



Corporation of the Municipality of South Huron  
Agenda - Public Meeting

Monday, January 7, 2019, 6:00 p.m.

Council Chambers - Olde Town Hall

1. Call to Order
2. Disclosure of Pecuniary Interest
3. Purpose of Public Meeting  
Pursuant to the Planning Act, 1990, Sections 17 and 34
4. Application for Official Plan Amendment OPA #14 and Rezoning D14-14-2018 Kints
  - 4.1 Application 1
    - 4.1.1 Engineering Report 23
    - 4.1.2 Planning Justification Report 32
    - 4.1.3 Analysis of Well Yield Potential 48
  - 4.2 Sarah Smith, Huron County Planner - Report D14-14-2018 57

**Recommendation:**  
**That South Huron Council receives the report from S. Smith, Huron County Planner re: Official Plan Amendment D09-OPA 14 and Zoning By-Law Amendment D14-Z14-2018.**
  - 4.3 Written Comments Received
    - 4.3.1 John and Laurel Miner 67
  - 4.4 Comments-Council; Public in Attendance
5. Application for Rezoning D14-18-2018 Borland
  - 5.1 Application 69

5.2 Sarah Smith, Huron County Planner - Report D14-18-2018

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**Recommendation:**

**That South Huron Council receives the report from S. Smith, Huron County Planner re: Zoning By-Law Amendment D14-Z18-2018.**

5.3 Written Comments Received

5.4 Comments - Council; Public in Attendance

6. Close Public Meeting

**Recommendation:**

**That South Huron Council now closes this Public Meeting at \_\_\_\_\_ p.m. and reconvenes the Regular Council meeting.**

May 22, 2018

**Municipality of South Huron**  
322 Main Street South  
Box 759  
Exeter, Ontario  
N0M 1S6

Our file: 13-2820

**Attention: Sarah Smith**  
**County of Huron Planner**

**Reference: Proposed Residential Development: Exeter Golf Course (Jeff Kints)**  
Part Lot 11, Concession 2, Usborne Ward, Municipality of South Huron, ON  
Official Plan and Zoning By-Law Amendment Applications

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**Monteith Brown Planning Consultants** ("MBPC") is pleased to submit an application on behalf of 1803531 Ontario Ltd. & Jeffery Kints for an Official Plan Amendment and Zoning By-Law Amendment with respect to the above noted lands. The attached application form has been completed in accordance with the requirements outlined in the Pre-Consultation Meeting with Municipal and County staff on 10 January 2018 as well as the Guidelines which accompany the Planning Application Document.

The purpose of the application is to amend the South Huron Official Plan to permit single unit detached dwellings on seven existing lots of record, notwithstanding the policies of the Plan which do not otherwise provide for, or allow, dwellings to be erected on such lots on lands designated 'Recreational'. At the same time, a re-zoning of the subject lands is also being applied for from Rural Golf Course (AG5) to "site-specific" Rural Golf Course (AG5-#). This zoning would restrict the permitted use of the lots for residential purposes and accessory uses.

We do wish to note that an Official Plan Amendment and Zoning By-law Amendment were originally filed with the Municipality in 2014. Council refused the applications. For the application now at hand, the most significant difference from the application for an OPA filed in 2014 is the proposal to now change the OP designation to 'Recreational – Exeter Golf Course Special Policy Area' as opposed to 'Agricultural'.

For your review and consideration, please find enclosed the following:

- 1 copy of the Authorization as Agent form
- 1 copy of the Application for Official Plan &/or Zoning By-law Amendment

- 1 Combined Official Plan and Zoning By-Law Amendment application fee in the amount of \$4,578 and the health unit review fee of \$177.25 for a total of \$4,755.25 made payable to the Municipality of South Huron
- 3 copies of the Planning Justification Report (May 2018) prepared by Monteith Brown Planning Consultants
- 1 copy each of On-Site Sewage Servicing Letter and Concept Plan, BOS Engineering (May 27, 2014); Well Yield Potential Letter, Wilson Associates (May 30, 2014) and Well Record, W.D. Hopper & Sons (May 28, 2014).

We trust that the enclosed information is satisfactory to address your submission requirements and look forward to receiving confirmation that the application is deemed 'complete' such that the Municipality can commence with circulation and proceed to schedule it for consideration at the next available public meeting.

If you have any questions regarding this matter or require any additional information, please do not hesitate to contact myself or Dan Smith at our offices in London.

Respectfully Submitted,

**MONTEITH BROWN PLANNING CONSULTANTS**



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Jay McGuffin BA, MCIP, RPP  
Principal Planner

jmcguffin@mbpc.ca

/enc

cc: Jeff Kints




**AUTHORIZATION OF AGENT**

I/We authorize **MONTEITH BROWN PLANNING CONSULTANTS** as our agent in connection with all required municipal planning approvals, including but not limited to applications for Official Plan Amendment and Zoning By-law Amendment with respect to the development of the lands legally known as **PART LOT 11, CONCESSION II, Usborne Ward Municipality of South Huron.**

Jeffery Kints

Owners Name(s)

*Please print*

  
Signature of Owner(s)

*I have the Authority to Bind the Corporation*

May 15, 2018

Date

Municipality of South Huron**Application for Official Plan &/or Zoning By-law Amendment****Guidelines**

**Introduction:** The submission of an application to the municipality to amend the Official Plan or Zoning By-law is regulated by in the Ontario Planning Act. As such, this form must be completed and accompanied with the required fee prior to consideration by Council or a committee of Council. The purpose of these Guidelines is to assist persons in completing the application to amend the Official Plan or Zoning By-law.

**Assistance:** You can contact the Clerk at the local municipal office or contact the Planner responsible for your municipality at 519-524-8394 ext. 3 (Huron County Planning Department).

**Application:** Each application must be accompanied by the application fee in the form of a cheque payable to the local municipality.

	2016 Fee effective Jan 1/16	2017 Fee effective Jan 1/17	2018 Fees effective Jan 1/18	2019 Fees effective Jan 1/19	2020 Fees effective Jan 1/20	2021 Fees effective Jan 1/16
Official Plan Amendment (OPA) - County OPA, local OPA	\$3,500	\$3,570	\$3,641	\$3,714	\$3,788	\$3,864
Zoning By-law Amendment (ZBLA)	\$1,800	\$1,836	\$1,872	\$1,909	\$1,947	\$1,986
<b>Combined Applications</b>						
Local OPA & ZBL	\$4,400	\$4,488	\$4,578	\$4,669	\$4,762	\$4,857
County OPA & local OPA	\$5,800	\$5,916	\$6,034	\$6,154	\$6,277	\$6,403
County OPA, local OPA & ZBLA	\$6,750	\$6,885	\$7,023	\$7,163	\$7,306	\$7,452

**Authorization:** If the applicant (agent or solicitor) is not the owner of the subject land, a written statement by the owner must accompany the application which authorizes the applicant to act on behalf of the owner as it relates to the subject application.

**Drawing:** All applications for Official Plan or Zone change must include an accurate to scale drawing, preferably by a qualified professional, showing the items listed below:

- the boundaries and dimensions of the subject land;
- the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
  - are located on the subject land and on land that is adjacent to it, and
  - in the applicant's opinion may affect the application;
- the current uses of land that is adjacent to the subject land;
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way;
- if access to the subject land will be by water only, the location of the parking and docking facilities to be used;
- the location and nature of any easement affecting the subject land.

**NOTE:** Additional information may be required by the municipality, County, local and provincial agencies in order to evaluate the proposed amendment. This information is often a requirement of the local Official Plan, the County Official Plan, Provincial policies and/or applicable regulations. The required information may include studies or reports to deal with such matters as environmental impacts, traffic, water supply, sewage disposal and storm water management.

Please be advised the responsibility for filing a complete application rests solely with the owner/applicant. Anything not requested or applied for in this application and subsequently found to be necessary (which may require another application(s) and fee(s)) are the sole responsibility of the owner/applicant. The County/Municipality will address only the application as applied for, and any items that are not included in the application are not the responsibility of the County/Municipality.

All studies required to support this application shall be at the expense of the applicant and included at the time of submission as a complete application. Where the County/Municipality incurs costs for the peer review of any consultants' reports or fees for legal opinions, the County/Municipality will be reimbursed such costs by the applicant.

In the event of third-party appeals to applications approved by the County/Municipality, the applicant may be responsible for some or all of the legal and other costs incurred by the County/Municipality, at the discretion of the County/Municipality.

**Copies:** One copy of the application

One copy of the drawing (no larger than 11" x 17")

Three copies of any supporting documentation

## Official Plan Amendment Process in Huron County

### Guidelines Cont.

1. Pre-consultation meeting (municipal staff, county planning staff and affected agencies).
2. If applicable to the subject property, a Restricted Land Use Permit may be required to be obtained from the Risk Management Official PRIOR to the submission of application and fee.
3. Submission of application and fee to the Municipality with any required reports (i.e. Environmental Impact Study, Comprehensive review, etc.)
4. Staff may request additional information from the applicant.
5. Application received by Municipal Council and Municipal Council will determine whether the application is complete.
6. Circulation of notice of completeness and notice of public meeting 20 days prior to the public meeting. Notices are circulated to the County of Huron, neighbouring municipalities, agencies, provincial ministries and abutting land owners within 120 metres.
7. The Municipality and Huron County Planning Department staff reviews application for conformity to Official Plan, Zoning By-law and Provincial Interests, Planning Act. Comments from local agencies, provincial ministries and neighbours are taken into consideration.
8. A public meeting held at local Municipality. Municipal council may adopt, deny or defer the official plan or official plan amendment.
9. If the official plan or official plan amendment is adopted locally, the Clerk of the Municipality sends a record of information, along with the application to the County of Huron, as the County of Huron is the approval authority. The Municipality circulates a notice of adoption.
10. If an Official Plan Amendment is undisputed (no unresolved concerns), it can be approved by the Manager of Planning. Disputed Official Plan Amendments (having unresolved concerns), and new Official Plans or 5 year Reviews of Official Plans are scheduled on the next available Committee of the Whole and County Council meetings for a decision (i.e. approve, modify and approve, deny, defer).
11. Notice of decision sent within 15 days of decision.
12. The 20 day appeal period begins the day after the notice of decision is mailed.
13. If no appeal is received by the Huron County Clerk after 20 days, the official plan or official plan amendment is in full force and effect. If the official plan or official plan amendment is appealed, the application is forwarded to the Ontario Municipal Board, who will make a final decision on the application.

### Zoning By-Law Amendment Process in Huron County

1. Pre-consultation meeting (municipal staff, county planning staff and affected agencies).
2. If applicable to the subject property, a Restricted Land Use Permit may be required to be obtained from the Risk Management Official PRIOR to the submission of application and fee.
3. Submission of application and fee to the Municipality with any required reports (i.e. Environmental Impact Study, Traffic Impact Study, etc.)
4. Staff may request additional information from the applicant.
5. Application received by Municipal Council and Municipal Council will determine whether the application is complete.
6. Circulation of notice of completeness and notice of public meeting 20 days prior to the public meeting. Notices are circulated to the County of Huron, neighbouring municipalities, agencies, provincial ministries and abutting land owners within 120 metres.
7. The Municipality and Huron County Planning Department staff reviews application for conformity to Official Plan, Zoning By-law and Provincial Interests, Planning Act. Comments from local agencies, provincial ministries and neighbours are taken into consideration.
8. A public meeting held at local Municipality. Municipal council may approve, deny or defer the zoning by-law amendment.
9. Notice of decision sent to those who requested to be notified of Council's decision within 15 days of the decision of Municipal Council. A 20 day appeal period begins the day after the notice of decision is mailed.
10. If no appeal is received by the Municipality within the 20 days, the zoning by-law amendment is in full force and effect. If the zoning by-law amendment is appealed, the application is forwarded to the Ontario Municipal Board, who will make a final decision on the application.

For office use only	File # <u>SHU OPA 14</u>
	Submitted <u>May 22</u> , 20 <u>18</u>
Date Application considered complete	<u>August</u> , 20 <u>18</u>

*Revised December 12/18.  
by applicant.*

MUNICIPALITY OF South Huron

## Application for Official Plan and/or Zoning By-law Amendment

### A. THE AMENDMENT

#### 1. TYPE OF AMENDMENT?

\_\_\_\_\_ Official Plan [ ] Zoning By-law No. \_\_\_\_\_ [ ] Both [ X]

- a) Name of Official Plan to be amended: South Huron
- b) Name of Zoning By-law to be amended: Municipality of South Huron (revised Dec 2018)

#### 2. WHAT IS THE PURPOSE OF AND REASONS FOR THE PROPOSED AMENDMENT(S)?

Lands comprise part of Lot 11, Con 2 (Usborne), being 7 undeveloped lots of record created in 1970 on the west side of Morrison Line, north of Kirkton Road. The lands are cultivated and zoned RC3-1 (revised Dec 2018), as is the remainder of Lot 11 which is occupied by the Exeter Golf Club, purchased by Mr. Kints in 2013. He proposes to develop the lands for the purposes of single-detached dwellings. There are no buildings or structures on the lands. The application includes a re-zoning to 'site-specific' AG4-# zone (revised Dec 2018) to permit the use of the subject lots for residential and accessory uses only.

### B. GENERAL INFORMATION

#### 3. APPLICANT INFORMATION

- a) Registered Owner's Name(s): 1803531 Ontario Ltd. & Jeffery Kints  
 Address: P.O. Box 880, Exeter, ON N0M 1S6  
 Phone: Home ( ) \_\_\_\_\_ Work ( ) 519-235-2652 Fax ( ) \_\_\_\_\_  
 Email: jeff.kints@suntasticfresh.com Cell ( ) \_\_\_\_\_
- b) Applicant (Agent) Name(s): Monteith Brown Planning Consultants, c/o J. McGuffin  
 Address: 610 Princess Avenue, London ON M6B 2B9  
 Phone: Home ( ) \_\_\_\_\_ Work ( ) 519 686-1300 Fax ( ) 519 681-1680  
 Email: jmcguffin@mbpc.ca Cell ( ) \_\_\_\_\_
- c) Name, Address, Phone of all persons having any mortgage, charge or encumbrance on the property:  
Union Gas line crossing Part 33
- d) Send Correspondence To? Owner [ ] Agent [ X ] Other [ ] \_\_\_\_\_



**4. WHAT AREA DOES THE AMENDMENT COVER?**

- a) ☒ the "entire" property or  
b) ☐ just a "portion" of the property

**5. PROVIDE A DESCRIPTION OF THE ENTIRE PROPERTY:**

Municipal Ward: Exeter  
911 Address and Road Name: No 911 address - Morrison Line  
Roll Number (if available): Refer to attached  
Concession: 2 Lot: 11 Registered Plan No.: R.D No. 52  
Area: 1.66 hectares Depth: 61 metres Frontage (Width): 271.3 metres

**6. IS ANY OF THE LAND IN WELLHEAD PROTECTION AREA C? Yes ☐ No ☒ Unknown ☐**

If **Yes**, please obtain a Restricted Land Use Permit from the Risk Management Official.  
If **Unknown**, please consult with your Municipal Planner and obtain a Restricted Land Use Permit if necessary.

**7. PROVIDE A DESCRIPTION OF THE AREA TO BE AMENDED IF ONLY A 'PORTION' OF THE PROPERTY:**

Area: \_\_\_\_\_ hectares Depth: \_\_\_\_\_ metres Frontage (Width): \_\_\_\_\_ metres

**8. WHAT IS THE CURRENT PLANNING STATUS?**

Official Plan Designation: Recreational  
Zoning: 'site-specific' Recreational Commercial RC3-1 (revised Dec 2018)

**9. LIST LAND USES THAT ARE PERMITTED BY CURRENT OFFICIAL PLAN DESIGNATION:**

Golf course and associated recreational uses; Accessory Dwelling Unit; Agricultural use, limited.

**C. EXISTING AND PROPOSED LAND USES AND BUILDINGS**

**10. WHAT IS THE "EXISTING" USE OF THE LAND?**

field crop  
How long have the existing uses continued on the subject land: 100 +/- years

**11. WHAT IS THE "PROPOSED" USE OF THE LAND?**

residential - single detached dwellings

**PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS: (Use a separate page if necessary)**Are any buildings proposed to be built on the subject land: Yes ☒ No ☐

	<u>Existing</u>	<u>Proposed</u>
a) Type of Building(s)	vacant land	single detached dwelling
b) Main Building Height	N/A (m)	max 12 (m)
c) % Lot Coverage	N/A	max 30%
d) # of Parking Spaces	N/A	min 1 space
e) # of Loading Spaces	N/A	N/A
f) Number of Floors	N/A	N/A
g) Total Floor Area	N/A (sq. m)	min 84 sq m sq. m)
h) Ground Floor Area (exclude basement)	N/A	N/A
i) Building Dimensions	N/A	N/A
j) Date of Construction	N/A	N/A
k) Setback from Buildings to:	Front of Lot Line min 17 m	
	Rear of Lot Line min 7.6 m	
	Side of Lot Line min 5 m	

**D. EXISTING AND PROPOSED SERVICES****12. INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL:**

	<u>Municipal Water</u>	<u>Communal Water</u>	<u>Private Well</u>	<u>Municipal Sewers</u>	<u>Communal Sewers</u>	<u>Private Septic</u>	
a) Existing	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	N/A
b) Proposed	[ ]	[ ]	[ X]	[ ]	[ ]	[ X]	
c)	If the requested amendment would permit development on a privately owned and operated individual or communal septic system and more than 4500 litres of effluent would be produced per day as a result of the development being completed, the applicant must submit:						
	[ ] a servicing options report; and						
	[ ] a hydrogeological report.						

13. Will storm drainage be provided by: Sewers [ ]  
Ditches [ ]  
Swales [ X ]  
Other [ ] Specify \_\_\_\_\_

Is storm drainage present or will it be constructed \_\_\_\_\_

**14. TYPE OF ACCESS (CHECK APPROPRIATE SPACE)**

- ☐ provincial highway  
☐ county roads  
☐ municipal roads, maintained all year  
☒ municipal road, seasonally maintained  
☐ right of way  
☐ water access

**E. OFFICIAL PLAN AMENDMENT**

(Proceed to Section F) if an Official Plan Amendment is not proposed).

**15. DOES THE PROPOSED OFFICIAL PLAN AMENDMENT DO THE FOLLOWING?**

- |  |   |  |                                      |
|--|---|--|--------------------------------------|
| Add a Land Use designation in the Official Plan    | Yes [ <input type="checkbox"/> ]            | No [ <input checked="" type="checkbox"/> ] | Unknown [ <input type="checkbox"/> ] |
| Change a Land Use designation in the Official Plan | Yes [ <input checked="" type="checkbox"/> ] | No [ <input type="checkbox"/> ]            | Unknown [ <input type="checkbox"/> ] |
| Change a policy in the Official Plan               | Yes [ <input type="checkbox"/> ]            | No [ <input checked="" type="checkbox"/> ] | Unknown [ <input type="checkbox"/> ] |
| Replace a policy in the Official Plan              | Yes [ <input type="checkbox"/> ]            | No [ <input checked="" type="checkbox"/> ] | Unknown [ <input type="checkbox"/> ] |
| Delete a policy in the Official Plan               | Yes [ <input type="checkbox"/> ]            | No [ <input checked="" type="checkbox"/> ] | Unknown [ <input type="checkbox"/> ] |
| Add a policy in the Official Plan                  | Yes [ <input checked="" type="checkbox"/> ] | No [ <input type="checkbox"/> ]            | Unknown [ <input type="checkbox"/> ] |
- (associated with the Special Policy  
Area which would apply)

**16. IF APPLICABLE AND KNOWN AT TIME OF APPLICATION, PROVIDE THE FOLLOWING:**

- a) Section Number(s) of Policy to be Changed Section 10.0 Recreational
- b) Text of the proposed new policy attached on a separate page? Yes [ ☒ ] No [ ☐ ] N/A
- c) New designation name: 'Recreational - Exeter Golf Course Special Policy Area'
- 
- d) Map of proposed new Schedule attached on a separate page? Yes [ ☒ ] No [ ☐ ]

**17. LIST PURPOSE OF AMENDMENT AND LAND USES THAT WOULD BE PERMITTED BY THE PROPOSED AMENDMENT:** To re-designate the subject lands to 'Recreational - Exeter Golf Course Special Policy Area, permitting residential use of seven (7) existing lots of record.

- 18.** Does the requested amendment alter all or any part of the boundary of an area of settlement in a municipality or establish a new area of settlement in a municipality?  
 Yes [ ☐ ] No [ ☒ ]  
 If yes: Attach the current official plan policies, if any, dealing with the alteration or establishment of an area of settlement.
- 19.** Does the requested amendment remove the subject land from any area of employment?  
 Yes [ ☐ ] No [ ☒ ]  
 If yes: Attach the current official plan policies, if any, dealing with the removal of land from an area of employment.
- 20.** Is the requested amendment consistent with the Provincial Policy Statement issued under Section 3 (1) of the Planning Act.  
 Yes [ ☒ ] No [ ☐ ] Unknown [ ☐ ]



## F. ZONING BY-LAW AMENDMENT

(Proceed to Question 29 (Drawing) if a Zoning By-law Amendment is not proposed).

### 21. DOES THE PROPOSED ZONING BY-LAW AMENDMENT DO THE FOLLOWING?

Add or change zoning designation in the Zoning By-law	Yes [ X ]	No [ ]	Unknown [ ]
Change a zoning provision in the Zoning By-law	Yes [ ]	No [ X ]	Unknown [ ]
Replace a zoning provision in the Zoning By-law	Yes [ ]	No [ X ]	Unknown [ ]
Delete a zoning provision in the Zoning By-law	Yes [ ]	No [ X ]	Unknown [ ]
Add a zoning provision in the Zoning By-law	Yes [ X ]	No [ ]	Unknown [ ]

### 22. IF APPLICABLE AND KNOWN AT TIME OF ZONING APPLICATION, PROVIDE THE FOLLOWING:

- Section Number(s) of provisions to be changed Section 17.7
- Text of the proposed new provision attached on a separate page? Yes [ X ] No [ ]
- New zone name: 'site-specific' Agricultural Small Holding AG4-# (revised Dec 2018)
- Map of proposed new Key Map attached on a separate page? Yes [ ] No [ X ]  
(refer location map in Planning Justification Report)

### 23. LIST LAND USES PROPOSED BY ZONING AMENDMENT.

-single detached dwellings and accessory buildings and structures

- date the current owner acquired the subject land 2013

### 24. HAS THERE BEEN A PREVIOUS APPLICATION FOR REZONING UNDER SECTION 34 OF THE PLANNING ACT AFFECTING THE SUBJECT PROPERTY:

Yes [ X ] No [ ]

### 25. Is the intent of this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?

Yes [ ] No [ X ]

If yes: Attach details of the official plan or official plan amendment that deals with the matter.

### 26. Is the intent of this application to remove land from an area of employment?

Yes [ ] No [ X ]

If yes: Attach details of the official plan or official plan amendment that deals with the matter.

### 27. Is the application for an amendment to the zoning by-law consistent with provincial policy statement issued under Section 3 (1) of the Planning Act.

Yes [ X ] No [ ] Unknown [ ]

**G. SKETCH CHECKLIST**

- 28. ACCURATE, TO SCALE, DRAWING OR PROPOSAL:** (In the space below or on a separate page(s), please provide drawing of the proposal, preferably prepared by a qualified professional. In some cases, it may be more appropriate to prepare additional drawings at varying scales to better illustrate the proposal).

The application shall be accompanied by a clean, legible sketch sharing the following information. Failure to supply this information will result in a delay in processing the application.

