



Staff Report

Planning & Building Services – Planning Division

Report To: COW - Operations, Planning and Building Services
Meeting Date: April 8, 2025
Report Number: PBS.25.028
Title: Recommendation Report: Zoning By-law Amendment Decision
Deferral East Part Lot 156, Plan 529 (Dagneau)
Prepared by: Adam Farr, Senior Planner

A. Recommendations

THAT Council receive Staff Report PBS.25.028, entitled “Recommendation Report: Zoning By-law Amendment Decision Deferral East Part Lot 156, Plan 529 (Dagneau)”.

AND THAT Council defer a decision on Zoning By-law Amendment for East Part of lot 156 Plan 529 (Dagneau) to a lapsing date of October 31, 2025.

B. Overview

The purpose of this report is to provide an update to Council on an earlier deferral decision issued by Council on an application for Zoning By-law Amendment known as (Dagneau, Highway 26 Craigleith).

The deferral implemented certain conditions to be met prior to formally enacting a Zoning By-law Amendment to permit a new single detached dwelling plus accessory uses on a property that is currently zoned entirely Hazard in the Zoning By-law. Preliminary information submitted by the Owner indicated that a suitable building envelope could be placed on the property, however comments from the Conservation Authority requested that additional work through a floodplain assessment be completed and a request for an Archaeological Assessment also be completed.

On June 11, 2024, Council provided an extension to April 24, 2025 of a deferral to allow the owner of the subject lands additional time to meet the related conditions.

The applicant has provided a submission (Attachment 1) advising that they have made progress toward fulfilling conditions but require additional time to finalize the required studies. While the applicant seeks additional time to fulfill the conditions to August 31, 2025 staff are recommending an extension to October 31, 2025 to ensure that there is sufficient time for the owner to satisfy the related conditions and to bring the matter back to Council for final consideration.

C. Background

In April 2023 Council approved a deferral decision on an application for Zoning By-law Amendment via [Staff Report PDS.23.033](#). This Zoning By-law Amendment application was one of the first applications to be considered under the now withdrawn (Bill 185) mandatory fee refund requirements imposed by Bill 109 More Homes for Everyone Act. One of the intentions of the mandatory fee refunds was to ensure quicker decisions on planning applications. This particular application had merit but could not be supported until certain conditions could be met. Council at that time issued a decision essentially deferring approval of the Zoning By-law Amendment until those conditions could be satisfied. The decision also placed a maximum one year time period to fulfill those conditions to ensure timely responses are provided to those conditions.

In 2024 Council approved report PDS.24.066 that provided a one year extension of the deferral to April 24, 2025.

At the March 24, 2025 Council meeting a delegation was received including a submission (Attachment 1) advising that the owners have completed the necessary flood hazard study to demonstrate fulfillment of the related condition but, they require the additional time to complete the required archaeological study and gain clearance from the Province and have requested an extension to August 31, 2025.

For this application, the conditions required the owners to complete a Floodplain Assessment and Archaeological Assessment. The owners required confirmation of the viability of the development from the Grey Sauble Conservation Authority with respect to the flood plain to assess the viability of the project before spending the money to initiate the Archaeological Assessment. GSCA provided a letter (Attachment 2) and confirmed the viability of a building envelope on the property subject to delineation of the developable area in the proposed Zoning By-law Amendment and fulfillment of GSCA development permit requirements. The owner is now satisfied that they have a sufficient basis to retain a consultant for the archaeological work which includes field work best undertaken after wet spring conditions. Following completion of field work further engagement with First Nations may be required and submission to the Province is required to gain the related clearance.

D. Analysis

Zoning By-law Amendment revisions are required to reflect the results of the flood plain assessment and define the building envelope. Confirmation of completion of the archaeological study to the satisfaction of the Province is also required.

While the owner has requested an extension to August 31, 2025 staff are recommending an extension to October 31, 2025 to ensure there is sufficient time for the applicant to fulfill conditions and the matter to be brought forward for consideration by Council before lapsing.

E. Strategic Priorities

The content of this report fulfills the following strategic priorities:

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

Subject to fulfillment of the Conservation Authority permit requirements and implementation of hazard land delineation through the subject Zoning By-law Amendment, there are no negative environmental impacts associated with the recommendations of this report.

