

**NOTICE OF DECISION
CONCERNING A DRAFT PLAN OF SUBDIVISION
IN THE MUNICIPALITY OF SOUTH HURON**

OWNER: Manx Developments Ltd.
APPLICANT: Monteith Brown Planning Consultants
FILE NUMBER: 40T22002
LOCATION: Part Lot 1090, Plan 376, Exeter Ward, Municipality of South Huron

TAKE NOTICE that the Council of the Corporation of the County of Huron granted approval to draft plan of subdivision 40T22002 on June 22, 2022, 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 **July 13, 2022**. 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 23rd DAY OF JUNE, 2022.

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

PLAN OF SUBDIVISION DESCRIPTION

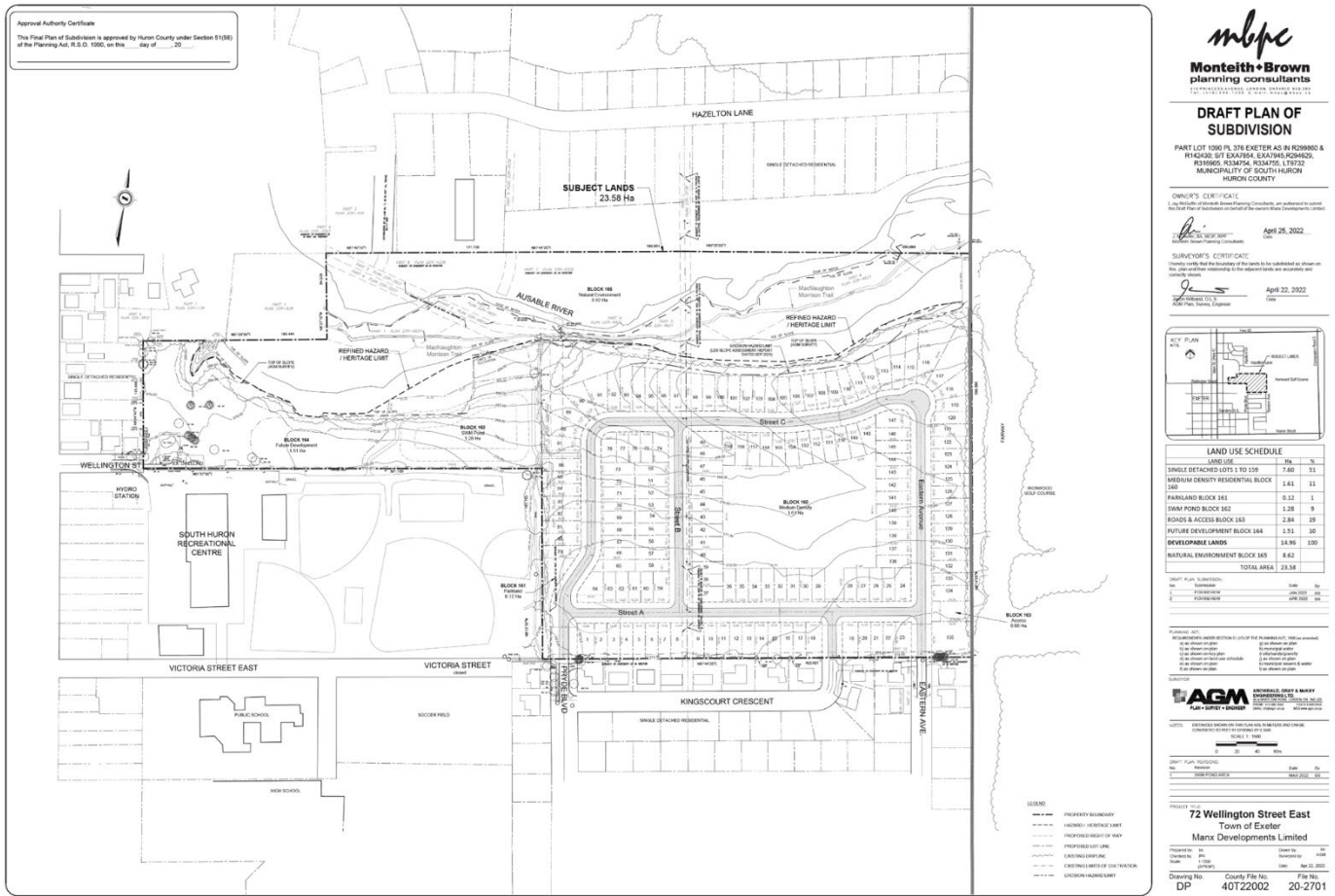
This residential subdivision application is to create 159 single detached residential dwelling lots, 2 blocks for 84 residential dwellings, a block for a stormwater management pond, an open space block at the existing path that leads to the MacNaughton-Morrison Trail, a natural environment block for the naturalized area encompassing the Ausable River, and new municipal streets. The subject lands have a total area of approximately 24 hectares (58 acres). Access to the subdivision will be from Wellington Street East, Pryde Boulevard, Kingscourt Crescent, and Eastern Avenue.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS

Public comments in opposition to the application were received. The comments were thoroughly considered but the effect did not influence the decision of Council to approve the application.

Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.

Draft Plan of Subdivision 40T22002:



DRAFT PLAN APPROVAL FOR PLAN OF SUBDIVISION

File: 40T22002
Developer: Monteith Brown Planning Consultants for Manx Developments Ltd.
Lower Tier: Municipality of South Huron
Subject Lands: Part Lot 1090, Plan 376, Exeter Ward, Municipality of South Huron, County of Huron
Date of Draft Approval: June 8, 2022

WHEREAS the application for subdivision 40T22002 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 40T22002 which pertains to Part Lot 1090, Plan 376, Exeter 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 40T22002) are as follows (the following conditions must be met prior to final approval):

CONDITIONS

Description

1. This approval applies to the draft plan dated April 22, 2022. The subdivision consists of 159 single detached residential dwelling lots, 2 blocks for future higher density residential development, 1 block for stormwater management, 1 block for open space, 1 block for natural environment, and new municipal streets on an area of approximately 24 hectares (58 acres).

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. The subdivision to be named to the satisfaction of the Municipality of South Huron.

Roads

5. That roads be developed to a standard acceptable to the Municipality of South Huron.

6. The road allowances shown on the draft plan shall be dedicated to the Municipality of South Huron.
7. 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.
8. Any deed 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

9. Any easements required for municipal services will be provided by the Developer to the satisfaction of the Municipality of South Huron.
10. 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.
11. Block 161 (a remnant block) shall be dedicated to the Municipality of South Huron to the satisfaction of the Municipality of South Huron.
12. Block 163 shall be dedicated to the Municipality of South Huron for future road access.
13. Block 165 shall be dedicated to the Ausable Bayfield Conservation Authority to the satisfaction of the Ausable Bayfield Conservation Authority.

Subdivision Agreement

14. 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. location and width of driveways;
 - j. provision of solid fencing along the rear of Lots 1-23 and along the south boundary of Lot 135;

- k. provision of chain link fencing on the rear of Lots 79-117 and along the south boundary of Blocks 162 & 164;
 - l. provisions to address requirements by other review agencies;
 - m. see Condition 32 regarding Canada Post; and
 - n. other such matters as determined by the Municipality of South Huron.
15. A copy of the Subdivision Agreement shall be provided to the County of Huron's Planning and Development Department, prior to final approval.
16. 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

17. Prior to final approval of each phase and sub-phase, the Developer shall submit for approval subdivision design drawings (which also include the location and width of all driveways) as well as 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

18. 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.
19. That a street lighting plan be submitted and approved by the Municipality of South Huron.
20. The Developer shall enter into an agreement with Hydro One Networks Inc. regarding electrical services and supply.
21. The Developer will consult with Hydro One Networks Inc. regarding the existing overhead electrical line to the satisfaction of the Municipality of South Huron.
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 162 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.

Parkland, Vegetation & Landscaping

28. Cash in lieu of parkland be conveyed to the Municipality of South Huron as per Section 51.1 of the Planning Act to the satisfaction of the Municipality of South Huron.
29. Prior to final approval, the Developer shall provide a landscape/tree planting plan to the satisfaction of the Municipality of South Huron.
30. The Developer coordinate with the adjacent golf course to develop a netting safety system, including maintenance, for lots adjacent to holes 11 and 12 to the satisfaction of the Municipality of South Huron.

Canada Post

31. Prior to final approval, the Developer shall consult with Canada Post to determine suitable temporary and permanent locations for the Community Mail Boxes and that the locations will be indicated on the appropriate servicing plans.
32. 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.*

Financial Requirements

- 33. The Developer shall pay any outstanding charges to the Municipality of South Huron prior to final Approval.
- 34. 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.
- 35. 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.

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.

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).

