

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** May 22, 2025

**CASE NO(S).:**

OLT-24-001157

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Cachet Developments (Elora) Inc.  
Subject: Application to amend the Zoning By-law – Refusal or neglect to make a decision  
Description: To permit the development of 152 single-detached dwellings, 117 street townhouse dwellings  
Reference Number: RZ014/22  
Property Address: 75 Woolwich Street East  
Municipality/UT: Centre Wellington/ Wellington  
OLT Case No.: OLT-24-001157  
OLT Lead Case No.: OLT-24-001157  
OLT Case Name: Cachet Developments (Elora) Inc. v. Wellington (County)

**PROCEEDING COMMENCED UNDER** subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Cachet Developments (Elora) Inc.  
Subject: Proposed Plan of Subdivision – Failure of Approval Authority to make a decision  
Description: To permit the development of 152 single-detached dwellings, 117 street townhouse dwellings  
Reference Number: 23T- 22005  
Property Address: 75 Woolwich Street East  
Municipality/UT: Centre Wellington/ Wellington  
OLT Case No.: OLT-24-001158  
OLT Lead Case No.: OLT-24-001157

**Heard:**

May 15, 2025 by Video Hearing

**APPEARANCES:**

**Parties**

**Counsel**

Cachet Developments (Elora) Inc.

Sarah Kagan  
Ira T. Kagan  
Kristie Stitt (*in absentia*)

Township of Centre Wellington

Eric Davis

County of Wellington

Peter Pickfield  
Colin Leger (*in absentia*)

Upper Grand District School Board

Brad Teichman  
Justine Reyes (*in absentia*)

**DECISION DELIVERED BY KURTIS SMITH AND ORDER OF THE TRIBUNAL**

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**INTRODUCTION**

[1] Following the First Case Management Conference (“CMC”) held on January 24, 2025, the parties reached a full settlement, executing Minutes of Settlement (Exhibit 6). Therefore, the parties requested that this hearing event be converted to an uncontested settlement hearing and release the previously scheduled 10-day merit hearing.

[2] Cachet Developments (Elora) Inc. (“Applicant”) proposes to develop the 12.5 hectare (“ha”) lands municipally known as 75 Woolwich Street East in the Municipality of Centre Wellington (“Township”), in the County of Wellington (“County”). The Applicant applied for a Zoning Bylaw Amendment (“ZBA”) and filed a Draft Plan of Subdivision application (“DPS”) in 2022 to facilitate the development, and on November 14, 2024, the Applicant filed appeals of non-decision.

[3] The revised proposed development now sought will see the construction of 269 dwelling units comprised of 152 single detached and 117 townhouse dwellings, a 0.63 ha open space park (“Park”), two walkway blocks, a service block, an overland flow block, and public streets as shown in **Attachment 2**.

[4] The two walkway blocks enable pedestrians to travel to and from the (1) Park to the existing residential development to the south and (2) the adjacent Salem Public School which, is part of the Upper Grand District School Board (“UGDSB”).

[5] The Tribunal, based on Matthew Cory’s *Curriculum Vitae* and Acknowledgement of Experts Duty, qualified Mr. Cory to provide opinion evidence in the area of land use planning.

## **EVIDENCE & FINDINGS**

[6] Mr. Cory provided the Tribunal with a fulsome written opinion evidence (Exhibit 1) and focused oral evidence at the hearing. His evidence found that the revised proposed development has regard for Provincial Interest under s. 2 of the *Planning Act* (“Act”), is consistent with the Provincial Planning Statement 2024 (“PPS”) and conforms with the Wellington County Official Plan (“WCOP”) and the Township of Centre Wellington Official Plan (“Township OP”). Furthermore, that the DPS has regard for matters listed in S. 51(24) of the Act and that the conditions of draft plan approval are “typical, standard, and fair” and therefore are appropriate.

[7] The above-mentioned planning documents effecting the ZBA and DPS have several common themes and are implemented by the applications including:

- Appropriate and desirable urban design including window streets and enhanced street presence along Woolwich Street E by providing rear access townhouses.

