



Planning Report

To: Municipality of Brockton Council

From: Monica Walker-Bolton, Sr. Planner

Date: March 8, 2022

Re: Zoning By-Law Amendment - Z-2021-094 (Lantz)

Recommendation:

Subject to a review of submissions arising from the public meeting and consideration of the visual impact of the proposed development:

That Council approve Zoning By-law Amendment Z-2021-094 as attached and the necessary by-law be forwarded to Council for adoption;

And further, that a declaration be made in accordance with Section 34 (17) of the Planning Act that no further notice is required.

Summary:

The application proposes to change the zoning on the property from Inland Lake Residential (LR) to a special Inland Lake Residential Zone (LR-11). The proposed amendment would recognize the existing undersized lot area of .125 hectares and permit an increased lot coverage of 32%. If approved, the proposed amendment would facilitate the construction of a single detached residence with an attached garage.

Airphoto:



Site Plan:



Image of Existing Structure (Source Google Street View):



Elevation Drawings of Proposed Structure:



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), public comments (attached) and planning policy sections.

Inland Lakes Policies

Section 5.4 of the Bruce County Official Plan provides policies to regulate development in the Inland Lake Designation. The Plan recognizes existing development around several small inland lakes. All of the inland lakes in the County are environmentally sensitive due to their size, depth, rate of in-flow and rate of out-flow. In some cases, the existing density of development has created problems to the extent that many lakes may be at or above their natural carrying capacity. The Inland Lake Development policies are based on a similar cautionary approach to development as the Rural Recreational Designation.

To address potential water quality impacts from the proposed development the applicant has consulted with the Saugeen Valley Conservation Authority (SVCA) in the preparation of their application. A Waterloo Biofilter tertiary treatment system with added phosphorus reduction technology is proposed to be installed. The SVCA has provided supportive comments for the application.

As a property that is part of an Inland Lakes Designation, the subject property is identified in the Bruce County Official Plan as being part of Special Policy Area "D" (Part A). Some inland lakes are subject to additional policy restrictions as part of the Special Policy Area. However, there are no additional restrictions for Lake Rosiland.

Section 5.4.7 of the Bruce County Official Plan addresses development of existing lots and refers to the policies of Section 5.3.5, which are the development policies of the Rural Recreational Designation. Section 5.3.5.2.1 requires development to be appropriately set back from the water's edge. In the case of re-development replacement buildings are required to be located no closer to the water than the existing development.

The proposed new house will meet the required setback from the water's edge of 15 metres as outlined in the Brockton Zoning By-Law and will be further away from the water than the existing residence.

Section 5.3.5.2.2 discusses new development and the visual impact of buildings and structures. These policies require that new development be designed to minimize the visual impact of buildings and structures. New development shall be designed so that height, bulk, density and massing of built form does not have an unacceptable impact upon the view towards or from the waterfront. As a general rule, built form should be compatible with surrounding uses and be limited to 3 storeys in height.

The proposed development meets the height restriction requirements of Section 5.3.5.2.2, however the bulk and massing of the proposed structure will have a visual impact. The water view of Lake Rosiland will be reduced for some residences on the east side of Lake Rosiland Road 1.

Unless the applicant were to construct a new residence with the same or lesser height and width of the existing residence, some visual impact is unavoidable. Concerns have been raised from the households of three neighbouring property owners that the views of the lake between the proposed residence and the property line will be greatly reduced. The existing residence is currently set back approximately 3 metres from the north property line and approximately 13.5 metres from the south property line. These setbacks will be reduced to 1.5 metres from the south property line and 1.8 from the north property line, which meets the minimum required interior side yard requirement of 1.5 metres.

In considering the application, Council should consider the visual impact of the proposed development and whether the proposed increased lot coverage of 32% from the required 15% facilitates excessive bulk and massing that constitutes an unacceptable impact on the view toward the waterfront. If so, the application should be deferred to facilitate appropriate revisions to the proposal.

Driveway Width and Landscaped Open Space

Comments have been provided from the Municipality of Brockton building department to request additional information to verify conformity with the Zoning By-Law for landscaped open space and driveway width. A revised site plan drawing has been provided by the applicant to address these questions.

Archaeological Potential

Bruce County screening maps identify the subject property as being in an area of high archaeological potential. The Planning Department has determined that due to the history of Lake Rosiland as a man made lake, deep ground disturbance has occurred on the subject property and an archaeological assessment will not be required.

Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
- Agency Comments
- Public Comments
- Public Notice

County Official Plan Map (Inland Lake Designation)



Local Zoning Map (Zoned Inland Lake Residential 'LR' and Environmental Protection-Special Zones 'EP-10')



List of Supporting Documents and Studies

- Planning Justification Letter, Cunningham
- Waterloo Biofilter advanced septic system brochure

Agency Comments

Saugeen Valley Conservation Authority: Provided in full below

Brockton Building Department: Provided in full below

Historic Saugeen Métis: No objection

Enbridge Gas: Gas available in area, no concerns.

Public Comments

Several comments in support of the proposed application as well as several letters in opposition to the proposed application have been received. Of particular note are the letters from the members of the three households on the east side of Lake Rosiland Road 1, who are concerned about the impact of the proposed development on their view of Lake Rosiland. Public comments are provided in full below.

