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**NOTICE OF DECISION**  
**Application for Approval of Draft Plan of Subdivision**  
**Under Subsection 51(37) of the Planning Act**

Approval Authority: County of Wellington

File Number: 23T-20201 – Mex Developments Inc.

**IN THE MATTER OF AN APPLICATION** for Draft Plan of Subdivision being Town of Minto, Part Lot 88, Concession D; Part of Park Lots E & F Preston's Survey, Harriston in the County of Wellington.

**TAKE NOTICE** that the Corporation of the County of Wellington gave approval for an application for draft plan of subdivision Wellington County File No. 23T-20201 on the under Section 51(31) of the Planning Act, R.S.O. 1990, c.P.13, as amended in respect of Town of Minto Part Lot 88, Concession D; Part of Park Lots E & F Preston's Survey Harriston 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. No oral submissions were made at the Public Meeting in support or opposition to the proposed draft plan of subdivision.

**RELATED APPLICATIONS** – Town of Minto Zoning by-law amendment File # ZBA-2020-03

**AND TAKE NOTICE** that any person or public body may appeal the decision to approve or refuse the draft plan of subdivision, the lapsing provision (if applicable) or any of the conditions of the approval of the draft plan of subdivision (is applicable) to the Ontario Land Tribunal, by filing with the Director of Planning and Development for the County of Wellington, not later than **December 23, 2021 at 1:00 p.m.** a written notice of appeal setting out the reasons for appeal, accompanied by a certified cheque or money order the applicable fee of \$1100.00, made payable to the Minister of Finance of Ontario.

**AND THAT** the applicant or any public body may, at any time before the approval of the final plan of subdivision, under Section 51(58) of the Planning Act, 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 a certified cheque or money order the applicable fee of \$1100.00, 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 subdivision 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 draft plan, decision, including the conditions, is attached. Additional information regarding the proposed plan of subdivision 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, this December 3, 2021

A handwritten signature in black ink, appearing to read 'Sarah Wilhelm', is positioned above a horizontal line.

Sarah Wilhelm, BES, MCIP, RPP  
Manager of Policy Planning

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

With respect to an application by - Mex Developments Inc. pursuant to the provisions of Section 51 of the Planning Act, R.S.O. 1990 as amended for approval of a plan of subdivision, being in the Town of Minto, Part Lot 88, Concession D; Part of Park Lots E & F, Preston's Survey, Harriston, Town of Minto, in the County of Wellington. The Corporation of the County of Wellington has granted draft approval to this draft plan of subdivision subject to the following conditions of draft approval:

**CONDITIONS OF APPROVAL FOR  
DRAFT PLAN OF SUBDIVISION 23T-20201**

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<b>No.</b>	<b>Condition</b>
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| 1 | THAT this draft approval applies to the draft plan, County of Wellington File No. 23T- 20201 Project drawing No. 26534-18 last revised on September 20, 2021 by Astrid J. Clos Planning Consultants, boundaries certified by Greg Ford, OLS, and showing 57 single detached lots; 30 semi-detached units; 39 townhouse units being a total of 126 residential lots/units; Stormwater Management Block 79 (0.494 ha); Open Space Block 80 (2.274 ha); Park Blocks 81 & 85 (0.203 ha); Future Development Blocks 82 & 83 (0.255 ha); Walkway Block 84 (0.071 ha) and Roads (2.375 ha); total land area is 10.369 ha.  |
| 2 | THAT the plan proposed for registration for any phase within the subdivision shall be reviewed and accepted by the Town of Minto prior to the County of Wellington's granting final approval of such plan or phases.  |
| 3 | THAT the street(s) shown and any reserves in this draft plan shall be dedicated to the Town of Minto. They shall be named to the satisfaction of the Town of Minto and where those streets are not extensions of existing streets that such new street names shall not be duplicates in spelling or phonetic sounding of street names elsewhere in the County of Wellington.  |
| 4 | THAT the Owner conveys up to 5% of the land included in the plan to the municipality for park purposes under section 51.1(1) of the Planning Act. Alternatively, the municipality may accept cash in lieu of all or a portion of the conveyance and, under section 51.1(3) of the Planning Act, the municipality is authorized to do so.  |
| 5 | THAT such easements and/or agreements as may be required for servicing, access, utility or drainage purposes shall be granted to the appropriate authority.   |
| 6 | THAT prior to final approval by the County of Wellington, the County of Wellington is to be advised by the Town of Minto that appropriate zoning is in effect for this proposed subdivision.  |
| 7 | THAT the Owner enter into a subdivision agreement with the Town of Minto for the purposes of satisfying all the requirements of the Town, financial and otherwise including but not limited to the provision of roads, signage and the installation of municipal services, and stormwater management and drainage. Without limiting the generality of the foregoing, the agreement shall contain wording to the satisfaction of the Town that addresses the following matters:<br><br>a) Contain phasing arrangements acceptable to the Town of Minto.<br>b) Contain provisions whereby the Owner shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the Town and include provisions that all damage or maintenance required to surrounding streets as a result of such traffic shall be at the Owner's cost.<br>c) Provide for the installation of a piped water supply system and a piped wastewater |

