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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-24002 – 2073022 Ontario Inc. – East Ridge Landing Phase 5

IN THE MATTER OF AN APPLICATION for Draft Plan of Subdivision being Part Lot 1, Concession 1, geographic Township of West Luther, Arthur Village, now Township of Wellington North 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-24002 on April 2, 2025 under Section 51(31) of the Planning Act, R.S.O. 1990, c.P.13, as amended in respect of Part Lot 1, Concession 1, geographic Township of West Luther, Arthur Village, now Township of Wellington North in the County of Wellington subject to conditions of approval.

PUBLIC INPUT: There were no written submissions received and considered by the County of Wellington.

RELATED APPLICATIONS – Wellington County Official Plan Amendment came into effect March 27, 2025

AND TAKE NOTICE that an appeal to the Ontario Land Tribunal in respect to all or part of this Draft Plan of Subdivision may be made by filing a notice of appeal with the County of Wellington either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting **Wellington County** as the Approval Authority or by mail 74 Woolwich Street, Guelph, ON N1H 3T9, no later than 4:00 p.m. on **APRIL 22, 2025**. The filing of an appeal after 4:00 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$1,100.00 (per Application) can be paid by certified cheque/money order to the **Minister of Finance, Province of Ontario**. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to landdivisioninfo@wellington.ca

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 as directed above.

Any of the following may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by the approval authority; the applicant; the Minister; the municipality; any public body that, before the appeal authority made its decision, made oral submissions at a public meeting, if one was held, or written submissions to the approval authority.

Who Can File An Appeal

As per Section 51(39) the following may file an appeal of the decision with the approval authority: a specified person, a public body and the registered owner, if before the plan was adopted made oral submission at a public meeting or written submission to the Council; the Minister; the municipality; and in the case of a request to amend the plan, the person or public body that made the request.

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

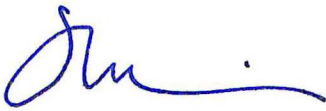
oral submissions at a public meeting, if one was held, or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions or, in the Ontario Land Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

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 Wellington North during regular business hours.

DATED at the City of Guelph, County of Wellington Administration Centre, this April 02, 2025



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

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

With respect to an application by 2073022 Ontario Inc. - East Ridge Landing Phase 5 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 Part Lot 1, Concession 1, West Luther Arthur Village, now Township of Wellington North 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-24002**

No.	Condition
1	THAT this draft approval applies to the draft plan, County of Wellington File No. 23T-24002, draft plan Project No. 17-14-384-01-B, as lastly revised on August 1, 2024 by Thomas J. Salb, O.L.S.J.D. Barnes Limited, showing 18 Single Family detached residential lots (Lots 1-13, 15 & 17-20); 12 Semi-detached lots (Lots 14, 16 & 21-24); 25 unit On-Street Townhouses (Blocks 25-29) Walkway 0.61 ha (Block 30); Streets (0.826 ha) being a total area of 3.454 ha.
2	THAT prior to final approval by the County of Wellington, the County of Wellington is to be advised by the Township of Wellington North that appropriate zoning is in effect for this proposed subdivision.
3	THAT the streets shown in this draft plan shall be dedicated to the Township of Wellington North as public highway and the streets shall be named to the satisfaction of the Township of Wellington North and where those streets are not extensions of existing streets, that such new street names shall not be duplicates in spelling or phonetic sounding of street names elsewhere in the County of Wellington.
4	THAT the Owner enter into a subdivision agreement with the Township of Wellington North for the purposes of satisfying all the requirements of the Township, financial and otherwise including but not limited to the provision of roads, signage, the installation of municipal services, the planting and preservation of trees, stormwater management, and drainage. The agreement shall be registered against the lands to which it applies; and that a copy of the subdivision agreement as registered be filed with the County. The scope and extent of the items identified below will be further materialized at the detailed design phase in consultation with the Township of Wellington North. Without limiting the generality of the foregoing, the agreement shall contain wording to the satisfaction of the Township of Wellington North that addresses the following matters: <ol style="list-style-type: none">a) Contain phasing arrangements acceptable to the Township of Wellington North.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 of Wellington North 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.c) Provide for the installation of a piped water supply system and a piped waste water collection system.d) Provide for the installation of a piped storm system and storm water management facility, subject to the approval of the MECP if applicable.e) Contain wording to the effect that all agreements of purchase and sale shall contain wording advising 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) Provide for the submission, to the satisfaction and approval of the Township of Wellington North, of design drawings and supporting information to address the requirements of the proposed development including roads, boulevards, pedestrian access, municipal servicing, drainage/SWM, utilities, landscaping/tree preservation, signage, external works required to support the development, and any other requirement of approval agencies.
- g) That prior to the initiation of any site grading or servicing and prior to final approval, the owner must submit updated and final detailed geotechnical investigation report for the site prepared by qualified Engineers to the satisfaction of the Township. The report shall provide an assessment of proposed groundwater recharge mitigative measures on the identified seeps and on the lot buildings and structures. The report shall provide an assessment of groundwater levels as well as establishing design high groundwater elevations on a lot by lot basis. The recommended high groundwater elevation for each lot is intended to ensure a minimum vertical separation from the underside of the proposed footing elevation to the seasonal high groundwater elevation at a given lot of 0.3m. Proposed lot grading plans for the development shall provide the minimum recommended separation on all lots. The geotechnical report shall establish the structural fill requirements on a lot by lot basis which shall be incorporated on detailed lot grading plans.
- h) Contain provisions to address the provision of adequate sidewalks, lighting and snow removal which are satisfactory to the Upper Grand District School Board and to the Township of Wellington North in respect of the means whereby the children can walk safely to school or to school bus "student collection areas".
- i) Contain wording to the effect that all agreements of purchase and sale shall include wording advising purchasers that the lands adjacent to the subdivision are being utilized for normal agricultural operations that may result in noise, dust, odour and other potential nuisances associated with agricultural uses. These normal farm practices may occasionally affect the living environment of residents in close proximity to agricultural operations.
- j) Contain wording to the effect that all agreements of purchase and sale shall include wording advising purchasers that Environmental Warnings/Restrictions will be registered on title pertaining to adjacent land uses (ie. Municipal Sewage Lagoons) and operations and associated potential occurrences of odours, noise, traffic, etc. These operations may occasionally affect the living environment of residents in closer proximity to the Township Sewage Lagoons.
- k) Contain provisions for municipal fees to be collected prior to start of construction for the Infrastructure Services Department as found in the current Fees and Charges By-law at time of construction.

