



## Planning Report

**To:** Council of the Municipality of Arran-Elderslie

**From:** Megan Stansfield, Planner

**Date:** November 25, 2024

**Re:** Zoning By-Law Amendment - Z-2024-056 (Caley c/o Davidson)

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### Recommendation:

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

That Council approve Zoning By-law Amendment Z-2024-056 by Caley c/o Davidson and the necessary by-law be forwarded to Council for adoption.

### Summary:

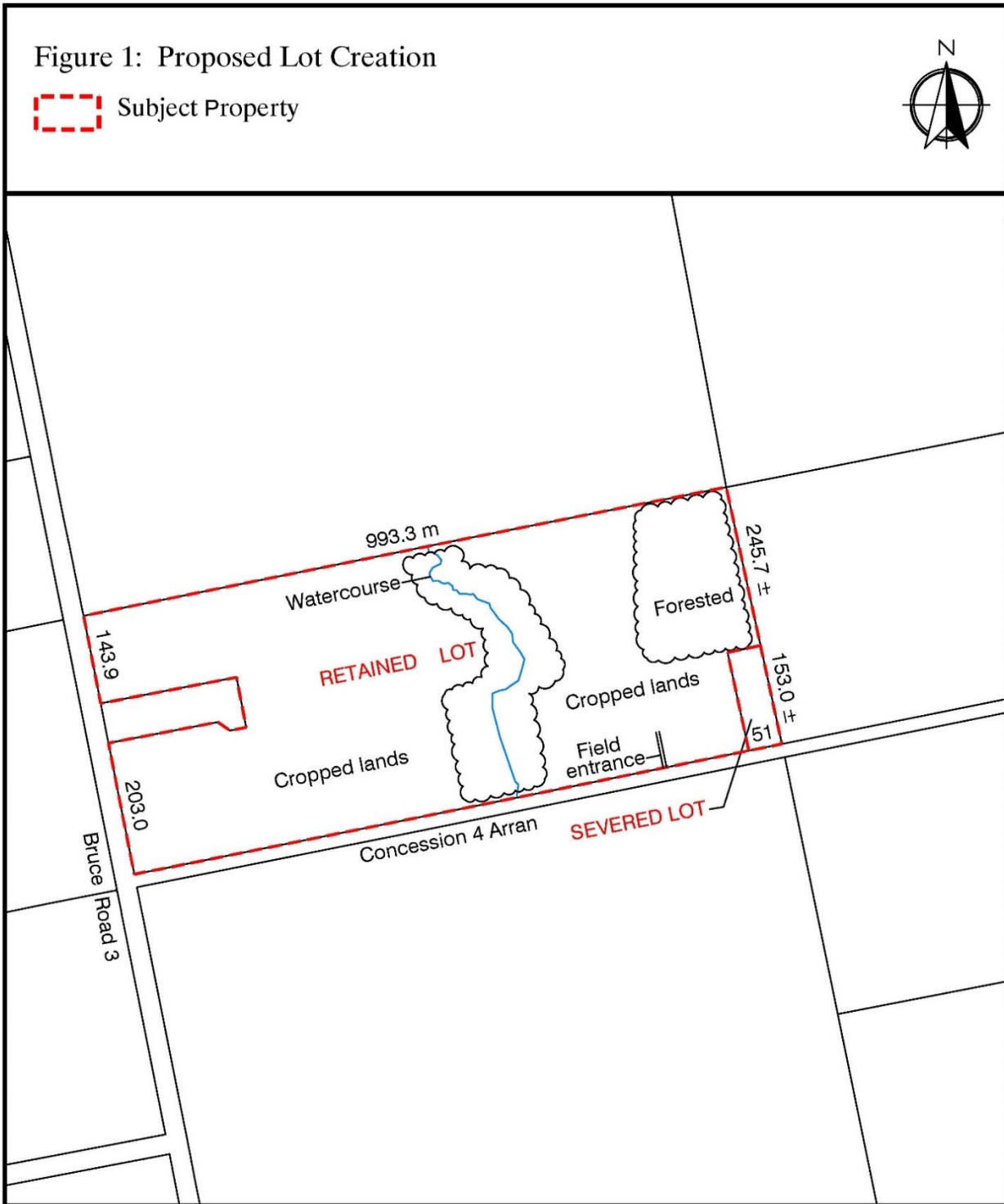
This zoning by-law amendment is to facilitate the consent of a 0.78ha vacant lot. The zoning application seeks to amend the current 'A1-26-2024' zoning of the retained parcel by reducing the 'minimum lot area' requirement for an agricultural lot in the 'A1' zone to 37.88 hectares. The Amendment would also change the current 'A1-26-2024' zoning of the severed parcel to 'A1'.

### Airphoto



4668 Bruce Road 3,  
CON A LOT 11 (Arran)  
Roll Number:  
410349000101200

Site Plan



Part Lot 11, Concession A  
Geographic Township of Arran  
Township of Arran-Elderslie

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:8000

## 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.

### Overview

This zoning by-law amendment is required to facilitate the severance of a non-farm residential parcel, from the agricultural lands. A non-farm residential parcel was severed from the original crown lot, earlier this year.

### County Official Plan

The property is designated Rural in the County Official Plan, so is not subject to the standard 'surplus farm dwelling severance' requirements we often see. The Rural designation permitted the severance of 2 non-farm residential lots, subject to conditions including lot size, a frontage/depth ratio, location on a municipal road and MDS criteria. The proposed severed and retained lots meet all the County Plan requirements.

### Arran-Elderslie Zoning By-Law

The property is zoned A1, A1-26-2024 and EP. The by-law provisions require a minimum lot size of 39 hectares for agricultural lots, and 0.5 hectares for non-farm lots. The proposed severed parcel will be approximately 0.8 ha, which meets the by-law, while the retained parcel will be approximately 37 ha which will be slightly below the minimum lot size. The reduction in lot size is very minimal and therefore still meets the intent of the by-law.

The proposed retained property is within an area of high archaeological potential because of the proximity to a watercourse that runs through the property. As such, the parcel will maintain the Holding placed on it to ensure an assessment is completed prior to development. The Holding will be removed from the severed parcel, as the assessment will be included as a condition of consent. It is my understanding the applicant has an archaeologist retained.

