

Meeting Date: December 16, 2024
Department: Building, By-law and Planning
Report No.: BBP-2024-144
Submitted by: Tim Williams, Manager of Planning
Reviewed By: Jake DeRidder, Senior Development Coordinator
Approved by: Trisha McKibbin, Chief Administrative Officer

SUBJECT: Applications for Draft Plan of Subdivision & Rezoning
Applicant: Strik, Baldinelli, Moniz (SBM)
Owner: 1960726 Ontario Limited c/o Westdell Development Corp.

RECOMMENDATION: THAT: Report BBP-2024-144 regarding 39T-SC2201 and ZBA 3-2022 be received by Council for information;
THAT: Subdivision 39T-SC2201 be approved in principle and forwarded to the County of Middlesex for consideration and approval;
THAT: the rezoning application, ZBA 3-2022 which would rezone the lands the lands legally known as PT Lot 17 Concession 2, from “Future Development (FD) zone”, to a ‘Low Density Residential (R1-24-H-5) zone’ which will allow residential dwellings and to ‘Environmental Protection (EP) zone’ to accommodate the natural heritage, be approved.
AND THAT: By-law 128-24 be referred to the Consideration of By-laws Section of the Agenda for approval.

EXECUTIVE SUMMARY:

- The draft plan of subdivision application proposes to develop the parcel with 54 single detached dwellings lots. The plan also proposes 1 new public road and an extension of an existing road with access to the first phase of the subdivision (not yet constructed) to the south and a second draft plan of subdivision to the west by another developer/owner. Ultimately the development would connect to existing roads, Parkhouse Drive, and Rougham Road. The proposal also includes two open space blocks for natural heritage protection.
- The application for zoning by-law amendment seeks to amend the zoning for the subject lands from “Future Development (FD) zone”, to a site specific ‘Low Density Residential

(R1-#-H-5) zone' for the single detached dwellings. A separate portion of the subject lands containing Natural Heritage features are proposed to be rezoned from 'Future Development (FD) zone' to 'Environmental Protection (EP) zone'

- An Open House was held on March 9, 2022. The following points were raised: impacts on adjacent homes, access to John Street, dust and wind impacts on existing residents during the construction protection of the natural heritage feature on the property, and impact of construction on existing residential wells.
- A Public meeting was held on November 4, 2024, and similar to the open house the community comments included protection of the natural heritage and replanting area, the need for fencing along the property line of the natural heritage block and finally the possibility of trails within the natural heritage areas.
- There were a number of items that staff were working with the applicant on, including: finalizing, technical stormwater details, and natural heritage matters including water balance and infiltration. These have been addressed in a manner that did not require amendment to the draft plan.

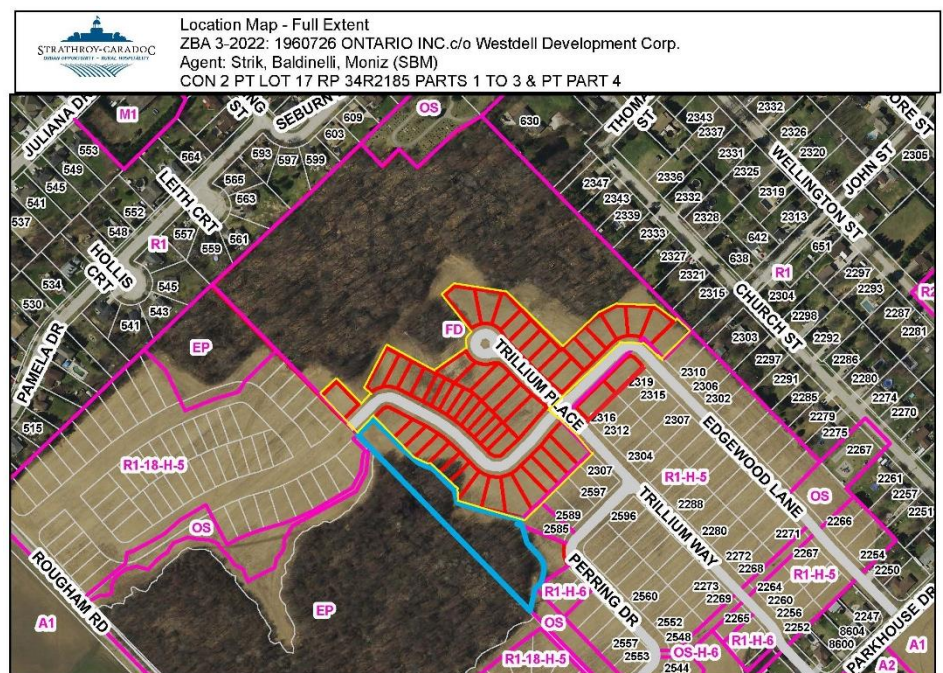
PURPOSE:

The purpose of the subject evaluation report is to provide Council and the public background information on the subdivision and zoning application and provide and evaluation of the applications based on planning policy and good planning. The purpose of the public meeting was to seek input and collect comments from the public and Council. The proposal may then be amended, or additional information provided to address comments before a planning evaluation report is presented to Council.

SITE CONTEXT:

The site is approximately 10.8 ha (26.6 ac) in size and is located in the southwest portion of Mt. Brydges and north of Parkhouse Drive and east of Rougham Road. The parcel is land locked by two draft approved subdivisions to the west and south of the subject site (SC1901 and SC 1702).

These lands are currently designated for residential development but are not zoned for residential uses. The lands are currently vacant and have in the past comprised of agricultural land in crop production and natural heritage/woodlands. A remnant woodlot is also located on site. The woodlands are designated significant and have been damaged in the past by the owner and through court order has been required



to replant the area. Surrounding land uses include agricultural land to the south and west, low density residential land uses in the form of single detached and semi-detached dwellings to the north and east.

From a servicing perspective, municipal water and sanitary service are located at Adelaide Road and Parkhouse and there are plans to bring services to the property and provide service to the development through the municipal lead Parkhouse Drive reconstruction project.

PROPOSAL SUMMARY:

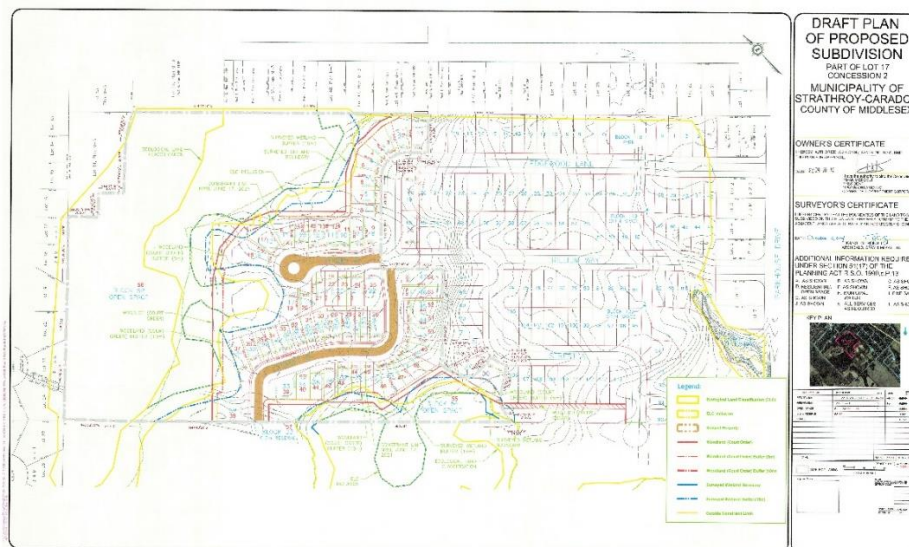
The purpose of the subject subdivision and zoning by-law amendment applications are to facilitate the development of a subdivision containing 54 dwellings units. The plan also proposes 1 new public road and an extension of an existing road with access to the first phase of the subdivision (not yet constructed) to the south and second draft plan of subdivision to the west by another developer/owner. Ultimately the development would connect to existing roads, Parkhouse Drive, and Rougham Road. The proposal also includes two open space blocks for natural heritage protection.

Applications for draft Plan of Subdivision and Zoning By-law amendment were received on January 28, 2022, they were deemed complete on January 28, 2022, and February 8, 2022, respectively.

The applications were planned to be on the July 2, 2024, Strathroy-Caradoc Council for the public meeting however the owners requested that the applications be “pulled” from the agenda to allow them time to make a revision to this proposal as well as the proposal to the south (39T-SC-1702).

