

Township of Clearview

Date of Notice: *November 30, 2018*

Notice of Decision Regarding a Redline Revision for a  
Subdivision Application  
File Number: SD-2016-060

**NOTICE OF DECISION**  
**On Application for Approval of a Redline Revision for a Draft Plan of Subdivision**  
**Subsection 51(37) of the Planning Act**

In consideration of all written and oral submissions made relating to the subject application, the Council of the Corporation of the Township of Clearview has given Draft Plan Approval to the following Plan of Subdivision:

<b>Applicant:</b>	David Gross & Harvey Shoemaker
<b>Owner:</b>	1063105 Ontario Limited
<b>File Number:</b>	SD-2016-060 (Previously SD-2011-001)
<b>Legal Description of Subject Lands:</b>	Part of Park Lot 21, North Side of North Street, Registered Plan 194, former Town of Stayner, now in the Township of Clearview
<b>Related Files:</b>	2016-060-ZB (Zoning By-law Amendment)
<b>Date of Decision:</b>	November 19 <sup>th</sup> , 2018
<b>Date of Notice:</b>	<i>November 30, 2018</i>
<b>Last date for Filing an Appeal:</b>	<i>December 20, 2018</i>

Council's Approval is subject to the conditions attached to this notice.

If you have specific accessibility needs and would like another format or other accommodations the Township of Clearview will work to meet your needs. Please contact Human Resources at 705-428-6230 ext. 255.

<b>Appeal Period Timeframe &amp; Required Contents</b>	<p>Notice to appeal the decision to the Ontario Municipal Board must be filed no later than 20 days from the date of this notice as shown above as the last date of appeal above.</p> <p>A notice of appeal must:</p> <ul style="list-style-type: none"><li>i) be filed with the clerk of the Township,</li><li>ii) set out the reasons for the appeal, and</li><li>iii) be accompanied by the fee required by the Municipal Board.</li></ul> <p>For more information on making an appeal, please visit: <a href="http://elto.gov.on.ca/omb/">http://elto.gov.on.ca/omb/</a>.</p>
<b>Right to Appeal Conditions</b>	<p>Any of the following may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by the approval authority to the Municipal Board by filing a notice of appeal with the Township:</p> <ul style="list-style-type: none"><li>i) the applicant,</li><li>ii) any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority,</li><li>iii) the Minister,</li><li>iv) if the subject land is not located in a municipality or planning area, any public body.</li></ul>

<p><b>Who Can File An Appeal</b></p>	<p>Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.</p> <p>No person or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council, or made a written request to be notified of changes to the conditions or, in the Ontario Municipal Board's opinion, there are reasonable grounds to add the person or public body as a party.</p>
<p><b>How to Receive Notice of Changed Conditions</b></p>	<p>The conditions of an approval of draft plan of subdivision may be changed at any time before the final approval is given.</p> <ul style="list-style-type: none"> <li>i) You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of subdivision if you have made a written request to be notified of changes to the conditions.</li> <li>ii) No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions or, in the Ontario Municipal Board's opinion, there are reasonable grounds to add the person or public body as a party.</li> </ul>
<p><b>Getting Additional Information</b></p>	<p>Additional information about the application is available for public inspection during regular office hours at the Township of Clearview or by visiting <a href="http://www.clearviewplanning.ca">www.clearviewplanning.ca</a>.</p>
<p><b>Mailing Address for Filing a Notice of Appeal</b></p>	<p>Township of Clearview, Box 200, 217 Gideon Street, Stayner, ON, L0M 1S0 Attention: Clerk Tel: 705-428-6230 Fax: 705-428-0288</p>

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**Description of Draft Plan to Which Approval Has Been Granted:**

Plan Title:	Draft Plan 211 North Street
Plan/Drawing Number:	Draft Plan / DP
Plan Date:	August 2016
Plan Prepared By:	expServices Inc.
Engineer:	expServices Inc.
Planner:	Michael Hayek – expServices Inc.
Surveyor:	Martin W. Knisley
Purpose and Plan Number of Lots:	Semi Detached Lots 1-13 (26 units), Townhouse Blocks 17-18 (8 units), Single Detached Lots 14-16 (2 units)
Purpose and Plan Number of Blocks:	0.3m Reserve Blocks 21, 23-28, 3m Road Widening Block 22, Stormwater Management Pond Block 20, Future Development Block 19
Roads:	Street A & Street B
Other:	

**Note: A reduced copy of the approved Draft Plan is attached to this notice. A larger copy of the approved Draft Plan is available for viewing at the municipal offices.**

The Draft Plan submitted for review and approval has been approved subject to the following revisions.

**Revisions to Draft Plan to Which Approval Has Been Granted:**

1. The Draft Plan lots and blocks for residential units have changed:

From:

13 lots for 26 semi units; and  
6 Blocks for 24 townhouse units; and  
For a total of 50 units

To:

13 lots for 26 semi units; and  
2 blocks for 8 townhouse units; and  
1 block for future development block  
3 lots for 3 single detached units; and  
For a total of 37 units

**Changes to General Conditions**

C4 – Block 27 shall be conveyed to the municipality as road widening and for these Blocks to be shown and dedicated as public highways on the final plan, free and clear of all encumbrances.

**Has Been Changed to:**

C4 – Block 22 shall be conveyed to the municipality as road widening and for these Blocks to be shown and dedicated as public highways on the final plan, free and clear of all encumbrances

C5 – Blocks 20 through to 26 shall be conveyed to the municipality as reserves, free and clear of all encumbrances.

**Has Been Changed to:**

C5 – Blocks 21 and 23-28 shall be conveyed to the municipality as reserves, free and clear of all encumbrances.

D1 – The lands shall be appropriately zoned for the proposed residential development.

**Has Been Changed to:**

D1 – The lands shall be appropriately zoned for the proposed residential development, Stormwater Management facilities and holding categories.

E7 – A privacy fence with a minimum height of 1.83 m shall be constructed along the rear lot line of lots 1 through to 5, Blocks 14, 15, 16, 17, 18,19 (inclusive); the west lot line of Block 16 and the south lot line of Block 19. The fence shall be designed and finished to the satisfaction of the municipality.

