

<b>To:</b>	Warden Hicks and Members of Grey County Council
<b>Committee Date:</b>	November 28, 2019
<b>Subject / Report No:</b>	Addendum to PDR-CW-07-19 Final Report
<b>Title:</b>	Southgate Meadows Plan of Subdivision 42T-2018-12
<b>Prepared by:</b>	Randy Scherzer
<b>Reviewed by:</b>	Kim Wingrove
<b>Lower Tier(s) Affected:</b>	Township of Southgate
<b>Status:</b>	

## Recommendation

1. That Addendum to Report PDR-CW-07-19 be received; and
2. That all written and oral submissions received on plan of subdivision 42T-2018-12 known as Southgate Meadows were considered; the effect of which helped to make an informed recommendation and decision; and
3. That in consideration of the draft plan of subdivision application 42T-2018-12, for lands described as Part of Lots 227 and 228, Concession 2, Southwest of the Toronto Sydenham Road (SWTSR), all of Lot Y and part of the unnamed street lying northeast of Part Lot 3, Block S, Plan 480, Township of Southgate, geographic Township of Proton, the Grey County Committee of the Whole approves this plan of subdivision to create a total of one hundred and sixty three (163) residential units, consisting of one hundred and thirty (130) single detached lots (Lots 1 to 130) and thirty-three (33) townhouses (Blocks 131 to 136), two blocks for future lots (Blocks 137 and 138), a park block (Block 139), walkway/trail blocks (Blocks 140 to 144), open space block (Block 145), stormwater block (Block 146), and future right of way blocks (Blocks 147 and 148), subject to the conditions set out in the Notice of Decision.

## Executive Summary

The County initially received a plan of subdivision application known as Southgate Meadows (County file number 42T-2018-12), proposing a total of 153 residential units. A revised submission was submitted partway through the process and the latest revised plan proposes a total of 163 residential units, consisting of 130 single detached units and 33 townhouse units. Access to the residential units would be provided by new public streets to be constructed as part of the proposed development that would connect to Glenelg Street. Servicing to the proposed subdivision would be via municipal water and sewer services which will be allocated by the Township through by-law and at the time of final approval of each phase. Based on agency review and comments received regarding the proposed plan of subdivision, it is recommended that the proposed plan of subdivision be given draft approval subject to the conditions set out in the attached Notice of Decision.

## Background and Discussion

The County has received a plan of subdivision application, known as Southgate Meadows. The initial plan submitted proposed to create a total of 153 residential units. Partway through the process, revisions were made to the plan which were required to address comments received. This resulted in a change in the design of the plan. The latest revised plan now proposes a total of 163 residential units, consisting of 130 single detached units and 33 townhouse units. Two blocks (Blocks 137 and 138) have also been identified for future lots should the lands to the north be developed at some point in the future and once access to these blocks are provided. Several other blocks are also identified on the proposed plan including a park block, open space block, stormwater management block, future right of way/road connection blocks, and walkway/trail blocks. Access to the proposed residential units would be provided by the construction of new public roads that would connect to Glenelg Street. Servicing to the proposed lots would be via municipal water and sewer services which would be allocated by the Township at the time of final approval for each phase. A holding provision has also been applied through the zoning amendment and the holding would only be lifted once servicing capacity has been allocated to each phase.

The subject lands are located in the Primary Settlement Area of Dundalk as identified in the County Official Plan. The proposed subdivision is located on Part of Lots 227 and 228, Concession 2, Southwest of the Toronto and Sydenham Road (SWTSR), all of Lot Y and part of the unnamed street lying northeast of Part Lot 3, Block S, Plan 480, Township of Southgate, geographic Township of Proton.

The subject lands are approximately 14.6 hectares in size. The subject lands currently contain a horse track, fields that are currently used for agricultural purposes, a house and agricultural buildings. North of the subject lands is the County CP Rail Trail as well as a residential subdivision that is currently being developed. South of the subject lands is Glenelg Street and the Grey County Transportation works yard. West of the subject lands are additional lands owned by the applicant that are currently vacant and contain a woodlot. Residential dwellings also exist west of the subject lands.

The proposed development also required a local official plan amendment which has been adopted by the Township and approved by the County and is now in full force and effect. A

zoning by-law amendment has also been approved by the Township. Pre-submission consultation between the proponent, the Township of Southgate and the County identified the submission requirements for the proposed development. Copies of all background reports and plans can be found at [this link](#).

Map 1 below shows the subject lands and surrounding area, while Map 2 shows the proposed plan of subdivision.

