

MUNICIPALITY OF STRATHROY-CARADOC

SUBDIVISION AMENDMENT AGREEMENT

THIS AGREEMENT MADE IN QUADRUPLICATE THIS DAY OF AUGUST 2024.

B E T W E E N:

SOUTHGROVE MEADOWS INC.

Hereinafter called "the Subdivider"
OF THE FIRST PART

-and-

THE CORPORATION OF THE MUNICIPALITY OF STRATHROY-CARADOC

Hereinafter called "the Municipality"
OF THE SECOND PART

WHEREAS the Subdivider by an Agreement dated 31st day of August, 2015 which Agreement was registered as Instrument Number ER1002388 on September 2nd, 2015, entered into a Subdivision Agreement with the Corporation of the Municipality of Strathroy-Caradoc as it related to Phase I of the aforesaid Subdivision Agreement being Lots 1 – 32 inclusive Plan 33M694, together with certain reserves set out in the said Plan;

AND WHEREAS the Subdivider by an Agreement dated the 22nd day of February, 2017 and registered the 7th day of April, 2017 as instrument number ER1096293 amended the original Subdivision Agreement as it relates to Phase II on the aforesaid Subdivision Agreement being Lots 1 – 37 inclusive on Plan 33M716, together with certain reserves and Blocks set out in the said Plan;

AND WHEREAS the Subdivider by an Agreement dated the 31st day of July 2017 and registered the 2nd day of October 2017 as instrument number ER1132219 amended the original Subdivision Agreement as it relates to Phases IIIB and IIIA on the aforesaid Subdivision Agreement being Lots 1-30 inclusive on plan 33M 731, together with certain reserves and Blocks set out in the said Plan;

AND WHEREAS the Subdivider by an Agreement dated the 3rd day of February, 2020 and registered the 29th day of July, 2020 as instrument number ER1314252 amended the original Subdivision Agreement as it relates to Phase IV on the aforesaid Subdivision Agreement being Lots 1 – 56 inclusive on Plan 33M776, together with certain reserves and Blocks set out in the said Plan;

AND WHEREAS the Subdivider has applied to the Corporation of the Municipality of Strathroy-Caradoc for an extension of the Agreement registered as instrument number ER1002388 as it relates to Part Lot 13, Concession 9 (formerly the Township of Caradoc), being; Part 1 on Plan 33R18741, Part 1 on Plan 33R18742 and Part 1 on Plan 33R18745 in the Municipality of Strathroy-Caradoc, which was further amended by instrument numbers ER1096293 to extend the Agreement to Plan 33M716, and which was further amended by instrument numbers ER1132219 to extend the Agreement to Plan 33M731, and which was further amended by instrument numbers ER1314252 to extend the Agreement to Plan 33M776, the Subdivider now wishes to extend servicing to Lots 104-120, Lots 138-148 inclusive and various Blocks and reserves on the original Draft Plan of Subdivision and to further extend the Agreement on Lots 104-120, Lots 138-148 inclusive and various Blocks and reserves on the original Draft Plan of Subdivision as described in Subdivision Agreement ER1002388 and now described as Lots 1-28

inclusive, on Plan 33M _____ as shown on Schedule "B" being the lands described in Schedule "A", further described as Phase V;


NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of good and valuable consideration and the sum of Two Dollars (\$2.00) of lawful money of Canada now paid by the Municipality to the Subdivider, (the receipt whereof is hereby acknowledge), the Subdivider hereby covenants and agrees with the Municipality as follows:

1. Paragraph 2(b) Phasing and Inhibiting Order of the said Subdivision Agreement dated the 31st day of August, 2015 and registered as Instrument Number ER1002388 on September 2nd, 2015 be amended to include Lots 104-120, Lots 138-148 inclusive and various Blocks and reserves on the original Draft Plan of Subdivision as described in Subdivision Agreement ER1002388 now described as Lots 1-28 inclusive on Plan 33M _____ as shown on Schedule "B" and known as Phase V, being the lands described in Schedule "A";
2. The Subdivider agrees with the Municipality to install additional services in accordance with the terms of the Agreement registered the 2nd day of September, 2015 as described and as shown in Schedule 'C' of this agreement above except for those services that have already been installed pursuant to the original Subdivision Agreement registered September 2nd, 2015 being the services within Plan 33M-694 and Plan 33M-716 and Plan 33M-731 and Plan 33M-776. The Subdivider acknowledges that building permits will not be available for the Phase V lots until the Phase V services are complete. Accordingly, an inhibiting order shall not be placed on the Phase V lots.
3. The Subdivider and the Municipality agree to be bound by the terms of the said Subdivision Agreement, and its amendments as described in the recitals of this Agreement.
4. The Subdivider agrees to file with the Municipality an irrevocable Letter of Credit or other security authorized by Council from time to time, in accordance with Paragraph 28 of the Subdivision Agreement registered as Instrument Number ER1002388 and the Subdivider agrees to continue to be bound by the Subdivision Agreement registered as instrument number ER1002388 in accordance with its terms. For clarity, the security shall only be for the value of the Phase V works.
5. Planting will be completed by the Subdivider in accordance with the Landscape Plan surrounding the Storm Water Management pond attached hereto as Schedule "D".
6. The Subdivider agrees to provide for the transfer in Phase V of the Storm Water Management Block as shown on Schedule "B". The Subdivider also agrees to construct the Storm Water Management pond as shown on Schedule "B" in consideration and exchange for full assumption of the Storm Water Management pond by the Municipality immediately after construction to the satisfaction of the Municipality and receiving certification from the Subdivider's Engineer and prior to assumption of Phase 5. The Subdivider shall provide a one (1) year warranty period for the Storm Water Management Pond following assumption by the Municipality. The Subdivider shall have no responsibility for the Storm Water Management pond, including maintenance, monitoring, or repair, following the completion of the warranty period.
7. Hardy Drive shall be dedicated to the Municipality of Strathroy-Caradoc as public highway on the face of Plan 33M _____ as shown on Schedule "B".

8. That Schedule 'C' of the said Subdivision Agreement dated the 31st day of August, 2015 and registered as Instrument Number ER1002388 on September 2nd, 2015 be replaced with the attached Schedule "C", Plans and Drawings.
9. The Subdivider agrees to convey Block 42 on Plan 33M-731 to the Municipality within one year of execution of this agreement and the assumption of Phases 3A, 3B, and 4.
10. Upon the completion of paragraph 9 of this agreement and upon the Subdivider completing the obligations of paragraph 25 of the Agreement registered as Instrument Number ER1002388, the process of assumption will begin for plans Plan 33M-731 and Plan 33M-776 as outlined in paragraph 25 of the Agreement registered as Instrument Number ER1002388.
11. The Subdivider agrees that lot coverage for each lot shall not exceed the coverages designed for in the "Supplemental SWM Design Brief" by Strik Baldinelli Moniz revised as at June 18, 2024.
12. The Owner of each Lot shall maintain each Lot which includes but is not limited to clearing of garbage & debris, removal and prevention of standing water, maintenance of grass & weeds, dust suppression, etc.
13. The Subdivider agrees to install, at its sole expense, the storm water drainage improvements throughout previous phases (33M-694, 33M-716, 33M-731, 33M-776) as identified in Schedule 'C' of this Agreement. These improvements will entitle the Subdivider to full assumption of Phases 3A, 3B, and 4 upon completion of the obligations of paragraph 25 of the Agreement registered as Instrument Number ER1002388 and shall also entitle the Subdivider to service Phase V simultaneously.
14. The Subdivider and the Municipality agree that notwithstanding any previous Agreement or Undertaking, the Subdivider is released from any obligations related to Saxton Road and shall not be responsible for any costs associated with the Saxton Road Reconstruction Project. The Municipality agrees to pay all invoices submitted / received from Strik Baldinelli Moniz and for Peer Review Engineering invoices in relation to Saxton Road. The Municipality agrees to pay all invoices from Strik Baldinelli Moniz related to the internal stormwater improvements.
15. The Subdivider and the Municipality agree that the Front Ending Agreement referenced in paragraph 3b of the Agreement registered as Instrument Number ER1002388 shall no longer be required.
16. The Municipality agrees that the Subdivider shall be permitted to install the services within phase 5 upon execution of this agreement and upon the Municipality receiving the letter of credit referred to in paragraph 4 of this agreement.

