



The Corporation Of The Municipality Of South Huron

By-Law # 68 - 2018

A By-Law Of The Municipal Corporation Of The Municipality Of South Huron To Amend The South Huron Official Plan.

Whereas the Municipal Council of the Corporation of the Municipality of South Huron considers it advisable to amend the Municipality of South Huron Official Plan, as amended, of the Corporation of the Municipality of South Huron.

Now therefore, the Council of the Municipality of South Huron, in accordance with the provisions of the Planning Act, RSO 1990, hereby enacts as follows:

1. Amendment No. 15 to the Official Plan of the Municipality of South Huron, consisting of the attached maps, is hereby adopted.
2. The Clerk is hereby authorized and directed to give Notice of Adoption of Official Plan Amendment No. 15 and to make application to the Council of the Corporation of the County of Huron for the approval of Amendment No. 15 to the Official Plan of the Municipality of South Huron.
3. This By-law shall come into force and take effect on the day of final passing thereof.

Read a first time and second time this 16th day of July, 2018.

Read a third and final time this 16th day of July, 2018.

Maureen Cole, Mayor

Rebekah Msuya-Collison, Clerk

AMENDMENT NO. 15

**TO THE OFFICIAL PLAN
FOR THE
MUNICIPALITY OF SOUTH HURON**

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Affecting the lands in the Municipality of South Huron as illustrated on the attached schedules in the Municipality of South Huron.

Statement of Components

PART "A" is the preamble to Amendment No. 15 to the Official Plan for the Municipality of South Huron and does not constitute part of this amendment. It provides general introductory information on the purpose, location and basis of the amendment.

PART "B" consisting of the text and maps, including Schedules "A" (location) and "B" (maps), constitutes Amendment No. 15 to the Official Plan for the Municipality of South Huron.

PART "C" is the appendix and does not constitute part of this statement. The appendices contain the background data, planning considerations and public participation associated with this amendment. Although the attached appendices do not constitute part of the formal amendment, they do provide explanatory material. In cases where a more detailed interpretation of the amendment is required, such an interpretation will be obtained from the appendices.

PART "A"
THE PREAMBLE

AMENDMENT NO. 15
TO THE OFFICIAL PLAN
FOR THE
MUNICIPALITY OF SOUTH HURON

1. PURPOSE

The purpose of Official Plan Amendment No. 15 is to:

1. To update the surplus farm residence consent policies to be in line with the policies approved in the Huron County Official Plan Update. This would make the policies consistent with those being used across Huron County. The amended policies do not require Minimum Distance Separation (MDS) calculations to be done for neighbouring barns with less than 100 nutrient units.
2. To add policy to support on-farm diversification through the establishment of on-farm diversified uses, agri-tourism and value added operations. Such operations are defined as agricultural, horticultural or agri-business operations used for the purpose of enjoyment, education or active involvement in the activities of the farm where the principle activity on the property remains as farming and where products used in the activity are produced on the property or related to farming. Such activities may include: farm tours; processing demonstrations; pick-your-own-produce; a hay or corn maze; petting zoo; hay rides and sleigh, buggy or carriage rides; or a farm theme playground for children. Consideration shall be had with respect to scale, character, and servicing of such operations to ensure that such uses remain secondary to the main agricultural operation.
3. To permit policy in the Thames Road Corridor area of the Exeter Ward to permit additional uses in the Industrial designations including:
 - a) Bus Depot
 - b) Equipment Tool and Sales and Rental Establishment
 - c) Service and Repair Shop
 - d) Refillable Propane
 - e) Research Facility
 - f) Vocational Training
 - g) Offices, including professional (excluding a clinic), scientific, information and technical services, real estate, insurance and financial services and training centres
 - h) Private Recreation Facility

2. LOCATION

The amendment applies to all lands within the Municipality of South Huron.

3. BASIS

This is a municipally initiated housekeeping amendment to update certain policies and designations in the Plan. The amendment will update the surplus residence consent policies to be in conformity with the policies recently approved in the Huron County Official Plan 5 Year Review, will include policies to recognize on-farm diversification through the establishment of on farm diversified uses, agri-tourism and value added operations, and will permit additional uses in the Industrial designated areas of the Thames Road Corridor area in the Exeter Ward.

PART "B"

AMENDMENT NO. 15 TO THE OFFICIAL PLAN FOR THE MUNICIPALITY OF SOUTH HURON

1. INTRODUCTION

All of this part of the document entitled Part "B", consisting of the following text, and attached maps, constitutes Amendment No. 15 to the Official Plan for the Municipality of South Huron.

