

Northern Bruce Peninsula Official Plan Review and New Comprehensive Zoning By-law

May 28, 2017



Presentation Agenda

- Planning 101
- Process overview
- Highlights of Plan Changes
- Highlights of Zoning Changes
- Resources for review





Planning 101

- Local Official Plan
 - Sets vision, objectives, and policy for land use
 - Applies to Tobermory, Lion's Head, and Ferndale
 - Other areas under Bruce County Plan and Niagara Escarpment Plan
 - Plan must be reviewed every 5 years (last in 2012)
 - Must be consistent with Planning Act, Provincial Policy Statement, and conform to Bruce County Plan



Planning 101

- Local Official Plan
 - Includes Vision, Goals, and policies
 - Designates areas for different uses on maps
 - Provides policies for the different designations.



Local Official Plan

1.7 VISION

The people of the Municipality of Northern Bruce Peninsula are committed to a progressive and diverse community that is safe, clean, environmentally protected and creates economic sustainability through employment and educational opportunities for all.

The people recognize that the future is based to a great extent on the cultural and natural environment of the area, and as such, shall strive to protect it.

The people of the Municipality of Northern Bruce Peninsula recognize that development must be planned in an effective, fair, efficient and flexible manner.

All reasonable efforts should be made to direct growth and provide public services within



1.8 MAJOR COMMUNITY GOALS

- a) To create a positive economic climate to create a wide range of employment opportunities.
- b) To protect the natural environment, in order to ensure future economic growth.
- c) To provide that any development proceeds in a logical, progressive and economically sound manner.
- d) To provide quality services to its residents, recognizing that services must be provided in a fiscally responsible manner, and shall always be restrained by taxation and funding.
- e) To work with the private and public sector to develop a common theme for building construction and appearance that enhances the appearance of the harbour areas, the downtowns, and the commercial areas along the Provincial Highway and County Roads.
- f) To improve opportunities for persons with disabilities and to provide for their involvement in the identification, removal and prevention of barriers to their full participation in the life of the Municipality.
- g) Encourage linkages of the footpath of the Bruce Trail in an optimal location as close to the Escarpment as is feasible.



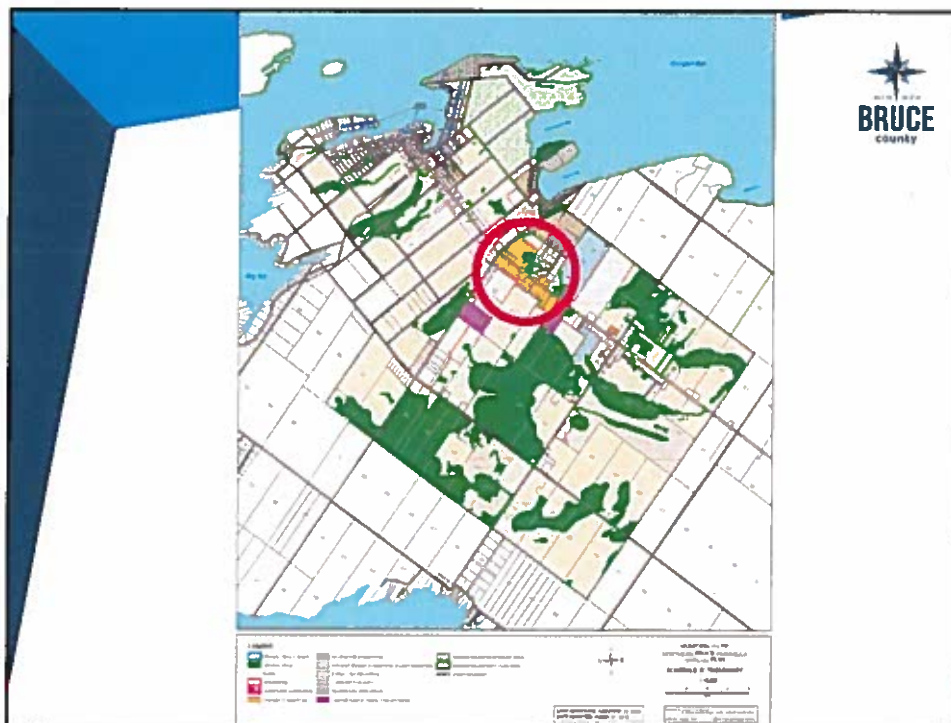
2.2 HOW TO USE THE OFFICIAL PLAN

This Official Plan has several interrelated components that must be read together to determine those policies that have an impact on any individual parcel of land within Tobermory, Lion's Head and Ferndale.