This plan has changed to propose smaller lots and removed the previously proposed semi-detached dwellings so the subdivision will now be comprised of all singles. The interface between this development and the southern subdivision was adjusted to have the division of the subdivision at the road rather than the previously proposed temporary road through lots.

The current draft plan of subdivision is shown below and is included as an attachment to this report.



TECHNICAL DISCUSSION:

Since the application's original submission, staff and the applicant have worked on several key issues:

- The original plan did not propose a connection to John Street and that has been amended to provide a connection (through the subdivision to the south).
- The plan had an interim solution for the roads that connected to phase 1 these have now been included in phase 1.
- The proposal previously contained all single detached dwellings with frontage in exceed of the minimum 15 m (50ft) in the low density residential (R1) zone. The plan now contains lots between 12 m and 14 m frontages for a total of 54 lots.
- Natural Heritage Features on the site required the submission of a Development Assessment Report that was accepted by the Municipality's Peer Reviewer.
- Stormwater management design required modification to ensure that it would not negatively impact downstream watercourse, the on-site woodlands and adjacent wetland.

Staff and the applicant have worked through the majority of issues on the application and continued to work through details from the latest revision the following were three remaining technical items that include a statement on how they were resolved either addressed through additional information or as conditions of approval.

- 1) Due to recent Provincial changes permitting up to 2 additional units in single detached dwellings, duplexes and townhouse as-a-right, staff have requested the applicant provide information on what the potential impact that might have on the subdivisions sanitary and water design capacity. Due to the potential impact on servicing, this information should be provided prior to a recommendation, typically this is addressed in a servicing brief that recognizes the potential for a population increase.

Response: The applicants have provided additional information about the proposed service demand and which confirmed the proposed service capacity would be acceptable.

- 2) The rezoning proposes a lot coverage of 55% that is not practical.

Response: The applicant has amended the application to request 45% lot coverage for the lots which is 5% greater than the existing R1 zone.

- 3) Standard conditions of approval have been requested from Enbridge Gas Inc., Canada Post and Safety and Standards Officer.

Response: The draft condition of approval included with this report include conditions that address the easements and other instruments to be carried out.

PUBLIC CONSULTATION SUMMARY:

Public Open House

A Virtual Neighbourhood Open House was held on March 9, 2022. There were members of the public who attended the meeting as well as staff to observe. The meeting could be summarized as follows:

The John Street connection was raised with residents speaking in support of the connection and others not supporting. Concerns were also raised about existing wells being impacted by the development, construction nuisance including dust, stormwater management /drainage, and protection of ecological significant areas.

More detailed minutes from the meeting are attached in Attachment No. 5.

Statutory Notice Requirements

The application has been circulated to agencies and the public in accordance with the requirements of the Planning Act. This included the circulation of the Notice of Public Meeting (which also served as the Notice of Complete Application and Notice of Application for the zoning by-law amendment) which included details of the application, a copy of the draft plan of subdivision, and a location map.

On October 10, 2024, the Notice of Public Meeting was circulated to property owners within 120 metres of the subject property and a sign was posted on the property.

PLANNING CONSIDERATION:

The subject lands are located within a fully serviced Settlement Area as per the definitions of the Provincial Planning Statement and the County of Middlesex Official Plan. The lands are designated “Residential” under the Strathroy-Caradoc Official Plan and within the ‘Future Development (FD) Zone’ pursuant to the Strathroy-Caradoc Zoning By-law.

The zoning by-law amendment seeks to amend the zoning for the subject lands from “Future Development (FD) zone”, to site specific ‘Low Density Residential (R1-#-H-5) zone’ to allow for single detached dwellings with frontage less than 15 metres. Further to this the ‘Future Development (FD) zone’ is proposed to be rezoned to ‘Environmental Protection (EP) zone’ to recognize the natural heritage features on the property.

Further detail is found the Planning Policy Background attachment.

PLANNING ANALYSIS:

Planning staff have reviewed the application along with draft version of draft plan approval conditions and find that it is consistent with the Provincial Planning Statement 2024, conforms with the County of

Middlesex Official Plan as well the Strathroy-Caradoc Official Plan. The following section will review the reasons for this opinion:

Comments on Consistency with the Provincial Planning Statement 2024

- The proposal is located within a designated growth area of a settlement area (Mt. Brydges), on lands identified for residential development within the Strathroy-Caradoc Official Plan.
- The residential dwellings will be fully serviced and provide for the efficient use of existing infrastructure and public service facilities.
- The addition of these lots may potentially have an impact on the operation and functionality of the Mount Brydges Wastewater Treatment Facility, additional phasing and timing restrictions of the development may be required. The draft conditions include that the subdivision draft plan approval is for 5 years and that prior to final approval of the subdivision, the applicant will have to receive an updated confirmation of servicing capacity. This is reflected in the conditions of draft plan approval for all subdivisions.
- The proposal will subdivide a property that has been within the settlement boundary for many years, underutilized and is an appropriate location for development.
- The proposal subdivides lands outside of the natural hazard and natural heritage areas for future residential areas and the buffer areas surrounding the natural heritage system and hazard lands which is consistent with the policies.
- Given the application was submitted prior to the PPS 2024 it is appropriate to confirm that the development was assessed against the PPS 2024 and found to be consistent.

Given the above, it is staff's opinion that the application is consistent with the Provincial Planning Statement.

Comments on the Conformity with the County of Middlesex Official Plan

- As noted above, the property is within a designated growth area of a settlement area and will be fully serviced and provides for the efficient use of infrastructure and public service facilities.
- The development will be compact and utilizing lands within the settlement area in a manner that will increase the housing supply.
- While planning staff would have preferred a variety of housing types the proposed single detached dwellings is a built form that will fit within the existing community. The size of the lots have been reduced from the original application submission.
- The proposal results in the orderly development of this underutilized property.

Given the above, it is staff's opinion that the application conforms with the County Official Plan.

Comments on Conformity to the Strathroy-Caradoc Official Plan

- As noted above, the proposal is located within a settlement area, on lands identified for residential development, provides a layout that represents an efficient use of residential lands and consideration for the existing land uses in the area, will be fully serviced and provides for the efficient use of infrastructure and public service facilities.

- With respect to the policies of the Official Plan relating to development of residential within Mt. Brydges, the Plan encourages a variety of residential densities such as the proposed density.
- The subdivision represents the final lands within this block that remains without a draft plan approved and it has been designed to integrate well with the existing neighbourhood as well as the draft approved subdivisions.
- The proposal will contain public roads and pedestrian paths which will create public network.
- The open and amenity spaces will be further refined during the site plan process.

As noted in the background OPA 14 has been appealed to the Ontario Land Tribunal and while it was noted in the policy section of this report it has no legal implications on this application. It worth noting that the application would be conformity with the new policies.

Given the above, it is staff's opinion that the applications will conform to the Strathroy-Caradoc Official Plan.

Comments on Amendments to the Strathroy-Caradoc Zoning by-law

The proposal has been designed to follow with the Official Plan intensification policy and the proposal is for single detached dwellings to be zoned site specific 'low density (R1-5-H-5) which is in keeping with the proposed built form. The remaining portions of the lands are rezoning Natural Heritage to Environmental Protection.

The proposal is seeking relief from development standard provisions of the zoning by-law. The revised proposal to reduce the proposed relief for building coverage from 55% to 45% is supported by the submitted engineering reports. The proposal to reduce the exterior side yard setbacks to 3m from 5m is commonly amended when the subdivision design does not have exterior side yards on straight street lines which would highlight this reduced setback. Finally, the applicant is proposing lot frontage and area reductions to 12 m lot frontages (15 m required in the by-law) and a minimum lot area of 365 m² whereas the by-law requires 460 m². These two provisions work together to create a lot fabric that is more compact increases intensification of the development which is encouraged by Local and County Official Plans.

FINANCIAL IMPLICATIONS:

This application would have a positive impact on assessment growth and tax revenues. The amount of growth is dependent on the assessment of the properties of the properties by the Municipal Property Assessment Corporation (MPAC). Financial services will work with Planning Staff to collect any required security deposits / bonds related to the potential development.

The Municipality will also receive Development Charges as per the most recent Development Charge By-law and subsequent indexing / phasing. This would be offset by increased costs as a result of the Municipality assuming the subdivision infrastructure, amenities and operating costs. Upon building permit issuance, Finance will help calculate the development charges, subject to any credits or exemptions, if they arise at that time.