- Contributes to diversifying the range and mix of housing by providing townhouses and single detached lot size options.
- Supports active transportation through the installation of sidewalks on both sides of the street, walkways that connects to the existing neighbourhood, local public school and proposed Park.
- Optimizes existing municipal infrastructure as the lands are fully serviced and are planned to be developed at a higher density than the surrounding land uses.
- Protects natural features by including an environmental easement along the west side of the Lands to protect the existing tree canopy and providing overflow land blocks to ensure proper lot grading and drainage control plans.

[8] On the uncontested evidence of Mr. Cory the Tribunal finds that the revised ZBA have due regard for matters of Provincial Interest in s. 2 of the Act, is consistent with the PPS, conforms with the WCOP and Township OP and that the conditions of DPS has regard for the criteria of s. 51 (24) of the Act and that the revised conditions are reasonable.

## **ORDER**

[9] **THE TRIBUNAL ORDERS THAT** the Zoning By-law Amendment appeal is allowed in part, and By-law No. 2009-045, as amended, is hereby amended as set out in **Attachment 1** to this Order. The Tribunal authorizes the municipal clerk of the Township of Centre Wellington to assign a number to this by-law for record keeping purposes;

[10] **AND FURTHER THE TRIBUNAL ORDERS THAT** the draft Plan of Subdivision appeal is allowed in part and the draft plan as attached as **Attachment 2** is approved, subject to the fulfillment of the conditions set out in **Attachment 3** to this Order;

[11] **AND THE TRIBUNAL ORDERS THAT** pursuant to subsection 51(56.1) of the Planning Act, the County of Wellington shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of subdivision for the purposes of subsection 51(58) of the Act. In the event that there are any difficulties implementing any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Tribunal may be spoken to.

*“Kurtis Smith”*

KURTIS SMITH  
MEMBER

### **Ontario Land Tribunal**

Website: [www.olt.gov.on.ca](http://www.olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248  
The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

## ATTACHMENT 1

### The Corporation Of The Township Of Centre Wellington By-Law 2025 - XX

A by-law to amend the Township of Centre Wellington Zoning By-law 2009-045, as amended, to change the zoning of certain lands from "FD" to "R2.52.5", "R3.52.6", "R3.52.7" and "OS".

**WHEREAS** the Council of the Corporation of the Township of Centre Wellington deems it desirable to amend By-law No. 2009-045, as amended, pursuant to Section 34 of the Planning Act, R.S.O. 1990;

**Now therefore the council of the corporation of the Township of Centre Wellington hereby enacts as follows:**

1. Schedule "A" Map 52 to By-law No. 2009-045 is hereby amended in accordance with the attached Schedule "A" which forms part of this By-law
2. By adding the following subsection to Section 15 – Exceptions

Exception No.	Zone	Special Provisions
15.52.5	R2.52.5	Notwithstanding any provision in this By-law to the contrary, on lands zoned R2.52.5 the provisions of the R2 zone shall apply except for the following special regulation: <ol style="list-style-type: none"> <li>a) Minimum Front Yard: 4.5m to habitable portion of the dwelling; 6m to the garage door</li> <li>b) Minimum Exterior Side Yard: 3.5m to habitable portion of the dwelling; 6m to the garage door</li> <li>c) Minimum Rear Yard: 7m</li> <li>d) The driveway width shall not exceed 60% of the lot width to a maximum driveway width of 7.0m</li> <li>e) The outside walls of an attached garage shall not exceed 60% of the lot width</li> </ol>

3. By adding the following subsection to Section 15 – Exceptions

Exception No.	Zone	Special Provisions
15.52.6	R3.52.6	Notwithstanding any provision in this By-law to the contrary, on lands zoned R3.52.6 the provisions of the R3 zone shall apply except for the following special regulation: <ol style="list-style-type: none"> <li>a) Minimum Lot Area: 180m<sup>2</sup></li> <li>b) Minimum Front Yard: 4.5m to habitable portion of the dwelling; 6m to the garage door</li> <li>c) Minimum Exterior Side Yard: 3.5m to habitable portion of the dwelling; 6m to the garage door</li> <li>d) Minimum Rear Yard: 6.5m</li> <li>e) Maximum number of attached dwelling units in a row: 8</li> <li>f) Minimum Landscaped Open Space: Not Applicable</li> </ol>

