

# MINUTES

County of Lambton  
Meeting for the Committee "Woodlot/Land Division Committee"  
on  
Tuesday May 10, 2005 09:00 AM  
Committee Room #1  
Chair: Jim Foubister

**Orders of the Day:**

**Review  
Applications**

The Land Division Committee of the County of Lambton met at the Lambton County Buildings at 9:00 a.m., Tuesday, May 10, 2005 to hold a hearing into applications for Consent and Plan of Subdivision.

Present: Chair J. Foubister, Warden Pat Davidson. Members: B. Bilton. Also present were Deputy-Secretary-Treasurer M. Pauschenwein and Planner Maria Cossa-Rossi.  
Absent: T. Case.

At an earlier meeting the Committee had asked for the cost of woodlot applications in other municipalities. A schedule containing this information was distributed and a discussion ensued.

**#1:** Bilton/Davidson: That staff provide a report regarding woodlot fees, inspection and enforcement.

Carried.

## **Plan of Subdivision**

### **Application 38T-04002**

Matthew Cullen, John Charles Miller & Thomas Vigliotti  
Front Concession, Part Lots 34, 35, 36 and 37  
Geographic Township of Plympton  
Township of Plympton-Wyoming

An application for approval of a draft plan of subdivision has been made with the intention to build 34 single detached dwellings. The subject lands comprise an area of approximately 54.6 hectares (135 acres). The proposed plan abuts the Lake Huron Shoreline to the west, Lakeshore Road to the east, existing low-density residential development to the north and agricultural and significant woodlot lands to the south.

Attending the meeting were: applicants Thomas Vigliotti, John Miller and Matthew Cullen; the applicant's solicitor John Ruffilli; Curt Bladen of T. W. Gray and Associates; Mark Reynolds of Magic Real Estate; and neighbours Sharon Bryce, Brian Collier, Kim Campbell and Rob Murray.

Mr. Ruffilli spoke to the application and stated that the lot sizes were as per the application. He discussed the location of the beach access and said that placing it adjoining the existing beach access is the best location. The applicants hired a consultant to do a traffic report which said that the provision of a through street to Thomas Drive wasn't good planning. The applicants would rather pave the emergency access and put in knock down barriers. Section 14 of the draft conditions states that "the applicants provide closed drainage systems for surface run-off and uncontrolled outlets to the satisfaction of the St. Clair Region Conservation Authority". Mr. Ruffilli said that this type of drainage system may not be viable.

Rob Murray said that there was no safe way to access the beach. Mr. Ruffilli responded that there is a 3 metre R.O.W. on the applicant's property to provide beach access.

Brian Collier said that the beach access being used by people already there would make sense to provide an access by lots 10 or 11 to distribute people along the beach. It would probably be a good idea to provide a playground adjacent to the beach access.

Kim Campbell, who lives on Collingwood, doesn't like the idea of a through street to Thomas Drive. Many of the property owners on Collingwood have concerns because of the number of children in the area. She asked if a fence would be provided along the rear of their properties.

John Ruffilli said that an emergency access with knock down barriers would be provided there - buffering will probably be provided.

Maria Cossa-Rossi read the Planning Report and a letter from the Camlachie Fire Chief Gerry Dochstader. Mr. Dochstader stated in his letter that the turnaround, as shown on the schedule, does not contain enough room for emergency vehicles or snow plows to turn around. He would like to see the road connected to Thomas Drive. This would also supply a second access and connect the proposed subdivision to Blue Point.

Brian Collier stated that he doesn't like the Thomas Street connection. There was a lengthy discussion regarding a second access and concerns regarding access along Lakeshore Road.

There was a discussion regarding the woodlot area. The Planner stated that the concerns would be addressed in the Plan of Subdivision Agreement between the applicants and the municipality and that an Environmental Assessment would have to be undertaken by the applicants.

The Chairman advised of appeal procedures.

Bilton/Davidson: That the Land Division Committee make recommendation to the Secretary-Treasurer that Plan of Subdivision Application 38T-04002 be given draft approval with the following conditions which shall be fulfilled prior to final approval of this Plan of Subdivision.

Carried.

Conditions:

- 1) That the road allowance included in this draft plan shall be shown and dedicated as a public highway and that the name of the proposed road be consistent with the 911 protocol.
- 2) That the Owner provides a parkland dedication or cash-in-lieu to the satisfaction of the Town of Plympton-Wyoming. The Owner also agrees, if requesting an extension of draft approval, the date for calculation of cash-in-lieu of parkland will be from the date of the extension of draft approval.
- 3) That such easements as may be required for utility and/or drainage purposes shall be granted to the appropriate authority.
- 4) That the owners enter into a Subdivision Agreement with the Town of Plympton-Wyoming which is to be registered on title of the lands once the plan of subdivision is registered and which shall satisfy all the concerns of the Town, financially and otherwise, which shall include but not be limited to:
  - a) The provision of a municipal sanitary sewer and/or connection, storm sewer and water distribution services, subject to the satisfaction of the Town Engineer and in keeping with the Ministry of Environment standards.

