

File Number: 39T-00519

<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: KAPE DEVELOPMENTS LIMITED WICKERSON WOODS SUBDIVISION 39T-00519 MEETING ON DECEMBER 14, 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 Kape Developments Limited for the subdivision of land over Part of Lot 48, Concession 1, (Geographic Township of Westminster), City of London, County of Middlesex, situated on the west side of Wickerson Road, between Southdale Road West and Byron Baseline Road, municipally known as 2280 Wickerson Road.

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Kape Developments Limited. for the Wickerson Woods Subdivision, (39T-00519) 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 is approximately 6.06 hectares in size. The surrounding lands are comprised predominantly of low density residential use to the north and south, agricultural use to the east, and recreational open space lands (London Ski Club) to the west.

An application for Draft Plan of Subdivision Approval was accepted on October 6, 2000 and was subsequently revised and resubmitted April 2, 2002. Draft approval for plan of subdivision consisting of 86 single detached dwelling lots and a park block. of subdivision approval with conditions was granted on October 30, 2002. Previous extensions to Draft Approval were granted on April 27, 2006, April 22, 2008, April 27<sup>th</sup>, 2009, April 29, 2011, June 26, 2012 and October 15, 2012 resulting in the current lapse date of November 8, 2015. A six month emergency extension was granted on November 4, 2015. The applicant has requested an additional three (3) year extension in order to fulfil all the conditions of draft approval.

The Municipal Class EA for proposed Storm Drainage and Stormwater Management Works for the Wickerson Road Development Area, completed in 2008, identified SWM Facility S-B, approximately 33 hectares including this Plan and Wickerson Hills (39T-08507) to the south. The sanitary outlet for this plan is through an external sanitary sewer easement to be established across the London Ski Club lands to connect into Ski View Road.



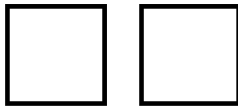
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This phase of the subdivision will be registered in one (1) phase, consisting of 77 single family detached Lots and one park block.

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.





File Number: 39T-00519

39T-

**PLAN 33M**

I HEREBY CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TOWN OF MIDDLESEX (No. 33) AT \_\_\_\_\_ O'CLOCK ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011 AND ENTERED IN THE FURNISHED REGISTRY OFFICE AS PLAN DOCUMENT NO. \_\_\_\_\_ AND THE REGISTERED CONVEYANCE IS REGISTERED AS PLAN DOCUMENT NO. \_\_\_\_\_

THIS PLAN IS COMPRISED OF ALL OF P.I.N. 09402-1186(17)

REFERENCING FOR LAND RECORDS FOR THE LAND TOWN OF MIDDLESEX (No. 33)

**PLAN OF SUBDIVISION  
OF PART OF  
LOT 48  
CONCESSION 1  
IN THE  
CITY OF LONDON  
COUNTY OF MIDDLESEX**

JEREMY C.E. MATHIEWS  
ONONDAGO LAND SURVEYOR

LEGEND:

UNLESS OTHERWISE NOTED ALL DIMENSIONS SHOWN ARE MARKED DIMENSIONS AND ARE TO BE TAKEN FROM SPECIFIED CORNER POINTS OR POINTS OF INTERSECTION AND ARE TO BE CONSIDERED AS DIMENSIONS TO BE USED IN MULTIPLYING BY THE DIMENSIONS AS SHOWN AND CAN BE CONVERTED TO FEET BY DIVIDING BY THE FACTOR 0.3048

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THIS IS TO CERTIFY THAT:

ALL SET BACKS, FRONT YIELD AND SIDE YIELD (S.Y.) UNLESS OTHERWISE NOTED.

**OWNER'S CERTIFICATE:**

I, \_\_\_\_\_ OF THE CITY OF LONDON, COUNTY OF MIDDLESEX, DO HEREBY CERTIFY THAT THE ABOVE DIMENSIONS AND CORNER POINTS ARE CORRECT AND ACCORDANCE WITH THE PLAN AS SHOWN AND AS THE SAME ARE FILED AS AND THE REGULATIONS MADE UNDER THEM. THE SAME ARE FILED AS AND THE REGULATIONS MADE UNDER THEM ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

DATE \_\_\_\_\_ NAME DEVELOPER LTD.

