

MINUTES
LAND DIVISION COMMITTEE

March 2, 2010

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

Present

Chair Wm. Bilton. Warden J. Burns. Members S. Arnold, B. MacDougall and A. Gillis. Also present were Secretary-Treasurer D. Posliff, Deputy-Secretary-Treasurer T. Dewsbury and Planner B. Uitvlugt.

Absent

None.

Plan of Subdivision

Application 38C-10001

Danbury Developments
Part Lot 16 & Lot 17, Plan 413
Township of St. Clair

An application for a Plan of Phased Condominium has been made under Section 51 of the Planning Act by Danbury Developments Inc. The applicant proposes to develop a total of sixty parcels (dwelling units) with two existing easements for servicing. The sixty parcels or dwelling units will be developed in three phases. The first phase will consist of three buildings, (each building containing four attached dwelling units), for a total of twelve dwelling units. The second phase will consist of four buildings, (each building containing six attached dwelling units), for a total of twenty-four dwelling units. The third and final phase will be similar to the second phase with a total of twenty-four dwelling units.

The subject lands consist of an irregular shaped parcel of land located in the central part of Corunna, south of Corunna Athletic Park and west of Queen Street.

The subject lands are comprised of an area of approximately 1.77 ha (4.37 acres) with a frontage of approx. 135.6 metres (444.9 ft) along Queen Street.

Attending the meeting were C. Cimetta and C. Bladon, for the applicant. They were asked if they wished to speak to the application. C. Cimetta outlined the application and informed committee that the applicant had initially wanted to proceed with this project through site plan agreement but it became evident that a plan of condominium was needed. He stated that the abutting property is owned by Queensgate Condominiums and that this project will blend with their property use. He indicated that his client does not have any problems with any of the conditions listed in the planning report.

B. MacDougall asked about the opaque fencing mentioned in the planning report and asked if there was any option for the planting of trees along the rear of the properties in order to give some privacy to the neighbours. C. Cimetta replied that the developer has already erected a solid brick fence in the rear and that the landscaping plan would enhance it. C. Bladon stated that the fence is actually wooden with brick pillars. B. Uivlugt explained the landscaping plan and a discussion ensued about tree planting. S. Arnold stated that the municipality will undertake to plant trees in the boulevard as they are always willing to plant trees to enhance neighbourhoods.

B. Uivlugt reviewed his planning report. The Deputy-Secretary-Treasurer stated that no correspondence has been received.

Gillis/MacDougall: That the Committee make recommendation to the Secretary-Treasurer of the Land Division Committee that Application 38C-10001 be given draft approval subject to the following conditions being fulfilled prior to the final approval of the Plan.

Carried.

Conditions

- 1) That the phased development is to be registered as one condominium corporation regardless of phased timelines of the various buildings.
- 2) That prior to final approval for the registration of any phase in the condominium plan, the Secretary-Treasurer of the County of Lambton Land Division Committee be advised in writing that:
 - a) All buildings in earlier phases are in a condition required under Ontario Regulation and to the satisfaction of the building inspector;
 - b) Site work and lot grading for prior phase(s) are substantially installed to the satisfaction of the Township of St. Clair Director of Public Works or his designate;
 - c) Fire hydrants and access for prior phases are installed and working to the satisfaction of the Township of St. Clair Fire Chief or his designate;
 - d) The proposed plan of condominium showing “as constructed” buildings and structures has been submitted and accepted by the County of Lambton Planning and Development Services Department as in compliance with all applicable site planning and zoning by-law regulations;
 - e) The landscaping plan for the prior phase(s) has been completed to the satisfaction of the Township of St. Clair Planning Co-ordinator or designate;

- f) All obligations of the owner for previous phases, pursuant to the Condominium Agreement with the Township of St. Clair, are completed.
- 3) That the applicants provide parkland cash-in-lieu of 5 percent to the Township of St. Clair. 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.
 - 4) That prior to final approval for the registration of any condominium phase, a plan showing the municipal addresses to be displayed on the exterior of each unit in the entire development be submitted to the Township of St. Clair and the County of Lambton Planning and Development Services Department.
 - 5) That prior to final approval for registration of any condominium within the development, the names of any private roads (if any) be shown on the plan and approved by the County 911 Technician.
 - 6) That existing easements be clearly identified on all final phases of the Plan of Phased Condominium.
 - 7) That the applicants finalize a Condominium Agreement with the Township of St. Clair which is to be registered on title of the lands once the plan of phased condominium is registered and shall satisfy all the concerns of the Township, financially and otherwise, and 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;
 - b) The applicants satisfy the Township with respect to drainage and storm water management;
 - c) Provision of a perimeter fence to the satisfaction of the Township;
 - d) Installation of a fire hydrant system to the satisfaction of the Fire Department and ensure the proper width of the travelled portion of the internal lanes in terms of fire protection vehicles as well as regular inspection / maintenance;
 - e) Urban design being incorporated into the subdivision (ie. landscaping) to the satisfaction of the Township of St. Clair;
 - f) Any signage be identified on an approved plan to the satisfaction of the Township of St. Clair;

