



## Planning Report

**To:** Municipality of Kincardine Council

**From:** Coreena Smith, Senior Development Planner

**Date:** November 8, 2023

**Re:** Draft Plan of Subdivision S-2023-004 and Zoning By-law Amendment Z-2023-023 (Breymark)

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### **Recommendation:**

That Draft Plan of Subdivision S-2023-004 and Zoning By-law Amendment Z-2023-023 be received for information.

### **Summary:**

A Draft Plan of Subdivision application has been submitted to create a residential townhome development in Tiverton consisting of 46 units in both freehold and condominium format, which will be accessed from an extension of Maple Street and a new private road.

A Zoning By-law Amendment application has been submitted to rezone the lands from Planned Development (PD) to Residential Three Special (R3-XX) with site-specific provisions relating to private road access, setbacks, floor area, frontage, building height and driveway coverage. The Environmental Protection (EP) zone will remain unchanged.

The subject lands are located in the south end of Tiverton and accessed via Maple Street from the west. The property is approximately 1.3 ha in size and consists of a field with scattered trees. The unopened road allowances of Webster Street and Manse Street also extend up to the eastern limits of the property.

There are low density residential lands to the east, south and west, and a watercourse, field and additional low density residential lots to the north.

The purpose of this public meeting is to present the application to Council and to obtain feedback from Council and the community. At a later date, staff will present a recommendation report which will also address comments arising from this meeting.

# Airphoto





## Planning Analysis:

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant agency comments (attached), public comments (attached) and planning policy sections.

### Planning Context

The subject lands are within the Settlement Area of Tiverton and designated Primary Urban Communities in the Bruce County Official Plan. The County Official Plan directs much of the future growth to Primary and Secondary Urban Communities to support the efficient use of land and infrastructure.

The subject lands are designated Residential and Natural Environment in the Municipality of Kincardine Official Plan. In the Residential designation, a range of residential dwelling types are permitted at varying densities. Other uses complementary to and compatible with residential uses are also be permitted such as institutional, open space and local commercial uses; home occupations; bed and breakfast establishments; home-based and unlicensed childcare; and additional residential units.

In accordance with the Residential designation, the applicant proposes to create a townhome development consisting of 8 freehold units in Phase 1 and 38 back-to-back condominium units in Phase 2. A total of 46 new residential units are proposed. The proposal requires a Draft Plan of Subdivision and Zoning By-law Amendment to facilitate the development. A request for Condominium Exemption will be submitted at a later date to create the condominium units.

There is no proposed development in the Natural Environment designation at the northwest corner of the property associated with Nile Creek. The watercourse flows from east to west on the lands to the north of the site.

### Zoning By-law Amendment

Most of the site is currently zoned Planned Development (PD) in the Municipality of Kincardine Zoning By-law. This zone permits lawfully existing uses and some limited development. New residential development requires an amendment to the Zoning By-law.

The applicant proposes to re-zone the Planned Development (PD) lands to Residential Three (R3) with site-specific provisions. The Residential Three (R3) zone permits a broad range of residential uses including single detached, semi-detached, duplex, triplex, quadraplex and row dwellings (i.e., townhouses). The applicant is proposing townhouse dwellings.

Site-specific provisions are proposed to permit the future development. For ease of reference, an excerpt from the Planning Justification Report outlining the requested zone changes is shown below.



<i>Provisions</i>	<i>Required Residential Three (R3) Lot</i>	<i>Proposed Freehold Townhouse</i>	<i>Proposed Condominium Townhouse</i>
<i>Lot Area (Minimum)</i>	160 sq. m. Per Interior Unit 200 sq. m. Per End Unit	252 sq. m. (minimum interior unit) 430 sq. m. (minimum end unit)	9375.4 sq. m. (cumulative)
<i>Lot Frontage (Minimum)</i>	4.5 m per unit, plus 1.2 m for an end row dwelling unit; and an additional 0.6 m for each additional or partial storey above the first storey.	5.3 m (interior unit)	6.4 m (interior unit)
		9.1 m (end unit)	6.9 m (end unit)
<i>Front Yard (Minimum)</i>	6 m	6.2 m	2.5 m
<i>Exterior Side Yard (Minimum)</i>	6 m	Not Applicable	4.5 m
<i>Interior Side Yard (Minimum)</i>	2.4 m plus 0.6 m for each additional or partial storey above the first storey.	3.6 m	3.6 m
<i>Rear Yard (Minimum)</i>	7.5 m	26.4 m	Not Applicable
<i>Building Height (Maximum)</i>	10.5 m	12.0 m	12.0 m
<i>Coverage (Maximum)</i>	60 %	31 %	27 %
<i>Minimum Dwelling Unit Floor Area (Minimum)</i>	60 sq. m.	62 sq. m.	41 sq. m.
<i>Parking (Minimum)</i>	1 space per dwelling unit plus 1 space for every 4 dwelling units, or fraction thereof, to be set aside for and visually identified as visitor's parking.	16 parking spaces (2/unit)	76 spaces (2/unit) 10 visitor spaces

Minor relief from the frontage requirement is needed for the interior units within the Phase 1 freehold townhome block. Site-specific provisions are also proposed to permit the future Phase 2 condominium development to front onto a private road and to provide relief from the front and exterior yard setbacks. The minimum floor area for the interior units in Phase

2 will also require relief. To allow for flexibility in design, a maximum height of 12 metres is also requested for units in both phases.

Residential and visitor parking spaces exceed what is required in the Zoning By-law. However, relief is required to allow for more than 50% of the front yard of the interior freehold townhouse units to be devoted to parking so that the minimum 3 metre wide driveway can be provided.

The Environmental Protection (EP) zone is proposed to remain unchanged.

### Density

Density targets are a tool to achieve the efficient use of land and infrastructure within the Settlement Area boundary. The Bruce County Official Plan and the local Official Plan require the residential portion of all multi-unit developments that will be serviced with municipal sewer and water to achieve a density of 15 units per gross developable hectare. For the subject proposal, a density of 42 units per gross developable hectare is proposed.

The local Official Plan also identifies a maximum density of 50 units per net hectare for medium density residential proposals.<sup>1</sup> Townhouses are considered a medium density housing format. The proposed development is below the maximum identified in the local Official Plan.

### Range and Mix of Housing Types

The proposed development provides a range and mix of housing types and lot sizes to meet the projected requirements of current and future residents. This includes street townhouse dwelling units on freehold lots and back-to-back townhouse dwelling units in a condominium format. Townhouses are alternative to the single detached dwellings which are predominant in the area. While townhomes are not an entirely new dwelling type in Tiverton, the smaller back-to-back units offer a new dwelling style.

Further, the County and Municipal Official Plans target 30% of proposed dwelling units to be medium density or higher. This is a target across all development projects and not required on each project site. The Kincardine Official Plan specifically targets 25% of new developments to be in a medium density format. In this case, all of the proposed townhomes are considered medium density which contributes to both the County and Kincardine targets.

### Roadways and Access

One of the objectives of the local Official Plan is to ensure all land use decisions have regard to implications on the traffic network.

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<sup>1</sup> 'Net density' means the area of the site proposed for development, not including roads, parks, local commercial facilities, etc. (this differs from the 'gross density' calculation which includes local roads and other uses, but excludes natural hazards and similar environmental lands).

The development proposes an extension of Maple Street east into the site. The freehold townhouses will front onto this public street. A new private road is proposed for the condominium townhouse units which will connect in two locations on the north side of the Maple Street extension. All vehicular traffic will be directed to Maple Street and Smith Street. An emergency vehicle access is proposed from the Maple Street extension to the intersection of Manse Street and Paterson Street.

A Transportation Impact Study was prepared in support of the proposed development. The study concluded that the area intersections are currently operating within acceptable levels of service and will continue to operate at acceptable levels to the ten-year study horizon, beyond the anticipated full build out of the site to 2034. The report concluded that no off-site remedial measures / road improvements are required.

Municipal staff, Bruce County Transportation and Environmental Services and the Ministry of Transportation (MTO) have provided comments (attached) on the study and road design that will need to be addressed by the applicant prior to draft plan approval. Opportunity to provide an emergency access or pedestrian connection at Webster Street are among the matters to be explored.

### Sewer and Water Services

The development will be serviced with municipal water and sanitary sewers. Full municipal services are the preferred form of servicing in the municipality.

The applicant submitted a Conceptual Servicing and Stormwater Management Report in support of the project.

