



# Township of Huron-Kinloss Planning Report

To: Township of Huron-Kinloss Council

From: Coreena Smith, Senior Development Planner

Date: October 14, 2020

Re: Draft Plan of Subdivision and Zoning By-law Amendment  
Applications - S-2020-006 and Z-2020-045 (Hellyn Development Inc.)

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## Recommendation:

Subject to a review of submissions arising from the public meeting:

That Council provide direction to the County of Bruce Approval Authority that the proposed Draft Plan of Subdivision S-2020-006 be approved in accordance with the Draft Conditions attached.

That Council approve Zoning By-law Amendment Z-2020-045 as attached and the necessary by-law be forwarded to Council for adoption.

## Summary:

Hellyn Development Inc. is proposing to develop 5.109 hectares of land in Lucknow, in the Township of Huron-Kinloss, into a residential subdivision comprising:

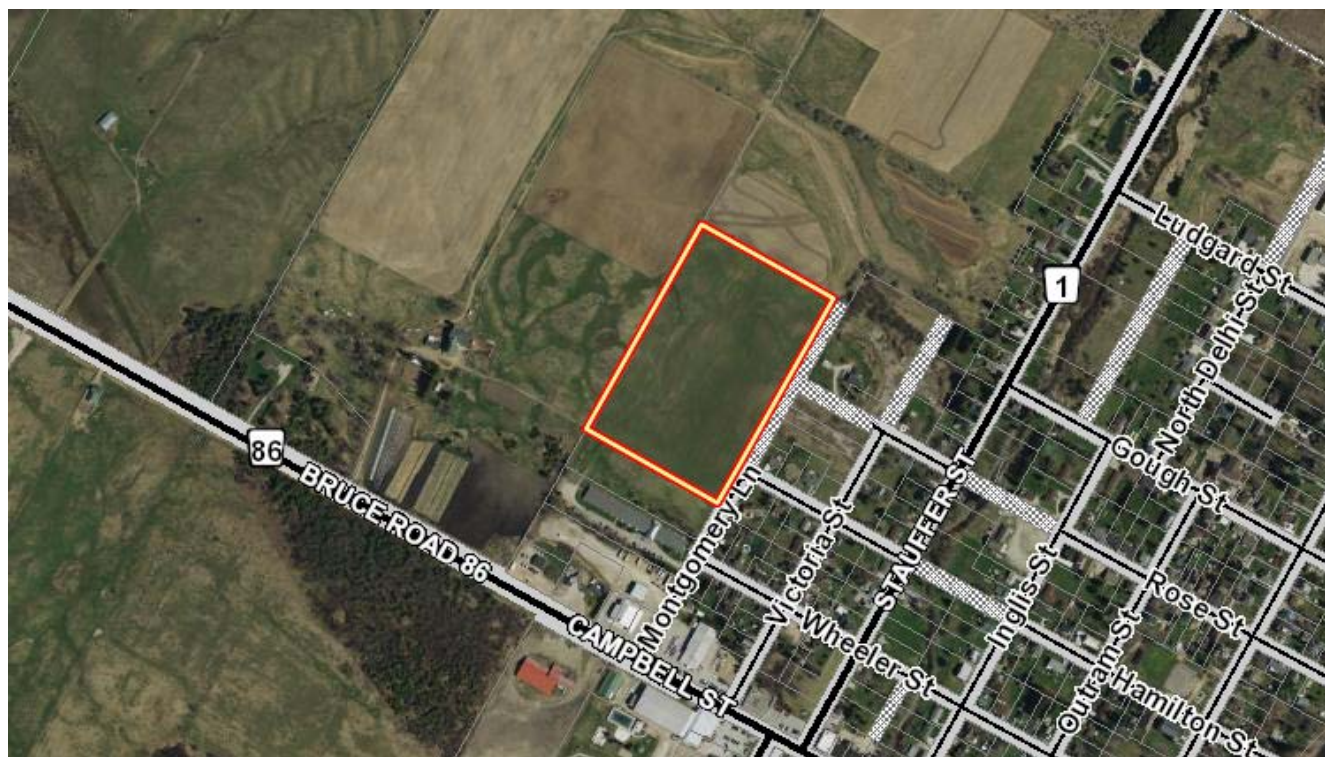
- 28 detached dwelling lots;
- 4 townhouse blocks; and
- 1 stormwater management block.

New municipal streets will also be constructed, with two connections to Montgomery Lane at Hamilton Street and Rose Street.

The total number of townhouses to be erected on the four blocks will range from 38 to 46 dwellings, depending on the width of the units. Thus, the total number of residential units proposed is between 66 and 74, with a proposed density of 14.1 to 15.8 units per gross developable hectare.

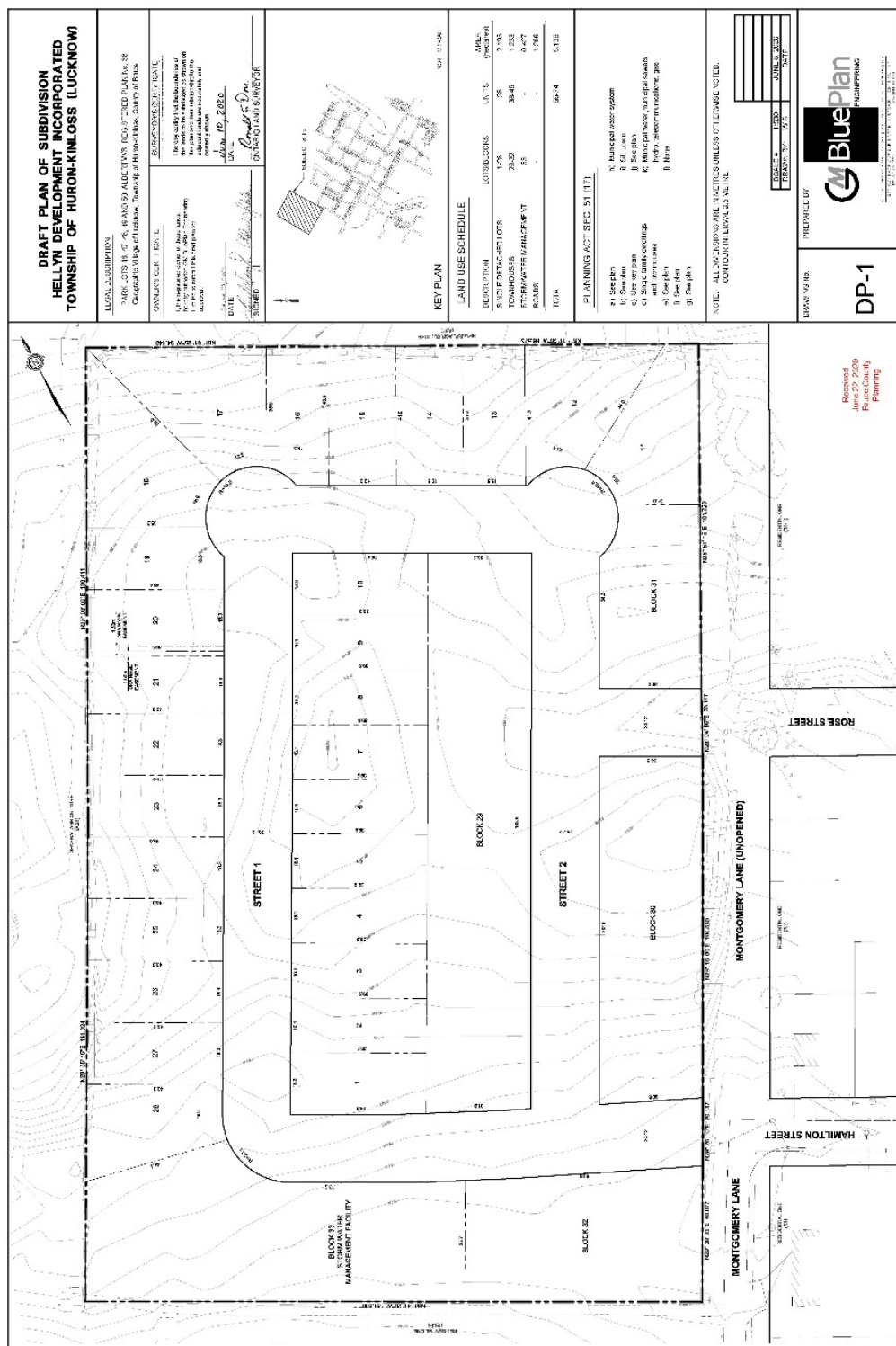
The application proposes to re-zone the lands from Residential One Holding (R1-H) to Residential One Special Holding (R1-25.149-H) to allow for reduced frontages on specified lots, Residential Three Special Holding (R3-25.149-H) to allow for townhouse uses on the four proposed residential blocks, and Open Space (OS) for the stormwater management facility. The Holding Symbol "H" will remain with the lands until provisions relating to the development have been met to the satisfaction of the Township.

## Airphoto



PLAN 36 PARK LOT 46 TO 50; ALBERT W/S (Lucknow)  
Township of Huron-Kinloss  
Roll Number 410712000215200

\*For Representation Only - Draft Plan attached separately



## Planning Analysis

The following section provides an overview of the planning considerations that were factored into the staff recommendation for these applications, including relevant agency comments (attached), public comments (attached) and planning policy sections.

### Efficient Use of Lands and Resources

The lands are designated Primary Urban Communities in the County of Bruce Official Plan and Residential in the Township of Huron-Kinloss Official Plan. The goals and objectives of both the County and local Official Plans direct much of the future growth to the existing urbanized areas including Primary and Secondary Urban Communities, such as the Village of Lucknow.

The property is located on the west side of the Village of Lucknow within the Settlement Area. The lands are currently used for agricultural purposes and there are no existing buildings or structures on the site. The lands to the north and west are primarily outside of the Settlement Area and used for agricultural purposes. The lands to the east and south are within the urban area and are used for residential purposes with a mix of single-family dwellings, townhouses, and vacant lots.

The lands are currently zoned for residential purposes as are the surrounding lands within the village boundaries. The property is proposed to be developed as a residential subdivision consisting of 28 detached dwelling lots and 4 townhouse blocks. The development form, including the single-family dwelling and townhouse format, are compatible with the surrounding lands while conforming with the density targets established in the County and local Official Plans, which will be discussed further below.

The site is currently accessed from Montgomery Lane near the intersection with Hamilton Street. The proposed subdivision includes the creation of a new road network which would connect to Montgomery Lane at Hamilton Street and the unopened portion of Montgomery Lane at Rose Street. The new road pattern will integrate efficiently with the existing street network through the extension of both Hamilton Street and Rose Street to the site.

Similarly, the lands will be connected to the existing municipal water and sewer services through extension of these services to the site. Full municipal water and sewage services are the preferred form of servicing in the Township, with Lucknow being one of two fully serviced Settlement Areas in the Township. This makes it the appropriate location for a new development such as the one proposed.

