

Meeting Date: May 21, 2019

Department: Building and Planning

Prepared By: Tim Williams, Senior Planner

Submitted By: Matthew Stephenson, Director, Building/Waste Services

Reviewed By: Greg McClinchey, Chief Administrative Officer

SUBJECT: **Applications for Draft Plan of Subdivision & Zoning By-law Amendment Part 1 of Plan 33R-17367 Part of Lot 9, Concession 10, Municipality of Strathroy- Caradoc, County of Middlesex**

File Numbers: 39T-SC1801, and ZBA24-2018

RECOMMENDATION: It is respectfully recommended that:

- A resolution be passed in support of the attached draft plan of subdivision and related conditions; and
- The rezoning be approved in principle and the necessary by-law be forwarded to Council for consideration of adoption pending the issuance of draft plan approval.

PURPOSE

The purpose of the subject subdivision and zoning by-law amendment applications is to facilitate the development of a 22-lot residential plan of subdivision

SUMMARY HIGHLIGHTS

- **The application proposes to develop a 22 lot residential subdivision with a single public road with connections to Ridge Street and Park Street.**
- **Lots range in size, having frontages between 13.6 m (44.6 ft) and 21.2 m (69.6 ft).**
- **Staff recommend the site-specific zone also include provisions that recognize an exterior side yard deficiency indicated in the proposed application materials for Lot 9.**
- **An Open House was held on September 12, 2018. A statutory public meeting was held on April 15, 2019. Neighbouring residents attended and voiced support and concerns regarding the proposed subdivision and rezoning.**

BACKGROUND:

The subject lands are approximately 2.14 ha (5.29 ac) in size and are located west of Park Street and proposes the extension of Ridge Street to connect to Park Street within the Settlement Area of Strathroy (see location map).

The lands are currently vacant and the surrounding land uses include predominately-residential uses to the north east and west. To the south is a recreational use (Trout Haven Park – Camping and Fishing). From a servicing perspective, municipal water and sanitary services are available and are intended to extend along the new public road. The adjacent roads are all local roads under the jurisdiction of the Municipality of Strathroy-Caradoc.

The applications for draft Plan of Subdivision and Zoning By-law amendment applications were made on August 3, 2018 and deemed complete on August 20, 2018.

In addition to the applications, the submission included the following support documents:

- Archaeological Assessment Stage 1-2 Golder Associates, February 14, 2018
- Archaeological Assessment Stage 3 Golder Associates, April 26, 2018
- Geotechnical Investigation, Englobe, August 3, 2017
- Servicing Report, Ricor Engineering Ltd. (now Dillon Consulting Ltd.), March 5, 2018
- Hydrogeological Assessment, JFM Environmental Limited, March 6, 2018 (revised November 27, 2018)
- Development Assessment Report – Natural Resources Solutions Inc., April 2018 (revised February, 2019)
- Planning Justification Report – Monteith Brown Planning Consultants, July 2018
- Original Draft Plan of Subdivision, dated August 28th, 2017, Ricor Engineering Ltd.
- Revised Draft Plan of Subdivision, dated January 10, 2018, Dillon Consulting

The applicant held a public Open House on September 12, 2018 at the Strathroy Town Hall.

The draft plan of subdivision has been revised since its original configuration and it currently includes the following:

- 22 building lots for single-detached dwellings;
- One (1) block for road widening along Park Street; and;
- One Street “A”

The main revision to the draft plan since the original submission (and the open house) is an increase to the width of the Block 23 from 2.4 m to 6.0 m. As noted above, Block 23 provides for a road widening. This has resulted in a reduced frontage for Lot 9 from 20.6 to 17.0m and a subsequent request for exterior side yard setback reduction from 5 m to 2.3m.

A statutory public meeting was held on April 15, 2019 at the Caradoc Community Centre during a regularly scheduled Council meeting.

In support of the draft plan of subdivision, a concurrent zone change application has been filed to rezone from ‘Future Development (FD) zone’ to site-specific ‘Medium Density Residential (R2-14) zone’ in

order to facilitate the development. The applicant is proposing to develop the subject lands in a single phase.

