



Planning Report

To: Municipality of Brockton Council

From: Benito Russo, Planner

Date: April 25, 2023

Re: Zoning By-law Amendment Application - Z-2023-007 (Brockton)

Recommendation:

Subject to a review of submissions arising from the public meeting:

That Council approve Zoning By-law Amendment Z-20023-007 as attached and the necessary by-law be forwarded to Council for adoption.

Summary:

The purpose of this application is to complete a housekeeping amendment to the Brockton Zoning By-law, which will apply to the entire municipality of Brockton.

The proposed provision amendments, among others, include increased permitted uses of Additional Residential Units, increased maximum lot coverage for several zones, increased maximum lot coverage for accessory buildings, and the addition of definitions for several undefined permitted uses. These changes will result in improved clarity and flexibility for select provisions, facilitate additional residential units, and reflect recent legislative changes.

The inclusion of new provisions is proposed that result in the automatic rezoning of approved surplus farm residence severances, and for application of a holding zone in areas of high archaeological potential, where necessary, when a Planning Act application for a Consent or Minor Variance is approved.

This application will also facilitate the site-specific rezoning of the identified lands located in the Eastridge Business Park to Business Park 1 (BP1), Business Park 1 Special (BP1-1), and Business Park 2 (BP2). These lands are located within Walkerton, North of Eastridge Road, and North of Creighton Road. These lands are surrounded by various uses that are consistent with the Business Park 1 and Business Park 2 Zone.

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.

Zoning By-law Amendments

The purpose of this application is to complete a housekeeping amendment to the Municipality of Brockton Zoning By-law. The application includes proposed amendments to the text of the comprehensive document. The proposed changes are described in the Proposed Zoning By-law Updates and Edits document attached to this report and summarized below:

- Add definitions for "Contractors Yard", "Warehouse", "Warehouse, Mini Storage", and "Dwelling, Additional Residential Unit On Farm".
- Amend definition for "Dwelling, Accessory Apartment".
- Replaced "Dwelling, Secondary Suite" with "Dwelling, Additional Residential Unit"
- Add and amend provisions for "Dwelling, Additional Residential Unit" and "Dwelling, Additional Residential Unit On Farm"
- Revise provisions relating to accessory buildings and structures.
- Clarify the number of main buildings per lot.
- Amend permitted replacement of non-complying buildings.
- Add provisions for archaeological Special Holding.
- Amend general provisions for Agricultural Zones.
- Remove minimum lot size livestock.
- Add provisions for Surplus Farm Dwelling Severances.
- Clarify provisions for Residential Care Facilities in residential zones.
- Increase maximum lot coverage by 5% for various zones.
- Increase lot coverage for accessory buildings by 5%.
- Increase the maximum height by 1 metre for accessory buildings on non-farm lots.
- Add Conservation Areas as a permitted use for institutional zones.
- Clarify provisions for existing dwellings/structures in the Planned Development Zone.
- Amend the BP1-1 Zone to reference uses permitted in the BP1-2 Zone.
- Amend zoning of various lots in the Eastridge Business Park.

If approved, the amendments would provide clarity and consistency in Zoning By-law interpretation and may reduce the number of requested variances or site-specific amendments to the Zoning By-law. A number of these changes are being proposed to bring the Zoning By-law into conformity with provincial direction, namely additional residential unit policies, and as such do not have associated appeal rights.

Additional amendments were considered by Municipal and County staff but were deemed to require broader more in-depth review and/or amendments to the Municipalities Official Plan prior to amending the Municipal Zoning By-law. Municipal and County staff will continue to

monitor application types and volumes and will bring additional housekeeping amendments forward for Council consideration if and when needed.

Surplus Farm Residence Severances

Under the Provincial Policy Statement and Bruce County Official Plan the severance of lands in the prime agricultural area is permitted for a residence that is surplus to a farming operation as a result of a farm consolidation.

An accompanying Zoning By-law Amendment has also been required to facilitate the severance. The Zoning Amendment addresses, among other considerations, that the agricultural lands are prohibited from establishing a new dwelling, reduced lot sizes, that the existing buildings are in conformity with the Zoning By-law requirements, and application of a holding zone in areas of high archaeological potential. This has resulted in a substantial number of site-specific Zoning By-law Amendments that detail similar changes to the Zoning By-law.

In other Counties and Municipalities, when a surplus farm residence severance is approved the applicable zoning amendments are automatically applied. This removes the need for an associated Zoning By-law Amendment application and results in faster processing of severances for surplus farm residences and cost savings to the applicant.

The proposed amendments to the Zoning By-law will introduce automatic zoning provisions for surplus farm residence severances, allowing these applications to proceed without the need for an associated Zoning By-law Amendment application. The proposed provisions are consistent with current practices for site specific zoning amendments associated with surplus farm residence severances.

Additional Residential Units

The Brockton Zoning By-law contains various provisions to permit additional residential units. Under provincial Bill 23 it is required that municipalities expand these provisions to permit two additional dwelling units on low density fully serviced lots in settlement areas. In addition, no appeals are permitted to be submitted with respect provisions relating to additional residential units.

Under the Bruce County Official Plan, additional residential units are permitted in the rural and agricultural designations. The proposed amendments to the Brockton Zoning By-law would add additional dwelling units as a permitted use in conformity with the Bruce County Official Plan requirements.

The proposed provisions are consistent with Provincial and County requirements and will facilitate an increase in available supply of housing.

