



County of Bruce
Planning & Development Department
30 Park Street, Box 848
Walkerton, ON N0G 2V0
brucecounty.on.ca
226-909-5515

June 27, 2022

Notice of Decision by the Approval Authority

A decision has been made by the County of Bruce to approve a Major Revision / Change of Conditions to a Draft Plan of Subdivision under Section 51 of the Planning Act, 1990 in relation to:

File Number 41T-2010-04.09

For Barry's Construction and Insulation Ltd.

In Respect Of Part of Lot 29, Concession 8 (Arran) and Part of Park Lot 5, Registered Plan 29, Park Lot J and Part of Park Lot K, Registered Plan 220 (Tara), Municipality of Arran-Elderslie, Roll: 410351000112500

As shown on the attached Draft Plan prepared by Cobide Engineering Inc. (revision dated April 5, 2021).

The proposal

The application proposes a major revision to an existing Draft Approved Plan of Subdivision on the south side of Brook Street West, west of Yonge Street North, in the Tara Primary Urban Community. The application proposes a net increase of eight residential units. If approved, the proposal would accommodate a revised mix of dwelling types.

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 bcplwa@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 8:30 a.m. and 4:30 p.m. (Monday to Friday).

The Planner on the file is: Coreena Smith

Know your rights

Written and oral submissions were considered by the Approval Authority as part of the deliberations and final decision on the matter.

Section 51(48) of the of the Planning Act outlines who can appeal the Approval Authority's decision on a Plan of Subdivision application, the lapsing provision or any of the conditions. The following may file a Notice of Appeal with the Approval Authority:

- i. the applicant
- ii.
 - a. A public body that, before the approval authority gave approval to the draft plan of subdivision, made oral submissions at a public meeting or written submissions to the approval authority or made a written request to be notified of changes to the conditions
 - b. A person listed in subsection (48.3) who, before the approval authority gave approval to the draft plan of subdivision, made oral submissions at a public meeting or written submissions to the approval authority or made a written request to be notified of changes to the conditions
- iii. the Minister
- iv. the municipality in which the subject land is located
- v. if the subject land is not located in a municipality or planning area, any public body.

Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

Notwithstanding the above, no person or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council, or made a written request to be notified of changes to the conditions or, in the Ontario Land Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of subdivision if you have made a written request to be notified of changes to the conditions.

Filing an appeal with the Ontario Land Tribunal (OLT) against the decision of the Approval Authority, the lapsing condition or any conditions imposed by the Approval Authority must be undertaken in accordance with OLT guidelines, forms and fees (payable to the Ministry of Finance) available from the OLT website <https://olt.gov.on.ca/appeals-process/>. Appeals must set out the reason for the appeal and should be filed with the Secretary-Treasurer, Land Division Committee County of Bruce.

The last date for filing a notice of appeal is July 17, 2022.



Decision Of The Approval Authority With Reasons (Section 51, Planning Act, 1990)

File Number	41T-2010-04.09
Applicant	Barry's Construction and Insulation Ltd.
Legal Description	Part of Lot 29, Concession 8 (Arran) and Part of Park Lot 5, Registered Plan 29, Park Lot J and Part of Park Lot K, Registered Plan 220 (Tara), Municipality of Arran-Elderslie, Roll: 410351000112500 As shown on the attached Draft Plan prepared by Cobide Engineering Inc. (revision dated April 5, 2021).
Application For	Major Revision / Change of Conditions to a Draft Plan of Subdivision
Effect of Submissions	All submissions relating to this application that were made to the Approval Authority before its decision, have been taken into consideration by the Approval Authority as part of its deliberations and final decision on this matter.

I have authority to approve, on behalf of the County of Bruce, applications for Draft Approval of Plans of Subdivision, pursuant to County of Bruce By-Law No. 4174.

