

File Number: 39T-13503

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT</b>	<b>SUBDIVISION SPECIAL PROVISIONS APPLICANT: NORQUAY BUTTONBUSH LAND CORP. CRESTWOOD (PHASE 3) SUBDIVISION 39T-13503 MEETING ON OCTOBER 5, 2015</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Norquay Buttonbush Land Corp. for the subdivision of land over Part of Lot 41, Concession 1, (Geographic Township of Westminster), City of London, County of Middlesex, situated on the north side of Southdale Road East, west of Tillmann Road, municipally known as 860 Southdale Road East.

- (a) the attached Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Norquay Buttonbush Land Corp. for the Crestwood Subdivision – Phase 3, (39T-13503) attached as Schedule “A”, **BE APPROVED**;
- (b) the applicant **BE ADVISED** that the Director, Development Finance has summarized the claims and revenues attached as Schedule “B”, ,
- (c) the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached as Schedule “C”; and
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

<b>BACKGROUND</b>
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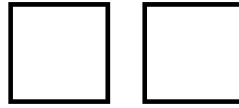
The subject site consists of three parcels of land totaling approximately 5.9 hectares in size. The surrounding lands are comprised predominantly of low density residential to the north, east and west which were constructed during the last 10 years.

The proposed development is integrated with the subdivisions to the north, east and west, with public road connections to Cranbrook Drive, Thornley Street and Collins Drive. This proposed residential plan of subdivision is zoned Holding Residential R1 Special Provision (h.R1-6(4)) and Holding Residential R1 Special Provision (h.h-108.R1-6(4)) which permits the development of single detached dwellings on lots with a minimum lot frontage of 15 metres and a minimum lot area of 450m2 and to allow for 1.2 metre side yards setbacks for two story single detached dwellings. The ‘h’ holding provision application will be brought forward to future meeting of Planning and Environment Committee once it has been satisfied.

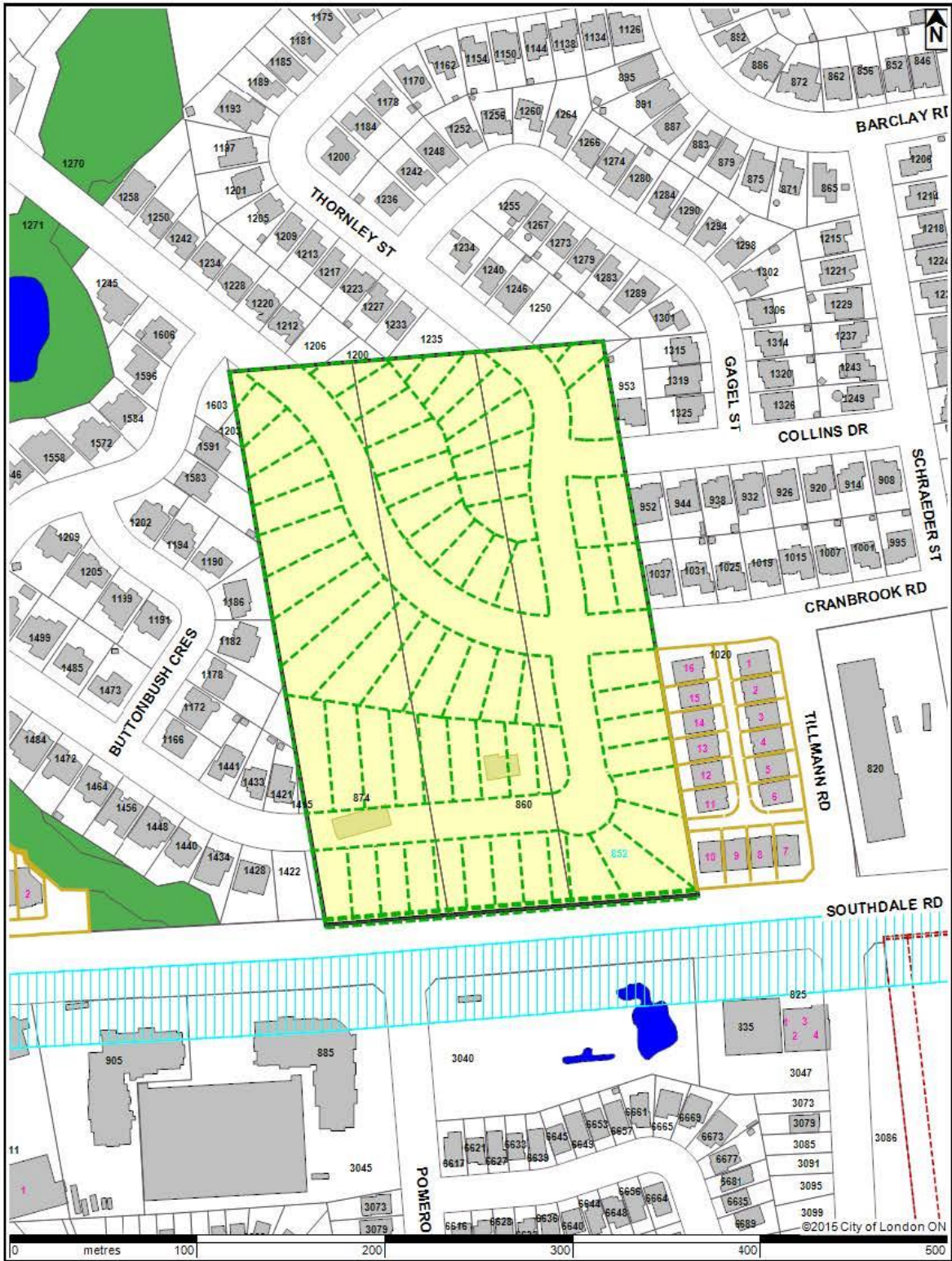
Draft plan of subdivision approval with conditions was granted on January 17, 2014 consisting of 57 single family detached Lots, 9 residential blocks, several 0.3m reserves, a Cranbrook Road connection, a Thornley Street connection, and a westerly extension of Collins Drive.

