



Committee Report

To: Councillor Steve Hammell, Chair and
Members of the Planning and Development Committee

From: Mark Paoli
Director of Planning and Development

Date: November 18, 2021

Re: Bruce County Official Plan Amendment C-2021-013 (Woods)

Staff Recommendation:

That Bruce County Official Plan Amendment C-2021-013 (Woods) be approved; and,

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

Summary:

The purpose of the application is to create a new vacant residential lot approximately 4,115 square metres in area from an existing residential property at 27 Whispering Woods, in the Municipality of Kincardine. The retained lot is proposed to be approximately 1.97 ha and contains an existing detached dwelling and accessory buildings. An amendment to the County Official Plan is required to allow relief of the requirement for full or partial municipal or communal services in a Secondary Urban Community so that the lot can be developed with an individual onsite water supply and sewage treatment system. There are related local Official Plan Amendment, Zoning By-law Amendment and Consent applications that will be considered by the Municipality and County at a later date. There has been one objection submitted from a neighbouring property owner.

Alignment with Guiding Principles:



GOOD GROWTH

To put growth in the right locations with the right services



AGRICULTURE

To support our key economies, including supporting a thriving agriculture community



CONNECTING

To improve our ability to move people, goods, and information between communities



HOMES

To increase the supply and mix of homes



BUSINESS

To create opportunities for a diversity of businesses, jobs, and employers



COMMUNITIES

To create wellbeing through access to healthy complete communities



HERITAGE

To identify and manage our cultural heritage resources



NATURAL LEGACY

To manage natural resources wisely for future generations

-  Not applicable
-  Not aligned
-  Aligned
-  Strongly aligned

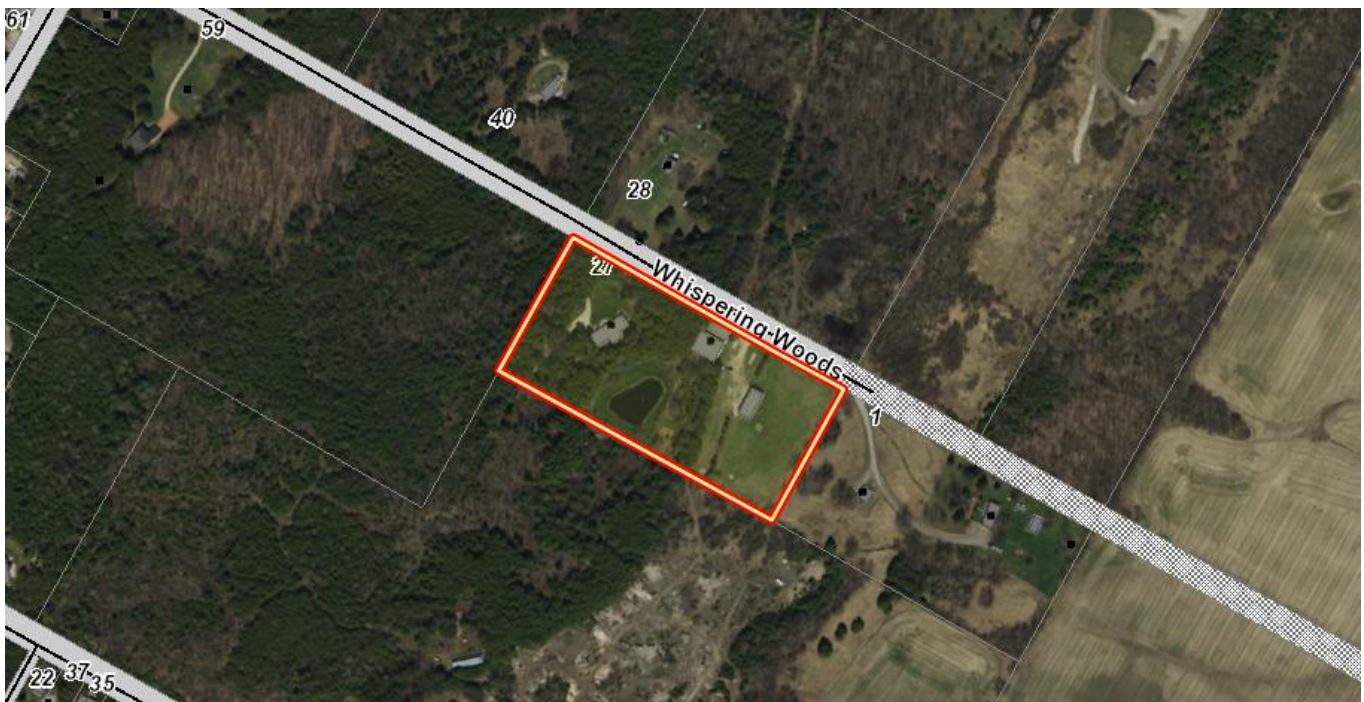
The Good Growth guiding principle would be supported by the creation of a new infill residential lot in the Kincardine Lakeshore area, which is designated a Secondary Urban Community. The County Official Plan directs growth to settlement areas like the Kincardine Lakeshore. However, the extension of municipal infrastructure to this area is not feasible at this time. The size of the proposed lot is adequate to accommodate private services.