EMAIL ONLY: MWalkerBolton@brucecounty.on.ca and bcplwa@brucecounty.on.ca

February 8, 2022

County of Bruce Planning & Development Department
30 Park Street
Walkerton, Ontario N0G 2V0

ATTENTION: Monica Walker Bolton, Planner

Dear Ms. Walker Bolton,

RE: Proposed Zoning By-law Amendment Z-2021-094 (Lantz)
162 Lake Rosalind Road 1
Part Lot 71 Concession 3 NDR
Roll Number: 410434001024500
Geographic Township of Brant
Municipality of Brockton

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA), dated September 2019, with the County of Bruce representing natural hazards, natural heritage, and water resources; and the application has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

Purpose

The purpose of the application is to allow a maximum lot coverage for the subject property of 32%. A Zoning By-Law Amendment to change the zoning on the property from Inland Lake Residential (LR) to a special Inland Lake Residential Zone (LR-10) is required to facilitate the construction of a new single detached dwelling with attached garage on the subject property. The area of the property zoned Environmental Protection Special Zones (EP-10) will remain unchanged.

Background

On the referral of Bruce County planning staff, the SVCA was contacted on December 13, 2021 by the contractor for the owner regarding the replacement of the existing dwelling and sewage disposal system on the property. SVCA staff met on-site with the owner and contractor on January 7, 2022, and the SVCA issued SVCA permit 22-006 on January 14, 2022 for: removal of the existing dwelling and sewage disposal system, and the construction of a new dwelling, and new sewage disposal system, and related excavation, filling, and grading, all within the adjacent lands to Lake Rosalind. The SVCA letter also included preliminary pre-consultation comments for a proposed zoning by-law amendment that would support the development.

Recommendation

The application is acceptable to SVCA staff.

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020). We have also reviewed the application through our responsibilities as a service provider to the County of Bruce in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, natural heritage, and water resources as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

The natural hazard feature affecting the property is Lake Rosalind and its related flood hazard. It is SVCA staff's opinion that the Hazard Lands designation as shown on Schedule A to the Bruce County OP and the Environmental Protection (EP-10) Zone as shown in the Municipality of Brockton Zoning By-law 2013-26, generally coincides with SVCA Hazard Lands as mapped by the SVCA for the property. Based on the site plan submitted with the application, the location of the new development will not be within the Hazard Land designation or the EP-10 zone.

Provincial Policy Statement – Section 3.1

Section 3.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of: b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding and erosion hazards; and c) hazardous sites. It is the opinion of SVCA staff that the application complies with Section 3.1. of the PPS, 2020.

County of Bruce OP Policies

Section 5.8 of the County of Bruce OP generally directs development to be located outside of Hazardous Land Areas. It is the opinion of SVCA staff that the application appears to be consistent with the natural hazard policies of the Bruce County OP.

Natural Heritage:

It is the opinion of SVCA staff that the natural heritage feature affecting the property is fish habitat and its adjacent lands..

Provincial Policy Statement – Section 2.1

Section 2.1 of the PPS, 2020 states in part that development shall not be permitted in fish habitat and their adjacent lands, except in accordance with the specified policies found in Section 2.1.

Bruce County OP Policies

Fish Habitat and its Adjacent Lands

Lake Rosalind is considered fish habitat by SVCA staff. Section 4.3 of the Bruce County OP generally prohibits development within fish habitat and its adjacent lands, except in accordance with applicable policies. However, as the property is already developed, and based on the plans submitted with the application, the new development will be no closer to the Lake than the existing development, it is the opinion of SVCA staff that impacts to fish habitat will be negligible, and so SVCA staff is not recommending the preparation of an Environmental Impact Study (EIS) to address fish habitat concerns at this time.

Statutory Comments

SVCA staff has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

The western portion of the property is within the SVCA Approximate Screening Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Screening Area, requires permission from SVCA, prior to carrying out the work. For the property the SVCA Approximate Screening Area represents Lake Rosalind and any associated flood hazard of the lake and a 15 metre offset distance from the floodplain of the lake.

"Development" as defined under the Conservation Authorities Act means:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind;*
- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;*
- c) site grading; or,*
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And;

"Alteration" as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA Approximate Screening Area is located associated with our Regulation on the property, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>.

SVCA Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, is proposed on the property, the SVCA should be contacted, as permission may be required.

As mentioned above, SVCA issued SVCA permit 22-006 on January 14, 2022 for: removal of the existing dwelling and sewage disposal system, and the construction of a new dwelling, and new sewage disposal system, and related excavation, filling, and grading, all within the adjacent lands to Lake Rosalind.

Summary

SVCA staff has reviewed the application in accordance with our MOA with the County of Bruce, and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

The application is acceptable to SVCA staff.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS, 2020 has been demonstrated;
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS, 2020 has been demonstrated; and
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated.

Please inform this office of any decision made by the Municipality of Brockton and/or the County of Bruce with regards to the application. We respectfully request to receive a copy of the decision and notices of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO/

cc: Fiona Hamilton, Clerk, Municipality of Brockton (via email)
Dan Gieruszak, SVCA Member representing the Municipality of Brockton (via email)

Proposed Services	Private Water and Private Sanitary Services
Access	Year-Round Municipal Road
Surrounding Land Uses	Inland Lake Residential, Lake Rosalind
Designations and Zones	Existing
County Official Plan	Inland Lake Development Areas, Special Policy Area "D", Hazard Land Areas
Local Official Plan	Outside of Local Official Plan
Zoning By-law	LR - Inland Lake Residential, EP-10 - Environmental Protection
Designations and Zones	Proposed
County Official Plan	No Change
Local Official Plan	N/A
Zoning By-law	Zone Change from LR to LR-11

File Number: Z-2021-094

Agency: Municipality of Brockton

No Comment: _____ Title: CBO Signature: DW

Comments:

It should be noted that the minimum existing lot size for lands zoned LR-Inland Lake Residential is 0.4ha with the existing lot of record size being 0.125ha. The zoning amendment should recognize the existing lot size as part of the application.

