

File Number: 39T-11503
C. Smith / F.Gerrits

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON AUGUST 26, 2014
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT	SPECIAL PROVISIONS FOXWOOD DEVELOPMENTS (LONDON) INC. FOXWOOD SUBDIVISION 39T-11503

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Foxwood Developments (London) Inc. for the subdivisions of land over Part of Lot 24, Concession 5, (Geographic Township of London), City of London, County of Middlesex, situated on the north side of Fanshawe Park Road West, east of Hyde Park Road.

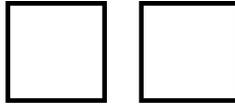
- (a) the Special Provisions, attached hereto as Schedule "D", to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxwood Developments (London) Inc. for the Foxwood Subdivision (39T-11503) **BE APPROVED**;
- (b) the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached hereto as Appendix "A";
- (c) the applicant **BE ADVISED** that the Director, Development Finance has summarized the claims and revenues to be as per Schedule "B", attached hereto,
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

BACKGROUND

This application for Draft Plan of Subdivision Approval was accepted on November 11, 2011. On January 23, 2013, the City of London Approval Authority granted draft approval for the plan of subdivision. Draft approval was appealed to the Ontario Municipal Board. On July 31, 2013, the Ontario Municipal Board issued a notice advising the City of London Approval Authority that the appeal was withdrawn by letter dated June 25, 2013. As per Section 51 (51) of the Planning Act, the draft approval lapse date is June 26, 2016.

Anticipated costs relating to the agreement include:

- for the payment and construction of eligible internal sanitary sewers, in conjunction with this Plan, subsidized at an estimated cost of which is \$2,094;
- for the payment and construction of eligible sanitary sewer external to the Fox Hollow SWM Facility # 1 (South Cell), in conjunction with this Plan, subsidized at an estimated cost of which is \$13,560;
- for the construction of eligible storm sewers in conjunction with the Plan, subsidized at an estimated cost of which is \$216,390;



File Number: 39T-11503
C. Smith / F.Gerrits

- for the construction of eligible watermains in conjunction with the Plan, subsidized at an estimated cost of which is \$64,410;
- for the construction of left and right turn channelization on Hyde Park Road at Dyer Drive, the estimated cost of which is \$213,113; and
- for the construction of pavement widening on Dyer Drive at Hyde Park Road consistent with the City’s standard practice of paying claims where a secondary collector is widened at a primary collector or an arterial road, the estimated cost of which is \$11,696. The claim will be based on a pavement widening of 1.5 metres for a distance of 45 metres with a 30 metre taper. The costs of the gateway treatment over and above the claimable portion shall be at the Owner’s expense.

This subdivision shall be registered in one (1) phase, consisting of ninety six (96) single family lots, two (2) medium density blocks, two (2) park blocks and one (1) school site, all served by the extension of Tokala Trail and two (2) new local streets.

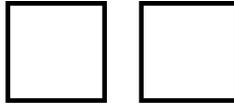
The Development Services Division has reviewed these special provisions with the Owner who is in agreement with them.

This report has been prepared in consultation with the City’s Solicitors Office.

A copy of the location plan is attached as Schedule “C” for the information of the Committee.

PREPARED AND RECOMMENDED BY:	REVIEWED BY:
C. SMITH SENIOR PLANNER DEVELOPMENT SERVICES	A.MACLEAN MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES
CONCURRED BY:	SUBMITTED BY:
TERRY GRAWAY MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

CS/fg
Attach.
August 13, 2014



File Number: 39T-11503
C. Smith / F.Gerrits

Schedule A – Source of Finance Report

APPENDIX 'A'

Chair and Members
Planning and Environment Committee

#14167
August 15, 2014

RE: Special Provisions - Foxwood Developments (London) Inc.
Foxwood Subdivision (Subledger SWM14008)
New Capital Project ES5145 - Sanitary Sewer Internal Oversizing Subsidy
New Capital Project ES5429 - Storm Sewer Internal Oversizing Subsidy
New Capital Project EW3818 - Watermain Internal Oversizing Subsidy
Capital Project TS1372 - Road Class Oversizing
New Capital Project TS1651 - Minor Roadworks on Arterials
39T-11503

FINANCE REPORT ON THE SOURCES OF FINANCING:

Finance confirms that the cost of this project can not be accommodated within the financing available for it in the Capital Works Budget and that, subject to the adoption of the recommendations of the Managing Director, Development and Compliance Services and Chief Building Official, the detailed source of financing for this project is:

<u>ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Revised Budget</u>	<u>This Submission</u>	<u>Balance for Future Work</u>
<u>ES5145-Sanitary Sewer Internal O/S Subsidy</u>				
Construction	\$0	\$14,097	\$14,097	\$0
<u>ES5429-Storm Sewer Internal O/S Subsidy</u>				
Construction	0	194,866	194,866	0
<u>EW3818-Watermain Internal O/S Subsidy</u>				
Construction	0	58,003	58,003	0
<u>TS1372 - Road Class Oversizing</u>				
Construction	100,000	100,000	10,533	89,467
<u>TS1651 - Minor Rdwrks on Arterials</u>				
Construction	0	191,919	191,919	0
NET ESTIMATED EXPENDITURES	\$100,000	\$558,885	\$469,418 1)	\$89,467

SOURCE OF FINANCING:

<u>ES5145-Sanitary Sewer Internal O/S Subsidy</u>					
Drawdown from City Services-Sanitary Sewer Reserve Fund (Development Charges)	2&3a)	\$0	\$14,097	\$14,097	\$0
<u>ES5429-Storm Sewer Internal O/S Subsidy</u>					
Drawdown from City Services - Mjr. SWM Reserve Fund (Development Charges)	2&3b)	0	194,866	194,866	0
<u>EW3818-Watermain Internal O/S Subsidy</u>					
Drawdown from City Services - Water Reserve Fund (Development Charges)	2&3c)	0	58,003	58,003	0
<u>TS1372 - Road Class Oversizing</u>					
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2&3)	100,000	100,000	10,533	89,467
<u>TS1651 - Minor Rdwrks on Arterials</u>					
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2&3d)	0	191,919	191,919	0
TOTAL FINANCING		\$100,000	\$558,885	\$469,418	\$89,467

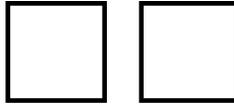
Financial Note:

	<u>ES5145</u>	<u>ES5429</u>	<u>EW3818</u>
1) Contract Price	\$13,853	\$191,496	\$57,000
Add: HST @13%	1,801	24,894	7,410
Total Contract Price Including Taxes	15,654	216,390	64,410
Less: HST Rebate	1,557	21,524	6,407
Net Contract Price	<u>\$14,097</u>	<u>\$194,866</u>	<u>\$58,003</u>

Financial Note continued...

