

File Number: 39T-14502

<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: 1640209 ONTARIO LIMITED FOXWOOD CROSSING SUBDIVISION – PHASE 3 39T-14502 MEETING ON SEPTEMBER 6, 2016</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Manager, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and 1640209 Ontario Limited for the subdivisions of land over Part of Lot 72, Concession East of the North Branch of the Talbot Road, (Geographic Township of Westminster), City of London, County of Middlesex, situated on the north side of Wharncliffe Road South, west of Savoy Street, municipally known as 1959 Wharncliffe Road South.

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and 1640209 Ontario Limited for the Foxwood Crossing Subdivision (39T-14502) 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.

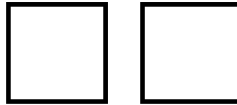
<b>BACKGROUND</b>
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The subject property is situated in the southwest quadrant of the City of London, immediately northwest of the intersection of Wharncliffe Road South and Bostwick Road. The property forms part of the Bostwick Residential Neighbourhood within the City of London’s Southwest Area Secondary Plan.

The proposed development represents the third phase of Foxwood Crossing Subdivision. Phases 1 and 2 of Foxwood Crossing are situated south of the western portion of this development site.

The site is approximately 22 ha (55ac) in size with frontage along Wharncliffe Road South, frontage along Bostwick Road and frontage along Savoy Street. Wharncliffe Road South and Bostwick Road are arterial roads pursuant to Schedule ‘C’ – Transportation Corridors of the Official Plan; Savoy Street is designated as a Secondary Collector.

Draft plan of subdivision approval with conditions was granted on August 24, 2015. The development is comprised of 167 residential units in the form of single detached dwellings, two medium density residential blocks, four convenience commercial blocks, an institutional block, two walkway blocks, two future development blocks, two open space blocks, and 6 local public streets.



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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.

The anticipated reimbursements from the CSRF Fund are:

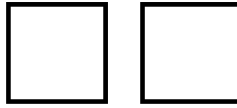
- i) for the construction of eligible watermains in conjunction with the Plan, subsidized at an estimated cost of \$3,300, excluding HST;

The anticipated reimbursements from the UWRF are:

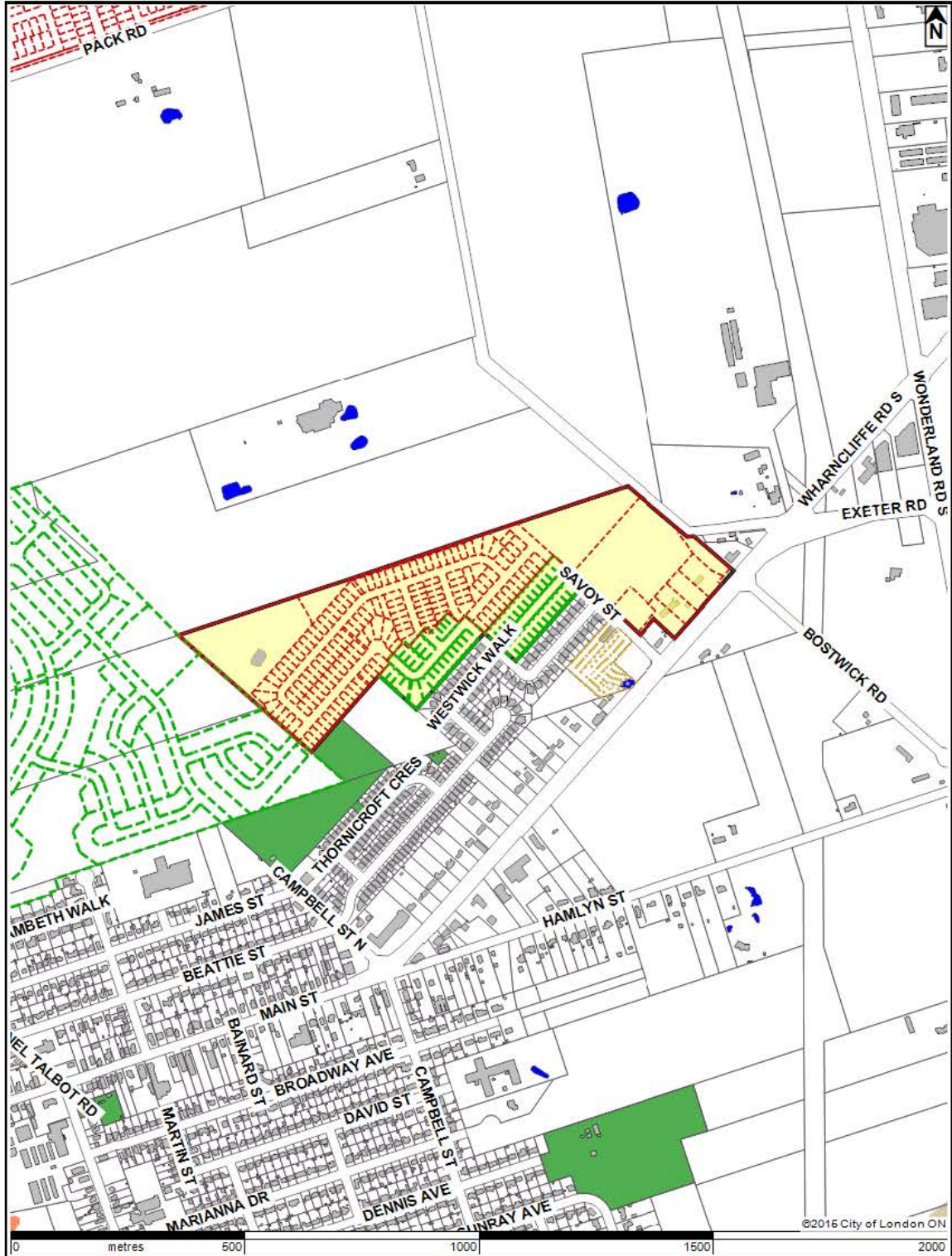
- i) for the construction of eligible SWM outlet within the UWRF funded SWM pond, in conjunction with the Plan, at an estimated cost of \$170,528, excluding HST; and
- ii) for engineering fees associated with SWM outlet, at an estimated cost of \$ 22,004, based on current work plan on file with the City, excluding HST.

<b>PREPARED BY:</b>	<b>RECOMMENDED BY:</b>
<b>ALANNA 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>

/fg  
Attach.  
August 24, 2016








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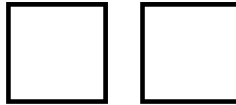
**LOCATION MAP**

Subject Site: 1959 Wharncliffe Rd S  
 Applicant: 1640209 Ontario Ltd C/O York Property Management  
 File Number: 39T-14502  
 Planner: Alanna Riley  
 Created By: Alanna Riley  
 Date: 2015-04-09  
 Scale: 1:10 100

