it has a site plan control by-law (the "**By-law**") to require, for both the Severed and Remainder Lands:

1. an archaeological assessment for any new buildings to be constructed within 300 metres of the Crane River, 100 metres from Hidden Valley Road or 300 metres from McVicar Cemetery and the Sawmill site. That site is associated with a historic settlement area (perhaps 2 or 3 buildings) in the area; and
2. receipt by the Municipality, the County and the Grey Sauble Conservation Authority of a karst hazard assessment prior to the future development of an onsite sewage disposal system, livestock facility or manure storage facility. This issue can however be addressed instead as part of the building permit process through the Building Code requirements.

(the "**Condition**")

As the Municipality has not passed the By-law there is no site plan control process in place.

You have a number of questions relating to the Condition:

1. Can conditions be imposed on the Remainder Lands?
2. Without the By-law in place what authority is there for the Municipality to require the Condition?

In my opinion:

1. It is not unusual for an approval authority, including the Local Planning Appeals Tribunal, to impose conditions on retained lands. This is most likely in cases where both or all lots are the subject of a development proposal. There are times however when an approval authority imposes conditions on the remainder lands even when they are not going to be developed. There is no prohibition in the Planning Act on this direction, but, as set out below, the conditions must be relevant to the approval sought. It is on this basis that conditions can be resisted.
2. Conditions on a consent application have to be related to the application and be relevant and reasonable. They should also have regard to the criteria set out in section 51(24) of the *Planning Act* (the “**Act**”). Based on this:
  - a. Requiring that the By-law be in place is not related to the Application. It is a different process and out of the control of the client. This is not reasonable. It would reply on the whim and timing of the Council of the Municipality and it could be appealed. This process could thus extend past the two year deadline for meeting the Condition. It would be void for vagueness.
  - b. Even if the By-law was in existence, both the Act and section 5.10, *Site Plan Control*, of the Municipality’s Official Plan are restrictive in terms of what can be required under site plan approval (road widenings, loading and parking, easements, landscaping etc.). Any requirement for an archeological assessment would not be an appropriate use of site plan control powers. It is not clear that a karst assessment would fit within those confines.
  - c. It is doubtful that the archeological and karst assessments are relevant to the Application since there is no development proposal for the proposed lots. This may be the reason that the By-law is a condition of approval as a site plan agreement would cover such a future possibility. However these assessments could be required as a condition of any future development application(s) if/when made. There is thus no need for the By-law.

Based on the above, the Condition is not relevant or reasonable and it is beyond the jurisdiction of the Municipality to require it. If it is imposed it should be appealed.

I trust the above has been of assistance. Please let me know if you require any further clarification.

Yours truly,

DEVRY SMITH FRANK LLP

A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

Marc P. Kemerer  
MPK/jrg



## Jack Van Dorp

---

**From:** Mary Lynn Standen <clerk@northernbruce.ca>  
**Sent:** Monday, June 3, 2019 4:06 PM  
**To:** Jack Van Dorp  
**Subject:** RE: can you send clean copy of the Johnstone c/o Cuesta resolution?

Hi Jack! For the record, the minutes, wherein this resolution was presented, will be officially adopted at Council's June 10, 2019 meeting. The May 27, 2019 Council meeting did affirm actions via a confirmatory by-law.

Moved by L. Golden  
Seconded by D. Myles

Resolution #15-04-2019

THAT Council supports the final conditions of approval for a Consent application submitted by Cuesta Planning Consultants Inc. on behalf of the owner, Shirley Johnstone, under Bruce County File No. B-84-16-68, as follows:

1. THAT the Municipality provides written confirmation that Hidden Valley Road has been surveyed and dedicated to the Municipality or that arrangements for same have been addressed by a development agreement.
2. THAT the Municipality receives written confirmation that an easement acceptable to the Municipality has been granted by the Owner to the Municipality from Hidden Valley Road to McVicar Cemetery or that arrangements for same have been addressed in a development agreement.
3. THAT the Municipality provides written confirmation to the Approval Authority that the Municipal conditions as imposed herein have been fulfilled.
4. THAT a reference plan be completed and a copy filed with the Municipal Clerk and two copies filed with the Approval Authority.
5. THAT, pursuant to Section 53(42) of the Planning Act, the Certificate of Consent be affixed to the deed within one year of the giving of the Notice of Decision. Note that Section 53(43) of the Planning Act requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (ie. stamping of the deed).
6. THAT the applicant pays the applicable fee at the time of certification of the deeds.

Carried

---

**From:** Jack Van Dorp <JVanDorp@brucecounty.on.ca>  
**Sent:** June 3, 2019 9:11 AM  
**To:** Mary Lynn Standen <clerk@northernbruce.ca>  
**Subject:** can you send clean copy of the Johnstone c/o Cuesta resolution?

For my PDC Report on this matter.  
Thanks,

Jack.

Jack Van Dorp  
Senior Planner  
Planning and Development  
Corporation of the County of Bruce

519-534-2092

[www.brucecounty.on.ca](http://www.brucecounty.on.ca)



Individuals who submit letters and other information to Council and its Committees should be aware that any personal information contained within their communications may become part of the public record and may be made available through the agenda process which includes publication on the County's website.

If you have received this communication in error, please notify the sender immediately and delete all copies (electronic or otherwise). Thank you for your cooperation.

If you feel that this email was commercial in nature and you do not wish to receive further electronic messages from the County of Bruce, please click on the following link to unsubscribe:

<http://machform.brucecounty.on.ca/view.php?id=22357>. Please be advised that this may restrict our ability to send messages to you in the future.



# Notice Of Application

## Proposed Consent To Sever Land

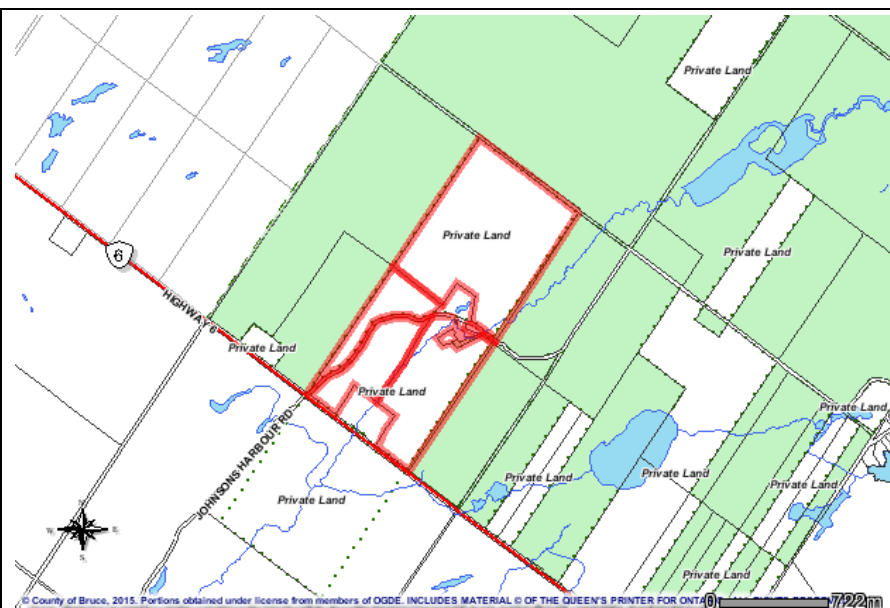
(Section 53, Planning Act, 1990)

Take Notice that an Application for Consent to Sever Land has been submitted to the Bruce County Approval Authority. You are being notified of this Application because your name appears on the assessment roll for properties within 60 metres of the subject lands.

