



Planning Report

To: Municipality of Brockton Council

From: Monica Walker-Bolton, Sr. Policy Planner

Date: March 7, 2023

Re: Major Amendment to approved Draft Plan of Subdivision- 41T-89008 and Zoning By-Law Amendment Z-2022-091 (Barry's Construction)

Recommendation:

Subject to comments arising from the Public Meeting,

That Committee approve Zoning By-law Amendment Z-2022-091, as attached, and the necessary by-law be forwarded to Council for adoption.

Summary:

The purpose of the application is for a major revision to an approved draft plan of subdivision. The major revision will expand the area of draft plan approval to incorporate lands to the east and will increase the overall density of the development.

Both the Zoning By-Law amendment and the major revision are the subject of the public meeting. The Zoning By-Law amendment will facilitate the major revision. The Zoning By-Law amendment includes proposed changes to the provisions for maximum lot coverage and setbacks as well as zone changes from Residential Low Density "R1" to Residential Medium Density "R3" to allow townhouses. Changes to the boundaries of Environmental Protection (EP) zones are proposed in accordance with the recommendations of an Environmental Impact Study.

The Zoning By-Law Amendment is recommended for approval. The Major Revision to the Draft Plan of Subdivision will be considered by the County of Bruce at a later date.

Plan of Subdivision 41T-89008 received draft plan approval from the Ontario Ministry of Municipal Affairs in 1991. There have been several extensions to the draft plan approval. A major revision to the draft plan approval was granted by the County of Bruce in 2017. The approved draft plan included 63 lots for detached dwellings and 12 lots for townhouse development.

The proposed draft plan of subdivision will include the addition of lands that are being acquired from the Municipality of Brockton for townhouse residential development. The lands to be acquired from the Municipality were the subject of a Minister's Zoning Order and are zoned R3-14 - Residential Medium Density - Special Zones and will permit the development of 22 Townhouse lots.

With the additional 22 lots being included in the Plan of Subdivision, the following is now proposed:

- 15 detached dwelling lots;
- 120 Townhouse lots; and,
- One Block of Environmental Protection/ Open Space (Block 136).

DESCRIPTION

	LOTS/BLKS	AREA (sq)
SINGLE FAMILY DETACHED RESIDENTIAL	15 TOTAL	0.95 ha
MULTI-RESIDENTIAL TOWNHOMES (LOTS 116, 118, 120, 124-125)	89 TOTAL	3.42 ha
MULTI-RESIDENTIAL TOWNHOMES (LOTS 114-115)	20 TOTAL	0.79 ha
OPEN SPACE	#108	0.33 ha
RIGHT OF WAY		2.13 ha
TOTAL	124	7.60 ha
DENSITY UNITS/ha	17.74	

REVISION - JANUARY 25, 2025

BluePlan Engineering

WALKERTON SUBDIVISION
MUNICIPALITY OF BROCKTON
GEORGETOWN TOWNSHIP OF WALKERTON
REPLACES DRAFT PLAN

Planning Analysis:

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant agency comments (attached), and planning policy sections. At the time of writing this report no comments have been received from members of the public. Comments may arise at the public meeting.

Bruce County Official Plan

The subject property is primarily designated 'Primary Urban Community' within the Bruce County Official Plan. A small area at the north-western corner of the subject lands is designated Hazard. This area corresponds with a portion of the property, which is proposed to be an Environmental Protection/ Open Space block (Block 136).

The development is proposed to be serviced on full municipal services.

Section 6.5.1 of the Bruce County Official Plan outlines policies for condominium and subdivision development. In this section, a minimum density of 15 units per gross developable hectare is required for plans of subdivision, condominium or multi-lot/ multi-unit developments on full municipal services. Gross developable hectares are defined in Plan as the area of lands available for development after areas zoned or designated Hazard or similar constraints have been subtracted. The major revision to the draft plan of subdivision proposes 135 dwelling units on 7.28 gross developable hectares for a density of 18.5 units per hectare, which meets the minimum density requirement of the Bruce County Official Plan.

Section 6.5.1 of the Bruce County Official Plan also requires that for condominium or subdivision development where 10 or more units are being created on full municipal services at least 30% of the units to be created must be medium or high density. The major revision to the draft plan of subdivision proposes 120 of a total of 135 units to be developed as medium density townhouses. Therefore, 89% of the plan of subdivision will be developed at medium density, meeting the requirement for at least 30% of the subdivision to be developed at medium or high density.

Overall, the major amendment to the draft plan of subdivision is an improvement to the draft plan because the changes bring the plan into conformity with the policies of the Bruce County Official Plan for density and will allow for efficient use of municipally serviced land.

Natural Heritage

Comments have been received from the Saugeen Valley Conservation Authority (SVCA). Recent legislative changes from the Province of Ontario mean that Conservation Authorities are no longer able to provide natural heritage comments on planning applications. However, to assist the County and the Municipality the SVCA has agreed to provide natural heritage comments for files of a historical nature where the SVCA has been involved prior to January 1st, 2023. The SVCA has been involved with the landowner and provided comments since at least 1990.

The Environmental Impact Study (EIS) was prepared by AWS Environmental Consulting Inc. in accordance with terms of reference approved by the SVCA. An addendum was later prepared to provide data on updated field investigations, updated review of legislation, and provide feedback on the proposed subdivision site plan. The review of the proposed subdivision site plan confirmed conformity with the recommendations of the EIS. The EIS and addendum are acceptable to SVCA staff provided the recommended mitigation measures are implemented. Recommended mitigation measures included setbacks for development, tree retention, sediment control and retention of bird habitat during breeding season.

It is recommended that the EIS mitigation measures be included in the subdivision agreement between the Municipality of Brockton and the property owner.

In the opinion of SVCA staff, natural heritage policies of the Provincial Policy Statement (PPS), Bruce County Official Plan and Brockton Official Plan have been addressed.

Natural Hazards

According to comments provided by the Saugeen Valley Conservation Authority (SVCA), the natural hazard features affecting the property are the flooding and erosion and valley slope hazards of the watercourses: Saugeen River, and Eastern Tributary.

SVCA staff noted that the natural hazards are generally shown as Environmental Protection in the Brockton Official Plan and Zoned Environmental Protection in the Brockton Zoning By-Law. However, it is the opinion of SVCA staff that the boundaries of the Environmental Protection Zone can be revised as proposed by the zoning by-law amendment application in accordance with the technical studies provided by the applicant. Specifically, the EP zone can be reduced slightly, but generally remain at least 7.5 metres (north to south distance) in the rear or south part of lots 99 through to 103, as shown on the GM Blueplan site plan. Furthermore, the EP zone should remain on Block 136. In the opinion of SVCA staff, natural hazard policies of the PPS, Bruce County Official Plan and Brockton Official Plan have been addressed.

Zoning Amendment

Lots 1 to 8, Lots 16 to 17, will remain zoned 'R1' to allow for detached dwellings, but with a special provision added to: (i) increase the 'maximum lot coverage' from 30% to 45%. Lots 99 to 103 will include the same special provisions for increased lot coverage but will require an increased rear yard setback of 14 metres for accessory buildings.

The existing 'EP' zone boundary that currently applies to the rear of Lots 16 to 26 will be removed.

The existing boundary between the 'EP-18' zone and the 'R1' zone on Lots 99 to 103 will be amended to reflect the conclusions and recommendations of the Environmental Impact Study and Geotechnical Report. As well, the "h" (holding) symbol that currently applies to the 'R1' zoning of these particular lots will be removed as recommended by the Geotechnical Report.

Lots 9 to 15 and Lots 18 to 98 will be rezoned from 'R1' to 'R3' to allow for townhouses. Lot 104 to 113 will remain zoned 'R3', also to allow for townhouse development. Special provisions will be added to all of these lots to: (i) decrease the 'minimum exterior side yard' from 6.0 metres to 3.5 metres; (ii) decrease the 'minimum interior side yard' from 3.0 metres to 1.5 metres; (iii) decrease the 'minimum rear yard' from 7.5 metres to 6.0 metres; and (iv) increase the 'maximum lot coverage' from 40% to 60%.

The open space block located in the northwest corner of the property, identified as Block 136 will remain zoned 'EP'.

The proposed changes to the environmental protection zone are supported by technical studies, which have been reviewed and received supportive comments from the Saugeen Valley Conservation Authority.