## Map 1: Airphoto of Subject Lands

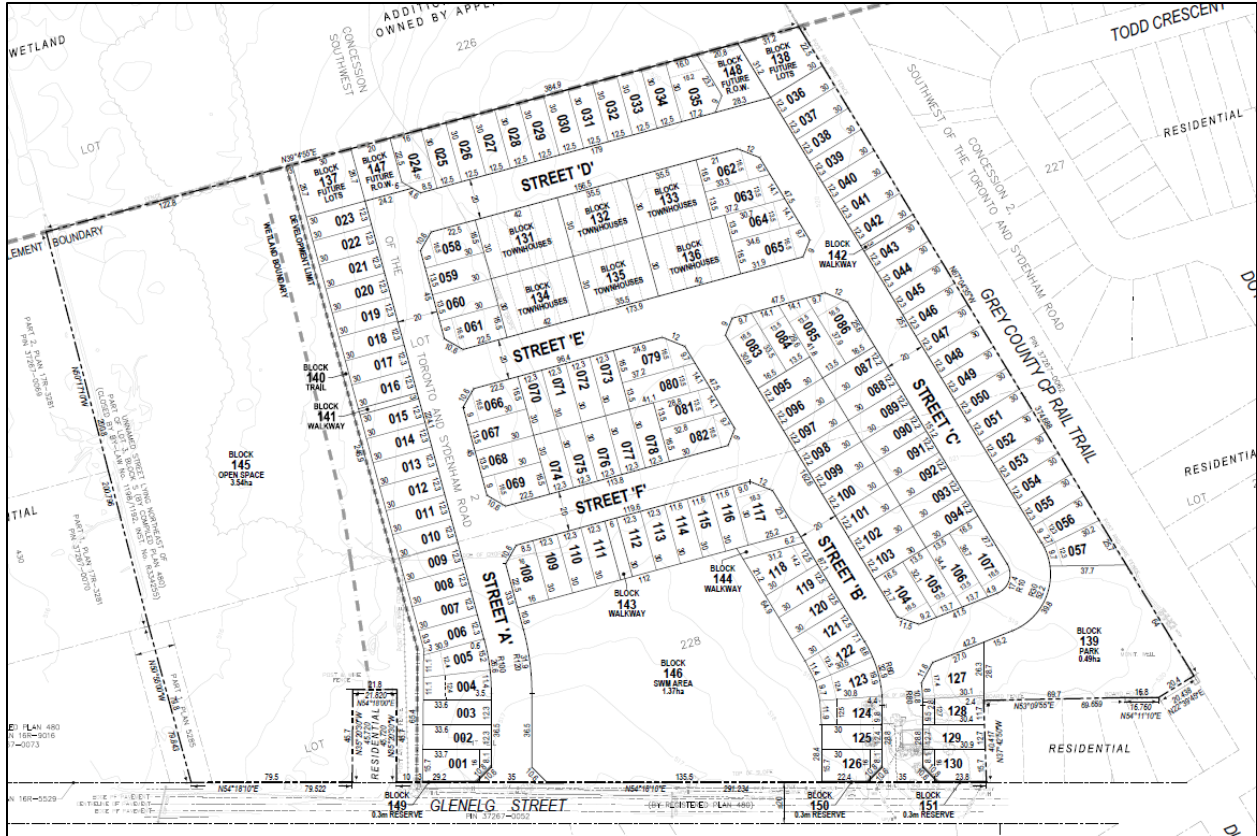


## Public and Agency Comments Received

There were members of the public that made written submissions, and oral submissions at the public meeting on June 26<sup>th</sup>, 2019 in the Township of Southgate. The minutes from the public meeting can be found at [this link](#).

## Map 2: Proposed Plan of Subdivision

(Map 2 Courtesy of MHBC Planning.)



The following people made comments on the plan of subdivision application either in writing or at the public meeting:

- Cory Allen
- Ed Carvello
- Dennis Elliot
- Sandy Antunes on behalf of Tino Antunes
- Nancy Malloy
- Maxine Copeland

The comments received in writing or at the Public Meeting have been summarized into the table below along with a response on how those comments have been considered and addressed.

