

Applicant:	SLD Group c/o B.M. Ross and Associates Ltd.	Date of Decision:	Draft
File No.:	39T-SC2302	Date of Notice:	Draft
Municipality:	Strathroy-Caradoc	Last Date of Appeal:	Draft
Subject Lands:	Adelaide Con 4 SER Pt Lots 19 AND 20 RP 33R19731 Parts 1 to 7 and 10 to 14		

The DRAFT conditions and amendments to final plan of approval for registration of this Subdivision, file no. 39T-SC2302, are as follows:

No. Conditions

1. That this approval applies to the draft plan of subdivision prepared by Archibald, Gray & McKay Ltd. and signed by Robert Wood, OLS dated October 12, 2022, and showing the following:
 - 19 lots for street townhouse dwellings (Lots 1 to 19)
 - 102 lots for semi-detached dwellings (Lots 20-107 and 109-122)
 - 13 lots for single detached dwellings (Lots 108 and 123-134)
 - two (2) blocks for medium density residential (Blocks 135 and 136)
 - one (1) block for park land, open space, and stormwater management facilities (Block 137 and 140)
 - two (2) blocks for road reserves (Block 138 and 139) and
 - four (4) public road segments

2. That the development of the draft plan of subdivision may be phased subject to the approval of an overall phasing plan for the development of the entire site to the satisfaction of the Municipality. For the purposes of this condition, the development of a phase may only proceed when the Municipality is satisfied that all the external infrastructure/services for that stage are "in place" as described in condition 4. (SC)

3. That the draft plan of subdivision shall be developed on full municipal services, including sanitary sewers, municipal water, and urban storm water management practices. Prior to final approval of each phase of the development, the Municipality shall confirm that full municipal services are 'in place' as described in condition 4. (SC)

4. That no development of the draft plan of subdivision shall commence until all external infrastructure and services required for the development of the lands affected are in place including municipal water supply, treatment and conveyance infrastructure and sewage treatment and wastewater conveyance infrastructure. For the purpose of these 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 formally allocated by the Municipality for use in connection with the development of the draft plan of subdivision. (SC)

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5. That the road allowances included on the draft plan of subdivision shall be shown and dedicated to the Municipality as public highways. (SC)
6. That all streets shall be named, and the lots addressed to the satisfaction of the Municipality and the County. This shall include permanent and temporary road name and municipal address signage during all stages of construction, which shall be a requirement of the Subdivision Agreement. (SC and County)
7. That any dead ends or open sides of road allowances created by this draft plan shall be terminated in 0.3 metre reserves to be conveyed to and held in trust by the Municipality. (SC)
8. That the owner dedicates lands up to 10 m from the centerline of construction of Saulsbury Street across the subject lands to Strathroy-Caradoc for the purposes of road widening if the right of way is not already to that width, to the satisfaction of the Strathroy-Caradoc. (SC)
9. That the owner dedicates lands up to 15 m from the centerline of construction of Albert Street across the subject lands to Middlesex County for the purposes of road widening if the right of way is not already to that width, to the satisfaction of the County. (County)
10. That a prior to final approval, a left turn slip around lane shall be constructed on Albert Street (County Road 39) at the intersection of Albert Street and the Street A of the subdivision. All costs with regards to the design and construction of these lanes shall be borne by the Owner and a permit shall be required prior to any construction work within the County Road allowance. (County)
11. That the Owner convey Block 137 to the Municipality for stormwater management, parkland dedication purposes. (SC)
12. That prior to final approval, the Owner shall provide to the Municipality confirmation from an Ontario Land Surveyor retained by the Owner at no cost to the Municipality that the lot areas and lot frontages conform to the Zoning By-law requirements of the Municipality of Strathroy Caradoc. (SC)
13. That prior to final approval, the County is to be advised by the Municipality that appropriate zoning is in effect for the draft plan of subdivision. (SC)

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14. 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 the broadband internet services and communication / telecommunication services for 911 Emergency Services. (SC)
15. The Owner shall enter into an agreement with Canada Post Corporation for the installation of community mailboxes. (SC)
16. That the Owner and the Municipality enter into a subdivision agreement ("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. (SC)
17. That the Subdivision Agreement between the Owner and the Municipality shall satisfy all requirements of the Municipality related to financial, legal, planning and engineering matters including but not limited to the provision of new roads and upgrades to existing 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 utilities, and other matters which may be required by the Municipality respecting the development of the Plan of Subdivision including the payment of development charges in accordance with the Municipality's Development Charges By-laws or a cost share agreement as deemed appropriate by the Municipality. The Subdivision Agreement shall also provide for the Municipality to assume ownership and operation of these systems where appropriate. (SC)
18. That prior to final approval, that the Owner shall obtain any necessary approval(s) under the Drainage Act to facilitate legal outlet to discharge stormwater. (SC)
19. That the Subdivision Agreement shall ensure that the 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. (SC)
20. That such easements as may be required for utility, servicing, or drainage purposes shall be granted to the appropriate authority. (SC)

