



Staff Report

Planning & Development Services – Planning Division

Report To: COW-Operations_Planning_and_Development_Services
Meeting Date: June 11, 2024
Report Number: PDS.24.066
Title: Information Report – Zoning By-Law Amendment for East Part Lot 156, Plan 529 (Dagneau)
Prepared by: Shawn Postma, Manager of Community Planning

A. Recommendations

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 a defer a decision on Zoning By-law Amendment for East Part Lot 156, Plan 529 (Dagneau) to expire April 24, 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.

C. Background

The purpose of this report is to provide an update on a Council decision completed in April 2023 via [Staff Report PDS.23.033](#) that provided a deferral decision on an application for Zoning By-law Amendment. This Zoning By-law Amendment application was one of the first applications to be considered under the 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. Should the conditions not be met, Council can refuse the application and Notice of Refusal can be circulated in accordance with the Planning Act.

For this application, the conditions required the owners to complete a Floodplain Assessment and Archaeological Assessment. Both requirements have not been met at this time. Following up with the Applicant, they have confirmed that throughout 2023 and so far in 2024 that they have been actively engaged with Croziers Engineering (Engineer on behalf of applicant) and the Grey Sauble Conservation Authority (Agency that placed the condition for a Floodplain Assessment). Discussions occurred between both parties beginning in March 2023, October 2023 and April 2024) at this time the Floodplain Analysis has been completed but not yet accepted by the Conservation Authority. The Owner has also identified that they do not wish to pursue the Archaeological Assessment until such time as the Floodplain Assessment has been completed to understand the limits (if any) for the future development of a single detached dwelling.

The applicant has requested a further one-year extension to the two conditions which should provide sufficient time to resolve the conditions.

It is also noted that the mandatory fee refund requirements imposed under Bill 109 have now been removed.

Based on the above comments, and that the Owner continues to pursue fulfillment of the Conditions, Planning Staff recommends that a further 1 year extension be granted to satisfy the conditions of this application, and to report back to Council on the status of the conditions and the appropriateness of a Zoning By-law Amendment. The new date of expiry would be April 24, 2025.

D. Strategic Priorities

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.

E. Environmental Impacts

Environmental Hazards continue to be assessed through the on-going Floodplain Assessment.

F. Financial Impacts

There are no financial impacts anticipated from the recommendations contained in this report.

G. In Consultation With

Nil

H. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting and/or Public Information Centre which took place on March 7, 2023. Those who provided comments at the Public Meeting and/or Public Information Centre, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report. Any comments regarding this report should be submitted to Shawn Postma, planning@thebluemountains.ca

I. Attached

1. Nil

Respectfully submitted,

Shawn Postma
Manager of Community Planning

For more information, please contact:
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Report Approval Details

Document Title:	PDS.24.066 Information Report - Zoning By-Law Amendment for East Part Lot 156, Plan 529 (Dagneau).docx
Attachments:	
Final Approval Date:	May 30, 2024

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

Shawn Postma - May 30, 2024 - 2:42 PM

No Signature - Task assigned to Adam Smith was completed by delegate Brian Worsley

Adam Smith - May 30, 2024 - 2:48 PM