

**NOTICE OF DECISION
CONCERNING A DRAFT PLAN OF SUBDIVISION
IN THE Municipality of South Huron**

OWNER: Tridon Properties Ltd.
APPLICANT: Baker Planning Group (c/o Caroline Baker)
FILE NUMBER: 40T20006
LOCATION: Part Lots 2-1, Lake Road East Concession, Stephen Ward,
Municipality of South Huron (70786 Bluewater Highway)

TAKE NOTICE that the Council of the Corporation of the County of Huron granted approval to draft plan of subdivision 40T20006 on November 3, 2021, pursuant to Section 51 of the Planning Act, subject to the attached terms and conditions.

AND TAKE NOTICE that any appeal of this decision to the Local Planning Appeal Tribunal must be filed with the Clerk of the County of Huron, not later than **December 6, 2021**. A notice of appeal must set out the reasons for the appeal and must be accompanied by the fee prescribed under the Ontario Land Tribunal Act (\$1,100.00). Filing an appeal with the Ontario Land Tribunal (OLT) against the decision of the approval authority, the lapsing condition or any conditions imposed by the approval authority must be undertaken in accordance with OLT guidelines, forms and fees (payable to the Minister of Finance) available from the OLT website <https://olt.gov.on.ca/>.

Section 51 (39) and 51 (43) of the Planning Act identifies those who have the ability to appeal the decision, lapsing provision or any conditions of the Plan of Subdivision.

The applicant, local municipality, or any public body who made oral submissions at a public meeting or written submissions before the decision was made by the County of Huron may, at any time before the approval of the final plan of subdivision under Section 51, appeal any of the conditions imposed to the Municipal Board by filing with the Clerk of the County of Huron. A notice of appeal must set out the reasons for the appeal and be accompanied by the fee prescribed under the Ontario Land Tribunal Act (\$1,100.00).

You will be entitled to receive notice of any changes to the conditions of approval of the draft plan of subdivision if you have made a written request to be notified of changes to the conditions of approval of the draft plan of subdivision.

No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions.

Only persons or public bodies who meet certain requirements*, the local municipality or the Minister may appeal decisions in respect of a proposed plan of subdivision to the Ontario Land Tribunal.

*Notwithstanding the above, only a 'person' listed in subsection 51(48.3) of the Planning Act may appeal the decision of the County of Huron to the Ontario Land Tribunal (OLT) as it relates to the

proposed plan of subdivision. Below is the prescribed list of 'persons' eligible to appeal a decision of the County of Huron related to the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act.

These are recent changes that have been made to the Planning Act by the province. A link to the revised Planning Act can be found here - <https://www.ontario.ca/laws/statute/90p13>.

The prescribed list of 'persons' eligible to appeal a decision of the County on the proposed plan of subdivision as per subsection 51(48.3) of the Planning Act is as follows:

1. A corporation operating an electric utility in the local municipality or planning area to which the plan of subdivision would apply.
2. Ontario Power Generation Inc.
3. Hydro One Inc.
4. A company operating a natural gas utility in the local municipality or planning area to which the plan of subdivision would apply.
5. A company operating an oil or natural gas pipeline in the local municipality or planning area to which the plan of subdivision would apply.
6. A person required to prepare a risk and safety management plan in respect of an operation under Ontario Regulation 211/01 (Propane Storage and Handling) made under the Technical Standards and Safety Act, 2000, if any part of the distance established as the hazard distance applicable to the operation and referenced in the risk and safety management plan is within the area to which the plan of subdivision would apply.
7. A company operating a railway line any part of which is located within 300 metres of any part of the area to which the plan of subdivision would apply.
8. A company operating as a telecommunication infrastructure provider in the area to which the plan of subdivision would apply.

No person or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions or the conditions, unless the person or public body made oral submissions at a public meeting or written submissions to the council before the decision of the approval authority, or, in the Ontario Land Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

ADDITIONAL INFORMATION relating to the draft plan of subdivision is available for inspection by electronic means or via mail request to: County of Huron Planning and Development Department, 57 Napier Street, Goderich, ON N7A 1W2.

