



Staff Report

Planning & Building Services – Planning Division

Report To: COW - Operations, Planning and Building Services
Meeting Date: October 7, 2025
Report Number: PBS.25.074
Title: Recommendation Report – Zoning By-Law Amendment, East Part Lot 156, Plan 529 (Dagneau)
Prepared by: Adam Farr, Senior Planner

A. Recommendations

THAT Council receive Staff Report PBS.25.074, entitled “Recommendation Report – Zoning By-Law Amendment – East Part Lot 156, Plan 529 (Dagneau)”;

AND THAT Council enact a By-law to re-zone the subject property, East Part Lot 156., Plan 529 from Open Space ‘OS’ Zone to Hazard (H), Residential One – Special (R1-1) and Open Space (OS).

B. Overview

The purpose of this report is to provide Council with a recommendation regarding an application for a zoning by-law amendment for the subject property located at on the south side of HWY 26 east of Lakeshore Road in Craighleith otherwise described as East Part Lot 156, Plan 529.

C. Background

The subject property is located on the south side of Highway 26 just east of the eastern intersection of Lakeshore Road and Highway 26 and next to the Craighleith Pump Station.

The subject re-zoning application was deemed complete in January 2023 and a public meeting was held on March 7, 2023. The intent of the application was to identify and re-zone a portion of the property for residential development.

Figure 1: Subject Lands, East Part Lot 156, Plan 529



 Subject Lands

In April 2023 Council approved a deferral decision on an application for a Zoning By-law Amendment via [Staff Report PDS.23.033](#) until a number of conditions could be met. These included completion of Floodplain and Archeological Assessments for which clearances were required from the Grey Sauble Conservation Authority and both the provincial Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) and Saugeen Ojibway Nation respectively. On April 8, 2025 Council approved a further deferral to October 31, 2025 via [Staff Report PBS.25.028](#) to provide additional time to complete the studies and to provide the Town with the related clearances.

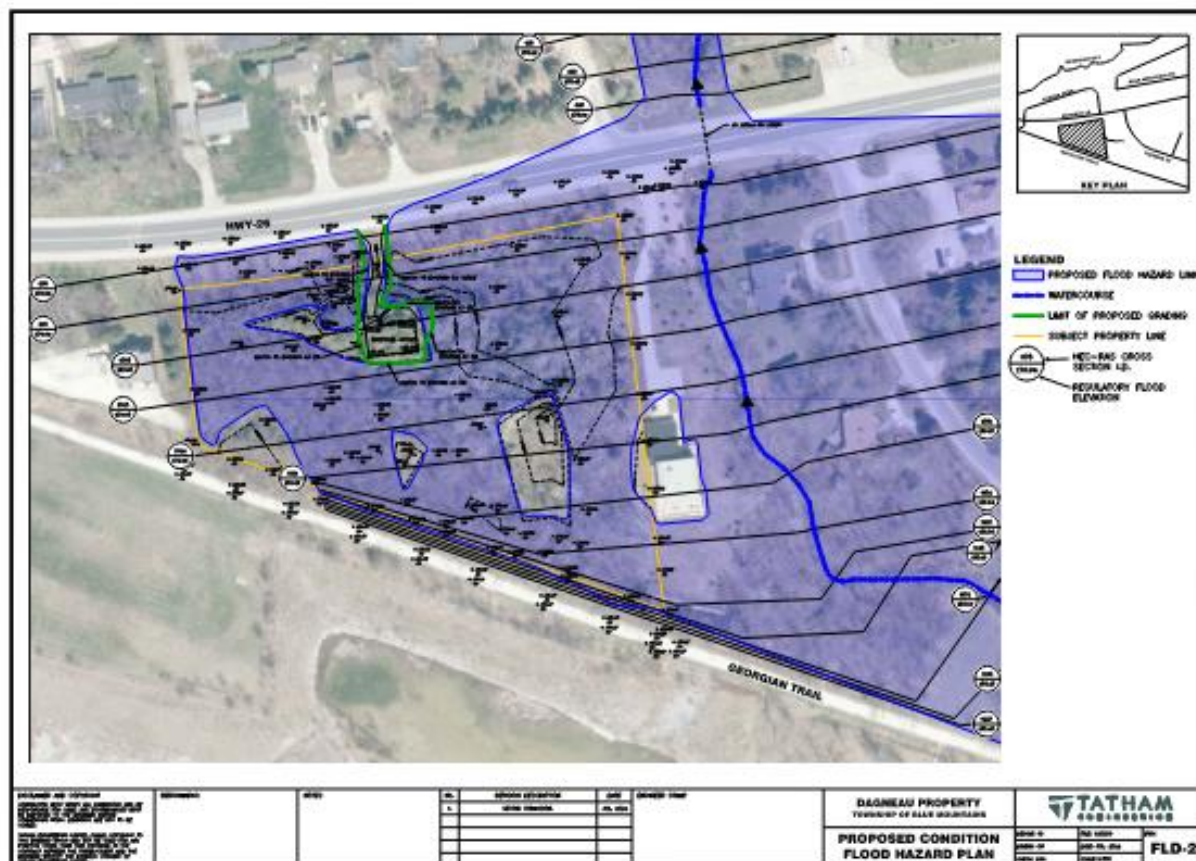
The Town received the required clearance letter from GSCA on September 27, 2024 confirming the viability of a proposed building envelope subject to the surrounding flood prone lands being re-zoned to Hazard 'H' Zone and future development being subject to GSCA permit

requirements. Figure 2 below shows the outcome of the floodplain assessment and identifies both flood prone hazard lands and those portions of the site that are not flood prone. An access road, lot and building envelope were identified as viable for residential development.

