

MINUTES
LAND DIVISION COMMITTEE

March 6, 2007

A meeting was held at the County Building at 9:00 a.m. on the above date.

Present

Chair B. MacDougall, Warden Jim Burns. Members: F. Foubister and G. Minielly. Also present were Secretary Treasurer D. Posliff, Deputy-Secretary-Treasurer M. Pauschenwein, Planners W. Nywening and B. Uitvlugt and Private Sewage System Coordinator C. Nauta.

Absent

None.

Plan of Subdivision

Application 38T-06004

2052689 Ontario Limited
Plan 413, Lot 218 to 220
Part of Alfred Street Closed
RP 25R 8648, 440 Colborne St., Corunna
Township of St. Clair

An application for the approval of a draft plan of subdivision has been made by Carlo Cimetta (Barrister & Solicitor) agent for 2052689 Ontario Limited (Amand Mesko) with the intention to create 26 lots for single-detached dwellings.

The proposal consists of an "L" shaped parcel of land located in Corunna, south of Corunna Athletic Park (CAP Park) and north of Cameron Street. The subject lands comprise of an area of approximately 2.58 hectares (~6.3 acres) in area with a frontage of ~40 metres on Colborne Street and ~183 metres on Cameron Street.

The property consists of a former elementary school use and a portion of the subject lands was covered by a wing of the former Colborne Street School building. The building was recently removed but the lands are in the process of being properly rehabilitated and graded as required by a condition of consent.

This proposal is tied to two other active planning act applications: Provisional Consent B17/06 and an amendment to the Zoning By-law 90 of 2005 as passed November 7, 2005.

The adjacent lands are single-detached residential to the south and institutional on the east, north and west sides of the development.

Attending the meeting were Sandra Brennan, Planning Coordinator/Deputy-Clerk of the Township of St. Clair, Carlo Cimetta, Solicitor for the applicant, Kurt Bladon of T. W. Gray & Associates Engineering Ltd., and the co-owner Steve Orrett.

Mr. Cimetta stated that the application is for draft plan approval of a 26 lot single-family subdivision. The proposed subdivision lands are a large tract, once the former Colborne Street School that has been divided by consent along with the draft plan of subdivision application. There is sufficient sewage capacity and the storm water management plan has been submitted to the Ministry of the Environment who has no particular concern with the plan as proposed. Water and sewer services and/or any other servicing matters will be addressed in the subdivision agreement between the owner and the Township of St. Clair.

Mr. Cimetta stated that he has reviewed B. Uitvlugt's report and is satisfied and has no objections to the conditions with the amendments as follows:

- Condition # 1 the lot size has been adjusted and that condition # 1 will be removed;
- Condition # 7d) the opaque fence referred to in the condition could be made of wolvanized lumber;
- Condition # 10 That an archeological assessment be required if deemed necessary by the Ministry of Culture.

B. Uitvlugt stated that before draft plan approval is given that the severance process be completed, a Site Plan Agreement be implemented and that the Cash-in-lieu is paid to the Township.

J. Foubister queried regarding the walkway at the end of the cul-de-sac. Who will own this walkway? Mr. Cimetta said that it would be conveyed to the municipality. Mr. Uitvlugt stated that the surrounding neighbours had submitted a petition to the Township requesting a walkway to the tennis courts and park to the north of the subdivision.

Mr. Uitvlugt stated that he had queries from councilors Agar and Brown requesting that the consent process be complete before draft approval. The proposed plan conforms with the general intent of the relevant Official Plan policies as long as the conditions of approval are complied with.

The County of Lambton Official Plan designates the subject lands "Urban Centre" and the Township of St. Clair Official Plan designates the property "Residential". The proposal conforms to the County Official Plan.

#1: Burns/Foubister: That the Land Division Committee make recommendation to the Secretary-Treasurer that Application 38T-06004 be given draft approval subject to the following conditions:

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 shall be identified and consistent with the 911 County of Lambton protocol and the Township of St. Clair.
- 2) That the owners provide cash in lieu of parkland of 5 percent of the lands to the Township of St. Clair in accordance with the Planning Act. 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 owner convey to the Township of St. Clair easements over Blocks 30 to 34, 27 and 29 for storm water purposes.
- 5) That the owner convey to the Township of St. Clair a 3 metre walking corridor as identified as Block 28.
- 6) That the owners enter into a Subdivision Agreement with the Township of St. Clair 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 Township, financially and otherwise, which shall include but not be limited to:
 - a) Provision of a municipal sanitary sewer and connection, storm sewer and water distribution services, subject to the satisfaction of the Township Engineer and in keeping with the Ministry of Environment standards. The agreement is to address committing (allocating) capacity to the subject lands with timelines and securities.
 - b) The owners satisfying the Township with respect to drainage and storm water management.
 - c) Proper park restoration addressed to the satisfaction of the Township of St. Clair (Recreation Department) with timelines and securities.