Zoning By-Law Section 3.5.4 Existing Lots

"Where an existing lot has a lesser area and/or frontage than required in the applicable zone, such lot may be used and buildings may be erected, enlarged, repaired or renovated on the lot provided that the use, and the buildings and structures, comply with all of the other provisions of the applicable zone and all other requirements of this By-Law."

Additional information is to be provided to confirm the width of the driveway entrance will not exceed 7.5m as specified in the Zoning By-law and that the provisions for landscape open space will be met as per 3.16.1.i and ii.

The septic system will be required to comply with the Ontario Building Code which is a requirement for all systems. It is difficult to comment on the design and layout of the septic system at this time as no Permit Application has been received.

Feb 17th 2022

We are opposing the
By-Law Amendment for
Rt 162 Lake Bosland,
as we have lived here
for 57 years & all of a sudden
we will have no lake
view it will also put the
price of our property down
He says he wants the same
lifestyle, he had across
the lake but it is a
total different lot it is
bigger & he is way up on
a hill & not blocking
anyone

There are also way to
many large houses being
built for the size of this
lake.

We are not opposed to
him building but does
it have to be that size
for the size of the lot

There is already concerns
about water quality at the
lake

RECEIVED

FEB 17 2022

BRUCE COUNTY
PLANNING

Thanks

Sheila & Wayne
Horst

From: [REDACTED]
To: [Monica Walker Bolton](#); [Bruce County Planning - Inland Hub](#)
Subject: Zoning By-law Amendment — 162 Lake Rosalind, Rd 1
Date: Thursday, February 24, 2022 11:48:55 AM

** [CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Betty Mauer
157 lake Rosalind Road 1 RR3
Hanover ON N4N 3B9

By-law:
States,
In no circumstance shall the maximum lot coverage exceed 15%

31.5% is a huge leap in a by-law designed for the lake area.
To say most properties exceed the 15% is misleading by including accessory buildings.

Yes, adjacent properties (north and south) have lake frontage and therefore this would not affect their enjoyment of the lake.

Saying the properties across the road have deeded access to the lake would indicate this would not affect us. This build would definitely affect us.

It would take away the view of the lake and also block the late afternoon sun from myself and neighbours.

The proposed residence would be replacing a home not situated on the lake but across the road on a hill with lots of land around.

I have lived at this address for 57 years and enjoyed having a view of the lake.

By-laws are put in place for a reason. Why have this by-law if it can be changed to that extent.


I oppose this plan and respectfully ask that this by-law not be changed.

Sincerely
Betty Mauer

Sent from my iPad

Rhonda Mauer

157 Lake Rosalind Rd 1, RR 3
Hanover, ON N4N 3B9



February 24, 2022

Sent Via Email

Council of the Municipality of Brockton
c/o Clerk,
100 Scott St, PO Box 68
Walkerton, ON N0G 2V0
fhamilton@brockton.ca

And

County of Bruce Planning & Development Department
30 Park Street, Box 848
Walkerton, ON N0G 2V0
bcplwa@brucecounty.on.ca

Dear Council of the Municipality of Brockton and County of Bruce Planning & Development Department,

Re: File Number: Z-2021-094
Zoning By-law Amendment
162 Lake Rosalind Rd 1 – Con 3 NDR PT Lot 71 (Brant)
Municipality of Brockton, Roll Number 410434001024500

We completely object to the proposed application to exceed maximum lot coverage of 15% and allow a maximum lot coverage for the subject property of 31.5%, and completely object to changing the zoning of the property from Inland Lake Residential (LR) to a special Inland Lake Residential Zone (LR-10) that would allow construction of an oversized building on the subject lot.

Our specific objections:

My parents, Betty Mauer and Ross Mauer who is deceased, built our home at Lake Rosalind 57 years ago. This is our home and has been our primary residence this entire time. They raised three children here and continues to live in the property. I was born and raised here, have returned home, made this my permanent residence, and intend to continue to live here in my retirement when the time comes.

In all those 57 years we have had a view of the lake from our home. Should you disregard the by-law and approve the proposed development we will lose our view of the lake from our home in its entirety.

The shadow impacts to our property are significant as the proposed development would stretch from one side of the lot to the other and would exceed the height of the current main structure by an estimated 5 feet. The lot and structure is in line with the trajectory of afternoon sun and our property. Our property would be in shadow for a significant part of the afternoon and evening – a significant change to the afternoon sun we enjoy now.

Our property value and our neighbours property value will be diminished. Should the proposed structure be built, you will not know we lived at a lake as you would not see the lake from our property. Part of the value of our property is because of the view of the lake. The property value and resale value of the property would decline significantly. It would become like living in an over developed housing subdivision in town, but paying significantly higher taxes than in town, for no good reason.

Our enjoyment of our property would be diminished. Part of the enjoyment of our property is viewing the lake, seeing nature around us, and watching those enjoying the lake both summer and winter. Seeing an oversized development of brick and mortar across the street, and, if a precedent is set, potentially all along our road, as more and more properties are developed in the same way, diminishes our enjoyment of our property.

