

Applicant:	Hawthorne Park Subdivision	Date of Decision:	Draft
File No.:	39T-TC1903	Date of Notice:	Draft
Municipality:	Thames Centre	Last Date of Appeal:	Draft
Subject Lands:	Lot 17, Concession B SRT	Lapsing Date:	Draft

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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| 1. | <p>That this approval applies to the draft plan of subdivision prepared by AGM and signed by Jason Wilband, OLS dated May 5, 2021 showing the following:</p> <ul style="list-style-type: none"> • eight (8) blocks to support low density residential uses (Blocks 1 to 8) • four (4) blocks to support low density residential uses or medium density residential uses (Blocks 9, 10, 11 and 12) • three (3) blocks to support medium density residential uses (Blocks 13, 14 and 15) • two (2) blocks to support mixed use development (Blocks 16 & 17) • two (2) blocks for open space purposes (Blocks 18 and 19) • three (3) blocks for stormwater management purposes (Blocks 20, 21 and 22) • three (3) blocks for road widenings and 0.3 m reserves (Blocks 23, 24 and 25) • two (2) blocks for a natural buffer and natural heritage features (Blocks 26 and 27) |
| 2. | <p>That the development of the draft plan of subdivision may be phased subject to the approval of an overall phasing plan for the development of the entire site to the satisfaction of the Municipality. For the purposes of this condition, the development of a phase may only proceed when the Municipality is satisfied that all of the external infrastructure/services for that phase are "in place" as described in condition 4.</p> |
| 3. | <p>That the draft plan of subdivision shall be developed on full municipal services, including sanitary sewers, municipal water and urban storm water management practices. Prior to final approval of each phase of the development, the Municipality shall confirm that full municipal services are 'in place' as described in condition 4.</p> |
| 4. | <p>That no development of a phase of the draft plan of subdivision shall commence until all external infrastructure and services required for the development of that phase 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 draft plan of subdivision.</p> |
| 5. | <p>That the road allowances included on the draft plan of subdivision shall be shown and dedicated to the Municipality as public highways.</p> |
| 6. | <p>That all streets, including any unopened road allowance to be dedicated as a public highway, shall be named and the lots addressed on the draft plan of subdivision to the satisfaction of the Municipality and the County.</p> |

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7. That any open sides of road allowances, including any lands to be conveyed to the Municipality, created by this draft plan shall be terminated in 0.3 metre reserves to be conveyed to and held in trust by the Municipality.
8. That the Owner convey 0.3 metres reserves to the County of Middlesex to prevent direct access for Blocks 16 and 17 located along Dorchester Road (County Road 32). Notwithstanding the foregoing, a 0.3 metre reserve shall not be required where Street 'A' intersects with Dorchester Road (County Road 32).
9. That the Owner dedicate a road widening measuring to 18 metres from the centreline of Dorchester Road (County Road 32) to the County if the right of way is not already to that width.
10. That left and right turning lanes shall be constructed on Dorchester Road (County Road 32) at the intersection with Street 'A' to provide access to the development. All costs with regards to the design and construction of these lanes shall be borne by the Owner and an entrance permit shall be required prior to any construction work within the County road allowance.
11. That prior final approval, grading and stormwater management plans shall be completed to the satisfaction of the County.
12. That prior to development of Blocks 16 and / or 17 the Owner shall have a noise impact assessment undertaken by a qualified person to determine noise impact levels related to County Road 32 (Dorchester Road) to the satisfaction of the Municipality and the County; and furthermore, that any recommended noise mitigation measures be implemented by the Owner through a development agreement to the satisfaction of the Municipality.
13. That the Owner shall convey Blocks 18, 19, 20, 21, 22, 26 and 27 to the Municipality.
14. That prior to final approval, that Official Plan Amendment No.28 be in effect for the draft plan of subdivision.
15. That prior to final approval, the County is to be advised by the Municipality that appropriate zoning is in effect for the draft plan of subdivision.
16. That the Owner and the Municipality enter into a subdivision agreement ("Subdivision Agreement") pursuant to Section 51 (26) of the Planning Act to be registered on title of the lands to which it applies prior to the Plan of Subdivision being registered. Further that the Subdivision Agreement shall include provisions that it will also be registered against the lands to which it applies once the plan of subdivision has been registered.

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17. That the Subdivision Agreement satisfy all requirements of the Municipality related to financial, legal, planning and engineering matters including but not limited to the provision of roads, temporary roads and turning circles, pedestrian walkways, sidewalks, grading and drainage, planting of trees, landscaping, provision of community mailboxes, fencing, buffering, recommended and approved EIS mitigation requirements, street lighting and other amenities, the provision and installation of full municipal water and sanitary services, the installation of underground electrical services, any recommended and approved sourcewater protection mitigation requirements and other matters which may be required by the Municipality respecting the development of the Plan of Subdivision.
18. The Owner shall enter into an agreement with Canada Post Corporation for the installation of community mailboxes.
19. The Owner shall enter into an agreement with the appropriate service providers for the installation of underground communication / telecommunication utility services for these lands to enable, at a minimum, the effective delivery of the broadband internet services and communication / telecommunication services for 911 Emergency Services.
20. That prior to final approval, that the Owner shall obtain any necessary approval(s) under the Drainage Act to facilitate legal outlet to discharge stormwater.
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 development charges related to the development, pursuant to Section 59(4) of the Development Charges Act.
22. That such easements as may be required for utility, servicing, or drainage purposes shall be granted to the appropriate authority.
23. That prior to final approval, arrangements shall be made to the satisfaction of the Municipality for the relocation of any utilities required for the development of the Plan, which relocation shall be undertaken and provided at the expense of the Owner.
24. That prior to final approval, the Owner shall submit for the review and approval of the Upper Thames River Conservation Authority (UTRCA) and the Municipality, a final stormwater management plan and sediment and erosion control plan incorporating necessary measures to enhance the quality of stormwater discharges and to control erosion and sedimentation during and after construction. The final stormwater management plan and sediment and erosion control plan, and final detailed servicing and grading plans shall identify drainage and sediment and erosion control strategies. The final stormwater management plan shall also provide detail with respect to the monitoring and maintenance of the stormwater management facilities.
25. That prior to final approval, the owner shall submit a final Environmental Impact Study which addresses the UTRCA's outstanding comments and concerns, to be prepared to the satisfaction of the UTRCA and the Municipality.