File Number	B-84-16.68
Development Proposal	<p>To sever Concession 1 EBR Part Lot 8, and Part of Concession 2 EBR Lot 8 and Part Lot 7 EBR and convey lands to a family member.</p> <p>A tourist facility, single detached dwelling, municipal cemetery, and part of the Crane River Park have been previously severed from Lot 7, Concession 1 EBR and Lot 7 Concession 2 EBR.</p> <p>A site plan control agreement is required with the following direction:</p> <ol style="list-style-type: none"><li>1. That the Clerk of the Municipality provide written confirmation to the Approval Authority that a site plan control area by-law has been passed for the lands to be retained and that a site plan control agreement has been executed which requires:<ol style="list-style-type: none"><li>a) Receipt by the Zoning Administrator of an Archaeological Assessment which has been:<ol style="list-style-type: none"><li>i. conducted by an archaeologist licensed in the Province of Ontario; and,</li><li>ii. confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports; and,</li></ol></li><li>b) Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented, prior to construction or site alteration within 300m of the Crane River, 100 metres of Hidden Valley Road, or 300 metres of the McVicar Cemetery and Sawmill site, whichever is greater.</li></ol></li></ol> <p>The applicant's site plan and other information can be obtained on-line at <a href="http://www.brucecounty.on.ca">www.brucecounty.on.ca</a> (under 'Quick Links', 'Planning Applications' and then search by Municipality)</p>

<b>Related File(s)</b>	None
<b>Owner</b>	Shirley Johnstone
<b>Applicant</b>	Jill T. Sampson c/o the Alliance
<b>Agent</b>	Cuesta Land Use Planning
<b>Legal Description</b>	<p>Severed Lands:</p> <ul style="list-style-type: none"> <li>- Part Lot 7, Concession 1 EBR; and Part Lot 7, Concession 2, EBR (St Edmunds);</li> <li>- Northern Bruce Peninsula Rolls #410968000600700 and 410968000601000</li> </ul> <p>Retained Lands</p> <ul style="list-style-type: none"> <li>- Part Lot 8 Concession 1 EBR; and Lot 8 Concession 2 EBR(St. Edmunds); Northern Bruce Peninsula</li> <li>- Roll # 410968000601000</li> </ul>
<b>Municipal Address</b>	Hwy 6, not yet assigned
<b>Lot Descriptions</b>	
<b>Severed Lot</b>	B-84-16.68
<b>Lot Frontage</b>	+/-252 m (827 ft)
<b>Lot Width</b>	+/- 252 - 403 m (827 - 1,322 ft) front and rear
<b>Lot Depth</b>	+/- 2,012 m (6,600 ft)
<b>Lot Area</b>	+/- 72 ha (177 ac)
<b>Existing Uses</b>	Agricultural
<b>Proposed Uses</b>	No change
<b>Existing Structures</b>	None
<b>Proposed Structures</b>	No change
<b>Existing Servicing</b>	None
<b>Proposed Servicing</b>	No change
<b>Retained</b>	<b>Lot</b>
<b>Lot Frontage</b>	+/- 218 m (715 ft)
<b>Lot Width</b>	+/- 218 - 402 m (715 ft - 1,319 ft)
<b>Lot Depth</b>	+/- 2,012 m (6,600 ft)
<b>Lot Area</b>	+/- 77.2 ha (191 ac)
<b>Existing Uses</b>	Agricultural
<b>Proposed Uses</b>	No change
<b>Existing Structures</b>	None
<b>Proposed Structures</b>	No change
<b>Existing Servicing</b>	None
<b>Proposed Servicing</b>	No change
<b>Access</b>	Highway 6 and Hidden Valley Road
<b>County Official Plan</b>	Agricultural, Rural, Hazard with Karst Constraint
<b>Proposed Official Plan</b>	No change
<b>Zoning By-law</b>	General Rural RU1-lms, Environmental Hazard EH
<b>Proposed Zoning By-law</b>	No change
<b>Surrounding Land Uses</b>	Vacant forested lands on all sides

## Subject Lands



For more information about this matter, contact the **Peninsula Planning Office** 268 Berford St, PO Box 129, Wiarton ON, N0H 2T0; phone 519-534-2092; fax 519-534-1174, from 8:30AM to 4:30PM Monday to Friday; or on-line at [www.brucecounty.on.ca](http://www.brucecounty.on.ca) under 'Quick Links', 'Planning Applications' Municipality and File Number; or e-mail [bcplwi@brucecounty.on.ca](mailto:bcplwi@brucecounty.on.ca).

Any Person may make written submissions either in support or in opposition to the application. Written comments should be forwarded to the Planning Applications Technician responsible for the file, **Lynda Steinacker** (at the above address; or e-mail) **by April 21, 2017**.

