
To: Mayor and Council

From: Nick Ainley, Community Planner

Date: August 11, 2025

Subject: Report # PB-030-2025 – Draft Plan of Subdivision Extension – Ashton Meadows Phase 1 (Margaret Street, Stayner)

Recommendation

Be It Resolved that Council of the Township of Clearview hereby receive report PB-030-2025 (Draft Plan of Subdivision Extension – Ashton Meadows Phase 1) dated August 11, 2025; and,

- 1) That Council approve the extension of the Ashton Meadows Phase 1 Draft Plan of Subdivision being file 2018-012-SD, for an additional five (5) year period and approve amendments to the existing draft plan conditions as outlined in Schedule 'D' to this report, and that notice be given in accordance with the Planning Act.; and,
- 2) That Council direct staff to update and provide the amended draft plan conditions for Council's review and approval before the end of 2025, in accordance with the Planning Act.

Background

Subject lands

The Ashton Meadows Phase 1 draft plan of subdivision is located within the southern limits of the Stayner Settlement Area and are legally described as Nottawasaga Concession 2 East Part Lot; 23 RP 51R42884 PT PART 1. The overall land holdings encompass an area of approximately 43.8 ha (108.2 acres), maintain frontage onto Margaret Street and are presently vacant.

Background

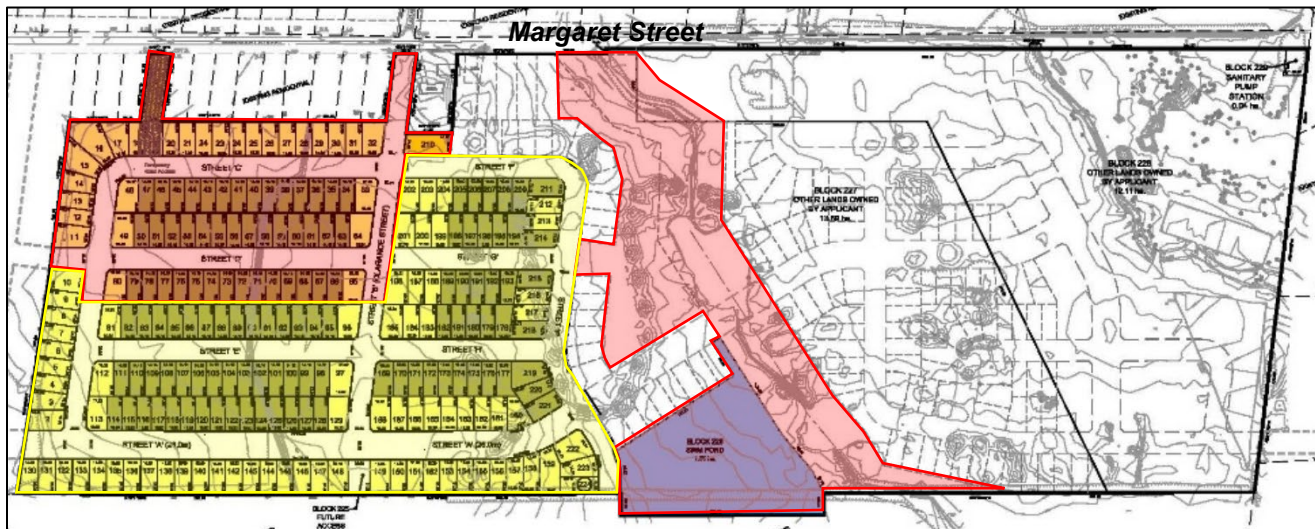
The overall Ashton Meadows Plan of Subdivision received Draft Plan Approval through a decision of Council on September 13th, 2010. The existing draft plan approval is for a total of 224 single-detached dwelling units as well as several 'Blocks' of land for stormwater management, a pump station, future road access, Streets 'A' to 'H' as well as other lands owned by the applicant. The Phase 1 lands encompass the approximately 16.6 ha western portion of the site, with development of Phase 1 occurring over two (2) subphases (i.e., Phase 1A & 1B).

Since draft plan approval was originally granted in 2010, the Applicant has proceeded with and received final approval for the first subphase (i.e., Phase 1A) of the overall Ashton Meadows Phase 1 Plan of subdivision consisting of the first 72 single-detached dwelling units, stormwater management block, temporary road access to Margaret Street, open space and watercourse channel blocks. The Phase 1A works also included completed portions of Streets 'B' to 'D' as well as minor external improvements/upgrades to the Margaret Street & Clarence Street intersection.