### Minimum Distance Separation

An MDS report was included in this submission. Because the retained farmland is still permitted to have a dwelling, and the new severed lot will have a dwelling, an MDS calculation must be included to confirm that development on parcels is possible without impacting surrounding agricultural development. The MDS report shows that there is sufficient area to construct a dwelling.

### Environmental Hazard Features

A portion of the property is subject to Ontario Regulation 41/24 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). The Hazard and EP area are associated with the watercourse, slope and any floodplain

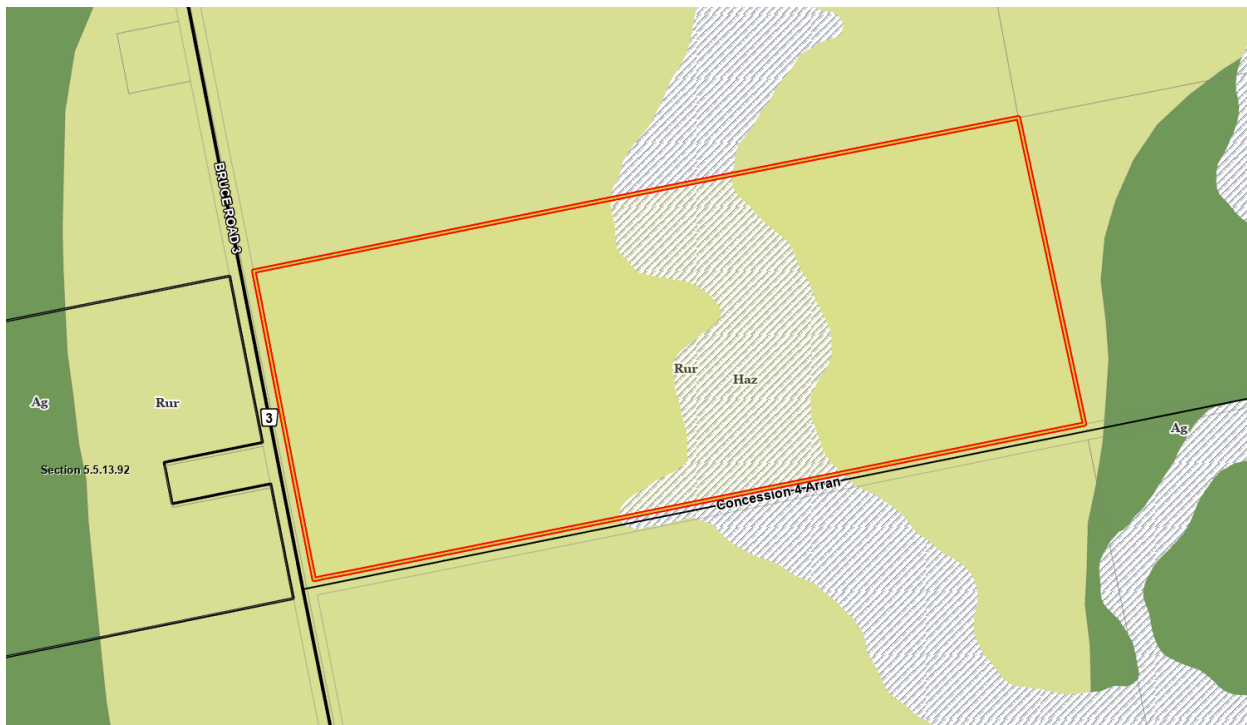
surrounding the watercourse. If development is proposed in the area subject to O.Reg 41/24, SVCA should be contacted for a permit.

The Environmental Protection zone will remain unchanged.

## Appendices

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

## County Official Plan Map (Designated Rural Areas and Hazard)



## Local Zoning Map (Zoned A1 - General Agriculture, A1-26-2024 - General Agriculture, A1-26-2024-H1 - General Agriculture H, EP - Environmental Protection)



### List of Supporting Documents and Studies

The Planning Justification Report and MDS Report can be viewed in full at [Planning Arran-Elderslie | Bruce County](#) /

### Agency Comments

Saugeen Ojibway Nation Environment Office: No comments received, but the property is within an area of high archaeological potential; an archaeological assessment is required as a condition of consent.

Municipality of Arran-Elderslie: Parkland Dedication will be required

Bruce County Transportation: No comment

Saugeen Valley Conservation Authority: A portion of the retained property is within the SVCA Approximate Screening Area, however no development is proposed, so an SVCA permit is not required. Comments provided in full below.

Hydro One: No comments or concerns.

Town of Saugeen Shores: No comments.



RON DAVIDSON  
LAND USE PLANNING CONSULTANT INC.

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August 12, 2024

County of Bruce  
Planning & Economic Development Department  
Box 129  
Warton, ON  
N0H 2T0

Attention: Megan Stansfield  
Planner

Dear Megan:

**Re: Application for Consent and Zoning By-law Amendment  
Part Lot 11, Concession A  
Geographic Township of Arran, Municipality of Arran-Elderslie  
County of Bruce  
Owner: Caley's Grain Inc.**

Further to recent pre-consultation discussions with your office regarding a severance on the above-noted property, enclosed please find a completed joint application for Consent and Zoning By-law Amendment. Also attached is a Minimum Distance Separation (MDS) Report pertaining to a neighbouring barn.

To assist your office in its evaluation of the application, I offer the following information:

**The Proposal:**

Caley's Grain Inc. c/o Jim Caley owns a 37.88-hectare farm property described as Part Lot 11, Concession A, in the former Township of Arran, now in the Municipality of Arran-Elderslie.

Mr. Caley proposes to sever a vacant lot comprising 0.78 hectares of land, upon which a future landowner would erect a detached dwelling, and retain a 37.88-hectare farm.

### **Approvals Required:**

In order to sever this residential lot, approval of the following is necessary:

- an application for Consent (to sever); and,
- a Zoning By-law Amendment application, as explained in detail below.

### **The Subject Lands:**

The subject property is located at the northeast corner of the Bruce Road 3 / Concession 4 Arran intersection, approximately 1.4 kilometres south of the settlement area of Burgoyne.

The site comprises 38.66 hectares of land and is not occupied by any buildings or structures. Approximately 29 hectares are in agricultural production. A small watercourse traverses the central area of the property in a north-south manner. A 4.0-hectare forested area exists in the northeast corner. The lands to be severed are located in the southeast corner of the property and are currently farmed.

