



County of Bruce  
Planning & Development Department  
30 Park Street, P.O. Box 848  
Walkerton, ON N0G 2V0  
brucecounty.on.ca  
226-909-5515

March 17, 2020

# Notice of Decision by the Approval Authority

A decision has been made by the County of Bruce to approve a Draft Plan of Subdivision under Section 51 of the Planning Act, 1990 in relation to:

<b>File Number</b>	41T-18-2.16
<b>For</b>	Bogdanovic Developments Inc.
<b>In Respect Of</b>	Part of Lot 57, Concession 'A' Huron, being Part 1, RP 3R-9981 G Geographic Township of Huron, Township of Huron-Kinloss

## The proposal

The Draft Plan of Subdivision proposes to create 77 lots for single-detached homes.

## Learn more

You can view more information about the application at <https://brucecounty.on.ca/living/land-use> or in person at the County of Bruce Planning Office noted above, between 8:30 a.m. and 4:30 p.m. (Monday to Friday).

## Know your rights

Written and oral submissions were considered by the Approval Authority as part of the deliberations and final decision on the matter.

Section 51(39) of the of the Planning Act outlines who can appeal the Approval Authority's decision on a Plan of Subdivision application, the lapsing provision or any of the conditions. The following may file a Notice of Appeal with the Approval Authority:

- i. the applicant
- ii. 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
- iii. the Minister
- iv. the municipality in which the subject land is located

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 or 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.

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

Filing an appeal with the Local Planning Appeal Tribunal (LPAT) against the decision of the Approval Authority, the lapsing condition or any conditions imposed by the Approval Authority must be undertaken in accordance with LPAT guidelines, forms and fees (payable to the Ministry of Finance) available from the LPAT website [www.elfto.gov.on.ca](http://www.elfto.gov.on.ca). Appeals must set out the reason for the appeal and should be filed with the Secretary-Treasurer, Land Division Committee County of Bruce.

**The last date for filing a notice of appeal is April 6, 2020**



Corporation of the County of Bruce  
Planning and Development  
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Tel: 226-909-5515  
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## Decision Of The Approval Authority (Section 51, Planning Act, 1990)

File Number	41T-18-2.16
Owner	Bogdanovic Developments Inc.
Description in respect of	Part of Lot 57, Concession 'A' Huron, being Part 1, RP 3R-9981, geographic Township of Huron, Township of Huron-Kinloss  As shown on the attached Draft Plan prepared by Cobide Engineering Inc. (Revised December 13, 2019)
Application For	Draft Plan of Subdivision approval. Draft Plan will create 77 lots for single-detached homes.
Effect of Submissions	Submissions relating to this application were considered by the Approval Authority as part of its deliberations and final decision on this matter.

I have authority to approve, on behalf of the County of Bruce, application for Draft Approval of Plans of Subdivision, pursuant to County of Bruce By-law 4147.

**Decision**

**Approved**

**This approval shall lapse if the subdivision is not registered 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 Township of Huron-Kinloss; and
- ii. For any subsequent phases, five (5) years after the date of Final Approval of the preceding phase.

### Reasons

1. The application is consistent with the Provincial Policy Statement.
2. The application conforms to the County of Bruce Official Plan and the Township of Huron-Kinloss Official Plan.
3. The application maintains the intent of the Township of Huron-Kinloss Zoning By-law 2018-98.
4. The application was the subject of notice and the public meeting.
5. Municipal staff and mandated commenting agencies have been consulted, and they have advised that they do not object to the approval of the Draft Plan of Subdivision.
6. The approval of the Draft Plan of Subdivision is appropriate in the circumstances.

Certified to be a true copy of the Decision of the Approval Authority for the County of Bruce with respect to the application recorded therein.