collection system, subject to the approval of the Ministry of the Environment, Conservation and Parks, and furthermore, shall provide for the Town of Minto to assume ownership and operation of the system.

- d) Contain wording to the effect that all agreements of purchase and sale shall ensure that all persons who make first purchases of land within the plan of subdivision after final approval of the subdivision plan, are informed when land is transferred, of all the development charges related to this development.
- e) Be registered against the lands to which it applies; and that a copy of the subdivision agreement as registered be filed with the County.
- f) Contain provisions whereby the Owner shall prepare and implement a vegetation management plan which evaluates the opportunity for the protection of trees and describes tree protection measures to be implemented by the developer. Where tree or significant vegetation removals are required, the vegetation management plan shall identify locations where compensatory planting can be installed and a detail plan for installations, to the satisfaction of the Town of Minto.
- g) Contain provisions to address the provision of adequate sidewalks, lighting and snow removal and which are satisfactory to the Upper Grand District School Board and to the Town of Minto in respect of the means whereby the children can walk safely to school or to school bus "student collection areas".
- h) Contains provisions that outline the items to be included in all Purchase and Sale Agreements related to this plan of subdivision.

8 THAT the County shall be satisfied by the Town of Minto that adequate water pollution control plant and water supply plant capacities are available for the proposed development and that such services have been appropriately allocated through the execution of the Subdivision Agreement. Prior to final approval of any phase the Town of Minto will confirm the servicing allocation for such phase.

9 THAT Owner shall make satisfactory arrangements with the appropriate provider of telephone, natural gas, cable television and other utilities for the provision of such services to this plan of subdivision.

10 THAT Blocks 79 (SWM), 80 (Open Space), 81 and 85 (Park), 84 (Walkway), and 83 (Future Development) on the plan of subdivision shall be conveyed to the Town of Minto. Provided, however, that the Town of Minto will give the Owner a right of first refusal to purchase Block 83 for \$2.00 in the event that such land is no longer required for use as a Stormwater Management Pond. Such right of first refusal shall continue indefinitely and may be assignable by the Owner.

11 THAT Prior to the initiation of any final site grading or servicing and prior to the registration of the Plan, submit for the approval of the Town of Minto, the following:

- a) An updated detailed Stormwater Management Report engineering report which describes the final design of the stormwater drainage system for the proposed development on the subject lands and areas offsite which may be impacted by the development. The report should include:
  - i. Plans illustrating how the drainage system will tie into the drainage of surrounding properties;
  - ii. The stormwater management techniques which may be required to control minor or major flows;
  - iii. How external flows will be accommodated and the design capacity of the receiving system;
  - iv. Location and description of all outlets and other facilities which may require permits;
  - v. Proposed methods for controlling or minimizing erosion and siltation onsite