Finally, the Municipality will receive building permit fees as per the most recent Building Fees and Charges By-law. The amount of building permit fees collected will be determined upon the refinement of the building plans during preparation of the permit application.

Ultimately, upon the substantial completion of the development, the municipality will assume all of the streets and infrastructure, including sanitary, storm, water, lighting, street and sidewalk, curb /gutter, trees, storm pond and parks as new assets that will require a commitment for future maintenance.

It is noted that the extension of services along Parkhouse Drive is a DC project, has received capital budget approval and is 'in process'. This project will facilitate the servicing of the subject lands, as well as others on the east and west side of Adelaide Road.

ALTERNATIVE(S) TO THE RECOMMENDATION:

Planning Staff have provided their recommendation however there are alternative options to this recommendation:

1. THAT: the subject report BBP-2024-144 for 39T-SC2201 and ZBA 21-2022 be received for information and the applications for Draft Plan of Subdivision and Zoning By-law Amendment be deferred.;
2. THAT: the subject report BBP-2024-144 for 39T-SC2201 and ZBA 21-2022 be received for information and the application for Draft Plan of Subdivision and Zoning By-law Amendment be denied.; OR
3. THAT: the subject report BBP-2024-144 for 39T-SC2201 and ZBA 21-2022 be received for information.
AND THAT: Council to provide alternate direction.

STRATEGIC PLAN ALIGNMENT:

This matter is in accord with the following strategic priorities:

- 1) *Economic Development, Industry, and Jobs:* Strathroy-Caradoc will have a diverse tax base and be a place that offers a variety of economic opportunities to current and prospective residents and businesses.
- 2) *Community Well-being and Quality of Life:* Residents of all ages in Strathroy-Caradoc will have access to community amenities and activities that are accessible and support active lifestyles and wellbeing.
- 3) *Managing the Challenges of Growth for the Municipal Organization:* Strathroy-Caradoc will be an inclusive community where growth is managed to accommodate a range of needs and optimize municipal resources. We are committed to maintaining operational efficiency and economies of scale through these times of change.

SUMMARY AND NEXT STEPS

Based on the above analysis staff are supportive of the proposed rezoning and draft plan of subdivision as they are considered to be consistent with the Provincial Planning Statement, in conformity with the County of Middlesex Official Plan, Strathroy Caradoc Official Plan and represents good planning.

A zoning by-law amendment has been prepared for Council's consideration.

With regard to the zoning by-law amendment, a 20-day appeal period will start on the date the Notice of Decision is sent. With regard to the draft plan of subdivision, if recommended for approval, it would be forwarded to the County of Middlesex for final approval.

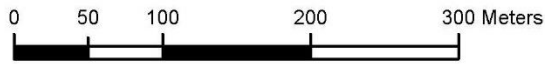
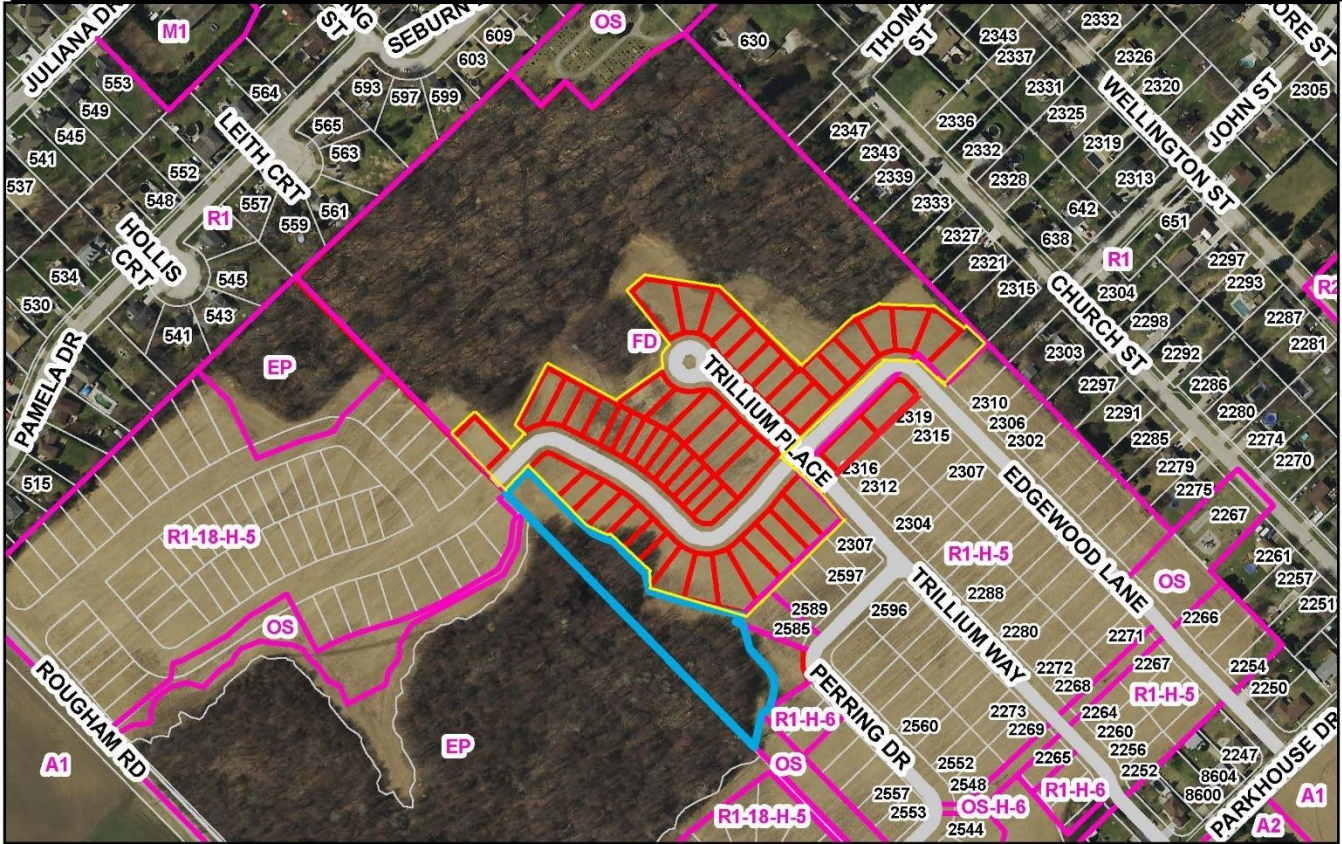
ATTACHMENTS:

- Attachment No. 1 – Location Map
- Attachment No. 2 – Draft Plan of Subdivision
- Attachment No. 3 – Application Summary
- Attachment No. 4 – Technical Comments
- Attachment No. 5 – Public Consultation details
- Attachment No. 6 – Planning Policy Background
- Attachment No. 7 – Site Statistics & Planning Summary
- Attachment No. 8 – Notice of Completion
- Attachment No. 9 – Draft Plan of Subdivision Conditions