The proposed reductions to setbacks and lot coverage help to facilitate the increased density of the development and generally support an efficient use of municipal infrastructure by yielding more housing within the subject property.

When increasing lot coverage consideration must be given to the reduced opportunity for infiltration of rainwater. This will be addressed in the final storm water management plan.

Reduced setbacks between buildings can be a concern if access to the rear yards of buildings is restricted. The applicant proposes to include access doors through each of the garages on the townhouse units to provide rear yard access.

Archaeology

According to the Bruce County screening maps for archaeology areas of high archaeological potential exist on the subject property. The property is also in proximity to a historic pioneer cemetery. In support of the proposed applications the applicant has provided an archaeological assessment that addresses the lands that are the subject of the current plan of subdivision. Lands to the east of the existing plan of subdivision that are proposed to be included as part of the major amendment to the draft plan were previously evaluated as part of the Municipality's business park development and were not included in the applicant's archaeological assessment.

A Stage 1 and Stage 2 assessment was conducted, which revealed nothing of cultural heritage value or interest. A Stage 3 monitoring was conducted during the excavation of the portion of the subdivision adjacent to the former pioneer cemetery and during construction of the Eastridge Road Right of Way, nothing of cultural heritage value or interest was discovered. A foundation of the former Anglican Church associated with the pioneer cemetery has been noted in the Ministry's database for the benefit of future investigations in the area. The archeological assessment has been entered into the Ontario Public Registry of Archaeological Reports.

Comments have been received from the Municipality of Brockton and the Saugeen Ojibway Nation (SON) indicating that there are no further concerns with respect to archaeology. SON requests to be notified if any archaeological resources are revealed in the future.

The requirements of Section 4.10 of the Bruce County Official Plan for the protection of archaeological resources and the Provincial Interest in protecting archaeological resources have been sufficiently addressed.

Traffic

The road access point for the plan of subdivision has changed since the initial draft plan approval.

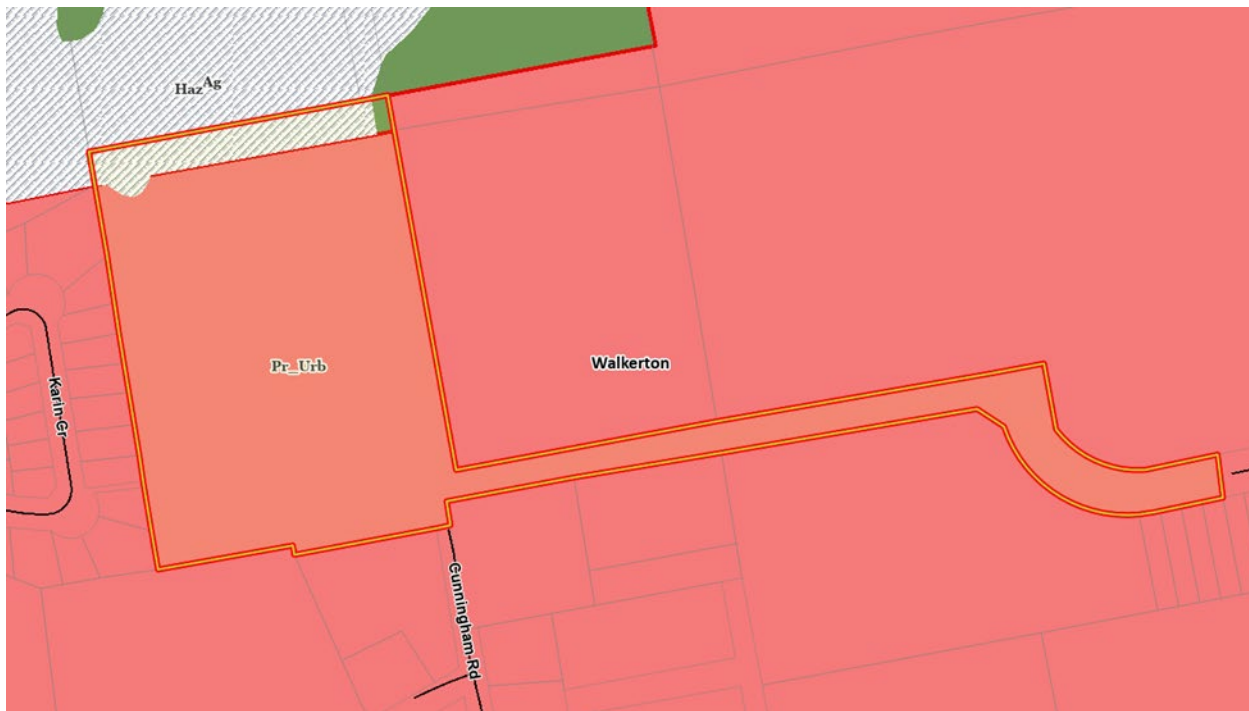
A Traffic Study that was commissioned in conjunction with the previous major revision to the Draft Plan in 2017. The study concluded that a second means of vehicular access to the subdivision is necessary. As a result, the property owner acquired a linear parcel of land from the Municipality of Brockton that would enable Eastridge Road to be extended from the east. In 2018, the owner transferred back to the Municipality a portion of the road extension lands and the remaining parcel is shown as Road C on the revised Draft Plan. Currently, the section shown as Road C is being constructed to urban standards by the Municipality with an agreement in place with the owner.

Comments have been received from the Bruce County Transportation and Environmental Services Department (TES) suggesting that a further traffic study may be required. At the time of writing this report TES staff have been provided a copy of the previous traffic study and meeting notes from the intervening time period since that study was completed. It is recommended that the issue of the possible need for a traffic study be resolved prior to the County considering approval of the major amendment to the draft plan.

Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
- Agency Comments
- Public Notice
- Current Conditions of Draft Plan Approval
- Recommended Conditions of Draft Plan Approval

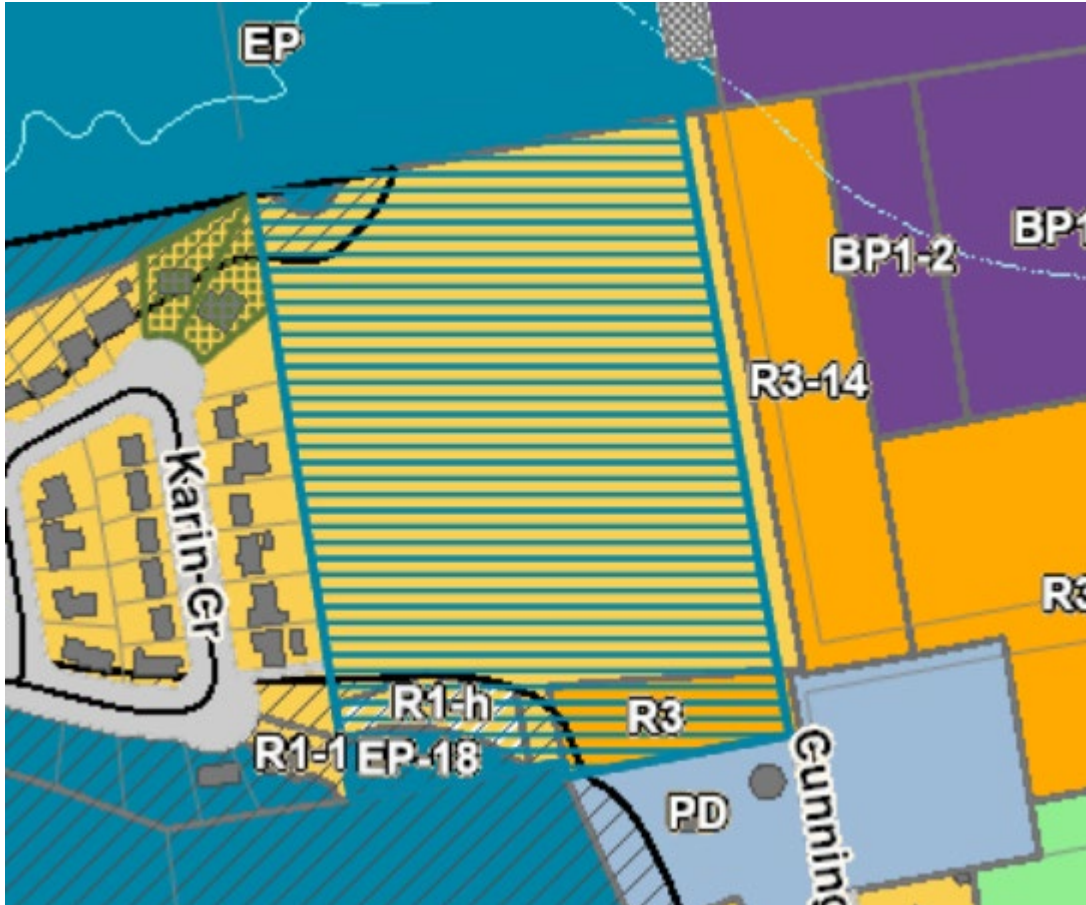
County Official Plan Map (Designated Primary Urban and Hazard)