I have reviewed the application, and I note the following:

1. The application is consistent with the Provincial Policy Statement.
2. The application conforms to the County of Bruce and Municipality of Arran-Elderslie Official Plans.
3. The application maintains the intent of the Municipality of Arran-Elderslie Zoning By-law.
4. The application was the subject of notice and a public meeting.
5. I have consulted with municipal staff and mandated commenting agencies, and they have advised that they do not object to the approval of the Draft Plan of Subdivision.
6. I have concluded that granting approval of the Draft Plan of Subdivision is appropriate in the circumstances.

For the reasons noted above, I grant **Approval** to the application for the Major Revision to a Draft Plan of Subdivision.

This approval shall lapse if the subdivision is not registered as follows:

- i. For the first phase, June 26, 2024 unless it has been extended by the County of Bruce; and
- ii. For any subsequent phases, three (3) years after the date of final approval of the preceding phase.

Certified to be a true copy of the Decision of the Approval Authority for the County of Bruce.

Original Signed by Mark Paoli

June 16, 2022

Secretary-Treasurer
Land Division Committee, County of Bruce

Date

Enclosed: Conditions of Draft Approval
 Draft Plan

CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL

Owner: Barry's Construction and Insulation Ltd.
File No: 41T-2010-04.49
Municipality: Arran-Elderslie
Subject Lands: Part of Lot 29, Concession 8 (Arran) and Part of Park Lot 5, Registered Plan 29, Park Lot J and Part of Park Lot K, Registered Plan 220 (Tara), Municipality of Arran-Elderslie, Roll: 410351000112500

Date of Modification to Draft Approval: As per the County Decision Sheet

The Council of the Corporation of the County of Bruce hereby issues Draft Approval to Subdivision File No. 41T-2010-04.49, which pertains to Part of Lot 29, Concession 8 (Arran) and Part of Park Lot 5, Registered Plan 29, Park Lot J and Part of Park Lot K, Registered Plan 220 (Tara), Municipality of Arran-Elderslie. The following conditions have been established by the County of Bruce and must be met prior to the granting of Final Approval:

No.	Condition
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- | | |
|----|--|
| 1. | That this approval applies to the Red Line Revision to Draft Plan of Subdivision File 41T-2010-04.49 for Barry's Construction and Insulation Ltd. in the Municipality of Arran-Elderslie prepared by Cobide Engineering Inc. (revision dated April 5, 2021). |
|----|--|

Lot Layout and Density

- | | |
|----|--|
| 2. | That this approval applies to the 'Relevant Site Information' on the Plan revised April 5, 2021. |
| 3. | That the Final Plan for registration shall incorporate a density no greater than the maximum density numbers identified on the Plan revised April 5, 2021. |

Public Roads, Walkways, Trails, Drainage/Service Corridors, Open Space

- | | |
|----|---|
| 4. | That the road allowances and road widenings shown on this Plan be dedicated to the Municipality of Arran-Elderslie as a public highway on the Final Plan. |
| 5. | That the streets shall be named to the satisfaction of the Municipality of Arran-Elderslie. |
| 6. | That before any lots, blocks, roads, walkways, trails, service corridors, 0.3 metre reserves (including the termination points of dead ends and open sides of road allowances) identified in this Plan are conveyed to the Municipality of Arran-Elderslie, they shall be free and clear of encumbrances. |
| 7. | Lands to be conveyed may include: <ul style="list-style-type: none">i. Block 50 - utility corridor for sewer services and stormwater management facilityii. Block 51 - open spaceiii. Block 52 - 0.3 m reserve to temporarily prevent access to adjacent lands |
| 8. | That the developer constructs a delineated crosswalk across Brook Street West as requested by the Bluewater District School Board and approved by the Municipality of Arran-Elderslie. |

Parkland & Open Space

9. That the Owner conveys land in an amount not exceeding, in the case of a subdivision proposed for commercial or industrial purposes, 2%, and in all other cases 5%, of the land included in the plan to the Municipality of Arran-Elderslie for park or other public recreational purposes pursuant to the provisions of Section 51.1(1) of the Planning Act R.S.O. 1990. Alternatively, the Municipality of Arran-Elderslie may accept cash-in-lieu for the said conveyance and under provisions of Section 51.1(3) of the Planning Act, R.S.O. 1990, the Municipality of Arran-Elderslie is hereby authorized to do so. The Municipality may also accept a combination of land and cash to satisfy this requirement.

