

C. BNEC



File Number: 39T-02505

TO:	CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE MEETING ON SEPTEMBER 26, 2011
FROM:	D.N. STANLAKE DIRECTOR, DEVELOPMENT PLANNING AND DAVID AILLES MANAGING DIRECTOR DEVELOPMENT APPROVALS BUSINESS UNIT
SUBJECT	SUBDIVISION AMENDMENT AGREEMENT FOXHOLLOW DEVELOPMENTS INC. FOXFIELD SUBDIVISION – PHASE 3 39T-02505-3

RECOMMENDATION

That, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, Planning and Development, the following actions be taken with respect to amending the subdivision agreement between The Corporation of the City of London and Foxhollow Developments Inc. which was registered on the 28th day of August, 2010, as Instrument Number ER725621 for the Foxfield Subdivision, situated on the north side of Fanshawe Park Road West, West of Wonderland Road.

- (a) the attached Special Provisions to be contained in a Subdivision Amendment Agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, Phase 3 (39T-02505-3) **BE APPROVED**; for the lands over Part of Lots 21 and 22, Concession 5, (Geographic Township of London), City of London, County of Middlesex;
- (b) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Subdivision Amendment Agreement and all documents required to fulfill its conditions; and
- (c) the applicant **BE ADVISED** that the Director of Development Finance has estimated the following Revenues and Claims:

RELATED ESTIMATED COSTS AND REVENUES

Estimated Costs – This Agreement – Developer Built	
Urban Works Reserve Fund – General	Nil
Urban Works Reserve Fund – Stormwater Management	Nil
Capital Expense	Nil
Other	Nil
Total	Nil
Estimated Revenues This Agreement	
CSRF	\$1,608,663
UWRF	\$ 648,078
Total	\$2,256,741

NOTE:

- 1. Estimated revenues are calculated using current rates for engineering services and the information is reported all in accordance with the Development Charges By-law (ie C.P.-1473-212), and any amendments thereto.
- 2. Previous capital works to provide major servicing to this subdivision are not included in this phase.



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PREVIOUS REPORTS PERTINENT TO THIS MATTER

May 10, 2010; Report to Planning Committee – “895 Fanshawe Park Road West – Foxfield Subdivision 39T-02505 – Primary Subdivision Agreement”

July 19, 2010; Report to Planning Committee - “895 Fanshawe Park Road West – Foxfield Subdivision 39T-02505, Phase 2, Subdivision Amendment Agreement”

September 26, 2011; Report to Built and Natural Environment Committee - “895 Fanshawe Park Road West – Foxfield Subdivision 39T-02505, Phase 4 and 5, Subdivision Amendment Agreement”

BACKGROUNDApprovals and Extensions:

This application for Draft Plan of Subdivision Approval was accepted on March 5, 2002. Draft Plan of Subdivision Approval with Conditions was Granted by the Approval Authority June 29, 2004 for a period of five years, expiring June 29, 2009.

In January 2009, a request for an extension of draft plan approval was requested. An extension was granted by City of London Approval Authority on June 11, 2009, subject to amended conditions. The new draft approval lapse date has been extended until June 29, 2012.

Subdivision Agreement/Amendments:

As a pilot, this development was set up in such a way, that a Primary Subdivision Agreement outlining all of the general provisions and requirements, (excluding any special provisions), was prepared, approved and registered on title of the entire Draft Approved Plan of Subdivision, and as each phase of the development proceeds, an amendment to the Primary Subdivision Agreement would be prepared to amend Section 28 – Special Provisions and Schedules D, C, E and F of the Primary Subdivision Agreement. Each Amending Agreement would be registered on the lands that pertain to that phase of the development only.

The Primary Subdivision Agreement was registered on August 27, 2010. An Amendment Agreement for Phase 2 of the Development was registered on December 10, 2010.

At the request of the Owner, Phases 3, 4 and 5 of the Foxfield Development are being brought forth under separate reports to the September 26, 2011 BNEC meeting. This is being done for the Owner’s marketing strategies and pending real estate transactions.

Plan Registrations:

The first phase of this subdivision (33M-564) was registered on February 21, 2007.
The second phase of this subdivision (33M-622) was registered on November 16, 2010.

It should be noted that Staff have indicated that there will be future increases in operating and maintenance costs for works that will assumed by the City, as a result of this development.

This subdivision shall be registered in one phase consisting of 59 single family detached residential units, 1 multi-family residential block and 1 parkland block which is to be dedicated to the City.