  
Kara Van Myall, Secretary-Treasurer  
Land Division Committee, County of Bruce

March 16, 2020

Date

# Conditions Of Draft Approval

## Plan Of Subdivision

File Number	41T-18-2.16
Owner	Bogdanovic Developments Inc.
Legal Description	Part of Lot 57, Concession 'A' Huron, being Part 1, RP 3R-9981, geographic Township of Huron, Township of Huron-Kinloss  As shown on the attached Draft Plan prepared by Cobide Engineering Inc. (Revised December 13, 2019)
Date of Draft Approval	March 16, 2020

The Council of the Corporation of the County of Bruce hereby issues Draft Approval to Subdivision File No. 41T-18-2.16, which pertains to Part of Lot 57, Concession 'A' Huron, being Part 1, RP 3R-9981, Township of Huron-Kinloss (geographic Township of Huron).

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

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### No. Condition

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#### Identification

1. That this approval applies to Plan of Subdivision File 41T-2018-02.16 for Bogdanovic Developments Inc. in the Township of Huron-Kinloss prepared by Cobide Engineering Inc. dated December 13, 2019.

#### Lot Layout and Density

2. That this approval is in accordance with the 'Relevant Site Information' on the Plan dated December 13, 2019.

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

3. That the road allowances, road widenings, walkways and service corridors shown on this Plan be conveyed to the Township of Huron-Kinloss, free and clear of encumbrance, on the Final Plan, including Block 78.
4. That prior to the sale of Lots 29 and 30, the owners acknowledge that Block 78 is owned by the municipality and that Block 78 will provide pedestrian access, municipal services and other utilities.

5. That prior to the sale of Lots 18 and 19, the owners acknowledge the lots contain an easement by the Municipality and that the owner will need to provide access to the storm water management infrastructure for maintenance purposes.
6. 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 Township of Huron-Kinloss;
7. That the owner enter into a cost sharing agreement with the Township of Huron- Kinloss with respect to any road improvements;
8. That the street(s) shall be named to the satisfaction of the Township of Huron-Kinloss.
9. The Owner shall enter into an agreement with the owners of those properties who have submitted an objection to the application for absolute title with respect to the Lands (the "Objecting Neighbours") on the basis that they have an interest in the lands comprising Block 83 for the purpose of access to their properties from Boiler Beach Road. That agreement shall require the Owner to transfer Block 83 to the Objecting Neighbours while reserving an easement in favour of the Township and the Owner with respect to the stormwater services installed in Block 83."

#### **Parkland**

10. That as per the Huron-Kinloss Parkland Dedication/Cash in Lieu By-Law the developer shall pay a sum for each new lot created that would be eligible for the acquisition of a building permit.

#### **Easements**

11. That the Owner agree to grant such easements as may be required for utility, drainage, snow storage and/or turn-around purposes to the Township of Huron- Kinloss or other appropriate authority.

#### **Subdivision Agreement**

12. That the Owner and its successors enter into an Agreement with the Township of Huron- Kinloss to satisfy all the requirements of the Township of Huron-Kinloss, which will include provisions for but not be limited to, lot grading and drainage, stormwater management, servicing (septic systems), water supply, etc.
13. 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.

14. That the Township of Huron-Kinloss 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**

15. That the Owner agree to make satisfactory arrangements with the appropriate electric provider for the provision of permanent or temporary electrical services to this Plan.
16. That the Owner agree to make satisfactory arrangements for the provision of permanent or temporary telecommunications services, gas and cable services to this Plan, where available.
17. That the Owner provide an overall utility distribution plan to the satisfaction of the Township of Huron-Kinloss including the necessary easements and /or agreements required for the provision of gas service if available.
18. That the Owner agree 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 Township of Huron-Kinloss.

#### **Phasing and Lapsing**

19. That the Owner agree to phase any development of the Plan in a manner satisfactory to the Township of Huron-Kinloss and the County of Bruce.
20. The registration of this Plan may proceed in phases, and in accordance with the Phasing Plan, acceptable to the Township of Huron-Kinloss and County of Bruce.
21. That the Draft Approval for Plan of Subdivision 41T-2018-02.16 for Bogdanovic Developments Inc. in the Township of Huron-Kinloss 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 Township of Huron-Kinloss; and
  - ii. For any subsequent phases, five (5) years after the date of Final Approval of the preceding phase.