4. By adding the following subsection to Section 15 – Exceptions

Exception No.	Zone	Special Provisions
15.52.7	R3.52.7	Notwithstanding any provision in this By-law to the contrary, on lands zoned R3.52.7 the provisions of the R3 zone shall apply except for the following special regulation: <ol style="list-style-type: none"> <li>a) Minimum Lot Area: 180m<sup>2</sup></li> <li>b) Minimum Front Yard: 3.5m to habitable portion of the dwelling; 6m to the garage door</li> <li>c) Minimum Exterior Side Yard: 3.5m to habitable portion of the dwelling; 6m to the garage door</li> <li>d) Minimum Rear Yard: 3.0m</li> <li>e) Maximum building height: 3 storeys but not greater than 11.5 metres</li> <li>f) Maximum number of attached dwelling units in a row: 8</li> <li>g) Minimum Landscaped Open Space: Not Applicable</li> </ol> <p>For the purposes of this zone, the front property line shall be deemed to be the property line on the southern part of the lot. The rear property line shall be along Woolwich Street.</p>

5. All other applicable provisions of By-law No. 2009-045 shall continue to apply to the lands affected by this amendment
6. This by-law shall come into effect on the date of final enactment by the Council pursuant to Section 34 of the Planning Act, R.S.O., 1990.

READ A FIRST AND SECOND TIME THIS xx<sup>th</sup> DAY OF {MONTH}, 2025.

\_\_\_\_\_  
Mayor Shawn Watters

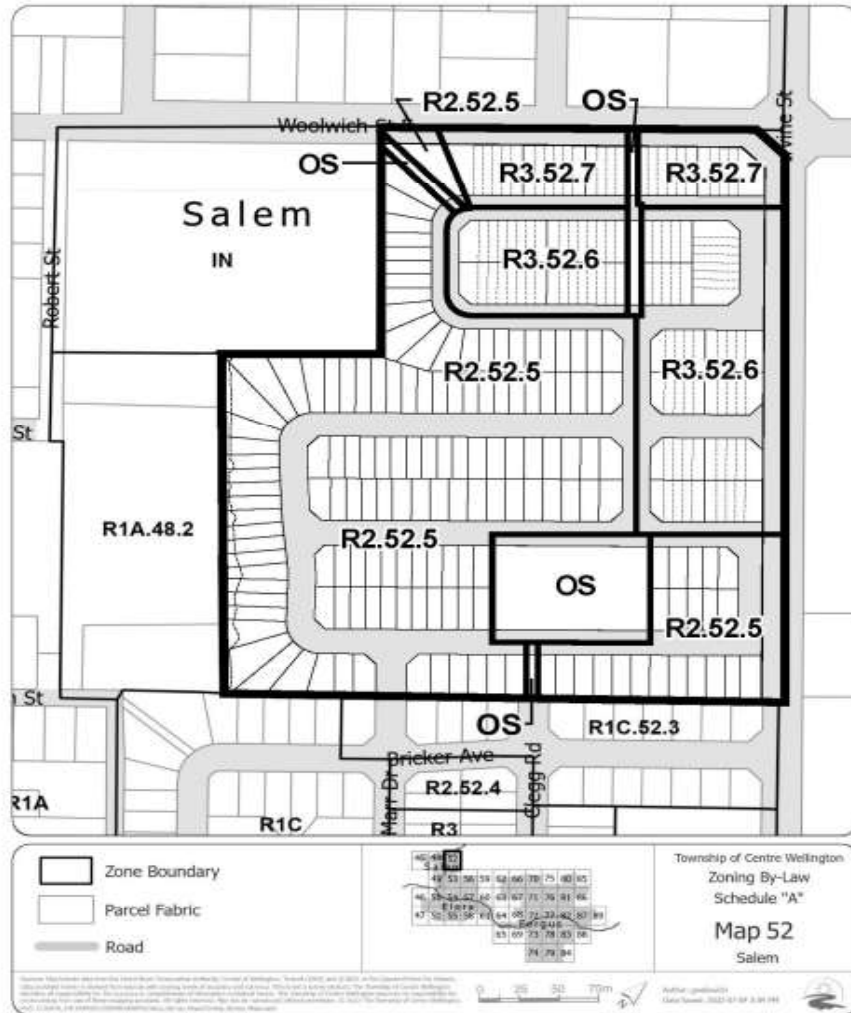
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Municipal Clerk – Kerri O’Kane