Attachment 1: Location Map



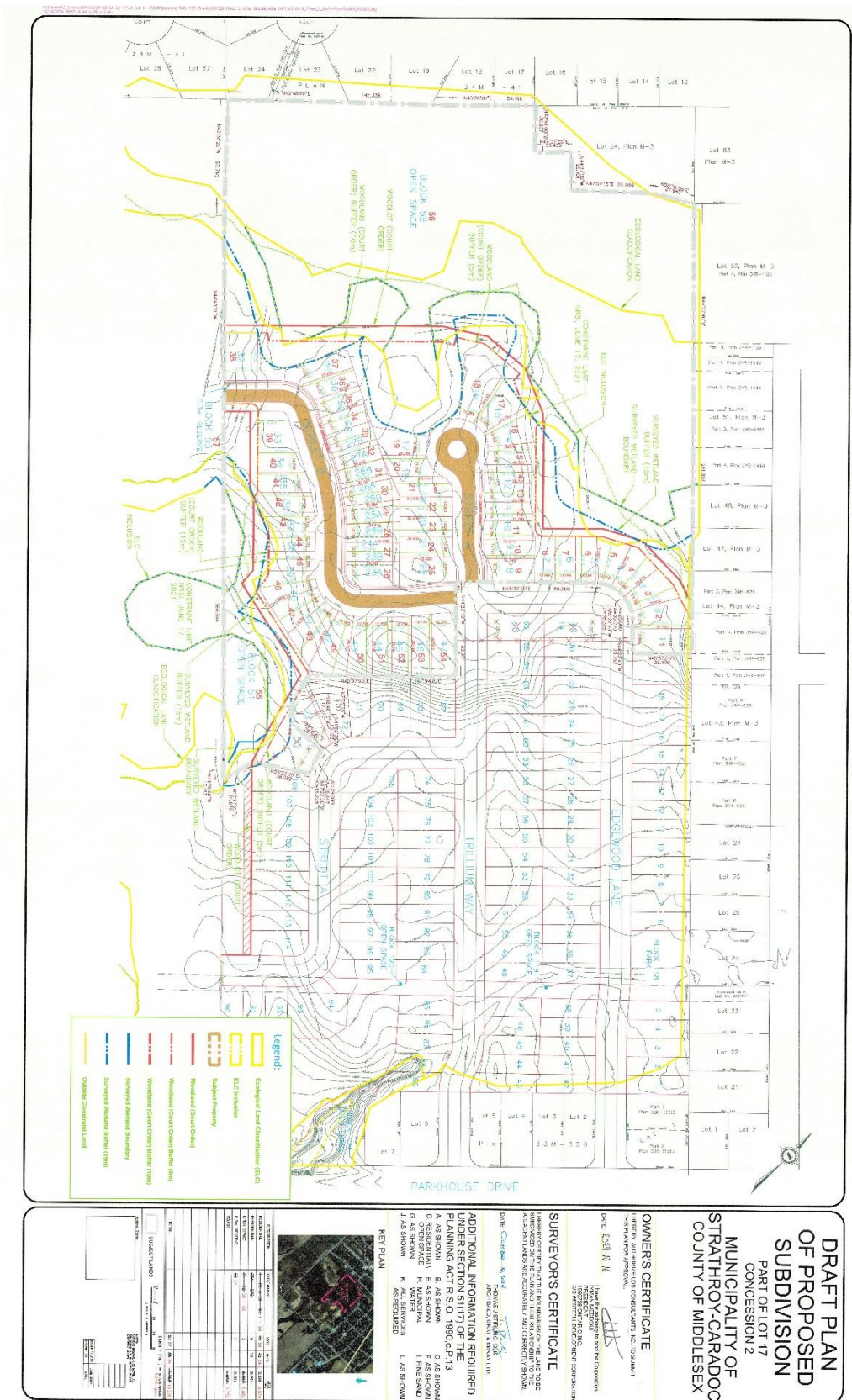
Location Map - Full Extent
 ZBA 3-2022: 1960726 ONTARIO INC.c/o Westdell Development Corp.
 Agent: Strik, Baldinelli, Moniz (SBM)
 CON 2 PT LOT 17 RP 34R2185 PARTS 1 TO 3 & PT PART 4



Legend

- Lands to be rezoned from Future Development (FD) Zone to Residential (R1) Zone
- Lands to be rezoned from Future Development (FD) Zone to Environmental Protection (EP) Zone
- Subdivision Plan 39T-SC2201
- Zone Boundary
- Parcels

Attachment 2: Draft Plan of Subdivision



Attachment 3: Application Summary

In addition to the application forms, the submission included the following support documents:

- Draft Plan of Subdivision, prepared by LDS Consultants Inc. signed on December 23, 2021
- Planning Justification Report, dated January 2022 by SBM Consultants Inc.
- Development Assessment Report, November 2021, By Natural Resources Solutions Inc.
- Functional Stormwater Management Report dated August 30, 2021, by LDS Consultants Inc.
- Watermain Distribution Analysis dated August 17, 2021, by LDS Consultants Inc.

Applications for draft Plan of Subdivision and Zoning By-law amendment were received on January 28, 2022, deemed complete on January 28, 2022, and February 8, 2022, respectively.

Following an initial circulation of the supporting materials the following items were submitted prior to the Open House in response to comments:

- Draft Plan of Subdivision, prepared by LDS Consultants Inc. signed on March 4, 2024.
- Planning Justification Addendum Report, dated May 2022 by SBM Consultants Inc.
- Development Assessment Report, November 2021, By Natural Resources Solutions Inc.
- Amended Archaeological Assessment Stage 1-2, by Lincoln Environmental Consulting Corp.
- Functional Stormwater Management Report dated December 6, 2021, by LDS Consultants Inc.

The revisions resulted in modifications to the cul-de-sac and natural heritage interface and the introduction of 5 semi-detached lots (10 dwellings), however the number of roads has remained unchanged.

From September 6 to October 17, 2024, submitted revised plans and proposal for the development. As noted earlier, the plan single detached lots were reduced in frontage (and lot area) from 17 m to 13m (varies due to road configuration etc.). The semi-detached lots were removed from the plan and replaced with single detached dwellings.

The size of the draft plan has also changed provided a portion of land to the draft plan to the south so that the interface between the two developments is divided by a road instead of lots that would require a temporary road.

On November 14, 2024, the owners submitted a letter outlining responses to comments received during the public meeting from Council and members of the public. Along with was a review of the feature-based water balance that had been conducted prior to more intensive development proposal for this subdivision (39T-SC2202) and the property to the south (39T-SC1702).

Attachment 4: Technical Comments

County Safety and Standards Officer advised on several conditions of approval relating to street naming, addressing and communications that will be required for the draft plan of subdivision.

Lower Thames Conservation Authority has advised an application from this office is required prior to any works/construction/alteration taking place within the regulated area. The property is not subject to flooding of a general nature and as such structures are not required to be flood proofed. However, the flood proofing of structures for the purposes of prevention of flood damage from local, overland drainage waters, and from influences from the Local Wetland, is always recommended.

As a result of our review, staff have the following comments to make as it relates to the Functional Servicing and Stormwater Management Plan Report:

- The IDF parameters used were based on City of London recommended values. The storm sewer is designed based on a return period of 5- years (dated November 2021).
- Storm water management facility controls the post development flow to pre-development flow.
- SWM pond and the OGS device provide “Enchased” level of treatment achieving 80% suspended solids removal. Detention time of storm water in the pond controls erosion. The design values for water quality are in accordance with the MOE standards.
- The maximum depth of the SWM facility is 2.9m and that of elevation range of the SWMM facility are 241.48-244.20 m. The depth at 250-year storm is at 243.70 m. Outflow from SWM facility should not produce flooding or tail water effect to the ravine.

Please be advised that the subject property is located in an area with a Highly Vulnerable Aquifer [HVA] and a Significant Groundwater Recharge Area [SGRA] as identified through the Lower Thames Valley Assessment Report in the Thames, Sydenham and Region Source Protection Region. For further information regarding this matter and how it may affect any proposed development please refer to the Thames, Sydenham and Region Source Protection website at www.sourcewaterprotection.on.ca.

These matters are proposed be included in the draft plan approval conditions.

Enbridge Gas Inc. staff have advised that it is their request that as a condition of final approval that the owner/developer provide to Enbridge (formerly Union Gas) the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.

This matter is proposed be included in the draft plan approval conditions.

Director of Community Services advised that the parkland required is 5% for residential subdivisions and the proposed is development has dedicated lands within the subdivision to the south which is adjacent to the existing park (Lioness Park), and this is acceptable provided that the remaining contribution is provided as cash in lieu of parkland, it is requested that this be included as a draft plan approval condition.

This is included in the proposed draft plan approval conditions.

Engineering and Public Works advised that:

- Additional lots and densities may potentially have an impact on the operation and functionality of the Mount Brydges Wastewater Treatment Facility. These additional flows were not contemplated in the original design of the wastewater treatment facility and additional phasing and timing restrictions of the development may be required.
- If approved, we would want to add the following draft plan condition to the plan of subdivision, *No development of the Plan of Subdivision may begin until all external infrastructure and services required for the development of the Plan of 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 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 Plan of Subdivision. External capacity of any services will be formally allocated through the execution of a Subdivision Agreement for each phase of the development as Municipal capacity allows. Should the Municipal Engineer deem there to be insufficient external capacity for any of the required municipal services, the Municipality has no obligation to provide such capacity within the lapse period, or at any time.*
- The Strathroy-Caradoc Strategic Plan 2019-2029 and Official Plan includes, as a key strategy to address the Municipality’s housing affordability challenge, the support for the provision of diverse and attainable housing options. The proposed application only includes single detached lots as part of the application, we would encourage a mix of housing types to help address the need in Mount Brydges for a more diversified housing.
- The water balancing report for the subdivision will need to be updated to reflect the increased density
- Bill 23 still needs to be considered for this development. The site is all single detached dwellings which are suitable for multiple units which are permitted as of right under Bill 23.
- The design of Parkhouse Drive may need to be reviewed to accommodate the increased density and flows
- Updated detailed design will be required during the condition fulfilment stage

These items were addressed with the supplemental information received and the remaining will be addressed in the notice of draft plan approval conditions.