POLICY AND REGULATION BACKGROUND

The subject lands are located within a fully serviced Settlement Area as per the definitions of the Provincial Policy Statement and the County of Middlesex Official Plan. It is noted that a woodlot to the south of the subject lands is identified as a 'Significant Woodland' in the 2006 County Official Plan. Locally, the lands are located within the 'Residential' designation of the Strathroy-Caradoc Official Plan and 'Future Development (FD) zone' of the Strathroy-Caradoc Zoning By-law 43-08.

Provincial Policy Statement

The PPS identifies settlement areas as the primary focus of growth on full-services and supports the development of lands for a full range of housing types and densities. The PPS states that new development taking place in designated growth areas should occur adjacent to the existing built up area and shall have compact form, mix of land uses and densities that allow for the efficient use of land, infrastructure and public facilities.

Further, Policy 1.1.3.2 and 1.1.3.3 of the PPS encourages lands use patterns within settlement areas that are based on densities and a mix of land uses that:

- Efficiently use land and resources;
- Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoids the need for their unjustified or uneconomical expansion; and
- Provides for a range of uses and opportunities for intensification and redevelopment, taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure.

Policy 1.5 of the PPS promotes the creation of healthy, active communities by encouraging pedestrian connections, publicly-accessible built and natural recreational settings including parklands, open spaces areas, trails and linkages.

Policy 2.1.5 of the PPS states that development and site alteration shall not be permitted in 'Significant Woodlands' unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

Policy 2.1.6 of the PPS states that development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

Policy 2.1.7 of the PPS states that development and site alterations shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

Policy 2.1.8 of the PPS states that development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

County of Middlesex Official Plan

The lands are located within a Settlement Area identified on Schedule 'A' of the County of Middlesex Official Plan. The adjacent woodland is identified as 'Significant' on Schedule 'C' of the Official Plan.

Section 4.5.3.3. of the County Official Plan encourages development of a settlement area by plan of subdivision, provided such applications meet both County and local Official Plan policies.

Section 2.3 of the County Official Plan contains the County's growth management framework which directs that the majority of growth is to occur in designated settlement areas. The intent of the growth management framework is to make efficient use of existing infrastructure. The goal of the County Plan is that future development within settlement areas proceed on the basis of full municipal services. The County Official Plan also encourages a wide variety of housing by type, size and tenure achieved in part by way of intensification and redevelopment of vacant or otherwise underutilized lands. With respect to natural heritage features, Section 2.3.10 of the County Official Plan requires the submission of a Development Assessment Report (often referred to as an Environmental Impact Study) where a development proposal is located within 50 m of a 'Significant Woodland'. The Development Assessment Review shall address the protection of the Natural System and how existing and potential hazards shall be accommodated in a manner consistent with accepted engineering techniques and resource management practices and applicable provincial policies. Section 2.2.1.2 & 2.2.1.3 of the Official Plan states that development may be permitted contiguous to natural features where it can be demonstrated to have no negative impact on natural features or their ecological functions.

Strathroy-Caradoc Official Plan

The subject lands are located within the Settlement boundaries of Strathroy on Schedule 'A' - Structure Plan to the Strathroy-Caradoc Official Plan. More specifically, Schedule 'B' – Land Use & Transportation Plan for the Settlement Area of Strathroy identifies the lands as being within the 'Residential' designation of the Strathroy-Caradoc Official Plan. Schedule 'B' also identifies the adjacent woodlands as being within the 'Open Space' designation. The adjacent woodland is also identified on Schedule 'D' – Natural Heritage Features Plan. The Middlesex County Natural Heritage Study 2014 identifies the adjacent woodland as a 'Significant Woodland'.

