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THE CORPORATION OF THE COUNTY OF HURON

NOTICE OF NO APPEALS
UNDER SECTION 51(42) OF *THE PLANNING ACT*, R.S.O. 1990

FILE NUMBER: 40T 10001
OWNER/APPLICANT: 1028094 Ontario Ltd. (Ken Palen)
LOCATION: Part Lot 10, Concession 6, Crediton, Stephen Ward
Municipality of South Huron

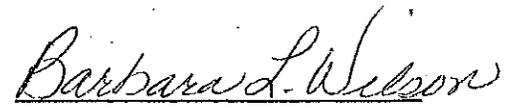
DECLARATION

I, Barbara Wilson, Clerk of the County of Huron hereby declare that the notice for Plan of Subdivision 40T 10001, which was approved with draft plan conditions by the Council of the County of Huron on September 7, 2011, was given in a manner and form to the prescribed persons or public bodies as required by Section 51(37) of *The Planning Act*, R.S.O. 1990.

I also declare that the twenty (20) day appeal period expired on October 7, 2011 and to this date no notice of appeal of 40T 10001 has been filed.

In accordance with Section 51(41), the decision of the County of Huron to approve Plan of Subdivision 40T 10001 with conditions shall be deemed to have been made on October 8, 2011, the day after the last day for appealing the decision.

The conditions of draft plan approval for file 40T 10001 are attached to this notice.


Barbara Wilson, Clerk

Dated at the County of Huron
this 21st day of October, 2011.

PLAN OF SUBDIVISION DESCRIPTION

The subject property is 35.73 hectares (88 acres) in total, and this application proposes to create 25 single detached dwelling lots covering 1.9 hectares of the property. The subject property is designated Urban in the South Huron Official Plan as well as a Natural Environment designation for the woodlot at the east end of the property.

Lots 1 thru 5 front onto King Street between existing single detached residential lots. Lots 6 thru 25 front onto Victoria Street between existing residential development. It is expected that these lots will be developed with two storey homes with garages and similar in size to the dwellings currently present on both King and Victoria Streets.

County of Huron Council has granted phased draft plan approval that will allow the 25 lots in this plan of subdivision to be registered in 5 separate phases of five lots each.

**Draft Conditions For
Plan of Subdivision 40T10001
1028094 Ontario Inc./Palen**

WHEREAS the application for subdivision 40T10001 has been circulated according to Section 51 of the Planning Act, RSO 1990, as amended and according to the Delegation Orders of the Minister of Municipal Affairs and the County of Huron's Procedures Manual;

AND WHEREAS the application affects an area designated for residential development in the South Huron Official Plan;

AND WHEREAS any issues raised during the circulation of the application are addressed by the following conditions to draft approval;

NOW, THEREFORE the Council of the Corporation of the County of Huron hereby issues draft approval to the file 40T10001 which pertains to Part Lot 10, Concession 6, Crediton, Stephen Ward, Municipality of South Huron, and the following conditions shall apply:

DRAFT CONDITIONS 40T10001

The County of Huron's conditions for registration of this subdivision (file 40T10001) are as follows (the following conditions must be met prior to final approval);

Description

1. This approval applies to the draft plan prepared by Doug Culbert Ltd. dated June 14, 2010 for the subdivision with 25 Lots (shown as Lots 1-25) for single detached dwellings on an area of 1.9 hectares.

Phasing

2. The subdivision can be registered in five separate phases of five lots each. 'Phase 1' is described as lots 1 through 5 fronting onto King Street; 'Phase 2' is lots 6 through 10 fronting onto Victoria Avenue East; 'Phase 3' is lots 11 through 15 fronting onto Victoria Avenue East; 'Phase 4' is lots 16 through 20 fronting onto Victoria Avenue East; and 'Phase 5' is lots 21 through 25 fronting onto Victoria Avenue East. Details regarding the order of registration of these phases may be established in the subdivision agreement.
3. Any stormwater management and drainage infrastructure required for the independent development of each Phase shall be completed to the satisfaction of the Municipality of South Huron and the Ausable Bayfield Conservation Authority, prior to the registration of the respective Phase.

Roads

4. The Owner shall provide the Municipality of South Huron with a one (1) foot reserve along the side lot line of lots 3, 4, 20 & 21 that is adjacent to the land proposed to be a future road allowance that will provide access the development lands at the rear of the plan of subdivision. The one (1) foot reserve shall be in a form satisfactory to the Municipality of South Huron at the Owner's expense.
5. The Owner shall provide the Municipality of South Huron with a one (1) foot reserve across the frontage of the proposed future road allowances that will provide access to the

development lands at the rear of the plan of subdivision. The one (1) foot reserve shall be in a form satisfactory to the Municipality of South Huron at the Owner's expense.