A sketch showing in metric units:

- a) the boundaries and dimensions of the subject land;
- b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
  - i) are located on the subject land and on land that is adjacent to it, and
  - ii) in the applicant's opinion may affect the application;
- d) the current uses of land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way;
- f) if access to the subject land will be by water only, the location of the parking and docking facilities to be used;
- g) the location and nature of any easement affecting the subject land

The drawing(s) should show (please use a survey if available):

- Property boundaries and dimensions
- Dimensions of area of amendment
- Distance from structures to lot lines
- Easements or restrictive covenants
- Building dimensions & location
- Neighbouring adjacent land uses
- Parking and loading areas
- Use of Neighbouring properties
- Public roads, allowances, rights of way
- Municipal Drains/Award Drains
- Wetlands, floodplain, wet areas
- Woodlots, forested areas, ANSI's, ESA's
- Driveways and lanes
- Other features (bridges, wells, railways, septic systems, springs, slopes, gravel pits)
- Natural watercourses
- North arrow

**H. OTHER RELATED PLANNING APPLICATIONS**

- 29. HAS THE APPLICANT OR OWNER MADE APPLICATION FOR ANY OF THE FOLLOWING, EITHER ON OR WITHIN 120 METRES OF THE SUBJECT LAND?**

Official Plan Amendment	Yes [ <input checked="" type="checkbox"/> ]	No [ <input type="checkbox"/> ]
Zoning By-law Amendment	Yes [ <input checked="" type="checkbox"/> ]	No [ <input type="checkbox"/> ]
Minor Variance	Yes [ <input type="checkbox"/> ]	No [ <input checked="" type="checkbox"/> ]
Plan of Subdivision	Yes [ <input type="checkbox"/> ]	No [ <input checked="" type="checkbox"/> ]
Consent (Severance)	Yes [ <input type="checkbox"/> ]	No [ <input checked="" type="checkbox"/> ]
Site Plan Control	Yes [ <input type="checkbox"/> ]	No [ <input checked="" type="checkbox"/> ]

**30. IF THE ANSWER TO QUESTION 29 (above) IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:**

File No. of Application: OPA #12 and ZBA #D14-04/14  
 Approval Authority: Municipality of South Huron  
 Lands Subject to Application: Part Lot 11, Concession II Usborne Ward South Huron  
 Purpose of Application: change OPA designation to 'Agricultural'  
 Status of Application: denied  
 Effect on the Current Application for Amendment: none

**I. OTHER SUPPORTING INFORMATION****32. PLEASE LIST THE TITLES OF ANY SUPPORTING OR ATTACHED DOCUMENTS:**

*(e.g. Environmental Impacts Study, Hydrogeological Report, Traffic Study, Market Area Study, Aggregate License Report, Stormwater Management Report etc. It is recognized that the applicant meet with planning staff to attempt to determine the supporting documents that will be required).*

Planning Justification Report, Monteith Brown Planning Consultants, May 2018

~~PREVIOUSLY PROVIDED:~~

On-Site Sewage Servicing Letter and Concept Plan, Bos Engineering (May 27, 2014)

Well Yield Potential Letter, Wilson Associates (May 30, 2014)

Well Record, W.D Hopper & Sons (May 28, 2014)

**J. PUBLIC CONSULTATION STRATEGY****33. PLEASE OUTLINE YOUR PROPOSED STRATEGY FOR CONSULTING WITH THE PUBLIC WITH RESPECT TO THIS AMENDMENT REQUEST:**

*(e.g. individual contact, hold a neighbourhood meeting, telephone conversation, letter explaining proposal & inviting questions/comments, website/internet, etc.).*

- consultation may include individual contact and/or email contact  
to explain our proposal

- statutory public meeting

**K. AUTHORIZATION FOR AGENT/SOLICITOR TO ACT FOR OWNER;**

(If affidavit (K) is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below must be completed).

I (we) Jeff Kints of the Municipality of South Huron County/Region

of Huron do hereby authorize Monteith Brown Planning Consultants to act as my agent in the application.

Signature of Owner(s)

May 22, 2018

Date

**L. APPLICANT'S DECLARATION**

(This must be completed by the Person Filing the Application for the proposed development site.)

I, Jay McGuffin of the City of London  
(Name of Applicant) (Name of Town, Township, etc.)

In the XXXX County/XXXX Middlesex solemnly declare that all of the statements contained in this application and supporting documentation are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act."

Please be advised the responsibility for filing a complete application rests solely with the owner/applicant. Anything not requested or applied for in this application and subsequently found to be necessary (which may require another application(s) and fee(s)) are the sole responsibility of the owner/applicant. The County/Municipality will address only the application as applied for, and any items that are not included in the application are not the responsibility of the County/Municipality.

All studies required to support this application shall be at the expense of the applicant and included at the time of submission as a complete application. Where the County/Municipality incurs costs for the peer review of any consultants' reports or fees for legal opinions, the County/Municipality will be reimbursed such costs by the applicant.

In the event of third-party appeals to applications approved by the County/Municipality, the applicant may be responsible for some or all of the legal and other costs incurred by the County/Municipality, at the discretion of the County/Municipality.

DECLARED before me at: Middlesex  
XXXX County/XXXX

In the Municipality of London

This 23rd day of May, 2018  
(Day) (Month) (Year)

Signature

Jay McGuffin

Please Print name of Applicant

Commissioner of Oaths

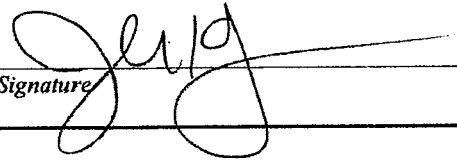
LINDA ROWE, a Commissioner for taking Affidavits and Oaths, Middlesex County, while a deputized Clerk of The Corporation of the City of London.

**M. OWNER/APPLICANT'S CONSENT DECLARATION**

In accordance with the provisions of the Planning Act, it is the policy of the County Planning Department to provide the public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I Jeff Kints the owner/the authorized applicant, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the County of Huron staff, Municipal staff and council members of the decision making authority to access to the subject site for purposes of evaluation of the subject application.

  
Signature

May 22, 2018  
Date

APPLICATION AND FEE OF \$ \_\_\_\_\_ RECEIVED BY THE MUNICIPALITY

\_\_\_\_\_  
Signature of Commissioner

\_\_\_\_\_  
Date

**COMPLETE THIS FORM TO DETERMINE IF  
HEALTH UNIT COMMENTS ARE REQUIRED  
ON YOUR PLANNING APPLICATION**

For certain planning applications, comments are required from the Huron County Health Unit to assist the municipality in its decision on your application. This sheet will determine if comments are required from the Health Unit, and if some, the appropriate fee\* must be submitted with your application and paid to the municipality (\*based on the Health Unit's User Fee Schedule).

Name of Applicant: Monteith Brown Planning Consultants c/o Jay McGuffin

Name of Owner (if different from the applicant): 1803531 Ontario Ltd. & Jeffery Kints

Location of Property (Lot, Concession or Registered Plan, and Municipality):

Part Lot 11, Concession 2 Parts 33 to 39 Plan RD No. 52

Type of Planning Application(s) submitted with this form:

- ☐ Consent (severance)
 ☐ Minor Variance  
☒ Zoning By-Law Amendment
 ☐ Plan of Subdivision/Condominium  
☒ Official Plan Amendment

Please answer **Section A** OR **Section B**, depending on the type of servicing available. In the following question, "property" means the subject property or, in the case of a severance, each of the resulting lots.

**Section A** - Where **SANATARY SEWERS** are available. N/A

Is the property within 183 metres (600 feet) of an abattoir (slaughter house)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
--	------------------------------	-----------------------------

**Section B** - Where **SEPTIC SYSTEMS** are required.

The application is for the creation of a new lot for which the primary use will be a new dwelling (other than a new dwelling on a farm). <u>seven existing lots of record</u>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the property less than .4 hectares (1 acre) in area?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the property have less than .2 hectares (1/2 acre) of "useable land" for a septic tank and tile bed? See definition of "useable land" below.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
I am uncertain of the location of the existing septic tank and tile bed on the property.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
There will be more than one dwelling unit on each lot.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
An industrial or commercial use is proposed which will require a septic system.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the property with 183 metres (600 feet) of an abattoir (slaughter house)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
The application is for a new Plan of Subdivision/Condominium	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proceed to <b>Section C</b> .		

"Useable Land" means an area of land with suitable original soil for the installation of a Class 4 subsurface sewage disposal system, free of any buildings, structures swimming pools, etc. and such land is or will be used solely for a septic tank and tie bed and any future replacement of the tile bed, and which area is at least 3 metres (10 feet from any property line, at least 15 metres (15 feet) from a top-of-bank of a watercourse or lake, not located in a flood plain, not located in an environmentally sensitive area, and does not contain field tile or other artificial drainage. (other restrictions may apply according to legislation.)

**Section C - HEALTH UNIT FEES**

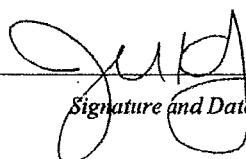
If the answer to any question in Section A or B is "Yes", then Health Unit comments will be required and the appropriate fee must be submitted with your application, as follows:

Type of Application	Health Unit Fee (To be added to the application fee)	Any required Health Unit fee should be added to the application fee and submitted in one payment to the municipality. Where two applications are being processed together (such as a severance and a rezoning) only one fee will apply, being the higher of the two fees.
Official Plan Amendment	\$177.25	
Rezoning	\$124.75	
Minor Variance	\$124.75	
Severance resulting in 2 lots or fewer	\$262.65	
Severance resulting in 3 lots or more	\$499.00	
Plan of Subdivision/Condominium	\$1037.45	

**Note:** Regardless of the results from Section A or B, some applications may require comments from the Health Unit as identified through the planning process. In these cases, the relevant fee shall apply.

Jeff Kints

Name of Owner or Designated Agent

  
Signature and Date

May 22, 2018

To be completed by Municipal Clerk: Has the Health Unit Fee been collected from the applicant?

☐ Yes

☐ No

Amount: \_\_\_\_\_

\_\_\_\_\_  
Name of Clerk-Treasurer

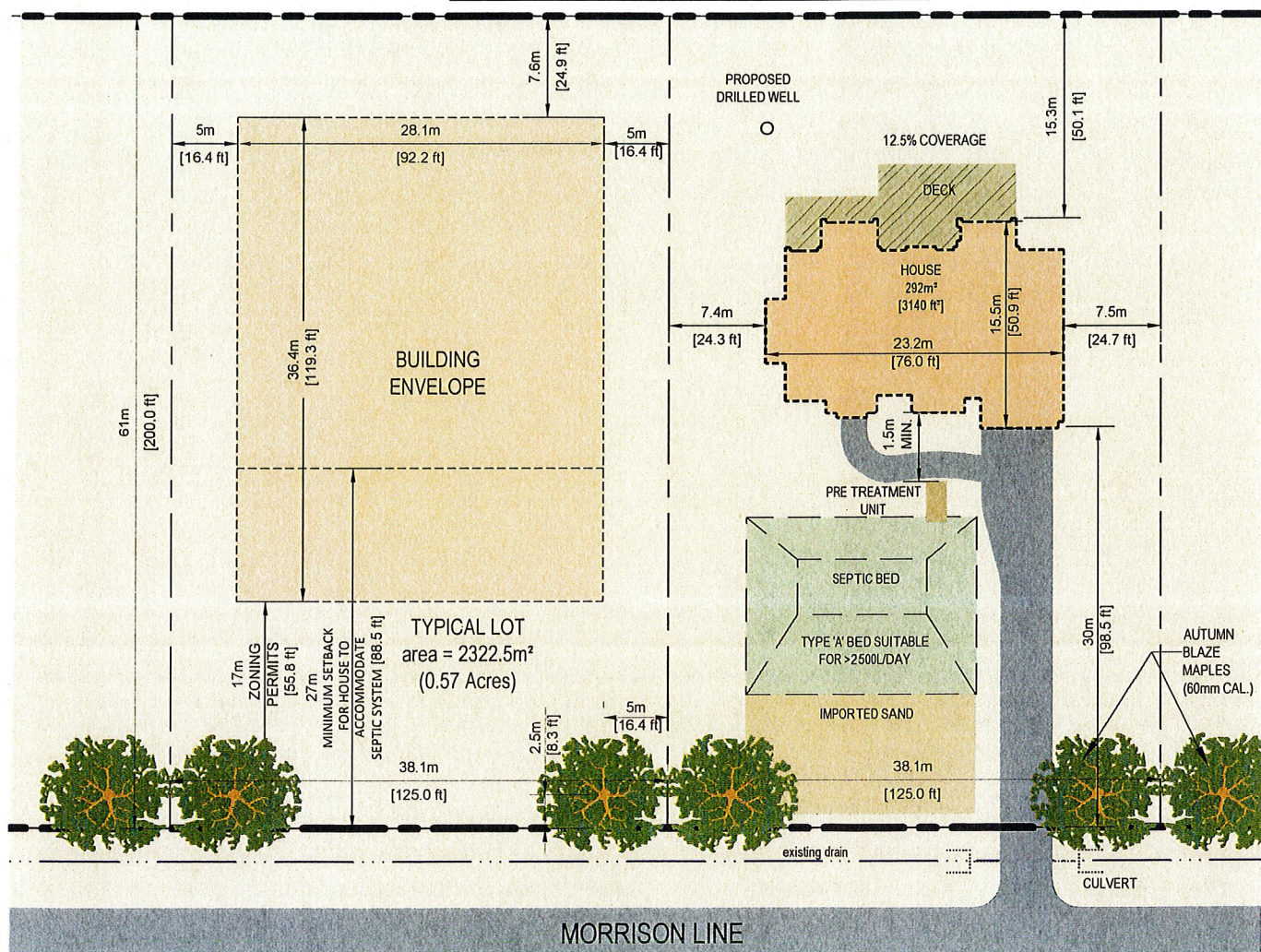


**Summary of Roll Numbers**

<u>Legal Description</u>	<u>Roll Number</u>
Part 33 Plan RD No. 52	401001000201233
Part 34 Plan RD No. 52	401001000201234
Part 35 Plan RD No. 52	401001000201235
Part 36 Plan RD No. 52	401001000201236
Part 37 Plan RD No. 52	401001000201237
Part 38 Plan RD No. 52	401001000201238
Part 39 Plan RD No. 52	401001000201239

TOWNSHIP OF USBORNE ZONING BY LAW  
AGRICULTURAL SMALL HOLDING

AG4 ZONE	REGULATIONS	TYPICAL
LOT AREA	1850m <sup>2</sup> Min. 4Ha Max.	2322m <sup>2</sup>
LOT FRONTAGE	23m Min.	38.1m
FRONT YARD	17m Min.	30m
SIDE YARD	5m Min.	7.4m
EXTERIOR SIDE YARD	17m Min.	N/A
REAR YARD	7.6m Min.	15.3m
LOT COVERAGE	30% Max.	12.5%
BUILDING HEIGHT	12m Max.	1 STOREY
DWELLING UNIT FLOOR AREA	84m <sup>2</sup> Min.	292m <sup>2</sup>
LOT SIZE WITH HOME OCCUPATION OR HOME INDUSTRY	2023m <sup>2</sup> Min.	N/A



NOT A LEGAL SURVEY

SCALE  
1 : 500  
0 2 4 6 8 10m

DRAWN BY B.S.

CHECKED BY T.H.

PROJECT No. 13-2810

PLDT: Jun 16, 2014 - 1:31pm

**TYPICAL LOT & BUILDING FOOTPRINT**  
**CONCESSION 2, LOT 11**  
**MUNICIPALITY OF SOUTH HURON**  
FORMER TOWNSHIP OF USBORNE  
**COUNTY OF HURON**

*mbpc*  
**Monteith + Brown**  
planning consultants  
610 PRINCESS AVENUE  
LONDON, ONTARIO  
N6B 2B9  
Tel. (519) 686-1300  
Fax: (519) 681-1690  
E-mail: mbpc@mbpc.ca

**SOUTH HURON OFFICIAL PLAN  
PROPOSED NEW POLICY**

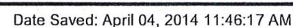
Section 10.0 Recreational is amended by the addition of the following subsection:

---

**“10.8 ‘RECREATIONAL – EXETER GOLF COURSE SPECIAL POLICY AREA**

**Notwithstanding the policies of Section 10.0 to the contrary, lands comprising seven “lots of record” located in part of Lot 11, Concession II (Part 33 through Part 39 inclusive, Plan RD No. 52) as shown on Schedule ‘B’ Land Use Plan and Schedule ‘B2’ Land Use Plan Usborne Ward, may be used for residential purposes and accessory uses as more specifically set out in the Zoning By-law.”**





**MUNICIPALITY OF SOUTH HURON ZONING BY-LAW - PROPOSED NEW  
PROVISION (revised Dec 2018)**

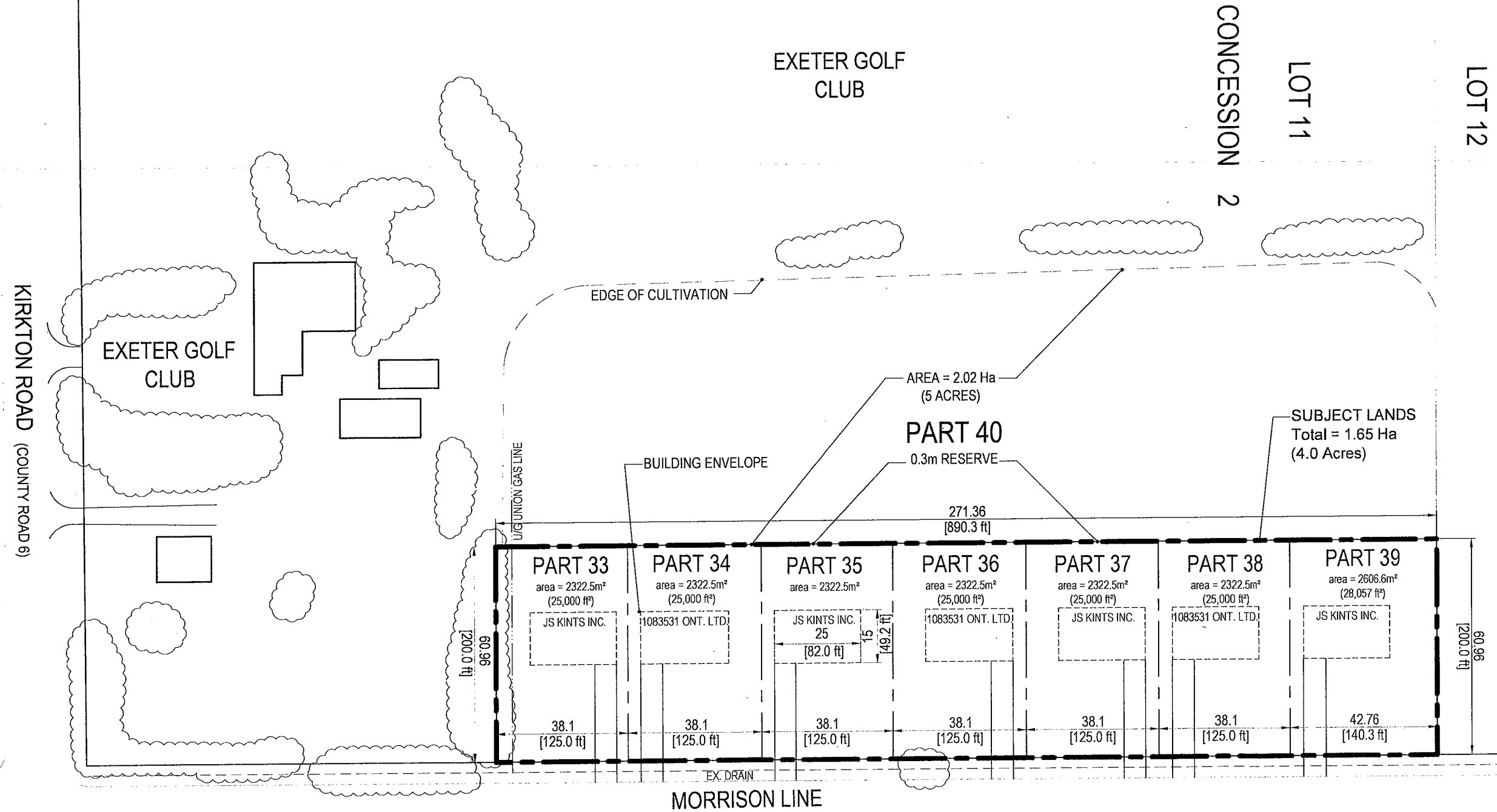
That Section 7.7, being Special Zones of the Agricultural Small Holding (AG4) Zone, is amended by the addition of the following subsection:

**“7.7.30      AG4-30 (per By-law No. \_\_\_\_\_ )**

**Notwithstanding the provisions of the Agricultural Small Holding Zone to the contrary, permitted uses shall be limited to a single detached dwelling and uses accessory to the permitted uses.**

**Notwithstanding the provisions of the Agricultural Small Holding Zone to the contrary, accessory uses shall be limited to a bed and breakfast establishment (maximum of 4 guest rooms), a home industry and a home occupation.**

**Notwithstanding the provisions of the Agricultural Small Holding Zone to the contrary, permitted structures shall be limited to 1 single detached dwelling, buildings and structures for the permitted uses and buildings and structures accessory to the permitted uses.”**



NOT A LEGAL SURVEY

SCALE  
1:1250  
0 10 20m

DRAWN BY B.S.

CHECKED BY T.H.

PROJECT No. 13-2801

PLDT: May 27, 2014 - 1:59pm

EXISTING LOTS OF RECORD  
PART 33 to 39 PLAN RD No. 52, CONCESSION 2, LOT 11  
MUNICIPALITY OF SOUTH HURON  
FORMER TOWNSHIP OF USBORNE  
COUNTY OF HURON

**mbpc**  
Monteith•Brown  
planning consultants  
610 PRINCESS AVENUE  
LONDON, ONTARIO  
N6B 2B9  
Tel: (519) 686-1300  
Fax: (519) 681-1690  
E-mail: mbpc@mbpc.ca

# BOS Engineering & Environmental Services Inc.

46 Donnybrook Road London ON N5X 3C8 Ph: (519) 850-9987 Fax: (519) 663-8057 e-mail: a.bos@sympatico.ca

May 27, 2014

**Att: Mr. Jeff Kints, Huron Produce**

c/o

**Ted Halwa, MCIP, RPP Associate Planner**

**MONTEITH BROWN PLANNING CONSULTANTS**

610 Princess Avenue

**London ON**

**N6B 2B9**

Dear Sir: **RE: On-Site Sewage Servicing for 7- Lot Development, Exeter (South Huron) ON – For Mr. Jeff Kints, Huron Produce Ltd.**

## 1. Background

The subject property is comprised of 7 existing parcels (Parts 33 through 39 of Plan 52) fronting onto the west side of Morrison Line just north of Kirkton Road. The total area is 1.65 ha in size for an average lot size of 0.24ha (0.59 ac).

Based on the work plan identified in a scoping letter dated April 8 2014, investigations were carried out to assess the proposed development in the context of:

1. The Ontario Building Code for wastewater treatment system sizing in respect of house sewage load, minimum setbacks to structures, lot lines and water sources as well as native soil, slopes and anticipated residential sewage loads.
2. Procedure D5-4 of the Ontario Ministry of the Environment regarding attenuation of contaminants to groundwater.
3. Any Municipal By-laws regarding contingency bed requirements.

Since sewage servicing is highly dependent on the native soils and site drainage, subsurface and topographical investigations were completed.