- and/or in downstream areas during and after construction.
    - vi. Details of final stormwater management facilities intended to provide quality and quantity control stormwater generated from the development.
  - b) Overall grading plans and detailed lot grading for the subject lands that shall include finished floor elevations, top of foundation wall elevations, underside or finished basement slab elevation, underside of footings elevations, swale details, driveway elevations, lot corner elevations (existing and proposed) and drainage block and easement details. The grading plans shall be included in the Subdivision Agreement.
  - c) Storm and sanitary sewer design sheets, detailing peak flows and capacities of all constructed and altered sewers, and the Lorne Street West storm sewer.
  - d) Erosion and Sediment Control Plan, detailing all temporary erosion control measures to be in place during the construction period and permanent erosion control works to be left in place after construction.
  - e) Engineering design drawings for works to be constructed as part of the development including any off-site works that are the responsibility of the Developer.
  - f) Agree in the Subdivision Agreement, in wording acceptable to the Town of Minto:
    - i. To carry out, or cause to be carried out, all the works referred to in condition 9(a) to (f) above;
    - ii. To obtain the necessary permits and approvals from the Maitland Valley Conservation Authority and Ministry of the Environment.
- 12 THAT prior to final approval, the owner shall complete and submit to the Town of Minto, the following:
- a) Landscape Plan(s) completed by a qualified consultant to the satisfaction of the Town of Minto. The details of the Landscape Plan shall be included in the Subdivision Agreement.
  - b) Hydro plan(s), Street Lighting Layout and Details including Photometric analysis, individual utility supplier drawings, and a Composite Utility Plan (CUP). Plans are to be by qualified consultants to the satisfaction of the Town of Minto. When the CUP is approved it can then be re-circulated to the individual utility suppliers for their approval and confirmation that the plan matches their plans/requirements and no conflicts are noted. This confirmation is to be submitted in writing (email or otherwise) to the Town. Municipal Consent may then be issued for installation of the utilities within the Municipal ROW and Subdivision.
  - c) Plan and Profile drawings for every street to be constructed or altered.
  - d) Pavement Marking and Signage Plan, including any exterior works such as the northbound left turn lane on Elora Street, South.
- 13 THAT the details and recommendations of the geotechnical investigation shall be included in the Subdivision Agreement.
- 14 THAT all road drainage on John Street, southeast of Lorne Street, is to be directed to Stormwater Management Block 79, to the extent possible and to the satisfaction of the Town of Minto, to reduce flows conveyed to the Lorne Street storm sewer.
- 15 THAT a temporary Sediment Control Basin, complete with Hickenbottom and berm, is to contain and attenuate flows from Blocks 73 (Townhouses) and 82 (Future Development), and is provided on Future Development Block 82 prior to outletting to the Lorne Street storm sewer. This is required to reduce the opportunity for surcharging the Lorne Street storm sewer. This temporary Sediment Control Basin is to remain in place until Blocks 73 and 82 are developed.
- 16 THAT the owner agrees to maintain all storm water management facilities in good repair and operating order throughout all phases of construction until final acceptance of services has

been granted by the Town of Minto.

- 17 THAT all measurements in subdivision final plans must be presented in metric units.
- 18 THAT inauguration or extension of a piped water supply, a sewage system or a storm drainage system, is subject to the approval of the Ministry of the Environment under the Ontario Water Resources Act, RSO 1990, as amended.
- 19 THAT a Holding (H) Provision shall be put in place on lands, or part thereof, to the satisfaction of the Town of Minto which will not permit the issuance of building permits until the following matters have been addressed to the satisfaction of Council:
  - a) Municipal water and sewage servicing including sufficient reserve capacity is or will be made available to the land and which has been allocated by the Town for this development, or part thereof.
  - b) Stormwater management issues have been adequately addressed;
  - c) A detailed engineering design has been approved and the necessary development agreement(s) have been entered into with the Town.
- 20 THAT the Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service the development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada (telecommunication provider).
- 21 THAT the Owner agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
- 22 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.
- 23 THAT Education Development Charges shall be collected prior to the issuance of a building permit(s).
- 24 THAT the Developer shall agree to provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ArcGIS (shapefile or geodatabase) format or DXF format using a projected geographic coordinate system, containing the following information: parcel fabric and street network.
- 25 THAT the developer shall agree in the subdivision agreement that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) will be provided to allow children to walk safely to school or to a designated bus pickup point.
- 26 THAT the developer and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign (at the Developer's expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents about schools in the area.
- 27 THAT that the owner/developer shall complete to the satisfaction of Canada Post the following
  - The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
  - The Builder/Owner/Developer will confirm to Canada Post that the final secured



permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.

