



PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677 Toll Free: 1.888.524.8394 Ext. 3

www.huroncounty.ca

To: Township of North Huron Council
Sharon Chambers, CAO
From: Laura Young, Planner
RE: **Extension of Draft Plan Approval – Plan of Subdivision File 40T1200001**
Lots 5 & 6, Concession 1, Wingham Ward (40388 Amberley Road)
Applicant: Ryan Guetter c/o Weston Planning Consultants
Owner: Wingham Creek A2A Development Inc.
Date: April 12, 2017

This report is submitted for the Council Meeting on April 18, 2017.

RECOMMENDATION

That North Huron Council **pass a resolution supporting** a two-year extension of draft plan approval of Plan of Subdivision File 40T1200001 with the addition of a new condition for performance measures, including that Phase 1 of the plan of subdivision must be registered within the extension period. The specific wording of the condition is being drafted by the Township Solicitor and will be brought back for review by Council at the May 1st Council meeting.

PURPOSE AND EFFECT

The applicant seeks a three year extension to draft plan of subdivision approval. The draft plan with conditions was previously granted approval by the County of Huron on July 2, 2014. The current draft plan approval lapses on July 2, 2017. No other changes to the draft plan have been requested by the applicant. The effect of extending draft plan approval would be to provide an additional number of years for the applicant to satisfy all conditions, before the subsequent lapse date.

BACKGROUND

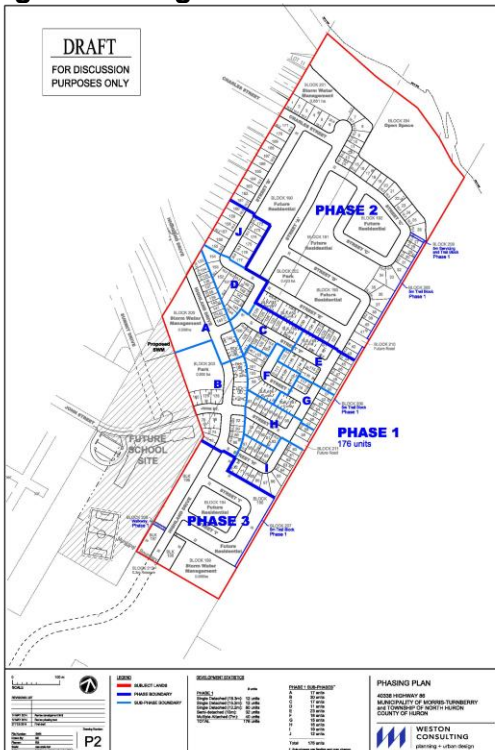
The subject lands are located at the east side of Wingham and have a total area of 36.94 hectares (91.28 acres). The lands are designated Residential and Parks & Open Space in the North Huron Official Plan and are zoned Open Space Special Zone (OS-X), Medium Density Residential Special Holding Zone (R2-(-h)-X), and Low Density Residential Special Holding Zone (R1-(-h)-X).

The approved draft plan is proposed in three stages: Phase 1 includes 11.45 hectares for approximately 250 units of residential development with low and medium densities; Phase 2 and 3 include 8.55 hectares of future development land for another approximately 214 residential units. Access is proposed via extensions of Highland Drive, John Street and Charles Street. Municipal water and sewer will be extended, and the balance of the lands will accommodate stormwater management facilities as well as provide open space and a walking trail.

Figure 2: Location of Subject Property (outlined in purple)



Figure 1: Wingham Creek Plan of Subdivision- Draft Phasing Plan



DISCUSSION

This site contains a major source of future developable residential land in Wingham. At the time of the plan of subdivision application it was calculated that the subject property represents 92% of Wingham's undeveloped residential land. The original plan of subdivision was recommended for draft approval by North Huron Council and Huron County Council in 2014. Since 2014 the demand for vacant residential land has increased and there are insufficient development opportunities for the remaining land supply for residential development in Wingham to meet this demand. With the limited number of parcels available in Wingham outside of the subject property, there is increasing pressure for land to be available for development and address housing needs. Land that has been designated Residential and remains undeveloped creates a strain on other land resources and restricts servicing capacity.

