



Committee Report

To:	Warden Hicks and Members of Grey County Council
Committee Date:	March 25, 2021
Subject / Report No:	Addendum to PDR-CW-35-18
Title:	White Rose Subdivision 42T-2018-08
Prepared by:	Stephanie Lacey-Avon
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	Township of Southgate
Status:	Adopted as presented by Committee through Resolution CW66-21; Endorsed by Grey County Council CC34-21

Recommendation

1. That Report Addendum to PDR-CW-35-18 be received; and
2. That all written and oral submissions received on plan of subdivision 42T-2018-08 known as White Rose Park were considered; the effect of which helped make an informed recommendation and decision; and
3. That in consideration of the draft plan of subdivision application 42T-2018-08, for lands described as Part Lot 227, Concession 2, SWTSR (geographic Township of Proton) in the Township of Southgate, the Grey County Committee of the Whole approves this plan of subdivision to create a total of 86 to 88 units, consisting of 30 single detached units, 24 townhouse dwellings, and 32-34 senior dwelling blocks, subject to the conditions set out in the Notice of Decision.

Executive Summary

The County has received a plan of subdivision application known as White Rose (County file number 42T-2018-08). The initial proposal for these lands was to create 101 units. This had not yet proceeded to the public meeting stage when the proponent changed consultants. A revised submission was provided to all agencies to create a total of 86 to 88 units, consisting of 30 single detached units, 24 townhouse dwellings, 24 units in 4 senior dwelling blocks, and 8 to 10 units in a future senior dwelling block within the settlement area of Dundalk. The senior dwelling blocks will be developed as medium density, accessible bungalow, or freehold townhouse units. Details of the housing product will be determined at a later date, with the intent being to process these through part lot control. The units will connect to the extension of Bradley Street (i.e. Street "B") from the south, access is proposed for future road connection to the north should the

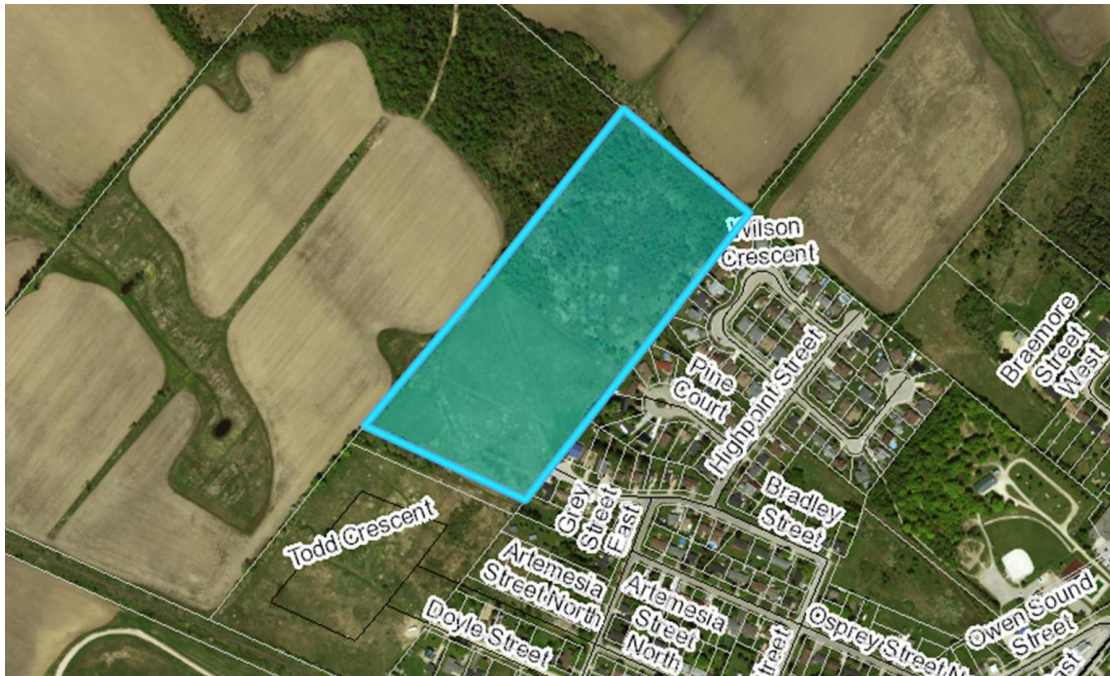
settlement area expand in the future. A future street (i.e. Street “A”) through the adjoining subdivision (Southgate Cedarpoint) to the west will also connect to the subject lands. Servicing to the proposed subdivision will be via municipal water and sewer services. Various technical reports have been submitted with the proposed subdivision application, as well as a zoning by-law amendment to the Township of Southgate. 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 received a plan of subdivision application known as White Rose (42T-2018-08) that initially proposed to create 101 units, with 73 single detached lots, and 28 townhouse units. The proponent changed consultants, and a revised submission was provided to all agencies to create a total of 86 to 88 units, consisting of 30 single detached units, 24 townhouse dwellings, 24 units in 4 senior dwelling blocks, and 8 to 10 units in a future senior dwelling block. The senior dwelling blocks will be developed as medium density, accessible bungalow, or freehold townhouse units. The original draft plan provided a minimum 2 metre setback to the wetland feature on the eastern portion of the subject lands, but Grand River Conservation Authority (GRCA) requested a more substantive setback of approximately 30 metres. The proposed subdivision is located on Part of Lot 227, Concession 2, SWTSR (geographic Township of Proton), in the Township of Southgate.