## 2. Existing Subsurface

On April 25<sup>th</sup>, a site visit was carried out, accompanied by a backhoe and operator. Six test pits were formed as indicated on the enclosed drawing. The test pit logs are presented on drawing 1 attached and are summarized below:



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<u>TEST PIT</u>	<u>DEPTH (cm)</u>	<u>SOIL TYPE</u>
<b>TP1</b>	0 - 25	Clay Topsoil
	25 - 69	Br. Silty CLAY (Tested: T >50 min/cm)
	69 - >132	Hard Gr. CLAY (Mottled) (Est : T >50 min/cm )
<b>TP2</b>	0 - 23	Clay Topsoil
	23 - 38	Br. Silty CLAY (Est : T >50 min/cm )
	38 - >183	Hard Gr. CLAY (Mottled) (Est : T >50 min/cm )
<b>TP3</b>	0 - 23	Clay Topsoil
	23 - 46	Br. Silty CLAY (Tested: T >50 min/cm)
	46 - >122	Hard Gr. CLAY (Mottled) (Est : T >50 min/cm )
<b>TP4</b>	0 - 27	Clay Topsoil
	27 - 76	Br. Silty CLAY (Moist) (Est : T >50 min/cm )
	76 - >135	Hard Gr. CLAY (Mottled) (Est : T >50 min/cm )
<b>TP5</b>	0 - 25	Clay Topsoil
	25 - 48	Br. Silty CLAY (Est : T >50 min/cm )
	48 - >145	Hard Gr. CLAY (Mottled) (Est : T >50 min/cm )
<b>TP6</b>	0 - 18	Clay Topsoil
	18 - 38	Br. Silty CLAY (Est : T >50 min/cm )
	38 - >142	Hard Gr. CLAY (Mottled) (Est : T >50 min/cm )

All test pits were consistent. The upper clay topsoil ranged in depth from 18 to 27cm underlain by brown silty clay extending to depths of 38 to 76 cm. The underlying soil was hard grey clay to test pit termination up to 183cm depth. The coefficient of permeability of the grey Clay is low and estimated to be less than  $10^{-7}$  cm/s, while that of the upper brown Clay is not much more permeable at  $10^{-6}$  cm/s.

All test pits were dry. The upper brown silty clay at test pit 4 was observed to be moist as it was located within a surface drainage route.

One soil grain size analysis was conducted on the native clay soil, only to confirm the negligible sand content. The test result is presented in Appendix A.

### 3. Topography

A topographical survey was conducted. The site is undulating and slopes toward the road ditch along the west side of Morrison Line. The road ditch has a "breakpoint" between Parts 37 and 38.

Drainage waters from Parts 33 through 37 drain toward an existing 300mm diameter corrugated steel pipe located between the Parts 35 and 36 that discharges to the east

## BOS Engineering & Environmental Services Inc.

side of Morrison Line. Parts 38 and 39 drain toward the same road ditch that slopes northward along Morrison Line.

The subject lots also accept drainage waters from the westerly agricultural and golf course lands. The extent of the contributing drainage area was not investigated but there are three defined swales for overland flow that enter the subject site, as indicated on Drawing 1.

### 4. Proposed Servicing

The lots are to be serviced by private wells and private on-site wastewater treatment systems. The systems will be designed for municipal approval according to the requirements of the Ontario Building Code (OBC) for systems with *peak daily loading of less than 10,000 L/day*. Such on-site systems are used in unserviced areas and provide primary treatment of effluent for dissipation and dilution into the subsoil and eventually to receiving waters.

Enhanced treatment systems are currently in common use on clay soils to provide improved treatment of wastewater prior to subsurface discharge. The benefits of enhanced treatment also include a smaller footprint (approximately 50% of the footprint of a standard raised bed) and a smaller and slightly lower raised area.

The proposed development will contain seven (7) single-family dwellings. The OBC specifies minimum setbacks from buildings, wells, water tables and property lines that are to be respected in the design.

A concept plan for wastewater servicing and grading is presented on Drawing 1 enclosed. This plan includes assumptions for typical home sizes, characteristics and sewage loads. A typical sewage load of 2500L/day was used in the calculations for sizing the systems, although the indicated septic system footprints are capable of treating 2900 L/day, if enhanced treatment (Level IV treatment) is used. Conventional raised filter beds can also be accommodated in the front yards of these lots for a sewage load of 2500 L/day if house elevations are further raised by approximately 30cm and the bed footprint is extended to the lot lines and driveways.

### 5. Sewage Impact Assessment

In the context of a multi-lot development, municipalities often require assessment of groundwater impacts in accordance with MOE Procedure D5-4. This procedure outlines a multi-step process to gauge the effects of the combined effluent discharges from all of the individual sewage systems in a development, usually based on nitrogen as an indicator of groundwater impact potential.



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### 5.1 Definition of Minimum Lot Size

Generally, if the average lot size is larger than 1.0 ha in size with no lot being smaller than 0.8 ha, then a hydrogeological assessment is not required provided that the area is not hydrogeologically sensitive. Since the lots are smaller, it is necessary to proceed to the next step.

### 5.2 System Isolation Considerations

Where smaller lots than 1.0 ha are proposed, it is necessary to consider the status of isolation of the sewage effluent from the existing or potential supply aquifer. Based on the shallow soils as assessed, it is probable that the supply aquifer is hydrogeologically isolated from the surficial brown clay soils that will receive the sewage effluent. However, review of deeper soil profiles through water well records in the area should be undertaken to verify this.

In reviewing publicly available data in the Groundwater Information Network (*a mapping project coordinated by The Geological Survey of Canada and Natural Resources Canada*), there are four documented wells within 500m of the site and two of these are identified on lands north of the subject property:

- Well 3004662 is 9.75m deep and appears to be unsuccessful in documenting water.
- Well 3003970 is 9.14m deep through 8.6m of clay before reaching a gravel aquifer. Static water depth is 6.71m.

There is also a well on the adjacent upslope golf course:

- Well 3002057 is 7.92m deep through 6.8m of clay before reaching a sand and gravel aquifer. Static water depth is 1.83m.

One well exists near the intersection of Kirkton Road and Morrison Line with the following characteristics:

- Well 3001683 is 10.97m deep through 9.5m of clay before reaching a sand aquifer. Static water depth is 6.1m.

All of these wells document 6.8 to 9.5m of surficial clay before reaching the aquifer. Based on this information, and the negligible permeability of the native soil, ( $<10^{-7}$  cm/s) the aquifer appears to be sufficiently isolated from the impacts of sewage effluent.

Since the documented aquifer appears to be confined, no further analysis is required.

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### 6. Conclusions and Recommendations

1. The water-supply aquifer appears to be isolated from the surface by at least 6.8m of clay that is essentially impermeable.
2. Despite this isolation, it is recommended that all proposed sewage systems on this sloping site be located downslope of the proposed wells on these lots. All setbacks should conform, at minimum, to Ontario Building Code requirements with septic systems located at the fronts of the homes adjacent Morrison Line and Wells located upslope in the rear yards.
3. No assessment of water availability/supply has been conducted. Sufficient groundwater quantity and quality of supply should be verified by others.
4. Although conventional raised beds will fit in the front yards of the lots, the use of enhanced treatment on all lots, as indicated on Drawing 1 will yield environmental benefits by reducing suspended solids, BOD<sub>5</sub> and phosphorus in effluent discharged to the surficial brown clay soils and ultimately to the road ditch and will also allow a smaller bed footprint providing future owners with flexibility for house siting and other amenities.
5. The use of enhanced treatment systems will require regular maintenance and monitoring as outlined in the OBC. Each future homeowner using enhanced treatment will be required to enter a maintenance and monitoring contract with the supplier.
6. Native clay soils will require treatment beds that are raised above existing grades. The finished grade at the fronts of the homes on these lots should generally be raised approximately 1.0m above existing grade to facilitate an aesthetically pleasing treatment bed that would avoid the need for sewage pumping. Driveway grades should generally be 30cm lower than the finished grade across the front of each home.
7. It presently appears that all drainage is surficial toward the road ditch along Morrison Line. The owner is not aware of any municipal drain near the site and to date no response has been received from the Municipality to a recent query in this regard. Conveyance of off-site drainage from westerly lands onto the subject lots should certainly be examined and accommodated within the ultimate development plan.
8. The Chief Building Official confirms that South Huron does not require the designation of a contingency septic bed in development of lots. A lot grading plan and detailed septic system design will of course be required at the building permit stage for each lot.

## BOS Engineering & Environmental Services Inc.

We trust this meets the requirements of our scope of work.

Sincerely,

**BOS Engineering & Environmental Services Inc.**



**Art W. Bos P. Eng.**

Enclosure: Appendix "A" and One D-Size Drawing: "Concept Plan for Onsite Servicing & Grading"

**BOS** Engineering & Environmental Services Inc.

**APPENDIX A**

**SOIL GRAIN SIZE ANALYSIS**

**(SAND FRACTION ONLY)**

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# BOS Engineering & Environmental Services Inc.

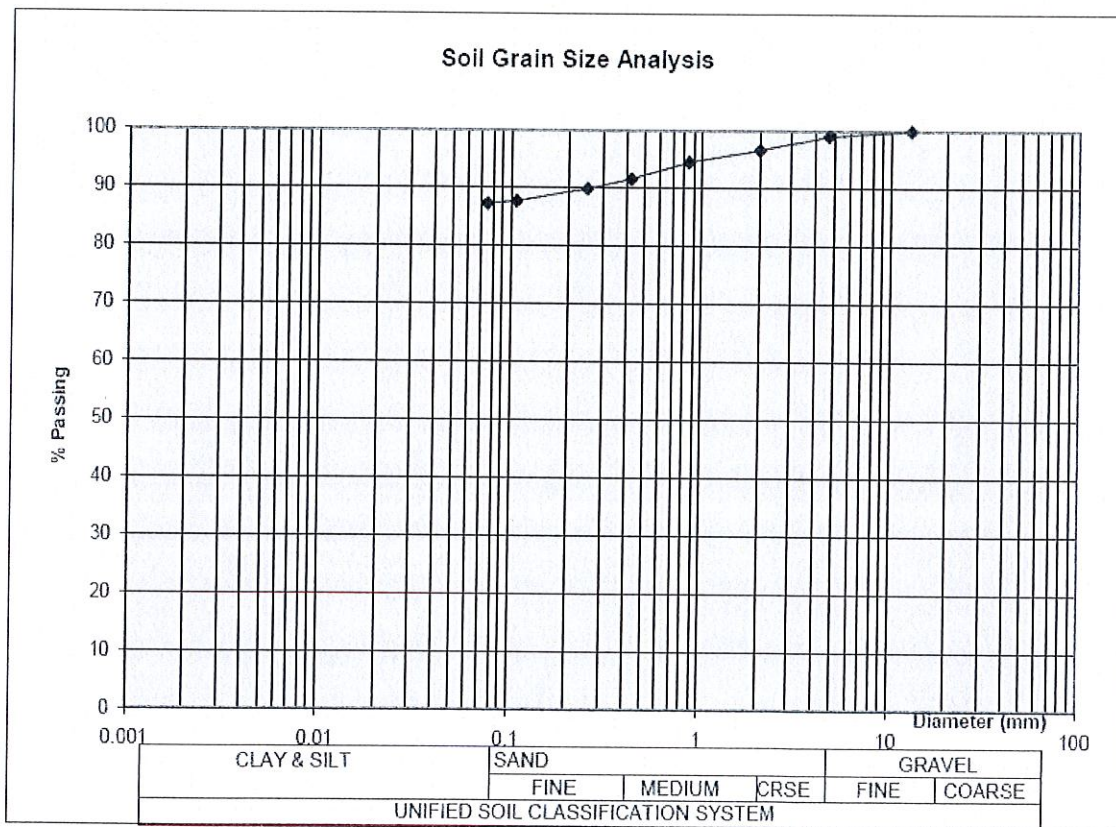
BOS Engineering Environmental Services

Project: Native Soil  
 Test Pit: TP 1  
 Depth: 23 to 69 cm  
 Dry Mass: 199.9 g

Client: Jeff Kints  
 RE: Waste Treatment System  
 Proj. No.:  
 Date: Apr 26/14

## CHART DATA

Sieve No.	Mass	Cum. Mass	Diam. (d)	% Passing
		0	12.7	100
4	1.9	1.9	4.75	99
10	4.8	6.7	2	97
20	4.2	10.9	0.85	95
40	5.9	16.8	0.425	92
60	3.3	20.1	0.25	90
140	4.5	24.6	0.106	88
200	0.8	25.4	0.075	87

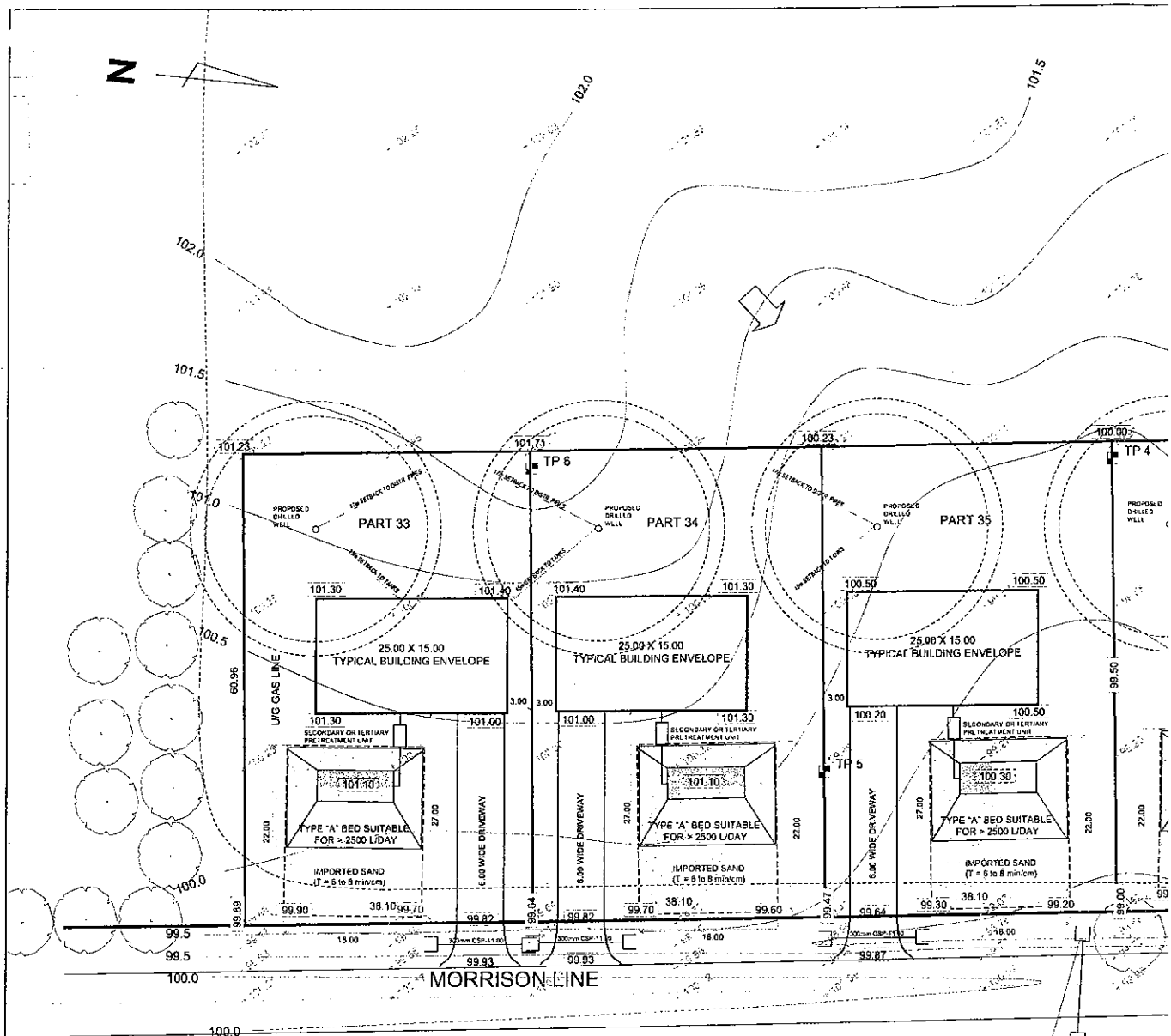


**Unified System Classification:**

**OH Organic CLAY (87% Finer than 200 sieve)**

**Est. Percolation Time:  $T > 50$  min/cm    Coefficient of Permeability  $\approx 10^{-6}$  cm/s**





### TYPICAL NEW HOME CHARACTERISTICS & RELATED SEWAGE SYSTEM DESIGN

THIS PLAN IS NOT FOR BUILDING PERMIT APPROVAL. A SPECIFIC SITE/WASTE/GRADING PLAN IS REQUIRED FOR FINAL HOME DESIGN & LOCATION - FOR BUILDING PERMIT APPROVAL. THIS PLAN PROVIDES ASSUMED TYPICAL APPROVAL ONLY. THE PLAN IS NOT NECESSARILY MEANT TO LIMIT THE PROPOSED BUILDING SIZE OR CHARACTERISTICS TO THE ASSUMED VALUES. IT IS ALSO NOT MEANT TO NECESSARILY LIMIT THE TYPE OF TRE

#### TYPICAL BUILDING SIZE & PLUMBING FIXTURES

ITEM	QTY	LOAD	TOTAL
1. FULL BATHROOM	3	6	18
ADDED INDIVIDUAL ITEMS:			
2. ANY TYPE OF BATH	0	1.5	0
3. FLUSH TANK TOILETS	0	4	0
4a. SHOWER (1 HEAD)	0	1.5	0
4b. SHOWER (2 HEAD)	1	3.0	3.0
5. TOILET DRAIN	1	2.4	3.0
6. LAVATORY (DOMESTIC)	1	1	1.0
7. SINK	0	1	0
8. KITCHEN SINK	1	1.5	1.5
9. DISHWASHER	1	1.5	0.5
10. LAUNDRY TUB	1	1.5	1.5
11. CLOTHES WASHER	1	1.5	1.5
12. DRINKING FOUNTAIN	0	0.5	0
13. GARBAGE GRINDER	0	3	0
<b>TOTAL UNITS</b>			<b>30.0</b>
<b>NO. OF BEDROOMS:</b>			<b>4</b>
<b>TOTAL LIVING AREA:</b>			<b>250m<sup>2</sup></b>

#### WASTE SYSTEM - PEAK LOAD DESIGN CAPACITY FOR THE ASSUMED BUILDING CHARACTERISTICS

MAX. BASE LOAD (4 BEDROOM):	2000
ADD HIGHEST OF 1 OR 2 BELOW:	
1. F. U. OPTION (30 - 20) X 50:	500
2a. L. A. OPTION (250-200)/10 X 100:	500
2b. L. A. ADDED (0 - 400)/10 X 75:	0
2c. L. A. ADDED (0 - 600)/10 X 50:	0
<b>TOTAL (ITEM 2):</b>	<b>900</b>
<b>ADD HIGHEST OF 1, 2 &amp; 3 ABOVE:</b>	<b>500</b>
<b>DESIGN LOAD =</b>	<b>2500 L/DAY</b>

#### TYPE "A" BED SIZING CALCULATIONS FOR SEWAGE LOAD OF 2500 L/DAY

- DESIGN LOAD = 2500 L/DAY (SEE "DESIGN CAPACITY")
- USE ONE FAST TREATMENT UNIT (MODEL 0.9) OR EQUIVALENT TO MEET BMCC APPROVAL FOR 2500 L/DAY. (NOTE: SIGNED MAINTENANCE AGREEMENT REQUIRED)
- MIN. STONE AREA =  $2500 / 75 = 33.3 \text{ m}^2$   
SPECIFIED:  $4.00 \times 10.00 = 40.0 \text{ m}^2$
- MIN. TOTAL SAND CONTACT AREA =  $QT/400 = 313 \text{ m}^2$   
TOTAL SPECIFIED MANTLE FOOTPRINT =  $22.0 \times 18.0 = 396 \text{ m}^2$
- IMPORTED SAND:  $T = 5$  to  $8 \text{ min/cm}$
- SEPTIC TANK INCLUDED IN TREATMENT UNIT CAPACITY.

AS CONSTRUCTED SERVICES

COMPLETION

NO.

REVISIONS

DATE

BY

8 FOR DEVELOPMENT/IMPROVEMENT (WASTEWATER)

21 May 15

AWB

BOS Engineering &amp; Environmental Services Inc.

40 Denison Rd. London Ontario N6C 3C8 Phone: (519) 850-9987 Fax: (519) 663-6037

# Planning Justification Report

## Proposed Residential Development: Exeter Golf Course

Part Lot 11, Concession 2, Usborne Ward, Municipality of South Huron, Huron  
County, ON

**May 2018**

Prepared for:

1803531 Ontario Ltd. & Jeffery Kints  
P.O. Box 880  
Exeter, ON  
N0M 1S6

Prepared by:

  
**Monteith•Brown**  
planning consultants

610 Princess Avenue, London, Ontario, N6B 2B9  
T: (519) 686-1300 | F: (519) 681-1690  
E: jmcguffin@mbpc.ca

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## 1. INTRODUCTION

### 1.1 Purpose

**Monteith Brown Planning Consultants ("MBPC")** has been retained by **1803531 Ontario Limited & Jeffery Kints**, to submit applications, along with supporting planning documentation, to permit the development of seven (7) existing, vacant lots of record in the Municipality of South Huron. An Application for an Official Plan and Zoning By-law Amendment is being filed concurrently with this report, being required to facilitate the development of the lots for residential purposes, namely, the construction of single unit detached dwellings.

The proposed Official Plan Amendment seeks to re-designate the subject lands from 'Recreational' to 'Recreational – Exeter Golf Course Special Policy Area' to permit the proposed single unit detached dwellings, notwithstanding the policies of the Plan which do not otherwise provide for, or allow, dwellings to be erected on existing lots of record on lands designated 'Recreational'. At the same time, a re-zoning of the subject lands is also being applied for from Rural Golf Course (AG5) to "site-specific" Rural Golf Course (AG5-#). This zoning would restrict the permitted use of the lots for residential purposes and accessory uses.

An Official Plan Amendment and Zoning By-law Amendment were originally filed with the Municipality in 2014. Council refused the applications. For the applications now at hand, the most significant difference from the application for an OPA filed in 2014 is the proposal to now change the OP designation to 'Recreational – Exeter Golf Course Special Policy Area' as opposed to 'Agricultural'.

