

PLANNING & DEVELOPMENT

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www.huroncounty.ca

To: Mayor and Members of Town of Goderich Counci

Andrea Fisher

From: Victor Kloeze, Senior Planner

Date: November 12th, 2024

Re: Plan of Subdivision 40T13002 Extension of Draft Plan Approval

Location: Part Lots 1, 2, 6, 7, 22, 23, 24, 25, 26 and Part of the Old Railway lands,

Registered Plan 538, and Part Lot 3, Concession 1, Geographic Township of Goderich, formerly Municipality of Central Huron now in the Town of

Goderich

Owner: 1695538 Ontario Inc. (Rob Wood)
Applicant: Polocorp Inc. (Gursimran Saini)

RECOMMENDATION

That the Town of Goderich recommend to the County of Huron that the application to extend draft plan approval for subdivision file 40T13002 for a further three-year period be approved.

BACKGROUND

The applicant seeks a three (3) year extension of draft plan approval for this subdivision, to February 1st, 2028. Extending draft plan approval would provide an additional three years for the applicant to satisfy all conditions, obtain final approval, and register the subdivision; otherwise, the approval lapses and the subdivision file is closed after February 1st, 2025.

REVIEW

The Coast Subdivision includes 424 – 836 new residential dwelling units ranging from single detached dwellings to rowhouses and multiple unit dwelling buildings, and requires phased development given the scale of the proposed development.

Draft Plan of Subdivision 40T-13002 and the rezoning of the lands were originally approved by the County of Huron and Town of Goderich in 2014. The applications were subsequently appealed and ultimately approved by the OMB (now OLT) in 2016 (PL 141168). The Draft Plan was planned to be registered in phases based on market conditions. Phase 1 of the Draft Plan was registered in May 2021, which consisted of 38 residential units, hazard land and open space blocks. Phase 3, comprising of a block for a long-term care home and road, was registered in April 2022 and Phase 2, comprising 69 low density residential lots and 6 medium density residential blocks, was registered in July 2022.

Construction of Phase 1 is complete while Phase 2 is substantially advanced with a large number of units either sold or already occupied. The long term care home in Phase 3 has received Site Plan approval and is currently under construction.



A previous extension was granted for the Draft Plan of Subdivision on February 1, 2022 as part of a major modification to the draft plan and conditions, for a three-year period, which will lapse on February 1, 2025.

The Applicant is currently working toward registration of Phase 4 of the Subdivision, which is comprised of new Dechert Road and Street 'B' (refer to Draft M-Plan in Appendix A). The Subdivision Agreement to facilitate this registration was approved by Council at the August 12 Council meeting.

The fulfillment of other conditions is underway with approval from Ministry of Transportation (MTO) being the major outstanding item. Staff are aware that the applicant's team is actively working with MTO to address their conditions.

The current, approved draft plan and conditions are attached to this report for Council's information.

Town and Maitland Valley Conservation Authority (MVCA) staff have confirmed they have no concerns with the extension. The MTO did not provide comments by the requested October 18th deadline; in an October 31st letter they advised they had no concerns.

Staff are aware that the owner has been actively working with the Town and appropriate agencies to advance and the next phases of development as it pertains to detailed engineering details and the development agreement(s). Accordingly, based on this activity and the other reasons previously outlined, the requested three-year draft plan approval extension request is appropriate and can be supported.

The extension of draft plan approval requires County of Huron approval.

Sincerely,

Victor Kloeze,∕\$enior Planner, RPP MCIP

CONDITIONS OF DRAFT APPROVAL FOR PLAN OF SUBDIVISION

File: 40T 13002

Subdivider: 1695538 Ontario Inc.