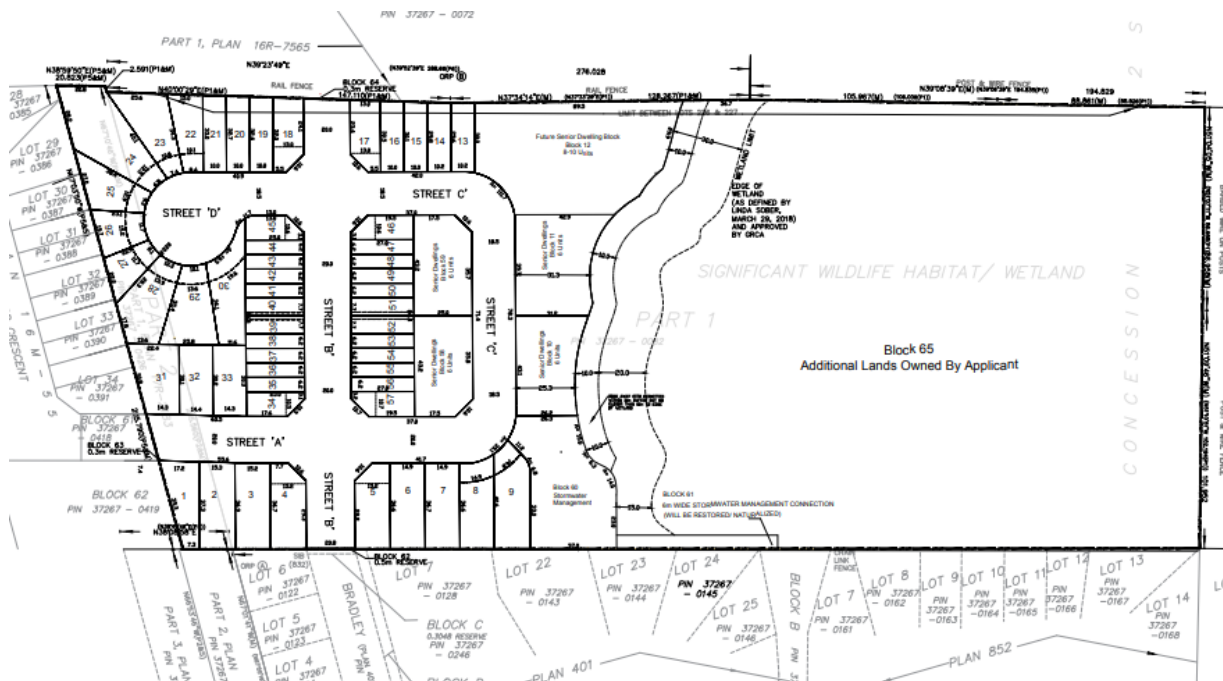
Access to the development will be provided by an extension of Bradley Street (i.e. Street “B”), from the south, with a proposed future road connection to the north should the settlement area expand in the future. From the west, an extension from the adjoining subdivision (Southgate Cedarpoint) Todd Crescent, to future street (i.e. Street “A”) will also connect to the subject lands.