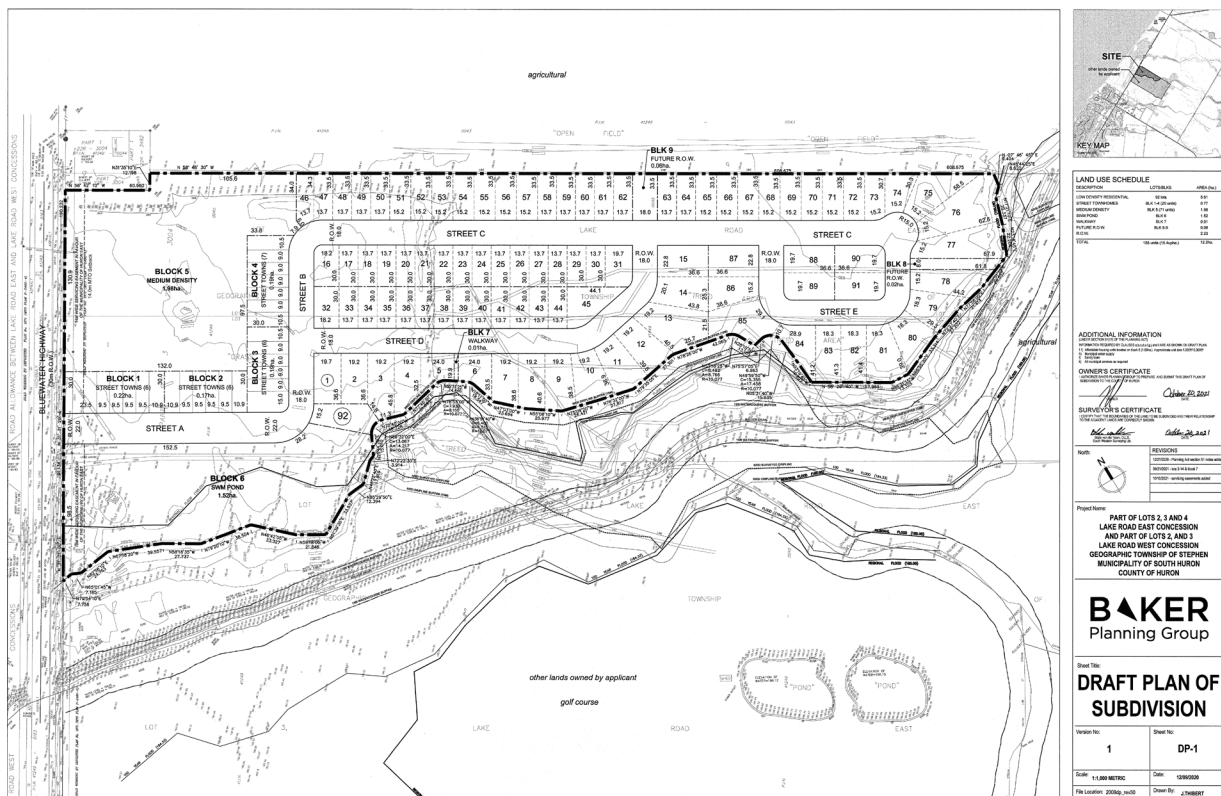
DATED AT THE COUNTY OF HURON
THIS 16th DAY OF November, 2021.

Susan Cronin, County Clerk
County of Huron
1 Court House Square
Goderich, ON N7A 1M2

The subdivision application is to create 97 lots/blocks for 188 residential dwellings (92 single detached, 25 street townhouses, and a cluster of 71 stacked townhomes/multiple attached), a stormwater management pond, and new municipal roads. These lands are approximately 12 hectares (30 acres) and are located north of the Walker Drain. Access to the subdivision is proposed to be directly from Bluewater Highway (Provincial Highway 21).