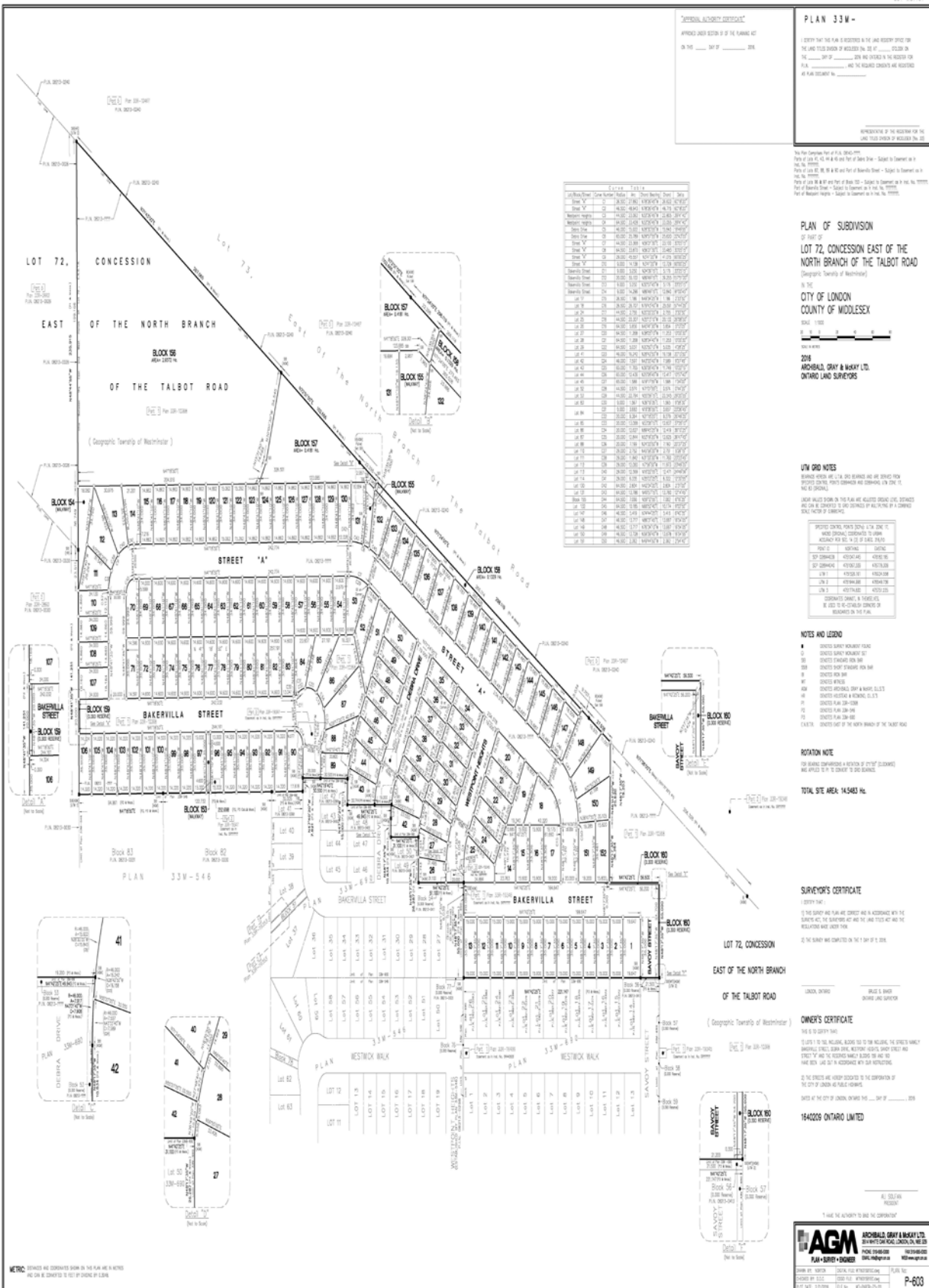
**LEGEND**

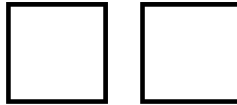
-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers





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<p><b>Schedule “A”</b> <b>SPECIAL PROVISIONS</b></p>
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**5. STANDARD OF WORK**

**Remove** Subsection 5.7 and **replace** with the following:

- 5.7 The Owner shall provide minimum side yard setbacks as specified by the City for buildings which are adjacent to rear yard catch basin leads which are not covered by an easement on Lots in this Plan.

The Owner shall register against the title of Lots 25, 26, 43, 44, 107, 121, 122, 136, 137, 144 and 145 in this Plan, which incorporate rear yard catchbasins, 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.

**Add** the following new Special Provisions:

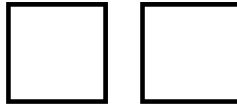
- # The Owner shall include in the Agreement of Purchase and Sale or Lease for the transfer of Lots 96 and 97 of this Plan, and any other affected Lots shown on the accepted plans and drawings, which incorporate **storm sewer**, a covenant by the purchaser or transferee to observe and comply with the 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 **storm sewer** located in the setback areas. This protects these **sewers** 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.
- # The Owner agrees to include in all Purchase and Sale Agreements the requirement that the homes on all corner lots and lots at T intersections in this Plan, are to be designed and constructed with design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and in addition for corner lots, limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior side yard road frontage. Further, the owner shall obtain approval of their proposed design to the satisfaction of the responsible authority prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan.