The subject lands are approximately 8.8 hectares (21.94 acres), although only the westerly portion of the land is proposed for development, which is approximately 4.09 hectares (10 acres) in area. The eastern portion is not proposed for any form of urban development at this time, containing 4.79 hectares (11.84 acres). These lands are identified as wetlands, as per GRCA’s review. A 30 m buffer is required from this wetland and the proposed development. Immediately adjacent to the subject lands, on the southeasterly side is the Village of Dundalk. The lands on the northwest and northeast are agricultural, and the property located to the southwest is the Southgate Cedarpoint subdivision. 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

The proposal is to service the new lots with municipal water and sewer. The subject lands are currently vacant.





Map 2 & 3: Proposed Plan of Subdivision

(Map 2 & 3 Courtesy of MHBC Planning, Urban Design & Landscape Architecture)

The proposed development also requires an amendment to the Township of Southgate Zoning By-law.

Pre-submission consultation between the proponent, the Township of Southgate and the County identified the submission requirements for the proposed plan of subdivision. Copies of all background reports and plans can be found at [this link](#).

Public and Agency Comments Received

The Township of Southgate held a virtual public meeting September 23rd, 2020. Two members of the public addressed Township Council at the public meeting and raised the following, summarized comments regarding the proposed development:

1. Christine Newport – objected to the subject proposal. Lives in the adjacent subdivision (Southgate Cedarpoint) and has concerns regarding dust and air quality, development density, excessive noise, unkept job site, and the financial situation of the developer.
2. Crystal Walker – opposes the subject proposal because it will be built out by the same owner as the adjacent subdivision – Southgate Cedarpoint, and she (as a property owner in that subdivision) has had significant challenges and issues.

Written public comments associated with the proposed development were also received from the following:

- Christine Newport
- Amy King
- Carolyn Keir
- Nancy Malloy
- Pam Burgess
- Silvia Watt

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

Public Comments Raised	How Comments have been considered/addressed?
<p>Concerns with the builder. The proposed builder for the subject subdivision is the same as the adjacent land subdivision – Southgate Cedarpoint. Wanting to ensure proper cleanup of area prior to breaking ground with the new subdivision.</p> <p>Concerns from adjacent property owners living under construction, with dust, mud, noise implications.</p> <p>Noise concerns with future construction endeavors.</p> <p>Concerns about the safety of children and the presence of large construction trucks along Todd Crescent and Artemesia Street North.</p>	<p>The concerns related to the adjacent subdivision – Southgate Cedarpoint were discussed at the public meeting both by verbal and written comments received. Through the approval process of Southgate Cedarpoint, the Township of Southgate had completed a subdivision agreement detailing the conditions required to be met throughout the development process. These matters are separate to the subject proposal (White Rose) but were noted by Township staff that follow-up would occur.</p> <p>A subdivision agreement will be required for the subject proposal as well, of which will include dust control measures, construction site maintenance standards, hours of construction, etc.</p> <p>Access to the new subdivision will be from Bradley Street, rather than Todd Crescent. Stop signs and a posted 40 km/h speed limit are also added measures to ensure road and roadside safety for residents. Truck traffic along Artemesia Street North will need to be monitored by Township staff. Efforts will be made to add additional signage for truck traffic. Traffic law enforcement will also be used as a tool in this area, if needed.</p>
<p>Concerns raised regarding greenspace preservation between the new subdivision and the subdivision to the west – Southgate Cedarpoint.</p>	<p>This area was not identified as suitable to leave as vacant lands or for trail development. The lots proposed in the new development, along the west side will have frontage onto an internal street, ‘Street D’. Some of the existing greenspace will be maintained but will be transferred over to</p>

	<p>private ownership and serve as yards for future property owners.</p>
<p>Concerns regarding the water table in the area. Is there sufficient stormwater capacity?</p>	<p>A Draft Hydrogeological Site Assessment was prepared by Peto MacCallum Ltd. (PML), February, 2020. Triton Engineering Services Limited (TESL) prepared an updated Water Balance memo October, 2020.</p> <p>The Water Balance memo noted that through incorporating a stormwater management pond and low impact design elements on the subject site (such as soakaway pits on blocks 10, 11, & 12), the water balance will be restored. Recharge of the adjacent wetland will be assured, with a likelihood of there being a surplus of water (more than before) being diverted to the wetland.</p>
<p>Opportunity for trail development along the east side.</p>	<p>The Township will not be allocating a park or trail network to the subject lands at this time, as it was noted there appears to be sufficient public park space in Dundalk. The developer will be required to contribute funds to parkland dedication.</p> <p>From the subject lands, the CP Rail Trail is located less than 300 metres and Dundalk’s sport complex is located ~350 metres. These are both great public facilities that support recreational activities.</p>
<p>Concerns regarding the proposed development density.</p>	<p>It has been demonstrated through the technical studies and the review of those studies by agencies that this proposed development can be considered subject to conditions of draft approval. The subject lands are designated ‘Primary Settlement Area’ in the County Official Plan. Growth and development are meant to be directed to settlement areas, and as such this is an appropriate location.</p>