Local Official Plan Map (Designated Residential; Business Park 1; and Environmental Protection)



Local Zoning Map (Zoned Residential One 'R1', Residential One - Holding 'R1'H', Environmental Protection 'EP', Environmental Protection - Special Zones - 'EP-18', Residential Three 'R3', Residential Three- Special Zones 'R3-14')



List of Supporting Documents and Studies

- Environmental Impact Study, plus an addendum
- Archaeological Assessment: Stages 1, 2 and 3
- Geotechnical Report plus clarification letter
- Stormwater Management Report
- Planning Justification Report (provided in full below)

Agency Comments

Bluewater District School Board: Planning staff request that sidewalks be included throughout the proposed development to facilitate heavy foot traffic areas and promote walkability. Bluewater District School Board (BWDSB) has no objection to this development. BWDSB requests the following conditions be included as part of the Site Plan approval to follow:

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 operated by Bluewater District School Board in the community may include temporary facilities; including but not limited to accommodation in a portable classroom, a “holding school”, or directing students to an alternative attendance boundary.”

2. “That the owner(s) shall agree in the Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that student busing is at discretion of the Student Transportation Service Consortium of Grey-Bruce.”

3. “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 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.”

Bruce Telecom: No concerns.

Bruce County Transportation and Environmental Services (TES): If Brockton hasn't already requested a traffic study. The County asks that a traffic impact study be completed to access impacts on the County Road system. As part of this study includes the Young Street and Durham Street intersection.

Bruce Grey Catholic District School Board: No comments.

Hydro One: No comments or concerns.

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

Municipality of Brockton: Archeology: no comments, EIS: no comments, Major Revision Application: no comments, Planning Justification Report: No comments, Revised Draft Plan: no comments, Supplementary Geotechnical Report: Deals with Slope Stability. This development is in the area to the east of the toe erosion issues at the river. I could not find the original report. Some of our paper files of this age are stored off site. I would expect that the original report provides some allowance for toe erosion in accordance with SVCA standards. Earthworks are proposed on the south lots that will help with the slope issues., Stormwater Management Report - revised July 2022: This is a revised preliminary report. It contains no detailed calculations. It outlines how the SWM works will be designed as requested in the enclosed SVCA letter. It is appropriate for these planning applications. Final SWM report containing design information will be required at time of final design.

Saugeen Ojibway Nation (SON): SON archaeology has no further comment, please contact us in future if archaeological resources are revealed.

Saugeen Valley Conservation Authority: Provided in full below.



RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.

July 26, 2022

County of Bruce
Planning & Economic Development Department
1243 MacKenzie Road
Port Elgin, ON
N0H 2C6

Attention: Julie Steeper
Planner

Dear Ms. Steeper:

**Re: Applications for Major Revision to Draft Approved Plan of
Subdivision and Zoning By-law Amendment
Park Lots 26, 27 and 28, Part of Park Lot 25, Registered Plan 38
and Parts of Park Lot 47, Registered Plan 162
Parts 1 and 2, Reference Plan 3R-9644 and Parts 1 and 3, Reference
Plan 3R-5416
Geographic Town of Walkerton, Municipality of Walkerton
Owner: Barry's Construction & Insulation Ltd.**

This Planning Report has been prepared to support the proposed modification ("red-line revisions") to the Draft Approved Plan of Subdivision known as County File No. 41-T-89009 and the associated Zoning By-law Amendment. In this regard, I offer the following comments:

Previous Approvals:

In approximately 1991, the County of Bruce granted Draft Approval of a Plan of Subdivision for a development proposal in Walkerton involving 63 detached dwelling lots and 12 townhouse lots. The intention at that time was to provide vehicular access to/from the new development via an extension of Karin Crescent. Draft Approval status

has been retained over the years as a result of series of extensions being granted by the County with the support of the local Municipality.

Barry's Construction & Insulation Ltd. (hereinafter referred to as "Barry's Construction") acquired the property in 1991.

The development approved approximately 30 years ago primarily involves detached dwelling lots and therefore does not meet today's housing market demands nor does it support the current housing policies of the County Official Plan, Brockton Official Plan and the Provincial Policy Statement. In this regard, Barry's Construction is proposing changes to the Draft Plan which will result in a more appropriate density, as illustrated on the red lined Draft Plan that has been filed with the County.

The changes to the Draft Plan also include lands that were acquired from the Municipality for road extension purposes in 2013 and also lands that are still in the process of being conveyed from the Municipality to the Developer for residential development. The lands acquired for the road extension were as a result of a Traffic Study that was conducted in support of the density increase, which concluded that a second means of vehicular access to the subdivision is necessary, Barry's Construction acquired a linear parcel of land from Brockton that would enable Eastridge Road to be extended from the east. In 2018, Barry's Construction transferred back to the Municipality a portion of the road extension lands and the remaining parcel is shown as Road C on the revised Draft Plan. Currently, the section shown as Road C is being constructed to urban standards by the Town with an agreement in place with Barry's Construction. As well, the Developer is now in the process of acquiring a second parcel of land from Brockton along the east side of the development that would yield 22 additional townhouse lots. Those lands are shown as Lots 114 to 135 on the attached red lined Draft Plan. This parcel forms part of a Minister's Zoning Order (MZO) request from the Municipality of Brockton that is currently being considered by the Province. This particular part of the MZO request will, if approved, change the zoning of these lands from 'BP-1' to 'R3' with special provisions. (The details of the 'R3 – special' zone are explained later in this Planning Report.) Once the MZO is approved, the land will be conveyed to Barry's Construction. Including this additional land with the subdivision will enable the Developer to construct residential dwellings along both sides of Cunningham Road, which is clearly preferred over having only residential dwellings on the one side of the road and industrial development on the other side.

With the additional 22 lots being included in the subdivision, the following is now proposed:

- 15 detached dwelling lots; and,

- 120 townhouse lots.

Please note that the original open space block located in the northwest corner of the subject property will remain. It is shown as Block 136 on the revised Draft Plan.

Proposed Changes and Approvals Required:

The proposed changes to the Draft Approved Plan requires approval from the County of Bruce. These revisions are subject to further review from the various agencies prescribed by the Planning Act and also require a new Public Meeting involving the neighbours. Like any new Plan of Subdivision application, however, approval of the proposed alterations to the existing Draft Plan cannot be appealed by any member of the general public.

The proposed changes to the existing Draft Plan also requires approval of a Zoning By-law Amendment by Brockton Council. The Amendment would change the current zoning of the subject lands as follows:

- Lots 1 to 8, Lots 16 to 17, and Lots 99 to 103 will remain zoned 'R1' to allow for detached dwellings, but with a special provision added to:
 - (i) increase the 'maximum lot coverage' from 30% to 45%.
- The existing 'EP' zone boundary that currently applies to the rear of Lots 16 to 26 will be removed. It is assumed that the 'EP' mapping as it currently applies to these particular lands represents a mapping error. Given that the 'EP' boundary has been drawn at a perfectly straight line, it was likely intended to follow the rear lot line of the subject property.
- In a similar manner, the existing boundary between the 'EP-18' zone and the 'R1' zone on Lots 99 to 103 will be redelineated to reflect the conclusions and recommendations of the Environmental Impact Study and Geotechnical Report. As well, the "h" (holding) symbol that currently applies to the 'R1' zoning of these particular lots will be removed as recommended by the Geotechnical Report.
- Lots 9 to 15 and Lots 18 to 98 will be rezoned from 'R1' to 'R3' to allow for townhouses. Lot 104 to 113 will remain zoned 'R3', also to allow for townhouse development. Special provisions will be added to all of these lots to:
 - (i) decrease the 'minimum exterior side yard' from 6.0 metres to 3.5 metres;

- (ii) decrease the 'minimum interior side yard' from 3.0 metres to 1.5 metres;
 - (iii) decrease the 'minimum rear yard' from 7.5 metres to 6.0 metres; and
 - (iv) increase the 'maximum lot coverage' from 40% to 60%.
- The open space block located in the northwest corner of the property, identified as Block 136 will remain zoned 'EP'. Lands within that block that are situated outside of the 'EP' zone should be zoned 'OS'.