- g) Sidewalk and road restoration provisions be incorporated in the subdivision to the satisfaction of the Township;
 - h) Any prior foundations or buried materials be removed to the satisfaction of the Township of St. Clair;
 - i) Handicapped parking be identified with appropriate assessed widths as detailed by the Township of St. Clair;
 - j) Communal post boxes be installed to the satisfaction of Canada Post and access to the communal post boxes be barrier free;
 - k) That prior to final approval of any phase subsequent to the initial registration, the applicant's professional engineer is to provide certification to the Secretary-Treasurer of the County of Lambton Land Division Committee that all of the hard facilities and services, including landscaping and grading, have been installed or provided to ensure the independent operation of the corporation if no subsequent phases are created. In the alternative, if any facility or services including landscaping and grading have not been completely installed, the developer shall engage the services of professional staff to provide a calculated amount of the required work to a value to the satisfaction of the Township of St. Clair and a security of 125 percent of the calculated costs be submitted to the Township.
- 8) That the Ministry of Culture confirm that all archaeological resource concerns have met licensing and resource conservation requirements.
 - 9) That the Public Works Department be presented the details of the proposed street and its municipal entrances and be satisfied with the urban design, curbing, geometry, grade, drainage, signage and any other relevant matters prior to the development of the lands.
 - 10) That the 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 applicant shall obtain 911 addresses from the Township of St. Clair for each residential unit/parcel.
 - 11) That the applicants 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.
 - 12) That the applicants obtain capacity and any easements from Union Gas for the proposed development.

- 13) That prior to final approval of the initial or subsequent phases by the Secretary-Treasurer of the County of Lambton Land Division Committee, the applicant will provide a written record to the Secretary-Treasurer that they have registered easements and a joint use and maintenance agreement for the benefit of the units, common elements and servient tenements to provide for the rights of access to and use of joint facilities by all phases of the development and responsibility for and distribution of costs for maintenance of joint facilities.
- 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 3, 4 and 5 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 Culture as to how Condition 8 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 Hydro One as to how Condition 11 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 Union Gas as to how Condition 12 has been satisfied.
- 18) That prior to signing the Final Plan of each phase, the applicants shall submit:
 - one (1) original plan;
 - two (2) transparent duplicates;
 - two (2) white paper copies;
 - two (2) CD-ROMs with the final plan (AutoCAD compatible): and,
 - two (2) copies of the Subdivision Agreement executed with the Township of St. Clair.
- 19) That this Draft Approval shall lapse if Final Plan Approval or an extension of Draft Plan Approval is not obtained within nine (9) years of the date of giving draft approval with the exception of the initial registration, which shall occur within three years of the draft approval date.

The Chair advised of appeal procedures.

Application 38T-09003

2052689 Ontario Inc. - Phase II
Part Lots 218 & 219, Plan 413, Colborne Street
Township of St. Clair

An application for Plan of Subdivision has been made under Section 51 of the Planning Act by 2052689 Ontario Incorporated. The applicant proposes to develop a total of ten (10) single detached dwellings.

The subject lands are comprised of an area of approximately 1.1 ha (2.7 acres) with a frontage of approx. 161 metres (530.56 ft) along Queen Street.

The property is vacant land that until recently was part of the Colborne Street Elementary Public School. The school was demolished and subject to the demolition review as detailed in the submitted Bluewater Environmental Report.

Attending the meeting were C. Cimetta and C. Bladon, for the applicant. They were asked if they wished to speak to the application. C. Cimetta outlined the application and stated that this application is infilling with ten single family dwelling lots. He noted that the applicant has also developed the adjoining subdivision. The initial concept was an institutional use, such as a seniors' home, however the plans have changed into this proposal in order to complement the surrounding area. He said that there is no requirement for new infrastructure to accommodate this proposal. He indicated that his client does not have any problems with any of the conditions listed in the planning report.

B. Uivlugt reviewed his planning report. The Deputy-Secretary-Treasurer stated that no correspondence has been received.

Gillis/Burns: That the Committee make recommendation to the Secretary-Treasurer of the Land Division Committee that Application 38T-09003 be given draft approval subject to the following conditions being fulfilled prior to the final approval of the Plan.

Carried.

Conditions

- 1) That the applicants 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 applicants satisfy the Township with respect to drainage and storm water management;
 - c) Provision of fencing between the proposed residential development and the institutional lands to the north to the satisfaction of the Township;
 - d) Urban design being incorporated into the subdivision (ie. boulevard trees) to the satisfaction of the Township of St. Clair;
 - e) Any signage be identified on an approved plan to the satisfaction of the Township of St. Clair.
- 2) That the owner obtains 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 Township of St. Clair. The provisions of the approved servicing plans must be incorporated into the Subdivision Agreement.
 - 3) That the Ministry of Culture confirm that all archaeological resource concerns have met licensing and resource conservation requirements.
 - 4) That the Public Works Department be presented the details of the proposed street and its municipal entrances and be satisfied with the urban design, curbing, geometry, grade, drainage, signage and any other relevant matters prior to the development of the lands.
 - 5) That the 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 applicant to obtain 911 addresses from the Township of St. Clair for each residential parcel.
 - 6) That the applicants 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.
 - 7) That the applicants obtain capacity and any easements from Union Gas for the proposed development.
 - 8) 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 Condition 1 has been satisfied.

- 9) 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 2 has been satisfied.
- 10) 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 3 has been satisfied.
- 11) 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 6 has been satisfied.
- 12) 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 7 has been satisfied.
- 13) That prior to signing the Final Plan, the applicants shall submit:
 - one (1) original plan;
 - two (2) transparent duplicates;
 - two (2) white paper copies;
 - two (2) CD-ROMs with the final plan (AutoCAD compatible); and,
 - three (3) copies of the Subdivision Agreement executed with the Township of St. Clair.
- 14) 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 giving draft approval.

The Chair advised of appeal procedures.

Adjournment

The Chair declared the meeting adjourned.

Time: 10:10 a.m.

William Bilton
Chair

Terrie Dewsbury
Deputy-Secretary-Treasurer