	<p>The development will be serviced by municipal water and sewer services which is the preferred form of servicing. There were conscious efforts made to maintain similar housing type on lands that are adjacent to existing developed neighborhoods (e.g. single detached units located adjacent to existing single detached units). The townhouse units and senior dwelling blocks (which will be rezoned as R3 - medium density development) are centrally located and abut the hazard lands to the east. The variety of housing types is encouraged by planning policy and may facilitate affordable/attainable housing price models.</p>
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Agency comments:

- **Bruce Telecom (July 22nd, 2020)** – Bruce Telecom had no concerns.
- **Grand River Conservation Authority (GRCA)** – GRCA provided several renditions of comments. Comments were initially received October 24th, 2018, outlining several outstanding concerns. Additional review was requested pertaining to groundwater conditions, water balance, and general stormwater management. There were concerns with the EIS submitted, inadequately characterizing the site, constraints, applicable policy, and mitigation measures. A separate draft plan was received from the applicant for preliminary review and comment. This was provided April 28th, 2020. Comments received noted that the latest draft plan submission did not include revised technical reports or studies, in support of the most up-to-date proposal. Subsequent comments were received September 4th, 2020, related to the final draft plan dated May 11th, 2020. There were concerns with the high groundwater elevations on the subject site and resulting ability of the proposed stormwater management to function optimally to meet the quality control requirements for this development. Further technical review was requested, demonstrating the LID (low impact design) infiltration facilities can achieve site water balance. An updated was completed by Triton Engineering Services Limited (TESL), October 16th, 2020 to address the outstanding water balance concerns. Following further review, GRCA issued an additional letter December 11th, 2020 indicating they generally have no objections to the proposed development.

GRCA recommends the following conditions of draft approval:

1. Prior to any grading or construction on site and prior to registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the GRCA.

- 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 (July 2020, Triton Engineering Services Limited.)
 - b. Detailed Lot Grading and Drainage Plans showing existing and proposed grades.
 - c. 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.
 - d. 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.
- **Grey Bruce Health Unit (July 27th, 2020)** – Recommended sharing the *Healthy Development Checklist* with the developer.
 - **Grey County Transportation Services (July 16th, 2020)** – A traffic impact study was requested to be completed as the proposed development exceeds 50 units and is in proximity to a County road. A traffic impact study was completed by Triton Engineering Services, September 2020. County Transportation staff were satisfied with the results of this review, no intersection improvements are required as a result of the proposed development.
 - **Historic Saugeen Métis (July 29th, 2020)** – no objection or opposition to the proposed development.
 - **Hydro One (July 22nd, 2020)** – there were no comments or concerns raised.
 - **Township of Southgate** – A planning recommendation was put forward, regarding the subject proposal by the Township planner through the staff report PL2021-011-C27-18, dated February 17th, 2021. This report was endorsed by local Council. The Township staff report recommended conditions of draft approval which were supported by Township Council. These recommendations have been incorporated into the recommended conditions of draft approval. Local Council also provided direction to staff to prepare a zoning by-law amendment to implement the proposed plan of subdivision at a future Council meeting.

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) 2020, 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 place for this section of Southgate.