Water supply for the development will be provided by a new watermain that will be installed along the proposed extension of Maple Street to Manse Street. The street-facing townhouse dwelling units will connect to this watermain. The condominium units are proposed to be serviced with a looped watermain along the proposed private road. Two new fire hydrants are proposed.

Sanitary servicing will be provided in a similar manner by installing a new sanitary sewer along the Maple Street extension and new private street which will connect to the existing municipal sanitary sewer at the corner of Paterson Street and Manse Street.

The consultants note there is sufficient capacity in the municipal water and sanitary sewer systems to accommodate the proposed development.

Municipal staff have provided comments on the proposed servicing strategy (attached) which will need to be addressed by the applicant.

### Source Water Protection

The northwest portion of the property is located within the Wellhead Protection Area A (WHPA-A) for the Tiverton Drinking Water System (Dent Well #2). The Risk Management Office identified that no policies apply to the activities identified in the applications under

the approved Source Protection Plan for the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region. However, the Risk Management Office noted that the storage of fuel greater than 2,500 litres is prohibited and storage greater than 250 litres would require a Risk Management Plan. Septic systems and chemicals associated with wood working or degreasers in quantities greater than 25 litres are prohibited in the WHPA-A portion of the site.

### Stormwater Management

In order to control flooding, ponding, erosion and sedimentation, and to provide protection of water resources and natural habitat dependent upon watercourses and other water bodies for their existence, the County and local Official Plans require that stormwater management strategies be provided for new development in Settlement Areas.

Through the Conceptual Servicing and Stormwater Management Report, the consultant noted that a new storm sewer is proposed along the Maple Street extension with a connection to the existing storm sewer along Paterson Street. This sewer will service the road extension and the front portion of the freehold townhouse dwelling lots. The rear yards of the freehold townhouse dwelling lots will maintain the current drainage pattern to the south. Stormwater quality and quantity control is not proposed on these lots or the municipal right-of-way.

The back-to-back townhouse dwellings will be serviced by an underground storage system along the private road, which will convey runoff toward an outlet at the north end of the site toward Nile Creek. Nile Creek is on the adjacent property which is privately owned. The runoff will flow overland from the outlet to the existing watercourse. Water quantity control will be provided through underground storage. Water quality control will be provided by an oil/grit separator unit in the system.

Municipal staff and the Saugeen Valley Conservation Authority (SVCA) have provided comments (attached) on the stormwater management strategy that will need to be addressed by the applicant. Bruce County's Transportation and Environmental Services division has also requested confirmation that there will be no increase in stormwater directed to the County roads in the area.

### Natural Hazards

The subject lands are partially designated Natural Environment in the Kincardine Official Plan and zoned Environmental Protection (EP) in the Municipality's comprehensive Zoning By-law.

The natural hazards affecting part of the property are the flooding and erosion hazards of Nile Creek, which flows to the north of the site. The Natural Environment designation and Environmental Protection (EP) zone generally coincide with the natural hazard mapping as plotted by the SVCA for the property.

Provincial and Official Plan policies direct development to areas outside of hazardous lands (flooding hazards, erosion hazards, dynamic beach hazards), and hazardous sites (organic soils, leda clay, unstable bedrock).

No development is proposed in the natural hazards. It is the opinion of SVCA staff that the applications comply with the natural hazard policies of the Province and appear consistent with the natural hazard policies of both the County and local Official Plans.

### Archaeology

The County and local Official Plans identify that development on lands containing possible archaeological resources or areas of archaeological potential should occur in such a manner as to avoid destruction or alteration of these resources. Where this is not possible, the development proponent shall conserve the resources through removal and documentation in accordance with the Ontario Heritage Act.

For this project, a Stage 1 and 2 Archaeological Assessment was prepared in support of the subject applications as the lands fall within an area of high archaeological potential. No archaeological resources were identified in the study area during the Stage 2 assessment. The report concluded that no further assessment was required.

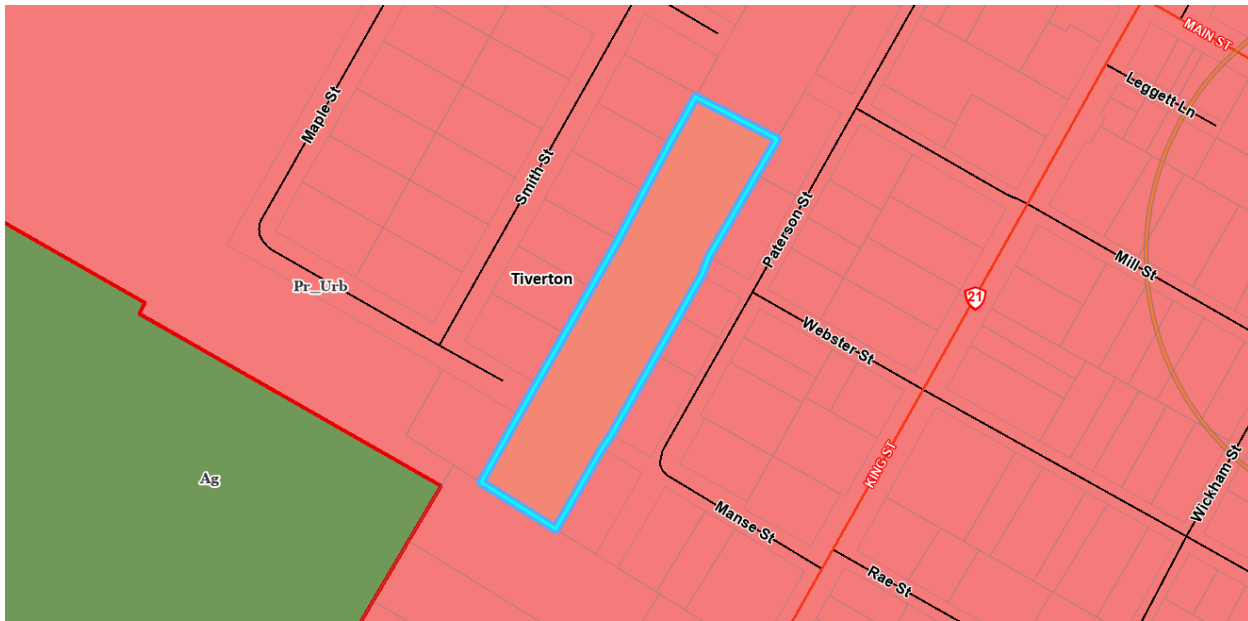
The Saugeen Ojibway Nation (SON) Environment Office reviewed the assessment and noted that the findings of the report are acceptable. The SON EO asked to be engaged if archaeological resources are revealed through the development process.

### Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- Images of the Site
- List of Supporting Documents and Studies
- Agency Comments
- Public Comments
- Public Notice
- Draft Plan of Subdivision
- Draft Plan of Subdivision with Units and Zoning



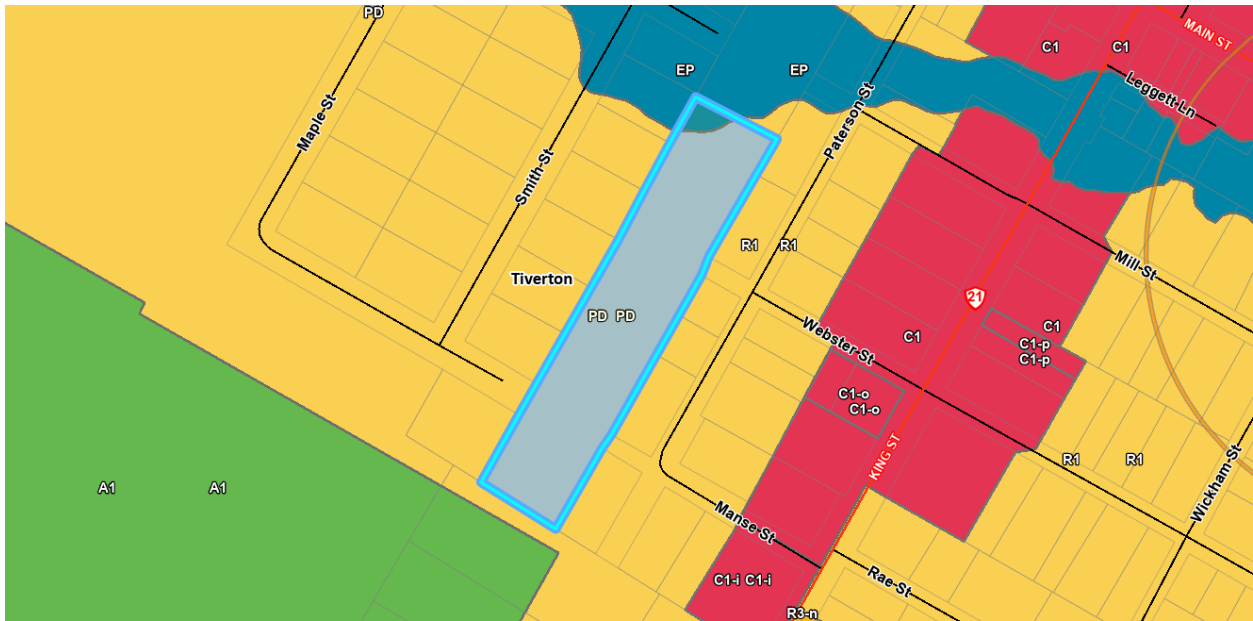
## County Official Plan Map (Designated Primary Urban Communities)



## Local Official Plan Map (Designated Residential and Natural Environment)



Local Zoning Map (Zoned PD - Planned Development and EP - Environmental Protection)





**Images of the Site**



On the property looking north.