The requested zoning of the subject lands is illustrated on the recommended zoning schedule prepared by Barry's Construction.

Please note that the lands subject to the MZO do not form part of this Zoning By-law Amendment request. The MZO will rezone Lots 114 to 135 from 'BP-1-2' to 'R3' allow for townhouses, with special provisions added to:

- (i) decrease the 'minimum exterior side yard' from 6.0 metres to 4.5 metres;
- (ii) decrease the 'minimum interior side yard' from 3.0 metres to 0.5 metres;
- (iii) increase the 'maximum lot coverage' from 40% to 58%.

Supporting Documents:

In support of the proposed changes to the Draft Approved Plan of Subdivision, the following reports were completed:

- Environmental Impact Study, plus an addendum;
- Traffic Impact Study;
- Archaeological Assessment: Stages 1, 2 and 3;
- Geotechnical Report plus clarification letter;
- Stormwater Management Report; and,
- Planning Report.

Official Plan Conformity:

The subdivision approved for the subject property almost 30 years was deemed to conform to the Bruce County Official Plan and the Town of Walkerton Official Plan at that time. Both of these planning policy documents, however, have changed considerably over the years, particularly with regard to residential density.

Since the concept of allowing for residential development on these lands has already been established, as evidenced by the fact that a Draft Approval of a Plan of Subdivision remains in effect today, this Planning Report will focus primarily on how the proposed changes conform with these new upper and lower tier Official Plans and are consistent with the Provincial Policy Statement.

This Planning Report will also touch on policies pertaining to natural heritage features and matters of archaeological significance, since neither of these issues required addressing 30 years ago.

i. Bruce County Official Plan

All lands situated within the settlement area of Walkerton are designated 'Primary Urban Community' on Schedule A of the County Official Plan, with the exception of lands that have been identified as a natural hazard by the Saugeen Valley Conservation which are shown as 'Hazard'. In this regard, the subject property is designated extensively 'Primary Urban Community', with a small area of 'Hazard' along the northern boundary. The 'Hazard' boundary appears to cover more land than is necessary, and the Zoning By-law appears to do the same by zoning the same area as 'EP'. Through this rezoning process, the 'EP' zone will be properly mapped, a process that does not require an amendment to the Official Plan.

With regard to the 'Primary Urban Community' designation, the County of Bruce Official Plan in effect today requires at least 30% of new, fully-serviced residential development to be in the form of medium density housing and requires the over development to achieve a minimum density of 15 units per gross hectare. The reconfigured Draft Plan achieves both of these requirements. It's worth noting that despite the increase in the number of townhouse, the new subdivision represents a density of approximately 18.6 units per gross hectare, a figure which doesn't exceed the minimum standard in any significant manner. The development is actually considered to be on the low side of medium density.

It's also worth noting that the Draft Plan of Subdivision that is in effect today would not be allowed under the current policies due to its very low density nature.

Based on the foregoing, it is evident that the County Official Plan supports the increase density proposed by the red-lined Draft Plan.

The current version of the County Official Plan emphasizes the need to protect natural heritage features as well as lands having archaeological significance. The Bruce County Official Plan that was in effect 30 years ago didn't stress the importance of such

matters. In this regard, an Environmental Impact Study along with an addendum were undertaken to address the natural heritage features on the subject property and surrounding lands; and, an Archaeological Assessment comprising Stage 1, 2 and 3 reviews was also undertaken. It should be noted that the Stage 3 component of this study was recommended due to the site's proximity to a nearby cemetery. The studies, copies of which have been included with the recent submission to the County, have addressed the relevant policies of the County Official Plan, Brockton Official Plan and the Provincial Policy Statement.

In light of the above, the proposed development conforms to the Bruce County Official Plan.

ii. Brocton Official Plan

The subject lands are designated predominantly 'Residential' on Schedule A of the Municipality of Brockton Official Plan. Lands in the southwest and northwest corners of the site are designated 'Environmental Protection'.

As well, the portion of the subdivision lands that are subject to the MZO and currently owned by the Municipality are designed 'Business Park 1'. In normal circumstances, an amendment to the local Official Plan would be required to bring these lands into the 'Residential' land use designation; however, the Minister of Municipal Affairs and Housing is in the process of considering a Minister's Zoning Order under Section 34.1 of the Planning Act, and therefore the Official Plan and Provincial Policy Statement do not apply as per subsection 12. In this regard, if the MZO is approved, the 'Business Park 1' designation would not interfere with these lands being used for residential purposes. It is assumed, however, that the Town will change the land use designation of this particular parcel of land during its next Official Plan update.

The policies of the local Official Plan pertaining to residential development in fully-serviced areas of the community are identical to the County Official Plan in requiring at least 30% of a residential development to be in the form of medium density housing and also requiring a minimum density of 15 units per gross hectare. As explained above, the proposed development complies with these minimum standards.

It's worth noting that the current Draft Plan in effect at this time would not conform to today's version of the local Official Plan.

The local Official Plan is also identical to the County Official Plan as it pertains to protecting natural heritage features and areas of archaeological significance. As explained earlier, studies on these two particular matters have been carried out in

accordance with the policies of the local Official Plan as well as the policies of the County Official Plan and the Provincial Policy Statement.

In light of the above, it is apparent that the proposed development conforms to the local Official Plan.

Provincial Policy Statement (PPS):

The Provincial Policy Statement (PPS) identifies the settlement areas, such as Walkerton, as the focal point for new development.

The PPS encourages a variety of residential dwelling types in order to ensure that housing is available for everyone.

In addition, the PPS requires development within a built-up area to have a compact form and involve a mix of densities that allows for the efficient use of land, infrastructure and public service facilities.

Furthermore, the PPS states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigation risks to public health and safety.

All of these policies referenced above lend support to the development proposed for the subject lands. It is evident that the revised Draft Plan is considerably more consistent with the housing policies of the PPS than the low density subdivision that is currently draft approved for this site.

The PPS also contains policies pertaining to municipal servicing, stormwater management, natural heritage features, archaeological matters, etc. The proposed re-designed subdivision is backed by a series of reports that addresses these issues.

Based on the above, it is apparent that the proposed development is consistent with the PPS.

Discussion Regarding Reduced Zoning Provisions:

The proposed variances to the lot coverage and yard requirements allow for a more efficient use of serviced lands and a more affordable product.

For the most part, this relief is being requested because the proposed units are only one-storey in height, and therefore in order to provide for a desirable amount of living area as well as a garage, the footprint of the building must be larger. This results in a need for a larger lot coverage and decreased yards. Relief is also required in some instances due to the depth of the lots, as some lots are shallower than others, which can't be avoided. The alternative to reducing the development standards would be creating larger lots; however, that would result in fewer lots and subsequently an increase in the cost per lot.

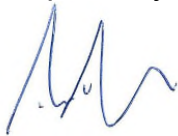
It's also worth noting that the requested relief in the zoning standards should not impact on any of the property owners within the adjacent subdivision nor should it interfere with the Municipality's ability to provide servicing to the new subdivision.

Final Comments:

The proposed changes to the current Draft Approved Plan of Subdivision and associated Zoning By-law Amendment are in conformity with the County and local Official Plan, and are also consistent with the Provincial Policy Statement. The applications have merit and should be given favourable consideration.

This Planning Report is written on the understanding that the Province will issue a Minister's Zoning Order for a portion of the site. If this doesn't occur, either the revised Draft Plan will need to be amended by excluding those lands currently owned by Brockton, or those lands will be added to the Zoning By-law Amendment application and an application to amend the local Official Plan will also be required.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized flourish at the end.