The proposal supports the Homes guiding principle by facilitating the creation of a new residential lot in the Kincardine Lakeshore area, which provides opportunities for additional housing.

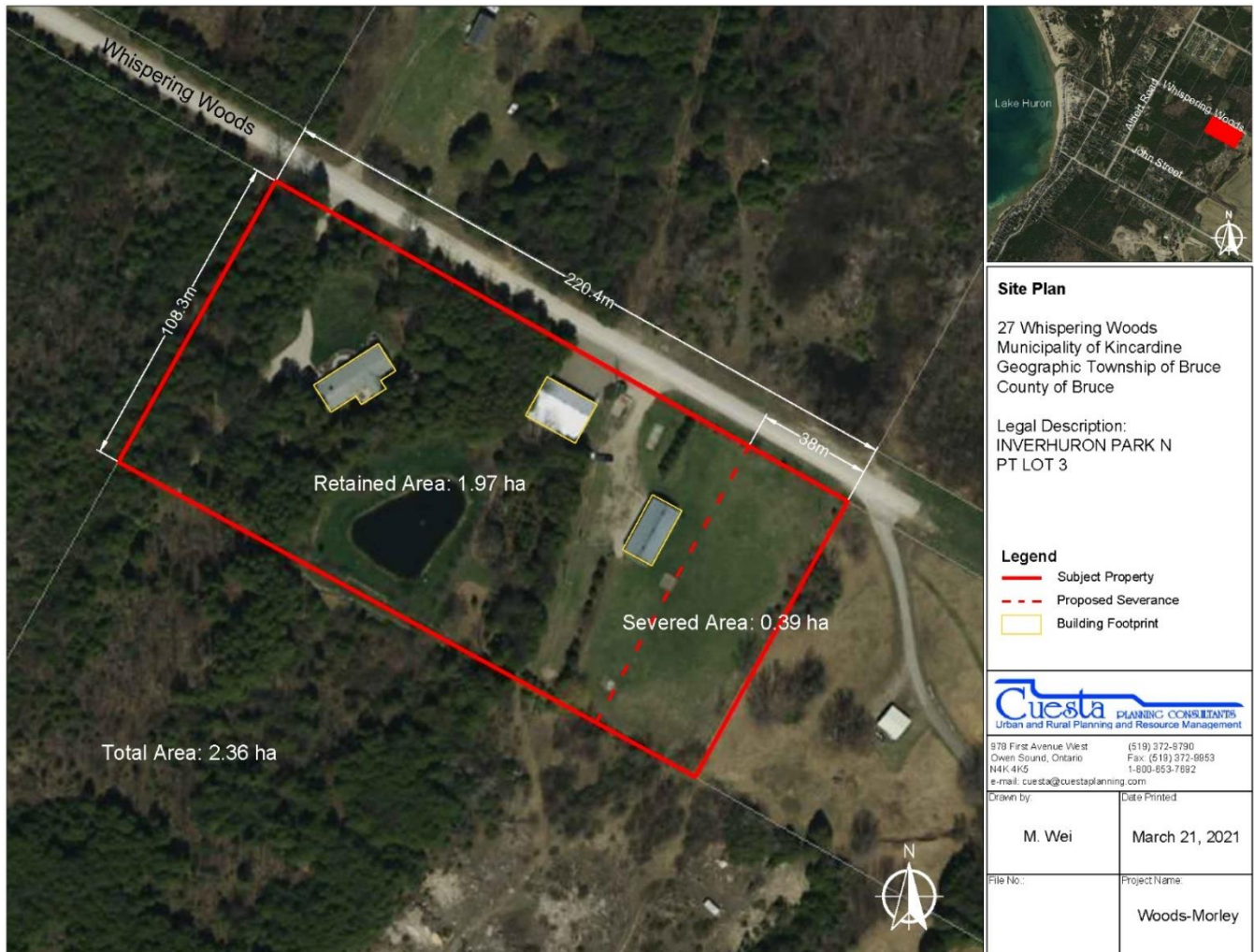
Natural Legacy priorities are maintained by siting the proposed development outside the natural hazards and natural heritage features impacting the property.