- b) The proposed development is located within the Contract 6 watershed with Pumping Station No. 6 just east of Harris Point Drive. With the increase in sewage flow, there may be a need to upgrade the pumping station. The applicants will be responsible for the costs associated with the required upgrade.
  - c) The Owners satisfy the Town with respect to storm water management.
  - d) Provisions requiring the submission of a plan for sediment and erosion control for the construction phase of this subdivision.
  - e) Provision of a minimum of 10% of Lake Frontage may be required for public beach access.
  - f) Provision of beach access through stairs, centrally located within the Plan, with the right-of-way fenced and paved to the satisfaction of the Town. If required, the Municipality could request that an independent environmental study be conducted to determine the best location for the beach access. The Municipality would be responsible for selecting the consultant and providing the terms of reference, whereas, the applicants would be responsible for all costs associated with the study.
  - g) Removal of the turning circle shown on the proposed plan and developing the proposed road to the Town's satisfaction so it connects with Thomas Street.
  - h) Provision of adequate buffering and/or mitigation measures between the proposed residential development and the agricultural parcel.
  - i) Installation of a fire hydrant system that loops with the proposed water system in Bluepoint. This would allow for water to be fed to the hydrant protected area from two (2) directions and not result in a 'dead end' system.
- 5) That the Subdivision Agreement between the Owners and the Town of Plympton may contain phasing arrangements to the satisfaction of the Town.
  - 6) That the Owners obtain reserve sewage capacity from the Town for the proposed development.
  - 7) That the Owners obtain approval from the Ministry of Environment for the final servicing plans. The provisions of the approved servicing plans must be incorporated into the Subdivision Agreement with the Town.
  - 8) The applicants shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the County of Lambton and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
  - 9) That the County of Lambton Public Works Department be presented the details of the proposed municipal entrance onto County Road 7 (Lakeshore Road) and be satisfied with the geometry, grade, drainage, signage and any other relevant matters prior to the development of the lands.
  - 10) The applicants clarify for the County Public Works Department the ownership of the lands between Blocks 35 and 38, as shown in the detail on Plan S-03-222-D-2.
  - 11) The applicants obtain from the County Public Works Department entrance permits for shared access for Lots 1 through 7 (i.e. one entrance/egress point for every two lots) and that all other

surplus entrances be removed and the areas restored to the satisfaction of the County Public Works Department.

- 12) The applicants conduct an Environmental Evaluation to identify an appropriate development and site alteration setback from the woodland edge as well as identifying critical interior, woodland sensitivity and general natural features and functions of the woodland. The evaluation should address potential future accessory uses within the woodland.
- 13) That the applicants revise the proposed plan to ensure that the setback on Lots 1, 2, 3, 17 and 18 inclusive is 78 metres from the toe of the bluff and that the revised Plan be reviewed by the St. Clair Region Conservation Authority.
- 14) That the applicants provide closed drainage systems for surface run-off and uncontrolled outlets to the satisfaction of the St. Clair Region Conservation Authority.
- 15) That the Owners obtain capacity from Hydro One for the proposed development or, if necessary, that final approval of the plan be phased in accordance with the availability of electrical servicing.
- 16) That the Owners obtain capacity from Union Gas for the proposed development.
- 17) That prior to final approval by the Secretary-Treasurer of the Land Division Committee, the County is advised in writing by the Town of Plympton-Wyoming how Conditions 1 through 6 has been satisfied.
- 18) That prior to final approval by the Secretary-Treasurer of the Land Division Committee, the County is advised in writing by the Ministry of Environment how Condition 7 has been satisfied.
- 19) That prior to final approval by the Secretary-Treasurer of the Land Division Committee, the County is advised in writing by the Ministry of Culture as to how Condition 8 has been satisfied.
- 20) That prior to final approval by the Secretary-Treasurer of the Land Division Committee, the County is advised in writing by the County's Public Works Department as to how Conditions 9 through 11 has been satisfied.
- 21) That prior to final approval by the Secretary-Treasurer of the Land Division Committee, the County is advised in writing by the St. Clair Conservation Authority as to how Conditions 12 through 14 has been satisfied.
- 22) That prior to final approval by the Secretary-Treasurer of the Land Division Committee, the County is advised in writing by Hydro One as to how Condition 15 has been satisfied.
- 23) That prior to final approval by the Secretary-Treasurer of the Land Division Committee, the County is advised in writing by Union Gas as to how Condition 16 has been satisfied.
- 24) Prior to signing the Final Plan, the Owners shall submit:
  - one (1) original plan;
  - four (4) transparent duplicates;
  - six (6) white paper copies;
  - two (2) CD-ROMs with the final plan (AutoCad compatible) and;
  - three (3) copies of the Subdivision Agreement executed with the Town of Plympton-Wyoming.
- 25) This Draft Approval shall lapse if Final Plan Approval or an extension of Draft Plan Approval is not obtained within three (3) years of the date of this approval, being June ?, 2008.

**Land Division**

**Application B-005/05**

John Campbell  
Concession 6, Part Lot 26, Part Lot 27  
Geographic Township of Brooke  
Township of Brooke-Alvinston

The applicant, John Campbell, proposes to sever the woodlot from a 49.8ha (123 ac) farm. The proposed severed portion would have a frontage of approximately 259.08 metres (850'), a depth of 251.46 m (825') and an area of approximately 3.24 ha (8ac). The retain portion would be approximately 46.5 ha (115 ac).

Attending the hearing was Mr. Campbell who explained that this property was an inheritance. It is pasture land and the wooded portion has been fenced. The property is rolling and would be very hard to work. It has good fences and water. He would like to sell the pasture land and retain the woodlot for sentimental reasons. His children and grandchildren enjoy the woodlot.

Maria read Planning Report and the Deputy-Secretary-Treasurer read submissions received. The Chair advised of appeal procedures.

Davidson/Bilton: That Application B-005/05 be denied for the following reasons:

- a) does not conform to the general intent of the *Provincial Policy Statement*;;
- b) does not comply with the County's Official Plan Policies;
- c) does not conform to the Township of Brooke-Alvinston's Official Plan Policies.

Carried.

**Adjournment**

The Chair declared the meeting adjourned to met again on June 28, 2005.

Time: 11:00 a.m.

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Jim Foubister  
Chair

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Madeline Pauschenwein  
Deputy-Secretary-Treasurer