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File No.: 2019-05

Mike Rolph, CBCO
Director of Building and Planning
Chief Building Official
Municipality of South Huron
PO Box 759, 322 Main Street South
Exeter, Ontario, Canada, N0M 1S6

**RE: Zoning By-law Amendment Application (Temporary Use By-law)
70786 Bluewater Highway, Municipality of South Huron (Phase 1 Property)
Tridon Properties Ltd.**

On behalf of Tridon Properties Ltd. ("Owner"), we are pleased to submit a Zoning By-law Amendment Application to authorize a temporary use by-law on a portion of land known municipally as 70786 Bluewater Highway, Municipality of South Huron, Huron County. The portion of the land intended for the temporary use by-law is approximately 20 hectares in size, with frontage on Bluewater Highway, and would provide the authority to use the land for passive agricultural purposes for a period of not more than three (3) years.

The Site is approximately 52 hectares and was formerly operated as the Oakwood Resort Golf Course. The western property line abuts the Bluewater Highway (Highway 21), which provides access to the Site through an existing vehicular access. The Site is characterized by manicured lawns, with a woodland located on the northeast corner and a drain that traverses the property.

Located within the Port Blake Planning Area, the Site is designated as "Low Density Residential", "Medium Density Residential" and "Natural Environment" with a "Floodplain" overlay in the Municipality of South Huron Official Plan. The portion of the Site intended for the temporary use is zoned "Recreational Commercial (RC₃)", "Floodway (FW)" and "Natural Environment Zone Two (NE₂)".

Official Plan Amendment No. 19 provided for the Site to be located within the defined area, with permissions for residential uses. Subsequently, the land on the northern portion of the Site, referred to as Phase 1, received approval for a Zoning By-law Amendment and Draft Plan of Subdivision. On-site grading is scheduled for 2024 for the Phase 1 land. To permit development on the Phase 2 land, the Owner must submit both a Zoning By-law Amendment Application and Draft Plan of Subdivision Application. It is anticipated that these applications will be submitted in 2024, with construction commencing, if approved, in 2026.

Temporary Use By-law

The provisions for a temporary use by-law as set out in Section 39 of the Planning Act, 1990, R.S.O. c. P.13. A council may authorize the temporary use of land, building or structures for any purpose, that is

otherwise prohibited by the Zoning By-law. A temporary use by-law shall not exceed a period of three (3) years from the day of the passing of the by-law.

Through the temporary use by-law, the following use is proposed to be permitted:

In addition to the permitted uses within the RC₃ Zone, the following use shall be permitted for a period of not more than three (3) years, effective from the date of passing of this by-law:

- A cropping agricultural use that does not include:
 - the use of buildings and/or structures,
 - the use of land for livestock purposes,
 - the storage of manure on-site, or
 - the application of manure or pesticides.

The Temporary Use By-law would provide the opportunity to utilize the vacant, underutilized land in Phase 2 for limited agricultural purposes, while the planning and servicing approvals are sought. It is our opinion that the temporary use of the Phase 2 land on the Site for food and crop production on a temporary basis is an appropriate and compatible use of the land.

The use of the Phase 2 land for temporary agricultural purposes would provide a southern property line interface of existing residential uses to the proposed agricultural uses. This interface is typical for settlement areas in Huron County, whereby agricultural lands surround the existing edges of developed settlement areas. Settlement areas, such as Exeter, are boarded by agricultural land uses that operate under the Farming and Food Protection Act, and the restriction to the range of farming practices is limited to complying with minimum distance separation for livestock facilities.

The specific restrictions within the temporary use by-law have been proposed to provide further clarity on the range of farming that could be undertaken on the Site for a limited period of three (3) years. Historically, the Site has been operated as a golf course, whereby herbicides and pesticides are permitted to be used (Pesticides Act, R.S.O. 1990, c. P.11). The temporary use by-law limits fertilizer application to herbicides, a narrower scope of application than is permitted for a golf course.

It is noted that areas of natural heritage significance and/or flooding hazard would not be utilized for agricultural purposes.

In support of the Application, please find enclosed the following:

- The Zoning By-law Amendment Application Form through CloudPermit
- The applicable application fee, being \$2,067.00 to the Municipality of South Huron.

We trust the submission can be accepted and circulated for review. Should you have any questions or comments, please let us know and we would be happy to discuss further.

Kind regards,



Caroline Baker, MCIP, RPP
Principal

c.c. Tridon Properties