Lower Tier: Town of Goderich

Subject Lands: Part Lots 1, 2, 3, 6, 7, 22, 23, 24, 25, 26 and Part of Old Railway Plan

538, and Part of Lot 3, Concession 1, Town of Goderich, County of Huron, formerly Municipality of Central Huron, County of Huron

Date of Draft October 26th, 2016 [OMB Decision PL141168]; Major modifications

Approval: to the Draft Plan and Conditions approved: February 1, 2022

WHEREAS, the application for the subdivision has been circulated according to the Delegation Orders of the Minister of Municipal Affairs and the County of Huron's Planning Procedures Manual;

AND WHEREAS, pursuant to Section 173 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, local Municipalities may make a restructuring proposal to the Minister requesting an Order to adjust the boundaries between the Municipalities and to annex part of a local Municipality to another local Municipality;

AND WHEREAS, the Municipality of Central Huron and the Town of Goderich came to an agreement for a boundary adjustment between the Municipality of Central Huron and the Town of Goderich;

AND WHEREAS, the boundary adjustment received the support of the Council of the County of Huron, the Municipality of Central and the Town of Goderich;

AND WHEREAS, the Councils of the Corporation of the Town of Goderich and the Municipality of Central Huron passed by-laws supporting the adjustment between the Municipality of Central Huron and the Town of Goderich;

AND WHEREAS, the Minister of Municipal Affairs and Housing approved the boundary adjustment between the Municipality of Central Huron and the Town of Goderich which took effect January 1, 2014;

AND WHEREAS the application affects an area designated for residential development in the Municipality of Central Huron Official Plan;

AND WHEREAS any issues raised during the circulation of the application are addressed by the following conditions to draft approval;

NOW, THEREFORE the Council of the Corporation of Huron hereby issues draft approval to subdivision file 40T13002, which pertains to, Part Lots 1, 2, 6, 7, 22, 23, 24, 25, 26 and Part of Old Railway Plan 538, and Part of Lot 3, Concession 1, Town of Goderich, County of Huron, formerly Municipality of Central Huron, County of Huron, and the following conditions shall apply. The following conditions have been established by the County of Huron and must be met prior to the granting of final approval:

Draft Conditions

Description

1. This approval applies to the amended 1695538 Ontario Inc. Draft Plan of Subdivision (Part Lots 1, 2, 6, 7, 22, 23, 24, 25, 26 and Part of Old Railway Plan 538, and Part of Lot 3, Concession 1, Town of Goderich, County of Huron, formerly Municipality of Central Huron, County of Huron, dated November 5th, 2021 and titled as 'Draft Plan of Subdivision', submitted by Polocorp, hereafter referred to as 'draft plan' and attached as 'Schedule B'. The originally approved draft plan remains attached for reference purposes.

Phasing

- 2. The subdivision will be registered in phases and prior to final approval of any phase, the Subdivider shall submit to the County of Huron and the Town of Goderich, for their review and approval, a phasing plan for the plan of subdivision;
- 3. Any sub-phase of servicing within each phase shall be developed to the satisfaction of the Town of Goderich.

Roads

4. Prior to final approval, the Subdivider shall submit to the Town, for their review and approval, a survey showing the new location of Dechert Road.

Should Lake Huron Shores A2A Developments Inc. ("LHS") receive draft approval of a plan of subdivision, for the LHS lands that incorporate a public road connection from the LHS lands in the area circled in green in Schedule "A" hereto (the "Proposed Road Connection Area") to the abutting lands to the north of the Proposed Road Connection Area prior to the time of registration of those portions of the Subdivider's plan of subdivision bordering Dechert Road, then the Subdivider shall upon request of LHS apply for a Redline Revision to its draft plan of subdivision bordering Dechert Road to include a public road connection aligned with such proposed road connection from the LHS lands, provided such Redline Revision shall only require the Subdivider to relocate Open Space Block 37 and shall be done in conformity with the Town's and County's requirements for separation distances between public road connections. For clarity, any such Open Space Block 37 relocation shall not require the Subdivider to reconfigure its internal lot fabric or road layout.

"LHS lands" herein shall mean those lands legally described as: Lot 4 Plan 538 Goderich; Lot 10 Plan 538 Goderich; Part Old Railway Part Plan 538 Goderich; Part Lot 3 Plan 538 Goderich; Part Lot 5 Plan 538 Goderich; Part Lot 8 Plan 538 Goderich; Part Lot 9 Plan 538 Goderich; Part Lot 11 Plan 538 Goderich; Part Lot 5 Concession 1 Goderich as in R194853; save & except HWP2187; Municipality of Central Huron, being all of PIN 41367-0007 (LT).