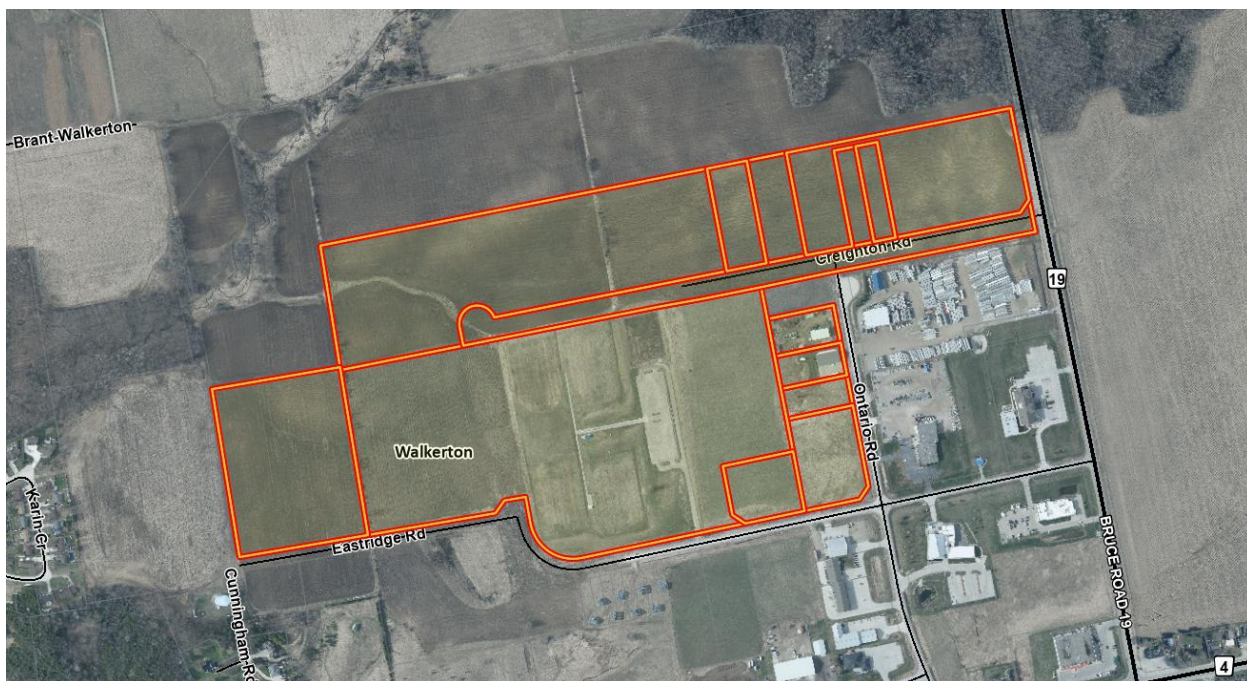
Site Specific Amendments

Several site-specific amendments are proposed that will result in the grouping of similar uses, and preparation for development/sale of land. It is proposed that lands will be rezoned, in accordance with the below Site Plan, from Business Park 1 Special (BP1-2) to Business Park 2 (BP2), Business Park 1 Special (BP1-1) to Business Park 1 (BP1), and Business Park 2 to Business Park 1 Special (BP1-1).

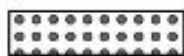
Areas identified as Environmental Protection (EP) will remain unchanged.

The Business Park 1 and Business Park 2 designations provide for a wide variety of land uses related to large format commercial uses, highway commercial uses that are dependent upon a high degree of visibility, and industrial uses. Rezoning of these areas will result in the lands further advancing towards being development ready. The site specific rezonings are in conformity with both the Local and County Official Plans.