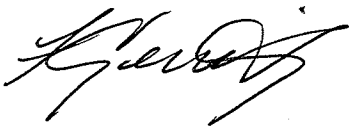
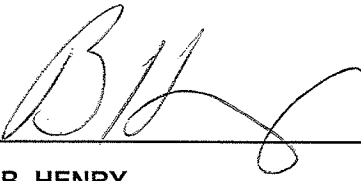

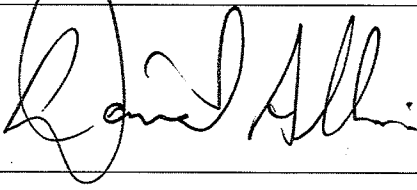
The Development Approvals Business Unit has reviewed the Special Provisions with the Owner who is in agreement with them.

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

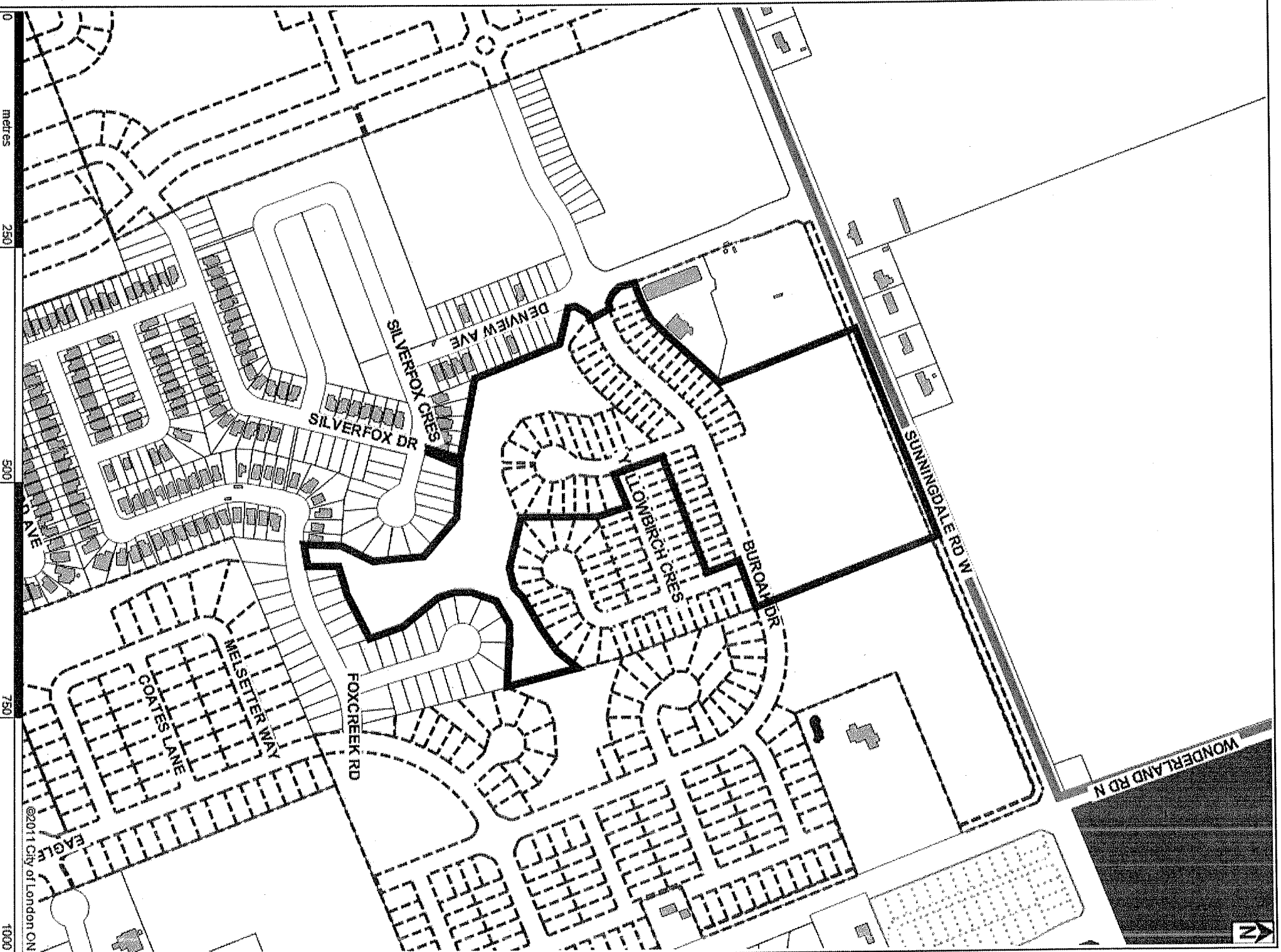
A copy of the location plan is attached for the information of the Committee.