[OMB Decision PL141168]

- a) Block 73 is intended to provide access to the lands legally known as Lot 11, Plan 538, Township of Goderich, Municipality of Central Huron. The final width and location of the block is to be determined at the time of registration to the satisfaction of the County of Huron.
- 5. The road allowances and future road blocks shown on the draft plan shall be dedicated to the Town of Goderich.
- 6. The roads shown on the draft plan be named to the satisfaction of the Town of Goderich.

- 7. Any deed ends and/or open sides of road allowances created by this Plan of Subdivision shall be terminated in 0.3 metre reserve to be conveyed to and held in trust by the Town of Goderich until required for future road allowances or the development of adjacent land.
- 8. Prior to final approval, the Owner shall convey by deed, free and clear of all liens, mortgages, and encumbrances to the MTO a 0.3 m reserve extending across the entire highway frontage. These are to be shown as separate blocks on the plan.
- 9. Prior to final approval, the Owner shall submit to MTO for review and approval a revised/updated TIS so that MTO can assess the impact to the highway for each phase of the development. Highway improvements as a result of the development are the financial responsibility of the developer.
- 10. Prior to final approval, the Subdivider shall enter into a Legal Agreement with MTO whereby the Subdivider agrees to assume financial responsibility for the design and construction of all necessary highway improvements.
- 11. Prior to final approval, a visibility triangle measuring 20 m x 6 m shall be established on the plan on the northwest quadrant of the intersection of Dechert Road and Highway 21 as public highway. This shall be dedicated to the Province and shown as a separate block on the plan. Prior to final approval, the Owner shall submit to the Ministry of Transportation for review and approval, a draft copy of the M-Plan for the subdivision.

Easements and Blocks

- 12. Any easements required for municipal services will be provided by the Subdivider to the satisfaction of the Town of Goderich.
- 13. Any easements as may be required for any utility purposes, including but not limited to electricity, telecommunications, cable, gas and hydro shall be granted by the Subdivider gratuitously to the appropriate authorities to their satisfaction.
- 14. Any blocks required for municipal services and storm water shown on the draft plan shall be dedicated to the Town of Goderich.

Subdivision Agreement

- 15. The Subdivider shall enter into a Subdivision Agreement with the Town of Goderich which shall list all requirements, including financial or otherwise for the development of the subdivision plan including but not limited to the following:
 - a. provisions for phases and any sub-phasing;
 - b. provision that the subdivision of all residential blocks shall be at the discretion of the County of Huron, through the consent, subdivision or part lot control process; or through the creation of lots and blocks on the M-Plan, to the satisfaction of the County of Huron and Town of Goderich, to be registered by the Subdivider;
 - c. provision for roads to a standard acceptable to the Town of Goderich and for the naming of such roads;
 - d. provisions for the allocation of municipal reserve capacity for water and sewer that is coordinated with the phases;
 - e. provisions for the installation of and connection to municipal services (water, sanitary and storm systems);
 - f. provision of storm water management facilities and parkland;
 - g. provision of grading and drainage plans and related installations;
 - h. provision of trees, tree retention and landscaping on streets and any other public areas, as per the vegetation plan;

- i. provisions for the grading and seeding of the parkland Blocks as per the vegetation plan;
- j. provisions for the development of the trail blocks, as per the vegetation plan;
- k. provisions to address requirements by other review agencies;
- recognition of the natural environment features (hazard and lakeshore slope), and agreement that no site alteration is to take place within these areas without prior written permission of the Town of Goderich and the Maitland Valley Conservation Authority;
- m. provisions for the removal of holding zone provisions;
- n. see Condition 37 regarding Natural Environment;
- o. see Condition 41 regarding Canada Post;
- p. provisions addressing the requirement of a connection between the northwest portion of the development lands, accessed via Warren Street, and the southeastern portion of the development lands, accessed via Dechert Road; and limiting the amount of development that may occur until the lands are connected by means of a municipal road connection running through the adjacent development lands; and
- q. provisions recognizing the allocation of municipal servicing capacity, with an initial allocation of 450 equivalent residential units of water and sanitary sewer, and allowing that additional allocations may be considered at time of future phase approval applications to the satisfaction of the Town of Goderich and County of Huron; and
- r. other such matters as determined by the Town of Goderich.
- 16. A copy of the Subdivision Agreement shall be provided to the County of Huron, Planning and Development Department, prior to final approval.
- 17. The Subdivision Agreement shall be registered against the lands to which it applies by the Town of Goderich, and paid for by the Subdivider.

