



PLAN OF SUBDIVISION

NOTICE OF THE DECISION OF THE APPROVAL AUTHORITY UNDER SECTIONS 51(37) THE PLANNING ACT

TAKE NOTICE that the County of Lanark, as the approval authority under Section 51(5) of the Planning Act, **granted Draft Plan approval** to the Burns Farm Plan of Subdivision (File No. 09-T-23009) on the **26th day of JUNE, 2024**.

DETAILS OF THE DECISION AND PLAN

A copy of the decision, including the Draft Plan, conditions and the lapsing provision accompany this notice. You can also request a copy, please see the Additional Information section.

EXPLANATION OF THE EFFECT OF WRITTEN AND ORAL SUBMISSIONS HAD ON DECISION

During the review process, comments were received from public bodies. There were no public comments received. The submissions informed the review and were duly considered in granting the approval.

WHEN AND HOW TO FILE AN APPEAL

Any appeal to the Ontario Land Tribunal ("the Tribunal") must be filed with the Clerk of the County of Lanark no later than 4:00 p.m. on the **17th day of JULY, 2024**.

The appeal:

- 1) Must be filed with the approval authority,
- 2) Must set out the reasons for the appeal and the specific part of the proposed official plan amendment to which the appeal applies, and
- 3) Must be accompanied by the fee required by the Tribunal.

Electronic submission by email as well as alternative fee payment terms, as permitted by the Tribunal, will be accepted. The required forms and more information can be found on the Tribunal website here: [OLT Website - Forms and Submissions](#)

WHO CAN FILE AN APPEAL

Only those persons and bodies detailed in Section 51(39) of the Planning Act may file an appeal.

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 Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

WHEN THE DECISION IS FINAL

The decision of the County of Lanark is final if a notice of appeal is not received on or before the last date for appeal noted above.

NOTICE AND CHANGES TO DRAFT APPROVAL

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. The written request must be filed with the Clerk.

Any of the following may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by the approval authority to the Tribunal by filing a notice of appeal with the approval authority: i. the applicant; ii. any public body that, before the approval authority made its decision, made oral submissions at a public meeting, if one was held, or written submissions to the approval authority; iii. a specified person who, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority. iv. the Minister; v. the municipality in which the subject land is located, or the planning board in whose planning area it is located; and vi. if the subject land is not located in a municipality or planning area, any public body.

No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting, if one was held, or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions or, in the Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

OTHER APPLICATIONS

The subject lands are not subject to other applications under the Planning Act.

ADDITIONAL INFORMATION

Additional information about the application and the decision is available upon request at plan@lanarkcounty.ca or phone 613-267-4200 ext. 1502 or in-person at Lanark County Administrative Building (99 Christie Lake Road, Perth ON) from 8:30 AM - 4:00 PM.

DATED IN THE TOWN OF PERTH, THIS 27TH DAY OF JUNE, 2024.

Jasmin Ralph, County Clerk
99 Christie Lake Road
Perth ON K7H 3C6
1-613-267-4200 Ext 1502
jralph@lanarkcounty.ca

DECISION

With respect to Burns Farm Plan of Subdivision
County File Number 09-T-23009
Section 51(5), 51(25) and 51(31) of the Planning Act

DECISION

In the matter of the Burns Farm Plan of Subdivision, file number 09-T-23009. The County of Lanark makes the following decision:

The Plan of Subdivision is hereby Draft Approved, subject to the conditions detailed in Schedule A, which form a part of this decision.

CLEARING CONDITIONS AND LAPSING

In accordance with Section 51(32) of the Planning Act, the Draft Approval shall lapse at the expiration of three (3) years from the date of this approval.

The Owner is solely responsible to coordinate the clearing of conditions and monitor the lapsing date.

Lanark County may, at its sole discretion, choose to grant extensions to the Draft Approval in accordance with Section 51(33) of the Planning Act. The Owner is responsible to make any required requests for extension of Draft Approval a minimum of 120 days prior to the lapsing date in accordance with County of Lanark Policies and Procedures.