**16. PROPOSED SCHOOL SITES**

**Remove** Subsection 16.3 through to 16.9 inclusive as there are no school blocks in this Plan.

**25.1 STANDARD REQUIREMENTS**

**Remove** Subsection 25.1 (h) and **replace** with the following:



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- (h) Prior to the issuance of a Certificate of Conditional Approval, or as otherwise agreed to by the City, the Owner shall construct a chain link fence without gates, adjacent to the walkway(s) (Block(s) 153, 154 and 155) as shown on the accepted engineering drawings.

## 25.2 CLAIMS

**Remove** Subsection 25.2 (b) and **replace** with the following:

- (b) If the Owner alleges an entitlement to any reimbursement or payment from a development charge Reserve Fund as a result of the terms hereof, the Owner may, upon approval of this Agreement and completion of the works, make application to the Director – Development Finance for payment of the sum alleged to be owing, and as confirmed by the City Engineer (or designate) 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 development charge Reserve Fund.

The anticipated reimbursements from the CSRF Fund are:

- i) for the construction of eligible watermains in conjunction with the Plan, subsidized at an estimated cost of \$3,300, excluding HST;

The anticipated reimbursements from the UWRF are:

- i) for the construction of eligible SWM outlet within the UWRF funded SWM pond, in conjunction with the Plan, at an estimated cost of \$170,528, excluding HST; and  
 ii) for engineering fees associated with SWM outlet, at an estimated cost of \$ 22,004, based on current work plan on file with the City, excluding HST.

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

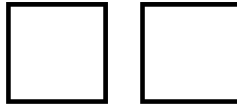
Funds needed to pay the above claims will be committed (on a subdivision by subdivision basis) from approved capital budgets at the time of approval of this agreement, unless funds in approved capital budgets are insufficient to accommodate commitment to the full extent of the estimated claims. In this 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 tables 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:
- i) no work subject to a work plan 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



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from an alternative consulting engineer.

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

- i) storm outlet in conjunction with this Plan

## 25.7 STORM WATER MANAGEMENT

**Remove** Subsection 25.7 (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 Approved Storm/Drainage and SWM Servicing Functional Report for the subject lands (Lambeth Meadows East Subdivision SWM Functional Report (AGM Engineering Ltd. November 25, 2005) and any relevant accepted SWM Reports for previous phases or any updated Functional Stormwater Management Plan;
  - iii) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
  - iv) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
  - v) The City of London Design Specifications and Requirements Manual, as revised;
  - vi) The Ministry of the Environment SWM Practices Planning and Design Manual (2003); and
  - vii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

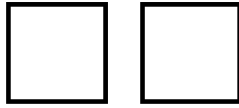
**Add** the following new Special Provisions:

- # Prior to the issuance of any Certificate of Conditional Approval for any lot in this Plan, all storm/drainage and SWM related works (including the major and minor storm outlets), Cell # 2 of Lambeth SWM Facility # 1 in correlation with the existing Cell # 1 of the Lambeth SWM Facility # 1 (any modifications to accommodate the outlet within this Plan and Blocks 82 and 83 within Plan 33M-546) and stormwater quality control measures to serve this Plan must be constructed and operational in accordance with the approved design criteria, accepted engineering drawings and Subdivision Agreement between the City and Owner of Plan 33M-546, all to the satisfaction of the City.
- # The Owner shall provide a maintenance access between SWM Facility Pond 1 and Bakerville Street, on Block 153 in this Plan, within a walkway/maintenance access block shown on the final plan and on Block 82 in Plan 33M-546, as shown on the accepted engineering drawings, to the satisfaction of the City Engineer.
- # The Owner shall grade and drain the south boundary of Lots 92 to 106 and Block 153 in this Plan to blend with the abutting SWM Facility of Block 82 in Plan 33M-546 and Park Block 83 in Plan 33M-546, at no cost to the City, to the satisfaction of the City.

