

NOTICE OF DECISION
FOR A DRAFT PLAN OF SUBDIVISION
Under Section 51 (37) of the *Planning Act*

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

PIN 73413-0448; Part of Lot 1, Concession 5, Parcel 18991, Geographic Township of Hallam, Township of Sables-Spanish Rivers, District of Sudbury.

File No: OP24-01

Applicant: Chad Sokoloski and Mary-Katherine Howe

Purpose To subdivide the property into nine (9) lots to permit one year-round single detached dwelling per lot, to be serviced by private individual septic systems and wells, with road frontage on and access from Old Webbwood Road.

TAKE NOTICE THAT the Council of the Corporation of the Township of Sables-Spanish Rivers pursuant to subsection 51(31) of the *Planning Act*, the above-noted draft plan of *subdivision* was approved by the *Township of Sables-Spanish Rivers* on September 11th, 2024, subject to conditions listed in Attachment A. Unless otherwise noted, these conditions must be fulfilled prior to final approval of the plan.

The approval lapses on (*September 11th, 2027*). The approval may be extended pursuant to subsection 51(33) of the *Planning Act*, but no extension can be granted once the approval has lapsed.

The subject land is also the subject of an application for an Official Plan Amendment and *Zoning By-law amendment*, By-law No. 2024-32 and 2023-33

TO APPEAL THIS DECISION to the Ontario Land Tribunal (OLT) a letter, outlining the reasons for appeal, must be filed with the Township's Clerk. The notice of appeal must be accompanied by a cheque or money order, made payable to the Minister of Finance. If you have any questions about the appeal process, please contact the Township office.

TAKE NOTICE THAT only the applicant, a public body that, before the approval authority made its decision, made oral comments at a public meeting or written submissions to the approval authority, a person prescribed by the *Planning Act*, the Minister, or the municipality in which the subject land is located, may appeal this decision, or any of the conditions prior to final approval, by filing a notice of appeal with the Township's Clerk no later than the 15th day of October 2024, at 4:00 p.m.

TAKE NOTICE THAT only individuals, corporations or public bodies may appeal decisions in respect of a 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 the group on its behalf.

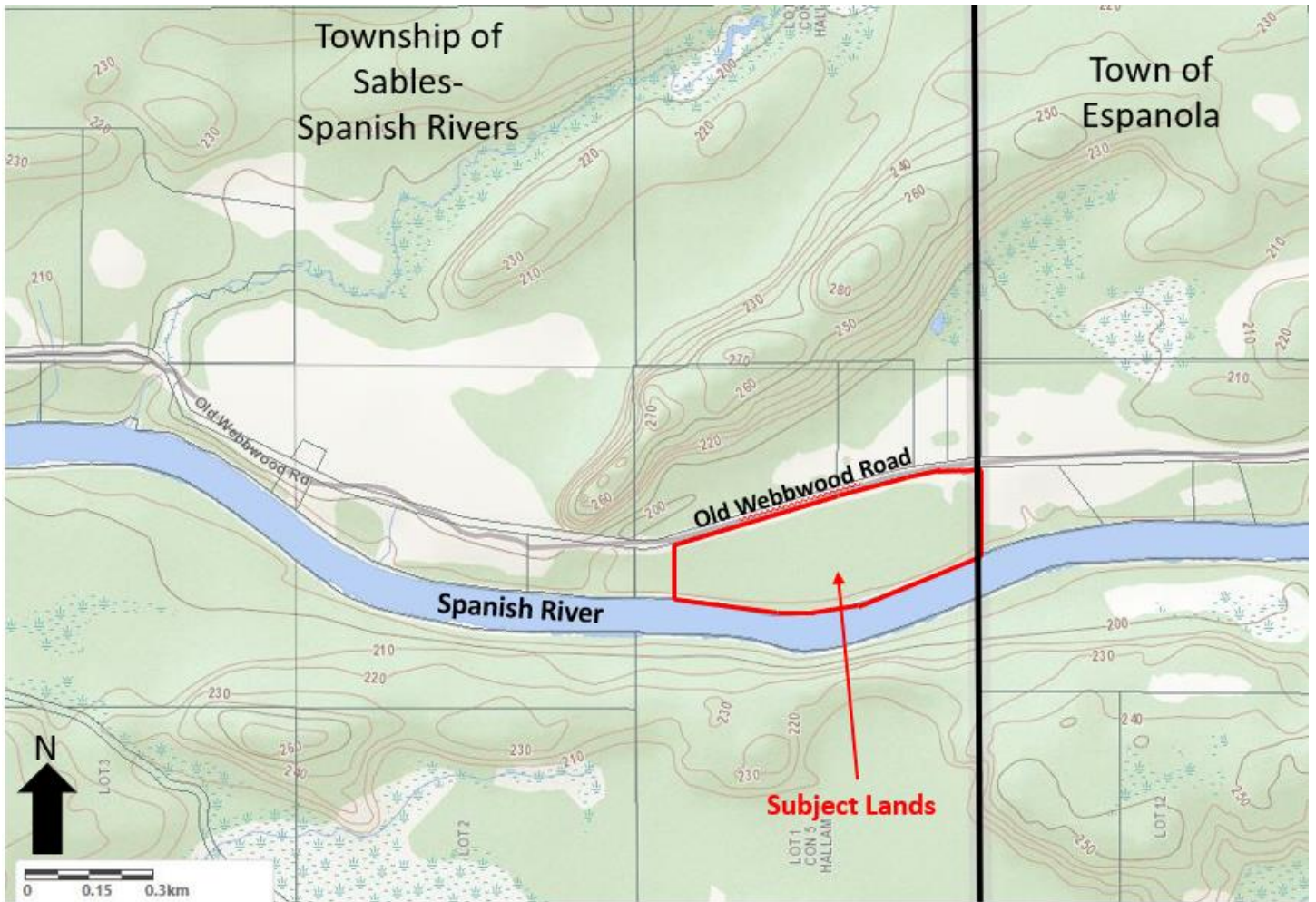
AND TAKE NOTICE THAT no person or public body shall be added as a party to the hearing of the appeal of the decision of the approval authority, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to Council, or made a written request to be notified of changes to the conditions or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

