



Committee Report

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

From: Claire Dodds, Director of Planning and Development

Date: January 26, 2023

Re: Bruce County Official Plan Amendment C-2022-013 (Rudolph c/o Potter)

Staff Recommendation:










That Bruce County Official Plan Amendment C-2022-013 be approved; and
That the By-law be forwarded to County Council for adoption.

Summary:

The proposed County Official Plan Amendment is to permit a backlot within the Inland Lake designation to be less than 1 hectare, as well as to recognize an existing entrance on a road allowance which is not maintained by the municipality, and permit shoreline access by way of an easement. If approved the amendment would facilitate the creation of a 4000 square metre lot within an established residential neighbourhood adjacent to Gould Lake.

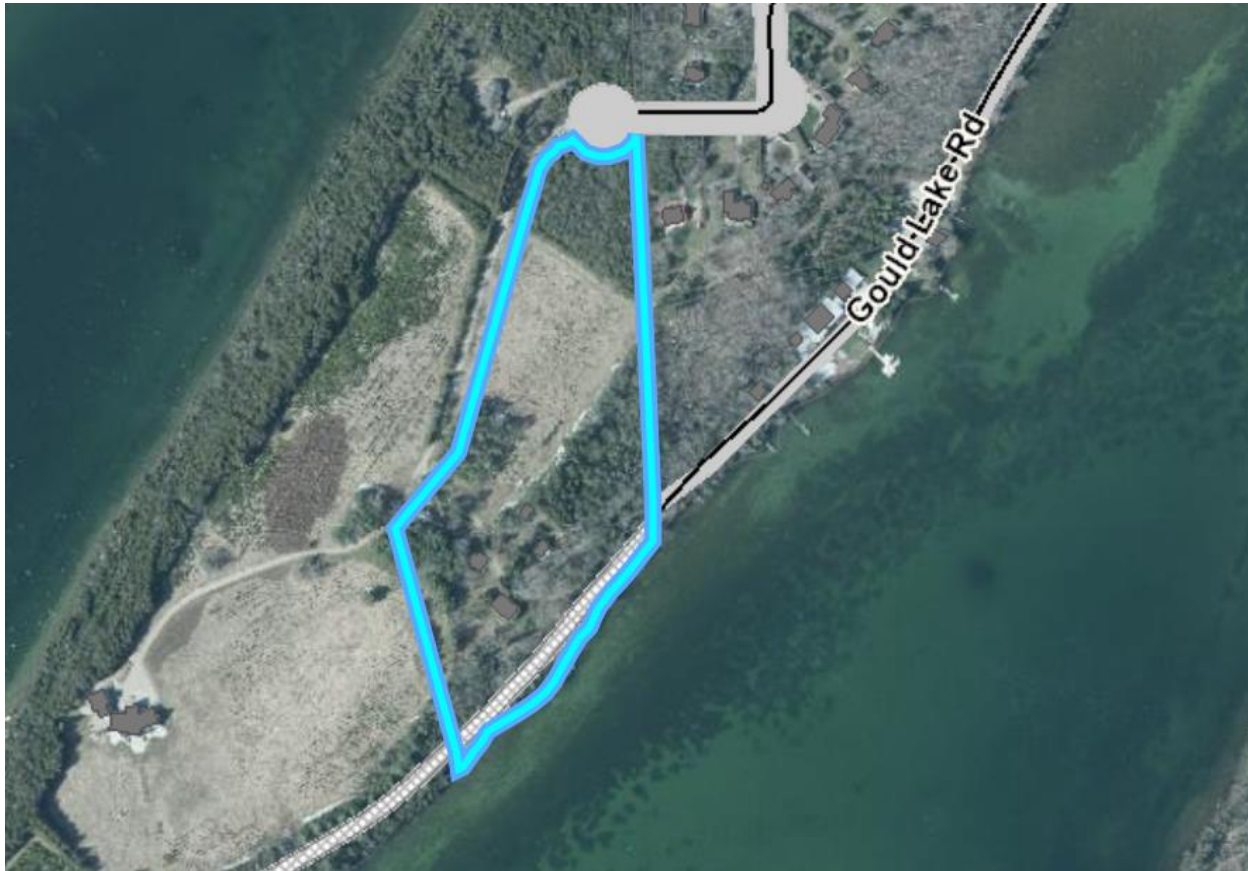
A Public Meeting was held on December 20, 2022 for a Zoning Bylaw Amendment to establish site specific provisions related to lot size, advanced tertiary septic installation and an archaeological assessment.

