

Applicant: Matesa Enterprises Inc.
File No. 42T-2006-04
Municipality: Town of The Blue Mountains
Location: Part Lots 17 & 18, RP 16R-777, Town Plot Lots 37, 38, 39 and Part Lot 36 NE of King Street and Part Lots 36, 37, 38 and 39 SW of Huron Street (geographic Town of Thornbury)

The conditions of final plan approval for registration of this draft Plan of Subdivision are as follows:

No. Conditions

The conditions have been listed under the following general headings:

General Planning Requirements
Servicing, Grading and Road Requirements
Landscape, Fencing and Streetscape Requirements
Park and Open Space Requirements
Miscellaneous Requirements

General Planning Requirements

1. That this approval applies to the draft Plan prepared by Zubek, Emo, Patten & Thomsen Ltd. dated _____, providing for the creation of seventeen (17) townhouse lots (Lots 1 to 17), and one Block (Block 18) proposed to be common elements, including a common element road, through a future Plan of Condominium within Town Plot Lots 37, 38, 39 and Part of Lot 36 NE of King Street and Part of Lots 36, 37, 38, and 39 SW of Huron Street, (geographic Town of Thornbury) in the Town of The Blue Mountains, County of Grey.
2. A Subdivision Agreement shall be entered into and executed by the applicant, and the Town of The Blue Mountains to satisfy all financial, legal, and engineering matters, including landscaping and the installation of municipal services, and other requirements of the Town of The Blue Mountains and the County of Grey including the payment of all applicable Town and County development charges in accordance with their applicable Development Charges By-law.
3. The applicant shall support an appropriate amendment to the Zoning By-law to permit the development of these lands in accordance with the Draft Plan of Subdivision including the use of the holding 'h' provision under the Planning Act.
4. Prior to registration, the Zoning By-law implementing the subject plan shall be approved under section 34 and 36 of the Planning Act.
5. Prior to final approval, that the owner submit and receive approval for a Plan of Condominium exemption application to the County of Grey for the proposed common element condominium block (Block 18). A Common Element Condominium Corporation shall be established which will own Block 18 in common with the Parcels of Tied Land (POTL), comprised of Lots 1 to 17, inclusive.
6. The internal private laneway shall be named to the satisfaction of Council.
7. If final approval is not given to this plan within three years of the draft approval date, and no extensions have been granted, draft approval shall lapse under Subsection 51(32) of the Planning Act, RSO 1990, as amended. If the owner wishes to request an extension to draft

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approval, a written explanation along with the applicable application fee and a resolution from the local municipality must be received.

Servicing, Grading and Road Requirements

8. Prior to the initiation of any site grading or servicing and prior to the registration of the plan, submit for the approval of the Town Engineering and Public Works Department and the Grey Sauble Conservation Authority, the following:

- a. A detailed engineering and drainage report which describes the stormwater drainage system for the proposed development on the subject lands. The report should include:
 - i. Plans illustrating how the drainage system will tie into the drainage of surrounding properties
 - ii. The stormwater management techniques to accommodate the 5 year storm event
 - iii. The stormwater management techniques to accommodate the 100 year storm event.
 - iv. How external flows will be accommodated and the design capacity of the receiving system including the control of the existing ditch system and measures taken to ensure no excess flooding beyond Engineering Standards.
 - v. Location and description of all outlets and other facilities which may require permits
 - vi. Proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction

It is recommended that the developer or his consultant contact the Town Engineering and Public Works Department and the Grey Sauble Conservation Authority prior to preparing the above report to clarify the specific requirements of this development.

- b. Overall grading plans for the subject lands
- c. Agree in the subdivision agreement, in wording acceptable to the Town of The Blue Mountains and the Grey Sauble Conservation Authority:
 - i. To carry out, or cause to be carried out, all the works referred to in condition 8(a) above
 - ii. To obtain the necessary permits from the Grey Sauble Conservation Authority
 - iii. Prior to the initiation of any grading or construction on the site, to erect any silt fence as referred to in condition 8(a)(vi) above.

9. Prior to the registration of the Plan, arrangements shall be made to the satisfaction of the Town for any relocation of utilities required by the development of the subject lands, to be undertaken at the developers expense.

