



County of Bruce
Planning & Development Department
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Conditions of Draft Approval Plan of Subdivision

The Council of the Corporation of the County of Bruce hereby issues Draft Approval to the following application:

File Number S-2021-003
For Walker Hill Development Inc.
In Respect Of PLAN 162 PT PARK LOT 48 RP;3R6543 PARTS 1 AND 2 (Walkerton); and CON 1 NDR PT LOT 32 (Brant), Municipality of Brockton (Roll Numbers 410436000101801 and 410434000206800)

Date of Draft Approval As per the County Decision Sheet

The following conditions have been established by the County of Bruce and must be met prior to the granting of Final Approval:

Identification

1. That this approval applies to Plan of Subdivision File S-2021-003 for Walker Hill Development Inc. on lands legally known as PLAN 162 PT PARK LOT 48 RP;3R6543 PARTS 1 AND 2 (Walkerton); and CON 1 NDR PT LOT 32 (Brant), Municipality of Brockton, prepared by D. Culbert Ltd. on March 4, 2022 (Revision 2).

Lot Layout and Density

2. That this approval is in accordance with the 'Relevant Site Information' on the Plan of Subdivision, prepared by D. Culbert Ltd. on March 4, 2022 (Revision 2).

Public Roads, Walkways, Servicing and Service Corridors

3. That the road allowances, road widenings, walkways and service corridors shown on this Plan be conveyed to the Municipality of Brockton free and clear of all encumbrances, on the Final Plan.
4. That any dead ends and open sides of road allowances created by this Plan as specified by the Municipality of Brockton shall be terminated in a 0.3m reserve to be conveyed, free and clear of all encumbrances, to the Municipality of Brockton.

5. That prior to the sale or development of Lots 15 and 16, the walkway corridor identified as Block 44 be fenced and a 1.5m wide concrete walkway installed with grass on either side of the walkway to the satisfaction of the Municipality of Brockton and that the owners / residents acknowledge that Block 44 is owned by the Municipality of Brockton, and it will provide pedestrian access to lands to the north.
6. That prior to the sale or development of Lots 26 and 27, the stormwater management service / walkway corridor identified as Block 43 be fenced and a 2.0m wide limestone screened pathway installed (or approved alternative) with grass on either side of the pathway to the satisfaction of the Municipality of Brockton and that the owners / residents acknowledge that Block 43 is owned by the Municipality of Brockton and it will provide pedestrian access to lands to the west and that, from time-to-time, the Municipality will access those lands for maintenance purposes which may include heavy construction vehicles.
7. That prior to the sale or development of Lots 8 to 15 inclusive, the shared property boundary between Lots 8 to 15 inclusive and the adjacent Business Park lands be fenced and/or a vegetative buffer installed to the satisfaction of the Municipality of Brockton and that the owners / residents acknowledge the adjacent Business Park lands are permitted to be used for industrial uses which may result in potential emissions from the surrounding lands or buildings which may include but be not limited to odours, smoke, dust, gas, fumes, noise, cinder, vibrations, heat, glare or electrical interference throughout the year.
8. That prior to the sale or development of Lots 16 to 24 inclusive, the shared property boundary between Lots 16 to 24 inclusive and the adjacent Business Park lands be fenced and/or a vegetative buffer installed to the satisfaction of the Municipality of Brockton, if required, and that the owners / residents acknowledge the adjacent Business Park lands are permitted to be used for industrial uses which may result in potential emissions from the surrounding lands or buildings which may include but be not limited to odours, smoke, dust, gas, fumes, noise, cinder, vibrations, heat, glare or electrical interference throughout the year. Fencing and/or a vegetative buffer will be required on these lots should the lands to the north be maintained in their Business Park 2 (BP2) zone at the time of sale or development.
9. That the streets shall be named to the satisfaction of the Municipality of Brockton.
10. That all roadways, streets, sidewalks, and services shall be designed and constructed by the Owner to the standards of the Municipality of Brockton.
11. That the Owner accommodate drainage flows entering the site from adjacent properties at the rear of the site that historically have flowed west and south to the satisfaction of the Municipality of Brockton.

Parkland

12. That as per the Municipality of Brockton By-law 2019-122 - Parkland Dedication By-law and the provisions of the Planning Act, the Owner shall make payment-in-lieu of parkland dedication to the Municipality in an amount specified per the By-law and the Planning Act, as may be amended.

Easements

13. That the Owner agrees to grant such easements as may be required for utility, drainage, snow storage and/or turn-around purposes to the Municipality of Brockton or other appropriate authority.
14. That the Owner provide to Enbridge Gas Inc. (operating as Union Gas) the necessary easements and/or agreements required by Union Gas for the provision of gas services for this project, in a form satisfactory to Enbridge Gas Inc.
15. That the Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost to the satisfaction of Bell Canada.

