



PLANNING & DEVELOPMENT

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To: Municipality of South Huron

From: Celina McIntosh, Planner

Date: July 25, 2024

**Re: Minor Amendment to Windermere (formerly Manx) Draft Plan of Subdivision
Approval File # 40T22002**

Part Lot 1090, Plan 376, Exeter Ward, Municipality of South Huron

Address: 72 Wellington Street East, Exeter

Owner: Windermere Community Limited (c/o Mohamed Abuhajar of INCON)

Applicant: Monteith Brown Planning Consultants (c/o Patrick Matkowski)

RECOMMENDATION

It is recommended that the Municipality of South Huron recommend to the County of Huron that the minor amendment to draft plan of subdivision file 40T22002 be approved, subject to the attached modified conditions.

PURPOSE AND DESCRIPTION

Plan of Subdivision file 40T22002 received draft plan approval from the County of Huron on June 22nd, 2022. The applicant is requesting a minor amendment to the approved plan to the following effect:

- Removing one lot along Street 'C' (previously Lot 159) and replace it by adding one (1) lot along Street 'A' (located where Lot 28 is);
- Convey the lands proposed for the servicing connection to the Municipality of South Huron (previously Lot 159) to the larger medium density block (Block 160);
- Slightly realign the lot lines fronting on Street 'C' (Lots 149-159 on the redline plan);
- Slightly realign interior lot lines fronting on Street 'A' to provide 11.54 metre frontages evenly (Lots 25-29 on the redline plan), and to provide 12.22 metre frontages evenly (Lots 30-37 on the redline plan);
- Reduce the frontage for the access to the medium density block (Block 160) along Street 'A' to 13.96 metres (previously 18.68 metres) and marginally increase the area of the Block to 1.63 hectares (previously 1.61 hectares);
- Realign the lots east and west of new Block 162 to accommodate the extension/connection from Block 162 to Street 'C';
- Reduce the existing hydro easement from 10 metres to 3 metres;
- Require a renumbering of the lots/blocks; and
- Remove Block 164 from the plan.

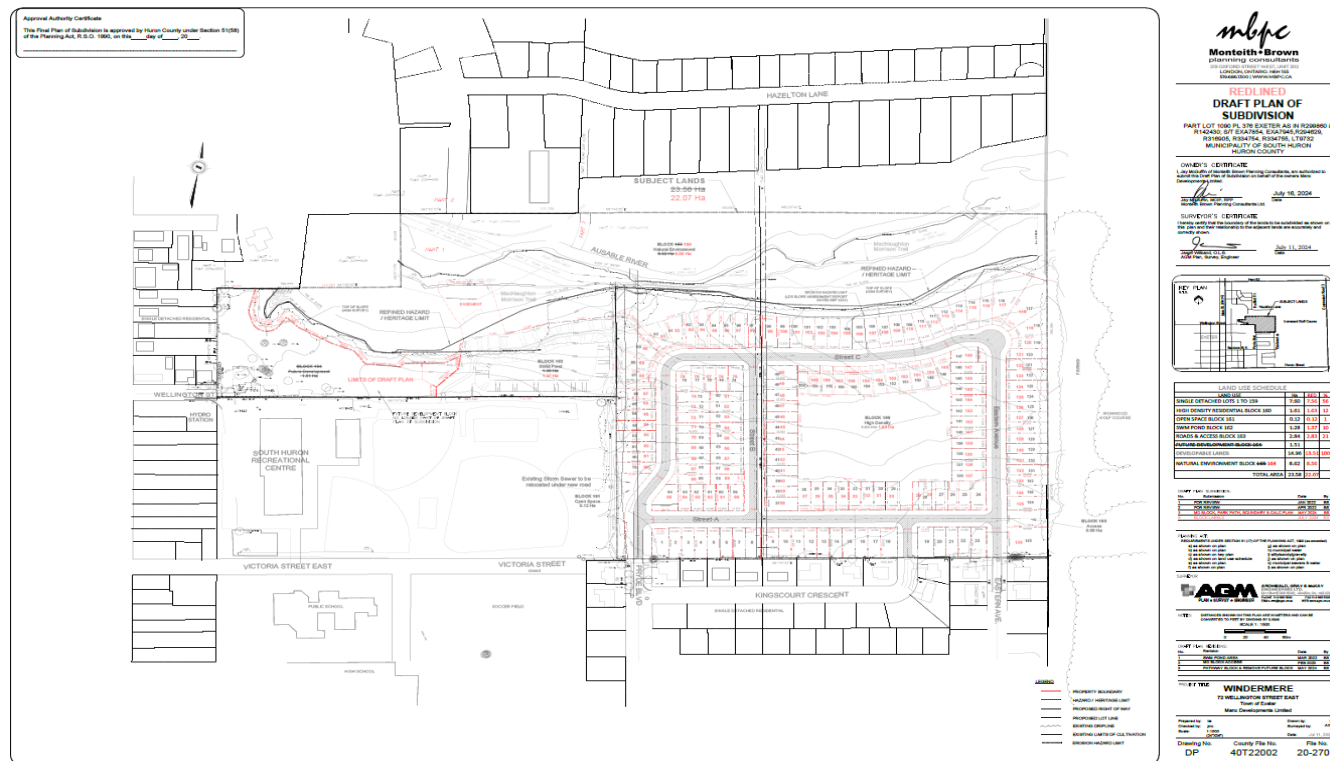
The purpose of the requested minor amendment is to accommodate the proposed sanitary and storm servicing strategy for the subdivision, as part of the detailed design works; specifically, provision of a servicing connection along Street 'C'; for servicing Block 160 and extension of Block 162 to Street 'C' to serve as a servicing and access for the sanitary sewer outlet. The intent of the removal of Block 164 from the draft plan is for the developer to develop this block separately from the plan of subdivision in an effort to move the development of this block forward in a timely manner.