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.








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**LOCATION MAP**

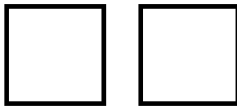
Subject Site: 66 Residential Units also see Z-8223 MOE  
 Transfer of Review \$1,100.00 processed July 30, 2015  
 File Number: 39T-13503-3  
 Created By: Frank Gerrits  
 Date: 2015-09-22  
 Scale: 1:2500

**LEGEND**

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers

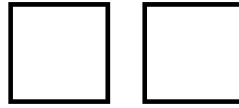






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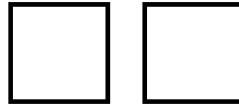
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The anticipated reimbursements from the City Services Reserve Fund are:

- (i) for the realignment of a 600mm trunk watermain in conjunction with the Plan, the estimated cost of which is \$628,817. The reimbursement from the fund for the 600mm trunk watermain realignment will be reduced by an allocation of the cost of a local watermain in accordance with the tendered value for a 250mm watermain for the proposed development;
- (ii) for the construction of external storm sewers on Southdale Road West in conjunction with the Plan, at an estimated cost of which is \$93,503
- (iii) for the cost of engineering fees associated with the design and construction of the above noted works, outlined in the work plan on file at an estimated cost of \$161,530 and subject to final approval by the Director of Water and Wastewater and the Director of Development Finance.

<b>PREPARED BY:</b>	<b>RECOMMENDED BY:</b>
<b>A.RILEY SENIOR PLANNER DEVELOPMENT SERVICES DIVISION</b>	<b>A.MACLEAN MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES</b>
<b>CONCURRED BY:</b>	<b>SUBMITTED BY:</b>
<b>JENNIE RAMSAY, P. ENG. MANAGER, DEVELOPMENT SERVICES &amp; ENGINEERING LIAISON</b>	<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>

AR/fg  
Attach.  
September 24, 2015



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## Schedule "A"

### SPECIAL PROVISIONS

#### 5. STANDARD OF WORK

**Remove last paragraph of Section 5.7 and replace with the following:**

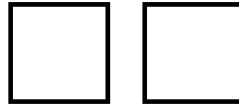
- 5.7 The Owner shall register against the title of Lots which incorporate rear yard catchbasins, which includes Lots 1, 2, 8, 9, 10 and 11 in this Plan and all other affected Lots shown on the accepted plans and drawings, and shall include this information in the Agreement of Purchase and Sale or Lease 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.

