



Planning Report

To: Municipality of Kincardine Council

From: Coreena Smith, Senior Development Planner

Date: November 8, 2023

Re: Draft Plan of Subdivision S-2022-004 and Zoning By-law Amendment Z-2022-054 (Fast Holdings Ltd.)

Recommendation:

That Council provide direction to the County of Bruce Approval Authority to approve Draft Plan of Subdivision S-2022-004 by Fast Holdings Ltd. in accordance with the Draft Plan and Conditions of Draft Approval attached;

That Council approve Zoning By-law Amendment Z-2022-054 by Fast Holdings Ltd. as attached and the necessary by-law be forwarded to Council for adoption; and

That Council resolve that no further notice is necessary with respect to the minor change in the proposed Zoning By-law Amendment in accordance with the provisions of Section 34(17) of the Planning Act.

Summary:

The applicant is proposing to develop 8.55 ha of land in Tiverton into a residential subdivision comprising:

- 26 single detached dwelling lots;
- 22 semi-detached dwelling lots;
- 40 townhouse dwelling lots;
- 1 open space block;
- 1 stormwater management block;
- 1 stormwater conveyance block;
- 2 temporary road / future development blocks;
- 1 lot addition; and
- An internal road network with three accesses to Maple Street.

A total of 88 new residential units are proposed.

The application proposes to re-zone the lands from General Agriculture (A1), Environmental Protection (EP) and Residential One (R1) to General Agriculture Special (A1-hp), Environmental Protection (EP), Open Space (OS), Residential One (R1), Residential One

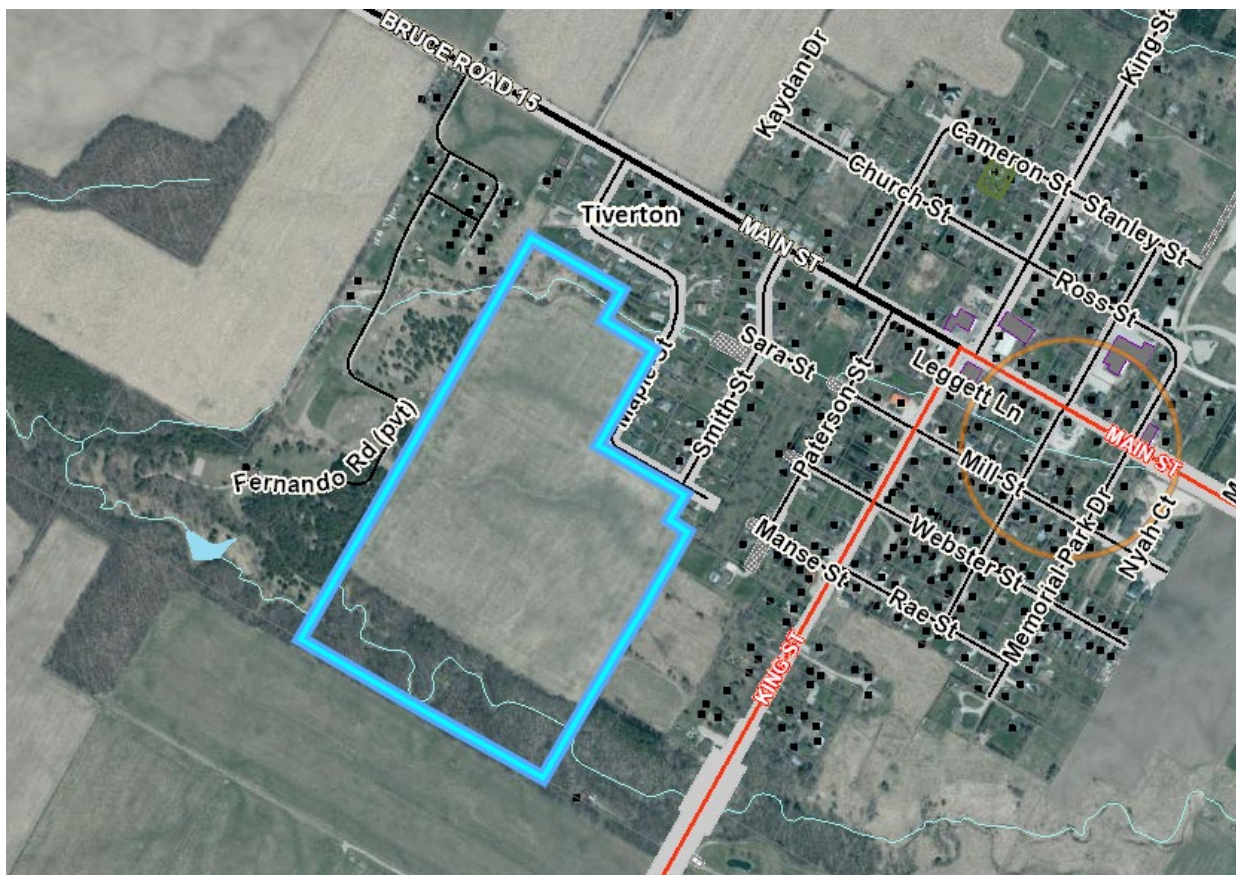
Special (R1-bw) and Residential Three (R3). Special provisions are proposed in the agricultural zone and one of the residential zones as detailed later in this report.

The subject lands are part of a larger 22.88 ha parcel located in the south end of Tiverton and accessed via Maple Street. The property largely consists of an agricultural field. There are two watercourses at the north and south ends of the site.

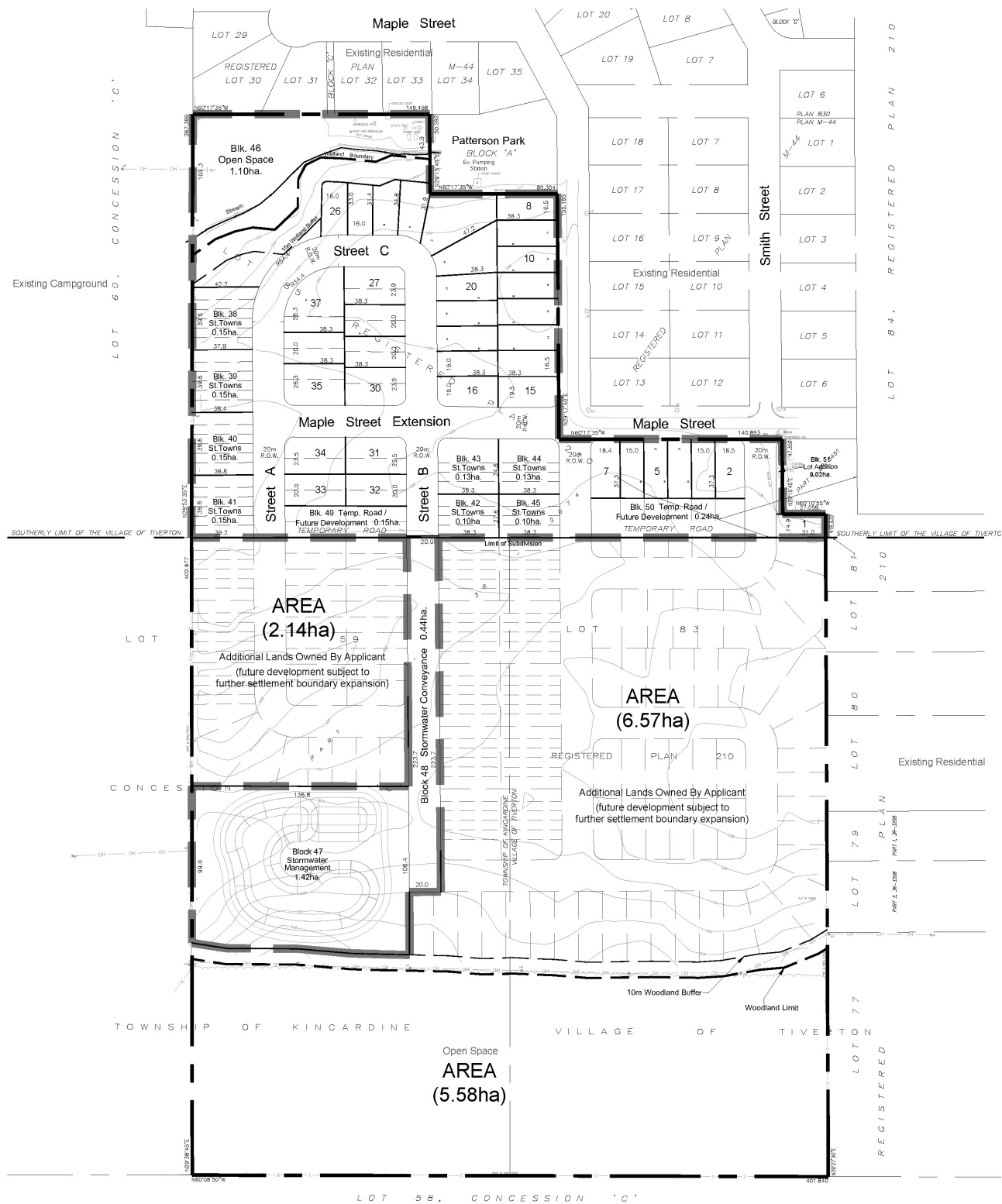
There are low density residential lands to the north and east, agricultural and open space lands to the south, and a campground to the west.

