



PLANNING & DEVELOPMENT

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www.huroncounty.ca

To: Municipality of South Huron, CAO Dan Best
From: Sarah Smith, Planner
RE: **Extension of Draft Plan of Subdivision 40T09001
(Original subdivision under Landrush Inc.; current extension request
submitted by CVD Exeter Inc.)**
Location: North Half Part Lot 21, Concession 1, Usborne Ward
Applicant: CVD Exeter Inc c/o Paul Gabriele
Owner: CVD Exeter Inc.
Date: December 11, 2019

RECOMMENDATION

That the Municipality of South Huron support a three-year (3) extension of request to extend draft approval of Plan of Subdivision 40T09001 and that South Huron provide formal recommendation to the County of Huron to approve the extension for consideration by the approval authority under Planning Act s. 51(33).

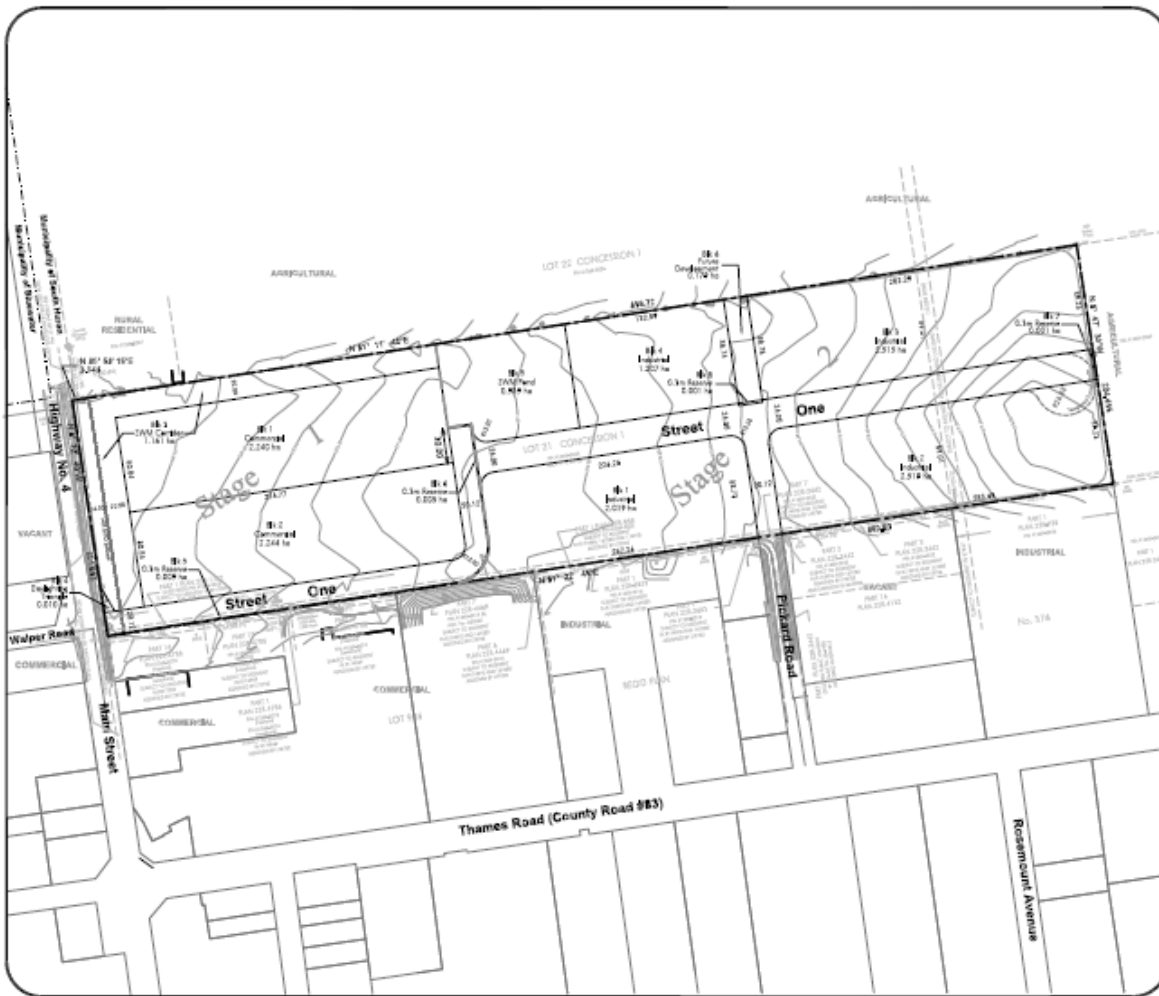
POURPOSE AND EFFECT

The draft plan was previously granted approval by the County of Huron on April 6, 2011. The applicant made request and received an extension to plan of subdivision by the County of Huron on March 5, 2014 and February 15, 2017. The current draft plan approval lapses on April 6, 2020. No other changes to the draft plan have been requested by the applicant. The effect of extending draft plan approval would be to provide an additional number of years for the applicant to satisfy all conditions, before the subsequent lapse date.

BACKGROUND

The subject lands are located at the north end of Exeter and have a total area of 17.47 hectares (43.17 acres). The lands front on both Main Street (Highway 4) and Pickard Road. Note that the subject lands are located in the former Township of Usborne, and are now part of the Exeter Settlement Area.

The approved draft plan is proposed in two stages: Stage One includes two parcels of Highway Commercial development and Stage Two includes four parcels of Industrial development. Access is proposed via extension to Pickard Road, and a new road under Stage One. Municipal water and sewer will be extended, and the balance of the lands will accommodate stormwater management facilities.

Figure 1: Landrush Approved Draft Plan of Subdivision

DISCUSSION