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21. 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. (SC)
22. That prior to final approval, the Owner shall submit for the review and approval of the Municipality and SCRCA, a final geotechnical report, 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 detail with respect to the monitoring and maintenance of the stormwater management facilities. The approved sediment and erosion control measures shall be in place prior to any work being undertaken on the subject lands. The geotechnical report shall confirm that the final grading design will ensure that the underside of house footing foundations and the lowest floor level will be a minimum of 100 mm above the highest water table surface for two full spring seasons of data results. (SC and SCRCA)
23. That prior to final approval, the Municipality shall advise the County that the Subdivision Agreement between the Municipality and the Owner provides for the following:
 - a. municipal assumption and ownership of any facilities required for the detention and enhancement of storm water quality, and for the purpose of ensuring perpetual maintenance and operation; and
 - b. the inclusion of any environmental protection measures recommended in the final stormwater management plan required by condition 22 that are not capable of being addressed under the Ontario Water Resources Act. (SC)
24. That prior to final approval, the a detailed stormwater management plan must be prepared for review and approval by the Municipality and the St. Clair Region Conservation Authority containing but not limited to plans illustrating how the drainage system will tie into surrounding drainage systems; the location and description of all outlets and other facilities which may require permits under Ontario Regulation 171/06, stormwater management techniques, detailed design and landscaping of SWM facilities, an erosion and sediment control plan and a description of additional

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infiltration technologies. The potential drain modifications should be taken into consideration as well. (SC and SCRCA)

25. That prior to final approval, the owner submit a revised cut and fill analysis and grading report is completed by Greck & Associates and submitted for review and approval from the SCRCA and Municipality. (SCRCA)
26. That prior to final approval, the owner submit a final floodplain assessment to the satisfaction of the Conservation Authority and Municipality (SCRCA and SC).
27. That prior to final approval, the owner submit a final subdivision plan that shows all development is located outside the regulatory elevation plus a 0.3 meter freeboard or the meander belt measured as 30 metres from the centerline on either side of the drain (whichever is the greater setback), as per the final report (to be submitted) provided by Greck and Associates, to the satisfaction of the Conservation Authority and Municipality (SCRCA and SC).
28. That prior to final approval, the owner provides engineering details how the proposal will provide safe ingress/egress within the development for internal roads all to the satisfaction of the SCRCA and Municipality. (SCRCA and SC)
29. That prior to final approval, the owner provide engineering grade details that confirm that the safe ingress/egress be demonstrated for driveways, laneway, and streets that the elevations allow access in a flood situations to meet the MNR technical guide to the satisfaction of the SCRCA and Municipality. (SCRCA and SC)
30. That prior to final approval, if deemed necessary by the Municipality, the owner shall enter into a servicing agreement with the Municipality, which requires the extension of municipal services along Saulsbury Street and Albert Street with associated connections to existing residential properties if required. (SC)
31. That prior to final approval, the Owner shall provide for the installation of a board fence having a height of 1.8 metres along the property boundary between Street A and property municipally known as 619 Albert Street from the front face of the existing home to the rear lot line, to the satisfaction of the Municipality. (SC)
32. That prior to final approval, the subdivision agreement include language for the construction of a 1.8m board fence along the County Lane frontage at the time of site plan approval for block 136. (SC)