The features of the property are illustrated on the severance sketch provided on Figure 1.

The intent of the severance is to have the rear lot line follow the boundary between the cropped field and the forested lands. This would provide a lot depth of approximately 155 metres. The exact lot line will be determined by the Ontario Land Surveyor when preparing the reference plan.

### **Adjacent Lands:**

A non-farm residential lot containing a dwelling and accessory building was recently severed from the subject lands.

Another non-farm residential lot is located to the west of the subject property, along the opposite side of County Road 3. Located on that property are a house and barn. The barn is in a state of disrepair.

The majority of the lands located within the immediate vicinity of the subject property are used for agricultural purposes. The farm situated to the south, along the opposite side of Concession 4 Arran, includes a livestock facility, and in this regard, a Minimum

Distance Separation (MDS) Report has been completed. Additional details regarding the MDS Report are provided later in this Planning Justification Report.

Another barn is situated to the southwest; however, this structure has been converted to storage, as confirmed by the owner of that property.

### **Municipality of Arran-Elderslie Zoning By-law:**

As a result of the Zoning By-law Amendment approval that was granted in association with the recent lot creation, the majority of the subject lands are zoned 'A1-26-2024' (General Agriculture Special), with the area adjacent to the watercourse being zoned 'EP' (Environmental Hazard), as illustrated on Figure 2 of this Planning Justification Report. This site-specific zone was established to decrease the 'minimum lot area' requirement for an agricultural lot from 39 hectares to 38.6 hectares.

Because most of the property falls within an area of high archaeological potential a holding (h) symbol was added to approximately two-thirds of the property – including the 0.78 hectares of land to be severed – to require an Archaeological Assessment to be completed before any buildings are constructed.

A Zoning By-law Amendment will be required to further reduce the 'minimum lot area' requirement to 37.8 hectares. The Amendment will also remove the current special zone from the severed parcel since this new lot will comply with the 'minimum lot area' and 'minimum lot frontage' requirements of 0.5 hectares and 40 metres, respectively, for non-farm parcels. The holding symbol, however, should remain attached to the 'A1' zoning of the severed parcel until such time as the Archaeological Assessment has been completed. On this note, be advised that an Archaeologist has been retained and the fieldwork will be undertaken once the soybean crop has been removed in October. An application will be filed to remove the holding symbol once the Assessment has been completed to the satisfaction of the Province and Saugeen Ojibway Nation.

The proposed Zoning By-law Amendment is illustrated on Figure 3.

The text of Zoning By-law Amendment should read to the effect of:

*Notwithstanding their 'A1' zoning, those lands shown as 'A1-x' on Schedule A of this By-law shall be used in accordance with the 'A1' zone excepting however that:*

- (i) *the 'minimum lot area' shall be 37.8 hectares.*



**Bruce County Official Plan:**

The subject lands fall within the jurisdiction of the County of Bruce Official Plan.

According to Schedule A (Land Use) of the County Official Plan, the property is designated predominantly 'Rural', as illustrated on Figure 4 of this Planning Justification Report. The watercourse and its adjacent floodplain are designated 'Hazard'.

The entire severed parcel falls within the 'Rural' designation.

The 'Rural' policies of Section 6.5.3.4 state the following (edited for relevancy):

*6.5.3.4 Consents – Rural Areas*

- .1 Original Crown surveyed lot may be subdivided into either:*
- i) Two (2) Farm Lots, including the retained lot, each generally 20 hectares in total lot area in accordance with Section 6.5.3.4.3 [Agricultural Uses (Farm Lots)]; or*
  - ii) Three (3) Non-Farm Lots or Non-Farm Residential Lots, including the retained lot, in accordance with Section 6.5.3.4.4 Non-Farm Lots/Non-Farm Residential Lots. In no instance shall an original Crown surveyed lot be subdivided into more than three lots.*
- .2 For the purposes of this section, any original Crown surveyed lot severed for the purposes of a school or church prior to 1995, road widening or similar public purpose, or minor lot line adjustments shall be deemed to be an original Crown surveyed lot.*

Comment: The subject property forms part of the Crown surveyed parcel known as Lot 11, Concession A, Township of Arran from which one residential lot has been severed. As such, consideration can be given to the proposed non-farm residential lot creation under consent policy 6.5.3.4. 1 ii) above.

*.4 Non-Farm Lots/ Non-Farm Residential Lots*

*Consent for Farm Related Commercial and Industrial Uses as permitted in Section 5.5.9; Institutional uses as permitted in Section 5.5.10; Rural Industrial uses as permitted in Section 5.6.6; and Rural Commercial uses as permitted in Section 5.6.7 and Non-Farm Residential Lots shall be in accordance with the following:*

- i) The maximum size of any new Non-Farm lot shall be 4 hectares. A Planning Report shall be provided at time of application justifying the proposed size of the consent if the proposed lot is over 0.61 hectares (1.5 acres) in size. The minimum lot area shall generally be no less than 0.4 hectares (1 acre).*

- ii) *In order to be eligible for a severance as permitted in clause (i) above, there must be a minimum of 100% of the original Crown surveyed lot within the 'R – Rural' designation.*
- iii) *In determining the designation of the original Crown surveyed lot for compliance with clause (ii) above, the designation(s) underlying the 'Hazard Land Areas' designation, if present on a lot, shall also be used. There shall be sufficient developable area outside of the 'Hazard Land Area', including applicable environmental setbacks, for the proposed development.*
- iv) *All severed and retained parcels shall also meet the requirements of Section 6.5.3.1 [General Policies (Land Division Policies)] and all other applicable policies of this Plan.*
- v) *The severed and/or retained parcels must be viable for their proposed future use in the opinion of the County of Bruce.*
- vi) *In order to avoid narrow linear parcels of land the frontage-to-depth ratio shall be a maximum of 1:3 and conform to the appropriate zoning requirements for lot frontage.*
- vii) *An initial application for consent from an original Crown surveyed lot shall not propose to create more than one new lot. No subsequent severance shall be granted or created from the original Crown surveyed lot until a building permit has been issued for the proposed primary use for the lot previously severed and the building to be constructed has been completed and an 'Occupancy Permit' has been issued for the building.*
- viii) *All new lots must be located on a year-round maintained Municipal road.*
- ix) *This Official Plan requires the severance of all new Non-Farm lots to comply with MDS I. All livestock facilities within the vicinity of the proposed severance shall be used in determining MDS I compliance.*
- x) *All new lots shall be located a minimum of 123 metres away from the boundary of an existing licensed gravel pit or 213 metres away from the boundary of an existing licensed quarry and not within 500 metres of lands zoned for a landfill site or within 500 metres of Mineral Resource Area shown on Schedule 'C' excepting however that a new lot for an existing residence surplus to a farming operation need not meet these setbacks. An existing farm residence surplus to a farming operation must be habitable at the time of application for consent.*
- xi) *All new lots must be within reasonable distance of an existing school bus route as determined by the appropriate school board(s).*