There is no change to the number of residential lots originally draft plan approved. The main changes which will be visible to the public eye is the creation of the servicing access from Street 'C' to Block 160 and the access being provided from Street 'C' to Block 162.

Figure 1 **Current Subdivision Layout – 2020 Aerial Photo** (black outline)



Figure 2 Proposed Revision to Subdivision Layout (changes shown in red)



OTHERS CONSULTED

There are no concerns from staff or agencies regarding the proposed modifications.

PLANNING REVIEW

The subject property is designated “Residential” and “Natural Environment” on Schedule ‘C’ Land Use Plan of the South Huron Official Plan (OP). It is zoned R1-22-H (Residential – Low Density – Special - Holding), R1-23-H (Residential – Low Density – Special - Holding), R2-6-H (Residential – Medium Density – Special - Holding), R3-16-H (Residential – High Density – Special - Holding), OS (Parks and Open Space), OS-1 (Parks and Open Space – Special) and NE2 (Natural Environment) in Zone Map 5F of the South Huron Zoning By-law. It is approximately 21.17 hectares (52.31 acres) in area. A zoning by-law amendment was approved concurrently with the draft plan to reflect the proposed use(s)/lot fabric. A further zoning by-law amendment will be required should the minor amendment be approved to recognize the lot frontage deficiency for lots 24 through 28 created through the proposed re-alignment of lots rearing onto Block 160 and to re-zone the lands proposed for the servicing connection to Block 160 and servicing access between Block 162 and Street ‘C’.

The Provincial Policy Statement (PPS), 2020 promotes fully serviced settlement areas such as Exeter as the focus of growth and development. It requires residential intensification and emphasizes the efficient use of land and municipal infrastructure, all of which are still

maintained with the proposed modifications. Accordingly, the revised plan is consistent with the PPS.

Similarly, the County of Huron and South Huron Official Plans (OP) identify Exeter as an area for growth. The documents promote a mix of densities which the revised plan will continue to achieve. Accordingly, the revised plan conforms to the County of Huron and South Huron OPs.

RECOMMENDATION

It is recommended that the Municipality of South Huron recommend to the County of Huron that the minor amendment to draft plan of subdivision file 40T22002 be approved, subject to the attached modified conditions.

Sincerely,



Celina McIntosh,
Planner

DRAFT PLAN APPROVAL FOR PLAN OF SUBDIVISION

(including redline changes approved: August XX, 2024)

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 **as amended by the redline plan dated July 16, 2024**. The subdivision consists of 159 single detached residential dwelling lots, **21** blocks for future higher density residential development, 1 block for stormwater management, 1 block for open space, 1 block for natural environment, **1 block for future access**, and new municipal streets on an area of approximately **24 22.5** hectares (**58 55.6** 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~~ 164 shall be dedicated to the Ausable Bayfield Conservation Authority to the satisfaction of the Ausable Bayfield Conservation Authority.
14. 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.

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. location and width of driveways;
 - j. provision of solid fencing along the rear of Lots 1-23 and along the south boundary of Lot ~~435~~ **136**;
 - k. provision of chain link fencing on the rear of Lots ~~79-117~~ **80-118**, along the south boundary of Blocks 162 & ~~164~~ **and along the west boundary of Lot 162**;
 - 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.
16. A copy of the Subdivision Agreement shall be provided to the County of Huron's 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 (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

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. The Developer will consult with Hydro One Networks Inc. regarding the existing overhead electrical line to the satisfaction of the Municipality of South Huron.
23. 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.
24. 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

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 final storm water management plan;
 - Details regarding the maintenance of any stormwater management facilities.
 - A storm water management Maintenance Manual.
26. 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 final overall lot grading and drainage plan;
 - A final erosion and sedimentation control plan.

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:
- 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;*
 - 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
Barrie, ON, L4N 8Z2
Conditions #10, 20

Hay Communications (if
applicable)
72863 Blind Line
P.O. Box 99
Zurich, ON, N0M 2T0
Conditions #10, 22

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

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

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