Ron Davidson, RPP, MCIP

c.c. Stuart Doyle (Barry's Construction)
Sonya Watson, CAO, Municipality of Brockton

FILE:C:\Drawings\1261\gpe2.dwg LAYOUT: ZONING FIG Z1
LAST SAVED BY: Etwinning, 7/22/2022 11:53:45 AM PLOTTED BY: Ed Twining - GM BluePlan 7/22/2022 12:06:20 PM

S-1261
Walkerton Subdivision
Municipality of Brockton



LEGEND

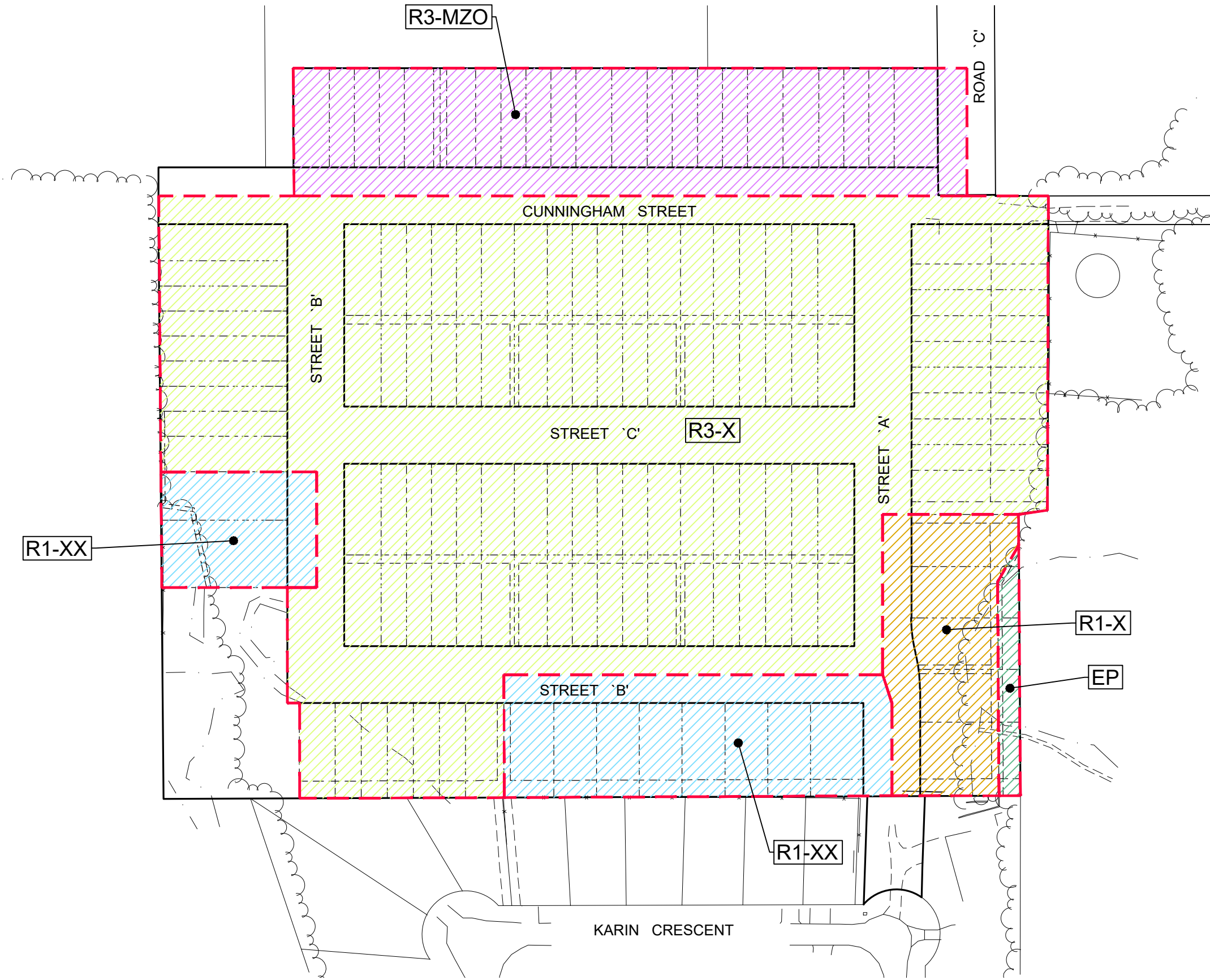
- PROPOSED ZONING BOUNDARY
- R1-X PROPOSED ZONING DESIGNATION

SCALE = 1:1,500
JULY 2022

PROPOSED ZONING MATRIX

Barry's Construction
and Insulation Ltd.
Geographic Town of Walkerton

Figure No. Z-1



S-1261
Walkerton Subdivision
Municipality of Brockton

ZONING: R1-X (R1 CURRENT)	REQUIRED	PROPOSED	DIFFERENCE
SINGLE FAMILY DETACHED (99 - 103)			
MINIMUM LOT FRONTAGE	15.0 m	COMPLIES	COMPLIES
MINIMUM LOT AREA	465 m²	COMPLIES	COMPLIES
MINIMUM FRONT YARD SETBACK	6.0 m	COMPLIES	COMPLIES
MINIMUM REAR YARD SETBACK	7.5 m	COMPLIES	COMPLIES
MINIMUM INTERIOR SIDE YARD SETBACK	1.2 m	COMPLIES	COMPLIES
MINIMUM EXTERIOR SIDE YARD SETBACK	4.3 m	COMPLIES	COMPLIES
MAXIMUM LOT COVERAGE	30 %	45 %	+ 15 %
MINIMUM LANDSCAPED OPEN SPACE	30 %	COMPLIES	COMPLIES
MAXIMUM BUILDING HEIGHT	10.0 m	COMPLIES	COMPLIES

ZONING: R3-X (R1 CURRENT)	REQUIRED	PROPOSED	DIFFERENCE
TOWNHOUSES (18 - 98, 104 - 113)			
MINIMUM LOT FRONTAGE	7.5 m	COMPLIES	COMPLIES
MINIMUM LOT AREA	155 m²	COMPLIES	COMPLIES
MINIMUM FRONT YARD SETBACK	6.0 m	COMPLIES	COMPLIES
MINIMUM REAR YARD SETBACK	7.5 m	6.0 m	- 1.5 m
MINIMUM INTERIOR SIDE YARD SETBACK	3.0 m	1.5 m	- 1.5 m
MINIMUM EXTERIOR SIDE YARD SETBACK	6.0 m	3.5 m	- 2.5 m
MAXIMUM LOT COVERAGE	40 %	60 %	+ 20 %
MINIMUM LANDSCAPED OPEN SPACE	30 %	COMPLIES	COMPLIES
MAXIMUM BUILDING HEIGHT	10.0 m	COMPLIES	COMPLIES

LEGEND

ADDITIONAL ITEMS:

- AMENDED BOUNDARIES OF EP-18
- REMOVE 'H' PROVISION BASED ON GEOTECHNICAL REPORT
- LIMIT OF DECKS, POOLS, SHEDS, ETC. TO BE 14.0 m FROM REAR LOT LINE

ZONING: R1-XX (R1 CURRENT)	REQUIRED	PROPOSED	DIFFERENCE
SINGLE FAMILY DETACHED (1 - 8, 16 - 17)			
MINIMUM LOT FRONTAGE	15.0 m	COMPLIES	COMPLIES
MINIMUM LOT AREA	465 m²	COMPLIES	COMPLIES
MINIMUM FRONT YARD SETBACK	6.0 m	COMPLIES	COMPLIES
MINIMUM REAR YARD SETBACK	7.5 m	COMPLIES	COMPLIES
MINIMUM INTERIOR SIDE YARD SETBACK	1.2 m	COMPLIES	COMPLIES
MINIMUM EXTERIOR SIDE YARD SETBACK	4.3 m	COMPLIES	COMPLIES
MAXIMUM LOT COVERAGE	30 %	45 %	+ 15 %
MINIMUM LANDSCAPED OPEN SPACE	30 %	COMPLIES	COMPLIES
MAXIMUM BUILDING HEIGHT	10.0 m	COMPLIES	COMPLIES