### 1.2 Pre-Application Consultation

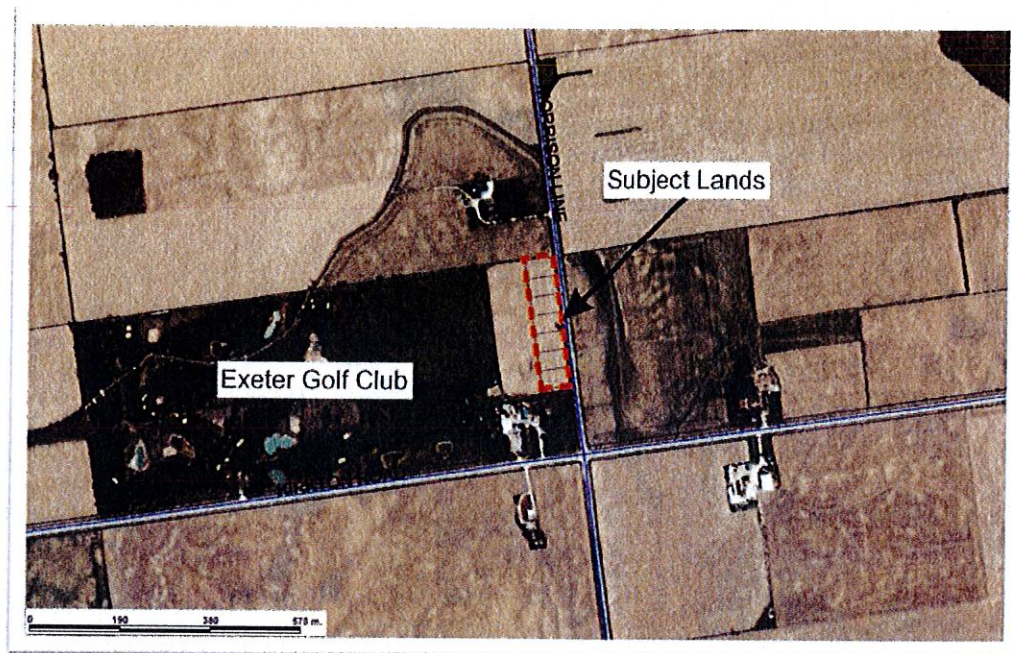
Pre-consultation meetings were held on 10 January 2014 with Ms. Trista Russell and again on 10 January 2018 with Ms. Sarah Smith in the Municipality's offices in Exeter to discuss the existence and status of the lots, the intentions of the owner Mr. Kints, and to identify any relevant issues and/or concerns. Through the discussions, it was concluded that an application for an Official Plan Amendment and a Zoning By-Law Amendment would be necessary.

It was noted that the subject lands were re-designated 'Recreational' in 2014. The 'Recreational' designation recognizes the existing golf course use (Exeter Golf Club) abutting the subject lands to the west, which comprises a separate parcel under different ownership.

### 1.3 Subject Lands

The subject lands are located in the Municipality of South Huron in the former Township of Osborne, situated along the westerly side of Morrison Line north of Kirkton Road. The lands have historically and continue to be cultivated with an area, in total, of 1.65 hectares (4.0 acres), a frontage of 271.4m (890 ft) along Morrison Line and a depth of 61.0m (200 ft). The topography of the subject lands is generally flat. There are no buildings, structures or natural heritage features on the subject lands.





**Figure 1 – Location of the Subject Lands**

*Source: Google Mapping, 2018*

The lots were created on April 3, 1970, prior to subdivision control coming into effect in the former Township of Usborne. Accordingly, their integrity as saleable entities to others has been retained. Additional lots created at the same time and fronting on the north side of Kirkton Road have since merged in title with the Exeter Golf Club. The current owner acquired the subject lands and the abutting Exeter Golf Course in 2013.



**Figure 2 – Location of the Subject Lands**

*Source: County of Huron Mapping*

As shown on Appendix 1, six of the seven lots (Parts 33 to 38) each comprise an area of  $2,322.5\text{m}^2$  (0.6 ac), a frontage of 38.1m (125 ft) and a depth of 61.0m (200 ft). A seventh lot (Part 39) is slightly larger, having an area of  $2,606\text{m}^2$  (0.6 ac), a frontage of 42.8m (140 ft) and a depth of 61.0m (200 ft). The size and shape of the lots is more than sufficient to accommodate a typical contemporary single-detached dwelling (refer Appendix 2). The lots are capable of satisfying all of the development standards of the Agricultural Small Holding (AG4) Zone, being the typical zoning of choice and routinely applied on a wide-spread basis in the rural areas of South Huron. Nevertheless, the application of a "site-specific" Rural Golf Course (AG5-#) zone which would restrict the permitted use of the lots for residential purposes and accessory uses is considered appropriate and would complement the proposed 'Recreational – Exeter Golf Course Special Policy Area' designation in the Official Plan.

The land under cultivation at the east end of Lot 11, Concession 2 amounts to approximately 3.7 ha (9.1 acres) in total of which 1.65 ha comprises the existing lots. The remaining cultivated lands are and would remain under the ownership of the Exeter Golf Club of which Mr. Kints is the principle shareholder.



## 2. LAND USE CONTEXT

### 2.1 Adjacent Land Uses

The subject lands are primarily surrounded, with the exception of the Exeter Golf Club to the west, by agricultural lands which have been largely cleared and are in use for productive farming purposes.

A grain drying and self-storage elevator operation is situated approximately 390 metres southeast of the subject lands. The facility is operated seasonally at all hours. The owner, Rollinlea Farms Ltd (J. & D. McBride), have expressed concerns in the past regarding future noise complaints from the proposed residential development and interference with possible expansion plans. Alternatively, J. & L. Milner (40478 Kirkton Road) have advised that they are not opposed to the proposed development and are of the view that it would not restrict their farm operation. Although it had previously noted that there were several livestock operations in the vicinity of the subject lands, Mr. Kints has advised that there are not. A farm situated north of the subject lands at 70501 Morrison Line is owned by Mr. Kints. The barn situated on this farm is no longer used to accommodate livestock and is now vacant. The barn will either be potentially demolished or, in the alternative, converted for non-livestock purposes.



**Figure 3 – Neighbouring lands**

*Source: Google Mapping*

### 3. PLANNING FRAMEWORK AND ANALYSIS

#### 3.1 Provincial Policy Statement

The Provincial Policy Statement 2014 ("PPS") provides policy direction on matters of provincial interest related to land use planning and development. Any decision by a planning authority that requires approval under the Planning Act, "shall be consistent with" policy statements issued under the Act. The relevant PPS policies in this instance are identified as follows:

*"prime agricultural areas shall be protected for long-term use for agriculture"[Section 2.3.1]  
"....long-term economic prosperity should be supported by ... providing opportunities to support local food, and promoting the sustainability of agri-food and agri-product businesses by protecting agricultural resources, and minimizing land use conflicts"  
[Section 1.7.1(h)].*

In the above-noted context, we note that PPS states:

*"the Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation....**There is no implied priority in the order in which the policies appear....Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.***

*1.7.1 Long-term economic prosperity should be supported by:*

*h) providing opportunities to support local food, and promoting the sustainability of agri-food and agri-product businesses by protecting agricultural resources, and minimizing land use conflicts.*

We submit that the policies of PPS pertaining to the need to protect prime agricultural areas are not applicable to the applications at hand insofar as the subject lands are already situated in a designated 'Recreational' area. In fact, the Ontario Municipal Board, in other instances, has noted that under such circumstances lands may not necessarily be considered part of the 'prime agricultural area' given the non-agricultural designation placed on them (Case No. PL1611281 - Thompson Orchards, Municipality of Chatham Kent, 2018).

The issue in this instance is one of potential land use compatibility, not the protection of prime agricultural land. Land use compatibility will always be an issue in rural areas and is unavoidable. The established presence of the golf course and its operation as such for a considerable period of time without documented complaint from neighbouring agricultural operations (of which we are aware) suggests to us that this formed part of the basis for applying the 'Recreational' designation to the subject lands in the first place.

While the Provincial Policy Statement (PPS) 2014 and its predecessors do not specifically address development on existing lots of record in prime agricultural areas, it has been generally understood and widely accepted in practice that such lots legally exist and are not prohibited



outright from being developed. Indeed, the Official Plan of the Municipality of South Huron explicitly recognizes lots of record and permits their development for residential purposes. The protection afforded to the agricultural land base and agricultural operations in the rural area must be balanced equally and considered against all other policies of the PPS and, on this basis, the applications for official plan amendment and zoning by-law amendment are consistent with the Provincial Policy Statement.

### **3.2 County of Huron Official Plan**

Under the County of Huron Official Plan, the subject lands are located in a prime agricultural area. Section 1.2 states that the *"policies and actions [of the County OP] are general policies and are provided as guidelines."*

The agricultural policies of the County OP (Section 2.3), refer only to lot creation with respect to non-farm related development in prime agricultural areas and not existing lots or previously created lots of record. While the plan states that *"Non-farm development will be directed to settlement areas."* [Section 2.3(6)], this policy and the ensuing policies speak directly to new lot creation for non-farm related uses in designated agricultural areas and not existing lots of record in designated recreational areas. Historically speaking, the County Official Plan has not to our knowledge prohibited the development of existing lots of record in Huron County.

Other references to "development" in agricultural areas use language that is less prescriptive. For example, the Plan states that, *"development should be directed to urban areas (...)"* [Section 2.2] which suggests that there is opportunity within the framework of the County Plan to permit future development on existing lots of record where no new lots are proposed to be created.

On this basis, we are of the view that the intent of the County of Middlesex Official Plan is capable of being maintained.

### **3.3 Municipality of South Huron Official Plan**

The subject lands were re-designated from 'Agriculture' to 'Recreational' as depicted on Schedule 'B' and 'B2' through the process of the Municipality's 5-Year Official Plan Review. The resulting amendment was approved by the County of Huron and came into effect on February 25, 2014. As residential uses are not permitted within the 'Recreational' designation, it is proposed that the designation of the subject lands be changed to 'Recreational – Exeter Golf Course Special Policy Area'.

A 'Special Policy Area' designation would effectively identify the subject lands as comprising a unique situation -- providing for limited residential development confined to the existing lots of record only and subject to any additional development controls deemed necessary by the Municipality. Such a designation would not be the first such application or approach, with the Klondyke Special Policy Area being noted on the OP lands use plan schedules.

Policies for a 'Special Policy Area' designation are typically applied in 'site-specific' instances where the application of existing OP policies would not accurately reflect or convey the intent of the Municipality with respect to the future use of the land. A 'Special Policy Area' designation would be considered in situations where the change in land use is site specific and is appropriate given the mix of uses in the area. It would also be appropriate in instances where the change in land use is site specific and the lands are located in an area where the Municipality wishes to

maintain an existing land use designation while allowing for a site-specific use. Such a 'Special Policy Area' would also be appropriate in situations where policies are required to restrict the range of permitted uses, or to restrict the scale and density of development normally permitted in a particular designation.

While the existing lots in this case are in a non-agricultural (i.e. 'Recreational') designation, the criteria applied to residential lots in designated agricultural areas (Section 4.4.3) is considered valid for the purposes of assessing the appropriateness of their use for residential purposes.

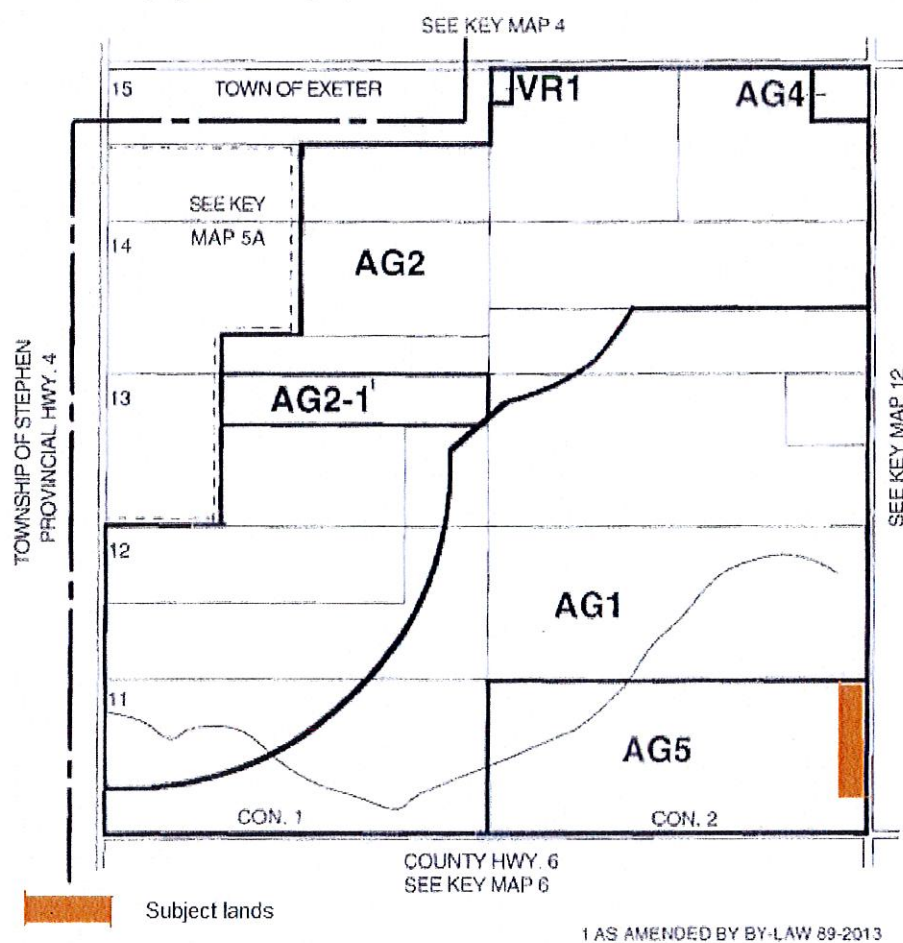
- a) compliance with Minimum Distance Separation (MDS) requirements.  
*based on information provided to us by the owner, there are no livestock buildings in the vicinity of the subject lands. A barn situated on abutting lands to the north also owned by the proponent is proposed to be either demolished or converted.*
- b) connection to municipal water and/or sewage services If municipal water and/or sewage available.  
*connections not available.*
- c) Where municipal water and/or sewage services not available, soils to be suitable for sewage disposal and an adequate supply of potable water is available, in accordance with the Ontario Building Code.  
*technical reports previously filed (BOS Engineering & Environmental Services Inc. dated May 27, 2014 and Wilson Associates dated May 30, 2014), both of which support suitability for on-site sewage disposal system and the availability of an adequate supply of potable water.*
- d) The site is suitable for residential construction.  
*lots are adequately sized for low-density single-detached dwellings. There are no apparent physical constraints to development.*
- e) The site satisfies the criteria of the Conservation Authority, including applicable regulations to the Conservation Authorities Act.  
*subject lands are not located within the Conservation Authority's Regulation Limit, and development, therefore, is not subject to approval by the ABCA.*
- f) The site is able to obtain safe access to an open public road.  
*existing lots front onto Morrison Line -- an open hard-surfaced public road under the jurisdiction of the Municipality of South Huron and maintained year-round. Morrison Line runs straight and flat in this area. There are no apparent traffic related safety issues (i.e sight lines) and no known access restrictions. It is acknowledged that new entrances would have to be constructed in compliance with the Municipality's minimum design standards for new entrances.*

Based on this analysis, the proposed Official Plan Amendment and Zoning By-Law Amendment would conform to the South Huron Official Plan.



### 3.4 Township of Usborne Zoning By-law

The lands are currently zoned Rural Golf Course (AG5) [Schedule "A" Key Map 5 of the Township of Usborne Zoning By-Law No. 013-84].



The subject lands comprise existing Lots of Record defined in of the Zoning By-Law as:

*(...) a lot or parcel of land that can be legally conveyed and which includes lots on registered plans of subdivision, parcels created by consent in accordance with the Planning Act, or any other distinct and separate holding, the deed to which is registered in the Land Registry Office and which lot or parcel of land was legally created prior to the date of passing of this By-Law."* (Section 2.85)



To permit their development for residential purposes in conformity with the proposed Official Plan Amendment, a rezoning to "site-specific" Rural Golf Course (AG5-#) would seem appropriate to restrict the permitted use of the lots for residential purposes and accessory uses. As depicted in the table below, the existing lots of record are readily capable of satisfying all of the standards of the AG4 zone – being the zoning typically applied to rural residential lots.

**Table 1: Summary of Existing and Proposed Zoning Regulations**

Regulations	Existing AG4 Zone	Proposed AG5-# Zone
Min. Lot Size	1,850m <sup>2</sup>	2,323m <sup>2</sup>
Max. Lot Size	4.0ha	4.0ha
Min. Lot Frontage (m)	23.0m	38.1m
Min. Front Yard (m)	17.0m	17.0m
Min. Interior Side Yard (m)	5.0m	5.0m
Min. Exterior Side Yard (m)	17.0m	17.0m
Min. Rear Yard (m)	7.6m	7.6m
Max. Lot Coverage (%)	30%	30%
Max. Building Height (m)	12.0m	12.0m
Min. Dwelling Unit Floor Area	84.0m <sup>2</sup>	84.0m <sup>2</sup>

#### 4. PROPOSED PLANNING APPROVALS

At this time the proponent wishes to advance an Application for Official Plan Amendment and Application for Zoning By-law Amendment. Based on the analysis provided in Section 3 of this report, the need for additional planning approvals has not been identified at this particular time.

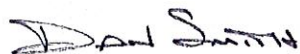
## 5. CONCLUSION

Based on our review and analysis, the proposed applications for Official Plan Amendment and Zoning By-law Amendment are consistent with the policies of the 2014 Provincial Policy Statement and would maintain the general intent and purpose of both the County of Huron Official Plan and Municipality of South Huron Official Plan. The applications would maintain the general intent and purpose of the Township of Usborne Zoning By-law.

Of particular note is the fact that the subject lands comprise existing lots of record. The lots were legally established almost 50 years ago and all are conveyable. They are not lots on a registered plan of subdivision (within the meaning of the Planning Act) and are not, therefore, candidates for "deeming" under Section 50(4) of the Act. If the Province was truly concerned with respect to the disposition of such existing lots throughout the rural area which were created in such a manner, it is presumed that the Planning Act would have been amended years ago to allow municipalities the ability to "deem" such lots in the same manner as they are able to deal with lots on a registered plan of subdivision. Such has not been the case.

Respectfully Submitted,

**MONTEITH BROWN PLANNING CONSULTANTS**



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Dan Smith, MA  
Senior Planner

[dsmith@mbpc.ca](mailto:dsmith@mbpc.ca)

DS:jmc



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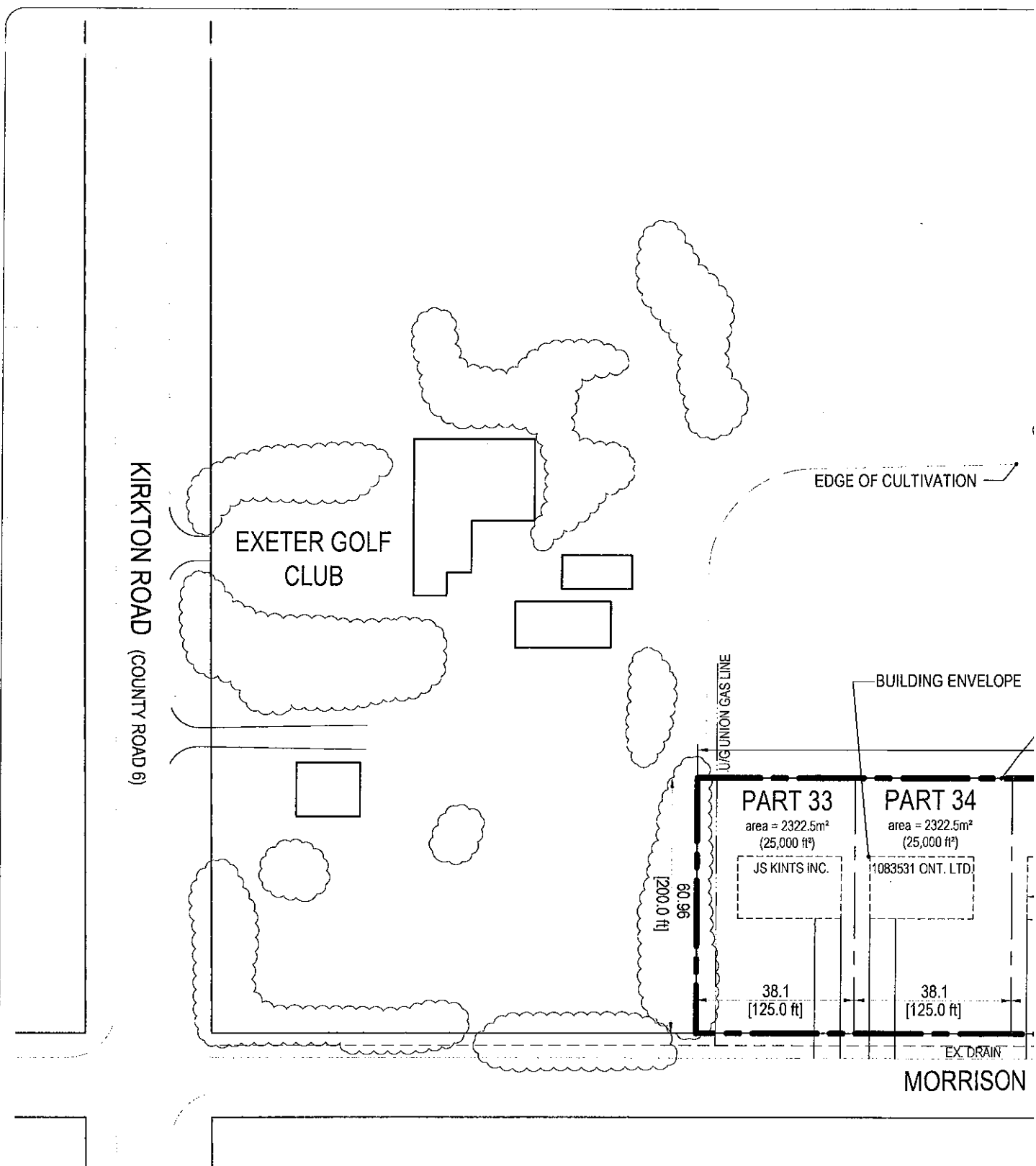
Jay McGuffin, MCIP, RPP  
Vice President, Principal Planner

[jmcguffin@mbpc.ca](mailto:jmcguffin@mbpc.ca)

## APPENDIX 1

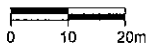
EXISTING LOTS OF RECORD  
PART 33 to 39 PLAN RD No. 52, CONCESSION 2, LOT 11  
MUNICIPALITY OF SOUTH HURON

---



SCALE

1 : 1250



DRAWN BY B.S.

CHECKED BY T.H.