Airphoto



Site Plan



Lands to be zoned BP1 - Business Park 1



Lands to be zoned BP1-1 - Business Park 1 Special



Lands to be zoned BP2 - Business Park 2

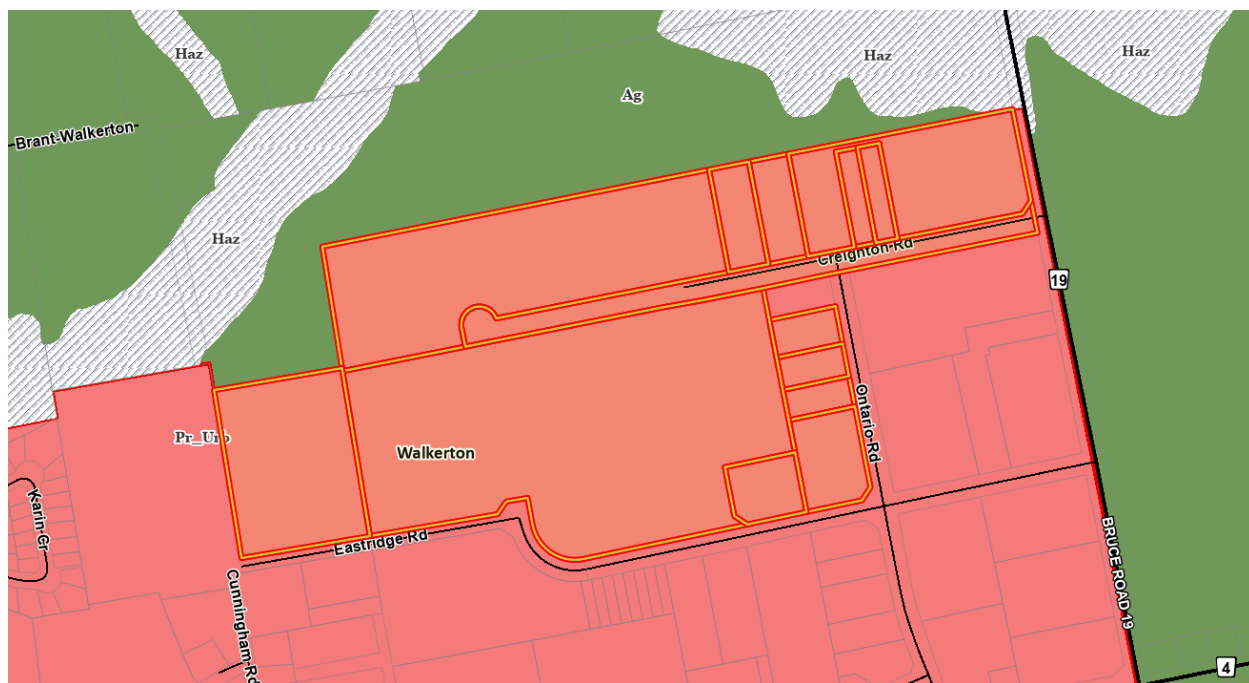


Lands zoned EP - Environmental Protection

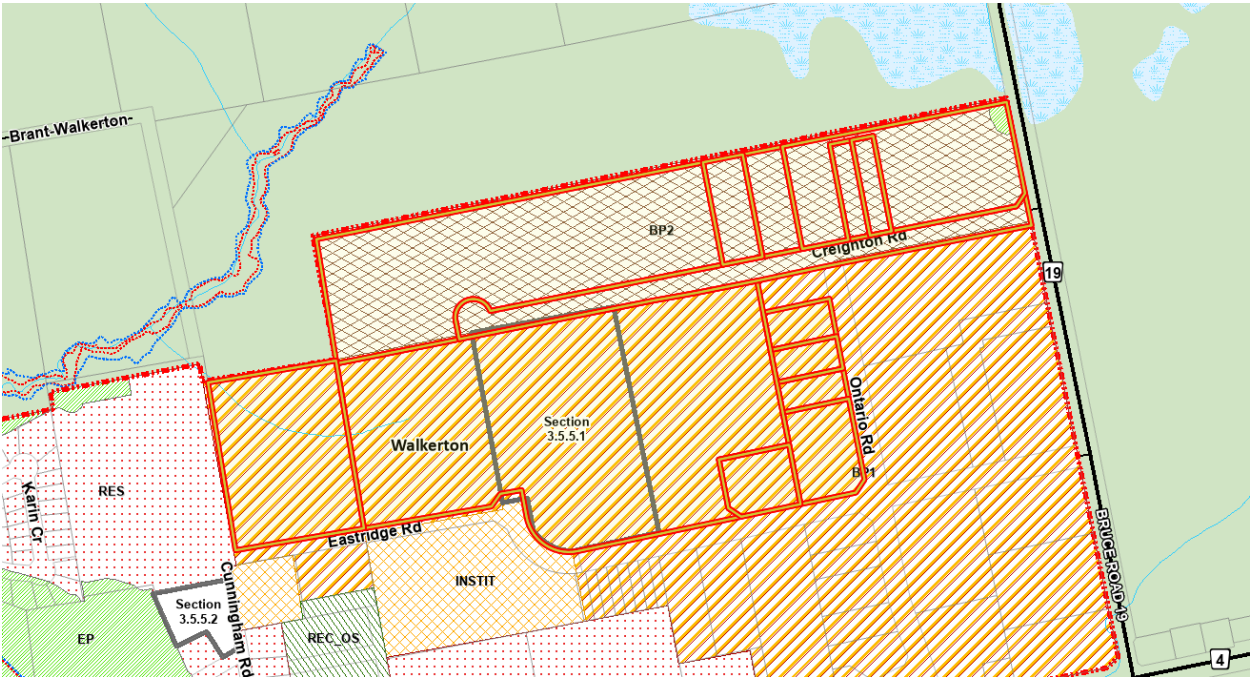
Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- Agency Comments
- Public Comments
- Zoning By-law Updates & Edits
- Public Notice

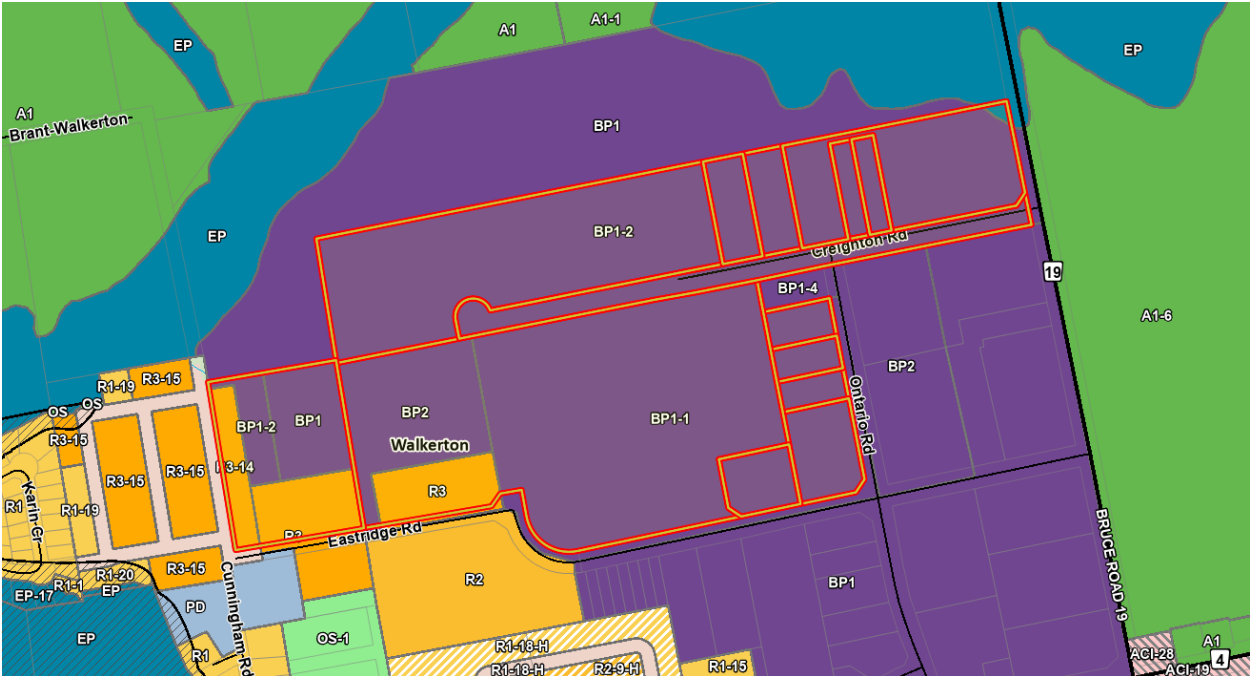
County Official Plan Map (Designated Primary Urban Communities)



Local Official Plan Map (Designated BP1 - Business Park 1, BP2 - Business Park 2)



Local Zoning Map (Zoned BP1, BP1-1, BP1-2, BP2, R3, R3-14)



Agency Comments

The Corporation of the Municipality of Brockton: This application is submitted the Corporation of the Municipality of Brockton to clarify and consistency in Zoning By-law interpretation and conform to provincial direction.

Historic Saugeen Métis: No objection or opposition.

Saugeen Ojibway Nation: No objection. Please include in Special Holding Provisions (S.4.4.4) that disturbance to land must be established in consultation with the Saugeen Ojibway Nation

Saugeen Valley Conservation Authority: The application is generally acceptable to the SVCA. It is recommended that Additional Residential Unit policies have regard for Section 3.1, Natural Hazard policies of the PPS, 2020. See below for full comment.

Transportation & Environmental Services: No comment.

Public Comments: No comments received yet.

SENT ELECTRONICALLY ONLY: brusso@brucecounty.on.ca and bcplwa@brucecounty.on.ca

April 19, 2023

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

ATTENTION: Benito Russo, Planner

Dear Mr. Russo,

RE: Z-2023-007 (Brockton)
Entire Municipality of Brockton and
Brant Con 1 NDR Pt Lots 32;To 35 Plan 162 Pt Park Lots;47 And 48 RP 3R9442 Parts 1;To 5 And Brant Con
1 NDR Pt Lots 32;To 34 RP 3R5161 Pt Part 1 RP;3R7092 Pt Part 1 RP 3R10502;Part 1
Roll No.: 410436000101810 and 410436000101800
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, and water resources; and the application has also been reviewed through our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

Purpose

The purpose of this application is to complete a housekeeping amendment to the Brockton Zoning By-law, which will apply to the entire municipality of Brockton. The proposed provision amendments, among others, include increased permitted uses of Additional Residential Units, increased maximum lot coverage for several zones, increased maximum lot coverage for accessory buildings, and the addition of definitions for several undefined permitted uses. These changes will result in improved clarity and flexibility for select provisions, facilitate additional residential units, and reflect recent legislative changes.