2. DETAILS OF THE AMENDMENT

2.1 The text of the Municipality of South Huron Official Plan is hereby amended by:

a) Deleting Section 13.3.1.1 Surplus Farm Dwellings and replacing with the following:

13.3.1.1 Surplus Farm Dwellings

Where a dwelling is acquired through farm consolidation and is surplus to the needs of the farm operation, it may be severed subject to the following:

1. The residence is surplus to a farm operation resulting from the acquisition of an additional farm containing an existing residence;
2. The residence is a minimum of 15 years old or has immediately replaced one of a series of habitable residences which were built a minimum of 15 years ago or replaces a house accidentally destroyed by fire or natural disaster which was 15 years or older;
3. The residence is habitable, as determined by the Chief Building Official, and is intended to be used as a dwelling;
4. A new residence is prohibited (through zoning) on any remnant parcel of farmland created by a surplus residence severance;
5. Where a barn exists in the immediate vicinity to the surplus residence, Council may require the demolition of the barn or its inclusion with the residential unit prior to approving the severance. The required zoning amendment shall restrict the total number of livestock to be permitted in the severed barn.
6. The property containing the surplus residence shall be rezoned to an Agricultural Small Holding Zone to recognize the residence as the principal use of the severed lot and to limit the number of nutrient units permitted in any accessory structure.
7. *Minimum Distance Separation (MDS) formula requirements are met to the surplus house if barn(s) exist on the retained farm lands. MDS does not apply to existing barns on separately titled lots.*
8. The area of farmland attached to the surplus house is kept to a minimum size needed for residential purposes, taking into consideration adequate water and sewage service and environmental and topographic features.
9. There has been no previous separation of land for residential purposes from the farm property as it existed on June 28, 1973, other than in a settlement area.
10. The retained lands are a minimum of 19 hectares unless merged with an abutting farm.
11. Where the residence is within 300 metres of an existing aggregate operation or aggregate deposit, an assessment of potential impacts may be required. Locations of

aggregate deposits as shown on Appendix 7: Constrained and Unconstrained Aggregate Resources: Aggregate Resources Inventory Plan for the Municipality of South Huron.

12. For the purposes of Section 13.3.1.1:

- a. a corporation may be an eligible farming operation provided the same corporation owns at least two farms, each containing a residence, one of which may be severed in accordance with this section; and
- b. an unincorporated group of one or more person(s) may be an eligible farming operation provided a majority of the owners, together or individually each own another farm containing a residence, one of which may be severed in accordance with this section; where owners normally reside in the same household, they may be considered as one individual within the group of owners.

b) Deleting Section 4.4.4 Minimum Distance Separation (MDS) I & II and replacing with the following:

Livestock facilities as well as other uses permitted by this plan on land designated agriculture, whether farm or non-farm will comply with the Minimum Distance Separation (MDS) I and II formulae.

The MDS formula is a tool used to determine the recommended distance between a specific livestock facility and another land use. The objective of applying MDS is to prevent land use conflicts and minimize nuisance complaints from odour. The distance calculated using MDS will vary according to a several variables including type of livestock, size of the farm operation, type of manure system and the form of development present or proposed.

MDS I provides minimum distance separation for new development from existing livestock facilities. MDS II provides minimum distance separation for new or expanding livestock facilities from existing or approved development.

These calculations also create an area of increased separation distance around the towns, villages and hamlets and other selected areas including recreation. Within these areas there are enhanced separation distances which vary according to the size and type of livestock operation.

Minimum Distance Separation and Surplus Dwelling Severances

If barns exist on retained farmlands, the MDS formulae requirements must be met between the barn and the dwelling being severed. MDS does not apply to existing barns on separately titled lots.

Minimum Distance Separation shall be implemented in accordance with the MDS Implementation Guidelines as amended, prepared by the Ontario Ministry of Agriculture, Food and Rural Affairs.

c) Deleting Section 4.2 Definitions and replacing with the following:

4.2. DEFINITIONS

In the Agriculture designation the predominant uses of land will be farming operations of all types, sizes and intensities, and natural environment features which enhance the area for agriculture, including woodlot and forestry uses as part of farming operations. Agriculturally related industrial and commercial uses will also be permitted.