EFFECT OF WRITTEN AND ORAL SUBMISSIONS

Draft Plan of Subdivision 40T20006:



DRAFT PLAN APPROVAL FOR PLAN OF SUBDIVISION

File: 40T20006
Developer: Baker Planning Group for Tridon Properties Ltd.
Lower Tier: Municipality of South Huron
Subject Lands: Part Lots 2-4, Lake Road East Concession, Stephen Ward,
Municipality of South Huron, County of Huron
Date of Draft Approval: November 3, 2021

WHEREAS the application for subdivision 40T20006 has been circulated according to the Delegation Orders of the Minister of Municipal Affairs and the County of Huron's Procedures Manual;

AND WHEREAS the application affects an area designated for residential development in the Municipality of South Huron Official Plan;

AND WHEREAS any issues raised during the circulation of the application are addressed by the following conditions to draft approval;

NOW, THEREFORE the Council of the Corporation of Huron hereby issues draft approval to file 40T20006 which pertains to Part Lots 2-4, Lake Road East Concession, Stephen Ward, Municipality of South Huron and the following conditions shall apply.

The County of Huron's conditions, amendments, and administration requirements to final approval for registration of this subdivision (File 40T20006) are as follows (the following conditions must be met prior to final approval):

CONDITIONS

Description

1. This approval applies to the draft plan dated October 20, 2021. The subdivision consists of 92 lots/blocks intended for single detached dwelling development, 4 blocks for multiple attached dwelling development, 1 block for future medium density residential development, 1 block for stormwater management, 1 block for a walkway, 2 blocks for right of ways, and road allowances for 5 streets; on an area of 12.2 hectares.

Phasing

2. The subdivision may be registered in phases per a phasing plan acceptable to the Municipality of South Huron.
3. That any road or stormwater management and drainage infrastructure required for the independent development of either phase shall be completed to the satisfaction of the Municipality of South Huron prior to the registration of the respective Phase.

General

4. That the subdivision be named to the satisfaction of the Municipality of South Huron.
5. That South Huron Official Plan Amendment No. 19 be in full force and effect to the satisfaction of the County of Huron.

Roads

6. That roads be developed to a standard acceptable to the Municipality of South Huron.
7. The road allowances shown on the draft plan shall be dedicated to the Municipality of South Huron.
8. The roads shown on the draft plan be named and numbered for 911 purposes to the satisfaction of the Municipality of South Huron and the County of Huron
9. Any dead ends and/or open sides of road allowances created by this Plan of Subdivision shall be terminated in 0.3 metre reserve to be conveyed to and held in trust by the Municipality of South Huron until required for future road allowances or the development of adjacent land.

Easements and Blocks

10. Any easements required for municipal services, including a 15 metres wide easement adjacent to the Highway 21 right-of-way across the entire property frontage south of Street A and a 14 metres wide easement adjacent to the Highway 21 right-of-way across the property frontage north of Street A to facilitate future trunk sanitary sewer installation, will be provided by the Developer to the satisfaction of the Municipality of South Huron.
11. Any easements as may be required for any utility purposes, including but not limited to electricity, telecommunications, cable, gas and hydro shall be granted by the Developer gratuitously to the appropriate authorities to their satisfaction.
12. Blocks 8 and 9 shall be dedicated to the Municipality of South Huron for future road access.
13. Block 7 shall be dedicated to the Municipality of South Huron for a walkway.

Municipal Drain

14. Section 65 of the Drainage Act be addressed to the satisfaction of the Municipality of South Huron.

Subdivision Agreement

15. The Developer shall enter into a Subdivision Agreement with the Municipality of South Huron which shall list all requirements, including financial or otherwise for the development of the subdivision plan including but not limited to the following:
 - a. provisions for phases;
 - b. provision for roads to a standard acceptable to the Municipality of South Huron and for the naming of such roads;
 - c. provisions for the allocation of municipal reserve capacity for water and sewer that is coordinated with the phases;
 - d. provisions for the installation of and connection to municipal services (water, sanitary and storm systems);
 - e. provision of storm water management facilities;

