



# Report to Council - Planning Application

**Title:** County Official Plan Amendment C-2024-002 Kenneth Naves

**From:** Jack Van Dorp, Director of Planning and Development

**Date:** July 4, 2024

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## Staff Recommendation:

That Official Plan Amendment Application C-2024-002 for lands described as Con 23 PT Lot 21 (Amabel) in the Township of South Bruce Peninsula be approved; and

That staff be authorized to approve Town of South Bruce Peninsula Official Plan Amendment Application L-2024-004 if it is adopted by the Council of the Town of South Bruce Peninsula.

## Summary:

The purpose of the application is to permit an automotive service station on the property, in addition to the commercial trailer park and an accessory residential dwelling. The new use would occupy the existing administrative office building and would employ a maximum of two employees. The proposed new use requires amendments to the County Official Plan, the Town of South Bruce Peninsula Official Plan and the Town's Zoning By-law. The Local Official Plan Amendment file is L-2024-004 and the Zoning By-Law Amendment file is Z-2024-017.

The proposal was supported by the Council of the Town of South Bruce Peninsula following a public meeting on June 18, 2024, and by-laws may be passed by the Town pending adoption of the County Official Plan Amendment.

## Alignment with Guiding Principles:

The proposal is aligned with the Guiding Principle of Business as it creates opportunity to diversify the use of land already used for a commercial purpose to provide additional year-round local employment opportunities and services.

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

## Aerial photo



274 Spry Lake Road, South Bruce Peninsula  
CON 23 PT LOT 21 (Geographic Township of Amabel) Town of South Bruce Peninsula.  
Roll Number 4102-540-018-01100

## Planning Analysis

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including a review of the Provincial Policy Statement 2020, the Bruce County Official Plan, the Town of South Bruce Peninsula Official Plan and the Town of South Bruce Peninsula Zoning By-law.

## Policy Direction

The 2020 Provincial Policy Statement (PPS) issued under Section 3 of the Planning Act requires that land use planning decisions 'be consistent with' provincial policies. Under Section 4.6 of the PPS, the Official Plan is identified as, "the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans. Official plans shall identify provincial interests and set out appropriate land use designations and policies." (PPS 2020, pg. 35).

Schedule 'A' of the Bruce County Official Plan (BCOP) locates the subject property within the Travel Trailer Park & Commercial Campground Development designation with a Hazard designation applied to the area of the lot adjacent to Spry Lake. The applications propose to amend the designation in the County Official Plan to permit a year-round, small-scale automotive service station with a maximum of 2 service bays, in an existing 208 m<sup>2</sup> building, as a home industry use accessory to the detached dwelling.

The Travel Trailer Park & Commercial Campground Development designation is a very specific and exclusive designation, intended to specifically permit the campground and regulate the use. The current policy specifies that the designation is considered a seasonal recreational use of the lands consisting predominantly of campsites and accessory uses and buildings with commercial uses such as a tuck shop or mini golf for the seasonal residents and a limited amount of land to accommodate a permanent residence for the owner/operator of the park.

#### Addition of a Commercial Use

Consideration can be given to the commercial aspect of the property and the identified need to diversify the permitted uses in order to make the land more economically viable. The proposed use does not offend the Official Plan as the current use is commercial. The property is located outside of a settlement area however is in proximity to the Oliphant Rural Recreational area. A year-round, small-scale automotive service station can be considered a beneficial service to the surrounding area.

Home industry uses are intended to be small-scale businesses that are restricted in size and accessory to the home or the dwelling. Staff support permitting the use accessory to the main use, being the campground, and not accessory to the detached dwelling as it is an accessory use itself. Limiting the size and number of employees for the automotive service station ensures that the use is of a scale that can be considered accessory to the commercial campground. Allowing year-round operation of the automotive service station will enable the owner to realize income in the off season when the campground is closed. The zoning by-law and site plan control are tools the Town can use to regulate the operation of the business and ensure that the campground continues as the primary use of the property, which is the intent of the County Official Plan.

The proposal meets the Economic Development objectives of the County Official Plan that encourage a broader range of growth to provide employment opportunities and encourage a range of business activity. The proposed additional land use is not anticipated to create any land use conflicts, as it is outside of any hazard areas, is within an existing building and requires no site alteration.

#### Natural Heritage

Section 2.1 of the PPS 2020 directs that Natural features and areas shall be protected for the long term. The property abuts Spry Lake and the Rankin River Wetland. As no additional development or site alteration is proposed and the existing structure and immediate area around the structure are outside of any hazard areas, an Environmental Impact Study was not required as part of the application.

The conversion of the building to permit the service bays will require a change of use permit and compliance with the Ontario Building Code to ensure that oil interceptors are installed and operational, among other requirements. The building is well outside of the GSCA regulated area and the threat of environmental impact of a 2-bay vehicle service station near the wetland is anticipated to be negligible where best practices and environmental stewardship are practiced.