In this respect, this new residential development proposal represents an efficient use of land and resources.

### Density

The Bruce County Official Plan and the Township Official Plan require the residential portion of all multi-unit developments that will be serviced with municipal sewer and water to achieve a density of 15 units per gross developable hectare. The County may grant approval for developments that do not meet this density when justified and appropriate. For the subject proposal, a density of 14.1 to 15.8 units per gross developable hectare is proposed, which is in keeping with the required target. The variation is due to the range of units



proposed in the townhouse blocks. The developer will not be constructing the units and therefore only an approximate number has been provided at this time. Due to the variation in density proposed, meeting this density target will be a requirement of the Holding provision in the Zoning By-law.

It should be noted that a higher density may be achieved over time as the proposed zoning for the residential portions of the site does permit accessory secondary units within single detached dwellings and street fronting townhouse dwellings. The maximum density permitted within the Village of Lucknow is 43 units per gross developable hectare, which will not be exceeded in this case even if secondary units were created in each dwelling unit in the Plan area.

The proposed development also provides an appropriate range and mix of housing types to meet the projected requirements of current and future residents. It also meets the County and Township target, which requires 30% of proposed dwelling units to be medium density or higher. In this case, the medium density component of the subject development represents 58% to 62% of the dwelling units proposed.

#### **Sewer and Water Services**

As noted earlier, full municipal water and sewage services are the preferred form of servicing in the Township. A Functional Servicing Report has been prepared on behalf of the applicant which speaks to the proposed services.

The report establishes that sanitary servicing will be provided by extending the existing municipal gravity sewer from Hamilton Street into the site. A new sanitary sewer will be installed along the new public streets, which will be assumed by the municipality. The report concludes that there is sufficient capacity at the pumping station as well as at the wastewater treatment facility to accommodate the proposed development. This has been confirmed by Township staff.

The report also identifies that water servicing can be provided by extending the existing municipal watermains on Hamilton Street and Rose Street into the site, establishing a looped system for the continual provision of water during maintenance and emergency service periods. The watermains will be assumed by the Township. The report goes on to note that an analysis will need to be completed in consultation with Township staff to ensure adequate water supply and pressure are available. The Township confirmed this through a recent meeting with the applicant and County. It was also noted that the Township is planning to replace the existing water tower in Lucknow when funding becomes available, but the timing of this is unknown. Considering this, a Holding provision is recommended as it relates to water services to ensure that development cannot proceed on the site until water capacity and pressure are confirmed. The development can also be phased as needed for this reason. The preparation of a phasing plan is included in the draft conditions of approval attached to this report.

#### **Stormwater Management**

In order to control flooding, ponding, erosion and sedimentation, and to provide protection of water resources and natural habitat dependent upon watercourses and other water bodies

for their existence, the local Official Plan requires that stormwater management strategies be provided for new development in Settlement Areas.

The Functional Servicing Report submitted in support of the subject applications indicates that stormwater from the development will be directed to a proposed stormwater management facility on Block 33, which is in the southwest corner of the Draft Plan. Municipal storm sewers will be installed along the proposed streets to collect stormwater from minor storm events, which will be directed to the stormwater management facility. Rear yard catchbasins and easements are also proposed in certain areas to collect and direct stormwater from rear yard swales and portions of the surrounding agricultural lands. Major design storms will be conveyed overland and on road surfaces and will also be directed to the stormwater management facility.

Water from the stormwater management facility will be discharged to a neighbouring property. A Consent Application (B-2020-062) has been submitted to grant an easement across the neighbouring adjacent agricultural lands at 1288 Bruce Road 86 for drainage purposes to allow for the stormwater to be directed from the proposed subdivision development to the Bruce Road 86 ditch. The County of Bruce is the Approval Authority as it relates to the Consent Application, which will be dealt with through a separate report to the Approval Authority. Comments provided by the Township, review agencies and public on the easement will be considered through that process.

A condition has been included in the attached draft plan conditions requiring this easement to be registered on title on behalf of the Township prior to final approval.

A landowner on the south side of Bruce Road 86 has expressed a concern with the direction of stormwater to this area as the landowner currently experiences flooding of his property. The consulting engineer has advised that the design of the stormwater management system meets municipal and provincial standards and will not worsen the existing conditions on that site.

The Maitland Valley Conservation Authority (MVCA) has also reviewed the proposal and identified no objection to the applications. MVCA has requested a condition be included as part of the draft plan approval as it relates to the outlet for the stormwater management facility.

### Natural Heritage

An Environmental Impact Study was not required in support of the subject applications based on early consultation with Saugeen Valley Conservation Authority (SVCA) as no natural features were identified on or adjacent to the subject lands, but a Species at Risk Assessment was later prepared to demonstrate consistency with the natural heritage policies of the County and Township. Through review and analysis of the site information, imagery and field investigations, the report concluded that the proposed draft plan of subdivision is unlikely to impact habitat occupied by Species at Risk in Ontario. This satisfies the applicable policies related to endangered and threatened species. The applicant was directed by SVCA to contact the Ministry of the Environment, Conservation and Parks (MECP) which has regulatory responsibility in this area to confirm the conclusions of the report.

Archaeology

A Stage 1 and 2 Archaeological Assessment was prepared in support of the subject applications as the lands fall within an area of high archaeological potential as they are within 300 m of a water body. No archaeological materials, features or sites were located during the assessment. The report concluded that no further assessment was required. However, it was noted by the Township staff that the assessment only covered the Draft Plan area and not the proposed stormwater outlet and easement proposed on the neighbouring agricultural lands. A condition has been included in the attached draft plan conditions requiring completion of an archaeological assessment on those lands prior to development or site alteration occurring.

Required Amendments

Changes to the Zoning By-law are required to support the proposed Draft Plan of Subdivision. The lands are currently zoned Residential One Holding (R1-H) and most of the site is intended to retain this Residential One zoning, which permits single-family detached dwellings as the primary dwelling type. Development within the Residential One zone will comply with the standards outlined in the Township’s Comprehensive Zoning By-law except for lot frontages on 10 of the 28 lots. The following site-specific special provisions are proposed for the Residential One Special Holding (R1-25.149-H) zone:

	Required	Proposed
Minimum lot frontage for Lots 1 & 10 (corner lots):	20 m	18.3 m
Minimum lot frontage for Lots 2 to 9 (interior lots):	17 m	16.1 m

The reduced lot frontages are appropriate in this instance as these lots back onto one of the proposed townhouse blocks, which provides an appropriate transition between the two dwelling types. The reduced lot frontage on certain lots also assists with maintaining the required density target as outlined above.

The 4 townhouse blocks are proposed to be zoned Residential Three Special Holding (R3-25.149-H), which permits street fronting townhouse dwellings as proposed, in addition to other forms of medium density development. Between 38 to 46 townhouse units are contemplated in a style similar to the single-family detached dwellings in the subdivision, each being one or two storeys in height with their own driveway and access onto the public road. The final number of units will be determined during the detailed design stage based on the final width of the units. This development form is appropriate in this location as it is consistent with the single-family detached dwellings and townhouse units in the adjacent established neighbourhood.

The stormwater management block is proposed to be zoned Open Space (OS). The proposal meets all the provisions of that zone.

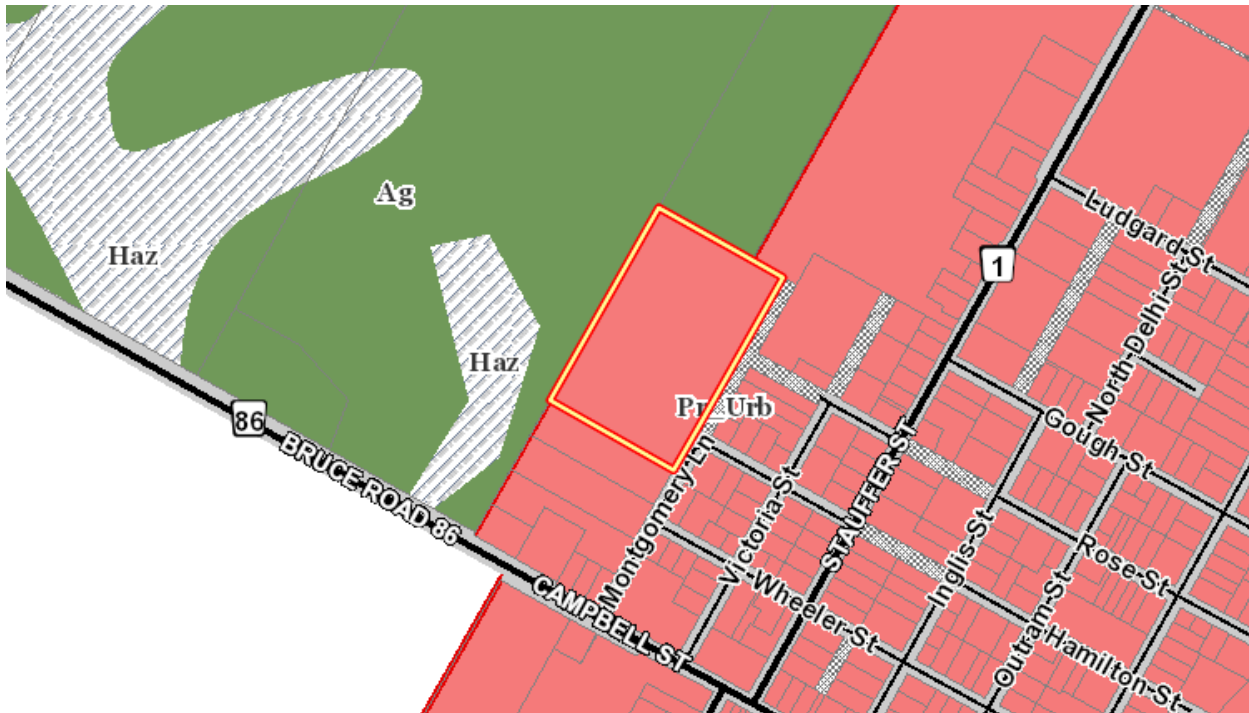
The Holding Symbol “H” will remain with the lands until conditions relating to the development have been met to the satisfaction of the Township. This includes the provision of roads and services, draft approval of the plan of subdivision, the execution of an agreement between the Township and the developer, and demonstration that the density of 14.1 to 15.8 units per gross developable hectare will be achieved to the Township’s satisfaction.

## Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
- Agency Comments
- Public Notice
- Public Comments
- Draft Plan of Subdivision
- Draft Conditions of Approval
- Draft Zoning By-law and Schedule

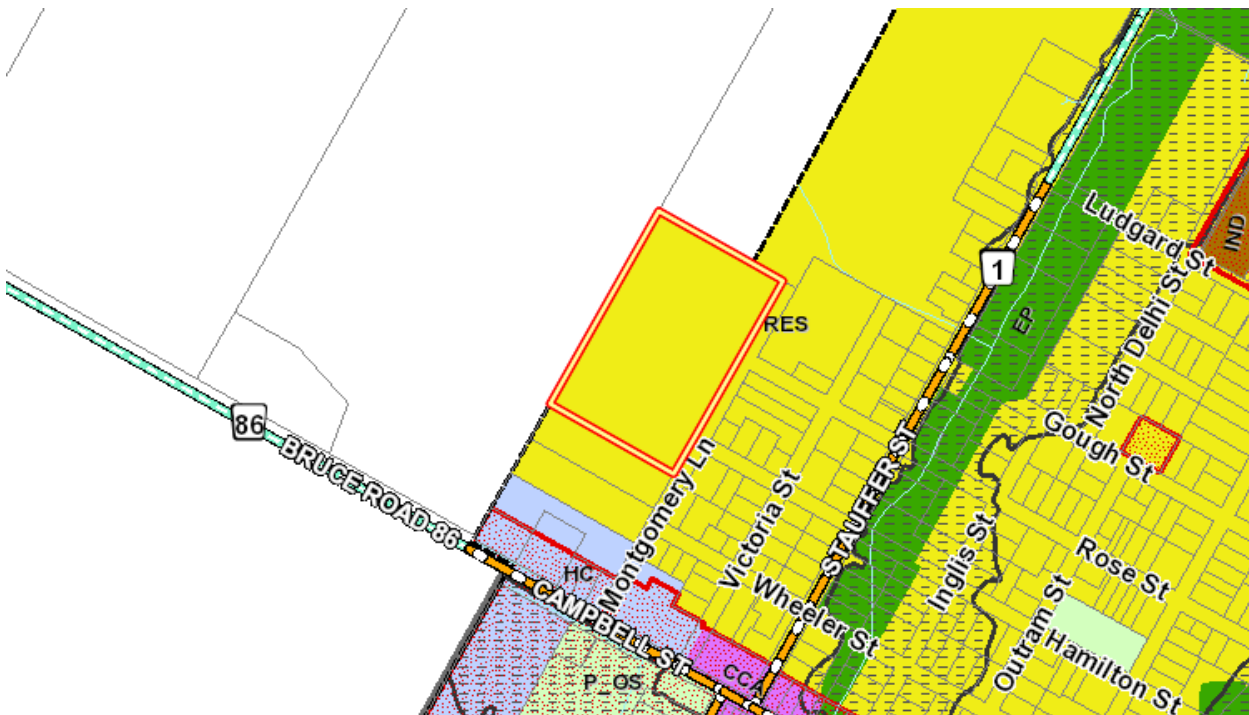


## County Official Plan Map



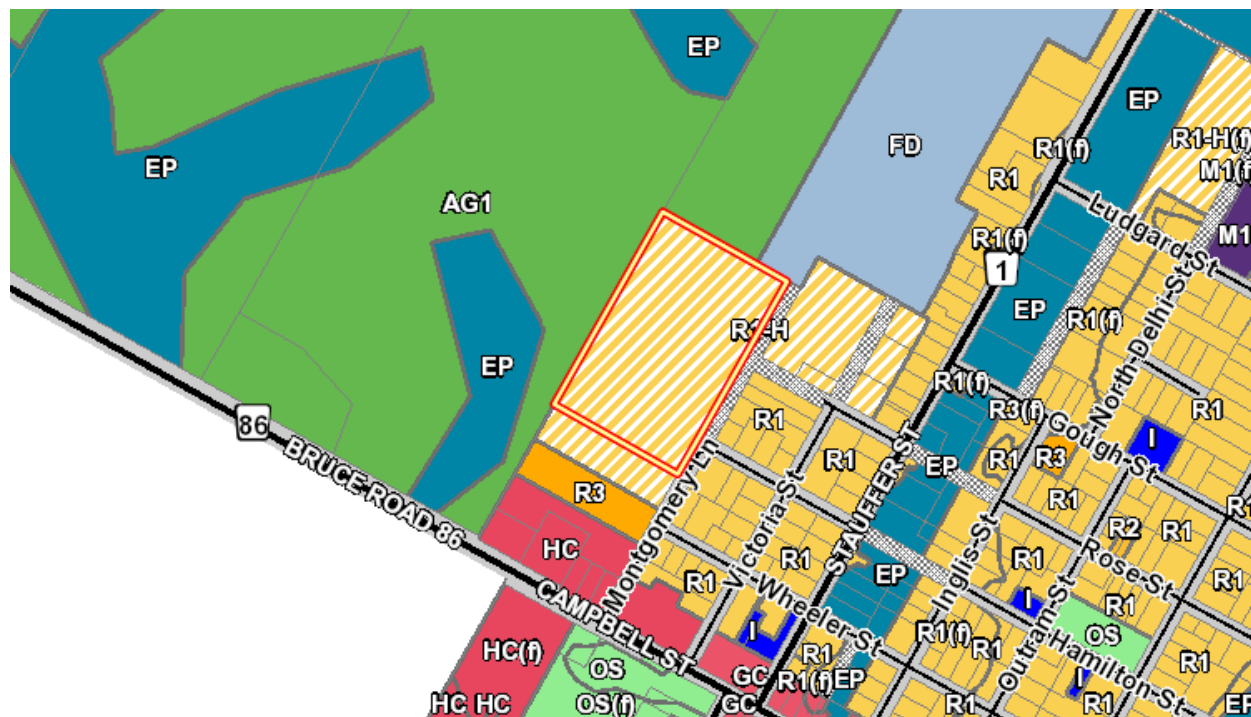
Bruce County Official Plan - Designated Primary Urban Communities

## Local Official Plan Map



Township of Huron-Kinloss Official Plan - Designated Residential

## Local Zoning Map



Township of Huron-Kinloss Zoning By-law - Zoned Residential One Holding (R1-H)

## List of Supporting Documents and Studies

\*Available in full on the Bruce County website (<https://brucecounty.on.ca/living/land-use>)

- Planning Report, Proposed Residential Plan of Subdivision, Park Lots 46-50 Albert W/S, Registered Plan 36, Geographic Village of Lucknow, Township of Huron-Kinloss, County of Bruce, prepared by Ron Davidson Land Use Planning Consultant Inc., dated June 16, 2020.
- Functional Servicing Report, Hellyn Development Incorporated, Township of Huron-Kinloss, prepared by GM BluePlan Engineering, dated June 10, 2020.
- Stage 1 and 2 Archaeological Assessment, Proposed Residential Development, Plan 36, Park Lot 46 to 50, Albert W/S, Village of Lucknow, Part Lot 62, Concession 1, GT of Huron, Municipality of Huron-Kinloss, Bruce County, prepared by Scarlett Janusas Archaeology Inc., dated October 24, 2019.
- Species at Risk Assessment, Draft Plan of Subdivision, Part of Lot 62, Concession 1, Kinloss, prepared by Aboud & Associates Inc., dated September 9, 2020.
- Draft Plan of Subdivision, Hellyn Development Incorporated, Township of Huron-Kinloss (Lucknow), prepared by GM BluePlan Engineering, dated June 8, 2020.
- Conceptual Grading and Servicing Plan, Hellyn Development Inc., Township of Huron-Kinloss, prepared by GM BluePlan Engineering, dated June 10, 2020.

## Agency Comments

### Township of Huron-Kinloss

Clerk: The developer will be required to enter into a subdivision agreement to satisfy all servicing and financial requirements.

Municipal Engineer: Several comments and questions were outlined in a letter from the Township dated September 8, 2020. The full comment letter is attached to this report. A virtual meeting was held on October 5, 2020 to discuss these matters and the applicant's responses. Some of the comments have been incorporated into this report and draft conditions of approval, while others will be addressed through the detailed design of the subdivision.

### B.M. Ross and Associates Limited

At this time, given that the proposed subdivision and by-law amendment will be serviced by municipal services, B.M. Ross and Associates Limited has no comments. Should there be any changes to the proposed method of servicing in the future, they would appreciate the opportunity to comment.

### Bruce County Transportation & Environmental Services

Bruce County Transportation & Environmental Services does not require a Stormwater Management Report as the Functional Servicing Report satisfies the County concerns regarding any stormwater impacts on the County's drainage system. The County has no issue with traffic that would require a Traffic Impact Study.

### Bluewater District School Board

The School Board requests that conditions be included as part of draft plan approval as it relates to the potential accommodation of students in temporary facilities, the location of student pick up points, and the provision of sidewalks and pedestrian linkages to promote safe walking routes. The full comment letter is attached to this report.

### Bruce-Grey Catholic District School Board

No comments.

### Historic Saugeen Metis

No objection or opposition.

### Maitland Valley Conservation Authority (MVCA)

As it relates to natural hazards and MVCA's regulatory responsibilities, MVCA has no objection to these applications. MVCA has requested a condition be included as part of the draft plan approval as it relates to the outlet for the stormwater management facility. The full comment letter is attached to this report.

### Saugeen Valley Conservation Authority (SVCA)

As it relates to natural heritage, SVCA staff find the applications acceptable. The full comment letter is attached to this report.

Based on subsequent review of the Species at Risk Assessment prepared by the applicant's consultant, the SVCA advised that it cannot provide technical clearance on Species at Risk (SAR), which is the Ministry of the Environment, Conservation and Parks (MECP)'s regulatory responsibility. The applicant needs to contact MECP directly. However, SVCA staff can advise the report does state in the conclusion that "Through background review and analysis of the provided site information, imagery, and field investigations, it has been determined that the proposed draft plan of subdivision is unlikely to impact habitat occupied by Species at Risk in Ontario", which would clear Provincial and Official Plan policies for Endangered and Threatened Species.

#### Canada Post

This subdivision will receive their mail at the local post office via post office boxes. No need for community mailboxes to be installed unless there is a dramatic change in lot numbers.

#### Hydro One

Hydro One has no comments or concerns at this time. Their preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only. The full comment letter is attached to this report.

#### Union Gas

With regards to the Draft Plan, it is Enbridge Gas Inc.'s (operating as Union Gas) request that as a condition of final approval that the owner/developer provide to 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. The full comment letter is attached to this report.



## The Corporation of the Township of Huron-Kinloss

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21 Queen St.  
Ripley, Ontario  
N0G 2R0

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Ron Davidson  
Land Use Planning Consultants Inc.  
265 Beatie Street  
Owen Sound ON  
N4K 6X2

September 8, 2020  
File #S-2020-006,  
Z-2020-045

Dear Mr. Davidson

### **RE: Hellyn Development Inc. Proposed Subdivision**

Plan 36 Park Lot 46 to 50; Albert W/S (Lucknow); and 1288 Bruce Road 86 – CON  
1 S PT Lots 63 & 64 (Kinloss)

The Township of Huron-Kinloss is in receipt of the following documents regarding the above noted proposed subdivision and had it reviewed by our Municipal Engineer and offer the following:

- Archaeological Assessment – Scarlett Janusas – Oct. 24, 2019
- Functional Servicing Report – GMBluePlan – June 10, 2020
- Planning Justification Report – Ron Davidson – June 16, 2020

#### **Arch. Report:**

- Recommends no further action.
- The report did not look at storm outlet.