The Planning Act allows approval authorities to grant further extensions to draft approval of plans of subdivision provided the request for extension has been made prior to the lapse date (July 2, 2017). The notes to draft approval also advised the applicant that an updated review of the plan and revisions to the conditions of approval may be necessary if an extension is to be granted. The North Huron Official Plan states in Section 11.3.3.6 that the Township *may request that draft approval for Plans of Subdivision be limited to a specified time within which the development of the subdivision must commence*. It is recommended a further two (2) year extension be granted to provide time for the applicant to begin to fulfill conditions on this development but that a condition is added to ensure progress is made to create residential land in Wingham and address the demand.

The original conditions have been included with this report for reference.

SUMMARY

It is important that progress be made to develop the Wingham Creek A2A subdivision to accommodate the demand for residential lots in Wingham. It is recommended a two year extension be granted to encourage clearing conditions and obtaining final plan approval, but that a new condition is added with performance measures requiring that Phase 1 of A2A Development Inc.'s plan of subdivision is registered within this two year extension.

"original signed in file"

Laura Young, Planner

12 April 2017

Date

File # 40T12001
Wingham Creek Developments Inc.

**CONDITIONS OF DRAFT APPROVAL FOR
PLAN OF SUBDIVISION**

File: 40T 12001

Owner: Wingham Creek Developments Inc.
Lower Tier: Township of North Huron
Subject Lands: Part of Lots 5 and 6, Concession 1, Turnberry, Being Part 1, 22R5848
Except Part 1, 22R5878, Morris Turnberry/North Huron, Township of North
Huron, County of Huron
Date of Draft Approval: July 2, 2014

WHEREAS the application for the subdivision has been circulated according to the Delegation Orders of the Minister of Municipal Affairs and the County of Huron's Planning Procedures Manual;

AND WHEREAS the application affects an area designated for residential development in the Township of North Huron Official Plan;

AND WHEREAS any issues raised during the circulation of the application are addressed by the following conditions to draft approval;

NOW, THEREFORE the Council of the Corporation of Huron hereby issues draft approval to subdivision file 40T12001, which pertains to, Part of Lots 5 and 6, Concession 1, Turnberry, Being Part 1, 22R5848 Except Part 1, 22R5878, Morris Turnberry/North Huron, Township of North Huron, County of Huron, and the following conditions shall apply. The following conditions have been established by the County of Huron and must be met prior to the granting of final approval:

Draft Conditions

Description

1. This approval applies to Wingham Creek Inc. Draft Plan of Subdivision (Part of Lots 5 and 6, Concession 1, Part of Lots 5 and 6, Concession 1, Turnberry, Being Part 1, 22R5848 Except Part 1, 22R5878, Morris Turnberry/North Huron, Township of North Huron, County of Huron), dated February 27, 2014 and referred to as Drawing Number 2 (D2), as prepared by Weston Consulting Inc, hereafter referred to as 'draft plan'.

Phasing

2. The phases will be registered independently of each other, and Phase 1 shall be registered first.
3. The sub-phasing of any Phase shall be to the satisfaction of the Township of North Huron.
4. Phase 2 and 3 may proceed in any order.

Roads

5. The road allowances and future road blocks shown on the draft plan shall be dedicated to the Township of North Huron.
6. The roads shown on the draft plan be named to the satisfaction of the Township of North Huron.

7. Any deed ends and/or open sides of road allowances created by this Plan of Subdivision shall be terminated in 0.3 metre reserve to be conveyed to and held in trust by the Township of North Huron until required for future road allowances or the development of adjacent land.

Easements and Blocks

8. Any easements required for municipal services will be provided by the Subdivider to the satisfaction of the Township of North Huron.
9. Any easements as may be required for any utility purposes, including but not limited to electricity, telephone, cable, gas and hydro shall be granted by the Subdivider gratuitously to the appropriate authorities to their satisfaction.
10. Any blocks required for municipal services and storm water shown on the draft plan shall be dedicated to the Township of North Huron.