## 25.8 SANITARY AND STORM SEWERS

**Remove** Subsection 25.8 (c) and **replace** with the following:

- (c) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan,



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which is located in the Dingman Creek Subwatershed, and connect them to the existing municipal storm sewer system in conjunction with Foxwood Crossing Phase 2 (33M-690), namely, the existing 975 mm diameter storm sewer on Bakervilla Street (east leg), the 450 mm diameter storm sewer on Westpoint Heights, the 375 mm diameter storm sewer on Debra Drive and the 375 mm diameter storm sewer on Bakervilla Street (north leg), which outlet to the existing 1050 mm diameter storm sewer located in Block 82 in Plan 33M-546 and the proposed 825 mm diameter storm sewer in Block 153 within this Plan. It is noted this Plan outlets directly to the existing unassumed Foxwood Phase 1 Subdivision SWM Facility Pond 1 located on Block 82 within Plan 33M-546.

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.

**Remove** Subsection 25.8 (j) as it is not applicable.

~~(j) The Owner shall register on title of Block \_\_\_\_\_ in this Plan and include in the Purchase and Sale Agreement, a covenant that the owner of Block \_\_\_\_\_ in this Plan shall be responsible for installing a sanitary private drain connection, at the owner's expense, from the said block to the proposed municipal sanitary sewer to the (North, South, East, West) of this Block in City owned lands \_\_\_\_\_ described \_\_\_\_\_, or an alternative sanitary outlet, to the satisfaction of the City Engineer, at no cost to the City, should the said block not be developed in conjunction with or serviced through other lands to the east of this block intended to be jointly developed as a school.~~

**Add** the following new Special Provisions:

# 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 in conjunction with Foxwood Crossing Phase 2 (Plan 33M-690), namely, the existing 200 mm diameter sanitary sewer on Westpoint Heights, the 250 mm diameter sanitary sewer on Bakervilla Street (north and leg leg), and the 250 mm diameter sanitary sewer on Debra Drive, which all outlet to the 375 mm diameter sanitary sewer located on Westpoint Heights in Plan 33M-546.

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

**Remove** Subsection 25.9 (h) and **replace** with the following:

# 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 in conjunction with Foxwood Crossing Phase 2 (Plan 33M-690), namely, the existing 200 mm diameter watermain on Westpoint Heights, the 200 mm diameter watermain on Debra Drive and the 300 mm diameter watermain on Savoy Street, which are all serviced by the existing watermains on Savoy Street and Westpoint Heights in Plan 33M-546, 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.

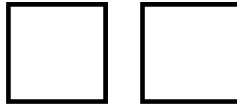
**Add** the following new Special Provision:

# Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City.

## 25.11 ROADWORKS

**Remove** Subsection 25.11 (a) and **replace** with the following:





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- (a) 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 Savoy Street in this Plan joins with Savoy Street in Plan 33M-690, including all underground services and related works as per the accepted engineering drawings;
  - (ii) a fully serviced road connection where Westpoint Heights in this Plan joins with Westpoint Heights in Plan 33M-546, including all underground services and related works as per the accepted engineering drawings;
  - (iii) a fully serviced road connection where Debra Drive in this Plan joins with Debra Drive in Plan 33M-546, including all underground services and related works as per the accepted engineering drawings; and
  - (iv) a fully serviced road connection where Bakerville Street in this Plan joins with Bakerville Street in Plan 33M-546, including all underground services and related works as per the accepted engineering drawings;

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 Savoy Street, Westpoint Heights, Debra Drive and Bakerville Street in accordance with current City policies. Upon completion of these works, a Certificate of Completion of Works is to be supplied to the City, pursuant to the General Provisions and **Schedule 'G'** of this Agreement.

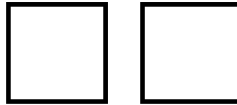
The Owner shall complete the works specified above on a schedule acceptable to the City or as otherwise specified herein. Where the Owner is required to close any City of London road section the Owner shall have available for submission to the City a Traffic Protection Plan acceptable to the City Engineer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

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** Subsection 25.11 (q) (ii) and (iii) as there are no proposed traffic calming circles within this Plan.

**Remove** Subsection 25.11 (q)(iv) and **replace** with the following:

- (q) Where traffic calming measures are required within this Plan:
- (iv) The Owner shall register against the title of all Lots and Blocks on Red Thorne Avenue, Debra Drive and Bakerville Street 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



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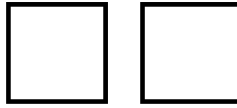
measures on the said streets, including raised intersections, splitter islands and speeds cushions, to be installed as traffic control devices, to the satisfaction of the City Engineer.