#### 25.1 STANDARD REQUIREMENTS

**Add the following new Special Provisions following 25.1:**

- j) The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.
- k) The Owner shall ensure that all parties responsible for construction activity, installation of facilities or maintenance of encroachments around the Union Gas Pipe Line Buffer Zone must obtain written consent of Union Gas and adhere to the conditions set out in their consent.
- l) The Owner shall include in any application for building permit for Lot 11, that forced air heating with the provision for central air conditioning will be installed.
- m) The following warning clauses shall be registered on title and shall be included in all Agreements of Purchase and Sale or Lease for Lot 11:
- "This dwelling unit has been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air-conditioning. Installation of air conditioning will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality and Ministry of the Environment noise criteria.
- (Note: The location and installation of the outdoor air conditioning device should be done so as to comply with noise criteria of MOE publication NPC-216, Residential Air Conditioning Devices and thus minimize the noise impacts both on and in the immediate vicinity of the subject property.)"
- n) The Owner shall include in any application for building permits for 1-10 and 1422 Thornley Street, that central air conditioning will be installed.
- o) The following warning clause shall be registered on title and shall be included in all Agreements of Purchase and Sale or Lease for Lots 1-10, both inclusive and 1422 Thornley Street:

"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the



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Environment's noise criteria.”

- p) The following warning clause shall be registered on title and shall be included in all Agreements of Purchase and Sale or Lease for Lots 1-10, both inclusive and 1422 Thornley Street:

“Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road (rail) (air) traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality's and the Ministry of the Environment's noise criteria.”

## 25.2 CLAIMS

- (b) 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 realignment of a 600mm trunk watermain in conjunction with the Plan, the estimated cost of which is \$628,817. The reimbursement from the fund for the 600mm trunk watermain realignment will be reduced by an allocation of the cost of a local watermain in accordance with the tendered value for a 250mm watermain for the proposed development;
- (ii) for the construction of external storm sewers on Southdale Road West in conjunction with the Plan, at an estimated cost of which is \$93,503
- (iii) for the cost of engineering fees associated with the design and construction of the above noted works, outlined in the work plan on file at an estimated cost of \$161,530 and subject to final approval by the Director of Water and Wastewater and the Director of Development Finance.

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

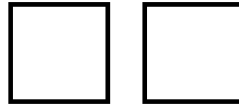
Funds needed to pay the above claims will be committed (on a subdivision by subdivision basis) from approved capital budgets at the time of approval of this agreement, unless funds in approved capital budgets are insufficient to accommodate commitment to the full extent of the estimated claims. In this case (ie. insufficient capital budget), the excess of the estimated claim over the approved budget shall be submitted for Council approval in the next following budget year.

Claims approvals shall generally not materially exceed approved and committed funding in the capital budget for the estimated claims listed in this agreement.

Any funds spent by the Owner pending future budget approval (as in the case of insufficient capital budget described above), shall be at the sole risk of the Owner pending Council approval of sufficient capital funds to pay the entire claim.

### Add the following new Special Provisions:

- # Where the proposed development calls for the construction of works, and where the Owner is of the opinion that such works are eligible to be funded in whole or in part from development charges as defined in the DC by-law, and further, where such works are not oversized pipe works (sanitary, storm or water – the reimbursement of which is provided for in subsidy table in the DC by-law), then the Owner shall submit through their consulting engineer an engineering work plan for the proposed works satisfactory to the City Engineer (or designate) and City Treasurer (or designate). The Owner acknowledges that:



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- (i) no work subject to a workplan shall be reimbursable until both the City Engineer (or designate) and City Treasurer (or designate) have reviewed and approved the proposed work plan; and
- (ii) in light of the funding source and the City's responsibility to administer development charge funds collected, the City retains the right to request proposals for the work from an alternative consulting engineer.

# The following works required by this subdivision shall be subject to a workplan:

- i) trunk watermain,
- ii) external storm sewers on Southdale Road West, and
- iii) cost of engineering fees associated with the design and construction of the above noted works

## 25.6 GRADING REQUIREMENTS

**Add the following new Special Provisions:**

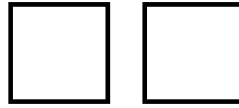
- i) The Owner shall grade the portions of Lots 1 to 11, both inclusive and Blocks 67, 68, 69 and 70, in this Plan, which have a common property line with Southdale Road West in accordance with the City Standard "Subdivision Grading Along Arterial Roads" and at no cost to the City.

The Owner shall direct its professional engineer to establish the elevations along the common property line which will blend with the existing centerline of road grades, and show these elevations on the subdivision Lot Grading Plans, submitted for acceptance by the City.