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26. That prior to final approval, the owner shall obtain a Section 28 permit under the Conservation Authorities Act shall be obtained from the UTRCA prior to the commencement of any development or site alteration within the UTRCA's Regulated Area including filling, grading, construction, site alteration to watercourse and/or interference with a wetland.
27. That prior to final approval, the Owner shall submit a final Hydrogeological Assessment and a final Water Balance Analysis Report for review and approval by the UTRCA. If newly provided information impacts the buffers and setbacks proposed by the EIS, this draft plan of subdivision may need to be redlined to the satisfaction of the UTRCA and the Municipality.
28. That prior to final approval, the Owner shall submit a final Geotechnical Assessment for review and approval by the Municipality.
29. That prior to final approval, the Municipality shall advise the County that the Subdivision Agreement between the Municipality and the Owner provides for the following:
 - a. municipal assumption and ownership of any facilities required for the detention and enhancement of storm water quality, and for the purpose of ensuring perpetual maintenance and operation; and
 - b. the inclusion of any environmental protection measures recommended in the final stormwater management plan required by condition 24 that are not capable of being addressed under the Ontario Water Resources Act.
30. That prior to final approval, the Owner shall submit a Risk Management Plan undertaken by a qualified person to satisfaction of the Municipality's Risk Management Official to ensure compliance with the Thames Sydenham and Region Source Protection Plan and the Clean Water Act, 2006; and that any recommended and approved mitigation measures be implemented through the subdivision agreement as well as any applicable site plan agreement.
31. That prior to final approval, the Transportation Impact Study dated June 2019 and prepared by Paradigm Transportation Solutions Limited be revised to include an addendum which addresses the traffic impacts to the satisfaction of the Municipality and the County and that any recommended and approved measures to mitigate traffic impacts be implemented through the subdivision agreement.
32. That prior to final approval, that all existing buildings and structures be removed from the subject lands to the satisfaction of the Municipality subject to any applicable permits that may be required.
33. That prior to final approval, the County is to be advised in writing by the Municipality how conditions 1 to 32 (inclusive) have been satisfied.

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34. That prior to final approval, the County is to be advised in writing by the County Engineer how conditions 8, to 12 have been satisfied.

35. That prior to final approval, the County is to be advised in writing by the Upper Thames River Conservation Authority how conditions 24, 25, 26 and 27 have been satisfied.

NOTES TO DRAFT APPROVAL

- 1) Draft approval for this plan of subdivision is for a period of five (5) years from the date of decision. Any request made by the Owner to the Approval Authority to extend the lapsing date must be made 60 days prior to the lapsing date and include a written confirmation from the municipality endorsing the extension.
- 2) It is the applicant's responsibility to 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.
- 3) It is suggested that the applicant be aware of:
 - a. subsection 144 (1) of The Land Titles Act, which requires all new plans be registered in a land titles system;
 - b. subsection 144 (2) - allows certain exceptions.
- 4) Inauguration, or extension of a piped water supply, a communal sewage system or a storm water management system, is subject to the approval of the Ministry of Environment under Section 52 and Section 53 of the Ontario Water Resources Act.
- 5) The Ministry of Environment must be advised immediately should waste materials or other contaminants be discovered during the development of this plan of subdivision.
- 6) It is the applicant's responsibility to obtain the necessary permits from the UTRCA in accordance with Ontario Regulation 171/06 made pursuant to Section 28 of the Conservation Authorities Act.
- 7) A copy of the subdivision agreement must be provided to the County of Middlesex (Planning and Development Department) prior to final plan approval.
- 8) If the agency's condition concerns a condition in the subdivision agreement, a copy of the agreement should be sent to them. This will expedite clearance of the final plan.
- 9) When the zoning by-law amendment required in Condition 15 is being prepared, reference to this subdivision application file number should be included in the explanatory note. This will expedite the County of Middlesex and other agencies' consideration of the by-law.

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10) Clearance is required from the following agencies:

- Municipality of Thames Centre | 4305 Hamilton Road, Dorchester, ON NL 1G3
- Upper Thames River Conservation Authority | 1424 Clarke Road, London, ON N5V 5B9
- County Engineer – County of Middlesex | 399 Ridout Street North, London, ON N6A 2P1

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

12) The final plan approved by the County of Middlesex must include the following paragraph on all copies (1 Mylar and 2 paper) for signature purposes:

*“Approval Authority Certificate
This Final Plan of Subdivision is approved by the County of Middlesex
under Section 51(58) of the Planning Act, R.S.O. 1990, on this ____ day
of ____ 20__.*

Director of Planning and Development, Middlesex County”

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

- Georeferenced to the NAD83 UTM Zone 17N coordinate system.
- All classes of features must be separated into different layers.
- Each layer should be given a descriptive name so that the class of feature it contains is recognizable.

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