The Strathroy-Caradoc Official Plan states that development within the 'Residential' designation shall be used for residential purposes including a range of housing types and densities from single unit dwellings to high-rise apartment buildings (Section 3.3.4.1). As per Section 3.3.4.3 of the Official Plan Low Density Development proposals are to be encouraged to include the following features: create a sense of neighbourhood identity; result in attractive and distinctive streetscapes; incorporate public amenities and safety measures; utilize traffic calming measures; preserve and enhance natural features; provide a mix of housing types; ensure appropriate and effective buffering from neighbouring

nonresidential uses; minimize total road length and road surface within practical considerations for snowplowing, surface drainage and on-street parking; and maximize energy saving criteria such as southern exposure for solar gain and landscaping and to minimize the adverse effects of winds.

With respect to Natural Heritage, Section 3.3.7.3 of the Official Plan states that it is intended that the 'Woodlands' identified on Schedule 'D' of the Official Plan are to be maintained in their natural state and protected from development and site alteration that would threaten their ecological integrity. Section 3.3.7.4 and 3.3.7.5 of the Official Plan states that development may be permitted on adjacent lands (being within 50 metres) of a woodland where it is demonstrated that there will be no negative impacts on the woodland or on their ecological functions through the submission of a Development Assessment Report (DAR).

Strathroy Caradoc Zoning By-law

The existing "Future Development (FD) Zone" permits agricultural use, existing use and forestry use. The applicant has submitted a zone change application to place the residential lots into a site-specific "Medium Residential (R2-14) Zone" which includes an exterior side yard setback of 2.3 m. The "Medium Density Residential (R2) Zone" permits single detached dwellings on the subject lands.

CONSULTATION

The application has been circulated to agencies and the public in accordance with the requirements of the Planning Act. At the time of writing the subject report, the following comments were received:

The Director of Engineering and Public Works had reviewed the initial application and Engineering and Public Works (EPW) department advise that following:

1. Park Street road allowance widening needed along the exterior side yard of lot 9 to "line up" with existing width south of intersection;
2. EPW department requires the through road connection for road maintenance, pedestrian continuity and watermain looping;
3. Sidewalks to be extended from Ridge & Bridle Path intersection through entire subdivision and external sidewalk linkage along Park Street to Spence Drive required to support student & pedestrian access to schools on McKellar Street;
4. Curb & Gutter and Road improvements to the intersection at Park Street and southerly on Park Street for the full length of the storm sewer outlet construction will be required (to south of the north driveway entrance to Trout Haven);
5. EPW department also have a number of technical concerns related to the servicing and stormwater management including but not limited to infiltration of ground water, service connections, stormwater quantity and quality; and
6. Street trees on boulevards will be required as per the tree planting policy.

The applicant has provided a second submission of materials that has been reviewed and the EPW department has advised they have no concerns with the subdivision and rezoning applications, subject to the proposed conditions of draft plan approval which will address the above noted matters.

Enbridge Gas Inc. requested that as a condition of final approval that the owner/developer provide to them with the necessary easements and/or agreements required for the provision of gas services for the development, in a form satisfactory to them.

The Strathroy-Caradoc Fire Chief advised that there are no concerns with the applications.

The St. Clair Region Conservation Authority advised that SCRCA is satisfied with the additional information provided in the Development Assessment Report and has no further concerns with the proposed development proceeding to Draft Plan Approval. The SCRCA recommends a number of mitigation measures as conditions of Draft Plan Approval. They also have no comment on the Zoning By-law amendment.

The Ministry of Natural Resources and Forestry (MNRF) advised that, MNRF has recent observations of Eastern Hog-nosed Snake within agricultural fields in the Komoka/South Strathroy Creek Wetland Complex area. MNRF recommends snake exclusion fencing be installed along the entirety of the southern development boundary that borders the trailer park and drainage corridor (at a minimum) to reduce the likelihood of Eastern Hog-nosed Snake entering the construction area. They also noted that given the number of occurrences for Eastern Hog-nosed Snake, distribution of education/outreach materials, specific to Eastern Hog-nosed Snake, for new homeowners could be considered as a mitigation measure in the Development Assessment Report to minimize impacts (e.g. persecution) of individuals.