This site includes a prime Industrial and Commercial area in the Town of Exeter, and these lands represent a major source of future employment in the Municipality of South Huron. The Planning Act allows approval authorities to grant further extensions to approved draft plans of subdivision provided the request for extension has been made prior to the lapse date (April 6, 2020). The original plan of subdivision was recommended for approval by South Huron Council and Huron County Council in 2011. South Huron Council and Huron County Council were both in favour of a three year extension to draft plan of subdivision in 2014, and again in 2017.

At this time, the property has changed hands and is now owned by CVD Inc. It is recommended a further three (3) year extension be granted to provide time for the new owner to work towards fulfilling conditions on this development. The applicant has noted work is being done to secure tenants and obtain approvals towards fulfilling conditions on this development. CVD Inc. is encouraged to proactively search for and commit to clients that will develop in a timely way and progress towards clearing of conditions and development of this prime Industrial/Commercial area in South Huron.

The original conditions have been included with this report for reference. The department is satisfied that these conditions cover requirements set out in the proposed development. No changes to conditions are proposed as part of this three year extension.

SUMMARY

It is critical that progress be made to develop the subject lands. It is recommended a further three year extension be granted to encourage the current owner towards fulfilling conditions and obtaining final plan approval.

“original signed in file”

Sarah Smith, Planner, MCIP RPP

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

APPLICANT: Landrush Incorporated
FILE NUMBER: 40T 09001
LOCATION: Part of Lot 21, Concession 1, Usborne 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 40T 09001 on April 6, 2011 pursuant to Section 51 of the Planning Act, subject to the attached terms and conditions.

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 Ontario Municipal Board by filing with the Clerk of the County of Huron, not later than **THURSDAY, MAY 5, 2011**. A notice of appeal must set out the reasons for the appeal and must be accompanied by the fee prescribed under the Ontario Municipal Board Act (\$125).

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 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 Municipal Board Act (\$125).

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.

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Ontario Municipal Board. 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.