Easements

10. That the Owner agrees to grant such easements as may be required for utility or drainage purposes to the Municipality of Arran-Elderslie or other appropriate authority.

Subdivision Agreement

11. That the Owner enter into an Agreement with the Municipality of Arran-Elderslie to satisfy all the requirements of the Municipality of Arran-Elderslie, in accordance with Section 51(26) of the Planning Act, and may include the following:
 - i. **Stormwater Management Plan** prepared by a technically qualified consultant.
 - 1) The Plan shall detail the methods that will be used to control surface water and erosion and sedimentation within the development lands and abutting properties during and following construction. The report shall also detail the methods that will reduce any negative impacts to water quality.
 - 2) Block 50 of Plan of Subdivision File 41T-2010-04.49 shall be integrated with this Plan and the stormwater management facility proposed for the location shall be integrated in the Subdivision Agreement. The phasing for integration will be to the satisfaction of the Municipality of Arran-Elderslie.
 - ii. **Lot Grading Plan** prepared by a technically qualified consultant.
 - iii. **Erosion Control Plan** prepared by a technically qualified consultant.
 - iv. **Phasing Plan** prepared by a technically qualified consultant.

The Owner agrees to submit a phasing plan to be included in the Subdivision Agreement to the satisfaction of the Municipality of Arran-Elderslie to provide detail on infrastructure requirements internal and external to the development for each phase, prior to the registration of each phase. The Plan shall identify when the Municipality is to assume infrastructure / stormwater management facilities.
12. That the Municipality of Arran-Elderslie undertake to register the Subdivision Agreement against the land to which it applies, and a copy of the Agreement be forwarded to the County of Bruce prior to Final Approval of the Plan.

Utilities and Canada Post

13. That the Owner agrees to make satisfactory arrangements with the appropriate electric provider for the provision of permanent or temporary electrical services to this Plan.
14. That the Owner agrees to make satisfactory arrangements for the provision of permanent or temporary telecommunications services, gas and cable services to this Plan.

15. That the Owner provides an overall utility distribution plan to the satisfaction of the Municipality of Arran-Elderslie.
16. That the Owner agrees to make satisfactory arrangements for the installation of postal boxes, if deemed necessary by Canada Post. The location of postal boxes shall be jointly approved by Canada Post and the Municipality of Arran-Elderslie.

Phasing and Lapsing

17. That the Owner agrees to phase any development of the Plan in a manner satisfactory to the Municipality of Arran-Elderslie and the County of Bruce, and in accordance with the Phasing Plan. The Registration of the Plan of Subdivision may proceed in phases.
18. That the Draft Approval for Plan of Subdivision 41T-2010-04.49 for Barry's Construction and Insulation Ltd. in the Municipality of Arran-Elderslie shall lapse as follows:
 - i. For the first phase, June 26, 2024 unless it has been extended by the County of Bruce; and
 - ii. For any subsequent phases, three (3) years after the date of final approval of the preceding phase.

Official Plan and Zoning By-law

19. That the County of Bruce be advised by the Municipality of Arran-Elderslie that the Plan of Subdivision conforms to the Municipality of Arran-Elderslie Local Official Plan approved under the Planning Act.
20. That the County of Bruce be advised by the Municipality of Arran-Elderslie that the Plan of Subdivision conforms to the Zoning By-law approved under the Planning Act.