On the property looking west toward Maple Street.





Looking west on Maple Street from the property.



Looking west on Webster Street toward the property.





Looking west on Manse Street toward the property.

### **List of Supporting Documents and Studies**

- Draft Plan of Subdivision - Cuesta Planning Consultants Inc. (February 2023)
- Draft Plan of Subdivision with Units and Zoning - Cuesta Planning Consultants Inc. (February 2023)
- Planning Justification Report - Cuesta Planning Consultants Inc. (March 2023)
- Conceptual Servicing and Stormwater Management Report - Meritech Engineering (October 2022)
- Stage 1 and 2 Archaeological Assessment - Fisher Archaeological Consulting (September 2022)
- Archaeological Assessment Ministry Letter - Ministry of Citizenship and Multiculturalism (September 2022)
- Source Water Protection Review - GM BluePlan Engineering (August 2021)
- Transportation Impact Study - Paradigm Transportation Solutions Ltd. (December 2022)



## Agency Comments

**From:** [Kelly Vickery](#)  
**To:** [Bruce County Planning - Lakeshore Hub](#)  
**Subject:** Request for Comments - S004, Z023  
**Date:** Wednesday, July 12, 2023 2:31:26 PM  
**Attachments:** [Submission Comments Tracking.xlsx](#)  
[1.1 CBO Request for Agency Comments S4 Z23 Breymark.pdf](#)  
[1.2 AW Request for Agency Comments S4 Z23 Breymark.pdf](#)  
[1.3 CV Request for Agency Comments S4 Z23 Breymark.pdf](#)  
[1.4 BM Ross Request for Agency Comments S4 Z23 Breymark.pdf](#)

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**\*\* [CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Good afternoon,

Please see attached comments from Municipal Staff, as well as Comments Tracking Spreadsheet. Just to confirm, am I to also send the comments I have collected on the spreadsheet, to the Developer at this point.

Thank you,

### **Kelly Vickery**

Planning Coordinator

Municipality of Kincardine  
1475 Concession 5, R. R. 5  
Kincardine ON, N2Z 2X6  
(519) 396-3468 Ex 7129

Please visit <http://www.kincardine.ca>

File Numbers: S-2023-004, Z-2023-023

Agency: Municipality of Kincardine

No Comment: \_\_\_\_\_ Title: CBO/ Dev Serv Mngr Signature: Dwayne McNab

Comments:

- 1- Show centreline radius of 12m
- 2- SWM design to include 2-5-10-25-50-100 yr events
- 3- Provide building elevation drawings - if basement level is provided, all units shall have provisions for a private storm drain connection (SPDC) for sump pumps
- 4- Provide a Landscaping Plan
- 5- Provide a Street Lighting Design and Layout with Photometrics
- 6- Minimum floor areas shall be maintained in accordance with OBC
- 7- Provide verification of Hydrant Flow testing to meet 105L/s as provide is supply requirements
- 8- Show driveways and on-site parking along with a traffic flow modeling analysis (unit parking appears to encroach onto roadway)
- 9- 8 Unit townhouse access onto Maple St - have traffic consultant verify safe access and sightlines from driveway locations
- 10- Traffic study (Section 4.1) Verify that Paradigm has acknowledged/ accounted for adjacent development (FAST Holdings) and Traffic Study completed by WSP

File Numbers: S-2023-004, Z-2023-023

Agency: \_\_\_\_\_

No Comment:   X   Title: Director of Infrastructure and Development Signature: Adam Weishar

Comments:

File Numbers: S-2023-004, Z-2023-023

Agency: \_\_\_\_\_

No Comment: X Title: Manager of Operations Signature: Corey Voisin

Comments:

No comment from my end other than the discussion yesterday regarding the connection of Manse St and Maple St so that we do not have a dead end to help with emergency access and snow removal.

File Numbers: S-2023-004, Z-2023-023

Agency: \_\_\_\_\_

No Comment: \_\_\_\_\_ Title: BM Ross, P. Eng. Signature: Steve Jackson

Comments:

- A turning circle is needed on Maple Street
- It should be confirmed if emergency vehicle access is required to Paterson Street as snow removal, etc. would need to be considered
- Based on the water model, we anticipate a minimum flow of 58 L/s. Hydrant testing should be undertaken.
- BMROSS will provide the maximum allowable discharge to the storm sewer (expect to have it within a few days)
- Rather than bypassing overland on neighbouring property or roads, it will need to be demonstrated that the major event will enter the underground storage facility
- Stormwater management for phase 1 (prior to phase 2 being constructed) needs to be demonstrated.
- The ground water elevation should be determined to verify that the proposed underground storage is feasible.
- The watercourse should be shown on the plan to demonstrate that there is a direct outlet to the watercourse within the property limits. If there is no direct outlet to the watercourse, an easement in favour of the Condominium will be required on the adjoining property or an alternative plan developed.
- An easement will be required for the watermain if it is looped through the property.



**From:** [Pegelo, Jessica \(MTO\)](#)  
**To:** [Klarika Hamer](#); [Bruce County Planning - Lakeshore Hub](#)  
**Cc:** [Coreena Smith](#)  
**Subject:** RE: Request for Agency Comments S4 Z23 Breymark  
**Date:** Monday, September 11, 2023 4:24:23 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Main St - King St intersection.pdf](#)

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**\*\* [CAUTION]:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Please find below MTO's comments regarding S4 and Z23.

### **Documents Reviewed**

- **Draft Plan of Subdivision** - PREPARED BY: Cuesta Planning Consultants Inc., dated February 24, 2023
- **Traffic Impact Study** – PREPARED BY: Paradigm Transportation Solutions Limited, Stamped by E.R. Bayley, dated December 20, 2022.

The Ministry of Transportation (MTO) has completed a review of the proposed subdivision development. The proposal has been considered in accordance with the requirements of the *Public Transportation and Highway Improvement Act*, MTO's Highway Access Management Policy and all related policies. The following outlines MTO's comments.

### **Building and Land Use**

MTO requires all buildings, structures and features integral to the site to be located a minimum of 14 metres from the highway property limit, inclusive of landscaping features, fire-lanes, parking and storm water management facilities.

### **Site access & Traffic Impact Review**

MTO reviewed the above reference TIS and have the following comments:

- Besides the intersection capacity analysis at Highway 21 and Manse St/Rae St., as well as Main St (Bruce Road 15) and South St, for future horizon years, MTO require that an intersection capacity analysis be completed at the intersection of Main St and Highway 21 (King Street). The intersection of Main St and Highway 21 (King Street) works as a "combined two T-intersections" (see attached last file: geometric diagram of this intersection)
- Intersection capacity analysis completed using Synchro, but critical threshold  $v/c = 0.85$  (based on MTO/ TAC protocol), 95 percentile queue based on Synchro. MTO require that MTO/TAC protocol for LT and RT queue and storage analysis at the approaches on Highway 21 be completed (see section below).

(Table 2.1) MTO require that intersection capacity analysis for worst case scenario be completed for 3 time periods: AM peak, PM peak, and Saturday peak. The intersection capacity analysis in the report does not consider Saturday peak.

