

# Staff Report to Council

**Title:** Holding Removal By-law – 554  
Huron Terrace

**Report Number:** Development Services-2024-08

**Director:** Infrastructure &  
Development

**Manager:** Development Services

**Meeting Date:**  
Wednesday, April 10, 2024

**Date to be considered by Council:**  
Wednesday, April 10, 2024

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## Recommendation:

That the Council of the Municipality of Kincardine pass a by-law for the removal of the Holding 'H1' provision from TP S PT LOT 21 N PT LOT 22; HURON TERRACE W/S, Municipality of Kincardine (geographic Town of Kincardine).

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## Executive Summary:

The property owner has requested that the Holding "H1" provision be removed from the subject lands which is currently zoned R1-cc-H1 and R1-s-H1, located at 554 Huron Terrace, Kincardine. The provisions under Section 7.1.2 Holding (H1) Zone of the Comprehensive Zoning By-law outline the requirements to remove the H1 zone. Which include approval by the Zoning Administrator of an Archaeological Assessment which has been conducted by an archaeologist licensed by the Province of Ontario, confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports; and includes engagement with the Saugeen Ojibway Nation. As well as confirmation that the recommendations of the archaeological report have been implemented. Staff are satisfied that the provisions of the holding removal have been met.

## Strategic Priorities:

N/A

## Financial Considerations:

All related fees as per the 2024 Rates and Fees By-law.

**Policy:**

Kincardine Zoning By-law 2003-25

Zoning By-law Amendment By-law 2023-201

**Context and Background Information:**

The owner of the property known as 554 Huron Terrace has requested that the “H1” Holding provision be removed from the subject lands as imposed under the By-law 2023-201. The provisions have been fulfilled. The subject lands were originally zoned R1-s and were rezoned to R1-cc-H1 and R1-s-H1.

As a condition of the zoning amendment, a holding provision “H1” was placed on the subject lands that identified an Archaeological Assessment was required prior to any lot grading, excavation and/or construction. To remove the “H1” zone from the lands, the Archaeological Assessment must be approved by the Zoning Administrator. To approve the assessment, it must be confirmed that Archaeological Assessment was completed by an archaeologist licensed by the Province of Ontario and that the assessment was filed with the appropriate Ministry as well as being accepted into the Ontario Public Register of Archaeological Reports; and includes engagement with the Saugeen Ojibway Nation. Further, confirmation must be received that the recommendations of the archaeological report have been implemented.

Archaeological Research Associates Ltd. (ARA) was retained by the owner and conducted a Stage 1 (historical background, geography, and location of the subject site) assessment which determined that the study area had archaeological potential. Once determined, a Stage 2 assessment was completed which involved visual inspection, test pits and systematic excavation. Stage 2 further concluded that although the site had archaeological potential, the assessment did not result in the identification of any archaeological materials, and it was recommended that no further assessment would be required within the subject property.

The Archaeological report has since been filed with the Ministry into the Ontario Public Register of Archaeological Reports.

**Consultation Overview:**

As part of the original zoning by-law amendment and consent application in 2023 to the County, the applicable agencies and public consultation process was followed.

The holding provision as utilized to ensure that the archaeological assessment requirement was completed prior to the issuance of any building permits. Staff are satisfied that the provisions of the holding removal have been met.

**Origin:**

Request was received from the property owner.

**Implementation Considerations:**

Passage of the holding removal by-law will facilitate the building permit application and review process allowing the owners to advance with their residential proposal in accordance with the R1 provisions.

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**Attachments:**

Holding Removal By-law

Schedule A – Subject lands to be rezoned R1-cc and R1-s

**Prepared by:** Amberly Weber, Planning Coordinator

**Submitted by:** Dwayne McNab, Development Services Manager/CBO

**Report Approval Details**

Document Title:	Holding Removal By-law - 554 Huron Terrace - Development Services-2024-08.docx
Attachments:	
Final Approval Date:	Apr 2, 2024

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

Roxana Baumann

Jillene Bellchamber-Glazier

**Report Approval Details**

Document Title:	Holding Removal By-law - 554 Huron Terrace - Development Services-2024-08.docx
Attachments:	
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This report and all of its attachments were approved and signed as outlined below:

**No Signature - Task assigned to Roxana Baumann was completed by assistant Tracey Guy**

Roxana Baumann

**No Signature - Task assigned to Jillene Bellchamber-Glazier was completed by assistant Tracey Guy**

Jillene Bellchamber-Glazier