Grey Sauble Conservation Authority

21. That prior to Final Approval by the County, the Owner shall submit for review and approval to the Grey Sauble Conservation Authority the following:
 - i. **Stormwater Management Report**

That prior to final approval, a final storm water management plan shall be completed to the satisfaction of the Grey Sauble Conservation Authority. This plan shall include all of the amendments noted in Genivar's September 26, 2011 response to Grey Sauble Conservation Authority.

In the event that the Report recommends the establishment of any stormwater works, including detention or retention facilities, the Subdivision Agreement between the Owner and the Municipality of Arran-Elderslie shall contain a provision whereby the Town will assume ownership, operation and maintenance responsibility of same in perpetuity.
 - ii. **Lot Grading Plan**

That prior to final approval, a lot grading plan and a detailed servicing plan shall be prepared by a professional engineer licensed in the Province of Ontario. These plans shall include details of how services will traverse the floodplain and shall be completed to the satisfaction of the Grey Sauble Conservation Authority.
22. That the required subdivision agreement shall include wording acceptable to the Grey Sauble Conservation Authority to implement the approved stormwater management plan, the approved lot grading plan and the approved detailed servicing plan.

23. Before commencing any grading or construction on each individual lot, to have prepared a detailed report, drawing and site plans acceptable to the Municipality and the Grey Sauble Conservation Authority which will show the location of all buildings and structures to be erected on the site, all final grades, the means whereby storm drainage will be accommodated, and the means whereby erosion and silt transport will be contained and minimized, both during and after the construction period.
24. To erect snow fencing or other suitable barriers prior to initiating any grading or construction on the site to prevent the unauthorized dumping of fill and/or grading of lands within the area regulated by the Grey Sauble Conservation Authority, unless expressly and specifically permitted, in writing, by the Grey Sauble Conservation Authority.
25. To provide a permanent demarcation of the rear lot line in a manner acceptable to the Grey Sauble Conservation Authority for Lots 2 through 10, inclusive and Lots 14 through 18, inclusive.
26. That the requirement for the acquisition of permits from the Grey Sauble Conservation Authority for Blocks 50 and 51, or any derivation thereof, be implemented through the subdivision agreement in wording acceptable to the Grey Sauble Conservation Authority.
27. That prior to final approval, the County of Bruce and the Municipality of Arran-Elderslie are to be advised in writing by the Grey Sauble Conservation Authority that the above noted conditions have been satisfied.

Bluewater District School Board

28. That the owner(s) shall agree in the Subdivision Agreement with wording acceptable to Bluewater District School Board to:
 - i. 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 in the community is not guaranteed and students may be accommodated in temporary facilities; including but not limited to accommodation in a portable classroom, a "holding school", or in an alternate school within or outside of the community.
 - ii. Include in all Offers of Purchase and Sale a statement advising prospective purchasers that student busing is at the discretion of the Student Transportation Service Consortium of Grey-Bruce.
 - iii. 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.
 - iv. Provide sidewalks and pedestrian linkages throughout the subdivision, to promote active transportation and safe walking routes.

Digital Plan Submission

29. That prior to Final Approval the Owner shall submit to the County of Bruce a digital file of the Plan to be registered in shapefile format referenced to NAD83 UTM, and to the satisfaction of the County of Bruce Planning Department and the Municipality of Arran-Elderslie.