	<u>TS1372</u>	<u>TS1651</u>	<u>Total</u>
Contract Price	\$10,350	\$188,600	\$461,299
Add: HST @13%	1,346	24,518	59,969
Total Contract Price Including Taxes	11,696	213,118	521,268
Less: HST Rebate	1,163	21,199	51,850
Net Contract Price	<u>\$10,533</u>	<u>\$191,919</u>	<u>\$469,418</u>

- 2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2014.
- 3) The 2014 Development Charge Background Study and By-law was approved by Council on June 24, 2014 and was enacted on August 4, 2014.
 - a) The funding requirement of \$14,097 is available as a drawdown from the City Services Sanitary Sewer Reserve Fund (Development Charges).
 - b) The funding requirement of \$194,866 is available as a drawdown from the City Services Mjr. SWM Reserve Fund (Development Charges).
 - c) The funding requirement of \$58,003 is available as a drawdown from the City Services Water Reserve Fund (Development Charges).
 - d) The funding requirement of \$191,919 is available as a drawdown from the City Services Roads Reserve Fund (Development Charges).



File Number: 39T-11503
C. Smith / F.Gerrits

Schedule B

Related Estimated Costs and Revenues

Estimated Costs – This Agreement	
Claims from CSRF	
Storm sewer oversizing subsidy	\$216,390
Watermain oversizing subsidy	\$64,410
Sanitary sewer – internal - oversizing subsidy	\$2,094
Sanitary sewer – external – oversizing subsidy	\$13,560
Roadworks – channelization at Street A	\$213,118
Roadworks – internal widening	\$11,696
Capital Expense	Nil
Other	Nil
Total	\$521,268
Estimated Revenues - This Agreement (Aug 2014 rates)	
CSRF	\$7,500,955
UWRF	\$681,664
Total	\$8,182,619

1. Estimated Costs are based on approximations provided by the applicant. Final claims will be determined based on actual costs in conjunction with the terms of the subdivision agreement and the applicable By-law.
2. Estimated Revenues are calculated using August 2014 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report for "soft services", so the reader should use caution in comparing the Cost with the Revenue section.
3. The revenues and costs in the table above are not directly comparable. This subdivision, like others in the area, also relies on recently constructed roadwork and SWM facilities, the cost of which is not reported above. Other growth related costs (like wastewater treatment plant and road capacity expansion) incurred to serve this subdivision and surrounding areas are not reported above, though the revenue for those service components is included in the "Estimated Revenues – This Agreement" section above. As a result, the revenues and costs reported above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.
4. The reader should refer to the Source of Financing report that accompanies this report to determine the status of the City's commitment to funding the above works within the approved capital budgets.

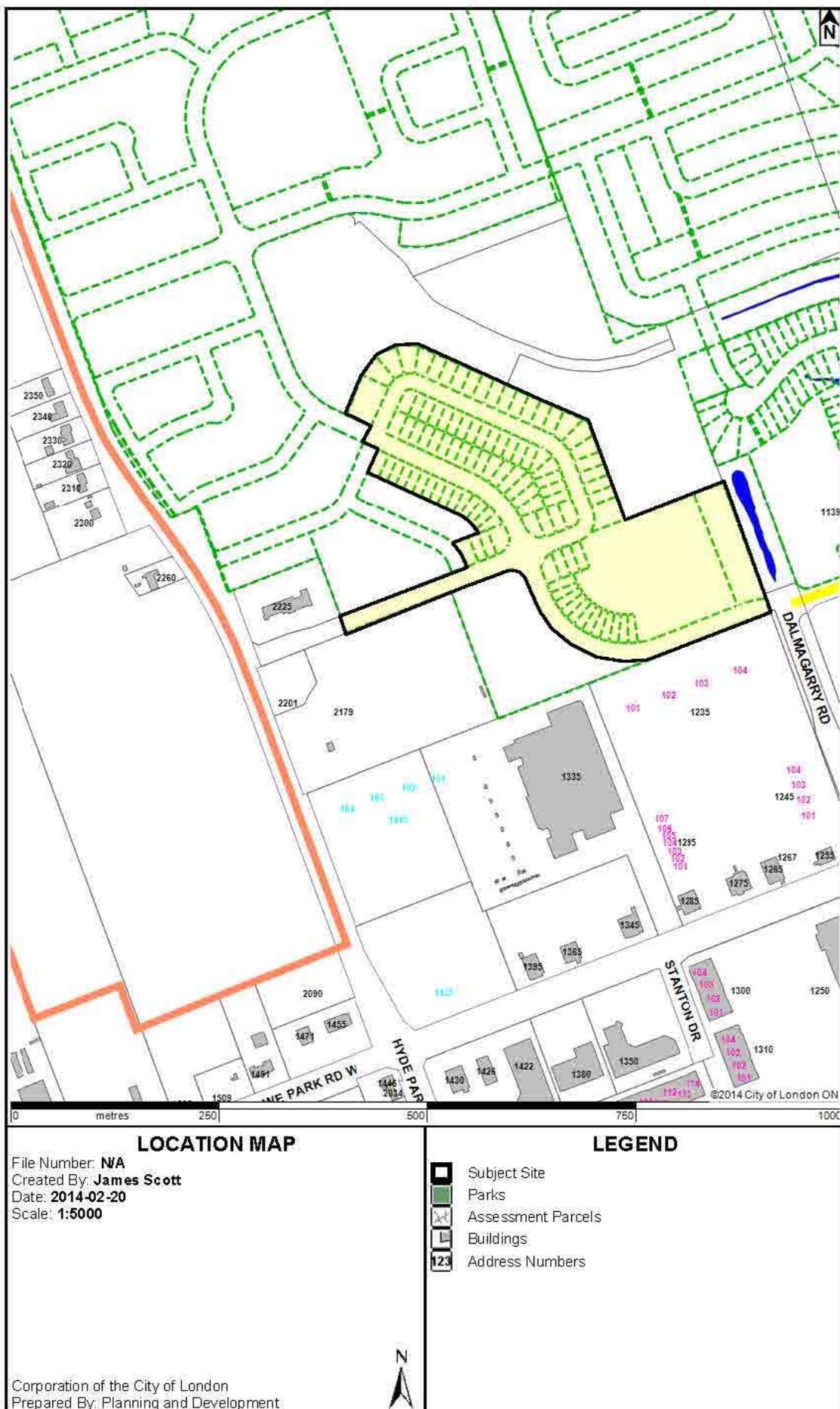
Reviewed By:

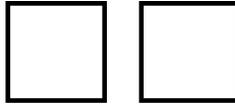
Peter Christiaans
Director, Development Finance



File Number: 39T-11503
C. Smith / F.Gerrits

Schedule C -- Location Map





File Number: 39T-11503
C. Smith / F.Gerrits

28. PART II – SPECIAL PROVISIONS

The Owner shall make all payments, carry out and perform all the works and satisfy all the provisions hereinafter set out in these Special Provisions.

