



Municipality of Brockton

Planning Report

Application:	Draft Plan of Subdivision Zoning By-Law Amendment
File Number:	41T-2018-01.34 Z-76-18.34
Date:	March 26, 2019

To: Mayor Peabody and Council, Municipality of Brockton

From: John Ghent, Planner for the Municipality of Brockton

Subject: Joint application by **1665426 Ontario Limited c/o Bill Clancy** for a residential Plan of Subdivision and Zoning Amendment.

Recommendation:

Subject to the submissions from the Public Meeting, the Bruce County Planning Dept recommends:

1. That the Municipality of Brockton recommend Draft Approval of the Plan of Subdivision application proposed by 1665426 Ontario Limited c/o Bill Clancy (File 41T-2018-01.34) subject to the Conditions of Approval outlined in Appendix 9 of this report.
 2. That the proposed Zoning By-law Amendment submitted by 1665426 Ontario Limited c/o Bill Clancy (File Z-76-18.34) to implement the related residential plan of subdivision be approved and the attached site-specific By-law be passed.
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General Approval Process

The County of Bruce is the Approval Authority for Plans of Subdivision. The County has delegated the mandatory public meeting required by the *Planning Act* to the Municipality of Brockton, to obtain Municipal and public comments on the proposed Subdivision.

The Municipality of Brockton is the Approval Authority for amendments to the Brockton Zoning By-law.

At the Public Meeting scheduled for March 26, 2019, the Municipality will make a recommendation to the County of Bruce regarding the suitability of the Plan of

Subdivision. If that recommendation is to approve the application, Conditions of Approval will also be considered by Brockton as part of their recommendation. If the County grants Draft Approval to the Plan of Subdivision application, the County will stipulate conditions that must be satisfied. When the County is satisfied that the conditions set out in the Draft Approval have been met, the owner may then apply for Final Approval of the Plan of Subdivision and then registration of the Plan.

Brockton Council will also make a decision on the Zoning By-law Amendment application.

The County's decision on the Subdivision application is appealable to the Local Planning Appeals Tribunal (LPAT). Brockton's decision on the Zoning By-law Amendment application is also appealable to the LPAT.

Reasons for and Nature of the Application:

The Draft Plan of Subdivision proposes a total of 216 residential units consisting of single detached, semi-detached, townhouse and apartment building forms.

A Zoning Amendment application to the Brockton Comprehensive Zoning By-law is proposed to change the current 'Planned Development (PD)' zone to an appropriate residential zone. The zoning amendment will facilitate the Plan of Subdivision.

Summary:

The proposed residential development consists of 216 residential units and is located within the western portion of the Walkerton settlement area and will be fully serviced with municipal water, sanitary sewer and storm sewers. There is an appropriate mix of housing forms, density and tenure that conform to the Brockton Official Plan and is consistent with the Provincial Policy Statement. The proposed design integrates well with the existing residential neighbourhood to the east and provides access to the Bruce Rd 2 to the north. Natural heritage resources are appropriately protected for the long term and archeological resources have been investigated.

The application is consistent with the Provincial Policy Statement (PPS), and is in conformity with the County Official Plan. With respect to the Walkerton Official Plan, the proposed development is in conformity except for the apartment block where there is a density issue. The applicant has filed an amendment to the Official Plan to resolve this issue. The proposed development is consistent with the structure of the Brockton Zoning By-law.

Staff support the subdivision application, subject to conditions, and suggest that Brockton Council recommend the plan with conditions to Bruce County. Staff also recommend approval of the proposed zoning amendment which implements the plan of subdivision.

Location:

The lands proposed to be rezoned are located on the south side of Bruce Road 2 on the western edge of the Walkerton settlement area.

Site Description:

The total parcel of land is 19.227 ha in area. The area of the site proposed for development is 13.69 ha. The land is relatively long and narrow with frontage onto Bruce Road 2 and extending south to the Silver Creek watercourse and wooded area. The land proposed to be developed is relatively flat with a gradual gradient north to south and west to east. Most recently, the land has been farmed.

To the west is agricultural land and there is a dwelling on that land.

To the north is Bruce Rd 2 and on the north side of the road is a County works yard with an access to the road west of the existing hill going down into the main Walkerton urban area.

To the east at the northerly end of the site is a property that has redevelopment potential, a cell tower facility, and an industrial use. Further to the south is a municipal park and residential uses (23 lots that abut the proposed development) with two street access stubs that terminate at the boundary of the subject land.

Details of Proposal:**Subdivision Plan:**

The development of the land is based on the following proposal:

- an internal public system that has a single access to Bruce Rd 2 opposite the Works Yard access on the north side;
- the internal street system connects to the existing residential development to the east (Westwood Drive) by way of local streets (Street A and Street C);
- A 3 m walkway is provided to the existing park (Block 138);
- The lands to the south including the watercourse will be used for storm water management purposes and open space. This block (Block 140) and the access block (Block 139) will be conveyed to the municipality.
- Provision has been made to allow for the future development of the abutting lot at the northeast corner so that if this land is developed in the future, it can be integrated into the proposed neighbourhood and use the local public road system without requiring a separate access to Bruce Road 2 at a difficult intersection location.
- Full municipal services (water, sanitary sewers and stormwater services).
- Residential development consisting of single-detached dwellings; semi-detached dwellings; townhouses in two blocks and an apartment building in one block (total of 216 units);.
- The overall density is 15.6 units per ha. (Note: the density calculation is based on the total area of the site excluding the storm water management and open space lands

The following chart outlines the distribution of land uses within the plan of subdivision:

Proposed Land Uses

Land Use	Area (ha)	Percentage
Residential	10.62	55%
Streets	3.031	18%
Booster Pump (Blck 135)	0.100	0.05%
Walkways (access corridors)	0.034	0.01%
Storm water management and Open Space	5.442	28%
Total	19.227	

The plan of subdivision will create lots for a range of residential uses. The following is a breakdown of the proposed lots and housing forms:

Analysis of Residential Proposal

Housing Form	Lot Size	Number of Units	Tenure (anticipated)	Area of Site (ha)	Density (units per ha)
Detached dwellings	min frontage: 15 m	94 (43.5%)	Freehold	7.262 (68.5%)	low
Semi-detached dwellings	min frontage: 10.5 m	38 (17.6%)	Freehold	1.647 (15.5%)	low
Townhouses, cluster units	Blocks 133, and 137	24 (11.1%)	Rental	1.062 (10.0%)	23 and 22
Apartment (2 bldgs; 4 levels)	Block 134	60 (27.8%)	Cdm or life-lease	0.648 (6.1%)	92.5
Total		216		10.62 ha	15.6

Development is expected to occur in three phases - see phasing plan at Appendix 3.1.

- Phase 1 will include the internal road connection to the neighbourhood to the east and develop the southerly and southeast portions of the lands.
- Phase 2 will extend the public road system to Bruce Road 2 and develop the northerly and northeast portions (Phase 1 may be combined with Phase 2);
- Phase 3 will develop the westerly portion of the site.
- There will be a construction road access to Bruce Road 2 built at the first phase to accommodate construction traffic.

The applicant has recently committed to file an amendment to the Official Plan with respect to the apartment block. Under the current Official Plan, the maximum density for High Density Residential is 50 units per hectare. The proposed density is 93 units per ha. The Official Plan Amendment would change the maximum density to 100 units per ha which would reflect the proposed development. The apartment block is in Phase 2 of the plan. Staff suggest that the Plan of Subdivision be Draft Approved with a condition that the development of any more than 30 units (one building) not proceed until the Official Plan Amendment has been approved. Note: by way of background, densities at 50 units per ha are more typically at the high end of medium density development or the low end of the high density range. It is more usual for high density to have a range of 50 to 100 units per ha.

Zoning application:

The land proposed for residential development is currently zoned 'Planned Development (PD)'. The lands associated with the watercourse are zoned 'Environmental Protection (EP) and will not be developed.

The proposed zoning amendment would have the effect of rezoning the subject lands to zones that reflect the proposed residential development.

Supporting Documentation:

The applicant has provided supporting Reports and Studies related to the joint application, as follows:

1. **Draft Plan**, Cobide Engineering (November 23, 2018)
2. **Planning Report**, Ron Davidson, Land Use Planning Consultant Inc. (November 23, 2018)
The Planning Report indicates that the proposal conforms to the County and Walkerton Official Plans, is consistent with the Provincial Policy Statement and complies with the lot creation requirements of the Planning Act. Favourable consideration of the proposal is recommended.
3. **Traffic Impact Study**, Paradigm Transportation Solutions (November 2018)

Traffic volumes at full build out are forecast to result in intersections operating at acceptable Levels of Service. However, in terms of site access, the proposed access on County Rd 2 does not meet the stopping sight distance design requirements. This can be resolved by extending the speed limit of 50 km per hour west of the proposed site access.

4. **Functional Servicing Report**, Cobide Engineering Inc. (November 2018)
The water distribution system has been reviewed (design of service and water consumption calculations) and concludes that a water booster pump station is required to ensure adequate pressure levels (Block 135 on the Draft Plan). Also reviewed in this report is the sanitary sewer system, grading and erosion and sediment control, traffic, and utilities.
5. **Stormwater Management Report**, Cobide Engineering Inc. (November 2018)
Storm water will be conveyed by way of storm sewers (for minor flows) and overland flow (for major flows greater than 5 years) to a quantity and quality storm detention pond located immediately north of Silver Creek. Quantity control measures are designed to limit outlet flows to existing levels. This will be a wet pond (water in the pond on a permanent basis). Quality control measures are designed to remove pollutants and suspended solids. The report notes that roof water leaders from the existing dwellings to the east to the ditch along the east boundary of the property will need to be removed by the homeowners.
6. **Stage 1 and 2 Archaeological Assessment**, Timmins Martelle Heritage Consultants (Original Report filed with the Ministry of Tourism, Culture and Sport February 27, 2012).
This assessment did not discover any archaeological resources in the area of the site proposed for development. The wooded area associated with Silver Creek was not part of the archaeological assessment and therefore must be left in its natural state and remain undisturbed.
The applicant's engineer has advised that none of the proposed SWM facility including the outlet will be south of the treeline as per the requirements of the SVCA. The pond will outlet onto the ground and therefore will not involve ground disturbance south of the treeline.