**Please note:** 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.

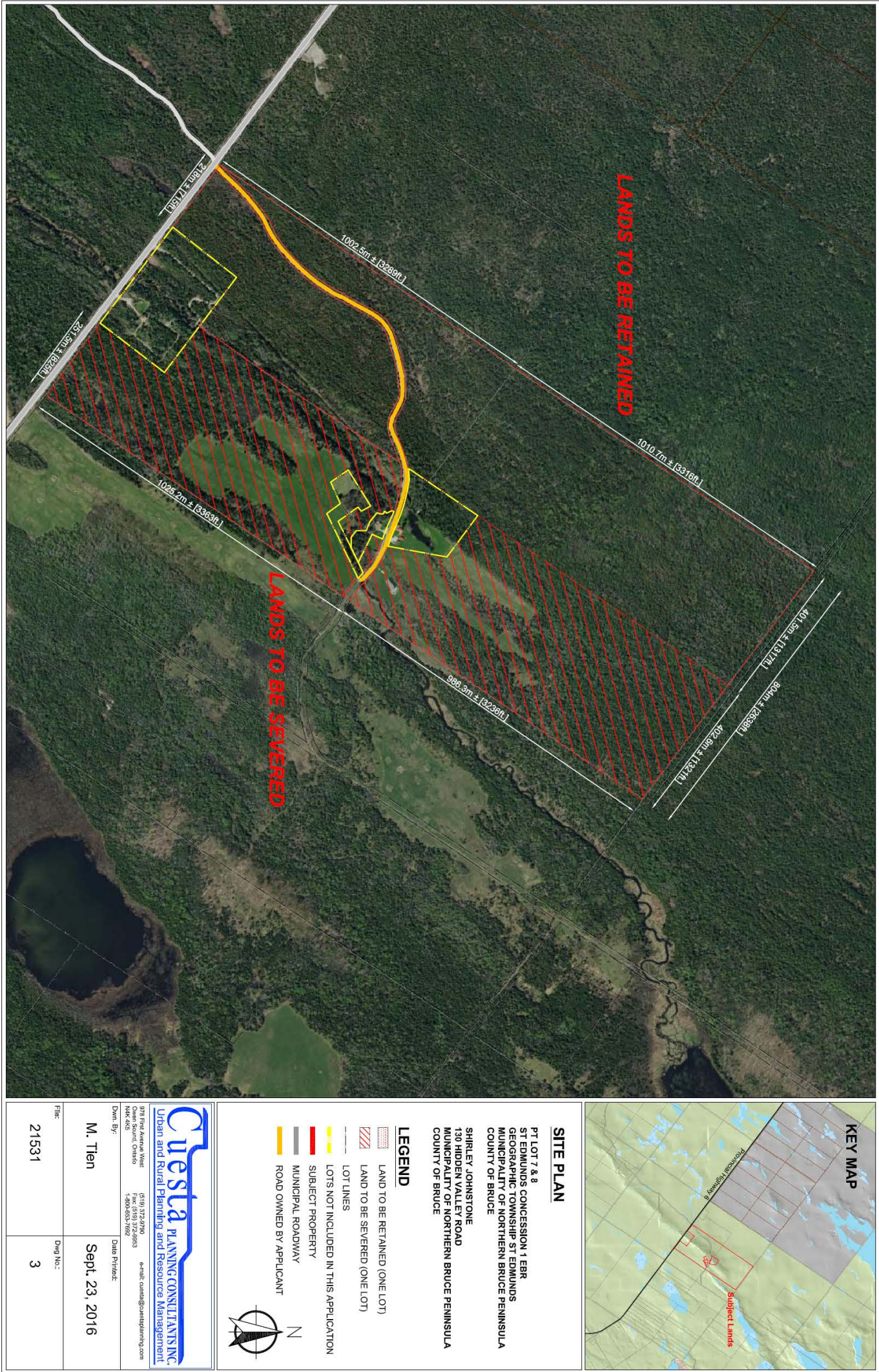
If you wish to be notified of the Decision of the Bruce County Approval Authority in respect of the proposed Consent, you must submit a written request to the Bruce County Planning and Development Department at the above address. Notification can be e-mailed to you should you choose to provide your e-mail address. This will entitle you to be advised of a possible Ontario Municipal Board Hearing (OMB). Even if you are the successful party, you should request a copy of the Decision since the Decision may be appealed to the OMB by the Applicant or another member of the public.

If a person or public body that files an appeal of a Decision of the Approval Authority in respect of the proposed Consent does not make written submissions to the Approval Authority before it gives, or refuses to give, a provisional Consent, the OMB may dismiss the appeal.

Jakob Van Dorp  
Senior Planner  
Bruce County Planning and Development

April 1, 2017









## Committee Report

**To:** Warden Mitch Twolan  
Members of the Planning and Development Committee

**From:** Kara Van Myall  
Director of Planning and Development

**Date:** June 20, 2019

**Re:** Bill 108, More Homes, More Choice Proposed Changes Appended

---

### Recommendation:

The County of Bruce comments submitted to the Environmental Registry of Ontario in relation to the changes proposed in Bill 108, the More Homes, More Choice Act have been provided for information.

### Background:

Bill 108, the More Homes, More Choices Act, 2019 received First Reading on May 2nd and proposes several amendments to the land use planning regime in Ontario. The commenting period unfortunately closed on June 1, 2019 which limited the amount of time staff had available to undertake a detailed review on behalf of Committee for commenting purposes.

As discussed with Committee, at the May 16<sup>th</sup> Planning and Development meeting, verbal comments from Committee were consolidated into the formal comments for ERO. This report includes an appendix of what was submitted as the County's comments.

### Financial/Staffing/Legal/IT Considerations:

There are no financial, staffing, legal or IT considerations associated with this report.

### Interdepartmental Consultation:

None at this time


### Link to Strategic Goals and Elements:

- |           |  |
|-----------|--|
| Goal #7   | Stimulate and reward innovation and economic development                                     |
| Element - | A. Streamline and simplify our planning processes (Official Plan, Zoning By-law)             |
| Goal #9   | Coordinated, concerted effort to advance our agenda  |
| Element - | B. Politicians and staff lobby associations and government in support of local policy needs. |

Written by: Bruce Stickney, Manager of Land Use Planning.



Approved by:

A handwritten signature in black ink, appearing to read 'Murray Clarke', written in a cursive style.

Murray Clarke  
Acting Chief Administrative Officer

# Appendix 'A'

## Bill 108 – More Homes, More Choice proposed changes

The following are comments received from the Planning and Development Committee, County of Bruce and are to be submitted as the County of Bruce's comments on the Environmental Registry of Ontario (ERO) registry postings #019-0016, #019-0017 and #019-0021.

### 1. Local Planning Appeals Tribunal (LPAT)

The back-log of appeals under the former OMB, is not proof that the LPAT two-hearing process for appeals of Official Plan Amendments and Zoning By-law Amendments is not working, and should have been addressed more appropriately by hiring additional adjudicators. The LPAT has only been in place for a short period of time and there is no reason to change the current rules and process without cause.

The LPAT was considered by local municipalities as a step forward in the Province of Ontario, to recognizing municipal decision making as it relates to land use planning within its jurisdiction. The proposed change also diminishes the role of local Councils in decision-making and places it back into the hands of unelected individual(s) of the Tribunal, by opening the review of all matters presented in a Hearing, rather than relying upon the judgement of a local Council based on their understanding of the local context and the information provided at a Public meeting.

Further, the return to 'de novo' hearings for appeals of Official Plan Amendments and Zoning By-law Amendments does little to streamline the appeal process. As an example, pre-hearings will more than likely be needed to scope the issues for the hearing, as was often done in the past. Additionally, the cases will be heard from the beginning rather than only the matters stated in an appeal, which prolongs the giving of evidence that leads to longer hearings.