Provincial Policy and Legislation

Both the *Planning Act* and the PPS speak to the efficient use of land within settlement areas, where services are readily available. The proposed plan of subdivision is within a settlement area that is serviced by municipal water and sewer services. The PPS indicates that the preferred form of servicing for settlement areas is full municipal services. Municipal water capacity is not currently available for the proposed units. A Functional Servicing Report was completed (June 2018), and the Township's consulting engineering firm provided preliminary comments to the consulting planner. These findings cautioned the developer that White Rose Park Subdivision will exceed the reserve capacity of the Dundalk Waterworks, and there is limited uncommitted sanitary servicing capacity available. Since that time, an additional functional servicing and stormwater report was completed March 2020. Dundalk added an additional well, (D5) in the fall of 2019, increasing the overall water supply to this area. The consultant indicated there was sufficient uncommitted equivalent residential units (ERU) to support the subject development. Further to this, the Township also initiated an Environmental Assessment (EA) process for sewage treatment expansion back in 2015. Township staff anticipates the EA to be completed this year (2021), with construction beginning in 2022.

County planning staff brought a report to Committee of the Whole on September 13th, 2018 PDR-CW-28-18, to discuss the existing protocol on how servicing is allocated for new subdivision/condominium draft approvals. A motion was passed to adopt a hybrid approach. This approach entails continuing to draft approve plans of subdivision and condominium when reserve servicing capacity can be allocated at the time of draft approval, or if a municipality requests an alternate approach, allocate capacity at the time of registration, or through separate by-law prior to registration, at the discretion of the municipality. The Township is opting to place a "H" holding symbol on the subject lands, which can be formally removed once water and sewer allocation is granted to the subdivision and a subdivision agreement is registered on title.

The supply of an adequate range of residential housing types is required in both Provincial documents. A revised submission was provided to all agencies to create a total of 86 to 88 units, consisting of 30 single detached units, 24 townhouse dwellings, 24 units in 4 senior dwelling blocks, and 8 to 10 units in a future senior dwelling block within the settlement area of Dundalk. The proposal incorporates significant range of housing types that will be available for prospective buyers. There were conscious efforts made to maintain similar housing types on lands that are adjacent to existing developed neighborhoods (e.g. single detached units located adjacent to existing single detached units). The townhouse units and senior dwelling blocks (which will be rezoned as R3 - medium density development) are centrally located and abut the hazard lands to the east.

The protection of significant environmental features is also required through the legislation and policy. An Environmental Impact Study was completed May, 2018 by SAAR Environmental Limited, with an update provided February, 2020. Grand River Conservation Authority has also provided thorough review and comment. The 'Hazard Lands' on the subject property are recognized as a locally significant wetland. It has been recommended a 30 m buffer be implemented from the boundary of the wetland to the subject development.

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 the adjacent road (Bradley Street) and a future street through the adjoining subdivision to the south west.

Sidewalks are being proposed in this subdivision. Parkland dedication fees will be submitted as part of this proposal, the Township has not indicated at this time a desire for further public park and trail network development within the subject lands.

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;

A "H" holding symbol will be placed on the subject lands, which can be formally removed once water and sewer allocation is granted to the subdivision and a subdivision is registered on title. Township staff anticipate being able to accommodate additional servicing capacity by 2022. These lands have also been designated for growth in both the County and Township Official Plans. The proposed plan of subdivision is in the public interest and would not be premature.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any; The County Official Plan designates the subject lands as a 'Primary Settlement Area' and 'Hazard Lands'; the Township of Southgate Official Plan designates the subject lands as 'Neighborhood area'. Both the 'Primary Settlement Area' and 'Neighborhood Area' land use designations are intended for residential development. No development is being proposed within the 'Hazard Lands' area.

(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. Some of these units may be 'affordable', given there are some smaller lot sizes, and different housing types (i.e. single detached, townhouse, senior dwelling unit).

(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 and County staff have no concerns identified. Draft plan conditions are included to address the final detailed design of the proposed roads to the satisfaction of the Township.

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

The proposed dimensions and shapes of the proposed lots are standard and will accommodate varying lot widths and depths depending on the housing type (i.e. single detached, townhouse, senior dwelling unit).

(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. The proposed development will be subject to a subdivision agreement, as is standard for such developments.

(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 which have been incorporated in the recommended conditions of draft approval.

(i) the adequacy of utilities and municipal services;

The proposed lands will be adequately serviced by municipal water and sewer services.

(j) the adequacy of school sites;

The two 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;

Streets A to D, shown on the proposed plan would be dedicated to the Township following construction in accordance with the Township's road standards. Block 60 would also be dedicated to the Township, as these lands will host the stormwater management facility. No other lands are proposed to be conveyed for public purposes.

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

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 development will not be going through site plan control.

The proposed 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 2020.