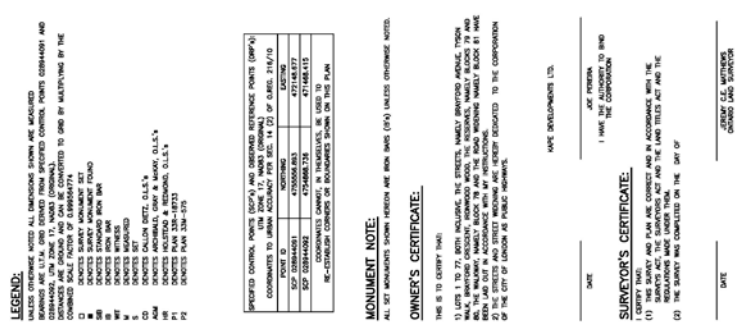
DATE \_\_\_\_\_ NAME ARCHITECT AND ENGINEER

**SURVEYOR'S CERTIFICATE:**

I, JEREMY C.E. MATHIEWS, LAND SURVEYOR, DO HEREBY CERTIFY THAT:

(1) THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE REGULATIONS MADE UNDER THEM.

(2) THE SURVEY AND PLAN ARE FILED AS AND THE REGULATIONS MADE UNDER THEM ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.



APPROVED UNDER SECTION 51 OF THE PLANNING ACT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

**PLAN 33M**

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REFERENCING FOR LAND RECORDS FOR THE LAND TOWN OF MIDDLESEX (No. 33)

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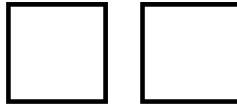
REFERENCING FOR LAND RECORDS FOR THE LAND TOWN OF MIDDLESEX (No. 33)

**CURVE TABLE**

CHAIN	BEARINGS	ANGLE	CHORD	BEARING
C1	300.000	6.801	16.319	N68.711°E
C2	300.000	13.602	32.638	N68.711°E
C3	300.000	20.403	48.957	N68.711°E
C4	26.000	18.641	11.074	N67.527°E
C5	26.000	11.588	1.481	N67.527°E
C6	30.000	13.978	13.746	N67.527°E
C7	30.000	27.957	27.492	N67.527°E
C8	30.000	51.914	54.984	N67.527°E
C9	30.000	75.871	82.476	N67.527°E
C10	30.000	99.828	109.968	N67.527°E
C11	300.000	15.963	35.068	N67.527°E
C12	300.000	31.926	70.136	N67.527°E
C13	300.000	47.889	105.204	N67.527°E
C14	300.000	63.852	140.272	N67.527°E
C15	300.000	79.815	175.340	N67.527°E
C16	300.000	95.778	210.408	N67.527°E
C17	300.000	111.741	245.476	N67.527°E
C18	300.000	127.704	280.544	N67.527°E
C19	300.000	143.667	315.612	N67.527°E
C20	300.000	159.630	350.680	N67.527°E
C21	300.000	175.593	385.748	N67.527°E
C22	300.000	191.556	420.816	N67.527°E
C23	300.000	207.519	455.884	N67.527°E
C24	300.000	223.482	490.952	N67.527°E
C25	300.000	239.445	526.020	N67.527°E
C26	300.000	255.408	561.088	N67.527°E
C27	300.000	271.371	596.156	N67.527°E
C28	300.000	287.334	631.224	N67.527°E
C29	300.000	303.297	666.292	N67.527°E
C30	300.000	319.260	701.360	N67.527°E

CALLON & DIETZ INCORPORATED  
100 KING STREET WEST  
LONDON, ONTARIO  
T: (519) 873-0320 F: (519) 873-5052  
www.callonanddietz.com