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PREPARED BY:	SUBMITTED BY:
	
F. GERRITS SUBDIVISION AND CONDOMINIUM DOCUMENTATION COORDINATOR DEVELOPMENT APPROVALS BUSINESS UNIT	B. HENRY MANAGER – DEVELOPMENT PLANNING DEVELOPMENT APPROVALS BUSINESS UNIT
RECOMMENDED BY:	RECOMMENDED BY:
	
D.N. STANLAKE DIRECTOR, DEVELOPMENT PLANNING DEVELOPMENT APPROVALS BUSINESS UNIT	DAVID AILLES, P.Eng MANAGING DIRECTOR, DEVELOPMENT APPROVALS BUSINESS UNIT






DA/fg
 Attach.
 September 14, 2011



LOCATION MAP

Subject Site: Phase III
 File Number: 39T-02505
 Created By: Allister MacLean
 Date: 2011-08-05
 Scale: 1:5000

LEGEND

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

Corporation of the City of London
 Prepared By: Planning and Development





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28. PART II – SPECIAL PROVISIONS

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

- (a) Prior to assumption of this subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the City Treasurer the following amounts as set out or as calculated by the City Engineer, or portions thereof as the City Engineer may from time to time determine:
- (i) For the removal of the temporary turning circle on Buroak Drive inside this Plan, an amount of \$20,000, and
 - (ii) For the removal of the temporary access road over Block 60 inside this Plan to Sunningdale Road West, an amount of \$20,000.
- (b) The Owner shall grade the portions of Block 60 of this plan which has a common property line with Sunningdale Road West, to blend with Sunningdale Road West when it is reconstructed, 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 and have accepted by the City the grades to be taken as the future centreline grades of Sunningdale Road West when it is reconstructed. From these, the Owner's Professional Engineer shall determine the elevations along the common property line which will blend with the reconstructed road. These elevations shall be shown on the subdivision Lot Grading Plan submitted for acceptance by the City.

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

Prior to the issuance of a Certificate of Conditional Approval, the Owner shall identify to the City the Lots and Blocks within the Affected Lands and shall ensure that the specific requirements have been established by a geotechnical engineer for each Lot and Block within the Affected Lands in order to protect the proposed buildings on the said Lots and Blocks from settlement and other harmful effects.

The Owner shall register against the title of each Lot and Block within the Affected Lands, and shall include in the agreement of purchase and sale and in the transfer or deed of each Lot and Block with the Affected Lands, a covenant by the purchase or transferee stating that the purchaser or transferee of the Lot or Block within the Affected Lands must adhere to the recommendations of the geotechnical engineer, and shall deliver a certificate of a geotechnical engineer to the City's Director of Building Control upon completion of the foundation on the Lot or Block within the Affected Lands that the building construction was completed in accordance with the Owner's geotechnical engineer's recommendations.

- (d) The Owner shall construct a temporary turning circle at the east limit of Buroak Drive, to the satisfaction of the City Engineer and at no cost to the City.

If the Owner requests the City to assume Buroak Drive, all as shown on this Plan of Subdivision, prior to its extension to the east, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City's Environmental & Engineering Services Department at the time, to be the cost of removing the temporary turning circle at the east limit of Buroak Drive and completing the curb and gutter, asphalt pavement, Granular 'A', Granular 'B', sodding of the boulevard, and 1.5metre (5foot) concrete sidewalks on both sides, and restoring adjacent lands, including the relocation of any driveways all to the specifications of the City Engineer. The current estimated cost, including legal fees for releasing easements and/or transferring blocks, and



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doing the above-noted work on this street is \$20,000 for which amount sufficient security is to be provided in accordance with 28(a). The Owner shall provide the cash to the City at the request of the City Engineer prior to assumption of the subdivision if needed by the City.

When the lands abutting this Plan of Subdivision develop and the temporary turning circle is removed, the City will quit claim the easements which were used for temporary turning circle purposes which are not longer required at no cost to the City.