County 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 principal centres in which to focus new residential growth in the County. The County Plan sets an average residential development density of 20 units per net hectare within this designation. The

proposed development exceeds the development density requirements, at 30.5 units per net hectare. Within this designation, the County Plan generally defers to the development standards of the Township of Southgate (including their official plan and zoning by-law).

Appendix B of the County Official Plan identifies a small pocket of wetlands located within the 'Hazard Lands'. As noted previously, an Environmental Impact Study (EIS) was submitted with the proposed development applications, providing recommendations to protect the wetland features. GRCA has reviewed the EIS and has no objections to the proposed development subject to conditions of draft approval. These matters have been addressed as part of the recommended conditions of draft approval.

Section 8.9.1 of the County Plan provides a similar servicing hierarchy to that found in the PPS, which has been noted above. Elsewhere in Section 8.9 of the Plan are policies which govern roads, transportation, and stormwater management. All of which have been addressed as noted above.

The proposed plan of subdivision conforms to the County of Grey Official Plan, with the attached conditions of draft approval.

Township of Southgate Official Plan

The Township of Southgate Official Plan designates the subject lands as 'Neighborhood Area'. This designation is intended for residential development. A planning recommendation was put forward, regarding the subject proposal by the Township planner through the staff report PL2021-011-C27-18, dated February 17th, 2021. This report was endorsed by local Council. It can be accessed here: [report](#).

With the attached recommended draft plan conditions, County staff are of the opinion that the proposed development:

1. has regard for matters of Provincial interest under the *Planning Act*,
2. is consistent with the Provincial Policy Statement 2020,
3. conforms to the County of Grey Official Plan, and
4. conforms to the Township of Southgate Official Plan.

Legal and Legislated Requirements

The application has been 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, Transportation Services

External: The public, Township of Southgate, Grand River Conservation Authority, and other

required agencies under the *Planning Act*.

Appendices and Attachments

[PDR-CW-35-18 White Rose Subdivision Information Report](#)

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

Applicant: 2570970 Ontario Inc.

File No.: 42T-2018-08

Municipality: Township of Southgate

Location: Part Lot 227, Concession 2 SWTSR, Township of Southgate geographic Township of Proton

Date of Decision:

Date of Notice:

Last Date of Appeal:

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:

1. A corporation operating an electric utility in the local municipality or planning area to which the plan of subdivision would apply.

Applicant: 2570970 Ontario Inc.

File No.: 42T-2018-08

Municipality: Township of Southgate

Location: Part Lot 227, Concession 2 SWTSR, Township of Southgate geographic Township of Proton

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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 Zoning By-law Amendment – (no file number yet associated)

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. Please contact the Planning Office at 519-376-2205 or 1-800-567-GREY to schedule an appointment to review the information.

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: 2570970 Ontario Inc.
Municipality: Township of Southgate
Location: Part Lot 227, Concession 2 SWTSR, Township of Southgate geographic Township of Proton
Date of Decision:
Last Date of Appeal:

File No.: 42T-2018-08

Date of Notice:

Plan of Subdivision File No. 42T-2018-08 has been granted draft approval. The County's conditions of final approval for registration of this draft plan of subdivision are as follows:

General Requirements

1. That the final plan shall conform to the Draft Plan of Subdivision File No. 42T-2018-08 prepared by MHBC Planning, dated May 11, 2020 showing:
 - a. Twelve (12) 40 ft single detached lots,
 - b. Eighteen (18) 30 ft single detached lots,
 - c. Twenty-four (24) 19.5 ft townhouse lots, all to gain access off roads to be constructed as part of the overall development shown on Streets 'A', 'B', 'C', and 'D',
 - d. Four blocks to create 'senior dwellings' (Block 58, 59, 10, & 11), with frontage on Street 'C',
 - e. A Stormwater Management Block (Block 60), and
 - f. A Future Development Block (Block 12).

The legal description of the subject lands is Part Lot 227, Concession 2 SWTSR, geographic Township of Proton, Township of Southgate, County of Grey.

2. That a subdivision agreement be entered into to the satisfaction of the Township of Southgate and registered on title.

Servicing, Grading and Road Requirements

3. That the road allowances included in this draft plan shall be shown and dedicated as public highways to the Township of Southgate.
4. That any Stormwater Management and open space blocks be deeded to the Township.
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.
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.