Appeals of Section 29 Heritage designations are proposed to be transferred to LPAT for adjudication, rather than the Conservation Review Board, adding additional burden on the Tribunal, that needs to be supported with hiring of additional adjudicators.

### 2. Infrastructure Funding using Community Benefits Charges

Bill 108 would change Section 37 of the Planning Act to provide for Community Benefits Charges to cover capital costs of facilities, services and prescribed matters that are not eligible for funding by Development Charges. It is proposed that a municipality would need to spend or allocate 60 % of funds held in a special account for this purpose each year, and would be required to provide annual reports on the use of funds.

In small jurisdictions or where growth is slow, there is resulting small amounts of funds that are raised or held in a given year. This would mean the municipality would be challenged to spend the Community Benefits Charges in an impactful way. This may be improved if the 60% spending requirement is only

applied beyond a ceiling amount (cap), were removed, or lowered to allow funds to build to more meaningful levels to provide for larger or less frequent capital purchases.

The County is supportive of unifying development charges into one predictable request to developers.

### 3. Appeals for No Decision

Changes to the processing times for Council decisions will likely not streamline processing of planning applications because other legislated requirements and notice periods are not changing. What may result instead is greater use of LPAT to make decisions for development rather than allowing local Council adequate time to properly consider proposals and reach a decision. Any additional (hearing) costs incurred by a developer will continue to be transferred to a purchaser of land, homes, commercial buildings, etc. affecting affordability.

### 4. Exemption of Development Charges for second dwelling units

Generally, municipalities are supportive of any incentive opportunities that they can apply that increase the supply of housing stock and address issues of housing diversity and affordability. As an incentive for the provision of secondary dwelling units (secondary suites) in new residential buildings and ancillary structures, waiving of development charges is supported.

### 5. Pre-Zoning Land to be ready for Residential Development

The act of Zoning land in advance to permit the type of development desired in a particular area, is often problematic in slow-growth areas or smaller communities where development occurs over many years, and pre-zoning is generally less responsive to changing demands or may be found to be in the wrong area. Frequently, one or another zone provision requires relief or modification to accommodate new forms of development or a dwelling-type that might be under-supplied at a given point in time that wasn't be anticipated.

Zoning lands for a specific use could be done in less than 90 days, with the proposed changes; and, avoids the need for municipalities to chase demands or new development trends.

### 6. Source Water Protection as a mandated service under the Conservation Authorities Act

Bill 108 proposes an amendment to the Conservation Authorities Act that would make Source Water Protection a mandated service. One effect of becoming a mandated service is that the Authority would have the right to assess additional levies upon participating municipalities. The County is opposed to any additional transfers from the Province that would have the effect of creating new or additional charges to local municipalities.

## 7. Skilled Workforce, Land to Build Ontario's Homes, More Choices for Renters, Environmental Assessment Act and Cost-Effective Building

The County supports the following:

- reforming apprenticeship programs to “help more people learn these critical skills and get these great jobs”;
- making provincially owned lands that are redundant to the needs of the Province, available for building more homes, long-term care facilities and affordable housing.
- providing more choice to renters by exempting new rental units from rent controls to encourage new rental construction;
- exempting specific categories of undertakings from a Class Environmental Assessment
- increasing the use of timber in the home building industry; training of various disciplines to work with wood and encouraging demonstration projects.

## 8. Other

The County of Bruce supports the use of employment lands (Business Parks) for mixed-use development without the need for a Comprehensive Review as outlined in Section 1.3.2.2 and Section 6, of the Provincial Policy Statement, 2014.

## Committee Report

**To:** Warden Mitch Twolan  
Members of the Planning and Development Committee

**From:** Kara Van Myall  
Director of Planning and Development

**Date:** June 20, 2019

**Re:** Ontario's Open for Business, Open for Jobs Strategy Recap

---

### Recommendation:

The report "Ontario's Open for Business, Open for Jobs Strategy Recap" is for information.

### Background:

On April 11, 2019 the Province of Ontario released a blueprint of its "Open for Business, Open for Jobs" Strategy with the vision of connecting more workers to good jobs. The government aims to increase employment, create more jobs in the private sector, and reduce regional disparities in jobs and growth through this strategy. By investing in people, building strong infrastructure, and supporting a dynamic business climate, the government wants to build a strong and vibrant economy. The government's goal is to make the Province an easy place to operate a business by reducing government burdens, delivering faster government-to-business services, creating apprenticeship opportunities, and modernizing employment and training services. Please see Appendix 'A' for a backgrounder from the Province.

### Open for Business, Open for Jobs Strategy Summary:

To support their "Open for Business, Open for Jobs" Strategy, the Province is undertaking the following measures:

- To create a business growth environment, the government is reducing the small business Corporate Income Tax rate by 8.7 percent.
- Under the Ontario Job Creation Investment incentive, the government is providing \$3.8 billion in provincial corporate income tax relief over six years through faster write-offs of capital investments.
- By reducing the Workplace Safety and Insurance Board's (WSIB) average premium rate from \$2.35 to \$1.65 on every \$100 of insurable payroll, effective January 1, 2019, the government is helping employers to save money.
- The government is strengthening the competitiveness of financial services sector and enhance consumer confidence by adopting title protection for financial planners and financial advisors.

In order to connect workers to jobs, the government is doing the following:

- Establishing programming to encourage people to enter skilled trades, including the development of one-window digital portal for apprentices.
- Mobilizing the Employment Ontario's Rapid Re-employment and Training Services program to help General Motors and Fiat Chrysler workers regain employment soon.
- Launching micro-credentials pilot project to provide people with skills employers are seeking.
- Launching a pilot project to bring highly skilled immigrants to smaller communities.

There are three major pillars to achieving the vision of connecting more workers to good jobs. These are as follows:

1. Open for Business

This includes:

- lowering the cost of doing business
- cutting red tape
- supporting key economic sectors and regions
- promoting Ontario internationally

2. Skilled Workforce

This includes:

- helping employers attract skilled workers
- aligning post-secondary funding with labour market outcomes
- modernizing the apprenticeship and skilled trades system
- reviewing employment and training services

3. Job Creation and Business Investment

This includes:

- ensuring sustainable public finances
- creating confidence in capital markets and financial services
- reducing red tape in the pension sector
- investing in infrastructure which includes broadband, a
- delivering quality healthcare, education, and social services

To create more choice and provide opportunities to students, the government is aligning Ontario's post-secondary education system to the job market and lowering tuition rates by 10% for students at every publicly funded college and university starting in 2019-20 year, setting incentives for post-secondary institutions to provide education and training of students need to enter the job market and creating a new Northern Ontario Internship Program.

The ultimate goal is increased prosperity, greater job creation, and reduction in regional disparities in jobs and growth.