MTO/TAC generic protocol: Intersection capacity analysis, storage length, queues analyses

- When evaluating impacts at unsignalized intersections please refer to the TAC's Geometric Design Guide for Canadian Roads, MTO Design Supplement for TAC's Geometric Design Guide for Canadian Roads ([http://www.mto.gov.on.ca/phmpmbp/Reference%20Materials/HwyDes-MTO\\_DS\\_TAC\\_GDG-April2020-Final.pdf](http://www.mto.gov.on.ca/phmpmbp/Reference%20Materials/HwyDes-MTO_DS_TAC_GDG-April2020-Final.pdf)) and the OTM Books (<https://www.library.mto.gov.on.ca/SydneyPLUS/Sydney/Portal/default.aspx?lang=en-US>).
- Queue and storage lengths for LT and thru movements for signalized intersections under MTO jurisdiction need to be calculated using the arrival rate method (Greenshields Method) explained in MTO's Signal Timing Policy. For LT and thru, must convert trucks to passenger vehicles, use factor of 2.0.
- For queues, storage length, and taper length analyses for right turn movements please refer to Chapter 9 of TAC's Geometric Design Guide for Canadian Roads. For RT movements, do not convert trucks to passenger vehicles, use VPH only. For RT taper with auxiliary lanes use TAC Chapter 9 : "At signalized intersections, the storage lane length should accommodate about 1.5 times the average number of passenger vehicles to be stored per cycle for roadway design speed  $\leq 60$ kph, and about 2 X the number of pass vehicles for design speed  $\geq 60$ kph..."
  - Volume distribution for queue/storage length assessment for multilane approaches: 60/40 for dual left turn lanes and 50/50 for through volumes distributed in a 2 lane cross section.
  - Provide the results in tabular form. For thru and left turn queues include: peak period, movement, volume, cycle length, %trucks, pcph, m value, number of vehicles and total length. For right turn storage length include: peak period, volume, cycle length, design speed, total length. ( For RT storage length calculations based on TAC Chapter 9, use 90 sec signal cycle length )
- For left turn lane warrants for unsignalized intersections use the MTO Design Supplement for TAC's Geometric Design Guide for Canadian Roads ([http://www.mto.gov.on.ca/phmpmbp/Reference%20Materials/HwyDes-MTO\\_DS\\_TAC\\_GDG-April2020-Final.pdf](http://www.mto.gov.on.ca/phmpmbp/Reference%20Materials/HwyDes-MTO_DS_TAC_GDG-April2020-Final.pdf))
- For signal warrant analysis, use OTM Book 12 – Traffic Signals (<https://www.library.mto.gov.on.ca/SydneyPLUS/Sydney/Portal/default.aspx?lang=en-US>).
- Queue assessment shall include a review to determine if the through lane queues impede access to the free flow turn lanes, ramps, channeled lanes, or

auxiliary lanes.

- For Ontario highways, threshold volumes for RT channelization and exclusive LT lane requirements are:
  - double LT to be considered when peak LT vol > 300vph
  - RT channel when peak RT vol > 500 vph
  - Separate RT when peak RT vol > 200 vph

### Suggested software versions

- Synchro (version 11). For the Synchro files, use ideal saturation flow rate of 1900, and a PHF of 0.92 (urban, suburban), and 0.88 (rural), for MTO facilities for all scenarios and peak periods.
- The Synchro model shall reflect existing and future proposed geometric characteristics of the road network.
- Use Synchro for intersection capacity analysis — if  $v/c > 0.85$  for intersections, and/ or if  $v/c > 0.75$  for ramps, an analysis must be completed for possible geometric improvements
- For subregional micro-simulation, use software suggested in the MTO TIS Guideline.

### Traffic data

Use data from the last 3 years, ie. 2020-2022; Eight (8) hour turning movement count (as a minimum) is required to be able to assess if signals are warranted for existing and background conditions. The Ministry will allow the use of data collected during the COVID pandemic, as long as it was collected when full lockdown restrictions were not in place. If the data is still not acceptable, the Service Provider must provide data within 18 months of the submission (The Service Provider is asked to discuss the proposed traffic data with MTO in advance of the report being prepared.).

### Storm Water Management

MTO will require the applicant to submit a Stormwater Management Report to MTO for review and approval. The applicant should be directed to MTO's Stormwater Management Requirements for Land Development Proposals using the following link:

[Stormwater Management Planning and Design Manual | Ontario.ca](#)

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### Signs

Any/all signage visible from Highway 21, including temporary development signs, must be identified on the plans, must conform to MTO policies and guidelines, and will require a valid MTO Sign Permit before installation.

### Encroachments

Any encroachments and works identified within the Highway 21 property limits are subject to MTO conditions, approval and permits, prior to construction. All provincial highway property encroachments are strictly regulated and must meet all conditions set out by MTO.

### Conditions of Draft Plan Approval

It is anticipated that the following may be MTO's Conditions of Draft Plan Approval. Other Conditions may be required once MTO have reviewed an official circulation:

1. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a copy of a drainage/storm water management plan /report indicating the intended treatment of the calculated runoff.
2. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a copy of a traffic impact study indicating the anticipated traffic volumes and their impact upon the intersection/interchange of Highway 21 and the existing provincial highway network.
3. That prior to final approval, if required by MTO, the owner shall enter into a legal agreement with the Ministry of Transportation whereby the owner agrees to assume financial responsibility for the design and construction of all highway improvements identified in the Ministry of Transportation approved Traffic Impact Study.
4. That prior to final approval, the Owner shall submit to the Ministry of Transportation for review and approval, a draft copy of the M-Plan for the subdivision.
5. That prior to final approval the Owner will submit to the Ministry of Transportation for review and approval, a draft copy of the Subdivision Agreement.

### Notes to Draft Plan Approval

-  
The owner should be made aware that under the Public Transportation and Highway Improvement Act, Ministry Building and Land Use permits are required for all new developments located within 45m of the highway property limit and located within 395m radius of the centreline intersection of Highway 21 and any county or municipal road.

Please feel free to contact me directly should you have any questions or concerns.

Kind Regards,

Jessica Pegelo  
Ministry of Transportation  
Corridor Management Planner  
Highway Corridor Management Section  
659 Exeter Rd. London, ON N6E 1L3  
Telephone: 519-379-4397 Fax: 519-376-6842  
E-mail: [jessica.pegelo@ontario.ca](mailto:jessica.pegelo@ontario.ca)



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**From:** Pegelo, Jessica (MTO)  
**Sent:** July 26, 2023 10:44 AM  
**To:** 'Klarika Hamer' <KHamer@brucecounty.on.ca>; Bruce County Planning - Lakeshore Hub <bcplpe@brucecounty.on.ca>  
**Cc:** Coreena Smith <CJSmith@brucecounty.on.ca>  
**Subject:** RE: Request for Agency Comments S4 Z23 Breymark

Good morning Klarika,

To provide you with an update, MTO are still in the process of reviewing the Breymark applications. MTO comments will be provided as soon as they are available.

Kind Regards,

Jessica Pegelo  
Ministry of Transportation  
Corridor Management Planner  
Highway Corridor Management Section  
659 Exeter Rd. London, ON N6E 1L3  
Telephone: 519-379-4397 Fax: 519-376-6842  
E-mail: [jessica.pegelo@ontario.ca](mailto:jessica.pegelo@ontario.ca)



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**From:** Klarika Hamer <[KHamer@brucecounty.on.ca](mailto:KHamer@brucecounty.on.ca)>  
**Sent:** June 16, 2023 4:07 PM  
**To:** Bruce County Planning - Lakeshore Hub <[bcplpe@brucecounty.on.ca](mailto:bcplpe@brucecounty.on.ca)>  
**Cc:** Coreena Smith <[CJSmith@brucecounty.on.ca](mailto:CJSmith@brucecounty.on.ca)>



**Subject:** Request for Agency Comments S4 Z23 Breymark

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Good afternoon,

Please see the list below to the documents that are available via our FTP Site for Draft Plan of Subdivision file S-2023-004 and Zoning By-Law Amendment file Z-2023-023.

1. Request for Agency Comments (attached to this email for ease of reference)
2. Notice of Complete Application (attached to this email for ease of reference)
3. Draft Plan (attached to this email for ease of reference)
4. Draft Plan Units and Zoning (attached to this email for ease of reference)
5. Application (attached to this email for ease of reference)
6. Subdivision Application (attached to this email for ease of reference)
7. Conceptual Servicing and Stormwater Management Report
8. Stage 1 and 2 Archaeological Assessment
9. Archaeological Assessment Ministry Letter
10. Source Water Protection Review
11. Transportation Impact Study
12. Planning Justification Report

The link to the documents is also set out below and is available for the next 14 days.