On balance, this proposal is aligned with the Guiding Principles and the Vision of a healthy, diverse and thriving future.

Airphoto



Site Plan



(Note: the amended severed lot area is 4,115 square metres)

Planning Analysis

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant agency comments (attached), public comments (attached) and planning policy sections.

Servicing

Servicing is an important consideration as it determines the ability to develop, the density of the development, and the ability to manage environmental impacts.

The proposed severance represents infilling on private services. The proposed infill lot is located near the edge of the settlement area, approximately 575 metres away from the closest municipal infrastructure (i.e., water servicing on Albert Road to the west). Municipal and communal services are not feasible and both the severed and retained lots are large enough to accommodate private services.

The proposed amendment is consistent with the Provincial Policy Statement (PPS) which permits private services for infilling where full or communal services are not planned or available.

The proposal conforms with the general County Official Plan servicing policies that provide for limited growth on private water and sewage disposal systems. However, the County Official Plan does not permit development on private services in Secondary Urban Communities. Therefore, a County Official Plan Amendment is required in order to permit lot creation on the subject lands.

The Applicant's planning consultant submitted a Justification Report in support of the application which notes that, among other matters:

- The proposed severance is considered infilling as it will be located between two lots occupied by single detached dwellings.
- The area where the severance is proposed is currently underutilized. The proposed severance will create a more efficient use of land within the settlement area.
- Full municipal services are not available at this time, but the consent will not prevent future transition to full or partial municipal servicing should those options become available.
- The proposed retained and severed lots are each greater than 4,047 square metres and, thus, appropriately sized for private services.

Lot Size

A neighbouring landowner has expressed concerns that the severed lot size of 4,115 square metres is not in keeping with other lots on the street. Properties on Whispering Woods vary between 2.12 ha and 12.75 ha within the settlement boundary. While the proposed lot is smaller than others on the same street, it is consistent with other lot sizes in the general area including those on Albert Road to the west. This Secondary Urban Community area has been identified as a location where new development should be directed in both the County and Local Official Plans.

The proposed severed and retained lots also meet the minimum lot area requirements of the Municipality's Zoning By-law. The minimum lot size permitted in the proposed R1 Residential One zone is 4,000 square metres. The severed lot is proposed to be 4,115 square metres, while the retained is 1.97 ha.

The severed lot is also appropriately sized to accommodate a new residence on private water and sewer servicing, while also avoiding the natural features and natural hazards on and adjacent to the site as are discussed in more detail below.

Natural Hazards

Saugeen Valley Conservation Authority (SVCA) noted the natural hazards affecting the property include wetlands located to the west, south and north of the property and their associated floodplains, as well as a drainage feature that traverses the property from east to west onto adjacent lands. SVCA has recommended updates to the local Official Plan and Zoning By-law mapping on this site to reflect the actual natural hazard limits in this area.

Provincial, County and local policy directs development away from hazardous lands. SVCA has confirmed that the proposed severed lot would be located outside of the natural hazards. The retained lands will continue to be partially impacted by natural hazards, but all existing structures are outside of the hazardous areas.

Natural Heritage

The natural heritage features affecting the property include significant woodlands, potential significant wildlife habitat, potential habitat of endangered species and threatened species, and their adjacent lands. The County and local Official Plans generally prohibit development within natural heritage features and their adjacent lands, except in accordance with applicable policies.

SVCA staff concluded that negative impacts to significant woodlands and potential significant wildlife habitat as a result of the proposal will be negligible. Therefore, SVCA concluded that the preparation of an Environmental Impact Study (EIS) was not required to support the proposed development.

With respect to the habitat of endangered species and threatened species, the applicant was directed by SVCA to contact the Ministry of the Environment, Conservation and Parks (MECP) which has regulatory responsibility in this area to ensure the endangered species and threatened species policies of the PPS have been appropriately addressed.

Financial/Staffing/Legal/IT Considerations:

Potential Appeal to the Ontario Land Tribunal.

