

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

OWNER: Huron Green Inc.
APPLICANT: Ruth Victor & Associates
FILE NUMBER: 40T20001
LOCATION: Lot 6 & South Part Lot 7, Concession 2, Stephen 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 40T20001 on July 7, 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 **August 9, 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 20th DAY OF July, 2021.

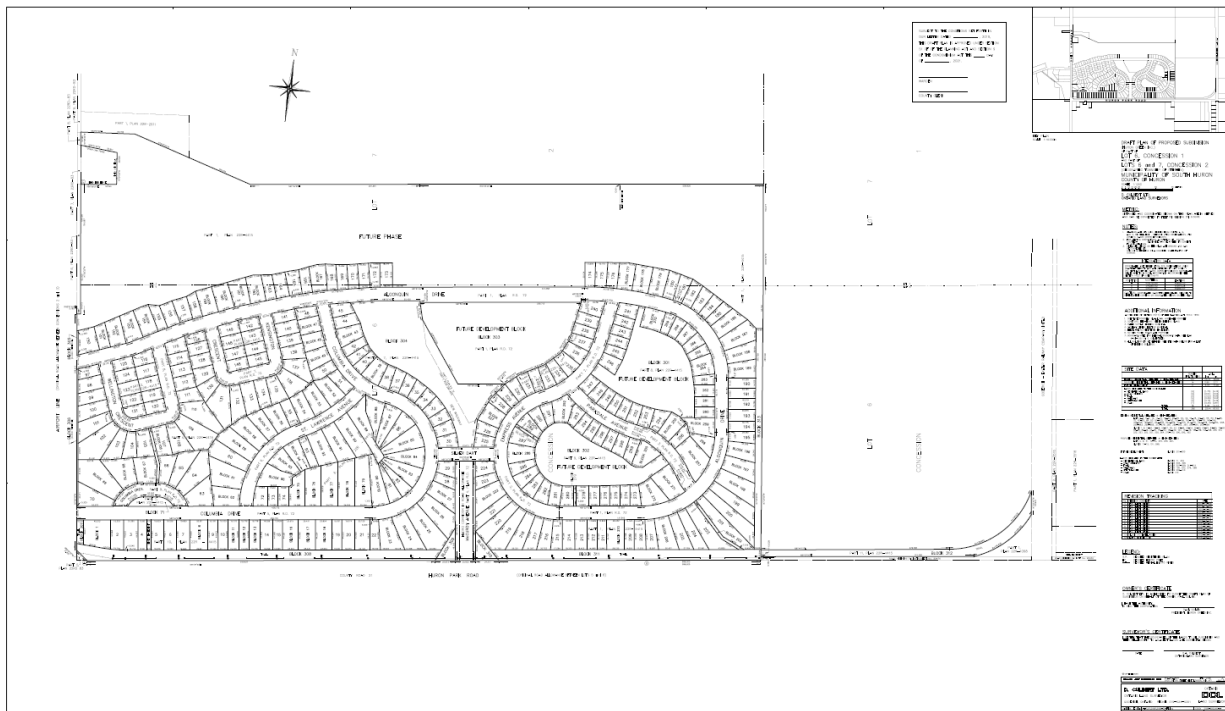
Susan Cronin, County Clerk
County of Huron
1 Court House Square
Goderich, ON N7A 1M2

The subject lands are located in what has been referred to in recent history as ‘Huron Park’ in the Stephen Ward. The purpose of the Plan of Subdivision is to create 281 lots/blocks containing the existing residential units, 14 vacant lots, 3 large future development blocks and 15 additional blocks for public purposes for a total of 313 lots/blocks.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS

Comments were received from agencies on the issues of affordable housing, need for a pedestrian crossing, road upgrades, park space, walkability, and impacts on existing tenants.

Draft Plan of Subdivision 40T20001:



DRAFT PLAN APPROVAL FOR PLAN OF SUBDIVISION

File: 40T20001
Developer: Ruth Victor and Associates for Huron Green Inc.
Lower Tier: Municipality of South Huron
Subject Lands: Concession 2, Lot 6 and Part Lot 7, Stephen Ward, Municipality of South Huron, County of Huron
Date of Draft Approval: July 7, 2021

WHEREAS the application for subdivision 40T20001 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 40T20001 which pertains to Concession 2, Lot 6 and South Part Lot 7, Stephen Ward, Municipality of South Huron and the following conditions shall apply.

The County of Huron's conditions and amendments to final approval for registration of this subdivision (File 40T20001) are as follows (the following conditions must be met prior to final approval):

Description

1. That this approval applies to the draft plan dated June 18, 2021. The subdivision consists of 295 lots/blocks intended for single and semi-detached dwelling development, 3 large blocks for future development, and 15 blocks for parkland, trail, open space, sight triangles, etc.

General

2. That the subdivision be named 'Huron Park' to the satisfaction of the Municipality of South Huron.
3. That all Municipal requirements, financial or otherwise be met to the satisfaction of the Municipality of South Huron.

Roads

4. That the new road which forms the southerly access be developed to a standard acceptable to the Municipality of South Huron.
5. That the road allowances shown on the draft plan shall be dedicated to the Municipality of South Huron upon registration of the plan to the satisfaction of South Huron.
6. That the roads shown on the draft plan be named to the satisfaction of the Municipality of South Huron.