Alignment with Guiding Principles:

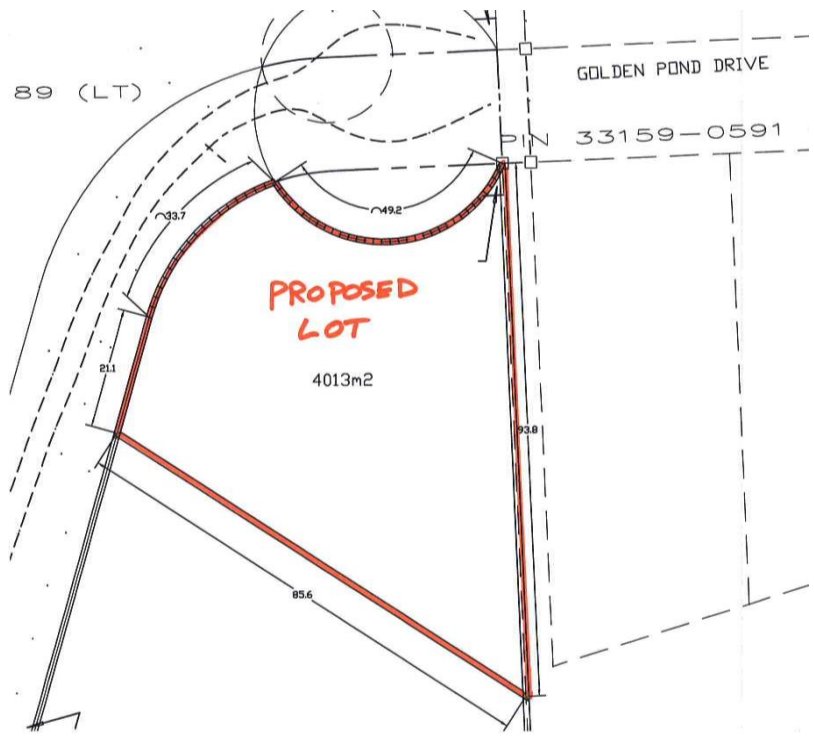
	GOOD GROWTH To put growth in the right locations with the right services		AGRICULTURE To support our key economies, including supporting a thriving agriculture community		CONNECTING To improve our ability to move people, goods, and information between communities
	HOMES To increase the supply and mix 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	

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

Airphoto



Site Plan



Planning Analysis:

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

Overview

The property is designated Inland Lake in the Bruce County Official Plan. The Plan requires that back lots in this designation have a minimum size of 1 hectare to ensure consistency with the surrounding neighbourhood, as well as to ensure that there is sufficient space for servicing - in this case a private septic system and well.

The proposed lot will be approximately 4000 square metres. This is consistent with many of the residential lots fronting Golden Pond Drive, which range in size from 2500 square metres to 3500 square metres.