Zoning

6. The Municipality of South Huron advise the County of Huron that appropriate zoning is in effect for this proposed subdivision.

Parkland and Landscaping

7. The Municipality may require payment-in-lieu of parkland dedication as per Section 51.1 of the Planning Act.

Servicing

8. The Owner agrees to such easements as may be required for utilities, including telephone, television cable, gas and hydro or stormwater/drainage purposes shall be granted gratuitously to the appropriate authorities.
9. The Owner agrees to provide Union Gas Limited, the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.

Stormwater Management, Grading and Erosion Control

10. That prior to registration of any Phase, the Owner shall have prepared and submitted to the satisfaction of the Municipality of South Huron and the Ausable Bayfield Conservation Authority, the following Engineering reports to be prepared by a qualified Engineering consultant:
 - a. A final stormwater management plan for each Phase of development, and;
 - b. An overall lot grading and drainage plan for each Phase of development, and;
 - c. Erosion and sedimentation control plans or equivalent provisions for same, and;
 - d. Written details of the means whereby access to and maintenance of stormwater management and drainage facilities serving each Phase of the plan is provided.
11. Prior to final approval of any Phase fronting onto Victoria Ave. East, the Owner shall satisfy the County of Huron Highways/Public Works Department regarding drainage of stormwater from lots 6-25 fronting onto Victoria Avenue East.

Agreement

12. The Owner enter into a Subdivision Agreement to satisfy all requirements, financial and otherwise, of the Municipality of South Huron to facilitate the creation of this plan of subdivision, prior to the final approval of the first Phase.
13. The Subdivision Agreement between the Owner and the Municipality of South Huron shall include all relevant conditions for the creation of this plan of subdivision.
14. A clause shall be included in the Subdivision Agreement requiring:
 - a. The Owner to obtain clearance from the County of Huron Highways/Public Works Department prior to any disturbance of Victoria Avenue East (County Road #10);
 - b. Any physical alterations, upgrades, or installations within the roadway and right of way for Victoria Avenue East (County Road #10) be completed at one time along the frontage of lots 6 through 25, including future right of ways during one period to the satisfaction of the County of Huron Highways/Public Works Department; and

- c. Any improvements and repairs deemed necessary to Victoria Avenue East (County Road #10) as a result of this development be completed at the Owner's expense to the satisfaction of the County of Huron Public Works/Highways Department.
15. A copy of the Subdivision Agreement between the Owner and the Municipality of South Huron shall be provided to the County of Huron Planning Department prior to final approval of the first phase.
16. The Subdivision Agreement between the Owner and the Municipality shall be registered against the lands to which it applies.

Fees

17. Arrangements shall be made, satisfactory to both the Municipality of South Huron and the County of Huron, for reimbursement of any legal and/or engineering fees and disbursements incurred by them in connection with the review or approval of this plan of subdivision.

Lapsing

18. The proponent has six (6) years from the date of draft approval of this plan of subdivision to obtain final approval for the plan of subdivision (Lots 1-25) from the County of Huron. If final approval is not obtained before six (6) years from the date of draft approval, the Owner may apply to have the County of Huron extend draft approval. It is the Owner's responsibility to request this extension. If draft plan approval is not extended then draft approval shall lapse.

Clearances

19. The County of Huron Planning Department be advised in writing by applicable agencies how the foregoing conditions have been satisfied (see the notes section for addresses of agencies).

NOTES TO DRAFT APPROVAL

1. It is the Owner's responsibility to fulfill the conditions of draft approval and to obtain the required clearance letters from the appropriate agencies.
2. A copy of the Subdivision Agreement is required by the County of Huron Planning & Development Department.
3. An application for final approval of any phase of the plan of subdivision must be submitted to the County of Huron with copies of the required clearance letters. Be advised that the County of Huron requires a **minimum of 2 weeks** to review an application for final approval of each phase of this plan of subdivision.
4. Clearances are required from the following agencies:

Municipality of South Huron
322 Main Street N, PO Box 759
Exeter, Ontario
N0M 1S6

Ausable-Bayfield Conservation Authority
R.R. #3,
Exeter, Ontario, N0M 1S5

County of Huron Public Works/Highways Department
1 Courthouse Square
Goderich, Ontario, N7A 1M2

County of Huron Planning & Development Department
57 Napier Street,
Goderich, Ontario, N7A 1W2

Shirley Brundritt
Lands Support Analyst
Union Gas Limited
50 Keil Drive North, P.O. Box 2001
Chatham, Ontario, N7M 5M1
1-800-571-8446 x2760