Public Comments

Open House

As noted earlier, the applicant hosted a Public Open House on September 12, 2018. A number of area residents articulated concerns with proposed subdivision at the Open House due to the proposal to connect Park and Ridge Street. Residents were concerned that the street connection will result in it being used as a 'cut-through' bringing increased traffic and safety concerns (vehicle speed) to the area. Additionally, some concerns were raised regarding the loss of existing trees on the site as well as adjacent to the site.

In response to the Open House invitation, one letter of objection has been received relating to the proposed subdivision (attached below).

Statutory Public Meeting

The statutory public meeting was held on April 15, 2019. A number of area residents provided comments regarding the application. The comments included: support for an alternate access to and from the area, concerns over traffic and safety, access to, and maintenance of, existing hydro poles, the impact on the woodlands adjacent to the subject lands, the location of stop signs, and the construction traffic route to the site.

Comments noted during the above referenced meetings and written correspondence are as follows as well as a response to each comment from staff:

- Additional route option

Comment: It is acknowledged that there was comment in support of the application for the extension which will allow for reduced trip distances for cars seeking to leave the existing homes and travel east. The proposal will result in an additional route for people to travel which will reduce travel lengths. The existing Saxonville Estates subdivision has always considered the extension of Ridge Street with connection to Park Street. This is the reason for the way the road “stub” was designed / created. The new road and associated sidewalk will result in the safe flow of pedestrian and vehicular traffic.

- Local traffic and safety

Comment: The Public Works and Engineering staff have confirmed that the proposed street connection will result in no net increase in traffic along Ridge Street and that 22 new residential units will result in a minimal increase in the number car trips in the area.

- Access and maintenance of existing hydro pole and electrified line.

Comment: Staff have been in contact with Hydro One to confirm that an existing easement is in place and that may need to be updated. At the time of writing this report it was not determined if the acceptable easement was in place so in light of this, a condition (#9) is included in the Draft Approval Conditions.

- Concerns about the impact on the woodlands adjacent to the subject lands.

Comment: A Development Assessment Report (or Environmental Impact Statement) was prepared and reviewed. The St Clair Region Conservation Authority has reviewed this report and has recommended a number of conditions to ensure recommendations are followed. Impact to woodlands will be minimized to the extent possible through implementation of required mitigation measure.

- Will there be any “stop” signs and where?

Comment: It has been confirmed that a “3-way” intersection with stop signs will be located at Park Street and Ridge Street.

- Can construction traffic be routed away from Ridge Street?

Comment: As a condition (# 6) of draft approval the owner has agreed to direct construction traffic from Carroll St W. to the lands and signage will be installed at Metcalfe St W prohibiting construction traffic.

ANALYSIS

Consistency with the Provincial Policy Statement 2014

- The proposal is located within a *designated growth area* of a *settlement area*, on lands identified for residential development within the Strathroy-Caradoc Official Plan.
- The residential subdivision will be fully serviced and provides for the efficient use of infrastructure and public service facilities (i.e. recreational complexes).
- Sufficient sanitary capacity is available to service this development.
- The subdivision will provide for a pedestrian connection from Ridge Street to Park Street. Required sidewalks along the Ridge Street extension (Street 'A') providing for a quality pedestrian connection for the area.
- The subdivision is proposing 22 lots with a mix of lot sizes/frontage. Varying lot sizes are often associated with varying lot and house price points, resulting in a range of housing options.
- With respect to the policies of the PPS relating to development in proximity to natural heritage features and natural hazards, the St. Clair Region Conservation Authority (SCRCA) has reviewed the application package and provided comments indicating that the PPS policies have been addressed generally to their satisfaction, subject to a number of mitigation measures being implemented.
- The recommended conditions of draft plan approval would ensure that SCRCA's recommendations are implemented.

Given the above, it is staff's opinion that the applications are consistent with the Provincial Policy Statement.