The applications were presented at a Public Meeting on July 11, 2022. The lot layout remains as previously proposed, but the zoning has been amended to reduce the lot area and frontage requirements for the retained agricultural lands and to restrict residential buildings, livestock facilities and manure storage structures on those agricultural lands. The applicant has also provided responses to issues raised through the initial circulation of the applications.

Airphoto



Draft Plan (*For Representation Only - Full Draft Plan attached separately)



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.

Efficient Use of Land and Infrastructure

The subject property is located on the south side of Tiverton. The northern portion of the site is within the Settlement Area while the southern portion lies outside the Settlement Area boundary. With the exception of the stormwater management facility, the residential subdivision is proposed within the Settlement Area boundary.

Most of the lands within the Settlement Area are designated Primary Urban Communities in the Bruce County Official Plan and Residential in the Kincardine Official Plan. The goals and objectives of both the County and local Official Plans direct much of the future growth to Primary Urban Communities, such as Tiverton, to support the wise use of land and resources.

The development is proposed as an extension of the existing residential neighbourhood in the southwest quadrant of Tiverton. It includes new lots along the west and south sides of Maple Street. The remaining residential lots are proposed on a new internal road network that will be accessed at three locations from Maple Street. As such, the development will use and expand upon the existing municipal street network.

Similarly, the lands will be connected to existing municipal water and sewer services through extension of these services from Maple Street into the site. Full municipal water and sewage services are the preferred form of servicing in Tiverton.

The stormwater management facility will be sited to the south, on lands designated Agricultural Areas in the County Official Plan. Siting stormwater management facilities and other infrastructure in this designation is permitted per the policies of the Official Plan.

This proposal supports the efficient use of land and infrastructure.

Any future residential development on the southern portion of the site requires a Settlement Area expansion, which is only considered through a comprehensive review of the County Official Plan and subject to the policies of the Province. An amendment to the local Official Plan would also be required as would separate Draft Plan of Subdivision and Zoning By-law Amendment applications. At this time, residential development outside the Settlement Area boundary is not proposed.

Density

Neighbouring landowners expressed a concern with the density of the development. 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 16 units per gross developable hectare is proposed.

The Kincardine Official Plan also states that for new low density residential uses the maximum gross density shall be 25 units per hectare for single detached dwellings and 35 units per hectare for semi-detached dwellings. The low density component of the proposed development is well below these maximum values (approximately 7 and 8 units per gross hectare respectively).

The local Official Plan also identifies a maximum density of 50 units per net hectare for medium density residential proposals (e.g., townhouses).¹ The medium density component of the proposed development is approximately 38 units per net hectare, which is below the maximum identified in the local Official Plan.²

Range and Mix of Housing Types

The Official Plan policies encourage a broad range and mix of housing types to meet the projected requirements of current and future residents. In this case, 26 single detached, 22 semi-detached and 40 townhouse dwelling lots are proposed. Opportunities also exist on the site for the creation of additional residential units (i.e., secondary suites), which are permitted on single detached, semi-detached and townhouse dwelling lots where full municipal services are provided.

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, the townhouse component of the subject development represents 45% of the dwelling units proposed. Therefore, the project contributes to both the County and Kincardine targets.

Land Use Compatibility

Compatibility of the proposed development with adjacent lands has been identified by neighbouring landowners as a concern. The adjacent lands to the north and east are zoned Residential One (R1) and Planned Development (PD). These neighbouring lands are occupied by single-family homes and a public park.

The subject property is proposed to be developed as a residential subdivision. Most of the lands proposed for development are designated Residential in the Kincardine Official Plan and zoned Residential One (R1) in the Municipality's Zoning By-law. The applicant intends to

¹ '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 noted above which includes local roads and other uses, but excludes natural hazards and similar environmental lands).

² The low density component is approximately 14 units per net hectare for the single detached dwellings and 22 units per net hectare for the semi-detached dwellings, respectively.

maintain the Residential One (R1) zone adjacent to the existing established neighbourhood. The Residential One (R1) zone permits single detached, semi-detached and duplex dwellings. The applicant is proposing single detached dwellings in this zone.

The applicant proposes to rezone the remaining residential lands from Residential One (R1) to Residential Three (R3). The Residential Three (R3) zone permits a broad range of residential uses including triplex, quadraplex and row dwellings (i.e., townhouses) in addition to those residential uses permitted in the R1 zone. The applicant is proposing semi-detached and street townhouse dwellings in this area.

Single detached and semi-detached dwellings are considered a low density residential format. Townhouse dwellings are considered a medium density development. The local Official Plan states that where new development is proposed adjacent to existing low density residential areas, medium density housing shall transition and maintain a low building profile to conform visually to the adjacent low rise residential areas. In this regard, the subdivision shows a transition from low density adjacent to the existing neighbourhood to medium density in the central and western portions of the site. Adequate off-street parking will be provided with suitable on-site amenity space for each of the future residential users in accordance with the Zoning By-law requirements. The height and massing of the new development will also be in keeping with the Zoning By-law regulations.

For these reasons, the proposed development is considered compatible with the existing low density neighbourhood, while meeting the intensification targets established by the County and the Municipality.

Sewer and Water Services

Neighbouring landowners have expressed concerns with the capacity of the water and sewer system to accommodate the proposed development.

Full municipal water and sewage services are the preferred form of servicing in the Municipality. A Functional Servicing & Stormwater Management Report has been prepared on behalf of the applicant which speaks to the proposed services.

The project will be serviced with a new sanitary main which will connect to the existing 250mm diameter municipal sanitary sewer on Maple Street through three existing sanitary stubs. The sanitary sewer system will be sized per Municipal standards and Provincial guidelines. The new sanitary sewer system will ultimately be assumed by the Municipality.

The Functional Servicing & Stormwater Management Report also identifies that the development will be serviced by a new internal watermain, which will connect to the existing 150mm diameter municipal watermain on Maple Street. The new watermain and connections will be designed in accordance with Municipal standards and Provincial guidelines, installed by the developer and assumed by the Municipality. The report notes the existing 150mm watermain is sufficient for the proposed development, but it would be beneficial to upsize the existing watermain on Main Street and Maple Street for any future development proposed beyond the Settlement Area boundary. The need for upgrades to the

existing system will need to be confirmed by Municipal staff if development is ultimately proposed outside the Settlement Area boundary.

Municipal staff advised that the servicing strategy is viable and that there is sufficient water and sewer capacity to service the proposed development. Additional comments outlined by Municipal staff can be addressed through the preparation of the detailed servicing plans for the project as a condition of draft approval.

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.