**Comment:** The severed parcel will comprise approximately 0.78 hectares, which is well under the 4.0-hectare maximum lot size. The lot might end up being slightly smaller or larger if the Ontario Land Surveyor determines that the edge of the forest is not exactly 153 metres from the front lot line.

The entire severed parcel is designated 'Rural'.

The lot creation meets all applicable policies of the Bruce County Official Plan.

The shape and size of the severed lot will represent a frontage-to-depth ratio of exactly 1:3, if the lot has a depth of 153 metres. If the lot is made slightly deeper as a result of the survey work, the intent of this policy will still be maintained.

A new entrance will be required along Concession 4 Arran, which is a year-round road. The retained lot already has a field entrance from Concession 4 Arran as shown on Figure 1.

As noted above, a livestock facility exists to the south of the subject property. An MDS Report has been completed and it demonstrated that the ample area exists on the severed and retained parcels to erect a house outside of the MDS arc. To be clear, however, it is not the intention of Mr. Caley to erect a house on the retained parcel.

There are no pits or quarries in close proximity to the site, nor are any lands within 500 metres zoned for a landfill site or shown as 'Mineral Resource Area' on Schedule C.

The subject lands are located on a school bus route.

Based on the foregoing, the proposed severance conforms with all relevant policies of the Bruce County Official Plan.

### **Provincial Policy Statement:**

The Provincial Policy Statement (PPS) allows for limited lot creation on rural lands. The extent to which lot creation is permitted is to be determined in the Official Plan. As explained above, the proposed severance conforms to the lot density policies applicable to 'Rural' lands.

Also, lot creation is required to comply with the MDS formulae. As previously noted, a house can be erected on both the severed and retained parcels outside of the MDS arc associated with the barn located along the west side of Bruce Road 3.

The PPS also contains policies that protect natural heritage features. The proposed severance should have no impact on any natural heritage features that may exist in the area. A wooded area is located immediately north of the severed parcel, and such lands could possibly provide habitat for a natural heritage feature; however, imposing a 30-metre setback for any development or site alteration on the severed parcel, if deemed necessary, should adequately protect the function of the forested area. The entire area to be severed has been disturbed through its agricultural use, and therefore there would be no ecological connection between the forested lands and the adjacent agricultural lands.

Furthermore, this provincial planning policy document also protects areas of potential aggregate resources. The proposed lot creation would not undermine any such policies of the PPS.

Lastly, the PPS protects lands having archaeological significance. In this regard, the majority of the subject lands are identified as having high archaeological potential, and therefore a holding (h) symbol has been applied to the current zoning of the property. For this reason, Mr. Caley has retained an Archaeologist to conduct an Archaeological Assessment, and such study will be completed once the soybean crop has been removed in October. In the meantime, the Consent and Zoning By-law Amendment applications can be processed, but on the understanding that the holding symbol would not be removed and the deed would not be stamped for the new parcel until the Assessment has been completed.

It is evident that the proposed lot creation is consistent with the PPS.

### **Conclusion and Recommendation:**

The proposed Consent and associated Zoning By-law Amendment have considerable merit and should be granted.

### **Final Comments:**

I trust this submission package is satisfactory and will allow your office to deem the application complete. Should you require any additional information, please contact the undersigned.

It would be sincerely appreciated if your office could advise of a possible public meeting date before actually scheduling the meeting in order to ensure my availability.


Respectfully submitted,

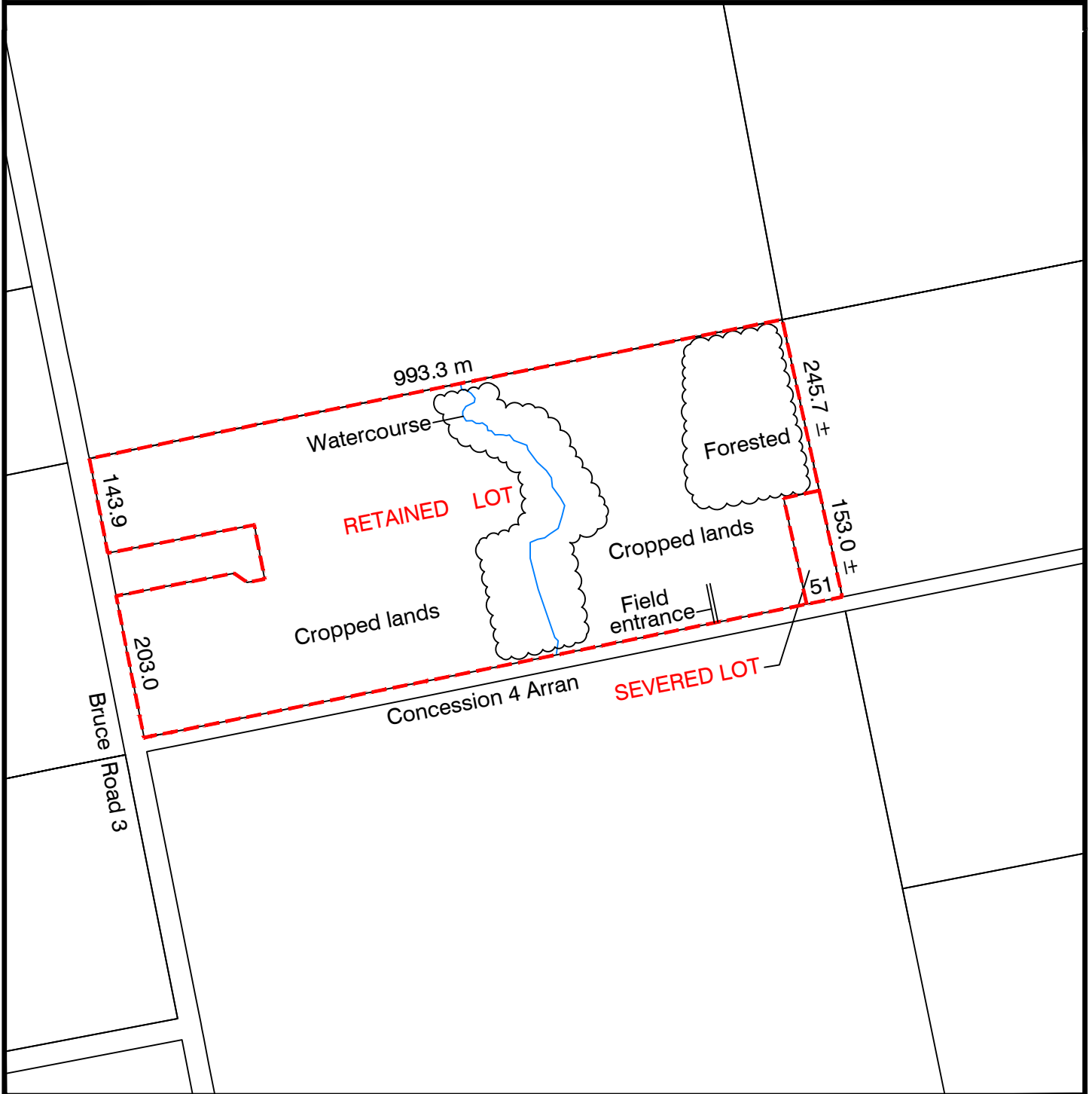
A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized flourish at the end.

