

File Number: 39T-16501

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT	SUBDIVISION SPECIAL PROVISIONS APPLICANT: DREWLO HOLDINGS INC. JUBILEE CRESCENT SUBDIVISION 39T-16501 MEETING ON MARCH 6, 2017

RECOMMENDATION

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 Drewlo Holdings Inc. for the subdivisions of land over Block 241, Plan 33M-605, City of London, County of Middlesex, situated on the east side of Blackacres Drive, south of Jubilee Crescent known as 1931 Jubilee Crescent.

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc. for the Jubilee Crescent Subdivision (39T-16501) 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 Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.
- (d) the Municipal Council **BE REQUESTED** to advise the London Police Services of the new development and to actively enforce the Highway Traffic Act for the duration of the construction for this subdivision.
- (e) the Municipal Council **BE ADVISED** that there will be increased operating and maintenance costs for works being assumed by the City.

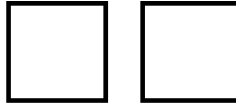
BACKGROUND

The plan of subdivision is 3.4 hectares (1.3 ac.) in size and is located at 1931 Jubilee Crescent.

This parcel of land was originally set aside as a potential school block. Note of the school boards expressed an interest in acquiring the block and as a result the developer submitted a draft plan of subdivision to create single detached lots. Draft Approval to permit 71 single family detached lots, 2 new local streets, with conditions was granted on June 22, 2016.

This draft plan of subdivision will be registered in one (1) phase. This plan of subdivision is located within the built area boundary and represents intensification.

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

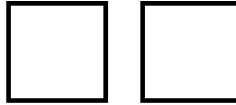


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This report has been prepared in consultation with the City's Solicitors Office.

PREPARED BY:	RECOMMENDED BY:
SEAN MEKSULA PLANNER II DEVELOPMENT SERVICES DIVISION	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES
CONCURRED BY:	SUBMITTED BY:
JENNIE A. RAMSAY P. ENG. MANAGER, DEVELOPMENT SERVICES	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

SM/fg
Attach.
February 21, 2017



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Schedule "A"

SPECIAL PROVISIONS

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 which incorporate rear yard catchbasins, which includes Lots 20 and 21 in this Plan and all other affected Lots shown on the accepted plans and drawings, and shall include this information in the Agreement of Purchase and Sale or Lease for the transfer of each of the affected Lots, a covenant by the purchaser or transferee to observe and comply with the minimum building setbacks and associated underside of footing (U.S.F.) elevations, by not constructing any structure within the setback areas, and not disturbing the catchbasin and catchbasin lead located in the setback areas. This protects these catchbasins and catchbasin leads from damage or adverse effects during and after construction. The minimum building setbacks from these works and associated underside of footing (U.S.F.) elevations have been established as indicated on the subdivision lot grading plan, attached hereto as **Schedule "I"** and on the servicing drawings accepted by the City Engineer.

16. PROPOSED SCHOOL SITES

Remove Subsections 16.3 to 16.9 as there are no school sites in this Plan of subdivision.

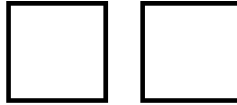
25.1 STANDARD REQUIREMENTS

Remove Subsection 25.1 (h) as there are no walkways in this Plan.

- ~~(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) _____) in in accordance with City Standard No. SR-7.0.~~

Add the following new Special Provisions:

- # 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



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- v) Have his geotechnical engineer certify that the said fill materials have been properly removed and disposed of, and replaced with suitable engineered fill.

Prior to Final Approval, the Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this Plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangements to have any section(s) of easement(s) in this Plan, quit claimed to the satisfaction of the City, at no cost to the City.

25.2 CLAIMS

Remove Section 25.2 and **replace** with the following:

There are no eligible claims for works by the Owner paid for from a Development Charges Reserve Fund or Capital Works Budget included in this Agreement.

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 Stanton Drain Subwatershed Study and any addendums/amendments;
 - ii) The approved Hyde Park 3E Functional Design Report;
 - 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 and Climate Change (MOECC) SWM Practices Planning and Design Manual (2003); and
 - vii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

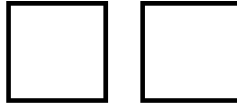
Add the following new Special Provisions:

The Owner shall ensure development of this Plan inclusive of all lots, conforms to the City of London's City Council Resolution dated August 7, 2002 to ensure that post-development surface water flows into the Woodlot Area are equivalent to pre-development conditions in accordance with the Water Balance included in the Hyde Park Community Functional SWM Report for Facility # 3, to the specifications and 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 in this Plan, which is located in the Stanton Drain Subwatershed, and connect them to the City's existing storm sewer



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system being the 525 mm diameter storm sewer stub located on Blackacres Boulevard and the 1350 mm diameter storm sewer on Blackacres Boulevard outletting to the Regional SWM Facility 3E.

The storm sewers required in conjunction with this Plan shall be sized to accommodate all upstream lands to the specifications of the City Engineer all at no cost to the City unless otherwise specified herein.