#### **Official Plan and Zoning By-law**

22. That the County of Bruce be advised by the Township of Huron-Kinloss that the Plan of Subdivision conforms to the Township of Huron-Kinloss Local Official Plan approved under the Planning Act.
23. That the County of Bruce be advised by the Township of Huron-Kinloss that the Plan of Subdivision conforms to the Zoning By-law.

## Notices & Warning Clauses

24. That the Subdivision Agreement between the Owner and its successors and the Township of Huron-Kinloss 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:
  - 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 Township of Huron-Kinloss and acceptance by the 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 Township of Huron-Kinloss and acceptance by the Saugeen Valley Conservation Authority."
25. That the Subdivision Agreement between the Owner and its successors and the Township of Huron-Kinloss include the requirement for the following Notice / Warning Clause to be included in offers of purchase and sale for Draft Approved Lot 29 and 30 on the Draft Plan as follows:
  - i. "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."

## Saugeen Valley Conservation Authority

26. That prior to any grading or construction on the site, and prior to Final Approval of the subdivision by the County, the Owner shall prepare and submit for review and approval the following to satisfaction of the Saugeen Valley Conservation Authority:
  - i. Final Lot Grading and Drainage Plan
  - ii. Final Stormwater Management Report
  - iii. Sediment and Erosion Control Plan

27. That the Subdivision Agreement between the Owner and the Township of Huron-Kinloss contain provisions with wording acceptable to the Saugeen Valley Conservation Authority relating to the Final Lot Grading and Drainage Plan, Final Stormwater Management Report, and Final Sediment and Erosion Control Plan.

#### **Digital Plan Submission**

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

#### **Clearance Conditions**

29. 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) Huron-Kinloss (conditions 3-14, 19-20, 22-23)
  - b) Hydro Service Provider (condition 15);
  - c) Telecommunications Service Provider (condition 16);
  - d) Gas Utility Provider (condition 17) if applicable;
  - e) Canada Post (condition 18);
  - f) Saugeen Valley Conservation Authority (condition 26 and 27).

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

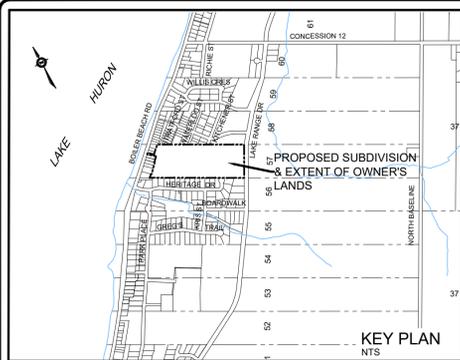
1. It is the Owner's responsibility to fulfill the Conditions of Draft Approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Bruce Planning and Development Department quoting the appropriate subdivision file number.
2. Final Approval - An '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 Item 28. 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. 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:

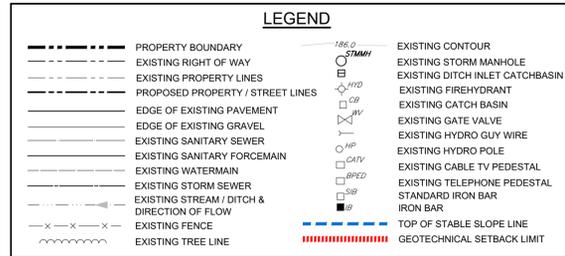
- One (1) original mylar
- Five (5) white paper prints (to include 1 print for OLS)



RESIDENTIAL 'R1' ZONE PROVISIONS	
LOT AREA (MIN.)	1,850 sq.m.
LOT FRONTAGE (MIN.)	30.0m
FRONT YARD DEPTH (MIN.)	7.5m
REAR YARD DEPTH (MIN.)	7.5m
EXT. SIDE YARD DEPTH (MIN.)	3.0m
INT. SIDE YARD WIDTH (MIN.)	3.0m
MAX. LOT COVERAGE	30%

SOURCE: TOWNSHIP OF HURON-KINLOSS,  
ZONING BYLAW No. 2018-98, AUGUST 13, 2018.