**Financial/Staffing/Legal/IT Considerations:**

There are no financial, staffing, legal or IT considerations associated with this report.

**Interdepartmental Consultation:**

None

**Link to Strategic Goals and Elements:**

Goal #7 Stimulate and reward innovation and economic development

Written by: Manpreet Kaur Sangha, Economic Development Officer, Planning and Development

**Approved by:**

Murray Clarke  
Acting Chief Administrative Officer



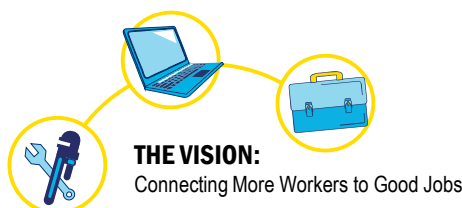
# BACKGROUND

## CREATING JOBS AND FIGHTING FOR ONTARIO WORKERS

April 11, 2019

The government is making Ontario open for business and open for jobs by cutting red tape, lowering business costs, creating apprenticeship opportunities and modernizing employment and training services in the province.

### OPEN FOR BUSINESS, OPEN FOR JOBS STRATEGY



#### OPEN FOR BUSINESS

- Lowering business costs
- Cutting red tape
- Supporting key sectors and regions
- Promoting Ontario internationally



#### SKILLED WORKFORCE

- Helping employers attract skilled workers
- Aligning postsecondary funding with labour market outcomes
- Modernizing the apprenticeship and skilled trades system
- Reviewing employment and training services



#### GOVERNMENT SUPPORTING JOB CREATION AND BUSINESS INVESTMENT

- Ensuring sustainable public finances
- Creating confidence in capital markets and financial services
- Reducing red tape in the pension sector
- Investing in infrastructure — including broadband
- Delivering quality health care, education and social services

#### OUTCOMES:

Increased prosperity, greater job creation driven by the private sector and reducing regional disparities in jobs and growth.

Ontario is creating an environment in which businesses can grow and hire more workers by:

- Providing \$3.8 billion in provincial corporate income tax relief over six years through faster write-offs of capital investments under the Ontario Job Creation Investment Incentive.
- Proposing to cut red tape so smaller video game developers can apply for the Ontario Interactive Digital Media Tax Credit annually and get their tax credits faster.
- Reviewing how cultural media tax credits are administered to reduce the application backlog and help companies get their tax credits faster.

# BACKGROUND

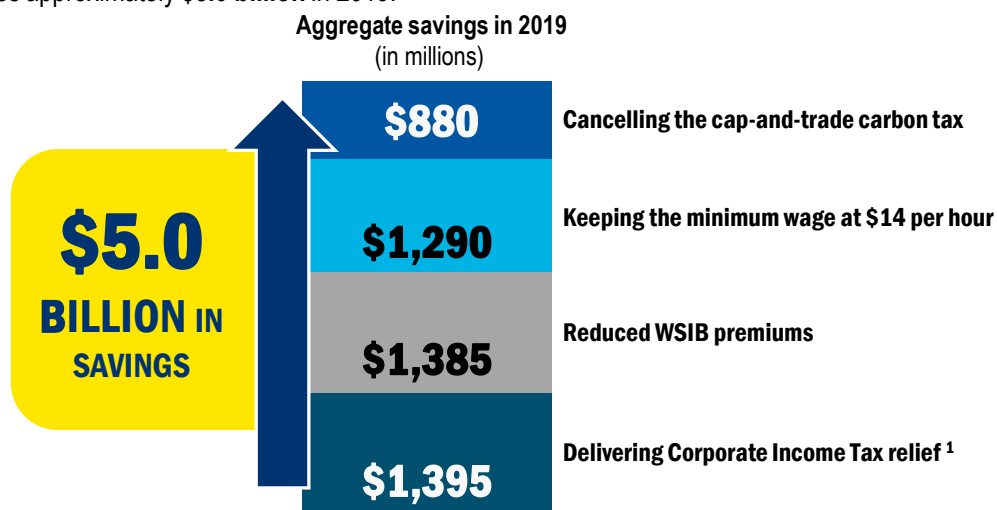
- Introducing the Open for Jobs Blueprint to modernize business support programs and make sure they are helping create jobs and grow the economy.
- Committing to cut the small business Corporate Income Tax rate by 8.7 per cent.
- Cutting red tape by 25 per cent by 2020. Once fully implemented, these changes are expected to provide Ontario businesses with over \$400 million in ongoing savings on their compliance costs.
- Supporting the reduction of the Workplace Safety and Insurance Board's (WSIB) average premium rate from \$2.35 to \$1.65 on every \$100 of insurable payroll, effective January 1, 2019, which will save employers an estimated \$1.45 billion in 2019.
- Enhancing consumer confidence by adopting title protection for financial planners and financial advisors to strengthen professionalism and improve efficiency and competitiveness of the financial services industry.
- Fostering economic growth and addressing unnecessary regulatory burden with a new five-point plan to create confidence in Ontario's capital markets. The focus of this plan will be to strengthen investment in Ontario, promote competition and facilitate innovation.
- Launching targeted stakeholder consultations on industrial electricity pricing, with a view to helping Ontario businesses manage electricity costs.
- Fighting the federal government's job-killing carbon tax, which will increase costs for automotive, manufacturing, transportation, mining and forestry activities, and put thousands of jobs at risk.
- Calling on the federal government to press the United States administration for immediate and permanent removal of its tariffs on Canadian steel and aluminum, and to ensure that no other trade impediments such as quotas are introduced.

The following chart illustrates a number of actions the government has already taken to reduce costs for businesses. Collectively these initiatives are estimated to save Ontario businesses \$5 billion in 2019.

# BACKGROUND

## PROVIDING SAVINGS FOR ONTARIO BUSINESSES

Actions taken by Ontario's Government for the People to cancel the cap-and-trade carbon tax, keep the minimum wage at \$14 per hour, reduced WSIB premiums and Corporate Income Tax relief will save Ontario businesses approximately **\$5.0 billion** in 2019.



<sup>1</sup> Includes savings from the Ontario Job Creation Investment Incentive and not paralleling the federal government in phasing out the benefit from the lower small business tax rate.

Source: Ontario Ministry of Finance.

## Connecting workers to jobs

Ontario is helping job seekers find jobs while helping employers hire the skilled workers they need by:

- Establishing programs that encourage the people of Ontario to enter skilled trades, get retrained and become aware of the benefits of good-paying jobs in the trades.
- Developing a one-window digital portal for apprentices.
- Making sure hard-working people get assistance to learn new skills when they lose a job through no fault of their own.
- Mobilizing Employment Ontario's Rapid Re-employment and Training Services program to help General Motors and Fiat Chrysler workers regain employment as quickly as possible.
- Launching a new micro-credentials pilot this spring to provide people with the skills employers are seeking.
- Launching a pilot initiative to bring highly skilled immigrants to smaller communities.