Click the following link to download the files: <https://can01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.sendthisfile.com%2FBy5fLcdvZMlxG7WrH8Gx4hAo&data=05%7C01%7Ckhamer%40brucecounty.on.ca%7Ce12d1d0d0404419b7fd908db6e9ffd3a%7Cfd89d08b66c84a86a12d6fcc6c432324%7C0%7C0%7C638225405695198901%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=TtnAQg7e6pntXz%2FF4rDat0fEoUeNRkgBbbdx%2BJpE9aY%3D&reserved=0>

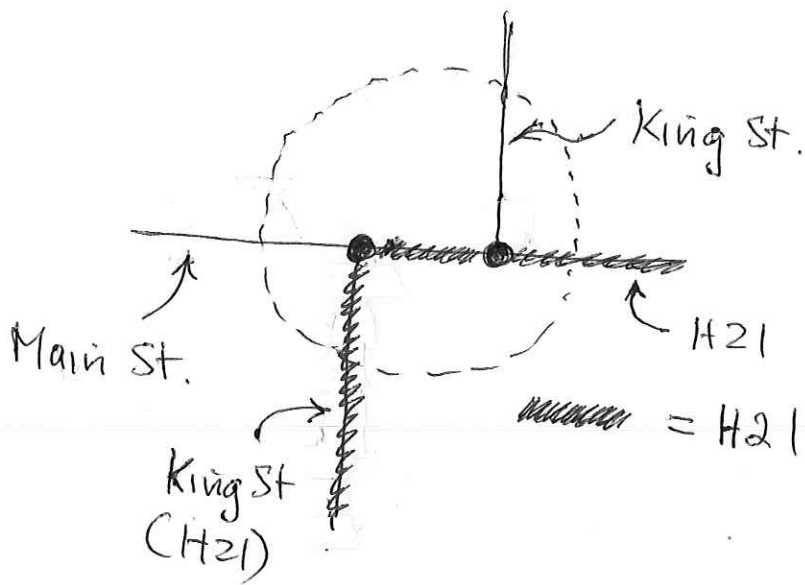
SVCA – Please be advised that \$1,290.00 has been collected on behalf of the SVCA for the review of this Application.

Cuesta Planning Consultants Inc. – the Development Sign that is required to be posted at the property is being sent to you via courier. Please post the sign by July 2, 2023. Once posted, please email a picture of the posted sign to [bcplpe@brucecounty.on.ca](mailto:bcplpe@brucecounty.on.ca).

Kind regards,

**Klarika Hamer**  
Applications Technician  
Planning and Development  
Corporation of the County of Bruce

Office: 226-909-1601  
Direct: 226-909-3359



Main St. / King St intersection

**From:** Pegelo, Jessica (MTO) <Jessica.Pegelo@ontario.ca>  
**Sent:** Thursday, October 26, 2023 11:46 AM  
**To:** Coreena Smith <CJSmith@brucecounty.on.ca>  
**Cc:** Adam Weishar <aweishar@kincardine.ca>; Vallvé, Nina (MTO) <nina.vallve@ontario.ca>  
**Subject:** FW: Request for Agency Comments S4 Z54 Fast Holdings Ltd

**\*\* [CAUTION]:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Coreena,

Based on MTO's review, it appears that Breymark nor the Fast development will connect to Highway 21. Please confirm.

To date, we are aware of a proposal for an emergency access from Breymark to the east (Maple Street).

As a general policy, the Ministry does not permit emergency entrances to Provincial Highways. However, the Ministry may consider exceptions provided:

- it has been demonstrated that there is no reasonable alternative to provide adequate emergency access elsewhere
- a safe location can be identified
- the entrance will be owned and maintained by the municipality
- the installation of gates restricting vehicular access to this area with locking mechanism coordinated with emergency services shall be required
- the design of the emergency entrance discourages/prohibits non-emergency use
- the municipality will ensure that emergency status is maintained over the long-term.

MTO will require that the municipality add a condition to the subdivision agreement that "The Municipality hereby agrees to assume responsibility for the operation and continued maintenance of the emergency access to the satisfaction of, and at no cost to the MTO. Failure to do so may result in remedial action being taken by the MTO at its discretion, with any costs associated with same invoiced back to the Municipality." MTO require a draft copy of the Subdivision Agreement for review prior to registration. This is to ensure that an appropriate clause is inserted into the agreement.

If there are any questions, please let me know.

Kind Regards,

Jessica Pegelo  
Ministry of Transportation  
Corridor Management Planner  
Highway Corridor Management Section  
659 Exeter Rd. London, ON N6E 1L3  
Telephone: 519-379-4397 Fax: 519-376-6842  
E-mail: jessica.pegelo@ontario.ca



File Numbers: S-2023-004, Z-2023-023

Agency: Bruce County Transportation Services

No Comment:

Title: Eng. Technician

Signature:



Comments: Transportation services is requesting confirmation that there is no increased storm water to County Road 23 and County Road 15 as a result of this new development.

# Risk Management Office

237897 Inglis Falls Road

RR4 Owen Sound, ON N4K 5N6

Phone: 519-470-3000 Toll Free: 877-470-3001

rmo@greysauble.on.ca

## Notice of Restricted Land Use *Clean Water Act – ss. 59(2)(a)*

TO/ATTN: BREYMARK HOMES

Location Address: Part Lots 84 QUEEN S, Tiverton

Assessment Roll #: 410826000612400

Property Owner Name BREYMARK HOMES and/or

Person engaged  
in Activity \_\_\_\_\_  
(where applicable)


Notice File No. RLU-4108-2023-008

RMP File No. n/a

From the information noted in the proposed application for a new planned subdivision on this property, **section 58 (Regulated Activities)** applies on the above-noted property, pursuant to the *Clean Water Act, 2006*

Consequently, **no policies apply to the activities identified in the application**, under the approved Source Protection Plan for the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region (effective July 1, 2016). However, it is important to note that a portion of this property is located within the Wellhead Protection Area A for the Tiverton Drinking Water System (DENT 2), whereby the storage of fuel greater than 2,500 litres is prohibited and storage greater than 250 litres would require a Risk Management Plan. Furthermore, Septic Systems and chemicals associated with wood working or degreasers in quantities greater than 25 litres are prohibited in the WHPA-A portion.

**If any activities or operations on this property change, please contact this office.** If you have any questions, please contact this office (519-470-3000 or toll-free 1-877-470-3001) or via email at [c.seider@greysauble.on.ca](mailto:c.seider@greysauble.on.ca).

Signature of RMO:  Date: June 19, 2023

SENT ELECTRONICALLY ONLY: [CJSmith@brucecounty.on.ca](mailto:CJSmith@brucecounty.on.ca) and [bcplpe@brucecounty.on.ca](mailto:bcplpe@brucecounty.on.ca)

July 17, 2023

County of Bruce Planning & Development Department  
1243 Mackenzie Road  
Port Elgin, Ontario N0H 2C6

ATTENTION: Coreena Smith, Planner

Dear Ms. Smith,

RE: S-2023-004 and Z-2023-023 (Breyemark)  
Unassigned civic address  
Roll No.: 410826000612400  
Part Lot 84 Queen S  
Geographic Village of Tiverton  
Municipality of Kincardine

---

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted applications as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA), dated September 2019, with the County of Bruce representing natural hazards, and water resources; and the applications have also been reviewed through our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

## Purpose

A Draft Plan of Subdivision application has been submitted to create a residential townhome development consisting of 46 units in both freehold and condominium format, which will be accessed from an extension of Maple Street and a new private road. A Zoning By-law Amendment application has been submitted to rezone the lands from Planned Development (PD) to Residential Three Special (R3-XX) with site-specific provisions relating to private road access, setbacks, floor area, frontage and building height. The Environmental Protection (EP) zone will remain unchanged.

SVCA staff have received and reviewed the following documents submitted with the applications:

1. Planning Justification Report prepared by Cuesta Planning Consultants, dated March 2023;

2. Conceptual Servicing and Stormwater Management Report prepared by Meritech, dated October, 2022; and
3. Draft Plan of Subdivision drawing prepared by Cuesta Planning Consultants, dated February 23, 2023.

## **Recommendation**

The applications are generally acceptable in principle, however SVCA staff note concerns and recommendations of below, that should be addressed part of draft plan approval.

## **Background**

As part of the pre-submission consultation process for a future subdivision proposal, the SVCA was contacted by Cuesta Planning Consultants on May 26, 2021. SVCA provided preliminary pre-submission consultation comments dated May 27, 2021. The SVCA comments outlined SVCA requirements for the proposed development.