**Has Been Changed to:**

E7 – A privacy fence (vinyl wood) with a minimum height of 1.83 m shall be constructed along the west and east lot lines of the property. The fence shall be designed and finished to the satisfaction of the municipality.

A fence (black chainlink) shall be constructed along the northwest and south lot line for Block 20, providing separation between Stormwater Management Facilities and residential lots.

H13 – Final grading plans will require the following notation:

"The contractor shall confirm site elevations and groundwater conditions prior to construction. All footings and tile drains shall be located 0.3m above the High Groundwater Elevation identified in the approval subdivision plan/site plan."

**Has Been Removed and Changed to:**

H11 – Final grading plans will require the following notation:

"The contractor shall confirm site elevations and groundwater conditions prior to construction. All underside of footings and tile drains shall be located 0.4m above the High Groundwater Elevation identified in the approval subdivision plan/site plan."

I2 – Notwithstanding minimum front yard requirements generally established in the zoning by-law, staggered front yard depths shall be provided and this shall be incorporated into the architectural control plan.

**Has Been Changed to:**

I2 – Garage access to rear yards shall also be provided.

K1 – The final M-Plan shall include temporary turning circle or T-turnaround at the limit of Street "A" within the draft plan of subdivision, or alternatively, 0.3 metre reserves could be added to the frontages of semi-detached Lots 5 and 8, or a holding zone placed on the subject blocks, to be removed at such time as Street "A" is extended north into the abutting Bridle Park subdivision property as a through street or as a cul-de-sac designed to allow for safe turnaround of County waste management vehicles, to the satisfaction of the County of Simcoe. The Owner shall also provide a plan and securities for and carry out rehabilitation of the lands for the road re-configuration.

**Has Been Changed to:**

K1 – The final M-Plan shall have the roads designed to the satisfaction of the County of Simcoe to accommodate County waste collection vehicles as per the County's Waste Collection Road Design Policy and applicable Waste Collection Technical Design Standards document.

L2 – A copy of the reports referred to in condition H9, H10, H11, H13 and H14 shall be provided to the Nottawasaga Valley Conservation Authority for their review and approval.

**Has Been Changed to:**

L2 – A copy of the reports referred to in condition H7 to H10 shall be provided to the Nottawasaga Valley Conservation Authority for their review and approval.

P1 – Notwithstanding any specific or more detailed reference made to required plans or drawings to be prepared and submitted for municipal approved as set out in the above conditions, the following drawings and plans shall be prepared and submitted to the municipality for approval (i.e. the following list is in addition to any of the specific or detailed requirements incorporated in the aforementioned conditions as applicable):

- M-Plan and R-Plan;
- General Servicing;
- Overall Water Distribution;
- Overall Sanitary Drainage;
- Overall Lot Grading;
- Street Plans;
- Traffic Control and Signage Plan;
- Stormwater Management;
- Parkland Development;
- Spills Control and Remediation;
- Fire Lot Control Plan;
- Composite Utility Plan;
- Hydro Servicing and Street Light;
- Landscape Plans;
- Driveway Location and Control Plan;
- Phasing Plan; and
- Standard Details.

**Has Been Changed to:**

P1 – Notwithstanding any specific or more detailed reference made to required plans or drawings to be prepared and submitted for municipal approved as set out in the above conditions, the following drawings and plans shall be prepared and submitted to the municipality for approval (i.e. the following list is in addition to any of the specific or detailed requirements incorporated in the aforementioned conditions as applicable):

- M-Plan and R-Plan;
- General Servicing;
- Overall Water Distribution;
- Overall Sanitary Drainage;
- Overall Lot Grading;

**Township of Clearview**

*Date of Notice: November 30, 2018*

**Notice of Decision Regarding a Redline Revision for a  
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File Number: SD-2016-060**

- Street Plans;
- Traffic Control and Signage Plan;
- Stormwater Management;
- Parkland Development;
- Trails Plan;
- Spills Control and Remediation;
- Fire Lot Control Plan;
- Composite Utility Plan;
- Hydro Servicing and Street Light;
- Landscape Plans;
- Driveway Location and Control Plan;
- Phasing Plan; and
- Standard Details.

R1 – Prior to the final approval being given by the Township of Clearview the municipality must receive a clearance letter from the following agencies indicating how conditions applicable to their authority have been completed to their satisfaction. Clearance are required from the following:

- Nottawasaga Valley Conservation Authority (conditions L1, L2, H9, H10, H11, H13 and H14);
- Simcoe Muskoka Catholic District School Board (conditions N1);
- Simcoe County District School Board (conditions M1);
- Telecommunications Service Provider (conditions F2);
- Gas Utility Provider (conditions F3, F4, and F5);
- Hydro Service Provider (conditions F6);
- Canada Post (conditions F7);
- County of Simcoe (conditions K1, K2 and K3);
- Ministry of Culture (conditions J1); and,

**Has Been Changed to:**

R1 – Prior to the final approval being given by the Township of Clearview the municipality must receive a clearance letter from the following agencies indicating how conditions applicable to their authority have been completed to their satisfaction. Clearance are required from the following:

- Nottawasaga Valley Conservation Authority (conditions L1, L2, H7-H10);
- Simcoe Muskoka Catholic District School Board (conditions N1);

**Township of Clearview**

*Date of Notice: November 30, 2018*

**Notice of Decision Regarding a Redline Revision for a  
Subdivision Application  
File Number: SD-2016-060**

- Simcoe County District School Board (conditions M1);
- Telecommunications Service Provider (conditions F2);
- Gas Utility Provider (conditions F3, F4, and F5);
- Hydro Service Provider (conditions F6);
- Canada Post (conditions F7);
- County of Simcoe (conditions K1-K4, O3); and
- Ministry of Culture (conditions J1).

R3 – Please be advised that the approval of this draft plan will lapse five (5) years after the date the plan is draft approved. This approval may be extended pursuant to subsection 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.

If final approval is not given to this plan within three years of the draft approval date, and no extensions have been granted, draft approval will lapse under Section 51(32) of the Planning Act, R.S.O. 1990. 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.

