



Municipality of Brockton Planning Report



To: Council of the Municipality Brockton
From: Dana Kieffer, Planner
Date: January 21, 2020
Application: Zoning By-law Amendment
File: Z-60-19.34

Recommendation

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

That Council approve Zoning By-law Amendment Z-60-19.34 by Garcia as attached and the necessary by-law be signed.

Summary

The application proposes to sever 88 Airport Road into two parcels: a waterfront parcel of 0.72 ha (1.8 ac.) and back parcel of 1.13 ha (2.8 ac.) An Official Plan and Zoning By-law Amendment is needed to address site-specific requirements placed on the property after a severance in 2007. The proposal meets the minimum size requirements in the Inland Lakes Designation and Inland Lake Residential Zone.

If approved, the proposed amendment would facilitate the construction of a new house.

The following considerations have been reviewed in the Planning Analysis section of this report:

- Size Requirements

The application is consistent with the Provincial Policy Statement and conforms to the County Official Plan, and the intent and purpose of the local zoning by-law. The proposal is representative of good land use planning.

Site Plan

9/9/2019

Bruce County Maps



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SEP 25 2019

BRUCE COUNTY
PLANNING

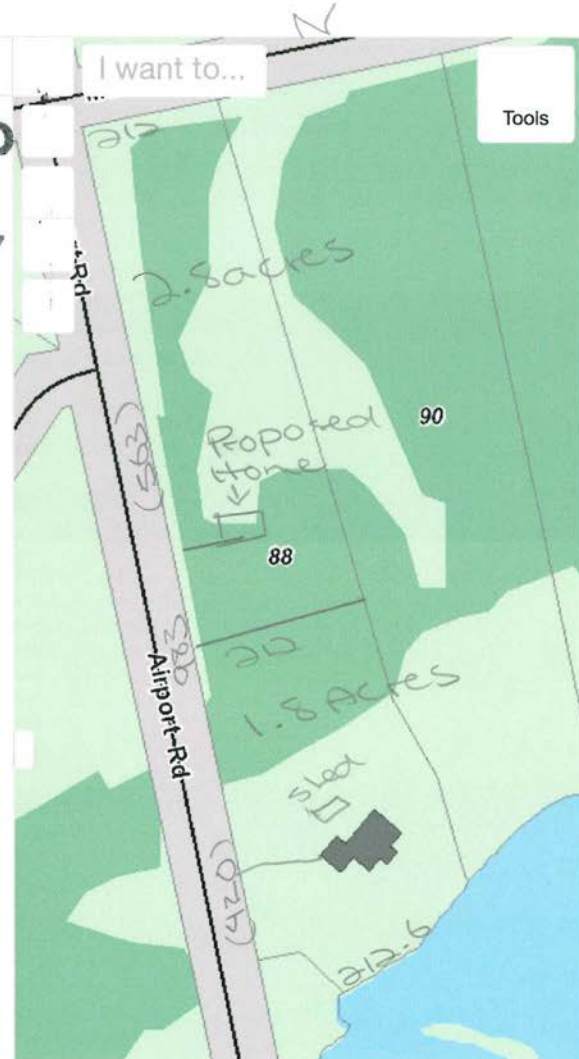
Welcome to Bruce County Maps, home of land information for all of Bruce County.

Here you'll find map layers for roads, property parcels, lots & concessions, land use zoning, landmarks, facilities and services, rivers, lakes, wooded areas, wetlands, contour lines, and much more. Underlying these are multi-year air photos offering a high resolution look at the land surface. All of this information is presented in the form of an intelligent, interactive map.

A great place to start is the **I want to...** menu.

Explore the Bruce!

existing home 4039sqf
existing shed 288sqf
proposed home 2300sqf
Site
(based on approval from building inspector)
and Saugen Valley
proposed laneway based on approval from
roads superintendent
current zoning is L2-4



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Layers



Base Map

Scale 1: 2,000

Go

<https://maps.brucecounty.on.ca/GVH/index.html?viewer=BruceGVH>

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Planning analysis

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant planning policy sections.

Size Requirements

In 2007, the Garcias applied for an Official Plan Amendment, a Zoning By-law Amendment and a Consent to split the lot located at what is now 88/90 Marl Lake Road. At the time of the amendment, the designation of the lands was changed from Agriculture to Inland Lakes Designation and Inland Lakes Residential (LR). At the time of the previous amendment, a site-specific lot size policy was applied in the by-law that reads:

.4 Notwithstanding their 'LR' Zoning designation, those lands delineated as 'LR-4' on Schedule 'A' shall be used in accordance with the 'LR' Zone provisions contained in this By-Law excepting however that:

- i. The minimum lot area shall be 1.82 ha (4.5 acres);*
- ii. The minimum setback from the high water mark of the lake for all buildings or structures shall be no less than 30 metres (98.41 ft).*

The general minimum lot size for waterfront lots in the LR zone is 0.4 ha (0.99 ac.) and non-waterfront lots are required to be 1 ha. (2.4 ac.). The proposed lots meet and exceed these requirements. Therefore, the amendment would permit the property to apply the general size requirement rather than the greater requirements that were placed on the property after the original severance.

Since the proposed lots meet the minimum size requirements, the need for further study including a nitrate study or a tertiary septic system is not a requirement. Therefore, the impact on the lake is anticipated to be minimal.

We also note that, since the Inland Lakes Designation is considered a settlement area, the Minimum Distance Separation does not apply, and this proposal is not expected to further impact surrounding farmers.

