

<b>Applicant:</b>	<b>South Winds Development Co. Inc</b>	<b>Date of Decision</b>	<b>March 6, 2012</b>
<b>File No.:</b>	<b>39T-MC0902</b>	<b>Date of Notice:</b>	<b>March 9, 2012</b>
<b>Municipality:</b>	<b>Middlesex Centre (former Twp of Lobo)</b>	<b>Last Date of Appeal:</b>	<b>March 29, 2012</b>
<b>Subject Lands:</b>	<b>Part Lots 7 &amp; 8, Concession 1, Part Lot 7, BF Concession, geographic</b>	<b>Lapsing Date:</b>	<b>September 6, 2028</b>
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The conditions and amendments to final plan of approval for registration of this Subdivision as provided by the County of Middlesex are as follows:

No.	Conditions
1.	<p>That this approval applies to the draft plan of subdivision prepared by WSP Canada Inc. (“<b>WSP</b>”) originally dated July 6, 2009, last revision dated March 2, 2026, to show a total of:</p> <ul style="list-style-type: none"> <li>a. Lots 1 to 144 and 155 to 196 for single-detached residential uses,</li> <li>b. Blocks 199 to 229 for future multiple residential uses,</li> <li>c. Blocks 230 to 233 for future residential uses,</li> <li>d. Blocks 145 and 147 for Parkland / Open Space,</li> <li>e. Block 146 Pumping Station,</li> <li>f. Block 148 for a stormwater management facility,</li> <li>g. Block 149 for an access road,</li> <li>h. Blocks 150, and 152, for 0.3 metre reserves,</li> <li>i. Blocks 151, 153, 154, 197, and 198 are unused,</li> <li>j. Block 234 for walkway/trail, and</li> <li>k. Block 235 for public recreation trail/temporary construction road</li> </ul>
2.	<p>That the development of this subdivision shall be undertaken in phases to the satisfaction of the Municipality. This shall occur in five (5) phases as generally indicated in the Proposed Phasing Plan prepared by WSP Planning dated March 2, 2026. While it is expected that development will occur in a sequential manner as set out in the phasing plan, changes to the phasing order may be permitted subject to the mutual satisfaction of the Municipality and the Owner. For the purpose of this condition, the Municipality will ensure that development can proceed in an orderly manner and that services can be extended in accordance with accepted municipal standards. Notwithstanding, the phasing of development is proposed in accordance with the following order:</p>

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- a. Phase 1 shall generally include the development of one hundred and one (101) single-detached residential lots, public park/open space on Blocks 145 and 147, the stormwater management facility on Block 148, 0.3m reserves on Blocks 150 and 152, and the walkway access to the ravine on Block 149, all accessible by Streets Edgewater Boulevard, Westbrook Drive, Crestview Drive and Edgeview Crescent (included in the registered plan of subdivision but not on the draft plan was Block 106 of Plan 33M746 being a 0.3 m reserve as per condition 7);
- b. Phase 1B shall generally include the development of eight (8) single-detached residential lots accessible by Edgewater Boulevard.
- c. Phase 2 shall also generally include:
  - the development of thirty-four (34) single- detached residential lots and residential uses on Lots 107 to 140 accessible by Edgewater Boulevard, Westbrook Drive, and Bayshore Drive -; and
  - the development of forty-three (43) single-detached residential lots on Lots 141 to 196 accessible by Everson Drive and High Point Road;
- d. Phase 3 shall generally include the development of thirty-one (31) blocks that can accommodate 207 multiple residential units accessible by Everson Drive, Westbrook Drive, Street Two and Street Three, the phase will also include residential uses on Block 230 and 231 accessible by Street Four;
- e. Phase 4 shall generally include the development of residential uses on Block 232 accessible by Street Four;
- f. Phase 5 shall generally include the development of future multiple-residential uses on Block 233 accessible by Westbrook Drive and Street Four, a public recreation trail along and within Block 234 and Block 235.