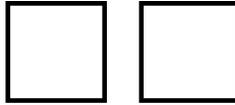
- a) If the Owner alleges an entitlement to any reimbursement or payment from the City Services Reserve Fund as a result of the terms hereof, the Owner may, upon approval of this Agreement, make application to the Director – Development Finance for payment of the sum alleged to be owing, and as confirmed by the City Engineer and the Director – Development Finance and the payment will be made pursuant to any policy established by Council to govern the administration of the said City Services Reserve Fund.

The anticipated reimbursements from the Fund are:

- (i) for the payment and construction of eligible internal sanitary sewers, in conjunction with this Plan, subsidized at an estimated cost of which is \$2,094;
- (ii) for the payment and construction of eligible sanitary sewer external to the Fox Hollow SWM Facility # 1 (South Cell), in conjunction with this Plan, subsidized at an estimated cost of which is \$13,560;
- (iii) for the construction of eligible storm sewers in conjunction with the Plan, subsidized at an estimated cost of which is \$216,390;
- (iv) for the construction of eligible watermains in conjunction with the Plan, subsidized at an estimated cost of which is \$64,410; and
- (v) for the construction of left and right turn channelization on Hyde Park Road at Dyer Drive, the estimated cost of which is \$213,113.
- (vi) for the construction of pavement widening on Dyer Drive at Hyde Park Road consistent with the City's standard practice of paying claims where a secondary collector is widened at a primary collector or an arterial road, the estimated cost of which is \$11,696. The claim will be based on a pavement widening of 1.5 metres for a distance of 45 metres with a 30 metre taper. The costs of the gateway treatment over and above the claimable portion shall be at the Owner's expense;

The estimated amounts herein will be adjusted in accordance with contract prices in the year in which the work is carried out.

- b) Upon approval of an application for a claim to the CSRF, the City shall pay the approved claim in full to the Owner in accordance with the then in force Development Charges By-law and any policies established thereunder.
- c) Where the Owner undertakes works at their entire expense as a capital cost incurred on behalf of the City and as authorized by the City subject to a claim and the claim is made from the Urban Works Reserve Fund, the City Services Reserve Fund or the Capital Works Budget, the Owner must conform with the By-law and policies governing the administration thereof as included in the requirement of City of London By-law C.P.-1473-212 as amended (the "Development Charges By-law"). For any claim from any fund, the Owner must comply with the rules of eligibility applied under Schedule 7 Sections 1.6, 1.7, 1.8 and 1.9, of the above by-law including requirements for tendering and completeness of claims.
- d) In the event that the Owner undertakes relotting, the Owner shall relocate all utilities, municipal services and private services as are necessary for the relotting in this Plan to the specifications of the City and at the Owner's entire expense. The City may require additional inspections by the Owner's professional engineer and the City of



File Number: 39T-11503
C. Smith / F.Gerrits

London of relocated utilities, municipal services and private services, including video inspections and ball tests of sewers, as a result of the relotting of blocks in this Plan prior to the issuance of a Certificate of Conditional Approval for works serving the relotted blocks. Should the amount of security held by the City at the time the blocks in this Plan are to be relotted be insufficient to cover the cost of relocation of utilities, municipal services, private services and associated works for the said relotting, then prior to the issuance of the Certificate of Conditional Approval for works serving the said relotting, the Owner shall deposit an additional amount of security with the City for the said works as determined by the City Engineer in accordance with the City's security requirements.

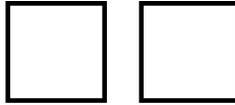
- e) The Owner shall adhere to the recommendations under the full time supervision of a geotechnical engineer with respect to the placement of engineering fill and the construction of utilities, roadways, driveways and buildings on areas within this Plan as identified by the geotechnical engineer (the "Affected Lands") to ensure the satisfactory construction thereof. The Owner shall provide a geotechnical engineer's certification to the City upon completion of the removal and/or filling that the works were carried out in accordance with the geotechnical engineer's recommendations.

Prior to the issuance of a Certificate of Conditional Approval, the Owner shall complete the following, to the satisfaction of the City, at no cost to the City:

- i) identify to the City the Lots and Blocks within the Affected Lands and shall ensure that the specific requirements have been established by a geotechnical engineer for each Lot and Block within the Affected Lands in order to protect the proposed buildings on the said Lots and Blocks from settlement and other harmful effects.
- ii) Have his geotechnical engineer investigate and identify areas of the extent of existing organic fill and deleterious fill materials, on lots, blocks and streets in this Plan;
- iii) Have his geotechnical engineer make recommendations on the proper removal and disposal of the said fill materials;
- iv) Remove and dispose of the said fill materials under the supervision of his geotechnical engineer, in accordance with the recommendations of the geotechnical engineer and in compliance with provincial regulations;
- v) Replace the removed fill materials with suitable engineered fill, under the supervision of his geotechnical engineer and as recommended by his geotechnical engineer; and
- vi) Have his geotechnical engineer certify that the said fill materials have been properly removed and disposed of, and replaced with engineered fill.

The Owner shall register against the title of each Lot and Block within the Affected Lands, and shall include in the Agreement of Purchase and Sale or Lease and in the transfer or deed of each Lot and Block with the Affected Lands, a covenant by the purchase or transferee stating that the purchaser or transferee of the Lot or Block within the Affected Lands must adhere to the recommendations of the geotechnical engineer, and shall deliver a certificate of a geotechnical engineer, including the removal and replacement of any organic and/or deleterious fill materials, to the City's Director of Building Control upon completion of the foundation on the Lot or Block within the Affected Lands that the building construction was completed in accordance with the Owner's geotechnical engineer's recommendations.

- f) Prior to the issuance of a Certificate of Conditional Approval in this Plan, the Owner shall have a professional engineer experienced in the investigation and design of the ways and means of detecting and providing protection against methane or other gasses which may be present on this site, investigate and report on the area to the City Engineer and the Chief Building Official, prior to the issuance of a Certificate of



File Number: 39T-11503
C. Smith / F.Gerrits

Conditional Approval in this Plan. Should the report indicate the presence of methane gas, the Owner shall follow any recommendations contained in this report to ensure that the buildings constructed on this Plan will be well protected from any gas or other deleterious effect which may occur as a result of the possible presence of organic materials or methane gas in this area. Should the engineer's recommendation require certain works to be undertaken by the Owner, the Owner shall have the professional engineer design and inspect the works recommended and supply the City Engineer with a certificate upon their completion and prior to assumption of the subdivision by the City, stating that the facilities recommended were installed and/or carried out in accordance with the engineer's recommendations. The report shall also include measures to control the migration of any methane gas to abutting lands outside this Plan.