The Functional Servicing & Stormwater Management Report indicates that an internal stormwater collection system will be installed by the developer to collect surface run-off at the roads and from the residential lots. Most of the stormwater from the development will be directed to a proposed stormwater management facility at the south end of the site where it will ultimately outlet to Tiverton Creek.³ The stormwater management system will be designed in accordance with Provincial, Municipal and Saugeen Valley Conservation Authority (SVCA) guidelines to manage the quantity, quality and erosion potential of stormwater before it enters the natural system. The storm sewers and stormwater management pond will be assumed by the Municipality. An easement will be placed over the stormwater conveyance block in favour of the Municipality. Should the lands outside the Settlement Area develop in the future, the conveyance block would be assumed by the Municipality.

Municipal staff provided comments on the proposed stormwater management system to which the applicant provided a response and an updated Functional Servicing & Stormwater Management Report and Detailed Design Stormwater Management Report. Municipal staff have reviewed the documents and note that the submission is satisfactory. Any outstanding comments can be addressed at the detailed design stage. The applicant is required to prepare a detailed stormwater management strategy for the development to the satisfaction of the SVCA and the Municipality as part of the conditions of draft approval.

Transportation

A new internal road network is proposed with three accesses to Maple Street. Two of the accesses are at the point where Maple Street turns from a north-south street to a west-east street and the third access is at the Maple Street and Smith Street intersection. Both Maple Street and Smith Street connect directly to Main Street to the north. The new internal roads

³ A small portion of the site will outlet uncontrolled to Nile Creek from rear lots and roof drains and Tiverton Creek from the retained agricultural lands.

will be constructed to full Municipal standards by the applicant and ultimately assumed by the Municipality. This is reflected in the conditions of draft approval.

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

A Traffic Impact Assessment 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 2033 study horizon (i.e., beyond full build out of the site). The report concluded that no off-site remedial measures are required, but recommended stop controls at the new Maple Street intersection and the Maple Street / Smith Street intersection. Stop controls are also recommended at various points within the internal street network.

Sidewalks are also proposed throughout the subdivision as is required by the Municipality and requested by the Bluewater District School Board.

Bruce County Transportation and Environmental Services had no comment on the proposal. The Ministry of Transportation (MTO) noted the development is beyond MTO's permit control area; therefore, MTO review, approval and permits are not required.

Detailed designs for the new roads and sidewalks will need to be prepared by the applicant to the satisfaction of the Municipality. This is reflected in the conditions of draft approval.

Natural Hazards

SVCA hazard mapping indicates the subject property is affected by flooding and erosion hazards associated with the existing watercourses that traverse the site: Nile Creek in the north and Tiverton Creek in the south. The Hazard Land Area designation in the County Official Plan, the Natural Environment (NE) designation in the Kincardine Official Plan, and the Environmental Protection (EP) zone in the Municipality's Zoning By-law generally coincides with the natural hazard mapping plotted by the SVCA for the property.

An enlargement of the Environmental Protection (EP) zone was recommended in the Scoped Environmental Impact Study provided by the applicant. SVCA reviewed the proposal and support the revision. The Proposed Zoning Plan is provided in a later section of the report.

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).

Municipal staff requested that the applicant confirm that all proposed structures be setback a minimum of 15 metres from the top of bank of Nile Creek. The applicant has confirmed that there is a minimum setback of 15 metres from the wetland associated with Nile Creek as there is no defined valley corridor in this area.

All development is proposed outside the limits of the natural hazards on the site. The Nile Creek corridor is shown as an open space block on the Draft Plan and will be conveyed to the

Municipality. The Tiverton Creek corridor will remain in private ownership as it is outside the Draft Plan boundaries.

The applications are consistent with the natural hazard policies of the Province and both the County and local Official Plans.

Natural Heritage

The natural heritage features identified on and adjacent to the site include fish habitat, woodlands, wetlands, significant wildlife habitat, and significant valleylands. The Bruce County Official Plan and Kincardine Official Plan generally prohibit development within the natural heritage features and their adjacent lands unless it has been demonstrated that there will be no negative impacts to the natural features or their ecological functions.

A Scoped Environmental Impact Study was prepared in support of the project. The report concluded that with mitigative measures (e.g., avoidance of significant features, provision of development setbacks, habitat enhancement, and stormwater quantity and quality control), biological monitoring and stewardship (e.g., homeowner brochures and natural heritage signage), there will be no anticipated negative impacts or loss of ecological function to the natural heritage features or ecological functions within the study area.

The SVCA provided natural heritage review comments on behalf of the County. While Conservation Authorities can no longer provide natural heritage review comments as of January 1, 2023, the SVCA has completed its review of applications that were in process as of that date. For the subject file, SVCA staff found the Scoped Environmental Impact Study to be generally acceptable provided the recommendations of the Environmental Impact Study are addressed as part of draft plan approval. Conditions of draft approval have been included to reflect this request. Given the amended role of the SVCA in the review process, the applicant must now satisfy the Municipality and County on matters related to natural heritage, which may include consultation with SVCA and other agencies as required.

The Saugeen Ojibway Nation Environmental Office (SON EO) also requested a condition of draft approval relating to natural heritage which will need to be addressed by the applicant prior to final approval of the plan.

Parkland and Amenities

In the case of a residential subdivision, the Official Plan requires 5% dedication of land for parkland purposes. Cash-in-lieu of parkland dedication may be accepted in whole or part if there are already parks serving the neighbourhood; the land proposed for parkland purposes is unsuitable in terms of size, shape or location; and, where the required parkland dedication would make the remaining lands unsuitable for development.

The proposed development is immediately south and west of Patterson Park. The open space lands associated with Nile Creek to the west of the park will be conveyed to the Municipality but are not proposed as parkland dedication. Instead, the applicant will provide the Municipality cash-in-lieu of parkland dedication. The Municipality will allocate

these funds for parkland development purposes. There is a condition of draft approval included for this purpose.

Comments from some members of the public expressed concerns with the lack of amenities in Tiverton and concerns over the future of the Tiverton Sports Centre. Staff advised that the Municipality continues to invest in the facility and have a long-term capital plan for continued improvements unless otherwise directed by Council.

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 report further noted that the open space block in the north associated with Nile Creek and the southern woodlot associated with Tiverton Creek are not planned for development. The consultants recommended that a Stage 2 assessment be completed in these areas should development or site alteration ever be proposed in these areas in the future. This requirement has been included as part of the conditions of draft approval.

The SON EO supports the inclusion of this condition and has also requested a condition of draft approval requiring the applicant to confirm that SON's interests related to archaeological resource potential have been addressed prior to final approval of the plan.

The County requires the applicant provide correspondence from the Province confirming that the Archaeological Assessment has been accepted into the Ontario Public Register of Archaeological Reports. This correspondence can be provided as a condition of draft approval.

Zoning By-law Amendments and Conditions of Draft Approval

The applicant proposes to maintain the Residential One (R1) zone on a portion of the site and to re-zone the remaining residential lands from Residential One (R1) to Residential Three (R3).

Special provisions (i.e., R1-bw) are only proposed on Lot 1 to allow a reduced lot area and frontage:

Residential One (R1) Zone

Zoning Regulation	Required	Proposed
Lot Area (Minimum)	464 sq. m	461.9 sq. m
Lot Frontage (Minimum)	15 m	14.9 m

The values have been rounded down in the amending by-law to offer flexibility during construction (i.e., 461 sq. m and 14 metres respectively). The relief being sought on this single lot is minor. All other zoning provisions in the R1 and R3 zones are proposed to remain unchanged.

The Environmental Protection (EP) lands, both within and outside the Settlement Area, are proposed to retain their existing zoning but their boundaries will be amended to reflect the recommendations of the Scoped Environmental Impact Study.