If the Owner constructs the roads for Phase V concurrently with this Phase then the temporary turning circle at the east limit of Buroak Drive will not be required.

- (e) Upon the request of the City and/or prior to the issuance of the 81st building permit, the Owner shall construct a temporary access road between Buroak Drive and Sunningdale Road West at the east limit of the plan to provide an emergency access, to the specifications of the City Engineer, at no cost to the City.

The Owner shall provide an easement for the temporary access road, to the specifications of the City Engineer and at no cost to the City.

The Owner shall supply security to the City to cover the construction and removal of this temporary access road and associated works in accordance with the City's Subdivision Security Policy.

At registration of the Plan, the Owner shall maintain the temporary access road until the temporary access road is no longer required, satisfactory to the City, at no cost to the City. Once the temporary access road is no longer required, the Owner shall remove the temporary access road, to the satisfaction of the City, at no cost to the City.

- (f) The Owner shall direct all construction traffic including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Sunningdale Road West via Denview Avenue.
- (g) 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 Buroak Drive in this Plan joins with Buroak Drive in Plan 33M-564, including all underground services and related works; and
 - (ii) temporary access road connection where this Plan joins with Sunningdale Road West, including all related works;

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 Buroak Drive in accordance with current City policies. Upon completion of these works, a Certificate of Completion of Works is to be supplied to the City Engineer, 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 Engineer or as otherwise specified herein. Where the Owner is required to close any City road section the Owner shall have available for submission to the City a Traffic Protection Plan acceptable to the City, 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 Director of Transportation, 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



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guidelines and to the satisfaction of the City 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.

- (h) Prior to the construction of works on existing City streets, the Owner shall have its professional engineer notify in writing all affected property owners of all works proposed to be constructed on existing City streets in conjunction with this subdivision in accordance with the City's policy on "Guidelines for Notification to Public for Major Construction Projects".
- (i) The Owner shall incorporate the approved traffic calming measures into the portions of the road network within this Plan, as required by the City.

Prior to the issuance of any Certificate of Conditional Approval in this Plan, the Owner shall erect advisory signs at all street entrances to this Plan for the purpose of informing the public of the traffic calming measures implemented within this Plan.

The Owner shall notify the purchasers of all lots abutting the traffic calming circle(s) in this Plan that there may be some restrictions for driveway access due to diverter islands built on the road.

- (j) The Owner shall construct any centre islands proposed to be provided in any of the cul-de-sacs in this Plan, in accordance with City standard SR-5.0 and to the specifications of the City.
- (k) The Owner shall construct the watermains to service the Lots and Blocks in this Plan and connect them to the City's existing high level water supply system, being the 200 mm (8 inch) diameter water main on Buroak Drive and the existing 200 mm (8 inch) diameter water main on Silverfox Crescent/Place through the Park Block 61, to the specifications of the City Engineer.
- (l) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a watermain within Park Block 61 in this Plan from the existing watermain adjacent to Lot 157 in Plan 33M-564 to connect to the proposed watermain on Yellowbirch Court in this Plan, all at no cost to the City, to the specifications of the City Engineer.
- (m) Prior to the issuance of any Certificates of Conditional Approval, the Owner shall have its professional engineer address water quality requirements for the phasing of the watermain in the subdivision at the east limit of Buroak Drive in this Plan, submit his recommendations to the City Engineer for review and acceptance and implement any accepted recommendations by the use of the following:
 - i) design calculations which demonstrate there is adequate water turnover to maintain water quality; and/or
 - ii) the use of valving to shut off future connections which will not be used in the near term; and/or
 - iii) the use of automatic flushing devices to maintain water quality, with it being noted that the water flushed by the device is to be measured (by a water meter in a meter pit) and the cost of water charged to the Owner.

all to the satisfaction of the City Engineer, at no cost to the City.

- (n) Sewage treatment capacity at the Greenway/Adelaide Pollution Control Plant is available for this Plan as of September, 2011 and will be reserved by the City for this Plan provided this Plan and this Agreement are registered before September, 2012.

In the event that this Plan and this Agreement are not registered before September, 2012, 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



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time.