**Has Been Changed to:**

R3 – Please be advised that the approval of this draft plan will lapse five (5) years after the date the plan is draft approved. This approval may be extended pursuant to subsection 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.

If final approval is not given to this plan within five years of the draft approval date, and no extensions have been granted, draft approval will lapse under Section 51(32) of the Planning Act, R.S.O. 1990. 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.

**The Following New Conditions have been Added:**

C6 – Block 20 shall be conveyed to the municipality for Stormwater management and drainage purposes, free and clear of all encumbrances

**Township of Clearview**

**Date of Notice:** *November 30, 2018*

**Notice of Decision Regarding a Redline Revision for a  
Subdivision Application  
File Number: SD-2016-060**

&  
C7 - A three (3) metre easement along the eastern property line of lots 10-11 encompassing the limits of the proposed Stormwater emergency overflow weir shall be required and conveyed to the municipality free and clear of encumbrances; unless an alternative route and/or solution can be confirmed through final and detailed design to the municipality's satisfaction.

&  
G3 - A trails plan around the SWM Pond is to be prepared and submitted to the municipality for approval.

All trails are to be developed and conveyed to the municipality to municipal standards and free and clear of encumbrances.

&  
K2 - For all proposed residential land uses within 300 metres of the Barrie Railway (BRY) right-of-way, the applicant shall prepare a Rail Noise Study to the satisfaction of the Township of Clearview and County of Simcoe and shall undertake appropriate measures to mitigate any adverse effects from noise that would be generated by an active railway, similar to the BRY service that was in operation up to 2011.

&  
K3 - Future Development Block 19 shall not be permitted to develop until the County of Simcoe are satisfied that the road has been constructed to accommodate County waste collection vehicles in accordance with the County of Simcoe's Waste Collection Road Design Policy and applicable Waste Collection Technical Design Standards document. This block shall be rezoned into a Hold category to restrict the development of the block until the County of Simcoe's waste collection services can be provided. The subdivision agreement, which is registered on title, shall include wording to the satisfaction of the County of Simcoe that restricts the development of this block and forewarns future owners of the development restriction.

&

K4 – The subdivision agreement shall include wording to the satisfaction of the County of Simcoe regarding County waste collection services. The Owner/Developer shall agree that the subdivision agreement include wording that the Owner shall be responsible for providing waste collection for any residences built within the subdivision until such time as the County of Simcoe have given approval for the extension of waste collection into the subdivision or phase of the subdivision. The Owner acknowledges that the County is not required to provide waste collection services along roads that have not been assumed by the municipality. The County of Simcoe may approve waste collection services to commence on a portion of a subdivision or phase, if sufficient number of residence warrant the service, and upon the County being satisfied that the road construction and maintenance will meet the County's requirements and policies to accommodate the waste collection service vehicles. The subdivision agreement be provided to the County of Simcoe for review and written approval prior to final approval.

&

L3 – The final stormwater management plan and works shall ensure a legal outlet and that there are no detrimental impacts to adjacent or upstream and downstream lands as a result of the developments of the side and alterations to drainage and infiltration.

&

L4 – The owner shall confirm technically and legally the adequacy of the drainage outlets to the satisfaction of the Nottawasaga Valley Conservation Authority and the Township of Clearview.

&

O3 – The Owner shall agree that the subdivision agreement includes wording to require the Owner to have in any Agreement of Purchase and Sale for Future Block 19 a warning to potential future owners that no development shall be permitted on this block until such time as the County of Simcoe are satisfied that the road access in front of this block meets the County of Simcoe's Waste Collection policies and the County approves the extension of waste collection services to the block.

&

Q2 – The owner shall receive written confirmation from adjacent lands owner(s) prior to commencing any works/improvements on privately owned lands. In particular, written confirmation from the owner(s) of 241 North Street will be required prior to commencement of required minor grading works.

**The Following Condition have been Removed:**

D2 – Block 14 through 19 (inclusive) shall be subject to a hold zone requirement which shall establishes as conditions of the removal of the hold:

1. The submission and approval of a site plan and entering into of a site plan agreement with the municipality.

&

D3 – The development of Blocks 14 through 19 (inclusive) shall be subject to site plan control.

&

H11 – The development of the Plan may require temporary stormwater management facilities. Such facilities shall be designed and constructed to the satisfaction of the municipality and NVCA and shall have an appropriate and approved outlet. The subdivision agreement shall also require a plan and securities for and carry out of temporary facilities and works required for diverting flows to the permanent facility all to the satisfaction of the municipality and NVCA. The Owner shall be fully responsible for all costs of the stormwater management alterations and rehabilitation of the lands.

&

H12 – Stormwater drainage from the subject 211 North Street Subdivision will ultimately be conveyed north through the Bridle Park Subdivision to the Bridle Park stormwater management facility in Block 20 in the Bridle Park Draft Plan of subdivision. The final stormwater management design and construction must provide for the conveyance and treatment of these flows. The owner shall enter into an agreement with the owners of the Bridle Park Subdivision to properly set out cost sharing for construction and temporary maintenance for this infrastructure.


Township of Clearview

Date of Notice: *November 30, 2018*

Notice of Decision Regarding a Redline Revision for a  
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File Number: SD-2016-060

Note: These revisions and any associated conditions or requirements form part of the approval of the Draft Plan.

Subject to the conditions and notes set forth in the following, this Draft Plan is approved under Section 51 of the *Planning Act*, R.S.O. 1990, Chapter 13, as amended.

Title	Date	Signature
Mayor	November 26, 2018	
Clerk	November 26, 2018	<i>Famela Fustes</i>
Director of Community Services	November 26, 2018	<i>Mona Burton</i>

**A. General Conditions**  
**Previous Conditions of Draft Plan Approval**

A1 That this draft approval shall lapse if Final Approval is not given to this Plan within five (5) years of the draft approval date, and no extensions have been granted.

That the owner shall enter into a consolidated subdivision agreement with, and to the satisfaction of, the municipality to give effect to all relevant conditions of approval and any other matters regarding the proper development of the subdivision as specified by the municipality in such agreement. Accordingly, the conditions set out herein, shall be incorporated into the subdivision agreement, as applicable, to the satisfaction of the municipality in its sole and unfettered discretion, and shall be obligations of, and at the cost of, the owner.