Report Author:

Coreena Smith
Senior Development Planner

Departmental Approval:

Mark Paoli
Director, Planning and Development

Approved for Submission:

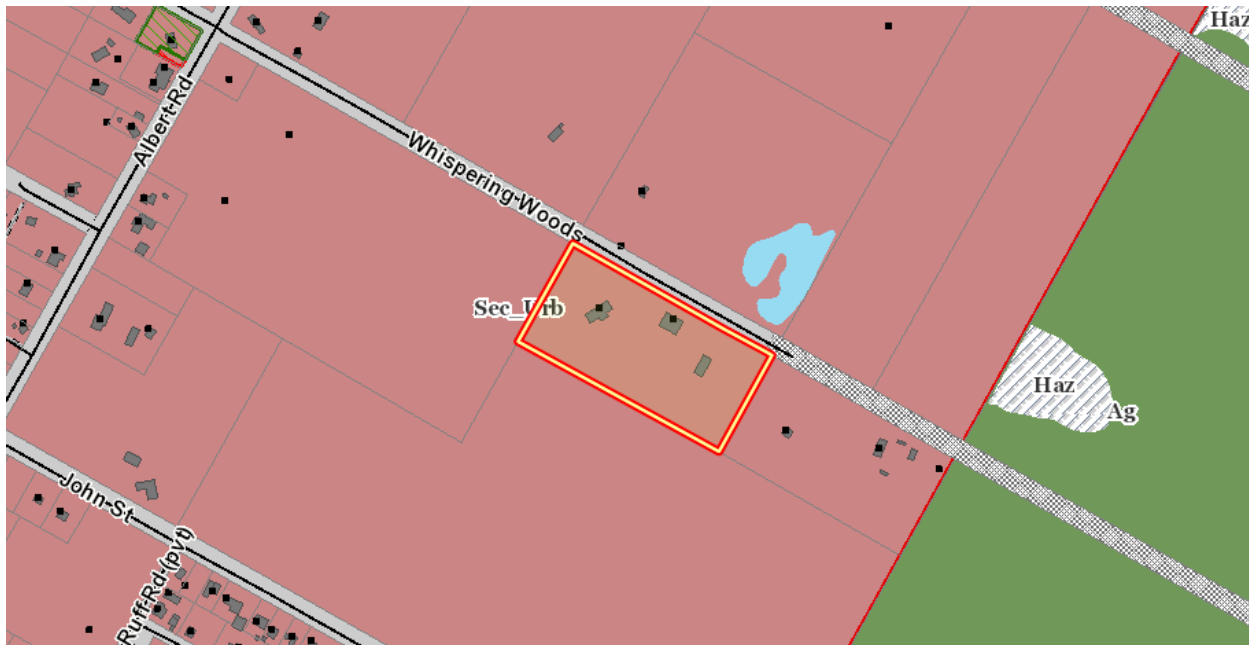
Sandra Datars Bere
Chief Administrative Officer

Appendices

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

- Draft By-law and Schedule

County Official Plan Map (Designated Secondary Urban Communities and Hazard Land Areas)



Local Official Plan Map (Designated Shoreline Development and Natural Environment)



Local Zoning Map (Zoned Planned Development 'PD-j' & Environmental Protection 'EP')



List of Supporting Documents and Studies

- Planning Justification Report, prepared by Cuesta Planning Consultants Inc., dated July 2021.

Agency Comments

Municipality of Kincardine, Chief Building Official / Development Services Manager:

1. Entrance approval is required from the Municipal Roads Department.
2. Updated approval for Minor/ Major Works permit may be required from Saugeen Valley Conservation Authority.
3. Site servicing to be privately owned - Private Well and Septic system to be shown on site plan with separation distance as per the Ontario Building Code.
4. Reference Plan/ Survey will be required.
5. Survey will need to include building envelope, setbacks, well, septic, and entrance locations at time of permit application.

Note: These comments can be addressed as conditions on the related Consent file.

Municipality of Kincardine, Director of Infrastructure and Development: Unless servicing project for Inverhuron is revived we do not have plans to extend servicing to the site. Extension of municipal infrastructure is not feasible at this time.

Bruce County Transportation and Environmental Services: No comment.

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

Eastlink Inc.: Eastlink does not have services in this area.

Bruce-Grey Catholic District School Board: No comments.

Saugeen Valley Conservation Authority (attached): The proposed application is acceptable.

Public Comments

Gill Roy (attached)