- NOTE:
1. PROPERTY BOUNDARY & TOPOGRAPHICAL INFORMATION DERIVED FROM INFORMATION SHOWN ON A TOPOGRAPHIC PLAN BY D. CULBERT LTD.
  2. NUMBERING OF LOTS ON THE FINAL PLAN MAY VARY FROM THAT SHOWN ON THE DRAFT PLAN.
  3. TOP OF STABLE SLOPE LINE AND GEOTECHNICAL SETBACK LIMIT DERIVED FROM FIGURE 1 OF A GEOTECHNICAL SLOPE ASSESSMENT REPORT BY GOLDER ASSOCIATES LTD. DATED JULY 2018.



CAUTION:  
THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWERS AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE DRAWINGS, AND, WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.

**DRAFT PLAN OF SUBDIVISION**  
PART OF LOT 57  
CONCESSION A  
(GEOGRAPHIC TOWNSHIP OF HURON)  
TOWNSHIP OF HURON-KINLOSS  
COUNTY OF BRUCE

**RELEVANT SITE INFORMATION**

DETACHED RESIDENTIAL LOTS (LOTS 1 TO 77)	8.858ha.
MUNICIPAL STREET (STREETS A & B)	2.330 ha.
OPEN SPACE (BLOCK 78)	0.082 ha.
UTILITY CORRIDOR (BLOCK 83)	0.046 ha.
0.30m RESERVE (BLOCKS 79,80,81 & 82)	0.0006 ha.
TOTAL PROPOSED SUBDIVISION	11.317 ha.

**ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 OF THE PLANNING ACT**

- |                              |  |
|------------------------------|--|
| a. AS SHOWN                  | g. AS SHOWN                              |
| b. AS SHOWN                  | h. MUNICIPAL WATER SUPPLY                |
| c. AS SHOWN                  | i. COARSE SAND & GRAVEL                  |
| d. SINGLE FAMILY RESIDENTIAL | j. AS SHOWN                              |
| e. AS SHOWN                  | k. WATER, STORM SEWERS, HYDRO, TELEPHONE |
| f. AS SHOWN                  | l. AS SHOWN                              |

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:  
THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY SHOWN.

December 13, 2019  
DATE

*D. A. Culbert*  
D. A. CULBERT O. L.S.  
D. CULBERT LTD.

**OWNER'S CERTIFICATE**

I, THE REGISTERED OWNER OF THESE LANDS, HEREBY AUTHORIZE COBIDE ENGINEERING INC. TO SUBMIT THIS DRAFT PLAN FOR APPROVAL.

