

Conditions Of Draft Approval

Plan Of Subdivision

File Number	41T- 20 16-02.46
Owner	Barry's Construction and Insulation Ltd. Port Elgin Lands Limited
Legal Description	Part Lots 33 to 37, Lake Range, Town of Saugeen Shores (geographic Town of Port Elgin) As shown on the attached Draft Plan prepared by Mitchinson Planning & Development Consultants Inc. on October 19, 2016
Date of Draft Approval	November 16, 2016, <u>See Notices for Revision Dates</u>

The Council of the Corporation of the County of Bruce hereby issues Draft Approval to Subdivision File No. 41T-~~20~~16-02.46, which pertains to Part Lots 33 to 37, Lake Range, Town of Saugeen Shores (geographic Town of Port Elgin). The following conditions have been established by the County of Bruce and must be met prior to the granting of Final Approval:

No.	Condition
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Identification

- That this approval applies to Plan of Subdivision File 41T-~~20~~16-02.46 for ~~Barry's Construction and Insulation Ltd. Port Elgin Lands Limited~~ in the Town of Saugeen Shores prepared by ~~GM BluePlan Engineering, dated October 27, 2021, revised February 15, 2022~~ Mitchinson Planning & Development Consultants Inc. dated October 19, 2016.

Lot Layout and Density

- That this approval is in accordance with the 'Area Schedule' on the Plan dated ~~October 27, 2021, revised February 15, 2022~~ October 19, 2016.

3. That the Final Plan for registration shall incorporate a density that does not exceed the maximum density numbers identified ~~in Blocks 227 and 228~~ on the Plan dated October 27, 2021, revised February 15, 2022~~October 19, 2016~~.

Public Roads, Walkways, Service Corridor, and Future Development Blocks

4. That the road allowances; road widenings; walkways and service corridors; and Future Development blocks shown on this Plan be conveyed to the Town of Saugeen Shores, free and clear of encumbrance, on the Final Plan.

Further, that any dead ends and open sides of road allowances created by this Plan shall be terminated in a 0.3m reserve to be conveyed, free and clear of all encumbrances to the Town of Saugeen Shores.

5. That the street(s) and lane(s) shall be named to the satisfaction of the Town of Saugeen Shores.

Parkland

6. That, if required by the Town, the Owner conveys to the Town of Saugeen Shores land for park purposes in the amount of 5% of the land included in the Plan for residential purposes, pursuant to the provisions of Section 51.1(1) of the Planning Act. Alternatively, the Town may accept cash-in-lieu for the said conveyance and under the provisions of Section 51.1(3) of the Planning Act the Town is authorized to do so. The calculation of such land conveyance, or cash-in-lieu, or combination of both, shall include the parkland amount previously dedicated to the Town for this Plan.

Easements

7. That the Owner agrees to grant such easements as may be required for utility, drainage, snow storage and/or turn-around purposes to the Town of Saugeen Shores or other appropriate authority.

Subdivision Agreement

8. That the Owner and its successors enter into an Agreement with the Town of Saugeen Shores to satisfy all the requirements of the Town of Saugeen Shores, in accordance with Section 51(26) of the Planning Act, and may include the following:

- i. **Stormwater Management Plan** prepared by a qualified consultant.
The Plan shall detail the methods that will be used to control surface water and erosion and sedimentation within the development lands and through abutting properties during and following construction. The report shall also detail the methods that will reduce any negative impacts to water quality. Requirements for drainage easements/blocks shall be identified; such blocks shall be acquired by the Owner, if required, and conveyed to the Town of Saugeen Shores, free and clear of encumbrance.
- ii. **Lot Grading / Drainage Plan** prepared by a qualified consultant.
The Plan shall indicate proposed lot grades and shall ensure minimal removal of trees.
- iii. **Phasing Plan** prepared by a qualified consultant.
The Plan shall outline the timing of the required studies, the design of construction of all amenities and services (road construction, services, pedestrian linkages, trails connections, etc.) and the allocation of services in each phase.
- iv. **Trails Plan** prepared by a technically qualified consultant.
The Plan shall identify the trail system above the Nipissing Ridge with connections, as needed, to the existing trail system. The Trails Plan shall also outline how trails shall be financed in this area of Town and shall identify contributing parties.
- v. **Traffic Impact Study** prepared by a technically qualified consultant, to the satisfaction of the Town of Saugeen Shores.
- vi. A clause that specifies the extent of off-site road and service improvements, directly attributable to the development, if such are required.
- vii. Temporary turning circles, or other approved turnarounds, shall be installed at the south ends of Ridge and Bruce Streets, if required. The design, construction and decommissioning of the turnarounds shall be to the satisfaction of the Town of Saugeen Shores.
- vii-viii. Provision of accessory residential units within each phase of the subdivision, the terms of which shall be determined to the satisfaction

of the Town of Saugeen Shores and incorporated into the subdivision agreement.

9. That the Town of Saugeen Shores 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 Final Approval of the Plan.

Utilities and Canada Post

10. That the Owner agrees to make satisfactory arrangements with the appropriate electric provider for the provision of permanent or temporary electrical services to this Plan.
11. That the Owner agrees to make satisfactory arrangements for the provision of permanent or temporary telecommunications services, gas and cable services to this Plan.
12. That the Owner provides an overall utility distribution plan to the satisfaction of the Town of Saugeen Shores.
13. That the Owner agrees to make satisfactory arrangements for the installation of postal boxes, if deemed necessary by Canada Post. The location and construction standard of community postal boxes shall be jointly approved by Canada Post and the Town of Saugeen Shores.

Phasing and Lapsing

14. That the Owner agrees to phase any development of the Plan in a manner satisfactory to the Town of Saugeen Shores and the County of Bruce.
15. The registration of this Plan may proceed in phases, and in accordance with the Phasing Plan, acceptable to the Town of Saugeen Shores and County of Bruce.
16. That the Draft Approval for Plan of Subdivision 41T-2016-02.46 for Barry's Construction and Insulation Ltd.~~Port Elgin Lands Limited~~ in the Town of Saugeen Shores shall lapse as follows:
 - i. 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 Town of Saugeen Shores; and
 - ii. For any subsequent phases, ~~five~~ three (3) years after the date of Final Approval of the preceding phase.

Official Plan and Zoning By-law

17. That the County of Bruce be advised by the Town of Saugeen Shores that the Plan of Subdivision conforms to the Town of Saugeen Shores Local Official Plan approved under the Planning Act.
18. That the County of Bruce be advised by the Town of Saugeen Shores that the Plan of Subdivision conforms to the Zoning By-law approved under the Planning Act.

Notices & Warning Clauses

19. That the Subdivision Agreement between the Owner and its successors and the Town of Saugeen Shores include the requirement for the following Notice / Warning Clauses to be included in all offers of purchase and sale for residential lots on the Plan:

- i. "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 Town of Saugeen Shores and Saugeen Valley Conservation Authority."

- ii. "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 Town of Saugeen Shores and Saugeen Valley Conservation Authority."

- iii. "Wind Turbine

Purchasers are advised that in accordance with a Ministry of Environment Certificate of Approval a wind turbine with a hub height of 76 metres has been constructed on the UNIFOR lands located to the south of this subdivision. As such, noise, light and other effects

associated with wind energy conversion facilities may be expected throughout the year."

iv. "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."