Ron Davidson, BES, RPP

c.c. Jim Caley

Figure 1: Proposed Lot Creation

 Subject Property



Part Lot 11, Concession A  
Geographic Township of Arran  
Township of Arran-Elderslie

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:8000

Figure 2: Township of Arran-Elderslie Zoning Bylaw Schedule A



 Subject Property

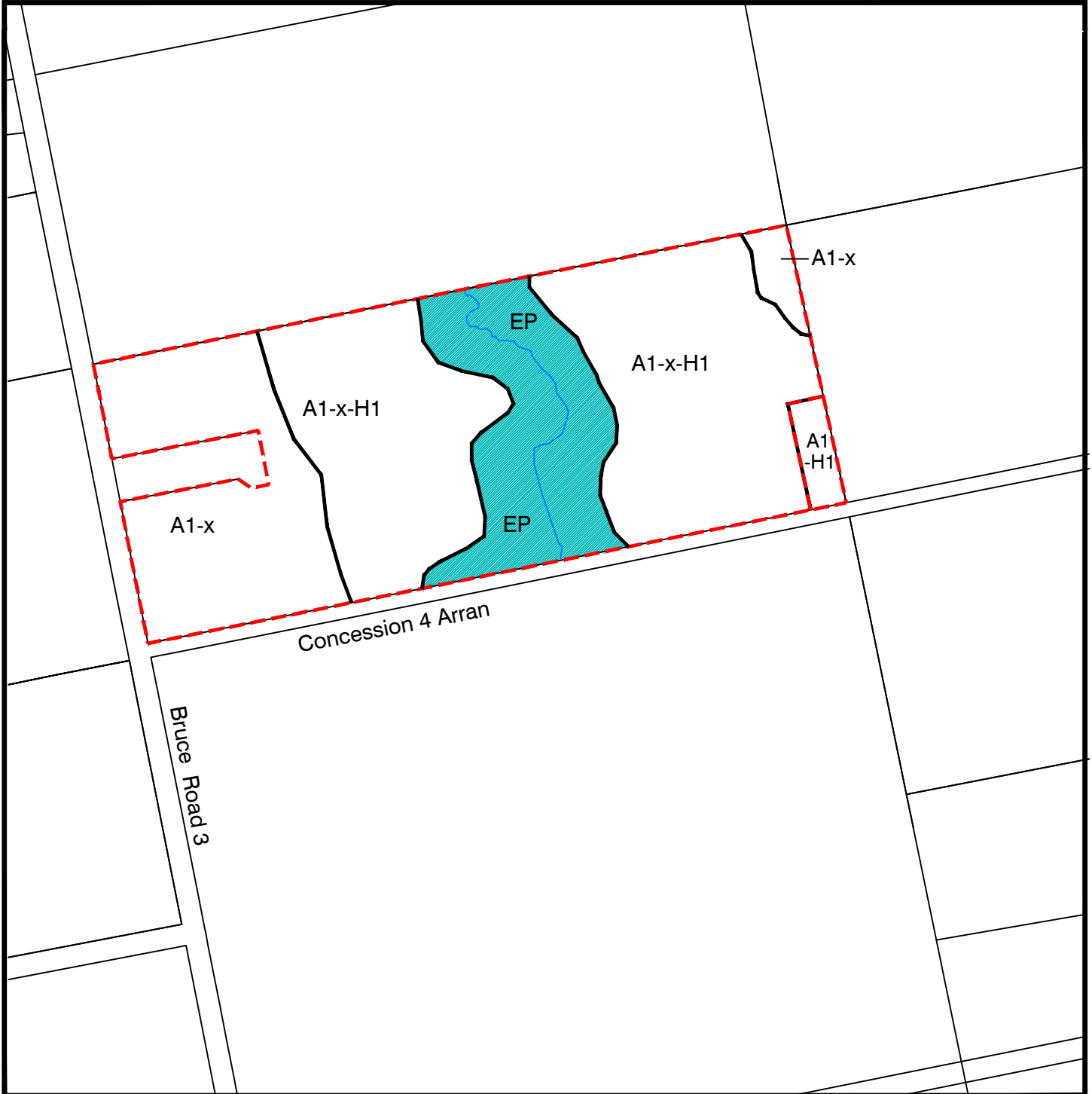


Part Lot 11, Concession A  
Geographic Township of Arran  
Township of Arran-Elderslie