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3. That the development of the plan of subdivision will be phased as indicated in Condition No. 2 and that the phasing and the servicing of each phase shall be to the satisfaction of the Municipality. For the purposes of this condition, the development of a phase of the plan may proceed when the Municipality is satisfied that all the external infrastructure/services for that stage are "in place" as described in Condition No. 4 . Everson Drive is located within Phase 2. If Everson Drive is to be constructed by the Owner, it will not be constructed until units east and/or west of Everson Drive, not including units with direct access to Westbrook Drive, are constructed. Should the Municipality decide that Everson Drive needs to be constructed earlier it may in its sole and absolute discretion construct Everson Drive which construction shall be facilitated by South Winds (i.e. access and transfer of the lands required) with the costs of the construction to be paid by South Winds. See Note 18.
4. That the Subdivision Agreement between the Owner and Municipality include provision that the "h-1" holding provision not be removed and that building permits not be issued until external infrastructure and services required for the development of the phase of the subdivision are in place, including municipal water supply, treatment and conveyance infrastructure and sewage treatment and waste water conveyance infrastructure. For the purpose of these draft plan conditions, services being in place means, that the infrastructure exists and is operational to the satisfaction of the Municipality and that capacity in such infrastructure has been allocated by the Municipality for use in connection with the development of the phase of the plan of subdivision.
5. That the road allowances included in the draft plan shall be shown and dedicated as public highways.
6. That the streets shall be named and the proposed residential structures addressed to the satisfaction of the Municipality in consultation with the County of Middlesex Emergency Services Department.
7. That any dead ends or open sides of road allowances, including lands abutting open spaces, created by this draft plan shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust by the Municipality.
8. That such easements as may be required for utility, servicing, or drainage purposes or access shall be granted to the appropriate agency.
9. That prior to final approval, the Approval Authority is to be advised by the Municipality that appropriate zoning is in effect for this proposed subdivision.

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10. That prior to final approval of Phase 1, the Owner shall convey Blocks 145, 147 and 149 free of any encumbrances to the Municipality for parkland dedication purposes pursuant to Section 42 of the Planning Act.
11. That prior to final approval of Phase 4, or 5, whichever proceeds first, the Owner shall provide an alternative right-of- way to Middlesex Centre or the current owner, if required, in order to ensure access to the existing Middlesex Centre owned lands being P.I.N. 08502-0014. The alternative right-of-way shall be to the satisfaction of the Municipality in consultation with the Owner.
12. That the Owner and the Municipality enter into a Subdivision Agreement for each Phase of the development pursuant to Section 51(26) of the Planning Act to be registered on title of the Phase to which it applies prior to the plan of subdivision for that Phase being registered. Further that the Subdivision Agreement shall include provisions that it will also be registered against the lands to which it applies once the plan of subdivision has been registered.
13. That the Subdivision Agreement between the Owner and Municipality satisfy all requirements of the Municipality related to financial, legal, planning and engineering matters including but not limited to the design of the subdivision in accordance with the Municipality's Urban Design Guidelines; provision of roads, temporary roads and turning circles, pedestrian walkways, grading and drainage, planting of trees, landscaping, fencing, buffering, street lighting and other amenities, the provision and installation of full municipal water and sanitary services, the installation of underground electrical services, and other matters of the Municipality respecting the development of these lands. The Subdivision Agreement shall also provide for the Municipality to assume ownership and operation of these systems where and when deemed appropriate by the Municipality.
14. That prior to final approval of Phase 1, the Owner shall enter into a mutually agreeable cost sharing agreement with the Municipality for the undertaking of a Municipal Class Environmental Assessment (Class EA) and the installation of infrastructure to facilitate sanitary sewage conveyance to the Komoka Waste Water Treatment Facility in accordance with the Environmental Assessment Act.
15. That upon completion of the Class EA contemplated by Condition No. 14 and prior to final approval of any phase, a redline amendment to the draft plan may be required to ensure consistency with the results of the Class EA.