#### **Functional Servicing Report:**

- Roads – External road extensions are to be built by developer.
- Water supply – Water pressure may be an issue, please contact the Township for further discussion.
- Sanitary – The note says that the municipality committed capacity, please contact the Township for further discussion.
- Storm/SWM :
  - Are improvements to the existing ditch required to provide expected flows including uncontrolled major flows from the development? The report does not comment on the condition of the existing ditch.



- The proposed (10m) easement over the outlet ditch/channel will have to be wide enough to allow for possible channel section improvement plus allow for equipment vehicles to access the full length of the ditch for future maintenance purposes.
- Final design of the SWM facility will be require a maintenance access apron around the pond
- Final design of the SWM facility should provide for erosion protection and containment of surface flows into and out of the facility.
- Please provide the County of Bruce roads department with the FSR for review.
- BM Ross provided catchment area and MIDUSS modelling data used in the design of the County Rd 86 (1200 dia) culvert crossing Campbell immediately downstream of the proposed outlet ditch. Final modelling should include all existing drainage areas tributary to the culvert to demonstrate final flows will not be increased above the flows established in the design of the culvert .
- Geotechnical report – Is clay layer continuous, how much is developer relying on permeable soils.

#### **Planning Justification Report:**

- If the servicing is to be phased there may be an advantage to the zoning Rxx -h, please contact the Township and the County Planning department to discuss this further if applicable.

#### **Other notes:**

- The Township will require a 1 foot reserve along Montgomery Lane to prevent access from side and rear yards.
- Please provide further information on what is proposed for Block 32.
- Please provide wording for the written confirmation of easement for storm outlet. Cross-section? Is 10m enough?
- 9 m. or 30 feet of elevation difference across site. May need to dictate dwelling design, driveway locations.
- Please forward a separate file with the Draft Plan only.
- There is no discussion regarding the major hydro line that runs along the west property limit. Does an existing hydro easement or right-of -way already exist onto the adjacent farm property where the proposed drainage easement is to be located over the existing ditch outlet? This needs to be reviewed.

If you have any questions, please don't hesitate to reach out.

Sincerely,

A handwritten signature in cursive script that reads "EDance".

Emily Dance, Clerk  
for  
Mary Rose Walden, CAO

Cc: Coreena Smith, Senior Planner County of Bruce.



# Bluewater District School Board

P.O. Box 190, 351 1<sup>st</sup> Avenue North  
Chesley, Ontario N0G 1L0  
Telephone: (519) 363-2014 Fax: (519) 370-2909  
www.bwdsb.on.ca

August 27, 2020

County of Bruce  
Planning & Development Department  
30 Park St., Box 848  
Walkerton, ON N0G 2V0  
[bcplwa@brucecounty.on.ca](mailto:bcplwa@brucecounty.on.ca)

Dear Planning Department,

RE: Draft Plan of Subdivision No. S-2020-006, Zoning By-law Amendment, and Consent

Thank you for circulating a copy of the proposed Plan of Subdivision No. S-2020-006, and Zoning By-law Amendment. The Bluewater District School Board has reviewed the proposed Plan of Subdivision from Hellyn Development Inc., located in the Township of Huron-Kinloss. The applicant wishes to develop a residential subdivision comprised of 28 detached dwelling lots and 4 townhouse blocks

The School Board requests the following conditions be included as part of draft plan approval:

1. "That the owner(s) 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."
2. "That the owners(s) 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 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."
3. "That the Owner(s) shall agree in the Subdivision Agreement to provide sidewalks and pedestrian linkages throughout the subdivision to accommodate and promote safe walking routes to the nearby school property and elsewhere."

Please do not hesitate to contact us by telephone at 519-363-2014 ext. 2101 or by email at [shelley\\_crummer@bwdsb.on.ca](mailto:shelley_crummer@bwdsb.on.ca) if you have any questions, concerns or for more information.

Sincerely,  
Shelley Crummer  
Business Analyst

c.c.: Rob Cummings, Superintendent of Business Services  
Dennis Dick, Manager of Plant Services  
Jayme Bastarache, Supervisor Project Development

**MEMORANDUM**

**TO:** Candace Hamm, Applications Technician, County of Bruce, via email  
**CC:** Coreena Smith, Senior Planner, County of Bruce, via email  
Brandi Walter, Environmental Planning Coordinator, Saugeen Valley  
Conservation Authority, via email  
Matt Farrell, Chief Building Official, Township of Huron-Kinloss, via email  
Ron Davidson Land Use Planning Consultants Inc., Applicant, via email  
**FROM:** Patrick Huber-Kidby, Environmental Planner/Regulations Officer, MVCA  
**DATE:** August 20, 2020  
**SUBJECT:** Applications for Draft Plan of Subdivision & Drainage Easement  
S-2020-006  
Z-2020-045  
B-2020-062  
Park Lots 46 – 50, on Plan 36, Albert W/S, Lucknow, Township of Huron-  
Kinloss, County of Bruce; and South Part of Lots 63 & 64, Concession 1,  
Kinloss, Township of Huron-Kinloss, County of Bruce; known as 1288 Bruce  
Road 86

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Maitland Valley Conservation Authority (MVCA) has reviewed the above-noted applications with regard for the natural hazard policies contained in the Provincial Policy Statement, 2020 (PPS, 2020) and pursuant to our 'Memorandum of Agreement' with the Corporation of the County of Bruce. This application has also been screened with regard for MVCA's policies made under *Ontario Regulation 164/06* (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation). Based on our review, we offer the following comments.

It is our understanding the purpose of these applications are to establish and appropriately zone a 5.109 ha plan of subdivision; as well as establish a drainage easement to service the said subdivision.

**Natural Hazards:**

The property subject of the draft plan (*Park Lots 46 – 50, on Plan 36, Albert W/S, Lucknow*) is not known to be directly affected by any natural hazards and is substantially elevated in comparison to the nearby floodplain of the Nine-Mile River.

The Functional Servicing Report included with these applications proposes to attenuate storm flows, including the 100-year event, to pre-development flow rates, as well as achieve "normal" level quality control, as such no impact is expected on the control of flooding along and adjacent the Nine-Mile River.

**MVCA Ontario Regulation 164/06 Regulated Areas:**

Floodplains, plus 15 meters from the boundary of the floodplain, as well as watercourses plus 15 meters from the stable top of bank, are MVCA regulated lands, pursuant to *Ontario Regulation 164/06* made under the *Conservation Authorities Act (R.S.O., 1990, chapter C.27)*. Subject to the Regulation, development (construction, reconstruction, filling, grading) interference, and alteration within Authority regulated lands requires permission from MVCA, prior to undertaking the work.

Precise details of the outlet channel modifications where not available at this time. A permit may be required for modifications and/or structures in the regulated area of floodplain and/or watercourse adjacent Bruce Road 86, where outlet is proposed to terminate. MVCA would be happy to review additional outlet details when they become available.

**Report:**

These applications are in general conformance with Section 3.1, Natural Hazard Policies of the PPS, 2020, as such MVCA has no objection to these applications. MVCA would request the following be included as a condition of draft plan approval:

- The subdivider shall provide outlet details for the stormwater management facility to the Maitland Valley Conservation Authority for review, and obtain written confirmation indicating those details are satisfactory. This written confirmation may coincide with permission given under *Ontario Regulation 164/06* for the outlet.

Thank you for the opportunity to comment at this time. Feel free to contact this office if you have any questions.





1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0  
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY (bcplwa@brucecounty.on.ca)

August 20, 2020

County of Bruce  
Planning and Development Department  
30 Park Street, P.O. Box 848  
Walkerton, ON N0G 2V0

ATTENTION: Candace Hamm, Applications Technician

Dear Mrs. Hamm,

RE: Application for Draft Plan of Subdivision: S-2020-006  
Application for Zoning By-law Amendment: Z-2020-045  
Application for Consent: B-2020-062  
1288 Bruce Road 86  
Roll Numbers 410712000215200 & 410711000102700  
Plan 36 Park Lot 46 to 50; albert W/S  
Geographic Town of Lucknow  
Township of Huron-Kinloss [Hellyn Development Inc/Brubacher c/o Davidson]

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted applications as per our Memorandum of Agreement (MOA) with the County of Bruce representing natural heritage within the Maitland Valley Conservation Authority (MVCA) watershed.

The purpose of the applications are to facilitate a residential subdivision including 28 detached dwelling lots, 4 townhouse blocks, and one block for stormwater management. The proposed zoning by-law amendment will re-zone the lands from Residential One – Holding (R1-H) to Residential One - Special (R1-XX) to allow for reduced frontages on specified lots, Residential Three (R3) to allow for townhouse uses on the four proposed residential blocks, and Open Space (OS) for the stormwater management facility. The consent application is to grant an easement across 1288 Bruce Road 86 for drainage purposes to allow for stormwater to be directed from the proposed development to the Bruce Road 86 ditch.

Staff have received and reviewed the following documents submitted with this application:

- 1) Request for Agency Comments, dated July 24, 2020 and associated application,
- 2) Draft Plan of Subdivision, Dwg. No. DP-1 (GM BluePlan, March 6, 2017); and,
- 3) Planning Report (Ron Davidson Planning Consultant Inc., June 16, 2020).

### **Recommendation**

SVCA staff find the applications acceptable. Please see comments below for more information.



Watershed Member Municipalities  
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,  
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,  
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,  
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

### **Site Characteristics**

Based on SVCA staff's desktop review of mapping, it appears the subject property is entirely used for agricultural purposes (cash crop). There are no existing structures on the property and there are no natural environment features such as woodlands, watercourses, or wetlands within the property boundary.

### **Advisory Comments**

**SVCA staff has reviewed the application through our responsibilities as a service provider to the County of Bruce in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural heritage in the MVCA watershed as set out in the PPS 2020, County Official Plan and/or local official plans. Comments below only include features/technical requirements affecting the property.**

#### **Natural Heritage:**

In the opinion of SVCA staff, the subject property features adjacent lands to fish habitat (indirect) and potentially the habitat of endangered or threatened species.

The following is summary of provincial and county/local policies applicable to the natural heritage features affecting the property.

#### **Fish Habitat**

SVCA staff review of Fish Habitat is provided in consideration of the PPS and local policies but does not provide clearance on the required statutes or legislation from either the MNRF or the DFO.