WITHDRAWING OR AMENDING APPROVAL

In accordance with Section 51(44) Lanark County may withdraw Draft Approval or amend the Draft Approval and related conditions at any time before Final Approval is granted and the Final Plan is registered.

The Owner may request amendment to the Draft Approval and Conditions in accordance with Lanark County policies and procedures.

DATED IN PERTH, THIS 26th DAY OF JUNE, 2024.

We have the authority to
bind the Corporation



Steve Fournier, Warden



Jasmin Ralph, County Clerk

Schedule A to Draft Plan Approval

File Number: 09-T-23009

Plan of Subdivision: Burns Farm Subdivision
Part of Lot 7, Concession 1, Geographic Township
of Drummond, now Township of Drummond/North
Elmsley, County of Lanark

The following conditions must be satisfied in full to the satisfaction of the relevant agencies and the approval authority before Final Subdivision Approval will be granted and Registration of the Final Plan.

Approval Authority

1. That this approval applies to the Draft Plan, prepared by Stantec Geomatics Ltd. dated November 14, 2023 and certified by Francis Lau, Ontario Land Surveyor, which shows a total of 42 lots for single detached dwellings, (Lots 1 to 42), and three internal streets. The Final Plan submitted for registration shall be consistent with the Draft Plan, subject to changes required to implement the Draft Plan conditions. The County may require an amendment to be filed for changes to the Final Plan that deviate from the Draft Plan at its sole discretion.
2. That if final approvals are not given to this plan within three (3) years of the draft approval date, and no extensions have been granted, the draft approval shall lapse.
3. The Owner shall provide the County of Lanark with a final plan intended for registration in a format acceptable to the County of Lanark.
4. At any time prior to final approval of this plan for registration, the County of Lanark may, in accordance with Section 51 (44) of the Planning Act, R.S.O. 1990, amend, delete or add to the conditions and this may include the need for amended or new studies.
5. That prior to final approval, the Owner reimburse the County for all fees associated with the processing of the application.

Township of Drummond/North Elmsley

6. Notwithstanding the foregoing, the final plan of subdivision shall be revised to include 0.3 m Reserves where Street A and Street B connect and where Street A and County Road 10 connect, which shall be dedicated to the Township at no cost to the Township and which shall be held by the Township until such time as Phase 2 is commenced.
7. That road allowances included in this draft plan be shown and dedicated as public highways.

8. That each street shall be named to the satisfaction of the Township.
9. That Block 43 shall be dedicated to the municipality.
10. That a 0.3 m reserve, shall be established on Block 43 adjacent to the abutting properties neighbouring this plan of subdivision and shall be conveyed to the Township of Drummond/North Elmsley.
11. That any dead ends and open sides of road allowances created by this draft plan shall be terminated in 0.3 m reserves to be conveyed to, and held in trust, by the Township of Drummond/North Elmsley.
12. Notwithstanding the foregoing, the final plan of subdivision shall be revised to include Block 44 as part of Street B with a turnaround to provide access and frontage to the retained land. The street design and turnaround area shall be included as part of the detailed engineering design of the subdivision and be completed to the satisfaction of the Township.
13. The site shall be developed in Phases, with Phase 1 being Lots 22 to 42, and Phase 2 being Lots 1 to 21. Phase 2 of the subdivision shall not commence until the completion of the performance review of Phase 1 of the subdivision in accordance with site phasing recommendations of section 8.6 provided in the Revised Hydrogeological & Terrain Analysis, provided by GEMTEC, dated April 5, 2024. The performance review shall be subject to review and acceptance by the Township of Drummond/North Elmsley.
14. The Owner shall prepare a Homeowner Lot Development Guide which outlines development requirements as provided in the studies submitted in support of the subdivision application. The Homeowner Lot Development Guide shall be included in the Offers of Purchase and Sale Agreements and the Subdivision Agreement. The Lot Development Guide shall be completed to the satisfaction of the Township

Parkland

15. That the Owner shall provide cash in lieu of parkland in the amount of 5% of the appraised value of the lands.

Zoning

16. That prior to final approval by the County, the County is to be advised by the Township of Drummond/North Elmsley that the proposed subdivision conforms to the zoning by-law in effect and that any zoning issues identified are appropriately satisfied through an amendment to the Township Zoning By-law.