ZONING: R3-MZO (BP1-2 CURRENT)	REQUIRED	PROPOSED	DIFFERENCE
TOWNHOUSES (114 - 135)			
MINIMUM LOT FRONTAGE	7.5 m	COMPLIES	COMPLIES
MINIMUM LOT AREA	155 m²	COMPLIES	COMPLIES
MINIMUM FRONT YARD SETBACK	6.0 m	COMPLIES	COMPLIES
MINIMUM REAR YARD SETBACK	7.5 m	COMPLIES	COMPLIES
MINIMUM INTERIOR SIDE YARD SETBACK	3.0 m	0.5 m	- 2.5 m
MINIMUM EXTERIOR SIDE YARD SETBACK	6.0 m	4.5 m	- 1.5 m
MAXIMUM LOT COVERAGE	40 %	58 %	+ 18 %
MINIMUM LANDSCAPED OPEN SPACE	30 %	COMPLIES	COMPLIES
MAXIMUM BUILDING HEIGHT	10.0 m	COMPLIES	COMPLIES

SCALE = 1:1,500
JULY 2022

PROPOSED ZONING TABLES

Barry's Construction
and Insulation Ltd.
Geographic Town of Walkerton

Figure No. Z-2



SENT ELECTRONICALLY ONLY: MWalkerBolton@brucecounty.on.ca and bcplwa@brucecounty.on.ca

February 27, 2023

County of Bruce Planning & Development Department
30 Park Street
Walkerton, Ontario N0G 2V0

ATTENTION: Monica Walker-Bolton, Planner

Dear Ms. Walker-Bolton,

RE: 41T-89008 and Z-2022-091 (Barry's Construction)
Unassigned civic address
Roll No.: 410436000100120 and 410436000101810
Geographic Town of Walkerton
Municipality of Kincardine

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted applications as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA), dated September 2019, with the County of Bruce representing natural hazards, and water resources; and the applications have also been reviewed through our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

In accordance with the More Homes Built Faster Act, 2022, which was passed last fall, amendments were made to the Conservation Authorities Act in support of Ontario's Housing Supply Action Plan, which came into effect January 1, 2023. Following the passing of these legislative amendments, a new Ontario Regulation 596/22 was made under the Conservation Authorities Act which also became effective January 1, 2023. Under this new regulation, conservation authorities are no longer able to review and provide commenting services on natural heritage for proposals under the Planning Act. However, as an interim measure for the benefit of the County / Municipality, we provide a summary of natural heritage interests for the historical plan of subdivision file.

Purpose

The purpose of the application is for a major revision to an approved draft plan of subdivision. The revision will expand the area of draft plan approval to incorporate lands to the east and will increase the overall density of the development. An associated Zoning By-Law Amendment will facilitate the major revision.

SVCA staff have received and reviewed the following documents submitted with the applications:

1. Planning Justification Report prepared by Ron Davidson Land Use Planning Consultant Inc., dated July 26, 2022;

2. Supplementary Geotechnical Assessment, prepared by Gamsby and Mannerow, dated February 2011;
3. Clarification Letter for Supplementary Geotechnical Assessment, prepared by GM BluePlan dated July 21, 2022;
4. Natural Heritage Environmental Impact Study, prepared by AWS Environmental Consulting Inc., dated January 2018;
5. EIS Addendum Update, prepared by AWS Environmental Consulting Inc., dated July 13, 2022;
6. Stormwater Management Report, prepared by GM BluePlan, dated July, 2022; and
7. Red-line Draft Plan Drawing DP-1, revision 1 dated January 25, 2023, prepared by GM BluePlan, dated June 11, 2010.

Recommendation

The proposed Draft Plan of Subdivision red-line revision; and proposed zoning by-law amendment are generally acceptable to SVCA staff, provided the below recommendations continue to be included as part of approval:

1. That prior to any grading or construction on site, and prior to final approval of the subdivision by the County, the owner shall prepare the following, completed to the satisfaction of the Saugeen Valley Conservation Authority:
 - a) Final Lot Grading and Drainage Plan; and
 - b) Final Sediment and Erosion Control Plan.
2. That the Subdivision Agreement between the Owner and the Municipality of Brockton 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.

Further SVCA comments relating to the technical reports will be provided to the owner/applicant/agent under separate cover.

Background

SVCA staff have been involved and provided comments to the landowner with regard to the subject file since at least 1990.

Delegated Responsibility and Advisory Comments

Natural Hazards

The natural hazard features affecting the property are the flooding and erosion and valley slope hazards of the watercourses: Saugeen River, and Eastern Tributary. It is the opinion of SVCA staff that the natural hazard features are generally shown as Environmental Protection (EP) in the Municipality of Brockton OP, and zoned Environmental Protection (EP) in the Municipality of Brockton Zoning by-law. However, it is the opinion of SVCA staff that the EP designation and EP zone can be revised as part of these applications to better reflect the technical reports prepared as part of the applications. Specifically, the EP zone can be reduced slightly, but generally remain at least 7.5 metres (north to south distance) in the rear or south part of lots 99 through to 103 as shown on GM BluePlan Figure No. Z-1 dated July 2022. Furthermore, the EP zone should remain on block 136.

Provincial Policy Statement – Section 3.1

Section 3.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of: a) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding and erosion hazards; and b) hazardous sites. It is the opinion of SVCA staff that the applications generally comply with Section 3.1. of the PPS, 2020.

County of Bruce OP and Municipality of Brockton OP Policies

It is the opinion of SVCA staff that the applications generally appear to be consistent with the natural hazard policies of the Bruce County OP and the Municipality of Brockton OP.

Natural Heritage

A terms of referenced (tor) for a Natural Heritage EIS, prepared by AWS Environmental Consulting Inc., dated May 18, 2016, was submitted to the SVCA. SVCA staff found the tor acceptable to address natural heritage policy. A Natural Heritage Environmental Impact Study, prepared by AWS Environmental Consulting Inc., dated January 2018; and EIS Addendum Update, prepared by AWS Environmental Consulting Inc., dated July 13, 2022 was submitted as part of the applications. The Natural Heritage EIS and addendum are acceptable to SVCA staff, and appear to be consistent with the natural heritage policies of the PPS 2020, Bruce County OP and Municipality of Brockton OP, provided the mitigation measures, EIS section 17.1 through to 17.4 are implemented.

SVCA Regulation 169/06

SVCA staff has reviewed the applications as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the *Conservation Authorities Act*, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

The southern portion of the property, associated with the Saugeen River and its valley slope, and the northern portion of the property associated with an eastern tributary of the Saugeen River and its valley slope, are within the SVCA Approximate Regulated Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Regulated Area will require permission from SVCA, prior to carrying out the work.

"Development" as defined under the *Conservation Authorities Act* means:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind;*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;*
- c) *site grading; or,*

d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And;

"Alteration" as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA Approximate Regulated Area is located associated with our Regulation on the property, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>.

An SVCA permit will be required prior to site alteration, grading and/or development occurring on lots 99 through 104, block 136, and lots 15 through 26.

Stormwater Management

SVCA staff have reviewed the stormwater management report to ensure no impact on the control of flooding, erosion, pollution or the conservation of land in accordance with our mandate under the Conservation Authorities Act and as per our MOA with the County of Bruce. This includes a general review of lot grading and erosion control, water quantity and quality, and impacts to receiving surface water features. SVCA staff's review does not include a detailed technical clearance of engineering methodology or modelling. As mentioned above, SVCA staff have an interest to review, once available, the Lot Grading and Drainage Plan; and Sediment and Erosion Control Plan.

Drinking Water Source Protection

The subject property appears to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan.

Summary

SVCA staff has reviewed the applications in accordance with our MOA with the County of Bruce, and as per our mandated responsibilities for natural hazard management, including our regulatory role under the *Conservation Authorities Act*.

The applications are generally acceptable to SVCA staff.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS, 2020 has been demonstrated;
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS, 2020 has been demonstrated; and
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated.

County of Bruce Planning and Development
41T-89008 and Z-2022-091 (Barry's Construction)
February 27, 2023
Page 5 of 5

Please inform this office of any decision made by the Municipality of Brockton and/or the County of Bruce with regard to the applications. We respectfully request to receive a copy of the decisions and notices of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Coordinator
Saugeen Conservation
MO/

cc: Fiona Hamilton, Clerk, Municipality of Brockton (via email)
Gregory McLean, SVCA Member representing the Municipality of Brockton (via email)



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



February 7, 2023

File Number(s): Z-2022-091

Public Meeting Notice

**You're invited: On-line and In-Person Public Meeting
to consider a Zoning By-Law Amendment
March 7, 7:00 pm**

A change is proposed in your neighbourhood. The purpose of the application is for a major revision to an approved draft plan of subdivision. The revision will expand the area of draft plan approval to incorporate lands to the east and will increase the overall density of the development. An associated Zoning By-Law Amendment will facilitate the major revision.

