

# Staff Report

Presented By: Candace Hamm, Development Services Officer

Meeting Date: November 20, 2023

Subject: Town Comments on Bruce County Official Plan Amendment C-2023-008

Attachments: Request for Agency Comments  
Public Meeting Notice  
Draft County OP Amendment for Comments

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## **Recommendation**

That Council endorse the comments in this report and forward them to the County for consideration in Bruce County Official Plan Amendment C-2023-008.

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## **Report Summary**

The County of Bruce Planning and Development Department has circulated for comment draft amendments to the Bruce County Official Plan, which is being referred to as the Implementation Amendment. This report outlines the proposed changes.

## **Background/Analysis**

The proposed changes affect all of Section 6: Implementation and all of Section 7: Interpretation, of the County Plan. Further amendments are proposed to selected portions of Section 4: General Policies, related to policies for Servicing and the Niagara Escarpment Plan. It is intended that the amendment will make the plan more concise and easier to use, while making the policies of the plan more effective.

As part of the consultation process for this amendment, the County hosted information sessions that were attended by Town staff. Development Services Officer Hamm provided preliminary feedback and met individually with County staff, which was helpful in reviewing the amendment and preparing these comments.

Approximately 60 changes to the Bruce County Official Plan have been proposed, many of which Town staff have no issues or concerns with.

Comments on the proposed changes are grouped below in terms of changes that are anticipated to have a positive impact on the Town's planning process, and changes for which we

have questions or are seeking clarification. The Section References below correspond to the Draft County OP Amendment for Comments circulated with the attached Request for Agency Comments (attached).

Positive Impact Anticipated:

- Local municipalities can refer to the County Official Plan as the applicable policy framework if specific policies have not been developed at the local level.
- Alternative public consultation measures can be implemented, and the procedures to administer public consultation can be delegated by the approval authority.
- Local municipalities may delegate the authority to pass minor by-laws to a committee or an authorized municipal officer.

Questions or Clarification:

<u>Section Reference</u>	<u>Recommended Comment</u>
6.17 Inclusionary Zoning	Staff question whether the County Official Plan should state that “Bruce County and Local Municipalities are interested in inclusionary zoning.” It is perhaps more appropriate to remove the reference to the interests of Local Municipalities in the County Plan.
6.21 Site Plan Control	This section indicates that the Site Plan Control policies of the County Official Plan may form the basis of policies for local municipalities within Bruce County, and therefore local official plans are not required to establish Site Plan Control policies. It should be acknowledged that some local official plans already have Site Plan Control policies. The following text is recommended to be added to this section: “A local official plan may have more detailed Site Plan Control policies than those outlined in this plan.”
6.27 Development Applications	The amendment is indicating that County Council or its delegate may extend the expiry date, or deem a lapsed approval not to have lapsed, at its discretion, provided: The applicant has made significant progress towards registering the Draft Plan of Subdivision or Draft Plan of Condominium; and Exceptional circumstances beyond the applicant's control prevent them from applying for Final Approval on time. Is it necessary for the applicant to demonstrate both significant process and exceptional circumstances to extend the draft approval expiry date?
6.28 Land Division Policies	<p>a) The proposed amended policies seem to suggest that the re-creation of original Township lots will require permission from the Land Division Committee. Clarification is needed from the County on lots that have merged on title due to land inheritance following a death.</p> <p>b) The proposed amended policy indicates that a severance will not be permitted in or within 120 metres of lands identified as a Mineral Resource Area or an existing licensed site for mineral extraction, or within 210 metres of a licenced quarry. Is there flexibility if proper studies can demonstrate the impacts to the existing extraction operations and future uses will be negligible?</p>

6.29 Lot Adjustments and Additions	The amendment is indicating that lot adjustments outside of the Agricultural designation are only permitted for legal and technical reasons. It is questioned whether this is the intent of the drafted policy.
6.31 (Crown Surveyed Lot)	Will the County develop guidelines to establish the items that are up to the opinion/discretion of the Land Division Committee?
7.3 (Interpretation)	<p>a) Watercourses meander over time and shouldn't necessarily be depended upon to determine land use boundaries.</p> <p>b) The proposed amendment is indicating that minor adjustments to settlement area boundaries can be allowed without an amendment to the Plan to create a lot that meets the minimum lot area requirements of this Plan or a local Official Plan. Are restrictions needed to regulate this? Will expansion to the settlement area through new lot creation be permitted in perpetuity one lot at a time?</p>
4.7.5.4 Interim Servicing – Primary Urban Communities	The example of interim is given as 3-7 years. Upgrading areas from partial services to full services is a large commitment by the municipality and has major budgetary considerations. Will new lot creation in partially serviced areas only be approved by the County if there are plans by the municipality to fully service the area in the next 3-7 years?

#### Amendments to the Town Official Plan:

If the proposed Implementation Amendment is adopted by the County, the Town would not be required to add, revise, or remove any Town Official Plan policies in order to conform. However, there are a number of policies that would be to our advantage to implement or voluntarily incorporate into the Town of Saugeen Shores Official Plan. The following items will be researched by Town staff and brought forward for consideration by Council at a later date.

#### Potential Actions and Amendments to the Town Official Plan

- The Bruce County Official Plan could be referred to as the applicable policy framework where Town policies have not been developed.
- Consultation and Community Engagement policies could be revised to include alternative public consultation measures.
- The authority to pass minor by-law (i.e., applying or removing Holding “H” symbols, temporary use by-laws, and minor administration amendments such as zoning amendments to reflect minor lot boundary adjustments) could be delegated to a committee or an authorized municipal officer.
- The Town could pass a by-law to require pre-submission consultation for Planning Act Applications approved by the Town (i.e., Site Plan Control).

#### Conclusion:

Overall, the proposed amendment to the County Official Plan would make the plan more concise, easier to use, and make the policies of the plan more effective. However, a number of points would benefit from further clarification.

If supported, the Town will provide a copy of this report and any resolution of Council to the County.

## **Linkages**

- Corporate Strategic Plan Priority #2: Improve Operational Effectiveness

## **Financial Impacts/Source of Funding**

No costs or revenue associated with this report.

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Reviewed By: Mark Paoli, Director, Development Services

Approved By: Kara Van Myall, Chief Administrative Officer