- d) The owner providing wooden or opaque walls between the proposed residential development and the institutional parcel to the west .
 - e) The owner installing a fire hydrant system to the satisfaction of the Fire Department.
 - f) The owner installing a fenced walkway which will connect the proposed street to Corunna Athletic Park. This walkway will consist of paved surfaces to a standard acceptable to the Township of St. Clair. The walkway also should include bollards to keep motorized vehicles from using the entrance to the park.
 - g) The owner satisfying the Township of St. Clair with respect to Boulevard Trees.
- 7) That the applicants obtain written reserve sewage capacity from the Township for the proposed development subject to timelines and securities.
 - 8) That the Owner obtains approval from the Ministry of Environment for the final servicing plans and submits copies of the Certificates of Approval, issued by the Ministry of Environment, to the County of Lambton and the Township of St. Clair. The provisions of the approved servicing plans must be incorporated into the Subdivision Agreement.
 - 9) That the applicants shall carry out an archaeological assessment of the subject property in consultation with the Ministry of Culture. A full archeological study with mitigative methodology, through preservation or resource removal and documentation shall be completed if required by the Ministry of Culture. No grading or other soil disturbances shall take place on the subject property prior to the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
 - 10) That the Township of St. Clair Public Works Department be presented the details of the proposed street and its municipal entrance onto Cameron Street and be satisfied with the urban design, curbing, geometry, grade, drainage, signage and any other relevant matters prior to the development of the lands.
 - 11) That the Township of St. Clair Public Works Department be presented the details of the entrances to access each lot and any other relevant matters prior to the development of the lands. The owner obtain 911 addresses from the Township of St. Clair for each residential parcel.

- 12) That the owner satisfies 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.
- 13) That the owner satisfies Union Gas for the proposed development.
- 14) That prior to final approval by the Secretary-Treasurer of the Land Division Committee, the County is advised in writing by the Township of St. Clair how Conditions 1 through 8 have been satisfied.
- 15) 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 9 has been satisfied.
- 16) 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 10 has been satisfied.
- 17) 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 11 through 12 have been satisfied.
- 18) 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 13 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 Union Gas as to how Condition 14 has been satisfied.
- 20) That prior to signing the Final Plan, the applicants shall submit:
 - one (1) original plan;
 - four (4) transparent duplicates;
 - six (6) white paper copies;
 - two (2) CD-ROMs containing the draft plan properly geo-referenced to the NAD83 UTM Zone 17 Coordinate System and;
 - three (3) copies of the Subdivision Agreement executed with the Township of St. Clair.

- 21) That 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 _____, 2010.

Application 38T-06003

John Ruffilli a/f Cullen, Miller and Vigliotti
Huroncrest Estates
West Part of Lots 34, 35, 36, 37
Front Concession
Town of Plympton-Wyoming

An application for approval of a draft plan of subdivision has been made by Matthew Cullen, John Charles Miller and Thomas Vigliotti with the intention to create 63 residential building lots for single-detached dwellings and a remnant agricultural block (Blocks 68-72).

Attending the meeting were: John Ruffilli, solicitor for the applicant, owners Matthew Cullen, John Miller and Thomas Vigliotti, Kurt Bladen of T. W. Gray Engineers Ltd., Mark Reynolds from Magic Realty, Netty McEwen, Zoning Administration of the Town of Plympton-Wyoming, and neighbours John and Emmaline Lang and Marion Joyce Hodgins.

Mr. Ruffilli explained to the Committee that the applicants were granted draft approval for a 34 lot plan of subdivision in 2004, but have put that application on hold, finding the servicing costs too high for the number of lots. This proposal is for 63 lots with a proposal for an additional lot making 64 lots. This number of lots will make the development economically viable. The owners worked with the Town regarding the lot size.