Planning staff advised that the applicant is requesting a maximum building coverage of 55%, while the zoning regulations require a minimum landscaped open space of 40%. This leaves only 5% of the lot for open space that does not include landscaping, such as driveways or decks. This would be impractical, given that a two-car garage driveway would cover approximately 30 m², which amounts to about 8% of a lot proposed at 365 m².

The application has been revised to have a maximum building lot coverage of 45% which is acceptable to planning staff.

The proposal and the adjacent one have undergone nearly two years of review concerning the water balance for the overall development, so it is important that any proposed changes align with this work or that the work is amended to address the new built form. Additionally, the stormwater management report for this proposal should be updated to reflect the proposed building coverage and other impervious items that will be included on the lots.

An engineering report has been submitted that confirms the revised water balance waters will continue to function and meet the thresholds that were established during the review of the less intense subdivision. Further revisions to the report may be required as part of the condition fulfilment.

Attachment No. 5 – Public Consultation details

Public Open House

A Virtual Neighbourhood Open House was held on March 9, 2022. There were members of the public who attended the meeting as well as staff to observe. The meeting could be summarized as follows:

- The connection of the subdivision to John Street was encouraged by some of the neighbours while neighbour directly adjacent to the Right of Way was concerned about the negative impacts this would have on their property.
- Concerns about dust from the field during construction and a request put in place mitigation measures during construction.
- Existing well being impacted by the construction of the subdivision.
- Protection of the existing woodlands
- Stormwater management and drainage should be completed in a manner that does not impact the existing residential area.

The detailed minutes from the meeting are attached from the applicant are included in this attachment.

The application has been circulated to agencies and the public in accordance with the requirements of the Planning Act. This included the circulation of the Notice of Public Meeting to property owners within 120 metres of the subject application on October 10, 2024.

Similar to the open house the community comments included protection of the natural heritage and replanting area, the need for fencing along the property line of the natural heritage block and finally the possibility of trails within the natural heritage areas.

Edgewood Subdivision - Phase II, Strathroy – Open House Summary

On March 9th of 2022, the Project Team held a virtual Public Open House to receive feedback on the proposed residential subdivision, to learn more about a proposed draft plan of subdivision. The proposed residential development is to subdivide a 10.7-hectare property to create 51 new lots for single detached residences, in Strathroy. We thank everyone who participated and provided feedback or requested additional information.

Project Team:

- Laverne Kirkness and Maneesh Poddar, Strik Baldinelli Moniz Ltd

Public Open House Attendees :

- 121 notices were sent to surrounding landowners within 125m
- 21 households attended the event

Observing the meeting:

- Cllr. Steve Pelkman and Cllr. Sandi Hipple (Municipality of Strathroy-Caradoc)
- Jennifer Huff (Director of Buildings & Planning, Strathroy Carodoc)
- Tim Williams (Senior Planner, County of Middlesex)

At the Community Open House, the Project Team provided a short presentation of the general planning process and proposed development. All attending households were then given an opportunity to make comments and ask questions.

The following summarizes the comments or issues that were heard and followed by the applicant's response:

a) **John Street Extension & (Through) Traffic**

A Traffic Impact Study has not been completed for Stage II of the proposed subdivision. The low density residential subdivision would generate expected traffic levels that would not impede normal traffic movements on the surrounding intersections and that are anticipated to operate within an acceptable level of service. Multiple points of access into/from the planned neighbourhood would aid in dispersing traffic through various streets/intersection, thereby preventing or alleviating peak hour bottle-necking or chokepoints.

The Municipality would continue to monitor the traffic within the municipality and implement intersection and road/boulevard improvements if they are warranted.

b) **Existing Potable Water Wells**

A hydrogeological assessment has been completed by LDS Consultants and has reviewed the potential impacts on nearby water wells. In the Mount Brydges area, the shallow unconfined aquifer is the most accessible water supply, due to the relative ease from what good quantities of water can be obtained. The potential for long-term adverse impacts to the nearby wells from the proposed development is not anticipated.

Depending on the extent of excavation and dewatering during construction, dewatering may temporarily draw down the local shallow groundwater table and may temporarily affect shallow water supply wells, if the wells are present within the “temporary dewatering zone of influence”. Accordingly, consideration may be given to having a point of contact established to liaise with neighbours and nearby property owners, to identify and address concerns if issues arise during construction.

As a contingency measure, it is anticipated that temporary water supply can be provided to residents who are not already connected to municipal water service, and experience short-term issues with the quantity of water in their wells during de-watering. Prior to construction, a Work Notice can be circulated to local residents to provide emergency contact information in the event that they a concern resulting from the construction.

c) **Construction Nuisances / Dust**

Prior to the Municipality’s Site Alteration By-law , the owner have previously imported fill to the site and installed dewatering equipment. LDS has since provided inspection and testing of the imported materials can confirm the general suitability of materials which have been previously imported to the site.

A construction manager would be assigned to this development project and would be entrusted to maintain good practices and a good-neighbour relationship. Site maintenance and/or construction nuisances would be enforced through municipal/bylaw infractions and enforcement.

d) **Stormwater Management/ Drainage**

A Functional Stormwater Management Report has been completed by LDS. The stormwater catchment area has been reviewed through a Servicing Design Brief. Currently, the undeveloped area provides a large uninterrupted and uncontrolled flow of water that accumulates and/or flows onto neighbouring properties. The ultimate design would direct the majority of water into separate storm sewers located internal to the subdivision. Overland flow routes entering onto adjacent properties would be reduced or eliminated; thereby, reducing/eliminating stormwater impacts to existing septic systems.

Lands abutting the ecological area would provide sheetflow discharge from roofs and rear yards to access the treed areas to maintain a pre-development level of stormwater to maintain vegetation growth.

e) **Protection of Ecological Significant Area (ESA)**

Natural Resource Solutions Inc (NRSI) has completed a Development Assessment Report in support of the Phase II subdivision, that built on the previous findings of the DAR completed by BioLogic in 2017. NRSI had delineated the ecological areas that are to be avoided and protected from development.

A portion of the vegetation had been removed in 2018 and was replanted by the Owner.

A water balance analysis and grading exercise has been completed by MTE to determine the appropriate amount of water to be continued to drain to the ecological areas to match the pre-development quantity. In terms of quality, clean water would continue to sheet flow to the ESAs from rear yards.

Parkland

Open space within the area of Phase II would consist of two blocks for conservation of the existing Natural Areas and some abutting lands for buffer and connectivity. Open spaces would be dedicated as Parkland and owned by the Municipality to be managed for parkland purposes in accordance with the Parks and Recreation Master Plan (Nov. 2021).

Attachment No. 6 – Planning Policy Background

The subject lands are located within a fully serviced Settlement Area as per the definitions of the Provincial Planning Statement and the County of Middlesex Official Plan. The lands are designated “Residential” under the Strathroy-Caradoc Official Plan and within the ‘Future Development (FD) Zone’ pursuant to the Strathroy-Caradoc Zoning By-law.

Planning Act

Under Section 3 of the Planning Act, where a municipality is exercising its authority affecting a planning matter, such decisions, “shall be consistent with” all policy statements issued under the Act.

Section 36 (1) of the Planning Act, provides for Council to pass a holding symbol “H” in conjunction with any use designation to limit the uses on the property until such time in the future as the holding symbol is removed by amendment to the by-law.

Provincial Planning Statement (2024)

The PPS provides policy direction on matters of provincial interest related to land use planning and development.

Section 2.2.1. Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents.

Section 2.3.1.1 indicates that Settlement areas should be the focus of growth and development. Within settlement area, growth should be focused is.

Section 2.3.1.2 outlines the need for settlement areas should be based on densities and a mix of land uses which efficiently use land and resources as well as optimize existing and planned *infrastructure* and *public service facilities*;

Section 2.9.1 municipalities should plan to reduce greenhouse gas emissions.

Section 3.1.1 Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs. Further that they are financially viable over their life cycle, leverage the capacity of development proponents, and are available to meet current and projected needs.

