

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

**OWNER/APPLICANT:** Gary Bean and Gerald McBride / Brandon Flewwelling of GSP Group on behalf of Pinnacle Quality Homes  
**FILE NUMBER:** 40T 18002  
**LOCATION:** Part of Lot 15, Concession 1 with ROW, Parts 4 to 7 of Registered Plan 22R-5066; Part 8 of Registered Plan 22R3785; Parts 4 and 5 Plan 376; Lots 1327, 1320, 1332, 1333, 1334 and 1336 of Plan 376 as Parts 1 and 2 of Registered Plan 22R891, Exeter and Usborne Wards, Municipality of South Huron, County of Huron

**TAKE NOTICE** that the Council of the Corporation of the County of Huron granted approval to draft plan of subdivision 40T18002 on March 20, 2019 pursuant to Section 51 of the Planning Act, subject to the attached terms and conditions.

**AND TAKE NOTICE** that in addition to the Draft Plan of Subdivision Approval the location and ultimate construction of a new municipal road has also been approved as a Schedule A+ Project under the Municipal Class Environmental Assessment Manual.

**AND TAKE NOTICE** that any person or public body who made oral submissions at a public meeting or written submissions to the County of Huron and/or the Municipality of South Huron before the decision was made, may appeal this decision to the Local Planning Appeals Tribunal by filing with the Clerk of the County of Huron, not later than **April 21, 2019**. A notice of appeal must set out the reasons for the appeal and must be accompanied by the fee prescribed under the Local Planning Appeal Tribunal Act (\$300).

The applicant 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 Local Planning Appeals Tribunal 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 Local Planning Appeal Tribunal Act (\$300). The appeal must be accompanied by the fee required by the Local Planning Appeal Tribunal in the amount of **\$ 300.00** by Certified Cheque or Money Order in Canadian funds, payable to the Minister of Finance and accompanied by LPAT appellant Form (A1) which is available on their web site at <http://elto.gov.on.ca/tribunals/lpat/about-lpat/> for each application appealed.

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 individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Local Planning Appeals Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

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, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council or, in the Local Planning Appeals 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 during regular office hours at the Municipality of South Huron Municipal Office (322 Main Street South) and the County of Huron Planning and Development Department (57 Napier Street, Goderich).

DATED AT THE COUNTY OF HURON  
THIS 1st DAY OF APRIL, 2019.

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

PLAN OF SUBDIVISION DESCRIPTION

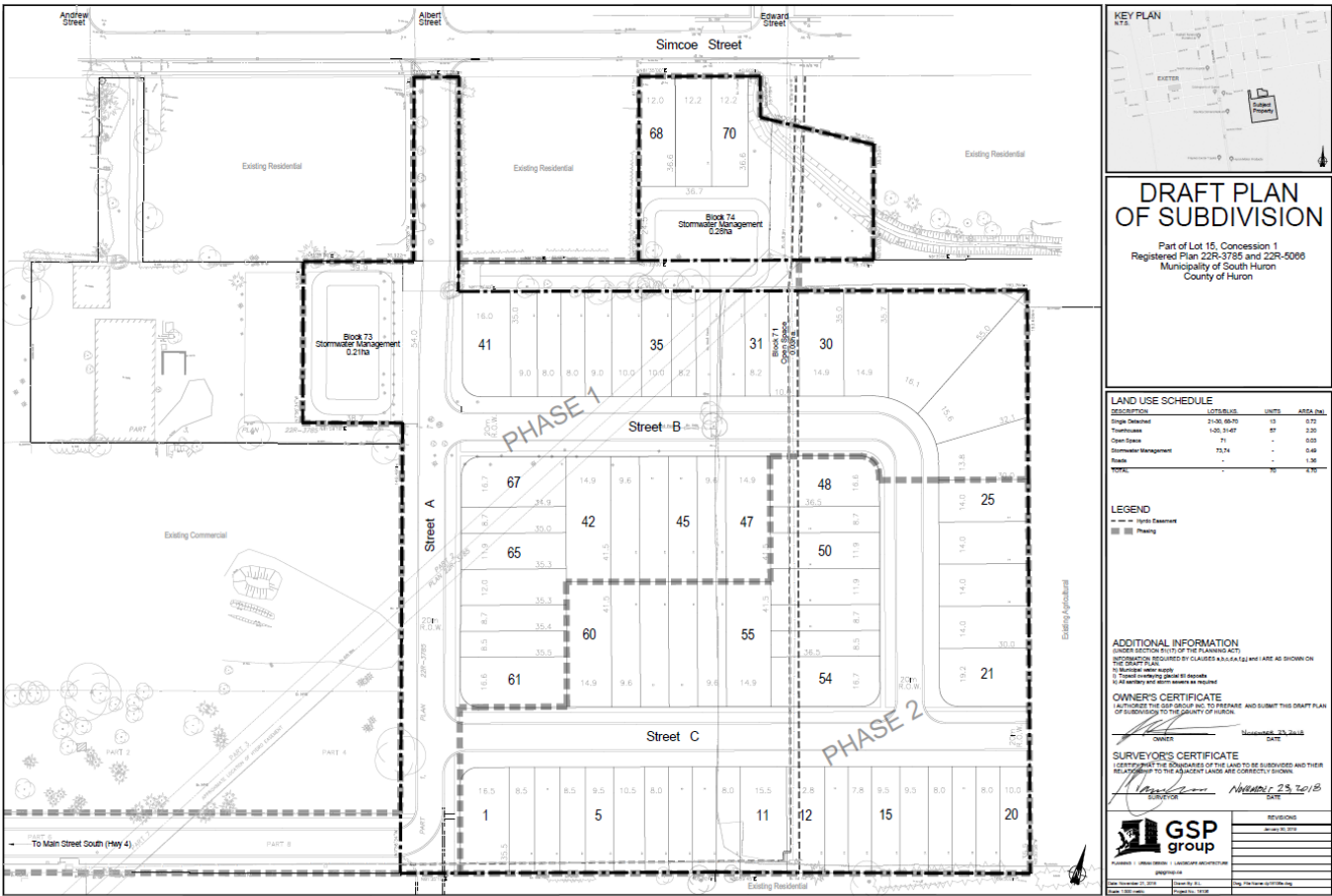
The subject lands are approximately 5 hectares in size and are proposed to be developed for 57 multiple attached residential units, 13 single-detached dwellings, two stormwater management ponds, an open space block in addition to roads and service easements. Primary access will be achieved via a new road connection to the Hwy 4/Main Street corridor (approved through the integrated Environmental Assessment process) with a secondary access off of Simcoe Street.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS

Public comments were received on the issues of land use compatibility relating to entrances, drainage and density. The comments were addressed through conditions to the approval.

Comments were received from agencies on the issues of utility easements and community mail box installation and were addressed through conditions to draft plan approval.

Draft Plan of Subdivision 40T18002 Sketch:



**CONDITIONS OF DRAFT APPROVAL FOR  
PLAN OF SUBDIVISION**

File: 40T18002

**Subdivider:** GSP Group – B. Flewwelling (Pinnacle Quality Homes)  
**Lower Tier:** Municipality of South Huron  
**Subject Lands:** Part of Lot 15, Concession 1 with ROW, Parts 4 to 7 of Registered Plan 22R-5066; Part 8 of Registered Plan 22R3785; Parts 4 and 5 Plan 376; Lots 1327, 1320, 1332, 1333, 1334 and 1336 of Plan 376 as Parts 1 and 2 of Registered Plan 22R891, Exeter and Osborne Wards, Municipality of South Huron, County of Huron.  
**Date of Draft Approval:** March 20, 2019

**WHEREAS**, the application for the subdivision has been circulated according to the Delegation Orders of the Minister of Municipal Affairs and the County of Huron's Planning 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 subdivision file 40T18002, Part of Lot 15, Concession 1 with ROW, Concession, Parts 4 to 7 of Registered Plan 22R-5066; Part 8 of Registered Plan 22R3785; Parts 4 and 5 Plan 376; Lots 1327, 1320, 1332, 1333, 1334 and 1336 of Plan 376 as Parts 1 and 2 of Registered Plan 22R891, Exeter and Osborne Wards, Municipality of South Huron, County of Huron, and the following conditions shall apply. The following conditions have been established by the County of Huron and must be met prior to the granting of final approval:

**Draft Conditions**

Description

1. This approval applies to Pinnacle Quality Homes Draft Plan of Subdivision (Part of Lot 15, Concession 1 with ROW, Parts 4 to 7 of Registered Plan 22R-5066; Part 8 of Registered Plan 22R3785; Parts 4 and 5 Plan 376; Lots 1327, 1320, 1332, 1333, 1334 and 1336 of Plan 376 as Parts 1 and 2 of Registered Plan 22R891, Exeter and Osborne Wards, Municipality of South Huron, County of Huron, dated January 30, 2019 and referred to as Drawing Number dp19106e, as prepared by the GSP Group, hereafter referred to as 'draft plan'.

Phasing

2. The subdivision will be registered in two phases as per the phasing plan identified on the draft plan.
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.

Roads

4. That roads be developed to a standard acceptable to the Municipality of South Huron.
5. The road allowances and future road blocks shown on the draft plan shall be dedicated to the Municipality of South Huron.
6. The roads shown on the draft plan be named and number for 911 purposes to the satisfaction of the Municipality of South Huron and the County of Huron
7. 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.

8. The development of the municipal street which will serve as the connection to the Main Street/Highway 4 corridor will be built at the Subdivider's initial expense to a basecoat asphalt standard prior to occupancy permits being issued for Phase 1. This roadway and associated municipal infrastructure shall be cost shared by the Subdivider and the Municipality of South Huron on a 50% - 50% basis using actual tendered costs, including engineering.