The remainder of the site including both flood prone and not flood prone areas are to remain in a treed condition by way of Hazard and Open Space zoning respectively.

The Zoning By-law includes a provision that applies to split zoned properties (more than one zone on the same lot) that ensures lot coverage (total area that can be covered by buildings) does not expand beyond the zoned areas. In this case the R1-1 provision applies to a small portion of the property. Lot coverage within that area is permitted and will fall well below the 30% coverage that would otherwise apply to a single, non-split zoned, property. Combined with GSCA permit requirements and the Hazard and Open Space zoning of the bulk of the remainder of the property development would be restricted to within the R1-1 zone.

Figure 2: Flood mapping of subject property and identification of flood prone and non-flood prone areas



D. Analysis

The proposed re-zoning conforms or complies as applicable with the documents of the provincial planning framework comprised of the Planning Act, Provincial Planning Statement, County of Grey Official Plan, and Town of The Blue Mountains Official Plan. A more detailed

analysis which is intended to form part of this report is provided in Attachment 1 Policy Framework Review.

The Grey Sauble Conservation Authority has authority through the related generic regulations under the Conservation Authorities Act over these lands and has supported the proposed development subject to re-zoning of flood prone lands to a Hazard zone and future development being subject to GSCA permit approval.

The Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) has registered the related Archaeological Assessment of the subject lands and Saugeen Ojibway Nation has indicated no concerns.

Staff have are satisfied that there are adequate safeguards limiting the extent of development to achieve the necessary protections on the remainder of the property that meet Town and agency policies and regulations.

The proposed Zoning By-law Amendment is provided as Attachment 2.

E. 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

There are no environmental impacts associated with the recommendations contained within this report.

G. Financial Impacts

Development of the lot for a single detached residential dwelling will result in collection of development charges and expand the residential tax base of the Town.

H. In Consultation With

Shawn Postma, Manager of Community Planning

Tim Murawsky, Acting Director of Planning and Development Services

I. 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 Adam Farr, planning@thebluemountains.ca

J. Attached

1. Attachment 1: Policy Framework Review
2. Attachment 2: Draft Zoning By-law Amendment

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.25.074 Recommendation Report - Zoning By-Law Amendment - East Part Lot 156, Plan 529 (Dagneau).docx
Attachments:	- PBS-25-074-Attachment-1.docx - PBS-25-074-Attachment-2.docx
Final Approval Date:	Sep 19, 2025

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

Shawn Postma - Sep 19, 2025 - 9:38 AM

Tim Murawsky - Sep 19, 2025 - 9:56 AM

Attachment 1 Planning Framework Analysis

Planning Act	Noteworthy matters of provincial interest relative to this proposal include: (a) the protection of ecological systems, including natural areas, features and functions; (o) the protection of public health and safety; (p) the appropriate location of growth and development; (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest
Provincial Planning Statement	Noteworthy policies of the Provincial Planning Statement include: 4.6.2 2. Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved. 5.2.3 Development and site alteration shall not be permitted within: c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard;
County of Grey Official Plan	Noteworthy policies of the County of Grey Official Plan include the following. The property falls within the Recreational Resort Settlement Area which permits the proposed residential use. The County Plan also includes other relevant policies: 4.3.1 Our Community Healthy Environments (bullet 10) Direct development away from natural hazards that may pose a potential health or safety risk for residents. 4.5.1.1 Our Culture Heritage: General Cultural Heritage Policies The County and local municipalities must ensure adequate screening for archaeological potential and, where warranted, archaeological assessment on all plans of subdivision and condominiums, zoning amendments, site plans, and consents and consult with appropriate government agencies, including the Ministry of Culture, Tourism and Sport, and the Ministry of Government and Consumer Services (Cemeteries Regulation Unit) when an identified marked or