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16. Prior to final approval of Phase 1, the Owner's engineer shall submit a detailed water servicing strategy which shall outline the implementation and phasing of water servicing for the entire development, including modeling to demonstrate that adequate water and treatment capacity and pressure, in accordance with municipal standards, are available for all phases of development. The detailed water servicing strategy is to be completed to the satisfaction of the Municipality. Prior to final approval of Phase 3, the detailed water servicing study shall be updated to the satisfaction of the Municipality. The detailed water servicing study shall be updated prior to final approval of each subsequent phase as required by the Municipality.
17. That prior to final approval of Phase 1, the Owner's engineer shall provide a detailed sanitary servicing strategy which shall identify the implementation and phasing of sanitary servicing for the entire development. The detailed sanitary servicing strategy is to be completed to the satisfaction of the Municipality.
18. That prior to final approval, the Owner shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the Owner's Licensed Archaeologist providing a letter to the Municipality and the County indicating that there are no further concerns for impacts to archaeological sites on the subject lands. This is to be accompanied by a Ministry of Tourism, Culture & Sport letter indicating that the licensee has met the Terms and Conditions for Archaeological Licensing and that the report has been entered into the Ontario Public Register of Archaeological Reports.
19. That prior to final approval of Phase 5, the subdivision agreement shall ensure that prior to occupancy of any units directly abutting the public recreation trail on Block 234, the Owner shall construct a continuous Public Recreation Trail commencing from Glendon Drive and extending southerly so that it connects to a municipal right-of-way that contains a public sidewalk to the satisfaction of the Municipality. The Public Recreation Trail shall be located within and along the length of Block 234 and 235 where it shall connect Glendon Drive to Westbrook Drive through Street Four. The Owner shall also design and construct a single sidewalk within the road allowance of Edgewater Boulevard extending to Block 149 (Block 104 of 33M-746) to the satisfaction of the Municipality and the County Engineer (for the interface with Glendon Drive) and shall ensure that the Public Recreation Trail is connected to the public sidewalk within the municipal rights-of-way. For clarity, the timing of the Public Recreation Trail construction within and along the length of Block 235 will be coordinated with the usage and/or

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decommissioning of the Construction Access to the satisfaction of the Municipality and the County Engineer (for the interface with Glendon Drive).

20. That the Subdivision Agreement between the Owner and the Municipality shall ensure that persons who first purchase the subdivided land after the final approval of the plan of subdivision are informed, at the time the land is transferred, of all the development charges related to the development pursuant to Section 59(4) of the Development Charges Act.
21. That arrangements shall be made to the satisfaction of the Municipality for the relocation of any utilities required for the development of the subject lands, which relocation shall be undertaken at the expense of the Owner.
22. The Owner shall enter into an agreement with the appropriate service providers for the installation of underground communication / telecommunication utility services for these lands to enable, at a minimum, the effective delivery of communication / telecommunication services for 911 Emergency Services.
23. That prior to final approval of Phase 1, the Owner shall be required to obtain all necessary permits from, the County of Middlesex for the construction of right and left turn lanes on County Road 14 (Glendon Drive), pursuant to its By-law requirements, where the temporary construction road access is proposed to the subdivision lands. All costs with regards to the design and construction of these lanes will be borne by the Owner.
24. That prior to final approval of Phase 1, the Owner shall construct a granular temporary construction road access for construction and emergency access extending from Westbrook Drive to Glendon Drive via Edgewater Boulevard (within Block 254).
25. That prior to final approval of Phase 1, the Owner shall:
  - a. Prior to the initiation of any site grading or servicing, submit for review and approval of the Municipality a detailed soils investigation of the site prepared by a qualified geotechnical engineer for the entire subject land; and,
  - b. Agree in the subdivision agreement to remove any matter which is determined during soil investigations as being hazardous.