In the Agricultural designation, the following on-farm diversified uses are permitted as accessory uses to a farming operation, subject to the relevant policies in this section (SECTION 4.0, AGRICULTURE):

- a) residential uses;
- b) home occupations;
- c) home industries;
- d) on-farm diversified uses, including agri-tourism uses and value added agricultural uses including wineries; and
- e) group homes.

Agricultural uses mean the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

In the agricultural designation the predominant use of land will be: farming of all types, industrial and commercial activities which are primarily related to agriculture, residential uses directly related to agriculture, and natural physical features which enhance the area for agriculture. The definition of agriculture includes sustainable agricultural practices that promote a healthy environment.

On-farm Diversified Uses means those uses that are secondary to the principal agricultural use of the property and are limited in area. On farm diversified uses may include home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products. On farm diversified uses may include accessory retail of goods produced on the property.

Agri-tourism Uses those farm-related tourism uses, including limited accommodation such as a bed and breakfast that promote the enjoyment, education or activities related to the farm operation. Agri-tourism uses are secondary to the principal agricultural use of the property and are limited in area.

Value Added means those value added production and value added retention activities which add value to an agricultural good by changing or transforming a product from its original state to a more valuable state. Retailing products grown/produced on the farm and related goods are permitted as an accessory use to value added agricultural uses.

- d) Adding the following:

4.4.19 Agriculture-related Uses

Farm-related commercial and farm-related industrial uses will be permitted in agricultural areas by rezoning provided that:

- *The use is directly related to farm operations in the area;*
- *The use supports agriculture;*
- *The use benefits from being located in close proximity to farm operations;*
- *Any permitted accessory residence will remain part of the industrial commercial holding;*
- *The primary activity is to provide direct products and/or services to farm operations;*

- *Applicable Provincial requirements are met (e.g. compatibility with sensitive uses, certificate of approval, etc.);*
- *The use can be adequately serviced, obtain safe access from an open public road and demonstrate adequate drainage and storm water management; and*
- *A site plan agreement is completed to the satisfaction of the Municipality.*
- *May be severed from the farm in accordance with the Land Division policy for Agriculture in Section 13.*

4.4.20 On-Farm Diversified Uses

On-Farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products, including wineries. On-farm diversified uses are small-scale business uses and are permitted in the agricultural designation, provided they:

- *Are secondary to the principal agricultural use of the property;*
- *Are operated by persons residing on the farm / small holding*
- *Do not interfere with the farm operation and do not conflict with the surrounding uses;*
- *Do not occupy large amounts of farmland and are limited in area;*
- *Have adequate servicing:*
 - *If Municipal water and/or sewage services are available, the property shall be connected to municipal water and/or sewage services; or*
 - *If Municipal services are not available, the property can be serviced by the water supply and sewage disposal system on the property;*
- *Do not cause a traffic or safety concern;*
- *Obtain relevant permits from Health Unit*
- *Provide safe access onto an open public road;*
- *Are not severed from the property onto their own lot; and*
- *Comply with the provisions of the zoning by-law which may regulate these uses.*

On-farm diversified uses shall be permitted in accordance with the definitions and provisions in the Zoning By-law.

e) Deleting Section 7.5.6.2 and replacing with the following:

Industrial Uses - the main use of land within the Industrial designation shall be a wide range of industrial activities: manufacturing, processing, fabrication or assembly of raw materials or goods, warehousing or bulk storage of goods, and related Accessory Uses.

Accessory Uses may be permitted according to the Industrial policies of this section and are defined as:

- Subsidiary office, retail and wholesale operations located on the same property as the primary use;
- Suppliers that directly and primarily serve industry;
- For businesses in the food production and processing industry, accommodation for seasonal employees and migrant labour is considered an accessory use when located on the same property as the primary use. Accommodation for seasonal employees and labourers will not be permitted on any separately titled lot;
- Uses that are similar in character and function to the defined Industrial uses herein, such as utilities, public works yards, and emergency service facilities such as ambulance bases and fire stations.

On lands designated Industrial in the Thames Road Corridor Area of the Town of Exeter (Shown on Schedule C) light industrial and general industrial uses may also include service industries (but shall not include retail stores, automotive sales establishments or churches), private recreation facilities and office spaces including professional (excluding a clinic), scientific, information and technical services, real estate, insurance and financial services and training services. Specific permitted uses are listed in the Zoning By-law.

APPENDICES

The appendices do not form part of the amendment but are for information purposes only.