Comments Raised	How Comments have been considered/addressed?
<p>Questions about geotechnical studies, impacts on wells, and ensuring no impacts on water or sewer facilities.</p>	<p>The Township Engineering Consultant and the Grand River Conservation Authority (GRCA) have reviewed all the technical studies and have no concerns. GRCA and the Township have recommended conditions of draft approval which have been incorporated in the attached notice of decision.</p>

<p>Questions/concerns about stormwater and drainage.</p>	<p>The preliminary stormwater management plan has been designed to ensure that stormwater and drainage will be dealt with on site. Both the Township and GRCA has reviewed the preliminary stormwater management plan and have no concerns, subject to recommended conditions of draft approval that have been incorporated in the notice of decision.</p>
<p>Questions regarding mitigation measures for proposed homes along the rail trail regarding noise of ATV's and snowmobiles.</p>	<p>A draft plan condition has been included requiring the owner to construct a fence and preserve/plant a treed buffer along the backs of lots that are directly adjacent to the CP Rail Trail. A condition has also been included requiring that all agreements of purchase and sale or lease for each lot/dwelling directly adjacent to the CP Rail Trail indicate that ATV's and snowmobiles use the CP Rail Trail and that there may be noise as a result.</p>
<p>Concerns about ecological changes/environmental impacts and what 'green space' is being protected.</p>	<p>An Environmental Impact Study (EIS) was completed and this was reviewed by the GRCA and they have no objections to the proposed development subject to conditions of draft approval. There are mitigation measures that are recommended in the EIS and these have been included as a recommended condition of draft approval. Open Space Block 145 (3.54ha) contains wetland land areas and therefore this block will be deeded to the Township and no development will be permitted within this Block. A Park Block (0.49 ha) has also been included on the proposed plan which is located adjacent to the CP Rail Trail.</p>
<p>Concerns about traffic impacts from the proposed development.</p>	<p>A Traffic Impact Study was completed and this was reviewed by the Township and they have no objections to the proposed development from a traffic impact perspective.</p>

Agency comments were as follows:

- **Historic Saugeen Metis (HSM):** In an email dated December 3, 2018, the HSM noted that they have no objection or opposition to the proposed development.
- **Saugeen Ojibway Nation (SON):** In an email dated November 28, 2018, SON indicates that they have no comments on the proposal.
- **Canada Post:** In a letter dated November 5, 2018, Canada Post noted that the development will be serviced via a central community mailbox. Draft plan conditions have been included to address this matter.
- **Grand River Conservation Authority (GRCA):** In letters dated June 19, 2019, August 27, 2019, and September 9, 2019, GRCA initially identified questions and recommended changes to the proposed development. Those changes have been made and additional information was provided to GRCA to answer outstanding questions they had. In the latest letter from GRCA, they indicate that they have no objection to the approval of the draft plan subject to inclusion of the following conditions which have been included in the recommended conditions of draft approval:
  - a) A final Stormwater Management Report in accordance with the 2003 Ministry of Environment Report entitled, “Stormwater Management Practices Planning and Design Manual” and in keeping with the Functional Servicing & Stormwater Management Report (dated September 2018, prepared by C.F. Crozier and Associates)
  - b) Completion of a feature-based water balance, evaluation of downstream stormwater receivers, and mitigation of any negative impacts completed to the satisfaction of the GRCA and Township /Township Engineer.
  - c) Detailed Lot Grading and Drainage Plans showing existing and proposed grades.
  - d) An Erosion and Siltation Control Plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction.
  - e) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit from the GRCA prior to any grading within the regulated area.
- **County Transportation Services** – In an email dated December 6, 2018, County Transportation Services indicates that they accept the results of the Traffic Impact Study and have no further concerns.
- **Risk Management Officer (Sourcewater Protection)** – The RMO indicates that the development is within the Wellhead Protection Area Zone D which is managed through education and outreach programs.
- **Enbridge** – in a letter dated November 26, 2018 Enbridge indicates they have no objections to the proposed applications. They indicated that if easements are required to service the development that these will need to be provided to Enbridge at no cost. A condition has been included regarding servicing/utility easements.



- **Township of Southgate:** A Township staff report was presented to Township Council which was endorsed on September 18, 2019. The Township Staff report recommended that the Township Council support the proposed subdivision application and recommended some draft plan conditions. The recommended conditions from the Township have been included in the attached draft Notice of Decision.

## *Analysis of Planning Issues*

When rendering a land use planning decision, planning authorities must have regard to matters of Provincial Interest under the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) 2014, and conform to any Provincial Plans or Municipal Official Plans that govern the subject lands. In this case, the County of Grey Official Plan and the Township of Southgate Official Plan have jurisdiction over the subject property. There are no Provincial Plans in this area of the County.

## *Provincial Policy and Legislation*

Both the *Planning Act* and the PPS speak to the efficient use of land within settlement areas. The proposed plan of subdivision is within an existing settlement area designation that will be serviced with municipal water and sewer services.