Servicing

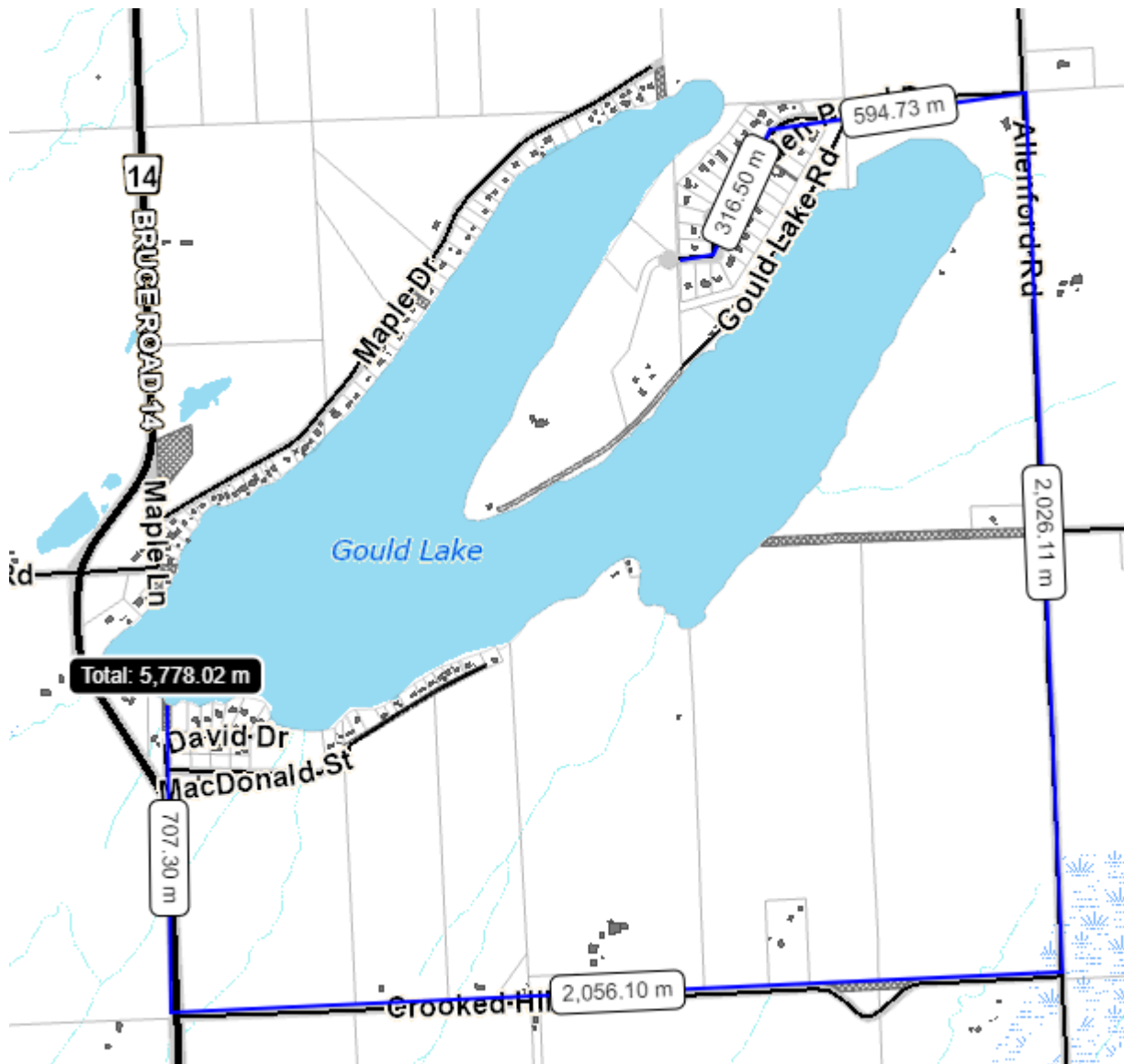
The proposed lot is undersized to appropriately process nitrate outflows associated with a standard septic system. To address Provincial nitrate guidelines for new lots on private services, an advanced tertiary septic system will be required. This has been implemented through a provision in the associated Zoning By-law Amendment related to this proposal. This provision also satisfies the requirements of the Bruce County Official Plan (BCOP).

Road Access

The retained parcel has an existing dwelling with an established driveway onto Gould Lake Road. The County Official Plan requires that both the severed and retained lots front on an existing road allowance which is opened and maintained on a year-round basis. The retained parcel has an existing dwelling that has been in place for about 40 years, that is accessed during the winter, through arrangements with neighbours for snow removal. The proposed amendment will recognize the long-standing entrance to the retained lands. The Town of South Bruce Peninsula has indicated that a Limited Services Agreement may be required for the retained lands. This requirement can be included as a condition of the proposed consent. The severed parcel will have frontage on a winter-maintained road, being Golden Pond Drive.

Waterfront Access

An important consideration of the Official Plan, when creating lots in Inland Lake and Rural Recreation areas that are designated due to proximity to resources like Lakes, is access to the water itself. Although the proposed lot is on 'Golden Pond Drive' the applicant has not been able to secure access to the communal waterfront facility owned by the Golden Pond Ratepayers Association. The next nearest legal public access to the shore identified by the proponents would require traveling 5.78 kilometres, which is too far to be practical.



The proponent has suggested an easement over the retained lands to provide shoreline access. Staff recommends that, if registered, this may provide a suitable form of access and has included it in the amendment. Staff would also propose that final approval of the consent require demonstration of access to the shoreline, whether through a suitable public access (should one be found), or by way of an easement. Pursuit of an easement can be addressed through a subsequent application.