Phase 1B, for which the current Draft Plan extension will apply, includes the remaining 152 single-detached dwelling lots. Phase 1B also includes and requires additional external infrastructure upgrades as well as water servicing capacity to service the entire subdivision and subsequent phases.

The balance of the overall land holdings is proposed to be developed under subsequent Phases (i.e., Phase 2 & 3), which are existing and/or previously subject to several Planning Act application(s) (i.e., Plan of Subdivision & Zoning By-law Amendment) that were deemed complete in July 2010. Although technically active, the application(s) for Phases 2 & 3 have not progressed through the formal review process, with the applicant most recently re-engaging with the Township in 2024 to confirm updated submission requirements for the Phase 2 lands.

Phase 1A (including the stormwater management pond, watercourse channel and open space blocks) is highlighted in red, Phase 1B is highlighted in yellow and the balance of the property is outlined in black/white and divided into Phase 2 and 3.



Proposal

Draft Plan Approval for Phase 1 of this subdivision was given on September 13, 2010, by the Township of Clearview Council. The Draft Plan Approval requires a number of conditions to be met prior to the Township giving Final Approval to permit the

development to commence. The development may proceed in phases. **Draft Plan Approval was originally given for a five (5) year term.**

Draft Plan Approval was first extended on July 12, 2015, for a five (5) year period and extended for a second time on August 27, 2020, for an additional five (5) year period. **Current Draft Plan Approval lapses on August 27, 2025.**

A request from the Owner for an Extension of Draft Plan Approval was received on June 23, 2025 (refer to Schedule 'C'). **The Owner is requesting the Draft Plan Approval extension to be for an additional five (5) year term which would have a lapsing date of August 11, 2030.**

Comments and Analysis

The extensions of draft plan approval of subdivisions within both the *Planning Act* and the Township of Clearview Official Plan 2024 are a consideration that an approval authority, such as a municipal Council can grant. In the past, it was the general practice of the municipality to recommend draft plan approval for a minimum 3-year term and for an extension to be granted for an additional 18-month term. This was the typical practice of the municipality when the development of a subdivision was expected to proceed without constraints such as limited availability of municipal servicing and/or the need for external infrastructure upgrades by others.

In terms of the process associated with an extension request, as specified under Condition No. R3 of the existing approved draft plan conditions (refer to Schedule 'D'):

“If the owner wishes to request an extension to draft approval, a written requested and explanation must be received by the Clerk of The Corporation of the Township of Clearview ninety (90) days prior to the lapsing date. A processing fee, in effect at the time of the request, will apply”.

As stated earlier within the report, the formal extension request letter from the applicant was received by the municipality on June 23rd and required payment processed by the municipality on July 3rd, which was 65 and 55 days prior to the August 27, 2025, lapse date, respectively. The 90-day minimum timeframe is required by municipality to ensure there is sufficient time to circulate and review the formal extension request and existing draft plan conditions as well accommodate scheduled meeting dates and associated deadlines.

As part of the formal extension request letter submitted by the applicant, the applicant has advised that due to the complex nature of the proposed subdivision, specifically relative to the engineering and servicing components, the Draft Plan of Subdivision Conditions (for the remaining phases of the development) are unable to be met under the current approval timeframe. The justification of the 5-year extension includes:

1. The complexity and scope of engineering conditions have resulted in further time being required to fulfill these requirements to the satisfaction of the Township and Reviewing agencies.
2. Market conditions within the Township of Clearview, and specifically the settlement area of Stayner have shifted considerably since draft plan approval was given in late 2010.

The requested draft plan extension and the existing draft plan conditions have been circulated to relevant staff and agencies for comment. This circulation typically ensures that the draft plan conditions remain relevant and that no new conditions are warranted if extension is granted. Comments of no concern or objection were received from the following external commenting agencies: County of Simcoe, Simcoe County District School Board and Source Water Coordinator Risk Management Official (NVCA). Municipal staff's review and comment on the draft plan approval extension request and status and suitability of existing draft plan conditions are discussed in greater detail in the sections below.