7. A road widening for a sidewalk along Airport Line will be conveyed, unencumbered to the County of Huron.

Reserves, Easements and Blocks

8. That Blocks containing open space, trails, walkway, drain access or infrastructure be transferred to the Municipality of South Huron including Blocks 71, 107, 202, 279, 288, 305, 306, 307, 308, 309, 310, 311, 312, & 313 to the satisfaction of South Huron.
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 to the appropriate authorities to their satisfaction and the Municipality of South Huron.

Municipal Drain

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

Subdivision Agreement

12. Prior to registration of the plan the Developer shall enter into a subdivision agreement with the Municipality of South Huron and such agreement be registered against the lands to which it applies.
13. That the subdivision agreement between the Developer and the Municipality of South Huron address the following and any other requirements deemed necessary:
 - a. provide for installation and connection to all new public services, including but not limited to street lighting, the South Huron municipal water system and sewage system, to the satisfaction of the Municipality;
 - b. provide for the installation of a sidewalk and low level sidewalk lighting on the east side of Airport Line from Algonquin to Columbia Drive
 - c. provide for the installation of a gravel surfaced trail on the former railway lands and extending from Columbia Drive to the Goderich-Exeter Railway;
 - d. provide for the upgrading of Access Road to municipal standards including sidewalk and street lighting;
 - e. provide for the installation of an entry feature to the satisfaction of the Municipality.
 - f. provide a parkland plan including provision for the existing children's play equipment in Block 302 to the satisfaction of the Municipality;
 - g. provide for the financial cost sharing of the installation of a pedestrian crosswalk at the Algonquin Drive/Airport Line intersection;
14. The Subdivision Agreement shall be registered against the lands to which it applies once the plan of subdivision has been registered.
15. That the Developer agrees in writing, to the satisfaction of the Municipality, that no work, including but not limited to tree cutting, grading or filling, will occur on the lands until such time as the Developer has obtained written permission from the Municipality or has entered into a Subdivision Agreement with the Municipality.

16. A copy of the subdivision agreement between the Developer and the Municipality of South Huron shall be provided to the County of Huron Planning and Development Department prior to final approval of this subdivision.

Engineering Drawings

17. Prior to final approval, the Developer shall submit for approval subdivision design drawings for all new public works and services within the entire subdivision, prepared and certified by a Professional Engineer, to the satisfaction of the Municipality of South Huron.

Servicing

18. That all new utility installations shall be located underground to the satisfaction of South Huron.
19. The Developer shall enter into an agreement with Hydro One Networks Inc. regarding electrical services and supply to the satisfaction of South Huron.
20. That the communication provider selected by the Developer, advise the Municipality of South Huron that satisfactory arrangements have been made for the installation and connection of underground communication facilities on and to the site and the Developer sign a letter of understanding with the communication provider.
21. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this existing development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities and/or easement at their own cost.
22. The Developer agrees to provide Enbridge Gas Inc. (operating as Union Gas) the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge provided that installation will occur on private property.

Storm Water Management

23. 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:
 - i. A final overall lot grading and drainage plan (including building envelopes) for the new lots, future development blocks and park block.

Zoning

24. The subject lands be zoned to the satisfaction of the Municipality of South Huron.
25. Prior to the registration of the plan the Developer shall ensure that the plan of subdivision conforms to the zoning by-law and all possible appeals of any applications under the Planning Act to the Local Planning Appeal Tribunal have been completed.
26. Prior to the registration of the plan of subdivision the Developer shall submit a Surveyor's Certificate which confirms that all lots and blocks on the Plan conform to the applicable provisions of the Municipality's zoning by-law to the satisfaction of the Municipality of South Huron.

27. That confirmation be submitted that all accessory buildings comply with the Zoning By-law to the satisfaction of the Municipality.

28. That confirmation be submitted that all proposed lots contain sufficient parking spaces.

Existing Building Stock

29. At the time of registration, those semi-detached units which meet the Building Code will be shown as two separate lots, to the satisfaction of South Huron.

30. That a party wall agreement be registered on the title of all existing semi-detached dwellings to the satisfaction of the Municipality.

Parkland, Vegetation & Landscaping

31. That Block 304 be dedicated as parkland to the satisfaction of the Municipality.

32. Prior to final approval, provide a street tree planting plan and landscaping plan for Blocks 307, 71, 309 and 310 to the satisfaction of the Municipality.

Financial Requirements

33. That the debenture be addressed to the satisfaction of the Municipality of South Huron.

34. Reimbursement 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 in accordance with the current Fees & Charges By-law.

35. Reimbursement 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.

36. Prior to commencing any construction (road, trails, etc), the Developer shall enter into a subdivision agreement with the Municipality.

ADMINISTRATION

The proponent 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. 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. A copy of the subdivision agreement is required by the County of Huron.
7. Clearances are required from the following:

Municipality of South Huron 322 Main Street South Exeter ON N0M 1S6
County of Huron Planning & Development Department 57 Napier Street, 2 nd Floor Goderich, Ontario, N7A 1W2
Bell Canada F1-575 Riverbend Drive Kitchener, Ontario N2K 3S3
Enbridge Gas Inc. (Union Gas) 50 Keil Drive North, Chatham, ON N7M 5M1
Hydro One Networks Inc. Underground Subdivisions Department 420 Welham Road Barrie, ON, L4N 8Z2