## Natural Hazards

Section 3.0 of the PPS 2020, Protecting Public Health and Safety, directs that development shall be directed away from areas of natural or human-made hazards. County mapping indicates that the regulated area is associated with the southern property line that abuts Spry Lake. The proposed use is located approximately 107 m outside of the regulated area. Grey Sauble Conservation Authority (GSCA) commented that,

“[w]e have refined the EH boundaries on the enclosed map to more accurately reflect the extent of the wetland feature in the northwest portion of the property and the 15 metre hazard allowance for flooding and erosion associated with Spry Lake. We recommend these boundaries be incorporated as the new EH boundary. The existing structure subject to the amendments is not within the hazard area. As such, we are of the opinion that the proposal is consistent with the Section 3.1 PPS policies.”

The updated mapping has been included in the mapping schedule to the official plan amendments as well as the zoning by-law amendment.

## Cultural Heritage and Archaeology

Section 1.2 of the PPS, 2020 directs that municipalities shall engage Indigenous communities through the planning process:

### “1.2 Coordination

1.2.2 Planning authorities shall engage with Indigenous communities and coordinate on land use planning matters.”

Further In Part IV: Vision for Ontario’s Land Use Planning System, the PPS, 2020 provides;

“The Province’s rich cultural diversity is one of its distinctive and defining features. Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities’ perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their section 35 Aboriginal or treaty rights. Planning authorities are encouraged to build constructive, cooperative relationships through meaningful engagement with Indigenous communities to facilitate knowledge-sharing in land use planning processes and inform decision-making.” (PPS, 2020 Pg. 5)

The Notice of Application and Public Meeting was circulated to Saugeen Ojibway Nation (SON), the Historic Saugeen Metis (HSM) and the Metis Nation of Ontario. Comments received from HSM indicated no objection. Comments received from SON request a holding provision be applied to the property requiring an archaeological assessment to the satisfaction of SON prior to any site alteration or development. This property is within an area of high archaeological potential.

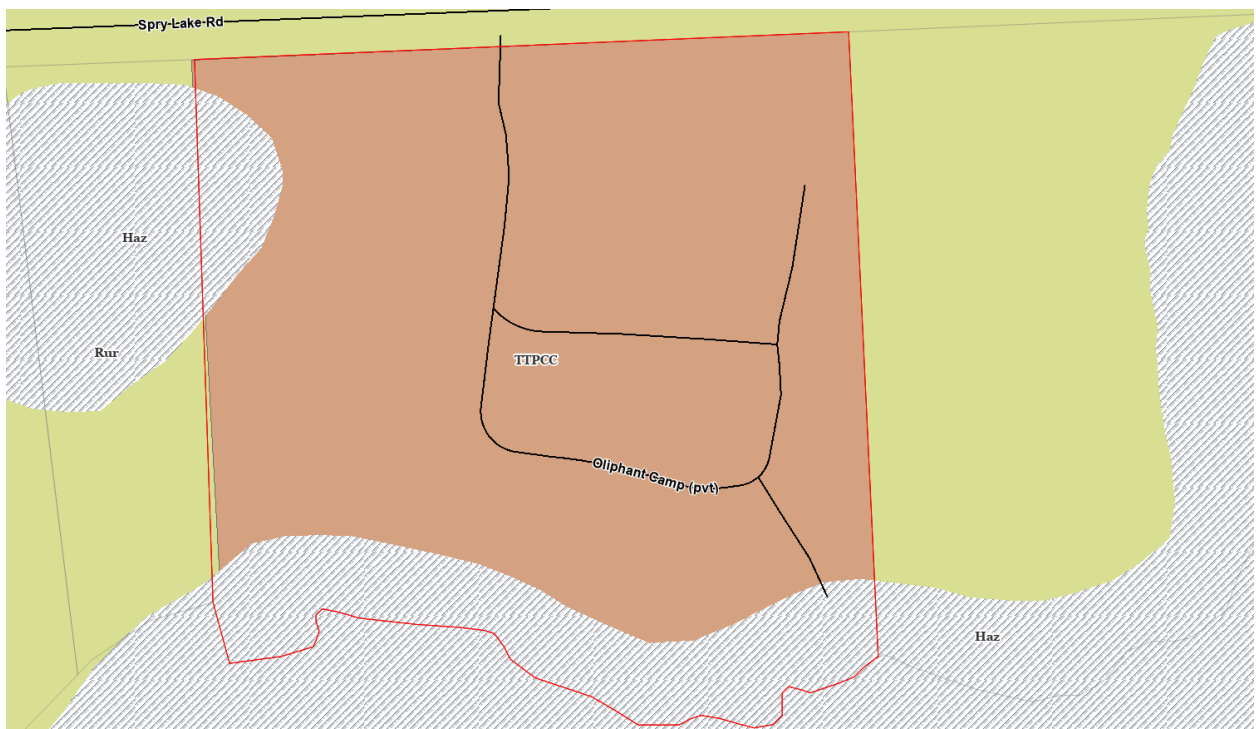
## Other Related Applications

The Town of South Bruce Peninsula Council supports the local Official Plan and Zoning By-law amendment applications to permit the year-round, small-scale automotive service station with a maximum of 2 service bays, in an existing 208 m<sup>2</sup> building, as a permitted use accessory to the campground.