READ A THIRD TIME AND PASSED THIS xx<sup>th</sup> DAY OF {MONTH}, 2025.

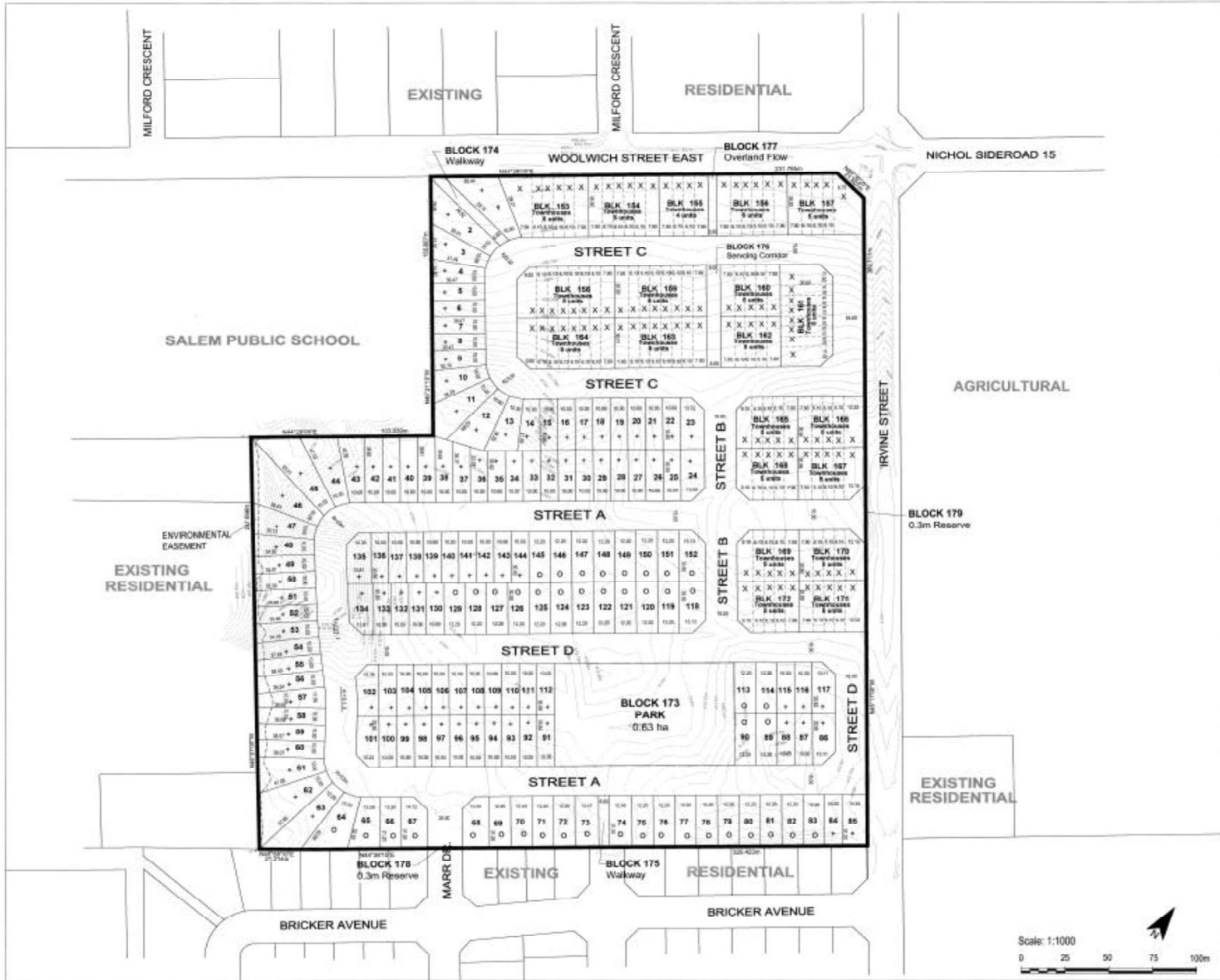
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Mayor Shawn Watters