The inclusion of new provisions are proposed that result in the automatic rezoning of approved surplus farm residence severances, and for application of a holding zone in areas of high archaeological potential, where necessary, when a Planning Act application for a Consent or Minor Variance is approved.

This application will also facilitate the site-specific rezoning of the identified lands located in the Eastridge Business Park to Business Park 1 (BP1), Business Park 1 Special (BP1-1), and Business Park 2 (BP2).

Recommendation

In general, SVCA staff find the proposed zoning by-law amendment acceptable. We note the following:

1. The proposed amendment is general in nature and applies to the entire Municipality of Brockton. As such, the proposed is not directly affected by floodplains, watercourses, shorelines, wetlands, valley slopes or other natural hazard features of interest to SVCA. However, future development/redevelopment projects may be located within or adjacent to natural hazard features and/or a SVCA Regulated Area and may require review by the SVCA. SVCA staff understands that all existing policies for natural hazard features outlined in the PPS, 2020 will apply to each development proposal and we trust these proposals will continue to be forwarded to the SVCA for comment.

Specifically, SVCA has concern for reconstruction and construction of additional residential units in existing dwellings or accessory structures that are affected by natural hazards and/or where there is no safe ingress/egress to the existing dwellings/structures. As such, SVCA staff recommends that additional residential units will have regard for Section 3.1, Natural Hazard policies of the PPS, 2020.

Section 3.1.1 of the PPS, 2020 states, in general, that development shall be directed to areas outside of hazardous lands (flooding hazards, erosion hazards, dynamic beach hazards), and hazardous sites (organic soils, leda clay, unstable bedrock); and further that, section 3.1.2 c) of the PPS states, in general, that development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

2. We note that with respect to the site specific re-zoning for lands located in the Eastridge Business Park, a small approximately 35 metre by 35 metre triangular shaped area of the lands in the very northeast corner adjacent to Bruce Road 19 are currently zoned EP (Environmental Protection) and should remain zoned EP as part of this application to best represent site conditions and as mapped by the SVCA.

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 generally acceptable to the SVCA.

Given the above comments, it is the opinion of the SVCA staff that, provided SVCA recommendation as noted above is addressed:

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

Please inform this office of any decision made by the Municipality of Brockton and/or the County of Bruce with regard 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.

County of Bruce Planning and Development
Z-2023-007 (Brockton)
April 19, 2023
Page 3 of 3

Sincerely,



Michael Oberle
Environmental Planning Coordinator
Saugeen Conservation
MO/

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

Proposed Zoning By-law Updates and Edits

Section 2 – Definitions

Existing:

"CONTRACTOR'S YARD" – Permitted use with no existing definition.

Proposed:

New "CONTRACTOR'S YARD" definition:

means a lot, building or structure used by a construction company or contractor as a depot for storage and maintenance of equipment used by the company or contractor but does not include the wholesale or retail sale of construction materials or supplies, home improvement supplies or a 'Trades Person's Shop'.

Existing:

"DWELLING, SECONDARY SUITE" means a dwelling unit subsidiary to and located in the same building as its principal 'dwelling unit' and its creation does not result in a 'dwelling, semi-detached', 'dwelling, duplex', 'dwelling, multiple', 'dwelling, converted', 'dwelling, accessory detached' or 'dwelling, accessory apartment' as otherwise may be defined.

Proposed:

Deleted "DWELLING, SECONDARY SUITE" in its entirety, to be replaced as follows:

"DWELLING, ADDITIONAL RESIDENTIAL UNIT" means a residential dwelling unit either wholly contained within a 'Dwelling, Single Detached', a 'Dwelling, Semi-detached' or a 'Dwelling, Townhouse Street', or wholly contained within an accessory building on a lot containing a 'Dwelling, Single Detached', a 'Dwelling, Semi-detached' or a 'Dwelling, Townhouse Street'.

Existing:

No current permitted use or definition for Additional Residential Units in rural and agricultural areas.

Proposed:

Add "DWELLING, ADDITIONAL RESIDENTIAL UNIT ON FARM", as follows:

“DWELLING, ADDITIONAL RESIDENTIAL UNIT ON FARM” means one additional dwelling unit located on an agriculture lot on which a ‘Dwelling, Accessory Detached’ is already established. A ‘Dwelling, Additional Residential Unit On Farm’ may be located within a ‘Dwelling, Accessory Detached’, an accessory building, or may be in the form of a second ‘Dwelling, Accessory Detached’ on the lot.

Existing:

“DWELLING, ACCESSORY APARTMENT” means a dwelling unit subordinate and incidental to the principal building or structure located on the same lot therewith, and which is constructed as part of the permitted Non-Residential Use principal building or structure.

Proposed:

“DWELLING, ACCESSORY APARTMENT” means one or more dwelling units subordinate and incidental to the principal building or structure located on the same lot therewith, and which is constructed as part of the permitted Non-Residential Use principal building or structure.

Existing:

“WAREHOUSE” – Permitted use with no existing definition.

Proposed:

New "WAREHOUSE" definition:

"WAREHOUSE" means a building, structure or place used for the storage and distribution of goods, wares, merchandise, substances or articles and may include a transport depot.

Existing:

“WAREHOUSE, MINI STORAGE” – Permitted use with no existing definition.

Proposed:

New "WAREHOUSE, MINI STORAGE" definition:

“WAREHOUSE, MINI STORAGE” means a building, structure or place intended for the rental of separate storage areas usually with individualized external access for storage of personal property. Outdoor storage shall be permitted in accordance with the provisions of the applicable zone.

Section 3.5.3 – Permitted Replacement of Non-Complying Buildings

Existing:

Nothing in this By-law shall prevent the replacement of any building or structure which is destroyed by fire or an act of nature, which does not conform with one or more of the provisions of this By-law, provided that:

Such replacement does not increase the amount of habitable space, the height, and size or change the use of such building or structure; and such replacement shall comply, with all applicable yard provisions of the applicable zone, if possible, and does not reduce the original non-complying yard dimensions.