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

- (o) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the City's existing sanitary sewage system being the 200 mm (8 inch) diameter sanitary sewer on Buroak Drive at Denvie Avenue. The sanitary sewers required in conjunction with this Plan shall be sized to accommodate all upstream lands to the specifications of the City and at no cost to the City unless otherwise specified herein.
- (p) The Owner shall take measures to control and prevent any inflow and infiltration and silt from entering the sanitary sewer system during the construction and to ensure that the sanitary sewer system is constructed to minimize inflow into the system, all at the Owner's cost. Quality control measures and submission of reports of these quality control measures to the City to confirm that the constructed works meet acceptable inflow and infiltration works will be required. The Owner shall also be required to take measures to prevent inflow and infiltration from entering the sanitary sewer system after construction of the sanitary sewer works, all to the satisfaction of the City and at no cost to the City. These measures shall include the following:
 - (i) Installation of a plug in the sanitary sewer system (for this draft plan) at the downstream end of the sanitary sewer. The plug can be removed in conjunction with the first occupancy. This plug may only be removed by the City of London inspectors or operations. The Owner shall be responsible for the maintenance and cleaning or emptying of the sanitary sewer as required. The sanitary sewer must be clean and dry before the plug will be removed;
 - (ii) Flow monitoring of the sanitary sewer may be required and a record of the flows provided to the City. If the flows are in excess of calculated flows, the Owner shall be required to pay the City for the excess volume;
 - (iii) Installation of Parson manhole inserts (or approved alternative satisfactory to the City) in all sanitary sewer manholes within this draft plan at the time of installation of the manhole as well as in previously approved phases. The Owner shall not remove the inserts until the sodding of the boulevards and the top lift of asphalt is completed;
 - (iv) Testing of the sanitary sewer system before commissioning shall be carried out in accordance with OPSS 410 and the City of London Standard Contract Documents with respect to infiltration testing, exfiltration testing and low pressure air testing;
 - (v) The Owner shall take steps to ensure that during the construction on private property of this phase of subdivision and previous phases of subdivisions, practices which contravene City of London by-laws and allow stormwater and sediment to enter the sanitary sewer system are prevented;
 - (vi) On demand by the City and within 48 hours thereof, the Owner shall plug any sanitary private drain connections of lots which are vacant or not occupied within this subdivision in order to prevent practices which contravene City of London by-laws and allow excessive levels of inflow and infiltration and sediment to enter the sanitary sewer system. The restoration of the private drain connection will be at the sole cost of the Owner and may be made only at the time of or immediately prior to the occupancy of that Lot; and
 - (vii) The Owner or their representative shall prepare and submit a recommendation to the City which indicates groundwater levels within the subdivision and recommended measures to be taken during construction to ensure that there is no infiltration or inflow to the sanitary sewer manholes. Leakage testing of the Sanitary Sewer System Manholes shall be carried out in accordance with OPSS 407.
- (q) The Owner shall permit the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and



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infiltration into the sanitary sewer. Alternatively, the City may require the Owner to undertake smoke testing at his own cost for this purpose and provide a record of the results to the City.

The City may require smoke testing to be undertaken until such time as the sewer is assumed by the City.

(r) Where street townhouses are planned for any Blocks in this subdivision, the Owner shall make provisions for the installation of separate sanitary private drain connections connecting to municipal sanitary sewers and water services connecting to municipal watermains for each individual street townhouse unit, and for adequate storm private drain connections connecting to municipal storm sewers for the townhouse site, all as specified by the City.

(s) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Medway Creek subwatershed, and connect them to the City's existing storm sewer system being the 750 mm (30 inch) diameter storm sewer on Buroak Drive at Denview Avenue, the existing 1350 mm (54 inch) diameter storm sewer on Silverfox Crescent/Place through the Park Block 61 and the existing 300 mm (12 inch) diameter storm sewer in Park Block 61, adjacent to Lot 38 in Plan 33M-622 (Foxcreek 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.

(t) Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a storm sewer and related works within Park Block 61 in this Plan from the existing storm sewer adjacent to Lot 157 in Plan 33M-564 to connect to the proposed storm sewer on Yellowbirch Court in this Plan, all at no cost to the City, to the specifications of the City Engineer.

(u) The Owner shall implement and monitor all erosion and sediment control measures, in accordance with the erosion and sediment control report accepted by the City, to be used during construction and implementation of the plan satisfactory to the City Engineer. The Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.

(v) The Owner shall provide a security in the amount of \$60,000 for this Plan to ensure that the Erosion and Sediment Control Plan (ESCP) be executed in accordance with the City Engineer approval procedure and criteria. In the event of failure to properly implement and maintain the require ESCP, the ESCP security will be used to undertake all necessary clean-up work, all to the satisfaction of the City Engineer.