G. Financial Impacts

The development of the subject lands will yield development charges and expand the tax base of the Town of The Blue Mountains.

H. In Consultation With

Tim Murawsky, Acting Director of Development and Building Services
Shawn Postma, Manager of Planning

I. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting which took place on **March 7 2023**. Any comments regarding this report should be submitted to Adam Farr, planning@thebluemountains.ca

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J. Attached

1. Attachment 1: March 6, 2025 Owner request for extension of deferral decision
2. Attachment 2: September 27, 2024 Grey Sauble Conservation Authority Letter

Respectfully submitted,

Adam Farr
Senior Planner

For more information, please contact:
Adam Farr, Senior Planner
planning@thebluemountains.ca
519-599-3131 extension 283

Report Approval Details

Document Title:	PBS.25.028 Zoning By-Law Amendment decision deferral - East Part Lot 156, Plan 529 (Dagneau).docx
Attachments:	- PBS-25-028-Attachment-1_Redacted.pdf - PBS-25-028-Attachment-2_Redacted.pdf
Final Approval Date:	Mar 28, 2025

This report and all of its attachments were approved and signed as outlined below:

Shawn Postma - Mar 28, 2025 - 11:48 AM

No Signature - Task assigned to Adam Smith was completed by delegate Tim Murawsky

Adam Smith - Mar 28, 2025 - 12:09 PM



Land Use Planning, Development Approvals & Project Management Services
www.planwells.com

March 6th, 2025

Ms. Corrina Giles, Clerk
Town of The Blue Mountains
32 Mill Street
Thornbury, ON
NOH 2P0

Dear Ms. Giles,

***Re: Extension to Defer a Decision on Zoning By-law Amendment
East Part Lot 156, Plan 529 (Dagneau)***

A decision on the above noted ZBA was deferred by Council on April 4, 2023, until such time as a Floodplain Assessment was completed to the satisfaction of the GSCA and an Archaeological Assessment was completed and receipt of the report by the Ministry of Citizenship and Multiculturalism (formerly Ministry of Tourism Culture and Sport) was issued.

The recommendation for a one-year extension to defer the decision on the Dagneau ZBA contained within Information Report PDS.24.066, was granted by Council in June 2024. This extension will lapse on April 24th, 2025. (see attached Resolution)

We were waiting on the GSCA for acceptance of the Tatham Flood Hazard Study that was sent to the GSCA at the beginning of March 2024. At the end of September 2024, we received supportive GSCA comments. The comments were also sent to the Town.

Until the Flood Hazard Study was acceptable to GSCA, the Archaeological Assessment was put on hold. If it turned out that no development could occur on the subject property based on the GSCA comments, then there would be no point for the Dagneau's to spend a significant amount of money on an Archaeological Assessment.

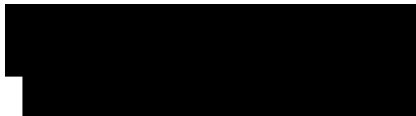
Once we had the GSCA comments, we sent out RFP's to five archaeological consultants for a Stage 1-2 Archaeological Assessment. We also asked the consultants to confer with First Nations to see if only the areas outside the Flood Hazard Limits could be assessed, as opposed to the entire property. The Saugeen-Ojibway Nation (SON) indicated that the entire property would have to be assessed, regardless of whether certain areas are undevelopable.

We received proposals from the five consultants and Archaeological Research Associates Ltd. (ARA) were retained to complete the assessment. Due to prior scheduling commitments, the necessary field work could not be completed by ARA in the fall of 2024. ARA are completing the Stage 1 Assessment during the winter months, as this is a desk-top exercise. The Stage 2 Assessment cannot be completed until the spring, when weather permits. ARA has confirmed that they are giving priority for the field work on the Dagneau property, when there is no snow cover, no frozen ground, no conditions of excessive moisture, etc. Once the field work is complete, the draft combined Stage 1 and 2 archaeological report can then be prepared and presented to the client and Plan Wells for review. Once reviewed, the draft report will be circulated to the First Nations and Indigenous communities for their review and comment, a process which takes approximately four weeks following the first circulation of the client-approved draft report. If necessary, ARA will further engage with the First Nations and Indigenous communities to address any concerns raised during the report review phase of the project. Following this, the final report will be provided in electronic format and submitted to the MCM for Review and Entry into the Ontario Public Register of Archaeological Reports.