The Owner shall comply with all the recommendations of the engineer's report with respect to methane gas testing and for providing protection against any methane gas present on the site. Should a mechanical venting system or other facilities be recommended by the engineer to provide protection to any buildings within this Plan, the system or facilities shall be approved by the appropriate branch of the Ministry of Environment. In the event that a mechanical venting system or other facility is required, the Owner shall register against the title of each affected lot and block, or shall include in the Agreement of Purchase and Sale or Lease and in the transfer or deed of each affected lot and block, a covenant by the purchaser or transferee stating that the Owners of the subject lots and blocks shall have the required system or facilities designed, constructed and monitored as recommended by the Owner's professional engineer and approved by the City Engineer, and that the owners of the subject lots and blocks shall maintain the installed system or facilities in perpetuity, at no cost to the City.

The Owner shall register against the title of each Lot or Block which is not built on or sold prior to assumption of this Plan and is affected by the professional engineer's recommendation, or shall include in the Agreement of Purchase and Sale or Lease and in the transfer or deed of each affected lot and block, a covenant by the purchase or transferee stating that the said lot and/or block is affected by the recommendations in the professional engineer's report with respect to methane or other gases, and that any required works affecting the lot or block shall be certified by a qualified professional engineer when construction of the required works is complete.

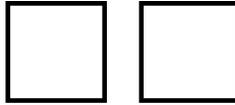
The Owner shall implement appropriate methane or other gas migration measures if required by and to the satisfaction of the City Engineer.

- g) Should any contamination or anything suspected as such be encountered during construction, the Owner shall forthwith report the matter to the City Engineer and all owners of the affected Lots and Blocks in this Plan and hire a geotechnical engineer to prepare a report that summarizes the site assessment and restoration and/or removal activities carried out at the contaminated site within this Plan and containing a "Schedule A – Record of Site Condition" including an "Affidavit of Consultant" in accordance with the requirements of latest Ministry of Environment "Guidelines for Use at Contaminated Sites in Ontario" and file appropriate documents to the Ministry in this regard with copies provided to the City.

Should any containments be encountered within this Plan, the Owner shall implement the recommendation(s) of the geotechnical engineer to remediate, removal and/or disposal of any contaminants within the proposed Streets, Lots and Blocks in this Plan forthwith under the supervision of the geotechnical engineer to the satisfaction of the City at no cost to the City;

Should the site be free of contamination, the Owner shall have its geotechnical engineer provide certification to this effect to the City.

- h) Prior to the issuance of a Certificate of Conditional Approval, the Owner shall have a qualified consultant confirm all recommendations in the hydrogeological investigation for this subdivision have been implemented with respect to the effects of the



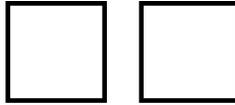
File Number: 39T-11503
C. Smith / F.Gerrits

construction associated with the subdivision on existing ground water elevations, private wells in the area, and the impact on the water balance of the subject plan, to the satisfaction of the City.

- i) The Owner shall direct all construction traffic including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Hyde Park Road via Dyer Drive and/or Fanshawe Park Road West via Dalmagarry Road, unless otherwise approved by the City Engineer. The Owner also agrees that no construction traffic contracted by the Owner for the construction of services for this subdivision which are to be assumed by the City, will utilize existing streets adjacent to this Plan, except as approved otherwise by the City Engineer. Barricades which may be used to restrict construction traffic during the construction of the underground services associated with the issuance of a Certificate of Conditional Approval, as identified by 9. INITIAL CONSTRUCTION OF SERVICES AND BUILDING PERMITS of PART 1 – GENERAL PROVISIONS, may be removed with the issuance of the Certificate of Conditional Approval, unless otherwise directed by the City Engineer. Should the subdivision develop in stages as allowed by other conditions of this subdivision agreement, the Owner shall reinstate the necessary construction traffic restrictions with development of each stage as each stage develops, to the satisfaction of the City Engineer.
- j) The Owner shall construct or install all of the following required works to the specifications of the City and in accordance with the plans accepted by the City:
- (i) a fully serviced road connection where Tokala Trail in this Plan joins with Tokala Trail/Dalmagarry Road in Plan 33R-17911 and 33M-623, including all underground services, all works with respect to the completing of the existing roundabout at Tokala Trail and Dalmagarry Road external to this Plan and all related works as per the accepted engineering drawings;
 - (ii) a fully serviced secondary collector road on Dyer Drive over Part 2, Plan 33R-17590, including a gateway treatment, between the west limit of this Plan and Hyde Park Road, including all underground services and related works (as required in Condition 28. q) herein);
 - (iii) install temporary street lighting on Hyde Park Road at the intersection of Dyer Drive;
 - (iv) storm sewer, sanitary sewer and maintenance access connections to the limit of the Fox Hollow SWM Facility # 1 lands in Plan 33R-18005, east of Block 100 in this Plan; and
 - (v) construct left and right turn lanes on Hyde Park Road at Dyer Drive.

The Owner shall complete all work on the said street(s) in accordance with current City standards, procedures and policies, and restore the road(s), and ensure that adequate precautions are taken to maintain vehicular and pedestrian traffic and existing water and sewer services at all times during construction, except as approved otherwise by the City Engineer. The Owner shall provide full-time supervision by its professional engineer for all works to be constructed on Tokala Trail/Dalmagarry Road, Dyer Drive and Hyde Park Road in accordance with current City policies. Upon completion of these works, a Certificate of Completion of Works is to be supplied to the City, pursuant to the General Provisions and **Schedule 'G'** of this Agreement.

The Owner shall complete the works specified above on a schedule acceptable to the City or as otherwise specified herein. Where the Owner is required to close any City of London road section the Owner shall have available for submission to the City a Traffic Protection Plan acceptable to the City Engineer (or his/her designate), a schedule of construction for the proposed works on the above-noted street(s) and a detail of the proposed timing and duration of the said works in accordance with the Ministry of Labour and Ministry of Transportation requirements within the Ontario Traffic Manual Book 7. Further, the Owner shall obtain a Permit for Approved Works from the City prior to commencing any construction on City land or right-of-way.



File Number: 39T-11503
C. Smith / F.Gerrits

Where required by the City Engineer, the Owner shall establish and maintain a Traffic Management Plan (TMP) intended to harmonize a construction project's physical requirements with the operational requirements of the City, the transportation needs of the travelling public and access concerns of area property owners in conformity with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on existing public roadways needed to provide services for this Plan of Subdivision. The Owner's contractor(s) shall undertake the work within the prescribed operational constraints of the TMP. The TMP shall be submitted by the Owner at the time of submission of servicing drawings for this Plan of Subdivision, and shall become a requirement of the said drawings.

- k) Prior to the construction of works on existing City streets, the Owner shall have its professional engineer notify in writing all affected property owners of all works proposed to be constructed on existing City streets in conjunction with this subdivision in accordance with the City's policy on "Guidelines for Notification to Public for Major Construction Projects".
- l) Prior to the issuance of any Certificate of Conditional Approval in this Plan, the Owner shall erect advisory signs at all street entrances to this Plan for the purpose of informing the public of the traffic calming measures implemented within this Plan.