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Municipal Clerk – Kerri O’Kane

**TOWNSHIP OF CENTRE WELLINGTON**  
**Schedule "A"**  
**BY-LAW NO. 2025-XX**  
 An Amendment to By-law No. 2009-045



# ATTACHMENT 2



## **ATTACHMENT 3**

**OLT Case #OLT-24-001158**

### **Draft Plan – 23T-22005 Clayton Subdivision County, Township and Agency Draft Conditions**

#### **Township of Centre Wellington**

1. THAT the plan proposed for registration for any phase within the subdivision shall be reviewed and accepted by the Township of Centre Wellington prior to the County of Wellington's granting final approval.
2. THAT the road allowances included in this draft plan shall be shown and dedicated as public highways.
3. THAT the street(s) shall be named to the satisfaction of the Township of Centre Wellington and such new street names shall not be duplicates of street names elsewhere in the County of Wellington.
4. THAT any dead ends and open sides of road allowances created by this draft plan shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust by the Township of Centre Wellington.
5. THAT prior to final approval by the County of Wellington, the County of Wellington is to be advised by the Township of Centre Wellington that appropriate zoning is in effect for this proposed subdivision.
6. THAT the Owner agrees to satisfy the requirements of the Township of Centre Wellington in reference to parkland dedication by conveying Block 173 at time of registration of the first phase.
7. THAT the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the Township of Centre Wellington including but not limited to the provision of roads and the installation of services and drainage, the planting and preservation of trees, and the provision of fencing.
8. THAT such easements and/or agreements as may be required for servicing, access, utility or drainage purposes shall be granted to the appropriate authority.
9. THAT the Subdivision Agreement between the Owner and the Township of Centre Wellington contains phasing arrangements acceptable to the Township of Centre Wellington.
10. That the developer 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. All damage repair or maintenance required to surrounding streets as a result of such traffic shall be at the developer's cost.

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County, Township and Agency Draft Conditions**

11. THAT the Subdivision Agreement between the Owner and the Township of Centre Wellington be registered against the lands to which it applies, and that a copy of that Subdivision Agreement as registered in the Land Registry Office be filed with the County of Wellington.
12. THAT prior to final approval by the County of Wellington or any construction or grading on the subject property, the Owner or its agent shall submit the following plans or reports to the Township of Centre Wellington for review and approval:
  - a) lot grading and drainage control plans that show the limits of all grading, including existing and proposed site grades and drainage;
  - b) a storm servicing plan showing the layout of the storm sewer system;
  - c) a Final Stormwater Management Report and Plans in accordance with the Stormwater Management Practices Planning and Design Manual (Ministry of the Environment, 2003) and the Nichol Drain No. 1 Subwatershed Study. The report shall identify a stormwater management pond that is appropriately designed to accommodate only the subject development, include an assessment of the impacts on off-site watercourses and municipal drains, and show how the infiltration function will be protected or maintained;
  - d) erosion and sedimentation control plans in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control which show how exposed soils, sediments, and eroded materials will be retained on site during all phases of construction. Plans should include maintenance requirements for all employed devices;
  - e) a Baseline Hydrogeology and Impact Assessment report that provides the following:
    - i) An assessment of groundwater level monitoring data from on-site monitoring wells which shall include data collected over four full consecutive seasons. The report shall, based on the observed seasonal fluctuation in groundwater levels, provide a predicted "high" groundwater elevation across the site as well as a recommended high groundwater elevation on a lot by lot basis. The recommended high groundwater elevation for each lot is intended to ensure adequate vertical separation from the underside of the proposed footing elevation to the seasonal high groundwater elevation at a given lot.