METRIC: DIMENSIONS AND COORDINATES SHOWN ON THE PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 3.048



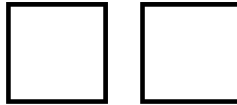
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The anticipated reimbursements from the Fund are:

- (i) for the construction of eligible oversized sanitary sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$ 3,250;
- (ii) for the construction of eligible oversized watermains in conjunction with the Plan, subsidized at an estimated cost of which is \$36,995; and
- (iii) for the construction of an eligible open space network in conjunction with the Plan, subsidized at an estimated cost of which is \$85,279.10 which includes 10% contingency and no HST;
- (iv) For engineering fees estimated at 15% of the tendered cost to construct the open space network connection and detailed in the approved workplan and capped at an upset limit of \$12,791.86.

<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 A. RAMSAY P. ENG. MANAGER, DEVELOPMENT SERVICES</b>	<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>

AR/fg  
 Attach.  
 December 3, 2015



File Number: 39T-00519

<b>Schedule "A"</b> <b>SPECIAL PROVISIONS</b>
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**5. STANDARD OF WORK****5.7 Revise the clause 5.7 to read:**

"The Owner shall register against the title of Lots which incorporate rear yard catchbasin manholes, which includes Lots '57, 58, 59, 65 and 66' 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 catchbasin manholes 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."

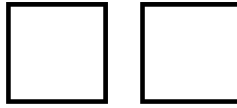
**9. INITIAL CONSTRUCTION OF SERVICES AND BUILDING PERMITS****Proposed changes to the General Provisions are:**

**9.1** The Owner, any subsequent owner and or their agents or assignee, covenants and agrees that no building permit will be applied for (other than any permit which may be required for the construction of the works and services hereinafter described) and no person shall be entitled to a building permit with respect to any Lot upon this Plan of subdivision until with regard to the services in respect thereof there exists a Certificate of Conditional Approval, except as hereinafter provided. If, in the opinion of the City Engineer, or upon certification by an independent registered Professional Engineer, Lots are serviced with:

- (a) storm sewer and storm private drain connection connected to an approved outlet;
- (b) sanitary sewer and sanitary private drain connection connected to an approved outlet;
- (c) approved water main and water service connection;
- (d) approved electrical connection;
- (e) curb and gutter;
- (f) catch basins and connections;
- (g) granular "B" access road;
- (h) permanent street signs; and
- (i) subdivision and Lot identification signs;

and provided that the Owner has complied with the City's "Subdivision and Development Agreement Security Policy" which may be in effect from time to time; and provided also that the Owner shall not then be in default under any term of this Agreement, the City may issue a Certificate of Conditional Approval in respect of such services, excepting only that any Lot not having been serviced with a water service connection from an abutting water main, will not delay the issuance of the said Certificate of Conditional Approval.

**9.2** The Owner covenants and agrees, and undertakes to notify, in writing, any purchaser of a Lot on the said plan of subdivision from him that no building permit will be issued until works and services have been constructed and installed for the benefit of the Lot in respect of which a permit is sought, and no proceedings to compel the City or its officers or employees to issue any building permit shall be taken until the said works and services have been constructed and installed as aforesaid. The issuance of a building permit with respect to any particular Lots shall not be deemed an admission by the City that the services to such Lot have been satisfactorily completed. Notwithstanding the requirement for curb and gutter to be



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installed prior to the issuing of a building permit, the City, subject to all other conditions having been met, may issue a building permit or permits provided that the Owner shall certify that he has supplied in writing, to the builder or Owner of the property, all the necessary respective elevations and grades as shown on the approved Lot grading plan and street profile. Failure on the part of the Owner to notify, in writing, any purchaser from him, shall be deemed to be a default of the Owner under this Agreement. No occupancy of any building shall take place until there has been constructed within the street allowance adjacent to that building, the following:

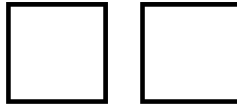
- (a) a storm sewer and storm private drain connection connected to an approved outlet;
- (b) a sanitary sewer and sanitary private drain connection connected to an approved outlet;
- (c) approved water main and water service connection;
- (d) approved electrical connection;
- (e) catch basins and connections;
- (f) granular "B" access road;
- (g) permanent street signs;
- (h) subdivision and Lot identification signs.