Comments on Conformity to the County of Middlesex Official Plan

- The proposal is located within a settlement area, on lands identified for residential development within the Strathroy-Caradoc Official Plan.
- The subdivision will be fully serviced and provides for the efficient use of infrastructure and public service facilities (i.e. recreational complexes).
- The subdivision appears to conform to the applicable County Official Plan policies
- Sufficient sanitary capacity is available to service this development.
- With respect to the policies of the Official Plan relating to development in proximity to natural heritage features the St. Clair Region Conservation Authority (SCRCA) has reviewed the application package and provided comments natural heritage matters have been addressed generally to their satisfaction, subject to a number of mitigation measures being implemented.
- The recommended conditions of draft plan approval would ensure that SCRCA's recommendations are implemented.

Given the above, it is staff's opinion that the applications conforms to the County of Middlesex Official Plan.

Comments on Conformity to the Strathroy-Caradoc Official Plan

- The proposal is located within a settlement area, on lands identified for residential development within the Strathroy-Caradoc Official Plan.

- The subdivision will be fully serviced and provides for the efficient use of infrastructure and public service facilities, such as recreational complexes.
- Sufficient sanitary capacity is available to service this development.
- While the subdivision layout provides for the construction of single-detached dwelling types only, the layout does provide for a range of lot sizes. The lots also vary with some lots backing on to the existing homes while others back on to the natural heritage area. The lot orientation and varying lot sizes are often associated with a range of lot and house price points, resulting in a range of housing options.
- The proposed layout is consistent with existing residential developments in the area and the extension of Ridge Street was always contemplated to extend through this site and connect to Park Street.
- The Servicing Report has described how stormwater management will be controlled both in terms of quantity and quality on-site and off-site. This plan has been reviewed by staff and the St. Clair Region Conservation Authority, and has received preliminary support.
- The recommended draft conditions include a requirement for the applicants to pay 5% cash-in-lieu of parkland dedication at the direction of the Director of Community Services. Cash-in-lieu of parkland is considered acceptable in this case due to the site's size and the location in proximity to the West Middlesex Memorial Centre recreational complex.
- The expanded road widening dedication of 6 metres (Block 23) will provide road width for Park Street that is consistent with the adjacent property.
- The proposed water servicing network will result in looping of water service which is encouraged by Engineering staff.
- Extension of Ridge Street results and increase vehicular and pedestrian connectivity which is intended to reduce travel on other adjacent roadways/sidewalks.
- With respect to the policies of the Official Plan relating to development in proximity to natural heritage features the St. Clair Region Conservation Authority (SCRCA) has reviewed the application package and provided comments natural heritage matters have been addressed generally to their satisfaction, subject to a number of mitigation measures being implemented.
- The recommended conditions of draft plan approval will ensure that SCRCA's recommendations are implemented.

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

SUMMARY

Based on the above analysis, staff recommend the following:

THAT a resolution be passed in support of the attached draft plan of subdivision and related conditions, and the rezoning be approved in principle and the necessary by-law be forwarded to Council for consideration of adoption pending the issuance of draft plan approval by the County of Middlesex.

FINANCIAL IMPLICATIONS

None

ATTACHMENTS

Location Map

Draft Plan of Subdivision, dated January 10, 2019

Letter of Concern, dated September 12, 2018

Planning Justification Report, July, 2018

Servicing Report, March 5, 2018

Revised Hydrogeological Assessment, November 27, 2018

Park Street, Strathroy Development Assessment Report, February, 2019

St. Clair Region Conservation Authority Comments, February 15, 2019

MNRF Comments, February 21, 2019

Strathroy-Caradoc Roads / Engineering Services, August 28, 2018

Location Map



Letter of Concern

County of Middlesex
Received

SEP 12 2018

Planning Department
September 12, 2018

County of Middlesex Planning Department
c/o Durk Vanderwerff
399 Ridout St N
London, ON N6A 2P1

Dear Durk Vanderwerff,

We are writing today as concerned neighbors of the proposed changes to the property considered "South of the terminus of Ridge Street... Part Lot 9, Concession 10 Part 1 RP33R17367..." We respectfully ask for no change on this parcel not because we are anti-growth but because we are concerned that the change in creating a through street will result in the following issues; increased traffic on an already busy road, increase in construction and camping trailer traffic, significant increase in safety concern for the speed in which vehicles already travel on Ridge St., as well as a decrease in property value due to what is located at the end of the road extension.