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 County of Huron 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.
5. An updated review of the plan and revisions to the Conditions of Approval may be necessary if an extension of Draft Plan Approval is to be granted.
6. Ausable Bayfield Conservation Authority (ABCA) notes that formal written permission from ABCA under Ontario Regulation 147/06 is required for all storm water-related facilities within the regulated area, including the storm water management pond, grading, storm outlet features, etc.
7. Bell Canada notes the Developer is required to agree to the following requirements:
 - a) The Developer agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Developer shall be responsible for the relocation of any such facilities or easements at their own cost.
 - b) It is the responsibility of the Developer to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Developer may be required to pay for the extension of such network infrastructure.
 - c) If the Developer elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

8. Clearances are required from the following:

Municipality of South Huron
 322 Main Street South
 Exeter, ON, N0M 1S6
 Conditions #2-9, 11-12, 14, 16-19, 21, 24-30, 32-34

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

County of Huron Planning & Development Department
 57 Napier Street, 2nd Floor
 Goderich, ON, N7A 1W2
 Conditions #7, 15, 31, 35

Bell Canada (if applicable)
 F1-575 Riverbend Drive
 Kitchener, ON, N2K 3S3
 Conditions #10, 22

Hydro One Networks Inc.
 Underground Subdivisions Department
 420 Welham Road

Hay Communications (if applicable)
 72863 Blind Line
 P.O. Box 99

Barrie, ON, L4N 8Z2
Conditions #10, 20

Ausable Bayfield Conservation Authority
71108 Morrison Line, R.R. #3
Exeter, ON, N0M 1S5
Conditions #13, 24, 25

Zurich, ON, N0M 2T0
Conditions #10, 22

Enbridge Gas Inc.
50 Keil Drive North
Chatham, ON, N7M 5M1
Conditions #10, 23

Approval Authority Certificate
This Final Plan of Subdivision is approved by Huron County under Section 51(58) of the Planning Act, R.S.O. 1990, on this _____ day of _____, 20____.



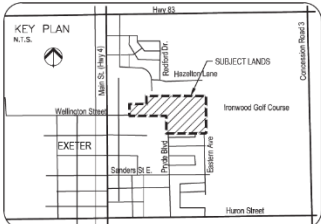
DRAFT PLAN OF SUBDIVISION

PART LOT 1090 PL 376 EXETER AS IN R299860 & R142430; S/T EXA7854, EXA7945, R294529, R316905, R334754, R334755, LT9732 MUNICIPALITY OF SOUTH HURON HURON COUNTY

OWNER'S CERTIFICATE
I, Jay McGuffin of Monteith Brown Planning Consultants, am authorized to submit this Draft Plan of Subdivision on behalf of the owners Manx Developments Limited.

J. McGuffin, BA, MCP, RPP April 25, 2022
Monteith Brown Planning Consultants Date

SURVEYOR'S CERTIFICATE
I hereby certify that the boundary of the lands to be subdivided as shown on this plan and their relationship to the adjacent lands are accurately and correctly shown.
April 22, 2022
Date
J. W. Wilsford, O.L.S.
AGM Plan, Survey, Engineer



LAND USE SCHEDULE		
LAND USE	Ha	%
SINGLE DETACHED LOTS 1 TO 159	7.60	51
MEDIUM DENSITY RESIDENTIAL BLOCK 160	1.61	11
PARKLAND BLOCK 161	0.12	1
SWM POND BLOCK 162	1.28	9
ROADS & ACCESS BLOCK 163	2.84	19
FUTURE DEVELOPMENT BLOCK 164	1.51	10
DEVELOPABLE LANDS	14.96	100
NATURAL ENVIRONMENT BLOCK 165	8.62	
TOTAL AREA	23.58	

DRAFT PLAN SUBMISSION:			
No.	Submission	Date	By
1	FOR REVIEW	JAN 2022	BSS
2	FOR REVIEW	APR 2022	BSS

PLANNING ACT:
REQUIREMENTS UNDER SECTION 51 (17) OF THE PLANNING ACT, 1990 (as amended):
a) as shown on plan
b) as shown on plan
c) as shown on key plan
d) as shown on land use schedule
e) as shown on plan
f) as shown on plan
g) as shown on plan
h) municipal water
i) silt/sand/gravel
j) as shown on plan
k) municipal sewers & water
l) as shown on plan



NOTES:
DISTANCES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
SCALE 1 : 1500
0 20 40 60m

DRAFT PLAN REVISIONS:			
No.	Revision	Date	By
1	SWM POND AREA	MAR 2022	BSS

PROJECT TITLE:
72 Wellington Street East
Town of Exeter
Manx Developments Limited

Prepared by: bn
Checked by: jmc
Scale: 1:1500 (GRAPHIC)
Date: Apr 22, 2022

Drawing No. DP
County File No. 40T22002
File No. 20-2701