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26. That prior to final approval of Phase 1, the Owner shall submit for review and approval of the Upper Thames River Conservation Authority, a final Geotechnical Study (which compiles the previous submissions), a Hydrogeological Assessment and Water Balance Study.
27. That prior to final approval of Phase 2, the Owner shall submit for review and approval to the Municipality an updated Hydrogeological Assessment to address any potential changes in groundwater levels since the original study was completed. The Owner shall also submit an updated Geotechnical Study for the Subject Lands. See Note 16 for status as of January 2024.
28. In addition to Condition 27, for lands regulated by the Upper Thames River Conservation Authority, that prior to final approval of Phase 3 or 4, whichever is first, the Owner shall submit for review and approval to the Municipality and the Upper Thames River Conservation Authority an updated Hydrogeological Assessment to address any potential changes in groundwater levels since the original study was completed. The Owner shall also submit an updated Geotechnical Study. See Note 17 for status as of January 2024.
29. That prior to final approval of Phase 1, the Owner shall submit for the review and approval of the Upper Thames River Conservation Authority and the Municipality, a final stormwater management plan and sediment and erosion control plan incorporating necessary measures to enhance the quality of stormwater discharges and to control erosion and sedimentation during and after construction. The final stormwater management plan should address the high groundwater table in this area and address water balance through the Hydrological Assessment and Water Balance Study. The final stormwater management plan and sediment and erosion control plan, and final detailed servicing and grading plans shall identify drainage and sediment and erosion control strategies. The final stormwater management plan shall also provide detail with respect to the monitoring and maintenance of the stormwater management facilities.
30. That prior to final approval of Phase 1, the Owner shall design and construct the proposed stormwater management facility on Block 148 including a 3 metre wide asphalt trail connecting Westbrook Drive to Edgewater Boulevard and landscape plan for the entire Block all to the satisfaction of the Municipality.
31. That prior to final approval, the Municipality shall advise the County of Middlesex that the subdivision agreement between the Municipality and the Owner provides for the following:

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- a. Municipal assumption and ownership of any facilities required for the detention and enhancement of stormwater quality, and for the purpose of ensuring perpetual maintenance and operation; and
  - b. The inclusion of any environmental protection measures recommended in the stormwater management plan required under Condition No. 30 that are not capable of being addressed under the Ontario Water Resources Act.
32. That prior to final approval of the Phase 1, the Owner shall prepare for review of the Upper Thames River Conservation Authority and the Ministry of Natural Resources a final Development Assessment Report (DAR) which compiles the various revised submissions provided to date. The DAR shall also incorporate the findings of the Water Balance Study and discuss how the wetland communities receive their water input to ensure that the quality, quantity and timing of water into the wetland will be maintained post development. The DAR shall also incorporate mitigation measures recommended by the Ministry of Natural Resources related to Species at Risk. The DAR shall also include finalization of the boundaries and classifications of the Komoka Park Life Science Area of Natural and Scientific Interest (ANSI) and nearby Provincially Significant Wetlands.
33. That prior to final approval:
  - a. A Homeowner's Information Package regarding the natural heritage features of the area be provided to the Municipality and Upper Thames River Conservation Authority; and
  - b. Fencing will be required to limit access to the adjacent natural heritage features and to lands owned by the Province of Ontario to the satisfaction of the Municipality.
  - c. A *Conservation Authorities Act* permit will be obtained from the Upper Thames River Conservation Authority prior to the commencement of development or site alteration; as part of this process, the Owner shall provide a restoration plan for the review of the Upper Thames River Conservation Authority and to the satisfaction of the Municipality.
34. That prior to final approval of Phase 4, the Owner shall implement the following mitigation measures for the review of the Upper Thames River Conservation Authority and to the satisfaction of the Municipality to prevent impacts of the development of Block 249 on the adjacent woodland community:
  - a. Removal of the existing gravel roadway and restoration of the valley slope through renaturalization;

