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

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

Last date for Filing an $Decen$	Date of Notice: Novcm	Date of November 19, 2018	Related Files: 2017-029-	Legal Description of Part of Lot Subject Lands:	File Number: SD-2017-029	Owner: MAMTA DE	Applicant: Raj Patel, I
December 20, 2018	November 30, 2018	19, 2018	2017-029-ZB, Common Element Condominium, Site Plan Application	Part of Lot 25, Concession 2, formerly in Nottawasaga, now in the Township of Clearview)29	MAMTA DEVELOPMENTS INC. c/o Harjinder Kang	Raj Patel, Principal RPD Studio

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

ext. 255. 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

Right to Appeal Conditions				Controlled	Timeframe & Required	Appeal Period	
 i) the applicant, 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, iii) the Minister, iv) if the subject land is not located in a municipality or planning area, any public body. 	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 Local Planning Appeal Tribunal by filing a notice of appeal with the Township:	For more information on making an appeal, please visit: http://elto.gov.on.ca/omb/ .	iii) be accompanied by the fee required by the Local Planning Appeal Tribunal.	ii) set out the reasons for the appeal, and	i) be filed with the clerk of the Township,	A notice of appeal must:	Notice to appeal the decision to the Local Planning Appeal Tribunal must be filed no later than 20 days from the date of this notice as shown above as the last date of appeal above.

Who Can File An Appeal	Date of Notice:
An Appeal	November
Only indi	8,

on its behalf. proposed plan of subdivision to the Local Planning Appeal Tribunal. A notice of appeal may be filed in the name of an individual who is a member of the association or group may not be filed by an unincorporated association or group. However, a notice of appeal viduals, corporations or public bodies may appeal decisions in respect of a

as a party. oral submissions at a public meeting or written submissions to the council, or made a unless the person or public body, before the decision of the approval authority, made decision of the approval authority, including the lapsing provisions or the conditions, Appeal Tribunal's opinion, there are reasonable grounds to add the person or public body written request to be notified of changes to the conditions or, in the Local Planning No person or public body shall be added as a party to the hearing of the appeal of the

of Changed Conditions How to Receive Notice

before the final approval is given. The conditions of an approval of draft plan of subdivision may be changed at any time

- 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.
- ii. No person or public body shall be added as a party to the hearing of an appea a public meeting or written submissions to the approval authority, or made a person or public body as a party. Planning Appeal Tribunal's opinion, there are reasonable grounds to add the written request to be notified of the changes to the conditions or, in the Local body, before the approval authority made its decision, made oral submissions at regarding any changes to the conditions of approval unless the person or public

Additional information about the application is available for public inspection during

Information **Getting Additional**

regular

office

hours

at

the

Township

Clearview

<u>www.clearviewplanning.ca</u>

of Attention: Clerk Township of Clearview, Box 200, 217 Gideon Street, Stayner, ON, LOM 1S0

Tel: 705-428-6230 Fax: 705-428-0288

Filing Mailing Appeal Address Notice

Description of Draft Plan to Which Approval Has Been Granted:

Plan/Drawing Number: Lot #25 Simcoe Street, Concept 2A_Draft Plan Plan Title DRAFT PLAN OF SUBDIVISION

Plan Date November 8, 2018

Plan Prepared By: WMI Engineering

WMI Engineering

Rodney Reyonolds, O.L.S RPD Studio (Agent)

Surveyor

Planner:

Engineer:

Number of Lots: Purpose and Plan Management Facility), Block 7 (Common Area) Residential Subdivision – 18 units, Block 1,2,3,6 (Residential), Block 4,5 (Stormwater

Density of Residential Lots/Blocks: 18 Townhouses, 7 Blocks

Number of Blocks Purpose and Plan Management Facility), Block 7 (Common Area) Residential Subdivision – 18 units, Block 1,2,3,6 (Residential), Block 4,5 (Stormwater

Roads Common element condominium road

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.

Township of Clearview

Date of Notice: November 30, 2018

Notice of Decision Regarding A Subdivision Application File Number: 2017-029-SD

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	5
Clerk	November 26, 2018	I melaticus
Director of Community Services	November 24, 2018	Marchan

1. General Conditions

A 1 approval date, and no extensions have been granted. The renewal date is November 2023. That this draft approval shall lapse if Final Approval is not given to this Plan within five (5) years of the draft

shall be incorporated into the agreement, as applicable, to the satisfaction of the municipality in its sole and subdivision, common element condominium and site plan approval for each phase or block of residential all relevant conditions of approval and any other matters regarding the proper development of the agreement (referred to as the agreement) with, and to the satisfaction of, the municipality to give effect to unfettered discretion, and shall be obligations of, and at the cost of, the owner. development as specified by the municipality in such agreement. Accordingly, the conditions set out herein, That the owner shall enter into a consolidated subdivision and common elements condominium development

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

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

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

A3*

single condition, the municipality reserves the right to alter or add to these conditions or withdraw its making its decision of approval. Therefore, in the event of any request (including appeal) for alteration to a 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

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B. Financial and Administrative Conditions