The supply of an adequate range and distribution of residential housing types is required in both Provincial documents. In this case, the proposed plan of subdivision is proposing single detached residential units and townhouse units.

Other policies in the PPS speak to connected, walkable communities, with provisions for public parkland and open space. The proposed subdivision will provide connections to adjacent roads and connections to the CP Rail Trail. The proposal is to provide a parkland block within the plan of subdivision located adjacent to the CP Rail Trail (Block 133).

Parts of the subject lands are designated as Hazard Lands. Both the PPS and the County Official Plan discourages development within hazard lands. The application and supporting documents were circulated to the Grand River Conservation Authority and they have recommended conditions of draft approval which have been included in the attached notice of decision.

The protection of significant environmental features is also required through the legislation and policy. Appendix A of the County Official Plan identifies parts of the subject lands as being within the Wellhead Protection Area (WHPA). Comments were received from the Risk Management Official and they have no objections to the proposed development. Appendix B does not identify any natural heritage features on the subject lands. An Environmental Impact Study has been submitted with the proposed applications examining the potential for impacts on the natural environment. The EIS was reviewed by GRCA and they have no objections, subject to recommended conditions of draft approval.

Section 51(24) of the *Planning Act* also provides criteria which must be considered when assessing any new plan of subdivision. These criteria (in italics), along with staff analysis are as follows:

*(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

The matters of provincial interest have been analyzed earlier on in this section.

*(b) whether the proposed subdivision is premature or in the public interest;*

Services will be provided to this subdivision, including future road connections. The lands have also been designated for growth in both the County and Township Official Plan. Furthermore, there is a demand for additional residential units in the Township. As such, the proposed plan of subdivision would not appear to be premature, and is in the public interest.

*(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

The proposed development conforms to both the Township and County Official Plans. Future road connections have been included in the proposed plan that would provide future access to the lands to the north should these ever be developed in the future.

*(d) the suitability of the land for the purposes for which it is to be subdivided;  
(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*

Based on the background reports and technical studies, the subject lands appear suitable for residential development. It is not known if any of the proposed units will be 'affordable'.

*(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*

This item has been reviewed by the proponent, Township staff, Township Engineering Consultant, and County staff. Two new accesses are proposed off of Glenelg Street to provide access to the proposed new lots. The roads have been designed in a grid-like pattern.

*(f) the dimensions and shapes of the proposed lots;*

The lot sizes are an adequate size and the lot shapes are standard.

*(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*

County staff are not aware of any restrictions or proposed restrictions on the subject lands which would prevent the proposed development.

*(h) conservation of natural resources and flood control;*

GRCA staff have provided recommended conditions of draft plan approval to address the natural resources on the subject lands. In terms of flood control, a detailed stormwater management plan is required to the satisfaction of the Township and GRCA.



*(i) the adequacy of utilities and municipal services;*

This item is reviewed in other sections of this report. The proposed lands can be adequately serviced.

*(j) the adequacy of school sites;*

The school boards were circulated on this application and did not raise any concerns.

*(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

An Open Space Block and a Park Space Block are proposed to be conveyed to the Township.

*(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

In accordance with the Township and County Official Plans, the lands are proposed to be developed at an efficient density, which is also compatible with neighbouring land uses. The lands will connect to the existing road network and services in an efficient manner.

*(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.*

The proposed single detached lots do not require the utilization of site plan control. Site plan control could be applied to the townhouse units.

The subject plan of subdivision application, with the attached conditions of draft approval, would have regard for matters of Provincial Interest and the criteria of section 51(24) of the *Planning Act*, and is consistent with the PPS.

## ***County of Grey Official Plan***

The proposed plan of subdivision is on lands designated as 'Primary Settlement Area' and 'Hazard Lands' in the County Official Plan. Primary Settlement Areas are identified as locations in which to focus the majority of new growth in the County.

The County Plan also requires the protection of cultural and archaeological resources. A Stage 1 – 2 Archaeological Assessment was conducted for this development.

Section 5.3 of the County Plan provides a similar servicing hierarchy to that found in the PPS, which has been noted above. Elsewhere in section 5 of the Plan, are policies which govern roads, transportation, and stormwater management all of which have been addressed as noted above.