Located approximately 70 - 120 metres north of the subject property is an intermittent watercourse/drain, which, in SVCA staff's opinion, contributes indirectly to fish habitat via outlet to the Nine Mile River. Additionally, it is proposed to outlet stormwater to the Highway 86 roadside ditch. This ditch could also contribute indirectly to fish habitat of the Nine Mile River.

#### **Provincial Policy Statement (PPS, 2020) – Section 2.1**

Section 2.1.6 of the PPS states that development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements; and further, section 2.1.8 states development and site alteration shall not be permitted on adjacent lands fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated there will be no negative impacts on the natural features or on their ecological functions.

#### **County of Bruce Official Plan (OP)**

It is SVCA staffs interpretation that section 4.3.2.1 of the County's OP does not permit development 30 within 30 metres of the banks of a cold water stream or 15 metres of a warm water stream; and that an Environmental Impact Study (EIS) shall be required for any proposal that is within 120 metres adjacent to fish habitat.

#### Township of Huron-Kinloss Official Plan (OP)

It is SVCA staff's interpretation that section 2.6.10 of the Township's OP does not support development within 120 metres adjacent to fish habitat unless an application for development or site alteration within adjacent lands is accompanied by an EIS which evaluates the ecological function of the adjacent land and demonstrates that there will be no negative impacts on the natural features or on their ecological functions.

It is SVCA staff opinion, the impacts to fish habitat can be mitigated via standard sediment and erosion control measures, and through an approved SWM facility with a minimum level of "normal" treatment. As such, it is our recommendation that an EIS should not be required to address the impacts to fish habitat.

#### Habitat of Endangered and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or adjacent to the property. The SVCA role is to identify habitat through a screening process in consideration of the PPS and local policies, however, it is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS and the local OPs have been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be addressed to [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca). It must be confirmed with the MECP if an EIS to address habitat of endangered and threatened species is required.

#### Provincial Policy Statement (PPS, 2020) – Section 2.1

Section 2.1.7 of the PPS states that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements; and section 2.1.8 states development and site alteration shall not be permitted on adjacent lands to the habitat of endangered/threatened species unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

#### County of Bruce Official Plan (OP)

It is SVCA staff's interpretation that section 4.3.2.7 of the County's OP does not permit development except for infrastructure permitted by the PPS within significant portions of the habitat of threatened and endangered species. Development proposed within 50 metres to habitat of endangered and threatened species may be permitted only if it has been demonstrated through an EIS, carried out by the proponent, that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.

#### Summary

SVCA staff has reviewed these applications in accordance with our MOA with the County of Bruce.

Staff find the applications acceptable, and given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated; except for habitat of threatened/endangered species, which the applicant must address with the MECP directly.
- 2) Consistency with local planning policies for natural heritage has been demonstrated; except for habitat of threatened/endangered species, which the applicant must address with the MECP directly.

Please inform this office of any decision made by County/Municipality regarding this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Brandi Walter". The signature is written in dark ink on a light-colored background.

Brandi Walter  
Environmental Planning Coordinator  
Saugeen Conservation

BW/

cc: Don Murray, Authority Member (via email)  
Patrick Huber-Kidby, MVCA (via email)  
Ron Davidson Land Use Planning (via email)

## Candace Hamm

**Subject:** FW: Bruce County - Campbell St and Montgomery Ln - S-2020-006

**From:** Kevin.Balkaran@HydroOne.com <Kevin.Balkaran@HydroOne.com> **On Behalf Of** LandUsePlanning@HydroOne.com

**Sent:** Friday, July 24, 2020 3:49 PM

**To:** Candace Hamm <CHamm@brucecounty.on.ca>

**Subject:** Bruce County - Campbell St and Montgomery Ln - S-2020-006

**\*\* [CAUTION]:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

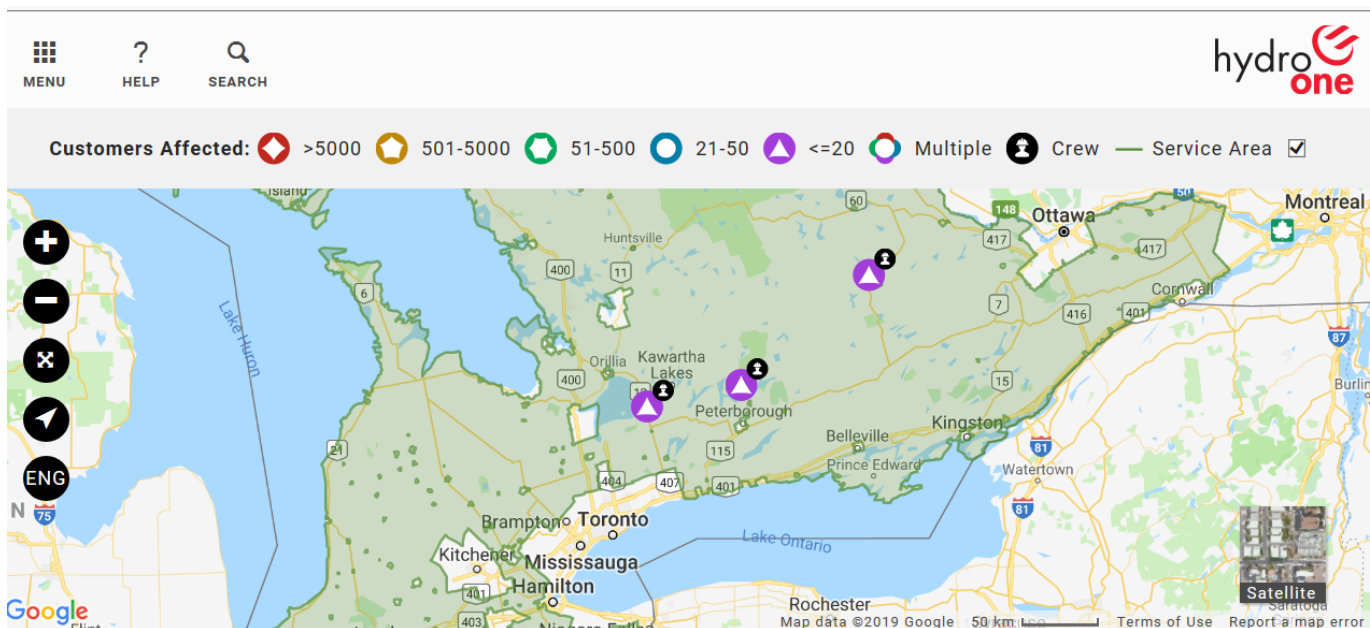
We are in receipt of your Plan of Subdivision application, S-2020-006 dated July 24, 2020. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. [Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.](#)

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at [subdivision@Hydroone.com](mailto:subdivision@Hydroone.com) or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link:

<http://www.hydroone.com/StormCenter3/>

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map





If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail [CustomerCommunications@HydroOne.com](mailto:CustomerCommunications@HydroOne.com) to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

**Kevin Balkaran**

University Co-Op Student, Real Estate Department  
185 Clegg Road  
Markham, ON L6G 1B7

[Kevin.Balkaran@HydroOne.com](mailto:Kevin.Balkaran@HydroOne.com)

[www.HydroOne.com](http://www.HydroOne.com)

## Candace Hamm

---

**Subject:** FW: Request for Agency Comments S6 Z45 B62 Hellyn Development Inc

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**From:** ONTUGLLandsINQ <ONTUGLLandsINQ@enbridge.com>

**Sent:** Monday, July 27, 2020 9:57 AM

**To:** Candace Hamm <CHamm@brucecounty.on.ca>

**Subject:** RE: Request for Agency Comments S6 Z45 B62 Hellyn Development Inc

**\*\* [CAUTION]:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Draft Plan:

Thank you for your correspondence with regards to draft plan of approval for the above noted project.

It is Enbridge Gas Inc.'s (operating as Union Gas) request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

Should you require any further information, please contact the undersigned.

### Consent application:

Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

Should you require any further information, please contact the undersigned.

**Kelly Buchanan**

Analyst Land Services

—

ENBRIDGE GAS INC. OPERATING AS UNION GAS

TEL: 519-436-4673 | FAX: 519-436-5353

50 Keil Dr N, Chatham ON N7M 5M1

[uniongas.com](http://uniongas.com)

Safety. Integrity. Respect.



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



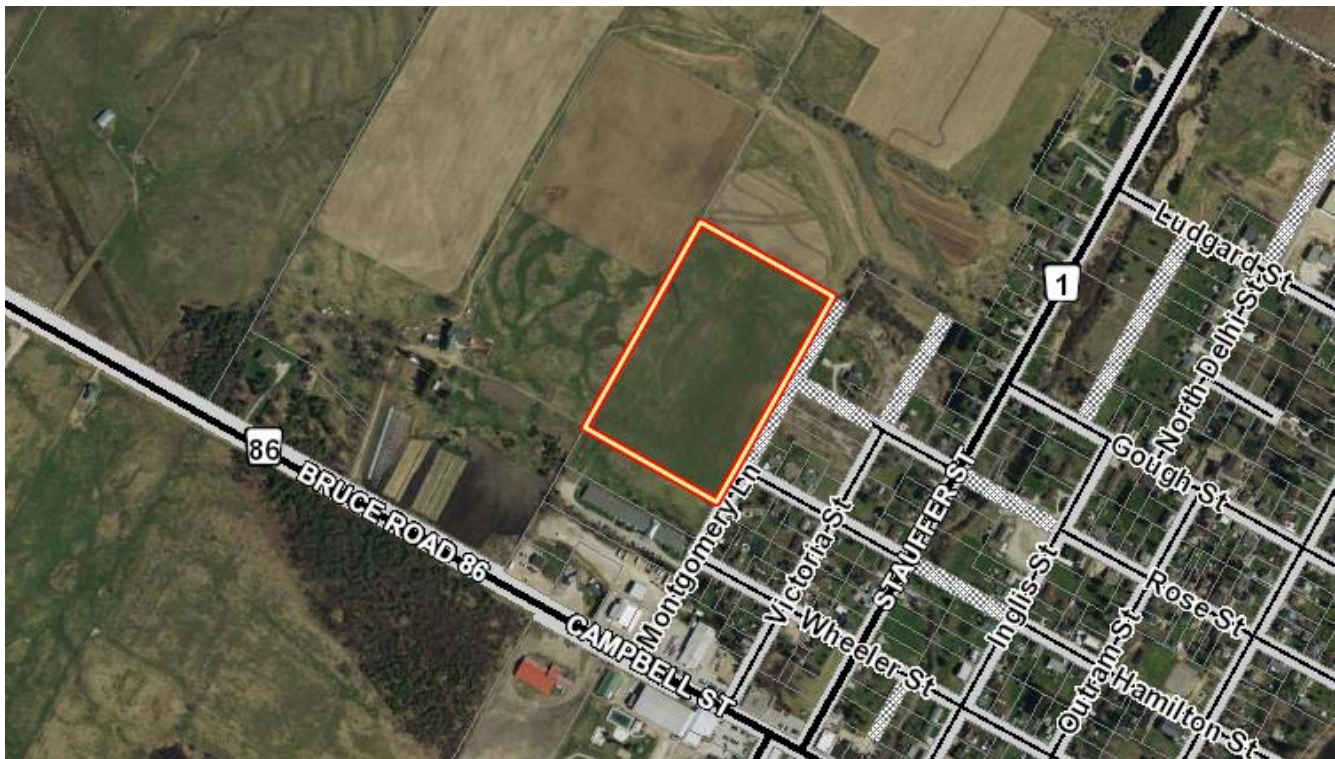
September 17, 2020

File Numbers: S-2020-006 & Z-2020-045

## Public Meeting Notice

**You're invited to participate in an Online Public Meeting  
Wednesday, October 14, 2020 at 7:00 pm**

A change is proposed in your neighbourhood: Hellyn Development Inc. is proposing to develop 5.109 hectares of land in Lucknow into a residential subdivision. The related consent file is B-2020-062.