PROJECT No. 13-2801

PLDT: May 27, 2014 - 1:59pm

EXISTING LOTS  
PART 33 to 39 PLAN RD No. 5  
MUNICIPALITY OF  
FORMER TOWNSHIP  
COUNTY OF



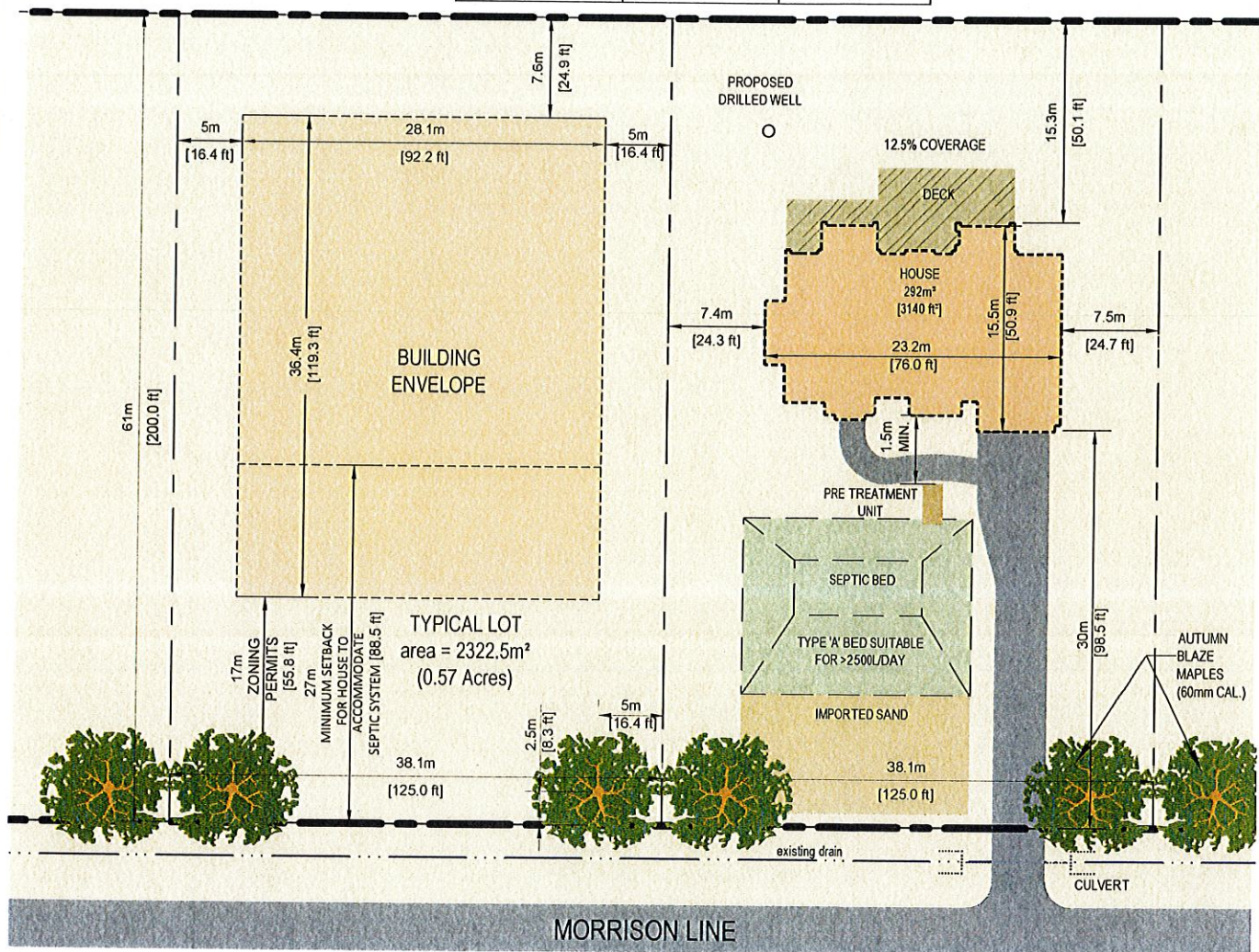
## APPENDIX 2

TYPICAL LOT & BUILDING FOOTPRINT  
CONCESSION 2, LOT 11  
MUNICIPALITY OF SOUTH HURON

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TOWNSHIP OF USBORNE ZONING BY LAW  
AGRICULTURAL SMALL HOLDING

AG4 ZONE	REGULATIONS	TYPICAL
LOT AREA	1850m <sup>2</sup> Min. 4Ha Max.	2322m <sup>2</sup>
LOT FRONTAGE	23m Min.	38.1m
FRONT YARD	17m Min.	30m
SIDE YARD	5m Min.	7.4m
EXTERIOR SIDE YARD	17m Min.	N/A
REAR YARD	7.6m Min.	15.3m
LOT COVERAGE	30% Max.	12.5%
BUILDING HEIGHT	12m Max.	1 STOREY
DWELLING UNIT FLOOR AREA	84m <sup>2</sup> Min.	292m <sup>2</sup>
LOT SIZE WITH HOME OCCUPATION OR HOME INDUSTRY	2023m <sup>2</sup> Min.	N/A



NOT A LEGAL SURVEY

SCALE

1 : 500



DRAWN BY

B.S.

CHECKED BY

T.H.

PROJECT No.

13-2810

PLDT:

Jun 16, 2014 - 1:31pm

TYPICAL LOT & BUILDING FOOTPRINT  
CONCESSION 2, LOT 11  
MUNICIPALITY OF SOUTH HURON  
FORMER TOWNSHIP OF USBORNE  
COUNTY OF HURON

Monteith•Brown  
planning consultants

610 PRINCESS AVENUE  
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Ian D. Wilson Associates Ltd.  
since 1974

Tel: 519.233.3500  
Fax: 519.233.3501

P. O. Box 299  
Clinton, Ontario  
N0M 1L0

May 30, 2014

Mr. Ron Hopper  
W.D. Hopper & Sons Ltd.  
R.R. #2  
Seaforth, Ontario  
N0K 1W0

# Wilson Associates

Consulting Hydrogeologists

Dear Mr. Hopper:

Re: Analysis of Well Yield Potential  
J.S. Kints Inc. Residential Lots, Morrison Line North of Kirkton Road  
Lot 11, Concession 2, Municipality of South Huron (Usborne)

Seven undeveloped residential lots are located on the west side of Morrison Line, approximately 100m north of Kirkton Road. As requested, we have reviewed local geological conditions, local well records and the results of a contractor's pumping test on a new drilled well located on the northernmost lot to provide comment on the probable well yield potential for the seven lots.

## **SITE SETTING AND GEOLOGICAL SETTING**

The seven lots each have a frontage on Morrison Line of between 38 and 43m, and a depth of about 100m. The lots are currently cleared and mainly in agricultural use. Lands surrounding the site are mainly in agricultural use except for the Exeter Golf Club to the immediate west. The lots exhibit a relatively flat relief.

The lots are located within the Horseshoe Moraines physiographic region of southern Ontario, which locally consists of two lower-profile morainic ridges which generally parallel the shore of Lake Huron. The Ontario Geological Survey Map 2366 "Quaternary Geology of the St. Mary's Area" describe the upper soils at the lots as Rannoch Till, a clayey to silty glacial till.

According to regional water well records, the overburden in the vicinity of the site is likely about 30m deep. The upper overburden (i.e. the upper 6 to 9m) is reported to consist mainly of fine-grained deposits described as clay. The intermediate overburden (i.e. between 9m and 17m) consists of a sequence of granular (i.e. sand and/or gravel) deposits and fine-grained deposits. The lower overburden is regionally reported to be mainly fine-grained.

The bedrock beneath the site consists of limestone and dolostone of the Detroit River Group.

The vast majority of local water wells are completed in granular deposits of the intermediate overburden. The bedrock aquifer is typically regionally viable, but locally utilized by relatively few wells due to the ready availability of groundwater in the intermediate overburden.

## **LOCAL WELL RECORDS**

There are six reported water wells plotted in the Ministry of the Environment water well record database within 500m of the seven lots, including the new on-site well and a new well located at the golf course to the immediate west. The following provides a summary of the reported well record data for these six wells:

Number of wells: 6  
 Drilled Construction: 2  
 Dug/Bored Construction: 4  
 Completed in Bedrock: none  
 Completed in Overburden: 7

	Maximum	Minimum	Average
Well Depth (m)	16.6	7.9	12.3
Well Yield (L/min)	189	15	59
Test Period (Hours)	1.5	1	1.1

### **Reported Water Quality:**

Fresh: 6 (no objectionable tastes or odours)  
 Sulphurous: none  
 Mineralized: none  
 Not Reported: none

Number of "dry": wells: none

The average well within 500m of the lots is completed in the intermediate overburden aquifer to a depth of 12.3 metres and yields 59 litres of fresh-quality water per minute over a period of at least 1.1 hours. This average yield significantly exceeds the maximum water demand of a four bedroom home specified by the Ontario Building Code (2000 litres/day). As such, based on information contained in the Ministry of the Environment water well record database, there is a high likelihood that wells with adequate yield for domestic use can be completed on the seven lots.



**ON-SITE WELL**

An on-site well was drilled by W.D. Hopper & Sons Ltd. on the northernmost lot during May 2014 and subjected to a contractor's pumping test on May 27, 2014. The following provides a summary of well construction details and the results of the pumping test:

**Contractor's Log of Formations Penetrated**

<u>Depth (m)</u>	<u>Materials</u>
0 - 0.3	topsoil
0.3 - 3.7	brown clay
3.7 - 8.5	grey clay
8.5 - 9.1	grey clay with stones
9.1 - 10.7	brown gravel
10.7 - 14.6	grey clay with stones
14.6 - 16.6	brown stones with gravel
16.6 - 18.4	grey clay with stones

Water was reported to have been located in the brown stones with gravel between 15.2 and 16.5m below grade.

**Casing Record:**

Total Length:	16.1m
Setting:	0.6m above grade to 15.4m below grade
Diameter:	15.88cm ID
Wall Thickness:	0.48cm
Material:	steel

Well Screen: 16.5cm OD, pipe-sized 20-slot stainless steel screen set from 15.4m to 16.6m. 15.88cm ID sump pipe installed below the well screen from 16.6 to 18.4m.

Annular Seal: Bentonite set from grade to 9.1m below grade.  
Imported #2 sand pack set 9.1m to 16.8m below grade

The new well on the northernmost lot was subjected to a 1 hour contractor's pumping test by W.D. Hopper & Sons Ltd. at 20 L/min on May 27, 2014. Water levels were observed in the well on a regular basis during pumping and for a 30 minute period of recovery after pumping ceased.

Attached is a semi-logarithmic plot of the test results showing the drawdown of the water level in the well versus the elapsed time from the start of pumping and residual drawdown versus the ratio of time from the start of pumping to the time from the end of pumping (ratio  $t/t'$ ). The pumping test data are also attached.

The water level in the well lowered 0.82m during the first minute of pumping at 20 litres per

minute, and after some normal pumping rate corrections, assumed a gradually moderating downward trend. After about 40 minutes of pumping, a steady shallow downward trend was established, this trend lasting the remainder of the pumping test.

The final water level in the well was 12.82m below grade. Maximum drawdown was 7.45m, which represents 74 percent of available drawdown (10.08m) in the well above the screen.

Following the conclusion of pumping, the water level rose to 0.37m below the original static water level (95% recovery) within 30 minutes of the conclusion of the pumping test. An extrapolation of the residual drawdown plot indicates that full recovery will have occurred between 45 and 60 minutes after the conclusion of pumping. A total of about 1,200 litres of water were pumped from the well during the 1 hour pumping test.

The following provides a summary of the well testing results:

	North Lot Well
Date of Test	May 27, 2014
Static Water Level (m below grade)	5.37
Final Water Level Drawdown (m)	7.45
Pumping Water Level (m below grade)	12.82
Pumping Rate (L/min)	20
Duration	1 hour
Specific Capacity (L/min/m)	2.7
Available Drawdown Above Well Screen (m)	10.08
Percent Available Drawdown Used	74%
Extrapolated Drawdown at 100 minutes (or 2000L)	7.85
Extrapolated Percent Available Drawdown Used at 100 minutes	78%
Coefficient of Transmissivity ( $m^2/day$ )	2.9
Safe Yield (L/min)	20L/min

- Notes:
1. The coefficient of transmissivity was calculated using the Cooper and Jacob modified non-equilibrium method using an assumed drawdown of 1.85m/log cycle (drawdown slope between 40 and 60 minutes).

An extrapolation of the pumping test results to 2,000 litres (the Ontario Building Code maximum design flow for a 4-bedroom residence) indicates that 78% of available drawdown would be used after pumping the well at 20L/min continuously for 100 minutes, and therefore the well will be capable of supplying maximum day design flow. Based on the rapid recovery of the water

level after the pumping test, it is anticipated that full recovery after pumping 2,000L from the well will also occur within 100 minutes. Domestic wells are rarely used at maximum day design flow, and normal pumping periods (early morning and evening) are separated by extended periods of recovery.

The available information indicates that wells completed in the intermediate overburden aquifer will function more than adequately as domestic supply wells on a normal supply-demand basis. It should be cautioned that while a well yield of 20L/min (5gpm) is fully adequate for normal domestic use, the wells completed on-site may not be viable for more intensive uses, such as pool filling, extended lawn watering, open-loop heat pumps, etc...

The intermediate overburden aquifer is the most commonly utilized aquifer in the area, and the north lot well has demonstrated that this aquifer is viable on the site. As discussed above, the bedrock aquifer is a regionally viable alternative aquifer, but is rarely locally utilized due to the ready availability of groundwater in the intermediate overburden.

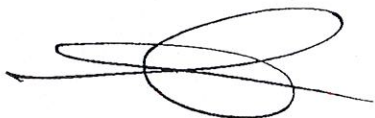
### **SUMMARY**

1. A review of local water well records and the results of the drilling and contractor's testing of an on-site well indicates that the potential for completing a viable water well on each of the seven lots on Morrison Line is very good.
2. Most local wells are completed in the intermediate overburden (i.e. between 9 and 17m) and it is anticipated that most, if not all future wells will be completed in the same aquifer. The bedrock aquifer is a viable regional alternative, should unanticipated site-specific geologic conditions on any particular lot indicate that the intermediate overburden aquifer is not present.
3. Based on local well records and the results of the on-site pumping test, well yields will be more than adequate for normal domestic use. Wells completed on-site may not be viable for more intensive uses, such as pool filling, extended lawn watering, open-loop heat pumps, etc...

Should there be any questions regarding the above information, please do not hesitate to contact this office.

Yours sincerely,

**IAN D. WILSON ASSOCIATES LIMITED**

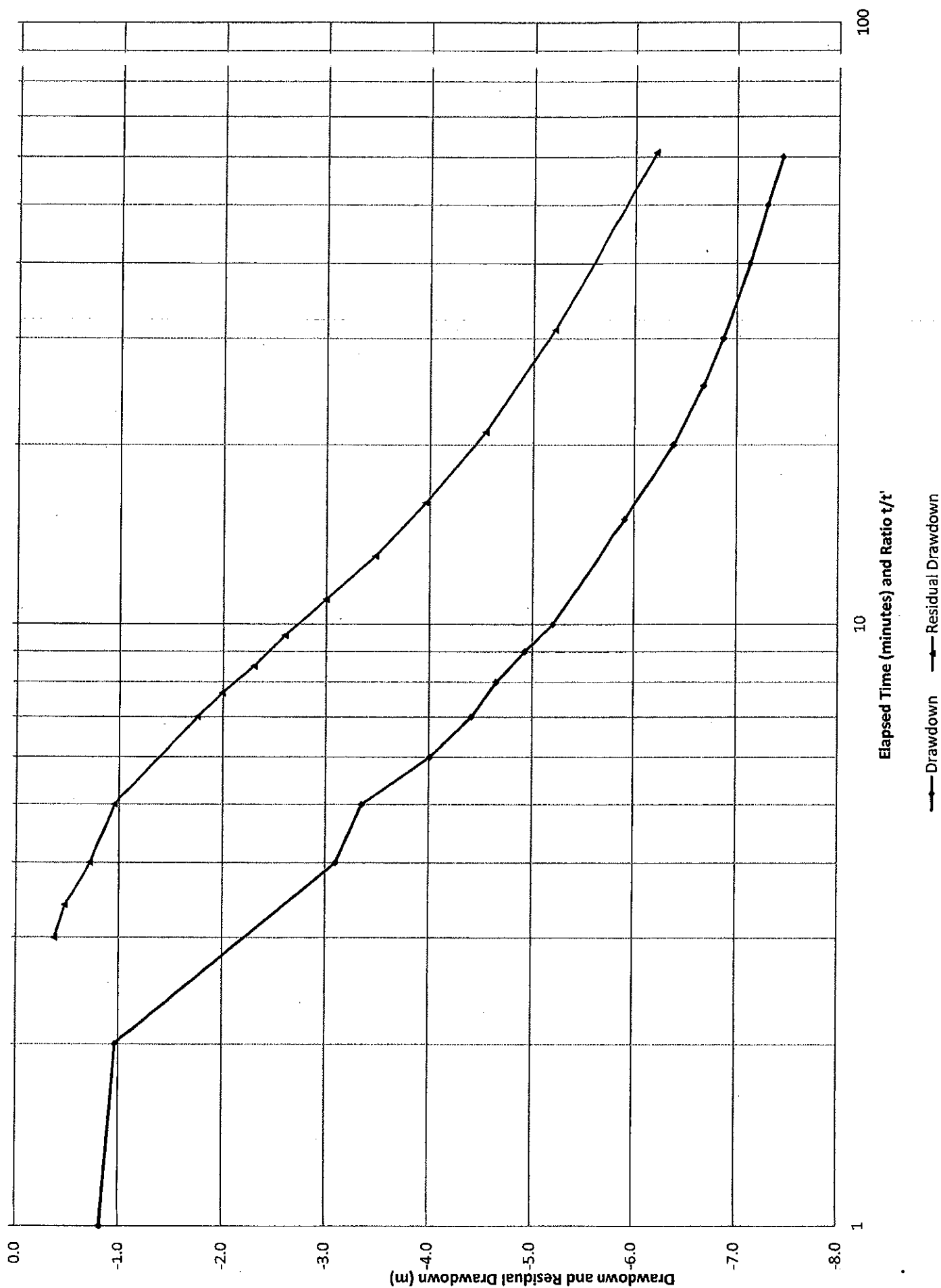


Geoffrey Rether, P.Geo.





J.S. Kints Inc. Property - North Lot Well Test



Pumping Test Data  
J.S. Kints Inc.  
Well on North Lot

Date of Test: 27-May-14  
Static Water Level: 5.89m below top of casing  
Measuring Point Elevation: 0.52m (top of casing)  
Pumping Rate: 20L/min

Elapsed Time (minutes)*	Recovery Elapsed Time (minutes)	Pumping Water Level (m)	Recovery Water Level (m)	Water Level Drawdown (m)	Residual Drawdown (m)
0		5.89		0.00	
1		6.71		-0.82	
2		6.85		-0.96	
4		8.99		-3.10	
5		9.24		-3.35	
6		9.90		-4.01	
7		10.30		-4.41	
8		10.54		-4.65	
9		10.82		-4.93	
10		11.09		-5.20	
15		11.79		-5.90	
20		12.27		-6.38	
25		12.56		-6.67	
30		12.76		-6.87	
40		13.02		-7.13	
50		13.19		-7.30	
60		13.34		-7.45	
61	1		12.09		-6.20
31	2		11.10		-5.21
21	3		10.43		-4.54
16	4		9.85		-3.96
13	5		9.36		-3.47
11	6		8.89		-3.00
9.6	7		8.49		-2.60
8.5	8		8.19		-2.30
7.7	9		7.88		-1.99
7	10		7.64		-1.75
5	15		6.84		-0.95
4	20		6.61		-0.72
3.4	25		6.36		-0.47
3	30		6.26		-0.37

Note: \* Recovery shown as ratio  $t/t'$


 Ministry of  
the Environment

Well Tag N Tag#: A154458

A154458

## Well Record

Regulation 903 Ontario Water Resources Act

 Measurements recorded in: ☐ Metric ☒ Imperial

Page 1 of 1

## Well Owner's Information

 First Name: J.S. KINTS INC. Last Name / Organization: E-mail Address: ☐ Well Constructed by Well Owner  
 Mailing Address (Street Number/Name): Municipality: Province: ONT. Postal Code: Telephone No. (inc. area code):

## Well Location

 Address of Well Location (Street Number/Name): Township: USBORNE Lot: 11 Concession: 02  
 County/District/Municipality: HURON City/Town/Village: Province: Ontario Postal Code:  
 UTM Coordinates: Zone: 17 Easting: 463314 Northing: 4797725 Municipal Plan and Sublot Number: Other:

## Overburden and Bedrock Materials/Abandonment Sealing Record (see instructions on the back of this form)

General Colour	Most Common Material	Other Materials	General Description	Depth (m/ft)
BLACK	TOPSOIL			0 To 1
BROWN	CLAY			1 To 12
GREY	CLAY			12 To 28
GREY	CLAY	STONES		28 To 30
BROWN	GRAVEL		MED.	30 To 35
GREY	CLAY	STONES		35 To 40
BROWN	STONES	GRAVEL	LOOSE	40 To 54.5
GREY	CLAY	STONES	PACKED	54.5 To 80.5

Annular Space			
Depth Set at (m/ft)	Type of Sealant Used (Material and Type)	Volume Placed (m <sup>3</sup> /ft <sup>3</sup> )	
0 To 30	BENTONITE	60GA	
30 To 55	#2 SAND		

Method of Construction		Well Use	
<input type="checkbox"/> Cable Tool	<input type="checkbox"/> Diamond	<input type="checkbox"/> Public	<input type="checkbox"/> Commercial
<input type="checkbox"/> Rotary (Conventional)	<input type="checkbox"/> Jetting	<input type="checkbox"/> Domestic	<input type="checkbox"/> Municipal
<input type="checkbox"/> Rotary (Reverse)	<input type="checkbox"/> Driving	<input type="checkbox"/> Livestock	<input type="checkbox"/> Test Hole
<input type="checkbox"/> Boring	<input type="checkbox"/> Digging	<input type="checkbox"/> Irrigation	<input type="checkbox"/> Cooling & Air Conditioning
<input type="checkbox"/> Air percussion		<input type="checkbox"/> Industrial	
<input type="checkbox"/> Other, specify:		<input type="checkbox"/> Other, specify:	

Construction Record - Casing				Status of Well	
Inside Diameter (cm/in)	Open Hole OR Material (Galvanized, Fibreglass, Concrete, Plastic, Steel)	Wall Thickness (cm/in)	Depth (m/ft)	From	To
6.25	STEEL	.168	42	50.5	
6.25	STEEL	.188	54.5	60.5	

Construction Record - Screen				Status of Well	
Outside Diameter (cm/in)	Material (Plastic, Galvanized, Steel)	Slot No.	Depth (m/ft)	From	To
8.5	STAINLESS	20	50.5	54.5	

Water Details		Hole Diameter	
Water found at Depth (m/ft)	Kind of Water: <input type="checkbox"/> Fresh <input type="checkbox"/> Untested	Depth (m/ft)	Diameter (cm/in)
50-54	<input type="checkbox"/> Gas <input type="checkbox"/> Other, specify:	0 To 60.5	8
Water found at Depth (m/ft)	Kind of Water: <input type="checkbox"/> Fresh <input type="checkbox"/> Untested		
Water found at Depth (m/ft)	Kind of Water: <input type="checkbox"/> Fresh <input type="checkbox"/> Untested		

## Well Contractor and Well Technician Information

Business Name of Well Contractor: W. D. Hopper and Sons Ltd. Well Contractor's Licence No.: 2804

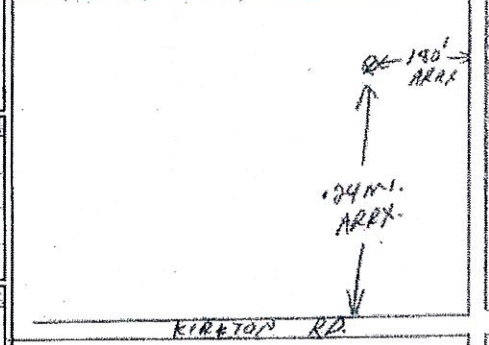
Business Address (Street Number/Name): RR#2, #32 Huronway Rd. Municipality: Saxforth

 Province: Ont. Postal Code: N0K1W0 Business E-mail Address: whopper@co.on.ca  
 Bus. Telephone No. (inc. area code): 5195212737 Name of Well Technician (Last Name, First Name): ALLAN HOPPER  
 Well Technician's Licence No.: 2576 Signature: [Signature] Date Submitted: 28/05/2014

Results of Well Yield Testing					
After test of well yield, water was:		Draw Down		Recovery	
<input checked="" type="checkbox"/> Clear and sand free		Time (min)	Water Level (m/ft)	Time (min)	Water Level (m/ft)
<input type="checkbox"/> Other, specify		Static Level	17.8		
If pumping discontinued, give reason:		1	20.3	1	38
Pump intake set at (m/ft)		2	24.04	2	34.7
50		3		3	32.5
Pumping rate (l/min / GPM)		4	27.8	4	30.8
5		5	28.8	5	29
Duration of pumping		6	34.7	6	23.4
1 hrs + min		10	36.9	10	20.7
Final water level end of pumping (m/ft)		15	38.5	15	19.9
42.1		20	39.5	20	19.2
If flowing give rate (l/min / GPM)		25	40.2	25	18.9
Recommended pump depth (m/ft)		30	41	30	
50		40	41.8	40	
Recommended pump rate (l/min / GPM)		50	42.1	50	
5		60		60	
Well production (l/min / GPM)					
5					
Disinfected?					
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					

## Map of Well Location

Please provide a map below following instructions on the back.