Subdivision Agreement

16. That the Owner and its successors enter into an Agreement with the Municipality of Brockton to satisfy all the requirements, financial or otherwise of the Municipality of Brockton, which may include, but shall not be limited to, the provision of parkland (or cash-in-lieu of land), roads, installation of services and facilities, lot grading, erosion and sediment control, drainage and the timing and payment of a development charge.
17. That the Subdivision Agreement against the land to which it applies shall include a clause requiring the Owner to carry out or cause to be carried out the works recommended in the roads plan, servicing plan, lot grading plan, erosion and sediment control plan, drainage plan, stormwater management plan and other plans, as may be required, to the satisfaction of the Municipality of Brockton.
18. That the Subdivision Agreement against the land to which it applies shall include a clause prohibiting the Owner from registering a restrictive covenant under Section 119 of the Land Titles Act, or any other Act, that would prohibit, restrict or regulate any use(s) of the land otherwise permitted via the applicable Zoning By-law and that a Draft copy of the Subdivision Agreement be forwarded to the County of Bruce prior to registration of the Agreement.
19. That the Municipality of Brockton undertake to register the Subdivision Agreement against the land to which it applies, and a copy of the Agreement be forwarded to the County of Bruce prior to Final Approval of the Plan.

Utilities and Canada Post

20. That the Owner provide an overall utility distribution plan to the satisfaction of the Municipality of Brockton including the necessary easements and/or agreements required for the provision of utilities.
21. That the Owner agree to make satisfactory arrangements with the appropriate electricity service provider for the provision of permanent or temporary electricity services to this Plan.
22. That the Owner agree to make satisfactory arrangements with the appropriate gas service provider for the provision of permanent or temporary natural gas services to this Plan.
23. That the Owner agree to make satisfactory arrangements for the provision of permanent or temporary telecommunications and cable services to this Plan.
24. That the Owner agree to make satisfactory arrangements for the installation of community mail boxes, if deemed necessary by Canada Post. The location and construction standard of community mail boxes shall be jointly approved by Canada Post and the Municipality of Brockton.
25. That the Owner include language in the Subdivision Agreement regarding the provision of postal services to the satisfaction of Canada Post.

Phasing and Lapsing

26. That the Owner agree to phase any development of the Plan in a manner satisfactory to the Municipality of Brockton and the County of Bruce.
27. The registration of this Plan may proceed in phases, and in accordance with the Phasing Plan, acceptable to the Municipality of Brockton and the County of Bruce.
28. That the Draft Approval for Plan of Subdivision S-2021-003 for Walker Hill Development Inc. in the Municipality of Brockton shall lapse as follows:
 - a. For the first phase, three (3) years after the date of Draft Approval unless it has been extended by the County of Bruce with the concurrence of the Municipality of Brockton; and
 - b. For any subsequent phases, five (5) years after the date of Final Approval of the preceding phase.

Official Plan and Zoning By-law

29. That the County of Bruce be advised by the Municipality of Brockton that the Plan of Subdivision conforms to the Municipality of Brockton Local Official Plan approved under the Planning Act.
30. That the County of Bruce be advised by the Municipality of Brockton that the Plan of Subdivision conforms to the Zoning By-law approved under the Planning Act.

Notices and Warning Clauses

31. That the Subdivision Agreement between the Owner and its successors and the Municipality of Brockton include the requirement for the following Notice / Warning Clauses to be included in offers of purchase and sale for ALL Draft Approved Lots on the Draft Plan as follows:
 - a. "Stormwater Management Facilities
Purchasers are advised that facilities for the management of stormwater runoff on the lot are subject to an approved Stormwater Management Plan. No owner of any lot shall alter, interfere with, or remove any of the Stormwater Management Facilities located within the lot except in accordance with the approved Stormwater Management Plan. Changes or alterations to the approved Stormwater Management Plan shall require the prior approval of the Municipality of Brockton."
 - b. "Stormwater Management Service Corridor and Facility
Purchasers are advised that a municipal stormwater management service corridor is located on Block 43 and that there is a stormwater management facility on the adjacent parklands to the west. The stormwater management service corridor and facility may be left in a naturally vegetated condition and will be accessed by the Municipality of Brockton for maintenance purposes which, from time-to-time, may include heavy construction vehicles."
 - c. "Lot Grading
Purchasers are advised that the grading of the lot is subject to an approved Lot Grading Plan. No owner of any lot shall alter the grade or place or remove any fill material within any yard except in accordance with the approved Lot Grading Plan. Changes or alterations to the approved Lot Grading Plan shall require the prior approval of the Municipality of Brockton."
32. That the Subdivision Agreement between the Owner and its successors and the Municipality of Brockton include the requirement for the following Notice / Warning Clause to be included in offers of purchase and sale for Draft Approved Lots 15, 16, 26 and 27 on the Draft Plan as follows:
 - a. "Pedestrian Walkway

Purchasers are advised that a municipal pedestrian walkway is located abutting the lot. As such, noise and other effects associated with the walkway may be expected during the days and evenings throughout the year."

33. That the Subdivision Agreement between the Owner and its successors and the Municipality of Brockton include the requirement for the following Notice / Warning Clause to be included in offers of purchase and sale for Draft Approved Lots 6 to 24 inclusive on the Draft Plan as follows:

a. "Business Park Lands

Purchasers are advised that business park lands are located on the abutting lands to the north and east. Business park lands are permitted to be used for industrial uses which may result in potential emissions from the surrounding lands or buildings which may include but be not limited to odours, smoke, dust, gas, fumes, noise, cinder, vibrations, heat, glare or electrical interference throughout the year."