Clearance Conditions

30. That prior to Final Approval, the County of Bruce is to be advised by the Municipality of Arran-Elderslie that Condition Nos. 4 - 12 inclusive, 15 - 17 inclusive and 19 - 20 inclusive have been carried out to their satisfaction. The clearance letter from the Municipality of Arran-Elderslie shall include a brief but complete statement detailing how each condition has been satisfied.
31. That prior to Final Approval, the County of Bruce is to be advised by Grey Sauble Conservation Authority that Condition Nos. 21 – 27 inclusive have been carried out to their satisfaction. The clearance letter shall include a brief but complete statement detailing how each condition has been satisfied.
32. That prior to Final Approval, the County of Bruce is to be advised by the appropriate electric provider that Condition Nos. 10 and 13 have been carried out to their satisfaction. The clearance letter shall include a brief but complete statement detailing how each condition has been satisfied.
33. That prior to Final Approval, the County of Bruce is to be advised by the appropriate telecommunications services, gas services and cable services providers that Condition Nos. 10 and 14 have been carried out to their satisfaction. The clearance letter shall include a brief but complete statement detailing how each condition has been satisfied.
34. That prior to Final Approval, the County of Bruce is to be advised by Canada Post that Condition No. 16 has been carried out to their satisfaction. The clearance letter shall include a brief but complete statement detailing how the condition has been satisfied.
35. That prior to Final Approval, the County of Bruce is to be advised by Bluewater District School Board that Condition Nos. 8 and 28 have been carried out to their satisfaction. The clearance letter shall include a brief but complete statement detailing how each condition has been satisfied.

**GENERAL NOTES TO DRAFT APPROVAL:
Subdivision File No. 41T-2010-04.49**

1. It is the Owner's responsibility to fulfill the Conditions of Draft Approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Bruce Planning and Economic Development Department quoting the appropriate subdivision file number.

2. **Final Approval**
An 'Application for Final Approval' together with all supporting documentation, plans and the required filing fee must be submitted to the County of Bruce. If the plans comply with the terms of approval, and we have received the required agency clearances, the County's stamp of approval will be endorsed on the Plan and it will be forwarded to the Registry Office for registration.

The number of mylar(s) and white paper print(s) as required for registration under the Registry Act must be submitted to the County of Bruce along with the 'Application for Final Approval'.

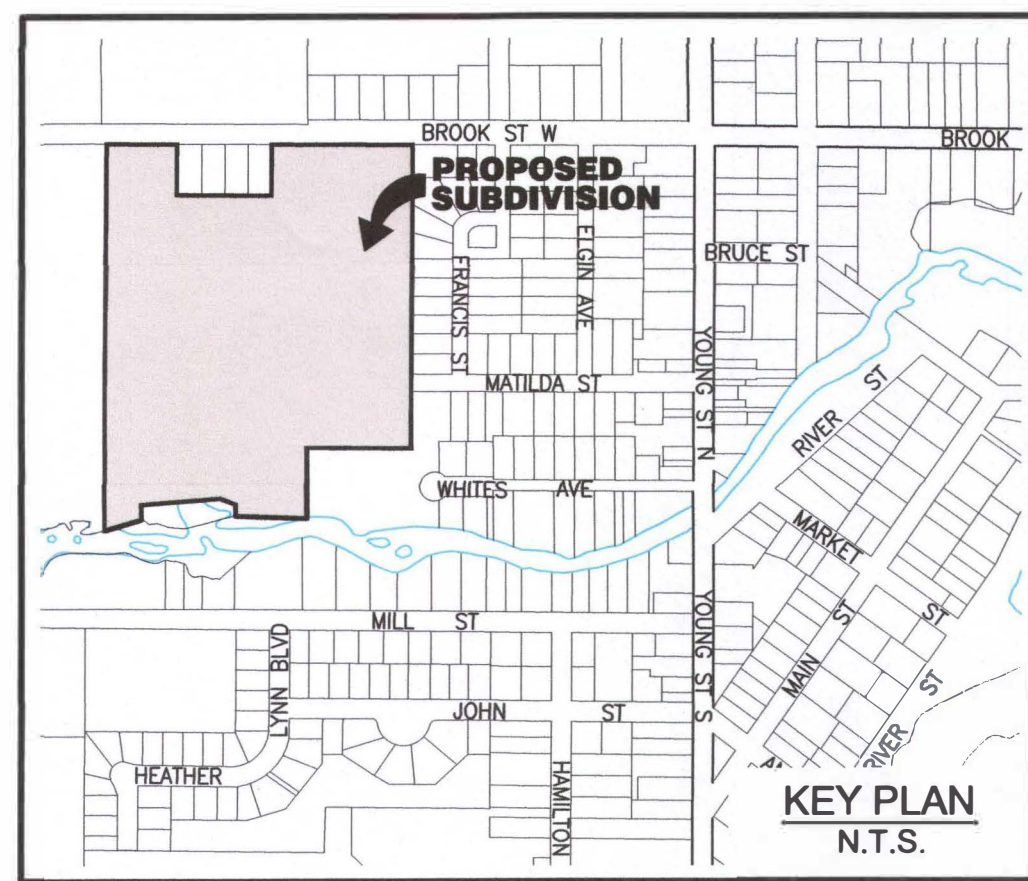
We strongly recommend that a 'draft' of the Final Plan be submitted to the County and the Registry Office for pre-clearance prior to the submission of any Application.