## 25.7 STORM WATER MANAGEMENT

**Remove Clause (a) and replace with the following:**

- (a) The Owner shall have its 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 Dingman Creek Subwatershed Study and any addendums/amendments;
  - ii) The accepted Municipal Class EA Study for Storm Drainage and Stormwater Management Servicing Works for the Dingman Creek (2008) and the minor revision/amendments to the Municipal Class EA for Storm Drainage and Stormwater Management Servicing Works for the Dingman Creek (May 2011) any addendums/amendments;
  - iii) The approved Stormwater Management Functional Design Report - Talbot Village SWM Facility E1 (May 2008);
  - iv) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
  - v) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
  - vi) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
  - vii) The City of London Design Specifications and Requirements Manual, as revised;



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- viii) The Ministry of the Environment SWM Practices Planning and Design Manual (2003); and
- ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
- h) The Owner shall provide sufficient measures within the proposed Noise Attenuation Wall(s) to accommodate the overland flows from the proposed Plan discharging south via Southdale Road West to the satisfaction of the City Engineer at no cost the City.

## 25.8 SANITARY AND STORM SEWERS

### Remove (c) and replace with the following:

- b) Sewage treatment capacity is available for this Plan and will be reserved by the City for this Plan provided this Plan and this Agreement are registered within one (1) year of the date of this agreement.

In the event that this Plan and this Agreement are not registered within one (1) year of the date of this Agreement 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 Wastewater Treatment Plant must be allocated for this Plan prior to the Owner's application for building permits in this Plan.

- c) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Dingman Creek Subwatershed, and connect them to the City's existing storm sewer system being the 1200 mm diameter storm sewer on the south side of Southdale Road West via a new storm sewer connection replacing the existing 900 mm corrugated steel culvert pipe and a 300 mm diameter storm sewer on Cranbrook Road (westerly) located in Plan 33M-428. 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.

### Add the following new Special Provisions:

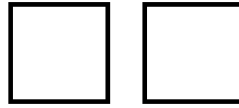
- o) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the Crestwood Subdivision Trunk Sanitary Sewer being a 375 mm (15 inch) diameter sanitary sewer on Thornley Street via a sanitary sewer on Southdale Road West and a 200 mm diameter sanitary sewer on Cranbrook Road (westerly) located in Plan 33M-428 and a 200 mm diameter sanitary sewer on Cranbrook Road (easterly) located over Part 8 and 9 in Plan 33R-16180. 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.

## 25.9 WATER SERVICING

### Add the following new Special Provisions:

- (h) 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 200 mm diameter watermain on Cranbrook Road (east leg), the existing 250 mm diameter watermain on Cranbrook Road (north leg), the existing 200 mm diameter watermain on Thornley Street (north leg), the existing 250 mm diameter watermain on Thornley Street (west leg) and the existing 150 mm diameter watermain on Collins Drive.
- (i) The Owner shall relocate the existing 600 mm diameter trunk watermain which currently extends across the proposed municipal rights-of-way and Lots and Blocks within this Plan to a





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proposed location generally within the Thornley Street right-of-way and over Blocks 65, 66 and 67 within this Plan, subject to the approval of the City Engineer. The Owner shall protect the existing and proposed trunk watermain located on Lots, easements and rights-of-way in this Plan and on adjacent lands and road, all to the satisfaction of the City Engineer and in accordance with the City approved Work Plan provided by the owners Consulting Engineer. No encroachments of buildings, foundations or structures shall be permitted on the easement on Block 205, Plan 33M-394 adjacent to this Plan of subdivision.

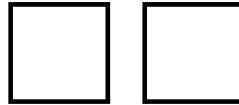
- (j) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall remove the abandoned trunk watermain, to the satisfaction of the City Engineer. When the easements are no longer required for the abandoned watermain, the City will quit claim the easements which are no longer required, at no cost to the City.
- (k) The Owner shall decommission the existing temporary watermain over Block 46 in Plan 33M-531 between Thornley Street and Southdale Road West, adjacent to the west limit of this Plan, at the time the watermain on the west limit of Thornley Street in this Plan, is connected to the watermain on Thornley Street in Plan 33M-531, to the satisfaction of the City Engineer, at no cost to the City. This work shall be co-ordinated with the closure of the temporary access over Block 46 in Plan 33M-531 to the satisfaction of the City Engineer.