Section 3.6.1 Planning for sewage and water services shall accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services and existing private communal sewage services and private communal water services.

Section 4.1.2 2. States that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored

or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Middlesex County Official Plan (2023 Update)

The subject lands are designated 'Settlement Areas (Urban and Community)' according to *Schedule A: Land Use*, and "Urban Areas" as contained within the County of Middlesex Official Plan. The Minister has approved Amendment No. 3 to the County Official Plan on July 7, 2023. The purpose of the Amendment was to update the Official Plan to ensure that the land use planning policies are current, reflect Provincial legislation and policy, have regard for matters of Provincial interest and any guideline documents, are consistent with the Provincial Planning Statement (PPS), and reflect changing community needs for the next 25-years. The below review of policy includes the newly approved Official Plan policies.

Section 2.3.7 of the Middlesex County Official Plan identifies that the County encourages a wide variety of housing by type, size, and tenure to meet projected demographic needs and market requirements of current and future residents of the County, and further, that the County will support intensification and redevelopment within settlement areas where an appropriate level of services are, or will be, available to service the lands.

Section 2.4.2.2 of the MCOP indicates in subsection f) that the development should encourage safe, convenient, and visually appealing pedestrian and cycling infrastructure for all ages and abilities. In subsection g) limit direct vehicular access to County Roads where access is available by a local road. Section h) and i) identify the need for engineer's report for developments that are likely to generate traffic and any improvements be paid for by the developer. Subsection l) requires for all new residential developments to provide a minimum of two access points to the existing road network. Exceptions to this policy shall be considered if the proposed street pattern is approved by the local Municipality, emergency service provider(s) and the County Engineer.

Section 2.4.2.3 of the MCOP indicates that right-of-way width of for arterial roads (Adelaide Road) are to be 30 metres when constructed to an urban standard.

Section 2.4.2.4 of the MCOP indicates that setback of buildings should be as stipulated in the local zoning by-law when within a settlement boundary.

Section 2.4.5 states that the County shall encourage development on municipal water and sanitary systems.

Strathroy-Caradoc Official Plan

The subject lands are designated 'Settlement Area' and 'Residential' according to *Schedule A: Structure Plan* and *Schedule F: Land Use & Transportation Plan*, respectively. The Strathroy Caradoc Official Plan has also been updated through OPA 14 and received approval from County in December

of 2023. It has been appealed by one party and as such is *not* in full force and effect. The purpose of Official Plan Amendment 14 is to update the Official Plan to ensure that the land use planning policies are current, reflect Provincial legislation and policy, have regard for matters of Provincial interest and any guideline documents, are consistent with the Provincial Planning Statement (PPS), and reflect changing community needs for the next 25-years. The changes in OPA 14 reflect the direction of Council so while they are not in force an additional note relating to each of the policies below has been included to provide detail to some of the changes as a result of OPA 14.

Section 2.4.1 encourages the provision of a wide variety of housing types with greater densities within the settlement area. The residential intensification and redevelopment are encouraged where compatible with existing development and infrastructure is appropriate. OPA 14 encourages development intensification where amenities are available rather than being compatible with existing development.

Section 2.4.4 encourages the municipality to partner with other levels of government to ensure adequate supply of housing is available for those in social and economic need. OPA 14 now includes this in a shared housing policy but still includes this intent of supply for all residents.

Section 2.4.8 of the SCOP outlines the importance of housing affordability and meeting the social, health and well-being of current and future residents. OPA 14 continues this intent.

Section 3.2 outlines the goal of maintaining adequate supply of housing, more specifically dwelling types, tenure, and affordability. It also addresses the need to recognize and support the role of peripheral commercial areas in accommodating large scale, vehicular-oriented commercial establishments not suited to the downtown core. The section also has the objective to maintain the essential qualities of privacy, quiet enjoyment, public health and safety, and land use compatibility in residential areas. OPA 14 has modified this to focus on land use compatibility in neighbourhoods but continues this intent.

As per Section 4.3.1.4 of the Official Plan intensification development proposals including infilling in existing developed areas, is considered desirable to make more efficient use of underutilized lands and infrastructure. Proposals shall be evaluated, and conditions imposed as necessary to ensure that any proposed development is in keeping with the established residential character, constitutes an appropriate 'fit' in terms of such elements as density, lot fabric, building design, dwelling types and parking. Appropriate services shall be capable of being provided.

Transportation Master Plan (2022)

The purpose of the Transportation Master Plan (TMP) is to prepare the Municipality for the future forecasted growth in population and employment and plan for changing travel behaviours. By incorporating emerging technology and mobility trends affecting travel behaviour, the TMP offers proactive strategy to adapt to them. Developing a TMP enhances the Municipality's existing

transportation facilities in the short-term and sets a course towards a more sustainable, integrated, and multimodal transportation system for the future.

The plan reviews roads but also pedestrian sidewalk network, rail, transit service and other modes of transportation. This includes the requirement for new development of road to have a sidewalk on one side of a private road development and sidewalks on both sides for arterial and collector roads.

Attachment No. 7 – Site Statistics & Planning Summary

The site is approximately 10.8 ha (26.69 ac) in size and is located in the southwest portion of Mt. Brydges with access from John Street and the adjacent two subdivisions (SC1702 to the south and SC1901 to the west).

- Within Mt. Brydges Settlement Boundary
- Current OP Designation: Residential (No changes proposed)
- Current Zoning – FD (Changes Proposed – see below site statistics)
- Woodlands area zoned Environmental Protection (EP)
- Stormwater Management area to be rezoned to Open Space (OS)

For the 54 Single Detached Lots on the Plan

Provision	Low Density Residential (R1) Zone	Proposed
Use	Single detached dwellings	Single Detached Dwelling
Lot Frontage (min)	Single detached 15 m per lot	Minimum 12 m (varied)
Lot Area (min)	460 m ² per unit	365 m² per lot
Front Yard Setback (min)	5 m	5 m
Exterior Side Yard Setback (min)	5 m	3 m
Side Yard Setback (min)	1.2 m	1.2 m
Rear Yard Setback (min)	8 m	8 m
Maximum Lot Coverage	40%	45 %
Landscaped Open Space	40%	Minimum 40%

Attachment No. 8 – Notice of Completion / Notice of Public Meeting



NOTICE OF PUBLIC MEETING

APPLICATION FOR PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT

APPLICATION NO.: 39T-SC2201 and ZBA3-2022

APPLICANT/AGENT: Strik, Baldinelli, Moniz for 1960826 Ontario Inc. c/o Westdell Development Corp.

SUBJECT LANDS

CON 2, PT Lot 17, 34R2185 PARTS 1 to 3 & PT 4, Mount Brydges

Purpose and Effect

Applications for Plan of Subdivision and Zoning By-law Amendment have been submitted by the owner of the property. The applications propose 54 single detached and removed the previously proposed semidetached lots with two new public street extensions. The development also include a significant woodland that is being retained. The development has connections to John Street to the east, and future subdivisions to the south and west. The proposal does not include parkland as this was provided in the plan of subdivision to the south.

Rezoning: This application proposes to re-zone the land from 'Future (FD) zone', to site specific 'Low Density Residential (R1-#)' for the single detached lots and 'Environmental Protection (EP) zone' for the lands containing natural heritage.

PUBLIC MEETING

Date: November 4th, 2024

Time: 6:00 pm

Location: Hybrid Public Hearing (ZOOM and in person-52 Frank Street, Strathroy, 2nd floor Council Chambers)

How to Participate in the Public Meeting:

- 1) Submit written comments to the Clerk at clerk@strathroy-caradoc.ca or by mail to: 52 Frank Street Strathroy, Ontario N7G 2R4. Please note communications are part of the public record that will be provided to council and made available to the general public, pursuant to the Planning Act and the Municipal Freedom of Information and Protection and Privacy Act.
- 2) Speak to council by attending the meeting in person OR through ZOOM video or phone. Pre-registration is required by emailing planning@strathroy-caradoc.ca or by calling 519-245-1070 ext. 210. Leave your name, phone number, method you wish to participate in the meeting, as well as the application file number or address of the property you are calling about. Staff will return your call and provide participation details.
- 3) View the meeting online at www.strathroy-caradoc.ca/meetings. The livestream will begin at 6pm. No pre-registration is required.