PLAN 36 PARK LOT 46 TO 50;ALBERT W/S (Lucknow); and,  
1288 Bruce Road 86 – CON 1 S PT LOTS 63 & 64 (Kinloss)  
Township of Huron-Kinloss  
Roll Numbers 410712000215200 & 410711000102700

**COVID-19 Notice: Bruce County planning offices are closed to the public until further notice. Our staff would be pleased to connect with you by email or phone.**

## Learn more

You can view more information about the application at <https://brucecounty.on.ca/living/land-use>. Our staff would be pleased to connect with you by email ([bcplwa@brucecounty.on.ca](mailto:bcplwa@brucecounty.on.ca)) or phone (226-909-5515). Once our offices re-open, information about the application will be available in person at the County of Bruce Planning Office noted above, between 8:30 a.m. and 4:30 p.m. (Monday to Friday).

The Planner on the file is: Coreena Smith

## Have your say

Comments and opinions submitted on these matters, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in a Planning Report and Council Agenda.

**Before the meeting:** You can submit comments by email [bcplwa@brucecounty.on.ca](mailto:bcplwa@brucecounty.on.ca) or mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application. Comments will be provided to the Committee for its consideration.

**On the day of and during the Public Meeting:** you can speak during the online public meeting.

## How to access the public meeting

As a result of the COVID-19 Pandemic, the Township of Huron-Kinloss has closed the Municipal Office to the public. The Public Meeting will be held in electronic format.

For information on how to participate in the public meeting, please visit the municipal website at: <https://www.huronkinloss.com/minutes-agendas.cfm>.

Details on participating in the electronic meeting will be provided when the agenda is published. Please contact the Township of Huron-Kinloss by 4:30 pm on October 14, 2020 ([edance@huronkinloss.com](mailto:edance@huronkinloss.com) or 519-395-3735 ext. 123) if you have any questions regarding how to participate in the meeting.

## Stay in the loop

If you'd like to be notified of the decision of the approval authority on the proposed application(s), you must make a written request to the Bruce County Planning Department.

## Know your rights

Section 51(39) of the of the [Planning Act](#) outlines rights of appeal for Plan of Subdivision applications. Only the applicant, a public body, various utility companies (or their representative), the Minister and the Municipality can appeal the approval or refusal of draft plan of subdivision, lapsing provisions or any condition of draft plan approval.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the County of Bruce in respect of the proposed plan of

**COVID-19 Notice: Bruce County planning offices are closed to the public until further notice. Our staff would be pleased to connect with you by email or phone.**

subdivision before the County of Bruce gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision of County of Bruce to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to County of Bruce in respect of the proposed plan of subdivision before the County of Bruce gives or refuses to give approval to the draft plan of subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Section 34(11) of the [Planning Act](#) outlines rights of appeal for Zoning By-law Amendment applications.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Township of Huron-Kinloss to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Bruce County Planning Department before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Bruce County Planning Department before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information please visit the Local Planning Appeal Tribunal website at <https://elto.gov.on.ca/tribunals/lpat>.

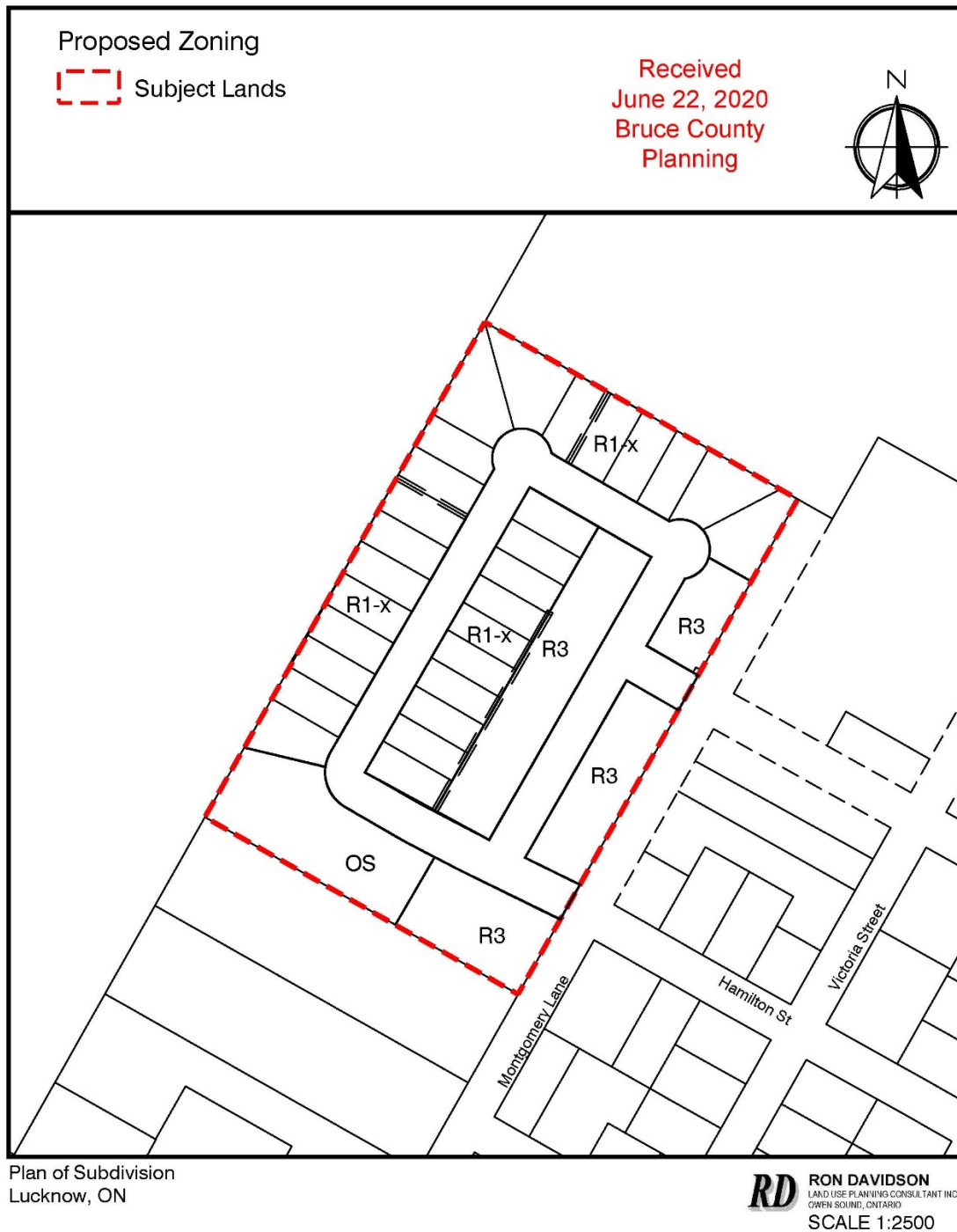
COVID-19 Notice: Bruce County planning offices are closed to the public until further notice. Our staff would be pleased to connect with you by email or phone.



\*For Representation Only - Draft Plan available on the County Website

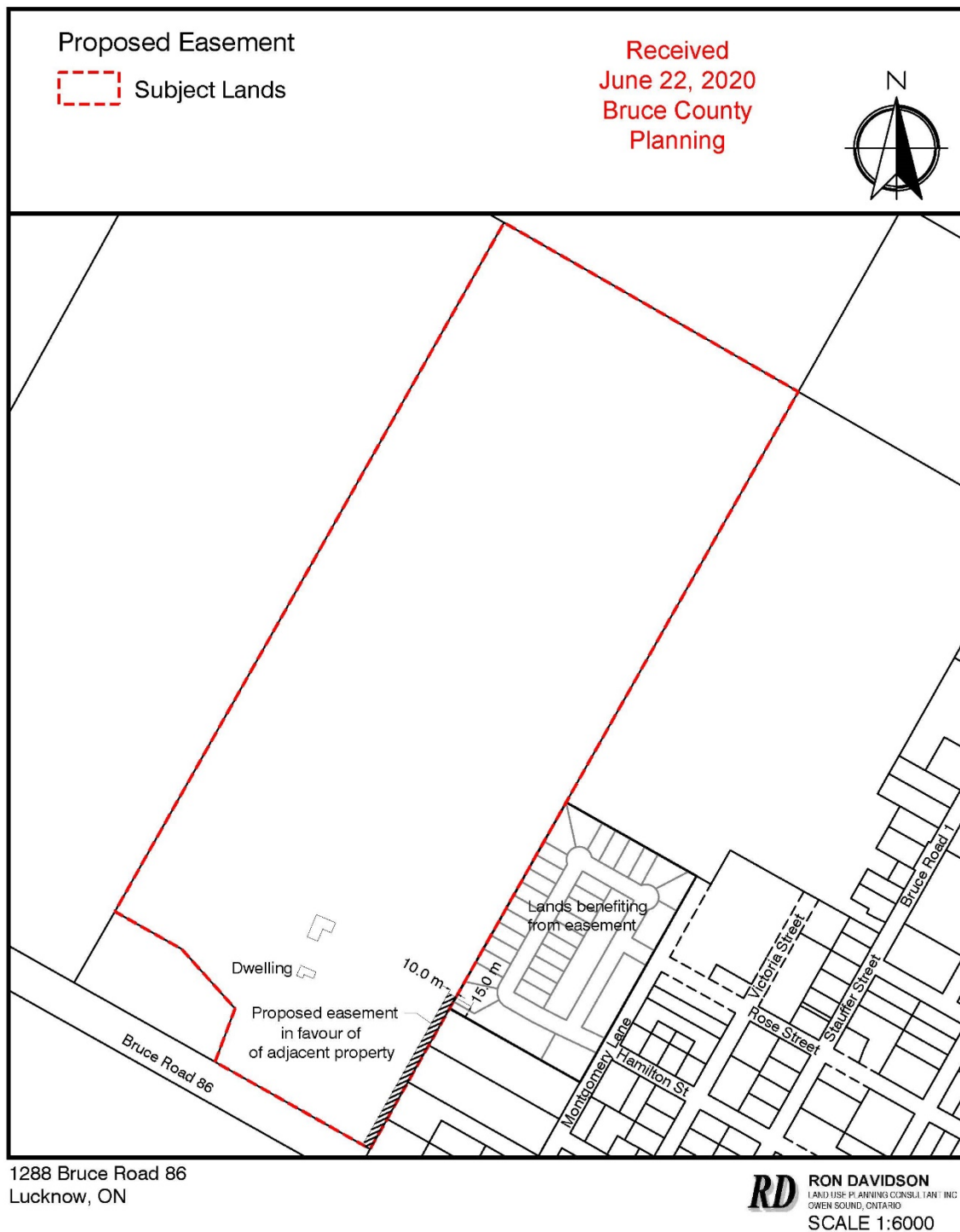
COVID-19 Notice: Bruce County planning offices are closed to the public until further notice. Our staff would be pleased to connect with you by email or phone.