The applicant proposes to re-zone the lands for stormwater management from General Agriculture (A1) to Open Space (OS). The balance of the agricultural lands would remain zoned General Agriculture (A1). However, based on the size of the retained agricultural lands and their location on either side of the intervening Open Space (OS) zone, the Zoning By-law treats each part as if it was a separate lot. While the total area of the lands zoned General Agriculture (A1) is 8.71 hectares, the two parts are 2.14 hectares and 6.57 hectares in size. Each part will also front onto a new municipal street with a 20-metre right-of-way so the amending by-law has been revised to include special provisions in the General Agriculture zone (i.e., A1-hp) as follows:

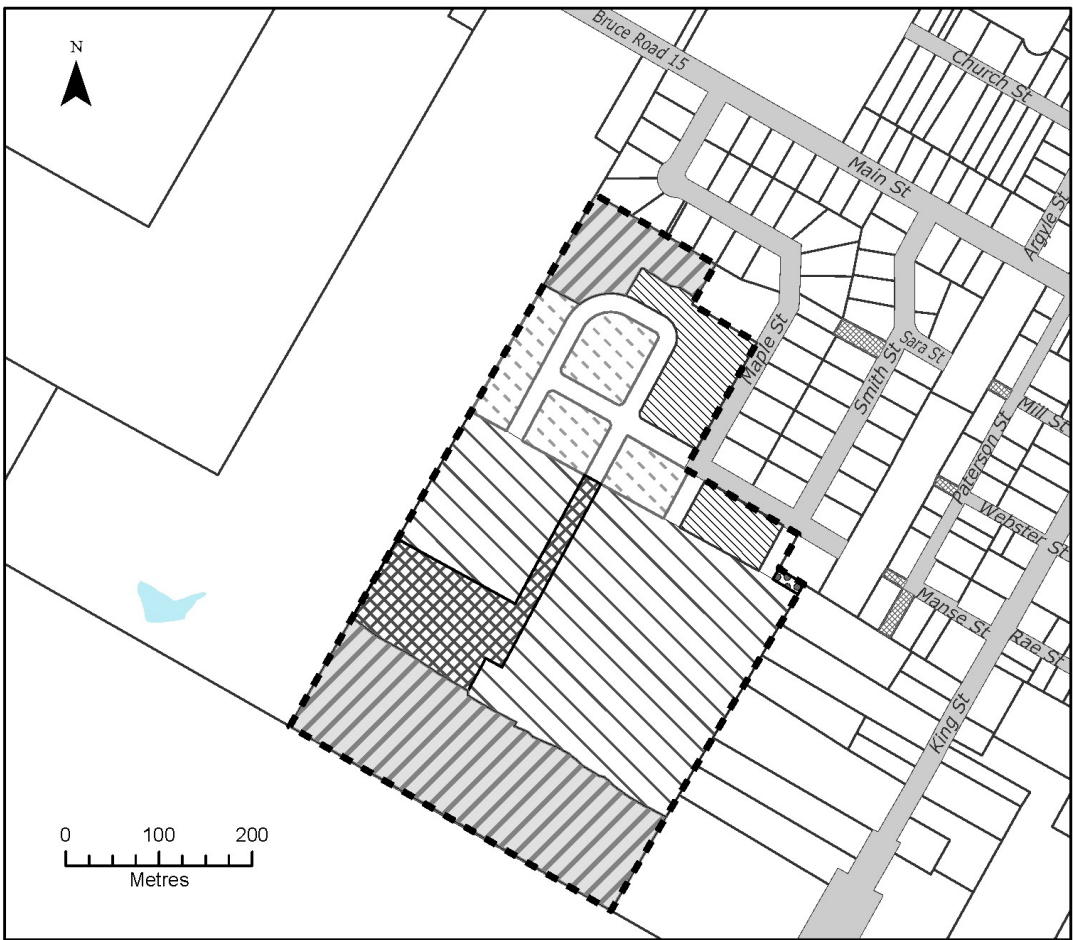
General Agriculture (A1) - Farm Lot


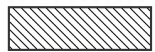

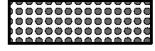
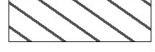


Zoning Regulation	Required	Proposed
Lot Area (Minimum)	39 ha	2.1 ha
Lot Frontage (Minimum)	100 m	20 m

These revisions do not change the original intent of the Zoning By-law Amendment. As such, staff are of the opinion that an additional notice to the public is not required.

The proposed zoning is shown in the figure below, and the full draft amending by-law is included later in the Council agenda. The Municipality is the Approval Authority for the Zoning By-law Amendment. Staff are recommending that Council approve the application.

Proposed Zoning Plan



-  Subject Property
-  Lands to be zoned R1 - Residential One
-  Lands to be zoned R3 - Residential Three
-  Lands to be zoned R1-bw - Residential One Special
-  Lands to be zoned A1-hq - General Agriculture Special
-  Lands to be zoned OS - Open Space
-  Lands to be zoned EP - Environmental Protection

Conditions of draft approval for the Plan of Subdivision are also attached to this report. The draft conditions have incorporated comments provided by Municipal departments and review agencies specific for this project.

The Bluewater District School Board condition relating to student accommodation in temporary facilities and directing students to alternative attendance boundaries has been

removed consistent with direction provided by the County Planning and Development Committee on July 13, 2023.

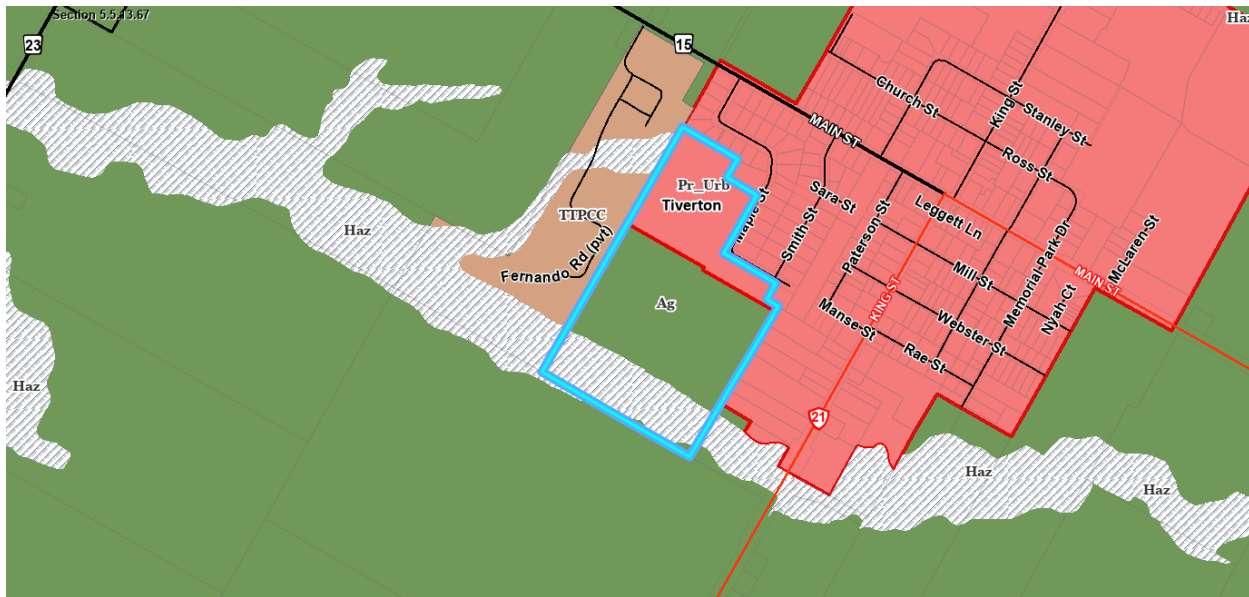
Also, in response to comments raised at the Public Meeting, it is now standard for all draft approvals to have a lapsing date. For the first phase, the lapsing date is three (3) years after the date of Draft Approval unless it has been extended by the County with the concurrence of the Municipality. For any subsequent phases, the lapsing date is five (5) years after the date of Final Approval of the preceding phase. The intent of the lapsing date is to maintain the pace of the development and an available supply of housing per the policies of the Official Plan. If the developer cannot satisfy the conditions Draft Approval before the lapsing date, the Draft Approval will lapse. An application to extend the lapsing date can be considered and would need to be supported with reasons as to why the timelines could not be met. The justification would be reviewed by the County in consultation with the local Municipality.