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10. Stormwater overland flow routes shall be kept within roads or approved walkways only.
11. Prior to registration, the works as required by the Federal Department of Fisheries and Oceans (DFO) shall be completed in accordance with a DFO permit.
12. To upgrade the north side of King Street to curb and gutter from Lansdowne Street to Victoria Street. Upgrades to also include a sidewalk and street lighting and full road width resurfacing.
13. To upgrade the east side of Lansdowne Street to curb and gutter from King Street to Huron Street. Upgrades to also include full road width resurfacing.
14. Watermain to be extended along King Street and Lansdowne Street, looped from the King Street and Victoria Street intersection to the Lansdowne Street and Huron Street intersection.
15. Sanitary Sewer to be extended along King Street from the King Street and Victoria Street intersection to the King Street and Lansdowne Street intersection.
16. Prior to the initiation of any site grading or servicing and prior to registration of this plan, submit for the approval of the Town's Engineering and Public Works Department a detailed soils investigation of the site prepared by a qualified geotechnical engineer. A copy of this report shall also be submitted to the Town's Chief Building Official.
17. Soil Remediation to be completed in accordance with the recommendations contained within the Arsenic Report dated August 29, 2003
18. Prior to the initiation of any site grading or servicing and prior to the registration of this plan, submit to the Town:
 - a. A Phase 1 Environmental Site Assessment
 - b. A Phase 2 Environmental Site Assessment if required as a result of the Phase 1 Environmental Site Assessment
 - c. A decommissioning report if contaminated material has been identified and is removed, or alternatively, a copy of the risk assessment together with a copy of the written acknowledgement of its acceptance by the Ministry of the Environment, and
 - d. A copy of a Record of Site Condition and confirmation of the filing of the Record of Site Condition in the Environmental Site Registry.
19. Prior to the initiation of any site grading or servicing, the applicant shall provide a report identifying all existing water wells and private sewage disposal systems on the lands. The applicant shall provide verification to the satisfaction of the Town that all wells and septic systems identified have been decommissioned in accordance with all applicable laws and regulations

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20. Completion of a Ministry of Environment D4- Study to the satisfaction of the Town.
21. The horizontal and vertical alignments of all roads and underground services including their intersection geometrics shall be designed to the satisfaction of the Town's Engineering and Public Works Department. In this regard, minor revisions to the road pattern and intersection alignments may be required
22. Prior to the approval of any engineering drawings, arrangements shall be made to the satisfaction of the Town for a suitable construction traffic route.
23. The street lighting system on all roadways for this subdivision shall be designed and constructed in accordance with the Town of The Blue Mountains Engineering Standards or as otherwise approved by the Town.

Landscape, Fencing and Streetscape Requirements

24. Prior to the registration of the Plan, the applicant shall complete a Landscape Plan to the satisfaction of the Town.
25. The applicant shall save and/or remove any trees and vegetation on the subject lands as required by the Landscape Plan.

Park and Open Space Requirements

26. The applicant shall pay cash-in-lieu for parkland required in accordance with the Planning Act.

Miscellaneous Requirements

27. The applicant shall grant all necessary easements for drainage, utility and servicing purposes, as may be required, to the appropriate agency or public authority.
28. The applicant shall make satisfactory arrangements with Canada Post and the Town's Engineering and Public Works department, for the method of mail delivery and/or installation of Canada Post Community Mailboxes and shall indicate these locations on the appropriate servicing plans. The applicant shall further provide the following for the Community Mailboxes if required:
 - a. An appropriately sized sidewalk section (concrete pad), per Canada Post standards, to place the mailbox on, plus any required walkway access and/or curb depressions for wheelchair access.
 - b. A suitable temporary Community Mailbox location which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent

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Community Mailbox Site locations to enable Canada Post to provide mail service to new residences as soon as homes are occupied.

29. That prior to final approval, the County is advised in writing by the Grey Sauble Conservation Authority how conditions 8 and 11 have been satisfied.
30. That prior to final approval, the County is advised in writing by the Town of The Blue Mountains how conditions 2 to 29 have been satisfied.
31. That the owner submit to the County of Grey a digitized copy of the Final Plan in a format acceptable to the County.

NOTES TO DRAFT APPROVAL

1. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Grey, quoting the County file number.
2. An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the Occupational Health and Safety Act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER - Overhead Electrical Wires**" in all locations where personnel and construction vehicles might come in close proximity to the conductors.
3. Development directly adjacent or near a provincial highway system may require permits (access, building and land use, and sign) from the Ministry of Transportation, under The Public Transportation and Highway Improvement Act. Consultation with the Ministry of Transportation, Southwestern Regional Office at 659 Exeter Road, London Ontario N6E 1L3 (519-873-4100) is recommended.
4. Clearances are required from the following:

Town of The Blue Mountains
Box 310, 32 Mill Street
THORNBURY, Ontario N0H 2P0

Grey Sauble Conservation Authority
RR#4, 237897 Inglis Falls Road
OWEN SOUND, Ontario N4K 5N6

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5. We suggest you make yourself aware of the following subsections of the Land Titles Act:
 - a) subsection 144(1) requires all new plans to be registered in a Land Titles system if the land is situated in a land titles division; and
 - b) subsection 144(2) allows certain exceptions.The subdivision plan for Registration must be in conformity with the applicable Ontario Regulation under The Registry Act.
6. It is suggested that the municipality register the subdivision agreement as provided by subsection 51(26) of the Planning Act against the land to which it applies, as notice to prospective purchasers.
7. Portions of the Plan may be subject to the Grey Sauble Conservation Authority's 'Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' (Regulation No. 151/06). As such, written permission may be required from the Authority prior to any development occurring on the subject property.
8. All measurements in subdivision final plans must be presented in metric units.
9. The final plan approved by the County must be registered within thirty (30) days or the County may withdraw its approval under subsection 51(21) of the Planning Act RSO 1990, as amended.

END