#### Easements and Blocks

9. Any easements required for municipal services will be provided by the Subdivider to the satisfaction of the Municipality of South Huron.
10. Easements will be created for the purpose of rear yard access affecting Lots 1-20, 31-41, 42-67.
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 Subdivider gratuitously to the appropriate authorities to their satisfaction.
12. An easement for the catch basin and catch basin lead located in Block 72 will be dedicated to the Municipality of South Huron.
13. Block 71 will be dedicated to the Municipality of South Huron.

#### Subdivision Agreement

14. The Subdivider 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 development of the municipal street which will serve as the connection to the Main Street/Highway 4 corridor;
  - d. provisions for the Owner to install "No Parking" signs of a design satisfactory to the Municipality of South Huron to restrict street parking on Street 'A' and identify any fire routes.
  - e. provisions for the allocation of municipal reserve capacity for water and sewer that is coordinated with the phases;
  - f. provisions for the installation of and connection to municipal services (water, sanitary and storm systems);
  - g. provision of storm water management facilities including the facilities required to be built on lands currently owned by the Municipality of South Huron (forming part of Block 74);
  - h. provision of grading and drainage plans and related installations;
  - i. provision of trees and landscaping on streets and any other public areas;
  - j. provision of a planting strip on the east edge of the Simcoe Street access if the existing cedar hedge is removed;
  - k. provision of sidewalks;
  - l. provision of a temporary, gravel cul de sac being located at the east extent of Street "B" within the Phase 2 area including a temporary guiderail type barricade installed as per OPSD 912.532;
  - m. provisions to address requirements by other review agencies;
  - n. see Condition 30 regarding Canada Post; and
  - o. 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, 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 Subdivider.

#### Engineering Drawings

17. Prior to final approval of each phase and sub-phase, the Subdivider 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

18. That the Subdivider 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 owner/developer shall enter into an agreement with Hydro One Networks Inc. regarding electrical services and supply.
21. That Hay Communications, Bell Canada or any other communication provider selected by the Subdivider, advise the County that satisfactory arrangements have been made for the installation of underground telephone 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 Municipality the number and location of services provided.
22. The owner agrees to provide Union Gas Limited, the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.

#### Storm Water Management

23. Prior to final approval, the Subdivider shall submit the following reports prepared by a qualified professional engineer, and completed to the satisfaction of the Municipality of South Huron:
  - a. A final storm water management plan;
  - b. Details regarding the maintenance of any stormwater management facilities.
  - c. A storm water management Maintenance Manual.
24. Prior to final approval, the Subdivider shall submit the following reports, prepared by a qualified professional engineer, and completed to the satisfaction of the Municipality of South Huron:
  - a. An final overall lot grading and drainage plan;
  - b. A final erosion and sedimentation control plan.
25. Blocks 73 and 74 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 those facilities located on lands currently owned by the Municipality of South Huron.

#### Zoning

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

#### Park Land

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

#### Foundation Construction

28. That the Subdivider shall enter into an agreement with the Municipality of South Huron which ensures the foundations of each of the multiple attached dwelling units are constructed in accordance with the draft plan; to the satisfaction of the Municipality of South Huron.

#### Fencing

29. That the Subdivider shall agree to fence the western extent Block 73 and Street A from Block 73 South to the new street and the north extent of the new street (along the Jessica's House property).

#### Canada Post

30. Prior to final approval, the Subdivider 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 Subdivider 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 subdivider 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 Subdivider 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

- 32. The Subdivider shall pay any outstanding charges to the Municipality of South Huron prior to final Approval.
- 33. The Subdivider agree to pay all costs associated with water and sewer recovery as per By-law 59-2003 as amended by By-law 41-2004 of the Municipality of South Huron to the satisfaction of the Municipality of South Huron.

Under By-law #59-2003 the area under development shall be defined as lands being developed for residential use serviced by municipal infrastructure on London Road South, including associated road allowances fronting or flanking the residential lots; but excludes SWM facility lands, road allowance for access roads to Simcoe Street and London Road South.

The By-law cost recovery fee shall be due and payable by each phase of the subdivision, at the time of issuance of the first building permit in each phase.

- 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.
- 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.

#### Lapsing

- 36. 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 Subdivider and approved by the County, then the draft approval shall be deemed to be void.

#### Clearances

- 37. The County is to be advised in writing by the appropriate agencies how the foregoing conditions have been satisfied.

#### **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.

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 Subdivider 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. Clearances are required from the following:

Clerk  
Municipality of South  
Huron

322 Main Street South  
Exeter ON N0M 1S6

Shirley Brundritt  
Lands Support Analyst  
Union Gas Limited  
50 Keil Drive North, P.O. Box 2001  
Chatham, Ontario, N7M 5M1

Canada Post  
2701 Riverside Drive  
Ottawa, ON, K1A 0B1

Hydro One Networks Inc., if applicable  
483 Bay Street  
South Tower, 8<sup>th</sup> Floor Reception  
Toronto, Ontario M5G 2P5

County of Huron Planning & Development Department  
57 Napier Street,  
Goderich, Ontario, N7A 1W2