Proposed:

Existing definition removed in its entirety and replaced with the following:

Where a building or structure was lawfully used and is permitted by the provisions of the zone in which such building or structure is located but does not meet the zone provisions with respect to lot area, yards, setbacks, lot frontage, parking or any other provisions of this By-law applicable to that zone, the said building or structure shall be deemed to comply with the By-law and may be enlarged, extended, reconstructed, repaired or renovated provided that the enlargement, extension, reconstruction, repair or renovation does not further reduce the compliance of that building or structure with the provision(s) of the By-law to which it does not comply, and all other applicable provisions of this By-law are complied with. For greater clarity, where a building or structure does not comply with required yard or setback, no additional gross floor area may be constructed within the required yard or setback.

- i. In the case of a rezoning or severance, permitted and legally established existing buildings or structures or driveways shall be deemed to comply with any applicable zone provisions, except parking and loading requirements, resulting from such rezoning or severance.

Section 3.6.5.2 – Number & Lot Coverage of Accessory Buildings & Structures

Existing:

The total lot coverage of all accessory buildings or structures on a lot shall not exceed **5%** of the lot. Notwithstanding the foregoing, in the case of unenclosed decks, and decks without roofs, these structures shall not be included in the lot coverage for accessory buildings and structures but in no case shall unenclosed decks, and decks without roofs structures be permitted to have a lot coverage greater than 5% of the lot.

Proposed:

Increased total coverage to 10% of the lot area as follows:

The total lot coverage of all accessory buildings or structures on a lot shall not exceed **10%** of the lot. Notwithstanding the foregoing, in the case of unenclosed decks, and decks without roofs, these structures shall not be included in the lot coverage for accessory buildings and structures but in no case shall unenclosed decks, and decks without roofs structures be permitted to have a lot coverage greater than 5% of the lot.

Section 3.7 – Number of Main Buildings Per Lot

Existing:

No person shall erect more than 1 ‘main building’ on a lot except those lots 4.0 hectares (9.9 ac.) in size or larger in a General Agriculture (A1) zone.

Proposed:

Added:

Unless otherwise provided for in this By-law, in any zone where a ‘Dwelling, Single Detached’, ‘Dwelling, Semi-detached’, or Dwelling, Duplex’ is permitted, not more than one such building, or structure shall be permitted on a lot.

Section 3.8.3 – Dwelling, Secondary Suite

Existing:

Where listed as a permitted use (refer to “Uses Permitted” sections of this By-law), a ‘dwelling, secondary suite’ shall be permitted, subject to the following provisions:

- 1) One ‘Dwelling, Secondary Suite’ per lot of record shall be permitted;
- 2) Applicable permits under the Ontario Building Code have been provided by the Chief Building Official;
- 3) Minimum ‘floor area, gross’ for a ‘Dwelling, Secondary Suite’ shall be 40 m² (430.6 ft²);
- 4) The lot the ‘Dwelling, Secondary Suite’ is situated on has frontage on a Class 1 Street;
- 5) It only exists along with, and within the same building as, its principal dwelling unit;
- 6) It is not a stand-alone, principal unit, capable of severance;
- 7) Able to connect to water and septic or sewer services;
- 8) If ‘Dwelling, Secondary Suite’ is connected to private septic system, septic re-inspection shall be completed and if any upgrades are required or maintenance necessary, shall be completed to the satisfaction of the Chief Building Official;

- 9) In the case of a 'Dwelling, Semi-Detached' or 'Dwelling, Townhouse Street', each principal dwelling unit must be located on a separate lot of record;
- 10) The 'Dwelling, Secondary Suite' must share the parking and yards provided for the principal dwelling unit, and no new driveway may be created;
- 11) Home Occupation' is not permitted in a 'Dwelling, Secondary Suite'; and,
- 12) Where a 'Dwelling, Secondary Suite' is located on an existing lot of record, a 'Dwelling, Garden Suite' is not permitted on that lot.

Proposed:

Modified to the following:

Section 3.8.3 Additional Residential Unit

Except as provided by Section 3.8.4 (Additional Residential Unit On Farm), where listed as a permitted use (refer to "Uses Permitted" sections of this By-law), a 'Dwelling, Additional Residential Unit' shall be permitted, subject to the following provisions:

- 1) Where full municipal services are provided, up to two 'Dwelling, Additional Residential Unit' per lot of record shall be permitted;
- 2) Where private or partial municipal services are provided, one 'Dwelling, Additional Residential Unit' per lot of record shall be permitted if the lot area is greater than 0.4 hectares;
- 3) Applicable permits under the Ontario Building Code have been provided by the Chief Building Official;
- 4) It only exists along with its principal dwelling unit, and it is not a stand-alone, principal unit, capable of severance;
- 5) Able to connect to water and septic or sewer services;
- 6) Shall only be permitted where sufficient water service and sewer or septic capacity exists or can be made available;
- 7) In the case of a 'Dwelling, Semi-Detached' or 'Dwelling, Townhouse Street', each principal dwelling unit must be located on a separate lot of record;
- 8) When permitted to be located within a detached accessory building, only one 'Dwelling, Additional Residential Unit' is permitted per lot in a detached accessory building;
- 9) Where located in an accessory building the 'Dwelling, Additional Residential Unit' may be located in a new or existing detached accessory building and shall be in accordance with the provisions of Section 3.6;
- 10) Any 'Dwelling, Additional Residential Unit' shall be located within a maximum distance of 30 m from the principal dwelling;
- 11) The "Additional Residential Unit' must share the parking and yards provided for the principal dwelling unit, and no new driveway may be created;
- 12) Requires conservation approval in areas identified in the flood fringe overlay;

- 13) 'Home Occupation' is not permitted in a 'Dwelling, Additional Residential Unit'; and,
- 14) The combined total of a principal residential unit, additional residential unit(s) and a garden suite shall not exceed three units on a lot.

Section 3.8.4 – Additional Residential Unit On Farm

Existing:

No existing section.

Proposed:

A 'Dwelling, Additional Residential Unit On Farm' is permitted together with a 'Dwelling, Accessory Detached' farm residence on an agriculture lot.