## Creating more choice and opportunities for students

The government is better aligning Ontario's high-quality postsecondary education system to the job market while making it more sustainable, transparent and efficient by:

- Lowering tuition rates by 10 per cent for students at every publicly funded college and university starting in the 2019–20 school year, and freezing tuition fees for the 2020–21 school year.
- Letting students choose the non-essential fees they want to pay, which can add up to as much as \$2,000 per academic year.
- Setting incentives for postsecondary institutions to provide the education and training students need to get jobs by tying 60 per cent of their funding to performance outcomes by the 2024–25 school year.
- Creating a new Northern Ontario Internship Program that will remove a requirement that internship applicants be recent university or college graduates, allowing new workers, people starting a new career, the unemployed and the underemployed to be eligible for the program.



## Committee Report

**To:** Warden Mitch Twolan  
Members of the Planning and Development Committee

**From:** Kara Van Myall  
Director of Planning and Development

**Date:** June 20, 2019

**Re:** Ontario Legislation: Restoring Ontario's Competitiveness Act  
Overview

---

### Recommendation:

The "Ontario Legislation: Restoring Ontario's Competitiveness Act Overview" Report is for information.

### Background:

The Ontario government passed the *Restoring Ontario's Competitiveness Act* (Bill 66) on April 2<sup>nd</sup> to help provincial businesses become more competitive and attract new investment. Along with regulatory changes, the Act will reduce specific regulatory burdens in 12 sectors as outlined in this report for information.

The aim of this legislation is to increase prosperity and job creation, and the government is reducing the regulatory burden facing employers with the goal of growing jobs and the economy in the long run. Through this legislation to cut red tape, the government is trying to accomplish the following:

- reduce the high cost of doing business
- match regulatory requirements with other provinces
- end duplication
- reduce barriers to investment

### Proposed Legislative Changes:

In order to create a job friendly, flexible labour market, the government is creating an environment where businesses can grow and hire more workers by making the following changes:

- Increasing the number of spaces for home-based childcare providers.
- Lowering the age of children that authorized recreation programs can serve from six to four.
- Ending the requirement to get government approval whenever businesses and non-profits merge single-employer pension plans into jointly sponsored pension plans.

- Director of Employment Standards approval no longer required for excess hours of work and overtime averaging.
- Ending the requirement for employers to post the Employment Standards Act poster in the workplace.

### **Reducing the regulatory burden in 12 sectors:**

The *Restoring Ontario's Competitiveness Act* will reduce regulatory burdens in 12 sectors to help job creators thrive, create and keep good jobs. The regulation reduces the high cost of doing business in the Province in order to make Ontario companies more competitive and be able to attract new investments.

These sectors are as follows:

1. Agriculture and food processing
2. Auto
3. Construction
4. Electricity services
5. Financial services
6. Industrial and commercial facilities
7. Long-term care homes
8. Manufacturing
9. Private career colleges
10. Second-hand market
11. Telecommunications
12. Trucking

From the Planning and Development perspective, of interest is the Agriculture and Food Processing proposed changes. These proposed changes will positively impact the agri-producers in the area and livestock owners. Changes to the Milk Act and Abattoirs are two areas that have been raised locally as regulatory burdens. These proposed changes eliminate costly and prescriptive standards under the Milk Act. Previous standards were outdated and costly. This helps to reduce regulatory burden for existing, new and expanding dairy processors, small foodservice and retail operations while protecting food safety at the same time. Changes made under the Food Safety and Quality Act reduces paperwork and fees. It encourages additional business opportunities for provincially licensed meat processors. This helps to reduce regulatory burden for existing, new and expanding provincially licensed meat plants, such as small abattoirs, allowing them to focus on food safety and economic growth.

All 12 sectors' changes and the regulatory changes proposed are outlined in detail in Appendix 'A'. The Restoring Ontario's Competitiveness Act aims to save Ontario companies \$400 million per year by reducing the regulatory requirements by at least 25% by 2020.

### **Financial/Staffing/Legal/IT Considerations:**

There are no financial, staffing, legal or IT considerations associated with this report.

**Interdepartmental Consultation:**

None

**Link to Strategic Goals and Elements:**

Goal #7 Stimulate and reward innovation and economic development

Written by: Manpreet Kaur Sangha, Economic Development Officer, Planning and Development

**Approved by:**

A handwritten signature in black ink, appearing to read 'Murray Clarke', is written over a horizontal line.

Murray Clarke  
Acting Chief Administrative Officer



## Appendix A: Changes made in 12 sectors to reduce regulatory burden

Agriculture and Food Processing	The Ministry of Agriculture, Food and Rural Affairs removes outdated and time-consuming reporting requirements under the Ministry of Agriculture, Food and Rural Affairs Act, including ones required for loan guarantee programs. The Ministry eliminates costly and prescriptive standards under the Milk Act. Changes under the Food Safety and Quality Act encourage additional business opportunities for provincially licensed meat processors. Amendments to the Agricultural Employees Protection Act (AEPA) has been made to cover ornamental horticultural workers. The Ministry streamlines the regulation under the Nutrient Management Act to remove the requirement to update the strategy every five years, if nothing has changed thereby increasing flexibility to deal with nutrients from farm-like animals. The Ministry enables amendments under the Farm Registration and Farm Organizations Funding Act to simplify delivery of programs and enhance responsiveness.
Auto	The Industrial Establishments regulation under the Occupational Health and Safety Act has been amended to add a new, targeted exemption from guardrail requirements for vehicle conveyors and similar systems, and associated raised platforms used with vehicle conveyors or similar systems. The Ministry of Transportation expands testing of connected and autonomous vehicles in Ontario. Changes to the Highway Traffic Act allow electric motorcycles on major highways, because of advancements in technology and in response to requests from the motorcycle industry. This expands options for customers and provides an economic boost to the industry.
Construction	The Ministry of the Environment, Conservation and Parks expands new Environmental Activity and Sector Registries for permits to take water. This will allow businesses to begin operations faster. The Ministry of Labour amends the Labour Relations Act, 1995 to explicitly deem public bodies, including municipalities, school boards, hospitals, colleges and universities, as "non-construction employers". This change is expected to increase competitiveness for broader public-sector construction projects.
Electricity Services	The Ministry of Energy, Northern Development and Mines repeals the authority of the Ontario Energy Board to set rates for Unit Sub Metering Providers. The repeal reduces a barrier to investment by giving investors greater confidence in the competitiveness of this market.
Financial Services	The Ministry of Finance amends regulations so that the credit unions are no longer restricted from participating in bank-led loan syndications. This helps them to better manage risk and compete, while expanding access to financing for their small-business customers.
Industrial and Commercial Facilities	The Ministry of Government and Consumer Services simplifies and updates rules for operating engineers by making amendments to the Technical Standards and Safety Act, 2000. This reduces regulatory burden without