A2 The subdivision agreement shall deal with such matters as, but not limited to, the following: construction of works; ownership of works; registration of the plan and agreement; use of inhibiting orders; servicing allocations; conditions for release of building permits; timing of works; works to be constructed and maintained; fees, deposits and payments to be made; securities and their administration; indemnities and insurance; the owners obligations; conditions for occupancy; general conditions of approval; special conditions of approval; the acceptance and assumption of works; conveyances, restrictive covenants and notices to title; and, all relevant administrative clauses.

The subdivision agreement may allow for phasing of the subdivision subject to the approval of the municipality of a comprehensive phasing plan. Phasing may be accomplished either by full registration and phasing clauses in the subdivision agreement or by partial registration. Phasing under full registration shall incorporate the use of inhibiting orders and other measures to ensure the proper and orderly development of the subdivision. Phasing by partial registration shall be undertaken on the basis that the draft plan approval and conditions shall continue to apply to remaining phases. Accordingly the lapse date and ability to alter conditions would be applicable to remaining phases.

Conditions marked with an \* must be incorporated, in whole or in part, in the subdivision agreement and/or completed as part of, or concurrently with, the registration of the Plan.

A3\* A qualified professional is to be retained to prepare and submit all drawings and reports required for final approval and construction of the Plan; to inspect construction as necessary to ensure proper installation and compliance with municipal and other relevant authority standards; and, to certify in writing that the required works were constructed in accordance with the plans, reports and specifications, as approved by the municipality and all other relevant authorities.

A4 Approval of the Draft Plan is contingent upon the owner satisfying all conditions of approval, such conditions being inter related and inter-dependent and upon which the municipality has relied to significant extent in making its decision of approval. Therefore in the event of any request (including appeal) for alteration to a single condition, the municipality reserves the right to alter or add to these conditions, or withdraw its approval.

A5\* Development of the Plan may occur in phases. This will require the preparation and submission for approval of the municipality of a phasing plan which shall form part of the subdivision agreement. This phasing outline any necessary temporary works which may be required, including, but not limited to, utilities and municipal services, turning circles or alternative road endings, signage, fencing and landscaping. The phasing plan shall also provide for any additional temporary easements or conveyances necessitated to provide temporary works or services. The phasing plan shall also identify any lots which may be temporarily constrained from development as a result of the phasing and any temporary works required. Servicing shall only be allocated to phases which are being registered and developed and for which securities are provided.

A6\* Final construction plans shall include a construction sequence plan, which shall set out in text and drawings the sequence of all construction elements and any temporary works that may be required.

**B. Financial and Administrative Conditions**

B1 All taxes, utilities and charges outstanding against the lands are to be paid prior to the registration of any plan of subdivision.

B2 All drainage charges (Drainage Act) and local improvement charges, municipal service fees and special service fees (Municipal Act) are to be commuted and/or paid, as applicable, prior to registration of any plan of subdivision.

B3 Applicable Final Approval fees and administrative charges, including deposits, are to be paid when making first submission for Final Approval of the Draft Plan.

B4\* All financial requirements of the municipality with respect to the approval and development of the subdivision are to be completed/submitted to the satisfaction of the municipality in its sole and unfettered discretion.

B5\* All processing and administrative fees, including securities and deposits, shall be paid in accordance with the municipal policies, administrative practices and by-laws in effect at the time of signing of the agreement or as otherwise stipulated in the agreement.

B6\* All applicable Development Charges are to be paid in accordance with the Municipal Development Charges By-law, County Development Charges By-law, and Education Development Charges By-law.

B7 All development approval fees of the Nottawasaga Valley Conservation Authority are to be paid as required in accordance with the Nottawasaga Valley Conservation Authority's fees policy, under the powers of the Conservation Authorities Act.

**C. Conveyances and Transfers**

**Township of Clearview**

**Notice of Decision Regarding a Redline Revision for a**

**Subdivision Application**

**File Number: SD-2016-060**

**Date of Notice: November 30, 2018**

**C1\*** The road allowances shown as Streets "A" and Street "B" on the draft plan, shall be conveyed to the municipality free and clear of encumbrances.

**C2\*** Such easements as may be required for utility, drainage and construction purposes shall be conveyed to the municipality, and to other appropriate agencies or authorities, to their satisfaction, free and clear of all encumbrances.

**C3\*** Any dead ends and open sides of road allowance created by this Draft Plan shall be terminated in 0.3 metre reserves to be conveyed to and held, in trust, by the municipality.

**C4\*** Block 22 shall be conveyed to the municipality as road widening and for these Blocks to be shown and dedicated as public highways on the final plan, free and clear of all encumbrances.

**C5\*** Blocks 21 and 23-28, shall be conveyed to the municipality as reserves, free and clear of all encumbrances.

**C6** Block 20 shall be conveyed to the municipality for Stormwater management and drainage purposes, free and clear of all encumbrances.

**C7** A three (3) metre easement along the eastern property line of lots 10-11 encompassing the limits of the proposed Stormwater emergency overflow weir shall be required and conveyed to the municipality free and clear of encumbrances; unless an alternative route and/or solution can be confirmed through final and detailed design to the municipality's satisfaction.

**D. Further Approvals**

**D1** The lands shall be appropriately zoned for the proposed residential development, Stormwater Management facilities and holding categories.

**E. Required Municipal Services and Works**

**E1\*** The developer agrees to utilize the sanitary servicing allocations secured in a separate agreement, entered into between the developer and Township on November 30, 2012 for the servicing agreement of this development.

**E2\*** A final servicing plan shall prepared and submit for approval of the municipality by the applicant.

**E3\*** All internal and external services required for the development of this Plan shall be required to be designed by a qualified professional to the municipality's satisfaction and constructed/installed at the owner's expense.

**E4\*** All streets shall be named to the satisfaction of the municipality.

**E5\*** Sidewalks, lanes and trails shall be constructed in accordance with the municipality's specifications and requirements.

**E6\*** Upgrades to existing services required for the development of this plan shall be required to be designed by a qualified professional to the municipality's satisfaction and constructed/installed at the owner's expense.