Agency Circulation:

Brockton - Engineering comments

Further to our conversation and your email below, BMROSS had previously provided advice that it would be appropriate that the southerly lots be serviced from the existing water system prior to completion of the booster pumping station. In order to confirm this, it is our expectation that the developer's engineer will be required to review the available water supply and pressures and complete design documents to confirm how far north in Phase 1 permits can be

considered prior to the commissioning of the BPS. The northerly lots are on higher ground. Not knowing the developer's final subdivision design, we cannot predict the extent of the allowable servicing.

Historic Saugeen Metis - no concerns or objections

Bruce-Grey Catholic DSB - no comment

Bluewater Board of Education - no comment

SVCA

The proposed Draft Plan of Subdivision is acceptable to SVCA staff, provided the following conditions are included in draft 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 studies/reports, completed to the satisfaction of the Saugeen Valley Conservation Authority;
 - a) Final Lot Grading and Drainage Plan
 - b) Final Stormwater Management Report
 - c) 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.

Union Gas

It is Union Gas Limited's ("Union") 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 Union.

Public Comment:

A number of individuals have contacted planning staff with questions and comments including a petition signed by 17 of the adjacent Westwood subdivision landowners. When the comments were submitted in writing, they have been included in full in this report at Appendix 8.

In addition to written comments, a number of individuals contacted staff either by phone or in meetings and these contacts have also been noted in Appendix 8.

The main themes raised in the comments from the public relate to the following:

1. Drainage of water / storm water - an issue of particular concern for the residents abutting the proposed development.
2. Number of units
3. Growth rate of Brockton does not support the numbers of units proposed

4. Increase in Lot Coverage on the lots
5. Traffic - an increased volume of traffic on adjacent streets and associated safety concerns for pedestrians and younger children - particularly given the fact there are no sidewalks in the existing Westwood residential area.
6. Noise, hours of operation and dust during construction activity.
7. Environmental impact of overflow storm water on the Silver Creek and adjacent wetland.

Response to Public Comments:

1. Water Drainage / Storm Water - the applicant's engineer has provided the following comments
"While we understand the current residents frustration with the water issues they are experiencing, the development of this subdivision will have little to no effect on the existing drainage issues. The issue they have is with the stormwater design of the subdivision they reside in. The existing Westwood subdivision has no stormwater management pond therefore is relying on oversized storm sewers at very flat grades and flat lot drainage to slow the runoff down from getting to the conveyance system and ultimately to Silver Creek. Based on what I have heard from other people the existing subdivision had a number of springs and was typically quite wet prior to any development occurring. The nature of the site combined with the stormwater design is likely what is causing them to have wet lawns and constant running sump pumps.

Our stormwater proposal is nothing like the existing design. Our proposal is to have all runoff conveyed away from the houses and to the SWM pond to minimize the water issues on the lots.

From an outside perspective it appears that the existing ditch was installed to cut off surface runoff from the proposed development site as well as the neighbouring farm property from discharging onto people's lawns. Leaving this ditch and installing a storm sewer right beside it is redundant and a waste of money as both are meant to convey runoff. Once the site is developed and the roads are built, there will be no need for the ditch as the runoff from the property will be conveyed via the new storm sewers and roadways.

The proposal for systematic tile drainage on the proposed subdivision also provides no benefit to the existing subdivision as systematic tile drainage is meant to dry out the top layer of a field quickly to allow for working of the fields to occur earlier. It will do nothing to prevent the movement of groundwater or dry out the existing lots. The construction of the roadways will essentially cut off the surface runoff as the roads will convey the runoff and the roads are constructed with subdrains below the curb line to collect any water that gets into the road base but will also collect any groundwater that is moving near the surface.

During detailed design we will consider the use of perforated storm sewers depending on the ground conditions of the proposed subdivision. This would reduce the groundwater movement through the proposed development."

2. Number of Units

The overall density is consistent with the Provincial Policy Statement and conforms to both the Bruce County and Brockton Official Plans.

The suggestion that the number of units be reduced by changing the proposed easement to a green area would make for very poor park space - expensive to maintain with little usable space for activities after the drainage function is implemented. Incorporating the easement into the backyards of the lots is preferred. The drainage function achieved by the swale will be achieved under the current proposal with proper lot grading and the proposed storm sewer.

Matching lot lines is not necessary. This is not an unusual condition when developments are submitted at different times. The land uses are compatible (residential to residential). In some respects, offsetting lot lines has some benefit in that houses are not directly behind the other.

3. Growth Rate of Brockton

There are currently two active subdivision development projects in Walkerton that are approved and available for house construction:

- Heritage Seniors (Turner) with 35 lots
- JDR with 75 lots (9 with building permits issued)

In addition, there will be small infill projects that may be approved from time to time.

The Official Plan for Walkerton seeks to maintain a three year supply of serviceable, draft approved and registered lots to accommodate residential demand (3.1.4). With the activity at Bruce Power, growth in Walkerton is anticipated to increase in the near future. It is reasonable to approve the subject proposal so that a supply of lots is available and to provide an element of competition to the existing projects.

4. Increase in Lot Coverage on the lots

The increase in maximum Lot Coverage does not increase the density (number of units) in the proposal. Lot Coverage controls the proportion of the lot that can be covered by buildings. Under the current zoning regulations, lot coverage is 30% of the lot area. The proposal is to increase the coverage to 40%. Although lot coverage may be increased, the overall streetscape appearance will not change. The yards (front, rear and side) that are currently established in the Zoning By-law will not be changed. The increase in coverage will be expressed in a dwelling that is deeper on the lot. There may be less rear yard but the required rear yard under the by-law (7.5 m) would be maintained. Also, the

increase in coverage of the lot, which will increase the storm water runoff, has been taken into account in the storm water management provisions.

5. Traffic

The Phase 1 development consists of 36 lots. This is expected to have minimal effect on the overall traffic volumes on local streets. Phase 2 development will have a road that exits to Bruce Road 2. The split in traffic resulting from this new road will limit impact on the existing streets. It is expected that with this new exit to the County road, traffic from the south going westbound will use this intersection, thereby changing the trip pattern in the existing community.

With respect to pedestrian safety concerns, if the increase in traffic volumes becomes a concern to the point where action needs to be taken, and it is considered that sidewalks would be a useful solution, an option would be to install sidewalks in the public roads. The sidewalks could be financed from the general municipal revenues or by using Local Improvements financing.

6. Noise, hours of operation and dust during construction activity.

The Brockton Noise By-law limits construction activity to the hours of 7 am to 9 pm Monday to Saturday with no activity on Sunday.

Dust is controlled through the municipal subdivision agreement.

The applicant's engineer has provided the following comments:

"The plan for the development will be to area grade the entire subdivision at one time and then reinstate the topsoil and the land not in Phase 1 would be used as farmland again. This will minimize the impact as all grading work will be completed at one time rather than drawn out over a significant duration as it sounds like that was the issue previously.

The proposal to plant trees along the existing property line will do little to control the dust during construction as any trees planted now would not reach maturity for a number of years and therefore would provide very little benefit during construction."

7. Environmental impact of overflow storm water on the Silver Creek and adjacent wetland

The applicant's engineer has provided the following comment:

"The pond has a very small likelihood of it reaching capacity during a storm event and "free spilling". Runoff is directed to the pond where it slowly releases runoff throughout the storm event to meet pre-development peak flow levels. The pond does hold runoff throughout the storm event and continues to release the runoff after the storm event has ended to ensure that pre-development peak flow rates are met. The pond is designed to have 0.4m freeboard during a 100 year design storm (largest storm that is required to be

designed for). Therefore even if we got a storm that has a 1% (1:100) chance of occurring during any given year the pond still would not overtop. The water level in the pond will rise 0.95 m during the 100 year storm therefore there is still significant storage capacity before any overtopping of the pond would occur.

The pond is designed in accordance with MECP and SVCA guidelines to meet an enhanced level of quality control (the highest level required).

The stormwater pond is designed as a wet pond which is a standard design recommended by the MECP for quantity control. The SVCA review the stormwater design as part of the Draft Plan Approval process as well as the final design prior to providing a sign off of the Conditions. The MECP also review the pond design to allow it to be constructed. If there were environmental concerns either the SVCA or MECP would ensure they are addressed.

I trust this will address any stormwater management concerns related to the development."

Provincial Interest - Policy Statement or Plans

Under Section 3(5) of the *Planning Act*, the Municipality of Brockton "shall be consistent with" matters of provincial interest as set out in the Provincial Policy Statement (PPS).

The relevant PPS policies are identified in Appendix 2 to this Report. Relevant policies relate to the following matters - Settlement Areas, Municipal Services, Transportation, Natural Heritage, and Cultural Heritage and Archaeology. The policy requirements and a comment as to how they are satisfied is provided as follows:

PPS	Proposal
Maintain the ability to accommodate residential growth for a minimum of 10 years (1.4.1 a)	The proposed development will assist in achieving this objective.
Maintain, where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through ...land in draft approved and registered plans (1.4.1 b)	The proposed development will assist in achieving this objective.
An appropriate range and mix of housing types and densities should be provided to meet projected requirements of current and future residents. (1.4.3)	The proposal would create a mix of single detached, semi-detached, townhouse and apartment dwelling units.

Permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including <i>special needs</i> requirements (1.4.3 b)	The density and mix of housing forms will assist in meeting this objective.
Directing the development of new housing towards locations where appropriate levels of <i>infrastructure</i> and <i>public service facilities</i> are or will be available to support current and projected needs; (1.4.3 c)	<p>There is sufficient water and sewer capacity to service the units. A new Stormwater Management pond will be constructed to deal with stormwater runoff.</p> <p>The proposed local street system will provide sufficient access to adjacent streets and to the county road. The County is satisfied with the recommendations of the Traffic Impact Study.</p>
Promoting densities for new housing which efficiently use land, resources, <i>infrastructure</i> and <i>public service facilities</i> (1.4.3 d)	The densities proposed use land and infrastructure efficiently.
Establishing development standards for <i>residential intensification, redevelopment</i> and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety (1.4.3 e)	The densities proposed facilitate a compact form of development.
Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible (1.6.6.2)	Full municipal services are available.
Natural features and areas shall be protected for the long term (2.1.1)	There are no significant Natural Heritage or Natural Hazard features impacted by the proposed development. The wooded area and watercourse of the Silver Creek will be retained in a natural

	state and the lands conveyed to the municipality.
Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. (2.6.2)	An Archaeological Assessment, Stages 1 through 3 has been conducted on the subject lands. No artifacts or other archaeological remains have been found. The completed Assessment has been filed with the Ministry of Tourism and Culture.

Comment:

In the opinion of staff, the proposed Draft Plan of Subdivision and proposed Zoning By-law Amendment are 'consistent with' the Provincial Policy Statement.

Bruce County Official Plan

The lands are designated 'Primary Urban Communities' which are intended to accommodate the largest concentration and the widest range of residential development on full municipal services.

The Sections of the County Official Plan that are most relevant to the applications are Section 4.4.4.2 'Affordable Housing' and Section 6.5.1 'Subdivision and Condominium Approvals and Agreements, and Multi-Lot Developments'.

The Affordable Housing policies state that:

- *The County and local municipalities shall strive to ensure that 30% of new residential development and residential intensification be affordable to meet the housing needs of incomes up to the 60th percentile in the local municipalities;*
- *The County shall encourage local Official Plans to require a minimum of 30% of all new residential development to occur in the form of medium and high density;*

Section 6.5.1 Subdivision and Condominium Approvals establishes the policy basis governing subdivision development. Policies that are most relevant include:

- *Subdivisions that will be serviced by municipal sewer to have a density target of 15 dwelling units per gross developable hectare unless a reduced density is approved by the County;*
- *Subdivisions with more than 10 dwelling units serviced by municipal sewer to have a minimum of 30% of the dwelling units to be achieved through the use of medium density units unless a reduced percentage is approved by the County.*

Comment:

The Draft Plan proposes both medium and higher density housing which will constitute 39% of the residential units. The proposal represents an overall density of 15.6 units per ha.

Staff consider the proposal to be in conformity with the Official Plan.

Local Planning Documents - Walkerton Community Official Plan (2017)

The lands proposed for development are designated 'Residential' in the Walkerton Community Official Plan. The wooded land including the Silver Creek watercourse in the southerly block is designated 'Environmental Protection'.

The Residential section of the Walkerton Plan establishes the following goal:

"To provide opportunities for a range of housing types and densities to accommodate a diversity of lifestyles, age groups, income levels and persons with special needs in order to create a complete community." (3.1.1)

Actions outlined to implement this goal that are relevant to the proposed development are:

- Ensure a reasonable supply of building lots and blocks for future residential development.
- Encourage a wide range of housing types and designs to accommodate persons with diverse social and economic backgrounds, needs and desires while promoting the maintenance and improvement of existing housing.
- Promote a range of single detached residential lot sizes.
- Promote the efficient use of existing and planned infrastructure by creating the opportunity for various forms of residential intensification, where appropriate, in character with the built form of the community.
- Co-ordinate the provision of parks and open space and pedestrian connections to promote livable neighbourhoods.
- Provide housing opportunities for community members with special needs, including people having lower incomes, seniors and support housing for the physically and developmentally challenged.
- The Municipality may consider Alternative Development Standards (ADS) for

new residential development and redevelopment.

- The Municipality shall strive to maintain at all times a 3 year supply of serviceable draft approved and registered lots to accommodate residential demand.
- The Municipality shall maintain a ten (10) year supply of lands designated for residential development.
- The Municipality of Brockton hereby sets the following Targets for new Housing:

Housing Unit Type:	70% low density 30% medium and high density
Housing Tenure:	70% ownership housing 30% rental housing
Housing Affordability:	30% of all NEW housing to meet the requirements of Section 3.1.6 'Affordable Housing'.

- The Municipality shall encourage housing forms and densities designed to be affordable to moderate and low income households.
- The residential portion of all subdivisions, condominiums or multi-unit/multi-lot developments that are serviced by municipal sewer or communal sewer shall have a minimum density of no less than 15 'dwelling units' per 'gross developable' hectare.

Comment:

The proposal will add needed development opportunities for housing in Walkerton.

The proposed subdivision complies with the recommended 15 units per gross developable hectare and also complies with the mix of housing forms outlined in the Official Plan.

The Official Plan encourages the building of a complete neighbourhood whereby individuals and family groups can find housing that meets their needs today and into the future. The Official Plan encourages the provision of different housing types so that people can age in place - meaning that when they can no longer keep up the maintenance on their home that they could possibly move to a rental or smaller unit within their existing neighborhood without having to move to another part of town. In keeping with this vision, the Plan encourages the provision of a variety of housing types and to integrate these varied housing types throughout the community as opposed to creating distinct areas for each housing type.

The Official Plan encourages the provision of affordable housing opportunities. At this time there is no indication that the new housing in the subdivision will be priced at an affordable level. The inclusion of semi-detached units may facilitate the potential of an affordable product but ultimately, the purchase price or rental price is a decision of the developer/builder. In the Walkerton Community Official Plan 5 Year Review completed in 2017, the affordable housing price point was determined

to be around \$220,000.00 and an affordable rent would be approximately \$1,040.00 per month.

The current proposal is that all the townhouse and apartment units will be rental tenure.

Planning staff are of the opinion that the Draft Plan conforms to the Official Plan.

Local Planning Documents - Zoning:

The lands proposed to be developed are currently zoned 'Planned Development - PD'. The wooded land in the area of Silver Creek are zoned 'Environmental Protection - EP' and these lands are proposed to remain in their natural state.

The proposed zoning is intended to reflect the development proposed in the plan of subdivision.

- Detached and semi-detached lots would be zoned 'Urban Residential - R2' with a special provision to permit an increase in coverage to a maximum of 40% of the lot area (R2-7);
- Townhouse and apartment blocks would be zoned 'Urban Residential - R3';
- The apartment block would have a special provision relating to number of units;
- Lands to remain in a natural state and the stormwater management block would be zoned 'Environmental Protection - EP'.

The applicant has proposed an overall lot coverage for the lots proposed for detached and semi-detached dwellings of 40% for the residential development, similar to what was recently approved for the JDR subdivision in Walkerton. The current coverage regulation is 30%. Note: the lot coverage provision for townhouse and apartment housing forms is currently established at 40% and 45% respectively.

Comment:

The proposed housing forms conform with the proposed zoning classes.

The following chart compares the proposed lots in terms of area and frontages, with the zoning standards.

Zoning Compliance - low density development

	<i>Detached dwelling lots</i>		<i>Semi-detached dwelling lots</i>	
	<i>Minimum Required</i>	<i>Minimum Provided</i>	<i>Minimum Required</i>	<i>Minimum Provided</i>
<i>Lot area, minimum</i>	465 m ²	467 m ²	232.5 m ²	424 m ²
<i>Lot frontage, minimum</i>	15 m	15 m	7.5 m	10.5 m

Zoning Compliance - medium and high density development

	<i>Townhouses, cluster</i>		<i>Apartment building</i>	
	<i>Minimum Required</i>	<i>Minimum Provided</i>	<i>Minimum Required</i>	<i>Minimum Provided</i>
<i>Lot area, minimum</i>	155 m ² per unit	451m ²	650 m ² per bldg	6482 m ²
<i>Lot frontage, minimum</i>	15 m	Greater than 15 m	15 m	90 m

The proposed lots, in terms of size and frontage, are in compliance with the R2 and R3 zone provisions.

With respect to the proposal to increase lot coverage to a maximum of 40%, staff are satisfied there is merit. This opinion is based on several considerations:

- the overall streetscape appearance will not change. The yards that are currently established in the Zoning By-law will not be changed. The increase in coverage will be expressed in a dwelling that is deeper on the lot. There may be less rear yard but the required rear yard under the by-law (7.5 m) would be maintained.
- the higher coverage regulation that prevails in other municipalities (Brockton has the lowest coverage regulation of the 8 local municipalities in Bruce County);
- the current trend toward construction of single-storey dwellings which increases the building footprint.

Planning Comment / Analysis:

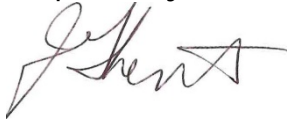
The proposed development is within a fully serviced Primary Urban Community and will enable the efficient use of land and municipal infrastructure, provide a range of housing types, densities, and there is opportunity for different levels of affordability. The proposed development can be serviced in an efficient and environmentally sound manner in accordance with Provincial, County, Municipal and Conservation Authority approval requirements. It does not negatively impact significant natural heritage features or functions or significant cultural heritage/archaeological resources. The proposal is compatible with the surrounding land uses and represents appropriate development.

In the opinion of staff, the proposed development would be consistent with the Provincial Policy Statement, conforms to the Bruce County Official Plan, Walkerton Community Official Plan and complies with the structure of the Zoning By-law.

Staff recommend that Brockton Council recommend to Bruce County approval of the plan of subdivision application, subject to the conditions outlined in Appendix 9.

Staff also recommend approval of the amending by-law as outlined in Appendix 10 to implement the plan of subdivision

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Ghent', with a stylized flourish at the end.

