

## Rebekah Msuya-Collison

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**From:** Dan Best  
**Sent:** Tuesday, July 03, 2018 6:20 PM  
**To:** Rebekah Msuya-Collison  
**Subject:** FW: Comments on South Huron Comprehensive Zoning By-law - Oakwood Tennis Court Property, 70829 Bluewater Highway  
**Attachments:** Sourth-Huron\_ZB-Map-1A\_DRAFT\_28-June-2018.pdf; Stephen ZB\_Existing\_Map-58.pdf; 217196E03\_Subdivision-Concept\_Draft.pdf

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**From:** David Mihlik [mailto:mail@arvadesign.ca]  
**Sent:** Tuesday, July 03, 2018 5:26 PM  
**To:** Dan Best <cao@southhuron.ca>; 'Sarah Smith' <sarahsmith@huroncounty.ca>; Scott Currie <scurrie@southhuron.ca>  
**Cc:** 'Shannon Scatcherd' <:sscatcherd@oakwoodresort.ca>; vscatcherd@oakwoodinnresort.com; lducharme@oakwoodresort.ca; 'Andy Spriet' <andy@spriet.on.ca>; 'Kevin McIlmurray' <kevinm@spriet.on.ca>; 'Shanna McIlmurray' <shanna@spriet.on.ca>  
**Subject:** Comments on South Huron Comprehensive Zoning By-law - Oakwood Tennis Court Property, 70829 Bluewater Highway

To: Sarah Smith, Planner  
Huron County Planning and Development Department

Copy: Dan Best, Chief Administrative Officer  
Municipality of South Huron

Copy: Valorie Scatcherd, Oakwood Resort  
Copy: Shannon Scatcherd, Oakwood Resort  
Copy: Leo Ducharme, General Manager, Oakwood Resort

Copy: Andy Spriet, Spriet Associates  
Copy: Kevin McIlmurray, Spriet Associates  
Copy: Shanna McIlmurray, Spriet Associates

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This submission is in response to a request for comments on the proposed Comprehensive Zoning By-law for South Huron. It is submitted on behalf of 780769 Ontario Inc., owner of the property at 70829 Bluewater Highway, referred to as the 'Oakwood Tennis Court' property.

As you are aware, consideration has been given to developing the subject property, including a preliminary proposal for an 11 lot residential subdivision (see copy attached).

For reference, I have also attached proposed Zone Map 1A and the existing Zone Map 58, with the subject property marked in red.

It is understood that the Official Plan and Zoning By-law will have to be amended to permit residential development on the subject property. The concern regarding the new Comprehensive Zoning By-law is that the rear of the property (west of Walkers Drain) is proposed to be zoned 'Natural Environment Zone 2 (NE2)'. Previously there was a building setback required from the watercourse, but not a separate zone.

One concern is subsection 3.19 of the General Provisions, which states:

### *"3.19. Natural Environment Zone Setback*

*No development is permitted in Conservation Authority Regulated Lands (CARL) or adjacent lands, which are defined as lands within 120 metres of a Provincially Significant wetland or within 50 metres of all other significant natural features until it has been determined that the proposed development does not result in negative impacts on the natural environment features or functions of the significant natural environment feature.*

*In areas zoned AG1 adjacent lands will be 15 metres from all significant natural features, except for Provincially Significant wetlands, which require 120 metres.*

*No adjacent land is applied around woodlots smaller than 4 hectares that are otherwise not deemed to be a significant natural feature. An Environmental Impact Study, (EIS) may be required to determine if development shall be permitted.*

*In lake-bank or valley properties the provisions of 'Hazard Lands' shall also apply.*

*All buildings and structures in all zones outside of a settlement area shall be setback from a NE2 Zone a minimum distance of 50 metres, unless the building or structure is to be located in the AG1 Zone where the minimum setback shall be 15 metres.*

*All buildings and structures in all zones shall be setback from a NE1 Zone a minimum distance of 120 metres."*

It appears that a setback of 50 metres is required from the edge of the proposed NE2 Zone to a new residence. This could result in a substantial loss of buildable area, depending on the exact boundary for the NE2 Zone.

The requirement for an Environmental Impact Study (EIS) also needs to be clarified. The second sentence in paragraph 3 states:

*"An Environmental Impact Study, (EIS) may be required to determine if development shall be permitted"*

It is not clear if this EIS requirement would apply to the subject property, and if the requirement could adversely impact the feasibility of the proposed project.

In summary, the above items are concerns with the proposed Zoning By-law that need to be reviewed with South Huron.