## 25.1 STANDARD REQUIREMENTS

- (d)
  - viii. all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.
- (j) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specification and satisfaction of the City.

### Add the following new Special Provisions to Section 25.1:

- (k) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall complete the following, to the satisfaction of the City, at no cost to the City:
  - i) 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;
  - ii) Have his geotechnical engineer make recommendations on the proper removal and disposal of the said fill materials;
  - iii) 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;
  - iv) Replace the removed fill materials with suitable engineered fill, under the supervision of his geotechnical engineer and as recommended by his geotechnical engineer; and
  - v) Have his geotechnical engineer certify that the said fill materials have been properly removed and disposed of, and replaced with suitable engineered fill.
- (l) The Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this Plan, and shall provide satisfactory easements over these works, as necessary, all to the specification and satisfaction of the City, at no cost to the City.



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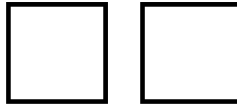
- (m) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.
- (n) If this Plan of subdivision is developed prior to and not concurrently with the draft plan subdivision 39T-08507, then the Owner shall enter into a separate agreement with the City for, but not limited to the following, all to the specification and satisfaction of the City, at no cost to the City:
- (i) design and construction of all necessary servicing infrastructure to provide outlets for sanitary and storm;
  - (ii) automatic flushers and calculations for initial timer settings;
  - (iii) any required transitions on Wickerson Road from the ultimate centreline to the existing centreline;
  - (iv) temporary turning facility for vehicles at the south limit of Brayford Avenue;
  - (v) construction access and interim access; and
  - (vi) all required easements;
- (o) The Owner shall cooperate and coordinate this draft plan of subdivision with other land owners and developers in the area with respect to the provision of municipal services, to implement the approved servicing scheme for the overall area, all to the satisfaction of the City.
- (p) Prior to final approval, the Owner shall remove, or demolish any accessory structures that exist on the subject lands.
- (q) The following warning clause shall be included in all Agreements of Purchase and Sale or Lease for Lots 68 to 107, both inclusive:
- “Purchasers/tenants are advised that despite the inclusion of noise control features in the developments and within the building units, sound levels due to the adjacent recreational activities within the London Ski Club may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the Municipalities and the Ministry of the Environment’s noise criteria.”
- (r) The following warning clause shall be included in all Agreements of Purchase and Sale or Lease for Lots 68 to 107, both inclusive:
- “The City of London assumes no responsibility for noise issues which may arise from existing or increased activities within the adjacent London Ski Club recreational facility as it relates to interior or exterior living areas within this development. The City of London will not be responsible for constructing any form of noise mitigation for this development.”

## 25.2

### CLAIMS

The anticipated reimbursements from the Fund are:

- for the construction of eligible oversized sanitary sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$ 3,250;
- for the construction of eligible oversized watermains in conjunction with the Plan, subsidized at an estimated cost of which is \$ 36,995;
- for the construction of an eligible open space network in conjunction with the Plan, subsidized at an estimated cost of which is \$ 98,071 which includes engineering fees;



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- for the construction of an eligible open space network in conjunction with the Plan, subsidized at an estimated cost of which is \$85,279.10 which includes 10% contingency and no HST; and
- For engineering fees estimated at 15% of the tendered cost to construct the open space network connection and detailed in the approved workplan and capped at an upset limit of \$12,791.86.

## 25.6 GRADING REQUIREMENTS

### Add the following new Special Provisions:

- (i) Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct the proposed retaining wall on City owned lands (Block 'G' Plan M-44), as shown on the accepted engineering drawings and have its professional engineer certify that the said wall is constructed in accordance with the accepted engineering drawings, all to the satisfaction of the City.
- (j) Prior to assumption, the Owner's professional engineer shall certify to the City, the retaining wall on City owned lands (Block 'G' Plan M-44) is in a state of good repair and functioning as intended, all to the satisfaction of the City.