Currently, the Ridge St. neighbourhood is busy, yet vibrant with care from each homeowner about their property and surrounding areas. The extension of the road (potentially Ridge St. extension) with the proposed changes will then end directly beside Trout Haven Campground. In addition within one block of the new road/road extension where it meets Park St. there is a geared to income housing co-operative, both resulting in a significant concern for property values in the existing neighbourhood.

As previously mentioned, Ridge St. is already a busy traffic street and connecting it to Park St. will only increase the traffic, and noise, which we feel does not enhance the environment or safety of the established community.

Should the development move forward despite the concerns of the neighbourhood residents, we respectfully request the following provisions be made;

- No construction traffic use the existing Ridge Street
- Trout Haven traffic must turn right only when exiting the campground. In addition, traffic bound for the campground are not permitted to use Ridge Street as a throughway for accessing the campground.
- A 3 way stop be placed where Ridge Street and Bridle Path meet



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- Traffic calming solutions (quantity and speed) be put in place on the existing Ridge Street
 - Parking on both sides of Ridge Street remain, with signs by intersections and stop signs regarding the laws of 15 meters of space required.
 - The sidewalk and street lights currently on Ridge St. extend through the proposed development for safety of all residents.

In addition, we are requesting that we are made aware of all decisions and upcoming changes in writing in regards to the changes and proposed development.

Respectfully yours,



Tammy Ellis & Family

46 Ridge St, Strathroy ON N6A 2P1

519-245-0519

Applicant:	Wastell Developments Inc.	Date of Decision:	May *, 2019
File No.:	39T-SC1801	Date of Notice:	May *, 2019
Municipality:	Strathroy-Caradoc	Last Date of Appeal:	June *, 2019
Subject Lands:	Part Lot 9, Concession 10	Lapsing Date:	May *, 2022

The conditions and amendments to final plan of approval for registration of this Subdivision as provided by the County of Middlesex are as follows:

No. Conditions

1. That this approval shall apply to the draft plan of subdivision, prepared by MTE Ontario Land Surveyors Ltd., dated January 9, 2019 which shows:
 - 22 single detached residential building lots (Lots 1-22 inclusive)
 - One (1) block for road widening (Block 23)
2. That the lots shall be addressed to the satisfaction of the Municipality in consultation with the County of Middlesex.
3. That Block 23 be dedicated to the Municipality for road widening purposes.
4. That the Owner provide a cash-in-lieu of parkland dedication to the Municipality pursuant to Section 42 of the Planning Act, equal to 5% of the appraised value of the land for residential purposes.
5. That the Owner enter into a Subdivision Agreement with the Municipality 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.
6. That the Subdivision Agreement shall include a provision directing construction traffic away from Ridge Street and toward Park Street only to the satisfaction of the Municipality.
7. That the subdivision agreement is to contain provisions requiring the design of access from street "A" to Park Street and Ridge Streets with all costs the responsibility of the developer.
8. That the subdivision agreement is to contain provisions requiring the design and construction of an intersection control where Street 'A' connects to Park Street.
9. That easements as may be required for access, utility, servicing, or drainage purposes shall be granted to the appropriate agency.
10. 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 broadband internet services and

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communication / telecommunication services for 911 Emergency Services.