(w) The Owner shall have its consulting professional engineer supervise the construction of the stormwater servicing works, including any temporary works to the satisfaction of the City Engineer and according to the recommendations and requirements of the following:

- (i) The SWM criteria and environmental targets for the Medway Creek Study;
- (ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
- (iii) The accepted Municipal Class EA Schedule 'C' for Storm Drainage and Stormwater Management Servicing Works for the Fox Hollow Development Area (October 2006);
- (iv) The approved Functional Stormwater Management Plan for Fox Hollow SWMF # 4;
- (v) The accepted Stormwater Letter/Report of Confirmation for the subject development;
- (vi) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
- (vii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements 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.
- (x) Prior to the issuance of any Certificate of Conditional Approval for this subdivision, all relevant storm/drainage and SWM servicing works, including major and minor storm flow routes, for the subject lands must be completed and operational, in accordance with approved design criteria and accepted drawings, all to the specifications and satisfaction of the City Engineer.
- (y) Prior to the issuance of any Certificates of Conditional Approval for this Plan, the Owner shall have any impacted major and minor storm flow routes constructed and operational, satisfactory to the City.
- (z) The Owner shall register against the title of Lots incorporating the storm sewer and watermain, which includes Lots 22 and 23 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 for the transfer of each of the affected Lots, a covenant by the purchaser or transferee to observe and comply with the easement, minimum building setbacks and associated underside of footing (U.S.F.) elevations, by not constructing any structure within the easement and setback areas, and not disturbing the storm sewer and watermain located in the easement and setback areas. This protects the storm sewer and watermain located in this area from damage or adverse effects during or after construction. The easement and 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.
- (aa) The Owner shall report any contamination encountered during construction or anything suspected as such, to the City, and, in this event, the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "**Schedule A – Record of Site Condition**", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site. The City may require a copy of the report should there be City property adjacent to the contamination. Should the site be free of contamination, the geotechnical engineer shall provide certification to this effect to the City.
- (ab) The Owner shall prior to submitting an application for site plan approval and execution of a Development Agreement for Block 60, of this Plan, the Owner shall have a qualified acoustical consultant prepare a noise report which precludes the use of a continuous noise wall to the satisfaction of the Director, Development Planning, and the recommended noise attenuation measures shall be incorporated into the approved Development Agreement between the Owner and the City.
- (ac) The Owner shall prepare, and deliver to the all homeowners adjacent to Block 61, of this Plan an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the Director, Development Planning.
- (ad) Within one (1) year of registration of this Plan, the Owner shall construct a 1.5 m high chain link fence with no gates along the property boundary of Park Block 61, of this Plan in accordance with current City of London park standards, (SPO 4.8), all to the satisfaction of the Director, Development Planning, and at no cost to the City.
- (ae) Prior to removing any trees within this Plan, the Owner shall demonstrate a need satisfactory to the Manager of Parks Planning and Design.



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SCHEDULE 'C'

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

SPECIAL WORKS AND SERVICES**Roadways**

- Buroak Drive 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').

- Yellowbirch Court and Yellow Birch Place from Buroak Drive to Yellow Birch Way shall have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62')

- Yellowbirch Court shall have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60')

Sidewalks

A 1.5 metre (5 foot) sidewalk shall be constructed on both sides of Buroak Drive.

A 1.5 metre (5 foot) sidewalk shall be constructed on one side of Yellowbirch Court – west boulevard.

Pedestrian Walkways

There are no walkways in this Plan.



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SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated2011, between The Corporation of the City of London and Foxhollow Developments Inc., to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external lands as prescribed herein. Furthermore, within thirty days of registration of this 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:	Block 62
Road Widening (Dedicated on face of plan):	NIL
Walkways:	NIL
Parkland Dedication:	Block 61 (shown as Block 68 on the draft approved plan). Other parkland dedication provided in Phases I and II. No further parkland dedication required in this phase.
Dedication of land for Parks in excess of 5%:	NIL
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 _____ between The Corporation of the City of London and Foxhollow Developments Inc. to which it is attached and forms a part.

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

CASH PORTION:	\$ 195,510**
BOND PORTION:	\$ 969,586
TOTAL	\$1,165,096**

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

CASH PORTION:	\$ 195,510**
BOND PORTION:	\$ NIL

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

CASH PORTION:	\$ NIL
BOND PORTION:	\$ 969,586

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

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

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

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