## 25.7 STORM WATER MANAGEMENT

### Revise and include:

- (a)
  - i. The SWM criteria and environmental targets for the Dingman Creek Subwatershed Study Update (DCSSU 2005) and any addendums/amendments;
  - ii. The accepted Municipal Class Environmental Assessment (EA) Schedule 'B' for Storm/Drainage and Stormwater Management (SWM) Servicing Works for Wickerson Road Development Area (2008) and any addendums/amendments;
  - iii. The approved Wickerson Functional Design Report for Storm/Drainage and SWMF S-B Servicing Works that will be consistent with the recommendation of the Municipal Class EA and any applicable addendums/amendments;

### Replace 25.7 (b) with the following clause:

- (b) The Owner's professional engineer shall ensure that all existing upstream external flows traversing this Plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specification and satisfaction of the City Engineer.

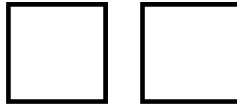
### Add the following new Special Provisions:

- (h) The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Storm Water Management Facilities policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just In Time" Design and Construction Process adopted by Council on July 30, 2013 as part of the Development Charges Policy Review: Major Polices Covering Report.

## 25.8 SANITARY AND STORM SEWERS

### Revise 25.8 (c):





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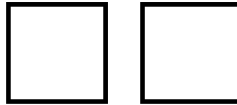
- (c) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Dingman Creek Subwatershed, and connect them to the proposed 750 mm diameter storm outlet on Brayford Avenue, the proposed 300 mm diameter storm outlet on Wickerson Road which outlets downstream to the Regional Wickerson Stormwater (SWM) Facility SWMF #S-B Located to the south and external to this Plan.

The Owner shall also construct the storm sewer to service Lots 48 and 49 in this Plan and connect to the existing 300 mm diameter storm outlet on Ironwood Road. 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.

**Delete 25.8 (j) as it is not required.**

**Add the following new Special Provisions:**

- (j) The Owner shall construct local sanitary sewers to service the Lots and Blocks in this Plan and connect them to the sanitary sewage system being the proposed external 200 mm (8inch) sanitary sewer located on Brayford Avenue that is part of the adjacent Wickerson Hills Draft Plan of Subdivision (39T-08507) all to be connected to the Trunk Sanitary Sewer and associated maintenance pathway over the external lands which shall also be constructed by the Owner and ultimately outlet to the 250mm diameter sanitary sewer on Ski View Road. 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.
- (k) Prior to the construction of any works including, but not limited, to the construction of sanitary sewer(s), maintenance access/pedestrian pathway, retaining wall, the Owner shall have its Professional Engineer notify in writing The London Ski Club, owner the of 689 Griffin Street (Boler Mountain), all affected property owner(s) of Lots 49 through 56, both inclusive of this plan, abutting the proposed works to coordinate any works, 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 any construction in relation to the external sanitary trunk sewer and associated maintenance pathway, the Owner shall make all arrangements to dedicate the following easements:
- i. At the time of registering this Agreement, the Owner shall request the London Ski Club to transfer an easement, free and clear of any and all encumbrances or charges, all at no expense to the City as accepted by the City that includes the lands over the external sanitary sewer and associated maintenance pathway:
  - ii. An access easement to enter the external lands from Ski View Road; and
  - iii. Any temporary working easement and staging areas with appropriate easements as determined adequate by the City Engineer.
- (m) Within one (1) year of entering into this Agreement, the Owner shall implement the specific requirements that were established by a geotechnical engineer protecting the lands from settlement, heave and other harmful effects including, but not limited to, the recommendations set out by the Geotechnical Baseline Report Sanitary Sewer Installation prepared by EXP. Services Inc. (August 29, 2014) and all amendments
- (n) The Owner shall adhere to the recommendations in the following reports/documents for the trenchless installation of the sanitary trunk sewer in this Plan of subdivision:
- iv. Supplemental Geotechnical, Hydrogeological and Trenchless Installation Comments prepared by Exp. Services, Project Reference LON-00013022-



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GE, Report date June 9, 2014:

- v. Consolidated Geotechnical Investigation, prepared by Exp. Services, Project Reference LON-00011468-GC, Report date September 25, 2013; and
- vi. Hydrogeological Assessment, prepared by Exp. Services, Project Reference LON-00011468-GC, Report date September 19, 2013.

