



## NOTICE OF DECISION

### On Application for Approval of Draft Plan of Common Elements Condominium under the Planning Act, and the Condominium Act, 1998

**Approval Authority:** County of Wellington

**File Number:** 23CD-23002  
Wrighthaven Homes Limited

**IN THE MATTER** of an Application for Condominium being Part of Block 26, Registered Plan 61M-222, Bridge Crescent, Palmerston, Town of Minto in the County of Wellington.

**TAKE NOTICE** that the Corporation of the County of Wellington gave approval for an application for a draft plan of Common Elements Condominium, Wellington County File No.23CD-23002, on October 4, 2023 under Section 51 of the Planning Act, R.S.O. 1990 as amended and pursuant to the Condominium Act, 1998 in respect of Part of Block 26, Registered Plan 61M-222, Bridge Crescent, Palmerston, Town of Minto in the County of Wellington subject to conditions of approval.

**PUBLIC INPUT:** There were no written submissions received and considered by the County of Wellington.

**RELATED APPLICATIONS** - none

**AND TAKE NOTICE** that any person or public body may appeal the decision to approve or to refuse the draft plan of Common Elements Condominium, the lapsing provision (if applicable) or any of the conditions of the approval of the draft plan of Common Elements Condominium (if applicable) to the Ontario Land Tribunal, by filing with the Director of Planning and Development for the County of Wellington, not later than OCTOBER 24, 2023, at 4:00 p.m., a written notice of appeal setting out the reasons for appeal.

**AND THAT** the applicant or any public body may, at anytime before the approval of the final plan of Common Elements Condominium, appeal any of the conditions imposed by the Corporation of the County of Wellington by filing with the Director of Planning and Development a written notice of appeal that must set out the reasons in support of the appeal, accompanied by the applicable fee of \$1100.00, (certified cheque or money order) made payable to the Minister of Finance of Ontario.

You will be entitled to receive notice of any changes to the conditions of approval of the draft plan of Common Elements Condominium if you have either made a written request to be notified of the decision to approve or refuse to approve the draft plan of Common Elements Condominium, or made a written request to be notified of changes to the conditions of approval of the draft plan of Common Elements Condominium, accompanied by the applicable fee of \$1100.00, (certified cheque or money order) made payable to the Minister of Finance of Ontario..

#### PLANNING ACT REGULATIONS (O.Reg 544/06, as amended)

##### Section 9(4)

- i. You will be entitled to receive notice of any changes to the conditions of approval of the draft plan of condominium if you have either made a written request to be notified of the decision to approve or refuse to approve the draft plan of subdivision, or made a written request to be notified of changes to the conditions of approval of the draft plan of subdivision.
- ii. 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.

Section 9(5)

- i. Only individuals, corporations or public bodies may appeal decisions in respect to a proposed 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 group on its behalf.
- ii. No person or public body shall be added as a part of 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 Ontario Land Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

A copy of the decision, including the conditions, is attached. Additional information regarding the proposed plan of Common Elements Condominium is available to the public for inspection in the Planning and Development Department of the County of Wellington, as well as at the Municipal Offices for the Town of Minto during regular business hours.

**DATED** at the City of Guelph, County of Wellington Administration Centre, October 4, 2023

A handwritten signature in black ink, appearing to read 'Aldo Salis', written over a horizontal line.

Aldo Salis, M.C.I.P., R.P.P.  
Director of Planning and Development

**THE CORPORATION OF THE COUNTY OF WELLINGTON  
DECISION OF THE CORPORATION OF THE COUNTY OF WELLINGTON**

With respect to an application by Wriighthaven Homes Limited pursuant to the provisions of Section 51 of the Planning Act, R.S.O. 1990 as amended and pursuant to the Condominium Act, 1998 for approval of a plan of Common Elements Condominium, being Part of Block 26, Reg. Plan 61M-222, Bridge Crescent, Palmerston in the Town of Minto, County of Wellington. The Corporation of the County of Wellington has granted draft approval to this draft plan of Common Elements Condominium subject to the following conditions of draft approval:

**CONDITIONS OF APPROVAL FOR  
DRAFT PLAN COMMON ELEMENTS CONDOMINIUM 23CD-23002**

<b>No.</b>	<b>Condition</b>
1	THAT this draft approval applies to the draft plan of Common Element Condominium, file No. 23CD-23002, as prepared by Van Harten Surveying Inc. on April 26, 2023 (Project No. 25431-17), surveyor's certificate by James Laws, depicting a Common Element Condominium for functional elements being a private internal road network, servicing and landscaped areas. The development is ten (10) unit freehold cluster townhomes. The freehold lots to be created will be Parcels of Tied Land (POTLS), created by Part Lot Control, with each lot tied to the Common Element Condominium.
2	THAT the Town of Minto review and approve the proposed final plan of Common Elements Condominium prior to final approval being given by the County of Wellington.
3	THAT the Town of Minto assigns and provides to the County of Wellington the proposed civic addressing for the condominium units.
4	THAT such easements, conveyances and/or agreements as may be required for servicing, access, utility, stormwater management or drainage purposes shall be granted to the appropriate authority.
5	THAT the Owner enter into a Condominium Development Agreement with the Town of Minto for the purposes of satisfying all the requirements, financial and otherwise, including but not limited to the provision of roads, provision of signage, installation of services, and potable water facilities, waste disposal systems, stormwater management and drainage. Without limiting the generality of the foregoing, the Condominium Development Agreement and Condominium Declaration shall contain provisions which are satisfactory to the Town of Minto in regards to: <ol style="list-style-type: none"><li data-bbox="220 1581 1455 1654">a) Provisions to address the installation and maintenance of 'No Parking' signs on both sides of the private road;</li><li data-bbox="220 1686 1455 1759">b) Provide an easement for access over the Private Road (common element) for the purpose of flushing the private fire hydrant;</li><li data-bbox="220 1791 1455 1929">c) Provisions to require the Town opportunity to review and approve any proposed condominium description, declaration and any arrangements for shared use facilities (including access) and any related agreements and easements in respect of this condominium development.</li></ol>

d) That prior to final approval, the Owner shall provide the Town with a draft copy of the Declaration for its review and approval.

- 6 THAT the Town of Minto shall review and approve the proposed Declaration and Description including any arrangements for the shared use of facilities, any related agreements and easements in respect of this condominium development.
- 7 THAT the Condominium Development Agreement between the Owner and the Town of Minto shall be registered against the lands to which it applies once the plan of condominium has been registered on title; and that a copy of the Condominium Development Agreement as registered be filed with the Town of Minto.
- 8 THAT the Owner shall provide to the Town of Minto an AUTOCAD "dwg" digital file of the final plan of condominium.
- 9 THAT prior to final approval, the owner shall complete and submit to the Town of Minto a Landscape Plan, including the location of onsite waste disposal systems, completed by a qualified consultant to the satisfaction of the Town of Minto.
- 10 THAT the Owner shall provide a certification letter from the Owner's engineer stating that all servicing, grading, drainage, overland flow route, and stormwater management requirements, and base asphalt paving have been completed to the satisfaction of the Town of Minto, or that arrangements to the satisfaction of the Director of Building & Planning Services have been made for their completion.
- 11 THAT all measurements must be presented in metric units on the Condominium Plan and within all documents related to the condominium.
- 12 THAT the Owner confirms as-built compliance with the Zoning By-law and that any deficiencies be brought into compliance with the Zoning By-law through the Committee of Adjustment and/or a Zoning By-law Amendment prior to plan registration to the satisfaction of the Town of Minto.
- 13 THAT the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge Gas.
- 14 THAT 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.
- 15 THAT 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.
- 16 THAT the owners or their agents submit the following plans, reports and/or documentation to the satisfaction of the Town Risk Management Official:
  - a) A Salt Management Plan to manage winter maintenance activities until the roads are either assumed by the Town, or transferred to the condominium board;
  - b) A liquid fuel handling/storage and spill response procedure for construction;
  - c) Documentation of any Provincial Approvals (ECA, PTTW, etc.) subject to the proposal;
  - d) That any existing, unused, wells are decommissioned as per Ontario Regulation 903 and that this documentation is submitted to the Town and Risk Management Official;

