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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-22001 – 883890 Ontario Limited c/o Fergus Development Inc.

IN THE MATTER OF AN APPLICATION for Draft Plan of Subdivision being Township of Centre Wellington Part Lots 9, 10 & 11, Concession 3, Township of West Garafraxa, now Township of Centre Wellington 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-22001 on the 5th of October 2023 under Section 51(31) of the Planning Act, R.S.O. 1990, c.P.13, as amended in respect of Township of Centre Wellington Part Lots 9, 10 & 11, Concession 3, Township of West Garafraxa, now Township of Centre Wellington in the County of Wellington subject to conditions of approval.

PUBLIC INPUT: There were written submissions received and considered by the County of Wellington. Oral submissions were made at the Public Meeting.

RELATED APPLICATIONS – Common Elements Condominium application 23CD-22001 and Township of Centre Wellington Zoning By-law application RZ 06-22.

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 **OCTOBER 25, 2023 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 Centre Wellington.
during regular business hours.

DATED at the City of Guelph, County of Wellington Administration Centre, this October 5, 2023



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 - 883890 Ontario Limited c/o Fergus Development 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 Part Lots 9, 10 & 11, Concession 3, geographic Township of West Garafraxa, now Township of Centre Wellington 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-22001**

No.	Condition
1	THAT this draft approval applies to the draft plan of subdivision, County of Wellington File No. 23T-22001; as dated January 14, 2022 prepared by R-PE Surveying Ltd., and boundary certified by C.P. Edward, OLS, Project number 21021, and showing: Block 1 (42.35 ha) - existing Golf Course (NW Site) and Block 2 (39.85 ha) Residential Condominium (SE Site). Total land area being 82.20 ha
2	THAT the Township of Centre Wellington provides written confirmation to the County of Wellington that the appropriate zoning is in effect for the development of the subject lands.
3	THAT the Owner satisfy all the requirements, financial and otherwise, which the Township deems necessary to ensure the proper and orderly development of the subject land. Without limiting the generality of the foregoing, the development agreement shall contain provisions which are satisfactory to the Township of Centre Wellington concerning the provision of roads, signage, installation of services, storm water management and drainage.
4	THAT such easements as may be required for site servicing, drainage and storm water management, utility or telecommunication purposes, shall be granted to the appropriate authority.
5	THAT the owner/developer provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.
6	THAT the owner/developer comply with the following conditions to the satisfaction of Canada Post: <ol style="list-style-type: none">a) 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.b) 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.c) 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.d) 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.e) 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.f) 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 Centre Wellington (Fergus).

- g) 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.
- h) 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.

7 THAT the owner/developer comply with the following conditions to the satisfaction of the Upper Grand District School Board:

- That Education Development Charges shall be collected prior to the issuance of a building permit(s).
- That the developer shall agree to provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ARC/INFO export or DWG format containing parcel fabric and street network.
- 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) advising prospective residents about schools in the area.
- 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."

8 THAT prior to any grading or construction on the site and prior to registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the Grand River Conservation Authority:

- a) A detailed Stormwater Management Report in accordance with the 2003 Ministry of the Environment Report entitled "Stormwater Management Planning and Design Manual" and in keeping with The Village at Fairview Greens Stormwater Management Report (RJ Burnside, dated April 2023);
- b) Detailed Lot Grading, Servicing and Storm Drainage Plans showing existing and proposed grades;
- c) An Erosion and Siltation Control Plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction; and
- d) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the GRCA prior to any grading or development within the regulated area.

9 THAT the Owner/Developer fulfill the following conditions to the satisfaction of Source Water Protection:

- That the owners or their agents submit the following plans, reports and/or documentation to the satisfaction of the Township Risk Management Official:
 - o That amendments to the Threats Disclosure Report, Salt Management Plan, and Fuel Management Plan be submitted during detailed design.
- That no portion of the sewage system be located within 100m radius of the proposed production well, existing water supply well 'PW21-1', clubhouse well, and / or north irrigation well. This includes the above grade treatment equipment building and buried tanks.