Mr. Foubister queried regarding the R.O.W. starting at Block 71 to the north. Mr. Ruffilli said that is the old Lakeshore Road which the County had deeded to the owner at that time.

Mr. Foubister had concerns with how they will deal with stormwater management. Mr. Bladen said that it would be turned over to the municipality. Mr. Bladen said that this would be a permanent body of water. Mr. Minielly asked if it would aerated and Mr. Bladen said that they would probably be deal with this in the construction of the pond.

Ms. MacDougall said that the agreement should make it very clear as to how the pond will be maintained and that should be made clear to the purchasers.

Will explained several changes to the plan to the Committee that would combine several blocks and will be a condition for draft approval.

Mr. Lang, a neighbour in the Blue Point Subdivision asked about entrances to this proposed subdivision. There will be a shared entrance with the present Blue Point Subdivision and one new access. Mrs. Lang queried regarding beach access. Will the residents of the proposed subdivision be entitled to access to the beach through Blue Point Subdivision. W. Nywening, Planner said yes but that there would be another access from the new subdivision through Block 64.

Mr. Lang asked about water lines and sewer. Mr. Bladon said that they would be connected to the existing Blue Point Subdivision.

Mr. Cullen stated that he was fine with combining the blocks. What happens if there is sufficient demand for the existing lots and they want to develop those blocks? Mr. Nywening said that they would have to apply to the Town of Plympton-Wyoming to get that area rezoned.

Mrs. Hodgins said that she owns the 15 acres on the lake to the south. This is a forested site and a nature property. She has concerns with the extreme density of the proposal. She has had some invasion of her property by teenagers who broke into her garage and who ride their bikes on her property. She would like the developers to erect a fence from the road to the lake separating her property from this proposal.

Mr. Ruffilli said that the density of this proposal is very similar to that of the Blue Point Subdivision.

Mr. Foubister said that the plan shows a wire fence along that lot line. Who owns it? Mr. Nywening said that the fence would be dealt with by the subdivision agreement with the Town of Plympton-Wyoming.

Mr. Lang wanted to know if the same restrictions as Blue Point would apply to this proposal regarding top of bank setbacks. Mr. Nywening said that the proposal contains the setbacks required by the St. Clair Region Conservation Authority.

#2: Foubister/Minielly: That Land Division Committee make recommendation to the Secretary-Treasurer that Application 38T-06003 be given draft approval with conditions.

Carried.

Conditions:

- 1) That the draft incorporate the following revisions:
 - a) That Blocks 68, 69, 70, 71 and 72 and the Municipal right of way therein be combined into one Block and that the proposed division between street and lots be shown as a dashed line.
 - b) That the municipal right of way located between lots 54 and 55 be shown and dedicated as a municipal right of way.
 - c) That the width of Block 64, where abutting the proposed municipal right of way, be correctly labelled as 9.14m.
 - d) That the lots in the concept plan be increased to 90' frontages.
 - e) That Lots 57-63 be adjusted, if necessary, to comply with any minimum lot area requirements in the zoning amendment required to be obtained under Condition 3.
 - f) That a lot be added at the northeast corner of the new street's intersection with the Thomas Street intersection.
- 2) 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.
- 3) That the owners obtain necessary amendments to the Town's Official Plan and Zoning By-law.
- 4) That the owners provide a parkland dedication or cash-in-lieu in the amount of 5% to 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.
- 5) That the owner convey to the Town of Plympton-Wyoming easements over Block 64, 65 and 66 for stormwater infrastructure.
- 6) That the owner convey to the Town of Plympton-Wyoming easements over Block 64 for a public beach access and use.
- 7) That the owner convey to the Town of Plympton-Wyoming easements over Block 67 for sanitary sewage works, including a pumping station.

