

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 Jason Finch, OLS (Stantec Geomatics Ltd.) signed on October 14, 2023, which shows:
 - Lots 1 to 65 for single detached dwellings
 - Block 66 to 105 street townhouses
 - Block 106 residential, high density
 - Block 107 Parkland;
 - Block 108 Stormwater management
 - Block 109 Future Development;
 - Block 110 to 111 for 0.3 metres reserve; and
 - 4 Public roads Streets “A”, “B”, “C” and “D”.

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 acting reasonably 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 until such time as the capacity of municipal services has been confirmed.

4. Within 15 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 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; and
 - ii. 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;

SERVICING – STORMWATER MANAGEMENT

5. The stormwater management plan will be reviewed to the satisfaction of the St. Clair Region Conservation Authority, County, 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 St. Clair Region Conservation Authority a Final Stormwater Management 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 St. Clair Region 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.
9. That prior to final approval, that the Developer shall obtain any necessary approval(s) from the neighbour to facilitate legal outlet to discharge stormwater to the satisfaction of the municipality. If an alternate route is required, this is to the satisfaction of the County and the municipality.
10. The Developer shall enter into a cost sharing agreement with the landowner on the northwest side of Carroll Street East, the subdivision known as 39T-SC0801 for the purposes of establishing a stormwater outlet through those lands. Should an agreement not be established, the Developer shall provide an alternative stormwater outlet to the satisfaction of the Municipality.

MUNICIPAL ADDRESSING AND EMERGENCY SERVICES

11. 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.
12. 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

13. 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.
14. 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.
15. 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

16. 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.

17. 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, and the Municipality's Development Charge By-Law.
18. 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 Pre-Servicing Agreement and / or Subdivision Agreement with the Municipality.
19. 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.
20. 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

21. 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

22. 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.
23. 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, being Blocks 110 and 111.
24. That temporary turning circles are created as part of the registration of Street 'B' the Subdivision shall be subject to turning circle easements in favour of the Municipality in priority to all encumbrances and at no cost to the Municipality.

25. The Developer shall enter into a cost sharing agreement with the Municipality for the urbanization of Carroll Street East along the entire frontage of the subject lands.
26. Sidewalk shall be included on two sides of Streets "A" through 'D' for the full lengths of the roads. The side of the road will be determined through the detailed design phase.
27. All Street shall have a right-of-way width of 20 metres and a pavement width of 8.0 metres to the satisfaction of the Municipality.

TRANSPORTATION – COUNTY ROADS

28. The Developer shall be required to dedicate lands up to 18 metres from the centerline of construction of County Road 10 (Carroll Street East) across the entire frontage for road widening purposes to the County.
29. That any open sides of road allowances along County Road 10 (Carroll Street East) created by this Plan shall be terminated in 0.3 metre reserves to be conveyed to the County.
30. The Developer shall be required to construct an entrance to County Road 10 (Carroll Street East) to the satisfaction of the County with all costs being the responsibility of the Owner.

SOIL INVESTIGATION

31. 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

32. 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

33. 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

34. 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.
35. 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

36. 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

PARKLAND DEDICATION

37. 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 107. If Block 107 does not meet the 5% conveyance, the Municipality may accept cash-in-lieu for the remaining portion of the conveyance.

WARNING CLAUSE

38. 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

39. Prior to final approval, the Developer shall make arrangements with the affected property owner(s) 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 specification and satisfaction of the Municipality.

CLEARANCES

40. That prior to final approval, the County is to be advised in writing by the Municipality how conditions 1 through 27 and 31 to 39 have been satisfied.
41. That prior to final approval, the County is to be advised in writing by the St. Clair Region Conservation Authority how conditions 5 and 7 have been satisfied.
42. That prior to final approval, the County is to be advised in writing by the County Engineer how conditions 5, 9, and 28 to 30, have been satisfied.

NOTES TO DRAFT APPROVAL

- a. Draft approval for this plan of subdivision is for a period of three (3) years from the date of decision. Any request made by the 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 13 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
 - St. Clair Region Conservation Authority | 205 Mill Pond Crescent, Strathroy, N7G 3P9
 - County Engineer – County of Middlesex | 399 Ridout Street North, London, ON N6A 2P1
- j. All measurements in subdivision final plans must be presented in metric units.
- 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:

“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”

- l. 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.