Engineering Drawings

- 18. Prior to final approval of each phase and sub-phase, the Subdivider shall submit for approval subdivision design drawings (including preliminary design sketches for all public works and services within the entire subdivision as per the Function Servicing Report), prepared and certified by a Professional Engineer to the satisfaction of the Town of Goderich. The subdivision design drawing shall include oversized water and sanitary sewer lines in accordance with the requirements of the Town of Goderich so as to permit the Town to allocate and provide capacity to service (with water and sanitary sewer only) those lands to the south of Dechert Road.

 [OMB Decision PL141168]
 - 18.1. The Town and the Subdivider shall enter into a separate agreement regarding the Subdivider's additional cost to oversize water and sanitary sewer prior to final approval of any phase or subphase. [OMB Decision PL141168]
- 19. Prior to final approval the owner shall submit to MTO for review and approval, a copy of the site servicing plan for MTO review and approval.

Storm Water Management

- 20. Prior to final approval, the Subdivider shall submit the following reports prepared by a qualified professional engineer, and completed to the satisfaction of the Town of Goderich and the Maitland Valley Conservation Authority:
 - a. A final storm water management plan. The final plan needs to demonstrate that the gully will be stabilized and incorporated into the stormwater management system;
 - b. A final Slope Stability Assessment;
 - c. Details regarding the maintenance of any stormwater management facilities, including means of access to such facilities.

- 21. Prior to final approval, the Subdivider shall submit the following reports, prepared by a qualified professional engineer, and completed to the satisfaction of the Town of Goderich and the Maitland Valley Conservation Authority:
 - a. An final overall lot grading and drainage plan;
 - b. A final erosion and sedimentation control plan.

The lot grading and drainage plan shall be prepared to show storm water flows presently crossing the Subdivider's lands and being directed to storm water management facilities on the Subdivider's lands except to the extent otherwise directed by MVCA and the Town of Goderich.

[OMB Decision PL141168]

- 22. Prior to final approval, the Subdivider shall submit a final storm water management plan prepared by a qualified professional engineer, completed to the satisfaction of the Ministry of Transportation.
- 23. Prior to approval of the phasing plan, the Subdivider shall submit a temporary stormwater management plan.

Zoning

- 24. The subject lands be zoned to the satisfaction of the Town of Goderich. The zoning for this development shall include:
 - a. the location of low and medium density residential zones;
 - b. the location of commercial zones with a holding provision;
 - c. the location of natural environment zones;
 - d. the location of open space and parkland zones; and
 - e. the location of floodway zones
- 25. A holding zone shall be applied to residential zones. The holding zone shall contain criteria that must be met in order to remove the holding symbol including allocation of municipal services and a phasing plan, to the satisfaction of the Town of Goderich. Removal of the holding provision will consider the number of smaller lot sizes being created.
- 26. A holding provision shall be applied to Blocks 27, 28, 43, 44, 51, 57. The holding zone shall contain criteria that must be met in order to remove the holding symbol including a stage 3 archaeological assessment to the satisfaction of the County of Huron and the Town of Goderich.
- 27. A holding provision shall be applied to Block 45. The holding zone shall contain criteria that must be met in order to the remove the holding symbol, including a stage 1 and 2 archaeological assessment.

Park Land

- 28. Blocks 34, 48, and 47 be dedicated as parkland to the Town of Goderich.
- 29. Blocks 50, 51, 52, 56, 57, 58, 59 be dedicated to the Town of Goderich.
- 30. Block 38, and 49 be dedicated as open space / linkage to the Town of Goderich.

