

COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
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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-21001 Glen Allan Subdivision

IN THE MATTER OF AN APPLICATION for Draft Plan of Subdivision being Township of Mapleton Lots 34-46, Lots 62-77, Donald Sutherland's Survey Part Lot 5, Concession 2, Glen Allan 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-21001 on the under Section 51(31) of the Planning Act, R.S.O. 1990, c.P.13, as amended in respect of Township of Mapleton Lots 34-46, Lots 62-77, Donald Sutherland's Survey Part Lot 5, Concession 2, Glen Allan in the County of Wellington subject to conditions of approval.

PUBLIC INPUT: There was a written submission received and considered by the County of Wellington. No oral submissions were made at the Public Meeting in support of opposition to the proposed draft plan of subdivision.

RELATED APPLICATIONS – An application for a zoning by-law amendment was applied to Township of Mapleton ZBA2021-08.

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 (if applicable) to the Ontario Land Tribunal, by filing with the Director of Planning and Development for the County of Wellington, not later than **December 19, 2022 at 4:00 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.

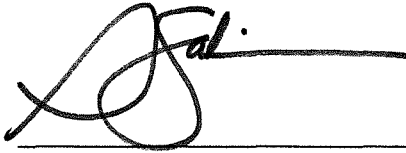
Section 9(5)

- 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 Township of Mapleton during regular business hours.

DATED at the City of Guelph, County of Wellington Administration Centre, this November 29, 2022

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

Aldo L. Salis, MCIP, RPP
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 - Glen Allan Subdivision 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 Township of Mapleton, Lots 34-46, Lots 62-77, Donald Sutherland's Survey, Part Lot 5, Concession 2, Glen Allen, Township of Mapleton 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-21001**

No.	Condition
1	THAT this draft approval applies to the draft plan, County of Wellington File No. 23T- 21001 Project drawing No. 17410A last revised on February 2, 2022 by MHBC Planning Ltd., certified by Ron Mak, OLS, Van Harten Surveying Inc., and showing 11 single residential lots (3.15 ha); Park Block 12 (0.171 ha); Stormwater Management Block 13 (0.306 ha); Future Development Blocks 14 and 15 (0.052 ha); Road Widening Block 16 (0.02 ha); Reserves Blocks 17 and 18 (0.004 ha); and roads (0.421 ha) total land area is 4.124 ha.
2	THAT such conveyances and easements as may be required for utilities, fire protection facilities, telecommunication services and servicing or drainage purposes shall be granted to the appropriate authority.
3	THAT the Township of Mapleton advise the County of Wellington that appropriate zoning is in effect for the development of the subject lands.
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 the Owner agrees to satisfy the requirements of the Township of Mapleton in reference to parkland dedication by completing a park plan and associated implementation plan, at the owner's expense, for park purposes as partial provision of the parkland dedication requirements, as provided in the subdivision agreement. The plan may include play equipment, planting plan and other equipment, structures or other amenities to be installed by the Owner and shall be reviewed by the Township prior to sign off.
6	THAT the Owner enter into a subdivision agreement with the Township of Mapleton for the purposes of satisfying all the requirements of the Township, financial and otherwise including but not limited to the provision of roads and the installation of services and drainage, lot grading, erosion and sediment control, drainage and the timing and payment of development charges, the planting and preservation of trees, provision of fencing, street lighting, signage, utilities. Without limiting the generality of the foregoing, the agreement shall contain wording to the satisfaction of the Township that addresses the following matters: a) Contain phasing arrangements acceptable to the Township of Mapleton. 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 Township 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; and that the agreement include a provision requiring the owner/developer to advise all contractor; sub-contractors and builders of this requirement.