John Ghent, RPP

Planner, County of Bruce Planning and Development Department

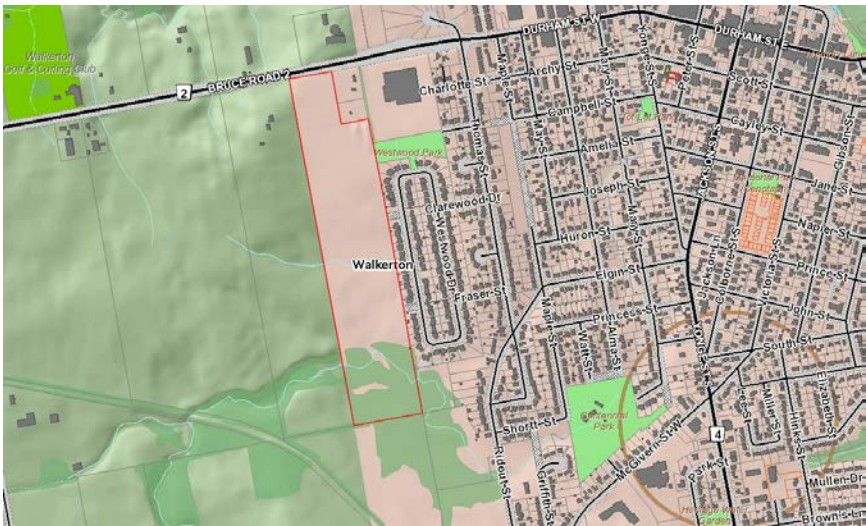
Appendix 1 - Context

Development Proposal	<p>Residential plan of subdivision to develop the following:</p> <p>94 detached dwelling lots (Lots 1-8, 19-42, 57-80, 95-132); 38 semi-detached lots (38 units) (Lots 9-18, 43-56, 81-94); and, three blocks for multiple residential purposes.</p> <p>Two of the three multiple residential parcels will be developed into townhouses, as follows:</p> <p>Block 133 - 11 cluster townhouses; Block 137 - 13 cluster townhouses; and Block 134 - 60-unit apartment building.</p> <p>All of the townhouses and apartments will be rental tenure.</p> <p>In total, 216 residential dwelling units are proposed.</p> <p>In addition, five other blocks will be created as follows: Block 135 - pumping station Block 136 - will be conveyed to the adjacent cellular tower property Block 138 - pedestrian access to existing park Block 140 - will remain mostly in its current natural state with a portion of the parcel to be used for stormwater management pond Block 139 - stormwater management corridor</p> <p>Blocks 135, 138, 139 and 140 will be conveyed to the Municipality.</p> <p>Supporting material is available on-line and includes: Planning Report, Ron Davidson, Land Use Planning Consultant Inc. (November 23, 2018) Functional Servicing Report, Cobide Engineering Inc. (November 2018) Stormwater Management Report, Cobide Engineering Inc. (November 2018) Stage 1 and 2 Archaeological Assessment, Timmins Martelle Heritage Consultants Inc. Detritus Consulting (June 2011) Transportation Impact Study, Paradigm Transportation Solutions Limited (November 2018)</p>
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Owner	Snyder Farms Ltd. c/o Bryan Snyder
Applicant	Ron Davidson Planning Consultant Inc.
Agent	1665426 Ontario Limited c/o Bill Clancy
Legal Description	Part of Lot 21, Concession 1 SDR, Parts 1 to 4, RP 3R-5553, geographic Township of Brant, Municipality of Brockton
Municipal Address	No civic address
Lot Dimensions	Entire Lot
Frontage	122.68 m
Width	122.68 m (front) 155.07 m (rear)
Depth	1006.98 m
Area	19.277 ha
Uses Existing	Agriculture, forested, scrub land
Uses Proposed	Residential subdivision
Structures Existing	Vacant
Structures Proposed	94 detached dwelling, 38 semi-detached dwellings, 24 townhouses and one (1) apartment building containing 60 units
Servicing Existing	None
Servicing Proposed	Municipal water, sewer and stormwater
Access	Bruce Road 2 and via internal public streets to the east
County Official Plan	Primary Urban Communities
Proposed Official Plan	No change
Local Official Plan	Residential
Proposed Official Plan	No change
Zoning By-law	'Planned Development (PD)' and 'Environmental Protection (EP)'
Proposed Zoning By-law	'Residential: Low Density Multiple (R2)' and Residential: Medium Density (R3)'
Surrounding Land Uses	County transportation yard to the North; detached residential lots in a subdivision, plus industrial cellular

tower to the East; forested land to the South; and, agricultural lands to the west.

Subject Lands



Appendix 2 - Provincial Policy Statement 2014

Apply?	Policy Area
X	1.0 Building Strong Communities
X	1.1 Managing and Directing Land Use
X	1.1.3 Settlement Areas
	1.1.4 Rural Areas in Municipalities
	1.1.5 Rural Lands in Municipalities
	1.16 Territory Without Municipal Organization
	1.2 Coordination
	1.2.6 Land Use Compatibility
	1.3 Employment
	1.3.2 Employment Areas
X	1.4 Housing
X	1.5 Public Spaces, Recreation, Parks, Trails and Open Space
X	1.6 Infrastructure and Public Service Facilities
X	1.6.6 Sewage, Water and Stormwater
X	1.6.7 Transportation Systems
	1.6.8 Transportation and Infrastructure Corridors
	1.6.9 Airports, Rail and Marine Facilities
	1.6.10 Waste Management
	1.6.11 Energy Supply
	1.7 Long-Term Economic Prosperity
	1.8 Energy Conservation, Air Quality and Climate Change
	2.0 Wise Use and Management of Resources
X	2.1 Natural Heritage
	2.2 Water
	2.3 Agriculture
	2.3.3 Permitted Uses
	2.3.4 Lot Creation and Lot Adjustments
	2.3.5 Removal of Land from Prime Agricultural Areas
	2.3.6 Non-Agricultural Uses in Prime Agricultural Areas
	2.4 Minerals and Petroleum
	2.4.2 Protection of Long-Term Resource Supply
	2.4.3 Rehabilitation
	2.4.4 Extraction in Prime Agricultural Areas
	2.5 Mineral Aggregate Resources
	2.5.2 Protection of Long-Term Resource Supply
	2.5.3 Rehabilitation
	2.5.4 Extraction in Prime Agricultural Areas
	2.5.5 Wayside Pits & Quarries, Portable Asphalt Plants and Portable Concrete Plants
X	2.6 Cultural Heritage and Archaeology
	3.0 Protecting Public Health and Safety
	3.1 Natural Hazards

	3.2 Human-made Hazards
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Other Provincial Interests

Ministry	Policy	Comment
MMAH	NA	
MCuI	NA	
MOE	NA	
MTO	NA	
MNR	NA	
OMAFRA	NA	

County of Bruce Official Plan:

5.2 Urban Areas

6.5.1 Subdivision Applications

Municipality of Brockton Official Plan - Walkerton

3.1 Residential

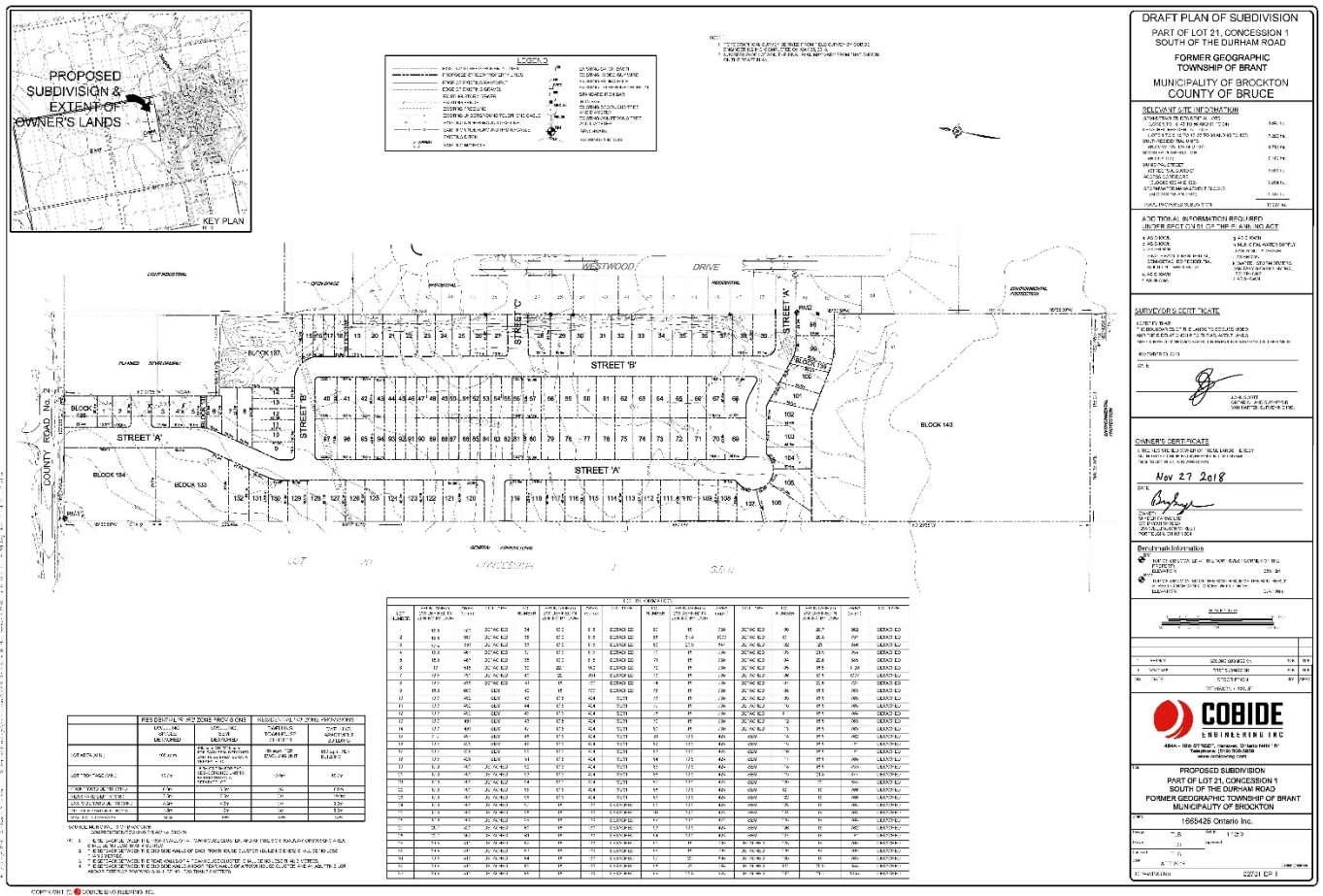
3.7 Environmental Protection

Municipality of Brockton Zoning By-law 2013-26

7 Urban Residential Zones (R1, R2, & R3)

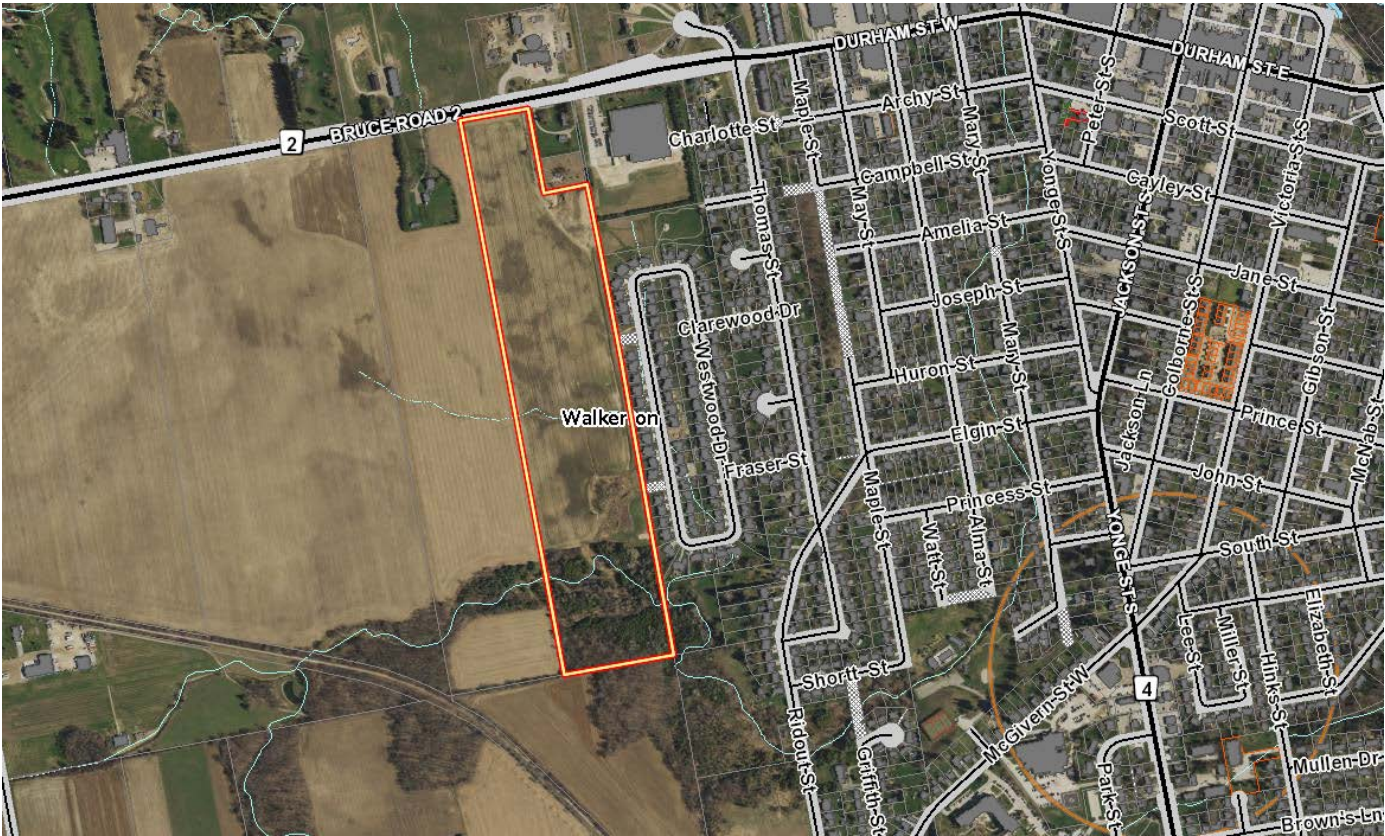
24 Environmental Protection (EP)