Natural Environment, Vegetation & Landscaping

- 31. Block 53 and 54 be dedicated as natural environment to the Town of Goderich.
- 32. Prior to any alterations made to the existing natural heritage features, the Subdivider shall prepare a detailed Hydrological Assessment for these features, to the satisfaction of the County of Huron. The Hydrological Assessment will assess the potential hydrological impact of the proposed alterations on existing natural heritage features and functions on the property including the wetland

situated on the LHS lands to the south of Dechert Road. The Terms of Reference for the Hydrological Assessment will be developed in consultation with the County, Town of Goderich, and MVCA. [OMB Decision PL141168]

- 33. Prior to final approval and in accordance with Ontario Regulation 164/06, the Subdivider must obtain all necessary permits from the Maitland Valley Conservation Authority for development, interference with wetlands; and alteration to watercourses and the shoreline. The linear stormwater wetland will be constructed, subject to a plan approved by the Maitland Valley Conservation Authority, prior to the interference/destruction of the existing wetland.
- 34. The Subdivider shall prepare a vegetation plan for the following areas, to the satisfaction of the Town of Goderich, County of Huron, and the Maitland Valley Conservation Authority:
 - a. storm water management block (Block 40);
 - b. Blocks 34, 37, 38, 47 and 48; and
 - c. walkways.
- 35. Prior to final approval, the Subdivider will obtain the necessary undertaking requiring the title for all lots in proposed Block 1 to contain the following" all proposed development including, but not limited to construction, reconstruction, additions, accessory structures (detached garages, shed, pools, etc.); and site grading and alteration be reviewed and approved by the Maitland Valley Conservation Authority, prior to doing the work, pursuant to regulations made under the Conservation Authorities Act (R.S.O. 1990, chapter C.27)".
- 36. The Subdivider shall prepare a low maintenance landscape plan for Blocks 50, 51, and 52, to the satisfaction of the Town of Goderich, County of Huron, and the Maitland Valley Conservation Authority.
- 37. The Subdivision Agreement shall include provisions, specifically addressing the following natural environment recommendations from the Environmental Impact Study to the satisfaction of the County of Huron:
 - a. A limit of work fence shall be installed along the south limit of Dechert Road in areas of the woodland to ensure roots are not compacted or injured during site grading works;
 - b. Any residences adjacent to the woodland shall be located on lots to maximize setbacks from the woodland feature;
 - c. Fencing is installed at the rear limit of any lots adjacent to the wetlands;
 - d. Any required removal of trees and vegetation is to be timed to minimize impacts on wildlife species;
 - e. Any necessary tree removal shall be completed by a certified forestry or land clearing contractor to ensure trees to be retained will not be injured or impacted.

<u>Archaeology</u>

- 38. Prior to any development or installation of infrastructure (including roads) in Block 45, a Stage 1 and 2 archaeological assessment shall be completed to the satisfaction of the Ministry of Tourism, Culture and Sport, the County of Huron and the Town of Goderich.
- 39. Prior to development or site grading in Blocks 27, 28, 43, 44, 51, 57, a Stage 3 archaeological assessment shall be completed to the satisfaction of the Ministry of Tourism, Culture and Sport, the County of Huron and the Town of Goderich.

Canada Post

- 40. Prior to final approval, the Subdivider shall consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes and that the locations will be indicated on the appropriate servicing plans.
- 41. The Subdivision Agreement shall contain the following clauses:
 - a. The Subdivider covenants and agrees to provide the Town of Goderich with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community mail Boxes (CMB) as required by Canada Post Corporation and as shown on the approved engineering design drawings/Draft Plan at the time of sidewalk and/or curb installation. The subdivider further covenants and agrees to provide notice to prospective purchasers of the locations of CMBs and that home/business mail delivery will be provided via CMB, provided the Subdivider has paid for the activiation and equipment installation of the CMBs;
 - b. The developer agrees, prior to offering any units for sale, to provide a map to potential homeowners that indicates the location of all CMBs within the development, as approved by Canada Post;
 - c. The Subdivider agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via CMB. The subdivider also agrees to note the locations of all CMBs within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the CMB.
 - d. The Subdivider will provide a suitable and safe temporary site for a CMB until curbs, sidewalks and final grading are completed at the permanent CMB locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied; and
 - e. The Subdivider agrees to provide the following for each CMB site and to include these requirements on the appropriate servicing plans:
 - i. Any required walkway across the boulevard, per municipal standards
 - ii. Any required curb depressions for accessibility purposes, with an opening of at least two metres (consult Canada Post for detailed specifications).

