



## COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT  
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### NOTICE OF DECISION

#### On Application for Approval of Draft Plan of Standard Condominium under the Planning Act, and the Condominium Act, 1998

**Approval Authority:** County of Wellington

**File Number:** 23CD-24001  
Wilson Developments/5053745 Ontario Inc.

**IN THE MATTER** of an Application for Condominium being Part Park Lot 2, S/S Birmingham St, Plan Mt. Forest; 405 Wellington St. E. Mount Forest, 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 a draft plan of Standard Condominium, Wellington County File No.23CD-24001, on under Section 51 of the Planning Act, R.S.O. 1990 as amended and pursuant to the Condominium Act, 1998 in respect of Part Park Lot 2, S/S Birmingham St, Plan Mt. Forest; 405 Wellington St. E., Mount Forest, 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** – none

**AND TAKE NOTICE** that an appeal to the Ontario Land Tribunal in respect to all or part of this Draft Plan of Condominium 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 **December 17, 2024**. 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](http://www.olt.gov.on.ca). If the e-file portal is down, you can submit your appeal to [landdivisioninfo@wellington.ca](mailto:landdivisioninfo@wellington.ca)

**AND THAT** the applicant or any public body may, at any time before the approval of the final plan of condominium, 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 condominium, 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 condominium 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 decision, including the conditions, is attached. Additional information regarding the proposed plan of Standard Condominium 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, November 27, 2024



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Aldo L. Salis, M.C.I.P., R.P.P.  
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 Wilson Developments/5053745 Ontario Inc. pursuant to the provisions of Section 51 of the Planning Act, R.S.O. 1990 as amended and pursuant to the Condominium Act, 1998 for approval of a plan of Standard Condominium, being Part Park Lot 2, S/S Birmingham St., Plan Mt. Forest; (405 Wellington St. E.) geographic Mount Forest, 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 Standard Condominium subject to the following conditions of draft approval:

**CONDITIONS OF APPROVAL FOR  
DRAFT PLAN STANDARD CONDOMINIUM 23CD-24001**

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**No. Condition**

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- 1 THAT this draft approval applies to the draft plan of standard condominium, file No. 23CD-24001, as prepared by Van Harten Surveyors (Project No. 31151-22) dated March 25, 2024 surveyor's certification by James Laws, OLS, depicting 8 stacked townhouse residential units; 8 exclusive use parking spaces; 3 visitor parking spaces and 1 barrier free visitor parking space. The subject property is 2,211.83 sq.m.
- 2 THAT the plan for registration shall be reviewed and accepted by the Township of Wellington North prior to the County of Wellington issuing final approval.
- 3 THAT the Township of Wellington North provides written confirmation to the County of Wellington that the appropriate zoning is in effect for the development of the subject lands.
- 4 THAT the Owner will prepare and submit the proposed Condominium declaration and description to the Township of Wellington North for review and approval. Without limiting the generality of the foregoing, the declaration shall include provisions addressing the following matters:
  - a) Provisions to address snow storage and snow removal from the site when necessary.
  - b) Include provisions that fencing be installed and maintained in accordance with the Township Zoning By-law.
  - c) Include provision that parking spaces be provided in accordance with the Township Zoning By-law and that the Condominium Corporation is responsible for ensuring maintenance of visitor and barrier free parking spaces, including the installation and maintenance of signage and line painting for such parking spaces, and for ensuring that the visitor parking spaces are used for visitors to the site, and not by unit owners.
  - d) Include provisions that any outdoor garbage storage areas shall be constructed and maintained in accordance with the Township's Zoning By-law.
  - e) That common amenity areas be constructed and maintained in accordance with the Township's Zoning By-law.
  - f) The protection of future access rights to the Township of Wellington North's equipment (ie: future water meters etc.) for operation, repair and maintenance.
  - g) A Stormwater Management Facility Operation and Maintenance Manual shall be established and implemented including regular scheduled inspections and maintenance.
- 5 THAT the Owner satisfies the requirements of the Township of Wellington North for parkland dedication in accordance with the provisions of the Planning Act, R.S.O. 1990, as amended. The municipality may accept cash-in-lieu, consistent with By-law 011-22, for all or a portion of the conveyance in accordance with the Planning Act.

- 6 THAT the Owner pay the difference between the rental and non-rental development charge rates for the development to the satisfaction of the Township of Wellington North.
- 7 THAT the Owner provide the following to the satisfaction of the Township of Wellington North Infrastructure Services Department:
  - a) Provide certification and CCTV testing of the sanitary and storm system.
  - b) Install no parking signs along the entrance for fire department access.
  - c) Provide a final lot grading certificate for the property.
  - d) Provide Certification of the works as shown on the Plans by a Professional Engineer of Ontario for works installed in the municipal right of way including, sanitary sewer service, water service, storm sewer service, stormwater management facility, roadway restoration including all testing reports as per the Municipal Servicing Standards or as required by the Infrastructure Services Department.
  - e) Hold a Site meeting with the Owner, the Owner's Engineer and Township staff to review the completed works in the municipal right of way and develop a deficiency list. Deficiencies are to be corrected in a timely and satisfactory manner at the sole expense of the Owner.
  - f) Provide as Recorded Drawings and Service Record Sheets for the works installed on both private and municipal lands including sewers, watermains, electrical distribution systems and utilities including telephone, cable television and gas services.
  - g) A water meter space shall be installed in the mechanical room as per Municipal Servicing Standard Drawing.
  - h) The Owner shall enter into a Road Crossing agreement for underground utilities.
- 8 THAT the Owner shall make satisfactory arrangements with the appropriate providers of electricity, telephone, natural gas, cable television and other utilities for the provision of such services to this Plan of Standard Condominium.
- 9 THAT such easements as may be required for utility or telecommunication purposes, shall be granted to the appropriate authority.
- 10 THAT the Condominium declaration include a requirement that a salt application and winter maintenance plan be prepared to the satisfaction of the Township Risk Management Official and be implemented on site.
- 11 THAT the condominium declaration shall contain provisions to the satisfaction of the County of Wellington regarding the collection of solid waste services for the development.
- 12 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.
- 13 THAT the Owner shall provide to the County of Wellington an AUTOCAD "dwg" digital file of the final plan to be registered.
- 14 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.
- 15 THAT if final approval is not given to this draft plan of standard condominium No. 23CD-24001 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 Wellington

North must be received by the Director of Planning for the County of Wellington prior to the lapsing date of NOVEMBER 27, 2027.

- 16 THAT prior to final approval the County of Wellington is to be advised in writing by the Township of Wellington North how conditions 2 to 9 inclusive have been satisfied.
- 17 THAT prior to final approval the County of Wellington is to be advised in writing by Wellington County Source Water Protection how condition 10 has been satisfied.
- 18 THAT prior to final approval the County of Wellington is to be advised in writing by Wellington County Waste Services how condition 11 has been satisfied.
- 19 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, quoting the County plan of condominium file number (23CD-24001).
2. Clearances are required from the following agencies:

**Township of Wellington North**  
**Wellington County Source Water Protection**  
**Wellington County Waste Services**

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](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. 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.
12. **Note:** 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. Please contact Wellington Source Water Protection for more information.