- e) That the applicant implement best management practices, such as LID measures, with the goal to maintain predevelopment recharge.
- 17 THAT if applicable, and as part of future planning submissions, the following reports are requested to be circulated to the Risk Management office for review or reference:
- Site Plan and drawings, once completed
  - Planning Justification Report
  - Functional Servicing Report
  - Stormwater Management Brief/Report
  - Hydrogeological Study
- 18 THAT the condominium declaration shall contain provisions to the satisfaction of the County of Wellington regarding the collection of solid waste services for the development.
- 19 THAT prior to final approval, the Owner/Developer shall provide written confirmation from an authorized service provider that communication/telecommunication facilities will be provided within the proposed development to enable, at a minimum, the delivery of communication/telecommunication services for emergency management services (i.e. 9-1-1 Emergency) in accordance with CRTC requirements.
- 20 THAT the Owner shall provide to the County of Wellington an AUTOCAD "dwg" digital file of the final plan of condominium.
- 21 THAT the Owner's surveyor shall provide to the County of Wellington a written undertaking to provide to the County of Wellington a mylar, 2 white prints and electronic version of the final plan of condominium as registered in the Land Titles Office for Wellington (No. 61) should such documents not be forwarded to the County of Wellington by the local Land Registrar's office after registration of the plan.
- 22 THAT if final approval is not given to this draft plan of standard condominium No. 23CD-23002 within three years of this draft approval, and if no extensions to draft approval have been granted, draft approval shall lapse. If the Owner wishes to request an extension to draft approval, a written explanation, together with a resolution of support from the Council for the Township of Wellington North must be received by the Director of Planning for the County of Wellington prior to the lapsing date of OCTOBER 5, 2026.
- 23 THAT prior to final approval, the County of Wellington is to be advised in writing by the Town of Minto how conditions 2 to 12 inclusive have been satisfied.
- 24 THAT prior to final approval, the County of Wellington is to be advised in writing by Enbridge Gas how conditions 13 has been satisfied.
- 25 THAT prior to final approval, the County of Wellington is to be advised in writing by Bell/telecommunication provider how conditions 14 and 15 have been satisfied.
- 26 THAT prior to final approval, the County of Wellington is to be advised in writing by Wellington Source Water Protection how conditions 16 and 17 have been satisfied.
- 27 THAT prior to final approval the County of Wellington is to be advised in writing by Wellington County Solid Waste Services how condition 18 has been satisfied.

- 28 THAT prior to final approval by the County of Wellington, the Owner remit to the County of Wellington the applicable final approval fee which is in effect at the time of presentation of the final plan for final 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 Wellington, quoting the County plan of subdivision file number (23CD-23002).
2. Clearances are required from the following agencies:

**Town of Minto**  
**Enbridge Gas**  
**Bell/Telecommunication Provider**  
**Wellington Source Water Protection**  
**County of Wellington Solid Waste Services**

If the agency condition relates to a condition(s) in the subdivision agreement, a copy of the subdivision agreement should be sent to them. This will expedite the clearance of the final plan.

3. The costs of any relocations or revisions to Hydro facilities which are necessary to accommodate this subdivision will be borne by the developer.
4. 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 the 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.
5. The Owner is advised to contact Bell Canada at [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.
6. It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that not such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.
7. If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.
8. Measurements in final plans may be presented in metric or imperial units of measurement.
9. The final plan approved by the County of Wellington must be registered within 30 days of final approval or the County of Wellington may withdraw its approval under subsection 51(59) of the Planning Act, R.S.O. 1990 as amended.

10. The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 Emergency).
11. Payment of clearance letter fees may be required from the clearing agencies before the clearance letter is issued. Please contact the appropriate agency for information on this matter.