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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-23004
Marann Homes Limited

IN THE MATTER OF AN APPLICATION for Draft Plan of Subdivision being Township of Guelph-Eramosa 47 Bedford Road, Part Lots 14, 15 & 16, Reg Plan 365, geographic Township of Guelph 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-23004 on November 13, 2024 under Section 51(31) of the Planning Act, R.S.O. 1990, c.P.13, as amended in respect of Township of Guelph-Eramosa 47 Bedford Road, Part Lots 14, 15 & 16, Reg Plan 365, geographic Township of Guelph in the County of Wellington subject to conditions of approval.

PUBLIC INPUT: There were written submissions received and considered by the County of Wellington.

RELATED APPLICATIONS – none

AND TAKE NOTICE that any person or public body may appeal the decision to approve or refuse the draft plan of subdivision, the lapsing provision (if applicable) or any of the conditions of the approval of the draft plan of subdivision (is applicable) to the Ontario Land Tribunal, by filing with the Director of Planning and Development for the County of Wellington, not later than **November 27, 2024 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 proposed plan of subdivision if you have made a written request to be notified of changes to the conditions.
- 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, if one was held, 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. No person or public body shall be added as a party to 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 Guelph-Eramosa.

DATED at the City of Guelph, County of Wellington Administration Centre, this November 7, 2024

A handwritten signature in black ink, appearing to read 'A. 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 Marann Homes Limited 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 47 Bedford Road, Part Lots 14, 15 & 16, Reg Plan 365, geographic Township of Guelph now Township of Guelph-Eramosa 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-23004**

No.	Condition
1	THAT this draft approval applies to the draft plan, County of Wellington File No. 23T-23004, as dated August 17, 2023, by Martin Knowles, President of Marann Homes, certified by Trevor McNeil, MTE Consultants Inc., on August 15, 2023 (Project No. 23039) showing 5 Single Detached Residential Lots; Municipal Road with a Gas Pipeline Easement; and a Stormwater Management Easement. Total land area of 2.37 ha.
2	THAT prior to final approval by the County of Wellington, the proposed final plan be given review and acceptance by the Township of Guelph/Eramosa.
3	THAT prior to final approval by the County of Wellington, the County of Wellington is to be advised by the Township of Guelph/Eramosa that appropriate zoning is in effect for this proposed subdivision.
4	THAT the road allowance included in this draft plan shall be shown and dedicated as a public highway to the satisfaction of the Township of Guelph/Eramosa.
5	THAT the streets shall be named to the satisfaction of the Township of Guelph/Eramosa, and such new street names shall not be duplicated in wording or phonetic sounding of street names elsewhere in the County of Wellington.
6	THAT the Owner will provide and will install all pavement markings, traffic signage and street name signs that may be required by the Township of Guelph/Eramosa.
7	THAT the Owner satisfies the requirements of the Township of Guelph/Eramosa for parkland dedication as provided for under the Planning Act, R.S.O 1990, as amended.
8	THAT such easements as may be required for utility, fire protection facilities, telecommunication services, sanitary sewer, or drainage purposes shall be granted to the appropriate authority.
9	THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa 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.
10	THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa shall contain a provision that the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the Township of Guelph/Eramosa concerning the provision of roads, street signs, installation of services, and drainage.
11	THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa shall contain provisions whereby the Owner shall make satisfactory arrangements with the

appropriate electricity provider and telephone provider for the provision of permanent and/or temporary electrical services and telephone services to the plan.

- 12 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa shall contain provisions 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.
- 13 THAT prior to final approval by the County of Wellington and prior to any grading or construction on the subject property, the Owner or its agent shall submit the following plans and reports to the Township of Guelph/Eramosa for review and approval:
 - i) A final Functional Servicing and Storm Water Management Report/Plans addressing stormwater management; water, wastewater servicing and utilities; and area grading and road works to the satisfaction of the Township and applicable approval authorities;
 - ii) A Geotechnical Report addressing soil and groundwater conditions;
 - iii) A Salt Management Plan be prepared to the satisfaction of Source Water Protection and the Township of Guelph/Eramosa;
 - iv) A drainage plan showing the layout of the drainage works including channel, infiltration measures, and drainage swales;
 - v) A grading and drainage control plan showing the limits of all grading, including existing and proposed grades. The plans should indicate the locations of all proposed building envelopes, structures, accesses, and septic system envelopes;
 - vi) A detailed erosion and sediment control plan in accordance with the Erosion and Sediment Control Guidelines for Urban Construction (2006) indicating the means whereby erosion will be minimized and sediment maintained on-site throughout all phases of grading and construction;
 - vii) A Tree Protection Plan indicating minimal tree removal and appropriate protection of boundary trees;
 - viii) Standalone Stormwater Operations and Maintenance Manual; and
 - ix) Confirmation that the applicant is able to provide legal outlet for stormwater to the receiving watercourse/drain
 - x) A fulsome drawing set including, at a minimum, the following Plans:
 - Cover Sheet, complete with the following information:
 - Development name
 - Key plan showing site location
 - Developer & Consultant's information
 - Drawing index
 - Submission number
 - Phasing Plan (as applicable)
 - Erosion & Sediment Control (ESC) Plan
 - Servicing Plan(s)
 - Stormwater Facility Design Plan & Details
 - Storm Drainage Plan (Pre-Development & Post-Development) & Design Sheets, including external drainage areas as applicable
 - Plan/Profile Drawings
 - Overall Grading Plans
 - Landscape Plans
 - Composite Utility Plans (including any external upgrades required to support the development)
 - Provide a lighting design, light standard details, and photometric analysis
 - Pavement Markings & Signage Plan
 - Sidewalk and Trail Plans (as applicable)
 - Construction Phasing Plans