ADDITIONAL INFORMATION relating to the draft plan of subdivision is available for inspection during regular office hours at the South Huron Municipal Office (322 Main Street, Exeter) and the County of Huron Planning and Development Department (57 Napier Street, Goderich).

DATED AT THE COUNTY OF HURON
THIS 15th DAY OF APRIL, 2011.

Barbara Wilson, County Clerk
County of Huron
1 Court House Square
Goderich, ON N7A 1M2

PLAN OF SUBDIVISION DESCRIPTION

The subject lands are located at the north end of Exeter and have a total area of 17.47 hectares (43.17 acres). The land fronts onto both Main Street (Highway 4) and Pickard Road.

The plan of subdivision is proposed to develop in two stages. Stage one consists of two, 2.4 ha parcels for commercial development fronting onto Main Street (Highway 4) with access via a municipal street opposite Walper Street. Stage two consists of four parcels for industrial development ranging in size from 1.2 to 2.5 ha. Access is proposed to be provided via an extension to Pickard Road as well as a connection to the road from Stage One, running east, west. Municipal water and sewer service would be extended to service the 6 new parcels. The balance of the lands will be used to accommodate storm water management facilities.

DRAFT APPROVAL FOR
PLAN OF SUBDIVISION

File: 40T 09001 - Landrush Inc.

WHEREAS the application for subdivision 40T 09001 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 commercial and industrial 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 40T 09001 which pertains to Lot 21, Concession 1, Usborne Ward, Municipality of South Huron, and the following conditions shall apply.

Draft Conditions 40T 09001

The County of Huron's conditions for registration of this subdivision (File 40T 09001) are as follows (the following conditions must be met prior to final approval):

Description

1. This approval applies to the draft plan dated December 12, 2008, as amended November 11, 2010. The subdivision consists of 2 lots to be developed for commercial purposes and 4 lots to be developed for industrial purposes.

Phasing

2. The subdivision will proceed in two stages, where:
 - a. Stage 1 consists of the two commercial blocks, the storm water management corridor noted as Block 3 and the portion of Street One which has access off Highway 4 and extends east, then north along the east boundary of the two commercial lots.
 - b. Stage 2 is described as the four industrial blocks, the storm water management pond denoted as Block 5, and the continuation of Street One easterly and a northerly extension of Pickard Road.

Prior to the registration of a stage, it shall be confirmed that the stage includes suitably sized blocks of land to facilitate the independent operation of the stage for the purpose of storm water management.

The stages may be registered independently of each other, and either stage can be registered before the other as determined by the Subdivider.

Roads

3. The road allowances included in the draft plan shall be shown and dedicated as public highways.
4. The roads be developed to a standard acceptable to the Municipality of South Huron.
5. The roads shown on the draft plan be named to the satisfaction of the Municipality of South Huron in accordance with the Municipality's road naming by-law.
6. Prior to final approval the Subdivider shall enter into a Legal Agreement with the Ministry of Transportation whereby the Subdivider agrees to assume financial responsibility for the design and construction of the new street entrance onto Highway #4 and all necessary associated highway improvements.

7. The Subdivider shall provide a draft copy of the M Plan to the Ministry of Transportation for review and approval prior to final approval of the Stage. The draft M Plan shall include a block for Street One opposite Walper Road measuring a width of 20m extending through the subdivision lands. The visibility triangle block measuring 17m x 6m on the north side of Street One must be shown on the M Plan and dedicated as a public highway on the owner's certificate.
8. The Subdivider shall be responsible for improvements required to Highway 4 including preliminary design, environmental assessment, detail design, construction and contract administration of those improvements to the satisfaction of the Ministry of Transportation.