3. Inauguration, or extension of a water works or sewage works is subject to the approval of the Ministry of the Environment under Section 52 and Section 53 of the Ontario Water Resources Act, R.S.O. 1990.
4. Clearances are required from the agencies listed in the Conditions of Draft Plan of Subdivision Approval.
5. Note that you will not be advised in writing of the lapsing date of the Draft Plan Approval. It is your responsibility to provide the approval authority with the required information and fees to extend this draft approval. Should the information and fees not be received prior to the lapsing date, the Draft Plan Approval will lapse. There is no authority to revise the approval after the lapsing date. A new subdivision application under Section 51 of the Planning Act will be required.

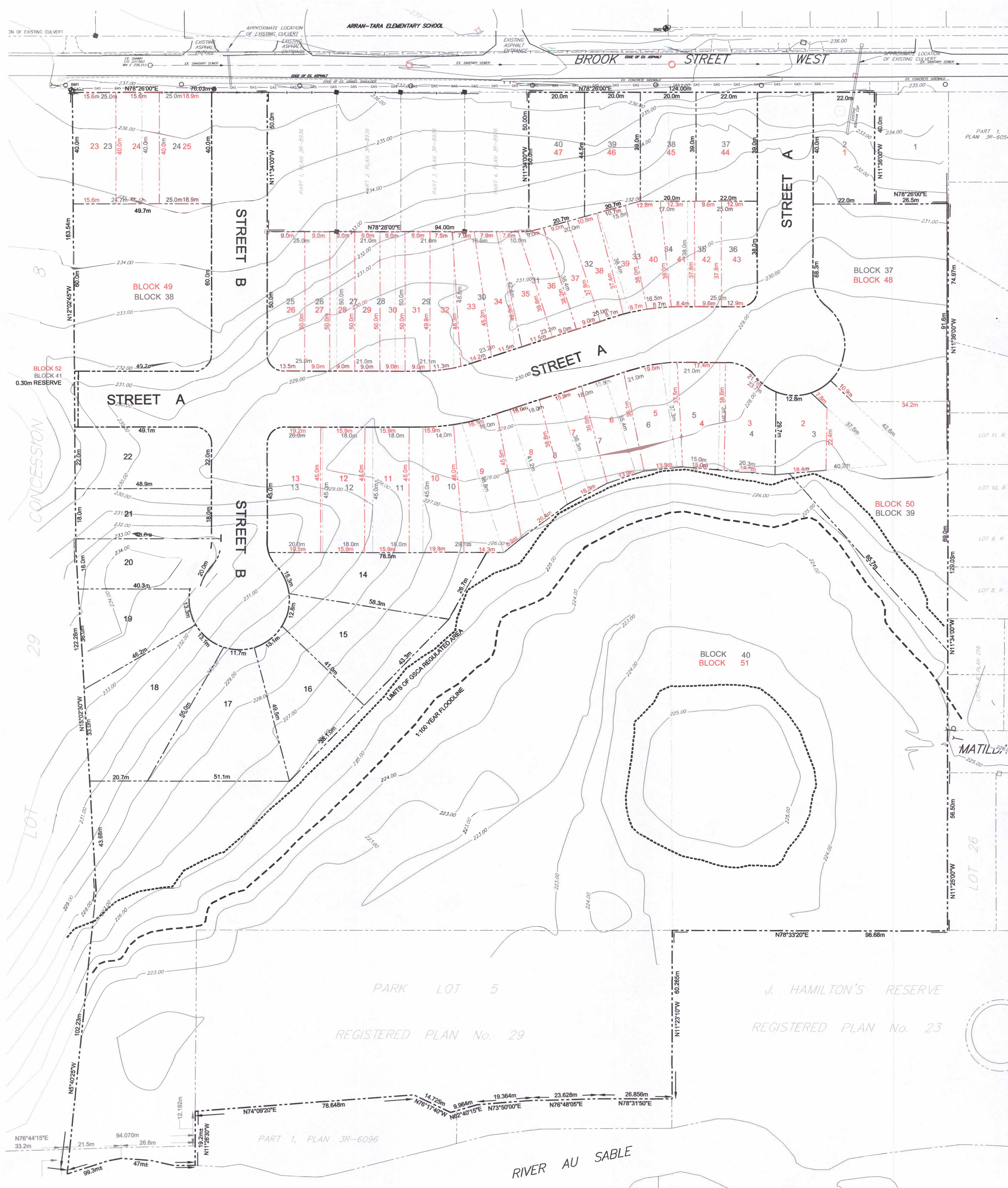
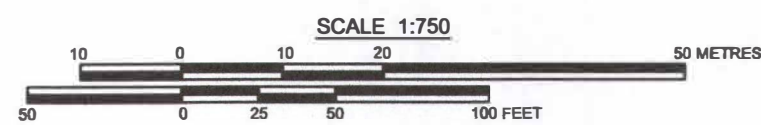
Please note that an updated review of the Plan and revision to the Conditions of Approval may be necessary if an extension is to be granted.