	compromising public safety. This will cut business costs by up to \$5 million annually and allow companies to adopt newer technologies.
Long-term care homes	The Ministry of Health and Long-Term Care modernizes and streamlines administrative requirements for the operators of long-term care homes. This make it easier for businesses in this sector to operate by reducing red tape and administrative burdens and will also address business concerns of long-term care licensees that are looking forward to the development of new beds.
Manufacturing	The Ministry of Government and Consumer Services eliminates regulatory and licensing requirements for upholstered and stuffed articles reducing a long-standing burden on business and eliminating trade barriers. The Ministry of the Environment, Conservation and Parks repeals the Toxics Reduction Act by 2021, to rely on the robust and science-based federal Chemicals Management Plan. These changes will allow businesses to have greater operational flexibility, such as the ability to implement changes to their production processes, so they can focus on being more innovative and competitive. The Ministry of Labour amends the Workplace Hazardous Materials Information System (WHMIS) regulation under the Occupational Health and Safety Act to allow updated labels to be placed on existing chemical containers. Without this change, existing chemicals would have needed to be disposed of, and new chemicals would have needed to be purchased.
Private Career Colleges	The Ministry of Training, Colleges and Universities amends the Private Career Colleges Act, 2005 to reduce administrative burdens. The private career colleges sector will see annual savings in their business costs and less paperwork. This will permit them to invest in quality programs, instructors and infrastructure to support a vocational training sector that provides the skilled workforce that employers need.
Second Hand Market	The Ministry of the Attorney General repeals the Pawnbrokers Act that is over 100 years old, outdated and duplicates municipalities' existing bylaw-making and licensing authority. This change removes a layer of red tape and makes pawnbroker businesses subject to local bylaws, just like any other business.
Telecommunications	In Telecommunications sector, the Ministry of Government and Consumer Services repeals the Wireless Services Agreements Act, 2013 and harmonizes with the federal government's national wireless code. This eliminates unnecessary duplication with federal law, making it easier and faster for consumers and businesses to understand their rights and obligations.
Trucking	The Ministry of Transportation allows electronic documentation for International Registration Plans. These changes to the Highway Traffic Act allow commercial truck drivers the option of an electronic cab card, making it easier to confirm driver credentials and reduce paperwork. As

	well as reducing red tape, this change allows truck drivers and IRP jurisdictions increased flexibility in issuing and presenting a cab card.
--	---

\*Source: <https://news.ontario.ca/medg/en/2019/04/creating-jobs-and-reducing-regulatory-burdens-in-12-sectors-across-ontario.html>



## Committee Report

**To:** Warden Mitch Twolan  
Members of the Planning and Development Committee

**From:** Kara Van Myall  
Director of Planning and Development

**Date:** June 20, 2019

**Re:** Communications in the Field Report

---

### Recommendation:

That the Communications in the Field Report is for information.

### Background:

The Economic Development and Land Use Planning Communications in the Field Reports are included below.

### Financial/Staffing/Legal/IT Considerations:

There are no financial, staffing, legal or IT considerations associated with this report.

### Interdepartmental Consultation:

### Link to Strategic Goals and Elements:

Written by:

Approved by:

Murray Clarke  
Acting Chief Administrative Officer



## ECONOMIC DEVELOPMENT

# Communications in-the-Field Report

June 2019

There are three objectives driving economic development communications in Bruce County: 1) Attract more tourists 2) Attract more new and expanding businesses 3) Attract more young families and other residents over time.

### TOURISTS // VISIT

### ENTREPRENEURS // WORK

### RESIDENTS // LIVE

#### Activities

- |   |   |  |
|---|---|--|
| <ul style="list-style-type: none"> <li>• Brochures Distribution: staff distributed Bruce County Maps along with mountain bike, trails and paddling brochures to visitor centres and local tourism operators.</li> <li>• Media: in partnership with South Bruce Peninsula, staff helped Travie Magazine, a Korean based magazine geared to travel enthusiasts around the world, plan their visit to Bruce County.</li> <li>• Economic Impact of Tourism surveys have begun. The summer patrol staff are attending events and major attractions around the County to reach as many visitors as possible.</li> </ul> | <ul style="list-style-type: none"> <li>• Brochure Swap - May 8<sup>th</sup>: in partnership with Grey County, we hosted the annual brochure swap where local operators exchange their brochures with one another. This saves on the cost of shipping brochures in addition to offering a great networking opportunity.</li> <li>• Staff presented to two schools in Saugeen Shores and promoted the Summer Company program while teaching students about entrepreneurship.</li> <li>• Bruce County Economic Development Regional Working Group Meeting was held on May 23rd (members from each municipality and local business champions). The meeting took place at the Walkerton Clean Water Centre.</li> </ul> | <ul style="list-style-type: none"> <li>• Bruce County GIS Steering Committee held its quarterly meeting in Port Elgin to discuss the annual GIS Day, meet new GIS students and to discuss possible collaborative GIS projects. The steering committee is comprised of the County and all lower tier GIS staff</li> <li>• As part of the Spruce the Bruce program, staff worked with community groups and businesses to help them take their projects a step further to ensure that they support their community's development as a great place to live. This is done by helping applicants embrace each community's unique brand and help them provide opportunities to enhance product development that support a thriving community.</li> <li>• Multicultural Event: staff attended the Kincardine Multicultural Celebration on May 14.</li> <li>• Paisley Artscape Meeting: staff attended the first Artscape meeting. The goal of this group is to "create, maintain and update public works of art within the community of Paisley".</li> </ul> |
|---|---|--|

#### Results

- |  |  |  |
|--|--|--|
| <ul style="list-style-type: none"> <li>• Brochures Distribution: brochures showcasing area activities are easily available to visitors where they look for information. Having this information strategically and available to inquiring visitors</li> </ul> | <ul style="list-style-type: none"> <li>• Brochure Swap - May 8<sup>th</sup>: 136 business owners representing 89 businesses attended the brochure swap. This event is a great kick off to summer and allows business owners to connect to one another</li> </ul> | <ul style="list-style-type: none"> <li>• GIS Steering Committee: The committee will be hosting two GIS Days in 2019. One in September for public leaders and one in November for students. Additionally, members are working together to develop the GIS "Business Opportunities Map"</li> </ul> |
|--|--|--|