Reserves, Easements and Blocks

9. At the time of registration of Stage 1, Block 3 (storm water management corridor), Blocks 5, 6 (0.3m reserves) identified as part of Stage 1 in the draft plan dated November 11, 2010 are to be conveyed to the Municipality free of all charges and encumbrances and in a form satisfactory to the Municipality of South Huron.
10. At the time of registration of Stage 2, Block 5 (storm water management pond), Block 6 (future development), and 7, 8 (0.3m reserves) identified as part of Stage 2 in the draft plan dated November 11, 2010 are to be conveyed to the Municipality free of all charges and encumbrances and in a form satisfactory to the Municipality of South Huron.
11. Any easements required for municipal services will be provided by the Subdivider to the satisfaction of the Municipality of South Huron.
12. The Subdivider agrees to such easements as may be required for utilities, including telephone, television cable, gas and hydro purposed shall be granted gratuitously to the appropriate authorities to their satisfaction.

Engineering Drawings

13. Prior to final approval of either Stage, the Subdivider shall submit for approval subdivision design drawings including design plans for all public works and services within the Stage, prepared and certified by a Professional Engineer to the satisfaction of the Municipality.

Zoning

14. The Municipality advise the County of Huron that the appropriate zoning is in effect for this development.

Park Land

15. The Municipality of South Huron shall require the Subdivider to provide payment-in-lieu of parkland dedication as per Section 51.1 of the Planning Act.

Storm Water Management

16. The Subdivider shall submit the following reports prepared by a qualified professional engineer, to the satisfaction of the Municipality of South Huron, the Ausable Bayfield Conservation Authority and the Ministry of Transportation:
 - a. A final storm water management plan;
 - b. An overall lot grading and drainage plan;
 - c. Erosion and sedimentation control plan; and
 - d. Details regarding the maintenance of any stormwater management facilities, including means of access to such facilities.

Vegetation & Landscaping

17. Prior to the final approval of either Stage, the Subdivider shall provide to the satisfaction of the Municipality of South Huron a Vegetation Plan that shall identify existing vegetation on site that can be preserved prior to development of the site. The Vegetation Plan shall be prepared by a qualified

professional (e.g. arborist or landscape architect). The Vegetation Plan shall identify trees within the fencerow that runs along the northerly property boundary of the subject lands that can be protected from site alteration. Where trees on the subject property that are adjacent to the common property boundary between the subject property and the residential property to the north known as 71294 London Road (Pt. Lot 22, Conc. 1, Osborne Ward, South Huron) cannot be protected due to site alteration, arrangements shall be made to relocate or replace these trees with mature specimens at the developer's expense to the satisfaction of the Municipality of South Huron.

18. The Subdivision Agreement shall include a clause that states:

The Subdivider shall, prior to site plan approval of Block 1, Stage 1, provide a planting strip parallel to the full length of the northern property line of Block 1, Stage 1 in accordance with Section 3.15.1 of the Town of Exeter Zoning By-law to the satisfaction of the Municipality of South Huron. The planting strip shall be established south of any access that may be required by the Municipality of South Huron for the maintenance of the Stormwater Management Corridor, Block 3, Stage 1. The planting strip shall consist of a continuous unpierced planting of coniferous trees which shall be established at a height of not less than 2 metres. The ultimate height that the coniferous trees shall be maintained at shall be established as a condition of site plan approval. The planting strip shall be no less than 1.5 metres in width and shall be in addition to any other required yard. The planting strip shall be included on the landscape plan submitted as part of the site plan control application for Block 1, Stage 1.

Agreements

19. The Subdivider shall enter into a development agreement with the Municipality of South Huron which shall list all relevant conditions for the development of this Plan.
20. The Subdivision Agreement between the Subdivider and the Municipality shall be registered against the lands to which it applies upon registration of the Plan of Subdivision.
21. The development agreement between the Subdivider and the Municipality shall provide for connection to the South Huron water supply, sanitary sewer system and storm sewer system, and be installed to the satisfaction of the Municipality.
22. A copy of the subdivision agreement between the Subdivider and the Municipality of South Huron shall be provided to the Huron County Planning Department prior to final approval of the first Stage.