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:8000

Figure 3: Proposed Zoning

 Subject Property



Part Lot 11, Concession A  
Geographic Township of Arran  
Township of Arran-Elderslie





**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO

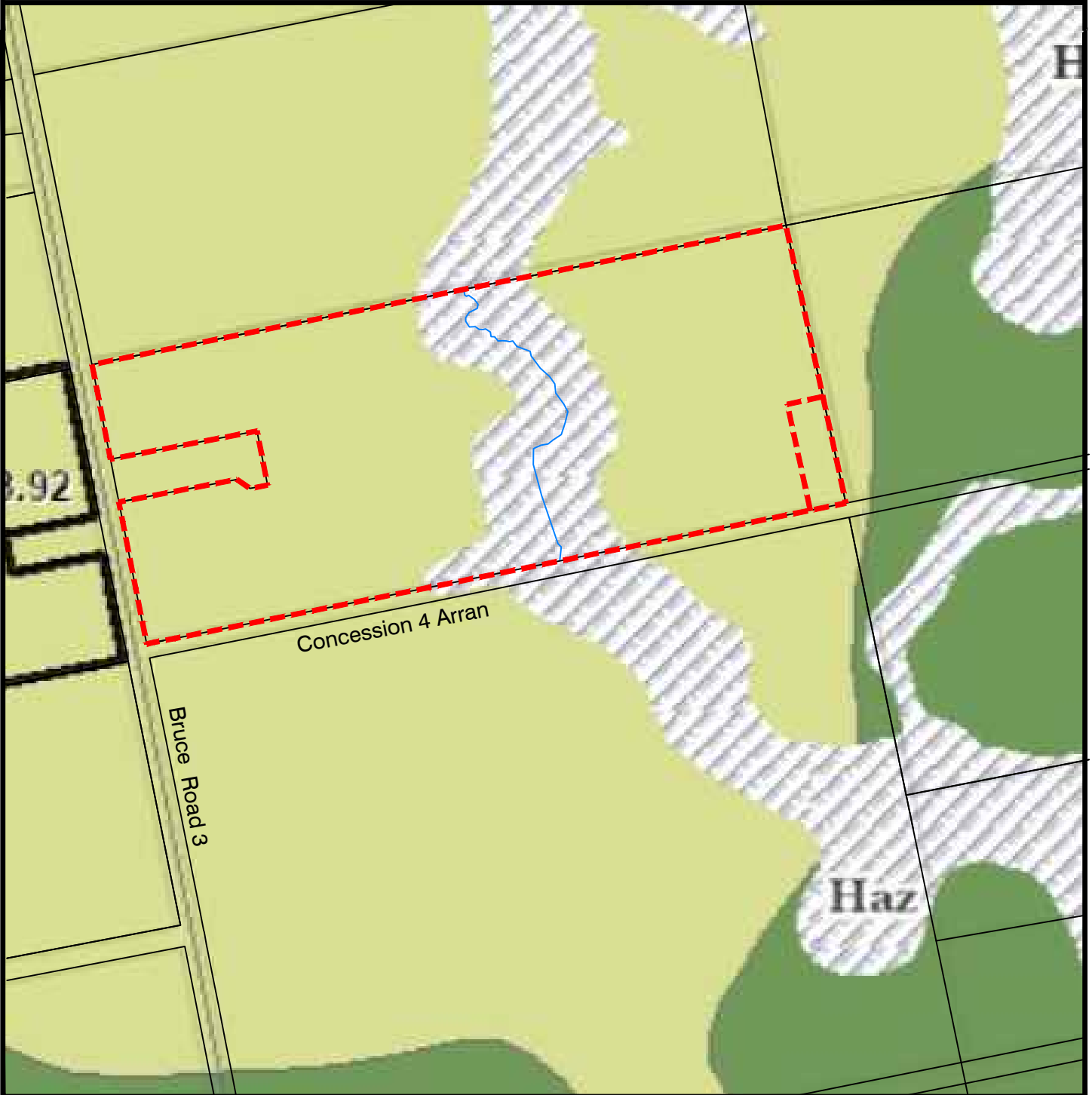
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Figure 4: Bruce County Official Plan Schedule A



-  Subject Property
-  Rural
-  Agricultural
-  Hazard



Part Lot 11, Concession A  
Geographic Township of Arran  
Township of Arran-Elderslie

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:8000


MDS I

General information

Application date  
Feb 25, 2024

Municipal file number


Proposed application  
Lot creation for a maximum of three non-agricultural use lots

Applicant contact information   
ON

Location of subject lands  
County of Bruce  
Municipality of Arran-Elderslie  
ARRAN  
Concession A , Lot 11  
Roll number: 4103490001012000

Calculations

Barn to the south

Farm contact information  ON	Location of existing livestock facility or anaerobic digester County of Bruce Municipality of Arran-Elderslie ARRAN Concession A , Lot 9 and 10 Roll number: 4103490001011010	Total lot size 78.71 ha
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Livestock/manure summary				
Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Backgrounders (7 - 12.5 months), Confinement	100	33.3 NU	372 m <sup>2</sup>

Setback summary			
Existing manure storage	V3. Solid, outside, no cover, >= 30% DM		
Design capacity	33.3 NU		
Potential design capacity	100 NU		
Factor A (odour potential)	0.8	Factor B (design capacity)	315.74
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1

Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)	195 m (640 ft)
Actual distance from livestock barn	NA
Storage base distance 'S' (minimum distance from manure storage)	195 m (640 ft)
Actual distance from manure storage	NA

**Preparer signoff & disclaimer**

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**Preparer contact information**

Ron Davidson  
265 Beattie St  
Owen Sound, ON  
N4K6X2  
519-379-0647  
ron.davidson@chatsworth.ca

**Signature of preparer**

<p>Ron Davidson</p> <hr/> <p>Ron Davidson , Planner</p>	<p>Feb 25, 2024</p> <hr/> <p>Date (mmm-dd-yyyy)</p>
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**Note to the user**

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

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3

195 m MDS requirement

Livestock facility

ARICE ROAD 3

CONCESSION 4 Altai



THE CORPORATION OF THE MUNICIPALITY OF ARRAN-ELDERSLIE

1925 Bruce Road 10, Box 70, Chesley, ON N0G 1L0  
519-363-3039 Fax: 519-363-2203

October 7, 2024

Via Email: [LMansfield@brucecounty.on.ca](mailto:LMansfield@brucecounty.on.ca)

County of Bruce  
Planning & Economic Development Department  
578 Brown Street  
Box 129  
Warton, ON N0H 2T0

**Re: Zoning By-law Amendment Z-2024-056  
Caley c/o Davidson  
4668 Bruce Road 3**

Arran-Elderslie staff have reviewed the above noted application and provide the following comments:

- Works/Water Department
  - This proposal is located on a County road and therefore we have no comment.
- Building Department
  - No comment.
- Clerk's Department
  - This application will be subject to Parkland Dedication Fees.