	unmarked cemetery is affected by land use development. The provisions of the Heritage Act and the Funeral, Burial and Cremation Services Act must apply.
Town of the Blue Mountains Official Plan	Noteworthy policies of the Town of The Blue Mountains Official Plan include the following. The property falls within the Residential Recreation Area which permits the proposed single detached residential use. Other applicable policies of the Town Official Plan include: C3 Floodplain Planning The appropriate Conservation Authority should be consulted to confirm the limits of the natural hazards associated with these watercourses and for permitting requirements within regulated areas under the Conservation Authorities Act. D3.4 Archaeological Resources Council recognizes that there are archaeological remnants of prehistoric and early historic habitation as well as archaeological potential areas within the Town. Archaeological sites and resources contained within these areas can be adversely affected by any future development. Council shall therefore require archaeological impact assessments/reports and the preservation or excavation of significant archaeological resources in accordance with Provincial policies. Archaeological impact assessments/reports by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport, as well as licensing requirements referenced under the Ontario Heritage Act.
Staff Comments	The proposed single detached residential use is supported within all of the above referenced documents. In addition policies related to flood, hazard and archaeological issues have all been addressed through the related studies and clearances. Flood and Hazard policies: The flood plain assessment completed on the property identified a development envelope and flood prone areas. The boundaries of Hazard lands have been identified and the proposed zoning places these in the appropriate Hazard designation. The non-flood prone areas have also been identified and include the development envelope which is subject of the proposed Residential zone. GSCA permits are required for any development activity.

	Cultural Heritage Policies An Archaeological Assessment was completed for the subject lands and did not result in the identification of any archaeological resources. The assessment was registered with the Province and a clearance letter was issued. The applicant engaged with the Saugeen Ojibway Nation and SON confirmed that it had no concerns.
Niagara Escarpment Plan	The property falls within the Niagara Escarpment Plan and is outside of the Niagara Escarpment Commission direct control area. This means that NEC is a commenting body only. The property is designated Escarpment Recreation Area which permits the proposed use. The Niagara Planning and Development Act , R.S.O. 1990 (NEPDA) Section 2 lays out the purpose of the Act as the provision for the maintenance of the Escarpment and land in its vicinity substantially as a continuous natural environment, ensuring that proposed development is compatible. The Provincial Planning Statement (PPS) Section 4.6 provides for the protection of cultural heritage and archaeology. The definition of cultural heritage landscape includes features such as buildings, structures, spaces, views, archaeological sites, and natural elements that are valued together for their interrelationship, meaning or association; and as such, the Niagara Escarpment's scenic resources have been reviewed as follows: The subject property is located within the Thornbury-Long Point Shoreline landscape unit #197 (NEC Landscape Evaluation Study 368, 1976) which has a scenic ranking of Attractive. This landscape unit is associated with primary and secondary scarps of the Escarpment landform, and panoramic viewsheds in the area were studied in the Viewshed Analysis. Given the small scale of the proposed development, dense vegetation in the area, and the viewing distance, any long-range visual impacts can be mitigated with the use of a neutral roof colour that is harmonious with the surrounding landscape, as well as maintaining the treeline along Highway 26 to screen from view the proposed development.

Town of The Blue Mountains Comprehensive Zoning By-law 2018-65	The proposed Zoning By-law Amendment contemplates re-zoning from the current Open Space zone to a combination of Residential One-One Exception, Hazard and Open Space. The result is that the property will be split zoned. Where multiple uses and zones occur on one lot the following provisions apply: 4.21 Multiple Uses and Zones on One Lot b) Where a lot is divided into more than one zone, each portion of the lot must be used for a purpose that is permitted within each applicable zone. Accessory buildings or structures must be located in the same zone as the main building. In no case shall the zone boundary function as a lot line for the purposes of determining required setbacks and minimum yards. Notwithstanding the above, the maximum permitted lot coverage shall apply only to the portion of the lot that is within each respective zone, as required.
Staff Comment	The proposed Residential One – One zone applies to a small portion of the property. Section 4.21 of Comprehensive Zoning By-law 2018-65 requires that in cases of split zoning the lot coverage requirements be limited to the area of the applicable zoning rather than to the lot as a whole. This ensures that, while overall lot coverage is 30% the total lot coverage will not exceed that area within the R1-1 zone. This interpretation is consistent with the defined requirements for how lot coverage is calculated in the Town and consistent with Town practice elsewhere in the Town.
Conservation Authorities Act Generic Regulations	The property is subject to Conservation Authority Generic Regulations and falls within the jurisdiction of the Grey Sauble Conservation Authority. GSCA is agreeable to the re-zoning subject to the proposed Hazard zoning and required future GSCA permitting.

The Corporation of the Town of The Blue Mountains

By-Law Number 2025 –

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "The Blue Mountains Zoning By-law"

Whereas the Council of The Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 2018-65;

And Whereas pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, c. P.13, the By-law may be amended by Council of the Municipality;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

- 1. That Schedule ‘A’ to The Blue Mountains Zoning By-law 2018-65 is hereby amended by rezoning certain lands from Open Space to the Residential ‘R1-1’ Zone, Open Space ‘OS’ Zone, and Hazard ‘H’ Zone in accordance with Schedule ‘A-1’ to this By-law
- 2. That Schedule ‘A-1’ is declared to form part of this By-law.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____ day of _____, 2025

Andrea Matrosovs, Mayor

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2025-____ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the ____ day of _____, 2025.

Dated at the Town of The Blue Mountains, this ____ day of _____, 2025.

Corrina Giles, Clerk

Town of The Blue Mountains

Schedule A-1

By-Law No. _____

Legend

-  Subject Lands Of This Amendment
-  Area to be rezoned from OS to R1-1
-  Area to be rezoned from OS to H
-  OS