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33. That prior to final approval, the Owner shall provide for the provision of signage that prohibits construction traffic from travelling on Saulsbury Street and directing construction traffic to Albert Street. All these details are to be to the satisfaction of the Municipality and County. (SC and County)
34. That prior to final approval, the Owner shall provide stormwater management details for the water runoff from Strathmere Lodge (599/603 Albert Street), to the satisfaction of the Municipality. The Owner shall construct the stormwater management system on the Strathmere Lodge property to the satisfaction of the Municipality and receive confirmation that the County of Middlesex has accepted the system. (SC)
35. That prior to final approval, the Owner provide a stormwater outlet for the Trillium Villages (600 Saulsbury Street) property with the appropriate easements, to the satisfaction of the Municipality. (SC)
36. That prior to final approval, the Owner implement Development Assessment Report (dated October 30, 2023) and letter dated November 20, 2023, mitigation measures as follows:
 - a. That prior to final approval, an Erosion and Sediment Control (ESC) Plan prepared to satisfaction of Municipality.
 - b. That prior to final approval, the ESC Plan be secured in the subdivision agreement and implemented on site.
 - c. That prior to final approval, the owner has a review conducted by a qualified person, of all trees to be removed to confirm if there is bat habitat in the trees. MECP is to be consulted if trees with bat habitat are found.
 - d. That prior to final approval, homeowner's package be prepared by a qualified person.
 - e. That prior to final approval, a tree protection fencing, and construction limit fencing be installed along the Cable Drain and along the hedgerow as described in the DAR.
 - f. The prior to final approval, the owner shall prepare a mitigation action plan that will include: i) measures to be put in place to mitigate any impact of invasive plants on the natural features and any impacts construction activities may have on root zones of any mature trees, and ii) There is a concern regarding bats in the vicinity of Albert Street. Bat habitat will be protected, and bat habitat will be replaced/augmented with bat houses.

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- g. That prior to final of the last phase of draft plan, the owner shall final the enhancements to the natural heritage corridor with a substantial buffer of 30 metres from the top of bank as shown on Figure 6 (October 2023 DAR). The buffer will be re-naturalized with native trees, shrubs, grasses, and forbs that are intended to provide cover, nesting habitat, and food. As well, additional wildlife features such as brush piles, water collecting swales, bat houses and blue bird houses will part of this approach. This will be completed to the satisfaction of the municipality.
- h. That subdivision agreement includes clauses that confirm the following:
 - a) No vegetation clearing or grading between April 1 and August 31 shall occur, to limit disturbances to nesting activities of birds and
 - b) No vegetation clearing between April 1 to September 30 shall occur, for tree removal to occur outside the bat maternity window.
- i. That the subdivision agreement includes a clause that if Species At Risk are found or are occasionally encountered during construction activities an ecologist will be brought to the site to review the situation with the municipality and applicable Provincial ministry. A plan to remedy the situation such as ceasing activities temporarily or shifting these to a more appropriate time will be put in place to protect SAR activities and habitat. As well, fencing or hoarding may be put in place to direct SAR and to keep construction activities away from SAR corridors and habitat.
- j. That the owner acknowledges and agrees that any trees with bat habitat area considered potential habitat for SAR bats. As such bat habitat in trees to be removed shall be identified prior to removal, and MECP consulted if trees with bat habitat area to be removed.
- k. That the subdivision agreement includes a clause that all removed trees shall be replaced with new trees at a 2:1 ratio, with new trees of an indigenous species.
- l. That the subdivision agreement includes a clause that the owner include in the property covenant for each lot in this subdivision the use of road salt will not be allowed and private streets and sidewalk maintenance shall use sand and stone dust only. That this will be included in a future condominium or site plan approval conditions.
- m. That the subdivision agreement includes a clause that all preexisting storm Flow will be re-routed through new facilities with sufficient capacity prior to development. Larger capacity storm sewers will replace older storm sewers on Napperton Drive from County Lane to the Cable Drain crossing. As a section of Block 136 is within the regional floodplain, the flood volume filled was

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calculated with a cut-fill analysis. The volume filled has been replaced with a cut volume greater than the required fill volume. The location of the cut area has been determined in coordination with SCRCA to restore this area to a more natural condition.

- n. That the subdivision agreement includes a clause that as per the Functional Servicing report, stormwater quality will be addressed through a combination of lot level and end-of-pipe quality control measures in the development. This will include the use of perforated rear-yard catch basins will allow for more groundwater exfiltration of smaller events, better representing the existing hydrological cycle within the area. (SC)
37. That prior to final approval, a Licensed Archaeologist shall provide a letter to the Municipality and the County indicating that there are no 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(s) have been entered into the Ontario Public Register of Archaeological Reports. (SC)
38. That prior to final approval, the County is to be advised in writing by the Municipality how conditions 1 to 8, 11 to 24 and 26 to 37 have been satisfied.
39. That prior to final approval, the County is to be advised in writing by the County Engineer how conditions 6, 9, 10 and 33 have been satisfied.
40. That prior to final approval, the County is to be advised in writing by the St. Clair Region Conservation Authority how conditions 22, 24 to 29 have been satisfied.

NOTES TO DRAFT APPROVAL

- 1) Draft approval for this plan of subdivision is for a period of five (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.
- 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

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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 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.
 - 9) When the zoning by-law amendment required in Condition 6 is being prepared, reference to this subdivision application file number (39T-SC-2302) 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 Strathroy-Caradoc
 - St. Clair Region Conservation Authority
 - 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

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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”*

- 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.