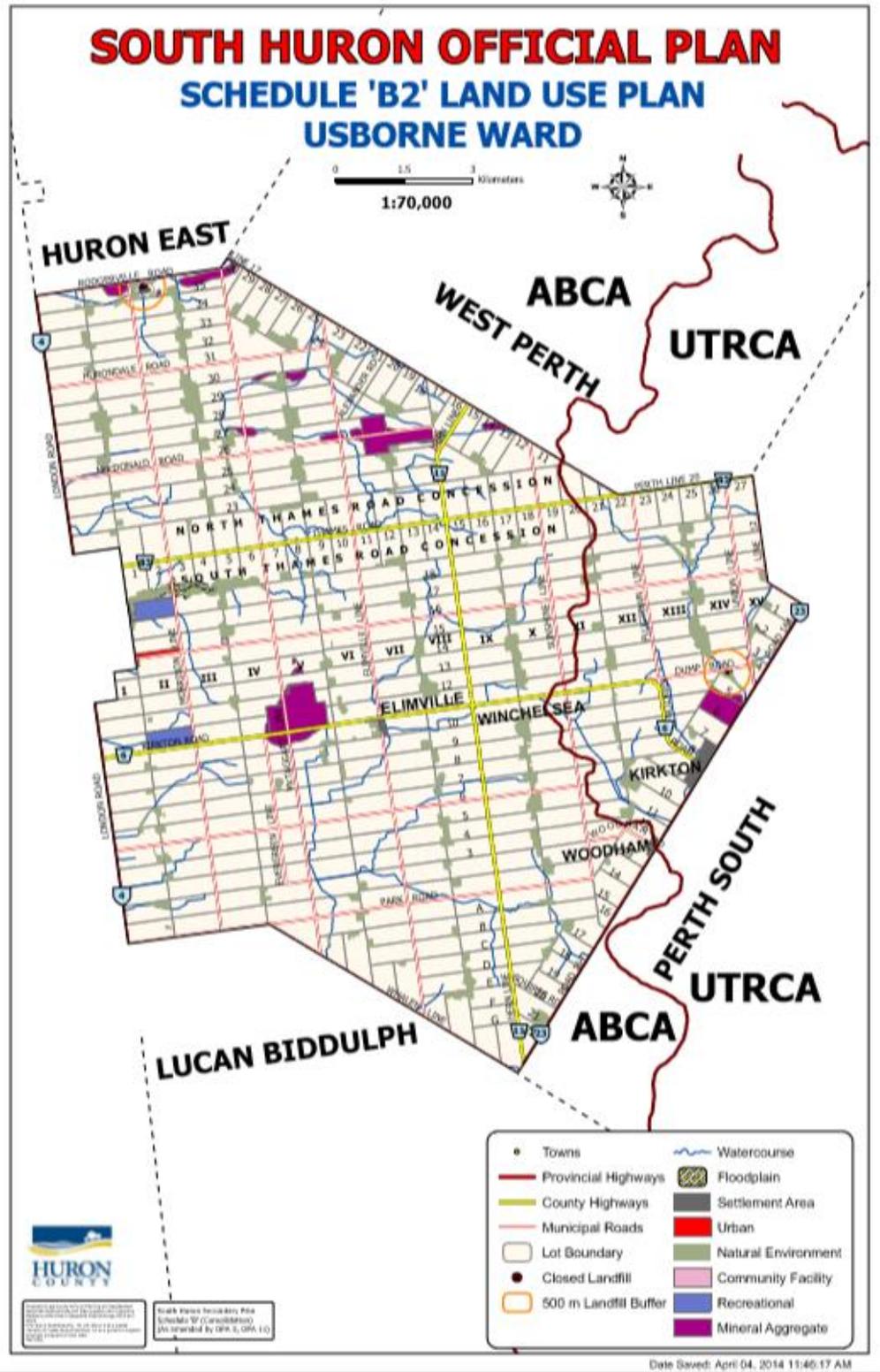
Background

The purpose of the Official Plan Amendment is to:

- To update the surplus farm residence consent policies to be in line with the policies approved in the Huron County Official Plan Update. This would make the policies consistent with those being used across Huron County. The amended policies do not require Minimum Distance Separation (MDS) calculations to be done for neighbouring barns with less than 100 nutrient units.
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 - Offices, including professional (excluding a clinic), scientific, information and technical services, real estate, insurance and financial services and training centres
 - Private Recreation Facility

SCHEDULE "B"

- Mapping to Implement Official Plan Amendment No. 15 -



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