## ***Township of Southgate Official Plan***

The subject lands were designated as 'Neighbourhood Area', 'Hazard Lands' and 'Industrial' in the Township of Southgate Official Plan. An official plan amendment (LOPA 23) has been

adopted and approved which redesignated the Industrial designation to Neighbourhood Area to permit the proposed plan of subdivision. The Planning Justification Report submitted with the application provided analysis to justify why the lands should be redesignated and provided comprehensive review analysis as required by the PPS, the County Official Plan, and the Township Official Plan when proposing to redesignate employment lands to a non-employment use. Township staff also provided further information on the current amount of vacant industrial lands in Dundalk. Based on the information provided, County staff were satisfied that there was still an adequate supply of vacant Industrial lands to accommodate the future employment growth.

Other Official Plan policies in the Township Plan mimic those in the County Plan and the PPS. The Township Staff report that was presented to Township Council concluded that the proposed subdivision conforms to the Township Official Plan. County staff agrees with this conclusion.

## Legal and Legislated Requirements

The application was processed in accordance with the *Planning Act*.

## Financial and Resource Implications

There are no anticipated financial, staffing or legal considerations associated with the proposed subdivision, beyond those normally encountered in processing a subdivision application. The County has collected the requisite fee and peer review deposit for this application.

## Relevant Consultation

- Internal: Planning and Transportation Services
- External: The public, Township of Southgate, and required agencies under the *Planning Act*.

## Appendices and Attachments

*Draft Notice of Decision (conditions of draft approval) – attached*

Applicant: Southgate Meadows Inc. c/o Shakir Rehmatullah  
Municipality: Township of Southgate  
Location: Part of Lots 227 and 228, Concession 2 SWTSR, all of  
Lot Y and part of the unnamed street lying northeast of Part Lot 3,  
Block S, Plan 480, geographic Township of Proton  
Date of Decision:  
Last Date of Appeal:

File No.: 42T-2018-12

Date of Notice:

## **NOTICE OF DECISION**

### **On Application for Approval of Draft Plan of Subdivision under Subsection 51(37) of the Planning Act**

Draft Plan Approval, is hereby given by the County of Grey for the application regarding the above noted lands. A copy of the Decision is attached.

#### **PUBLIC AND AGENCY COMMENTS RECEIVED ON THE FILE**

All written and oral submissions received on the application were considered; the effect of which helped to make an informed recommendation and decision.

#### **WHEN AND HOW TO FILE A NOTICE OF APPEAL**

Notice to appeal the decision to the Local Planning Appeal Tribunal must be filed with the County of Grey no later than 20 days from the date of this notice, as shown above. The notice of appeal should be sent to the attention of the Director of Planning and Development of the County, at the address shown below and it must,

1. set out the reasons for the appeal,
2. be accompanied by the fee required by the Tribunal as prescribed under the Local Planning Appeal Tribunal Act, and
3. Include the completed appeal forms from the Tribunal's website.

#### **WHO CAN FILE A NOTICE OF APPEAL**

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Local Planning Appeal 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 of 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 made a written request to be notified of changes to the conditions or, in the Local Planning Appeal Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

\*Notwithstanding the above, only a 'person' listed in subsection 51(48.3) of the Planning Act may appeal the decision of the County of Grey to the Local Planning Appeal Tribunal (LPAT) 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 Grey 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>. For more information about these recent changes, please visit the LPAT website or contact LPAT - <https://elto.gov.on.ca/tribunals/lpat/about-lpat/>. 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:

**Applicant: Southgate Meadows Inc. c/o Shakir Rehmatullah**

**File No.: 42T-2018-12**

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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.

#### **RIGHT OF APPLICANT OR PUBLIC BODY TO APPEAL CONDITIONS**

The following may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by the approval authority to the Tribunal by filing a notice of appeal with the approval authority: the applicant; any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority; the Minister; or the municipality in which the subject land is located.

#### **HOW TO RECEIVE NOTICE OF CHANGED CONDITIONS**

The conditions of an approval of draft plan of subdivision may be changed at any time before the final approval is given.

You will be entitled to receive notice of any changes to the conditions of the approval of draft plan of subdivision if you have made a written request to be notified of changes to the conditions.

#### **RELATED APPLICATIONS**

Township of Southgate Official Plan Amendment 23 and Zoning By-law Amendment 2019-131. Both of which have been approved and are in force and effect.

#### **GETTING ADDITIONAL INFORMATION**

Additional information about the application is available for public inspection during regular office hours in the Planning & Development Office at the address noted below or by calling 519-376-2205 or 1-800-567-GREY.