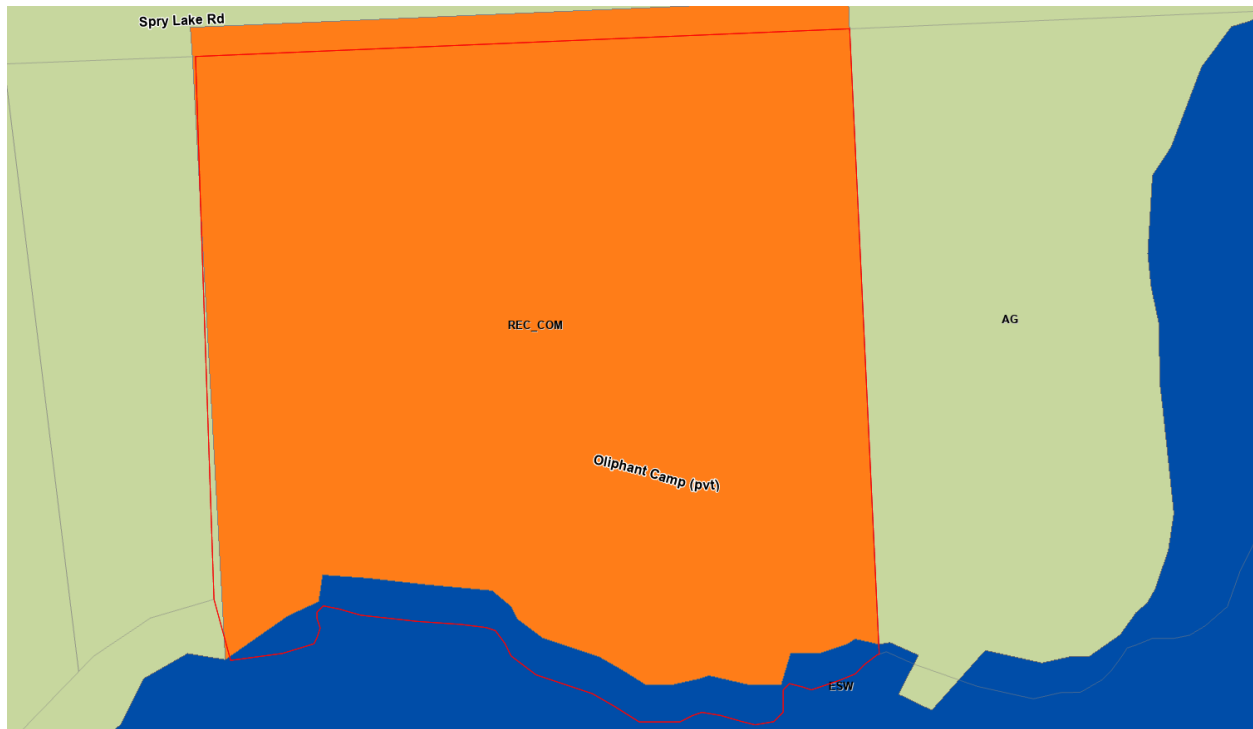
## Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Studies and Plans
- Agency Comments
- Public Comments
- Site Plan
- Public Notice
- Draft Official Plan Amendment

