



Planning Report

To: Municipality of Brockton Council

From: Benito Russo, Planner

Date: December 10, 2024

Re: Zoning By-law Amendment Application - Z-2024-064 (Berry)

Recommendation:

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

That Council approve Zoning By-law Amendment Z-2024-064 as attached and the necessary by-law be forwarded to Council for adoption.

Summary:

The purpose of this application is for a Zoning By-law Amendment. It is proposed that in addition to the permitted uses of the Highway Commercial (C3) Zone to permit the use of the subject lands for a Trades Person's Shop, Business or Professional Office, and Retail Store. If approved, this will facilitate the use of the lands for commercial retail sale, installation, and servicing of security alarms and surveillance cameras.

The subject lands are approximately +/- 1,919.63 sq m in size and have a civic address of 1451 Yonge St S. The subject lands are located West of Yonge Street South and on the North side of Industrial Road. It is surrounded by commercial land uses.

Airphoto



Site Plan - Entire Property



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.

Official Plan

The subject lands are designated Primary Urban Community in the Bruce County Official Plan; and are designated Business Park 1 in the Walkerton Community Official Plan. The current Zoning of the subject property is Highway Commercial (C3).

It is directed that Primary Urban Communities accommodate the largest concentration of commercial operations serving residents and visitors in the County. The proposed security alarm company is a commercial use and is encouraged to locate within the settlement area.

The purpose of the Brockton Business Park designation is to accommodate the needs of commercial/retail and highway commercial or industrial uses. The intent of this designation is to also encourage the re-use and redevelopment of underutilized buildings and properties in the community. The permitted uses of the Business Park designation include, among others, Tradesperson Shops, Business and Professional Offices over 3,000 square feet, and associated retail sales.

The proposed use is permitted in both the Bruce County and Brockton Official Plans.

Proposed Uses

The proposed amendment to the Brockton Zoning By-Law would rezone the subject property from the existing Highway Commercial (C3) Zone to Highway Commercial Special (C3-8) Zone to permit a “Business or Professional Office”, “Trades Person’s Shop”, and “Retail Store” in addition to the uses permitted in the Highway Commercial (C3) Zone.

The proposed uses are not broadly permitted in the Highway Commercial Zone as this zone is generally intended for uses that are reliant on having high visibility from major transportation routes. However, these uses are not uncommon for the area, with several other nearby businesses receiving Zoning By-law amendments in the past for similar uses.

The subject Zoning Amendment would permit the proposed uses in addition to the general uses of the Highway Commercial Zone, as such, it does not preclude businesses with higher visibility needs from locating on the subject lands in the future if necessary.

Compatibility Considerations

The zoning and uses of the surrounding properties in the vicinity to the subject lands, includes a variety of commercial uses which are generally of a light industrial nature or provide services and equipment for tradespersons and similar businesses.

The proposed, installation, commercial retail sale, and servicing of security alarms and surveillance cameras, is a similar use, that is generally consistent with, and supportive of surrounding businesses. The proposed amendment is not anticipated to cause compatibility concerns.

Natural Heritage & Hazards

There are no natural heritage features, floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features on the subject lands. The proposed development has no impact on natural environment features or functions.

Comments have been received from the Saugeen Valley Conservation Authority confirming that the subject property does not contain any Natural Hazards that affect the subject property.

Cultural Heritage

The subject lands are not identified as being within an area of high archaeological potential and can be considered disturbed. No archaeological assessment was requested or required as part of the subject application.