We look forward to your response. Thank you.

David Mihlik  
Project Planner - Spriet Associates

**PRELIMINARY SUBDIVISION CONCEPT PLAN - 70829 BLUEWATER HIGHWAY - DRAFT FOR REVIEW**

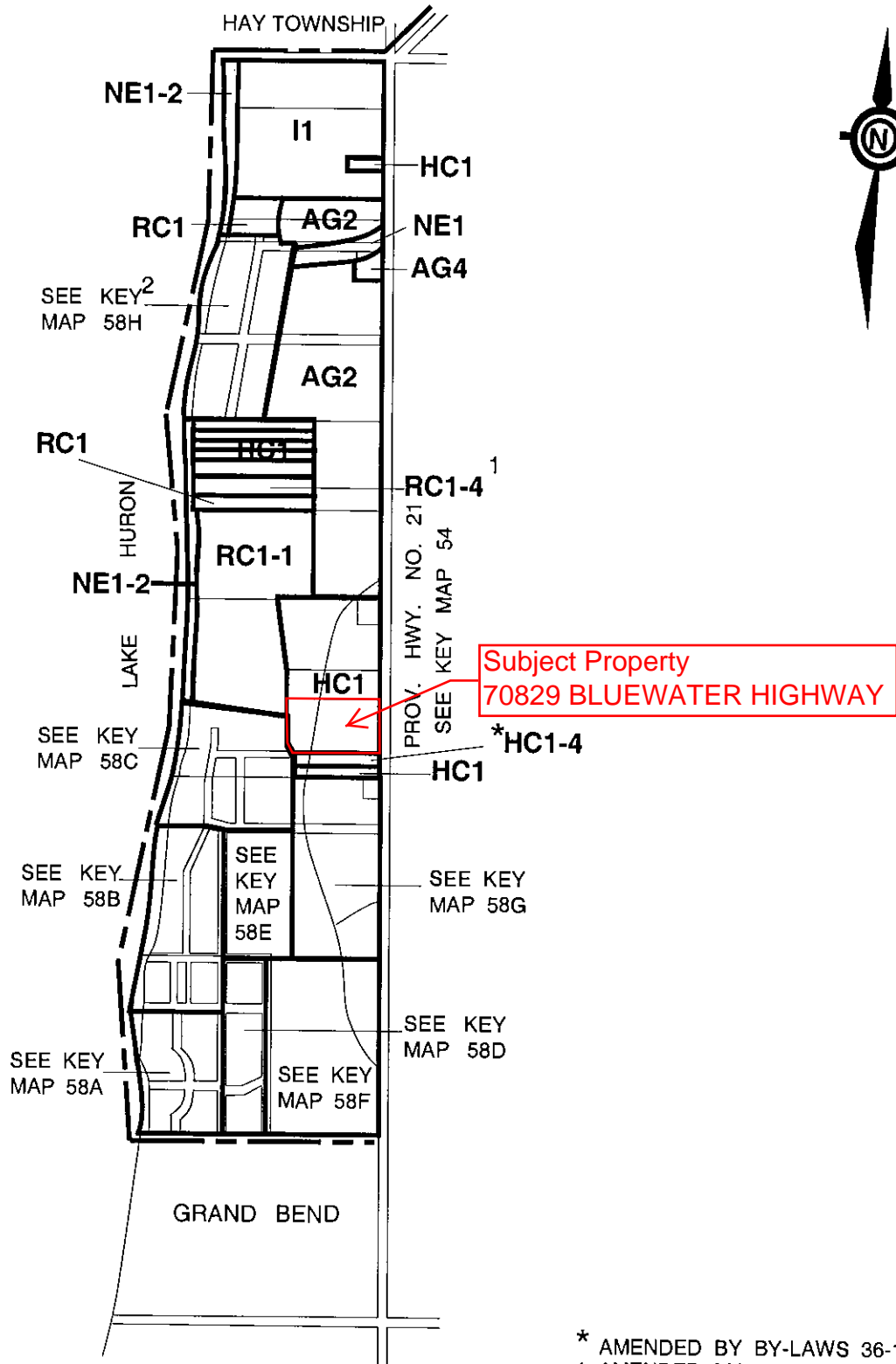


SCHEDULE "A"  
**KEY MAP 58**

TOWNSHIP OF STEPHEN

0 100 200 500 METRES

0 500 1000 2000 FEET



\* AMENDED BY BY-LAWS 36-1984, 45-1988  
 1 AMENDED BY BY-LAW 20-1992  
 2 AMENDED BY BY-LAW 53-2007