Saugeen Valley Conservation Authority

20. That prior to Final Approval by the County, the Owner shall submit for review and approval to the SVCA the following:
 - i. **Stormwater Management Report** prepared by a qualified consultant.
 - a. A detailed Report shall be prepared in accordance with the prevailing Ministry of the Environment planning and design guidelines and other related technical criteria as determined by the SVCA. The Report shall detail the methods that will be used to control surface water flow within the development lands and through abutting properties during and following construction. The report shall also detail the methods that will reduce any negative impacts to water quality.
 - b. In the event that the Report recommends the establishment of any stormwater works, including detention or retention facilities, the subdivision agreement between the Owner and the Town of Saugeen Shores shall contain a provision whereby the Town of Saugeen Shores will assume ownership, operation and maintenance responsibility of same in perpetuity.
 - ii. **Lot Grading Plan** prepared by a qualified consultant. The detailed Plan shall be prepared in accordance with the prevailing Ministry of the Environment planning and design guidelines and other related technical criteria as determined by the SVCA
21. That the Subdivision Agreement between the Owner and the Town of Saugeen Shores contain the following provisions with wording acceptable to the SVCA:
 - i. The owner agrees to carry out or cause to be carried out the works recommended in the Stormwater Management Plan and Lot Grading Plan to the satisfaction of the SVCA.

- ii. The Town of Saugeen Shores shall assume ownership, operation and maintenance responsibility for any stormwater facilities proposed.
22. That prior to Final Approval, the Saugeen Valley Conservation Authority provide written confirmation that the Subdivision Agreement between the Owner and the Town of Saugeen Shores addresses all the requirements of Saugeen Valley Conservation Authority.

Bluewater District School Board

23. That the owner(s) shall agree in the Subdivision Agreement with wording acceptable to Bluewater District School Board to:
- i. Include in all Offers of Purchase and Sale a statement advising prospective purchasers that accommodation within a public school operated by Bluewater District School Board may include temporary facilities, including but not limited to, portable classrooms or directing students to an alternative attendance boundary.
 - ii. Include in all Offers of Purchase and Sale a statement advising prospective purchasers that student busing is at the discretion of the Student Transportation Service Consortium of Grey-Bruce.
 - iii. 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 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.
 - iv. Provide sidewalks and pedestrian linkages throughout the subdivision, to promote active transportation and safe walking routes to the satisfaction of the Town of Saugeen Shores in consultation with the Bluewater District School Board.

Digital Plan Submission

2423. That prior to Final Approval the Owner shall submit to the County and Town a digital file of the Plan to be registered in Shapefile (shp) format referenced to NAD83 UTM.

Clearance Conditions

2524. That prior to Final Approval, the County of Bruce is to be advised by the **Town of Saugeen Shores** that Condition Nos. 4-15, 17-19, and ~~2423~~ inclusive have been carried out to their satisfaction. The clearance letter from the Town of Saugeen Shores shall include a brief but complete statement detailing how each condition has been satisfied.
2625. That prior to Final Approval, the County of Bruce is to be advised by **Saugeen Valley Conservation Authority** that Condition Nos. 20-22 inclusive have been carried out to their satisfaction. The clearance letter shall include a brief but complete statement detailing how each condition has been satisfied.
27. That prior to Final Approval, the County of Bruce is to be advised by the **Bluewater District School Board** that Condition No. 23 has been carried out to their satisfaction. The clearance letter shall include a brief but complete statement detailing how each condition has been satisfied.

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 we have 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 or sewage 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 ~~following~~ agencies listed in the Conditions of Draft Plan of Subdivision Approval:-

~~Town of Saugeen Shores
600 Tomlinson Drive
PO Box 820
Port Elgin, ON N0H 2C0~~

~~Saugeen Valley Conservation Authority
1078 Bruce Road #12
PO Box 150
Formosa, ON N0G 1W0~~

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. ~~Final Plans — When the survey has been completed and final plan prepared, to satisfy the requirements of the Registry Act, they should be forwarded to the County of Bruce. If the plans comply with the terms of approval, and we have 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.~~ You are advised to consult the Land Registrar for requirements for registration prior to applying to the County of Bruce for final approval.

~~The following is required for registration under the Registry Act:~~

~~One (1) — original mylar~~

~~Five (5) — white paper prints (to include 1 print for OLS)~~