A7\* A privacy fence (vinyl wood) with a minimum height of 1.83 m shall be constructed along the west and east lot lines of the property. The fence shall be designed and finished to the satisfaction of the municipality.

E7\* A fence (black chainlink) shall be constructed along the northwest and south lot line for Block 20, providing separation between Stormwater Management Facilities and residential lots.

E8\* The owner shall be required to upgrade North Street to urban municipal standards along the frontage of the subject property to Stayner Street. The municipality may enter into a reasonable efforts arrangement to recover developer front ending costs where it is demonstrated to the municipality's satisfaction that there are other benefitting landowners and the municipality has a reasonable opportunity to recover such costs from those benefitting landowners

E9\* Development of lands to the north may require additional works to deal with traffic impacts and volume requirements through Street A and to North Street. In this regard, the municipality will facilitate the proper and proportionate allocation for cost sharing of improvements to Street A and to North Street.

**F. Utilities**

F1\* An overall utility distribution plan is to be prepared and submitted for approval to the satisfaction of all of the affected authorities.

F2\* The telephone service provider shall confirm that satisfactory arrangements, financial and otherwise, have been made with them for any facilities serving this draft plan of subdivision which are required by the municipality to be installed underground; a copy of such confirmation shall be forwarded to the Township.

F3\* The gas service provider shall confirm that satisfactory arrangements, financial and otherwise, have been made with them for any facilities serving this draft plan of subdivision which are required by the Township to be installed; a copy of such confirmation shall be forwarded to the Township.

F4\* All streets shall be graded to final elevation prior to the installation of the gas lines and the necessary field survey information required for the installation of the gas lines shall be provided, all to the satisfaction of the gas service provider.

F5\* All of the natural gas distribution system will be installed within the proposed road allowances so that easements shall not be required.

F6\* The hydro service provider shall confirm that satisfactory arrangements, financial and otherwise, have been made with them for any facilities serving this draft plan of subdivision which are required by the municipality to be installed underground; a copy of such confirmation shall be forwarded to the municipality. The owner shall grant any easements that may be required for hydro services.

F7\* Confirmation is to be received from Canada Post that the applicant has made satisfactory arrangements for the installation of community mailboxes. A copy of such confirmation shall be forwarded to the municipality. A community mailbox plan and design detail shall be submitted to the municipality and Canada Post for approval.

Concrete pads are to be provided for the placement of the community mailboxes. Additional facilities such as curb cuts, walkways, and paved lay-bys shall be provided as and when required by the municipality.

**G. Parkland**

Landscaping plan is to be prepared and submitted to the municipality for approval. This shall include a tree planting plan for roads/boulevards.

G1\* All public spaces are to be developed and conveyed to the municipality to municipal standards and free and clear of encumbrances.

G2\* Cash-in-lieu for parkland is to be provided to the municipality in accordance with the Planning Act and municipal Parkland Dedication By-law 08-04. The municipality may require parkland requirements to be met for multi-residential development separately from subdivision approval through site plan approval process. A trails plan around the SWM Pond is to be prepared and submitted to the municipality for approval.

G3\* All trails are to be developed and conveyed to the municipality to municipal standards and free and clear of encumbrances.

**H. Environmental Protection and Sustainability**

H1\* A construction spills control plan and construction waste and stockpile management plan are to be prepared and implemented through development of the Plan.

H2\* A soils/hydrogeological report to assess soil types and ground water levels relative to establishing elevations for houses and the need for and elevation of a foundation drain discharge system is to be prepared and submitted for approval to the standards and satisfaction of the municipality.

H3\* All disturbed lots or blocks to be left vacant for longer than a specified length of time shall be graded, seeded and maintained to the satisfaction of the municipality.

H4\* An energy efficiency assessment is to be prepared and submitted to the municipality for approval. The Plan shall identify construction and development recommendations to maximize the energy efficiency of the development during and following construction and is to be prepared to the standards and satisfaction of the municipality.

**H5\*** A water use and sanitary servicing efficiency assessment is to be prepared and submitted to the municipality for approval. The assessment shall identify construction and development recommendations to maximize the water use and treatment system efficiency of the development during and following construction and is to be prepared to the standards and satisfaction of the municipality.

**H6\*** A rainwater capture and re-use plan is to be prepared and submitted to the municipality for approval in conjunction with the stormwater management plan.

Prior to any site alteration, the following shall be prepared to the satisfaction of the Nottawasaga Valley Conservation Authority, and the municipality:

- a detailed Storm Water Management Report;
- a detailed Erosion Control Plan;
- a detailed Grading Plan
- a detailed floodplain analysis;
- a detailed landscaping plan for the storm water ponds and the rest of the development;
- a detailed geotechnical report for the storm water ponds; and,
- a Construction Staging/Phasing Plan.

**H7\*** Notwithstanding the submission of the preliminary stormwater management report which demonstrates that there is a feasibility of appropriately controlling the quantity and quality of stormwater for the proposed development, the final stormwater management report shall consider the most current accepted engineering methods for ensuring environmentally sound control of water quality and quantity in effect at the time of submission and as reviewed with the municipality, and Nottawasaga Valley Conservation Authority.

The final stormwater management plan and works shall ensure that there are no detrimental impacts to adjacent or upstream and downstream lands as a result of the development of the site and alterations to drainage and infiltration. The recommendations of these reports shall be implemented as works to be carried out by the owner at the owners expense to the satisfaction of the Nottawasaga Valley Conservation Authority and municipality.

**H8\*** Proper erosion and sediment control measures will be in place prior to any site alteration.

**H9\*** All major storm water management facilities (e.g. storm water ponds) must be in place prior to the creation of impervious areas such as roads and buildings.

**H10\*** All street and public lighting fixtures shall be dark-sky compliant and comply with municipal design specifications.

Final grading plans will require the following notation:

H11\* "The contractor shall confirm site elevations and groundwater conditions prior to construction. All underside of footings and tile drains shall be located 0.4m above the High Groundwater Elevation identified in the approval subdivision plan/site plan."