Appendix 3 - Development Concept

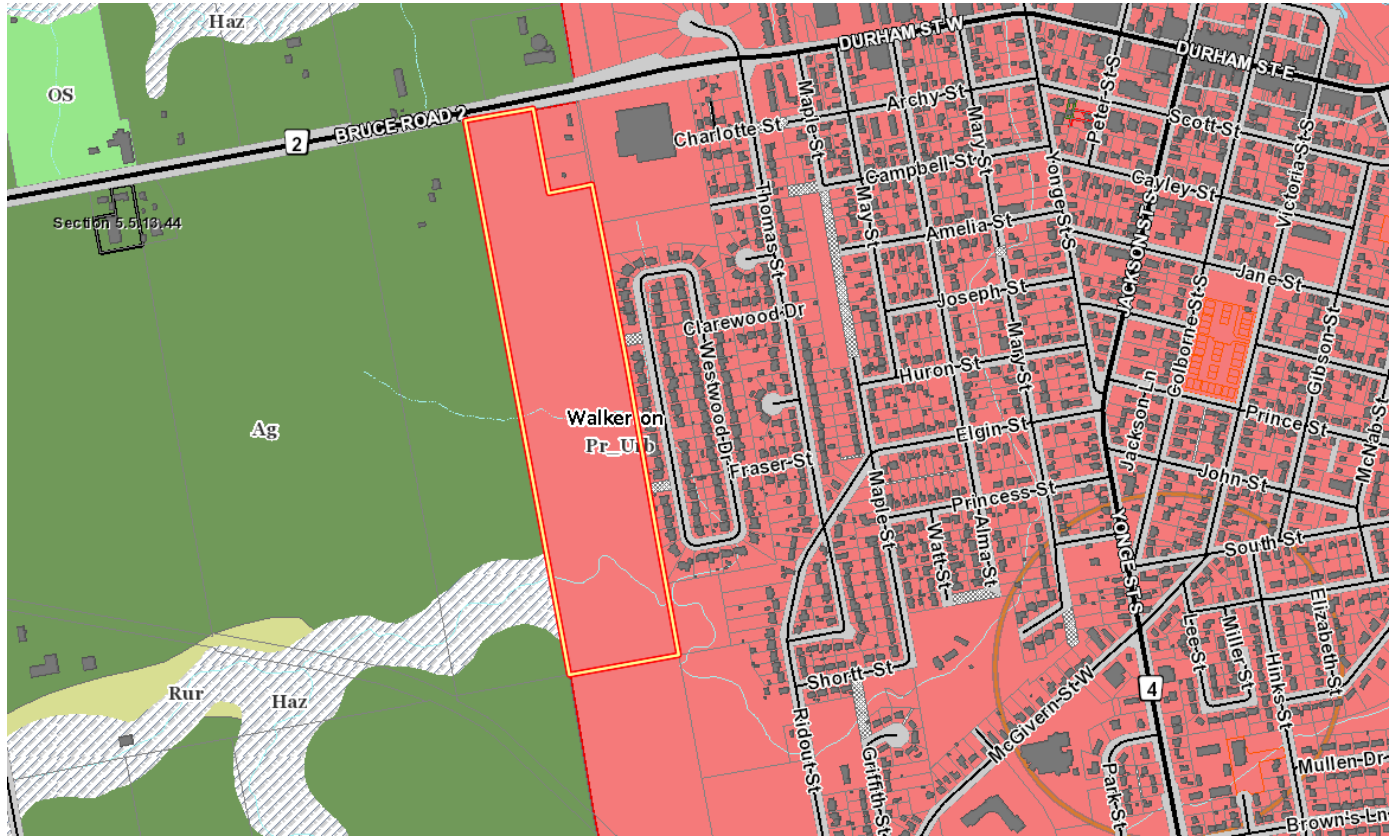


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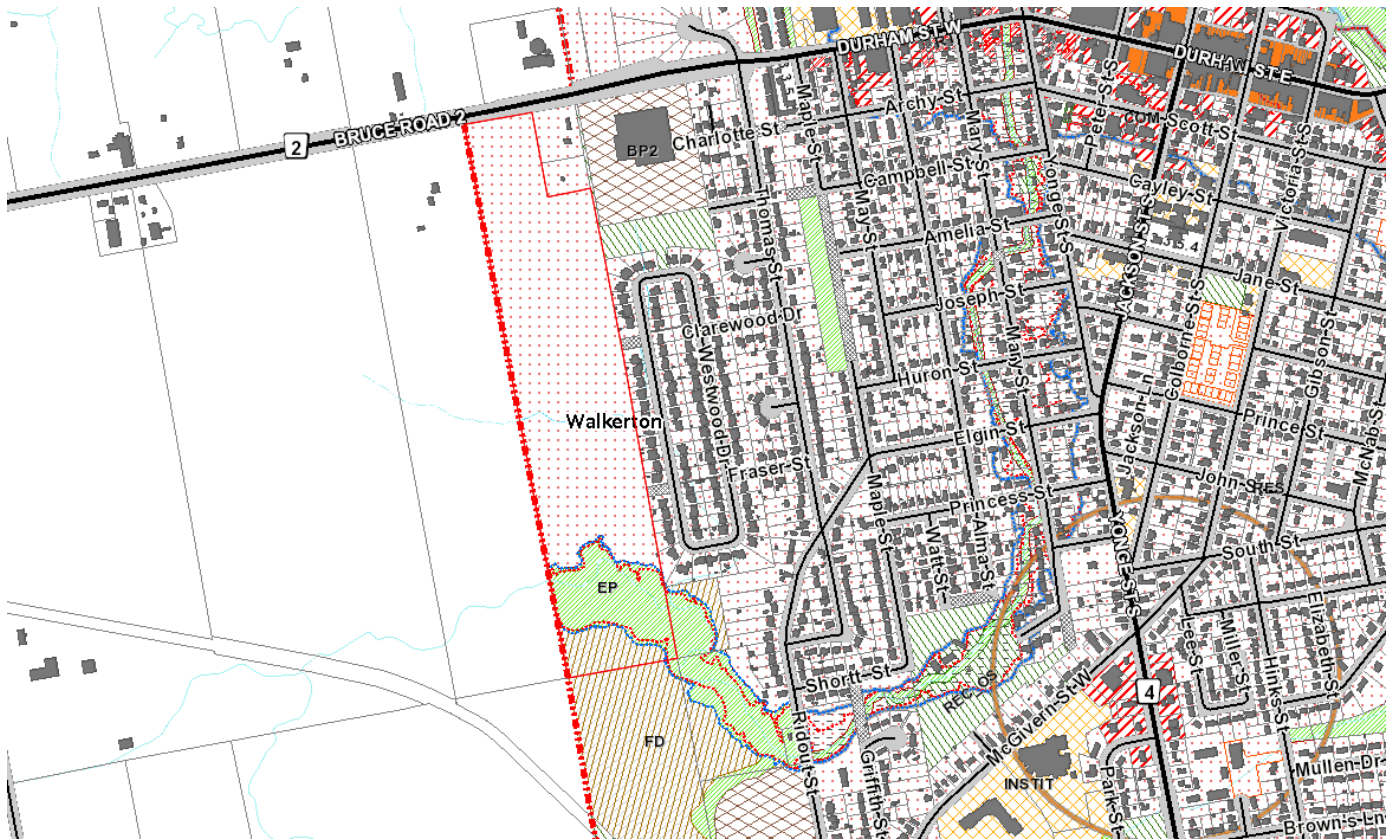
Appendix 4 - Air Photo



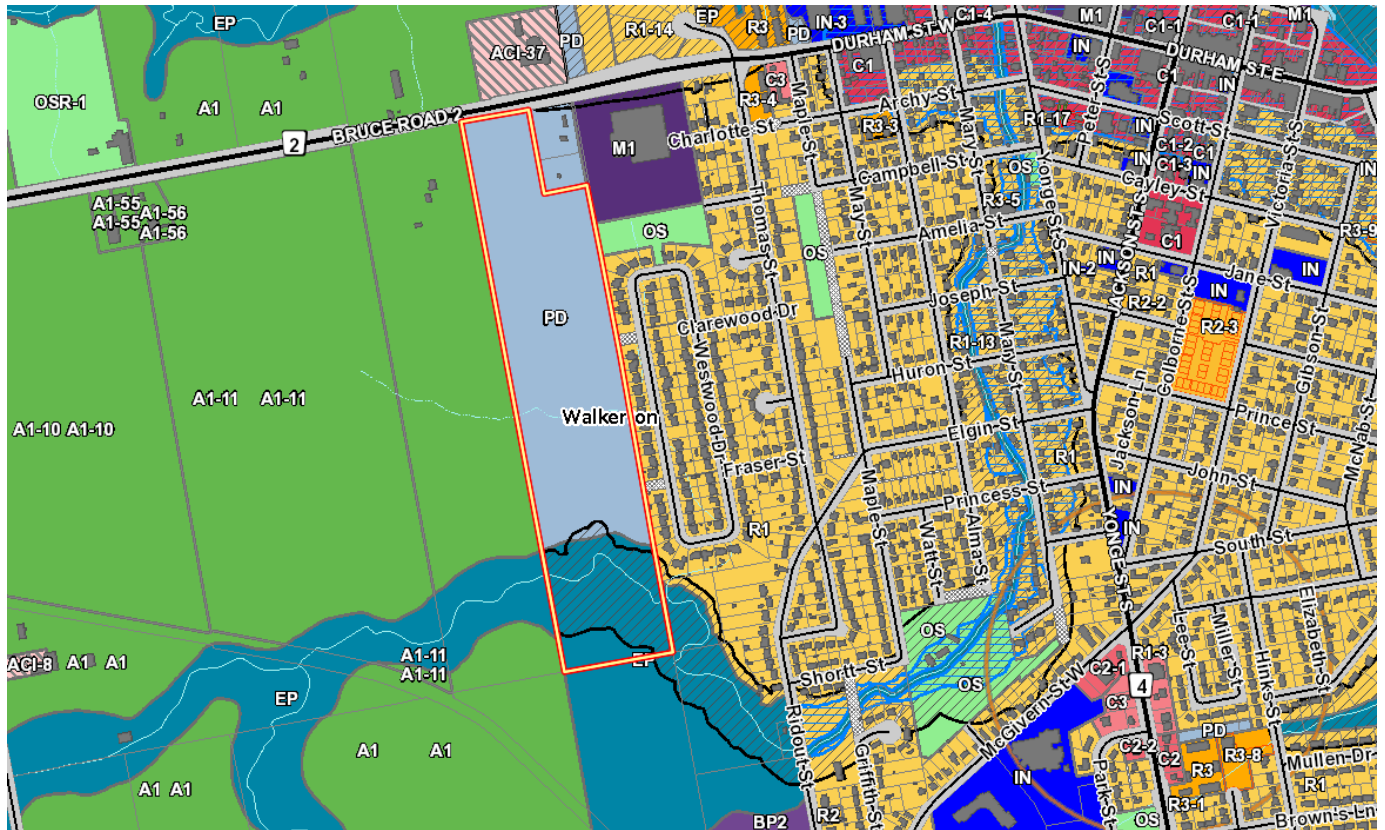
Appendix 5 - Bruce County Official Plan



Appendix 6 - Brockton Official Plan



Appendix 7 - Brockton Zoning By-law



Appendix 8 - Public Comments

The following individuals contacted the Planning Dept to advise of their concerns:

1. Terry O'Hagan - owns the farm land immediately west of the Westwood land and he lives on the property. On March 6, 2019 Mr O'Hagan met with Bill Clancy and his associate, Darren O'Hagan and the following matters were agreed:
 - Mr O'Hagan has no problem with the development of the land and believes this will be good for the Walkerton community, including the opportunity for affordable housing;
 - Height of the apt bldg - It will be a maximum of 4 storeys with the parking being either at grade or partially below grade with three floors of residential above the parking. Height would be regulated in the zoning amendment;
 - The rear yard adjacent to Mr O'Hagan's land would be landscaped and the applicant is prepared to plant trees in this rear yard to soften the view of the apt building. This would be implemented at the Site Plan approval stage;
 - Fencing along the common (westerly) property line. To minimize unauthorized travel over the farm lands, it was agreed that the lands not developed in the first phase would be fenced and that a gate would be installed across the stub end of the future road (btwn Lots 119 and 120). Fencing would be ensured by way of a condition of approval;
 - Ownership of the apartment units was discussed. Bill Clancy indicated that he is currently not in favour of rental tenure. He would be considering condominium or life lease tenure. It was noted that the municipality does not control the form of tenure.
2. Ron Farrell - owns an abutting lot to the east at 325 Westwood Dr which backs onto the proposed subdivision. Mr Farrell wanted to know how high the semi-detached units might be on the lots backing onto his property. Staff advised that the Zoning by-law limits the height of buildings to 10 m.

The following written comments have been submitted:

1. Steve and Michele Field

Please accept this email to document that we are opposing the current proposal to develop Part of Lot 21, Concession 1 SDR, Parts 1 to 4, RP 3R-5553, geographic Township of Brant, Municipality of Brockton as documented in the Proposed Draft Plan of Subdivision Proposed Zoning By-law Amendment, File Numbers: 41T-17-

1.34. & Z-76-18.34. Specifically, we are opposing the proposed zoning by-law change of maximum lot coverage to 40% from 30% existing.

Westwood Drive subdivision has approximately 110 units, consisting of single family homes. The proposal to develop the land west of Westwood Drive in the above mentioned draft proposal, consists of approximately the same size of land as Westwood Drive (approximately 48 acres), however, the number of units on the said proposal is 216 units. This is double the amount of units of Westwood Drive. The current draft is proposing to do this by revising the zoning by-law on maximum lot coverage for R2 and increase to 40% from the existing 30%. We are objecting this proposed zoning by-law change for reasons including the following:

According to the Walkerton Community Official Plan, 5 Year Review, dated May 9th 2016 the population of Walkerton is predicted to increase by 1000 people between 2016 - 2026 however, this prediction is considered to be overly optimistic (as stated in the official plan document). Based on this prediction the Official Plan indicates this translates to Walkerton requiring an additional 417 residential units over period of 2016 - 2026. According to some of the methodologies used in the plan, the population of Walkerton does not continue to increase after 2026, in fact the data shows the population declines. If the above prediction is accurate there are other residential building occurring or have recently just been completed within Walkerton that that will accommodate this increase without cramming 216 units on the property as referenced in this proposal. Other developments include but not limited to: former Brant school lot (approximately 75 lots), Fisher Dairy Subdivision behind WDCS and the former Public School lot. These residential sites include a variety of building types including single family homes and multi-unit buildings.

Another concern of having 216 units on the property referenced in the draft subdivision proposal is the increase of traffic on Westwood Drive. We understand a new entrance will be made to the North of the new subdivision with an exit onto Bruce County Road 2, however, if coming to the new subdivision from the South and South East area, the current Thomas Street, Clarewood Ave, Fraser Street and Westwood Drive will see a significant increase in traffic. This is a safety concern given there are many young families residing on those streets. Also of note, Westwood Drive does not currently have sidewalks which is concerning if increase of traffic flow were to occur.