## **Recommendations/Concerns**

1. The Conceptual Servicing and Stormwater Management Report, Page 9, paragraph 5, states in part that the stormwater outlet will be to the north, but will not directly connect to Nile Creek, as the Creek is located on private lands. SVCA staff recommend that it should be explored to outlet the stormwater to the Creek directly to potentially reduce concerns for uncontrolled drainage for the private lands.
2. Page 10, paragraph 1, states in part that stormwater management (quality or quantity control) is not proposed on either the street facing townhouse block nor the proposed municipal right of way. It is the opinion of SVCA staff that stormwater management quality and quantity should be addressed for the entire property, and clear justification provided if quality and quantity will not be addressed for the entire property.
3. SVCA staff recommend that the following are included as part of draft plan approval:

That prior to any grading or construction on site, and prior to final approval of the subdivision by the County, the owner shall prepare the following, completed to the satisfaction of the Saugeen Valley Conservation Authority;

- a) Final Lot Grading and Drainage Plan; and
- b) Final Sediment and Erosion Control Plan, including stormwater outlet details.

4. That the Subdivision Agreement between the Owner and the Municipality of Kincardine contain provisions with wording acceptable to the Saugeen Valley Conservation Authority relating to the Final Lot Grading and Drainage Plan, Final Stormwater Management Report, and Final Sediment and Erosion Control Plan.

### **Delegated Responsibility and Advisory Comments - Natural Hazards**

The natural hazard features affecting the property are the flooding and erosion hazards of the watercourse, known as Nile Creek. The floodplain associated with both the watercourse on the property has engineered Hurricane Hazel Flood Event (HHFE) floodplain mapping, which was previously provided to the agent on May 27, 2021. The Natural Environment (NE) designation as shown on Schedule A to the Municipality of Kincardine OP, and the Environmental Protection (EP) zone as shown in the Municipality of Kincardine Zoning by-law, generally coincides with the natural hazard mapping as plotted by the SVCA for the property.

### **Provincial Policy Statement – Section 3.1**

Section 3.1 of the PPS, 2020 states in part that development shall generally be directed to areas outside of: a) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding and erosion hazards; and b) hazardous sites. It is the opinion of SVCA staff that the applications comply with Section 3.1. of the PPS, 2020.

### **County of Bruce OP and Municipality of Kincardine OP Policies**

It is the opinion of SVCA staff that the applications appear to be consistent with the natural hazard policies of the Bruce County OP and the Municipality of Kincardine OP.

### **Drinking Water Source Protection**

The Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan came into effect on July 1st, 2016 and contains policies to protect sources of municipal drinking water from existing and future land use activities. The property appears to SVCA staff to be located within an area that is subject to the local Source Protection Plan where applicable policies may apply. It is the understanding of the SVCA that Drinking Water Source Protection staff have reviewed the proposal.

### **SVCA Regulation 169/06**

SVCA staff has reviewed the applications as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the Conservation Authorities Act, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the Conservation Authorities Act (CAA), development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

The northern part of the property is within the SVCA Approximate Regulated Area associated with Ontario Regulation 169/06. As such, development and/or site alteration within the SVCA Approximate Regulated Area may require permission from SVCA, prior to carrying out the work.

“Development” as defined under the *Conservation Authorities Act* means:



- a) *the construction, reconstruction, erection or placing of a building or structure of any kind;*
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;*
- c) *site grading; or,*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

And;

“Alteration” as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA Approximate Regulated Area is located associated with our Regulation on the property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at <http://eprweb.svca.on.ca>. For the property, the SVCA Approximate Regulated Area includes the watercourse (Nile Creek) and its related flood and erosion and valley hazards, as well as an offset distance from these features.

#### **SVCA Permission for Development or Alteration**

Based on the plans submitted as part of the applications, some development, including the northern internal roadway and related site grading, is proposed within the SVCA Approximate Regulated Area on the property. Therefore, the SVCA should be contacted, as permission (SVCA permit) will be required. SVCA staff, Michael Oberle, can be contacted to continue with the SVCA permit review process.

#### **Summary**

SVCA staff has reviewed the applications in accordance with our MOA with the County of Bruce, and as per our mandated responsibilities for natural hazard management, including our regulatory role under the Conservation Authorities Act. Additionally, we have screened the proposal to determine the applicability of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006.

The applications are generally acceptable in principle, however SVCA staff note concerns and recommendations of above, and should be addressed part of draft plan approval.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS, 2020 appears to have been demonstrated; and
- 2) Consistency with local planning policies for natural hazards appears to have been demonstrated.

Please inform this office of any decision made by the Municipality of Kincardine and/or the County of Bruce with regard to the applications. We respectfully request to receive a copy of the decisions and notices of any appeals filed. Should you have any questions, please contact the undersigned.

County of Bruce Planning and Development  
S-2023-004 and Z-2023-023 (Breymark)  
July 17, 2023  
Page 5 of 5

Sincerely,



Michael Oberle  
Environmental Planning Technician  
Saugeen Conservation  
MO/

cc: Jennifer Lawrie, Clerk, Municipality of Kincardine (via email)  
Jennifer Prenger, SVCA Member (via email)  
Bill Stewart, SVCA Member (via email)

**From:** [Coordinator LRC HSM](#)  
**To:** [Bruce County Planning - Lakeshore Hub](#)  
**Subject:** Request for Comments - Kincardine (Breyark Homes)- proposed Draft Plan of Subdivision & Zoning By-law Amendment  
**Date:** Wednesday, July 5, 2023 2:47:04 PM

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Kincardine Municipality

RE: S-2023-004 / Z-2023-023

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed Draft Plan of Subdivision and Zoning By-law Amendment as presented. Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Coordinator, Lands, Resources & Consultation  
Historic Saugeen Métis  
email: [hsmlrcc@bmts.com](mailto:hsmlrcc@bmts.com)  
phone: 519-483-4000  
site: [saugeenmetis.com](http://saugeenmetis.com)  
address: 204 High Street Southampton, ON

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**From:** [Coreena Smith](#)  
**To:** [Bruce County Planning - Lakeshore Hub](#)  
**Subject:** FW: Breymark / Tiverton  
**Date:** Tuesday, October 24, 2023 11:25:21 AM

---

**From:** SON Archaeology <archaeology@saugeenojibwaynation.ca>  
**Sent:** Tuesday, October 24, 2023 10:04 AM  
**To:** Coreena Smith <CJSmith@brucecounty.on.ca>  
**Cc:** Karen Heisler <associate.ri@saugeenojibwaynation.ca>; Charlene Leonard <manager.ri@saugeenojibwaynation.ca>; Liz Peterson <execassist.ri@saugeenojibwaynation.ca>  
**Subject:** Breymark / Tiverton

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The Archaeology Department of the Environment Office of the Saugeen Ojibway Nation has reviewed the following report:

**PROPOSED BREYMARK HOMES – MAPLE STREET TOWNHOME DEVELOPMENT, TIVERTON, MUNICIPALITY OF KINCARDINE, BRUCE COUNTY, ONTARIO (Part Lot 84, Queen S, Registered Plan 210, Tiverton; Historically Part Lot 60, Concession C, Geographic Township of Kincardine, Bruce County) ARCHAEOLOGICAL STAGE 1: BACKGROUND STUDY & STAGE 2: ASSESSMENT FINAL REPORT**

Completed by Fisher Archaeological Consulting  
September 21, 2022

The findings of the report are acceptable.

Should previously undocumented archaeological resources be discovered during the development of the site, they may be an archaeological site and therefore subject to Section 48 (1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage with SON Archaeology.