Financial Requirements

- 42. The Subdivider shall pay any outstanding charges to the Town of Goderich prior to final Approval.
- 43. Reimbursement of any legal, and/or engineering and consulting fees and disbursements incurred by the Town of Goderich in connection with the review or approval of this plan of subdivision, shall be made.
- 44. Reimbursement of any legal, and/or engineering and consulting fees and disbursements incurred by the County of Huron in connection with the review or approval of this plan of subdivision, shall be made.

ADMINISTRATION

Lapsing

The proponent has three (3) years from the date of draft approval of this plan of subdivision to obtain final approval from the County. If final approval is not obtained before three (3) years from the date of draft approval, and in the absence of an extension applied for by the Subdivider and approved by the County, then the draft approval shall be deemed to be void. The major modifications to this plan in 2022 are considered a three (3) year extension to the draft approval.

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 Huron, quoting the application file number.
- 2. An application for final approval of the Plan of Subdivision must be submitted to the County of Huron with copies of the required clearance letters. Be advised the County of Huron requires a **minimum of two weeks** to review an application for final approval of a Plan of Subdivision.
- 3. A copy of the final M-Plan is required by the County of Huron and the Town of Goderich.
- 4. Portions of the lands covered by this Draft Approval are subject to the Maitland Valley Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations (Ontario regulation 169/06). As such written permission is required from the Conservation Authority prior to the beginning of any construction, filling, excavation within the Regulated Area.
- 5. It is the responsibility of the Subdivider to provide the approval body with the required information and fees to extend this draft approval. Should this 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.
- 6. An updated review of the plan and revisions to the Conditions of Approval may be necessary if an extension is to be granted.
- 7. MTO Building and Land Use Permits are required. As a condition of MTO permits, the following will be required:
 - a. The Proponent shall submit an acceptable Site Plan, Grading Plans, Drainage Plan and Site Servicing Plan for MTO review and approval. These plans shall clearly identify all structures/works and parking (existing and proposed).
 - b. MTO requires all buildings, structures and features integral to the site to be located a minimum of 14 metres from the highway property limit, inclusive of landscaping features, fire-lanes, parking and storm water management facilities.
- 8. The Subdivider shall advise the Ministry of Transportation and the Maitland Valley Conservation Authority on the phasing.
- 9. The grading/drainage plans shall identify any storm drain infrastructure including outlets, swales, tiles, direction of flow, etc. A Storm Water Management Report is required for MTO review and approval.
- 10. Any/all signage visible from Highway 21, including temporary development signs, must be identified on the plans, must conform to MTO policies and guidelines, and will require a valid MTO Sign Permit before installation.
- 11. Clearances are required from the following:

Clerk Town of Goderich 57 West St. Goderich, ON, N7A 2K5 Maitland Valley Conservation Authority 1093 Marietta St Box 127 Wroxeter, ON, N0G 2X0

Huron County Stewardship Coordinator County of Huron Planning & Development Department 57 Napier Street, Goderich, Ontario, N7A 1W2

