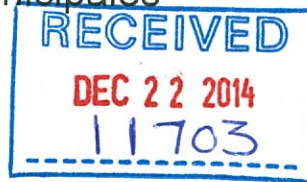


**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario



**ISSUE DATE:** December 19, 2014

**CASE NO(S):** PL 140459

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Armel Corporation
Appellant:	DRS Developments Ltd.
Appellant:	John Denison
Appellant:	Hustonville Sand & Gravel Ltd.; and others
Subject:	Proposed Official Plan Amendment No. OPA 81
Municipality:	Upper Tier of Wellington
OMB Case No.:	PL140459
OMB File No.:	PL140459

Heard: November 10, 2014 at Guelph, Ontario

**APPEARANCES:**

**Parties**

**Counsel**

Armel Corporation

Steven Zakem

Telfer Glen Developments Ltd.

Anna Toumanians

DRS Developments Ltd. and  
Hustonville Sand & Gravel Ltd.

David Germain

County of Wellington ("County")

Peter Pickfield

Ministry of Municipal Affairs and  
Housing ("Ministry")

Ugo Popadic and Carolyn Poutialnen, student-  
at-law

**MEMORANDUM OF ORAL DECISION DELIVERED BY STEVEN STEFANKO  
ON NOVEMBER 10, 2014 AND ORDER OF THE BOARD**

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[1] The Ministry approved, with modifications, Official Plan Amendment 81 ("OPA 81") on April 28, 2014. OPA 81 was the result of the County's five year review of its

Official Plan.

[2] This first prehearing was held to deal with procedural and settlement matters related to the appeals filed in connection with OPA 81.

[3] Based upon the foregoing and the submissions of counsel, the Order and other directions set out on Schedule A attached hereto are hereby issued and approved.

*"Steven Stefanko"*

STEVEN STEFANKO  
VICE-CHAIR

**Ontario Municipal Board**

A constituent tribunal of Environment and Land Tribunals Ontario

Website: [www.elt.o.gov.on.ca](http://www.elt.o.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

## SCHEDULE A

PL140459

### Re: OMB PHC November 10, 2014 Appeals of County of Wellington OPA 81

#### A. ORDER

On reviewing the affidavit evidence of Mr. Mark Paoli, Manager of Policy Planning, Department of Planning and Development, County of Wellington and on hearing the submissions of counsel for the parties, the Board Orders:

1. The appeal of County of Wellington Official Plan Amendment No. 81 by DRS Developments Ltd. (DRS) is allowed in part and disposed of as follows:

Schedule A-44 of OPA 81 is modified by revising the boundary of the Core Greenlands designation on the DSR lands in accordance with Attachment "1" to this order and, as so modified, Schedule A-44 of OPA 81 is approved.

2. Schedule A-36 of OPA 81 is modified by changing the designation on the area indicated on Attachment "2" from "Industrial" to "Residential" and, as so modified, Schedule A-36 of OPA 81 is approved.

3. The appeal of OPA 81 by Hustonville Sand & Gravel Ltd. ("Hustonville") shall be heard together with Hustonville's appeal of County of Wellington Official Plan Amendment No. 77 (PL140872) and with the related zoning appeal by Hustonville's predecessor corporation, the Murray Group Limited (PL101361).

#### B. SCOPE OF APPEALS

Based on the affidavit of Mr. Paoli and the submissions received from counsel, the Board notes that the remaining three appeals of OPA 81 have been scoped as follows:

Telfer Glen Developments Ltd. has withdrawn its appeal of OPA 81 with respect to the following items and associated policies as set out in Part B of OPA 81:

Item 1 (s. 1.2); Item 4 (s. 2.4); Item 5 (s. 2.5); Item 6 (s.2.7); Item 9 (s. 4.1); Item 10 (s.4.1.1); Item 11 (s.4.1.5); Item 12 (s. 4.2.2); Item 16 (s. 4.3.2); Item 25 (Part 4 – General County Policies); Item 38 (s.5.6.2); Item 43 (s. 6.1); Item 47 (s. 6.4.10); Item 54 (s.6.7); Item 55 (s. 6.8); Item 56, (s. 6.8.1); Item 57, (s.6.8.2); Item 58; (s. 6.8.4); Item 59, (Part 6); Item 71 (s. 9.4); Item 72, (s. 9.6), Item 73, (s. 9.8); Item 76 (s. 10.4); Item 79, (s.12.5.2); Item 80, (s.12.6); Item 81, (s. 12.6.1); Item 82, (s.12.6.2); Items 83, 84 and 85 (Table 13); Item 86 (s. 13.9); and Item 90 (Part 15 Definitions).

In addition, in its Notice of Appeal, Telfer Glen Developments Ltd. limited its appeal geographically to certain lands adjacent to the Morrison Urban Centre in the Township of Puslinch, as shown on the map attached to its Notice of Appeal ("the Subject Lands"). The portions of OPA 81 that remain under appeal by Telfer Glen Developments Ltd. are under appeal only as these remaining items relate to this parcel of land.

Armel Corporation, in its Notice of Appeal, limited its appeal geographically to certain lands that it owns in the Township of Puslinch, as described in its Notice of Appeal, and specifically to the delineation of the Area of Natural Scientific Interest (ANSI) on those lands, as shown on Schedule A-22 and A-29 of OPA 81.

Hustonville Sand & Gravel Ltd. has withdrawn its appeal of OPA 81 as it relates to lands other than the lands shown on Schedule A-36 of OPA 81 as "Pending OPA 77" and maintains its appeal of OPA 81 only as it relates to those lands.

#### C. REQUESTS FOR PARTY STATUS

The Board directs that the requests for party status of Alfred Wilson and John Denison be dealt with by way of motion to be served on all of the parties and filed with the Board in accordance with the Board's *Rules of Practice and Procedure*. The motions shall be heard by teleconference on a date to be arranged with the Board.