**I. Urban Design and Architectural Control**

I1\* An architect acceptable to the municipality shall be retained for the purposes of preparation of an architectural control plan. Such firms shall be qualified to take on such work and have demonstrated experience in doing so. The architectural control plan shall have regard to the recommendations and concepts outlined in the design policies of the Official Plan, in effect at the time, and any published design guidelines of the municipality. The architectural firm shall be retained for these purposes at the Owner's expense, and shall perform all services to the satisfaction of the municipality acting reasonably and in good faith. Upon approval by the municipality, these Guidelines will form part of the Subdivision Agreement and shall govern the development of all elements of the subdivision including those elements which are subject to further approvals. The Architectural Control Guidelines shall be administered at the Owner's expense on individual builders of the development by a Control Architect retained by and reporting to the municipality. Prior to the issuance of a building permit, the Control Architect shall certify that the building plans for any building are consistent with the approved Guidelines.

I2\* Garage access to rear yards shall also be provided.

I3\* A driveway location and control plan shall be prepared and submitted to the municipality for approval.

**J. Culture and Heritage**

J1 An archaeological assessment of the entire development property shall be prepared and submitted to the municipality and Ministry of Culture for the approval. Any impact on identified resources shall be mitigated, through preservation or resource removal and documentation. No demolition, grading or other soil disturbances shall take place on the subject property prior to the municipality and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

**K. County of Simcoe**

K1\* The final M-Plan shall have the roads designed to the satisfaction of the County of Simcoe to accommodate County waste collection vehicles as per the County's Waste Collection Road Design Policy and applicable Waste Collection Technical Design Standards document.

K2 For all proposed residential land uses within 300 metres of the Barrie Railway (BRY) right-of-way, the applicant shall prepare a Rail Noise Study to the satisfaction of the Township of Clearview and County of Simcoe and shall undertake appropriate measures to mitigate any adverse effects from noise that would be generated by an active railway, similar to the BRY service that was in operation up to 2011.

K3 Future Development Block 19 shall not be permitted to develop until the County of Simcoe are satisfied that the road has been constructed to accommodate County waste collection vehicles in accordance with the County of Simcoe's Waste Collection Road Design Policy and applicable Waste Collection Technical Design Standards document. This block shall be rezoned into a Hold category to restrict the development of the block until the County of Simcoe's waste collection services can be provided. The subdivision agreement, which is registered on title, shall include wording to the satisfaction of the County of Simcoe that restricts the development of this block and forewarns future owners of the development restriction.

The subdivision agreement shall include wording to the satisfaction of the County of Simcoe regarding County waste collection services. The Owner/Developer shall agree that the subdivision agreement include wording that the Owner shall be responsible for providing waste collection for any residences built within the subdivision until such time as the County of Simcoe have given approval for the extension of waste collection into the subdivision or phase of the subdivision. The Owner acknowledges that the County is not required to provide waste collection services along roads that have not been assumed by the municipality. The County of Simcoe may approve waste collection services to commence on a portion of a subdivision or phase, if sufficient number of residence warrant the service, and upon the County being satisfied that the road construction and maintenance will meet the County's requirements and policies to accommodate the waste collection service vehicles. The subdivision agreement be provided to the County of Simcoe for review and written approval prior to final approval.

**L. Nottawasaga Valley Conservation Authority**

- L1 Prior to any site alteration a permit under Ontario Regulation 172/06 shall be obtained from the Nottawasaga Valley Conservation Authority.
- L2 A copy of the reports referred to in condition H7 to H10 shall be provided to the Nottawasaga Valley Conservation Authority for their review and approval.
- L3 The final stormwater management plan and works shall ensure a legal outlet and that there are no detrimental impacts to adjacent or upstream and downstream lands as a result of the developments of the side and alterations to drainage and infiltration.
- L4 The owner shall confirm technically and legally the adequacy of the drainage outlets to the satisfaction of the Nottawasaga Valley Conservation Authority and the Township of Clearview.

**M. Simcoe County District School Board**

**Township of Clearview**

*Date of Notice: November 30, 2018*

**Notice of Decision Regarding a Redline Revision for a Subdivision Application**  
*File Number: SD-2016-060*

All offers to purchase and sale shall include the following clauses:

M1\* *"Prospective purchasers are advised that the public schools on designated sites in the community are not guaranteed. Attendance at schools in the area yet to be constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or directed to schools outside the area."*

*"Prospective purchasers are advised that school bus pick up points will not be located within the subdivision until major construction activity has been completed."*

**N. Simcoe Muskoka Catholic District School Board**

All offers to purchase and sale shall include the following clauses:

N1\* *"Pupils from this development attending educational facilities operated by the Simcoe Muskoka Catholic District School Board may be transported to/accommodated in temporary facilities out of the neighborhood school's area"*

**O. Warning Clauses and Notices in Agreement**

O1\* *The property title shall note such warning clauses as identified necessary by the municipality and other relevant agencies including, but not limited to, notices relevant to such matters as noise, odours, dust, servicing conditions or restrictions, proximity of public walkways and accesses, fencing, catchbasins and drainage, right of entry, future roads, and development charges.*

O2\* *The Owner shall agree in the subdivision agreement to insert a clause in all Agreements of Purchase and Sale advising potential purchasers of those lots/blocks/units that are located in proximity to the Barrie Railway (BRY) corridor of the potential noise nuisances resulting from existing or future railway operations, as identified in the approved Rail Noise Study, to the satisfaction of the Township of Clearview and County of Simcoe.*

O3\* *The Owner shall agree that the subdivision agreement includes wording to require the Owner to have in any Agreement of Purchase and Sale for Future Block 19 a warning to potential future owners that no development shall be permitted on this block until such time as the County of Simcoe are satisfied that the road access in front of this block meets the County of Simcoe's Waste Collection policies and the County approves the extension of waste collection services to the block.*

**P. Required Reports, Plans and Drawings**

**Township of Clearview**

**Date of Notice:** *November 30, 2018*

**Notice of Decision Regarding a Redline Revision for a  
Subdivision Application  
File Number: SD-2016-060**

Notwithstanding any specific or more detailed reference made to required plans or drawings to be prepared and submitted for municipal approval as set out in the above conditions, the following drawings and plans shall be prepared and submitted to the municipality for approval (i.e. the following list is in addition to any of the specific or detailed requirements incorporated in the aforementioned conditions as applicable):

- M-Plan and R-Plan;
- General Servicing;
- Overall Water Distribution;
- Overall Sanitary Drainage;
- Overall Lot Grading;
- Street Plans;
- Traffic Control and Signage Plan;
- Stormwater Management;
- Parkland Development;
- Trails Plan;
- Spills Control and Remediation;
- Fire Lot Control Plan;
- Composite Utility Plan;
- Hydro Servicing and Street Light;
- Landscape Plans;
- Driveway Location and Control Plan;
- Phasing Plan; and
- Standard Details.