Bruce County is the Approval Authority for Draft Plans of Subdivision. County staff are seeking Council's endorsement of the subdivision in accordance with the Draft Plan and conditions of draft approval attached prior to seeking a decision from the County.

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 Notice
- Public Comments
- Public Meeting Minutes ([Public Meeting - July 11, 2022](#))
- Draft Plan of Subdivision
- Conditions of Draft Approval (Draft)

County Official Plan Map (Designated Hazard Land Areas, Primary Urban Communities and Agricultural Areas)



Local Official Plan Map (Designated Natural Environment and Residential)



Images of the Site



Looking north from the bend at Maple Street



Looking west from Maple Street



Looking southwest from Maple Street



Looking east from the bend at Maple Street

List of Supporting Documents and Studies

Initial Submission

- Draft Plan of Subdivision - GSP Group (February 2022)
- Planning Justification Report - GSP Group (March 2022)
- Functional Servicing & Stormwater Management Report - WSP (March 2022)
- Traffic Impact Study - WSP (September 2021)
- Scoped Environmental Impact Study - WSP (March 2022)
- Stage 1-2 Archaeological Assessment - WSP (October 2021)

Additional Materials

- Presentation - GSP Group (July 2022)
- Response to Planning Report Comments - WSP (February 2023)
- Functional Servicing & Stormwater Management Report - WSP (February 2023)
- Detailed Design Stormwater Management Report - WSP (February 2023)
- Engineering Drawings - WSP (February 2023)
- Draft Plan of Subdivision - GSP Group (February 2022) (Revised October 2023)

Agency Comments

Municipality of Kincardine:

Initial Submission

1. Provide Storm Private Drain Connections for each unit/ dwelling to outlet their sumps to and provide adequate sizing of the storm water system to accommodate.
2. Under the Functional Servicing Report, change the Building classification used for Fire Flows from Group "D" to Group "C". Calculation for $Q = K \cdot V \cdot Stot$.
3. Storm pond will be designed as a wet pond, ensure safety design measures are put in place (fencing or equivalent safety mitigation measures).
4. Show Top of Bank (TOB) setbacks to structures in proximity of the Nile Creek watershed. Minimum 15m TOB setback.
5. Show sidewalks and street profiles through and urban street cross section as per Municipal design standards.
6. Provide a street lighting design and layout.

Additional Materials

- The Municipality can confirm we have no concerns with files S-2022-004 and Z-2022-054 and that any outstanding comments can be addressed through the conditions of draft approval.

Bruce County Transportation and Environmental Services: No comment.

Historic Saugeen Métis (HSM): The 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.

Saugeen Ojibway Nation (SON) Environment Office: According to our records the proponent has not consulted with the SON Environment Office regarding an archaeology assessment or natural heritage peer review. Please include conditions 44 to 46 as outlined in the provided Conditions of Draft Approval (*note: the numbering of the conditions have changed to 43 to 45 since SON's comments were provided*).

Hydro One Networks Inc.: No comments or concerns at this time. This preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only. For proposals affecting 'Low Voltage Distribution Facilities,' the applicant must consult the local area Distribution Supplier.

EPCOR: Requested the contact information for the property owner so that they could be advised of the servicing timeline.

Eastlink Inc.: No concern at this time.

Risk Management Office, Source Water Protection: Please note that this property is not located within a vulnerable source protection area where significant threat policies apply, therefore we have no further comment on this application under the Clean Water Act.

Ministry of Transportation (MTO): The subject development is beyond MTO's permit control area. Therefore, MTO review, approval and permits are not required.

Bruce-Grey Catholic District School Board (BGCDsb): No comments.

Bluewater District School Board (BWDSB): BWDSB has no objection to this development and requests conditions be included as part of the draft approval (full letter attached).

Saugeen Valley Conservation Authority (SVCA): The applications are generally acceptable to SVCA staff provided the recommendations in the attached letter are included as part of the draft plan approval (full letter and email attached).

Canada Post: In order to provide mail service to this development, Canada Post requests that the owner/developer comply with the conditions outlined in its letter (full letter attached).



Bluewater District School Board

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

June 30, 2022

Coreena Smith
County of Bruce
Planning & Development Department
11243 MacKenzie Road
Port Elgin, ON N0H 2C6
bcplpe@brucecounty.on.ca

RE: S4 Z54 Fast Holdings Ltd.
S-2002-004 & Z-2022-054
CON C PT LOT 59; PLAN 210 LOT 83 PT LOT 85 RP;3R2074 PT PART 1
Kincardine (Tiverton Village)

Attention: Coreena Smith and/or Planning Department,

Thank you for circulating notification with respect to an application for a draft plan of subdivision to create 88 residential units (26 single detached dwellings, 22 semi-detached dwellings and 40 townhouses) and a zoning by-law amendment proposing to rezone the lands from A1 - General Agriculture, EP - Environmental Protection and R1 - Residential One to A1 - General Agriculture, EP - Environmental Protection, OS - Open Space, R1 - Residential One, R1-XX - Residential One Special, R3 - Residential Three.

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 draft plan approval:

1. "That the owner(s) agree in the Subdivision 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 may be directed to an alternate attendance boundary."
2. "That the owner(s) shall agree in the Subdivision 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 Subdivision Agreement to include in all Offers of Purchase and Sale a statement advising prospective purchasers that if school buses are required within the Subdivision 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 approved conditions for our files. Once the Subdivision 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 ext. 2101 or by email at 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

SENT ELECTRONICALLY ONLY: CJSmith@brucecounty.on.ca and bcplpe@brucecounty.on.ca

July 5, 2022

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

ATTENTION: Coreena Smith, Planner

Dear Ms. Smith,

RE: S-2022-004 and Z-2022-054 (Fast Holdings Ltd.)
Unassigned civic address
Roll No.: 410826000612700
Part Lot 59 Concession C, Lot 83 Part Lot 85 Plan 210, Part 1 Plan 3R2074
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, natural heritage, 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 subdivision consisting of 88 units in single detached, semi-detached and townhouse dwelling formats. A Zoning By-law Amendment application has also been submitted to facilitate the proposed development.

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

1. Planning Justification Report prepared by GSP Group, dated March 2022;
2. Scoped Environmental Impact Study (EIS) prepared by WSP Canada Inc., dated March 2022;
3. Functional Servicing & Stormwater Management Report prepared by WSP, dated March 4, 2022; and
4. Draft Plan of Subdivision drawing prepared by GSP Group, dated March 17, 2022.

Recommendation

The applications are generally acceptable to SVCA staff provided the below recommendations are included as part of draft plan approval.

Background

As part of the pre-submission consultation process for a future subdivision proposal, the SVCA was contacted by GSP Group c/o Eric Saulesleja (agent for the owner: Fast Holding Ltd.) on October 7, 2020. SVCA conducted a site inspection of the property on October 29, 2020, and provided pre-submission consultation comments dated November 24, 2020 to GSP Group. The SVCA comments outlined SVCA requirements for the proposed development.

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the applications through 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). We have also reviewed the application through our responsibilities as a service provider to the County of Bruce in that we provide expert advice and technical clearance on *Planning Act* applications with regards to natural hazards, natural heritage, and water resources as set out in the PPS, 2020, County Official Plan (OP) and/or local official plans. Comments below only include features/technical requirements affecting the property.

Recommendations

The proposed Draft Plan of Subdivision; and proposed Zoning By-law Amendment are generally acceptable to SVCA staff, provided the below recommendations are included as part of draft plan approval:

1. 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.

SVCA note that in the Functional Servicing & Stormwater Management Report prepared by WSP, dated March 4, 2022, it appears that details and notes to sediment and erosion control measures are absent from the Grading Plan found as Appendix B. Furthermore, the outlet and details of the stormwater management pond appear to be absent from the drawings.

2. 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. We note that the above plans shall include the:

- a) mitigation measures (EIS section 5.1),
- b) biological monitoring (EIS section 6.0), and
- c) recommendations (EIS section 7.2).