Servicing – General

17. That the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the Township of Drummond/North Elmsley concerning the provision of roads, installation of services and drainage including but not limited to the provision of professional services.
18. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
19. That prior to final approval of the County, the County is advised by the Township of Drummond/ North Elmsley that a sufficient and legal drainage outlet has been obtained for all surface water runoff from the subdivision lands.
20. That prior to registration, the Township is provided with draft easements as may be required for drainage purposes, together with an undertaking from the Applicant's lawyer agreeing to register the easement immediately following registration of the plan of subdivision.
21. That prior to final approval, the Owner shall prepare a stormwater design/site grading/drainage plan to the satisfaction of the Rideau Valley Conservation Authority and the Township of Drummond/North Elmsley. The detailed design documents shall incorporate recommendations as noted in the Environmental Impact Study and shall be coordinated with the biologist to ensure that the final design/construction mitigates potential negative impacts downstream. The storm water design plan shall demonstrate how stormwater drainage from the subdivision will be accommodated, address both water quantity and quality, flood management, and address erosion and sedimentation as described in the Conceptual/Preliminary Stormwater Management report. The design plan shall include a lot grading and drainage plan. The municipality shall take no responsibility or assume control over any roadway or drain until the stormwater design plan has been approved. On completion of all stormwater works, the Owner shall provide certification to the Conservation Authority and the municipality, through a Professional Engineer, that all measures have been implemented in conformity with the stormwater management plan.
22. That the subdivision agreement will include a detailed schedule of works to be completed by the Developer, complete with the estimated cost of the work and a tentative construction schedule.
23. That the lot grading and drainage plan be prepared which demonstrates that the proposed sewage system envelopes can be accommodated on each lot.

24. That the subdivision agreement between the Owner and the municipality contain a provision for implementation of the approved storm water design/site grading/drainage plan, with wording acceptable to the Rideau Valley Conservation Authority.
25. That the Developer shall prepare and provide engineering design drawings for all infrastructure to be constructed on site, including but not limited to, roads, ditches, swales, ponds, utilities, etc. to the satisfaction of the municipality. The design drawings will follow the approved design criteria for such infrastructure.

Streetlights/Utilities

26. The Owner shall install at its expense and in accordance with the specifications approved by Hydro One Networks Inc., LED luminaires comparable to 150w High Pressure Sodium street lights. Such street lights shall consist of, as a minimum, an LED luminaire comparable to a 150 watt high pressure sodium luminaire, mounted with a 1.8 metre (6') aluminum mounting bracket on an aluminum, concrete, or wooden pole. The mounting height of the luminaire shall be 8 metres (26') above the pavement elevation. Any increased requirements above those identified as the minimum specifications are subject to the approval of the Township of Drummond/North Elmsley and Hydro One Networks Inc. At a minimum, a street light shall be installed at each intersection
27. That the Developer shall be responsible for any and all fees required to provide the Township with a fully functional network of streetlights, including Electronic Layout activation and Electrical Safety Authority (ESA) fees.

Subdivision Agreement and Offer of Purchase and Sale Agreements

28. That the subdivision agreement between the Owner and the municipality and the Offers of Purchase and Sale Agreements and Deeds contain provisions to implement findings and recommendations of the Revised Hydrogeological & Terrain Analysis, provided by GEMTEC, dated April 5, 2024, and associated peer review, with wording acceptable to the Township.

Rideau Valley Conservation Authority

29. The Owner acknowledges and agrees that any alterations to a watercourse require prior approval through the issuance of a permit under Section 28 of the Conservation Authorities Act. as per Ontario Regulation 41/24 by the Rideau Valley Conservation Authority.
30. The Owner acknowledges and agrees that drainage ditches through detailed design shall be sized to convey the 1:100 year event and shall confirm that abutting residential lots are configured in such manner to not be affected by flooding.