Remove Subsection 25.8 (e) as there are no park/school blocks in this Plan.

~~(e) Where required, storm and sanitary sewer easements on park/school blocks shall be to the satisfaction of the City and the appropriate school board. Maintenance access requirements shall be provided to the satisfaction of the City Engineer.~~

Remove Subsection 25.8 (j) as this 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.~~

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

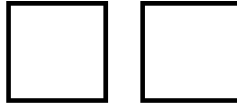
(o) The Owner shall construct the sanitary sewers to service the Lots in this Plan and connect them to the City's existing sanitary sewage system being the 300 mm diameter sanitary sewer on Blackacres Boulevard for the Lots fronting Blackacres Boulevard and the 200 mm diameter sanitary sewer stub located on Blackacres Boulevard for the balance of the Lots. 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.

Add the following new Special Provisions:

- # Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct storm private drain connections to the storm sewer on Blackacres Boulevard in Plan 33M-605 to serve Lots 63, 64, 65, 66 and 67 in this Plan, to the satisfaction of the City.
- # Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct sanitary private drain connections to the existing sanitary sewer on Blackacres Boulevard in Plan 33M-605 to serve Lots 63, 64, 65, 66 and 67 in this Plan, to the satisfaction of the City.
- # 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 Blackacres Boulevard in Plan 33M-605, adjacent to this Plan to accommodate the proposed works and services on 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 Engineer, at no cost to the City.
- # Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services on Jubilee Crescent in Plan M-605, adjacent to this Plan, to accommodate the proposed works and services on this street to accommodate the sewer and watermain connections to Jubilee Crescent in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer, at no cost to the City.

25.9 WATER SERVICING

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



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- (d) Prior to the issuance of any Certificates of Conditional Approval, the Owner shall install and commission the accepted water quality measures required to maintain water quality within the water distribution system during build-out, all to the satisfaction of the City Engineer, at no cost to the City. The measures which are necessary to meet water quality requirements, including their respective flow settings, etc. shall be shown clearly on the engineering drawings.

Add the following new Special Provisions:

- # The Owner acknowledges implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device from the time of their installation until removal/assumption. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.
- # The Owner acknowledges the limits of any request for Conditional Approval shall conform to the phasing plan as set-out in the accepted water servicing design study and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the phasing as set out in the accepted design study, and the watermains are not installed to the phase limits, the Owner shall submit revised plan and hydraulic modeling as necessary to address water quality.
- # Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
- i) construct watermains to serve this Plan and connect them to the existing high-level municipal system, namely, the existing 300 mm diameter watermain on Blackacres Boulevard and the 150 mm diameter watermain on Jubilee Crescent; and
 - ii) construct private water services to the watermain on Blackacres Boulevard in Plan 33M-605 to serve Lots 63, 64, 65, 66 and 67 in this Plan.

25.10 HYDROGEOLOGICAL WORKS

Remove Subsection 25.10 (c) and **replace** with the following:

- (c) The Owner shall adhere to the recommendations in the detailed hydro geological report prepared by its Professional Engineer, determining the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this Plan, assess the impact on water balance, recommendations for foundation design should high groundwater be encountered and any fill required in the plan and recommendations for Low Impact Development (LIDs) system, to the satisfaction of the City Engineer.

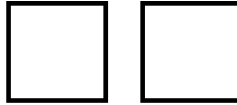
If necessary, the Owner's Professional Engineer shall provide recommendations addressing any contamination impacts that may be anticipated or experienced as a result of the said construction as well as any recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.

Prior to the issuance of any Certificate of Conditional Approval, the Owner's Professional Engineer shall certify that any remedial or other works as recommended in the above accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City Engineer.

25.11 ROADWORKS

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

- (b) The Owner shall construct or install all of the following required works to the specifications of the City and in accordance with the plans accepted by the City:



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- (i) a fully serviced road connection where Valhalla Street connects to Jubilee Crescent and Blackacres Boulevard in Plan 33M-605, including all underground services and all related works as per the accepted engineering drawings;
- (ii) installation of private services for Lots 63, 64, 65, 66 and 67 on Blackacres Boulevard in Plan 33M-605, including all related works as per the accepted engineering drawings;
- (iii) reconfiguration of the roundabout on Blackacres Boulevard in Plan 33M-605 and Valhalla Street and all related works as per the accepted engineering drawings;
- (iv) a concrete sidewalk along the east boulevard of Blackacres Boulevard, across the frontage of this Plan;

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 Blackacres Boulevard and Jubilee 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.

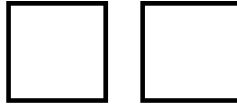
Remove Subsection 25.11 (q) (iv) and **replace** with the following:

- (q) Where traffic calming measures are required within this Plan:
 - (iv) The Owner shall include in the Agreement of Purchase and Sale or Lease for all Lots on Valhalla Street, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots away from the traffic calming measures on the said streets, including traffic calming circles and splitter islands, to be installed as traffic control devices, all 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 including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Blackacres Boulevard.