#### **ADDRESS FOR NOTICE OF APPEAL**

**County of Grey**

**595-9th Avenue East**

**OWEN SOUND, Ontario N4K 3E3**

**Attention: Mr. Randy Scherzer, MCIP RPP**

**Director of Planning & Development**

**Applicant: Southgate Meadows Inc. c/o Shakir Rehmatullah**

**File No.: 42T-2018-12**

**Municipality: Township of Southgate**

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Lot Y and part of the unnamed street lying northeast of Part Lot 3,  
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Plan of Subdivision File No. 42T-2018-12 has been granted draft approval. The County's conditions of final approval for registration of this draft plan of subdivision are as follows:

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### **General Requirements**

1. That the final plan shall conform to the Draft Plan of Subdivision File No. 42T-2018-12 prepared by MHBC Planning and surveyed by Schaeffer Dzaldov Bennett Ltd. dated September 25, 2018 and revised on July 17, 2019 showing:
  - a. 130 single detached lots (Lots 1 to 130)
  - b. 33 townhouse units located within Blocks 131 to 136
  - c. 2 blocks for future lots (Blocks 137 and 138)
  - d. Park block (Block 139)
  - e. Walkway/trail blocks (Blocks 140 to 144)
  - f. Open space block (Block 145)
  - g. Stormwater block (Block 146)
  - h. Future right of way blocks (Blocks 147 and 148)
  - i. 0.3 metre reserves (Blocks 149-151)

The legal description of the subject lands is Part of Lots 227 and 228, Concession 2, Southwest of the Toronto Sydenham Road (SWTSR), all of Lot Y and part of the unnamed street lying northeast of Part Lot 3, Block S, Plan 480, Township of Southgate, geographic Township of Proton, County of Grey.

2. That a subdivision agreement be entered into to the satisfaction of the Township of Southgate and registered on title.
3. That Blocks 139 to 146 (Open Space, Park, Walkways, Trail, and SWM Pond), Blocks 147 & 148 (Future Right of Way blocks) and Blocks 149 to 151 (0.3m reserve) be deeded to the Township of Southgate.
4. That the road allowances included in this draft plan shall be shown and dedicated as public highways to the Township of Southgate.
5. That the streets shall be named, subject to final approval of Township Council, and provided that such new street names are not duplicates of street names or phonetic sounding street names elsewhere in the County of Grey.

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6. That any dead ends, daylighting triangles at street intersections and open sides of road allowances created by this draft plan shall be terminated in 0.3m reserves to be conveyed to, and held in trust, by the Township of Southgate.
7. That the Owner agrees to satisfy the requirements of the Township of Southgate in reference to parkland dedication in a manner satisfactory to the Township of Southgate and pursuant to the provisions of the Planning Act. R.S.O. 1990 as amended.
8. That the proposed subdivision is zoned appropriately. This zoning shall have a holding provision for all the lands requiring access to municipal services. The holding provision may be removed in phases, upon entering into a subdivision agreement and when adequate municipal water and sewer capacity are available and allocated by by-law.
9. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the Township of Southgate and without limiting the generality of the foregoing, the provision of roads, installation of services, installation of sidewalks and trails and drainage.
10. The Owner shall develop a phasing plan to the satisfaction of the Township. The phasing plan shall address matters including but not limited to the allocation of servicing, any necessary temporary works such as turning circles, sidewalk and trail connections, or temporary easements. The phasing plan shall also identify any lots which may be temporarily constrained by development as a result of the phasing. The subdivision agreement between the Owner and the Township shall contain provisions satisfactory to the Township to address phasing arrangements acceptable to the Township, including that servicing shall only be allocated to phases which are being registered and for which securities are provided.
11. That such conveyances and easements as may be required by an appropriate authority for municipal servicing, utility or drainage purposes shall be granted to the appropriate authority.
12. The Owner and the Township shall acknowledge in the Subdivision Agreement that sewage and water allocation is not available to service the entire subdivision. The Township is undertaking the necessary approvals to provide the required servicing. Final approval shall only be given to each phase of the development where sanitary and water services are available and constructed to the subdivision or financially secured.
13. That prior to the final approval and registration of the phases of the plan, the Township of Southgate allocate by by-law water supply capacity and sewage treatment plant capacity.
14. That the developer prepares and submits a Native Tree planting and landscaping plan for approval by the Township. The plan will specifically provide for additional tree planting in the park and open space areas as well as the provision of trees for individual lots. A



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treed buffer is to be planted on the backs of Lots 36 to 57 adjacent to the CP Rail Trail. These plans will form part of the approved plans in the subdivision agreement.