- 1) Must be located within 30 metres of the 'Dwelling, Accessory Detached';
- 2) Applicable permits under the Ontario Building Code have been provided by the Chief Building Official;
- 3) It only exists along with the 'Dwelling, Accessory Detached' use, and shall not be considered for future severance;
- 4) Able to connect to water and septic or sewer services;
- 5) Must share the parking and yards provided for the 'Dwelling, Accessory Detached' unit, and no new driveway may be created;
- 6) May be located within a 'Dwelling, Accessory Detached', or may be located in a new, or existing detached accessory building;
- 7) When the Dwelling, Additional Residential Unit On Farm' is proposed to be erected outside of the 'Dwelling, Accessory Detached' unit, it shall meet applicable MDS guidelines;
- 8) Requires conservation approval in areas identified in the flood fringe overlay; and
- 9) The combined total of a "Dwelling, Accessory Detached", a 'Dwelling, Additional Residential Unit On Farm', and 'Dwelling, Garden Suite' may not exceed two units on a lot.

Section 3.26.1 b) – Required Number of Parking Spaces

Existing:

Dwelling, Secondary Suite; Dwelling, Garden Suite	1 Parking Space per dwelling unit
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Proposed:

Modify terminology for consistency:

Dwelling, Additional Residential Unit;
Dwelling, Garden Suite

1 Parking Space per dwelling unit

Section 4.4.3 i) – Special Holding Provisions

Existing:

- i. Approval by the Zoning Administrator of an Archaeological Assessment which has been:
 - a) conducted by an archaeologist licensed in the Province of Ontario; and,
 - b) confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports and,

Proposed:

Add the following:

- c) “Includes engagement with the Saugeen Ojibway Nation in accordance with its process and standards”

Section 4.4.4 – Special Holding Provisions

Existing:

No existing section.

Proposed:

Where a Consent for lot creation or lot enlargement application has been approved by the County of Bruce, or its delegate, and/or when a Minor Variance is approved by the Municipality of Brockton. The appropriate Zone Map in this By-law shall be amended for areas of the land that are within an area noted as “High Archaeological Potential” in the Bruce County screening maps and will be zoned with a “-H1” holding. The “-H1” holding may be removed in accordance with Section 4.4.3. The appropriate zoning map will not be updated with a -H1 Holding where:

- i. An archeological assessment has been conducted by an archaeologist in the Province of Ontario, that includes engagement with the Saugeen Ojibway Nation in accordance with its process and standards, confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports and the recommendations of the assessment implemented to the satisfaction of the Zoning Administrator.
- ii. It has been demonstrated, in consultation with the Saugeen Ojibway Nation, and to the satisfaction of the Zoning Administrator, that deep ground disturbance has recently occurred.

- iii. In consultation with the Saugeen Ojibway Nation, a Minor Variance that does not facilitate new construction.

Section 5.1 – General Provisions for All Agricultural Zones (Dwellings)

Existing:

In any General Agriculture (A1) zone, a maximum of one 'Dwelling, – Accessory Detached' or 'Non-Farm Dwelling' may be erected on a lot. Two or more dwellings shall be permitted on one lot in cases where one lot, containing a dwelling(s), legally merges with an adjoining lot, containing a dwelling(s), to form one larger lot containing two or more dwellings.

Proposed:

Modify to:

In any General Agriculture (A1) zone, a maximum of one 'Dwelling, – Accessory Detached' or 'Non-Farm Dwelling' and one 'Dwelling, Additional Residential Unit', or 'Dwelling, Additional Residential Unit On Farm' may be erected on a lot. Any legally established dwelling(s) are recognized to be in conformance with this By-law, in the case of a lot containing dwelling(s) legally merges with another lot containing dwelling(s).

Section 5.2 – Minimum Lot Size Livestock

Existing:

Notwithstanding their General Agriculture (A1) zoning, those lots 4.0 hectares (9.9 ac.) in size or less shall be limited to no more than 1.25 nutrient units per hectare (0.5 nutrient units per acre). Minimum Distance Separation Guidelines shall apply.

Proposed:

Deleted in its entirety and replaced with:

Section 5.2 Surplus Farm Dwelling Severance

Where the County of Bruce or its delegate has approved the severance of a surplus farm dwelling property the following provisions shall have effect:

- i. Notwithstanding the General Agriculture Zone Section 6.2 provisions to the contrary, the height, yard setbacks, lot coverage, and ground floor area for legally existing buildings and structures are recognized;
- ii. The property containing the surplus farm dwelling(s) and any accessory buildings or structures is recognized as a non-farm lot in accordance with Section 6.1 a);

- iii. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law;
- iv. The Lot Frontage for severed surplus farm lots may be reduced below the required Zone provisions and shall be in accordance with Section 3.26.9;
- v. Agricultural lot sizes may be reduced below the minimum required lot area provided that an agricultural lot is not reduced below 4.0 hectares;
- vi. A minimum lot size of 0.4 hectares is required for the severed surplus farm dwelling lot;
- vii. Shall comply with the requirements of the Minimum Distance Separation Formulae;
- viii. Where a dwelling does not exist on the remnant agriculture parcel, the appropriate Zone Map in this By-law shall be amended to change the A1 General Agricultural Zone to A1-1 General Agricultural Special for the agricultural parcel preventing the future erection of a new dwelling; and
- ix. The appropriate Zone Map in this By-law shall be amended for areas of the land that are within an area noted as “High Archaeological Potential” in the Bruce County screening maps and will be zoned with a -H1 holding in accordance with Section 4.4.

Section 5.5.2 – Use of Accessory Buildings & Structures – Non-Farm Lot

Existing:

No accessory building or structure, shall: (1) be used for any occupation for gain or profit except as may be permitted in this By-Law; or (2) be used for human habitation.

Proposed:

Modify with:

No accessory building or structure, shall: (1) be used for any occupation for gain or profit except as may be permitted in this By-Law; or (2) be used for human habitation except as may be permitted in this By-law.

Section 5.5.4 – Height, Accessory Buildings & Structures – Non-Farm Lot

Existing:

The maximum height for all accessory buildings and structures shall be 5 meters (16 ft).

Proposed:

Modify, maximum height increased by 1 meter:

The maximum height for all accessory buildings and structures shall be 6 metres (19.7 ft).

Section 6.1 a) – General Agriculture (A1) Permitted Uses - Non-Farm Lot

Existing:

No existing permitted uses for an Additional Dwelling Unit.

Proposed:

Add the following permitted use:

Dwelling, Additional Residential Unit as per Section 3.8.3

Section 6.1 b) – General Agriculture (A1) Permitted Uses – Agriculture Lot

Existing:

No existing permitted uses for Additional Dwelling Unit On Farm.