The proposed subject development is not in keeping with the properties in the vicinity. The proposed development is significantly larger than the properties in the vicinity and all along Road 1 of Lake Rosalind.

The proposed subject development is not compatible with adjacent properties.

The proposed structure is oversized for the undersized lot based on municipal by-laws in place.

The lake and surrounding area is currently designated as an environmentally protected area. The lake is currently in decline as supported by the many lake water studies over the past number of years. Oversized developments of this nature have potential to contribute to the further decline of the health of the lake.

The lake area is zoned Inland Lake Residential with specific protections to preserve the health of the lake, water quality, and water sources for the residents and neighbouring municipalities. With the proposed lot coverage, it would reduce the land available to filter rain and runoff which protects the water in our lake from increased contamination. Multiply that by all future development with similar excess lot coverage and you would potentially “kill” our lake.

The proposed lot coverage of 31.5% is over double that allowed by the current by-law of 15% and would set a dangerous precedent for future developments on our lake that will significantly change the future of our community and impact the health of our lake.

Regarding the Justification Report submitted:

Regarding the report submitted by S.G. Cunningham (Kitchener) Limited dated November 15, 2021, the report is wholly inadequate and inaccurate for reasons not limited to the following:

Item 3.0 Surrounding Land Uses, 03.01

Whether or not the properties across the road have deeded lake access is irrelevant.

Item 3.0 Surrounding Land Uses, 03.03

No numerical data was supplied supporting the assumptions the existing properties around the lake exceed the 15% lot coverage, or if they do, by how much.

The current by-laws imposing a maximum 15% lot coverage were put in place subsequent to the construction of most all of the homes and accessory buildings surrounding the lake.

The current by-laws were put in place to prevent future occurrences of over development of the area and protect the current land owners, the lake, and water quality.

Item 4.0 Required Approvals, 04.01

The maximum lot coverage allowed is 15%. The proposal is reportedly 31.5%. More than double that allowed by the by-laws in place. This is not at all a minor variance. By any measure this is a significant and blatant overage that the by-law was put in place to prevent.

Item 5.0 Proposal, 05.01

The proposal of a 4,220 s.f. building including residence, attached garage, decks and porches would clearly be over development of the subject property based on the by-law in place.

Item 5.0 Proposal, 05.02

The argument that Mr. and Mrs. Lantz live on the opposite side of Lake Rosalind and have a similar sized home with a large accessory building implies that the subject site is similar to their current property and they are just intending to develop the subject site as they did before. This is clearly erroneous. They do not live on the lake and the proposed development is not at all similar. They in fact live on the opposite side of the road from the lake, on a suitable sized lot for the size of residence and accessory buildings they have, surrounded by bush and farm land. They do not appear to have a view of the lake nor do the structures on their property impede anyone else's view of the lake. Nor does the lot coverage appear to exceed the by-laws. See attached Appendix 1.

Item 5.0 Proposal, 05.03

Life stage and safety features as an argument in support of their application is completely irrelevant.

Item 5.0 Proposal, 05.04

The proposal does not seek to maximize the existing lot and its features. It clearly is an oversized development for an undersized lot.

6.0 Variance, 06.01

The lot is clearly undersized according to the current by-law. If the lots were newly apportioned the requirement would be for 1 acre lots. The current lot is 0.3089 acres just short of one third the size. Hence the characterization of the lot as an undersized lot.

6.0 Variance, 06.02 and 06.03

The lot coverage proposed of 31.5% is more than double that allowed and a blatant disregard for the by-laws in place that are to protect land owners and the lake environment.

Conclusion:

For the reasons as outlined in our submission we request you decline the application for a “Minor Variance” and decline the building permits for the potential development as presented.