10. That the Subdivision Agreement between the Owner and the Municipality satisfy all requirements of the Municipality related to financial, legal, planning and engineering matters including but not limited to the provision of: grading, drainage plans and suitable locations for building envelopes; new roads and upgrades to existing road, planting of trees, landscaping, fencing, buffering, street lighting, sidewalks and other amenities; the provision and installation of full municipal water, the installation of underground utilities, and other matters of the Municipality respecting the development of these lands including the payment of Municipal Development Charges in accordance with the Municipality's Development Charges By-law. The Subdivision Agreement shall also provide for the Municipality to assume Ownership and operation of these systems where appropriate.
11. That the Subdivision Agreement between the Owner and Municipality shall ensure that 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.
12. That prior to final approval, the municipality shall advise the County of Middlesex 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 stormwater quality, and for the purpose of ensuring perpetual maintenance and operation; and
 - b. the inclusion of any measures necessary to implement stormwater quality controls not subject to regulations pursuant to the Ontario Water Resources Act.
13. That prior to final approval, the Owner shall provide to the Municipality confirmation from an Ontario Land Surveyor retained by the Owner at no cost to the Municipality that the lot areas and lot frontages conform to the Zoning By-law requirements of the Municipality of Strathroy Caradoc.
14. That prior to final approval, the Approval Authority is to be advised by the Municipality that appropriate zoning is in effect for this proposed subdivision.
15. The Owner shall enter into an agreement with Canada Post Corporation for the installation of community mailboxes.
16. That prior to final approval, arrangements shall be made to the satisfaction of the Municipality for the relocation of any utilities that may be required as a result of the development of the subject lands, such relocation shall be undertaken at the expense of the Owner.
17. That prior to final approval, the Owner shall submit for review and approval of the Municipality and the St. Clair Region Conservation Authority, a Final Stormwater

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Management Plan, a Sediment and Erosion Control Plan and Final Detailed Servicing and Grading Plans. The approved sediment and erosion control measures shall be in place prior to any work being undertaken on the subject lands. The Final Grading Plans shall address safe access and floodproofing requirements, for the development within the floodplain. The Final Stormwater Management Plan will address infiltration of roof top runoff and ensure that water quality, including temperature, is maintained. The Subdivision Agreement shall include provisions regarding the installation and maintenance of sediment and erosion control measures.

18. The Subdivision Agreement shall include a provision regarding tree removal. Tree removal should be limited to between October 1 and March 31, in accordance with the federal Migratory Birds Convention Act, 1994. If tree removal must occur outside of this timeframe, nest searches should be conducted prior to tree removal, by a qualified biologist.
19. That the Owner prepare a homeowner package to the satisfaction of the St. Clair Region Conservation Authority which includes educational information regarding the adjacent wetland and best management practices related to de-icing materials, excessive irrigation, fertilizer use, sump-pump usage and pool drainage as factors in maintaining water quality and quantity and protection of species at risk. The Subdivision Agreement shall include a provision regarding the homeowner package.
20. That the Owner receive written permission from the St. Clair Region Conservation Authority under Ontario Regulation 171/06 pursuant to Section 28 of the Conservation Authorities Act for development and site alteration on Lots 9, 10 & 11 as well as for any stormwater management outlets to the drainage corridor.
21. That prior to final approval, a Licensed Archaeologist shall provide a letter to the Municipality and the County indicating that there are no concerns for impacts to archaeological sites on the subject lands. This is to be accompanied by a Ministry of Tourism, Culture & Sport letter indicating that the licensee has met the Terms and Conditions for Archaeological Licensing and that the report(s) have been entered into the Ontario Public Register of Archaeological Reports.
22. That prior to final approval, the County of Middlesex is to be advised in writing by the Municipality of Strathroy-Caradoc how conditions 1-19, and 21 have been satisfied.
23. That prior to final approval, the County of Middlesex is to be advised in writing by the St. Clair Region Conservation Authority how conditions 15, 19 and 20 has been satisfied.

NOTES TO DRAFT APPROVAL

1. Draft approval for this plan of subdivision is for a period of three years from the date of decision. Any request made by the Owners 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.