**NOTES TO DRAFT APPROVAL FROM THE MUNICIPALITY OF ARRAN-ELDERSLIE
FOR INFORMATION PURPOSES ONLY:
Subdivision File No. 41T-2010-04.49**

The Owner is advised that Draft Approval is not a commitment by the Municipality of Arran-Elderslie to water or sanitary servicing capacity.



LEGEND	
— EXISTING STREET/PROPERTY LINES	— EXISTING HYDRO POLE
- - - PROPOSED STREET/PROPERTY LINES	— EXISTING TELE. PEDESTAL
— EDGE OF EXISTING PAVEMENT	— STANDARD IRON BAR
— EXISTING STORM SEWER	— IRON BAR
— EXISTING FENCE	— EXISTING DECIDUOUS TREE AND DIAMETER
— EXISTING TREE LINE	— EXISTING CONIFEROUS TREE AND DIAMETER
— EXISTING UNDERGROUND TELEPHONE CABLE	— BENCHMARK
— EXISTING UNDERGROUND GAS LINE	— EXISTING CONTOUR
— EXISTING UNDERGROUND HYDRO CABLE	— LIMIT OF GSCA REGULATION
— EXISTING DITCH	— 1:100 YEAR FLOODLINE
— EXISTING MANHOLE	
— EXISTING CATCH BASIN	
— EXISTING HYDRO GUY WIRE	



RED LINE REVISION TO
DRAFT PLAN OF SUBDIVISION 41T-2010-04.49
PART OF PARK LOT 5
REGISTERED PLAN No. 29
PART OF PARK LOT K
REGISTERED PLAN No. 220
ALL OF PARK LOT J
REGISTERED PLAN No. 220
(GEOGRAPHIC VILLAGE OF TARA)
MUNICIPALITY OF ARRAN-ELDERSLIE
COUNTY OF BRUCE