- Fire Break Plan
- Details & Notes Plan

- 14 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa contain provisions which are satisfactory to the Township of Guelph/Eramosa to address the following:
- i) A detailed plan showing the building envelopes and septic tile field locations, and the locations and dimensions of proposed infiltration galleries; and
 - ii) Procedures for the design of each septic disposal system by a qualified engineer and for the supervision of the installation of each individual septic disposal system; and
 - iii) Procedures for the design of each infiltration gallery by a qualified engineer and for the supervision of the installation of each individual infiltration gallery; and
 - iv) A soils analysis performed by a qualified engineer indicating percolation rates. Such soils analysis must also be performed on any imported fill that is to be used in the construction of any septic systems; and
 - v) A site grading plan.
- 15 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa shall contain provisions with respect to the completion of works outlined in condition No. 13 and No. 14.
- 16 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa contain a provision that the lots will be made suitable for tertiary sewage disposal systems with disposal beds designed to meet the standards of the Ontario Building Code.
- 17 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa contain wording which is satisfactory to the Township of Guelph/Eramosa that the Purchase and Sale Agreement contain a clause to advise purchasers that:
- i) Lots will be serviced by private individual tertiary sewage disposal systems, and to identify the maintenance, repair and replacement requirements of these systems; and
 - ii) Although services by municipal water, individual pressure boosters may be required and to identify that the maintenance, repair and replacement of these systems are the responsibility of the homeowner.
- 18 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa shall contain wording satisfactory to the Township that the Purchase and Sale Agreement contain a clause that those lots which will have a subdrain collection system installed to control the groundwater level are the responsibility of the lot owner to operate, maintain, repair and/or replace.
- 19 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa shall contain provisions with respect to fuel handling and storage requirements during construction of the subdivision and its associated facilities.
- 20 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa shall contain provisions for cleaning and maintenance of Township owned roads to the satisfaction of the Township during all phases of construction of the proposed development.
- 21 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa shall contain provisions that the developer is to obtain a Ministry of the Environment,

Conservation and Parks Environmental Compliance Approval for the proposed stormwater management facilities.

- 22 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa shall contain provisions for decommissioning any unused wells found on the property, including monitoring wells, per Ontario Regulation 903, and that documentation of decommissioning is submitted to the Township upon completion.
- 23 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa contain a provision for additional long term groundwater monitoring.
- 24 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa contain a provision that, based on the findings of the long-term groundwater monitoring, the proposed sewage system and infiltration gallery configurations be adjusted in accordance with applicable design standards and good engineering practice.
- 25 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa contain a provision that, based on the findings of the long term groundwater monitoring, foundation design and elevation be adjusted to account for the measured groundwater depth, or suitable waterproofing or dewatering provisions be put in place, along with a clause satisfactory to the Township of Guelph/Eramosa in the Purchase and Sale Agreement relating to implications of such systems and long term operation and maintenance requirements.
- 26 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa contain a provision that a Nitrate Impact Analysis with respect to the proposed individual, private on-site sewage systems.
- 27 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa contain a provision that no tree removal shall take place between April 1 and August 31.
- 28 THAT the Subdivision Agreement between the Owner and the Township of Guelph/Eramosa contain a provision that a screening for Species at Risk (SAR) and Significant Wildlife Habitat (SWH) based on online databases and the consultant's characterization of the site to support SAR or SWH.
- 29 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
- 30 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.
- 31 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.
- 32 THAT the owners or their agents submit the following plans, reports and/or documentation to the satisfaction of Wellington County Source Water Protection
 - a) A Salt Management Plan to manage winter maintenance activities until the roads are assumed by the Township;
 - b) A liquid fuel handling / storage and spill response procedure for construction;
 - c) The submission of a water balance assessment report that evaluates pre and post

development hydrogeological conditions. Section 5.1.3 of the Functional Servicing and SWM Report (MTE Consultants, July 28, 2023) indicates on-site infiltration will meet pre-development conditions, but calculations are not provided. Please see attached Appendix D for further information.

- d) Documentation of any Provincial Approvals (ECA, PTTW, etc.), including any required for de-watering, subject to the proposal;
- e) That any existing, unused, wells are decommissioned as per Ontario Regulation 903 and that this documentation is submitted;
- f) Documentation of any transport pathway proposed for the development.

- 33 THAT the Owner shall provide to the County of Wellington an AUTOCAD "dwg" digital file of the final plan to be registered.
- 34 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".
- 35 THAT the Owner's surveyor shall provide to the County of Wellington a written undertaking to provide to the County of Wellington a mylar, 2 white prints and electronic version of the final plan of condominium as registered in the Land Titles Office for Wellington (No. 61) should such documents not be forwarded to the County of Wellington by the local Land Registrar's office after registration of the plan.
- 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) to the Director of Planning and Development for the County of Wellington prior to the lapsing date.
- 37 THAT if final approval is not given to this draft plan No. 23T-23004 within three 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 Guelph-Eramosa must be received by the Director of Planning for the County of Wellington prior to the lapsing date of NOVEMBER 8, 2027.
- 38 THAT the County of Wellington be advised in writing by the Township of Guelph-Eramosa that conditions 1 to 28 (inclusive) have been satisfied.
- 39 THAT the County of Wellington be advised in writing by Enbridge Gas that condition 29 has been satisfied.
- 40 THAT the County of Wellington be advised in writing by Bell/telecommunication provider that conditions 30 and 31 have been satisfied.
- 41 THAT the County of Wellington be advised in writing by County of Wellington Source Water Protection that condition 32 has been satisfied.
- 42 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-23004).

2. Clearances are required from the following agencies:

Township of Guelph-Eramosa
Enbridge Gas
Bell/Telecommunication Provider
Wellington County Source Water Protection

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 in this matter.