P1

**Township of Clearview**

Date of Notice: *November 30, 2018*

**Notice of Decision Regarding a Redline Revision for a  
Subdivision Application  
File Number: SD-2016-060**

Notwithstanding any specific or more detailed reference made to required reports to be prepared and submitted for municipal approval as set out in the above conditions, the following reports shall be prepared and submitted to the municipality for approval (i.e. the following list is in addition to any of the specific or detailed requirements incorporated in the aforementioned conditions as applicable):

- Final Comprehensive Servicing;
- Final Stormwater Management;
- Erosion and Sediment Control;
- Hydrogeological/Soils;
- Archaeological;

- Construction Spills Control Plan;
- Construction Waste and Stockpile Management Plan;
- Energy Efficiency Assessment;
- Water Use and Sanitary Servicing Efficiency Assessment; and
- Rainwater Capture and Re-use Plan.

P3 The owner shall provide the municipality with a copy of any application, drawing, report or agreement submitted to another agency for the purposes of clearing or satisfying these conditions of draft plan approval.

**Q. Other Conditions**

A sign is to be prepared and erected within the limits of the Plan to the satisfaction of the municipality depicting the approved Plan of Subdivision and zoning, within 90 days of the date of Draft Plan Approval.

Q1 This sign shall stipulate that the approval is conditional and that no development shall be permitted until final approval has been granted and that no building permits shall be issued until requirements of the subdivision agreement have been met.

Q2 The owner shall receive written confirmation from adjacent lands owner(s) prior to commencing any works/improvements on privately owned lands. In particular, written confirmation from the owner(s) of 241 North Street will be required prior to commencement of required minor grading works.

**R. Clearance Letters**

Prior to the final approval being given by the Township of Clearview the municipality must receive a clearance letter from the following agencies indicating how conditions applicable to their authority have been completed to their satisfaction. Clearance are required from the following:

- Nottawasaga Valley Conservation Authority (conditions L1, L2, H7-H10);
- Simcoe Muskoka Catholic District School Board (conditions N1);
- Simcoe County District School Board (conditions M1);
- Telecommunications Service Provider (conditions F2);
- Gas Utility Provider (conditions F3, F4, and F5);
- Hydro Service Provider (conditions F6);
- Canada Post (conditions F7);
- County of Simcoe (conditions K1-K4, O3); and
- Ministry of Culture (conditions J1).

R1

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 Nottawasaga Valley Conservation Authority must receive a copy of the executed subdivision agreement prior to the clearance of the draft plan conditions.

R2

Please be advised that the approval of this draft plan will lapse five (5) years after the date the plan is draft approved. This approval may be extended pursuant to subsection 51(33) of the Planning Act, but no extension can be granted once the approval has lapsed.

R3

If final approval is not given to this plan within five years of the draft approval date, and no extensions have been granted, draft approval will lapse under Section 51(32) of the Planning Act, R.S.O. 1990. 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.

**Notes to Draft Approval**

**1. It is the applicant's responsibility to fulfill the conditions of the draft approval and to ensure that the required clearance letters are forwarded to the Township of Clearview.**

2. We suggest you make yourself aware of section 144 of the *Lands Titles Act* and subsection 78(10) of the *Registry Act*.

Subsection 144(1) of the *Land Titles Act* requires that a plan of subdivision of land that is located in a land titles division be registered under the *Land Titles Act*. Exceptions to this provision are set out in subsection 144(2).

Subsection 78(10) of the *Registry Act* requires that a plan of subdivision of land that is located only in a registry division cannot be registered under the *Registry Act* unless that title of the owner of the land has been certified under the *Certification of Titles Act*. Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).