Comments:

Well owner's information	Date Package Delivered	Ministry Use Only
<input type="checkbox"/> Yes	Y Y Y Y M M D D	Audit No. Z 178172
<input checked="" type="checkbox"/> No	Date Work Completed	
	28/05/2014	



## PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677 Toll Free: 1.888.524.8394 Ext. 3  
www.huroncounty.ca

### Official Plan Amendment and Zoning By-law Amendment Report to Municipality of South Huron Council

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Re: Official Plan Amendment Application (SHu D09-OPA 14)  
Zoning By-law Amendment Application (SHu D14-Z14/2018)

Location: Concession 2, Lot 11, Usborne Ward  
Applicant: Monteith Brown Planning Consultants, c/o Jay McGuffin  
Owner: J.S. Kints and 1803531 Ontario Ltd.

This report is submitted to South Huron Council for Public Meeting on January 7<sup>th</sup>, 2019

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### RECOMMENDATION

That South Huron Council should **refuse to adopt** the Official Plan Amendment and **deny** the Zoning By-law Amendment application as submitted, for the following reasons:

1. Development of a strip of residences in the South Huron prime agricultural area and Recreational designation is not consistent with the Provincial Policy Statement, and does not conform with the Huron County Official Plan or South Huron Official Plan;
2. Approval of this application would direct development away from Exeter and other South Huron Settlement areas, resulting in less efficient use of significant infrastructural investment made in the Municipality as this development is proposed on individual private services;
3. The request for a Special Policy Area is not warranted and these lands and should be protected for Recreational purposes as they have been designated for in the South Huron Official Plan.
4. There was a previous decision of South Huron Council to prohibit residential strip development in this location.

### PURPOSE AND EFFECT

The applicant proposes to construct seven (7) future residential dwellings fronting on Morrison Line on the property known as the Exeter Golf Club (Concession 2, Lot 11, Usborne Ward). The seven lots are approximately 0.6 acres each with frontage on Morrison Line ranging from 38 to 42 metres each.

Given that the South Huron Official Plan and the South Huron Zoning By-law do not permit the proposed dwellings, the applicant requests to amend the South Huron Official Plan to



re-designate the lands from Recreational to Recreational Exeter Golf Course Special Policy Area, and rezone the lands from RC3-1 (Recreational Commercial Special Provisions) to AG4-30 (Agricultural Small Holding Special Provisions) to permit residential dwellings, and accessory buildings and structures on individual private septic systems and wells.

This Official Plan Amendment and Zoning By-law amendment propose to amend the Municipality of South Huron Official Plan, and the South Huron Zoning By-law, #69-2018.

## **HISTORY OF APPLICATION AND PUBLIC MEETING**

It should be noted that at the time this original application was submitted, the Township of Usborne Zoning By-law #13-1984 was in effect. A public meeting was advertised for September 17<sup>th</sup>, 2018, but at the applicant request due to scheduling, this meeting was canceled and a notice of deferral of public meeting was distributed. In November 2018, the applicant sent formal correspondence to the Municipality requesting the application be brought forward for consideration in the New Year (2019). Since the original application was scheduled for Public Meeting on September 17<sup>th</sup>, 2018 the South Huron Zoning By-law #69-2018 was approved by Council and is now considered full force and effect; the existing Township of Usborne Zoning By-law #13-1984 was repealed. The applicant made modification to the OPA/ZBLA application form seeking a zone change under South Huron Zoning By-law #69-2018, no changes were made to the original Official Plan Amendment request. Formal Notice of Rescheduled Public Meeting was advertised and circulated per the Planning Act advertising a Public Meeting for January 7<sup>th</sup>, 2019 which outlined the requests being made under this application. This report has been prepared for South Huron Council consideration for the advertised January 7<sup>th</sup>, 2019 Public Meeting. At this time, South Huron Zoning By-law #69-2018 is considered the applicable Zoning By-law for the Municipality and this application is considered under this document.

## **BACKGROUND**

The following summary is provided to outline the history of this parcel, and also to provide a brief history of a previously submitted application for Official Plan Amendment and Zoning By-law Amendment for the subject lands.

**1970:** On April 3, 1970, Mr. A. Westcott created 39 “parts” around the periphery of his golf course. This was done without the benefit of any planning process or approval by the Township of Usborne Council. It was done by a method called “checkerboarding”, before part-lot control came into effect later that year.

**1980:** Mr. Westcott and his agent, Mr. N. Pearson, requested that the Township of Usborne Secondary Plan be amended to designate the 39 parts “Residential”. The Township of Usborne denied the application.

**1980-1984:** The owner of the golf course pursued various legal challenges at the Ontario Municipal Board and Supreme Court of Ontario. At no point in the process did the zoning change to permit residential development.

**2008:** Mr. and Mrs. Mason, owners of the Exeter Golf Club property, met with the Planning and Development Department to inquire as to whether the 39 “Parts” could be used as residential building lots. The Planning Department confirmed in writing that new residential development is not permitted by the Rural Golf Course zone.

**2013:** The Exeter Golf Club was acquired by J.S. Kints Inc. Thirty-two of the 39 parts were merged with the rest of the golf course properties. Seven parts in the “checkerboard” pattern remain along Morrison Line.

**2014:** September 8, 2014 South Huron Council deferred a decision for application submitted by J.S. Kints to change the Official Plan Designation from Recreational to Agricultural and change the zoning from Rural Golf Course (AG5) to Small Agricultural Holding (AG4). South Huron Council deferred their decision on the file to provide the applicant more time to review the legal history of the property.

*Summary of Legal History (included in Staff report to South Huron Council dated September 30, 2014)*

*On August 28, 2014, staff were contacted by a neighbour who said that, between 1980 and 1984 a group of farmers had gone to court to oppose residential development in this location. On September 1-3, staff searched for this information in our archives for a combined period of four hours. Typically, files of this age have been destroyed. However, one remaining by-law file, By-law #6-1980, did contain some relevant information.*

*A lawyer's letter in the file outlines the following points: By-law #6-1980 was passed by South Huron Council in order to further prohibit residential development on the subject property. The Supreme Court of Ontario eventually quashed By-law #6-1980 because notice was not provided in a manner deemed acceptable. However, the judge also stated that such a by-law was not required to begin with because the existing by-laws of the municipality already prevented residential development on the subject lands.*

*An OMB case was also started but eventually dismissed in 1985 because the applicants had abandoned their application.*

The application was brought back to South Huron Council through a report dated September 30, 2014. South Huron Council denied the application and request for change to Official Plan designation and Zoning By-law Amendment. The application proceeded to Huron County Council where the request was also denied.

**2018:** A combined Official Plan Amendment and Zoning By-law Amendment application

was received and circulated for Public Meeting on September 17<sup>th</sup>, 2018. As noted in the application background above, this Public Meeting was canceled at the request of the applicant. A rescheduled Public Meeting Notice was circulated and advertised a Public Meeting for January 7<sup>th</sup>, 2018. Since the original public meeting notice, South Huron Zoning By-law #69-2018 has come into full force and effect, and the Township of Usborne Zoning By-law #13-1978 has been repealed. At this time, South Huron Zoning By-law #69-2018 is considered the applicable Zoning By-law for the Municipality of South Huron.

**Figure 1: Aerial View of Subject Lands**



**Figure 2: Panoramic Photo of Subject lands.**



## **APPLICATION REVIEW**

*Provincial Policy Statement (PPS), 2014*

The subject lands are located within the prime agricultural area of the Municipality of South

Huron. Under the PPS, agricultural areas are to be protected for long-term use for agriculture, including agricultural uses, agricultural-related uses and on-farm diversified uses. Residential growth, and residential uses not directly related to agriculture are to be directed to existing serviced areas including identified Settlement Areas. The PPS states that Settlement Areas shall be the focus of growth and development.

The subject lands are designated Recreational. The Provincial Policy Statement recognizes the importance of recreational uses and directs that local municipalities should plan for and maintain a sufficient supply of recreational areas. In 2014 the Municipality underwent an update to the South Huron Official Plan. The Exeter Golf Course lands were included in the Recreational designation historically. The subject lands along Morrison Line were included in the Recreational area, it was the Municipality's intention to retain these areas under the Recreational designation setting aside land for Recreational uses. The seven proposed residential lots are not accessory to the existing golf course use.

#### *Huron County Official Plan*

The subject lands are located outside of a designated Settlement Area; under the Huron County Official Plan, growth and development will be directed primarily to Settlement Areas with full Municipal services. Under the Plan, Recreational areas include trailer parks, campgrounds, and golf courses. The Plan states that these areas rely on recreational activity and do not contain a full range of uses, do not permit continuous year-round accommodation, and are not Settlement Areas. The Plan recognizes the importance of recreational areas which provide recreational opportunities for all age groups and abilities.

#### *South Huron Official Plan and General Application Review*

The South Huron Official Plan states that Agricultural lands shall be protected (s. 4.4.9). Non-Agricultural development shall be directed to locate in Settlement Areas. The South Huron Official Plan directs growth first to Primary Settlement areas with municipal sewer and water services ensuring the efficient use of servicing investments and infrastructure (s. 7.3). South Huron has invested in water and sewer servicing improvements in Exeter, Crediton and Centralia; this amendment would direct growth away from Settlement Areas and require individual private septic systems and wells for each parcel.

The entire property, including the golf course and the subject lands are designated Recreational. Under the Official Plan, Recreational development includes campgrounds, tennis courts, and recreational commercial uses such as golf courses. South Huron's Recreational designation recognizes and protects the potential for commercial recreational developments. There is no policy support for the development of existing lots of record for residential uses in the Recreational designation. Residential lots are not permitted under the Recreational Designation.



The application submitted proposes a site specific Recreational Exeter Golf Course Special Policy Area. A Special Policy Area can be implemented in certain cases where detailed directions for land use, infrastructure, and natural features etc. are warranted. South Huron currently only has one Special Policy Area which covers the Klondyke Agriculture area, located in the southwest of Stephen Township (along Mollard Line). This Special Policy Area recognizes the Klondyke agricultural area, while recognizing the existence of flood hazard and flood prone areas, and outlines related policies specific to this area.

For the subject application, there is no tie between the proposed residential uses and the golf course or existing recreational use, the provision of seven residential lots in the agricultural area would not meet today's policies, and there is limited justification in the application materials for the requirement of a Special Policy Area. The request made for the Special Policy Area in the planning justification report is "to reflect or convey the intent of the Municipality". The Recreational Official Plan designation applicable at present, which has been maintained on this property historically, and denial of the previous application for Official Plan Amendment and Zoning Amendment, indicates the intent of the Municipality to maintain these lands for Recreational purposes. The department would disagree with the support or need of a Special Policy Area, and the request of same is being asked as a way to recognize a use that is not permitted in the Official Plan or Zoning By-law.

South Huron's Official Plan states that recreational development will be planned to protect prime agricultural land and minimize adverse effects on the agricultural community and economy (s. 10). Minimum Distance Separation (MDS) is a requirement to ensure adequate setbacks from nearby livestock operations. When the 2014 application was submitted, the owner of a nearby livestock barn (north of subject property) had concern with the application, and based on MDS calculations none of the proposed dwellings could satisfy the required MDS setback to this barn. Under this current application, it is understood the nearby barn is no longer being used for livestock so the MDS potential is not existent at present. It is also recognized that the existing golf course use poses a limiting factor for proposed livestock uses in this area. Regardless, this application would still introduce non-farm uses which does not meet the policies or direction for agricultural areas in the Municipality; agricultural areas are to be preserved and protected for agriculture and agricultural related uses.

Potential impact from odour and nuisance to nearby residential uses based on normal farm practices, i.e. spreading of manure on fields, dust etc. should also be considered. Although the golf course is a public use, the occupancy of same is based on hours of operation and customers can leave the facility if surrounding agricultural practices are not favourable. The potential effect on seven permanent residential uses can be less favourable than a use with temporary occupancy. Further, there is evidence through aerial photography that the property to the southeast of this site has made investment in the existing drying/self-storage

elevator operation over the years. Increased residential uses under the current proposal could lead to noise complaints from new residents to an existing permitted use which runs seasonally and all hours of the day. This is further indication why residential development should be directed to existing settlement areas where similar uses are predominant, and that agricultural areas be preserved for agricultural uses.

Municipal staff have noted concern regarding safe drinking water for this development with the preferred solution being an extension to Municipal services, but that pressure and flow are limited in this area, and fire protection would require upgrades to existing services. It was noted sanitary services are not available in the vicinity of the development. Traffic concerns relate to multiple proposed driveways at this location, and that a speed reduction zone in the vicinity of the proposed development would likely be required.

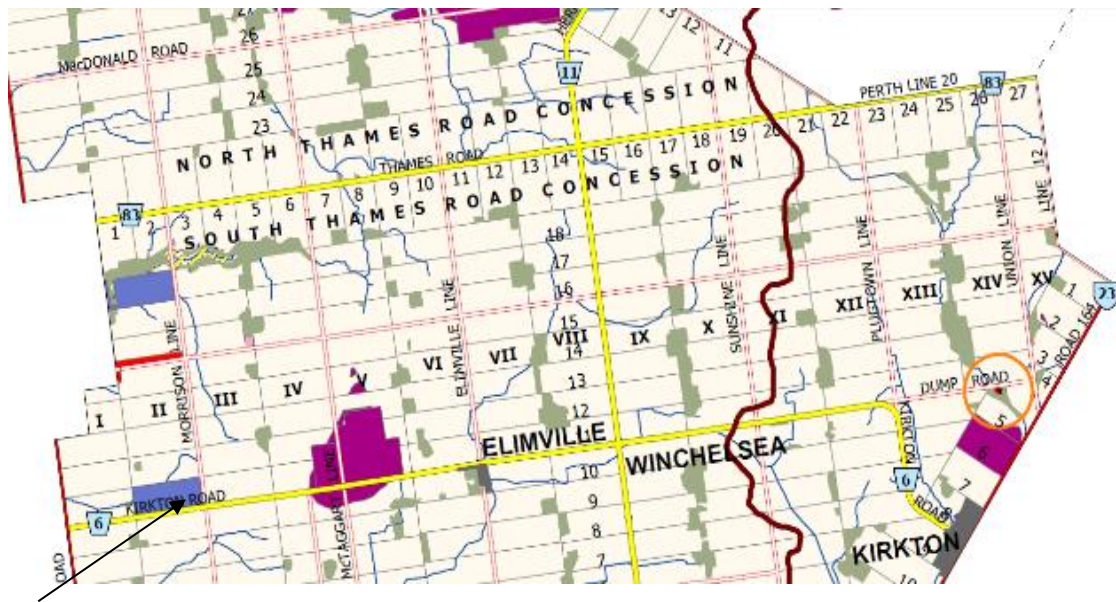
There were supporting studies included with the application materials that propose each lot be serviced by an individual septic system and well. Although the study indicates that servicing is achievable on these properties, the lot sizes existing are small compared to current day standard and would cause concern for creation if they were proposed today. Further, in the 2014 application, it was noted that outstanding technical details would need to be further addressed if the application were to be approved, the same considerations are applicable to the current proposal. Stormwater management and drainage, well and water supply and safety, and individual sewage systems would need to be reviewed and sized appropriately for the development and subject lands. Access and safety measures would need to be reviewed regarding obtaining safe access to Morrison Line, and potential costs with culvert maintenance and replacement would need to be reviewed.

#### *South Huron Zoning By-law 69-2018*

The subject lands are zoned in their entirety as Recreational Commercial Special Provisions (RC3-1) in the South Huron Zoning By-law. The RC3-1 zone permits a golf course, an (1/one) accessory dwelling and limited agricultural uses. The RC3-1 zone does not permit detached dwellings as a main permitted use.

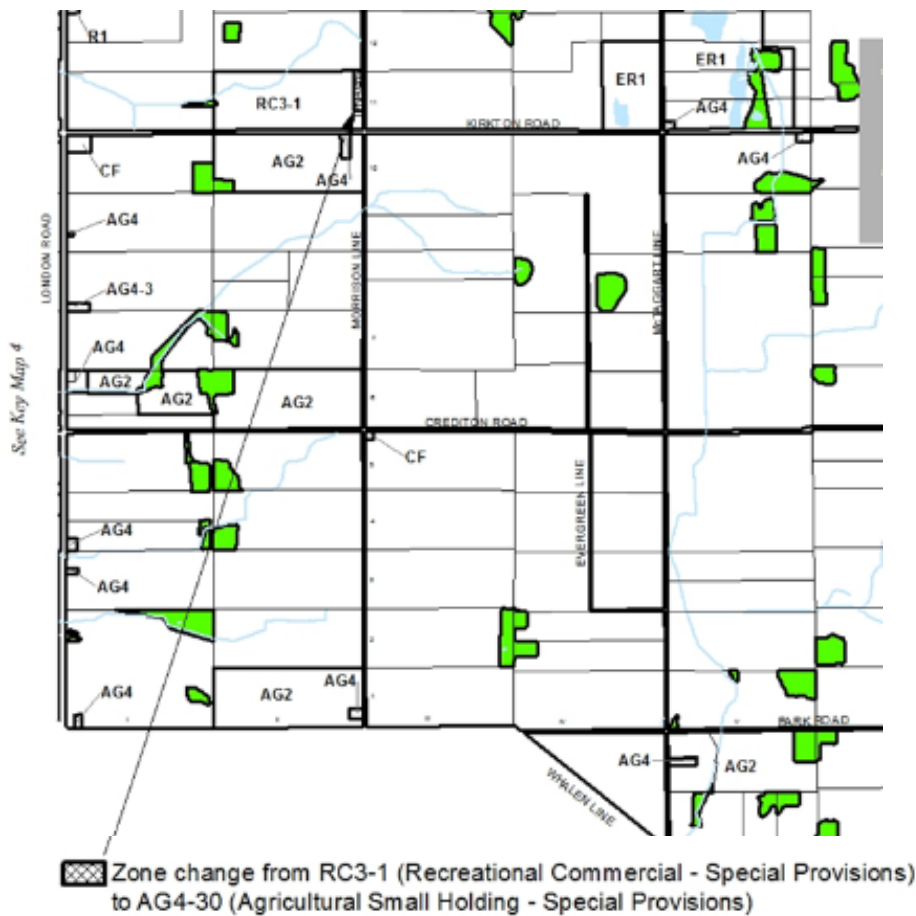
The applicant proposes to rezone to an Agricultural Small Holding Zone with special provisions (AG4-30) to permit dwellings as a main permitted use. Standard zone provisions in the AG4 zone are proposed by the applicant. As noted previously there is no connection to the use existing on the west of the property, nor provisions under the Recreational designation that would warrant development of seven residential lots in this area through a site specific zoning.

**Figure 3: Excerpt from South Huron Official Plan Schedule B (Usborne Ward)**



Concession 2, Lot 11 (Exeter Golf Club), designated Recreational

**Figure 4: Excerpt of South Huron Zoning By-law #69-2018**



## STAFF AND AGENCY COMMENTS

South Huron staff were circulated on the application and proposed zoning amendment. Applicable commenting agencies as required for the proposed application, and subject lands were also circulated notice. Public were notified under the requirements of the Planning Act. At the time of the original notice of Public Meeting one verbal comment was received from the neighbour to the east requesting clarification of the application; general comments were made regarding current uses of their property in relation to this proposal. Formal written comments were received from a neighbor which have been included as an Appendix to this report for information. Also during the original notice of Public Meeting circulation, an inquiry was received from Ministry of Municipal Affairs and Housing asking for additional clarification on the application and requests within. MMAH noted they had no further comments upon review of the relevant Official Plan policies and understanding the Planning Recommendation being made.

This report has been prepared in advance of the advertised rescheduled public meeting. I will be in attendance at the rescheduled public meeting to answer questions from Council and the public on this Official Plan and Zoning By-law amendment application.

Sincerely,

“original signed by”

Sarah Smith  
Planner



## APPENDIX 1: Letter from Neighbour

**Sarah Smith**

---

**From:** John Miner <miner.js@gmail.com>  
**Sent:** September 11, 2018 5:07 PM  
**To:** Sarah Smith  
**Subject:** Golf course zoning - John and Laurel Miner  
**Attachments:** Golf course zoning - John and Laurel Miner.docx

Sarah Smith, planner, Huron County

Please find attached our submission re: the proposal to change the zoning and official plan to allow residential development adjacent to the Exeter Golf Course. Let me know if you receive this.

Thank you,

John and Laurel Miner

-----  
 Re: Official Plan Amendment File #SHu OPA14  
 Zoning By-Law Amendment File #SHu D14-Z14/2018

After reviewing the application to permit construction of seven single-family homes on a strip of land across the road from our farm operation, we feel it is necessary to clarify our position.

We oppose the development that would in essence create a new hamlet in a prime agricultural area, bringing with it the potential for increased land use conflict and restrictions on farm activities.

Our farm has traditionally been a livestock operation and we currently cash crop the land with our son-in-law. Although we demolished the cattle and sheep barn a few years ago, given the precarious nature of agricultural commodity prices, we wish to retain the option of returning to livestock production, if not for ourselves, for the next generations.

We support the wisdom in the existing South Huron Official Plan that specifies non-farm uses should be directed to locate in urban designated areas to minimize conflicts in the agricultural areas. Similarly, the County of Huron Official Plan states the goal of the community is to give agriculture priority over other uses in agriculture areas. "Development should be directed to urban areas, unless it is an agricultural related use."

Fortunately, there are estate lots available for sale in an attractive area inside Exeter.

Ontario's Provincial Policy Statement, adopted in 2014, stipulates prime agricultural areas shall be protected for long-term use. The statement prohibits creation of new lots in prime agricultural areas except for agricultural uses, agriculture-related use, and for a residence that is surplus to a farming operation as a result of farm consolidation.

We note that the seven lots in question, as addressed by the municipality's planner when a development application was rejected by council four years ago, have never been zoned to allow residential development. Creation of the lots, according to the municipal planner's presentation at the time, was done without benefit of any planning process or approval by the Township of Usborne council.

We also note the land being proposed for residential development, although attached to the golf course, has remained in agricultural production. Given that Ontario lost 20 percent of its farmland to development between 1976 and 2016, we urge council to continue to directly protect farmland and prevent the fragmentation of rural areas.