Should you require further information or documentation, please contact the undersigned.

Yours truly,  
MUNICIPALITY OF ARRAN-ELDERSLIE  
Per:

*Christine Fraser-McDonald*

Christine Fraser-McDonald  
Clerk  
[cfraser@arran-elderslie.ca](mailto:cfraser@arran-elderslie.ca)

# Preliminary Conditions of Approval

The Planning Department has reviewed the application and makes the following preliminary conditions of approval:

1. That the owner enter into an Agreement with the Municipality, if deemed necessary by the Municipality of Arran-Elderslie, to satisfy all the requirements, financial or otherwise of the Municipality, which may include, but shall not be limited to, the provision of parkland (or cash-in-lieu of land), roads, installation of services, facilities, drainage and the timing and payment of a development charge.
2. That a Reference Plan (survey that is registered) be completed and a copy filed with the Municipal Clerk and a digital copy (preferred) or a hard copy be filed with the Approval Authority, or an exemption from the Reference Plan be received from the Approval Authority.
3. That the Municipality provide written confirmation to the Approval Authority that the municipal conditions as imposed herein have been fulfilled.
4. That, pursuant to Section 53(42) of the Planning Act, the 'Certificate of Consent' be affixed to the deed **within two years** of the giving of the Notice of Decision. (Note: Section 53(43) of the Planning Act requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (i.e., Stamping of the deed)).
5. That the Clerk of the Municipality provide written confirmation to the Approval Authority that Zoning By-law Amendment file Z-2024-056 is in force and effect.
6. That the owner provide an Archaeological Assessment that has included engagement with the Saugeen Ojibway Nation in accordance with its process and standards, has been completed by an archaeologist licensed in the province of Ontario and has been confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports; and that the owner satisfy the approval authority that recommendations of the archaeological assessment (if any) have been or will be implemented.

File Numbers: B-2024-058 and Z-2024-056

Agency: Bruce County Transportation Services

No Comment:

Title: Eng. Technician

Signature:



Comments:

SENT ELECTRONICALLY ONLY: mstansfield@brucecounty.on.ca, bcplwi@brucecounty.on.ca

October 3, 2024

County of Bruce  
Planning & Development Department  
268 Berford Street, PO Box 129  
Warton, Ontario N0H 2T0

Attention: Megan Stansfield, Planner

Dear Megan Stansfield,

RE: B-2024-058 Z-2024-056 (Caley c/o Davidson)  
4668 Bruce Road 3  
Lot 11 Con A  
Roll No.: 410349000101200  
Geographic Township of Arran  
Municipality of Arran-Elderslie

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted applications as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 41/24. Staff have also provided comments as per our Memorandum of Agreement (MOA) with the County of Bruce representing natural hazards. The applications have 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 applications to determine the applicability of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006.

## **Purpose**

### **B-2024-058**

The purpose of the Consent application is to sever a 0.78 hectare vacant lot and retain a 37.88 hectare farm lot.

### **Z-2024-056**

The purpose of the Zoning By-Law Amendment application is to amend the current 'A1-26-2024' zoning of the retained parcel by reducing the 'minimum lot area' requirement for an agricultural lot in

the 'A1' zone to 37.88 hectares. The Amendment would also change the current 'A1-26-2024' zoning of the severed parcel to 'A1'.

## **Recommendation**

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

## **Background**

SVCA staff reviewed the following documents to reach this recommendation:

- Application B58 Z56 Caley co Davidson dated August 9, 2024.
- Consent Application Notice B58 Caley co Davidson dated September 19, 2024.
- MDS Report B58 Z56 Caley co Davidson dated February 25, 2024.
- Planning Justification Report B58 Z56 Caley co Davidson dated August 12, 2024
- Public Meeting Notice Z56 Caley co Davidson dated September 19, 2024.
- Request for Agency Comments B58 Z56 Caley co Davidson dated September 19, 2024.
- Site Plan B58 Z56 Caley co Davidson received September 24, 2024.

## **Delegated Responsibility and Advisory Comments - Natural Hazards**

The natural hazard features affecting the property are a watercourse and its related floodplain. It is the opinion of SVCA staff that the Municipality of Arran-Elderslie Zoning By-Law Environmental Protection (EP) zone and Bruce County OP Hazard Land designation generally represents the natural hazard features as mapped by the SVCA.

The following is a summary of Provincial, County and Municipal natural hazard policies that affect the subject property.

### **Provincial Policy Statement – Section 3.1**

It is SVCA staff's opinion that Section 3.1.1 of the PPS, 2020 states, in general, that development shall be directed to areas outside of hazardous lands. It is the opinion of SVCA staff that the applications are consistent with the PPS.

### **Bruce County Official Plan Policies**

Section 5.8.1 of the Bruce County Official Plan states in part that buildings and structures are generally not permitted within Hazard Lands. It is the opinion of SVCA staff that the applications are consistent with the Bruce County OP.

### **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.

### **Statutory Comments**

SVCA staff has reviewed the applications as per our responsibilities as a regulatory authority under Ontario Regulation 41/24 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation).



The central portion of the property is within the SVCA Approximate Screening Area associated with Ontario Regulation 41/24. For the property the SVCA Approximate Screening Area represents the natural hazards features of the watercourse, slope, and any floodplain of the watercourse. As such, development and/or site alteration within this area may require the permission from SVCA, prior to carrying out the work.

### **SVCA Permission for Development or Alteration**

Based on the plan submitted with the applications, no new buildings or structures are proposed at this time, and so an SVCA permit is not required.

### **Summary**

SVCA staff have reviewed the applications in accordance with our MOA and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*. SVCA staff find the applications to be acceptable.