- That the monitoring of the highly treated effluent be completed in accordance with the Ministry of the Environment, Conservation, and Parks (MECP) requirements that will be established as part of the Environmental Compliance approval (ECA). Any exceedances of the required targets will be reported to the MECP and appropriate mitigation and remediation will be completed.
 - That the owner, at the time of application to the Ministry of the Environment, Conservation, and Parks (MECP), provides a copy to the Township of the applications for the Permit to Take Water and Environmental Compliance Approval(s) for the sanitary sewage and stormwater management systems and that the owner confirms that the MECP has issued a Permit to Take Water and Environmental Compliance Approvals, and that Township comments on the applications and supporting documentation have been submitted to the MECP.
 - That the applicant install a flow meter that records water usage at the site and retains records to provide upon request.
- 10 THAT the owner/developer satisfy the following conditions to the satisfaction of the County of Wellington Roads Department:
- Require a conveyance of a one-foot reserve along WR 19 in the favour of the County of Wellington.
 - With the abandonment of the Black Municipal Drain 1976, this proposed development is to ensure that it will continue to accommodate the external drainage from WR 19 surface storm ditch system.
 - A single entrance will be provided with the installation of opposing left turn lanes and tapers to accommodate the access onto WR 19 as recommended in the Traffic Impact Study (TIS) prepared by BA Consulting Group Ltd. An agreement with the County and proponent will be required outlining that the cost, design and construction shall be the sole obligation of the proponent. All existing entrances accessing the site along WR 19 are to be removed.
 - The proposed Sanitary & Water Main Services crossing WR 19 will require an easement along with an agreement with the County and proponent outlining that costs of the construction, present and future maintenance, repair and replacement or expansion of the Services shall be the sole obligation and expense of the proponent.
 - That the acoustic fencing or any other acoustic mitigation device proposed along WR 19 are to be installed in such a location that minimize the potential impacts of drifting snow that will accumulate onto the road surface and cause a safety and maintenance concern during the winter months. During the detailed design stage for the acoustic mitigation the Wellington Roads will provide further comments.
 - Confirmation be provided that the tunnel crossing access under WR 19 between the existing golf course and the proposed residential development to the south will remain under the ownership of Golf North Properties Inc. or successor and will continue with maintenance, repair and replacement of the tunnel crossing if and when required.
- 11 THAT the Owner shall provide to the County of Wellington an AUTOCAD "dwg" digital file of the final plan to be registered.
- 12 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) to the Director of Planning and Development for the County of Wellington prior to the lapsing date.
- 13 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".
- 14 THAT if final approval is not given to this draft plan No. 23T-22001 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 Centre Wellington must be received by the Director of Planning for the County of Wellington prior to the lapsing date of OCTOBER 6, 2028.
- 15 THAT the County of Wellington be advised in writing by the Township of Centre Wellington that conditions 2 to 4 have been satisfied.

- 16 THAT the County of Wellington be advised in writing by Enbridge Gas that condition 5 has have been satisfied.
- 17 THAT the County of Wellington be advised in writing by Canada Post that condition 6 has been satisfied.
- 18 THAT the County of Wellington be advised in writing by the Upper Grand District School Board that condition 7 has been satisfied.
- 19 THAT the County of Wellington be advised in writing by the Grand River Conservation Authority that condition 8 has been satisfied.
- 20 THAT the County of Wellington be advised in writing by Source Water Protection that condition 9 has been satisfied.
- 21 THAT the County of Wellington be advised in writing by the Wellington County Roads Department that condition 10 has been satisfied.
- 22 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-22001).
2. Clearances are required from the following agencies:

Township of Centre Wellington
Enbridge Gas
Canada Post
Upper Grand District School Board
Grand River Conservation Authority
Source Water Protection
Wellington County Roads Department

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 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.