Natural Heritage and Natural Hazard Features

The lands are affected by both natural heritage and natural hazard features. Grey Sauble Conservation Authority has identified significant woodland, fish habitat, potential for significant wildlife habitat and potential for threatened and endangered species, as the natural heritage features on the site. Since the proposed severed parcel is limited in size, it is not expected that there will be a negative impact on the natural heritage features. GSCA did recommend that only trees be removed that are necessary and that tree removal be avoided during active woodland bird nesting/rearing season from May 1st to August 15th, in accordance with the Federal Migratory Birds Act. GSCA's advisory regarding federal law has been forwarded to the proponent.

GSCA also indicated that the proposed severed lot is sufficiently separated from natural hazards affecting the lands, which include flood and erosion potential associated with Gould Lake.

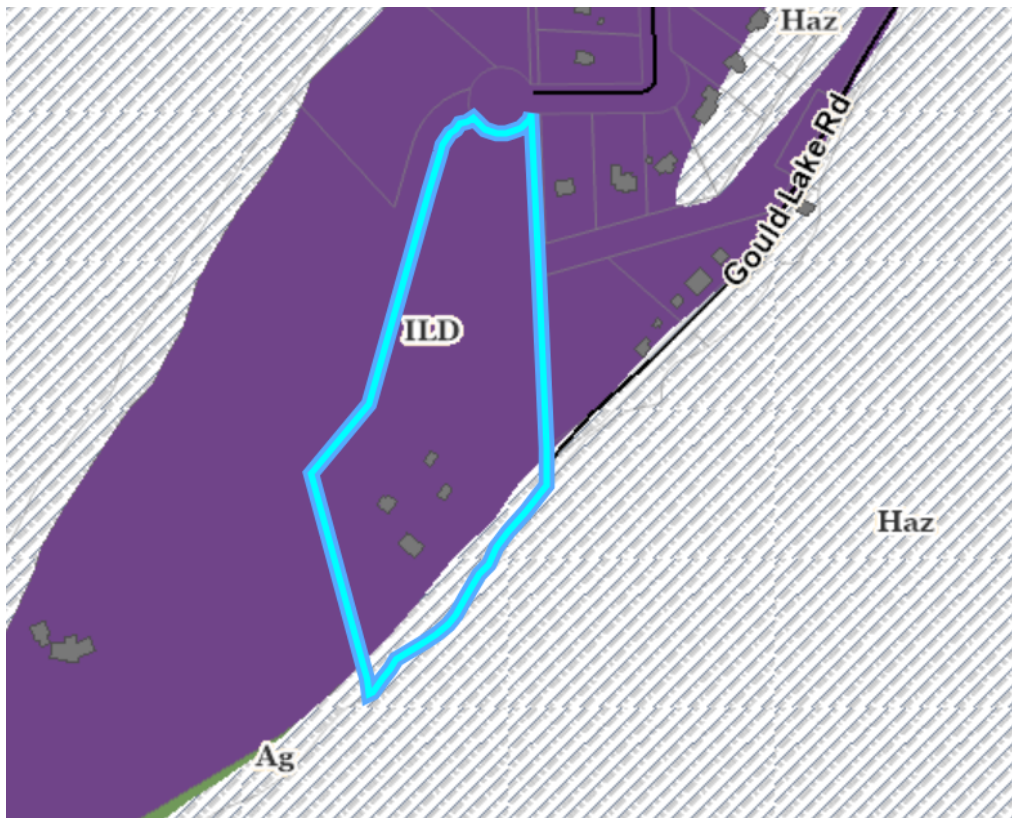
Cultural Heritage

The entire site is within an area of high archaeological potential, due to its proximity to Gould Lake. A holding provision has been included with the associated Zoning Bylaw Amendment that requires an Archaeological Assessment to be completed on the proposed severed parcel.

Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- Agency Comments
- Public Notice

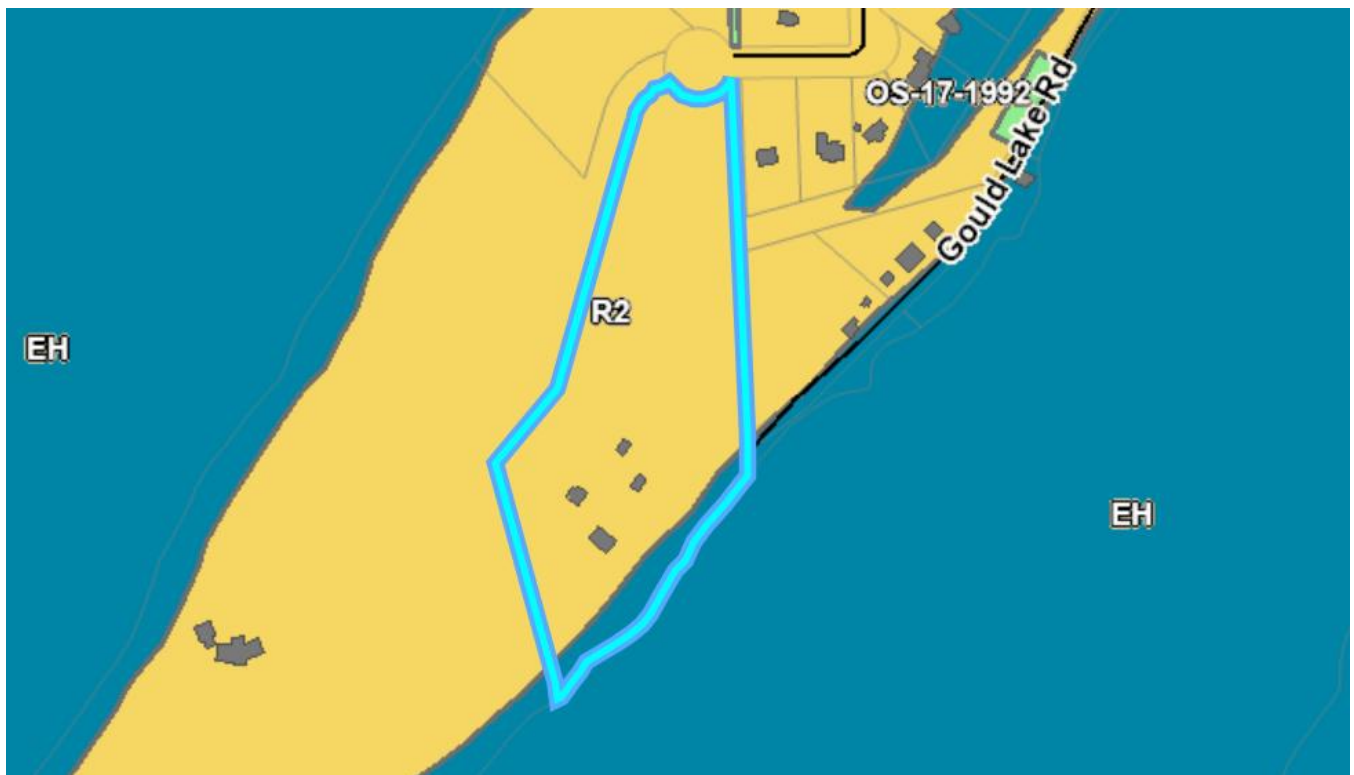
County Official Plan Map (Designated Inland Lake Development Areas)



Local Official Plan Map (Designated Shoreline Development)



Local Zoning Map (Zoned Resort Residential 'R2')



Agency Comments

Town of South Bruce Peninsula Building Department - The tertiary system should not be a requirement of the planning decision as sewage systems fall under the Ontario Building Code

- Planner's Comment: while we recognize the role of the Building Code, we note that the tertiary system is a requirement of the County Official Plan, and without its incorporation into the zoning by-law, the proposed lot would not conform to the land division and servicing of the County Official Plan.

Public Works: A new driveway will require an entrance permit; notes that the severed parcel will result in the retained parcel having no access to a winter-maintained road (Golden Pond Drive)

- Planner's Comment: currently the parcel does not access Golden Pond Drive through the lands proposed to be severed. There is a way to reach Golden Pond Drive through a neighbours driveway. The lack of frontage on a municipally maintained road by the retained parcel is existing and can be addressed through a limited services agreement with the Town as part of the consent if required by the Town.

Grey Sauble Conservation Authority: No objections; provided in full below

Report Author:

Megan Stansfield, Planner

Departmental Approval:

Claire Dodds
Director of Planning and Development

Approved for Submission:

Derrick Thomson
Chief Administrative Officer