- c) Contain provisions satisfactory to the Township of Mapleton for the maintenance of all storm water management systems in accordance with the approved plans throughout all phases of grading and construction until final assumption by the Township of Mapleton.
- d) Contain provision(s) that all lots will be made suitable for the installation of private wells and on-site sewage systems. The subdivision agreement shall also contain the requirement for a clause to be contained in the Agreement of Purchase and Sale of the lot(s) advising that the lot is serviced by a private well and a private sewage disposal system.
- e) 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.
- f) Be registered against the lands to which it applies; and that a copy of the subdivision agreement as registered be filed with the County.
- g) Contain provisions for the completion and implementation of a park plan. The details to be finalized in the subdivision agreement.
- h) The subdivision agreement shall require the Owner to provide a pre-construction assessment.
- i) That the developer shall agree that no works shall occur on the property until the Owner has entered into a subdivision agreement, a pre servicing agreement or model home agreement with the Township in writing.

- 7 THAT the road allowances and road widenings, shown on this Plan be conveyed, free and clear of all encumbrances to the appropriate road authority.
- 8 THAT any dead ends and open sides of road allowances created by this Plan as specified by the Township of Mapleton shall be terminated in a 0.3m reserve to be conveyed, free and clear of all encumbrances, to the Township of Mapleton.
- 9 THAT the street(s) shall be named to the satisfaction of the Township of Mapleton; and that such street names shall not be a duplicate in wording or phonetic sounding of any street name elsewhere in the County of Wellington.
- 10 THAT all streets and services shall be designed and constructed by the Owner to the standards of the Township of Mapleton.
- 11 THAT the subdivision agreement between the Owner and the Township of Mapleton contain provisions to construct all driveways accessing municipal roads, including driveway aprons, all to the satisfaction of the Township. Driveways shall be limited to one access point for each lot.
- 12 THAT the subdivision agreement between the Owner and the Township of Mapleton contain provisions that the Owner shall design and pre-grade an extension to Centre Street for a turning circle to the satisfaction of the Township of Mapleton.
- 13 THAT the subdivision agreement between the Owner and the Township of Mapleton contain provisions that the Owner shall design and construct an extension to South Mill Street providing a turning circle. The width of South Mill Street extension shall be sufficient to accommodate on-street parking by the park or layby parking to the satisfaction of the Township of Mapleton.
- 14 THAT the subdivision agreement between the Owner and the Township of Mapleton contain provisions that the Owner shall provide street lighting for the roads including George Street and South Mill Street to the satisfaction of the Township of Mapleton.
- 15 THAT the subdivision agreement between the Owner and the Township of Mapleton contain provisions that the Owner shall provide standard traffic signage on all roads and intersections

related to the plan of subdivision as well as stormwater management information and warning sign(s) and park sign(s) to the satisfaction of the Township of Mapleton.

- 16 THAT the Owner convey to the Township of Mapleton, free and clear of all encumbrances, Block 13 for storm water management purposes together with any easements required for maintenance and access purposes.
- 17 THAT prior to the registration of the plan of subdivision, the owner agrees to have prepared, by a qualified Consulting Engineer(s) or other professionals as noted below, and submitted to the Township for approval, the following reports. All reports and studies shall be to the satisfaction of the Township:
 - a) Prepare an updated Functional Servicing and Stormwater Management Report.
 - b) Stormwater Management Facility Operation & Maintenance Manual.
 - c) Stormwater Management Facility Monitoring Plan.
 - d) Master Development Plan, a component of the engineering drawings shall illustrate building envelopes, suggested dwelling sittings, rear yard activity areas, driveways, well location, septic system envelope with the corresponding grading and drainage requirements.
 - e) Landscape Plan prepared by a qualified Landscape Architect providing street scape design, providing a street tree every 15 m planted on private property, stormwater management facility landscaping, park landscaping and fencing.
 - f) Geotechnical Letter/Memo to the satisfaction of the Township to recommend construction requirements for the stormwater management facility.
 - g) Cut and Fill Plan.
 - h) Submission of AutoTURN analysis at all turning circles.
 - i) Erosion and Sediment Control Plans, a component of the engineering drawings to provide recommendations for the control, maintenance and monitoring of sediment during all phases of construction.
 - j) Detailed Engineering Drawings reflecting the recommendations of all reports and studies.
 - k) Homeowner's manual which provides information regarding the characteristics of the private water supply systems (wells), water conservation benefits, private water system disinfection options, and operation and maintenance of a private groundwater supply system as well as the characteristics of the sewage treatment and disposal systems proposed and the required operations and maintenance instructions (including the fact that private sewage treatment systems should be regularly serviced by the pumping of sludge and septage from the septic tanks). In additional general information about the stormwater management facility and related environment impacts should be included.
- 18 THAT the subdivision agreement between the Owner and the Township of Mapleton shall contain provisions that prior to any grading and construction on the site, the Owner shall retain a qualified hydrogeologist consultant to prepare and implement a Pre-Construction Survey of the static water level and quality of all wells, subject to the consent of the well owner, within 500 m of the development area or the expected area of influence as determined by the hydrogeologist to the satisfaction of the Township Engineer. Should the Township receive complaints regarding alleged well interference the Owner shall notify the MECF. They may require the Owner to update the preconstruction survey from time to time or, in the alternative, monitor the wells on which complaints have been received should the resident permit access, the well is accessible and of suitable condition. The Owner further agrees to respond to any claims of well interruption if any, due to the development of the subdivision to the satisfaction of the Ministry of the Environment, Conservation and Parks. Should there be any such interruption to properties located in proximity to the draft plan from commencement of construction to final assumption, the Owner agrees that it shall supply temporary water to the affected home(s), and if necessary, shall implement a

