

THE CORPORATION OF THE COUNTY OF WELLINGTON

DECISION OF THE CORPORATION OF THE COUNTY OF WELLINGTON

With respect to an application by Ann Clark and Barry Heinmiller pursuant to the provisions of Section 51 of the Planning Act, R.S.O. 1990 as amended for approval of a residential plan of subdivision, being Part of Lot 23, Concession 1, geographic Township of Minto, now Town of Minto in the County of Wellington:

THAT the application by Ann Clark and Barry Heinmiller for a residential Draft Plan of Subdivision is hereby approved September ____, 2016, subject to the following conditions of approval:

No.	Condition:
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| 1. | THAT this draft approval applies to the draft plan, County of Wellington File No. 23T-15004, draft plan Project No. 2614, as lastly revised on August ____, 2016 by Cuesta Planning Consultants, boundary certified by J.D. MacMillan, O.L.S. and showing Part of Lot 23, Concession 1, geographic Township of Minto (Palmerston), now Town of Minto with 21 single detached residential lots (Lots 1-21); 8 semi-detached residential lots (Block 22); 10 street townhouses (Block 23); 1 Stormwater Management Area (Block 24); 1 Utility Corridor (Block 25) being a total area of 2.25 hectares. |
| 2. | That prior to final approval by the County of Wellington, the County of Wellington is to be advised by the Town of Minto that appropriate zoning is in effect for this proposed subdivision. |
| 3. | THAT the streets shown in this draft plan shall be dedicated to the Town of Minto. They shall be named to the satisfaction of the Town of Minto 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 satisfy the requirements of the Town of Minto for parkland dedication, or the equivalent cash in lieu of, as provided for under the Planning Act, R.S.O. 1990, as amended. |
| 5. | That Block 24 is transferred to the Town of Minto for stormwater management / drainage / access purposes, and that Block 25 is transferred to the Town of Minto for utilities maintenance / access purposes in accordance with the Town of Minto Municipal Servicing Standards, all to the satisfaction of the Town of Minto. |
| 6. | THAT such easements as may be required for utilities, fire protection facilities and drainage purposes shall be granted to the appropriate authority. |
| 7. | THAT prior to any grading or construction on the site, the Owner submit the following plans and reports to the satisfaction of the Town of Minto: <ul style="list-style-type: none">a) A final detailed Stormwater Management Report in accordance with the specifications outlined in "Maitland Valley Conservation Authority Stormwater Management Guide" and the 2003 Ministry of the Environment Report entitled "Stormwater Management Practices Planning and Design Manual". |

- b) A final detailed Erosion and Sedimentation Control Plan, indicating the means whereby erosion will be minimized and maintained on site throughout all phases of grading and construction; including a monitoring and maintenance plan and provision for timely revegetation of the site.
 - c) A final detailed lot grading and drainage plan showing the limits of all grading, including existing and proposed grades and information on the proposed minimum underside of footings elevation.
8. THAT the Owner enters into a Subdivision Agreement with the Town of Minto for the purposes of satisfying all the requirements, financial and otherwise, of the Town of Minto. Without limiting the generality of the foregoing, the subdivision development agreement shall contain provisions which are satisfactory to the Town of Minto concerning the provision of roads, signage, installation of municipal services, payment of frontage fees towards existing sanitary, water and storm sewer services where applicable, storm water management and drainage, and release of securities and also include provisions which address the following;
- a) That wording acceptable to the Town of Minto be included addressing the completion and maintenance of the works in accordance with the approved plans and reports noted in Condition No. 7 above throughout all phases of grading and construction.
 - b) That a detailed geotechnical investigation be prepared to the satisfaction of the Town of Minto's Engineer.
 - c) That the fencing of the stormwater management area Block 24 is to the satisfaction of the Town of Minto.
 - d) That wording to the effect that all agreements of purchase and sale shall ensure that all persons who make first purchases of land within the plan of subdivision after final approval of the subdivision plan are informed, when the land is transferred, of all the development charges related to this plan of subdivision.
 - e) That the Owner provide detailed road design including but not limited to road width, turning radius, sidewalks, and streetlights.
 - f) That management of the field drainage tile is addressed in the stormwater management plan.
 - g) That provision is made for a secondary emergency access road from Street A to Mary Street.
 - h) That provision is made for "dark sky" lighting.
9. THAT the subdivision agreement between the Owner and the Town of Minto be registered by the Town of Minto against the lands to which it applies; and further, that a copy of the subdivision agreement as registered be forwarded to the County of Wellington.
10. THAT prior to final approval and registration of any phase of the plan, the Town of Minto shall confirm to the satisfaction of the County of Wellington that an adequate water supply is available and has 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.
11. THAT prior to final approval and registration of any phase of the plan, the Town of Minto shall confirm to the satisfaction of the County of Wellington either that adequate sewage capacity is available and has been allocated in the sewage collection system for the subject plan or phase,

or that satisfactory arrangements have been made to ensure that adequate capacity will be available when required.