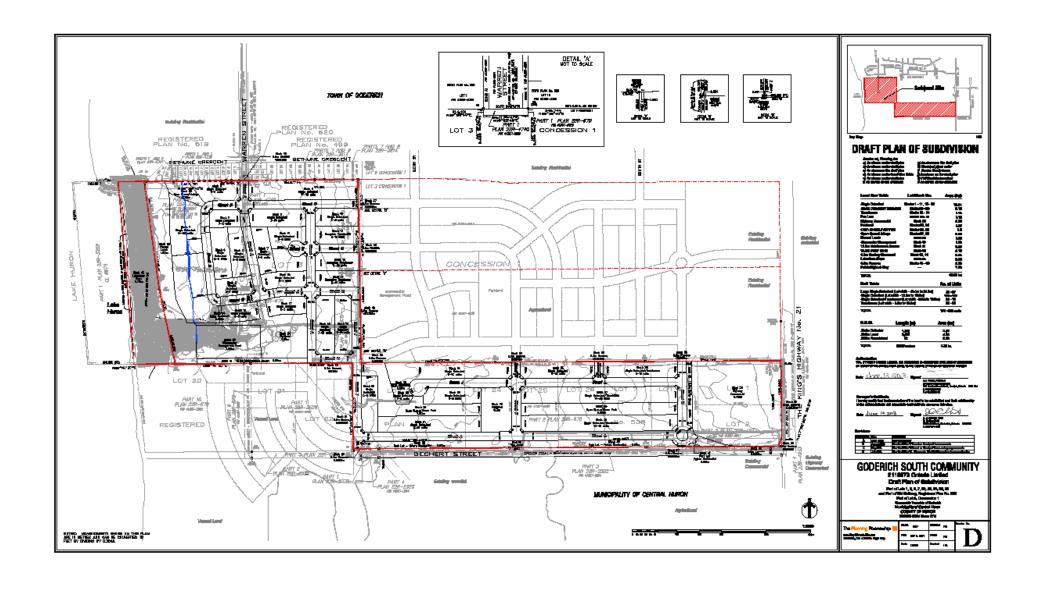
Shirley Brundritt Lands Support Analyst Union Gas Limited 50 Keil Drive North, P.O. Box 2001 Chatham, Ontario, N7M 5M1

Canada Post 2701 Riverside Drive Ottawa, ON, K1A 0B1

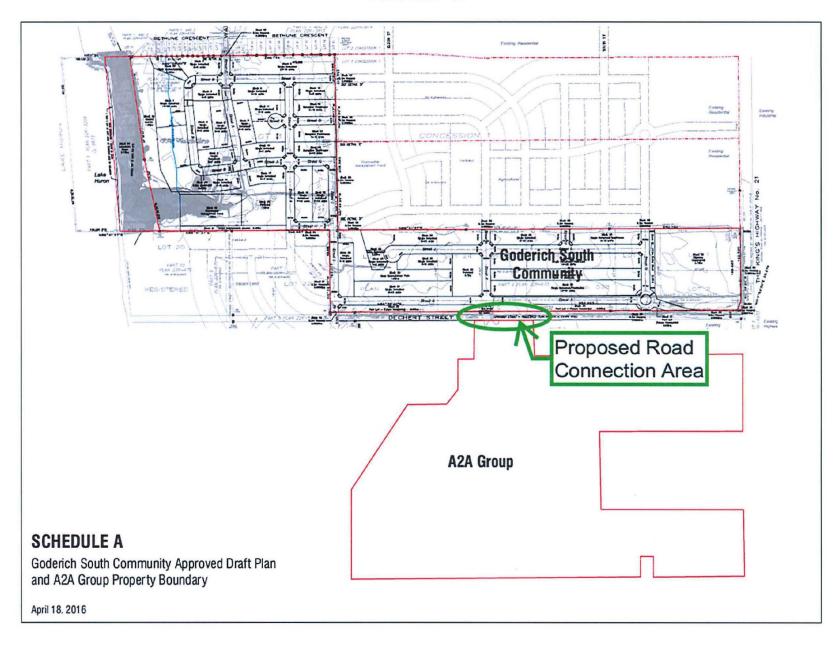
Hydro One Networks Inc., if applicable 483 Bay Street
South Tower, 8th Floor Reception
Toronto, Ontario M5G 2P5

Ministry of Transportation Corridor Management Section 659 Exeter Road London, Ontario N56E 1L3

ERTH Power, if applicable P.O. Box 157 143 Bell Street Ingersoll, Ontario N5C 3K5



Schedule "A"



Schedule B