15. The Owner agrees to consult with MECP or the appropriate authority to confirm if Bobolink, Eastern Meadowlark and Barn Swallow Habitat compensation is to be provided. A copy of this consultation and final decision is to be provided to the Township and the County prior to final approval.
16. That prior to any grading or construction on the site and prior to registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the Grand River Conservation Authority and the Township.
  - a) A final Stormwater Management Report in accordance with the 2003 Ministry of Environment Report entitled "Stormwater Management Practices Planning and Design Manual" and in keeping with the Functional Servicing and Stormwater Management Report (September 2018 and August 2019, C.F. Crozier and Associates).
  - b) Completion of a feature-based water balance, evaluation of downstream stormwater receivers, and mitigation of any negative impacts completed to the satisfaction of the GRCA and Township and its Engineers.
  - c) Detailed lot grading and drainage plans showing existing and proposed grades.
  - d) An Erosion and Siltation Control Plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized, and silt maintained on-site throughout all phases of grading and construction.
  - e) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit from the GRCA prior to any grading within the regulated area.
17. That the Owner as part of the subdivision agreement, shall agree in writing acceptable to the Township of Southgate
  - a) To undertake all works according to the plans and reports approved under Condition No. 14, 15 and 16 above.
  - b) To maintain all stormwater management and erosion and sedimentation control structures in good repair and operating order throughout all phases of construction until Final Acceptance of services has been granted by the Township of Southgate. The Owner is responsible to satisfy all requirements of

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Lot Y and part of the unnamed street lying northeast of Part Lot 3,  
Block S, Plan 480, geographic Township of Proton**

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- the Environmental Compliance Approval until Final Acceptance has been granted.
- c) To investigate any well interference complaints received by the Developer, Developers Agents, Ministry of the Environment, Conservation and Parks (MECP) or the Township, from the start of construction until final acceptance of the first phase of the subdivision. The results of each investigation shall be submitted for review to the Township and the MECP within 60 days of the complaint being received. The owner shall be required to pay for any well interference assessment, completed to the satisfaction of the Township. If determined to be a valid complaint, acceptable well interference mitigation to a complaint may include well deepening and or pump lowering. The owner agrees to reimburse the cost of any mitigation.
  - d) To erect a subdivision sign on the property containing the following information:
    - i. Identifying all proposed uses within the draft approved plan of subdivision and adjacent uses.
    - ii. Identifying off street parking restriction to be imposed by the Township upon Final Acceptance of the subdivision.
    - iii. Illustrating the location of proposed sidewalks, public walkways, trails, parks, fences and community mailbox locations. With respect to fences, a fence shall be installed at the backs of Lots 36 to 57 adjacent to the CP Rail Trail.
18. That the subdivision Agreement between the Owner and the Township shall contain provisions whereby the Owner shall make satisfactory arrangements with the appropriate providers for the provision of permanent and /or temporary hydro, telephone, natural gas, internet and cable television services to this plan.
19. That the subdivision agreement between the Owner and the Township of Southgate contain wording to the effect that all agreements of purchase and sale shall ensure that all persons who make first purchases of land within the plan of subdivision after final approval of the subdivision plan, are informed when land is transferred, of all the development charges related to this development, including the County's Development Charges.
20. That the developer shall include in the subdivision agreement and insert in all agreements of purchase and sale or lease for each lot/dwelling in the subdivision "servicing capacity currently does not exist for the entire development. This could lead to a delay in the timing of final approval and the construction of any given dwelling within the subdivision" This clause is no longer required when sufficient servicing capacity exists for the entire development.