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- ii) Provision that proposed lot grading plans for the development shall provide a minimum 0.3 m separation on all lots. If the minimum vertical separation cannot be met, foundation excavations are to be inspected by a Geotechnical Engineer prior to footing/foundation construction to confirm soil conditions match expected geotechnical/hydrogeological conditions. Inspection report to be provided to the Township of Centre Wellington Building Department as soon as possible (not later than commencement of framing).
  - iii) Provision that a geotechnical engineer will observe the open excavation for all buildings prior to backfilling. If layers of high permeability material in excess of 600 mm are encountered in the excavation the basement dewatering system will be designed to accommodate the potential for greater than expected basement dewatering. This system will be designed to suit the maximum basement dewatering rate and will be submitted to the Township for their review and comment.
  - iv) Shall identify any potential impacts to the quality or quantity of water in existing private wells in proximity to the site that may be impacted by the development; and, if deemed necessary, incorporate a recommended protocol for a private well monitoring and mitigation program to be approved by the Township prior to its implementation.
- f) An Environmental Implementation Report or other documentation satisfactory to the Township showing how the recommendations and mitigation measures from the Environmental Impact Study, with any necessary updates, will be implemented and addressed.
13. THAT the Owner in the Subdivision Agreement between the Owner and the Township of Centre Wellington shall agree in writing in a form acceptable to the Township of Centre Wellington:
- a) To undertake all works according to the plans and reports approved under condition no. 12 above;
  - b) To construct, install and maintain erosion and sediment control facilities, satisfactory to the Township's Consulting Engineer, prior to any grading or construction on the subdivision lands in accordance with a plan that has been submitted to and approved by the Township's Consulting Engineer.

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Furthermore, the developer's engineer shall provide a qualified environmental inspector, satisfactory to the Township's Consulting Engineer, to inspect the site during all phases of development and construction including grading, servicing, and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures and compliance with the approved plans on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the Township's Consulting Engineer on a monthly or more frequent basis;

- c) 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 Township of Centre Wellington;
- d) To erect a subdivision sign on the property containing the following information:
  - i) identifying all proposed uses within the draft approved plan of subdivision
  - ii) identifying off street parking restrictions to be imposed by the Township upon final acceptance of the subdivision
  - iii) illustrating the location of proposed sidewalks, public walkways, trails, fences and community mailbox locations

14. THAT the Owner enter into a Service Financing Agreement between the Owner and the Township of Centre Wellington which contains provisions satisfactory to the Township of Centre Wellington to ensure the construction and financing of all external services which are necessary to provide appropriate levels of service to this plan of subdivision. Without limiting the generality of the foregoing, such Service Financing Agreement shall require the developer to finance, in whole or in part, the following:

- a) Reconstruction of Irvine Street to an urban section on the development frontage (west side only);
- b) Reconstruction of Woolwich Street East to an urban section on the development frontage (south side)
- c) Construction and maintenance of the proposed external storm water management facilities include all works and facilities and outlet improvements appurtenant thereto, and addressing conveyance of the

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storm water management works and facilities to the Township upon certification to the satisfaction of the Township