Thank you,  
 John and Laurel Miner  
 40478 Kirkton Road, RR 1  
 Centralia, Ontario N0M 1K0

--  
 John Miner

**Sarah Smith**

---

**From:** John Miner <miner.js@gmail.com>  
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**Subject:** Golf course zoning - John and Laurel Miner  
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Thank you,  
 John and Laurel Miner  
 40478 Kirkton Road, RR 1  
 Centralia, Ontario N0M 1K0

--

John Miner

(519) 868-6345 (cell)  
(519) 229-6131 (office)

For office use only	File # <u>D14-18-18</u>
Received <u>December 05</u> , 20 <u>18</u>	
Considered Complete <u>December 17</u> , 20 <u>18</u>	

MUNICIPALITY OF South Huron**Application for Official Plan and/or Zoning By-law Amendment****A. THE AMENDMENT****1. TYPE OF AMENDMENT?**

\_\_\_\_\_ Official Plan [ ]      Zoning By-law No. 69-2018 [X] Both [ ]

a) Name of Official Plan to be amended: \_\_\_\_\_

b) Name of Zoning By-law to be amended: Municipality of South Huron Zoning By-law

**2. WHAT IS THE PURPOSE OF AND REASONS FOR THE PROPOSED AMENDMENT(S)?**

This amendment is to modify the special provisions applicable to this parcel under Zoning  
By-Law 69-2018 and related AG4-25 special provisions from 243m setback to 210m setback

**B. GENERAL INFORMATION****3. APPLICANT INFORMATION**

a) Registered Owner's Name(s): Brad & Darlene Borland

Address: 39770 Huron Street West, Exeter ON N0M 1S4 - RR#1

Phone: Home 519 235-3496 Work ( ) Fax ( )

Email: darlene.borland@sympatico.ca Cell ( )

b) Applicant (Agent) Name(s): Matt Runge

Address: 72824 Cantin Court, Zurich, ON N0M 2T0

Phone: Home ( ) Work ( ) Fax ( )

Email: matt@mrengdesign.com Cell 519 317-0128

c) Name, Address, Phone of all persons having any mortgage, charge or encumbrance on the property:

none

d) Send Correspondence To? Owner [X] Agent [X] Other [ ] \_\_\_\_\_



4. WHAT AREA DOES THE AMENDMENT COVER?

- a) ☒ the "entire" property or  
b) ☐ just a "portion" of the property

5. PROVIDE A DESCRIPTION OF THE ENTIRE PROPERTY:

Ward: Stephen

911 Address and Road Name: 39770 Huron Street West

Roll Number (if available): 40 10 040 002 02910 0000

Concession: 2 Lot: PT Lot 21 Registered Plan No.: 22R5795 PT 1

Area: 1.3 hectares Depth: 185.9 metres Frontage (Width): 70.1 metres

6. IS ANY OF THE LAND IN WELLHEAD PROTECTION AREA C? Yes ☐ No ☒ Unknown ☐

If Yes,

please obtain a Restricted Land Use Permit from the Risk Management Official.

If Unknown, please consult with your Municipal Planner and obtain a Restricted Land Use Permit if necessary.

7. PROVIDE A DESCRIPTION OF THE AREA TO BE AMENDED IF ONLY A 'PORTION' OF THE PROPERTY:

Area: \_\_\_\_\_ hectares Depth: \_\_\_\_\_ metres Frontage (Width): \_\_\_\_\_ metres

8. WHAT IS THE CURRENT PLANNING STATUS?

Official Plan Designation: Agricultural

Zoning: Agricultural Small Holding AG4-25

9. LIST LAND USES THAT ARE PERMITTED BY CURRENT OFFICIAL PLAN DESIGNATION:

Residential Use

C. EXISTING AND PROPOSED LAND USES AND BUILDINGS

10. WHAT IS THE "EXISTING" USE OF THE LAND?

Residential

How long have the existing uses continued on the subject land: 100+ years

11. WHAT IS THE "PROPOSED" USE OF THE LAND?

Residential

**PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS: (Use a separate page if necessary)**

Are any buildings proposed to be built on the subject land: Yes ☒ No ☐

	<u>Existing</u>	<u>Proposed</u>
a) Type of Building(s)	Existing Barn Existing Single Detached Dwelling (to be removed)	Single Detached Dwelling
b) Main Building Height	12+/- (m)	12+/- (m)
c) % Lot Coverage	3.7%+/-	5.8%+/-
d) # of Parking Spaces	1 (min.)	1 (min.)
e) # of Loading Spaces	n/a Barn - 2	n/a Barn - 2
f) Number of Floors	Existing Dwelling - 2	Proposed Dwelling - 2
g) Total Floor Area	Dwelling unknown - to be removed upon completion of proposed residence (sq. m)	366 sq.m (main floor + second floor) sq. m
h) Ground Floor Area (exclude basement)	Dwelling unknown - to be removed upon completion of proposed residence	494 sq.m (gross footprint)
i) Building Dimensions	see Site Plan	see Site Plan
j) Date of Construction	unknown	Proposed Dwelling - 2019
k) Setback from Buildings to:	Front of Lot Line 64.99m south Rear of Lot Line 101.13m north Side of Lot Line 14.40m west / 24.05m east	

**D. EXISTING AND PROPOSED SERVICES**

**12. INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL:**

	<u>Municipal Water</u>	<u>Communal Water</u>	<u>Private Well</u>	<u>Municipal Sewers</u>	<u>Communal Sewers</u>	<u>Private Septic</u>
a) Existing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Proposed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	If the requested amendment would permit development on a privately owned and operated individual or communal septic system and more than 4500 litres of effluent would be produced per day as a result of the development being completed, the applicant must submit:					
	<input type="checkbox"/> a servicing options report; and					
	<input type="checkbox"/> a hydrogeological report.					

13. Will storm drainage be provided by: Sewers ☐  
 Ditches ☐  
 Swales ☒  
 Other ☐ Specify \_\_\_\_\_

Is storm drainage present or will it be constructed Surface drainage will be provided by swales

**14. TYPE OF ACCESS (CHECK APPROPRIATE SPACE)**

- |  |  |
|--|--|
| <input type="checkbox"/> provincial highway                              | <input type="checkbox"/> municipal road, seasonally maintained |
| <input type="checkbox"/> county roads                                    | <input type="checkbox"/> right of way                          |
| <input checked="" type="checkbox"/> municipal roads, maintained all year | <input type="checkbox"/> water access                          |

**E. OFFICIAL PLAN AMENDMENT**

(Proceed to Section F) if an Official Plan Amendment is not proposed).

**15. DOES THE PROPOSED OFFICIAL PLAN AMENDMENT DO THE FOLLOWING?**

- |  |         |        |             |
|--|---------|--------|-------------|
| Add a Land Use designation in the Official Plan    | Yes [ ] | No [ ] | Unknown [ ] |
| Change a Land Use designation in the Official Plan | Yes [ ] | No [ ] | Unknown [ ] |
| Change a policy in the Official Plan               | Yes [ ] | No [ ] | Unknown [ ] |
| Replace a policy in the Official Plan              | Yes [ ] | No [ ] | Unknown [ ] |
| Delete a policy in the Official Plan               | Yes [ ] | No [ ] | Unknown [ ] |
| Add a policy in the Official Plan                  | Yes [ ] | No [ ] | Unknown [ ] |

**16. IF APPLICABLE AND KNOWN AT TIME OF APPLICATION, PROVIDE THE FOLLOWING:**

- a) Section Number(s) of Policy to be Changed \_\_\_\_\_
- b) Text of the proposed new policy attached on a separate page? Yes [ ] No [ ]
- c) New designation name: \_\_\_\_\_
- d) Map of proposed new Schedule attached on a separate page? Yes [ ] No [ ]

**17. LIST PURPOSE OF AMENDMENT AND LAND USES THAT WOULD BE PERMITTED BY THE PROPOSED AMENDMENT:**

\_\_\_\_\_

**18. Does the requested amendment alter all or any part of the boundary of an area of settlement in a municipality or establish a new area of settlement in a municipality?**

Yes [ ] No [ ]

If yes: Attach the current official plan policies, if any, dealing with the alteration or establishment of an area of settlement.

**19. Does the requested amendment remove the subject land from any area of employment?**

Yes [ ] No [ ]

If yes: Attach the current official plan policies, if any, dealing with the removal of land from an area of employment.

**20. Is the requested amendment consistent with the Provincial Policy Statement issued under Section 3 (1) of the Planning Act.**

Yes [ ] No [ ] Unknown [ ]

## F. ZONING BY-LAW AMENDMENT

(Proceed to Question 29 (Drawing) if a Zoning By-law Amendment is not proposed).

### 21. DOES THE PROPOSED ZONING BY-LAW AMENDMENT DO THE FOLLOWING?

Add or change zoning designation in the Zoning By-law	Yes [ ]	No [X]	Unknown [ ]
Change a zoning provision in the Zoning By-law	Yes [X]	No [ ]	Unknown [ ]
Replace a zoning provision in the Zoning By-law	Yes [ ]	No [X]	Unknown [ ]
Delete a zoning provision in the Zoning By-law	Yes [ ]	No [X]	Unknown [ ]
Add a zoning provision in the Zoning By-law	Yes [ ]	No [X]	Unknown [ ]

### 22. IF APPLICABLE AND KNOWN AT TIME OF ZONING APPLICATION, PROVIDE THE FOLLOWING:

- a) Section Number(s) of provisions to be changed **7.7.25.**
- b) Text of the proposed new provision attached on a separate page? Yes [ ] No [X]
- c) New zone name: \_\_\_\_\_
- d) Map of proposed new Key Map attached on a separate page? Yes [ ] No [X]

### 23. LIST LAND USES PROPOSED BY ZONING AMENDMENT.

No change.

- date the current owner acquired the subject land 2010

### 24. HAS THERE BEEN A PREVIOUS APPLICATION FOR REZONING UNDER SECTION 34 OF THE PLANNING ACT AFFECTING THE SUBJECT PROPERTY:

Yes [X] No [ ]

### 25. Is the intent of this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?

Yes [ ] No [X]

If yes: Attach details of the official plan or official plan amendment that deals with the matter.

### 26. Is the intent of this application to remove land from an area of employment?

Yes [ ] No [X]

If yes: Attach details of the official plan or official plan amendment that deals with the matter.

### 27. Is the application for an amendment to the zoning by-law consistent with provincial policy statement issued under Section 3 (1) of the Planning Act.

Yes [ ] No [ ] Unknown [X]



## G. SKETCH CHECKLIST

- 28. ACCURATE, TO SCALE, DRAWING OR PROPOSAL:** (In the space below or on a separate page(s), please provide drawing of the proposal, preferably prepared by a qualified professional. In some cases, it may be more appropriate to prepare additional drawings at varying scales to better illustrate the proposal).

The application shall be accompanied by a clean, legible sketch sharing the following information. Failure to supply this information will result in a delay in processing the application.

A sketch showing in metric units:

- a) the boundaries and dimensions of the subject land;
- b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
  - i) are located on the subject land and on land that is adjacent to it, and
  - ii) in the applicant's opinion may affect the application;
- d) the current uses of land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way;
- f) if access to the subject land will be by water only, the location of the parking and docking facilities to be used;
- g) the location and nature of any easement affecting the subject land

The drawing(s) should show (please use a survey if available):

- Property boundaries and dimensions
- Dimensions of area of amendment
- Distance from structures to lot lines
- Easements or restrictive covenants
- Building dimensions & location
- Neighbouring adjacent land uses
- Parking and loading areas
- Use of Neighbouring properties
- Public roads, allowances, rights of way
- Municipal Drains/Award Drains
- Wetlands, floodplain, wet areas
- Woodlots, forested areas, ANSI's, ESA's
- Driveways and lanes
- Other features (bridges, wells, railways, septic systems, springs, slopes, gravel pits)
- Natural watercourses
- North arrow

## H. OTHER RELATED PLANNING APPLICATIONS

- 29. HAS THE APPLICANT OR OWNER MADE APPLICATION FOR ANY OF THE FOLLOWING, EITHER ON OR WITHIN 120 METRES OF THE SUBJECT LAND?**

Official Plan Amendment	Yes [ ]	No [X]
Zoning By-law Amendment	Yes [ ]	No [X]
Minor Variance	Yes [ ]	No [X]
Plan of Subdivision	Yes [ ]	No [X]
Consent (Severance)	Yes [X]	No [ ]
Site Plan Control	Yes [ ]	No [X]

**30. IF THE ANSWER TO QUESTION 29 (above) IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:**

File No. of Application: B46/2010 / A19/10(A) / A19/10(B)  
Approval Authority: County of Huron / South Huron / South Huron  
Lands Subject to Application: Lands located at 39770 Huron Street West  
Purpose of Application: Severance of Surplus Farm Dwelling / Rezone Severed Parcel / Rezone Retained Parcel  
Status of Application: Approved / Approved / Approved  
Effect on the Current Application for Amendment: \_\_\_\_\_

**I. OTHER SUPPORTING INFORMATION**

**31. PLEASE LIST THE TITLES OF ANY SUPPORTING OR ATTACHED DOCUMENTS:**

*(e.g. Environmental Impacts Study, Hydrogeological Report, Traffic Study, Market Area Study, Aggregate License Report, Stormwater Management Report etc. It is recognized that the applicant meet with planning staff to attempt to determine the supporting documents that will be required).*

Site Location Plan - By MR Engineering and Design Ltd.  
Legal Survey of subject lands - 22R-5795 - By D. Culbert Ltd.  
\_\_\_\_\_  
\_\_\_\_\_

**J. PRE-SUBMISSION CONSULTATION**

**32. Applicants are strongly encouraged to contact the County and speak/meet with the Planner to the Municipality before submitting an application for information.**

Date of Applicant's consultation meeting with County Planner: November 28, 2018

Has the Planner advised the Applicant that this application needs to be reviewed by the Huron County Stewardship Coordinator for comments on Natural Heritage matters.

Yes ☐ (submit a fee of \$204.00 made payable to the Treasurer, County of Huron) No ☒

**K. PUBLIC CONSULTATION STRATEGY**

**33. PLEASE OUTLINE YOUR PROPOSED STRATEGY FOR CONSULTING WITH THE PUBLIC WITH RESPECT TO THIS AMENDMENT REQUEST:**

*(e.g. Individual contact, hold a neighbourhood meeting, telephone conversation, letter explaining proposal & inviting questions/comments, website/internet, etc.).*

Contact neighbours within 120m to review proposed zoning by-law amendment  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**L. AUTHORIZATION FOR AGENT/SOLICITOR TO ACT FOR OWNER:**

(If affidavit (K) is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below must be completed).

I (we) Brad & Darlene Borland of the                      Municipality of South Huron County/Region

of Huron do hereby authorize Matt Runge to act as my agent in the application.

[Signature]  
Signature of Owner(s)

OCT 29 / 2018  
Date

**M. APPLICANT'S DECLARATION**

(This must be completed by the Person Filing the Application for the proposed development site.)

I, Matt Runge of the Municipality of Bluewater  
(Name of Applicant) (Name of Town, Township, etc.)

In the Region/County/District Huron solemnly declare that all of the statements contained in this application and supporting documentation are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act."

Please be advised the responsibility for filing a complete application rests solely with the owner/applicant. Anything not requested or applied for in this application and subsequently found to be necessary (which may require another application(s) and fee(s)) are the sole responsibility of the owner/applicant. The County/Municipality will address only the application as applied for, and any items that are not included in the application are not the responsibility of the County/Municipality.

All studies required to support this application shall be at the expense of the applicant and included at the time of submission as a complete application. Where the County/Municipality incurs costs for the peer review of any consultants' reports or fees for legal opinions, the County/Municipality will be reimbursed such costs by the applicant.

In the event of third-party appeals to applications approved by the County/Municipality, the applicant may be responsible for some or all of the legal and other costs incurred by the County/Municipality, at the discretion of the County/Municipality.

DECLARED before me at:  
Region/County/District

Huron County

In the Municipality of

South Huron

This 15 day of December, 2018  
(Day) (Month) (Year)

Signature

[Signature]

[Signature]  
Commissioner of Oaths

SWORN BEFORE ME at the Municipality of South Huron, in the County of Huron and the Province of Ontario,  
this 15 day of December, 2018  
[Signature]  
Rebekah Msuya-Collison, Clerk  
Municipality of South Huron  
A Commissioner etc.

**N. OWNER/APPLICANT'S CONSENT DECLARATION**

In accordance with the provisions of the Planning Act, it is the policy of the County Planning Department to provide the public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I Matt Runge the owner the authorized applicant, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the County of Huron staff, Municipal staff and council members of the decision making authority to access to the subject site for purposes of evaluation of the subject application.

  
Signature

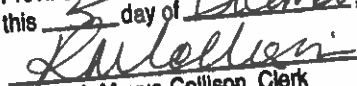
Dec 5/2018  
Date

APPLICATION AND FEE OF \$ 1,872.00 RECEIVED BY THE MUNICIPALITY

*If comment fees are required for the Huron Stewardship Coordinator to review this application, (see Section J:Pre-Submission Consultation). please collect a fee of \$204.00 made payable to the Treasurer, County of Huron.*

  
Signature of Commissioner

December 5, 2018  
Date

SWORN BEFORE ME at the Municipality of  
South Huron, in the County of Huron and the  
Province of Ontario,  
this 5 day of December, 2018  
  
Rebekah Msuya-Collison, Clerk  
Municipality of South Huron  
A Commissioner etc.



**COMPLETE THIS FORM TO DETERMINE IF  
HEALTH UNIT COMMENTS ARE REQUIRED  
ON YOUR PLANNING APPLICATION**

For certain planning applications, comments are required from the Huron County Health Unit to assist the municipality in its decision on your application. This sheet will determine if comments are required from the Health Unit, and if so, the appropriate fee\* must be submitted with your application and paid to the Treasurer, County of Huron (\*based on the Health Unit's User Fee Schedule).

Name of Applicant: Matt Runge

Name of Owner (if different from the applicant): Brad & Darlene Borland

Location of Property (Lot, Concession or Registered Plan, and Municipality):

39770 Huron St W Exeter, Con 2 Pt Lot 21 RP 22R5795 Pt 1

Type of Planning Application(s) submitted with this form:

- ☐ Consent (severance) ☐ Minor Variance  
☒ Zoning By-Law Amendment ☐ Plan of Subdivision/Condominium  
☐ Official Plan Amendment

Please answer **Section A OR Section B**, depending on the type of servicing available. In the following question, "property" means the subject property or, in the case of a severance, each of the resulting lots.

**Section A - Where SANATARY SEWERS are available.**

Is the property within 183 metres (600 feet) of an abattoir (slaughter house)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
--	------------------------------	-----------------------------

**Section B - Where SEPTIC SYSTEMS are required.**

The application is for the creation of a new lot for which the primary use will be a new dwelling (other than a new dwelling on a farm).	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the property less than .4 hectares (1 acre) in area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the property have less than .2 hectares (1/2 acre) of "useable land" for a septic tank and tile bed? See definition of "useable land" below.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
I am uncertain of the location of the existing septic tank and tile bed on the property.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
There will be more than one dwelling unit on each lot.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
An industrial or commercial use is proposed which will require a septic system.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the property with 183 metres (600 feet) of an abattoir (slaughter house)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
The application is for a new Plan of Subdivision/Condominium	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proceed to <b>Section C</b> .		

"Useable Land" means an area of land with suitable original soil for the installation of a Class 4 subsurface sewage disposal system, free of any buildings, structures swimming pools, etc. and such land is or will be used solely for a septic tank and tie bed and any future replacement of the tile bed, and which area is at least 3 metres (10 feet from any property line, at least 15 metres (15 feet) from a top-of-bank of a watercourse or lake, not located in a flood plain, not located in an environmentally sensitive area, and does not contain field tile or other artificial drainage. (other restrictions may apply according to legislation.)

**Section C - HEALTH UNIT FEES**

If the answer to any question in Section A or B is "Yes", then Health Unit comments will be required and the appropriate fee must be submitted with your application, as follows:

Type of Application	Health Unit Fee (To be added to the application fee)	Any required Health Unit fee should be submitted as a separate cheque with this application.  Where two applications are being processed together (such as a severance and a rezoning) only one fee will apply, being the higher of the two fees.
Official Plan Amendment	\$181.00	
Zoning Bylaw Amendment	\$127.00	
Minor Variance	\$127.00	
Severance resulting in 2 lots or fewer	\$268.00	
Severance resulting in 3 lots or more	\$509.00	
Plan of Subdivision/Condominium	\$1,058.00	

**Note:** Regardless of the results from Section A or B, some applications may require comments from the Health Unit as identified through the planning process. In these cases, the relevant fee shall apply.

Matt Runge

Name of Owner or Designated Agent

Signature and Date

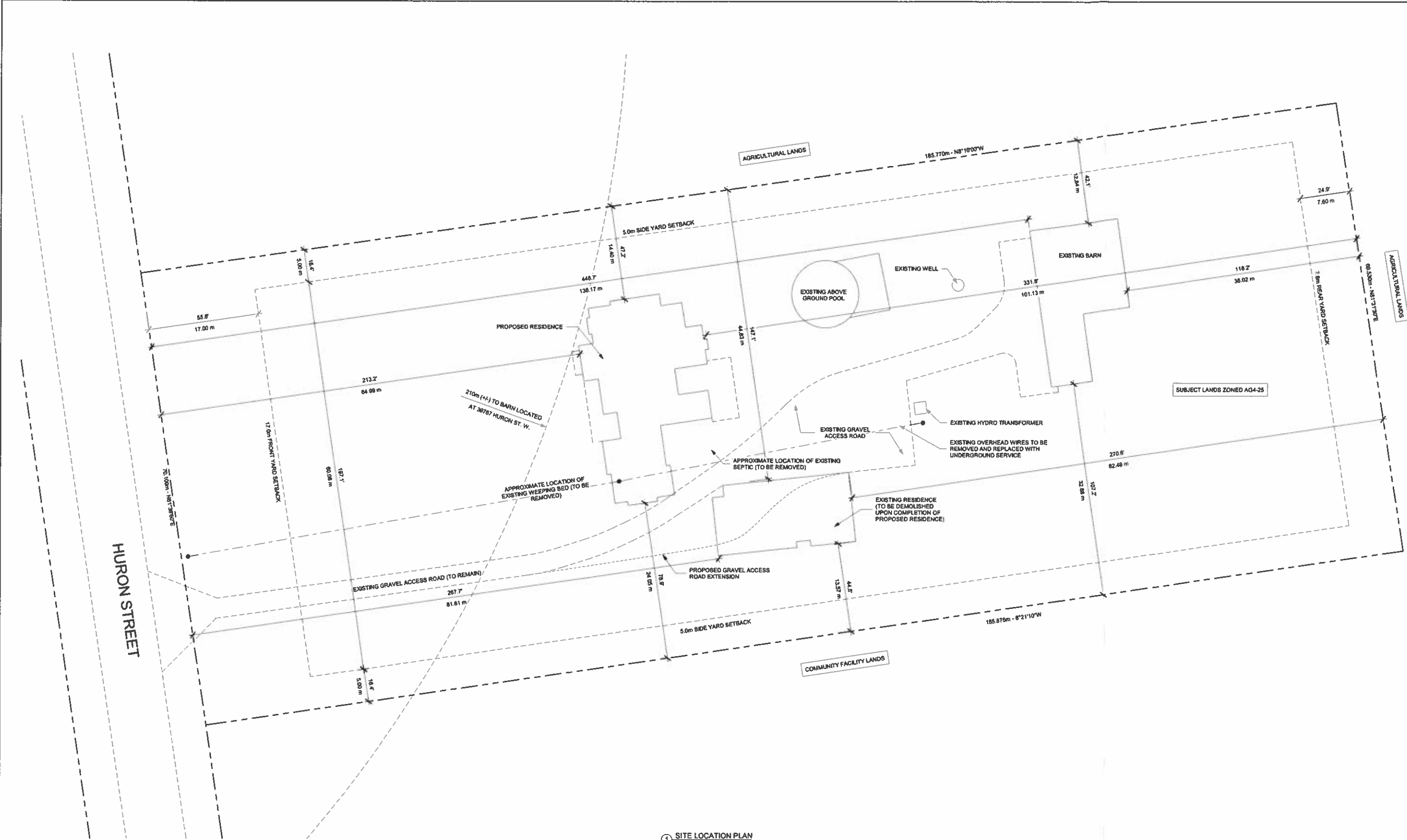
To be completed by Municipal Clerk: Has the Health Unit Fee, made payable to the Treasurer, County of Huron, been collected from the applicant? \*Please note type of application and file # on the cheque.