<p>encourages more favorable experiences and longer stays.</p> <ul style="list-style-type: none"> <li>• Media: Travie’s media writer wrote an article about Bruce County geared to its’ adventure seeking audience and showcased many of the County’s attributes. This is great exposure to a foreign market. The article, written in Korean, is here: <a href="http://www.travie.com/news/articleView.html?idxno=20923">http://www.travie.com/news/articleView.html?idxno=20923</a></li> <li>• Economic Impact of Tourism Survey: staff have attended 8 events so far and have gathered data that will be used towards the Economic Impact of Tourism report for this year.</li> </ul>	<p>learning about all the great experiences and products available in the region.</p> <ul style="list-style-type: none"> <li>• 50 students learned about “becoming their own boss” and the opportunity to experience entrepreneurship through a summer business. The presentation piqued the interest of several students and some have begun the application process.</li> <li>• Regional Working Group meeting: 15 members attended and learned about Walkerton’s business recruitment and expansion strategy, the Welcoming Community’s New Resident Toolkit, the County’s marketing and communications plan and the “Jobs in Bruce” database.</li> </ul>	<p>which shows vacant commercial and industrial properties. Lastly, Bruce County is working on a sub-license agreement with Teranet Inc., so that each municipality will have access to the digital registered plans on their map.</p> <ul style="list-style-type: none"> <li>• 6 grants were given out to local community groups, municipalities and businesses to make their communities attractive to residents, businesses and visitors.</li> <li>• Multicultural event: Staff connected with people of different cultures and learned about the County’s vast diversity featuring a variety of different cultures and backgrounds. The Kincardine Multicultural Celebration is a great way for attendees to learn about the different tourist attractions in the area and encourage ‘staycations.’</li> <li>• Paisley Artscape Meeting: over 50 residents and artists attended the meeting with over 20 who signed up to help further develop the public art initiative and the “Artistic River Village” community vision.</li> </ul>
---	--	--

### Coming Up

<ul style="list-style-type: none"> <li>• Parks Canada Training: Staff will attend training to ensure that our websites, social media pages and front-line staff communicate the correct information to visitors.</li> </ul>	<ul style="list-style-type: none"> <li>• July 3<sup>rd</sup> - Bruce County Tourism Innovation Lab Media Launch.</li> <li>• GIS Business Opportunities Story Map will be available in August.</li> <li>• Provincially funded entrepreneurial programs will begin through BusinesstoBruce: <ul style="list-style-type: none"> <li>○ Starter Company Plus Program</li> <li>○ CORE Program</li> <li>○ Summer Company Program</li> </ul> </li> <li>• BtoB onboarding process to onboard Paisley and Sauble Beach begins in June.</li> </ul>	<ul style="list-style-type: none"> <li>• Workforce Development ‘Jobs in Bruce’ database connects employers with job seekers and is a tool that helps quantify the labour shortage issues in Bruce County and provides active and live data. This helps visualize the ongoing workforce demands. The database launch is planned for July.</li> </ul>
---	---	---

# Communications in-the-Field Report

---

There are three general areas that will be reported monthly, including: Legislative changes and other trends that are likely to affect land use planning; progress of the Land Use Transformation projects; highlights or interesting planning applications that have been recently approved.

### PLANNING HIGHLIGHTS

A subdivision application was received in Saugeen Shores that included 15 single detached lots and a block that would include condominium townhomes and a 24-unit apartment building. In response to feedback at the public meeting, the developer and with the support of Planning and Town staff, the application was redesigned to eliminate the apartment and replace it with stacked townhomes (a relatively new type of housing for Bruce County). This change resulted in an additional 4 units in the block for a total of 58 units in addition to the 15 detached lots. Based on market research, the applicants believe approximately 30 of the units will be at or under 90% of the average price in the area and nearly all units will be affordable to the 60th percentile of earners.

### LEGISLATIVE CHANGES

- Nothing to report on Provincial Policy changes at this time.
- Bill 108, More Homes, More Choice Act changes have been provided by separate report.
- The Province has given first reading to Bill 108, the More Homes, More Choice Act, which is proposing changes to 13 separate pieces of legislation including the Conservation Authorities Act and the Planning Act. Negotiations have been underway for several months with Grey Sauble, Saugeen Valley and Maitland Valley Conservation Authorities (CAs) for the provision of hazard review (mandated service) and natural heritage review services for the County planning functions (development applications, etc.). A 'new' draft agreement was prepared and has been shared with the CAs for their response.
- The announcement of reductions (Provincial budget) to funding of Conservation Authorities has preoccupied the CAs in recent weeks. A Memorandum of Agreement (MOU) would be a requirement of Bill 108 if approved, whenever CAs undertake non-mandatory services for a municipality, which it seems would include natural heritage review services. A complete draft agreement (MOU) and fee schedule is expected to be complete in June, with a deadline of July 31st, 2019 for final approval.

### LAND USE TRANSFORMATION PROJECTS

- The Bruce GPS Engagement Initiative has completed the final phase of public engagement. This final phase involved a verification, in the form of a survey of the information received in Phase 1 and 2 (more than 1500 individual comments from pop-up events, stakeholder meetings, etc.), with over 700 surveys completed in Phase 3, in response to a draft Vision statement and Guiding Principles for how the County should develop over the next twenty years. The survey results have been compiled, and a draft Final Report will be delivered to Planning staff at the end of May. Bang the Table's Engagement HQ online engagement platform will continue to host the Bruce GPS website and will transition with further research and development of the proposed Guiding Principles.



- Staff are working on a collaborative project with OMAFRA to complete a Land Evaluation and Area Review (LEAR) that will form the basis for an Agricultural System in Bruce County. OMAFRA has prepared a draft map of the Bruce County Agricultural System. Staff have assembled a steering committee to administer the project with the first meeting of the Committee is planned for June. Similarly, a second Steering Committee will administer a consultant-led Natural Heritage Study for Bruce County. A Request for Proposals (RFP) has been posted with selection of a consultant to perform a Natural Heritage Study beginning in July. A separate information report on these activities has been provided. Both projects will form background studies and mapping for the County Official Plan review in 2020.
- The Planning application processes are currently being configured in Cityworks PLL and is expected to continue through June/July. The move to Cityworks PPL will transform the land use planning process from paper to digital format and link to our existing mapping tools, which promises to provide greater efficiency and enhanced access to planning/property data, in effect expanding 'corporate memory' in this area. Additional funds have provided a public facing extension of the program that will facilitate online applications and monitoring by the public, providing additional value to clients.
- Land Use Planning is collaborating with Tenzing Inc. in gathering material and background/supporting information for an engagement guide, called 'Navigator'. The Navigator will provide an educational component as it relates to planning processes and the work of Planners, as well as being a guide to improved communication. Work is also continuing to develop plain language documents and reports and is expected to be complete in June.