15. THAT the developer pays the cost of supplying and erecting street name and traffic control signs in the subdivision, to the satisfaction of the Township.
16. THAT any domestic wells and boreholes drilled for hydrogeological or geotechnical investigations within the limits of the draft plan of subdivision be properly abandoned in accordance with the Ministry of Environment Regulations and Guidelines to the satisfaction of the Townships' Director of Infrastructure.
17. THAT the developer shall include in the Subdivision Agreement and insert in all agreements of purchase and sale or lease for each dwelling in the subdivision – *“The lands adjacent this subdivision are being utilized for normal agricultural operations that may result in noise, dust, odour and other potential nuisances associated with livestock or agricultural uses. These normal agricultural practices may occasionally affect the living environment of residents in close proximity to agricultural operations.”*
18. THAT the Subdivision Agreement between the Owner and the Township of Centre Wellington shall contain provisions whereby the Owner shall make satisfactory arrangements with the appropriate providers for the provision of permanent and/or temporary hydro, telephone, natural gas, and cable television services to this plan.
19. THAT the Owner in the Subdivision Agreement between the Owner and the Township of Centre Wellington shall agree in writing in a form acceptable to the Township of Centre Wellington that the proposed tree removal compensation plantings are incorporated into a Landscape or Planting Plan, in accordance with the findings and recommendations in the Arborist Report. This plan should propose the use of native species suitable to the subject property and surrounding area, whose selection has been informed by the natural inventory work completed on the property.
20. THAT, prior to final approval, additional details of the proposed tree protection fencing (TPF) around Tree Protection Zones (TPZ) be provided with the Tree Inventory and Protection Plan and implement the recommendations in the Arborist Report. TPF should be installed along the limit of grading and limit of construction to protect retained trees, as well as any adjacent natural features. TPF locations should be included in the TIPP and detailed design drawings. It is recommended that the TPF be combined with the Erosion and Sediment Control (ESC) fence where suitable and be comprised of geotextile woven heavy-duty silt fencing with paige-wire backing. The TPF/ESC fencing will ensure that the proposed site grading does not result in erosion or sedimentation impacts to trees or other natural features to be retained. The fencing

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should follow the Ontario Provincial Standard for "heavy-duty silt fencing" (OPSD 219.130) and is anticipated to effectively protect trees to be retained throughout the site grading and development period.

**Bell Canada/Telecommunication**

21. THAT the Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada/telecommunication provider to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada/telecommunication provider.
22. THAT the Owner agrees that should any conflict arise with existing Bell Canada/telecommunication provider 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.
23. 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.

**Canada Post**

24. THAT the owner/developer comply with the following conditions to the satisfaction of Canada Post:
  - 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

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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 Township of Centre Wellington.
- 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.

**Enbridge**

25. 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.

**Grand River Conservation Authority**

26. THAT Prior to any grading or construction on the site and prior to registration of the

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plan, the owners or their agents submit the following plans and reports to the satisfaction of the Grand River Conservation Authority:

- a) A Final Stormwater Management Report in accordance with the 2003 Ministry of Environment Report entitled, "Stormwater Management Practices Planning and Design Manual" and in keeping with the "Clayton Subdivision" Preliminary Stormwater Management Report (Revised November 2024, MTE Consultants Inc.)
- b) Detailed Lot Grading and 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.
- d) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit under Ontario Regulation 150/06 for any proposed works within the regulated area.

**Wellington Source Water Protection**

27. THAT prior to final approval that the following be addressed to the satisfaction of the Township's Risk Management Official:

- a) A salt management plan be prepared and required to be implemented during construction;
- b) A liquid fuel handling/storage and spill response procedure be prepared and implemented for liquid fuel handling and storage during construction; and
- c) Confirmation of any existing or proposed *transport pathways* on the subject property.

**Upper Grand District School Board**

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

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- That Education Development Charges shall be collected prior to the issuance of a building permit(s).
- That the developer shall agree, upon registration of the plan, 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 parcel fabric and street network.
- That the developer shall provide safe and appropriate pedestrian connections from the proposed subdivision to the existing school to the satisfaction of the UGDSB and the municipality.
- That, prior to final approval of the plan, the Developer shall provide sidewalk connections from the proposed subdivision to the existing terminus along the school's frontage at no cost to the Upper Grand District School Board.
- 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.
- That the developer provide a revised Traffic Report analyzing existing and proposed pedestrian movements and traffic calming measures required for the safety and protection of children prior to granting final approval of the subdivision.
- 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 that students may be directed to schools outside the area.
- That the developer shall provide detailed engineering design for the proposed subdivision development prior to final approval of any phase or stage of the subdivision, to ensure the grading of the lands have no negative impact on the existing school.
- That the Developer agrees in the subdivision agreement that all grading works and surface stabilization on lands adjacent to UGDSB property, and on UGDSB property, is to be completed in the first phase of the subdivision.