Add the following new Special Provisions:



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- # The Owner shall make minor boulevard improvements on Blackacres Boulevard and Jubilee Crescent in Plan 33M-605 consisting of clean-up, grading and sodding as necessary, in accordance with the accepted engineering drawings and all to the specifications of the City and at no cost to the City.
- # The Owner shall construct the driveways for each Lot in compliance with the approved on street parking plan for this subdivision, attached as **Schedule "N"** to this Agreement and in compliance with the City's Zoning By-law. Prior to assumption of the subdivision by the City, the Owner shall have its Professional Engineer/Surveyor certify for each Lot to the satisfaction of the City that the location and width of the as built driveways complies with the approved parking plan and is in compliance with the City's Zoning By-law. Further, the Owner shall rectify any deficiencies identified by the Professional Engineer/Surveyor at no costs to the City.

25.12 PARKS

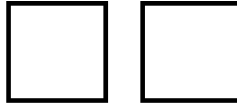
Remove Section 25.12(a) and **replace** with the following:

- (a) Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed the south portion of Jubilee Park as per the engineering drawings to reduce the grade between Clayridge Way and Jubilee Park to the satisfaction of City, and at no cost to the City.

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

Add the following new Special Provisions:

- Within one (1) year of registration of this Plan, the Owner shall implement all the recommendations of the approved July 28, 2016 Tree Preservation Plan prepared by Biologic Incorporated, to the satisfaction of the City.
- Within one (1) year of registration of this Plan, the Owner shall remove all hazard trees within the edge of the woodlot as identified in the approved tree preservation plan from the rear of Lots 1 to 11, both inclusive, all at no cost to the City and to the satisfaction of the City.
- Within one (1) year of registration of this Plan, the Owner shall prepare and deliver to all homeowners adjacent to habitat relocation area and/or natural heritage area, 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 City Planner.



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SCHEDULE "C"

This is Schedule "C" to the Subdivision Agreement dated this _____ day of _____, 2017, between The Corporation of the City of London and Drewlo Holdings Inc. to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES**Roadways**

- Valhalla Street shall have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62')
- Clayridge Way shall have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60')

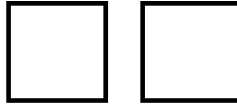
Sidewalks

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

- (i) Blackacres Boulevard – east boulevard along frontage of plan
- (ii) Valhalla Street – north and west boulevards
- (iii) Clayridge Way – south and east boulevards

Pedestrian Walkways

There are no walkway in this Plan of Subdivision.



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SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated this _____ day of _____, 2017, between The Corporation of the City of London and Drewlo Holdings Inc. to which it is attached and forms a part.

LANDS TO BE CONVEYED TO THE CITY OF LONDON:

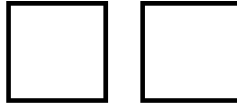
- 0.3 metre (one foot) reserves: NIL
- Road Widening (Dedicated on face of plan): NIL
- Walkways: NIL
- 5% Parkland Dedication: NIL
- Dedication of land for Parks in excess of 5%: NIL
- Stormwater Management: NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE:

- School Site: NIL

LANDS TO BE HELD IN TRUST BY THE CITY:

- Temporary access: NIL



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SCHEDULE “E”

This is Schedule “E” to the Subdivision Agreement dated this _____ day of _____, 2017, between The Corporation of the City of London and Drewlo Holdings Inc. 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:	\$ 205,095
BALANCE PORTION:	<u>\$1,162,207</u>
TOTAL SECURITY REQUIRED	\$1,367,302

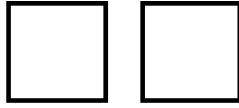
The Cash Portion shall be deposited with the City Treasurer prior to the execution of this Agreement.

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.



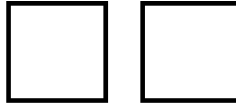
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SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2017, between The Corporation of the City of London and Drewlo Holdings Inc. to which it is attached and forms a part.

Multi-Purpose Easements:

There are no multi-purpose or temporary turning circle easements required for this Plan of Subdivision.



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Schedule "B"
Related Estimated Costs and Revenues

Jubilee Crescent Subdivision - Drewlo Holdings Inc.
 Subdivision Agreement
 39T-16501

Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs ^(Note 1)	Estimated Cost
Claims for developer led construction from CSRF - None identified.	\$0
Claims for developer led construction from UWRF - None identified.	\$0
Claims for City led construction from CSRF - None identified.	\$0
Total	\$0
Estimated Total DC Revenues ^(Note 2)	Estimated Revenue
CSRF	\$1,925,804
UWRF	\$173,027
TOTAL	\$2,098,831

- 1 There are no anticipated claims associated with this development.
- 2 Estimated Revenues are calculated using 2017 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.

Reviewed by:

Feb 17/17
 Date

P. Christiaans
 Peter Christiaans
 Director, Development Finance