Several sections of the Official Plan may be relevant to any given development proposal, and as such, the entire Official Plan must be reviewed when assessing the development.

When trying to determine the policies that are relevant to a specific development proposal, the following process must be followed:

- 1) Locate the subject property on Schedules 'A', 'B', 'C', 'D', 'E', 'F' and 'G' of the Land Use Plan, and determine its designation(s);
- 2) Review the Land Use Policies contained in [Section 3](#) of this Plan which corresponds to the specific Land Use Designation
- 3) Refer to the Implementation Policies in [Section 4](#) to determine the development intent, planning processes and planning studies affecting the subject property; and
- 4) Depending on the development proposed, some type of planning approval process may be required. The various planning approval processes are outlined within [Section 5](#) of this Plan.





Ex: Local Official Plan Highway Commercial

3.2.4 Highway Commercial

The Municipality recognizes that opportunities should be provided for new commercial uses that rely on vehicular traffic and highway commercial access for their economic existence. Due to the compact nature of the cores of Tobemory and Lion's Head and the limited opportunity for the cores to expand, opportunities shall be provided for highway commercial uses outside of the core commercial areas and within Ferndale.

3.2.4.1 Goal

- a) To promote the establishment of highway commercial businesses in order to meet the needs of the traveling tourist and the residents of Northern Bruce Peninsula.
- b) To ensure that from a visual perspective, new highway commercial uses are attractive and properly planned as additions to the commercial function of Northern Bruce Peninsula.

3.2.4.2 Actions

- a) Provide design standards in the Comprehensive Zoning By-law and through Site Plan Control and building signage design standards that are consistent with the "Streetscape Guidelines" adopted by the Municipality such that the entrances to Tobemory, Lion's Head and Ferndale are attractive gateways to these attractive urban centres and to the entire Northern Bruce Peninsula.



Local Official Plan

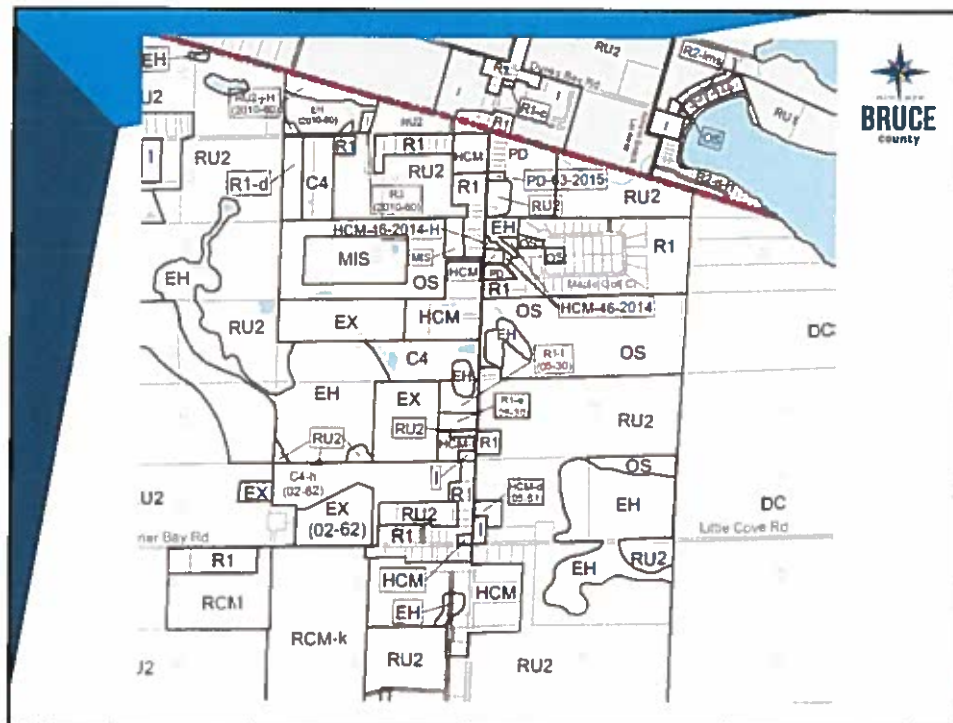
General Development Section includes:

- Environmental Review
- Municipal Water and Sewer Servicing Policies
- Community Improvement Policies
- Transportation
- Heritage Conservation



Planning 101

- Zoning By-law
 - Implements the Plan(s)
 - Applies to Entire Municipality except areas under NEC "Development Control"
 - Sets out ground rules for development:
 - where you can build
 - what you can build
 - What you can use it for (ie commercial, residential)
 - requirements and standards such as parking / landscaping
 - Maps set out zones, Text governs uses in zones





10 Section 10 – General Provisions For Commercial And Industrial Zones (HCLI, HI, EX, ACM, RCM, MIS)

Note: Developments in a Commercial or Industrial zone may be subject to Site Plan Control which requires submission and approval of a site plan prior to issuance of a building permit. You are required to consult with the Corporation prior to submission of a building permit application.

10.1 Accessory Buildings & Structures

Accessory Buildings & Structures shall be located as per Section 3.6

10.2 Parking Requirements

Parking requirements shall be determined as per Section 3.26

10.3 Loading Requirements

Loading requirements shall be determined as per Section 3.27

10.4 Water and Sewer Services

All uses shall be connected to a municipal water and/or municipal sewer system where available

10.5 Planting Area/Visual Screening

Planting Area/Visual Screening shall be provided as per the requirements of Section 3.15

10.6 Landscaped Open Space

Landscaped Open Space shall be provided as per the requirements of Section 3.16

10.7 Open Storage & Outdoor Display

15.2 Uses Permitted

No person shall within a Highway Commercial & Light Industrial (CLI) Zone use any lot or erect, alter or use any building or structure for any purpose except the following:

a) Residential Uses

- Dwelling, Single Detached existing at the date of passing of this By-Law as per Section 7.3 Provisions of the R1 Zone
- Home Occupation- Domestic and Professional Use in a Dwelling, Single Detached existing at the date of passing of this By-Law and as per Section 3.9
- Home Occupation - Bed & Breakfast Establishment in a Dwelling, Single Detached existing at the date of passing of this By-Law and as per Section 3.10
- Dwelling, Accessory Apartment(s) as per Section 3.11
- Accessory Buildings & Structures as per Section 3.6

b) Non-Residential Uses

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Automobile Car Wash • Automobile Sales Establishment • Automobile Service Establishment • Bulk Fuel Depot • Bulk Sales Establishment – Agriculture • Commercial Motor Vehicle Repair or Sales Establishment • Commercial College • Computer/Data Processing Centre • Contractor's Yard • Eating Establishment • Factory Sales Outlet • Farm Implement Establishment • Farmer's Market • Fitness Centre • Funeral Home • Garden Centre | <ul style="list-style-type: none"> • Golf Course, Miniature • Greenhouse • Hotel/Motel • Industry, Light • Kennel subject to Section 5.4 • Lodge • Marine & Recreation Sales and Service Establishment • Parking Lot • Place of Entertainment • Printing establishment • Public Building • Public Garage • Public Park • Public Utility Building • Recreation Centre • Rental Establishment • Research Establishment/Laboratory • Retail, Large Format |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|





15.3 Zone Provisions

No person shall within a 'Commercial & Light Industrial (HCL)' Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

| | |
|-------------------------------------------------|------------------------------------|
| Minimum Lot Area (No Municipal Services) | 4047 square metres (1.0 ac) |
| Minimum Lot Area (Municipal Sewer Services) | 2024 square metres (0.5 ac) |
| Minimum Lot Frontage (No Municipal Services) | 80 metres (262 ft) |
| Minimum Lot Frontage (Municipal Sewer Services) | 40 metres (262 ft) |
| Minimum Front Yard or Exterior Yard | 15 metres (49.2 ft) ^(D) |
| Minimum Interior Side & Rear Yard | 10 metres (33 ft) ^(D) |
| Maximum Height - Main Building | 10 metres (33 ft) |
| Maximum Lot Coverage | 15% |

Footnotes

In the Highway Commercial and Light Industrial Zone a Tourist Home shall have a minimum of 4 guest rooms.