Miigwetch,

**SON Archaeology Department**  
Resource & Infrastructure Department

From: [ARABIA Gabriel](#)  
To: [Elszka Hamer: Bruce County Planning - Lakeshore Hub](#)  
Subject: County of Bruce - PT LOT 84 QUEEN S - S-2023-004  
Date: Friday, June 23, 2023 1:38:01 PM  
Attachments: [Image001.png](#)

Some people who received this message don't often get email from gabriel.arabia@hydroone.com. [Learn why this is important](#)

**\*\* [CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hello,

We are in receipt of your Plan of Subdivision application, S-2023-004 dated June 16<sup>th</sup>, 2023. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. [Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.](#)

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at [subdivision@Hydroone.com](mailto:subdivision@Hydroone.com) or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link:  
<http://www.hydroone.com/StormCenter3/>

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map

If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail [CustomerCommunications@HydroOne.com](mailto:CustomerCommunications@HydroOne.com) to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

**Dennis De Rango**

Specialized Services Team Lead, Real Estate Department  
Hydro One Networks Inc.  
Tel: (905)946-6237

Email: [Dennis.DeRango@HydroOne.com](mailto:Dennis.DeRango@HydroOne.com)

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# Bluewater District School Board

P.O. Box 190, 351 1<sup>st</sup> Avenue North  
Chesley, Ontario N0G 1L0  
Telephone: (519) 363-2014 Fax: (519) 370-2909  
www.bwdsb.on.ca

July 13, 2023

Coreena Smith, Senior Planner  
County of Bruce, Planning & Development Department  
1243 MacKenzie Road  
Port Elgin, ON N0H 2C6  
[bcplpe@brucecounty.on.ca](mailto:bcplpe@brucecounty.on.ca)

RE: S-2023-004, Z-2023-023  
Breymark Subdivision  
PT LOT 84 QUEEN S  
Municipality of Kincardine (Tiverton Village)

Dear Coreena Smith,

Thank you for circulating notification with respect to an application for a Draft Plan of Subdivision consisting of 46 units in both freehold and condominium format for the subject lands legally described above.

Bluewater District School Board (BWDSB) has no objection to this development. Planning staff request that sidewalks be included throughout the proposed development to facilitate heavy foot traffic areas and promote walkability. BWDSB requests the following conditions be included as part of the draft plan approval:

1. "That the owner(s) agree in the Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that accommodation within a public school operated by Bluewater District School Board may be accommodated in temporary facilities; including but not limited to accommodation in a portable classroom, a "holding school", or directing students to an alternative attendance boundary."
2. "That the owner(s) shall agree in the Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that student busing is at discretion of the Student Transportation Service Consortium of Grey-Bruce."
3. "That the owners(s) agree in the Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that if school buses are required in accordance with Board Transportation policies, as may be amended from time to time, school bus pick up points will generally be located on the through street at a location as determined by the Student Transportation Service Consortium of Grey Bruce."

Please provide BWDSB with a copy of the Notice of Decision, including a copy of the draft plan approved conditions for our files. Once the Agreement has been registered, please provide BWDSB with a copy of the registered agreement in electronic format. Once the Plan has been registered, please provide BWDSB with a copy of the registered plan in electronic format.

Please do not hesitate to contact us by telephone at 519-363-2014 or by email at [shelley\\_crummer@bwdsb.on.ca](mailto:shelley_crummer@bwdsb.on.ca) if you have any questions, concerns or for more information.

Sincerely,

Shelley Crummer  
Business Analyst  
c.c.: Rob Cummings, Superintendent of Business Services  
Dennis Dick, Manager of Plant Services

## Public Comments

**From:** [sarah catto](#)  
**To:** [Bruce County Planning - Lakeshore Hub](#)  
**Subject:** Re: File Number: S-2023-004, Z-2023-023  
**Date:** Tuesday, June 27, 2023 9:31:21 PM

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Sorry one more concern. Would like to see/hear the drainage plan as I don't want my lot being flooded out due to these builds being above our lot level...

Sent from my iPhone

> On Jun 27, 2023, at 9:16 PM, [REDACTED] wrote:

>

> Hello,

>

> We are writing to inform you we would like to be informed on any future meetings regarding Lot 84 Queen St. In Tiverton. If there is a meeting we would like to attend and the opportunity to raise/address concerns and be heard.

>

> We would like to appeal due to the following concerns:

> - we don't see the need in the rural for any further townhouses

> - would like to see the proposed number of townhouses between Brier Hill, Maple Street and now Queen St.

> - believe this is to appease Bruce power traffic which isn't long term or the look the small town village should sustain

> - municipality turned down amenities like the community centre and getting out postal boxes out in place shouldn't you build up a town before introducing thousands of new people? We do not have a community centre to sustain this new population

> - the municipality is slacking currently with our upkeep in tiverton period right now how do they suppose they will upkeep this expansion

> - low income housing , the people who need this probably can't drive 10 mins to Kincardine or 20 to port Elgin for daily essentials...

> - the current townhouses built are not "low income" how can you ensure these will be

> - the path you purpose to access these new homes will increase traffic in two quiet streets with tons of children how will you insure the safety of these kids?

>

> Also I saw in the letter we also need to let the municipality know our concerns as well before the meeting? Could you please provide a contact for the municipality and I will do so.

>

> Thanks

> Sarah Catto & Eric Duenk

>

>

>

> Sent from my iPhone

**From:** [REDACTED]  
**To:** [Bruce County Planning - Lakeshore Hub](#)  
**Subject:** File S-2023-004 Z-2023-023 Draft Plan of Subdivision  
**Date:** Friday, July 7, 2023 2:41:28 PM

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In response to the above plan, phase 2 has a block of what appears to be 38 condominiums with only one access to the units.

The road allowance around the units is 7.3 meters (less than Maple street presently).

We already have a proposed 88 units to be constructed see S-2022-004 and Z-2022-54 which has traffic on to Maple Street which the either flows on to Smith St or Maple to access Main St. Tiverton or County Rd 15.

With this high density of traffic on to either streets either Smith or Maple the residents presently along will no longer enjoy the safety now we experience.

Also the subdivision Phase I and Phase II has no allowance for any green space for 38 units.

Why is there such a high density planned for the village?

We already have other subdivisions approved which have lots not been completed with residential buildings.

It looks like planning for the municipality has gone rogue.

Ward Cox



**From:** [Brandon Hicks](#)  
**To:** [Bruce County Planning - Lakeshore Hub](#)  
**Subject:** Subdivision file S-2023-004 and file Z-2023-023  
**Date:** Friday, October 20, 2023 6:01:43 PM

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My name is Brandon Hicks, I live at 4 Smith st in Tiverton with my wife and 2 daughters. My wife teaches kindergarten in Kincardine and I am a municipality of Kincardine employee. I have looked over these plans and spoken to a few neighbours. These types of developments scare us. We currently have 1 convenience store and 1 pub/restaurant in our village, as well as 1 pizza place. I am worried about our villages infrastructure and amenities not being able to keep up with the growth. The Pine tree trailer park is starting to fill up as we speak. The development off church st filled up quickly. I have also heard about a development on Maple st that will be taking place in the near future. Right now we have a plaza downtown that is for sale with nobody interested. Me being an employee of the municipality for the last ten years, I know more about our buildings and infrastructure than most. Right now we only have 2 decent playgrounds. Lions park and Paterson Park. We have been denied a new community centre over and over again. Ours is in rough shape but we make the most of it. We have an arena which I work in that is roughly already 35-40 years old. We also have 2 aging ball diamonds that will need fixing up very shortly, as well as the washroom building at the diamonds needing replaced. All these things should be taken care of before we as a village invite more people into it. We will see these amenities deteriorate quicker than we expected with no plan in place to replace or update them right now. One other major concern of my wife and I is the traffic on Smith st. Right now we have the widest street in Tiverton. Which means cars speeding down our street like its a race track. Great when our children are playing outside. I fear that most units will be sold to Bruce Power workers which means more traffic on Smith st, the only logical way for them to get home. Has this been talked about? Are speed humps an option if this happens? I am all for developing our municipality as the years go on. In a village of 800 or so people my fear is developing too quickly. I hope others speak up about this. I love our little village and don't want to see it fall apart because we just aren't "ready" for this.

Sincerely, Brandon Hicks



County of Bruce  
Planning & Development Department  
1243 MacKenzie Road  
Port Elgin, ON N0H 2C6  
brucecounty.on.ca  
226-909-5515



October 16, 2023

File Numbers: S-2023-004, Z-2023-023

## Public Meeting Notice

You're invited: Public Meeting to consider Draft Plan of Subdivision File S-2023-004 and Zoning By-law Amendment File Z-2023-023

November 8, 2023 at 5:00 p.m.

A change is proposed in your neighbourhood: A Draft Plan of Subdivision application has been submitted to create a residential townhome development consisting of 46 units in both freehold and condominium format, which will be accessed from an extension of Maple Street and a new private road. A Zoning By-law Amendment application has been submitted to rezone the lands from Planned Development (PD) to Residential Three Special (R3-XX) with site-specific provisions relating to private road access, setbacks, floor area, frontage and building height. The Environmental Protection (EP) zone will remain unchanged.