Regards,

Rhonda Mauer

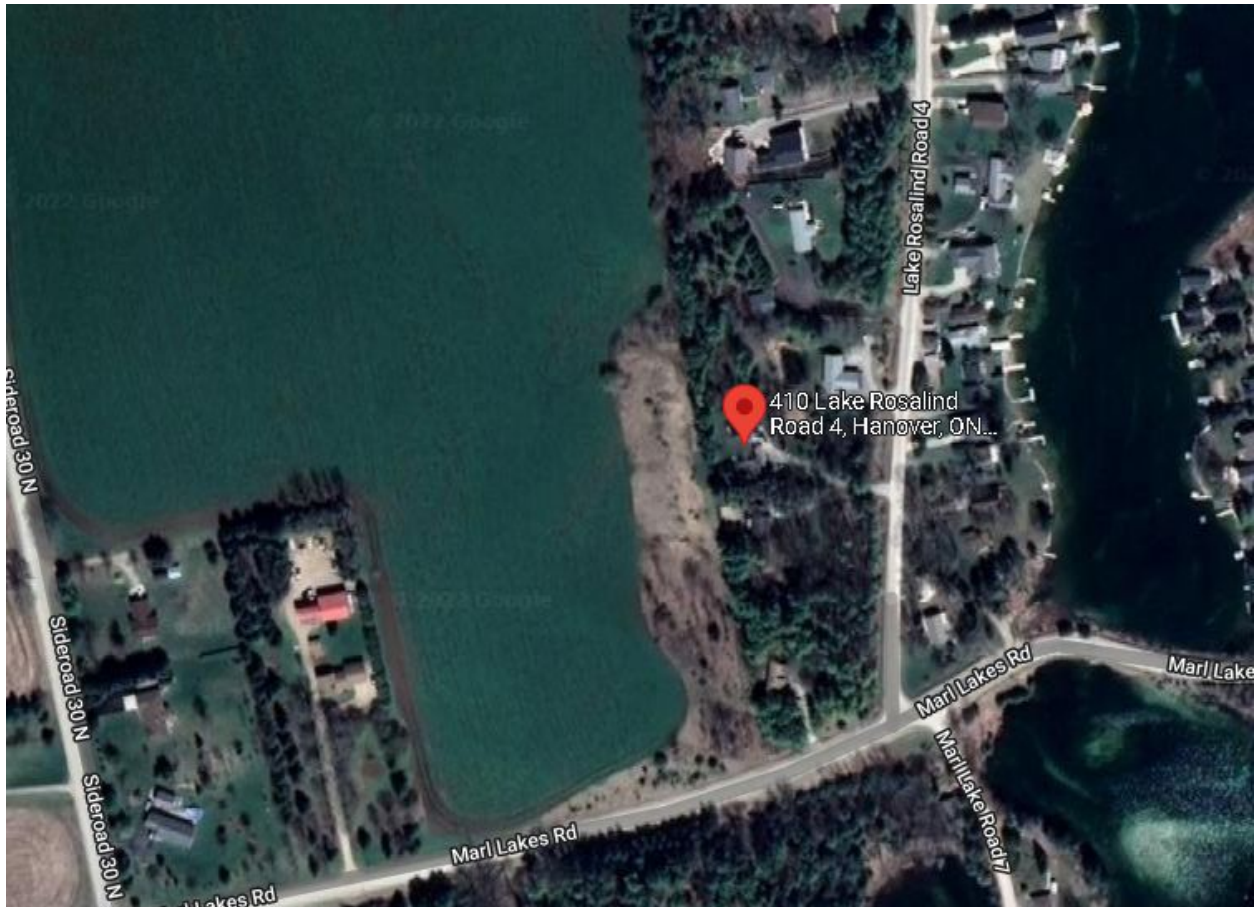
cc: Monica Walker Bolton, Senior Planner
MWalkerBolton@brucecounty.on.ca

Appendix 1

This is a satellite picture of Mr. and Mrs. Lantz's existing residence at 410 Lake Rosalind, Rd 4.

Description of image:

- On the left side of Lake Rosalind Road 4 is 410 Lake Rosalind, and bush lots.
- Left of that is farmers' fields.
- To the right of Lake Rosalind Road 4 is lake front property.
- To the right of that is Lake Rosalind.



From: Heather Smillie [mailto:[REDACTED]]
Sent: February 24, 2022 3:51 PM
To: L L
Subject: Re: Your Kind Words of Support

Larry and Ellie

I know the time is soon approaching for the review of your pending construction project and your hopes to increase the lot percentage you are permitted to build on and I am supportive of your efforts and hopeful you will be able to achieve your goals. I am confident that what you are planning will add to the lake and our community in a positive way and as your neighbour have witnessed that whatever project you undertake you do with care and consideration for the community.

Best of luck I can't wait to see what you are building

Heather Smillie
Owner/ Operator/ Senior Designer
House Rules Design Shop
[REDACTED]

ZONING BY-LAW AMMENDMENT – MARCH 8, 2022

File-Z-2021-094

To whom it may concern:

We hereby are submitting our position in regards to the application made by the owners of 162 Lake Rosalind Road 1, to change their property from inland Lake Residential [LR] to a special inland Lake Residential Zone [LR-10].

We have been the owners of Lake Rosalind Lot #155 Road 1 for the past 21 years and have enjoyed sitting on our front porch and looking at the glistening water of Lake Rosalind. If the above Zoning change is approved we no longer will have that, our view of the lake will be completely obstructed and we will only have the front view of our new neighbour's home.

Lake Rosalind is meant to be enjoyed and viewed by all residents, not only those that live on the edge of the Lake and when we purchased the property, the current by-law provided tacit assurance that our view would never be at risk.

We feel strongly that the current restriction of 15% lot coverage should be respected. All of the homes in our area were built under that restriction.

As mentioned, we have been property owners 21 years and have a wonderful family home atmosphere at our property. We have attached a photo showing our present view (Attachment 1). The photo was taken from our front porch where we frequently sit for a relaxing view.

Please consider our situation and opposition to this zoning by-law amendment request.

Respectfully submitted.

John and Diane Williams

Attachment 1 – John and Diane Williams

View from our front porch of 155 Lake Rosalind Road 1.



From: [REDACTED]
To: [Monica Walker Bolton](#)
Subject: Latest Lake Rosalind Association news letter
Date: Friday, February 25, 2022 11:50:32 AM
Attachments: [2022-02-23 - Biochar Bag Communication.msg.msg](#)

** [CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Monica Thought I would add the attached document to the discussion.
All Lake Rosalind residents received this document and
it just describes how fragile the lakes are and also
supports corrective action.

John Williams

Resident Biochar Bag Purchase

Lake Rosalind Residents who are interested in purchasing a Biochar Bag for personal installation can do so by sending a response to:

dianalynngoodwin@gmail.com

Cost: \$85.00 per bag (includes taxes and shipping)

The bags will need rope, float/bottle and an anchor (such as a cement block) to install under a dock or raft at shoreline.

Residents who are not interested in purchasing a bag for personal use, can donate a bag to the Lake Rosalind Property Owners Association who will install the bag in a strategic location. If you are interested in this option, please indicate by email to the address above.