12. THAT the owner shall obtain approvals for access onto Main Street (Wellington Rd. 123) for proposed Ontario Street, from the Office of the County Engineer.
13. THAT the owner/developer provide to Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services in a form satisfactory to Union Gas Limited.
14. THAT the owner agrees in writing satisfactory to the Upper Grand District School Board to the following:
 - a) to pay the education development charges prior to the issuance of building permits.
 - b) to provide a digital file of the plan of subdivision in either **ARC/INFO** export or **DWG** format containing parcel fabric and street network.
 - c) That adequate sidewalks, lighting and snow removal is provided to allow children to walk safely to school or to a congregated bus stop.
 - d) To supply and erect a sign, at the developer's expense and according to Board specifications, advising prospective residents about schools in the area.
15. THAT the Owner provide, to the satisfaction of the County of Wellington Planning Department, a copy of the final plan of subdivision created in Autocad (.dwg) format and submitted on CD (compact disc) media or by email.
16. THAT the County of Wellington confirm that the removal of trees necessary for the creation of a stormwater management area in Block 24, is exempted under Section 3.1 (d) of the Wellington County Forest Conservation By-law 5115-09.
17. THAT the Owner's surveyor provide 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".
- 18.. THAT, if final approval is not given to this draft plan No. 23T-15004 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 the Owner wishes to request an extension to draft approval, a written explanation, together with a resolution from the Town of Minto must be received by the Director of Planning for the County of Wellington **prior to the lapsing date of September ***, 2021.**
19. THAT the Owner have prepared by an Ontario Land Surveyor a final plan in accordance with the Surveys Act, and with the Registry Act or the Land Titles Act, as the case may be and have provided that plan (***being 2 mylars and 4 white prints – one white print with Ontario Surveyors Association sticker attached***) to the Director of Planning and Development for the County of Wellington prior to the lapsing date.
20. THAT the County of Wellington be advised in writing by the **Town of Minto that conditions 2 - 11** have been satisfied.
21. THAT the County of Wellington be advised in writing by the **County of Wellington Engineer's Office that condition 12** has been satisfied.

22. THAT the County of Wellington be advised in writing by the **Union Gas** how **condition 13** has been satisfied.
23. THAT the County of Wellington be advised in writing by the **Upper Grand District Wellington School Board** how **condition 14** has been satisfied.
24. THAT the County of Wellington be advised in writing by the **County of Wellington Planning Department** how **condition 15 and 16** have been satisfied.
25. THAT the Owner 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, (to the attention of the: Director of Planning and Development, 74 Woolwich Street, Guelph, ON N1H 3T9), and quoting the County's file number **(23T-15004)**.
2. We suggest that you make yourself aware of the following subsections of the Land Titles Act:
 - subsection 143(1) requires that all new plans be registered in a Land Titles system if the land is situated in a land titles division; and
 - subsection 143(2) allows certain exceptions.
3. If the agency condition(s) concerns a condition(s) in the subdivision agreement, a copy of the applicable agreement should be sent to them. This will expedite clearance of the final plan.
4. Payment of a clearance letter fee may be required by the clearing agencies before the clearance letter is issued; please contact the appropriate agency for information regarding this matter.
5. 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.
6. 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 in 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. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the 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 Services).

7. The Developer is hereby advised that prior to the issuance of a building permit, Education Development Charges shall be collected on behalf of the Wellington Catholic District School Board and the Upper Grand District School Board.
8. **Clearances are required from the following agencies:**
 - Town of Minto**
 - Union Gas**
 - Upper Grand District School Board**
 - County of Wellington Engineer's Office**
 - Wellington County Planning Department**
9. All measurements in the subdivision final plan must be presented in metric units.
10. 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.