Proposed:

Add the following permitted use:

Dwelling, Additional Residential Unit On Farm as per Section 3.8.4

Section 7.2 – Urban Residential Zones (R1, R2, R3) – Permitted Uses

Existing:

‘Dwelling, Secondary Suite’

‘Residential Care Facility’

Proposed:

Replace ‘Dwelling, Secondary Suite’ with ‘Additional Residential Unit’

Add footnote (d) to Residential Care Facility, indicating:

A ‘Residential Care Facility’ shall follow the Zone Provisions in accordance with Section 20.

Section 7.3 - Zone Provisions R1 & R2

Existing:

Maximum Lot Coverage:

Dwelling, Single Detached	Dwelling, Duplex & Semi Detached	Dwelling, Townhouse	
		Cluster (c)	Street
30%	30%	35%	35%

Provisions: Connected to Municipal Sewer	
Dwelling, Semi-Detached & Duplex	Dwelling, Single Detached
20%	

Provisions: EXISTING LOT OF RECORD – No Connection to Municipal Services	
Dwelling, Semi-Detached & Duplex	Dwelling, Single Detached
15%	

Proposed:

Increase lot coverages by 5%:

Dwelling, Single Detached	Dwelling, Duplex & Semi Detached	Dwelling, Townhouse	
		Cluster (c)	Street
35%	35%	40%	40%

Provisions: Connected to Municipal Sewer	
Dwelling, Semi-Detached & Duplex	Dwelling, Single Detached
25%	

Provisions: EXISTING LOT OF RECORD – No Connection to Municipal Services	
Dwelling, Semi-Detached & Duplex	Dwelling, Single Detached
20%	

Section 7.4 - Zone Provisions R3

Existing:

Maximum Lot Coverage:

Provisions: Connected to Municipal Water and Sewer Service			
Dwelling, Townhouse		Dwelling, Multiple	Apartment Building
Cluster (a)	Street		
40%	40%	40%	45%

Proposed:

Increase lot coverages by 5%:

Provisions: Connected to Municipal Water and Sewer Service			
Dwelling, Townhouse		Dwelling, Multiple	Apartment Building
Cluster (a)	Street		
45%	45%	45%	50%

Section 8.2 – Hamlet Residential Permitted Uses

Existing:

Permitted uses: 'Dwelling, Secondary Suite'

Proposed:

Delete and replace with:

Permitted Uses: 'Dwelling, Additional Residential Unit'

Section 8.3 – Hamlet Residential Zone Provisions

Existing:

Provisions: NEW LOT OF RECORD - No Municipal Water Service Connected	
Semi-Detached & Duplex	Single Detached Dwelling
15%	

Provisions: NEW LOT OF RECORD – Connected to Municipal Water Service	
Semi-Detached & Duplex	Single Detached Dwelling
20%	

Provisions: EXISTING LOT OF RECORD	
Semi-Detached & Duplex	Single Detached Dwelling
15%	

Proposed:

Increase Maximum Lot Coverage by 5%, add footnote for Existing Lot of Record:

“Where connected to partial municipal services Maximum Lot Coverage shall be 25%”

Provisions: NEW LOT OF RECORD - No Municipal Water Service Connected	
Semi-Detached & Duplex	Single Detached Dwelling
20%	

Provisions: NEW LOT OF RECORD – Connected to Municipal Water Service	
Semi-Detached & Duplex	Single Detached Dwelling
25%	

Provisions: EXISTING LOT OF RECORD	
Semi-Detached & Duplex	Single Detached Dwelling
20%	

Section 11.3 – Hamlet Commercial Zone Provisions

Existing:

Provisions	Lots with Municipal Water	Lots with No Municipal Water
Maximum lot Coverage	25%	15%

Proposed:

Increase Maximum Lot Coverage by 5%:

Provisions	Lots with Municipal Water	Lots with No Municipal Water
Maximum lot Coverage	30%	20%

Section 11.3 – Commercial Zone Provisions

Existing:

Transition Commercial Zone Maximum Lot Coverage 35%.

Proposed:

Increase by 5%:

Transition Commercial Zone Maximum Lot Coverage 40%.

Section 15.5 – Business Park One Special Provisions

Existing:

Notwithstanding their 'BP1' Zoning designation, those lands delineated as 'BP1-1' on Schedule 'A' to this By-law shall be used in accordance with the '**BP1**' Zone provisions contained in this By-law, excepting however, that:

- i. Uses permitted shall include a 'municipal complex' in addition to uses permitted in the BP1 Zone; and,

Proposed:

Change reference from BP1 to BP1-2 as follows:

Notwithstanding their 'BP1' Zoning designation, those lands delineated as 'BP1-1' on Schedule 'A' to this By-law shall be used in accordance with the 'BP1' Zone provisions contained in this By-law, excepting however, that:

- i. Uses permitted shall include a 'municipal complex' in addition to uses permitted in the '**BP1-2**' Zone; and,

Section 16.3 – Hamlet Industrial Zone Provisions

Existing:

Hamlet Industrial Zone Maximum Lot Coverage 15%.

Proposed:

Increase by 5%:

Hamlet Industrial Zone Maximum Lot Coverage 20%.

Section 17.3 – Agriculture Commercial Industrial Zone Provisions

Existing:

Agricultural Commercial Industrial Zone Maximum Lot Coverage 15%.

Proposed:

Increase by 5%

Agricultural Commercial Industrial Zone Maximum Lot Coverage 20%.

Section 18.3 – Rural Commercial Industrial Zone Provisions

Existing:

Rural Commercial Industrial Zone Maximum Lot Coverage 15%.

Proposed:

Increase by 5%:

Rural Commercial Industrial Zone Maximum Lot Coverage 20%.

Section 20.2 – Rural and Urban Institutional Permitted Uses

Existing:

Conservation areas not listed as a permitted use.

Proposed:

Added permitted use of Conservation Areas for both Rural and Urban areas.

Section 25.1 – Planned Development

Existing:

No person shall within a 'Planned Development (PD)' zone use any lot or erect, alter or use any building or structure, for any purpose except the following:

- v) On lands in Walkerton in accordance with the provisions of the 'R1' Zone.

Proposed:

Relocated provision as follows:





ii) Alteration and/or enlargement of an existing 'dwelling' and/or accessory structures shall be as follows:

- d) On lands in Walkerton in accordance with the provisions of the 'R1' Zone.

Site Specific Rezoning

As per the below site plan, the site-specific rezoning of the identified lands located in the Eastridge Business Park to Business Park 1 (BP1), Business Park 1 Special (BP1-1), and Business Park 2 (BP2).