Subdivision Agreement

11. The Subdivider shall enter into a Subdivision Agreement with the Township of North Huron which shall list all requirements, including financial or otherwise for the development of the subdivision plan including but not limited to the following:
 - a. provisions for sub-phases;
 - b. provisions that Blocks 190 - 198 identified as "Future Residential" shall be subdivided by consent or plan of subdivision or part lot control at the discretion of the County of Huron;
 - c. provision of roads to a standard acceptable to the Township of North Huron;
 - d. provisions for the allocation of municipal reserve capacity for water and sewer that is coordinated with the phases and sub-phases;
 - e. provisions for the installation of and connection to municipal services (water, sanitary and storm systems);
 - f. provision of storm water management facilities and parkland;
 - g. provision of grading and drainage plans and related installations;
 - h. provision of trees, tree retention and landscaping on streets and any other public areas, as per the vegetation plan;
 - i. provisions for the grading and seeding of the parkland blocks 202 and 203, as per the vegetation plan;
 - j. provisions for the preliminary development of the trail blocks (205-207), as per the vegetation plan;
 - k. provisions to address requirements by other review agencies;
 - l. recognition of the natural environment features (hazard and heritage), and agreement that no site alteration is to take place within these areas without prior written permission of the Township of North Huron, County of Huron and the Maitland Valley Conservation Authority;
 - m. provisions for the removal of holding zone provisions;
 - n. see Condition 24 regarding Natural Environment;
 - o. see Condition 26 regarding Canada Post; and
 - p. other such matters as determined by the Township of North Huron.
12. A copy of the Subdivision Agreement shall be provided to the County of Huron, Planning and Development Department, prior to final approval of the first phase.
13. The Subdivision Agreement shall be registered against the lands to which it applies by the Township of North Huron, and paid for by the Subdivider.

Engineering Drawings

14. Prior to final approval of the first Phase, the Subdivider shall submit for approval subdivision design drawings including design plans for all public works and services within the entire subdivision, prepared and certified by a Professional Engineer to the satisfaction of the Township of North Huron.

Storm Water Management

15. Prior to final approval of Phase 1, the Subdivider shall submit the following reports prepared by a qualified professional engineer, and completed to the satisfaction of the Township of North Huron, and the Maitland Valley Conservation Authority:
 - a. A final storm water management plan;
 - b. A final Slope Stability Assessment identifying the "development setback limit" from the top of bank for the Maitland River; and
 - c. Details regarding the maintenance of any stormwater management facilities, including means of access to such facilities.
16. Prior to final approval of each Phase, the Subdivider shall submit the following reports, prepared by a qualified professional engineer, and completed to the satisfaction of the Township of North Huron, and the Maitland Valley Conservation Authority:
 - a. An final overall lot grading and drainage plan;
 - b. A final Erosion and sedimentation control plan;

Zoning

17. The subject lands be zoned to the satisfaction of the Township of North Huron. The zoning for this development shall include:
 - a. the location of low, medium and high density residential zones, including any necessary provisions for increasing the density overall (i.e. reduced frontages, lot areas, etc);
 - b. the location of residential zones supporting a greater variety of housing types and lot characteristics (referred to as 'mixed zoning');
 - c. provisions for residential zones supporting a greater variety of housing types and lot characteristics (referred to as 'mixed zoning').
18. A holding zone shall be applied to residential zones in all of Phase 1, Phase 2, and Phase 3. The holding zone shall contain criteria that must be met in order to remove the holding symbol including allocation of municipal services and a phasing plan, both to the satisfaction of the Township of North Huron.

Park Land

19. Block 202 and Block 203 be dedicated as parkland to the Township of North Huron.
20. Blocks 205-207 be dedicated as land for trails (also considered parkland) to the Township of North Huron and that the dedication occur in Phase 1.

Natural Environment, Vegetation & Landscaping

21. Block 204 be dedicated as natural environment to the Township of North Huron.
22. The Subdivider shall prepare a detailed Environmental Management Plan for Block 204, to the satisfaction of the County of Huron. The Terms of Reference for the Plan will be developed in consultation with the County and Township of North Huron.
23. The Subdivider shall prepare a vegetation plan as for the following areas, to the satisfaction of the County of Huron:
 - a. storm water management blocks;
 - b. basic grading and seeding of park blocks;
 - c. trail block optimizing conservation of existing hedgerow features such as mature trees and shrubs;
 - d. Maitland River Valley 10m buffer;
 - e. Walkways; and
 - f. boulevards.

24. The Subdivision Agreement shall include provisions, specifically addressing the following natural environment recommendations from the Environmental Impact Study and the peer review of same, to the satisfaction of the County of Huron:

- a. That a 10 m buffer is established from the dripline of the trees along the Maitland River Valley to the proposed development, inclusive of a 15 m buffer from the dripline of any Butternut Trees and a 5m buffer of the woodlot on the adjoining property to the east. No grading or construction shall occur and no backyard shall encroach on the 10 m buffer. A fence shall be established to delineate the buffer and prevent intrusion into the buffer from the development. The buffer shall be vegetated in accordance with the vegetation plan.
- b. That all stormwater management ponds be naturalized following design criteria for establishing a wetland in the Functional Servicing and Preliminary Stormwater Management Report (prepared by Burnside 2012).
- c. Clearing of vegetation within the breeding bird season (April through July) should be avoided. If vegetation is to be cleared within this time period, or if vegetation is cleared when birds may be suspected of nesting outside of typical times, an ecologist must undertake detailed nest searches immediately prior to site alteration to ensure no active nests are present. If active nests are present, site alteration will be postponed until active nests are vacated. If a Bobolink nest is discovered, the Ministry of Natural Resources must be contacted immediately for further direction.