Air Photo



No Civic Address – BRANT CON 1 NDR PT LOT 32; PLAN 38 PARK LOTS 26 27 AND; 28 PT PARK LOT 25 PT RD; ALLOW PLAN 162 PT PARK LOTS; 47 AND 48 AND RP 3R4975
(Former Municipality: Walkerton Town)
Municipality of Brockton, Roll Number: 410436000100120

Learn more

You can view limited information about the application at <https://brucecounty.on.ca/living/land-use>. Additional information, including the supporting materials, can be provided upon request by e-mailing bcplwa@brucecounty.on.ca or calling 226-909-5515. Information can also be viewed 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: Monica Walker Bolton

Have your say

Prior to the meeting, questions, concerns, or objections about the application can be sent by email to bcplwa@brucecounty.on.ca or publicmeetingcomments@brucecounty.on.ca, by mail, or to 226-909-5515. Comments and opinions submitted prior to decision will become part of the public record.

How to access the public meeting

The Municipality of Brockton Council are currently hosting hybrid meetings, in-person and electronically using Zoom. Virtual attendance is recommended.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82522737382?pwd=a0tiY3hTaU1DUXFIUVZjVTlhQW5kUT09>

Passcode: 420114

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

Canada: +1 780 666 0144 or +1 204 272 7920 or +1 438 809 7799 or +1 587 328

1099 or +1 647 374 4685 or +1 647 558 0588 or +1 778 907 2071

Webinar ID: 825 2273 7382

Passcode: 420114

International numbers available: <https://us02web.zoom.us/j/kxZK25xWw>

You can also attend the Public Meeting in-person at the Bruce County Administration Centre, 30 Park Street, Walkerton, ON N0G 2V0. Space is limited and preference will be given to planning and delegation matters.

Please contact the Municipality of Brockton at fhamilton@brockton.ca or 519 881 2223 ext 124 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, you must make a written request to the Bruce County Planning Department.

Know your rights

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 Municipality of Brockton to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to Municipality of Brockton 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 Municipality of Brockton 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 Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information please visit the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/>.

[illegible]

Recommended Conditions Of Draft Approval

Plan Of Subdivision

File Number	41T-89008
	Barry's Construction and Insulation Ltd.
	BRANT CON 1 NDR PT LOT 32;PLAN 38 PARK LOTS 26 27 AND;28 PT PARK LOT 25 PT RD;ALLOW PLAN 162 PT PARK LOTS;47 AND 48 AND RP 3R4975 and part of BRANT CON 1 NDR PT LOTS 32;TO 35 PLAN 162 PT PARK LOTS;47 AND 48 RP 3R9442 PARTS 1;TO 5

Subject to possible changes arising from the public meeting, further input from agencies, and with input from the Clerk of the County of Bruce, the following conditions are recommended to be met prior to the granting of Final Approval:

No. Condition

Identification

1. That this approval applies to Plan of Subdivision File 41T-89008 for Barry's Construction and Insulation Ltd. in the Municipality of Brockton prepared by GM BluePlan Engineering, dated June 11, 2010, revised January 25, 2023.

Lot Layout and Density

2. That the Final Plan for registration shall incorporate Lots, Blocks and Rights of Ways in accordance with the Description Schedule and related Densities on the approved Draft Plan.

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

3. That the road allowances and road widenings, if any, shown on this Plan shall be dedicated on the Final Plan as a public highway to the appropriate road authority. Further, that the walkways, service corridors and future development blocks shown on this Plan shall be conveyed to the Municipality of Brockton, free and clear of encumbrances, on the Final Plan.

4. That the roads and lanes, if any, shall be named to the satisfaction of the Municipality of Brockton.
5. 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 Municipality of Brockton.
6. That all roads shall be constructed to the standards of the Municipality of Brockton. Temporary turning circles or other approved turnarounds shall be installed, if required by the approved phasing/staging of the subdivision, to the Municipality's satisfaction. Provisions for the design, construction, and decommissioning of the turnarounds shall be incorporated in the Subdivision Agreement.
7. That watermains shall be looped as required by Municipality of Brockton.
8. That all street and public lighting fixtures shall be dark-sky compliant, to the satisfaction of the Municipality of Brockton.
9. That all internal and external services and upgrades to existing services required for the development of this Plan shall be designed by a qualified professional to the Municipality of Brockton's satisfaction.

Parkland

10. That, if required by the Town, the Owner conveys to the Municipality of Brockton 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 Municipality may accept cash-in-lieu for the said conveyance and under the provisions of Section 51.1(3) of the Planning Act the Municipality is authorized to do so.

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 Municipality of Brockton or other appropriate authority.

Subdivision Agreement

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

- a. **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 Municipality of Brockton, free and clear of encumbrances.

b. **Lot Grading / Drainage Plan** prepared by a qualified consultant.

The Plan shall indicate proposed lot grades and shall ensure minimal removal of trees.

c. **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.

d. A clause that specifies the extent of off-site road and service improvements, directly attributable to the development, if such are required.

e. Temporary turning circles, or other approved turnarounds, if required. The design, construction and decommissioning of the turnarounds shall be to the satisfaction of the Municipality of Brockton.

f. **Environmental Impact Study** mitigation measures be implemented through provisions of the Subdivision Agreement between the Municipality of Brockton and the owner to the satisfaction of the Municipality of Brockton and the Saugeen Valley Conservation Authority.

g. **Geotechnical Report** building setbacks for lots 99 through 103 of the plan of subdivision to be implemented through provisions of the Subdivision Agreement between the Municipality of Brockton and the owner to the satisfaction of the Municipality of Brockton and the Saugeen Valley Conservation Authority.

13. That the Municipality of Brockton undertake to register the Subdivision Agreement against the land to which it applies, and a copy of the Agreement be forwarded to the County of Bruce prior to Final Approval of the Plan.

Utilities and Canada Post

14. 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.
15. That the Owner agrees to make satisfactory arrangements for the provision of permanent or temporary telecommunications services, gas and cable services to this Plan.
16. That the Owner provides an overall utility distribution plan to the satisfaction of the Municipality of Brockton.
17. 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 Municipality of Brockton.

Phasing and Lapsing

18. That the Owner agrees to phase any development of the Plan in a manner satisfactory to the Municipality of Brockton and the County of Bruce.
19. That the registration of this Plan may proceed in phases, and in accordance with the Phasing Plan, acceptable to the Municipality of Brockton and County of Bruce.
20. That the Draft Approval for Plan of Subdivision 41T-89008 for Barry's Construction and Insulation Ltd. in the Municipality of Brockton shall lapse as follows:
 - a. For the first phase, three (3) years after the date of Draft Approval unless it has been extended by the County of Bruce with the concurrence of the Municipality of Brockton; and
 - b. For any subsequent phases, five (5) years after the date of Final Approval of the preceding phase.

Official Plan and Zoning By-law

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

Notices & Warning Clauses

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

a. "Stormwater Management Facilities

Purchasers are advised that facilities for the management of stormwater runoff on the lot are subject to an approved Stormwater Management Plan. No Owner of any lot shall alter, interfere with or remove any of the Stormwater Management Facilities located within the lot except in accordance with the approved Stormwater Management Plan. Changes or alterations to the approved Stormwater Management Plan shall require the prior approval of the Municipality of Brockton and Saugeen Valley Conservation Authority."

b. "Lot Grading

Purchasers are advised that the grading of the lot is subject to an approved Lot Grading Plan. No Owner of any lot shall alter the grade or place or remove any fill material within any yard except in accordance with the approved Lot Grading Plan. Changes or alterations to the approved Lot Grading Plan shall require the prior approval of the Municipality of Brockton and Saugeen Valley Conservation Authority."

Saugeen Valley Conservation Authority

24. That prior to Final Approval by the County, the Owner shall submit for review and approval to the SVCA the following:

a. **Stormwater Management Report** prepared by a qualified consultant.

- i. 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.
- ii. 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 Municipality of Brockton shall contain a provision whereby the

Municipality of Brockton will assume ownership, operation and maintenance responsibility of same in perpetuity.