Parkland and Open Space Requirements

7. That the Owner agrees to satisfy the parkland dedication requirements of the Township of Southgate in a manner satisfactory to the Township and pursuant to the provisions of the Planning Act. R.S.O. 1990 as amended.

Applicant: 2570970 Ontario Inc.

File No.: 42T-2018-08

Municipality: Township of Southgate

Location: Part Lot 227, Concession 2 SWTSR, Township of Southgate geographic Township of Proton

Date of Decision:

Date of Notice:

Last Date of Appeal:

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 bylaw.
9. That the Zoning contain a provision to limit the size of entrance and driveways to assist with snow storage.
10. 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.
11. 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 because 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.
12. 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.
13. 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.
14. 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.

Natural Environment

15. 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. These plans will form part of the approved plans in the subdivision agreement.
16. The Owner agrees to provide a letter indicating how the application has satisfied the provisions of the Endangered Species Act ("ESA"), including demonstration that the methods, protocols and recommendations are in accordance with provincial requirements together with confirmation from the Ontario Ministry of Natural Resources

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and Forestry that the requirements of the ESA have been met.

17. That prior to final approval by the County of Grey or 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 County of Grey, Grand River Conservation Authority and the Township as applicable:
- 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 (July 2020, Triton Engineering Services Limited).
 - 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.
 - f. A detailed Hydrogeological report that provides an assessment of ground water level monitoring data from on-site piezometers. Data collected shall be of sufficient duration to establish reasonable high-water table conditions under normal or above normal climatic (precipitation) conditions. The report shall, based on the observed seasonal fluctuating inground water levels (typically highest in the spring), provide a predicted 'high' groundwater elevation across the site as well as an interpreted high groundwater elevation on a lot by lot basis. The interpreted high groundwater elevation for each lot is intended to ensure a minimum vertical separation of 0.3 metres from the underside of the proposed basement floor elevation to the seasonal high groundwater elevation for each given lot. Proposed lot grading plans for the development shall provide the minimum recommended separation on all lots in conformance with Township standards. Where this is not feasible due to local site constraints, other groundwater management practices such as groundwater drainage system (i.e. 3rd pipe system) may be implemented provided it can be demonstrated, to the satisfaction of the Township, that it will function under local site-specific conditions in the short and long term. Any proposed alternative groundwater management practice will require Township approval.
 - g. Engineering design drawings for all works to be constructed as part of the development including any off-site works that are the responsibility of the Owner.

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- h. A Traffic Impact Study which identifies all required access locations and improvements required to accommodate the site traffic and includes an assessment of off-site traffic impacts and recommendations for mitigation of these impacts. This Traffic Impact Study shall be submitted prior to final approval and shall be completed to the satisfaction of the Township and County as applicable.

- 18. 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 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, community mailbox locations and other significant features that may be of interest to prospective purchasers.

- 19. 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.

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20. 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.
21. 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.
22. That the subdivision agreement between the Owner and the Township of Southgate address servicing financing 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.
23. 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.
24. 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.
25. 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.
26. All imported fill is to meet Ministry of Environment, Conservation and Parks Table 2 criteria for development lands.
27. 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.
28. 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 near agricultural operations."

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Utilities and Canada Post

29. 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.
 - 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.
30. That the Owner shall agree in the Subdivision Agreement that the Recommendations and Mitigation measures identified in the Environmental Impact Study prepared by SAAR Environmental be implemented to the satisfaction of the Township and Grand River Conservation Authority.
31. 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.

Administration

32. Prior to final approval, the County is advised in writing from the Grand River Conservation Authority that Draft Plan Conditions 17 and 30 have been addressed to their satisfaction.
33. Prior to final approval, the County is advised in writing from Canada Post that Draft Plan Condition 29 has been addressed to their satisfaction.
34. 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.

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35. 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.
36. That the Owner shall provide the Township of Southgate and County of Grey with digital copies of the Final Plan in a format acceptable to the Township and the County.

NOTES TO DRAFT APPROVAL

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 the proponents' 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 near 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, RR 1
Dundalk, ON N0C 1B0

Grand River Conservation Authority
400 Clyde Road, P.O. Box 729
Cambridge, ON N1R 5W6

Canada Post Corporation
300 Wellington Street
London, ON N6B 3P2

4. We suggest you make yourself aware of the following subsections of the Land Titles Act:

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- 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.
- 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.