Committee Report

To: Warden Mitch Twolan  
Members of the Planning and Development Committee

From: Kara Van Myall  
Director of Planning and Development

Date: October 17, 2019

Re: Process Improvements Official Plan Amendment

Staff Recommendation:

That the Committee direct staff to initiate a Bruce County Official Plan Amendment as attached to this report.

Background:

The Planning Department is undergoing a significant transformation and process improvement is one of our key areas of focus. Through this work staff identified an opportunity for policy changes to address some of the “tension” in Planning between future goals and current challenges as it relates to the following three issues:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Opportunity (Recommendations)</th>
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<tbody>
<tr>
<td>1. Conditions and information requirements for re-creating merged township lots</td>
<td>Clarify that township lot consents are not considered to be new lots or intended to be subject to information requirements or conditions related to future uses unless proposed by the application.</td>
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<td>2. Recreating small developed lots that have accidentally merged</td>
<td>Permit merged developed lots to be severed, use conditions to maintain or improve wastewater</td>
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<td>3. Lot additions for existing undersized lots</td>
<td>Clearly permit lot additions and boundary adjustments in all designations, including where required to improve existing deficiencies; remove requirement to rezone retained lot in Agricultural areas</td>
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Regarding Issue 1 (conditions for Township lots), staff note that the definition of development in the Provincial Policy Statement includes the creation of a new lot, and development is required to be consistent with provincial direction and policy.
These opportunities relate to issues that staff see with some frequency in their work. Staff appreciate that owners in these circumstances can experience frustration, including:

- Inability to sell one property separately from another property they own;
- They (often) have paid taxes based on 2 separate lots;
- The lots may not meet the policy requirements for severance;
- Pursuing studies or amendments to the policies to allow a severance can be costly and the outcome is uncertain;
- Existing Legal Dwellings / uses (and associated impacts) can continue indefinitely regardless of whether or where there is a lot line between them.

Staff reviewed the planning considerations related to these issues and prepared a draft Official Plan Amendment, which follows this report as Appendix ‘A’. A detailed policy review and analysis of the current policy framework and provincial interests is attached as Appendix ‘B’ and notes potential options.

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

A general amendment to the County Official Plan includes costs of approximately $5000 for public notices in newspapers throughout the County to adequately notify the public of the proposal.

Amendments to establish a more flexible policy framework could reduce the number of applications for amendment to the Plan or local by-laws in order to enable a consent. It may also enable more clients to apply for consents. Application volume to department revenues may be impacted, noting however that application fees do not generally cover the costs associated with processing applications.

Advancing an amendment at this time offers an opportunity to test new policies for inclusion in the upcoming larger Bruce County Official Plan project.

Amendments which provide a clearer policy direction could assist applicants and staff in the review of development proposals, with associated time savings.

**Interdepartmental Consultation:**

Staff contacted the Drinking Water Source Protection Office and Niagara Escarpment Commission to review policies that may be applicable.

**Link to Strategic Goals and Elements:**

Goal 5 - Eliminate our own red tape
Element ‘A’ - All work processes designed for the fewest steps and the easiest completion;
Element ‘E’ - Focus on the internal and the external customer/client needs first