permanent solution such as, but not limited to, the installation of a new well to the satisfaction of the Ministry of the Environment, Conservation and Parks, as the case may be.

- 19 THAT the Owner shall agree that grading plans shall be prepared and submitted to the satisfaction of the Township prior to registration of the plan and that all such grading plans including the grading of roads shall be to the satisfaction of the Township Engineer and Township's Director of Public Works. The sloping within the stormwater management facility shall be a maximum of 20%. Should such grading not be satisfactory, the Owner specifically agrees that the plan of subdivision shall be redlined so as to make the grading acceptable and satisfactory to the Township.
- 20 THAT prior to the registration of the plan, a Hydrogeological Report must be approved to the satisfaction of the Township Engineer. It is acknowledged that the Owner has prepared and submitted to the Township the Hydrogeological Report On-Site Servicing Study dated March 2021 however it is further acknowledged that the Township Engineer has authority to request further clarification or additional details on the review of the detailed engineering submission.
- 21 THAT the subdivision agreement between the Owner and the Township of Mapleton contain provisions requiring the installation of all wells in the overburden or bedrock aquifer system to a depth of approximately 65 to 75 mbgs (or greater) and as determined by the licensed well drilling contractor and constructed to meet all Ontario Regulation 903 requirements.
- 22 THAT the subdivision agreement between the Owner and the Township of Mapleton contain provisions that each well will require water quality analysis prior to occupancy of the dwelling to the satisfactory of the Township. The hydrogeologist will be required to identify parameters that exceed Ontario Drinking Water Standards including Aesthetic and Operational parameters and recommend treatment options to the property owner.
- 23 THAT the subdivision agreement between the Owner and the Township of Mapleton contain provisions which requires the Owner to include wording within all Purchase and Sale Agreements related to this plan of subdivision to the satisfaction of the Township:
 - a) That treatment may be required due to the potential of elevated aesthetic objective or operational guideline drinking water quality parameters above the Ontario Drinking Water Quality Standards, Objectives and Guidelines. Water quality results from preliminary testing exceeding aesthetic and operational drinking water quality parameters included Alkalinity, Total Dissolved Solids, Hardness, Iron, and Manganese. Purchasers can refer to the Ministry of Environment Technical Support Document for Ontario Drinking Water Standards, Objectives and Guidelines for more information.
 - b) That each well will require water quality analysis prior to occupancy of the dwelling to the satisfaction of the Township:
 - c) That a disinfection treatment system should be installed in each dwelling for water treatment.
- 24 THAT the subdivision agreement between the Owner and the Township of Mapleton contain provisions which are satisfactory to the Township of Mapleton to address the following:
 - a) That each leaching bed design shall be based on post-grading soils and water table conditions as determined by the completion of one or more test pits. Soil analysis indicating the percolation rates and water table elevation for each proposed sewage system design shall be submitted by a qualified person with the building permit application.
 - b) A detailed individual plot plan to be approved by the Township of Mapleton which illustrates all proposed buildings and structures, the driveway, the private well, the private onsite sewage system and proposed elevations.
 - c) The owner shall install Level IV treatment units with minimum nitrogen removal

capabilities of 50%, CAN/BNQ 3680-600 to the satisfaction of the Township on all 11 lots. The lots shall have a specialized zoning in order for this requirement to be known in perpetuity for future replacements of the systems.