As we do not know when site conditions will be optimum for the field work, and the field work dictates the timeline, we are requesting Council to approve a further deferral, as we cannot meet the April 24th 2025 deadline.

We would respectfully request that Council approve a further deferral on a decision for the ZBA to August 31st, 2025.

Sincerely,
PLAN WELLS ASSOCIATES



Miriam Vasni, MCIP, RPP

c.c.: Shawn Postma
Janet & Bill Dagneau
Shelley Wells

Re: Staff Report PDS.24.066, entitled "Information Report - Zoning By-Law Amendment for East Part Lot 156, Plan 529 (Dagneau)";
Municipal Council (Voted); Record

Moved:	Councillor McKinlay
Seconded:	Councillor Ardiel
Result:	The motion is Carried

THAT Council receive Staff Report PDS.24.066, entitled "Information Report - Zoning By-Law Amendment for East Part Lot 156, Plan 529 (Dagneau)";
AND THAT Council support a one-year extension to defer a decision on Zoning By-law Amendment for East Part Lot 156, Plan 529 (Dagneau) to expire April 24, 2025.



519.376.3076
237897 Inglis Falls Road
Owen Sound, ON N4K 5N6
www.greysauble.on.ca | Protect.
Respect.
Connect.

September 27, 2024

GSCA File: P23048

Town of the Blue Mountains
32 Mill Street, Box 310
Thornbury, ON
N0H 2P0

Sent via email: planning@thebluemountains.ca

Re: Technical Review
Address: East Part Lot 159, Plan 529
Roll No: 424200000334650
Town of the Blue Mountains
Applicant: Janet Dagneau

Grey Sauble Conservation Authority (GSCA) has reviewed the subject application in accordance with our mandate and policies for Natural Hazards and relative to our policies for the implementation of Ontario Regulation 41/24. GSCA initially commented on the proposed zoning by-law amendment dated March 9, 2023. Additional information was requested and has been provided. We offer the following comments.

Subject Proposal

The proposal is to re-zone the subject lands in order to permit the development of the lands for single detached residential purposes.

Documents Reviewed

- Flood Hazard Study, prepared by Tatham Engineering, dated July 18, 2024

Comments

GSCA is generally satisfied with the Flood Hazard Study and its findings. The study outlines the flood limits associated with the adjacent Watercourse 6 under the Regional Storm (Timmins Storm) Event. Based on the outcome of this mapping there is an envelope available with an access from Highway 26.

GSCA recommends the Proposed Flood Hazard Limit shown in Drawing FLD-2, dated July 2024, be zoned Hazard in the Town of Blue Mountains Comprehensive Zoning By-law.

Ontario Regulation 41/24

Once the appropriate zoning is in place, a permit is required from our office prior to commencing development activity in the regulated area. Section 7(1) of O. Reg, 41/24 outlines

Member Municipalities

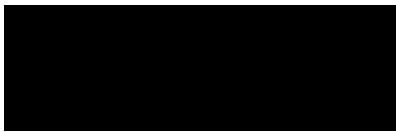
Municipality of Arran-Elderslie, Town of the Blue Mountains, Township of Chatsworth, Township of Georgian Bluffs,
Municipality of Grey Highlands, Municipality of Meaford, City of Owen Sound, Town of South Bruce Peninsula

permit requirements. Specific to this site, a complete permit application submission will consist of the following:

1. Completed permit application form signed by the landowner;
2. Engineered grading and drainage plan completed by a qualified professional engineer;
 - a. The plan is to be consistent with the zoning and the Tatham study;
3. Construction plans;
 - a. We note a full basement is not recommended. A crawl space would be more appropriate given anticipated high ground water table;
4. Payment of the standard project fee.

We respectfully request to be notified of any decisions made by the Town of the Blue Mountains with respect to the zoning of the property and notice of any appeals if filed.