Required Zoning By-Law Amendments

An amendment to the Zoning By-law is required in order to facilitate the proposed use of installation, commercial retail sale, and servicing of security alarms and surveillance cameras. The subject lands will be rezoned from Highway Commercial (C3) to the Highway Commercial Special (C3-8) Zone with the following provisions:

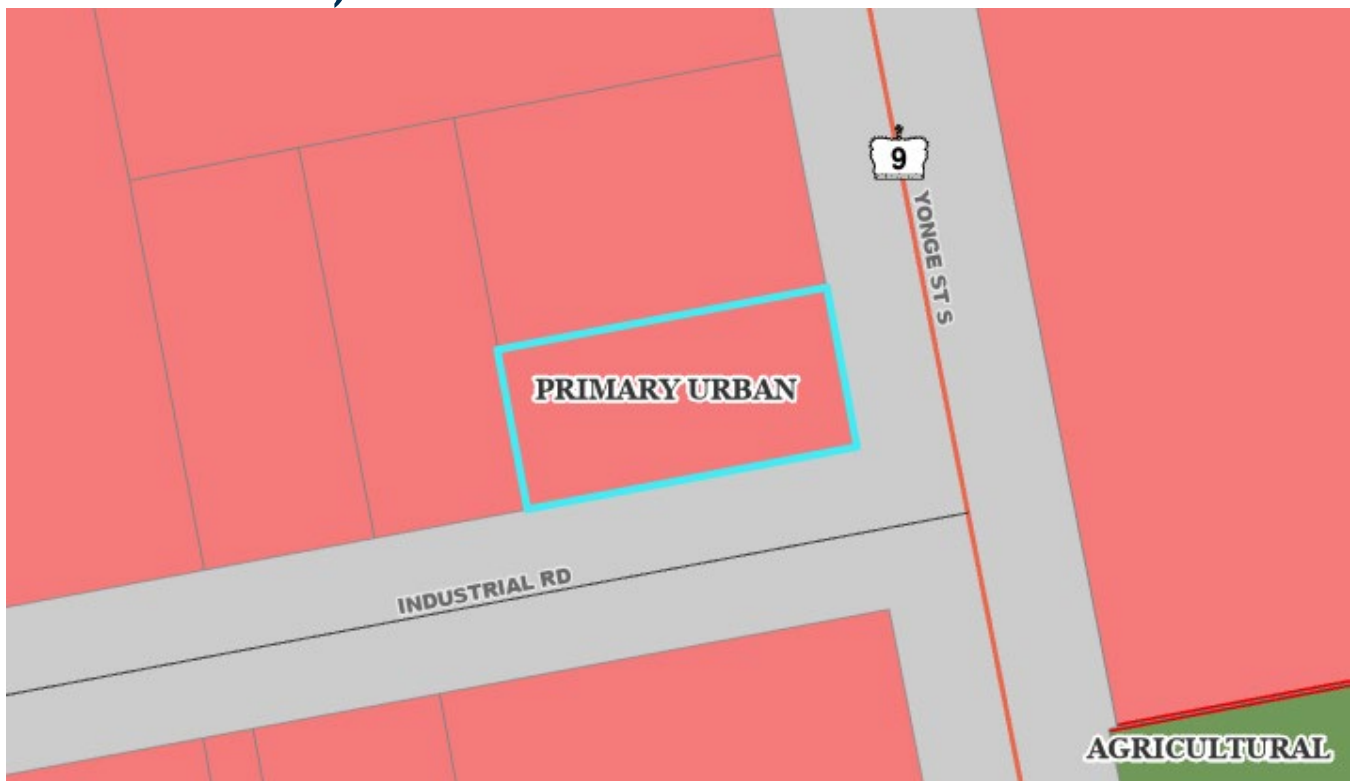
Notwithstanding the 'C3' zoning, those lands identified with special provision 'C3-8' shall be used in compliance with the 'C3' zone provisions contained in this By-law, excepting however that:

- i) A "Business or Professional Office", "Trades Person's Shop", and "Retail Store" are permitted in addition to the general uses of the Highway Commercial (C3) Zone.

Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- Agency Comments
- Public Comments
- Public Notice

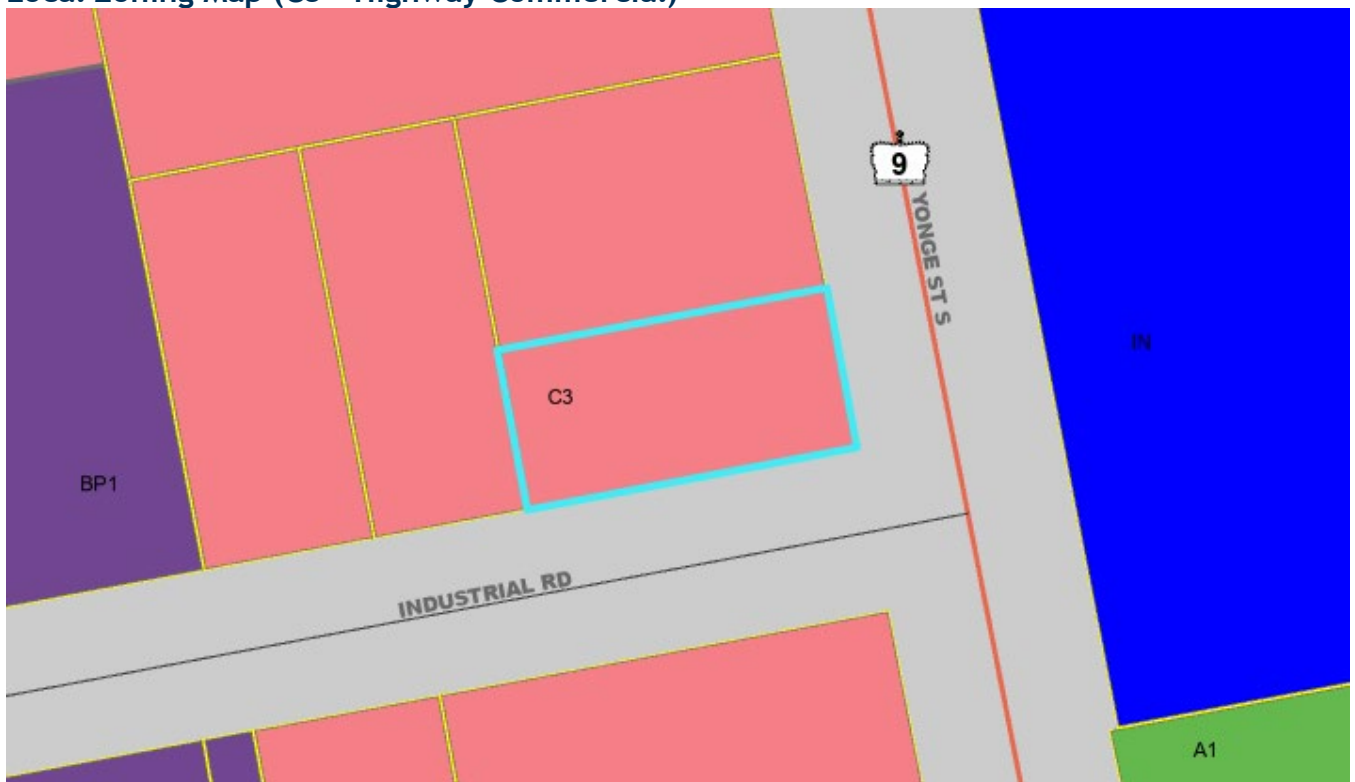
County Official Plan Map (Designated Primary Urban Communities)



Local Official Plan Map (Business Park 1)



Local Zoning Map (C3 - Highway Commercial)



Agency Comments

Westario Power: No comment or objection.

The Corporation of the Municipality of Brockton: No comment or objection

Historic Saugeen Métis: No comment or objection

Saugeen Valley Conservation Authority: The application is acceptable to SVCA staff. Full comments are provided below.

Public Comments

No comments received at the time of this report.