# Proposed zoning



COVID-19 Notice: Bruce County planning offices are closed to the public until further notice. Our staff would be pleased to connect with you by email or phone.

COVID-19 Notice: Bruce County planning offices are closed to the public until further notice. Our staff would be pleased to connect with you by email or phone.



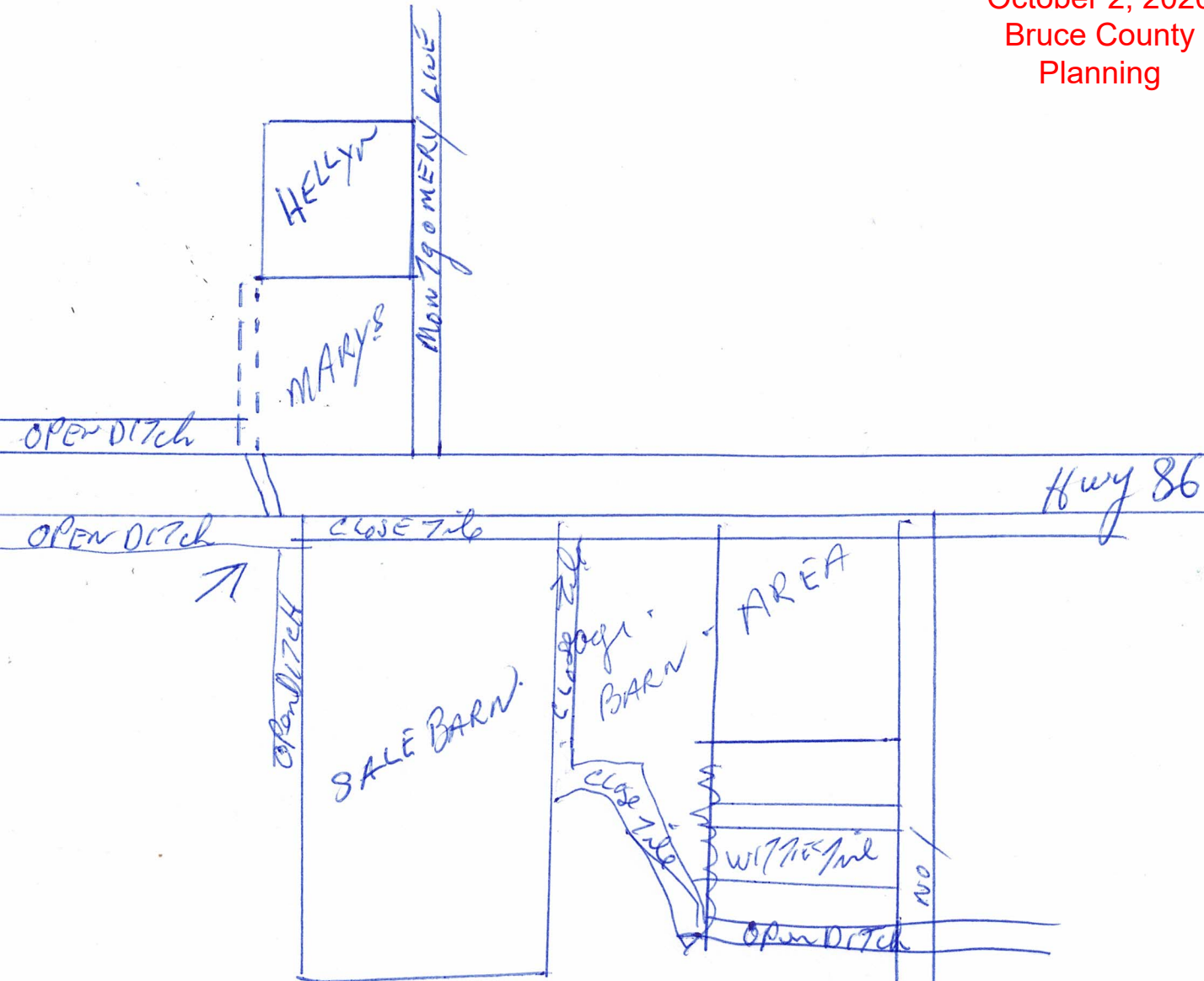




IF need more Details Call be at WORK  
519-529-7625  
or Home at 529-7970

To - Corana Smith.

Received  
October 2, 2020  
Bruce County  
Planning



Water coming into Culvert at #1  
in MORE that the 4' Culvert will  
TAKE on a Heavy Rain without having another 1' Culvert  
or OPEN DITCH from other 10 ft going into it.

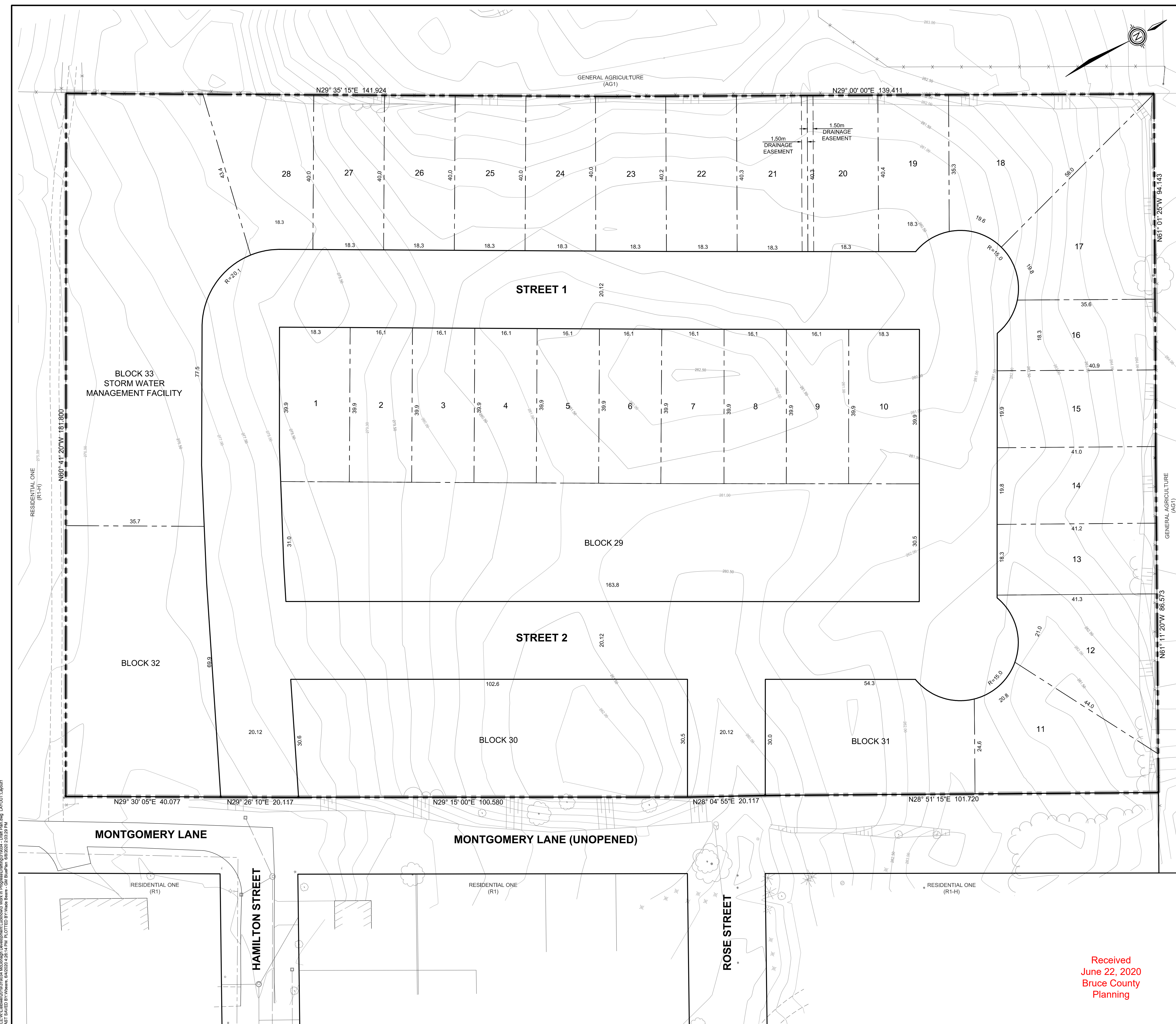
out Let at No. 1 Hwy near with is to High  
and Hold all water BACK. NO Fall to Let  
water get Away. as This PAST spring after  
a Big Rain. my Hole yard was flood. with more  
water el have seen in 35 years el own the place  
and to Let a other 1 or 2' culvert to Run mac water  
on my it is a ~~hard~~ (NO.) unless you can change the  
water saved be going to the EAST. AS to Putting  
a Hole Back pond in is all K if Big enj on.  
el would Like to Know The size of Pond  
& weather the water can be held BACK until the  
Ditch would be best Thow  $\frac{3}{4}$  Full. So it Can Take  
water easy.

---

P.S. el would Like to Sell The Land Developed.  
Put the water most be Taken to a good.  
Out Let.

Gordon H. Brinkley





**DRAFT PLAN OF SUBDIVISION  
HELLYN DEVELOPMENT INCORPORATED  
TOWNSHIP OF HURON-KINLOSS (LUCKNOW)**

### LEGAL DESCRIPTION

PARK LOTS 46, 47, 48, 49 AND 50, ALBERT W/S. REGISTERED PLAN No. 36  
Geographic Village of Lucknow, Township of Huron-Kinloss, County of Bruce

OWNER'S CERTIFICATE

I, the registered owner of these lands,  
hereby authorize GM BluePlan Engineering  
Limited to submit this draft plan for  
approval.