- The owner/developer will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.
- The owner/developer will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.
- The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.
- The owner/developer agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the Town of Minto.
- The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
- The owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.

28 THAT implementation of road surface markings for a northbound left-turn lane at the intersection of Elora Street South (Wellington Road 109) at Street 'A' (Anne Street) to the satisfaction of the Wellington Roads Department.

29 THAT submission of an entrance permit to the Wellington Roads for a new public road at each proposed access (Street 'A') will be required.

30 THAT the owner/developer shall complete to the satisfaction of Maitland Valley Conservation Authority the following:

- 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 Minto and the Maitland Valley Conservation Authority:
  - A final storm water management plan;
  - A final grading plan;
  - A final erosion and sedimentation control plan.
- Prior to final approval the Subdivider shall submit a grid survey of property elevations (electronic and physical copies) prepared by a licensed Ontario land surveyor, completed to the satisfaction of the Maitland Valley Conservation Authority, for the purpose of updating and maintaining the Harriston Floodplain Model.
- Prior to the registration of each phase the Subdivider shall acquire a letter of confirmation from the Maitland Valley Conservation Authority, indicating the Regulation Limit and floodplain mapping have been amended as needed, based upon grading works carried out by the applicant.

- 31 THAT the owner provide to the County of Wellington a digital file of the final plan of subdivision which is an AUTOCAD "DWG" file format.
- 32 THAT the Owner's surveyor provides to the County of Wellington a copy of the deposited Reference Plan submitted to the Land Registry/Titles Office for Wellington (No. 61) for "First Registration Under the Land Titles Act, R.S.O. 1990, c.L.5".
- 33 THAT the Owner's surveyor shall provide to the County of Wellington a written undertaking to provide to the County of Wellington a mylar copy, 2 white prints and a pdf, of the final plan of subdivision 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.
- 34 THAT if final approval is not given to this draft plan No. 23T-20201 within five years of draft approval and if no extensions have been granted pursuant to subsection 51(33) of the Planning Act, draft approval shall lapse under subsection 51(32) of the Planning Act, R.S.O. 1990. If an extension is being requested, a written explanation together with a resolution from the Town of Minto must be received by the Director of Planning for the County of Wellington prior to the lapsing date of DECEMBER 4, 2026.
- 35 THAT the County of Wellington be advised in writing by the Town of Minto that conditions 2 - 19 have been satisfied.
- 36 THAT the County of Wellington be advised in writing by Bell/telecommunication provider that conditions 20, 21 and 22 have been satisfied.
- 37 THAT the County of Wellington be advised in writing by Upper Grand District School Board that conditions 23, 24, 25 and 26 have been satisfied.
- 38 THAT the County of Wellington be advised in writing by County Roads Department that conditions 28 and 29 have been satisfied.
- 39 THAT the County of Wellington be advised in writing by Canada Post that condition 27 has been satisfied.
- 40 THAT the County of Wellington be advised in writing by Maitland Valley Conservation Authority that condition 30 has been satisfied.
- 41 THAT the Owner/Developer remit to the County of Wellington the applicable final approval fee when the final plan is being presented to the County of Wellington for the County's consideration for final plan approval.

## **NOTES to DRAFT PLAN 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 of Wellington's draft plan file number 23T-20201.
2. We suggest that you make yourself aware of the following subsections of the Land Titles Act:
  - i) subsection 143(1) requires that all new plans be registered in a Land Titles system if the land is situated in a land titles division; and
  - ii) subsection 143(2) allows certain exceptions.



3. If the agency condition concerns (a) condition(s) in the subdivision agreement, a copy of the agreement should be sent to them. This will expedite clearance of the final plan.
4. 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 in this matter.
5. 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.
6. 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 in 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. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the 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 Services).
7. Clearances are required from the following agencies:  
  

**Town of Minto**  
**Wellington County Roads Department**  
**Upper Grand District School Board**  
**Bell/Telecommunications Provider**  
**Canada Post**  
**Maitland Valley Conservation Authority**
8. All measurements in the subdivision final plan must be presented in metric units.
9. The final plan approved by the County of Wellington must be registered within 30 days of final approval, otherwise the County of Wellington may withdraw its approval under subsection 51(59) of the Planning Act, R.S.O. 1990, as amended.