Money for either personal purchase or donation can be sent through etransfer to the address above or by cheque made out to the Lake Rosalind Property Owners Association. Cheques can be dropped off to Diana Goodwin/Scott Miller at 437 Road 4.

If interested in either option, please send your response by March 1st, 2022. Payment through etransfer or cheque should be completed by March 31st, 2022.

Background

Over the past two years, the Lake Rosalind/Marl Lake Water Quality Committee has been engaged in a project installing Biochar Bags for the purpose of reducing the toxin levels in the lakes. Biochar can be made from anything organic...food waste, sewage, corn stalks etc. The form of Biochar used in the bags in Lake Rosalind and Marl Lake is made from wood (pine) which is noted to be the ideal type for use in water treatment.

Last year's data proved interesting with Marl Lake showing a huge decrease in Microcystin toxin levels compared to Lake Rosalind. The data from October 12/21 showed more B-G algae in Marl Lake BUT Lake Rosalind had toxin levels 3.5 times higher!

The data from September 14/21 showed toxin levels in Marl Lake far below the Drinking Water Standard while Lake Rosalind levels were still in the danger zone above the Drinking Water Standard.

While pondering these drastic differences, it was noted that when lake size is compared, there were **over 3 times** the amount of Biochar Bags installed on Marl Lake as compared to Lake Rosalind.

The past five years of data has showed similar toxin levels in both lakes except for last year where this obvious difference was noted.

Scientific journals support these observations stating that Biochar is a good agent to remove Microcystin Toxin from drinking water in treatment plants. Journals also mention the known benefits of Biochar in removing PPCP's (pharmaceuticals and personal care compounds) along with nutrients.

When the Lake Rosalind/Marl Lake Water Quality Committee introduced the concept of Biochar Bag installation to residents, it was noted that the installation and observations would continue for three years. As this is the final year of this project, the LRML Water Quality Committee felt the need to further test the connection between Biochar bags and lower Microcystin Toxin levels and is committed to increasing the Biochar Concentration on Lake Rosalind by installing 66 to 70 bags. Marl Lake will be installing 22 bags.

Individual resident purchase of the Biochar Bags will help the LR/ML Water Quality Committee achieve its goal of installation of close to 90 bags. Every little bit helps in the overall goal of keeping our lakes healthy for years to come.

To whom it may concern;

Re: Zoning By-Law Amendment request related to 162 Lake Rosalind Road No. 1, Municipality of Brockton, File-Z-2021-094.

We would like to note our objection to the Amendment request for the following reasons:

Longevity - Our family owns the property nearby, at 155 Lake Rosalind Road No 1, and has done so for over 20 years. Many of our neighbours have also owned properties for decades and have enjoyed a consistency of lake views during that time. Many moments have been spent sitting on our front porch over the years enjoying the morning and evening views of the lake.

Property Marketability and Financial impairment – While our family has no intention of selling the property we are concerned about the effect on the property's marketability for resale. There will be a negative financial impairment to the value of properties that have the view of the lake reduced. The value that was placed upon the property when purchased was largely affected by the view of and distance to the lake, under the impression that it would continue based on the existing by-laws. Amending the by-law will impair the value of neighbouring properties.

Purpose of by-law – While the original intent of the current by-law would be known by the council at that time, the language in the by-law is quite clear and strong in stating: "In **no circumstance** shall the 'Maximum Lot Coverage' provision exceed 15%" (bolding added).

The 15% rule has worked well over the years and has helped ensure the integrity of the Lake Rosalind community. Many residents take long walks along the road and would have no interest in seeing views severely reduced if lakefront properties were to be expanded. The by-law also has helped to maintain a consistency in size structures in the community, which adds to its attractiveness.

Precedent impact of by-law amendment – If current by-law is amended, then the risk of a precedent being set is in play. What would stop any future lakeside property owners from expanding current structures or building larger replacement structures? Would council be able to deny those applications based on allowing the 15% rule to be exceeded this time?

Other perceived by-law variances – the submitted planning justification letter notes that other Lake Rosalind properties appear to exceed the 15% rule in the by-law based on anecdotal evidence. If indeed this is the case, it is a further buttress to the argument in upholding the current by-law. By-laws are sometimes

developed as an acknowledgement of previous gaps and oversights, brought in as a corrective effort to dissuade future similar errors.

Water Quality - Water quality issues in Lake Rosalind are an on-going concern. Permitting a roof in lieu of natural landscape on more than 15% of the lot in an environmentally sensitive region may further stress Lake Rosalind's ecosystem and runs counter to community efforts to improve Lake Rosalind's water quality.

Magnitude of variance – the magnitude of the requested by-law variance is the most jarring aspect of the proposal. Large homes do exist in the Lake Rosalind area. Those homes were built by owners which paid for larger lots in order to ensure they had enough lot space to meet their planned and desired housing footprint. A desired doubling of the allowed lot coverage size speaks to the fact that a larger property within the area would accomplish the goal of the applicant without any by-law amendment.

Deeded access – the submitted planning justification letter notes that some neighbours, including ours, benefit from a second property that has lake access, which was purchased decades ago by seven families. This foresight in thinking allowed us boating access to the lake. The benefits that accrue to these families from the deeded access should not be germane to the by-law appeal. The by-law amendment would affect views from our home property which is where almost all of our time is spent.

Thank you for your consideration of these notations.