34. That the Subdivision Agreement between the Owner and its successors and the Municipality of Brockton include the requirement for the following Notice / Warning Clause to be included in offers of purchase and sale for Draft Approved Lots 24 to 26 inclusive on the Draft Plan as follows:

a. "Park

Purchasers are advised that a municipal park is located in proximity to the lots. As such, noise, light and other effects associated with park activities may be expected during the days and evenings throughout the year."

Bluewater District School Board

35. That the Owner agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that accommodation within a public school in the community is not guaranteed and students may be accommodated in temporary facilities; including but not limited to accommodation in a portable classroom, a "holding school", or in an alternate school within or outside of the community.

36. That the Owner agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that student busing is at discretion of the Student Transportation Service Consortium of Grey-Bruce.

37. That the Owner agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that if school buses are required within the Subdivision in accordance with Bluewater District School Board Transportation policies, as may be amended from time to time, school bus pick up

points will generally be located on the through street at a location as determined by the Student Transportation Service Consortium of Grey-Bruce.

38. That the Owner agree in the Subdivision Agreement to provide sidewalks and pedestrian linkages throughout the subdivision to promote active transportation and safe walking routes to the satisfaction of the Municipality of Brockton in consultation with the Bluewater District School Board.

Endangered Species and Threatened Species

39. That the Owner provide written confirmation indicating that endangered species and threatened species policy and compensation, if required, have been addressed to the satisfaction of the County of Bruce in consultation with the Ministry of Environment Conservation and Parks (MECP).

Saugeen Ojibway Nation

40. That prior to development or site alteration, the Owner have an Archaeological Assessment completed for the Plan area by an archaeologist licensed in the Province of Ontario, that the Assessment be confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports, and that it be confirmed that the recommendations of the Archaeological Assessment (if any) have been implemented to the satisfaction of the Saugeen Ojibway Nation. The Owner shall contact the Saugeen Ojibway Nation prior to initiation of the Archaeological Assessment to ensure the proposed methodology is satisfactory.

Lot Additions

41. That the Owner supply a legal opinion with respect to the mechanism for ensuring the lot addition Blocks 45 to 49 inclusive will merge with the adjacent parcels, together with an acknowledgement and direction of the owners of the abutting parcels to be enlarged, to the satisfaction of the County of Bruce.

Digital Plan Submission

42. That prior to Final Approval, the Owner shall submit to the County of Bruce and Municipality of Brockton a digital file of the Plan to be registered in Shapefile (shp) format referenced to NAD83 UTM.

Clearance Conditions

43. That prior to Final Approval being given by the County of Bruce, the County shall receive a clearance letter from the following agencies indicating how conditions applicable to their authority have been completed to their satisfaction:

- a. Municipality of Brockton (conditions 3 to 13 inclusive, 16 to 20 inclusive, 24, 26, 27, 29 to 34 inclusive, 38, and 42);

- b. Bluewater District School Board (conditions 35 to 38 inclusive);
- c. Electricity Service Provider (conditions 13 and 21);
- d. Gas Utility Provider (conditions 13, 14 and 22);
- e. Telecommunications and Cable Service Provider (conditions 13, 15 and 23);
- f. Canada Post (condition 13, 24 and 25); and
- g. Saugeen Ojibway Nation (condition 40).

If agency conditions are incorporated into the subdivision agreement, a copy of the draft agreement should be sent to them. This will expedite clearance of the Final Plan.

General Notes To Draft Approval

1. It is the Owner's responsibility to fulfill the Conditions of Draft Approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Bruce Planning and Development Department quoting the appropriate subdivision file number.
2. Final Approval – An 'Application for Final Approval' together with all supporting documentation, plans and the required filing fee must be submitted to the County of Bruce. If the plans comply with the terms of approval, and the County of Bruce has received the required agency clearances, the County's stamp of approval will be endorsed on the plan, and it will be forwarded to the Registry Office for registration.

The number of mylar(s) and white paper prints as required for registration under the Registry Act must be submitted to the County of Bruce along with the 'Application for Final Approval'.

We strongly recommend that a 'draft' of the Final Plan be submitted to the County and the Registry Office for pre-clearance prior to the submission of any Application.

3. Inauguration, or extension of a water works is subject to the approval of the Ministry of the Environment under Section 52 and Section 53 of the Ontario Water Resources Act, R.S.O. 1990.
4. Clearance letters are required from the agencies listed under "Clearance Conditions" of this approval.
5. Note that you will not be advised in writing of the lapsing date of the Draft Plan Approval. It is your responsibility to provide the approval body with the required information and fees to extend this draft approval. Should the information and fees not be received prior to the lapsing date, the Draft Plan Approval will lapse. There is no authority to revise the approval after the lapsing date. A new subdivision application under Section 51 of the Planning Act will be required. Please note that an updated review of the plan and revision to the Conditions of Approval may be necessary if an extension is to be granted.
6. You are advised to consult the Land Registrar for requirements for registration prior to applying to the County of Bruce for Final Approval.