Lastly, we would also like to note there have been issues with water management on Westwood Drive in the past, particularly with those houses that back onto the lot in proposed subdivision plan. A berm was constructed on the west side of these homes to address the issue with spring flooding. It is our understanding that the berm has resolved the water management issue with these homes. If the development of the proposed subdivision were to occur, it is imperative that the berm is kept in place in order to manage the issue with water. If it were to be

removed, the current home owners that back onto the open field would experience backyard flooding with the potential of basement flooding.

If you have any questions regarding our objection to the proposed zoning by law please do not hesitate to contact us.

Sincerely,

Steve and Michele Field, 294 Westwood Drive, Walkerton, Ontario

2. The same letter as above was sent by Kim and Jeff Taylor, 343 Westwood Drive
3. Andy, Luann, Chloe, Isabella and Chase Kaufman

Proposed Draft Plan of Subdivision, Proposed Zoning By-law Amendment.
File Numbers: 41T-18-1.34&Z-76-18.34

We are writing in regards to the above noted proposals.

Our family has resided at 345 Westwood Dr for 6 1/2 years.

As we do not object to the development behind our subdivision we do however have concerns. The proposed 216 units is more than double the existing total of houses currently in our subdivision. This will significantly increase traffic in our neighborhood, a neighborhood without sidewalks. This is an unsettling safety concern that we believe needs to be addressed. We are also disappointed that the original plans have changed. When we bought our home we were told by the realtor that the new subdivision would have an allowance behind us for the berm and a walking trail.

We hope and trust that the decisions regarding this development are carefully considered; firstly with safety in mind, and with discretion and sound judgement for a good rapport of the existing Westwood residents.

Yours sincerely,
Andy, Luann, Chloe, Isabella and Chase Kaufman

4. Dave, Cassandra and Jaxson Lantz.

My current address is 348 Westwood Dr, Walkerton. I can't imagine anyone who currently lives on our street to be thrilled about the development proposal in store to expand our subdivision. It will in effect double the traffic through our street. Having a young child myself, I am already concerned about the amount of visitors constantly looking at the houses on our street. I have concerns regarding the amount of units being proposed for the subdivision essentially over doubling

the amount. We don't even have sidewalks to support foot traffic to avoid the vehicles. I hope and trust that the decisions regarding this development are well thought through and have empathy for the current residents who have made the street their home for 10 plus years.

Respectfully,

Dave, Cassandra and Jaxson Lantz.

5. Kate Moore and Barry Tschirhart

Dear Mr. Ghent,

It was a pleasure meeting with you last week and I very much appreciate your explanations to our questions in regards to the Notice of Public Meeting.

As discussed, we have two concerns,

1. Related to the water containment area to the south of the proposed development. This containment area is located in very close proximity to Silver Creek and its wetland area. Silver Creek and its wetland area are home to many natural residences. The Creek is a spawning area for Rainbow Trout (many areas through this identified land sector), which occurs every spring, Speckled Trout, Painted Turtles and amphibian species to name a few. Many woodland animals make the wetland their habitat, including deer, fox, turkeys, partridge, raccoons and numerous other animal and bird species.

Our understanding is this containment is a "Free Spill" form of containment, meaning, when it is filled to capacity, the excess will spill over the containment levees and flow directly into Silver Creek wetland area. The containment area is a collection point for surface runoff, which may into such containments as road salt, sand, motor oil (potential spills), gasoline (potential spills), lawn fertilizer and other contaminant sources.

We have a serious concern with the potential impact on the Silver Creek environment with this form of water containment and feel this should be reviewed for a more environmentally conservative structure.

2. We are concerned with the development of the Phase sequence as well. With the development starting with Phase I and public road access to this Phase originating through the current Westwood Subdivision, this poses a significantly increase in traffic flow across, Ridout Street and Thomas Street, not to mention the Westwood Subdivision. Ridout Street incurred a significant increase in traffic flow when the Westwood and Spitzig Subdivisions where completed. Many of

these residence use Thomas Street and Ridout Street to access the many facilities/commercial institutions in the southern portion of Walkerton. The traffic increase has been substantial and the speed along Thomas and Ridout Street has increased as well. Police enforcement for speeding is very limited. Also, there are only two (2) stop signs on this route starting at Thomas Street and County Road #2 to Hwy 4/9.

We have concerns with the identified future traffic and speeding issues. Ridout Street is becoming a “young family area” with a higher density of children and pets and we, personally, have grandchildren that visit our home on Ridout Street. My recommendation is Thomas Street have 3-Way Stops on both entrances to Westwood via Clairwood Drive and Frazer Street. The first intersection of Thomas Street and Ridout Street (North) becomes a 4-Way Stop and the second intersection of Thomas Street and Ridout Street become a 3-Way Stop. In addition, the intersection of Shortt Street and Ridout Street should become a 3-Way Stop. This would prompt a reduction in speed and encourage the use of the major traffic arteries to access the facilities/commercial institutions rather than residential streets.

Thank you for taking the time to meet with Kate and me. Please put forward our concerns and we look forward to resolve on our concerns.

Yours truly,

Kate Moore and Barry Tschirhart
27 Ridout Street
Walkerton, Ontario
N0G 2V0

6. Petition

Concerns with the current plan:

- **Inadequate provisions for dust control:** Due to the flat field landscape of the Westwood development, strong winds blow excessive dust throughout the neighborhood when any earth is disturbed. This was seen for several years as the original Westwood subdivision was developed, resulting in many issues and complaints. We don't believe the current plan (limiting amount of land disturbed at one time) will adequately address these concerns, as strong winds carry any disturbed dust throughout the community.

-**Inadequate water drainage:** Many lots in the current Westwood subdivision suffer from inadequate drainage, soggy backyards, and flooding basements. We understand the current plan includes a storm sewer in the current easement area. However due to the extent of the water issues, We're concerned this system will remain inadequate. Given the current failures to properly drain surface/ground

water, we feel need to do everything possible. We propose maintaining the existing drainage ditch, in addition to the storm sewer. Also running systematic drain tiles should be considered for excessive ground water.

Proposal:

Maintain the current easement zone as a green area. Do not sell this area with the new lots. Add the storm sewer behind the new lots. Also maintain the ditch for additional surface water drainage. Add a suitable tree line to the existing easement area to limit the wind/dust concerns. The trees will also aid in drawing excessive moisture out of the ground. They will provide a visual break from the construction zone. They will also provide the developer more premium lots, for buyers looking for a treed backyard.

Increase the width of the new lots to match the current lots backing onto the easement. We don't see the need to break up our backyards just to jam one additional lot in.

We also need to ensure all construction traffic is routed via the Hwy 2 entrance. With many young children and families in our neighborhood any excessive construction traffic is dangerous.

Thanks

Westwood residence in support of this proposal:

Dupuis	359 Westwood
Biezanthal	357 Westwood
Turcotte	355 Westwood
Jensen	353 Westwood
Christmann	351 Westwood
Douglas	349 Westwood
Barrett	347 Westwood
Kaufman	345 Westwood
Taylor	343 Westwood
Mullen	352 Westwood
Wydmyer	335 Westwood
Rowe	340 Westwood
Dudgeon	356 Westwood
Weiler	360 Westwood
Kelly	323 Westwood
Keip	331 Westwood
Prokein	379 Westwood

7. Jason and Nicole Whitehead

After a meeting on March 6 with planner and developer these are the written submissions from that meeting.

Concerns-

we are concerned with the years of dust and dirt blowing our way with the West wind from the heavy machinery. Our daughter is allergic to dust, we won't be able to hang our clothes on the line. Along with steady cleaning of the house and vehicles.

Also concerned about water runoff from the houses along the west side towards my property on the east.

The size and look of the pump house being put at the North east corner of the subdivision.

I'd like to ensure that there will be access to the water and sewage in case of future needs.

I look forward to being at the meeting on March 26 thank you

Jason and Nicole Whitehead
89 Bruce Road 2
Walkerton

Appendix 9

Conditions of Approval for the Plan of Subdivision

by 1665426 Ontario Limited c/o Bill Clancy (File 41T-2018-01.34)

Identification

1. That this approval applies to Plan of Subdivision File 41T-2018-01.34 for 1665426 Ontario Limited c/o Bill Clancy in the Municipality of Brockton prepared by Cobide Engineering Inc. dated February 8, 2019.

Lot Layout and Density

2. That this approval is in accordance with the 'Lot Information' Schedule on the Plan dated February 8, 2019.

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

- 3.1 That the road allowances, road widenings, walkways and service corridors shown on this Plan be conveyed to the Municipality of Brockton, free and clear of encumbrance, on the Final Plan, including Block 140 for the storm water management pond and natural area purposes.
- 3.2 That prior to the sale of Lots 18 and 19, the walkway corridor identified as Block 138 be paved and fenced to the satisfaction of the Municipality of Brockton and that the owners acknowledge that Block 138 is owned by the municipality and it will provide pedestrian access to the public park;
- 3.3 That prior to the sale of Lots 99 and 100, the owners acknowledge that Block 139 is owned by the Municipality and that the Block will provide access to the storm water management facility for maintenance purposes and that, from time-to-time the block will be accessed by heavy construction vehicles;
- 3.4 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 Municipality of Brockton;
- 3.5 That the northerly and easterly boundary of Block 140, where it abuts residential development with a gate across the access corridor Block 139 be fenced to the satisfaction of the Municipality of Brockton;
- 3.6 That the owner make provision to access the lands to the south of the storm water management pond in Block 140 to the satisfaction of the Municipality of Brockton.

- 3.7 That the owner review the available water supply and pressures and complete design documents to confirm how far north in Phase 1 permits can be considered prior the commissioning of the Booster Pumping Station to the satisfaction of the Municipality of Brockton.
- 3.8 That the owner enter into a cost sharing agreement with the Municipality of Brockton with respect to the installation of the Booster Pump Station (located at Block 135).
- 3.9 That the rear of lots 98 to 106 abutting the storm water management pond (Block 140) be fenced to the satisfaction of the Municipality of Brockton and that this fencing be provided along the east boundary of Block 140.
- 3.10 That the owner ensure that overland flow of storm water from the lands to the west not have a negative effect on the residential development along the western boundary of the subject lands to the satisfaction of the Municipality of Brockton.
4. That the street(s) and lane(s) shall be named to the satisfaction of the Municipality of Brockton.