## 25.9 WATER SERVICING

**Remove 25.9 (c) and replace with the following:**

- (c) 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 450mm (18inch) diameter water main on Wickerson Road, the 200mm (8inch) diameter watermain Ironwood Road, and the 150mm (6inch) diameter water main on Brayford Crescent and Tyson Walk, 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.

**Add the following new Special Provisions:**

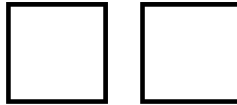
- (h) The Owner shall construct a 450mm diameter watermain to extend the existing watermain on Wickerson Road to the south limit of this Plan of subdivision, to the satisfaction of the City. The Owner shall obtain authorization from the City prior to proceeding with the work.

## 25.11 ROADWORKS

**Revise and include the highlighted:**

- (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 where Brayford Crescent and Tyson Walk in this Plan align with the existing streets in Plan 33M-575 and fully serviced secondary collector roads, being Wickerson Road and Ironwood Road, including all underground services all related works as per the accepted engineering drawings:
  - (ii) construct 1.5m (5') concrete sidewalk across the frontages of the east boulevard of Wickerson Road on this Plan:
  - (iii) install street lighting along Wickerson Road abutting this subdivision, to the satisfaction of the City, at no cost to the City; and
  - (iv) construct a maintenance access and pedestrian pathway connection as shown on the approved engineering drawings on The London Ski Club adjacent lands, all to the satisfaction of the City.

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 Wickerson 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.



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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.

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.

- (q) The Owner shall register against the title of all Lots and Blocks on Wickerson Road and Ironwood 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 streets, including traffic calming circles, splitter islands and speeds cushions, to be installed as traffic control devices, to the satisfaction of the City Engineer.

**Add the following new Special Provisions:**

- (r) The Owner shall remove the temporary turning circle on Tyson Walk, Ironwood Road and adjacent lands, in Plan 33M-575 to the North of this Plan, and complete the construction of Tyson Walk and Iron wood Road in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City.

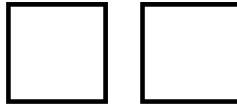
If funds have been provided to the City by the Owner of Plan 33M-575 for the removal of the temporary turning circle and the construction of this section of Tyson Walk, Ironwood Road and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

In the event that Tyson Walk, Ironwood Road in Plan 33M-575 is constructed as a fully serviced road by the Owner of Plan 33M-575, then the Owner shall be relieved of this obligation.

- (s) The Owner shall construct Wickerson Road, adjacent to this Plan, to secondary collector road standards, all to the satisfaction of the City. This reconstruction should ensure that there is adequate decision sight distance on Wickerson Road to accommodate any temporary access required to service the proposed development, all to the satisfaction of the City. The Owner shall be responsible for the entire cost of a full serviced road, including the construction of a major supply watermain where this subdivision abut Wickerson Road, all at no cost to the City.

If this Plan of subdivision is developed prior to the draft plan of subdivision 39T-08507, then the Owner shall reconstruct Wickerson Road to secondary collector road standards from the south property line, northerly to the southerly limit of the portion of Wickerson Road that has already been reconstructed to the satisfaction of the City, all at no cost to the City.

- (t) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct new services and make adjustments to the existing works and services on Wickerson Road in this Plan, to accommodate the proposed works and services on



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this street to accommodate the lots in this Plan fronting this street (eg. Private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City, at no cost to the City.