- | | |
|---|---|
|  | Lands to be zoned BP1 - Business Park 1 |
|  | Lands to be zoned BP1-1 - Business Park 1 Special |
|  | Lands to be zoned BP2 - Business Park 2 |
|  | Lands zoned EP - Environmental Protection |



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



March 24, 2023

File Number: Z-2023-007

Public Meeting Notice

**You're invited: Hybrid Public Meeting
to consider proposed changes to the
Municipality of Brockton Zoning By-Law
Tuesday, April 25, 2023 at 7:00 p.m.**

The purpose of this application is to complete a housekeeping amendment to the Brockton Zoning By-law, which will apply to the entire municipality of Brockton. The proposed provision amendments, among others, include increased permitted uses of Additional Residential Units, increased maximum lot coverage for several zones, increased maximum lot coverage for accessory buildings, and the addition of definitions for several undefined permitted uses. These changes will result in improved clarity and flexibility for select provisions, facilitate additional residential units, and reflect recent legislative changes.

The inclusion of new provisions are proposed that result in the automatic rezoning of approved surplus farm residence severances, and for application of a holding zone in areas of high archaeological potential, where necessary, when a Planning Act application for a Consent or Minor Variance is approved.

This application will also facilitate the site-specific rezoning of the identified lands located in the Eastridge Business Park to Business Park 1 (BP1), Business Park 1 Special (BP1-1), and Business Park 2 (BP2).

Learn more

Discover more at www.brucecounty.on.ca/living/land-use or by emailing bcplwa@brucecounty.on.ca, calling 226-909-5515, or viewing in-person at the Bruce County Planning Office between 8:30 AM and 4:30 PM (Mon to Fri). The Planner on the file is: Benito Russo

Have your say

Prior to the meeting, questions, concerns, or objections about the application can be sent by email to bcplwa@brucecounty.on.ca or publicmeetingcomments@brucecounty.on.ca, by mail, or to 226-909-5515. Comments and opinions submitted prior to decision will become part of the public record. Comments will be provided to the Committee for its consideration.

On the day of and during the Public Meeting you can participate in-person, by telephone or virtually.

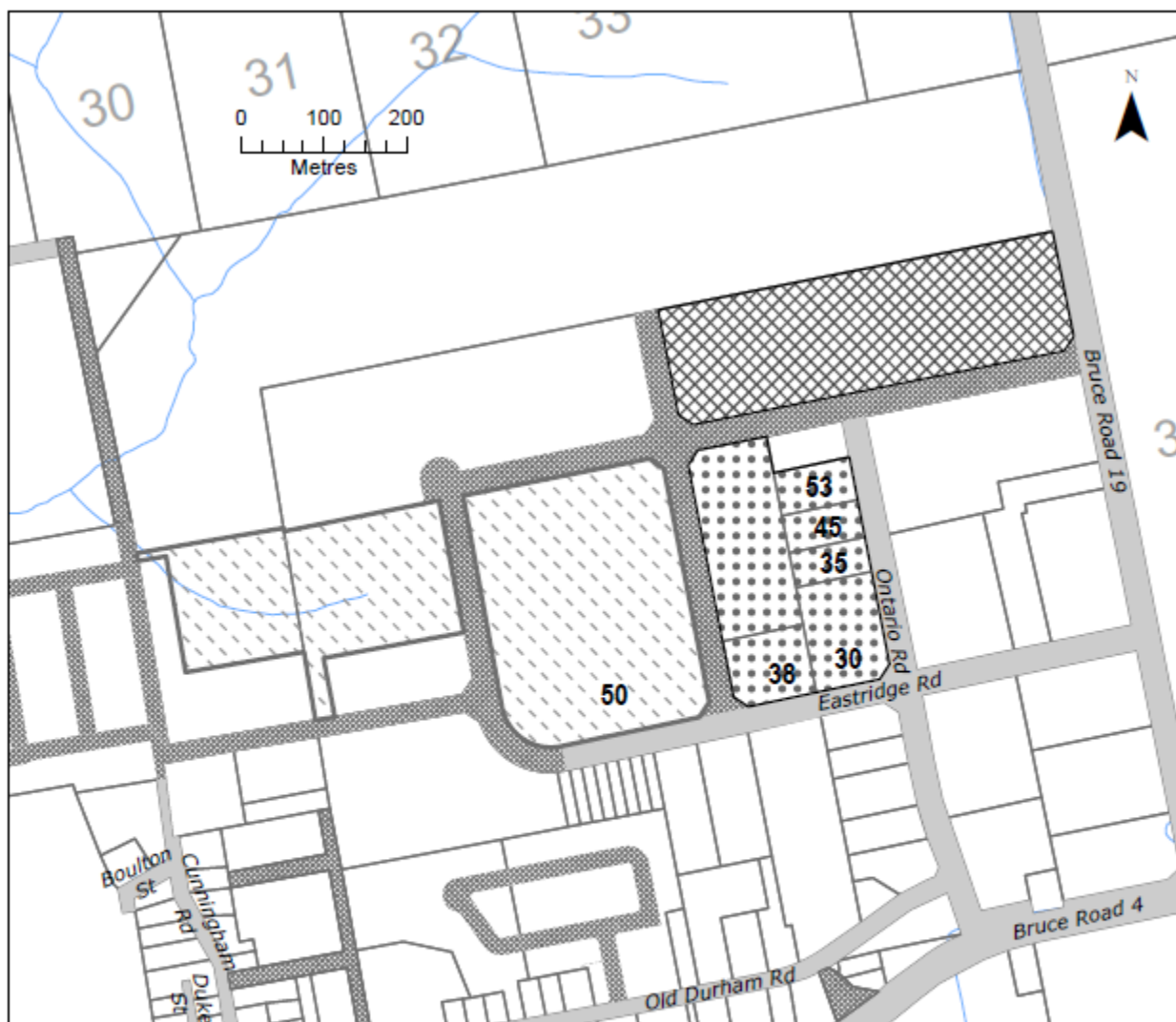
How to access the public meeting

For information on how to participate in the public meeting, please 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 application(s), you must make a written request to the Bruce County Planning Department. For more information about this matter, including information about appeal rights, contact bcplwa@brucecounty.on.ca



Lands to be zoned BP1 - Business Park 1



Lands to be zoned BP1-1 - Business Park 1 Special



Lands to be zoned BP2 - Business Park 2