#### D. OTHER MATTERS

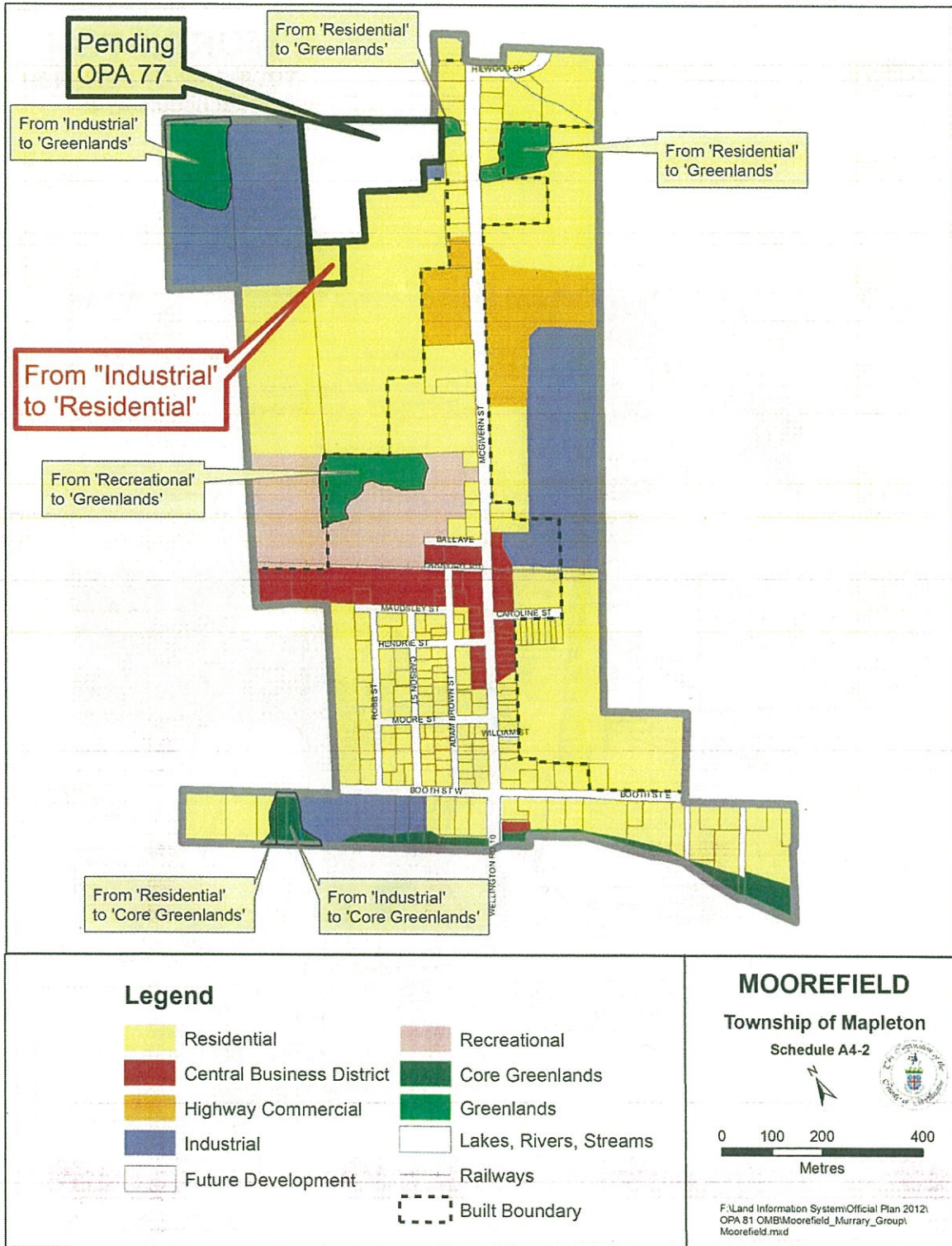
With respect to the Telfer Glen Development Ltd. appeal, the Board directs that on or before December 31, 2014 the parties file with the Board a draft Procedural Order for the hearing of this appeal, including a hearing date to be obtained through the Board Caseworker for this matter.

With respect to the Armel Corporation appeal, the next prehearing on this matter has been set for January 9, 2015 commencing at 12:30 p.m., by teleconference. Teleconference details to be provided by the Board Caseworker.



ATTACHMENT 2 to OMB ORDER:

SCHEDULE A-36 to OFFICIAL PLAN AMENDMENT NO. 81

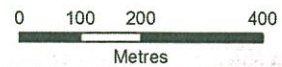


**Legend**

- |  |   |
|--|---|
| <span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> Residential            | <span style="display:inline-block; width:15px; height:15px; background-color:tan; border:1px solid black;"></span> Recreational             |
| <span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span> Central Business District | <span style="display:inline-block; width:15px; height:15px; background-color:darkgreen; border:1px solid black;"></span> Core Greenlands    |
| <span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> Highway Commercial     | <span style="display:inline-block; width:15px; height:15px; background-color:mediumgreen; border:1px solid black;"></span> Greenlands       |
| <span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> Industrial               | <span style="display:inline-block; width:15px; height:15px; background-color:white; border:1px solid black;"></span> Lakes, Rivers, Streams |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Future Development  | <span style="display:inline-block; width:15px; height:15px; border-bottom:1px solid black;"></span> Railways                                |
|  | <span style="display:inline-block; width:15px; height:15px; border:1px dashed black;"></span> Built Boundary                                |

**MOOREFIELD**

Township of Mapleton  
Schedule A4-2



F:\Land Information System\Official Plan 2012\  
OPA 81 OMB\Moorefield\_Murray\_Group\  
Moorefield.mxd