- f. provision of grading and drainage plans and related installations;
 - g. provision of trees and landscaping on streets and any other public areas;
 - h. provision of sidewalks;
 - i. provision of public access to the proposed trails on the Developer's abutting property to the south;
 - j. provision of a temporary, asphalt cul-de-sac including a temporary guiderail type barricade installed as per OPSD 912.532 if the subdivision is developed in phases and the cul-de-sac is required by the phasing plan;
 - k. provide for the following 2 notices to be registered on title for the residential lots/blocks:
 - i. *Purchasers/tenants are advised that due to the proximity of the adjacent Grand Bend Wind Farm facility, noise from the facility may at times be audible.*
 - ii. *Purchasers/tenants are advised that due to the proximity of the adjacent Dark Horse Estate Winery, noise from the facility, including noise from pest-scaring devices, may at times be audible.*
 - l. provisions to address requirements by other review agencies;
 - m. see Condition 31 regarding Canada Post; and
 - n. other such matters as determined by the Municipality of South Huron.
16. A copy of the Subdivision Agreement shall be provided to the County of Huron, Planning and Development Department, prior to final approval.
17. The Subdivision Agreement shall be registered against the lands to which it applies by the Municipality of South Huron, and paid for by the Developer.

Engineering Drawings

18. Prior to final approval of each phase and sub-phase, the Developer shall submit for approval subdivision design drawings (including preliminary design sketches for all public works and services within the entire subdivision as per the Function Servicing Report), prepared and certified by a Professional Engineer to the satisfaction of the Municipality of South Huron.

Servicing

19. That the Developer agrees in writing to satisfy all requirements, financial and otherwise, of the Municipality of South Huron concerning the provision of roads, installation of services, drainage, and water and sewage capacity.
20. That a street lighting plan be submitted and approved by the Municipality of South Huron.
21. The Developer shall enter into an agreement with Hydro One Networks Inc. regarding electrical services and supply.

22. That Hay Communications, Bell Canada or any other communication provider selected by the Developer, advise the Municipality of South Huron that satisfactory arrangements have been made for the installation of underground communication facilities on the site and connecting facilities to the site and the developer sign a letter of understanding with the communication provider. The Developer shall confirm with the Municipality of South Huron the number and location of services provided.
23. The Developer agrees to provide Enbridge Gas Inc. (operating as Union Gas) the necessary easements and/or agreements required by Enbridge Gas for the provision of gas services for this project, in a form satisfactory to Enbridge Gas.

Storm Water Management

24. Prior to final approval, the Developer shall submit the following reports prepared by a qualified professional engineer, and completed to the satisfaction of the Municipality of South Huron and the Ausable Bayfield Conservation Authority:
 - a. A final storm water management plan;
 - b. Details regarding the maintenance of any stormwater management facilities.
 - c. A storm water management Maintenance Manual.
25. Prior to final approval, the Developer shall submit the following reports, prepared by a qualified professional engineer, and completed to the satisfaction of the Municipality of South Huron and the Ausable Bayfield Conservation Authority:
 - a. A final overall lot grading and drainage plan;
 - b. A final erosion and sedimentation control plan.
26. Block 6 shall be dedicated to the Municipality of South Huron for the purposes of stormwater management following the complete construction of all facilities outlined in the stormwater management plan including any facilities located on lands currently owned by the Municipality of South Huron.

Zoning

27. The subject lands be zoned to the satisfaction of the Municipality of South Huron.

Park Land

28. Cash in lieu of parkland be conveyed to the Municipality of South Huron as per Section 51.1 of the Planning Act.

Fencing

29. That the Developer shall agree to fence the northern side of the Medium Density Block (Block 5) adjacent to the existing residential property to the satisfaction of the Municipality of South Huron.

Canada Post

30. Prior to final approval, the Developer shall consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes and that the locations will be indicated on the appropriate servicing plans.