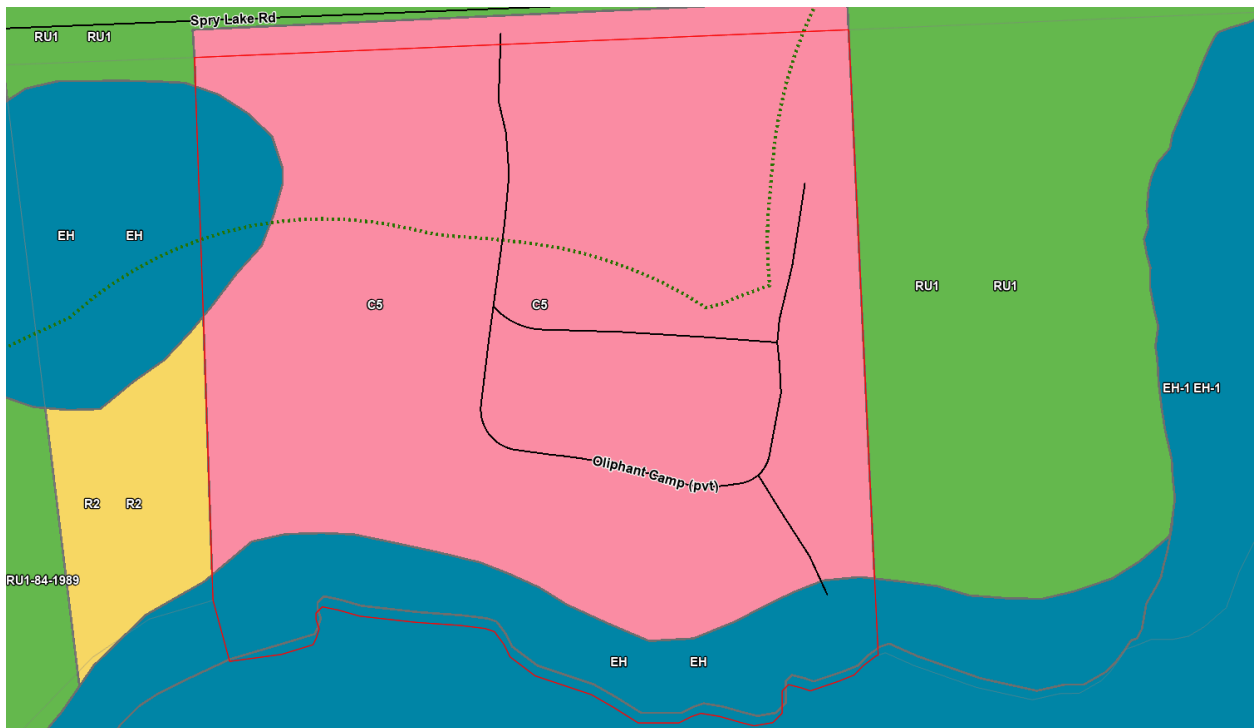
### County Official Plan Map (Designated Travel Trailer Park & Commercial Campground Development and Hazard Land Area)



## Local Official Plan Map (Designated Recreational Commercial and Environmental-Wetland)



## Local Zoning Map (Zoned C5 - Campground Commercial and EH - Environmental Hazard)



## List of Studies and Plans

Planning Justification Report. Cuesta Planning Consultants.

## Agency Comments

The applications were circulated to the required agencies. The following agency comments (attached) were received by the report submission deadline:

**Town of South Bruce Peninsula:** In comments dated June 5, 2024 Town staff noted,

Building Division- “The definition for a home industry refers to an occupation or business as a secondary use to an agricultural, rural, or rural residential use(s). The property is zoned as campground commercial. If a home industry will be a permitted use, it should have its own site-specific definition including a definition for an automobile repair and service shop. The home industry should also obtain relief from Section 6.19 (Home Industry) b) if an automobile repair and service shop will be permitted.”

Emergency Services Department - “Our department has no objection to the proposed application if the applicant consults with the building department towards the potential requirement of obtaining a "Change of use" permit, or an" Application for a Permit to Construct or Demolish". The applicant should also be informed that with a limited description of the business provided, the business may be subject to requirements found within Part 3, 4, 5 and 6 of the Ontario Fire Code.”

**The Historic Saugeen Métis (HSM) Lands, Waters & Consultation Department (HSM):** In comments dated May 22, 2024 the HSM noted that it has reviewed the relevant documents and has no objection or opposition to the proposed Zoning By-Law amendment, County Official Plan amendment and Town of South Bruce Peninsula Official plan amendment.

**Grey Sauble Conservation Authority (GSCA):** In comments dated June 14, 2024 GSCA noted no objections the proposed zoning by-law amendment, local official plan amendment, and county official plan amendment. They revised the ‘EH - Environmental Hazard’ mapping and recommend this be utilized as the new EH boundary.

**Saugeen Ojibway Nation (SON):** In comments dated August 21, 2023 SON noted, “Any digging, site alteration, grading, tree removal or excavation will warrant conducting an archaeological assessment of the property. If no ground disturbance or development will be occurring then an assessment may not be warranted.

It might be good to share the design plans or any additional information the proponent has indicating that no disturbance or ground alternation will take place. It may also be helpful to specifically delineate the area being rezoned for this use, to help understand the scope/extent of any proposed development or alterations (if any).”

Follow-up comments dated June 10, 2024 request the submission of an archaeological assessment for future development.

## Public Comments

No written comments were received by the report submission deadline in response to the circulation of notice to all properties within 120 m of the subject lands and notice posted on the property.

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

Potential Appeal to Local Planning Appeal Tribunal

**Report Author:**

Jenn Burnett, Senior Development Planner

**Departmental Approval:**

Jack Van Dorp, Director of Planning and Development

**Approved for Submission:**

Claire Dodds, Commissioner of Community Development