**Applicant: Southgate Meadows Inc. c/o Shakir Rehmatullah**

**File No.: 42T-2018-12**

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21. That the subdivision agreement between the Owner and the Township of Southgate address servicing financing in order to ensure the construction and financing of all external services which are necessary to provide appropriate levels of service to this plan of subdivision. Details of these external services are to be confirmed as part of detailed design.
22. That the Owner pays the cost of supplying and erecting street name and traffic control signs in the subdivision to the satisfaction of the Township.
23. That any domestic wells and boreholes drilled for hydrogeological or geotechnical investigations within the limits of the draft plan of subdivision be properly abandoned by the Owner, when no longer required, in accordance with the Ministry of Environment, Conservation and Parks Regulations and Guidelines to the satisfaction of the Township.
24. That the subdivision agreement includes provisions that requires the developer to submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying all structural fill placed below proposed building locations. This report shall include the following information: lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
25. All imported fill is to meet Ministry of Environment, Conservation and Parks Table 2 criteria for development lands.
26. That the developer shall submit a report prepared by a professional engineer to the satisfaction of the chief building official providing an opinion on the presence of soil gases (radon and methane) in the plan of subdivision in accordance with applicable provisions contained in the Ontario Building Code.
27. That the developer shall include in the subdivision agreement and insert in all agreements of purchase and sale or lease for each dwelling in the subdivision "The lands to the North of the subdivision are being utilized for normal agricultural operations that may result in noise, dust, odour and other potential nuisances associated with livestock or agricultural uses. These normal agricultural practices may occasionally affect the living environment of residents in close proximity to agricultural operations." The agreements of purchase and sale or lease for Lots 36 to 57 shall include a clause to indicate that "ATV's and snowmobiles use the CP Rail Trail located adjacent to the lot and these uses generate noise."
28. The Owner shall make satisfactory arrangements with Canada Post and the Township, for the installation of Canada Post Community Mailboxes and shall indicate these locations on the appropriate servicing plans. The applicant shall further provide the following for the Community Mailboxes:
  - a) An appropriately sized sidewalk section (concrete pad), per Canada Post standards, to place the mailbox on, plus any required vehicle lay-bys, walkway access and/or curb depressions for wheelchair access.

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- b) A suitable temporary Community Mailbox location which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox Site locations to enable Canada Post to provide mail service to new residences as soon as homes are occupied.
29. That the Owner shall agree in the Subdivision Agreement that the Recommendations and Mitigation measures identified in the Environmental Impact Statement Update (EIS), dated September 2018 prepared by SLR Global Environmental Solutions to be implemented to the satisfaction of the Township and Grand River Conservation Authority.
30. The Owner shall agree in the Subdivision Agreement to the following:
- a) Should previously unknown or unassessed deeply buried archaeological resources be uncovered during development, such resources may be a new archaeological site and therefore subject to Section 48 (1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the Ontario Heritage Act;
- b) That anyone working on the subject lands who uncovers a burial site containing human remains shall cease fieldwork or construction activities and immediately report the discovery to the police or coroner in accordance with the Funeral, Burial and Cremation Services Act.
31. Prior to final approval, the County is advised in writing from the Grand River Conservation Authority that Draft Plan Conditions 16 and 29 have been addressed to their satisfaction.
32. Prior to final approval, the County is advised in writing from Canada Post that Draft Plan Condition 28 has been addressed to their satisfaction.
33. Prior to the signing of the final plan by the County of Grey, the County is to be advised that all Draft Plan conditions have been carried out to the Township's satisfaction.
34. If final approval is not given to this plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval shall lapse under Subsection 51(32) of the Planning Act, RSO 1990, as amended. If the owner wishes to request an extension to draft approval, a written explanation along with the applicable application fee and a resolution from the local municipality must be received.

## **NOTES TO DRAFT APPROVAL**

Applicant: Southgate Meadows Inc. c/o Shakir Rehmatullah

File No.: 42T-2018-12

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1. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Grey, quoting the County file number.
2. An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the Occupational Health and Safety Act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER - Overhead Electrical Wires**" in all locations where personnel and construction vehicles might come in close proximity to the conductors.
3. Clearances or consultations are required from the following agencies, as well as the appropriate agency or authority providing utilities or services:

Township of Southgate

185667 Grey Road 9

Dundalk, ON, N0C 1B0

Email: [cstredwick@southgate.ca](mailto:cstredwick@southgate.ca)

Grand River Conservation Authority

400 Clyde Road, PO Box 729

Cambridge, ON N1R 5W6

Email: [lwarner@grandriver.ca](mailto:lwarner@grandriver.ca)

Canada Post Corporation

300 Wellington Street

London, ON, N6B 3P2

Email: [ryan.sumler@canadapost.ca](mailto:ryan.sumler@canadapost.ca)

4. We suggest you make yourself aware of the following subsections of the Land Titles Act:
  - a) subsection 144(1) requires all new plans to be registered in a Land Titles system if the land is situated in a land titles division; and
  - b) subsection 144(2) allows certain exceptions.

The subdivision plan for Registration must be in conformity with the applicable Ontario Regulation under The Registry Act.

5. Inauguration or extension of a piped water supply, a sewage system or a storm drainage system, is subject to the approval of the Ministry of the Environment, Conservation and Parks under the Ontario Water Resources Act, RSO 1990, as amended.

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6. All measurements in subdivision final plans must be presented in metric units.
7. The final plan approved by the County must be registered within thirty (30) days or the County may withdraw its approval under subsection 51(32) of the Planning Act RSO 1990, as amended.