CHANGING OF CONDITIONS may in its discretion, be done by the Township of Sables-Spanish Rivers for the approval of the draft plan of subdivision at any time before the approval of the final plan. You will be entitled to receive notice of any changes to the conditions of approval of the plan of subdivision if you have made a written request to be notified of changes to the conditions. 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 or written submissions to the approval authority, or made a written request to be notified of the 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.

Additional Information relating to the draft plan of subdivision is available for inspection during regular office hours at the Township Office.

DATED at the Township of Sables-Spanish River this 26th day of September 2024.

Anne Whalen
Clerk-Administator
Township of Sables-Spanish Rivers
11 Birch Lake Road
Massey Ontario, POP 1P0
Telephone: 705-865-2646



Schedule "A" Conditions of Draft Approval

Applicant: Chad Sokoloski and Mary Katherine Howe
Municipality: Township of Sables-Spanish Rivers
Location: Part of Lot 1 Concession 5 Township of
Hallam, Township of Sables-Spanish Rivers, District
of Sudbury

Date of Decision: September 11 2024
Date of Lapsing: September 11 2027

The Township of Sables-Spanish Rivers conditions and amendments to the final plan approval for registration of this plan of subdivision are as follows:

No.	Condition
1.	<p>That this approval applies to the Draft Plan of Subdivision prepared by Tulloch Geomatics Inc, Robert D. Halliday, Ontario Land Surveyors dated January 25, 2024, to show a total of:</p> <ul style="list-style-type: none">- Nine (9) residential lots
2.	<p>Prior to final approval for registration, the Township shall be satisfied that the proposed Plan of Subdivision conforms to the Official Plan and complies with the Zoning By-law for the subject lands as outlined with the requirements of the <i>Planning Act</i>.</p> <p>In particular, the final plan shall demonstrate that all lot frontages on the Spanish River and Old Webbwood Road are a minimum of 80 m.</p>
3.	<p>That the approved Official Plan Amendment redesignate the subject lands from "Rural" to "Resource Recreation District".</p>
4.	<p>That the approved Zoning By-law Amendment rezone the subject lands from "Rural" (R) to "Resource Recreation Special Exception Fifty-Six (RR-56) and include the following site-specific exceptions to be applied to each new lot on the subject lands</p> <ul style="list-style-type: none">• Implement a 13-metre setback from the top of bank as outlined in the Draft Plan of Subdivision prepared by Tulloch Geomatics Inc, Robert D. Halliday, Ontario Land Surveyors dated January 25, 2024.• Restrict the permitted uses to residential dwellings and land-based accessory structures• Limit vegetation removal and construction activity to certain timing windows• Implement site plan control
5.	<p>That the Official Plan Amendment and Zoning By-law Amendment be adopted and approved with all levels of appeals exhausted prior to registration.</p>
6.	<p>The Applicant shall include a copy of the Zoning requirements with the Purchase and Sale Agreement of each lot.</p>
7.	<p>That the Applicant shall provide a copy of the Environmental Impact Study, Geotechnical Report, and Hydrogeological Report, with the sale of each lot, and any other studies upon request.</p>