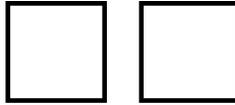
The Owner shall notify the purchasers of all Lots and Blocks abutting the traffic calming circles in this Plan and external to this Plan, that there may be some restrictions for driveway access due to diverter islands built on the road.

Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install the traffic calming circle (roundabout) at the intersection of Dyer Drive and Tokala Trail in this Plan and the Owner shall complete the traffic calming circle (roundabout) at the intersection of Dalmagarry Road and Tokala Trail, as traffic control devices, including the splitter islands, or provide temporary measures, to the satisfaction of the City, as per accepted engineering drawings.

- m) The Owner shall register against the title of all Lots and Blocks on Tokala Trail, Dyer Drive and Dyer Crescent in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots and Blocks away from the traffic calming measures on the said streets, including traffic calming circles, splitter islands and speeds cushions, to be installed as traffic control devices, to the satisfaction of the City Engineer.
- n) Prior to the issuance of any Certificate of Conditional Approval, temporary signs shall be installed and maintained on Tokala Trail adjacent to the speed cushion location that indicate Future Speed Cushion Location, as identified on the accepted engineering drawings, to the satisfaction of the City Engineer.

Prior to assumption or when required by the City Engineer, the Owner shall install one speed cushion on Tokala Trail, including permanent signage and pavement marking in a location, to the satisfaction of the City Engineer.

- o) The Owner shall complete all works with respect to the existing roundabout at Tokala Trail and Dalmagarry Road, external to this Plan, including but not limited to, the removal of the temporary SWM channel; replacing a section of watermain; extending of pavement, curbs and sidewalks westerly; installing a splitter island; closing of the temporary access to the temporary SWM Facility; redirecting required minor and major storm flows from the Calloway REIT (Fox Hollow) Inc. lands to the Fox Hollow SWM Facility # 1 (eg. all flows from the lands on the south side of Tokala Trail and minor flows from lands on the north side of Tokala Trail); and all associated works, all to the satisfaction of the City Engineer, at no cost to the City, as per accepted engineering drawings.



File Number: 39T-11503
C. Smith / F.Gerrits

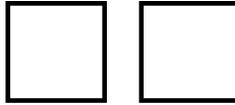
- p) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct, at no cost to the City, a secondary collector road on City lands over Part 2, Plan 33R-17590 from the west limit of Dyer Drive in this Plan to Hyde Park Road (Dyer Drive) with a minimum of all underground servicing, curbs, pavement structures (including base asphalt), all removals and restoration associated with the Fire/EMS Station, north sidewalk and north boulevard, all to the satisfaction of the City Engineer, at no cost to the City, unless otherwise approved by the City Engineer.

Prior to assumption or when required by the City Engineer, the Owner construct the section of the proposed Dyer Drive over Part 2, Plan 33R-17590, for the completion of the said street that lies outside of this Plan, from Hyde Park Road to the west limit of Dyer Drive in this Plan, to fully serviced secondary collector road standards (with the exception of temporary and non-standard works within the reduced south boulevard), including, but not limited to, a gateway treatment (without a centre island median), underground services, road pavement, curbs, street lighting, sidewalks, etc., all to the satisfaction of the City Engineer, at no cost to the City. The Owner shall supply security to the City to cover the construction of this external road in conjunction with security for this Plan, all to the specifications of the City Engineer and at no cost to the City.

The Owner shall construct the said section of Dyer Drive with minimum pavement width (excluding gutters) of 11.0 metres for a minimum length of 45.0 metres tapered back over 30.0 metres to the standard secondary collector minimum road pavement width (excluding gutters) of 9.5 metres within the non-standard secondary collector right-of-way of 24.75 metres tapered to the standard secondary collector right-of-way of 21.5 metres, including a full north boulevard width of 8.5 metres and a temporary reduced south boulevard of 5.25 metres, all to the satisfaction of the City Engineer and Fire Department, at no cost to the City.

Until additional lands are available on the south side of Dyer Drive (south of Plan 33R-17590) to complete the ultimate right-of-way for this section of Dyer Drive to 28.0 metres (from the existing 24.75 metres) to complete the south boulevard to the full width of 8.5 metres (from the reduced 5.25 metres), the Owner shall construct a temporary sidewalk and non-standard works within the reduced boulevard, to the satisfaction of the City Engineer and at no cost to the City.

- q) Prior to assumption or at a time deemed appropriate by the City, the City shall establish Part 2 on Plan 33R-17590, as a public highway and name it Dyer Drive.
- r) Prior to the assumption of the proposed Dyer Drive on City lands external to this Plan over Part 2, Plan 33R-17590, the Owner shall maintain the said road until construction is fully complete, all deficiencies are cleared and a Certificate of Completion of Works covering the road construction has been issued to the City by the Owner's Consulting Engineer, to the satisfaction of the City Engineer, at no cost to the City.
- s) Prior to assumption, the Owner shall make all necessary arrangements, if possible, with the owner of lands to the south to convey to the City sufficient lands needed to complete the ultimate right-of-way of Dyer Drive, east of Hyde Park Road, to 28.0 metres for the ultimate construction of Dyer Drive. Should lands become available to complete Dyer Drive with the ultimate right-of-way prior to assumption of this Plan, then the Owner shall remove the temporary works on the reduced south boulevard of Dyer Drive and construct the ultimate works on the full width south boulevard to City standard and in accordance with the drawings accepted by the City, all to the satisfaction of the City Engineer, at no cost to the City; otherwise the ultimate build out of Dyer Drive will be deferred until lands to the south are developed.
- t) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary street lighting at the intersection of Dyer Drive and Hyde Park Road, to the satisfaction of the City Engineer, at no cost to the City.
- u) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct left and right turn lanes on Hyde Park Road at Dyer Drive with sufficient



File Number: 39T-11503
C. Smith / F.Gerrits

storage to accommodate traffic anticipated by the full build out of the Fox Hollow area, to the satisfaction of the City Engineer.

- v) The Owner shall co-ordinate works with the City to facilitate the servicing and accesses to the Fire/EMS Station from Dyer Drive, in conjunction with the construction of Dyer Drive over Part 2, Plan 33R-17590, west of this Plan, including but not limited to, connecting services to the proposed storm and sanitary sewers, adjusting the driveway entrances, grading and any other associated works, to the satisfaction of the City Engineer, the Fire Department and EMS, at no cost to the City.

The Owner shall maintain access to the said Fire/EMS Station operation at 2225 Hyde Park Road (abutting the north side of Dyer Drive) at all times during construction of all works associated with this Plan, to the satisfaction of the City Engineer and Fire Department, at no cost to the City.