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

November 13, 2024

County of Bruce
Planning & Development Department
30 Park Street, Box 848
Walkerton, ON N0G 2V0

Attention: Benito Russo, Planner

Dear Benito Russo,

RE: Z-2024-064 (Berry)
1451 Yonge St. S
CON 3 SDR PT LOT 25 RP 3R658;PART 4PT
Roll No.: 410436000607948
Geography of Town of Walkerton
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 5.2 of the Provincial Planning Statement (PPS, 2024) and as a regulatory authority under Ontario Regulation 41/24 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). Staff has also provided comments as per our Memorandum of Agreement (MOA) with the County of Bruce representing natural hazards. The application has also been reviewed through our role as a public body under the Planning Act as per our Conservation Authority (CA) Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018. Finally, we have screened the application to determine the applicability of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006.

Purpose

Z-2024-064

The purpose of this application is for a Zoning By-law Amendment. It is proposed that in addition to the permitted uses of the Highway Commercial (C3) Zone to permit the use of the subject lands for a Trades Person's Shop, Business or Professional Office, and Retail Store. If approved, this will facilitate the use of the lands for commercial retail sale, installation, and servicing of security alarms and surveillance cameras.

Recommendation

SVCA staff find the application to be acceptable. We elaborate in the following paragraphs.

Background

SVCA staff reviewed the following documents to reach this recommendation:

- Application Z64 Berry
- Public Meeting Notice Z64 Berry
- Request for Agency Comments Z64 Berry
- Site Plan Z64 Berry
-

Drinking Water Source Protection / Water resources

The subject property appears to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan.

Summary

SVCA staff find the application to be acceptable. The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features of interest to SVCA or as per our MOA with the County of Bruce. As such, it is the opinion of SVCA staff that the application is consistent with the Natural Hazard Policies of the PPS, 2024 and the Bruce County Official Plan. Additionally, the property is not subject to Ontario Regulation 41/24, or to the policies of SVCA at this time, and as such, permission from the SVCA is not required for development on the property.

Please inform this office of any decision made by the Municipality/County with regard to the application. We respectfully request a copy of the decision and notice of any appeals filed. Should you have any questions, please contact the undersigned at j.dodds@svca.on.ca.

Sincerely,

Jason Dodds
Environmental Planning Technician,
Environmental Planning and Regulations Department
Saugeen Valley Conservation Authority
JD/

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



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



November 4, 2024

File Number(s): Z-2024-064

Public Meeting Notice

You're invited:

Public Meeting

to consider Zoning By-law Amendment / file # Z-2024-064

Tuesday, December 10, 2024 at 7:00 p.m.

Bruce County Council Chambers, 30 Park Street, Walkerton

A change is proposed in your neighbourhood: The purpose of this application is for a Zoning By-law Amendment. It is proposed that in addition to the permitted uses of the Highway Commercial (C3) Zone to permit the use of the subject lands for a Trades Person's Shop, Business or Professional Office, and Retail Store. If approved, this will facilitate the use of the lands for commercial retail sale, installation, and servicing of security alarms and surveillance cameras.



1451 YONGE ST S

CON 3 SDR PT
LOT 25 RP
3R658;PART 4PT
(Walkerton Town)

Municipality of
Brockton

Roll Number:
410436000607948

Learn more

Additional information about the application is available online at <https://www.brucecounty.on.ca/active-planning-applications>. Information can also be viewed 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: Benito Russo

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. Comments received after November 25, 2024 may not be included in the Planning report but will be considered if received prior to a decision being made, and included in the official record on file.

Before the meeting: You can submit comments by email bcplwa@brucecounty.on.ca, mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application. Comments will be provided to the Committee for its consideration.

How to access the public meeting

For information on how to participate in the public meeting, please visit the municipal website at www.brockton.ca under "Current Council Meeting Agenda".

Please contact the Municipality at fhamilton@brockton.ca or 519-881-2223 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.

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 Municipality of Brockton 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 Municipality of Brockton 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.

Please note that third parties (anyone who is not a specified person or public body) do not have the right to appeal a decision to the Ontario Land Tribunal.

For more information please visit the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/>.

Site plan