SIGNING PAGE TO FOLLOW

DATED at Mount Brydges this 25 day of July 2024.

) SOUTHGROVE MEADOWS INC.
)
)
) Per: 
) Emil Pattyn, Vice-President
) I have authority to bind the Corporation
)

DATED at _____ this _____ day of _____ 2024.

) THE CORPORATION OF THE MUNICIPALITY
) OF STRATHROY-CARADOC
)
) Per: _____
) Colin Grantham, Mayor
)
)
) Per: _____
) Brianna Hammer-Keidel, Clerk
)

Authorized by Bylaw No. _____
adopted the XXth day of August, 2024

SCHEDULE "A"

PART LOT 13, CONCESSION 9 CARADOC; MUNICIPALITY OF STRATHROY-CARADOC;

PIN 08529-0269 (LT)

SCHEDULE "C"

Drawing: 0 – Cover Sheet & Key Plan
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 1A – Notes, Details, and Legend
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 1B – Notes & Details
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 1C – Phasing Plan
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 2 – Master Plan of Services
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 3 – Watermain Distribution Plan
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 4 – Existing Storm Water Catchment Area Plan
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 5A – Post-development Major Storm Water Catchment Area Plan
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 5B – Post-development Minor Storm Water Catchment Area Plan
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 5C – Erosion & Sediment Control Plan
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 5D – Erosion & Sediment Control Plan – Saxton Road
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 16 – Plan/Profile Collins Way
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 17 – Plan/Profile Collins Way
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 18 – Plan/Profile Collins Way/Hardy Drive
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 19 – Plan/Profile Hardy Drive
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 20 – Plan/Profile Elliot Street
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 21 – Plan/Profile Foxen Street
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 22 – Plan/Profile Statham Street
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 23 – Plan/Profile Lindsay Crescent
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 24 – Plan/Profile Elwood Street
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 25 – Easement Plan
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 26 – Stormwater Management Plan, Sections, and Details
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 5E – Saxton Road Post-development Minor Storm Water Catchment Area Plan
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 6 – Storm Water Infiltration Details
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 7 – Subdivision Sanitary Sewer Drainage Areas
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 8 – External Sanitary Sewer Drainage Areas
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 9 – Sanitary Sewer Design Sheet
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 10 – Grading Plan North West
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 11 – Grading Plan North East
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 12 – Grading Plan South West
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 13 – Grading Plan South West
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 14 – Plan/Profile Saxton Road From Carroll St East to 360m South of Carroll St E
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 15 – Plan/Profile Saxton Road
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Drawing: 27 – Rear Yard Overflow Pipe Plan & Profiles
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: July 18, 2024

Such plans are on file with the Municipality of Strathroy-Caradoc and may be viewed by contacting the Building & Planning Department at 52 Frank St, Strathroy, ON. N7G 2R4.

SCHEDULE "D"

LANDSCAPE PLAN SURROUNDING
STORM WATER MANAGEMENT POND

Drawing: L1 – Landscape Plan
Project: Southgrove Meadows Subdivision
Author: Strik, Baldinelli, Moniz
Date: May 7, 2024

Such plan is on file with the Municipality of Strathroy-Caradoc and may be viewed by contacting the Building & Planning Department at 52 Frank St, Strathroy, ON. N7G 2R4.