- w) The Owner shall construct the watermains to service the Lots and Blocks in this Plan and connect them to the City's existing water supply system, being the existing 300 mm diameter water main (high level) on Dyer Drive, east of Hyde Park Road, and the existing 300 mm diameter watermain (high level) in the intersection of Dalmagarry Road at Tokala Trail, to the specifications of the City Engineer.

The Owner shall provide looping of the water main system, as required by and to the satisfaction of the City Engineer.

- x) Prior to the issuance of any Certificates of Conditional Approval, the Owner shall replace a section of the watermain at the intersection of Dalmagarry Road and Tokala Trail and the completion of the roundabout at this intersection, in conjunction with the construction of the watermain to service this Plan, to the satisfaction of the City Engineer, at no cost to the City, as per accepted engineering drawings.

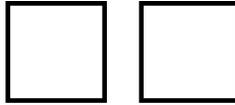
- y) Prior to the issuance of any Certificates of Conditional Approval, the Owner shall have it's professional engineer confirm water quality requirements for the watermain in this Plan and/or implement any accepted recommendations in the accepted water quality report, by the use of the following, all to the satisfaction of the City Engineer, at no cost to the City:

- i) valving to shut off future connections which will not be used in the near term; and/or
- ii) automatic flushing devices to maintain water quality, with it being noted that the water flushed by the device is to be measured (by a water meter in a meter pit) and the cost of water charged to the Owner. Where automatic flushing devices will be used, calculations of the turnover required to maintain chlorine residual shall be provided in order to justify the settings for the automatic flushing device.

- z) Prior to the issuance of any Certificate of Conditional Approval in this Plan, the Owner shall designate to the City which Lots in the Plan the Owner initially wants to remove from the h-100 holding provision, up to the maximum number of Lots that may develop without restrictions.

The Owner shall not request the release of any holding provisions on Lots and Blocks in this Plan until the restriction of a looped watermain system has been satisfied, to the satisfaction of the City Engineer.

- aa) The Owner shall register against the title of Block 99, in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of the Block, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Blocks may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and



File Number: 39T-11503
C. Smith / F.Gerrits

sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the City Engineer.

- ab) Sewage treatment capacity at the Greenway/Adelaide Pollution Control Plant is available for this Plan as of July, 2014 and will be reserved by the City for this Plan provided this Plan and this Agreement are registered before July, 2015.

In the event that this Plan and this Agreement are not registered before July, 2015, then the reserved treatment capacity in the Plant may be forfeited in the absolute discretion of the City Engineer and in the event of such forfeiture, the Owner shall apply to the City to have sewage treatment capacity allocated to this Plan, if such capacity is available at that time.

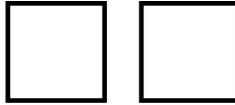
The Owner acknowledges that sewage treatment capacity at the Greenway/Adelaide Pollution Control Plant must be allocated for this Plan prior to the Owner's application for building permits in this Plan.

- ac) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan, with the exception of Block 99, and connect them to the proposed sanitary sewage system being the 375 mm diameter sanitary sewer which is being constructed in conjunction with the Foxhollow Stormwater Management Facility # 1 (South Cell), located at the east limit of Block 100 in this Plan. The sanitary sewers required in conjunction with this Plan shall be sized to accommodate all upstream lands to the specifications of the City Engineer and at no cost to the City unless otherwise specified herein.

- ad) The Owner shall register on title of Block 99 in this Plan and include in the Purchase and Sale Agreement, a covenant that the owner of Block 99 in this Plan shall be responsible for installing a sanitary private drain connection, at the owner's expense, from the said block to the proposed municipal sanitary sewer to the north of this block in City owned lands (Part 7, Plan 33R-18005), or an alternative sanitary outlet, to the satisfaction of the City Engineer, at no cost to the City, should the said block not be developed in conjunction with or serviced through other lands to the east of this block intended to be jointly developed as a school.

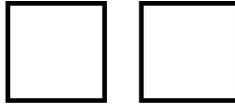
- ae) The Owner shall take measures to control and prevent any inflow and infiltration and silt from entering the sanitary sewer system during the construction and to ensure that the sanitary sewer system is constructed to minimize inflow into the system, all at the Owner's cost. Quality control measures and submission of reports of these quality control measures to the City to confirm that the constructed works meet acceptable inflow and infiltration works will be required. The Owner shall also be required to take measures to prevent inflow and infiltration from entering the sanitary sewer system after construction of the sanitary sewer works, all to the satisfaction of the City Engineer and at no cost to the City. These measures shall include the following:

- (i) Installation of a plug in the sanitary sewer system (for this draft plan) at the downstream end of the sanitary sewer. The plug can be removed in conjunction with first occupancy. This plug may only be removed by the City of London inspectors or Operations. The Owner shall be responsible for the maintenance and cleaning or emptying of the sanitary sewer as required. The sanitary sewer must be clean and dry before the plug will be removed;
- (ii) Flow monitoring of the sanitary sewer may be required and a record of the flows provided to the City. If the flows are in excess of theoretical flows, the Owner shall be required to pay the City for the excess flow;
- (iii) Installation of Parson manhole inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer manholes within this draft plan at the time of installation of the manhole. The Owner shall not remove the inserts until the sodding of the boulevards and the top lift of asphalt is completed;



File Number: 39T-11503
C. Smith / F.Gerrits

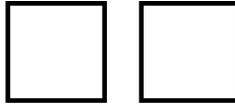
- (iv) Testing of the sanitary sewer system shall be carried out in accordance with OPSS 407, OPSS 410 and the City of London Standard Contract Documents with respect to infiltration testing, exfiltration testing and low pressure air testing. The Owner shall have its professional engineer provide a report of the test results to the City;
 - (v) Ensuring the Owner take steps during the construction on private property of this phase of subdivision, practices which contravene City of London by-laws and allow stormwater and sediment to enter the sanitary sewer system are prevented; and
 - (vi) On demand by the City of London and within 48 hours thereof, plugging any sanitary private drain connections of lots which are vacant or not occupied within this subdivision in order to prevent practices which contravene City of London by-laws and allow excessive levels of inflow and infiltration and sediment to enter the sanitary sewer system. The restoration of the private drain connection will be at the sole cost of the Owner and may be make only at the time of or immediately prior to the occupancy of that Lot.
- af) The Owner shall permit the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer. The City may require smoke testing to be undertaken until such time as the sewer is assumed by the City.
- ag) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Medway Creek Subwatershed, and connect them to the proposed storm sewer system being the 1650 mm diameter storm sewer which is being constructed in conjunction with the Foxhollow Stormwater Management Facility # 1 (South Cell), located at the east limit of Block 100 in this Plan and discharged to the proposed Regional Fox Hollow Community SWM System.
- The storm sewers required in conjunction with this Plan shall be sized to accommodate all upstream lands to the specifications of the City Engineer and at no cost to the City unless otherwise specified herein.
- ah) The Owner shall implement and monitor all erosion and sediment control measures, in accordance with the erosion and sediment control measures accepted by the City in the Functional SWM Report, to be used during construction and implementation of the plan satisfactory to the City. The Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.
- ai) The Owner shall provide a security in the amount of \$60,000 for this Plan to ensure that the Erosion and Sediment Control Plan (ESCP) be executed in accordance with the City Engineer approval procedure and criteria. In the event of failure to properly implement and maintain the require ESCP, the ESCP security will be used to undertake all necessary clean-up work, all to the satisfaction of the City.
- aj) The Owner shall have its consulting professional engineer supervise the construction of the stormwater servicing works, including any temporary works, in compliance with the drawings accepted by the City Engineer, and according to the recommendations and requirements of the following, all to the satisfaction of the City Engineer:
- (i) The SWM criteria and environmental targets for the Medway Creek Subwatershed Study and any addendums/amendments;
 - (ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
 - (iii) The requirements of the Hyde Park Road, Road Widening and Improvements Municipal Class EA (January 2012);
 - (iv) The accepted Fox Hollow Development Area Municipal Class Environmental Assessment (EA) Schedule 'C' Report for the Storm Drainage, Stormwater