## 25.11 ROADWORKS

### Remove Clause (b) and replace with the following:

- (b) 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 at the north limit of Thornley Street in this Plan joins with Thornley Street in Plan 33M-394, including all underground services and all related works as per the accepted engineering drawings;
  - (ii) a fully serviced road connection at the west limit of Thornley Street in this Plan joins with Thornley Street in Plan 33M-531, including all underground services and all related works as per the accepted engineering drawings;
  - (iii) a fully serviced road connection at the east limit of Collins Drive in this Plan joins with Collins Drive in Plan 33M-428, including all underground services and related works as per the accepted engineering drawings;
  - (iv) a fully serviced road connection at the east limit of Cranbrook Road in this Plan joins with Cranbrook Road in Plan 33M-428, including all underground services and related works as per the accepted engineering drawings;
  - (v) a fully serviced road connection at the west limit of Cranbrook Road in this Plan joins with Cranbrook Road over Part 8 and 9 in Plan 33R-16180, including all underground services and related works as per the accepted engineering drawings;
  - (vi) the removal and restoration of the temporary access over Block 46 in Plan 33M-531 as well as Southdale Road West and Thornley Street adjacent to the said Block and all related works including the installation of a temporary turning facility should these works not be completed by the owner of Plan 33M-531;
  - (vii) watermain improvements within the easement over Part 3 of Plan 33R-14090 adjacent to Block 65 and 66 in this Plan; and
  - (viii) works within Southdale Road West; including but not limited to the related servicing of this Plan such as watermain works, storm sewer works, maintenance/walkway access, etc.

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.



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The Owner shall provide full-time supervision by its Professional Engineer for all works to be constructed on the said section of Thornley Street, Collins Drive, the said section of Cranbrook Road, Southdale Road West and over Block 46 in Plan 33M-531 all 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 Management 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.

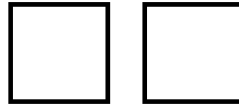
Where required by the City Engineer, the Owner shall establish and maintain a Traffic Management Plan (TMP) intended to harmonize a construction project's physical requirements with the operational requirements of the City, the transportation needs of the travelling public and access concerns of area 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.

**Remove Clause (q)(iv) and replace with the following:**

- (iv) The Owner shall register against the title of all Lots and Blocks on Cranbrook Road 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 street to the satisfaction of the City Engineer.

**Add the following new Special Provisions:**

- (r) The Owner shall direct all construction traffic associated with this Plan to utilize Southdale Road West via the existing temporary access road over Block 46 in Plan 33M-531, between Thornley Street and Southdale Road West (abutting the west limit of this Plan) or other routes as designated by the City Engineer. Following the construction of all of Cranbrook Road in this Plan, up to and including base asphalt, and the removal of the temporary access road on Block 46 in Plan 33M-531 between Thornley Street and Southdale Road West, the Owner shall direct all construction traffic associated with this Plan to utilize Southdale Road West via Cranbrook Road and Tillman Road, to the satisfaction of the City Engineer. No construction traffic is to utilize existing accesses to Southdale Road West.
- (s) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall complete the following, to the satisfaction of the City Engineer, at no cost to the City:
  - i) Construct, at a minimum, all of Cranbrook Road within this Plan, up to and including base asphalt or an alternative approved by the City Engineer, such as a temporary recycled asphalt, with consideration to seasonal construction and soil conditions, to open this street to the public for vehicular traffic;
  - ii) The Owner shall construct traffic calming measures in accordance with the Design Specifications and Requirements Manual as per a curb extensions with a parking bay along the north side of Cranbrook Road and a reduced curb radii (6.0 metres) on the inbound approaches to Thornley Street from Cranbrook Road; and
  - iii) At the time the above street is open to the public for vehicular traffic, make all necessary arrangements with the owner of Plan 33M-531 to remove the temporary access road over Block 46 in Plan 33M-531 between Thornley Street and Southdale Road West, including all temporary works and services; erect appropriate notification signage for the temporary road closure; restore boulevards abutting the temporary



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access road to City standards, including a walkway to City standards and any other associated works as identified in the Subdivision Agreement for Plan 33M-531 and the accepted engineering drawings for Plan 33M-531; and install a temporary turning facility at the end of Thornley Street in Plan M-531. In the event these works are completed by the owner of Plan 33M-531, then the Owner shall be relieved of this obligation; however, should the owner of Plan M-531 not complete these works then the Owner shall complete the above-noted works. Up to a maximum value that the City has received for this work, if funds have been provided to the City by the owner of Plan 33M-531 for the removal of the temporary access road and all the associated and above-noted works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