- b. **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.
25. That the Subdivision Agreement between the Owner and Municipality of Brockton shall contain the following provisions with wording acceptable to the SVCA:
- a. 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.
 - b. The Municipality of Brockton shall assume ownership, operation and maintenance responsibility for any stormwater facilities proposed.
26. That prior to Final Approval, the Saugeen Valley Conservation Authority provide written confirmation that the Subdivision Agreement between the Owner and the Municipality of Brockton addresses all the requirements of Saugeen Valley Conservation Authority.

Bluewater District School Board

27. That the Owner shall agree in the Subdivision Agreement with wording acceptable to Bluewater District School Board to:
- a) 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.
 - b) 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.
 - c) 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.
 - d) Provide sidewalks and pedestrian linkages throughout the subdivision, to promote active transportation and safe walking routes to the satisfaction

of the Municipality of Brockton in consultation with the Bluewater District School Board.

Digital Plan Submission

28. That prior to Final Approval the Owner shall submit to the County and Municipality 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. Municipality of Brockton (conditions 3-13, 16, 18-19, 21-23 and 27 inclusive);
 - b. Electricity Service Provider (conditions 11 and 14);
 - c. Gas Utility Provider (conditions 11 and 15);
 - d. Telecommunications and Cable Service Provider (conditions 11 and 15);
 - e. Canada Post (conditions 11 and 17);
 - f. Saugeen Valley Conservation Authority (conditions 24-26 inclusive); and
 - g. Bluewater District School Board (condition 27)

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 agencies listed in the Conditions of Draft Plan of Subdivision 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. Please note that an updated review of the plan and revision to the Conditions of Approval may be necessary if an extension is to be granted.
6. You are advised to consult the Land Registrar for requirements for registration prior to applying to the County of Bruce for final approval.

The Minister's conditions and amendments to final plan approval for registration of this draft plan of subdivision file no: 41-T-89008 are as follows:

No.	Conditions
1.	That this approval applies to the draft plan, Drawing No. DP-2, prepared by John C. Wood, OLS, dated April 19, 1989, revised on March 26, 1990 and further revised by Gamsby and Mannerow Limited as Project S—1261 on February 15, 1991 and again on May 21, 1991 as shown on the attached plan, to show a total of 63 single family residential lots, Block 64 for 12 multifamily units and Block 65 for open space.
2.	That the road allowances included in this draft plan shall be shown and dedicated as public highways.
3.	That the streets shall be named to the satisfaction of the Town of Walkerton.
4.	That dead ends and open sides of road allowance created by this draft plan shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust, by the municipality.
5.	That the owner convey up to 5% of the land included in the plan to the municipality for park purposes. Alternatively, the municipality may accept cash-in-lieu of all or a portion of the conveyance.
6.	That prior to final approval by the Ministry, we are to be advised by the Town of Walkerton that appropriate zoning is in effect for this proposed subdivision.
7.	That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the Town of Walkerton concerning the provision of roads, installation of services and drainage -
8.	That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.

No.	Conditions
9.	<p data-bbox="380 527 1425 701">That prior to final approval, the proponents shall prepare and submit an additional geotechnical engineering report, prepared by a qualified professional engineer, to the satisfaction of the Saugeen Valley Conservation Authority, which will describe how lots 58 to 63 inclusive, will be developed. The following should be included in the report:</p> <ul data-bbox="380 743 1425 1104" style="list-style-type: none"><li data-bbox="380 743 1425 816">a) the minimum building setback must be sufficient to ensure a normal building life span of 100 years;<li data-bbox="380 848 1425 921">b) the “Building Setback Line” should be plotted on a plan of subdivision to illustrate how it affects each lot;<li data-bbox="380 953 1425 1026">c) whether or not swimming pools would be allowed within the building setback line;<li data-bbox="380 1058 1425 1104">d) the dumping of fill and the removal of vegetation on the slope.
10.	<p data-bbox="380 1146 1403 1251">That the subdivision agreement between the owner and the municipality shall contain the following provisions with wording acceptable to the Saugeen Valley Conservation Authority, wherein the owner agrees to:</p> <ul data-bbox="380 1293 1403 1543" style="list-style-type: none"><li data-bbox="380 1293 1403 1398">a) include a covenant on title for each of the lots mentioned in the geotechnical report which will require the lot owners to abide by the recommendations in the geotechnical report;<li data-bbox="380 1430 1403 1543">b) erect snow fencing or other suitable barrier along the top of the slope for Lots 58 to 63 inclusive, prior to initiating any grading or construction on the site to prevent the unauthorized dumping of fill.

No.	Conditions
11.	<p>That prior to any grading or construction on the site and prior to registration of the plan, the proponents shall prepare and submit the following plans and reports, prepared by a qualified professional engineer, to the satisfaction of the Ministry of Natural Resources and the Saugeen Valley Conservation Authority:</p> <ul style="list-style-type: none">(a) detailed stormwater management plans, including the manner in which stormwater will be conveyed from the site and conducted to a receiving water body;(b) lot grading and drainage plans showing existing and proposed grades and drainage;(c) an erosion and siltation control plan indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction.
12.	<p>That the subdivision agreement between the owner and the municipality shall contain provisions to carry out the recommendations for the completion of the works in accordance with the approved plans and reports noted in Condition Nos. 9, 10 and 11 to the satisfaction of the Saugeen Valley Conservation Authority and the Ministry of Natural Resources.</p>
13.	<p>That the subdivision agreement between the owner and the municipality shall contain provisions to maintain all fencing or barriers, stormwater management and erosion and sedimentation control structures operating and in good repair through all phases of construction, in a manner satisfactory to the Ministry of Natural Resources and the Saugeen Valley Conservation Authority.</p>
14.	<p>That the subdivision agreement between the owner and the municipality be registered against the lands to which it applies once the plan of subdivision has been registered.</p>

No.	Conditions
15.	That prior to final approval by the Ministry, we are to be advised in writing by the Town of Walkerton how conditions 1 to 14 have been satisfied.
16.	That prior to final approval by the Ministry, we are to be advised in writing by the Ministry of Natural Resources how conditions 11, 12 and 13 have been satisfied.
17.	That prior to final approval by the Ministry, we are to be advised in writing by the Saugeen Valley River Conservation Authority how conditions 9, 10, 11, 12 and 13 have been satisfied.

NOTES TO DRAFT APPROVAL

1. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Ministry of Municipal Affairs, Plans Administration Branch, Central and Southwest, quoting the Ministry file number.
2. We suggest you make yourself aware of:
 - a) section 143 (1) of The Land Titles Act, which requires all new plans be registered in a land titles system;
 - b) section 143 (2) — allows certain exceptions.
3. Inauguration, or extension of a piped water supply, a sewage system or a storm drainage system, is subject to the approval of the Ministry of the Environment under section 23 and section 24 of the Ontario Water Resources Act, R.S.O. 1980.

4. ~The applicant should appreciate that the Ministry of the Environment's review of this application did not include testing for soil contamination, soil gases or any other subsurface conditions that might affect the viability or suitability of the site for the intended use. If the applicant requires assurance with respect to any or all of the foregoing, he/she should engage a firm of qualified professionals to conduct the requisite site investigations.
5. It is the applicant's responsibility to satisfy the permit, certification and planning processes demanded for water, storm sewerage systems by the Ontario Water Resources Act and the Municipal Engineers Association Class Environmental Assessment for Sewage and Water Projects.
6. When the zoning by-law required in condition 6 is being prepared, reference to this subdivision application T-file number should be included in the explanatory note. This will expedite the Plans Administration Branch's and other agencies consideration of the by—law
7. Where agencies involved in subdivision agreement, a copy of the subdivision agreement shall be sent them. This will expedite clearance of the final plan. A copy is not required by the Ministry of Municipal Affairs.
8. Clearances are required from the following agencies:

Mr. Richard W. Radford
Clerk—Treasurer
Town of Walkerton
Municipal Office
111 Jackson Street
Box 68
Walkerton, Ontario
HOG 2V0

Ms. Joanne Harbinson
Saugeen Valley Conservation Authority
R.R. #1
Hanover, Ontario
N4N 3B8

Mr. R. W. Tippet
District Manager
Owen Sound District
Ministry of Natural Resources
611 Ninth Avenue East
Owen Sound, Ontario
N4K 3E4

9. All measurements in subdivision and condominium final plans must be presented in metric units.

10. Registration

The final plan approved by the Minister must be registered within 30 days or the Minister may withdraw his approval under Subsection 50(21) of the Planning Act, S.O. 1983.