If you wish to be notified of the decision of the Municipality of Strathroy-Caradoc on the proposed zoning by-law amendment, you must make a written request to the Clerk at clerk@strathroy-caradoc.ca / 52 Frank Street, Strathroy, ON N7G 2R4. Should you require additional information relating to the proposed rezoning please contact Tim Williams, Manager of Planning by phone at: 519-930-1007 or by email at: twilliams@middlesex.ca.

Notices of Complete:

In accordance with Sections 51(19.1) of the Planning Act, R.S.O., 1990, as amended, the County of Middlesex, as approval authority for Plans of Subdivision has deemed the application for draft plan of subdivision to be complete on January 28, 2022 for the purposes of Section 51(17) and 51(18) of the Planning Act.

In accordance with Sections 34(10.4) of the Planning Act, R.S.O., 1990, as amended, the

www.strathroy-caradoc.ca



NOTICE OF PUBLIC MEETING

Municipality of Strathroy-Caradoc received the application on January 12, 2022 has deemed the application for a Zoning By-law Amendment to be complete on February 8, 2022 for the purposes of Section 34(10.1) and 34(10.2) of the Planning Act.

The applicant, or any authorized person, appointed in writing and acting on behalf of the applicant, must attend this Meeting. If you are aware of any persons affected by this application who have not received a copy of this notice, it would be appreciated if you would so advise them.

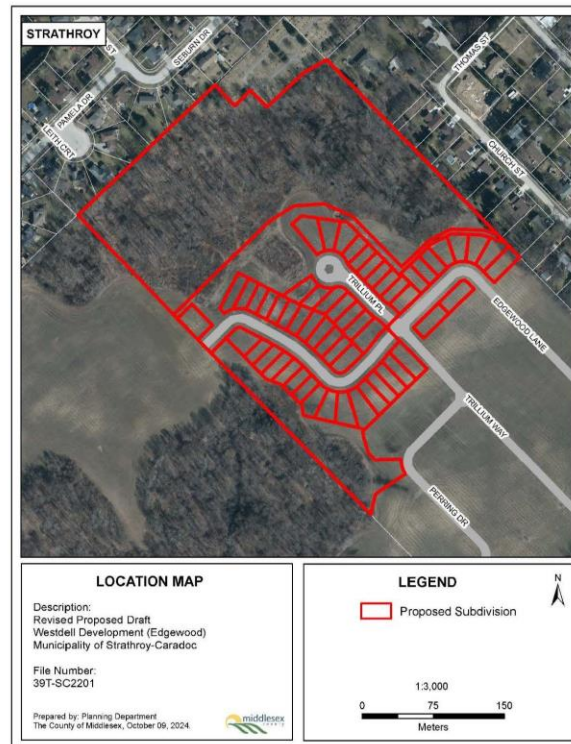
***PLEASE NOTE: THE PLANNING ACT HAS BEEN CHANGED AND 3RD PARTY APPEALS CAN NO LONGER BE SUBMITTED.**

If a person or public body would otherwise have an ability to appeal the decision of the Municipality of Strathroy-Caradoc to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Strathroy-Caradoc before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Municipality of Strathroy-Caradoc before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Pursuant to Section 1.0.1 of the Planning Act and in accordance with Section 32(e) of the Municipal Freedom of Information and Protection of Privacy Act, it is a policy of the Municipality of Strathroy-Caradoc to make all planning applications and supporting material, including signed written submissions regarding the application and received by the Clerk, available to the public.

DATED: October 11th, 2024



Attachment No. 9 – Draft Plan of Subdivision Conditions

**Preliminary **

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
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PLAN REFERENCE

1. That this approval applies to the draft plan of subdivision prepared and signed by Thomas J. Stirling, OLS (Archibald, Gray & McKay Ltd.) dated October 16, 2024, which shows:
 - Lots 1 to 54 for single detached dwellings
 - Block 55 and 56 for natural heritage;
 - Block 57 for 0.3 metres reserve; and
 - 2 Public roads Streets “A” and “B” .

SERVICING – FULL MUNICIPAL SERVICES

2. No development of the Plan of Subdivision may begin until all external infrastructure and services required for the development of the Plan of 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 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 Plan of Subdivision. External capacity of any services will be formally allocated through the execution of a Subdivision Agreement for each phase of the development as Municipal capacity allows. Should the Municipal Engineer deem there to be insufficient external capacity for any of the required municipal services, the Municipality has no obligation to provide such capacity within the lapse period, or at any time.
3. That, in connection with all financing proposals and commitments and all offers and agreements of purchase and sale made by or to the Owner involving all or any part of the land covered by the Plan of Subdivision that has not been registered, there shall be a written acknowledgement given by the other party or parties of item Condition 2 above and of receiving a copy of the draft plan conditions which acknowledgement will be produced by the Owner to the Municipality on request.
4. Within 30 days following the issuance of the draft plan approval by the County, the registered and beneficial owner at that time of the land covered by the Plan shall provide to the Municipality a written acknowledgement that any development of the Plan of Subdivision shall be on the basis of full municipal services and:

- i. that no wastewater conveyance or treatment exist to accommodate development of the Plan and that the Municipality has no plan nor the financial resources to provide same within the lapse period, or at any time;
- ii. that draft plan approval does not imply or include a commitment by the Municipality to provide servicing for the development within such lapse period, or at any time;
- iii. that draft plan approval does not imply or include any commitment by the Municipality to allocate sewage treatment and/or conveyance capacity to accommodate development of all or any part of the Plan of Subdivision within such lapse period, or at any time; and that registration of all or part of the Plan of Subdivision shall not take place until confirmation has been received by the County from the Municipality that full municipal servicing is "in place" as described in Condition 2 above to accommodate that part or all of the Plan of Subdivision that is proposed for registration;
- iv. that, in connection with all financing proposals and commitments and all offers and agreements of purchase and sale made by or to the Owner involving all or any part of the land covered by the Plan of Subdivision that has not been registered, there shall be a written acknowledgement given by the other party or parties of items 4.i., 4.ii. and 4.iii. above and of receiving a copy of the draft plan conditions which acknowledgement will be produced by the Owner to the Municipality on request.

SERVICING – STORMWATER MANAGEMENT

5. The stormwater management plan will be reviewed to the satisfaction of the Lower Thames Valley Conservation Authority, and the Municipality, and shall obtain the necessary approvals from the Ministry of the Environment, Conservation and Parks (MECP).
6. That prior to final approval, the Municipality shall advise the County that the Subdivision Agreement between the Municipality and the Developer provides for the following:
 - a. municipal assumption and Ownership of any facilities required for the retention 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 storm water management plan that are not capable of being addressed under the Ontario Water Resources Act.
7. That prior to final approval, the Developer shall submit for the review and approval of the Municipality and the Lower Thames Valley Conservation Authority a Final Stormwater Management Report and Plan, a Sediment and Erosion Control Plan and Final Detailed Servicing and Grading Plans; and the Developer will agree in the Subdivision Agreement to implement to the satisfaction of the Municipality the Stormwater Management Plan, Sediment and Erosion Control Plan and Detailed Servicing and Grading Plans as approved by the Municipality and by the Lower Thames Valley Conservation Authority.
8. During all servicing and building construction of the Subdivision, the Developer shall implement sediment and erosion control measures to the satisfaction of the Municipality and the Lower Thames Valley Conservation Authority.
9. That prior to final approval, that the Developer shall obtain any necessary approval(s) under the Drainage Act to facilitate legal outlet to discharge stormwater.

MUNICIPAL ADDRESSING AND EMERGENCY SERVICES

10. That the streets be named and the lots addressed to the satisfaction of the Municipality in consultation with the County. This shall include permanent and temporary road names and municipal address signage during all stages of construction which shall be required through the subdivision agreement.
11. The Developer 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.

ZONING

12. That prior to final approval, the County is to be advised by the Municipality that appropriate zoning is in effect for the Plan of Subdivision.
13. That prior to final approval, the Developer shall provide to the Municipality confirmation from an Ontario Land Surveyor retained by the Developer at no cost to the Municipality that the lot areas and lot frontages conform to the Zoning By-law requirements of the Municipality.
14. That the Developer erect a sign to the satisfaction of the Municipality, within 90 days of the Draft Approval date, depicting the approved Draft Plan of Subdivision and Zoning.