- (t) Prior to the issuance of any Certificate of Conditional Approval and in accordance the Council Policy adopted on December 2, 2002 regarding construction access for new subdivisions, the Owner shall comply with the following:
- i) The Owner shall erect barricades, satisfactory to the City Engineer, at no cost to the City, at the following locations:
    - a) Thornley Street – north limit, including a temporary turning circle within this Plan; and
    - b) Collins Street – east limit.
  - ii) The Owner shall erect barricades and a temporary turning circle on Thornley Street within this Plan at its west limit following the closure of the temporary access road over Block 46 in Plan 33M-531 between Thornley Street and Southdale Road West (as required in Condition (s) above), satisfactory to the City Engineer, at no cost to the City.

At the time of assumption of this Plan or as otherwise directed by the City Engineer, the Owner shall remove the said barricades and any associated temporary turning circles, as necessary, and restore the road(s) to the specifications of the City Engineer, all at no cost to the City.

The Owner shall register against the title of all Lots and Blocks in this Plan and shall include information in the Agreement of Purchase and Sale or Lease for the transfer of each of the affected Lots and Block, a covenant by the purchaser or transferee stating the all purchasers of land within this Plan that any traffic to and from this subdivision will not be permitted to pass the barricade(s) until the removal of the said barricade(s) is authorized by the City Engineer.

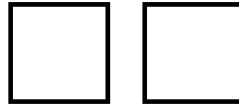
Where temporary turning circles are required by the City, the Owner shall provide all associated easements over the abutting Lots/Blocks in this Plan at the time this Plan is registered, to the satisfaction of and at no cost to the City. When the temporary turning circles(s) are no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.

- (u) At the time of assumption of this Plan or as otherwise directed by the City Engineer the Owner shall remove the said temporary turning facility adjacent to Block 46 in Plan 33M531, and complete the construction of Thornley Street in this location as fully serviced road, including sidewalks and restoration of adjacent lands, to the specifications of the City Engineer, and at no cost to the City.

Up to a maximum value that the City has received for this work, if funds have been provided to the City by the owner of Plan 33M-531 for the removal of the temporary turning facility and the construction of this section of Thornley Street and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

In the event that Thornley Street in Plan 33M-531 is constructed as a fully serviced road by the owner of Plan 33M-531, then the Owner shall be relieved of this obligation.

- (v) At the time of assumption, the Owner shall remove the temporary turning circle on Thornley Street and adjacent lands, in Plan 33M-394, and complete the construction of Thornley Street in this location as a fully serviced road, including sidewalks and restoration of adjacent lands, to the specifications of the City Engineer, and at no cost to the City.



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Up to a maximum value that the City has received for this work, if funds have been provided to the City by the owner of Plan 33M-394 for the removal of the temporary turning circle and the construction of this section of Thornley Street and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

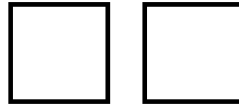
In the event that Thornley Street in Plan 33M-394 is constructed as a fully serviced road by the owner of Plan 33M-394, then the Owner shall be relieved of this obligation.

- (w) The Owner shall make minor boulevard improvements on Southdale Road West adjacent to this Plan consisting of clean-up, grading and sodding as necessary, all to the specifications of the City and at no cost to the City.
- (x) The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
- (z) The Owner shall make all necessary arrangements to combine Blocks 56, 57, 58, 59, 60, 61, 62, 63, 64, 65 and 66 in this Plan with adjacent lands to create developable Lots and/or Blocks, to the satisfaction of the City; (eg. Block 82 in M-482 and Block 205 in M-394 with Block 66 in this Plan). The above-noted Blocks shall be held out of development until they can be combined with adjacent lands to create developable Lots and/or Blocks.
- (aa) The Owner shall make all necessary arrangements with the abutting property owners to regrade the abutting properties, where necessary, to accommodate the grading, drainage and servicing of this Plan to City standards, to the satisfaction of the City, at no cost to the City.
- (ab) The Owner shall make any adjustments to existing services eg. street lights, fire hydrants, trees, traffic calming, etc. to accommodate the partial blocks and other lands external to this Plan, including all restoration to the satisfaction of the City Engineer, at no cost to the City.

## 25.12 PARKS

ADD:

- (d) The Owner shall prepare a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within Lots/Blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the Manager of Environmental and Parks Planning or Urban Forestry as part of the design studies submission. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation.