- a) See also Section 3.3 Buffer on Lands Adjoining Industrial or Residential Uses/Zones.

15.4 Additional Provisions: Automobile Gas Bars & Automobile Service Establishments



Process Overview

Step 1: Discussion

- Special Council Meeting Jan 23, 2017
- Topic Papers posted online/ in libraries / municipal office
- Tax Notice and Newspaper Ads
- Public Comment period to March 31st
- Summary to Council April 10th.



Process Overview

Step 2: Prepare Proposed Plan / By-law & Open Houses

- Open House Today
- Reporting Back to Council June 12; some preliminary direction may be given
- 2 Open Houses Saturday July 8th
- Final Open House September 25th



Process Overview

Step 3: Public Meetings and Decision

- Both Meetings September 25, 2017 (after open house for the Plan Update and New By-law)
- Recommendation to Council
- Decision by Council at a subsequent meeting.
- Local Plan Update must be approved by Bruce County



Highlights of Plan Changes

- Encourage energy efficiency
- More flexibility for secondary suites (conversion or new construction) where services and lot area are appropriate
- Establish general development policies for commercial designations (more fair, less repetitive)
- Recognize that some commercial areas need specific policies
- Combine Highway Commercial and Light Industrial – these have been zoned together since 2002.
- Encourage parking West of Hay Bay Road and outside urban core, with shuttles and pedestrian crossing of Highway 6



Highlights of Plan Changes

- Separate “Natural Hazards” from “Natural Features and Areas”
- Include new Source Water Protection Policies
- Describe the Natural Environment as a ‘system’ and include public and conservation lands as core areas of the system
- Remove Servicing policy requiring a Holding zone provision on vacant lots.
- Improve Site Plan Control policies to reflect all of the tools available under the *Planning Act*



Resources for your Review:

- Current Plan
- Topic Reports and Reports to Council
- "Track Changes" version that shows changes to from current to proposed plan
- Clean version of proposed Plan
- Summary Table (by section) describing changes.

Where to Find them

- On the Municipal Website under 'News' → OP Review/ New By-law
- At the Municipal Office
- At the Tobermory and Lion's Head Libraries (reference – not for checkout)



Natural Hazards vs Natural Features

"Natural Hazards" are generally defined as property or lands that could be unsafe for development due to naturally occurring processes. These include:

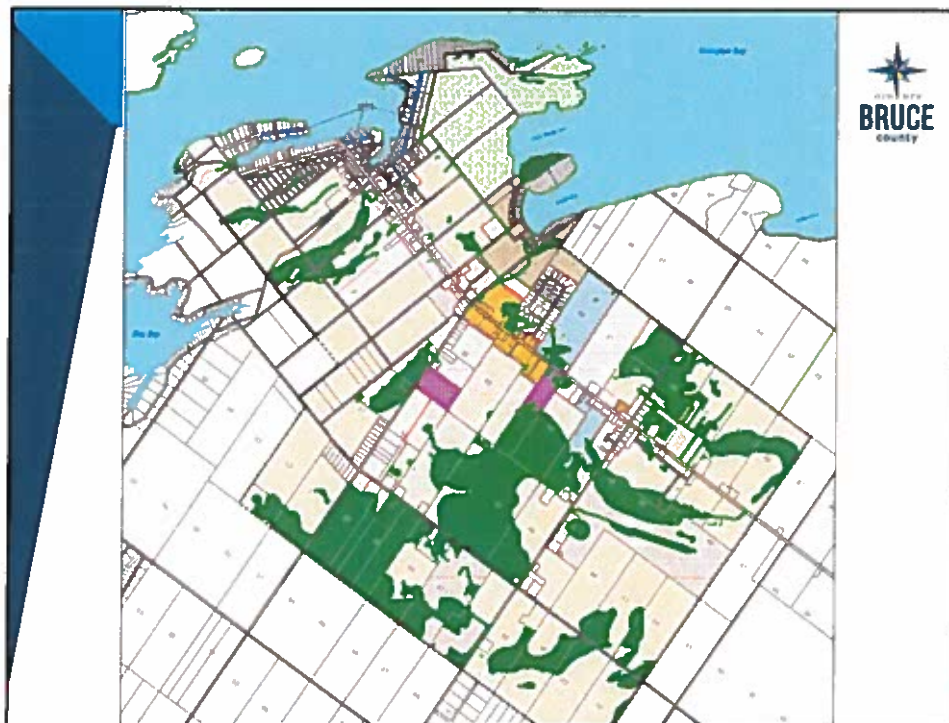
- Lands covered by water (lakes below high water mark, wetlands, seasonally flooded areas)
- Lands that can be flooded, eroded, or subject to dynamic beach hazards (rocks and sand moved around by waves) along great lakes and inland lakes
- Lands that can be flooded or eroded along lakes and streams
- Wetlands (permanent or seasonal) or where water table is close to surface
- Steep slopes