- (u) The Owner shall submit confirmation that they have complied with any requirements of Union Gas Pipeline with regards to the buffer at the western limit of this Plan of subdivision.

## 25.12 PARKS

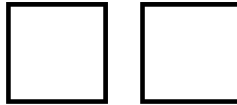
### amend

- (a) Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed all Park Blocks and Open Space Blocks, transferred to the City as part of the parkland dedication requirements, in conformity with approved engineering plans and to the satisfaction of the City Planner.

Within (1) year of registration of this Plan, the Owner shall have its consultant provide a certificate that identifies that the Block has been rough graded as per the approved plan and receive City approval of rough grades prior to topsoil installation.

### Add the following:

- (d) Within one (1) year of registration of this Plan, the Owner shall construct the multi-use pathway within Park Block 78 in conformity with approved engineering plans and to the satisfaction of the City Planner.
- (e) The Owner shall implement the requirements of the approved Tree Preservation Report (May 2014) and approved engineering drawings during all phases of construction. The Owner shall provide monthly status reports to the Manager of Parks Planning and Design ensuring the appropriate measures are in place and functioning, prior to and during work on the site.



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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 Kape Development Limited to which it is attached and forms a part.

**SPECIAL WORKS AND SERVICES**

Roadways

- Ironwood 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’).
- Brayford Avenue, Brayford Crescent and Tyson Walk 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 Ironwood Road.

A 1.5 metre (5 foot) sidewalk shall be constructed on one side of:

- (i) Brayford Crescent (outside boulevard);
- (ii) Brayford Avenue (outside boulevard); and
- (iii) Wickerson Road (east boulevard).

Pedestrian Walkways

No pedestrian walkways are to be constructed as part of this Plan of subdivision.

**SCHEDULE “D”**

This is Schedule "D" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015, between The Corporation of the City of London and Kape Development Limited to which it is attached and forms a part.

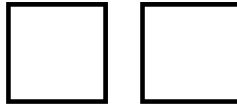
Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external lands as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all lands within this Plan to the City.

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

0.3 metre (one foot) reserves:	Blocks 79 and 80
Road Widening (Dedicated on face of plan):	Block 81
Walkways:	NIL
5% Parkland Dedication:	Block 78
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 Kape Development Limited to which it is attached and forms a part.

The Owner shall supply the total value of security to the City is as follows:

CASH PORTION:	\$ 573,821
BALANCE PORTION:	\$ 3,251,653
TOTAL SECURITY REQUIRED	\$ 3,825,474

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 Kape Development Limited to which it is attached and forms a part.

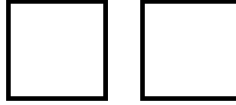
Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external easements as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all easements within this Plan to the City.

**Multi-Purpose Easements:**

Public easement to the City for proposed sanitary works required in portions of Lots 49 and 50 in this Plan, all to the satisfaction of the City, at no cost to the City.

**Road Easements:**

No road easements are required by the City for this Plan.



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**Schedule "B"**

Agenda Item #      Page #

Wickerson Woods - Kape Development  
Subdivision Agreement  
39T-00519

**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, 5</sup> - Sanitary sewer oversizing - 130m of 300mm (DC14-WW02001) - Watermain oversizing - 151m of 450mm (DC14-WD01001) - Open space network (DC14-PR00067) - Engineering fees for the open space network (DC14-PR00067)	\$3,250 \$36,995 \$85,279 \$12,792
Claims for developer led construction from UWRF - None identified.	\$0
Claims for City led construction from CSRF <sup>Note 6</sup> - Wickerson SB SWMF (DC14-MS00041)	\$3,227,000
Total	\$3,365,316
Estimated Total DC Revenues <sup>(Note 2)</sup>	Estimated Revenue
CSRF	\$1,986,908
UWRF	\$178,563
TOTAL	\$2,165,471

- 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 should 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.
- 5 Oversizing costs identified are based on preliminary estimates through the design study phase. The various pipe sizes and length of oversized sewers and watermain will be finalized through the detailed design process.
- 6 Wickerson SB SWMF construction and design will be led and constructed by the City and is a required component of the Wickerson Hills 39T-08507 abutting this development. This budget item includes the value of land purchased from the host property owners under a separate by-law. Sources of Financing for this project will be brought forward by EES as part of engineering and construction awards as the work proceeds.