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

В2 of subdivision. service fees (Municipal Act) are to be commuted and/or paid, as applicable, prior to registration of any plan All drainage charges (Drainage Act) and local improvement charges, municipal service fees and special

В3 first submission for Final Approval of the Draft Plan. Applicable Final Approval fees and administrative charges, including deposits, are to be paid when making

B4* discretion. 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

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

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

C. Conveyances and Transfers

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

from one block across others etc. This includes easements for external stormwater flowing through the site and for internal stormwater flowing

. Further Approvals

<u>D</u>1

Ω1*

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

Township of Clearview Date of Notice: NOVEMBC 30, 2018

Notice of Decision Regarding A Subdivision Application File Number: 2017-029-SD

D2* management system and water chamber. Common element condominium application will be required to allow construction of the road; stormwater

D3* condominium development agreement. Common element condominium will be considered in a consolidated subdivision and common elements

D4* drawings only. The proposed development of each block can be considered in an agreement. Site plan approval will be required for each of the townhouse blocks through the submission of site plan

D5* That the Owner comply with the Township's subdivision Fire Safety Plan.

E. Required Municipal Services and Works

<u>E</u>1 confirms that such allocations are available for such purposes. of the Plan of Subdivision by the municipality and registration of the agreement, and when the municipality Sanitary sewer and water supply allocations shall not be committed for this development until Final Approval

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

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

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

E5* requirements, as well as be AODA (Accessibility for Ontarian's Disabilities Act) compliant Sidewalks, lanes and trails shall be constructed in accordance with the municipality's specifications and

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

₩ 8 area and at the time of clearing of the conditions the Township will review options to accommodate this development. Please note upgrades are planned to facilitate the required fire flows for multi-residential dwellings in this

Date of Notice: November 30, 2018

period, consistency of treatment and appearance). with respect to aesthetic, design and long-term maintenance considerations (e.g. lifespan, maintenance municipality where the municipality is satisfied that such an alternative achieves the intent of this condition municipality. An alternative barrier, or fence of alternative material, may be considered for approval by the concrete, vinyl, wood or a combination thereof and shall be designed and finished to the satisfaction of the perimeter of the property to the Township satisfaction. The fence shall be constructed of stone, brick, A permanent solid decorative fence with a minimum height of 1.83 m shall be constructed along the

E7*

₩ * standards, including a sidewalk from the intersection of Louisa Street and McCrea Street. At a minimum, the owner shall be required to upgrade west side of Louisa Street to urban municipal

Environmental Group Ltd. Report dated March 2, 2018 relating to the trees located at 14 McCrea Drive: The agreement requires the owner to implement the following recommendations from the Landmark

- Erect tree preservation fencing at the dripline of the subject trees;
- Explore the possibility of redesigning the grading plan in the area such that stormwater could be redirected to outside of the root preservation zone, swale can be eliminated, and the existing root zone left undisturbed;
- ω of the swale as it relates to the subject trees at the point where the swale crosses the driplines; If redesign of the grading is not feasible, temporarily remove the preservation fencing, stake the location
- Remove soil required by the approved Grading plans by hand or air spade to expose roots;
- Manually prune smaller feeder roots that are located within the swale (up to 1 inch in diameter) with a under the anchor roots to preserve the root but permit the stormwater conveyance (see Figure 1). This anchor roots within the excavation zone, consideration given to install pvc piping of an appropriate size clean cut. Anchor roots encountered must be left intact. Depending on the number and size of the will need to be determined in the field by qualified personnel;

E9*

- <u>.</u> Backfill with good quality native soil as quickly as possible to avoid desiccation of any pruned roots. Lightly compact the soil and soak with water. Re-erect the preservation fencing at the dripline of the White Pines; and
- .7 Retain a certified arborist who is familiar with tree root excavations, tree risk assessments and that they during the implementation of the above recommendations. provide references for previously completed projects of this nature. This arborist should be on site

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

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

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

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

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

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

the installation of community mailboxes. A copy of such confirmation shall be forwarded to the municipality. Confirmation is to be received from Canada Post that the applicant has made satisfactory arrangements for

F7* be provided as per correspondence provided by Canada Post on October 3, 2018. Concrete pads are to be provided for the placement of the community mailboxes. Additional facilities shall

G. Parkland

G1* Block 7 to Block 4. The trail details and construction will be planned and built to municipal standards management ponds located on Block 4 and 5 for public access. The footbridge linkage will be moved from The Owner will agree to adding an easement in favour of the Township over a trail around the stormwater

G2* 5% cash-in-lieu for parkland is to be provided to the municipality pursuant to the Planning Act

H. Environmental Protection and Sustainability

H1* protection (see Detail D-1 in Appendix B), all other trees remaining can be removed. are recommended for retention as indicated on Plan ARB-1 in Appendix B setting out the Tree Preservation Zone at the outer limits of the dripline of each tree using appropriate tree preservation fencing (hoarding) for by Jim Hosick, The Landmark Environmental Group Ltd. dated August 2018: the tree Nos. 1049 and 1051 As outlined by the Summary and Recommendations in the Tree Inventory, Analysis and Preservations Report