31. The Subdivision Agreement shall contain the following clauses:

- a. *The Developer covenants and agrees to provide the Municipality of South Huron with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) as required by Canada Post Corporation and as shown on the approved engineering design drawings/Draft Plan at the time of sidewalk and/or curb installation. The Developer further covenants and agrees to provide notice to prospective purchasers of the locations of CMBs and that home/business mail delivery will be provided via CMB, provided the Developer has paid for the activation and equipment installation of the CMBs;*
- b. *The Developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.*
- c. *The Developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.*
- d. *The Developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.*
- e. *The Developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:*
 - *Any required walkway across the boulevard, per Municipal standards;*
 - *Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications); and*
 - *A Community Mailbox concrete base pad per Canada Post specifications.*

Ministry of Transportation (MTO)

32. The Developer shall convey by deed, free and clear of all liens, mortgages, and encumbrances to the MTO visibility triangles at the intersection of Highway 21 and Proposed Street A and a 0.3 m reserve extending across the entire highway frontage. These are to be shown as separate blocks.
33. Prior to final approval the Developer shall submit to MTO for review and approval, a copy of a Stormwater Management Report/Plan.
34. That prior to final approval, the Developer shall submit to MTO for review and approval, a copy of a Traffic Impact Study. Highway improvements as a result of the development are the financial responsibility of the Developer.
35. That prior to final approval, the Developer shall enter into a Legal Agreement with the Ministry of Transportation whereby the Developer agrees to assume financial responsibility for the design and construction of all necessary highway improvements as outlined in the Traffic Impact Study.

Financial Requirements

36. The Developer shall pay any outstanding charges to the Municipality of South Huron prior to final Approval.
37. The Developer acknowledges that the Grand Bend Sewage Treatment Facility Cost Recovery By-law applies to all lots and dwelling units in this development and is paid at the time of the Building Permit application to the satisfaction of the Municipality of South Huron.
38. Reimbursement by the Developer of any legal, and/or engineering and consulting fees and disbursements incurred by the Municipality of South Huron in connection with the review or approval of this plan of subdivision, shall be made.
39. Reimbursement by the Developer of any legal, and/or engineering and consulting fees and disbursements incurred by the County of Huron in connection with the review or approval of this plan of subdivision, shall be made.

Clearances

40. The County is to be advised in writing by the appropriate agencies that the foregoing conditions have been satisfied (see Notes to Draft Approval for addresses of agencies).

ADMINISTRATION

The Developer has three (3) years from the date of draft approval of this plan of subdivision to obtain final approval from the County. If final approval is not obtained before three (3) years from the date of draft approval, and in the absence of an extension applied for by the Developer and approved by the County, then the draft approval shall be deemed to be void.

NOTES TO DRAFT APPROVAL

1. It is the applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Huron Planning and Development Department, quoting the County file number.
2. An application for final approval of the Plan of Subdivision must be submitted to the County of Huron with copies of the required clearance letters. Be advised the County of Huron requires a minimum of two weeks to review an application for final approval of a Plan of Subdivision.
3. A copy of the final M-Plan is required by the County of Huron and the Municipality of South Huron.
4. It is the responsibility of the Developer to provide the approval body with the required information and fees to extend this draft approval. Should this information and fees not be received prior to the lapsing date, the Draft Plan Approval will lapse. There is no authority to revise the approval after the lapsing date and a new subdivision application under Section 51 of the Planning Act will be required.
5. An updated review of the plan and revisions to the Conditions of Approval may be necessary if an extension is to be granted.

6. Ausable Bayfield Conservation Authority (ABCA) notes to draft approval:
 - a) The Developer is cautioned that storm water management blocks may be subject to change based on the final storm water management plan.
 - b) Formal written permission from ABCA under Ontario Regulation 147/06 is required for all storm water-related facilities within this regulated area, including the storm water management pond, grading, storm outlet features, etc.
7. Ministry of Transportation (MTO) notes to draft approval:
 - a) An MTO Building and Land Use Permit is required. As a condition of MTO permits, the following will be required:
 - The Proponent shall submit an acceptable Site Plan, Grading Plans, Drainage Plan and Site Servicing Plan for MTO review and approval. These plans shall clearly identify all structures/works and parking (existing and proposed).
 - MTO requires all buildings, structures and features integral to the site to be located a minimum of 14 metres from the highway property limit, inclusive of landscaping features, fire-lanes, parking and storm water management facilities.
 - b) Municipal services may be permitted to cross Highway 21 at MTO approved locations. New parallel installations should be constructed outside of MTO right-of-way. Prior to construction, the municipality shall submit for review and approval, copies of engineering drawings and geotechnical investigation. Open cut installations on Highway 21 will not be permitted. An MTO encroachment permit will be required to complete this work.
 - c) The grading/drainage plans shall identify any storm drain infrastructure including - outlets, swales, tiles, direction of flow, etc. A Storm Water Management Report is required for MTO review and approval.
 - d) Any/all signage visible from Highway 21, including temporary development signs, must be identified on the plans, must conform to MTO policies and guidelines, and will require a valid MTO Sign Permit before installation.
8. Clearances are required from the following:

Municipality of South Huron
322 Main Street South
Exeter, ON, N0M 1S6
Conditions #2-4, 6-10, 12-15, 17-20, 22, 24-29, 36-38

Canada Post
955 Highbury Ave
London, ON, N5Y 1A3
Conditions #30, 31

County of Huron Planning & Development
Department
57 Napier Street, 2nd Floor
Goderich, ON, N7A 1W2
Conditions #5, 8, 16, 39, 40

Bell Canada (if applicable)
F1-575 Riverbend Drive
Kitchener, ON, N2K 3S3
Conditions #11, 22

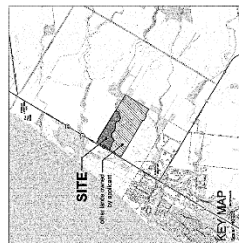
Hydro One Networks Inc.
Underground Subdivisions Department
420 Welham Road
Barrie, ON, L4N 8Z2
Conditions #11, 21

Hay Communications (if applicable)
72863 Blind Line
P.O. Box 99
Zurich, ON, N0M 2T0
Conditions #11, 22

Ausable Bayfield Conservation Authority
71108 Morrison Line, R.R. #3
Exeter, ON, N0M 1S5
Conditions #24, 25

Enbridge Gas Inc.
50 Keil Drive North
Chatham, ON, N7M 5M1
Conditions #11, 23

Ministry of Transportation
West Operations Branch
Corridor Management Section
West
659 Exeter Road
London, ON, N6E 1L3
Conditions #32-35



DESCRIPTION	LOT/REUSE	AREA (sq.)
LOW DENSITY RESIDENTIAL	52.016	5.51
STREET TOWNHOUSES	R/L 14.25 (114)	0.77
BEACH DENSITY	R/L 5.71 (140)	1.45
BEACH POND	R/L 6	1.52
WALKWAY	R/L 7	0.31
FLUTURE FLOW	R/L 6.9	0.69
P.O.		2.23
TOTAL	158.016 (15.400 x 10.3)	12.24

[illegible]

OWNER'S CERTIFICATE
AUTOMATIC BARRIER ACCESS SYSTEMS TO PREPARE AND SUBMIT THE ENTRY PLAN OF
SUBMISSION TO THE COURT OF AUSTIN

October 20, 2021

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SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE NUMBER OF VOTES AND THE SEVERAL VOTERS RELIED UPON BY
THE CANDIDATES WERE CORRECTLY COUNTED.

[Signature]

October 20, 2021

North: 

REVISIONS	
1-20-12/2005	Plumbing & Mechanical System Revised
04-01-2011	Rev. 3-11 & Mark 2
07-05-2011	Rev. 5-11 Mechanical and

DATE: 01-12-2012 DRAWN: C.C.S.
 DATE: 1-2-2012 PROJECT: Pumping Station

Project Name: PART OF LOTS 2, 3 AND 4
LAKE ROAD EAST CONCESSION
AND PART OF LOTS 2, AND 3
LAKE ROAD WEST CONCESSION
GEOGRAPHIC TOWNSHIP OF STEPHEN
MUNICIPALITY OF SOUTH HURON
COUNTY OF HURON

BAKER
Planning Group

Sheet Title:
**DRAFT PLAN OF
SUBDIVISION**

Version No:	1	Sheet No:	DP-1
Scale:	1:1,000 METRIC	Date:	12/06/2020
File Location:	2008ag_m00	Drawn By:	ATHBERT