Parkland

- 5 That, if required by the Municipality of Brockton, the Owner conveys to the Municipality 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 payment-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. The Municipality may accept a combination of land conveyance and payment-in-lieu at the sole discretion of the Municipality. That the owner acknowledge that Block 140 and the access walkways are not considered to be parkland.

Easements

- 6.1 That the Owner agree 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.
- 6.2 That the owner provide an easement along the rear property line of Lots 19 to 39 inclusive and install a storm sewer in this easement and locate the catch basins to the storm sewer and provide easements from Street B to these catch basins all to the satisfaction of Brockton.

Subdivision Agreement

- 7.1 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 shall include but not limited to the following:
- i. **Stormwater Management Plan** prepared by a qualified consultant. The Plan shall detail the methods that will be used to control surface water and erosion and sedimentation within the development lands and through abutting properties during and following construction. The report shall also detail the methods that will reduce any negative impacts to water quality. Requirements for drainage easements/blocks shall be identified; such blocks shall be acquired by the Owner, if required, and conveyed to the Municipality of Brockton, free and clear of encumbrance.
 - ii. **Lot Grading / Drainage Plan** prepared by a qualified consultant. The Plan shall indicate proposed lot grades and shall ensure minimal removal of trees.
8. 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.
9. 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

10. That the Owner agree to make satisfactory arrangements with the appropriate electric provider for the provision of permanent or temporary electrical services to this Plan.
11. That the Owner agree to make satisfactory arrangements for the provision of permanent or temporary telecommunications services, gas and cable services to this Plan.
12. That the Owner provide an overall utility distribution plan to the satisfaction of the Municipality of Brockton including the necessary easements and /or agreements required for the provision of gas service.

13. 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 Municipality of Brockton.

Phasing and Lapsing

14. That the Owner agree to phase any development of the Plan in a manner satisfactory to the Municipality of Brockton and the County of Bruce, including the provision of turnaround cul-de-sacs at the end of public streets.
15. 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.
16. That the Draft Approval for Plan of Subdivision 41T-2018-01.34 for 1665426 Ontario Limited in the Municipality of Brockton shall lapse as follows:
 - i. For the first phase, three (3) years after the date of Draft Approval unless it has been extended by the County of Bruce with the concurrence of the Municipality of Brockton; and
 - ii. For any subsequent phases, five (5) years after the date of Final Approval of the preceding phase.

Official Plan and Zoning By-law

17. That the County of Bruce be advised by the Municipality of Brockton that the Plan of Subdivision conforms to the Municipality of Brockton Local Official Plan approved under the Planning Act and that the owner agree not seek building permits units on Block 134 (apartment block) until the Official Plan has been amendment to allow for densities that permit the proposed scale of development.
18. 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

19. That the Subdivision Agreement between the Owner and its successors and the Municipality of Brockton include the requirement for the following Notice / Warning Clauses to be included in offers of purchase and sale for ALL Draft Approved Lots on the Draft Plan as follows:
 - i. "Stormwater Management Facilities

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

ii. "Lot Grading

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

20. That the Subdivision Agreement between the Owner and its successors and the Municipality of Brockton include the requirement for the following Notice / Warning Clause to be included in offers of purchase and sale for Draft Approved Lots 15, 16, 17, 18 and 19 and Block 137 on the Draft Plan as follows:

i. "Park

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

21. That the Subdivision Agreement between the Owner and its successors and the Municipality of Brockton include the requirement for the following Notice / Warning Clause to be included in offers of purchase and sale for Draft Approved Lot 18 and 19 on the Draft Plan as follows:

i. "Pedestrian Walkway

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

Saugeen Valley Conservation Authority

22. That prior to any grading or construction on the site, and prior to Final Approval of the subdivision by the County, the Owner shall prepare and submit for review and approval the following to satisfaction of the SVCA:

- i. **Lot Grading and Drainage 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.
 - ii. **Stormwater Management Report** prepared by a qualified consultant.
 - a) A detailed Report shall be prepared in accordance with the prevailing Ministry of the Environment planning and design guidelines and other related technical criteria as determined by the SVCA. The Report shall detail the methods that will be used to control surface water flow within the development lands and through abutting properties during and following construction. The report shall also detail the methods that will reduce any negative impacts to water quality.
 - b) In the event that the Report recommends the establishment of any stormwater works, including detention or retention facilities, the subdivision agreement between the Owner and the Municipality of Brockton shall contain a provision whereby the Municipality of Brockton will assume ownership, operation and maintenance responsibility of same in perpetuity.
 - iii. **Sediment and Erosion Control Plan**
23. That the Subdivision Agreement between the Owner and the Municipality of Brockton 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, Lot Grading Plan and Sediment and Erosion Control Plan to the satisfaction of the SVCA.
 - b) The Municipality of Brockton shall assume ownership, operation and maintenance responsibility for any stormwater facilities proposed.
24. 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.

Other

25. That the owner provide fencing along the west property boundary north of the Phase 1 area to the satisfaction abutting property owner to the west and that a gate be installed at the end of the sub road abutting property.

Digital Plan Submission

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

Clearance Conditions

27. 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) Brockton (conditions 3-12, 14, 15, 17-21, 23)
 - b) Hydro Service Provider (condition 10);
 - c) Telecommunications Service Provider (condition 11);
 - d) Gas Utility Provider (condition 12);
 - e) Canada Post (condition 13);
 - f) Saugeen Valley Conservation Authority (conditions 22-24);

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.

The Saugeen Valley Conservation Authority shall receive a copy of the executed subdivision agreement prior to the clearance of the draft plan conditions.

General Notes To Draft Approval

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

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

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

3. Inauguration, or extension of a water works or sewage works is subject to the approval of the Ministry of the Environment under Section 52 and Section 53 of the Ontario Water Resources Act, R.S.O. 1990.

4. Clearance letters are required from the following agencies:

Municipality of Brockton

100 Scott Street

PO Box 68

Walkerton, ON N0G 2V0

Saugeen Valley Conservation Authority

1078 Bruce Road #12

PO Box 150

Formosa, ON N0G 1W0

Hydro Service provider

Telecommunications Service provider

Canada Post

Gas Utility Service provider

5. Note that you will not be advised in writing of the lapsing date of the Draft Plan Approval. It is your responsibility to provide the approval body with the required information and fees to extend this draft approval. Should the information and fees not be received prior to the lapsing date, the Draft Plan Approval will lapse. There is no authority to revise the approval after the lapsing date. A new subdivision application under Section 51 of the Planning Act will be required.

Please note that an updated review of the plan and revision to the Conditions of Approval may be necessary if an extension is to be granted.

6. Final Plans - When the survey has been completed and final plan prepared, to satisfy the requirements of the Registry Act, they should be forwarded to the County of Bruce. If the plans comply with the terms of approval, and we have received the required agency clearances, the County's stamp of approval will be endorsed on the plan and it will be forwarded to the Registry Office for registration. You are advised to consult the Land Registrar for requirements for registration prior to applying to the County of Bruce for final approval.

The following is required for registration under the Registry Act:

One (1) original mylar

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

Appendix 10
Draft Zoning By-law
The Corporation of the Municipality of Brockton
By-law No. 2019 - xxx

Being a By-Law to Amend the Municipality of Brockton Comprehensive Zoning By-Law No. 2013-26, As Amended,

The Council of the Corporation of the Municipality of Brockton pursuant to Section 34 of the Planning Act, 1990, therefore enacts as follows:

1. By-Law No. 2013-26, as amended, is further amended as follows:
2. Section 3.1.1.1, General Provisions for All Zones - Permitted Uses in All Zones, Services and Utilities, is amended by the inclusion of a storm water management facilities to the list of services permitted in all zones.
3. That Schedule 'A' to By-Law No. 2013-26, as amended, is hereby further amended by changing the zoning on Part of Lot 21, Concession 1 SDR, Parts 1 to 4, RP 3R-5553, geographic Township of Brant, Municipality of Brockton, from 'Planned development - PD' to:
 - a) Urban Residential - R2-7
 - b) Urban Residential - R3- 12
 - c) Urban Residential - R3-13as shown on Schedule 'A' attached hereto and forming a part of this By-law.
4. Notwithstanding the lot coverage Zone Provisions that apply to the R2 zone, the following lot coverage shall apply to the lands zoned R2-7 in this by-law:
 - a) Lot coverage, maximum: 40 %
5. Notwithstanding the uses permitted in the R3 zone, the following forms of housing shall be permitted in the following zones:
 - a) R3-12 dwelling, townhouse:
 - b) R3-13 dwelling, apartment building
6. The zone provisions that apply to the R3 zone will continue to apply except for the following which shall prevail in the event of conflict:
 - a) R3-13 minimum number of units: 60
 - b) R3-13 maximum number of units: 65
7. That this By-law shall come into force and effect on the final passing thereof by the Council of the Municipality of Brockton, subject to compliance with the provisions of the Planning Act, R.S.O. 1990.

Read, Enacted, Signed and Sealed this _____day of _____2019.



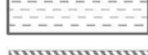


Mayor - C Peabody

Clerk - Fiona Hamilton

Schedule 'A'

Part of Lot 21, Concession 1 SDR, Parts 1 to 4, RP 3R5553
Municipality of Brockton (geographic Township of Brant)



-  Subject Property
-  Lands to be zoned 'R2-7 - Residential Zone 2 Special'
-  Lands to be zoned 'R3-12 - Residential Zone 3 Special'
-  Lands to be zoned 'R3-13 - Residential Zone 3 Special'
-  Lands to be zoned 'R2 - Residential Zone 2'
-  Lands zoned 'EP - Environmental Protection'

This is Schedule 'A' to the zoning by-law
Amendment NO. _____ passed this
_____ day of _____
Mayor _____
Clerk _____