H2* and implemented through development of the Plan. A construction spills control plan and construction waste and stockpile management plan are to be prepared

H3* and any associated drains are to be at least 0.40 metres above the Seasonal High Groundwater elevation. submitted for approval to the standards and satisfaction of the municipality. Underside of basement slabs 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

H4* and maintained to the satisfaction of the municipality. All disturbed lots or blocks to be left vacant for longer than a specified length of time shall be graded, seeded

H5* approval in conjunction with the stormwater management plan. The agreement includes a rainwater capture and re-use initiatives to be submitted to the municipality for

Township of Clearview Date of Notice: Novcmbcr 30, 2018

Notice of Decision Regarding A Subdivision Application

File Number: 2017-029-SD

Prior to any site alteration, the following shall be prepared to the satisfaction of the municipality:

- a detailed Storm Water Management Report;
- a detailed Erosion Control Plan;
- a detailed Grading Plan;
- 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.

H6* submission and as reviewed with the municipality. development, the final stormwater management report shall consider the most current accepted engineering there is a feasibility of appropriately controlling the quantity and quality of stormwater for the proposed methods for ensuring environmentally sound control of water quality and quantity in effect at the time of Notwithstanding the submission of the preliminary stormwater management report which demonstrates that

drainage and infiltration. 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

owner's expense to the satisfaction of the municipality The recommendations of these reports shall be implemented as works to be carried out by the owner at the

H7* Proper erosion and sediment control measures will be in place prior to any site alteration.

#8H of impervious areas such as roads and buildings. All major storm water management facilities (e.g. storm water ponds) must be in place prior to the creation

#9* All street and public lighting fixtures shall be dark-sky compliant

I. Urban Design and Architectural Control

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

Culture and Heritage

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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 municipality and Ministry of Culture for the approval. Any impact on identified resources shall be mitigated, An archaeological assessment of the entire development property shall be prepared and submitted to the requirements.

K. County of Simcoe

K1* Simcoe prior to registration to obtain approval of waste collection services. Design Standard documents to ensure that waste collection services can be provided. Apply to the County of The plan will conform to the County's Waste Collection Road Design Policy and Waste Collection Technical

L. Simcoe County District School Board

Township of Clearview Date of Notice: November 30, 2018

Notice of Decision Regarding A Subdivision Application

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

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

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

M. Simcoe Muskoka Catholic District School Board

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

≤1* school's area". District School Board may be transported to/accommodated in temporary facilities out of the neighborhood "Pupils from this development attending educational facilities operated by the Simcoe Muskoka Catholic

N. Warning Clauses and Notices in Agreement

relevant agencies including, but not limited to, notices relevant to such matters as noise, odours, dust, The property title shall note such warning clauses as identified necessary by the municipality and other

servicing conditions or restrictions, proximity of public walkways and accesses, fencing, catchbasins and drainage, right of entry, future roads, and development charges.

O. Required Reports, Plans and Drawings

Date of Notice: November 30, 2018

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

- M-Plan and R-Plan;
- General Servicing;
- Overall Water Distribution;
- Overall Sanitary Drainage;
- Overall Lot Grading;
- Street Plans;
- Traffic Control and Signage Plan;

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- Stormwater Management;
- Trails Plan;
- Tree/Environmental Feature Protection and Retention 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.

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

- Final Comprehensive Servicing;
- Final Stormwater Management;
- Erosion and Sediment Control;

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- 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.

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

Other Conditions

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A sign is to be prepared and erected within the limits of the Plan to the satisfaction of the municipality agreement have been met. depicting the approved Plan of Subdivision and zoning, within 90 days of the date of Draft Plan Approval. final approval has been granted and that no building permits shall be issued until requirements of the This sign shall stipulate that the approval is conditional, and that no development shall be permitted until

Q. Clearance Letters

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

Clearance are required from the following:

- Telecommunications Service Provider (conditions F2);
- Gas Utility Provider (conditions F3, F4 and F5);

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- Hydro Service Provider (conditions F6);
- Canada Post (conditions F7);
- Ministry of Culture (conditions J1) and
- County of Simcoe (conditions K1).

If agency conditions are incorporated into the agreement, a copy of the draft agreement should be sent to receive a copy of the executed agreement prior to the clearance of the draft plan conditions. them. This will expedite clearance of the final plan. The Nottawasaga Valley Conservation Authority must

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

Q3 date. A processing fee, in effect at the time of the request, will apply. received by the Clerk of The Corporation of the Township of Clearview ninety (90) days prior to the lapsing owner wishes to request an extension to draft approval, a written requested and explanation must be If final approval is not given to this plan within five (5) 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

Notes to Draft Approval

- 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.
- Prior to initiating clearance of conditions and first submission of final design, the applicant and development and municipal requirements and standards. their consultants shall attend a consultation meeting with the Township to review the proposed
- 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

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

- The Township will register the plan, including any approved phases thereof, and the 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
- ហ 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 (jpeg and .pdf). Land Registry Office Review Complex and Non-Complex Plan Appendix D (provided by the surveyors

with the mylar/prints)

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