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8. That the recommendations outlined in the document prepared by Blue Heron Environmental "Future Development Recommendations and Best Management Practices" and dated October 6, 2023, be included in the Subdivision Agreement as appropriate, registered on title for each lot and be implemented to the satisfaction of the Clerk of the Township.
9. Prior to any site alteration or construction on the subject lands, the owner shall demonstrate to the satisfaction of the Township that all requirements set out by the MECP under the Endangered Species Act have been satisfied including completion of targeted surveys, an Information Gathering Form, and permitting or implementation of mitigation measures.
10. That the recommendations outlined in the Geotechnical Report prepared by EXP regarding foundation construction, construction weather conditions, and construction quality be included in the Subdivision Agreement and review at the time of Building Permit for the construction of any future residential dwellings.
11. That it be demonstrated each lot can be appropriately serviced by an individual private septic system in compliance with MECP Guidelines as outlined in the Servicing Options Statement and Hydrogeological Report prepared by EXP and dated October 6th, 2023. This shall include a minimum of 15m clearance distance from all other structures and property lines.
12. That each lot be serviced by a deep-water bedrock well, being cased for a minimum of 20 feet or 6m into the bedrock and tested prior for water quality to determine any required treatment systems in compliance with the Ontario Drinking Water Standards (ODWS).

The Applicant agrees to include a restrictive covenant as part of the Purchase and Sale Agreement be registered on title of each lot to ensure the proper well, as described above, is implement on each lot.
13. That a Stormwater Management Plan in accordance with the principles outlined Section 3.13 of the Township's Official Plan that addresses drainage, erosion, and sediment control and measures be completed by a qualified individual to the satisfaction of the Township. Measures from this plan will be implemented through Site Plan Control.
14. That Cash-in-Lieu of parkland be paid in the amount of 5% of the value of the subject lands as outlined in Section 51.1 of the *Planning Act*.
15. That the Township of Sables-Spanish Rivers is advised in writing by Bell Canada and Hydro One that easement documents to facilitate the provisioning of services and access to existing infrastructure have been executed by the applicant. The

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applicant shall undertake to complete the registration of the documents subsequent to the registration of the Plan of Subdivision and the legal Reference Plan describing the easements.

16. That the Applicant grant any easements as required by utility companies.
17. That the civic address numbering for each lot be submitted for review and approval to the Township to ensure compliance with the Township's database system.
18. That the Applicant confirm the proposed method of garbage pick-up for the new nine (9) lots and that it be to the satisfaction of the Clerk of the Township.
19. That the applicant agrees that all required surveying and survey monuments shall be undertaken for all lots and easements by a qualified Ontario Land Surveyor and shall be completed, as required, prior to final approval.
20. That the Applicant agrees to submit the required number of copies of the proposed Final Plan of Subdivision including copies of reference plans and other instruments for all easements to the Clerk of the Township of Sables-Spanish Rivers for their review and approval.
21. That the Applicant agrees, prior to final approval, to enter into a Subdivision Agreement, to be registered on title, to satisfy all requirements, financial, servicing and otherwise, with the Township of Sables-Spanish Rivers.
22. That the Applicant agrees, as part of final approval and registration of the Plan, to include the Subdivision Agreement as part of the Purchase and Sale Agreement for each lot, to ensure that all prospective purchasers are aware of any additional requirements outlined as part of the Subdivision Agreement.
23. The Applicant acknowledges and agrees that an Inhibiting Order will be placed upon the subdivision lands, which the Inhibiting Order will be lifted by the Municipality after the following:
 - a) Registration of all relevant agreements and easements has been completed, including but not limited to those noted in these Draft Conditions; and
 - b) Applicant's execution of the Subdivision Agreement.
24. That draft plan approval for this subdivision is for a period of three years. The Applicant shall apply for any extension at least 60 days prior to the lapsing date.
25. That the Applicant(s) shall remit the finalization fee as a deposit of \$20,000 in the form of a certified cheque or money order, as a deposit to cover all planning fees to the Township of Sables-Spanish Rivers prior to final approval.

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26. The Owner shall pay any outstanding taxes owing to the Township of Sables-Spanish Rivers prior to registration.

NOTES TO DRAFT APPROVAL

1. It is the Applicant's responsibility to fulfill the conditions of draft approval and ensure that the required clearance letters are forwarded by the appropriate agencies to the Clerk of the Township of Sables-Spanish Rivers
2. It is understood that the conditions for final approval does not absolve the Applicant or any resident of responsibility for compliance with the requirements of the zoning by-law and the requirement to enter into Site Plan Control under Section 41 of the *Planning Act*.
3. At any time prior to final approval of this plan for registration, the Township may, in accordance with Section 51 (44) of the *Planning Act*, amend, delete or add to the conditions and this may include the need for amended or new studies.
4. All measurements in subdivision final plans must be presented in metric units.