**Remove** Subsection 25.11 (r) and **replace** with the following:

- (r) The Owner shall direct all construction traffic includes all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Wharncliffe Road via Savoy Street.

**Add** the following new Special Provisions:

- # The Owner shall construct the following traffic calming measures in this Plan, to the satisfaction of the City Engineer and at no cost to the City, in accordance with the accepted engineering drawings:
- (i) curb extensions along the east side of Savoy Street with the parking bays removed for utilities (ie. Fire hydrants), walkways, intersections and for transit stop locations as defined by the London Transit Commission;
  - (ii) Reduced curb radii on the inbound approach to all local roads intersecting the secondary collector road network;
  - (iii) Raised intersection on Red Thorne Avenue at Debra Drive;
  - (iv) Speed cushion on Red Thorne Avenue near Lot 60, 123 and 124; and
  - (v) Raised intersection on Bakerville Street at Red Thorne Avenue.
- # Prior to the issuance of any Certificate of Conditional Approval, temporary signs shall be installed and maintained on Red Thorne Avenue adjacent to the raised intersection and speed cushion location that indicate Future Speed Cushion Location, as identified on the accepted engineering drawings, to the satisfaction of the City Engineer.
- # Prior to assumption or when required by the City Engineer, the Owner shall install one speed cushion on Red Thorne Avenue, including permanent signage and pavement marking in a location, to the satisfaction of the City Engineer.
- # The Owner shall remove the temporary turning circle on Bakerville Street and Debra Drive and adjacent lands, in Plan 33M-690 to the south of this Plan, and complete the construction of Bakerville Street and Debra Drive 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-690 for the removal of the temporary turning circle and the construction of this section of Bakerville Street and Savoy 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 Bakerville Street and Savoy Street in Plan 33M-690 is constructed as a fully serviced road by the Owner of Plan 33M-690, then the Owner shall be relieved of this obligation.
- # Barricades are to be maintained at west limit of Bakerville Street until lands to the west develop or as otherwise directed by the City. Until the time lands to the west develop or as otherwise directed by the City, the Owner shall remove the barricades, to the specifications of the City, all at no cost to the City.
- The Owner shall advise all purchasers of land within this subdivision that any traffic to and from this subdivision will not be permitted to pass the barricade(s) until the removal of the barricade(s) is authorized by the City.
- # The Owner shall construct Savoy Street to secondary collector road standards to the satisfaction of the City Engineer.



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- # The Owner shall make any necessary adjustments to existing services (eg. municipal and private services, street lights, fire hydrants, tree, traffic calming, etc. to accommodate the proposed lotting/block pattern on Savoy Street, Debra Drive, Westpoint Heights and Bakerville Street, to the satisfaction of the City Engineer, at no cost to the City.