☐ Yes

☐ No

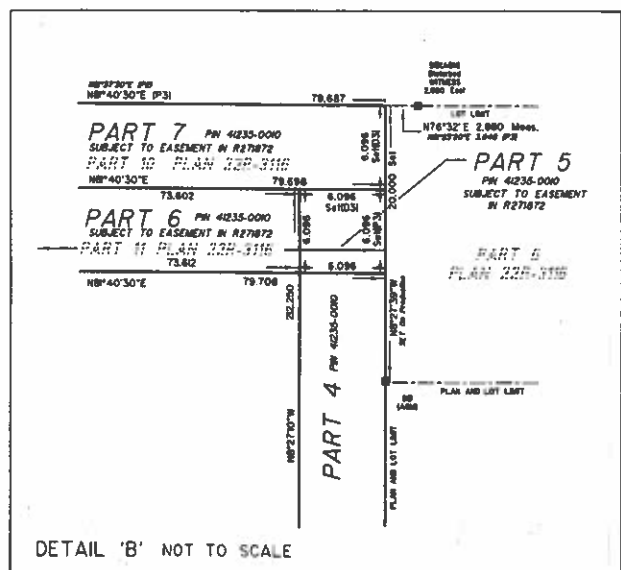
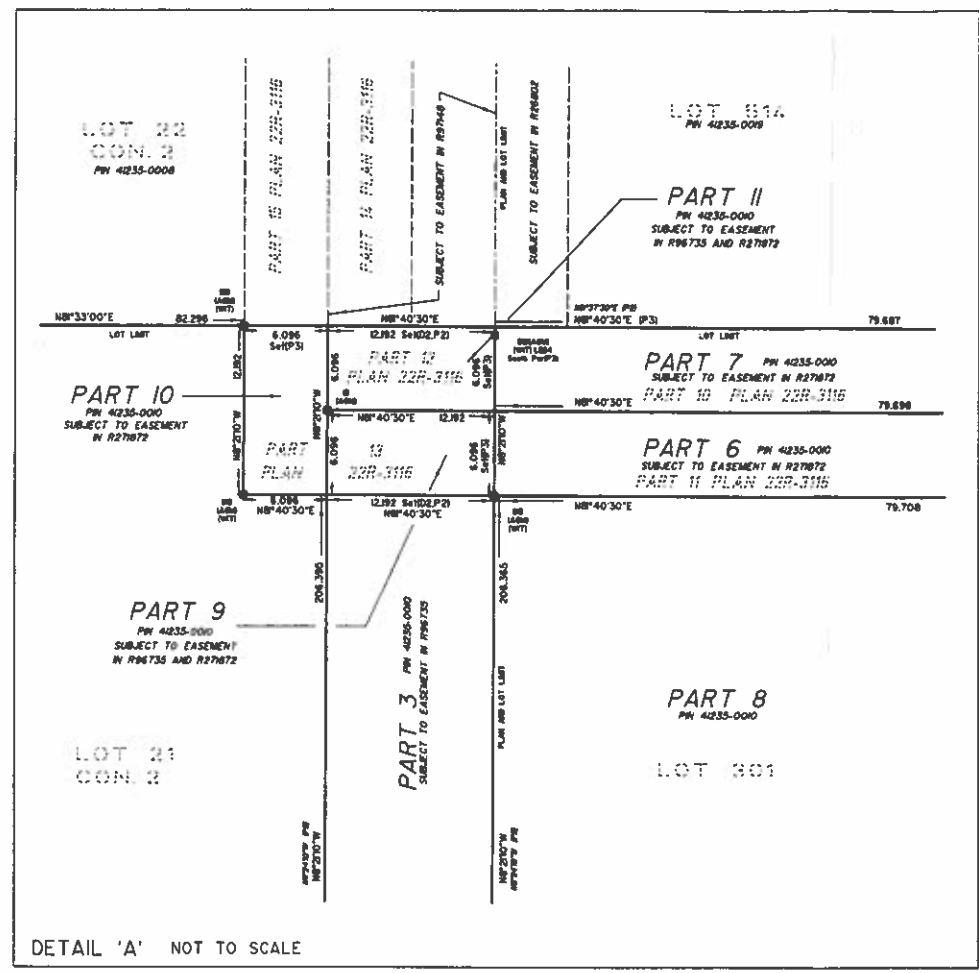
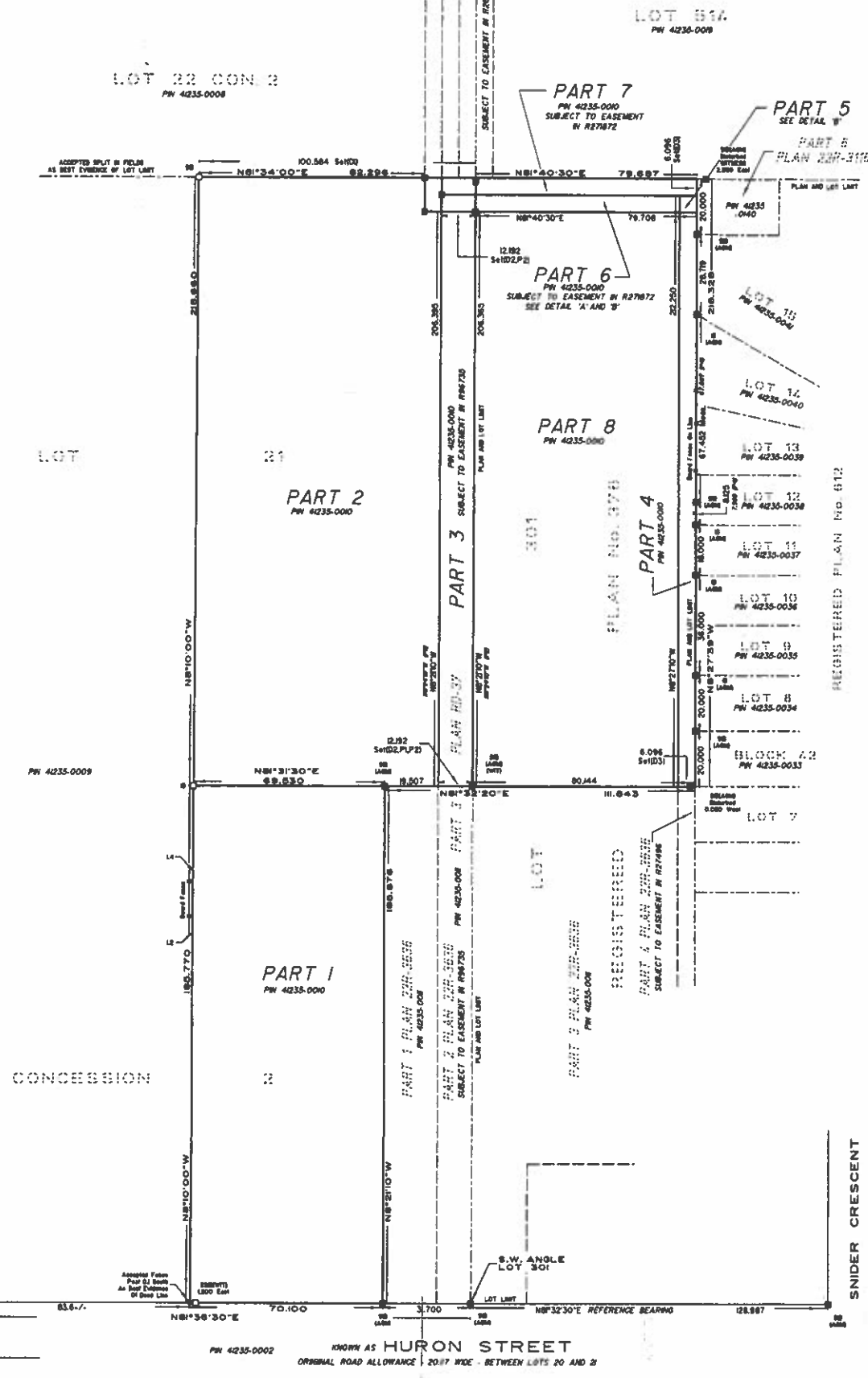
Amount: \_\_\_\_\_

\_\_\_\_\_  
Name of Clerk-Treasurer



1 SITE LOCATION PLAN  
3/64" = 1'-0"

NOTES:	<div>NORTH</div> <div></div>	DESIGN		MR	No.	REVISION DESCRIPTION		MM/DD/YY	CHKD	<div>CONSULTANT</div> <div></div> <div>ENGINEERING AND DESIGN LTD.</div>	CONTRACTOR	<div>PRELIMINARY - FOR DISCUSSION ONLY</div>	39770 HURON ST RR#1 EXETER, ON NOM 1S4	SCALE	3/64" = 1'-0"	BORLAND'S RESIDENCE		PROJECT No.
		DRAWN		MR	1	PRELIMINARY - FOR REVIEW		12/05/18	MR							MR18-030		
		CHECKED														SHEET No.	SLP	
		APPROVED																
		DATE		DEC. 2018														



PLAN 22R-5795

RECEIVED AND DEPOSITED

DATE: December 3, 2010

D. Culbert

D.A. CULBERT

ONTARIO LAND SURVEYOR

DATE: December 3, 2010

K. Clark

LAND REGISTRAR FOR THE

LAND TITLES DIVISION OF

MURON (No. 22)

PARTS SCHEDULE			
PART	LOT/BLOCK	PLAN/CON	PIN
1	Part of LOT 21	CON. 2	41235-0010
2	Part of LOT 21	CON. 2	
3	Part of LOT 21	CON. 2	
4	Part of LOT 21	CON. 2	
5	Part of LOT 21	CON. 2	
6	Part of LOT 21	CON. 2	
7	Part of LOT 21	CON. 2	
8	Part of LOT 21	CON. 2	
9	Part of LOT 21	CON. 2	
10	Part of LOT 21	CON. 2	
11	Part of LOT 21	CON. 2	

THIS PLAN COMPRISES ALL OF PIN 41235-0010

PART 3 IS SUBJECT TO EASEMENT IN R96735

PART 6 IS SUBJECT TO EASEMENT IN R271872

PART 8 IS SUBJECT TO EASEMENT IN R271872

PART 9 IS SUBJECT TO EASEMENT IN R271872

PART 10 IS SUBJECT TO EASEMENT IN R271872

PART 11 IS SUBJECT TO EASEMENT IN R271872

PLAN OF SURVEY

OF PART OF

LOT 21

CONCESSION 2

GEOGRAPHIC TOWNSHIP OF STEPHEN

AND PART OF

LOT 301

REGISTERED PLAN No. 376

TOWN OF EXETER

MUNICIPALITY OF SOUTH HURON

COUNTY OF HURON

SCALE 1:1000

2010

D. CULBERT LTD.

ONTARIO LAND SURVEYOR

NOTES & LEGEND

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF HURON STREET HAVING A BEARING OF N8°32'30"E AS SHOWN ON PLAN 22R-3636

■ DENOTES MONUMENTATION FOUND

□ DENOTES MONUMENTATION PLANTED

S8 DENOTES 2.5cm x 6.35cm STANDARD IRON BAR

S58 DENOTES 2.5cm x 6.35cm STANDARD IRON BAR

16 DENOTES 16cm x 6.35cm IRON BAR

W11 DENOTES WITNESS

A68 DENOTES ARCHIBALD, GRAY & MCNAY LTD. O.L.S.

756 DENOTES B.M. ROSS, O.L.S.

 322 DENOTES C.R. KIRK, O.L.S. | 1027 DENOTES D. CULBERT LTD. O.L.S. | D1 DENOTES R268053 | D2 DENOTES R98735 | D3 DENOTES R27486 | P1 DENOTES PLAN 22R-3636 | P2 DENOTES PLAN 22R-37 | P3 DENOTES PLAN 22R-306 | P4 DENOTES REGISTERED PLAN No. 62 || ALL PINS ARE SUFFICIENT UNLESS NOTED (R) |  |  |  |  |  |  |  |  |  |  |  |  |  |

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE 1ST DAY OF OCTOBER, 2010

OCTOBER 19, 2010

6000 RICH, ONTARIO

D. Culbert

D.A. CULBERT

ONTARIO LAND SURVEYOR

D. CULBERT LTD.

ONTARIO LAND SURVEYOR

6000 RICH, ONTARIO

PHONE: 905-834-8331

ONTOARIO

OCL

LAND SURVEYOR

DRAWN BY: BOCs

CHECKED BY: DAC

DIGITAL FILE: 4105461

FILE NO: EX-57-09-7

PLAN No:

8-GL-0874

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048





## PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

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### Zoning By-law Amendment Report to Municipality of South Huron Council

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Re: Zoning By-law Amendment Application (#SHu D14-Z18/18)  
Zoning By-law Amendment to amend text provisions under Agricultural Small Holding  
Special Provisions Zone (AG4-25)

Location: Stephen Concession 2 PT Lot 21 RP 22R5795 Part 1 (39770 Huron Street)

Applicant: Matt Runge

Owner: Brand and Darlene Borland

This report is submitted to South Huron Council for the Public Meeting on January 7<sup>th</sup>, 2019.

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### RECOMMENDATION

This rezoning application (#D14-18/18) conforms to the provisions of the South Huron Official Plan and it is recommend that this application **be approved**.

### PURPOSE AND EFFECT

This By-law affects the property known municipally at 39770 Huron Street, and legally as Stephen Concession 2 PT Lot 21 TP 22R5795 Part 1, Stephen Ward.

The subject lands are zoned AG4-25 (Agricultural Small Holding Special Provisions) in the South Huron Zoning By-law #69-2018. Under the AG4-25 zone provisions, the minimum required separation distance from the residence on the subject lands to the nearest livestock operation is required to be 243 metres. The owners of the property wish to construct a new residential dwelling on this parcel to replace the existing dwelling. In siting the dwelling, the proposed distance to the adjacent livestock use located on the south side of Huron Street is 210 metre distance. Under this zoning by-law amendment application, the applicant is requesting a change in AG4-25 special provisions to permit a reduced distance to the livestock facility of 210 metres.

This By-law amends Zoning By-law #69-2018 for the Municipality of South Huron.

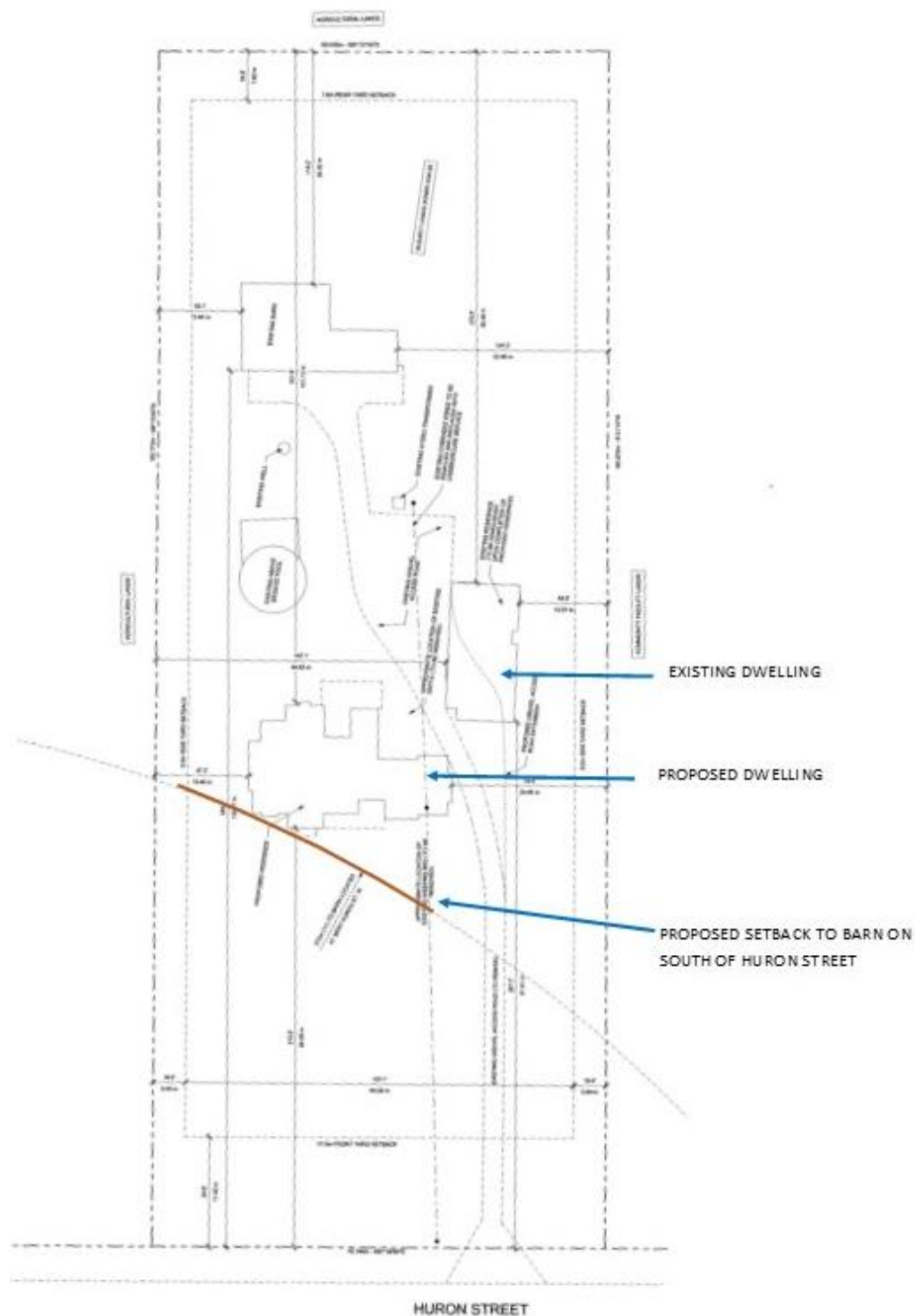
**Figure 1. Aerial view of subject parcel.**



**Figure 2. Street view of subject parcel. Existing dwelling to be removed and new dwelling to be constructed. Approximate new dwelling location identified in blue.**



**Figure 3. Sketch submitted with application showing approximate location of proposed residential dwelling.**



Note: Location of existing house, proposed house, and 210 metre setback to barn identified for illustrative purposes only.

## COMMENTS

### *South Huron Official Plan*

The South Huron Official Plan designates the subject property as Agricultural. Agricultural areas predominate in the Municipality of South Huron and the primary use of land is for farming of all types, sizes and intensities, including related uses and on farm diversified uses. Residential uses are permitted accessory to a farming operation, or on lands zoned as an Agricultural Small Holding (i.e. AG4 Zone in South Huron Zoning By-law).

The subject lands constitute an existing Agricultural Small Holding, AG4 Special Zone. An existing residential dwelling is located on the subject lands which the applicant intends to replace. The South Huron Official Plan sets out criteria for residences on AG4 parcels under Section 4.4.3 Residences in Agricultural Areas. The existing parcel and proposed development meet related policies including provision of services via septic and well water, the lands are adequate for residential development, there are no conservation regulation limits affecting the subject lands, and there is existing access to an open and public road.

Official Plan Section 4.4.3 also references that proposed development must meet Minimum Distance Separation (MDS) setback requirements from livestock facilities in accordance with the MDS Implementation Guidelines, as amended, and prepared by the Ontario Ministry of Agriculture, Food and Rural Affairs. The subject lands are zoned AG4-25 which includes a special provision that requires any residential dwelling on this parcel to be located at a minimum setback of 243 metres to the neighbouring livestock use located on the south side of Huron Street. This special provision was implemented under By-law #98-2010 when the subject lands were severed from the larger surrounding farm parcel under a previously approved consent/severance application. The minimum 243 metre setback, which is the current approximate distance between the existing house and the barn, was implemented based on the calculated MDS setback requirement to the barn at that time.

As part of this current application the proposed dwelling is planned to be located further south on the property, therefore closer to the existing barn across the street, and does not meet the minimum 243 metre setback requirement that exists in the Zoning By-law. The applicant has requested a change to the AG4-25 zone provisions to remove the 243 metre requirement, and amend same to recognize the proposed 210 metre distance.

To support the application, the applicant completed a new MDS I calculation under current regulations and MDS software that is in effect. It is understood the existing barn is currently vacant, but same does have the capability of housing livestock. Based on the approximate square footage of the barn, the livestock housing capacity outputted was 36.3 nutrient units. Current MDS requirements output a corresponding MDS setback of 200 metres to the barn and 200 metres to the manure storage for any proposed residential dwelling. Based on the



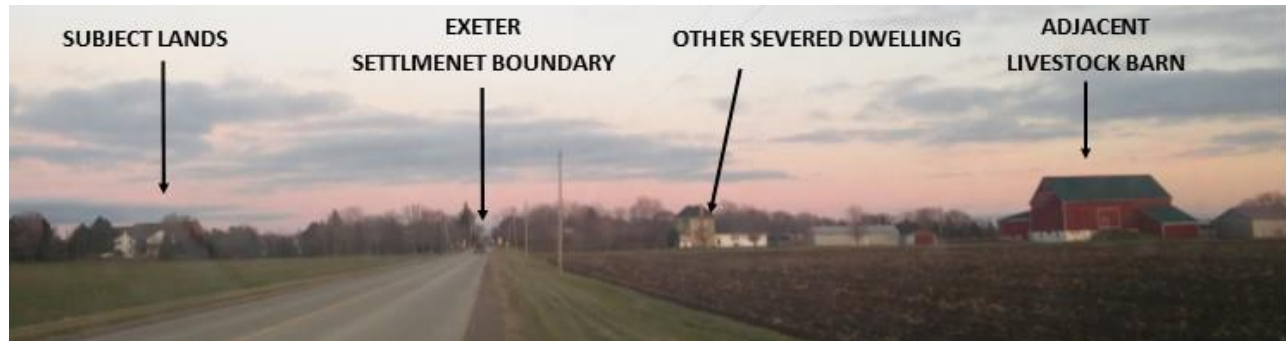
applicant sketch submitted for the proposed development, and the requests in this application, the house is proposed at a setback of 210 metres from the neighbouring barn. Under current MDS calculations it appears MDS would be met for the proposed building location.

In review of the application surrounding context should also be considered. There is an existing Agricultural Small Holding (AG4) lot between the subject property and the barn (see Figure 4 below) to which MDS would apply. The Exeter Urban Settlement Boundary is also approximately 185 metres from the existing barn (See Figure 4 below) which constitutes as a Type B Land use, and a double MDS distance would apply. Both these features act as limiting factors to the barn under MDS requirements.

**Figure 4. Aerial view of subject parcel and adjacent uses including Exeter Settlement Boundary and other severed dwelling.**



**Figure 5. Street view of subject parcel and adjacent uses including Exeter Settlement Boundary and other severed dwelling.**



*South Huron Zoning By-law 69-2018*

Upon review of the proposed residential structure, required AG4 zone regulations for lot frontage, side yard, rear yard, and lot coverage in the South Huron Zoning By-law would be met. Under the AG4 zone the applicant would be permitted a residential use as the main use of the site in addition to accessory buildings and structures.

As MDS can be met to the barn based on current MDS calculations, and considering the Urban Settlement Boundary of Exeter is a limiting factor, as well as there being another residential dwelling in closer proximity to the adjacent livestock operation, the request for a zone amendment to modify the text to recognize a distance of 210 metres is supportable.

*Additional Comments:*

This report has been prepared in advance of the public meeting. At the time of preparation no comments were received from the public or agencies. Further comments may arise at the public meeting.

**SUMMARY**

This Zoning By-law amendment is in conformity with the South Huron Official Plan and therefore it is recommended it be approved.

I will be in attendance at the public meeting to answer questions from Council and the public on this Zoning By-law amendment.

Sincerely,

“original signed by”

Sarah Smith, BES  
Planner