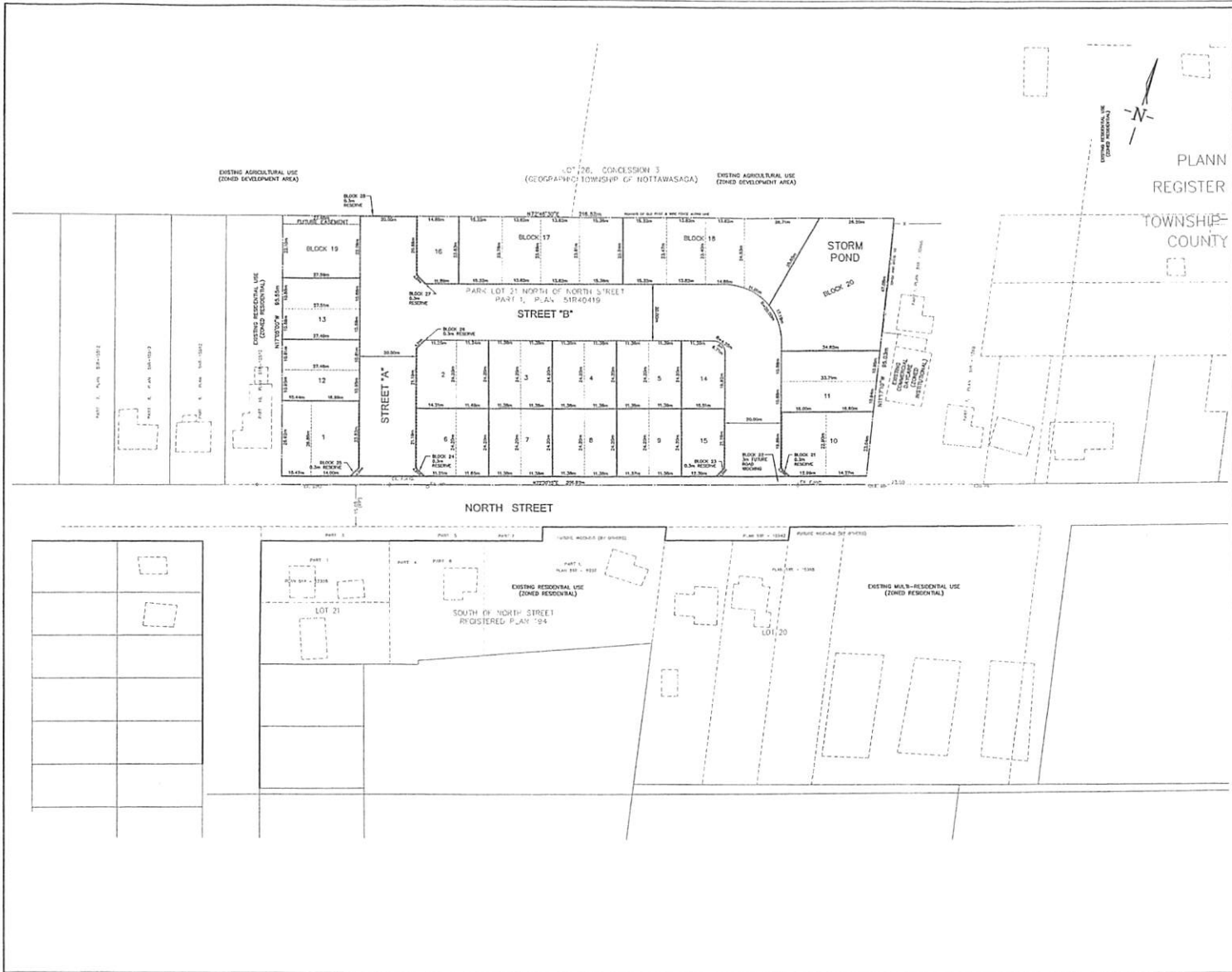
3. The Township will register the plan, including any approved phases thereof, and the subdivision agreement(s) as provided by subsection 51(26) of The Planning Act R.S.O. 1990 against land to which it applies, as notice to prospective purchasers.

4. The Township of Clearview will require the final plan of subdivision registration plans be submitted as follows:

- 4 sets of mylars
- 4 sets of paper prints (1 with AOLS stickers)
- 1 computer disk (contact the Township for required format).
- Land Registry Office Review – Complex and Non-complex Plan – Appendix D (provided by the surveyors with the mylar/prints)

5. The final plan approved by the Township of Clearview must be registered within 30 days or the Township will withdraw its approval under subsection 51(59) of the Planning Act, R.S.O. 1990.

6. All measurements in subdivision final plans must be presented in metric units.



PROPOSED DRAFT PLAN OF SUBDIVISION  
 PART OF PARK LOT 21,  
 NORTH SIDE OF NORTH STREET,  
 REGISTERED PLAN 194  
 (COMMUNITY OF STANLEY)  
 TOWNSHIP OF CLEARVIEW,  
 COUNTY OF SIMCOE

SCALE 1:500

AREA SCHEDULE

NO.	REVISED SIZE	LOTS/BLOCKS	AMTS	AREA (HA)
1.	RESIDENTIAL LOTS	1-13	26	8.793
	SEMI-DETACHED (S/D)	14-16	0	0.000
	SINGLE	17-18	0	0.000
	TOWNHOME	19	1	0.041
	FUTURE DEVELOPMENT	20	1	0.041
2.	STORM POND	BLOCK 20	1	0.041
3.	STREET RIGHTS (WOODS)	BLOCK 22	1	0.041
4.	STREET 9		1	0.041
		TOTAL SITE	4	9.197

ADDITIONAL INFORMATION:

AS REQUIRED UNDER SECTION 51 OF THE PLANNING ACT:

- (C) SHOWN ON DRAFT PLAN
- (D) SHOWN ON DRAFT PLAN
- (E) SHOWN ON KEY PLAN
- (F) RESERVATION - SEE SITE PLAN
- (G) SHOWN ON DRAFT PLAN
- (H) SHOWN ON DRAFT PLAN
- (I) SHOWN ON DRAFT PLAN
- (J) SHOWN ON DRAFT PLAN
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- (X) SHOWN ON DRAFT PLAN
- (Y) SHOWN ON DRAFT PLAN
- (Z) SHOWN ON DRAFT PLAN

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE MEASUREMENTS OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATE AND CORRECTLY SHOWN ON THIS PLAN.

*Martin Kinsley, S.L.S.* DATE: 20/November/2018  
 MARTIN KINSELY, S.L.S. DAY/MONTH/YEAR

OWNER'S AUTHORIZATION:

I/WE HEREBY AUTHORIZE EXP SERVICES INC. TO PREPARE AND SIGN THIS DRAFT PLAN OF SUBDIVISION TO THE TOWNSHIP OF CLEARVIEW AND THE COUNTY OF SIMCOE FOR APPROVAL THEREOF.

*David Green* DATE: 11/20/18  
 DAVID GREEN DAY/MONTH/YEAR

*Farney Shoemaker* DATE: 27/10/18  
 FARNEY SHOEMAKER DAY/MONTH/YEAR

TITLE: DRAFT PLAN

PROJECT: 211 NORTH STREET  
 STANLEY, ON

EXP SERVICES INC.  
 1705 BAYVIEW AVENUE, SUITE 107  
 SCARBOROUGH, ONTARIO M1S 5R7  
 TEL: (416) 291-1111  
 WWW.EXP-SERVICES.COM

SCALE: HORIZ. 1:500  
 SCALE: VERT. \_\_\_\_\_

DESIGN: JF  
 DRAWN: PJS  
 REVISIONS: 04  
 DATE: AUG 2018

DWG. NO.: DP  
 PROJECT NO.: 1351

• BUILDINGS • EARTH & ENVIRONMENT • ENERGY •  
 • INDUSTRIAL • INFRASTRUCTURE • SUSTAINABILITY •