- 8) 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, and shall include but not be limited to:
- a) Provision of a municipal sanitary sewer and connection, storm sewer and water distribution services, subject to the satisfaction of the Town Engineer and in keeping with the Ministry of Environment standards. The water system shall loop with the existing water system in Plans 28 and 486 to the north and have no “dead-ends”.
 - b) Provision of a new sanitary sewer pumping station on Block 67 and, if necessary, upgrades to Pumping Station No. 6 (east of Harris Point Drive) for the Contract 6 watershed. The owners will be responsible for all associated costs.
 - c) Satisfying the Town with respect to drainage and storm water management.
 - d) Provisions requiring the submission of a plan for sediment and erosion control for the construction phase of this subdivision.
 - e) Installation of a fire hydrant system to the satisfaction of the fire department.
 - f) Provision of a connecting street within the unopened portion of the Thomas Street road allowance in existing Plans 28 and 486 to municipal standards, to the satisfaction of the Town of Plympton-Wyoming and at the owner’s cost.
 - g) Urban design being incorporated into the subdivision (i.e. boulevard trees) to the satisfaction of the Town of Plympton-Wyoming.
 - h) Provision of Block 64 as a public beach access of a minimum width of 9m leading to a public beach area with a minimum width of 36m for the area extending from the toe of the bluff to the water’s edge.
 - i) Provision, on Block 64, of fencing, a walk-way and stairs or steps down the bluff to the satisfaction of the Town and having regard for reducing impacts on the woodlot and ravine.

- j) Provision of any items or restrictions related to the recommendations of the Environmental Impact Statement (EIS) completed by Gerry Waldron M.Sc., Consulting Services and dated July 31, 2006 and any recommendations that may result from either the Ministry of Natural Resources' or the Conservation Authority's review of the EIS and deemed best implemented through the Subdivision Agreement.
 - k) Prohibition of private fencing or other barriers on the beach, lake bluff or gullies or in the woodlot.
- 9) That the Subdivision Agreement between the owners and the Town of Plympton-Wyoming may contain phasing arrangements to the satisfaction of the Town.
 - 10) That the owners obtain reserve sewage capacity from the Town for the proposed development.
 - 11) That the Town of Plympton-Wyoming Public Works Department be presented the details of the proposed municipal entrance onto Thomas Street and be satisfied with the geometry, grade, drainage, signage and any other relevant matters prior to the development of the lands.
 - 12) That the owners enter into a tree saving plan with the Town of Plympton-Wyoming to implement the recommendations of the Environmental Impact Statement (EIS) completed by Gerry Waldron M.Sc., Consulting Services and dated July 31, 2006 and any recommendations resulting from either the Ministry of Natural Resources' or the Conservation Authority's review of the EIS. The tree saving plans shall first be reviewed and approved by the St Clair Region Conservation Authority. The owner shall be responsible for any review fees charged by the Conservation Authority.
 - 13) That erosion control measures be implemented in relation to existing outlets and gullies along the Lake bluff according to an erosion control plan to be prepared in consultation with and subject to the approval of the St. Clair Region Conservation Authority and their permitting requirements under Ontario Regulation 171/06.
 - 14) That the owners obtain approval from the Ministry of Environment for the final servicing plans, and submit copies of the Certificates of Approval, issued by the Ministry of Environment, to the County of Lambton and the Town of Plympton-Wyoming. The provisions of the approved servicing plans must be incorporated into the Subdivision Agreement with the Town.

- 15) That the owners 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 Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
- 16) 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.
- 17) That future entrance permit applications to the County Public Works Department for Lots 1 through 7 must be for shared access (i.e. one entrance/egress point for every two lots), that future entrance permit applications for direct access from Lots 56 and 57 must not be made and that all existing surplus entrances be removed and the areas restored to the satisfaction of the County Public Works Department.
- 18) That the owners satisfy Hydro One with respect to servicing capacity for the proposed development or, if necessary, that final approval of the plan be phased in accordance with the availability of electrical servicing.
- 19) That the owners satisfy Union Gas with respect to servicing capacity for the proposed development.
- 20) 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 2 through 10 have 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 10 and 11 and 6 k), if applicable, have been satisfied.
- 22) 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 12 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 the Ministry of Culture as to how Condition 13 has been satisfied.

- 24) 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 14 and 15 have been satisfied.
- 25) 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 16 has been satisfied.
- 26) 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 17 has been satisfied.
- 27) That 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) CDs containing the draft plan properly geo-referenced to the NAD83 UTM Zone 17 Coordinate System, and;
 - three (3) copies of the Subdivision Agreement executed with the Town of Plympton-Wyoming.
- 28) That 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 March __, 2010.

Adjournment

The Chair declared the meeting adjourned.

Time: 10:50 a.m.

Bev MacDougall
Chair

Madeline Pauschenwein
Deputy-Secretary-Treasurer