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 has been demonstrated.
- 2) Consistency with local planning policies for natural hazards has been demonstrated.

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

Sincerely,

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

cc: Christine Fraser-McDonald, Clerk, Municipality of Arran-Elderslie (via email)  
Moiken Penner, SVCA Authority Member representing Arran-Elderslie (via email)



County of Bruce  
Planning & Development Department  
268 Berford Street, PO Box 129  
Warton, ON N0H 2T0  
brucecounty.on.ca  
226-909-5515



September 19, 2024

File Number: Z-2024-056

## Public Meeting Notice

**You're invited to participate in a Public Meeting  
to consider Zoning By-Law Amendment File No. Z-2024-056  
October 28, 2024 at 9:00 am**

A change is proposed in your neighbourhood: The purpose of the Consent application is to sever a 0.78 hectare vacant lot and retain a 37.88 hectare farm lot. The purpose of the Zoning By-Law Amendment application is to amend the current 'A1-26-2024' zoning of the retained parcel by reducing the 'minimum lot area' requirement for an agricultural lot in the 'A1' zone to 37.88 hectares. The Amendment would also change the current 'A1-26-2024' zoning of the severed parcel to 'A1'. The related consent file is B-2024-058.



4668 Bruce Road 3, CON A LOT 11 (Arran)  
Municipality of Arran-Elderslie, Roll Number 410349000101200

## 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 Megan Stansfield.

## 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 October 18, 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.

Please contact us by email at [bcplwi@brucecounty.on.ca](mailto:bcplwi@brucecounty.on.ca), mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application.

## How to access the public meeting

The public meeting will be held in person, in the municipal Council Chambers located at 1925 Bruce Road 10, Chesley, ON, N0H 1L0. Seating may be limited and you may be required to wait outside until called upon to speak. As an alternative, you may submit written comments to the Bruce County Planning Department which will be considered at the meeting.

Please contact Clerk Christine Fraser-McDonald at [cfraser@arran-elderslie.ca](mailto:cfraser@arran-elderslie.ca) or 519-363-3039, ext. 101 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.

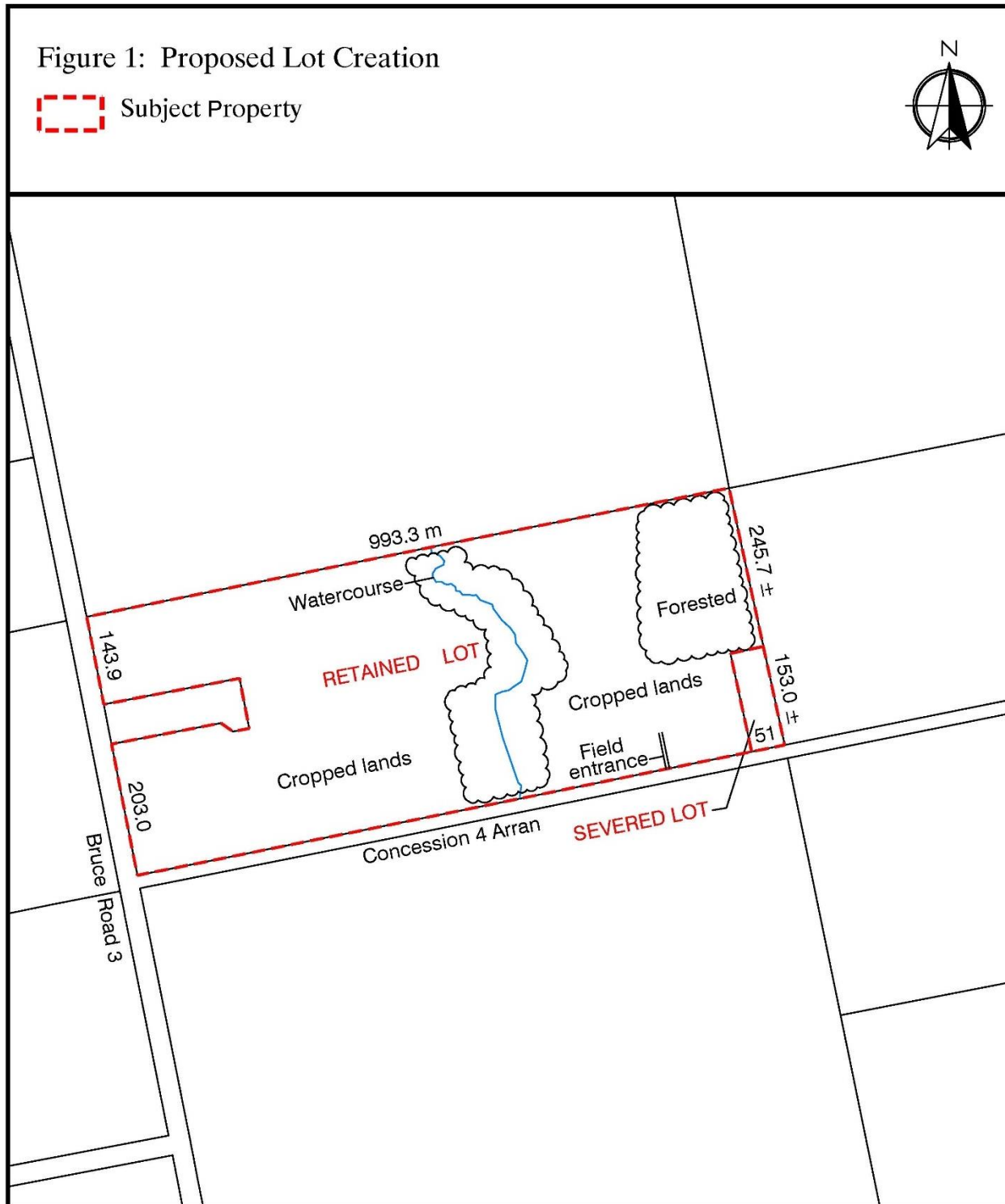
If a person or public body would otherwise have an ability to appeal the decision of the Council of the Municipality of Arran-Elderslie to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Arran-Elderslie 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 Arran-Elderslie 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



Part Lot 11, Concession A  
Geographic Township of Arran  
Township of Arran-Elderslie

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:8000