



Committee Report

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

From: Mark Paoli
Director of Planning and Development

Date: June 16, 2022

Re: Bruce County Official Plan Amendment C-2022-006

Staff Recommendation:

That County Official Plan Amendment C-2022-006 be approved; and,

That the appropriate by-law be forwarded to County Council for Adoption.

Summary:

The purpose and effect of the proposed Bruce County Official Plan Amendment is to update policies on: Community Improvement Plans (CIPs); complete application requirements for Site Plan applications; and, Additional Residential Units (ARUs), in accordance with local and provincial planning direction. The proposed changes will help promote public and private investment in community improvement, clarify site plan application requirements, and promote housing affordability.

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 proposed amendments will help facilitate affordable housing and investment in businesses and community assets. The amendments will also help municipalities shape good development through site planning. The amendments are strongly aligned with the guiding principles of Homes, Business and Communities. The amendments are also aligned with Heritage and Good Growth. Community Improvement Plans can promote investment in heritage assets such as historic buildings. Clearer site planning expectations will help shape good growth.

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

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.

The proposed amendments to the Bruce County Official Plan would apply across Bruce County and propose the following:

- i) Add new policies for Additional Residential Units to allow Local Official Plans to address issues related to driveways, parking and setbacks.
- ii) Add new policies for Community Improvement Plans to clarify that Community Improvement Plans can be established anywhere in Bruce County in accordance with the provisions of the Planning Act.
- iii) Provide new policy wording to reference complete application requirements for Site Plan Control applications to ensure recent Planning Act changes can be implemented by the County and local municipalities.

The proposed amendments to the policies for Additional Residential Units arose from initial discussions with Saugeen Shores staff related to implementation of ARU policies through amendments to their local official plan and zoning by-law, which are currently being processed. Through this discussion we identified an opportunity to allow more flexibility at the municipal level to facilitate ARUs in settlement areas, and so within settlement areas County Plan prescriptions related to parking, setbacks and driveways are proposed to be removed. Outside of settlement areas, to continue to support clustering and reduce future mitigate risk of further land fragmentation, shared driveways with the main residence are the preferred means of access for ARUs while new separate driveways may be permitted in extenuating circumstances.

A new Section is proposed to be added to the Bruce County Official Plan to address Community Improvement Plans. A key aspect of the new policy is to clarify in principle that Community Improvement Plans can be established in any part of Bruce County such that Community Improvement Plans are not limited to downtowns or settlement areas.

A new Sub-Section is proposed to be added to outline complete application requirements for Site Plan applications. This change is being made in response to recent Provincial

Legislation (Bill 109), which allows municipalities to deem applications complete or incomplete in accordance with the complete application criteria.

This will give local municipalities more opportunity to guide good development through site planning.

The analysis for this amendment also included a review of comments recently received from the Town of South Bruce Peninsula, summarized below, along with recommendations regarding proposed changes that have been incorporated into the proposed Amendment

1. Town of South Bruce Peninsula questioned the need for the County Official Plan to regulate driveways for Additional Residential Units. Upon further review of this point, we agree that, while there is general planning rationale for the preference for shared driveways (i.e. reduced impacts and future severance pressure, lower costs), the original wording may have triggered amendment applications in situations where site conditions might dictate that a new driveway could have technical merit and thereby increase application costs, contrary to the broader affordability goal. Accordingly, the wording of Section 4.4.4.1.1 xi) g) is proposed to change to read: “Outside settlement areas, in most cases, the driveway will be shared with the existing residence. In extenuating circumstances, a new driveway may be permitted for the Additional Residential Unit”.
2. Town of South Bruce Peninsula provided a comment that Community Improvement Plans (CIPs) that may be identified by the County should only be established in areas that are agreeable to the local municipality. We agree with this point; moreover, noting that the Province has not deemed Bruce County to be a prescribed upper-tier in relation to the authority to establish Community Improvement Plans, the reference to “or by the County” is removed from Section 6.22.5. In future, if the Province identifies Bruce as a prescribed upper-tier in respect of CIPs, then the County may wish to include policies in its plan with respect to a CIP for affordable housing.
3. Town of South Bruce Peninsula provided comments objecting to the County’s continued inclusion of the requirement of Nitrate Studies for development. Activated by the Town’s April 19th letter on this topic, the planning department is working with consultants for the New County Official Plan and hydrogeologists to address the question of Nitrate Study requirements. Due to the complexity of the issue, and the ongoing work on the topic, it is not recommended to address the Nitrate Study issue within this current amendment. Once that analysis is complete, and there have been further opportunities for discussion with local staff in all municipalities, any needed further amendment to the County Official Plan could be considered in a separate amendment, or incorporated into the New County Official Plan.

Planning Opinion:

The proposed amendments will implement policy changes that offer immediate benefit in terms of clarity to County programs and initiatives such as Spruce the Bruce and local processes such as Site Plan Control and policy updates for Additional Residential Units.

The amendments are consistent with the Provincial Policy Statement and advance County Council’s interests in promoting affordable housing, community improvement and development planning.

Public Engagement:

Notice was published in several local newspapers to meet statutory requirements. Notice was also emailed to municipal representatives, commenting agencies and organizations. An information meeting was held with municipal representatives.

Comments have been received from some agencies indicating support for the proposed amendments. At the time of writing this report the only recommended changes to the proposed amendments that have been received have come from the Town of South Bruce Peninsula as outlined earlier in this report. Further comments may arise prior to, or during, the Public Meeting.

Financial/Staffing/Legal/IT Considerations:

Potential Appeal to the Ontario Land Tribunal (OLT).

Report Author:

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Departmental Approval:

Mark Paoli
Director, Planning and Development

Approved for Submission:

Derrick Thomson
Chief Administrative Officer

Appendices:

- Agency Comments
- Public Notice
- Draft Amendment
- Decision Sheet