Natural Hazards:

The natural hazard features affecting the property are the flooding and erosion hazards of the watercourses: Nile Creek and Tiverton Creek. The floodplains associated with both the watercourses on the property have

engineered Hurricane Hazel Flood Event (HHFE) floodplain mapping, which was previously provided to the agent. The Hazard Land Area designation as shown on Schedule A to the Bruce County OP, 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. SVCA are supportive to a revision (enlargement) to the EP zone as recommended by the Environmental Impact Study, and as shown on the proposed zoning plan that was included in the Request for Agency Comments.

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.

Natural Heritage:

As part of SVCA pre-submission correspondence, SVCA noted natural heritage features affecting the property. A Scoped Environmental Impact Study (EIS) Report, dated March 2022, was prepared by WSP Canada Inc. Provided the mitigation measures (EIS section 5.1), biological monitoring (EIS section 6.0), and recommendations (EIS section 7.2) are followed, it is the opinion of SVCA staff that the applications appear to be consistent with Section 2.1 of the Provincial Policy Statement, and the natural heritage policies of the Bruce County OP, and the Municipality of Kincardine OP.

Statutory Comments

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 CA Act, 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.

Portions of the property, in the very northern boundary, and the very southern boundary, are 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 watercourses (Nile Creek and Tiverton Creek) and their related flood and erosion and valley hazards, as well as an offset distance from these features.

SVCA Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, is proposed within the SVCA Approximate Regulated Area on the property, the SVCA should be contacted, as permission (SVCA permit) will be required. Based on the Draft Plan of Subdivision drawing, dated March 17, 2022, by GSP Group, it appears that the proposed stormwater management pond and its outlet will be located within the SVCA Approximate Regulated Area, and so will require an SVCA permit prior to site alteration and grading occurring on the property. Furthermore, it is unclear if any grading will occur within Block 46 (Open Space Block). If any site alteration and/or grading is to occur in proposed Block 46, an SVCA permit will be required prior to site alteration and grading occurring. The agent should continue to be in contact with SVCA staff to continue 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*.

The applications are generally acceptable to SVCA staff provided the above recommendations are included as 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 has been demonstrated;
- 2) Consistency with Section 2.1, Natural Heritage policies of the PPS, 2020 has been demonstrated; and
- 3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated.

County of Bruce Planning and Development
S-2022-004 and Z-2022-054 (Fast Holdings Ltd.)
July 5, 2022
Page 5 of 5

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.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO/

cc: Jennifer Lawrie, Clerk, Municipality of Kincardine (via email)
Maureen Couture, SVCA Member representing the Municipality of Kincardine (via email)
Bill Stewart, SVCA Member representing the Municipality of Kincardine (via email)

From: [Michael Oberle](#)
To: [Coreena Smith](#)
Subject: RE: S-2022-004 and Z-2022-054 (Fast Holdings Ltd.)
Date: Thursday, September 28, 2023 10:05:18 AM

**** [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,

This email is further to the emails of below regarding the above referenced files.

The below SVCA conditions 1 and 2 are acceptable to the SVCA.

The below highlighted text is not required as an SVCA condition, and the conditions 1, 2, 3 below the yellow highlighted text appear to cover the EIS section 5,6, and 7.

I trust that this is helpful.

Anything further, please do not hesitate to ask.

Kind regards,

Mike

Michael Oberle

Environmental Planning Technician

Cell: 519-373-4175

1078 Bruce Road 12, PO Box 150, Formosa, ON N0G 1W0

www.saugeenconservation.ca

From: Coreena Smith <CJSmith@brucecounty.on.ca>
Sent: Wednesday, September 27, 2023 9:28 PM
To: Michael Oberle <m.oberle@SVCA.ON.CA>
Subject: RE: S-2022-004 and Z-2022-054 (Fast Holdings Ltd.)

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

Michael,

I am in the process of preparing conditions of draft approval for the Fast Holdings Ltd. proposal in Tiverton. Based on your initial comment letter (attached) and email below, I have inserted a condition as follows:

Saugeen Valley Conservation Authority

1. That prior to any site alteration/grading or construction on-site, and prior to Final Approval of the subdivision by the County, the Owner shall prepare the following reports/plans, completed to the satisfaction of the Saugeen Valley Conservation Authority:
 - a. Final Lot Grading and Drainage Plans;
 - b. Final Stormwater Management Report; and
 - c. Final Sediment and Erosion Control Plans.
2. 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:

- a. Final Lot Grading and Drainage Plans;
- b. Final Stormwater Management Report; and
- c. Final Sediment and Erosion Control Plans.

Saugeen Valley Conservation Authority notes that the above plans shall include the:

- a. Mitigation measures (Environmental Impact Study section 5.1);
- b. Biological monitoring (Environmental Impact Study section 6.0); and
- c. Recommendations (Environmental Impact Study section 7.2).

Can you please advise if the text highlighted in yellow is still required? Or if it is captured in the conditions below?

1. That an Edge Management and Restoration Planting Plan be prepared by a qualified professional and implemented by the Owner to the satisfaction of the County of Bruce and Municipality of Kincardine.
2. That prior to development or site alteration, the Owner provide written correspondence from a qualified professional indicating that the recommendations in the Scoped Environmental Impact Study Report (Sections 5.0 through 7.0, WSP Canada Inc., dated March 2022, as may be amended) has/is/continues to be followed to the satisfaction of the County of Bruce and Municipality of Kincardine in consultation with other agencies as may be required.
3. That the Subdivision Agreement against the land to which it applies include a clause requiring the Owner to carry out or cause to be carried out the recommendations in the Scoped Environmental Impact Study Report (Sections 5.0 through 7.0, WSP Canada Inc., dated March 2022, as may be amended) to the satisfaction of the County of Bruce and Municipality of Kincardine in consultation with other agencies as may be required.

Thanks,

From: Michael Oberle <m.oberle@SVCA.ON.CA>

Sent: Tuesday, May 2, 2023 12:36 PM

To: Coreena Smith <CJSmith@brucecounty.on.ca>; Bruce County Planning - Lakeshore Hub
<bcplpe@brucecounty.on.ca>

Subject: S-2022-004 and Z-2022-054 (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 afternoon Ms. Smith,

With regard to the above referenced files, SVCA has reviewed:

1. Detailed Design Stormwater Management Report, revision 1, dated February 13, 2023 by WSP; and
2. Engineered Drawings: Grading Plan C3.01 and C3.02; and Sediment and Erosion Control Plan C3.03, all dated February 13, 2023, revision 1, by WSP, and find them to be acceptable to the SVCA. We note that on drawing C3.03 note 14 should list "SVCA or conservation authority" rather than "UTRCA", however, the content of the note is sufficient and does not require a change by the SVCA.
3. Response to Planning Report Comments dated February 14, 2023; and find it acceptable to the SVCA.

SVCA staff look forward to continue to be involved, when required, as part of this project.
Should you have any questions, please do not hesitate to contact me.

Kind regards,
Mike
Michael Oberle
Environmental Planning Coordinator
Cell: 519-373-4175
1078 Bruce Road 12, PO Box 150, Formosa, ON N0G 1W0
www.saugeenconservation.ca

PRIVACY DISCLAIMER: This e-mail (including any attachments) may contain confidential, proprietary, and privileged information and unauthorized disclosure or use is prohibited. If you received this e-mail in error, please notify the sender and delete this e-mail from your system. SAUGEEN VALLEY CONSERVATION AUTHORITY. Thank You!

Coreena Smith
Senior Planner
Planning and Development
Corporation of the County of Bruce

Office: 519-881-1782
Direct: 1-226-909-6305
www.brucecounty.on.ca



Orange Shirt Day / National Day for Truth and Reconciliation | September 30

Join us in reflecting, showing support, and joining the global conversation on this day that honours the thousands of First Nations, Metis, and Inuit children across Canada who were forced to attend residential schools. Artwork by

August 10, 2022



Coreena Smith Senior Planner
Planning and Development
Corporation of the County of Bruce

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

Canada Post has reviewed the proposal for the above noted Development and has determined that the completed project will be serviced by centralized mail delivery provided through Canada Post Community Mailboxes. Our centralized delivery policy will apply for any buildings of 3 or more self-contained units with a common indoor area. For these units the owner/developer will be required to install a mail panel and provide access to Canada Post.