Regards,

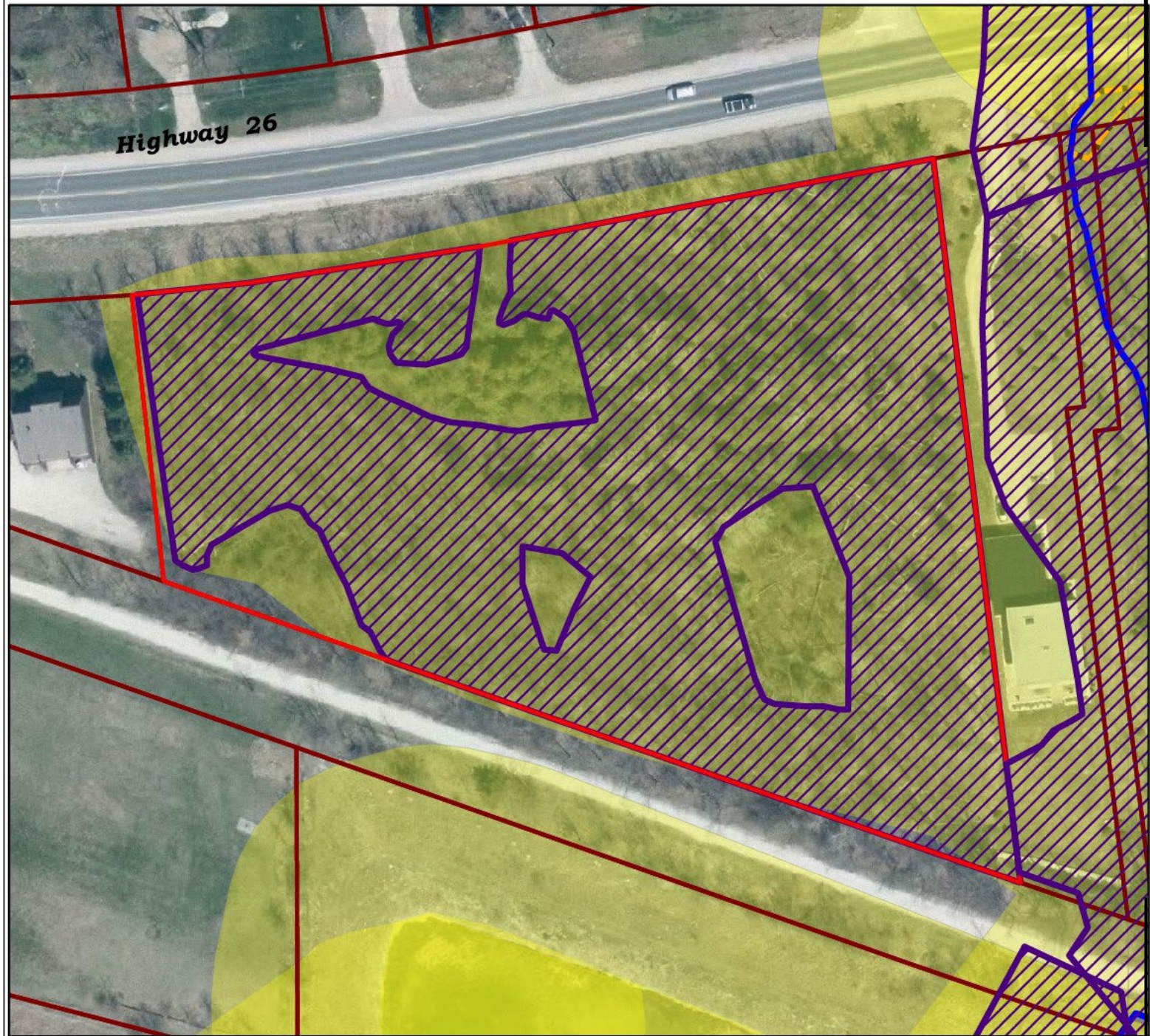


Mac Plewes
Manager of Environmental Planning

Encl. GSCA Map

c.c. Building and Engineering, Town of The Blue Mountains
John Gore, Tatham Engineering

Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits



c:J ON Parcels (Approx.)
c:J Subject Property (Approx.)
c:J 0. Reg. 41/24
cz:21 Hazard Zone
7V Lines

N
 Scale = 1:1000
 0 25 m

Highway 26
 Roll No. 42420000334650
 Town of the Blue Mountains
 September 27, 2024