- 5 THAT such easements, conveyances, and/or agreements as may be required for servicing, access, utility or drainage purposes shall be granted to the appropriate authority.
- 6 THAT prior to final approval and registration of any phase of the plan, the Township of Wellington North shall confirm to the satisfaction of the County of Wellington that an adequate water supply and sewage capacity at the waste water treatment plant are available and have been allocated for the applicable plan or phase or that satisfactory arrangements have been made to ensure that an adequate water supply will be available when required.
- 7 THAT the owner shall make satisfactory arrangements with the appropriate provider of electricity, telephone, natural gas, cable television and other utilities for the provision of such services to this plan of subdivision to the satisfaction of the Township of Wellington North.
- 8 THAT Block 30 (Open Space - Walkway), on the draft plan of subdivision shall be conveyed to the Township of Wellington North free and clear of encumbrances.

- 9 THAT the final M plan to be registered include 0.3 m (1ft) reserves to be provided to the Township as required.
- 10 THAT a Holding (H) Provision shall be put in place on lands, or part thereof, to the satisfaction of the Township of Wellington North which will not permit the issuance of building permits until the following matters have been addressed to the satisfaction of Council:
- a) Municipal water and sewage allocation has been granted to the development;
 - b) A detailed engineering design has been approved and the necessary development agreement(s) have been entered into with the Township.
- 11 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.
- 12 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.
- 13 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.
- 14 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, upon registration of the plan, 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 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 shall supply, erect, and maintain a sign (at its expense and according to the Board's specifications) affixed to the permanent development sign 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."

- 15 THAT the owners or their agents submit the following plans, reports and/or documentation to the satisfaction of the Township Risk Management Official:
 - a) A Salt Management Plan to manage winter maintenance activities;
 - b) A liquid fuel handling / storage and spill response procedure for construction;
 - c) Documentation of the ECA for the phase 5 sewers, once available;
 - d) Implementation of best management practices, such as LID measures, with the goal to maintain pre-development recharge;
 - e) That any existing, unused, wells are decommissioned as per Ontario Regulation 903 and that this documentation is submitted.
- 16 THAT the Owner shall provide to the County of Wellington an AUTOCAD "dwg" digital file of the final plan to be registered.
- 17 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.
- 18 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".
- 19 THAT if final approval is not given to this draft plan No. 23T-24002 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 Wellington North must be received by the Director of Planning for the County of Wellington prior to the lapsing date of APRIL 3, 2028.
- 20 THAT the County of Wellington be advised in writing by the Township of Wellington North that conditions 2 to 10 (inclusive) have been satisfied.
- 21 THAT the County of Wellington be advised in writing by the Bell (telecommunication provider) that conditions 11 and 12 have been satisfied.
- 22 THAT the County of Wellington be advised in writing by Upper Grand District School Board that condition 14 has been satisfied.
- 23 THAT the County of Wellington be advised in writing by the Wellington Source Water Protection that condition 15 has been satisfied.
- 24 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-24002).
2. Clearances are required from the following agencies:

**Township of Wellington North
Bell/Telecommunication Provider
Upper Grand District School Board
Wellington 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. 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 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. Pursuant to the Clean Water Act, there is no Notice required for this proposal. It should be noted that if the nature of the development changes, Section 59 Notices may apply.