In order to provide mail service to this development, Canada Post requests that the owner/developer comply with the following conditions:

- ⇒ The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
- ⇒ The Builder/Owner/Developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.
- ⇒ The owner/developer will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.
- ⇒ The owner/developer will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.

- ⇒ The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.
- ⇒ The owner/developer agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the city/town of Thornbury, ON.
- ⇒ The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
- ⇒ The owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.

Canada Post further requests the owner/developer be notified of the following:

- 1 The owner/developer of any condominiums will be required to provide signature for a License to Occupy Land agreement and provide winter snow clearance at the Community Mailbox locations
- 2 Enhanced Community Mailbox Sites with roof structures will require additional documentation as per Canada Post Policy
- 3 There will be no more than one mail delivery point to each unique address assigned by the Municipality
- 4 Any existing postal coding may not apply, the owner/developer should contact Canada Post to verify postal codes for the project
- 5 **The complete guide to Canada Post's Delivery Standards can be found at:**
https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Regards,

Stephen White
Delivery Services Officer | Delivery Planning
Huron/Rideau Region
955 Highbury Ave N
London ON N5Y 1A3
519-319-7528
stephen.white@canadapost.ca

Public Comments

From: dan mcquillin

Sent: Thursday, June 30, 2022 8:18 PM

To: Bruce County Planning - Lakeshore Hub <bcplpe@brucecounty.on.ca>

Subject: Tiverton Maple street development

**** [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 day. My name is Dan McQuillin, and I'm just contacting the municipality to voice our family's objection to the planned possible development on Maple St., Tiverton. As a resident of XXXX, I feel it is unwise to add this sized development in a village of this size not only because of possible water/sewer deficiencies, but the sheer volume of homes in an area with necessary farmland and agriculture. I moved FROM Kincardine TO Tiverton almost 3 years ago just to live in a less densely populated area. I'm planning on attending the July 11th meeting at the town hall to voice our objection to this project. Thank you for your time reading this and consideration.
Sincerely,

Dan McQuillin

From: sarah catto

Sent: Friday, July 8, 2022 6:50 PM

To: Bruce County Planning - Lakeshore Hub <bcplpe@brucecounty.on.ca>

Subject: S-2022-004 letter from the people

**** [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.

Firstly I'll start off I never received an letter from the town regarding this development even though I live directly in this subdivision. Could be related to the Canada Post update, which are still sitting at the Tiverton Arena not placed in proper locations.

I agree with building up tiverton and with this subdivision however I do not agree with the lot sizes and bringing more attached homes. Patterson park is a nice subdivision with larger sized lots. Tiverton is not a city, it is country and I don't believe jamming houses in a city style is attracting a community but more of housing for contractors whom aren't the long term patrons you should be reaching to home and aim our municipal for. Also In the last 5 years and proposed developments thus far in 2022 all I have seen built and in progress in tiverton is attached homes I don't see the need for additional. I would also like to know, if it is low income housing I am wondering how you as the town can control the price and promise that's what these will be. There also should be more than one entrance to this subdivision if 88 houses are to be accessing it.

Lastly the municipality keeps approving these mass house builds in tiverton however shut a community centre down for these people it intends to bring here. We currently do not have a centre to hold our current township members. Let alone the ??? More homes coming. I'd like to ask how they would expect us to hold community events and call to action the community centre to be back on the table before any more buildings get approved.

Now I know nothing the folks of this town speak up and say will be heard but I thank you for at least providing the opportunity to try.

Sarah Catto

XXXX

From: Kim Catto
To: Bruce County Planning - Lakeshore Hub
Subject: Draft plan of subdivision file# S-2022-004
Date: Monday, July 11, 2022 2:05:29 PM

** [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.

----- Forwarded message -----

From: Kim Catto
Date: Mon, Jul 11, 2022 at 2:04 PM
Subject: Draft plan of subdivision file# S-2022-004
To: <clerk@kincardine.ca>

Question or Concern, I own XXXX, Tiverton, ON, or Lot 13. I can see only 2 access entering this 88 home subdivision to our south and west. All vehicle entering this subdivision must drive through all of Paterson park and all vehicles will be driving past my property. We need to have a access possibly by the pump house off of Maple st and a access off of Smith st. We also do not want the construction of these homes to go on and on for year's, for this will effect the quality of our living. There needs to be a time line on this. These are our biggest concern's.
Thank Kim and Mike Catto



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



June 17, 2022

File Number(s): S-2022-004 & Z-2022-054

Public Meeting Notice

You're invited:

Hybrid Public Meeting to consider

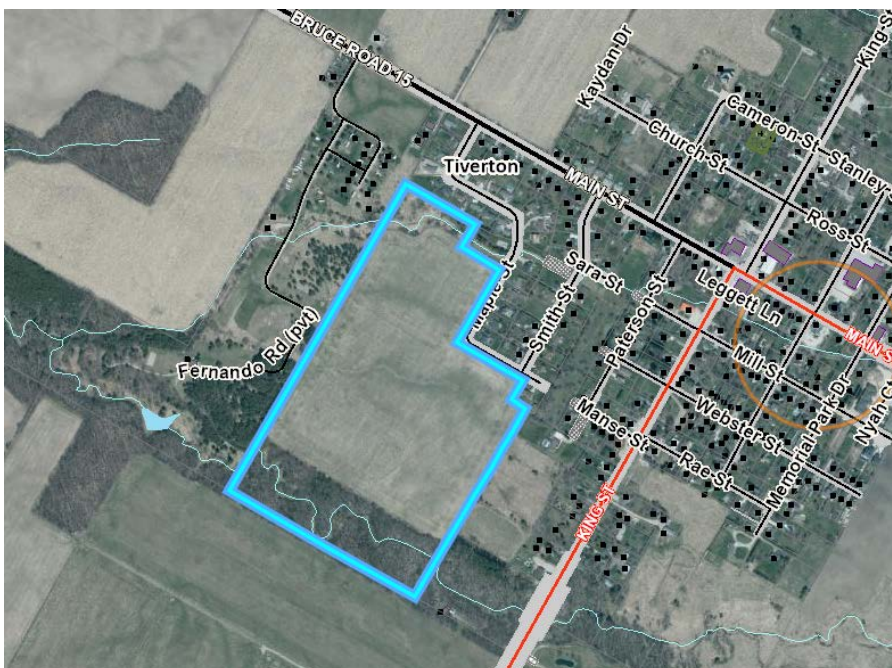
Draft Plan of Subdivision File #S-2022-004 &

Zoning By-law Amendment File #Z-2022-054

July 11, 2022 at 5:00 PM

A change is proposed in your neighbourhood:

A Draft Plan of Subdivision application has been submitted to create a residential subdivision consisting of 88 units in single detached, semi-detached and townhouse dwelling formats. A Zoning By-law Amendment application has also been submitted to facilitate the proposed development.



Legal Description:

KINCARDINE CON C
PT LOT 59; PLAN 210
LOT 83 PT LOT 85
RP; 3R2074 PT PART 1
(Tiverton Village),
Municipality of
Kincardine

Roll Number:

410826000612700

Learn more

You can view limited information about the application at <https://brucecounty.on.ca/living/land-use>. Additional information, including the supporting materials, can be provided upon request by e-mailing bcplpe@brucecounty.on.ca or calling **226-909-5515**. Information can also be viewed in person at the County of Bruce Planning Office noted above, between 8:30am and 4:30pm (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 **June 30, 2022** 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, 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 meeting 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 under "Agendas and Minutes."

Please contact the Municipality of Kincardine at 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 the Municipality of Kincardine 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 the Municipality of Kincardine 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 of Kincardine 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.