Bell Canada

31. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
32. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Enbridge

33. The applicant shall use the [Enbridge Gas Get Connected tool](#) to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping and/or asphalt paving.
34. If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.
35. In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas at no cost.

Clearance of Conditions

36. That prior to registration of the final plan, the County of Lanark is to be advised by the Township of Drummond/North Elmsley that Conditions 6 to 28 have been satisfied.
37. That prior to registration of the final plan, the County of Lanark is to be advised by the Rideau Valley Conservation Authority that Conditions 29 and 30 have been satisfied.
38. That prior to registration of the final plan, the County of Lanark is to be advised by Bell Canada that Condition 31 and 32 have been satisfied.
39. That prior to registration of the final plan, the County of Lanark is to be advised by Enbridge that Condition 33 to 35 have been satisfied.

NOTES TO DRAFT APPROVAL

1. It is the applicant'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 Lanark Planning Approvals Department quoting the County's file number.
2. We suggest that you make yourself aware of Section 144 of the Land Titles Act and Subsection 78 (10) of the Registry Act.
3. Subsection 144 (1) of the Land Titles Act requires that a plan of subdivision of land that is located in a land titles division be registered under the Land Titles Act. Exceptions to this provision are set out in Subsection 144(2).
4. Subsection 78(10) of the Registry Act requires that a plan of subdivision of land that is located only in the registry division cannot be registered under the Registry Act unless that title of the owner of the land has been certified under the Certification of Titles Act. Exceptions to this provision are set out in clauses (b) and (c) of Subsection 78 (10).
5. Clearances are required from the following agencies:

Township of Drummond/North Elmsley
310 Port Elmsley Road
Perth, ON K7H 3C7

Rideau Valley Conservation Authority
3889 Rideau Valley Drive
PO Box 599
Manotick, ON K4M 1A5

Bell Canada
Development & Municipal Services Floor
5, 100 Borough Drive
Scarborough, ON M1P 4W2

Enbridge
500 Consumers Rd.
North York, ON M2J 1P8

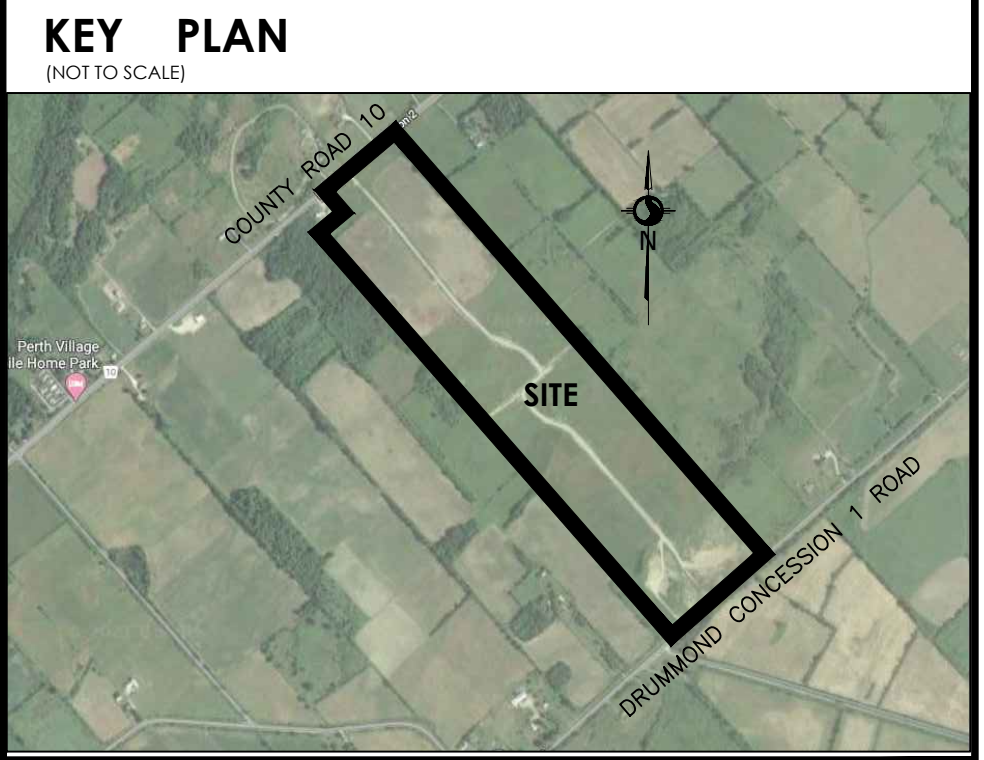
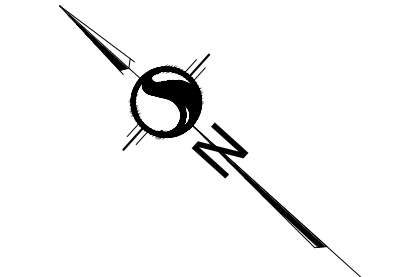
6. If the agency condition concerns a condition or conditions in the subdivision agreement, a copy of the agreement should be sent to them. This will expedite clearance of the final plan. A copy of the agreement is required by the County of Lanark.
7. All measurements in subdivision final plans must be presented in metric units.
8. The final plan approved by the County must be registered within 30 days or the County may withdraw its approval under Subsection 51 (59) of the Planning Act.