## 25.12 PARKS

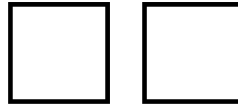
Add the following

- (i) The Owner shall prepare and deliver to all homeowners 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 Manager of Environmental and Parks Planning.
- (ii) In conjunction with the Design Studies submission, the owner shall prepare a tree preservation report and plan for lands within the proposed draft plan of subdivision including portions of Block 156 where there may be impact or compensation from abutting lots and blocks. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and 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. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation.
- (iii) Prior to any works undertaken on the site, the owner shall receive written confirmation from the City to ensure the tree protection has been installed, inspected and is in compliance with the approved engineering drawings.
- (iv) In lieu of grading, servicing and seeding requirements for Park Block 156, the Owner shall identify and remove hazardous trees within 15 meters of the rear lot line of lots 112 to 123, to the satisfaction of the Manager of Environmental and Parks Planning.
- (v) Within one (1) year of registration of this Plan, the Owner shall grade, service and seed Park Block 157 in accordance with approved engineering plans and to the satisfaction of the Manager of Environmental and Parks Planning.
- (vi) Within one (1) year of registration of this Plan, the Owner shall grade Park Blocks 154 and 156 in accordance with the approved engineering plans and to the satisfaction of the City Planner. The Owner shall provide permission to the City to access Park Blocks 154 and 156 to construct a multi-use pathway and a pedestrian trail.
- (vii) Within one (1) year of registration of this Plan, the Owner shall construct the compensation area within Park Block 157 in accordance with the approved compensation/restoration plan, including the installation of the trail, planting of trees and the casting of seed to the satisfaction of the City Planner. The owner shall warrantee the plant material and seed mix for a period of no less than 2 (two) years from the date of planting.
- (viii) Within one (1) year of registration of this Plan, the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City standards (SPO 4.8) or approved alternate, along all property lines abutting parkland and/or open space in accordance with approved engineering plans. Fencing shall be completed to the satisfaction of the City Planner.
- (ix) The Owner shall not grade into any open space lands. In instances where this is not practical or desirable, any grading into the open space lands shall be to the satisfaction of the Manager of Environmental and Parks Planning.
- (x) The Owner shall ensure all recommendations within the submitted Environmental Impact Study (Biologic July 22, 2014) and associated addendum (March 23, 2015) shall be implemented within the plan of subdivision. The Owner shall provide written confirmation detailing the manner in which each recommendation has been satisfied.



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- (xi) Within one (1) year of registration of this Plan, the Owner shall implement the approved ecological buffer landscape treatments in accordance with approved engineering plans and to the satisfaction of the City Planner. If grading has occurred within the buffer area a revised restoration plan should be completed, submitted and approved by the City prior to.
- (xii) The Owner shall ensure that the recommendations of the Tree Preservation Report and the recommendation of the Restoration/Compensation report are implemented. The Owner shall provide written confirmation detailing the manner in which each recommendation has been satisfied.



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**SCHEDULE "C"**

This is Schedule "C" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016, between The Corporation of the City of London and 1640209 Ontario Limited to which it is attached and forms a part.

**SPECIAL WORKS AND SERVICES****Roadways**

- Savoy Street 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').
- Red Thorne Avenue and Bakerville Street (east and west legs) 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').
- Westpoint Heights and Debra Drive shall have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62')

**Sidewalks**

A 1.5 metre (5 foot) sidewalk shall be constructed on both sides of the following:

- (i) Savoy Street
- (ii) Bakerville Street (from Savoy Street to Red Thorne Avenue and from the west limit of subdivision to Red Thorne Avenue)
- (iii) Red Thorne Avenue

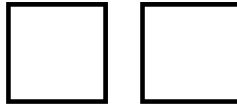
A 1.5 metre (5 foot) sidewalk shall be constructed on one side of

- (i) Debra Drive
- (ii) Westpoint Heights
- (iii) Bakerville Street (east leg of Red Thorne Avenue to west leg of Red Thorne Avenue)**

**Pedestrian Walkways/Pathways**

A 4.6 m wide pedestrian walkway shall be constructed on Block 153 of this Plan as shown on the accepted engineering drawings.

A 2.0 metre asphalt pathway shall be constructed on Block 155 of this Plan as shown on the accepted engineering drawings.



File Number: 39T-14502

**SCHEDULE "D"**

This is Schedule "D" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016, between The Corporation of the City of London and 1640209 Ontario 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.

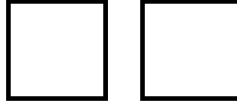
**LANDS TO BE CONVEYED TO THE CITY OF LONDON:**

0.3 metre (one foot) reserves:	Blocks 159 and 160
Road Widening (Dedicated on face of plan):	NIL
Walkways:	Blocks 153 and 155
5% Parkland Dedication:	Blocks 154, 156 and 157
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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**LANDS TO BE HELD IN TRUST BY THE CITY: NIL**



File Number: 39T-14502

**SCHEDULE “E”**

This is Schedule “E” to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2064, between The Corporation of the City of London and 1640209 Ontario 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:	\$ 614,825
BALANCE PORTION:	<u>\$3,484,005</u>
TOTAL SECURITY REQUIRED	\$4,098,830

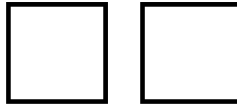
The Cash Portion shall be deposited with the City Treasurer prior to the execution of this agreement.