Municipal Review – Five (5) Extension Request

Based on review of the current extension request, municipal staff are generally accepting of the justification provided by the applicant for an additional five (5) year extension of existing draft plan approval. In addition to the justification for the extension provided by the applicant, municipal staff also recognize that the remaining phases of the draft plan of subdivision (i.e., Phase 1B and future phases) are also limited by the servicing capacity issue impacting the Stayner Settlement Area and the timeframe associated with construction of external infrastructure improvements (i.e., the Klondike Park Road Well Site, Reservoir and Pumping Station) which are not expected to be operational until the fall of 2027.

Furthermore, the draft plan approved plan of subdivision continues to represent good planning, providing a mix single-detached residential lot sizes and frontages and is also a continuation of the existing residential development and utilization of existing infrastructure (i.e., SWM facilities) in this area of Stayner.

Planning staff are recommending Council approve the extension of draft plan of subdivision for an additional five (5) years with a new lapsing date of August 2030, and that the conditions of approval be amended as indicated in Schedule 'D' of this report.

Municipal Review – Existing Draft Plan Conditions

Although supportive of the five (5) year extension request, based upon review the existing draft plan approval conditions, municipal staff are also of the opinion that the

addition, removal and/or amendment of the existing draft plan conditions are required for the following reasons:

- The original conditions have not been substantially updated over the past 15 years and no longer reflect current municipal draft plan condition templates and/or formats.
- Several original conditions are no longer valid or necessary.
- New and/or updated conditions in keeping with other recent Draft Plan extension requests, are required.
- The Ashton Meadows Phase 1 draft plan of subdivision has significant external works and considerations that must be clearly defined and captured in the conditions of approval, which require time for detailed review and discussion.

Traditionally, updates and/or changes to existing draft plan conditions are undertaken and included at the time of the draft plan extension request initiated by the applicant. However, due to the detailed and technical nature of the review required and the existing timeframe associated within the current draft plan extension request, staff are unable to undertake and complete the necessary comprehensive update of the existing draft plan conditions prior to the current lapse date of August 27, 2025. Also, there was only the August 11, 2025, Council meeting where Staff could present this request to Council, without the existing draft plan approval lapsing. Lapsing of the current draft plan approval could result in the resubmission of a Draft Plan of Subdivision application, fees and supporting materials.

Municipal staff are supportive of a five (5) year extension to the existing draft plan but require additional time to complete the necessary review and update of the existing draft plan conditions. Therefore, should Council approve of an extension to the term of the existing draft plan approval, municipal staff intend to initiate and proceed with updating the draft plan conditions to address the aforementioned items outlined in the section above in accordance with Section 51(44) of the *Planning Act*. Section 51(44) permits the approval authority (Council), in its discretion, to either withdraw the approval of a draft plan of subdivision or change the conditions of such approval at any time before the approval of the final plan of subdivision.

Council remains the approval authority for any change to conditions of draft plan of subdivision approval. Upon completion of municipal staff comprehensive review process, an updated set of draft plan conditions for the Ashton Meadows Phase 1 plan of subdivision will be brought before Council with a subsequent recommendation report for review and consideration. A specific timeframe for the recommendation report to be brought back to Council has not been established but can be expected prior to the end of 2025. All required notice associated with any change in existing conditions will be provided in accordance with the Sections 51(37) & 51(45) of the *Planning Act*, as applicable.

Clearview's Strategic Plan

The above initiative supports the following strategic pillars:

- Infrastructure

Financial Implications

The proposal to extend this Draft Plan Approval has no financial impact on the municipality.

The final approval of this development is subject to a subdivision agreement. The agreement will establish fees and securities which will ensure that the proponent is fully responsible for all local improvement costs as well as the installation of site works which are a matter of public interest (e.g. municipal sewer and water services, road infrastructure, stormwater management, trails, landscaping).

The development is subject to Development Charges in accordance with the Township's current Development Charges By-law. This allows for recovery of most development related costs which are not considered local improvements.

Report Schedules

Schedule A – Ortho Map

Schedule B – Draft Plan of Subdivision

Schedule C – Extension Request Letter

Schedule D – DPA Extension Notice of Decision & Revisions to Existing Conditions

Schedule E – Comments Received

Approvals

Submitted by: Nick Ainley, Community Planner

Reviewed by: Rossalyn Workman, Manager of Planning

**Financial Implications
Reviewed by:** Kelly McDonald, Treasurer

Approved by: John Ferguson, CAO