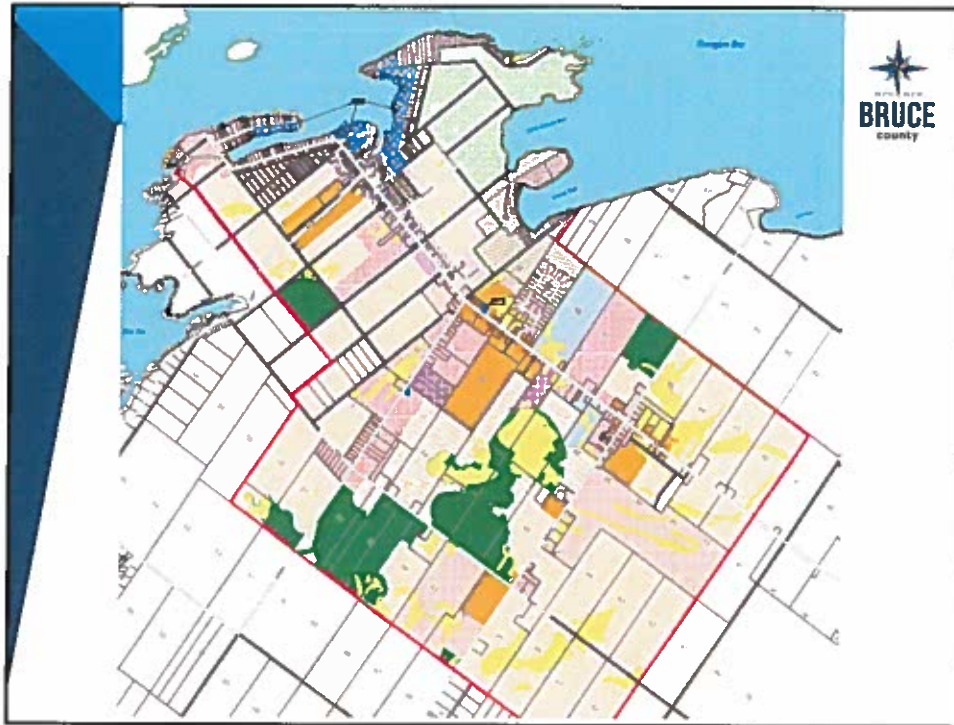
These are generally not a good place for buildings or structures.



Natural Hazards vs Natural Features

"Natural Heritage Features and Areas" are generally defined as features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands, fish habitat, significant woodlands and significant valley lands, habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy and representation of the natural landscapes of an area.





BRUCE county

Natural Hazards vs Natural Features

Note that we do not have data to map all Natural Features. The map includes:

- Provincially Significant Wetlands
- Other Wetlands
- Areas of Natural and Scientific Interest
- St Edmund's Cave System



Current Hazards Mapping Data

- 1:10000 scale Ontario Base Maps (+/-10m horizontal accuracy and 2-5m vertical accuracy)
- 1:2000 scale maps for Lions Head and Tobermory (+/-2m horizontal accuracy and 0.5m vertical accuracy)
- Site specific mapping
- Hard copy "stereo" pairs from 1980s airphotos, later digitized
- Some site visits
- Other provincial data (e.g. wetlands, soils) from OBM mapping



How are Natural Hazards Mapped?