- d) Requirement for a clause to be contained in the Agreement of Purchase and Sale of the lot(s) advising which lots require enhanced on-site sewage treatment and the requirement that they will be required to enter agreements for annual maintenance of the systems as per the Ontario Building Code.

25 THAT the subdivision agreement between the Owner and the Township of Mapleton contain provisions for the installation of a 37,500 gallon buried tank complete with fire department connection at the Owners cost.

26 THAT the subdivision agreement between the Owner and the Township of Mapleton contain wording which is satisfactory to the Township of Mapleton that the Purchase and Sale Agreement contain a clause to advise purchasers that:

- a) All residential lots will be serviced by private individual potable water and septic sewage treatment units and to identify the property owners' maintenance obligations of such systems.
- b) There are nearby properties used for farming and/or the keeping of livestock. According to the Ontario Ministry of Agriculture Food and Rural Affairs "Farms can be noisy, dusty and have odours. Just like any other business, farms have a production schedule. During planting and harvesting season, there may be extra lights in a field at night or equipment working on the farm late in the day. Normal farm practices are activities that happen on the farm as part of day-to-day business. Some of these activities create disturbances, such as noise, odour, flies and electrical wired fencing. The activities and disturbances that are considered normal farm practices are allowed to happen on a farm.

27 THAT Education Development Charges shall be collected prior to the issuance of a building permit(s).

28 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.

29 THAT the developer shall agree in the subdivision agreement that adequate lighting and snow removal will be provided to allow children to walk safely to school or to a designated bus pickup point.

30 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.

31 THAT the developer shall agree in the subdivision agreement to advise all purchasers of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease: "In order to limit liability, public school buses operated by the Service de transport de Wellington-Dufferin Student Transportation Services (STWDSTS), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up students, and potential busing students will be required to meet the bus at a congregated bus pick-up point."

32 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.

- 33 THAT the Owner shall provide to the County of Wellington an AUTOCAD "dwg" digital file of the final plan of subdivision.
- 34 THAT the owner's solicitor confirm if Donald Sutherland's Survey is a registered plan of subdivision, and if so obtain the approval of a Deeming By-law from the Township of Mapleton to remove the Plan of Subdivision from the lands and attend to registration of the same, to the satisfaction of the County of Wellington.
- 35 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".
- 36 THAT the Owner have prepared by an Ontario Land Surveyor a final plan in accordance with the Surveys Act, and with the Registry Act or the Land Titles Act, as the case may be and have provided that plan (being 2 mylars and 4 white prints – one white print with Ontario Surveyors Association sticker attached) to the Director of Planning and Development for the County of Wellington prior to the lapsing date.
- 37 THAT the Owner ensures that the all lands within the draft plan have been consolidated into one parcel and is registered as LTA Absolute, to the satisfaction of the County of Wellington.
- 38 THAT if final approval is not given to this draft plan No. 23T-21001 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 Township of Puslinch must be received by the Director of Planning for the County of Wellington prior to the lapsing date of NOVEMBER 29, 2027.
- 39 THAT the County of Wellington be advised in writing by the Township of Mapleton that conditions 2 to 26 (inclusive) have been satisfied.
- 40 THAT the County of Wellington be advised in writing by the Upper Grand District School Board that conditions 27 to 31 (inclusive) have 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 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 (23T-21001).
2. Clearances are required from the following agencies:

Township of Mapleton
Upper Grand District School Board

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. Measurements in final plans may be presented in metric or imperial units of measurement.
6. It is the Owner'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, attention of the Director of Planning, 74 Woolwich Street, Guelph, ON, N1H3T9.
7. 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.
8. 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).