

Applicant: Donnybrook
File No.: 39T-TC2201
Municipality: Thames Centre
Subject Lands: Concession 1, SRT PT
Lots 19 & 20

Date of Decision:
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Lapsing Date:

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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. That this approval applies to the draft plan of subdivision prepared by and signed by Zelinka Priamo Limited, OLS dated October 11, 2023 and showing:
 - eight (8) blocks to support industrial developments (Blocks 1 to 8).
 - two (2) blocks for a stormwater management pond (Blocks 9 and 10)
 - one (1) block for a future right-of-way (Block 11)
 - three (3) blocks for road widening dedications (Blocks 12 to 14)
 - two (2) blocks for 0.3 metre reserves (Blocks 15 and 16)
2. That the street shown on the draft plan be dedicated as a public highway and shall be named and the blocks addressed to the satisfaction of the Municipality in consultation with the County of Middlesex.
3. That the Owner convey 0.3 metres reserves Blocks 15 and 16 to the County of Middlesex to prevent direct access along the south side of Donnybrook Drive (County Road 78).
4. That the Owner dedicate a road widening measured up to 18 metres from the centreline of Donnybrook Drive (County Road 78) to the County of Middlesex.
5. That the Owner be required to construct left turn and right turn lanes on Donnybrook Drive (County Road 78) at the intersection of Street "A" to the satisfaction of the County of Middlesex. All costs with regards to the design and construction of these lanes shall be borne by the Owner and an entrance permit shall be required prior to any construction work within the County road allowance.
6. That all grading and stormwater management plans be to the satisfaction of the County and the Municipality.
7. That the Owner convey Blocks 9 and 10 to the Municipality for stormwater management purposes.
8. That the Owner convey Block 11 to the Municipality as a future road allowance.

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9. That the Owner provide cash-in-lieu of parkland dedication to the Municipality pursuant to the Planning Act equal to 2% of the value of the land based on a real estate appraisal conducted by a qualified professional.
 10. That the Owner enter into an agreement with the appropriate service providers for the installation of underground communication / telecommunication utility services to enable, at a minimum, the effective delivery of the broadband internet services and communication / telecommunication services for 911 Emergency Services.
 11. That the Owner and the Municipality enter into a Subdivision Agreement pursuant to Section 51(26) of the Planning Act to be registered on title of the lands to which it applies prior to the plan of subdivision 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.
 12. That the Subdivision Agreement between the Owner and the Municipality shall satisfy all requirements of the Municipality related to financial (including property taxes), legal, planning and engineering matters including but not limited to the provision of roads, turning circles, grading, drainage, street trees, provision of community mailboxes, street lights and other amenities; the installation of underground utilities and other matters of the Municipality respecting the development of this land.
 13. That prior to final approval, the Owner shall submit for the review and approval of 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 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 details with respect to the monitoring and maintenance of the stormwater management facilities.
 14. That the development shall occur on the basis of private individual wells and private individual septic systems subject to approval by the Municipality based on a subsurface investigation and sewage impact assessment undertaken for the subject lands by a qualified person to the satisfaction of the Municipality.
 15. That the Owner enter into an agreement with Canada Post Corporation for the installation of community mailboxes.

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16. That prior to final approval, the applicant shall be required to submit a request to improve the municipal drainage works associated with the Newton Capstick Drain and that all stormwater infrastructure required for the subject lands be recognized as drainage works under the Drainage Act; and that all costs associated with the foregoing shall be the responsibility of the applicant.
17. That such easements as may be required for utility, servicing, or drainage purposes shall be granted to the appropriate authority.
18. That prior to final approval, arrangements shall be made to the satisfaction of the Municipality for the relocation of any utilities required for the development of the Plan, which relocation shall be undertaken and provided at the expense of the Owner.
19. That prior to final approval, the Owner shall submit a final Geotechnical Assessment for review and approval by the Municipality.
20. That prior to final approval, the Owner shall retain a qualified person to undertake a noise study to satisfaction of the Municipality to determine noise impacts from the proposed industrial uses of the lands on adjacent residential uses and any recommended and approved noise mitigation measures shall be implemented through site plan approval on a site-by-site basis.
21. That prior to final approval, the Owner shall satisfy the Ministry of Transportation with respect to the following matters:
 - a. The Owner shall submit to the Ministry of Transportation a Stormwater Management Report and a draft copy of the M-Plan for review and acceptance / approval.
 - b. The Owner shall install a security fence a minimum of 1.8 metres in height and offset a minimum of 0.3 metres away from the existing designated highway property limit which shall be clearly identified on all plans.
 - c. The Owner shall submit the Stormwater Management Plan required under Condition 13 for review and acceptance.
22. That prior to final approval, the Owner shall obtain a Section 28 permit under the Conservation Authorities Act from the Upper Thames River Conservation Authority prior to the commencement of any development or site alteration.
23. That prior to final approval, the County is to be advised in writing by the Municipality how conditions 1 to 20 have been satisfied.

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24. That prior to final approval, the County is to be advised in writing by the County Engineer how conditions 3, 4, 5 and 6 have been satisfied.
25. That prior to final approval, the County is to be advised in writing by the Ministry of Transportation how condition 21 have been satisfied.
26. That prior to final approval, the County is to be advised in writing by the Upper Thames River Conservation Authority how condition 22 has been satisfied.

NOTES TO DRAFT APPROVAL

- 1) Draft approval for this plan of subdivision is for a period of three (3) 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.
- 2) It is the applicant's responsibility to fulfil the conditions of the draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the approval authority.
- 3) We suggest you make yourself aware of the following subsections of the Land Titles Act:
 - a) Subsection 144(1) requires all new plans be registered in a Land Titles system if the land is situated in a land titles division; and
 - b) Subsection 144(2) allows certain exceptions.
- 4) 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.
- 5) The Ministry of Environment must be advised immediately should waste materials or other contaminants be discovered during the development of this plan of subdivision.
- 6) It is the applicant's responsibility to obtain the necessary permits from the Conservation Authority in accordance with Ontario Regulation 171/06 made pursuant to Section 28 of the Conservation Authorities Act.
- 7) A copy of the subdivision agreement must be provided to the County of Middlesex (Planning and Development Department) prior to final plan approval.

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- 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.
- 9) It is the Applicant's responsibility to obtain the necessary Ministry of Transportation 'Building and Land Use Permits'
- 10) Clearance is required from the following agencies:
- Municipality of Thames Centre Middlesex
 - Upper Thames Conservation Authority
 - Ministry of Transportation
 - County of Middlesex Engineer
- 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
File No. 39T-TC2201*

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____.

*Director of Planning and Development
Durk Vanderwerff
Middlesex County"*

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- 13) The final plan must be submitted digitally in AutoCAD (DWG) and Portable Document Format (PDF) with the appropriate citation from the Planning Act used. 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.

PRELIMINARY