RELEVANT SITE INFORMATION

RESIDENTIAL LOTS (LOTS 1 TO 36) (LOTS 1 TO 47) (DETACHED UNITS = 32) (29) (SEMI-DETACHED UNITS = 8) (18)	3.300 ha.
MEDIUM DENSITY RESIDENTIAL (TOWNHOUSES) (BLOCKS 37 & 38) (BLOCK 48 & 49)	0.606 ha.
MUNICIPAL STREET (STREETS A & B)	1.138 ha.
SWM POND/UTILITY CORRIDOR (BLOCK 39) (BLOCK 50)	0.252 ha.
OPEN SPACE (BLOCK 40) (BLOCK 51)	4.874 ha.
0.30m RESERVE (BLOCK 41) (BLOCK 52)	0.001 ha.
TOTAL PROPOSED SUBDIVISION	10.171 ha.

**ADDITIONAL INFORMATION REQUIRED
UNDER SECTION 51 (17) OF THE PLANNING ACT**

a. AS SHOWN	g. AS SHOWN
b. AS SHOWN	h. MUNICIPAL WATER SUPPLY
c. AS SHOWN	i. SANDY SILT & GRAVEL
d. SINGLE FAMILY RESIDENTIAL	j. AS SHOWN
e. AS SHOWN	k. WATER, STORM SEWERS,
f. AS SHOWN	SEMI-DETACHED RESIDENTIAL
	TOWNHOUSE RESIDENTIAL
	sanitary sewers, hydro,
	telephone
	l. AS SHOWN

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED
AND THEIR RELATIONSHIP TO THE ADJACENT LANDS
ARE CORRECTLY SHOWN.

DATE May 4, 2022

TRISHA SNOW, OLS, OLIP
HEWITT & MILNE LTD.

OWNER'S CERTIFICATE

I, THE REGISTERED OWNER OF THESE LANDS, HEREBY
AUTHORIZE COBIDE ENGINEERING INC. TO SUBMIT
THIS DRAFT PLAN FOR APPROVAL.

DATE May 4/22

OWNER:
BARRY'S CONSTRUCTION
7839 HWY 21, P.O. BOX 30
ALLENFORD, ON.
N0H 1A0

DRAFT APPROVAL SIGNATURE BLOCK

APPROVED IN ACCORDANCE WITH SECTION 51(31) OF THE PLANNING ACT, RSO,
1990, CHAPTER P.13, AS AMENDED.

THIS 16th DAY OF JUNE, 20 22

SECRETARY-TREASURER OF THE LAND DIVISION COMMITTEE
COUNTY OF BRUCE

Notes

1. TOPOGRAPHICAL INFORMATION DERIVED FROM FIELD SURVEY CONDUCTED BY PRYDE SCHROPP McCOMB INC. IN DECEMBER 2008.
2. PROPERTY BOUNDARY DERIVED FROM INFORMATION SHOWN ON DRAFT PLAN OF SUBDIVISION 41T-2010-04.49 DATED FEB 10, 2015.

Benchmark Information

BM1	TOP OF SIB LOCATED AT THE NORTH WEST CORNER OF THE SUBDIVISION, (SOUTH SIDE OF BROOK STREET W.)	ELEVATION	236.62m
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No.	DATE	DESCRIPTION	BY	APPD
4	APR 05/21	REDLINE REVISION	TLB	TLB
3	FEB 10/15	RED LINE REVISION	SJS	SJS
2	JUN 02/11	THIRD SUBMISSION - REVISED LOTS, SWM BLOCK	JEMC	SJS
1	APR 20/10	SECOND SUBMISSION - REVISED LOTS	SJS	BRP
0	MAR 22/10	FIRST SUBMISSION	SJS	BRP
No.	DATE	DESCRIPTION	BY	APPD
REVISION / ISSUE				



Client:	BARRY'S CONSTRUCTION		
Design:	TLB	Scale:	1:750
Drawn:	JAF	Approved:	
Checked:	TLB		
Date:	FEB 2021		
Drawing No.	01401-DP1		