December 13, 2019.  
DATE

*M. Bogdanovic*  
OWNER:  
BOGDANOVIC DEVELOPMENTS INC.  
808 PARK PLACE  
KINGSTON, ON  
N2Z 2X3

No.	DATE	DESCRIPTION	BY	APPD
1	DEC 13/19	SECOND SUBMISSION	SJC	SJC
0	NOV 12/18	PRELIMINARY SUBMISSION	SJC	SJC

REVISION / ISSUE

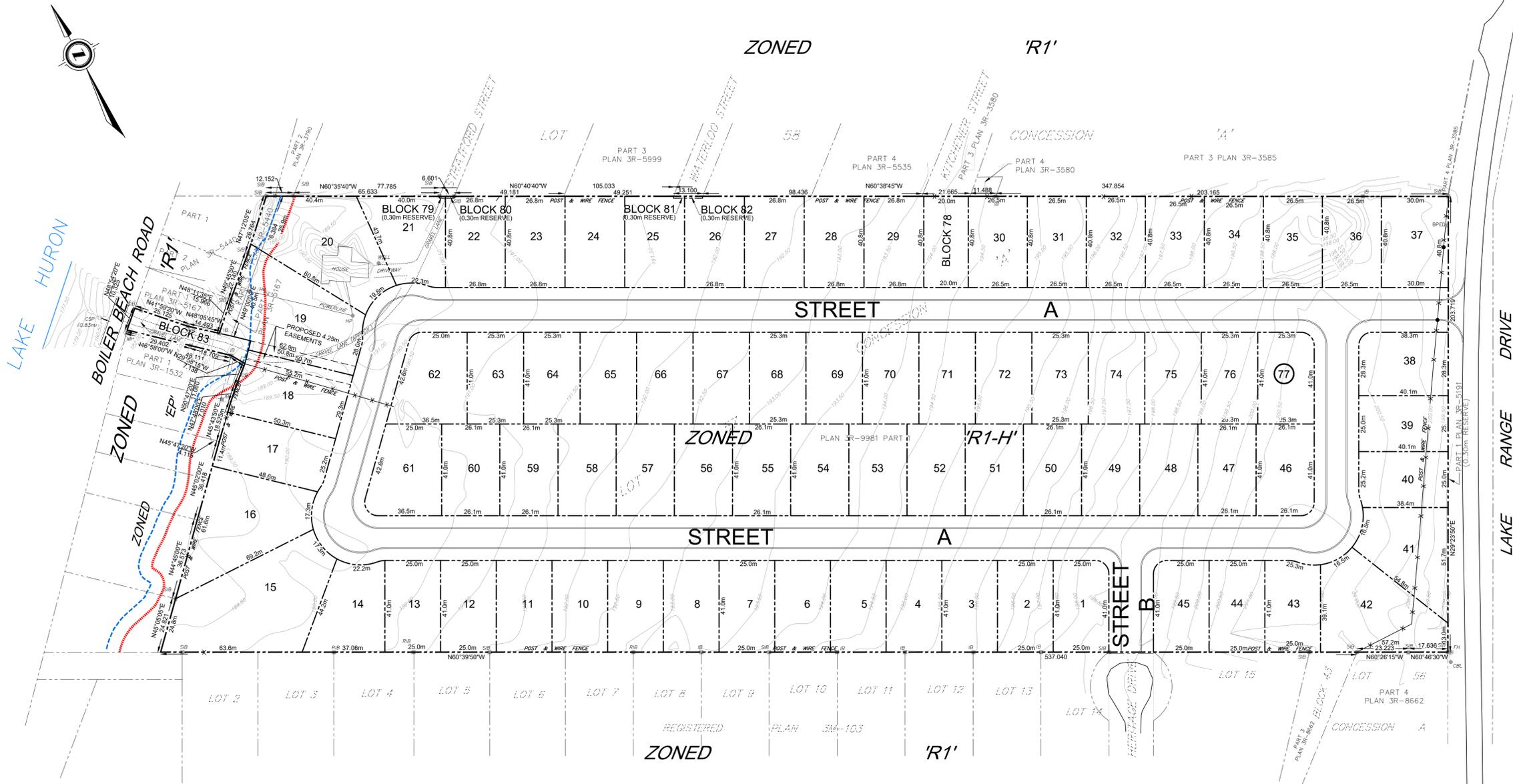
517 10th STREET, Hanover, Ontario N4N 1R4  
Telephone: (519) 506-5959  
www.cobideeng.com

Title: **PROPOSED SUBDIVISION**  
PART OF LOT 57 CONCESSION A  
GEOGRAPHIC TOWNSHIP OF HURON  
Township of Huron-Kinloss, Ontario

Client: **BOGDANOVIC DEVELOPMENTS INC.**

Design: SJC	Scale: 1:1000
Drawn: JAF	Approved:
Checked: SJC	
Date: APR 2018	Design Engineer

DRAWING No. 01823-DP1



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