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- b. Topsoil placement and grading to promote vegetation growth; and
  - c. Installation of a fence with no gates along the property line.
35. Prior to final approval, the Owner shall prepare a drawing consolidating all SAR implementation measures from: (a) Species at Risk Mitigation Plan: Culvert Replacement & Work to Protect Against Erosion Report prepared by Dillon Consulting on October 2019; (b) E-mail from MECP to Dillon Consulting on September 13, 2019; (c) Letter from Dillon Consulting to Middlesex Centre dated May 23, 2019 and (d) Memo from Dillon Consulting to the Ministry of Natural Resources and Forestry dated July 11, 2018. This drawing, the Species At Risk Compensation Plan (“**Compensation Plan**”), shall be prepared to the satisfaction of the Municipality. The recommendations of the Compensation Plan are to be included in and form part of the subdivision agreement and the Owner will complete works associated with the Compensation Plan to the satisfaction of the Municipality prior to final approval of Phase 2.
  36. That prior to final approval of Phase 5 and/or registration of a plan for the land referred to as Block 233, the Owner shall provide a location for the Future Municipal Road and Servicing Connection along the westerly boundary of the Edgewater Development from the southerly boundary of Block 235 to the southerly boundary of the adjoining lands (approximate distance of 139m), if requested by the Municipality in their sole and absolute discretion, for access and servicing to the adjoining lands to the west. Such Future Road and Servicing Connection, if requested by the Municipality and/or County, shall be a connection to the public road(s) and/or proposed public road(s) within the Edgewater Development. The costs of any upsizing of the municipal services for the sole benefit of the adjoining land to the west, shall not be the responsibility of the Owner.
  37. That prior to final approval, the County of Middlesex is to be advised in writing by the Municipality of Middlesex Centre how conditions 1 through 22, 24, 25, 27 through 31, and 33 through 36 have been satisfied.
  38. That prior to final approval, the County of Middlesex is to be advised in writing by the Upper Thames River Conservation Authority how conditions 26, 28, 29, 32 through 34 have been satisfied.
  39. That prior to final approval, the County of Middlesex is to be advised in writing by the County Engineer how condition 19 and 23 has been satisfied.

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## NOTES TO DRAFT APPROVAL

Draft approval for this plan of subdivision is for a period of thirteen and a half years (13.5 years) from the date of decision. Any request made by the Owner to the Approval Authority to extend the lapsing date must be made 60 days prior to the lapsing date and include a written confirmation from the municipality endorsing the extension.

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 approval authority, quoting the file number.
2. It is suggested that the applicant be aware of:
  - a) subsection 144 (1) of The Land Titles Act, which requires all new plans be registered in a land titles system;
  - b) subsection 144 (2) - allows certain exceptions.
3. Inauguration, or extension of a piped water supply, a communal sewage system or a storm water management system, is subject to the approval of the Ministry of Environment under Section 52 and Section 53 of the Ontario Water Resources Act.
4. The Ministry of Environment must be advised immediately should waste materials or other contaminants be discovered during the development of this plan of subdivision.
5. It is the applicant's responsibility to obtain the necessary permits from the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act.
6. It is the applicant's responsibility to, prior to final approval of any phase, surrender any active licenses issued under the Aggregate Resources Act (ARA) for the subject land be surrendered and to notify the County of Middlesex of this.
7. A copy of the subdivision agreement must be provided to the County of Middlesex Planning Department prior to final plan approval.
8. If the agency's condition concerns a condition in the subdivision agreement, a copy of the agreement should be sent to them. This will expedite clearance of the final plan.

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9. When the zoning by-law amendment required in Condition No. 9 is being prepared, reference to this subdivision application file number should be included in the explanatory note. This will expedite the County of Middlesex and other agencies' consideration of the by-law.