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**SCHEDULE “C”**

This is Schedule “C” to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015, between The Corporation of the City of London and Norquay Buttonbush Land Corp. to which it is attached and forms a part.

**SPECIAL WORKS AND SERVICES**

Roadways

- Cranbrook Road shall have a minimum road pavement width (excluding gutters) of 9.5 metres (31.2’) with a minimum road allowance of 21.5 metres (70’).
- Thornley Street and Collins Drive shall have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2’) with a minimum road allowance of 20.0 metres (66’).

Sidewalks

A 1.5 metre (5 foot) sidewalk shall be constructed on both sides of Cranbrook Road in this Plan.

A 1.5 (5’) sidewalk on one side of the following streets:

- i) Thornley Street (south of Cranbrook Road) – east and south boulevards;
- ii) Thornley Street (north of Cranbrook Road) – west boulevard; and
- iii) Collins Drive – south boulevard.

Pedestrian Walkways/Maintenance Access

- Blocks 67 and 69 in this Plan

**SCHEDULE “D”**

This is Schedule "D" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015, between The Corporation of the City of London and Norquay Buttonbush Land Corp. 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.

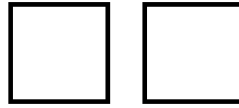
**LANDS TO BE CONVEYED TO THE CITY OF LONDON:**

0.3 metre (one foot) reserves:	Blocks 68 and 70
Road Widening (Dedicated on face of plan):	Block 71
Walkways:	Blocks 67 and 69
5% Parkland Dedication:	Cash-in-lieu pursuant to City of London By-Law CP-9.
Stormwater Management:	NIL

**LANDS TO BE SET ASIDE FOR SCHOOL SITE:**

School Site:	NIL
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**SCHEDULE “E”**

This is Schedule “E” to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015, between The Corporation of the City of London and Norquay Buttonbush Land Corp. 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:	\$ 540,820
BOND PORTION:	\$3,064,645
TOTAL	\$3,605,464

The Cash Portion shall be deposited with the City Treasurer prior to the execution of this agreement.

The Balance Portion shall be deposited with the City Treasurer prior to the City issuing any Certificate of Conditional Approval or the first building permit for any of the lots and blocks in this plan of subdivision.

The Owner shall supply the security to the City in accordance with the City’s By-Law No. A-7146-255 and policy adopted by the City Council on July 27, 2014.

In accordance with Section 9 - Initial Construction of Services and Building Permits, the City may limit the issuance of building permits 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.

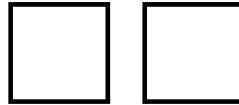
**SCHEDULE “F”**

This is Schedule “F” to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015, between The Corporation of the City of London and Norquay Buttonbush Land Corp. 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 easements as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all easements within this Plan to the City.

**Multi-Purpose Easements:**

- (a) Multi-purpose easements for 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:
  - For watermain servicing over Block 65 and 66 within this Plan.
- (b) Temporary turning circle easements shall be deeded to the City in conjunction with this Plan to the following:
  - (i) The north limit of Thornley Driver over Lot 21 and Blocks 65 and 66 in this Plan, and over Block 205 in Plan 33M-394 external to this Plan, and
  - (ii) the west limit of Thornley Driver over Lots 55, 56 and 57 in this Plan.



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**Schedule "B"**

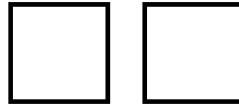
**Related Estimated Costs and Revenues**

Estimated DC Funded Servicing Costs <sup>(Note 1)</sup>	Estimated Cost (excludes HST)
Claims for developer led construction from CSRF <sup>Note 4</sup> - Watermain realignment (DC14-WD00031) - Engineering fees - work plan on file (DC14-WD00031 / DC14-RS00038) - External storm sewer on Southdale (DC14-RS00038)	\$628,817 \$161,530 \$93,503
Claims for developer led construction from UWRF - None identified	\$0
Claims for City led construction from CSRF - None identified	\$0
<b>Total</b>	<b>\$883,850</b>
Estimated Total DC Revenues <sup>(Note 2)</sup>	Estimated Revenue
CSRF	\$1,470,828
UWRF	\$132,183
<b>TOTAL</b>	<b>\$1,603,011</b>

- 1 Estimated Costs are based on approximations provided by the applicant and include engineering, construction and contingency costs without HST. Final claims will be determined based on actual costs incurred in conjunction with the terms of the final subdivision agreement and the applicable By-law.
- 2 Estimated Revenues are calculated using 2015 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, 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. 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 New requirements of developer constructed works were incorporated into the 2014 DC By-law. The developer led construction work above will require a work plan to be provided and approved by the City. The work plan shall include summary of work completed and costs incurred prior to the passage of the 2014 DC study, as well as estimated costs of all Engineering and construction of the works in question.

