

<b>Applicant:</b>	D. Charabin Holdings Inc	<b>Date of Decision:</b>	DRAFT
<b>File No.:</b>	39T-TC-CDM2302	<b>Date of Notice:</b>	DRAFT
<b>Municipality:</b>	Municipality of Thames Centre	<b>Last Date of Appeal:</b>	DRAFT
<b>Subject Lands:</b>	Part of Lot 5, Concession SLR E	<b>Lapsing Date:</b>	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:

<b>No.</b>	<b>Conditions</b>
1.	That this approval applies to the draft plan of condominium prepared and signed by Jeremy C.E. Matthews, O.L.S., dated July 6, 2023, which shows: <ul style="list-style-type: none"> <li>• sixty (60) vacant land condominium units for townhouse dwellings (units 1 to 60);</li> <li>• common features generally including a stormwater management facility, parking, private roads, community mailboxes and a natural heritage area; and</li> <li>• extensions of municipal roads (Eva and Ida Streets)</li> </ul>
2.	That the draft plan of condominium shall be developed on full municipal services, including sanitary sewers, municipal water and urban storm water management practices. Prior to final approval of the development, the Municipality shall confirm that full municipal services are 'in place' as described in condition 3.
3.	That no development of the draft plan of condominium shall commence until all external infrastructure and services required for the development of the lands affected are in place including municipal water supply, treatment and conveyance infrastructure and sewage treatment and wastewater conveyance infrastructure. For the purpose of these conditions, services being "in place" means that the infrastructure exists and is operational to the satisfaction of the Municipality and that capacity in such infrastructure has been formally allocated by the Municipality for use in connection with the development of the draft plan of condominium.
4.	That the Owner shall enter into an agreement with the Municipality for the pre-payment of development charges to assist with the financing of required capital works for wastewater conveyance in the form of a pumping station and forcemain necessary to service the subject lands in accordance with the Municipality's Development Charges Background Study.
5.	That Plan of Subdivision file no.: 39T-95005 be withdrawn prior to final approval, to the satisfaction of the County of Middlesex.
6.	That a comprehensive traffic impact study be undertaken by a qualified professional to the satisfaction of the Municipality based on the cumulative impact of the following draft plan applications: 39T-TC2202 (Auburn Developments), 39T-TC2102 (246 North Inc.), 39T-TCCDM2303 (246 North Inc.) and 39T-TCCDM2302 (D. Charabin Holdings Inc.). Furthermore, that any recommended and approved mitigation measures be cost-shared amongst the foregoing developments on a per housing unit basis.
7.	That prior to final approval, the County of Middlesex be advised by the Municipality that appropriate zoning is in effect for the proposed development as well as demonstrate conformity with the Thames Centre Official Plan.
8.	That the Owner shall enter into an agreement with the appropriate service providers for the installation of underground communication / telecommunication utility services for this

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land to enable, at a minimum, the effective delivery of communication / telecommunication services for 911 Emergency Services.

9. That the Owner and the Municipality enter into a Condominium Agreement pursuant to Section 51(26) of the Planning Act to be registered on title of the land to which it applies prior to the plan of condominium being registered. Further, that the Condominium Agreement shall include provisions that will also be registered against the land to which it applies once the plan of condominium has been registered.
10. That the Condominium Agreement between the Owner and the Municipality shall satisfy all requirements of the Municipality related to financial, legal, planning and engineering matters including but not limited to grading and drainage, landscaping, fencing, the provision of a community mailboxes, street lighting and other amenities; the installation of full municipal water and sanitary services, the installation of underground utilities, recommended and approved EIS mitigation measures and other matters of the Municipality respecting the development of this land including the payment of development charges in accordance with the Municipality's Development Charges By-laws.
11. That the Condominium Agreement between the Owner and the Municipality shall ensure that persons who first purchase the land after the final approval of the plan of condominium are informed, at the time the land is transferred, of all the development charges related to the development pursuant to Subsection 59(4) of the Development Charges Act.
12. That any easements as may be required for utility, servicing, drainage or any other purposes shall be granted to the appropriate authority.
13. That prior to final approval, arrangements shall be made to the satisfaction of the Municipality for the relocation of any utilities required by the development of the subject land to be undertaken at the expense of the Owner.
14. That the Owner provide cash-in lieu of parkland dedication to the Municipality pursuant to Section 42 of the Planning Act, equal to 5% of the value of the land based on a professional real estate appraisal with all costs borne by the Owner and undertaken to the satisfaction of the Municipality.
15. That the Owner enter into an agreement with Canada Post Corporation for the installation of community mailboxes.
16. That prior to final approval, a Licensed Archaeologist shall provide a letter to the Municipality and County indicating that there are no concerns for impacts to archaeological sites on the subject land. 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.
17. That prior to final approval, the owner shall submit an Environmental Impact Study to the satisfaction of the Municipality to ensure there are no unacceptable adverse impacts on existing natural heritage features and any recommended and approved mitigation measures shall be implemented by the condominium agreement.

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18. That prior to final approval, the applicant submit a tree preservation study and a tree compensation plan to replace any native species to be removed as part of development of the lands. Compensation planting shall occur in the tree planting compensation area.
19. That prior to final approval, the Owner shall submit a final Geotechnical Assessment for review and approval by the Municipality.
20. That the Owner provide a Final Hydrogeological Study to the satisfaction of the Municipality.
21. That the Owner provide a Final Functional Servicing Report and Stormwater Management to the satisfaction of the Municipality.
22. That the Owner submit a detailed Grading Plan, and Erosion and Sediment Control (ESC) drawings supported by notes, guidelines, standards, inspection, monitoring and reporting signed and dated by a professional engineer to the satisfaction of the Municipality.
23. That the Owner be required to upgrade Eva Street and Ida Street to a full urban cross section to the boundary of the entrance to the proposed plan of condominium, to the satisfaction of the Municipality.
24. That prior to final approval, the County of Middlesex is to be advised in writing by the Municipality of Thames Centre how conditions 1 to 23 (inclusive) have been satisfied.

#### **NOTES TO DRAFT APPROVAL**

1. Draft approval for this plan of condominium 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

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accordance with Ontario Regulation 171/06 made pursuant to Section 28 of the Conservation Authorities Act. No building permits shall be issued until such time as clearance is received by the UTRCA.

7. A copy of the condominium agreement must be provided to the County of Middlesex (Planning Department) prior to final plan approval.
8. If the agency's condition concerns a condition in the condominium 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 7 is being prepared, reference to this condominium 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.
10. Clearance is required from the following agencies:  
  
Municipality of Thames Centre | 4305 Hamilton Road, | Dorchester, ON, N0L 1G3
11. All measurements in condominium 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 (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 \_\_\_\_\_, 202\_\_.*

\_\_\_\_\_  
*Director of Planning"*

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.