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- That prior to final approval of any phase or stage of the subdivision, the developer provides detailed grading and drainage plans to ensure that existing drainage patterns are maintained on UGDSB property and any works related to drainage outlets on the adjacent lands are to be completed in the first phase of the development. If it isn't feasible for permanent infrastructure to be installed, temporary drainage structures are to be provided to UGDSB's satisfaction.
- That the Developer shall agree in the subdivision agreement to install a 1.8 m galvanized chain link fence along the entire perimeter of the Salem Public School site at no cost to the Board.
- That prior to final approval of any phase or stage of the subdivision, the Developer shall enter into an agreement with the Upper Grand District School Board to monitor both quality and water supply volume in the existing Salem Public School well for a period of at least two years after the completion of all construction and remediate any negative impacts at no cost to the Board.
- That prior to final approval of any phase or stage of the subdivision, the Developer shall provide a Tree Management Plan to the satisfaction of the UGDSB.
- 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."*
- 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, until such time as a permanent school is assigned:

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*"Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may in future have to be transferred to another school."*

- That the Developer shall agree in the subdivision agreement to advise all purchasers of the residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease:

*"The Purchasers/Occupants agree and understand that there is an existing elementary school in this area along with outdoor playing and study areas and parking lot and that there may be noise during and outside of the normal school hours throughout the year. Additionally, there may be increased traffic during the pick-up and drop-off times and during school events, outside of normal school hours. By purchasing this real estate, you acknowledge and accept any/all potential conflicts."*

**Wellington Catholic School Board**

29. THAT the owner/developer comply with the following conditions to the satisfaction of the Wellington Catholic School Board:

- The Developer and the Wellington Catholic School Board shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
- That prior to the registration of all or any portion of the plan, the Wellington Catholic District School Board shall advise the County in writing how their conditions have been satisfied.
- Education Development Charges shall be collected prior to the issuance of building permits.

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- Circulation of phasing plans, revisions to the number or type of units proposed, or any other substantial changes to the circulated application is requested.

**General County Conditions**

30. THAT the Owner shall provide to the County of Wellington an AUTOCAD "dwg" digital file of the final plan to be registered.
31. 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.
32. 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 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.
33. THAT if final approval is not given to this draft plan of subdivision No. 23T-22005 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 Centre Wellington must be received by the Director of Planning for the County of Wellington prior to the lapsing date of DATE.
34. THAT prior to final approval the County of Wellington is to be advised in writing by the Township of Centre Wellington how conditions 1 to 20 have been satisfied.
35. THAT prior to final approval the County of Wellington is to be advised in writing by Bell/telecommunication provider how conditions 21 to 23 has been satisfied.
36. THAT prior to final approval the County of Wellington is to be advised in writing by Canada Post how condition 24 has been satisfied.
37. THAT prior to final approval the County of Wellington is to be advised in writing by Enbridge Gas how condition 25 has been satisfied.

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38. THAT prior to final approval the County of Wellington is to be advised in writing by Grand River Conservation Authority how condition 26 has been satisfied.

39. THAT prior to final approval the County of Wellington is to be advised in writing by Wellington Source Water Protection how condition 27 has satisfied.

40. THAT prior to final approval the County of Wellington is to be advised in writing by Upper Grand District School Board how conditions 28 has been satisfied.

41. THAT prior to final approval the County of Wellington is to be advised in writing by Wellington Catholic District School Board how conditions 29 has been satisfied.

42. 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.
2. Clearances are required from the following agencies:

**Township of Centre Wellington  
Enbridge Gas  
Bell/Telecommunication Provider  
Upper Grand District School Board  
Grand River Conservation Authority  
Canada Post  
Wellington Source Water Protection  
Wellington Catholic 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.

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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. 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.
9. 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

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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).

10. 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
  
11. NOTE: Pursuant to the Clean Water Act, a Section 59 Notice and Risk Management Plan are not required for this proposal. If the nature of the development changes, Notices may apply and a Risk Management Plan may be required.