DATE June 10, 2020

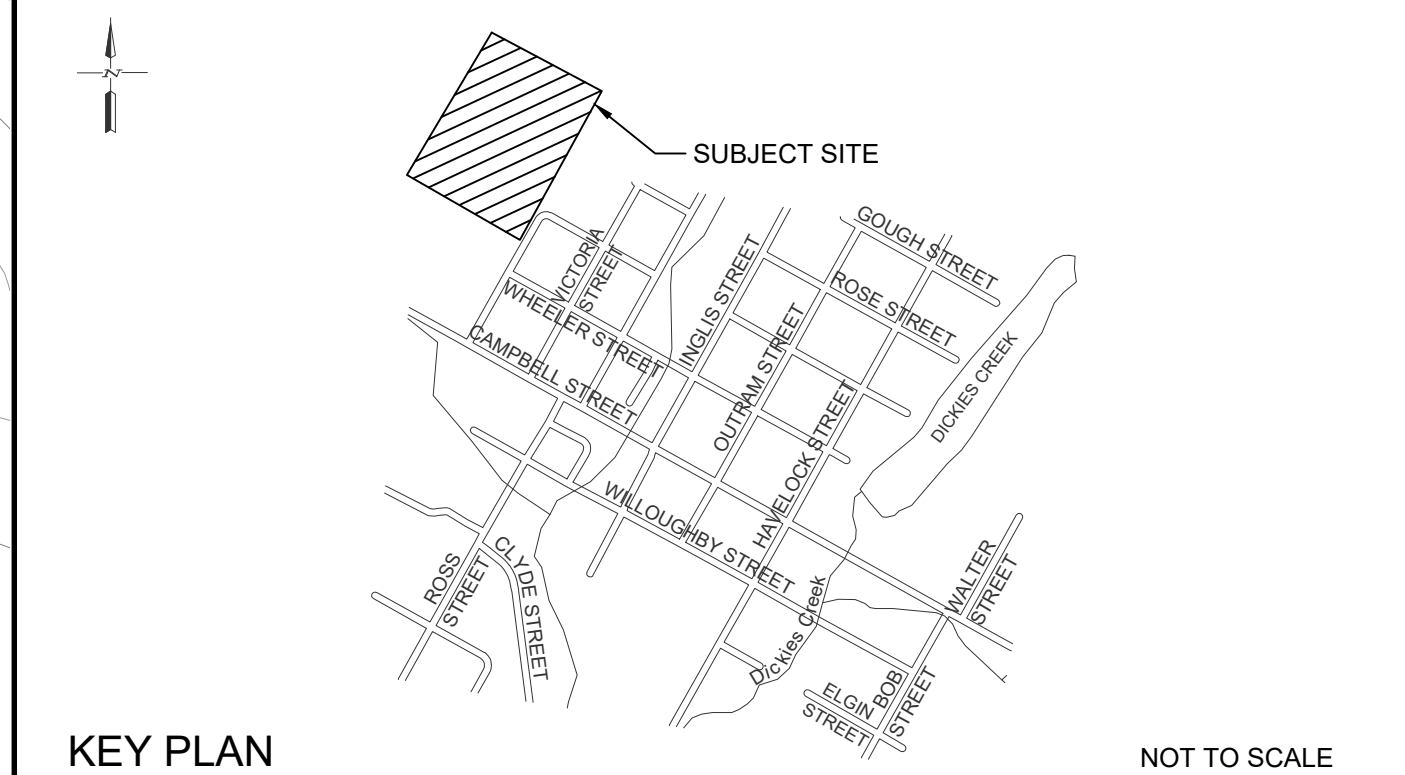
SIGNED \_\_\_\_\_

### SURVEYOR'S CERTIFICATE

I hereby certify that the boundaries of the lands to be subdivided as shown on this plan and their relationship to the adjacent lands are accurately and correctly shown.

June 10, 2020  
DATE

*Ronald F. Don*  
ONTARIO LAND SURVEYOR



## LAND USE SCHEDULE

DESCRIPTION	LOTS/BLOCKS	UNITS	AREA (hectares)
SINGLE DETACHED LOTS	1-28	28	2.193
TOWNHOUSES	29-32	38-46	1.233
STORMWATER MANAGEMENT	33	-	0.427
ROADS	-	-	1.256
<b>TOTAL</b>		<b>66-74</b>	<b>5.109</b>

PLANNING ACT SEC. 51 (17)

- a) See plan
- b) See plan
- c) See key plan
- d) Single family dwellings and townhouses
- e) See plan
- f) See plan
- g) See plan
- h) Municipal water system
- i) Silt Loam
- j) See plan
- k) Municipal water, municipal sewers hydro, telecommunications, gas
- l) None

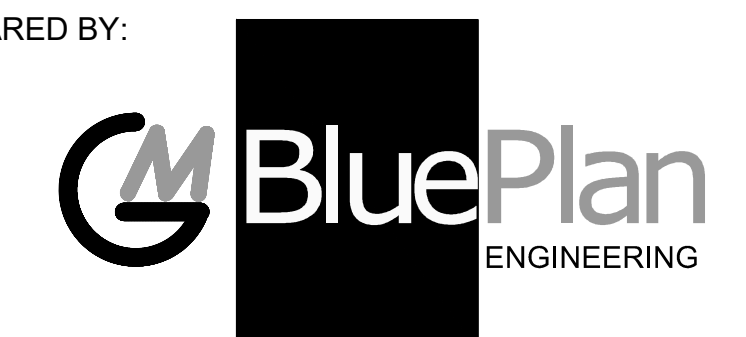
NOTE: ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE NOTED.  
CONTOUR INTERVAL 0.5 METRE.

SCALE =	1:500	JUNE 8, 2020
DRAWN BY:	W.B.	DATE

DRAWING No.

DP-1

PREPARED BY:
--------------



GUELPH | OWEN SOUND | LISTOWEL | KITCHENER | LONDON | HAMILTON | GTA  
975 WALLACE AVENUE NORTH, LISTOWEL, ON N4W 1M6  
TEL. 519-291-9339 [www.ambblueplan.ca](http://www.ambblueplan.ca)

MARCH 6, 2017

PROJECT No. 319034





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

# Conditions Of Draft Approval Plan Of Subdivision

The Council of the Corporation of the County of Bruce hereby issues Draft Approval to Following Application:

**File Number** S-2020-006  
**For** Hellyn Development Inc.  
**In Respect Of** PLAN 36 PARK LOT 46 TO 50; ALBERT W/S (Lucknow)  
Township of Huron-Kinloss  
(Roll Number 410712000215200)  
**Date of Draft Approval** XXX

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-2020-006 for Hellyn Development Inc. on lands legally known as PLAN 36 PARK LOT 46 TO 50, ALBERT W/S (Lucknow), in the Township of Huron-Kinloss, prepared by GM BluePlan Engineering on June 8, 2020.

## Lot Layout and Density

2. That this approval is in accordance with the 'Land Use Schedule' on the Plan of Subdivision, prepared by GM BluePlan Engineering on June 8, 2020.

## 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 Township of Huron-Kinloss free and clear of all encumbrances, on the Final Plan, including Block 33 for stormwater management purposes.
4. 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.

5. That prior to the sale of Lots 20 and 21, and other lots as may be required, the owners acknowledge the lots contain a drainage easement by the Municipality and that the owners will need to provide access for stormwater management infrastructure and maintenance purposes.
6. That prior to the sale of Lots 1 and 28 and Blocks 29 and 32, the owners acknowledge that Block 33 is owned by the Township of Huron-Kinloss and that the block will be used as a stormwater management facility and will be accessed by the Township of Huron-Kinloss for maintenance purposes and that, from time-to-time, the block will be accessed by heavy construction vehicles.
7. That the streets shall be named to the satisfaction of the Township of Huron-Kinloss.
8. That all roadways, streets, sidewalks, and services shall be designed and constructed by the Owner to the standards of the Township of Huron-Kinloss.
9. That prior to development or site alteration on the proposed external drainage easement across 1288 Bruce Road 86: that the Owner prepare an Archaeological Assessment for those lands, 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 report (if any) have been implemented to the satisfaction of the Township of Huron-Kinloss.

#### **Parkland**

10. That as per the Township of Huron-Kinloss Parkland Dedication/Cash in Lieu By-law, the Owner 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 agrees 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.
12. That the Owner arrange for an easement to be registered on title across 1288 Bruce Road 86 for drainage purposes to the satisfaction of the Township of Huron-Kinloss prior to Final Approval of the Plan.
13. 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.

## **Subdivision Agreement**

14. That the Owner and its successors enter into an Agreement with the Township of Huron- Kinloss to satisfy all the requirements, financial or otherwise of the Township of Huron- Kinloss, 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.
15. 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.
16. 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.
17. That the Owner(s) shall agree in the Subdivision Agreement to provide sidewalks and pedestrian linkages throughout the subdivision to accommodate and promote safe walking routes to the nearby school property and elsewhere to the satisfaction of the Bluewater District School Board and the Township of Huron-Kinloss.

## **Utilities and Canada Post**

18. 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 utilities.
19. 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.
20. 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.
21. That the Owner agree to make satisfactory arrangements for the provision of permanent or temporary telecommunications and cable services to this Plan.
22. 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**

23. 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.
24. 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.
25. That the Draft Approval for Plan of Subdivision S-2020-006 for Hellyn Development Inc. in the Township of Huron-Kinloss 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 Township of Huron-Kinloss; 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**

26. 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.
27. That the County of Bruce be advised by the Township of Huron-Kinloss that the Plan of Subdivision conforms to the Zoning By-law approved under the Planning Act.

### **Notices and Warning Clauses**

28. 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:
  - 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 Township of Huron-Kinloss and acceptance by the Maitland Valley Conservation Authority."
  - b. "Stormwater Management Facility  
Purchasers are advised that a municipal stormwater management facility is located on Block 33. The stormwater management facility may be left in a

naturally vegetated condition and will be accessed by the Township of Huron-Kinloss 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 Township of Huron-Kinloss and acceptance by the Maitland Valley Conservation Authority."

29. 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.

30. 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.

### **Maitland Valley Conservation Authority**

31. The Owner shall provide outlet details for the stormwater management facility to the Maitland Valley Conservation Authority for review, and obtain written confirmation indicating those details are satisfactory. This written confirmation may coincide with permission given under Ontario Regulation 164/06 for the outlet.

### **Digital Plan Submission**

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

### **Clearance Conditions**

33. 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. Township of Huron-Kinloss (conditions 3 to 12 inclusive, 14 to 18 inclusive, 22 to 28 inclusive, and 32);
- b. Bluewater District School Board (conditions 17, 29 and 30);
- c. Electricity Service Provider (conditions 11 and 19);
- d. Gas Utility Provider (conditions 13 and 20);
- e. Telecommunications and Cable Service Provider (conditions 11 and 21);
- f. Canada Post (condition 22);
- g. Maitland Valley Conservation Authority (condition 31).

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 33. 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.