- Air photos are flown with at least 60% overlap
- The difference in perspective allows viewing in "stereo" – the images have "depth" that can be used to judge the height of features
- By knowing the precise location of the aircraft at the time the photo was taken we can determine the precise elevation of the ground
- Use technology to automatically collect elevation points; some correction is necessary in heavily treed areas





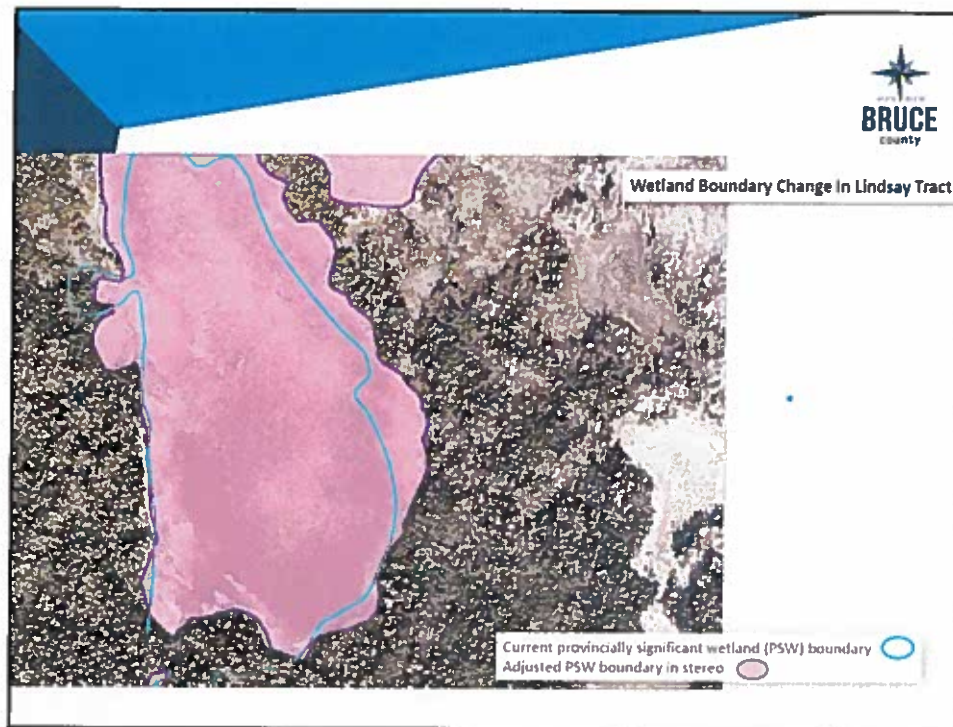

New Hazard mapping

- Digital Elevation Model (DEM), not just contours / spot heights
- Hazards redefined using the updated DEM
- Reviewed/ Data corrected and analyzed by humans
- Typically +/-1m vertical accuracy, higher in open areas



New Hazard mapping



Notes about Provincially Significant Wetlands (PSWs)

- PSW Boundaries are established by the Province (MNRF)
- All lands within a PSW are to be zoned hazard (EH-PSW) and development/site alteration prohibited
- Lands adjacent to PSW are sensitive; any development must not impact on the PSW feature/function
- We will be reviewing the mapping information with the province to see if changes are warranted.