SUBDIVISION AGREEMENT

15. That the Developer 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.
16. That the Subdivision Agreement satisfy all requirements of the Municipality related to financial, legal, planning and engineering matters including but not limited to; grading and drainage, planting of trees, landscaping, provision of community mailboxes, fencing, buffering, street lighting and other amenities, the provision and installation of full municipal water, storm and sanitary services, the installation of underground electrical services, 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 County's Development Charge By-Law, the Municipality's Development Charge By-Law, and any applicable Education Development Charge By-Law.

The Developer shall not commence any work on the lands, including filling, grading, removing trees and/or top soil, installing any works, or constructing any buildings or structures until they have entered into a Site Alteration and Pre-Servicing Agreement and / or Subdivision Agreement with the Municipality.

17. That the Subdivision Agreement shall contain a clause that requires that the final grading design will ensure that the underside of house footing foundations will be a minimum of 100 mm above the highest water table surface, as inferred from water levels in all available on-site monitoring wells, measured over a period of no less than 18 months that includes two full spring seasons of data results and considers all current data if more is available over multiple years to the satisfaction of the Municipality.
18. All costs related to the plan of subdivision shall be at the expense of the Developer, unless specifically stated otherwise in this approval.

DEVELOPMENT CHARGES

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 County, Municipal and Education development charges related to the development, pursuant to Section 59(4) of the Development Charges Act.

TRANSPORTION – ACCESS / INTERSECTION IMPROVEMENTS / BIKE LANES

20. That the road allowances shown on the draft plan shall be dedicated as public highways to the Municipality free of all encumbrances and at no cost to the Municipality.
21. That dead ends and open sides of road allowances created by the registration of any Phase of the Subdivision shall be terminated in 0.3 metre reserves which are to be conveyed to the Municipality free of all encumbrances and at no cost to the Municipality.
22. That any temporary turning circles created by the registration of any Phase of the Subdivision shall be subject to a turning circle easements in favour of the Municipality in priority to all encumbrances and at no cost to the Municipality.
23. Sidewalk shall be included on one side of Streets A and B for the full lengths of the roads. The side of the road will be determined through the detailed design phase.
24. That the Developer be required to construct the road extensions shown on the draft plan relative to the unopened road allowances to the satisfaction of the Municipality, at the sole expense of the Developer.

SOIL INVESTIGATION

25. That prior to final approval, the Owner shall:
 - a. Prior to the installation of any site servicing or grading, submit for the approval of the Municipal Engineer, a detailed soils investigation of the site prepared by a Geotechnical Engineer,

- b. Agree in the subdivision agreement to remove any matter, which is determined during soil investigations as being hazardous, at a time and in a manner to the satisfaction of the Municipality and the Ministry of the Environment.

ARCHAEOLOGY

26. 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 and 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.

CANADA POST

27. If necessary, that the Developer shall enter into an agreement with Canada Post Corporation for the installation of community mailboxes. The subdivision agreement shall include a requirement to notify all prospective lot purchasers of the mailbox(es) location.

UTILITIES

28. That such easements as may be required for utility, servicing, or drainage purposes shall be granted to the appropriate authority, at the expense of the Developer.
29. 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 Developer.

STUDIES

30. That prior to final approval, the Developer provide any required updates to the following studies to the satisfaction of the Municipality:
 - Hydrogeological study
 - Geotechnical study
 - Stormwater management report
 - Servicing report
 - Water Balance Report
 - Development Assessment Report / Environmental Impact Study

PARKLAND DEDICATION

31. That the Developer convey up to 5% of the land included in this plan to the Municipality for park purposes and shall include but not be limited to Block 118 of Draft Plan 39T-SC1702. Blocks 55 and 56 shall not

be included in the dedication calculation. The Municipality will accept cash-in-lieu for the remain portion of the conveyance.

FENCING

32. Fencing shall be installed at the at the interface of all lots that are adjacent to Blocks 55 and 56(natural heritage feature and buffers) prior to lots being sold, as recommended by the Development Assessment Report prepared by Natural Resource Solutions Inc.. The fence line should be included on the grading plans, approved by the Municipality. Fencing shall be installed on property line or offset slightly to the private side. All fencing between private property and open space blocks will be deemed to be the responsibility of the lot owner.

NATURAL ENVIORNMENT

33. Construction best management practices as described in the Development Assessment Report will be implemented through the subdivision agreement. Regular monitoring of erosion and sediment control measures shall be undertaken by the Developer.

34. The future ownership and management of the woodland / wetlands and their associated buffers shall be addressed within the subdivision agreement to ensure the protection of the features in their natural state in perpetuity.

35. A planting plan for the ecological buffer and compensation area shall be prepared by a qualified biological consultant and implemented through the subdivision agreement. The plan should include recommendations for appropriate native plant species, a timeline for planting and monitoring, measures of success and adaptive management. This plan will need to meet or exceed the requirements of all Court Orders issued in relation to the Woodland Conservation prosecution for this property. The plan should be reviewed by the Municipality and the County.

36. An informational package shall be provided to new homeowners by the developer as described in the Development Assessment Report, and educational signage shall be installed as appropriate along the buffers of the natural features. This material should address issues pertaining to water quality, including rear-yard development such as pools, and the maintenance of lawns related to the conveyance of water to the wetland. This material shall be to the satisfaction of the Municipality and will be implemented through the subdivision agreement.

37. The subdivision agreement shall include provisions for protecting the ecological and natural heritage features of the lands, and to implement the recommendations the Development Assessment Report dated November 2021 completed by Natural Resource Solutions Inc..

38. The Owner shall comply with all tree replanting and maintenance obligations under applicable court orders. The Owner shall provide written acknowledgement that compliance with the court orders shall proceed in parallel with the subdivision development, and that the subdivision development does not supersede the obligations under the applicable court orders.

REGULATED AREA

39. The Developer acknowledges that any site alteration or development on lots located within the area regulated by the Lower Thames Valley Conservation Authority, under Ontario Regulation O. Reg. 152/06, will require further review and approval by the Lower Thames Valley Conservation Authority prior to any commencement of works.

WARNING CLAUSE

40. That the Subdivision Agreement shall include a provision that requires a clause be included in all agreements of purchase and sale or lease of Lots and part of Blocks notifying future owners / lessors that normal farm practices, as outlined in the Farming and Food Production Protection Act, 1998, as amended or replaced, are engaged in and occur in the area of the property and shall require the purchaser or lessor, as a condition of any aforementioned agreement of purchase and sale or lease, to acknowledge and accept that normal farm practices, as outlined in the Farming and Food Production Protection Act, 1998, as amended or replaced, are engaged in and occur in the area of the property.

GENERAL

41. That prior to final approval, the Owner shall make arrangements with the affected property owner(s) to the west, being the lands subject to draft plan of subdivision application 39T-SC-1901, for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the municipality, at no cost to the municipality.
42. This draft plan of subdivision shall not proceed prior to the registration of 39T-SC1702.

CLEARANCES

43. That prior to final approval, the County is to be advised in writing by the Municipality how conditions 1 through 37 and 39 to 41 have been satisfied.
44. That prior to final approval, the County is to be advised in writing by the Lower Thames Valley Conservation Authority how conditions 5, 7, 8, 35, and 38 have been satisfied.

NOTES TO DRAFT APPROVAL

- a. 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 Developer 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.

- b. 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.
- c. It is suggested that the applicant be aware of:
- subsection 144 (1) of The Land Titles Act, which requires all new plans be registered in a land titles system;
- subsection 144 (2) - allows certain exceptions.
- d. 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.
- e. The Ministry of Environment must be advised immediately should waste materials or other contaminants be discovered during the development of this plan of subdivision.
- f. A copy of the subdivision agreement must be provided to the County (Planning and Development Department) prior to final plan approval.
- g. 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.
- h. When the zoning by-law amendment required in Condition 12 is being prepared, reference to this subdivision application file number should be included in the explanatory note. This will expedite the County and other agencies' consideration of the by-law.
- i. Clearance is required from the following agencies:
- Municipality of Strathroy-Caradoc | 52 Frank Street, Strathroy, ON N7G 2R4
 - Lower Thames Valley Conservation Authority | 100 Thames Street, Chatham, ON N7L 2Y8
- j. All measurements in subdivision final plans must be presented in metric units.

PLAN OF SUBDIVISION

- k. 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: is this current?

"Approval Authority Certificate
File No. _____

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 _____, 202__

*Durk Vanderwerff
Director of Planning and Development”*

- I. 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.

- m. The final plan approved by the County must be registered within 30 days or the County may withdraw its approval under Subsection 51(59) of the Planning Act.