File Number: 39T-11503
C. Smith / F.Gerrits

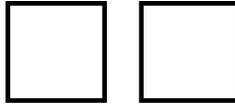
Management and Sanitary Servicing Works (September 2010) and any addendums/amendments;

- (v) The approved Functional Stormwater Management Plan for Fox Hollow Stormwater Management System Functional Design Report Community SWM System;
 - (vi) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
 - (vii) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
 - (viii) The City of London Design Specifications and Requirements Manual, as revised;
 - (ix) The Ministry of the Environment SWM Practices Planning and Design Manual (2003); and
 - (x) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
- ak) Prior to the issuance of any Certificate of Conditional Approval for this subdivision, all relevant storm/drainage and SWM servicing works, including major and minor storm flow routes, for the subject lands must be completed and operational, in accordance with approved design criteria and accepted drawings, all to the specifications and satisfaction of the City.
- al) The Owner shall accommodate the major stormwater overland flows within this Plan from upstream (external) lands in accordance with the approved design studies and accepted engineering drawings, and to the satisfaction of the City Engineer, at no cost to the City.
- am) Prior to the issuance of any Certificates of Conditional Approval for this Plan, the proposed regional SWM Facility (Fox Hollow SWM Facility # 1 (South Cell)) and woodlot berm and all related storm/drainage servicing shall be completed and operational, all to the satisfaction of the City Engineer.
- an) The Owner shall ensure that the post-development discharge flow from the subject site does not exceed the capacity of the stormwater conveyance system, to the satisfaction of the City Engineer. In an event where the above condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirement for Permanent Private Stormwater Systems, to the satisfaction of the City Engineer, at no cost to the City.
- ao) Concurrent with the registration of the Plan, the Owner shall provide the City with temporary working easements over all of Lots 17 to 22 both inclusive and Blocks 97 and 99 in this Plan for construction purposes to allow the City to undertake the excavation, disposal and grading on the said Lots and Blocks necessary to match grades adjacent to the boundary of the Fox Hollow SWM Facility # 1 (South Cell), all to the satisfaction of the City Engineer, at no cost to the City.
- When the Fox Hollow SWM Facility # 1 (South Cell) is constructed and operational, and the above-noted easements over Lots 17 to 22 both inclusive and Blocks 97 and 99 in this Plan are no longer required in conjunction with the construction of the said Facility, the City will quit claim the easements over the said Lots, as determined by the City Engineer, at no cost to the City.
- ap) The Owner shall hold Lots 17 to 22 both inclusive and Blocks 97 and 99 out of development until the Fox Hollow SWM Facility # 1 (South Cell) is constructed and operational, to the satisfaction of the City Engineer.



File Number: 39T-11503
C. Smith / F.Gerrits

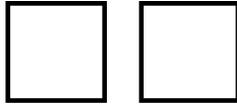
- aq) The Owner shall co-ordinate the work associated with this Plan with the City's proposed construction of the Fox Hollow SWM Facility # 1 (South Cell) and sanitary sewer adjacent to this Plan, to the satisfaction of the City Engineer, at no cost to the City.
- ar) The Owner shall ensure the grading of all Lots and Blocks in this Plan is compatible with the grading on the City lands adjacent to this Plan such as the Fox Hollow SWM Facility # 1 (South Cell) and woodlot (Parts 4 to 7, Plan 33R-18005), all to the satisfaction of the City Engineer, at no cost to the City.
- Should the Owner require grading on City lands then prior to such grading, the Owner shall obtain approval from the City for this work, to the satisfaction of the City, at no cost to the City.
- as) Prior to the issuance of any Certificates of Conditional Approval, the Owner shall make all necessary arrangements with the owner of the abutting lands to the east and south of this Plan (Calloway REIT (Fox Hollow) Inc.) to have the stormwater flows that discharge to the existing temporary private SWM Facility on the said abutting lands redirected to the Fox Hollow SWM Facility # 1 (South Cell) through the accepted major and minor storm servicing in this Plan when the storm servicing is constructed and operational to receive the said stormwater flows, consistent with the conditions in the Development Agreement between Calloway REIT (Fox Hollow) Inc. and the City for 1235 Fanshawe Park Road West registered as Instrument No. ER596423, all to the satisfaction of the City Engineer, at no cost to the City.
- In conjunction with the redirecting the stormwater flows that discharge to the said existing temporary private SWM Facility to the storm servicing in this Plan, the Owner shall remove the existing temporary SWM outlet to the said temporary private SWM Facility on the said abutting lands and replace it with a storm private drain connection, including all associated works, to service the said abutting lands for future development, to the satisfaction of the City Engineer, at no cost to the City.
- at) In conjunction with the decommissioning of the temporary private SWM Facility on the lands abutting the east limit of this Plan by the owner of the said Facility, Calloway REIT (Fox Hollow) Inc, the Owner shall co-ordinate works associated with this Plan with the said decommissioning (eg. removal of outlets, grading and drainage), to the satisfaction of the City, at no cost to the City.
- au) The Owner shall address forthwith any deficiencies of the stormwater works associated with this Plan, to the satisfaction of the City Engineer, at no cost to the City.
- av) Prior to assumption, the Owner shall operate, monitor and maintain all the stormwater works associated with this Plan. The Owner shall ensure that any removal and disposal of sediment is to an approved site in accordance with the Ministry of the Environment and the Ministry of Natural Resources, to the satisfaction of the City Engineer, at no cost to the City.
- aw) The Owner's consulting engineer shall certify the development has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
- ax) The Owner shall implement SWM Best Management Practices (BMP's) within the plan, where possible, to the satisfaction of the City Engineer. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.
- ay) The Owner shall register against the title of Lots which incorporate rear yard catchbasins, which includes Lots 4, 5, 14 and 15 in this Plan and all other affected



File Number: 39T-11503
C. Smith / F.Gerrits

Lots shown on the accepted plans and drawings, and shall include this information in the Agreement of Purchase and Sale or Lease for the transfer of each of the affected Lots, a covenant by the purchaser or transferee to observe and comply with the minimum building setbacks and associated underside of footing (U.S.F.) elevations, by not constructing any structure within the setback areas, and not disturbing the catchbasin and catchbasin lead located in the setback areas. This protects these catchbasins and catchbasin leads from damage or adverse effects during and after construction. The minimum building setbacks from these works and associated underside of footing (U.S.F.) elevations have been established as indicated on the subdivision lot grading plan, attached hereto as **Schedule "I"** and on the servicing drawings accepted by the City Engineer.