Reviewed by:

Dec. 4, 2015

Date

  
 For Peter Christiaans  
 Director, Development Finance



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## Schedule "C"

### SOURCE OF FINANCING

#15171  
December 1, 2015

Chair and Members  
Planning & Environment Committee

**RE: Wickerson Woods - Kape Development Subdivision Agreement**  
(Subledger WW150010, Type "C")  
Capital Project ES5145 - Sanitary Sewer Internal Oversizing - DC14-WW02001  
Capital Project EW3818 - Watermain Internal Oversizing - DC14-WD01001  
Capital Project PD2042 - New Major Open Space Network - DC14-PR00067

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

Finance & Corporate Services confirms that the cost of this project can 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 and Chief Building Official, the detailed source of financing for this project is:

<u>SUMMARY OF ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Committed to Date</u>	<u>This Submission</u>	<u>Balance for Future Work</u>
<b>ES5145-Sanitary Sewer Internal Oversizing</b>				
Construction	\$178,650		\$3,308	\$175,342
<b>EW3818-Watermain Internal Oversizing</b>				
Construction	250,000		37,646	212,354
<b>PD2042-New Major Open Space Network</b>				
Engineering	30,000	13,870	13,017	3,113
Construction	461,500	333,116	86,780	41,604
	491,500	346,986	99,797	44,717
<b>NET ESTIMATED EXPENDITURES</b>	<b>\$920,150</b>	<b>\$346,986</b>	<b>\$140,751</b> 1)	<b>\$432,413</b>

**SUMMARY OF FINANCING:**

<b>ES5145-Sanitary Sewer Internal Oversizing</b>				
Drawdown from Industrial Oversizing-Sewer R.F.	\$12,200		\$226	\$11,974
Drawdown from City Services - Sewer Reserve Fund (Development Charges)	2) 166,450		3,082	163,368
	178,650	0	3,308	175,342
<b>EW3818-Watermain Internal Oversizing</b>				
Drawdown from Industrial Oversizing-Water R.F.	1,700		256	1,444
Drawdown from City Services - Water Reserve Fund (Development Charges)	2) 248,300		37,390	210,910
	250,000	0	37,646	212,354
<b>PD2042-New Major Open Space Network</b>				
Debenture By-Law No. W.-2044-80	210,600	148,678	42,713	19,209
Drawdown from City Services - Parks & Rec Reserve Fund (Development Charges)	2) 280,900	198,308	57,084	25,508
	491,500	346,986	99,797	44,717
<b>TOTAL FINANCING</b>	<b>\$920,150</b>	<b>\$346,986</b>	<b>\$140,751</b>	<b>\$432,413</b>

1) **FINANCIAL NOTE:**

	<u>Construction</u>			<u>Engineering</u>
	<u>ES5145</u>	<u>EW3818</u>	<u>PD2042</u>	<u>PD2042</u>
Contract Price	\$3,250	\$36,995	\$85,279	\$12,792
Add: HST @13%	423	4,809	11,086	1,663
Total Contract Price Including Taxes	3,673	41,804	96,365	14,455
Less: HST Rebate	365	4,158	9,585	1,438
Net Contract Price	<u>\$3,308</u>	<u>\$37,646</u>	<u>\$86,780</u>	<u>\$13,017</u>

**FINANCIAL NOTE:**

Contract Price  
Add: HST @13%  
Total Contract Price Including Taxes  
Less: HST Rebate  
Net Contract Price

<u>TOTAL</u>
\$138,316
17,981
156,297
15,546
<u>\$140,751</u>

2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2014.

EH

Alan Dunbar  
Manager of Financial Planning & Policy