Appendices

- Maps and Air Photos
- Public Notice
- Agency Comments

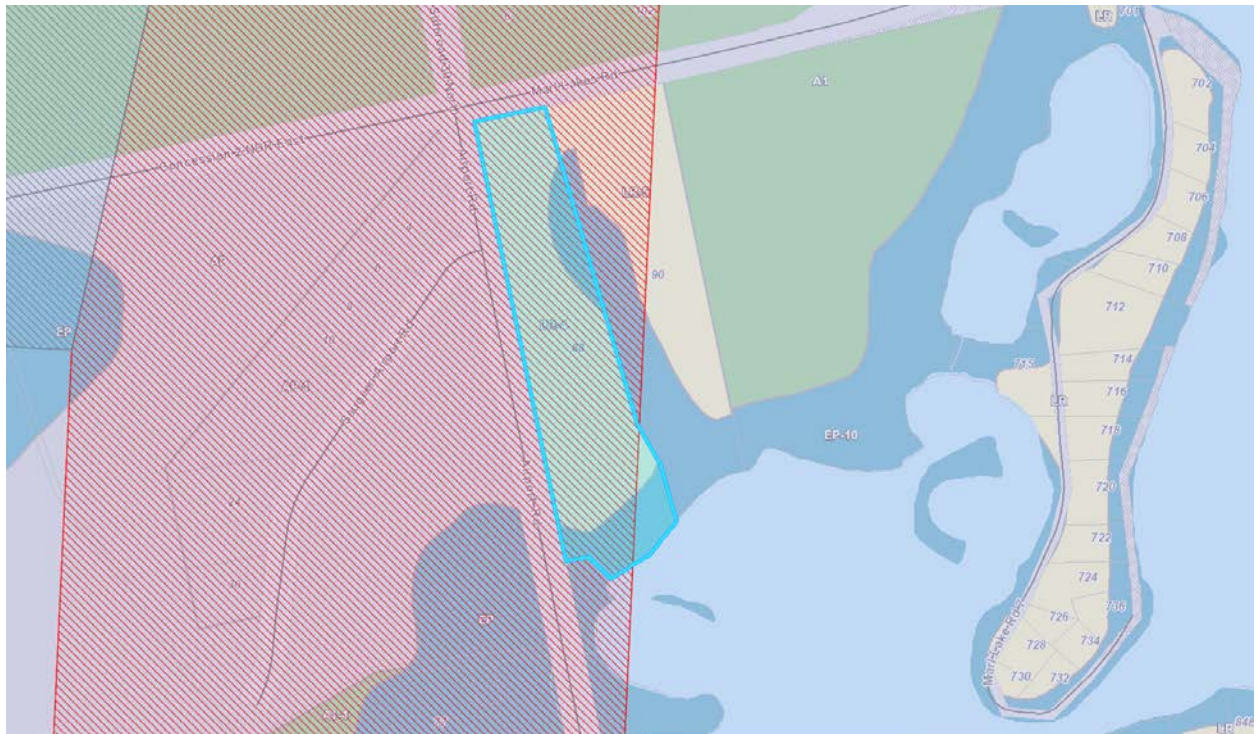
Appendix 1 – Mapping



County of Bruce Official Plan, applicant has applied for an amendment to apply the general provisions of the plan. This was passed on January 9, 2020.



Municipality of Brockton Zoning By-law currently zoned LR-4



Municipality of Brockton Zoning By-law Overlays, there is a height restriction from the Airport



2015 air photo

Appendix 2 – Public Notice



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



December 19, 2019

File Number: Z-60-19.34

Public Meeting Notice

You're invited

**Tuesday, January 21, 2020, 7:00 pm., Bruce County
Administration Centre, 30 Park Street, Walkerton, ON**

A change is proposed in your neighbourhood: The application proposes to sever 88 Airport Road into two parcels: a waterfront parcel of 0.72 ha (1.8 ac.) and back parcel of 1.13 ha (2.8 ac.) An Official Plan and Zoning By-law Amendment is needed to address site-specific requirements placed on the property after a severance in 2007. The proposal meets the minimum size requirements in the Inland Lakes Designation and Inland Lake Residential Zone.

If approved, the proposed amendment would facilitate the construction of a new house. The related Bruce County Official Plan Amendment file is BCOPA249-19.34 and the related Consent file is B-93-19.34.



88 Airport Rd
CON 2 NDR PT LOT 66 RP;3R8057 PART 1
Geographic Township of Brant, Municipality of Brockton
Roll Number 410434001002000

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).

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 mail (address above) or bcplwa@brucecounty.on.ca if you have any questions, concerns or objections about the application. Comments received after January 8, 2020 may not be included in the Planning reports, but will be forwarded to the Committee for their consideration.
2. You can speak at the Public Meeting.

The Planner on the file is: Dana Kieffer

Stay in the loop

If you'd like to be notified of the decision of the Municipality of Brockton on the proposed application, 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 Local Planning Appeal 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 Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information please visit the Local Planning Appeal Tribunal website at <https://elto.gov.on.ca/tribunals/lpat>.

Site plan

9/9/2019

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Appendix 3 – Agency Comments

Municipality:

- Clerk requires the municipal address 88 Airport Road to stay with the current dwelling.

Conservation Authority:

- Natural Heritage feature identified: potential fish habitat and potential habitat for species at risk
- Although a site plan has been submitted as part of the applications, SVCA staff will require a more detailed site plan to be submitted, once available, for review to determine if a Permit from the SVCA will be required for development on the parcel to be severed.
- The proposed BCOP amendment and proposed zoning by-law amendment are acceptable to SVCA staff.

Historic Saugeen Metis:

- No objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Risk Management Official:

- Received Section 59 Clearance, but its location within a WHPA C does limit some ability to store hazardous materials.

Hydro One:

- No comments