Appendix A - Draft Plan of Subdivision



SUBJECT TO THE CONDITIONS, IF ANY, SET FORTH IN OUR LETTER DATED 30 THIS DRAFT PLAN IS APPROVED BY THE COUNTY OF LANARK UNDER SECTION 51 OF THE PLANNING ACT. THIS DAY OF 20

COUNTY PLANNER
COUNTY OF LANARK



DRAFT PLAN OF SUBDIVISION
PART OF EAST HALF OF LOT 7
CONCESSION 1
(GEOGRAPHIC TOWNSHIP OF DRUMMOND)
TOWNSHIP OF DRUMMOND / ELSMLEY
COUNTY OF LANARK



ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 OF THE PLANNING ACT

- (A)-AS SHOWN ON DRAFT PLAN
- (B)-AS SHOWN ON DRAFT PLAN
- (C)-AS SHOWN ON DRAFT AND KEY PLANS
- (D)-RESIDENTIAL
- (E)-AS SHOWN ON DRAFT PLAN
- (F)-AS SHOWN ON DRAFT PLAN
- (G)-AS SHOWN ON DRAFT PLAN
- (H)-PRIVATE WELLS PROPOSED
- (I)-SILTY CLAY
- (J)-AS SHOWN ON DRAFT PLAN
- (K)-MUNICIPAL SERVICES UNAVAILABLE
- (L)-AS SHOWN ON DRAFT PLAN

LAND USE

AREA OF LOTS =	35,950 Hectares 88.83 (Acres)
AREA OF ROADS =	2,971 Hectares 7.34 (Acres)
AREA OF BLOCKS =	0.347 Hectares 0.86 (Acres)
TOTAL AREA OF SUBDIVISION =	39,268 Hectares 97.03 (Acres)

METRIC CONVERSION
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

OWNER'S CERTIFICATE
I HEREBY AUTHORISE STANTEC GEOMATICS LTD. TO SUBMIT THIS DRAFT PLAN OF SUBDIVISION ON MY BEHALF

NOVEMBER 15TH, 2023
DATE
WILBURT CRAIN
PRESIDENT
CRAINS' CONSTRUCTION LTD.
I HAVE THE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE SUBJECT LANDS AND THEIR RELATIONSHIP TO ADJOINING LANDS HAVE BEEN ACCURATELY AND CORRECTLY SHOWN.

Nov 14, 2023
DATE
Francis Lau
ONTARIO LAND SURVEYOR

Stantec
CANADA LANDS SURVEYORS
ONTARIO LAND SURVEYORS
1331 CLYDE AVENUE, SUITE 300
OTTAWA, ONTARIO, K1C 3G4
TEL: 613.722.4400
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