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.



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### **SCHEDULE "F"**

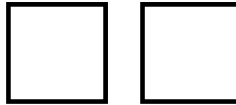
This is Schedule "F" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016, between The Corporation of the City of London and 1640209 Ontario Limited to which it is attached and forms a part.

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:**

- (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:
  - (i) Lots 96 and 97 for storm sewer construction
  
- (b) Multi-purpose easements shall be deeded to the City in conjunction with this Plan, over lands external to this Plan, on an alignment and of sufficient width acceptable to the City Engineer as follows:
  - (i) Lands at the north limit of Savoy Street for future servicing.





File Number: 39T-14502

**Schedule "B"**  
**Related Estimated Costs and Revenues**

Agenda Item #      Page #

Foxwood Crossing Phase 3, Stage 1 - 1640209 Ontario Ltd.  
 Subdivision Agreement  
 39T-14502

**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 - 300mm watermain (DC14-WD01001) - oversizing subsidy	\$3,300
Claims for developer led construction from UWRF <sup>Note 4</sup> - Inlet pipe and Quality Control (DC14-UP01000) - Engineering Fees for Inlet pipe and Quality Control (DC14-UP01000)	\$170,528 \$20,004
Total - all claims	\$193,832
Estimated Total DC Revenues <sup>(Note 2)</sup>	Estimated Revenue
CSRF	\$3,993,344
UWRF	\$358,872
<b>TOTAL</b>	<b>\$4,352,216</b>

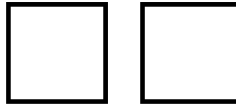
- 1 Estimated Costs are based on approximations provided by the applicant and include engineering, construction and contingency costs without HST. Final claims will be determined based on actual costs incurred in conjunction with the terms of the final subdivision agreement and the applicable By-law.
- 2 Estimated Revenues are calculated using 2016 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 The developer led SWM construction work above is outlined in a work plan which has been submitted to the City. The work plan includes a summary of the work to be completed as well as estimated costs of all Engineering and construction of the works in question.

Reviewed by:

August 26 /16

Date

Peter Christiaans  
 Peter Christiaans  
 Director, Development Finance



File Number: 39T-14502

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

#16143  
August 26, 2016

Chair and Members  
Planning & Environment Committee

**RE: Subdivision Special Provisions**  
1640209 Ontario Limited  
Foxwood Crossing Subdivision - Phase 3 - 39T-14502  
(Subledger WW160010)  
Capital Project EW3818 - Watermain Internal Oversizing Subsidy 2014 DCBS DC14-WD01001

**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 Services and Chief Building Official, the detailed source of financing for this project is:

<b><u>SUMMARY OF ESTIMATED EXPENDITURES</u></b>	<b><u>Approved Budget</u></b>	<b><u>Committed to Date</u></b>	<b><u>This Submission</u></b>	<b><u>Balance for Future Work</u></b>
Construction	\$350,000	\$210,800	\$3,358	\$135,842
<b>NET ESTIMATED EXPENDITURES</b>	<b><u>\$350,000</u></b>	<b><u>\$210,800</u></b>	<b><u>\$3,358</u></b> 1)	<b><u>\$135,842</u></b>
<b><u>SUMMARY OF FINANCING:</u></b>				
Drawdown from Industrial Oversizing-Water R.F.	\$1,700	\$1,024	\$16	\$660
Drawdown from City Services - Water Reserve Fund (Development Charges) 2)	348,300	209,776	3,342	135,182
<b>TOTAL FINANCING</b>	<b><u>\$350,000</u></b>	<b><u>\$210,800</u></b>	<b><u>\$3,358</u></b>	<b><u>\$135,842</u></b>

1) **FINANCIAL NOTE:**

Contract Price	\$3,300
Add: HST @13%	429
Total Contract Price Including Taxes	3,729
Less: HST Rebate	371
Net Contract Price	<u>\$3,358</u>

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

JG

  
Alan Dunbar  
Manager of Financial Planning & Policy