- az) Prior to the issuance of a Certificate of Conditional Approval, the Owner shall provide adequate temporary measures, if necessary, such as easements, catchbasins, grading, erosion and sediment control measures, etc. to address any grading and/or drainage issues that may arise along the boundary of this Plan, to the satisfaction of the City Engineer, at no cost to the City.
- ba) The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, all to the satisfaction of the City Engineer.
- bb) The Owner shall make all necessary arrangements with the abutting property owners, including the City, (eg. abutting the south boundary along Tokala Trail and Dyer Drive) to grade on the abutting properties, where necessary, to accommodate the grading, drainage and servicing of this Plan, all to the satisfaction of the City Engineer, at no cost to the City.
- bc) Within one (1) year of registration of the Plan, the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City standards (SOP4.8) or approved alternate, along all property lines of lots 17 thru 38 that are adjacent to Park Blocks in accordance with approved engineering plans. Fencing shall be completed to the satisfaction of the Manager of Environmental and Parks Planning.
- bd) Within one (1) year of registration of the Plan, the Owner shall, at no cost to the City, construct a maintenance access road through Park Block 100 as per the approved engineering drawings and costs.
- be) The Owner shall not grade into any open space lands. In instances where this is not practical or desirable, any grading into the open space lands shall be to the satisfaction of the City.
- bf) Within one (1) year of registration of this plan of subdivision, the Owner shall grade, service and seed park Blocks 100 and 101 of this Plan, in accordance with the approved engineering drawings, all to the satisfaction of and at no cost to the City.
- bg) The Owner shall register on title and include in all Purchase and Sale or Lease Agreements the requirement that the homes to be designed and constructed on corner lots flanking collector roads in this Plan, are to have design features, such as but not limited to porches, windows or other architectural amenities that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the collector road. Further, the owner shall obtain approval of their proposed design from the Manager of Urban Design prior to any submission of an application for a building permit for corner lots with an exterior sideyard abutting the collector roads in this Plan.



File Number: 39T-11503
C. Smith / F.Gerrits

SCHEDULE 'C'

This is Schedule 'C' to the Subdivision Agreement dated _____ between The Corporation of the City of London and Foxwood Developments (London) Inc. to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- Tokala Trail and Dyer Drive shall have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres.
- Dyer Crescent shall have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres.

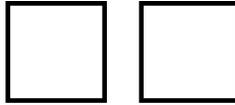
Sidewalks

A 1.5 metre (5 foot) sidewalk shall be constructed on both sides of Tokala Trail and Dyer Drive.

A 1.5 metre (5 foot) sidewalk shall be constructed on one side of Dyer Crescent on the outside boulevard.

Pedestrian Walkways

There are no pedestrian walkways in this Plan of Subdivision.



File Number: 39T-11503
C. Smith / F.Gerrits

SCHEDULE 'D'

This is Schedule 'D' to the Subdivision Agreement dated this _____ day of _____, 2014, between the Corporation of the City of London and Foxwood Developments (London) Inc. to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external lands as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all lands within this Plan to the City.

LANDS TO BE CONVEYED TO THE CITY OF LONDON:

0.3 metre (one foot) reserves: Blocks 102, 103 and additional blocks needed as identified
in cover letter.

Road Widening (Dedicated on the face of the plan): NIL

Walkways: NIL

Parkland Dedication Blocks 100 and 101 as partial satisfaction of the required parkland.

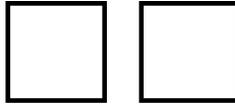
Cash-in-lieu payment prior to the issuance of building permit as per City Bly-aw CP-9.

No parkland is required for Block 98 of this Plan.

Stormwater Management: NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE:

School Site: Block 99



File Number: 39T-11503
C. Smith / F.Gerrits

SCHEDULE 'E'

This is Schedule 'E' to the subdivision Agreement dated _____ between The Corporation of the City of London and Foxwood Developments (London) Inc. to which it is attached and forms a part.

The total value of security to be supplied to the City is as follows:

CASH PORTION:	\$ 547,109 **
BOND PORTION:	\$3,702,724
TOTAL	\$4,249,833 **

(a) The following security shall be deposited with the City Treasurer at the time of signing this Agreement:

CASH PORTION:	\$ 547,109 **
BOND PORTION:	NIL

(b) The following security shall be deposited with the City Treasurer, before the issuance of a Certificate of Conditional Approval respecting land within this subdivision:

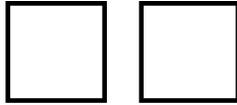
CASH PORTION:	NIL
BOND PORTION:	\$3,702,724

**** Includes \$60,000 for Erosion and Sediment Control Plan security as per Clause ai).**

The security shall be supplied to the city in accordance with the policy adopted by the City Council on April 6, 1987, when it approved Clause 15 of the 11th Report of the Planning Committee, and its amendments.

Please refer to Section 9. Initial Construction of Services and Building Permits of Part 1 – General Provisions, which may limit the issuance of a building permit until the security requirements have been satisfied.

The above-noted security includes a statutory holdback calculated in accordance with the Provincial legislation, namely the CONSTRUCTION LIEN ACT, R.S.O. 1990.



File Number: 39T-11503
C. Smith / F.Gerrits

SCHEDULE 'F'

This is Schedule 'F' to the Subdivision Agreement dated this _____ between The Corporation of the City of London and Foxwood Developments (London) Inc., to which it is attached and forms a part.

Multi-Purpose Easements

- (a) Temporary multi-purpose easements for storm servicing shall be deeded to the City in conjunction with this Plan, within this Plan, on an alignment and of sufficient width acceptable to the City Engineer as follows:
 - (i) Block 97 and Block 98 for storm servicing, and
 - (ii) Lots 17 to 22, Block 97 and 99 for stormwater management works

- (b) Temporary multi-purpose easements shall be deeded to the City in conjunction with this Plan, over lands external to this Plan, on an alignment and of sufficient width acceptable to the City Engineer as follows:
 - (i) North and south side of Dyer Drive for storm servicing and all associated works, and
 - (ii) North side of Dyer Drive and north limit of Tokala Trail for municipal servicing and all associated works.