Kevin Williams
Kent Williams

From: Donna Kaster [mailto:]

Sent: February 25, 2022 2:01 PM

To: carman@hanoverhonda.ca

Subject: Zoning By-Law Amendment at 162 Lake Rosalind Road 1

Planning & Development Department :

Attn: Monica Walker Bolton

We received notice of File Number: Z-2021-094 regarding a zone change proposed to the property at 162 Lake Rosalind Road 1. In response, we have no objections and give full support towards changing the zoning on this property from Inland Lake Residential (LR) to the special Inland Lake Residential Zone (LR-10).

Our property is 164 Lake Rosalind Road 1 adjacent on the north side of the above listed property. In fact, we warmly welcome the Lantz family and support the facilitation whereby they can commence with construction of their new single detached dwelling with attached garage on the subject property.

Sincerely,

Ronald & Donna Kaster

Get [Outlook for](#)

From: Derrick Ross [mailto: [REDACTED]]
Sent: February 26, 2022 7:53 PM
To: L L
Subject: Re: Letter of Support

To whom it may concern,

I am writing this note in support of Larry Carman's building application at Lake Rosalind Rd. #1.

Larry is a good neighbour and is fastidious with the up keep of his property. In addition, Larry is involved in the Lake Rosalind Community Association as a board member.

The building on the property is old and this building improvement is not only beneficial for the resident living in it , but also to the neighbours property values.

My wife and I own 3 properties on Lake Rosalind Rd.#1(172, 163 and 140).

Kind regards,

Derrick Ross & Jennifer Walsh

From: [REDACTED]
Sent: February 28, 2022 6:54 PM
To: MWalkerBolton@brucecounty.on.ca
Cc: [REDACTED]; [REDACTED]
[REDACTED]
Subject: FW: Zoning By-Law Amendment -- 162 Lake Rosalind Rd 1

Hello Monica,

As the chair of the Lake Rosalind Marl Lake Water Quality Committee which is a sub committee of the Lake Association's I have been asked to give a comment on behalf of the committee on this application.

Water Quality Comments:

1. The Water Quality Committee recommendation would be to ensure the Septic Plan meets or exceeds the recommendations from the Building Code and Conservation Ontario and be placed as far from shore as reasonably possible.
2. That the Shoreline be kept or built as close to a natural waterfront as possible.

Things the committee promotes for shorelines and based on ecologically sound advice involving lake front residences:

- Shoreline vegetation filters polluted and contaminated runoff before it flows into the lake, preventing an alternating of the water chemistry and excessive algae blooms
- Have a buffer strip by leaving some grass uncut near the water edge and or consider native plants as a shoreline buffer
- Ensure buildings are a minimum of 15 meters from waters edge
- Avoid any spills of fuels, paints, thinners etc. during the construction stage
- Hardened shoreline-eliminates "natural filter" and degrades water quality

Ken Coleman

Chairman: Lake Rosalind Marl Lake Water Quality Committee

From: Linda MacDonald [mailto: [REDACTED]]

Sent: February 28, 2022 12:15 PM

To: carman@hanoverhonda.ca

Subject: Larry Lantz

To Whom it May Concern

I have lived at Lake Rosalind for 11 years and I understand that Larry and Ellie Lantz are having issues with their new build.

This is a letter in regards to the sight line. I walk by the property in question every day and I cannot possibly see any issue with the view being obstructed in any way. I also want it known that I have no problem with the minor variance of 32% for this new build going through. There is no question in my mind that the new build will only improve the area. I know this as they have lived at Lake Rosalind for many years and their property is immaculate.

If you have any questions please do not hesitate to contact me

Linda MacDonald

228 Lake Rosalind, Road 2

[REDACTED]

from [Mail](#) for Windows

From: Tony Lang [mailto: [REDACTED]]
Sent: February 28, 2022 4:25 PM
To: L L
Subject: Re: Letter of Support - Zoning Ammendment

To whom it may concern:

We fully support Larry & Ellie Lantz's application for a zoning amendment for lot coverage increase at 162 Lake Rosalind Rd 1 from 15% to 31.5%. The impact of street view should be minimal for the neighbours and they will be great additions to our neighbourhood. We have seen their 2 lake properties first hand and they are beautifully maintained and will positively influence lake property values.

Sincerely,

Tony & Elaine Lang
138 Lake Rosalind Rd 1
Hanover, ON
N4N 3B9

-----Original Message-----

From: Bonnie Shewfelt [REDACTED]

Sent: March 1, 2022 10:10 AM

To: carman@hanoverhonda.ca

Subject: Lot 162 Minor variance

Larry : Bonnie and I are in full agreement with what you are trying to achieve with the Minor variance at Lot 162 Road 1 Lake Rosalind. Should you require any more info from us, please let us know.

Don and Bonnie Shewfelt

178 road 1 Lake Rosalind

[REDACTED]

Sent from my iPad

From: [REDACTED]
To: [Bruce County Planning - Inland Hub](#)
Subject: Comments - Application Z-2021 094 162 Lake Rosalind Rd1
Date: Wednesday, March 2, 2022 3:23:50 PM

**** [CAUTION]:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,
While out walking last weekend we saw a development application posted on property across the lake from us. We live on Road 4.

We were delighted to see that this property has plans for development as in its current state it is certainly not attractive or appealing for the neighbourhood.

We look forward to seeing a new home and welcoming new neighbours to the Lake.

Of course many will likely won't appreciate change, but we see this as a welcome improvement to Brockton and increased assessment to manage the increasing municipal costs.