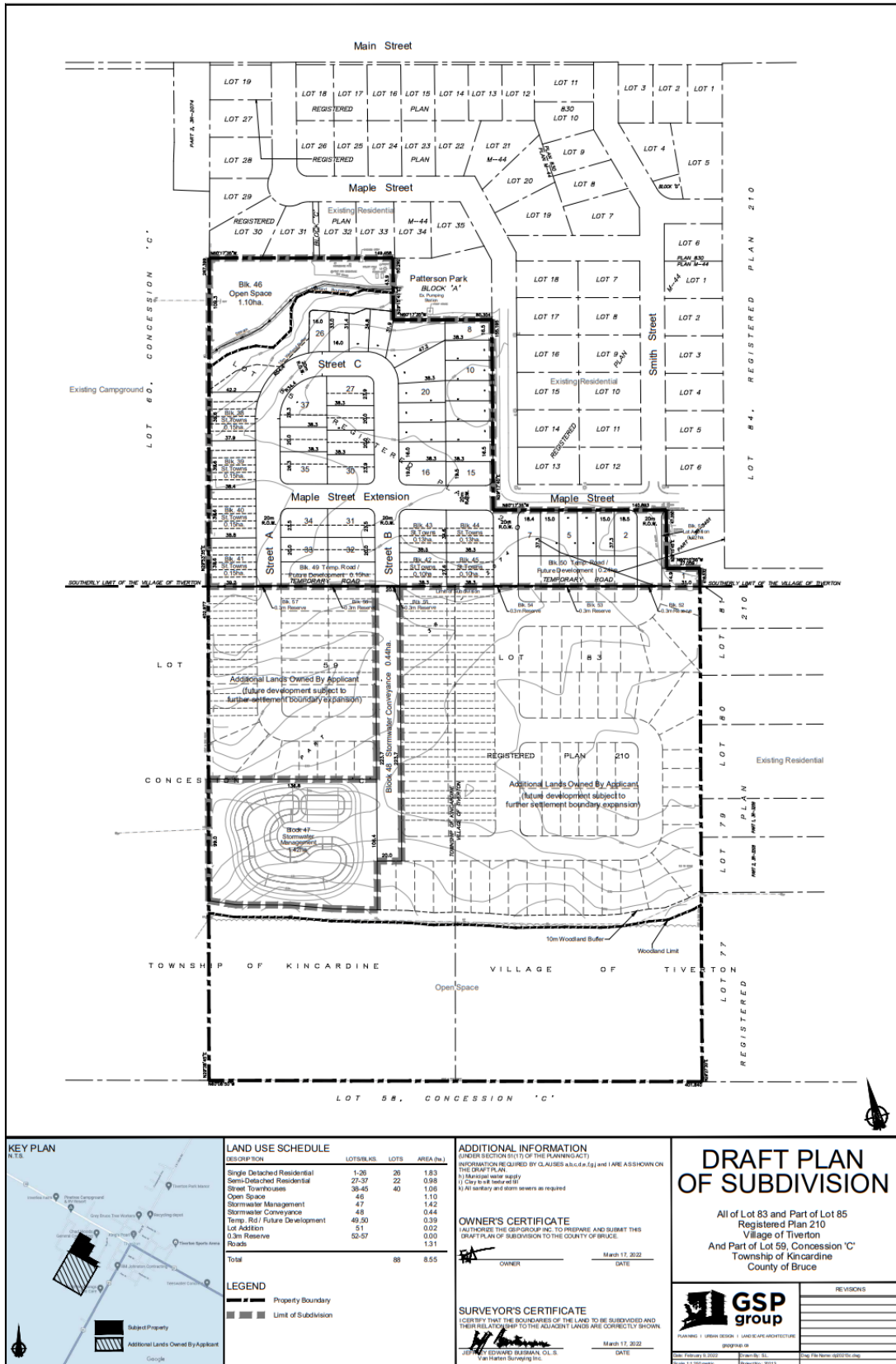
Section 51(39) of the of the [Planning Act](#) outlines rights of appeal for Plan of Subdivision applications. Only the applicant, a public body, various utility company (or their representative), the Minister and the Municipality can appeal the approval or refusal of draft plan of subdivision, lapsing 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 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 the County of Bruce to the Ontario Land Tribunal.

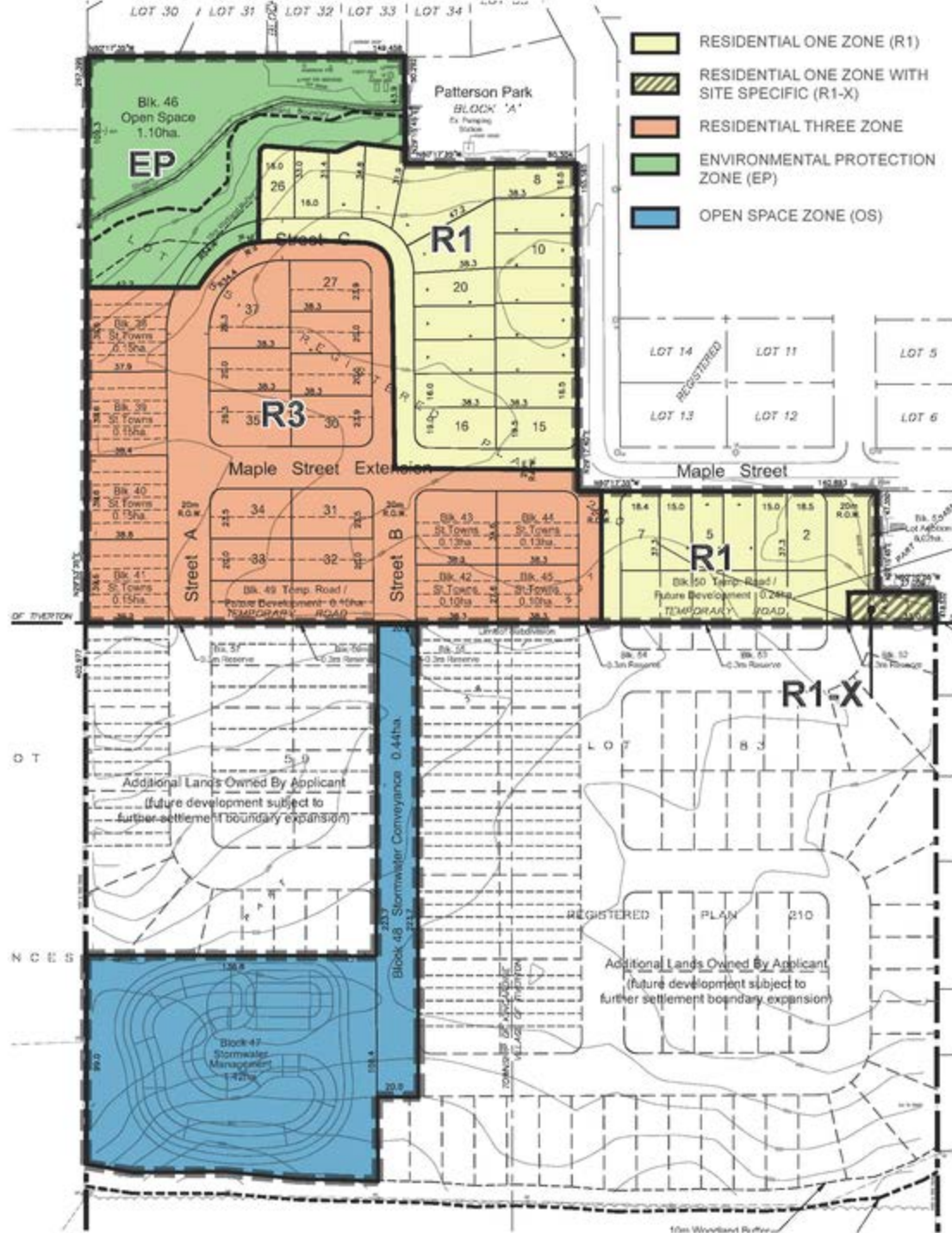
If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the County of Bruce in respect of the proposed plan of subdivision before the County of Bruce gives or refuses to give approval to the draft plan of subdivision, the person or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

Draft Plan



Proposed Zoning Plan



Proposed Zoning
Source: GSP Group (January 2022)

Figure
4