Sept. 24 / 2015  
Date

Reviewed by:  
for   
Peter Christiaans  
Director, Development Finance



File Number: 39T-13503

**Schedule "C"**  
**SOURCE OF FINANCING**

Chair and Members  
Planning and Environment Committee

#15138  
September 25, 2015

**RE: Crestwood Subdivision - Phase 3**  
**Capital Project EW3582 - Tillman Road High Level Watermain**  
**Capital Project TS1629-2 - Southdale Road West Widening from Colonel Talbot to Farnham**  
**Norquay Buttonbush Land Corp.**

**FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:**

Finance & Corporate Services 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:

	Approved Budget	Additional Financing Required	Revised Budget	This Submission
<b>ESTIMATED EXPENDITURES</b>				
<b>EW3528- Tillman Rd High Level Watermain</b>				
Engineering	\$148,298		\$148,298	\$148,298
Construction	540,202	99,682	639,884	639,884
	<u>688,500</u>	<u>99,682</u>	<u>788,182</u>	<u>788,182</u>
<b>TS1629-2 - Southdale Rd West Widening</b>				
Engineering	0	16,074	16,074	16,074
Construction	0	95,148	95,148	95,148
	<u>0</u>	<u>111,222</u>	<u>111,222</u>	<u>111,222</u>
<b>NET ESTIMATED EXPENDITURES</b>	<b><u>\$688,500</u></b>	<b><u>\$210,904</u></b>	<b><u>\$899,404</u></b>	<b><u>\$899,404</u></b>

**SOURCE OF FINANCING:**

<b>EW3528- Tillman Rd High Level Watermain</b>				
Drawdown fr City Services R.F. - Water Component (Development Charges)	3) \$688,500	\$99,682	2a) \$788,182	\$788,182
<b>TS1629-2 - Southdale Rd West Widening</b>				
Capital Levy - tsf fr TS1036 VMP Noise Wall	4)	8,898	8,898	8,898
Drawdown fr City Services R.F.-Roads Component (Development Charges)	3)	102,324	102,324	102,324
	<u>0</u>	<u>111,222</u>	2b) <u>111,222</u>	<u>111,222</u>
<b>TOTAL FINANCING</b>	<b><u>\$688,500</u></b>	<b><u>\$210,904</u></b>	<b><u>\$899,404</u></b>	<b><u>\$899,404</u></b>

**FINANCIAL NOTE: - Engineering**


	EW3528	TS1629-2	Total
1) Contract Price	\$145,734	\$15,796	\$161,530
Add: HST @13%	18,945	2,053	20,998
Total Contract Price Including Taxes	164,679	17,849	182,528
Less: HST Rebate	16,381	1,775	18,156
Net Contract Price	<u>\$148,298</u>	<u>\$16,074</u>	<u>\$164,372</u>

**FINANCIAL NOTE: - Construction**

	EW3528	TS1629-2	Total
1) Contract Price	\$628,817	\$93,503	\$722,320
Add: HST @13%	81,746	12,155	93,901
Total Contract Price Including Taxes	710,563	105,658	816,221
Less: HST Rebate	70,679	10,510	81,189
Net Contract Price	<u>\$639,884</u>	<u>\$95,148</u>	<u>\$735,032</u>

- 2a) The additional financing required is available as an additional drawdown of \$99,682 from the City Services Reserve Fund-Water Component.
- 2b) The budget for TS1629-2 Southdale Road West Widening is included in the 2022 proposed budget. A portion of this budget (\$111,222) is required in 2015 and can be accommodated by advancing a portion of the 2022 budget. Upon Council approval of this recommendation, the 2022 proposed budget for project TS1629-2 will be automatically revised.
- 3) Development Charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2014.
- 4) The tax supported portion of this requirement in the amount of \$8,898 is available as a transfer of capital levy from capital project TS1036-VMP Noise Wall. This project is now complete with a small surplus and is therefore available as a source of funding for this new requirement.

EH

  
Larry Palarchio  
Director of Financial Planning & Policy