10. Clearance is required from the following agencies

Municipality of Middlesex Centre,  
10227 Ilderton Road; RR 2  
Ilderton, ON N0M 2A0

Upper Thames River  
Conservation  
Authority 1424  
Clarke Road  
London, ON N5V 5B9

County Engineer  
County of Middlesex  
399 Ridout Street  
North London, ON  
N6A 2P1

11. All measurements in subdivision final plans must be presented in metric units.

12. The final plan approved by the County of Middlesex must include the following paragraph on all copies (1 mylar and 1 paper) for signature purposes:

"Approval Authority Certificate

39T-MC0902

*This Final Plan of Subdivision is approved by the County of Middlesex under Section 51(58) of the Planning Act, R.S.O. 1990, on this \_\_\_ day of \_\_\_\_\_, 20\_\_.*

Durk Vanderwerff Director of Planning and Development  
Middlesex County"

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13. The final plan must be submitted digitally in AutoCAD (DWG) and Portable Document Format (PDF) using the appropriate citation from the Planning Act. The AutoCAD (DWG) file must be consistent with the following standards:
  - Georeferenced to the NAD83 UTM Zone 17N coordinate system.
  - All classes of features must be separated into different layers.
  - Each layer should be given a descriptive name so that the class of feature it contains is recognizable.
  
14. The final plan approved by the County of Middlesex must be registered within 30 days or the County may withdraw its approval under Subsection 51(59) of the Planning Act.
  
15. In the event that the Owner's plan of subdivision benefits from turning lanes and signals at the intersection of County Road #14 (Glendon Drive) and Street "A" on the adjacent lands to the north, once they are installed by the adjoining landowner and are operational, the County will make best efforts to require the Owner to pay to the County the Owner's proportionate benefit from the turning lanes and signal. In no event shall this note hold up registration of any phase of the Owner's subdivision.
  
16. A Hydrogeological Assessment was prepared by EXP on August 26<sup>th</sup>, 2021 and submitted on November 29, 2021. The Municipality and the Owner agree that comments will be provided by the Municipality on this Hydrogeological Assessment for those lands situated outside of the UTRCA regulated area. A Geotechnical Report was prepared by EXP on November 2020 and submitted on November 29, 2021. The Municipality and the Owner agree that comments will be provided by the Municipality on this Geotechnical Report for those lands situated outside of the UTRCA regulated area. The updated Hydrogeological Assessment and Geotechnical Reports referred to in Condition 27 will be prepared for the purpose of responding to the Municipality's comments on these reports and re-submitted to the Municipality for final review and follow up comments, if any.
  
17. A Hydrogeological Assessment was prepared by EXP on August 26<sup>th</sup>, 2021 and submitted on November 29, 2021 to the UTRCA. A Geotechnical Report was prepared by EXP on November 2020 and submitted to the UTRCA on November 29, 2021. Comments were provided by the UTRCA on July 20, 2022 and December 23, 2022. The updated Hydrogeological Assessment and Geotechnical Reports referred to in Condition 28 will be prepared for the purpose of responding to the UTRCA's comments on these reports.

<b>Applicant:</b>	<b>South Winds Development Co. Inc</b>	<b>Date of Decision</b>	<b>March 6, 2012</b>
<b>File No.:</b>	<b>39T-MC0902</b>	<b>Date of Notice:</b>	<b>March 9, 2012</b>
<b>Municipality:</b>	<b>Middlesex Centre (former Twp of Lobo)</b>	<b>Last Date of Appeal:</b>	<b>March 29, 2012</b>
<b>Subject Lands:</b>	<b>Part Lots 7 &amp; 8, Concession 1, Part Lot 7, BF Concession, geographic</b>	<b>Lapsing Date:</b>	<b>September 6, 2028</b>

**Last Revised by the County**

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18. Should the Municipality proceed with construction of Everson Drive, the Municipality will provide the Owner's consulting engineer with an opportunity to review and provide comments on the engineering drawings prior to the issuance of the tender and the Owner will be advised of the contract award and price. The Municipality will cooperate with and respond to reasonable requests for information from the Owner or its consulting engineer with respect to the construction of Everson Drive.
19. It is acknowledged and agreed that the Owner and the Municipality shall deal with a number of other matters through an arbitration process as set out in the Minutes of Settlement between the Municipality and the Owner dated January 25, 2024.