Financial Requirements

23. The Subdivider shall pay any outstanding debts to the Municipality prior to the registration of the Plan.
24. That the Subdivider agrees in writing to satisfy all the requirements, financial and otherwise, of the Municipality of South Huron concerning the provision of municipal services.
25. Arrangements shall be made, satisfactory to both the Municipality of South Huron and the County of Huron, for reimbursement of any legal and/or engineering fees and disbursements incurred by them in connection with the review or approval of this plan of subdivision.

Lapsing

26. 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

27. 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 Stage 1 and Stage 2 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 subdivision agreement is required by the County of Huron.
4. A copy of the final M-Plan is required by MTO, County of Huron, Municipality of South Huron and ABCA.
5. After registration of either Stage of the Plan of Subdivision all relevant permits (i.e. building/land use, encroachment, sign permits) are required from the Ministry of Transportation before any grading or construction may commence.
6. Clearances are required from the following:

Michael DiLullo, Clerk
Municipality of South Huron
322 Main Street N, PO Box 759
Exeter, Ontario
N0M 1S6

Andrew Bicknell
Ausable-Bayfield Conservation Authority
R.R. #3,
Exeter, Ontario, N0M 1S5

Ian Smyth, Corridor Management Planner
Ministry of Transportation
659 Exeter Road
London, Ontario, N6E 1L3

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

Shirley Brundritt
Lands Support Analyst
Union Gas Limited
50 Keil Drive North, P.O. Box 2001
Chatham, Ontario, N7M 5M1
1-800-571-8446 x2760

OWNER'S CERTIFICATE

DATE: Dec 12/08 John De LON VER LANDREUING

SURVEYOR'S CERTIFICATE

HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE: December 15, 2008 2008
DOUGLAS A. CALBERT, D.L.S.
D. CALBERT LTD.

ADDITIONAL INFORMATION REQUIRED
UNDER SECTION 51(17) OF THE
PLANNING ACT R.S.O. 1990, c.P.13

A. AS SHOWN
B. AS SHOWN
C. COMMERCIAL, INDUSTRIAL, STORMWATER MANAGEMENT
D. AS SHOWN
E. AS SHOWN
F. AS SHOWN
G. AS SHOWN
H. MUNICIPAL WATER SUPPLY
I. CLAY LOAM
J. AS SHOWN

KEY PLAN

Source: Hulton-Deutsch.

AREA SCHEDULE		40T-09001
Stage 1	Stage 2	

DESCRIPTION	EQS/ BUS	AZA (S_{a1})	1015/ ELKS No.1	AREA
COMMERCIAL	1,2	1.484		

INDUSTRIAL	1-4	6.260
STORMWATER MANAGEMENT	5	0.939

	3	6
BWM CORRIDOR	1.161	
FUTURE DEVELOPMENT		0.179


DAYLIGHTING TRIANGLE	4	0.010	
3.3m RESERVES	5,6	0.014	0.002

ROADS		0.857	1.564
TOTAL	6	6,526	10,944

TOTAL AREA OF SUBDIVISION: 12,470 ha

[illegible]

NOTICE OF THE APPROVAL OF A
PLAN OF REORGANIZATION OF THE
SOCIETY OF THE SAVING AND
LOAN ASSOCIATION OF THE
STATE OF NEW YORK


 THE COMMONWEALTH OF MASSACHUSETTS
 DEPT. OF REVENUE
 RECEIVED
 AUG. 1, 1916
 THE DAY OF 2011.
 Neil Vincent

Widow *Barbara L. Wilson*

DATE	7-1-2008
DOC. #	2008-5-0008
DATE 12, 2007	
RECORD #	

County Clerk	DATE
	JOHN D. G. E.

200 S. 400 Pinecrest Centre Drive

MIIBC
200-540 Kingmans Centre Drive
Kitchener, Ontario, N2B 2X9
Telephone 319.576.3450 Fax 319.576.0121

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