PT LOT 84 QUEEN S  
Municipality of Kincardine (Tiverton Village)  
Roll Number 410826000612400

## Learn more

Additional information about the application is available online at <https://brucecounty.on.ca/living/land-use>. Information can also be viewed in person at the County of Bruce Planning Office noted above, between 8:30 a.m. and 4:30 p.m. (Monday to Friday).

The Planner on the file is: Coreena Smith

## Have your say

Comments and opinions submitted on these matters, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in a Planning Report and Council Agenda. Comments received after **October 30, 2023** may not be included in the Planning report but will be considered if received prior to a decision being made, and included in the official record on file.

**Before the meeting:** You can submit comments by email [bcplpe@brucecounty.on.ca](mailto:bcplpe@brucecounty.on.ca), mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application. Comments will be provided to the Committee for its consideration.

## How to access the public meeting

The Public Meeting will be held in a hybrid format (virtual or in-person) at the Municipal Administration Centre located at 1475 Concession 5, Kincardine.

For information on how to participate in the public meeting, please visit the municipal website at [www.kincardine.ca/en/municipal-office/agendas-and-minutes.aspx](http://www.kincardine.ca/en/municipal-office/agendas-and-minutes.aspx) under "Agendas and Minutes."

Please contact the Municipality of Kincardine at [clerk@kincardine.ca](mailto:clerk@kincardine.ca) or 519-396-3468 if you have any questions about how to participate in the meeting.

## Stay in the loop

If you'd like to be notified of the decision of the approval authority on the proposed application(s), you must make a written request to the Bruce County Planning Department.

## Know your rights

Section 34(11) of the [Planning Act](#) outlines rights of appeal for Zoning By-law Amendment applications.

If a person or public body would otherwise have an ability to appeal the decision of the Council of municipality to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to municipality before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the municipality before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

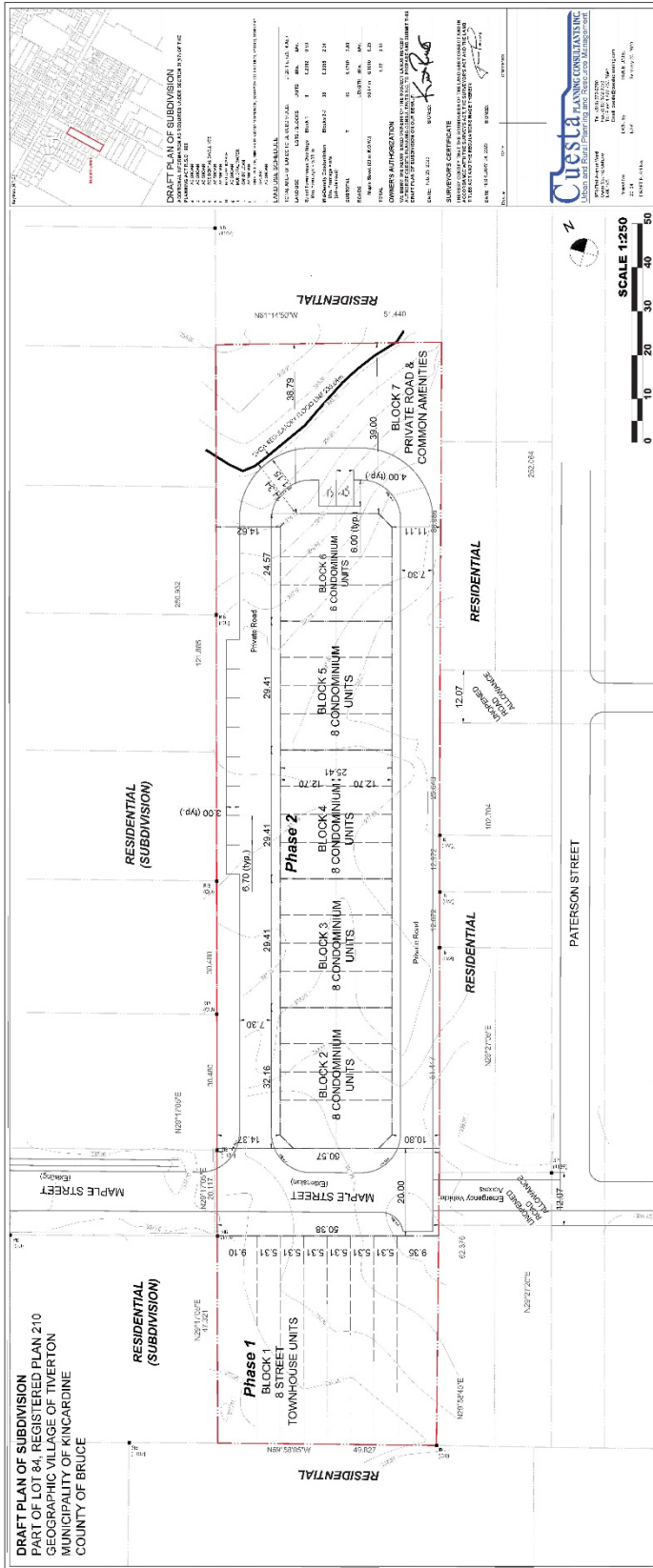
Section 51(39) of the of the [Planning Act](#) outlines rights of appeal for Plan of Subdivision/Condominium applications. Only the applicant, a public body, various utility company (or their representative), the Minister and the Municipality can appeal the approval or refusal of draft plan of subdivision, lapsing provisions or any condition of draft plan approval.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the County of Bruce in respect of the proposed plan of subdivision/condominium before the County of Bruce gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision of County of Bruce to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to County of Bruce in respect of the proposed plan of subdivision/condominium before the County of Bruce gives or refuses to give approval to the draft plan of subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information please visit the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/>.

# Site plan





**DRAFT PLAN OF SUBDIVISION**  
 PART OF LOT 84, REGISTERED PLAN 210  
 GEOGRAPHIC VILLAGE OF TIVERTON  
 MUNICIPALITY OF KINCARDINE  
 COUNTY OF BRUCE

**RESIDENTIAL (SUBDIVISION)**

**Phase 1**  
 BLOCK 1  
 8 STREET  
 TOWNHOUSE UNITS

**RESIDENTIAL**

**MAPLE STREET**  
 (Change)

**MAPLE STREET**  
 (Proposed)

**Phase 2**  
 BLOCK 2  
 8 CONDOMINIUM UNITS

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**Phase 3**  
 BLOCK 3  
 8 CONDOMINIUM UNITS

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**Phase 4**  
 BLOCK 4  
 8 CONDOMINIUM UNITS

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**Phase 5**  
 BLOCK 5  
 8 CONDOMINIUM UNITS

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**Phase 6**  
 BLOCK 6  
 8 CONDOMINIUM UNITS

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**Phase 7**  
 BLOCK 7  
 PRIVATE ROAD &  
 COMMON AMENITIES

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**RESIDENTIAL**

**NET DATA - RESIDENTIAL - FC  
 PROPOSED ZONING - R3 CONDOMINIUM TOWNHOUSES**

NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (SQ. M.)
1	Phase 1	10,000	929.03
2	Phase 2	10,000	929.03
3	Phase 3	10,000	929.03
4	Phase 4	10,000	929.03
5	Phase 5	10,000	929.03
6	Phase 6	10,000	929.03
7	Phase 7	10,000	929.03
<b>TOTAL</b>		<b>70,000</b>	<b>6,506.18</b>



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 COUNTY OF BRUCE

**LAND USE SCHEDULE**

NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (SQ. M.)
1	Phase 1	10,000	929.03
2	Phase 2	10,000	929.03
3	Phase 3	10,000	929.03
4	Phase 4	10,000	929.03
5	Phase 5	10,000	929.03
6	Phase 6	10,000	929.03
7	Phase 7	10,000	929.03
<b>TOTAL</b>		<b>70,000</b>	<b>6,506.18</b>

**OWNERS AUTHORIZATION**

I, \_\_\_\_\_, being the owner of the above described land, do hereby authorize the preparation of this plan of subdivision and the registration of the same.

**SUPERVISORS CERTIFICATE**

I, \_\_\_\_\_, being a supervisor of the County of Bruce, do hereby certify that the above described land is situated within the boundaries of the County of Bruce and that the same is not subject to any other plan of subdivision.

**DATE:** \_\_\_\_\_

**SCALE:** 1:250



**Cuesta Communities**  
 A Division of Cuesta Homes, Inc.  
 1000 Highway 10, Unit 10  
 Kincardine, Ontario N0S 2T0  
 Phone: (519) 335-1111  
 Fax: (519) 335-1112  
 Email: info@cuesta.com

**SCALE 1:250**

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