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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 St. Clair Region Conservation Authority (SCRCA) in accordance with Ontario Regulation 171/06 made pursuant to Section 28 of the Conservation Authorities Act.
 7. The owner shall meet all requirements of the Species At Risk legislation under the Endangered Species Act. These works will include but are not limited to the owner, prior to any works on the property, install snake exclusion fencing along the entirety of the southern development boundary that borders southern portion of the site and the drainage corridor (at a minimum) to reduce the likelihood of Eastern Hog-nosed Snake entering the construction area. A qualified biologist and/or ecologist shall regularly inspect that the fencing has been constructed and maintained in accordance with Provincial requires.
- The Subdivision Agreement shall include a provision to require the distribution of education/outreach materials, specific to Eastern Hog-nosed Snake, for new homeowners could be considered as a mitigation measure in the Development Assessment Report to minimize impacts (e.g. persecution) of individuals.
8. A copy of the subdivision agreement must be provided to the County of Middlesex (Department of Planning) 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. 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 Cres., Strathroy, ON N7G 3P9

Applicant:	Wastell Developments Inc.	Date of Decision:	May *, 2019
File No.:	39T-SC1801	Date of Notice:	May *, 2019
Municipality:	Strathroy-Caradoc	Last Date of Appeal:	June *, 2019
Subject Lands:	Part Lot 9, Concession 10	Lapsing Date:	May *, 2022

10. All measurements in subdivision final plans must be presented in metric units.
11. 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.
12. The final plan approved by the County of Middlesex must include the following paragraph on all copies (3 Mylars and 4 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”
13. 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.

Applicant: Wastell Developments Inc.
File No.: 39T-SC1801
Municipality: Strathroy-Caradoc
Subject Lands: Part Lot 9, Concession 10

Date of Decision: May *, 2019
Date of Notice: May *, 2019
Last Date of Appeal: June *, 2019
Lapsing Date: May *, 2022

NOTICE OF DECISION
On Application for Approval of Draft Plan of Subdivision
Section 51 of the Planning Act

Approval of Draft Plan of Subdivision in respect of the subject lands noted above was given by the County of Middlesex on May *, 2019. A copy of the conditions for final plan approval is attached.

When and How to File an Appeal

Notice to appeal the decision to the Local Planning Appeal Tribunal must be filed with the County of Middlesex no later than 20 days from the date of this notice as shown above as the last date of appeal.

The notice of appeal should be sent to the attention of the Planning Department, at the address shown below and it must,

- (1) set out the reasons for the appeal, and
- (2) be accompanied by the fee prescribed under the Local Planning Appeal Tribunal in the amount of \$300.00 payable by cheque to the Minister of Finance, Province of Ontario.

Who Can File an Appeal?

Only individuals, corporation or public bodies may appeal the decision of the County of Middlesex to the Local Planning Appeal Tribunal. An appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

Right of Applicant or Public Body to Appeal Conditions

The applicant or any public body may, at any time before the final plan of subdivision/condominium is approved, appeal any of the conditions imposed by the County of Middlesex to the Local Planning Appeal Tribunal by filing with the Director of Planning a notice of appeal.

How to Receive Notice of Changed Conditions

The conditions of an approval of draft plan of subdivision/condominium may be changed at any time before the final plan is given.

You will be entitled to receive notice of any changes to the conditions of approval of draft plan of subdivision/condominium if you have either,

- (1) made a written request to be notified of the decision to give or refuse to give approval of draft plan of subdivision / condominium, or
- (2) made a written request to be notified of changes to the conditions of approval of the draft plan of subdivision/ condominium.

Concurrent Planning Applications

File No.: ZBA 24-2018

Getting Additional Information

Additional Information about the application is available for public inspection during regular office hours at the County of Middlesex at the address noted below.

Mailing address for Request to be Notified

County of Middlesex
Planning Department
399 Ridout Street North
London ON N6A 2P1
Attention: Director of Planning

Tele: (519) 434-7321
Fax: (519) 434-0638
E-mail: dvanderwerff@middlesex.ca

Applicant: Wastell Developments Inc.
File No.: 39T-SC1801
Municipality: Strathroy-Caradoc
Subject Lands: Part Lot 9, Concession 10

Date of Decision: May *, 2019
Date of Notice: May *, 2019
Last Date of Appeal: June *, 2019
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