Regards,
Bettyanne and Stephen Cobean
424 Lake Rosalind Rd 4 (since 1998)



County of Bruce
Planning & Development Department
30 Park Street, Box 848
Walkerton, ON N0G 2V0
brucecounty.on.ca
226-909-5515



February 1, 2022

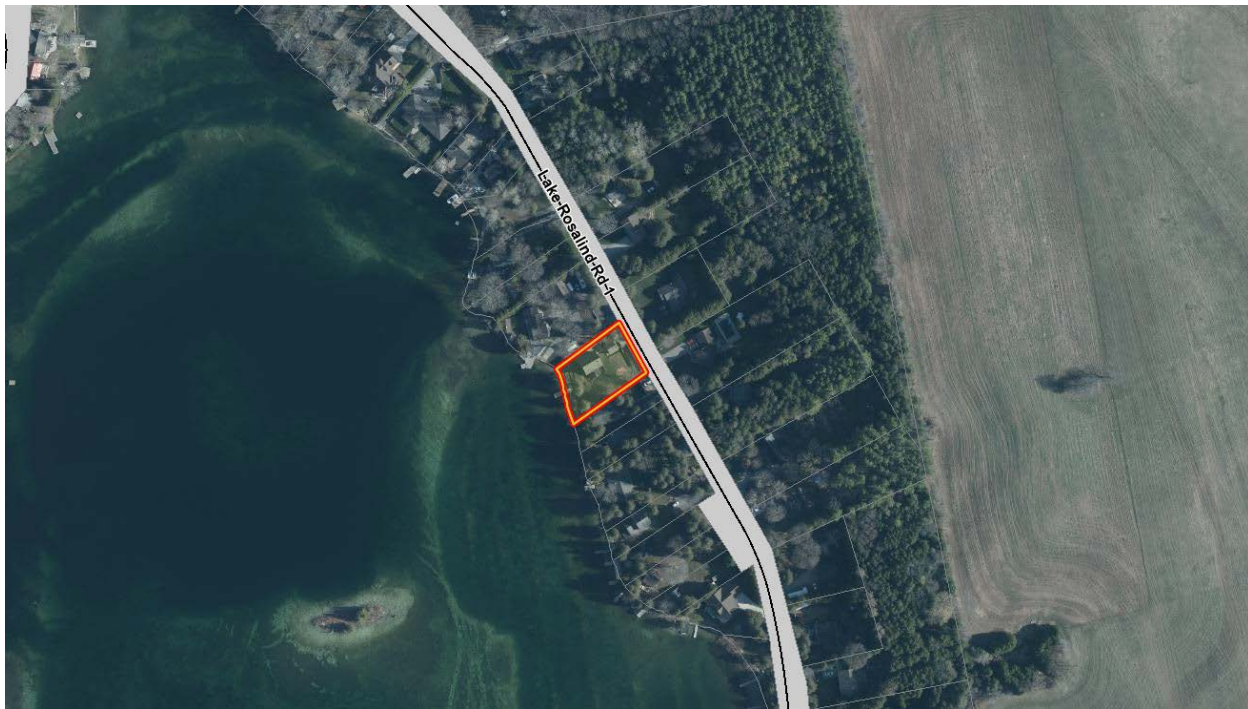
File Number: Z-2021-094

Public Meeting Notice

You're invited:

**On-line Public Meeting
to consider a Zoning By-law Amendment
Tuesday, March 8, 2022 at 7:00 pm**

A change is proposed in your neighbourhood: The purpose of the application is to allow a maximum lot coverage for the subject property of 32%. A Zoning By-Law Amendment to change the zoning on the property from Inland Lake Residential (LR) to a special Inland Lake Residential Zone (LR-10) is required to facilitate the construction of a new single detached dwelling with attached garage on the subject property. The area of the property zoned Environmental Protection Special Zones (EP-10) will remain unchanged.



162 LAKE ROSALIND RD 1 – CON 3 NDR PT LOT 71 (Brant)
Municipality of Brockton, Roll Number 410434001024500

Learn more

You can view more information about the application at <https://brucecounty.on.ca/living/land-use> or in person at the County of Bruce Planning Office noted above, between 8:30 a.m. and 4:30 p.m. (Monday to Friday).

The Planner on the file is: Monica Walker Bolton

Have your say

Comments and opinions submitted on these matters, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in a Planning Report and Council Agenda.

1. Please contact us by email bcplwa@brucecounty.on.ca, mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application.
2. You can participate in the public meeting.

How to access the public meeting

As a result of the COVID-19 Pandemic, the Municipality of Brockton council meetings are being held in electronic format. For information on how to participate in the public meeting, please refer to the following page or visit the municipal website at:

<https://www.brockton.ca/en/our-services/Current-Council-Meeting-Agenda.aspx>.

Please contact the Municipality of Brockton at fhamilton@brockton.ca or 519 881 2223 ext 124 if you have any questions regarding how to participate in the meeting.

Stay in the loop

If you'd like to be notified of the decision of the approval authority on the proposed applications, you must make a written request to the Bruce County Planning Department.

Know your rights

Section 34(11) of the [Planning Act](#) outlines rights of appeal for Zoning By-law Amendment applications. If a person or public body would otherwise have an ability to appeal the decision of the Council of the Municipality of Brockton to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Bruce County Planning Department before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Bruce County Planning Department before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. For more information please visit the Ontario Land Tribunal website at

<https://olt.gov.on.ca/appeals-process/>.

Site plan