Other Notes

- Hazard Lands in National Parks and Provincial Parks have not been mapped as they are generally outside of the Municipality's jurisdiction and experience little development pressure in Hazard areas.
- Mapping Efforts within the Niagara Escarpment Plan Area are focused on the areas where the Municipality has jurisdiction through the local zoning by-law



Resources to help you Review Environmental Hazards Maps

- www.Bit.ly/nbphaz interactive viewer shows current and proposed hazard boundaries.
- Print /PDF Maps available that correspond to zoning schedules
- Mapping Brief, Examples, Pilot Project Steering Committee Reports, background information

Where to Find them

- On the Municipal Website under 'News' → OP Review/ New By-law
- At the Municipal Office
- At the Tobermory and Lion's Head Libraries (reference – not for checkout)



**Concerned about the maps?
Please email or write us!**

bcplwi@brucecounty.on.ca AND bruce.county@greysauble.on.ca

SUBJECT: Natural Hazard Mapping

INCLUDE: Tax Roll Number and Address (if assigned)

GSCA ATTN: Andrew Sorensen

#237897 Inglis Falls Rd

RR#4 Owen Sound ON N4K5N6

T 519 376 3076 x 227

Bruce County Attn: Jack Van Dorp

P.O. Box 129

Warton ON N0H 2T0

519 534-2092 x 125

We will review the area in question and can schedule a site visit with you. We will not go on your property without permission.



Proposed New Zoning By-law

- Totally new zoning by-law to replace by-law 2002-54
- Existing Minor Variances will continue (development authorized by variance to be completed within 2 years of the variance)
- Site-specific zoning amendments that are relevant to the new by-law will carry forward



Proposed New Zoning By-law

Text is somewhat similar to a by-law that was brought forward in 2013 however:

- R2 Resort Residential zone is still called "R2 Resort Residential"
- Highway Commercial and Light Industrial Zones (HCM) stay together (now CLI); eating establishments, minigolf, and lodge added as permitted uses
- Definition of Height is to halfway between eaves and peak (the same as the current by-law) – not to peak.
- Minimum Dwelling Unit size reduced to 50 square metres (538 sq ft)



Proposed New Zoning By-law

Text is Somewhat similar to a by-law that was brought forward in 2013 however:

- New provisions for "child care" are more flexible and reflect provincial legislation
- 'Motel' and 'Hostel' added as permitted uses in the downtown/ harbour commercial zones
- Secondary suites / conversions to add apartments permitted in R1 Urban Residential and RU1 General Rural lots that meet lot area requirements.



Zoning (ongoing considerations)

Some issues have not yet been fully addressed, including:

- Garrying forward some site-specific amendments
- Occupancy of trailers on private lots
- Provisions for docks, decks, boathouses, etc. (pending further review);
- Zones where shipping containers could be permitted, and provisions for them (currently not addressed);



Zoning (ongoing considerations)

Some issues have not yet been fully addressed, including:

- Minimum size requirement for private guest cabin to ensure a building permit is required and (septic) servicing is appropriate
- Parking space requirements per seat for tour boat operations;
- Alternatives to outright prohibition of new livestock facilities in Rural areas that are within the Tobermory 'settlement area';



Zoning (ongoing considerations)

Some issues have not yet been fully addressed, including:

- Application of Minimum Distance Separation Calculations (between livestock facilities and sensitive uses) where the new Guidelines (in effect March 1, 2017) provide flexibility;
- Review of MDS calculations in Appendices for accuracy.
- Regulations / licensing / zoning of Short Term Accommodations (B&B, hostel, cottage rental, etc).
- Straightforward approach to managing groundwater quality impacts (example: lot area requirements for the number or size of accessory apartments on a septic system).



Resources to help you Review The Proposed Zoning By-law

Available Today:

- www.Bit.ly/nbphaz interactive viewer shows current and proposed hazard boundaries.
- Draft Zoning By-law

In progress:

- Proposed Zoning Schedules (will also be added to the nbphaz viewer)
- Side-by-side comparison document of existing / proposed by-law

Where to Find them

- On the Municipal Website under 'News' → OP Review/ New By-law
- At the Municipal Office
- At the Tobermory and Lion's Head Libraries (reference – not for checkout)
- At Open Houses



Evolving Process

It is May, and we are at Open House #1 (of 4).

Other matters may arise.

The proposed OP Amendment and By-law may change.

We will indicate any further changes to these documents.



Summary

Changes are proposed to The Official Plan and a new Zoning By-law is proposed.

We cannot predict what will matter to you or to your interests.

It is your responsibility to review and make comments including concerns known

Council may provide preliminary direction on matters but will not make any final decisions on the Plan or By-law until after the September Public Meeting.