Canada Post

25. That prior to final approval, the Subdivider shall consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes and that the locations will be indicated on the appropriate servicing plans.

26. The Subdivision Agreement shall contain the following clauses:

- a. *The subdivider covenants and agrees to provide the Township of North Huron with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community mail Boxes (CMB) as required by Canada post Corporation and as shown on the approved engineering design drawings/Draft Plan at the time of sidewalk and/or curb installation. The subdivider further covenants and agrees to provide notice to prospective purchasers of the locations of CMBs and that home/business mail delivery will be provided via CMB, provided the Subdivider has paid for the activation and equipment installation of the CMBs;*
- b. *The developer agrees, prior to offering any units for sale, to provide a map to potential homeowners that indicates the location of all CMBs within the development, as approved by Canada Post;*
- c. *The Subdivider agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via CMB. The subdivider also agrees to note the locations of all CMBs within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the CMB.*
- d. *The Subdivider will provide a suitable and safe temporary site for a CMB until curbs, sidewalks and final grading are completed at the permanent CMB locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied; and*
- e. *The Subdivider agrees to provide the following for each CMB site and to include these requirements on the appropriate servicing plans:*
 - i. *Any required walkway across the boulevard, per municipal standards*
 - ii. *Any required curb depressions for accessibility purposes, with an opening of at least two metres (consult Canada Post for detailed specifications).*

Financial Requirements

27. The Subdivider shall pay any outstanding charges to the Township of North Huron prior to Final Approval.
28. Reimbursement of any legal, and/or engineering and consulting fees and disbursements incurred by the Township of North Huron in connection with the review or approval of this plan of subdivision, shall be made.
29. Reimbursement of any legal, and/or engineering and consulting fees and disbursements incurred by the County of Huron in connection with the review or approval of this plan of subdivision, shall be made.

Lapsing

30. The proponent has three (3) years from the date of draft approval of this plan of subdivision to obtain final approval from the County. If final approval is not obtained before three (3) years from the date of draft approval, and in the absence of an extension applied for by the Subdivider and approved by the County, then the draft approval shall be deemed to be void.

Clearances

31. The County is to be advised in writing by the appropriate agencies how the foregoing conditions have been satisfied.

NOTES TO DRAFT APPROVAL

1. It is the applicant'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 Huron.
2. An application for final approval of Phase 1 and 2 and 3 of the Plan of Subdivision must be submitted to the County of Huron with copies of the required clearance letters. Be advised the County of Huron requires a **minimum of two weeks** to review an application for final approval of a Plan of Subdivision.
3. A copy of the final M-Plan is required by the County of Huron and the Township of North Huron.
4. Portions of the lands covered by this Draft Approval are subject to the Maitland Valley Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations (Ontario regulation 169/06). As such written permission is required from the Conservation Authority prior to the beginning of any construction, filling, excavation within the Regulated Area.
5. Inauguration, or extension of a water works or sewage works is subject to the approval of the Ministry of Environment.
6. It is the responsibility of the Owner to provide the approval body with the required information and fees to extend this draft approval. Should this 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.
7. An updated review of the plan and revisions to the Conditions of Approval may be necessary if an extension is to be granted.

8. Clearances are required from the following:

Clerk
Township of North Huron
274 Josephine Street
Wingham , ON, N0G 2W0

Maitland Valley Conservation Authority
1093 Marietta St
Box 127
Wroxeter, ON, N0G 2X0

Huron County Stewardship Coordinator
County of Huron Planning & Development
Department
57 Napier Street,
Goderich, Ontario, N7A 1W2

Shirley Brundritt
Lands Support Analyst
Union Gas Limited
50 Keil Drive North, P.O. Box 2001
Chatham, Ontario, N7M 5M1
1-800-571-8446 x2760

Canada Post
2701 Riverside Drive
Ottawa, ON, K1A 0B1

Hydro One Networks Inc.
483 Bay Street
South Tower, 8th Floor Reception
Toronto, Ontario M5G 2P5

