

File Number: 39T-12503
Alanna Riley/Frank Gerrits

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: SPEYSIDE EAST CORPORATION AND TOPPING FAMILY FARMS TALBOT VILLAGE SUBDIVISION – PHASE 5 (PORTION OF 3105 BOSTWICK ROAD) 39T-14506 MEETING ON MAY 8TH, 2017

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Speyside East Corporation and Topping Family Farms for the subdivision of land over Part of Lot 76, 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 the Pack Road, east of Settlement Trail, and south of Old Garrison Boulevard, municipally known as 3105 Bostwick Road:

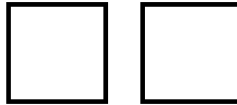
- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Speyside East Corporation and Topping Family Farms for the Talbot Village Subdivision, Phase 5 (39T-14506) attached as Schedule “A”, **BE APPROVED**;
- (b) the applicant **BE ADVISED** that the Director, Development Finance has summarized the claims and revenues attached as Schedule “B”;
- (c) the financing for eligible works associated with 39T-14506 **BE APPROVED** as set out in the Source of Financing Report attached as Schedule “C”;
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions; and
- (e) Municipal Council **BE ADVISED** that Staff have reviewed the North Talbot Community Plan and no changes are considered necessary at this time.

BACKGROUND

The draft plan of subdivision is located on a portion of 3105 Bostwick Road, on the west side of Bostwick Road and north of Pack Road. The subject site is approximately 22.6 ha in size, and also includes Block 172 from registered plan 33M-562. The draft plan of subdivision consists of 244 single detached lots, one (1) school block, one (1) park block, one (1) road widening, and two (2) - 0.3 m reserves, all served by the extension of Old Garrison Boulevard (a secondary collector), two (2) new secondary collector roads and eight (8) new local streets. A public meeting was held at Planning and Environment Committee on May 19, 2015. The subdivision was draft approved by the Approval Authority on June 29, 2015.

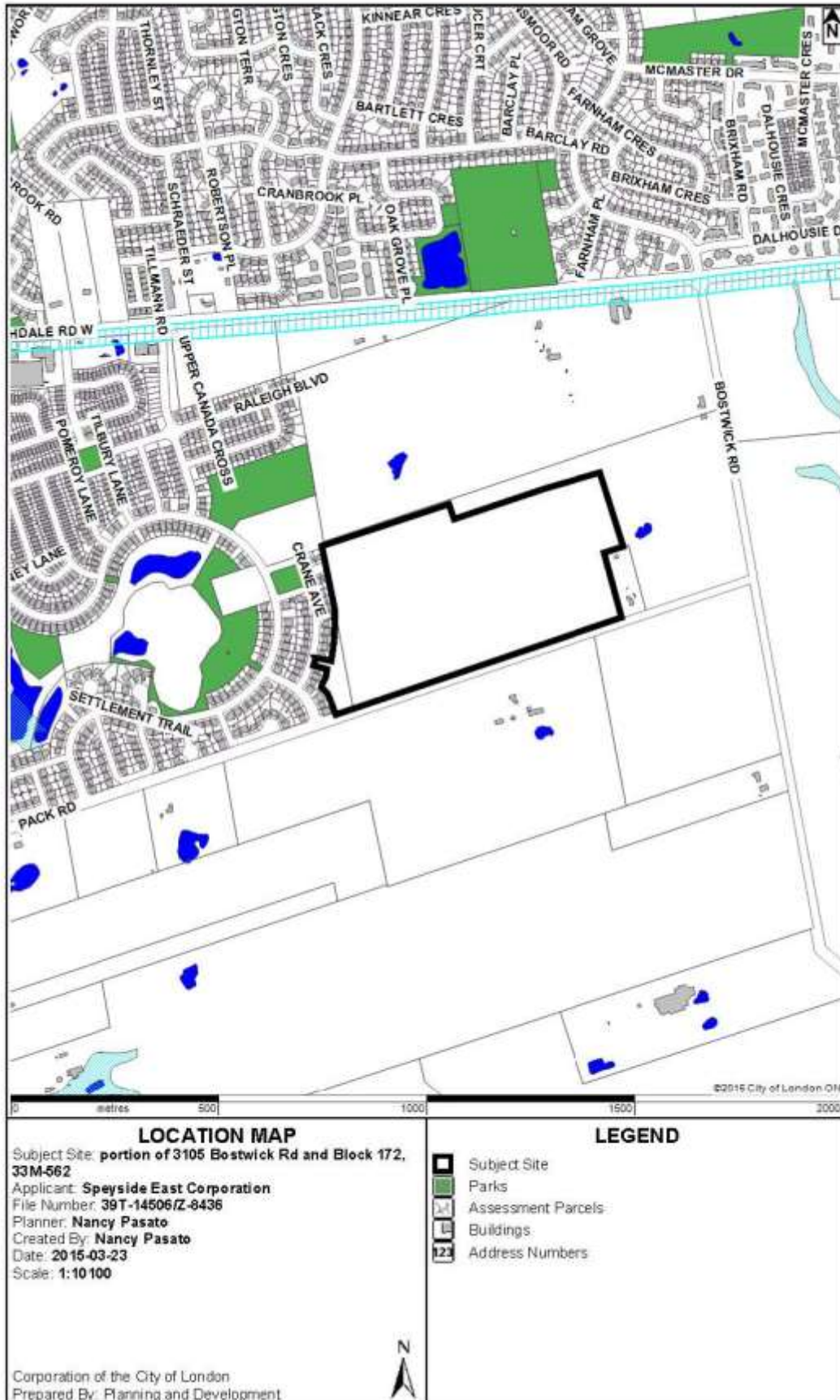
The Applicant is registering the first phase of this subdivision (known as Talbot Village Phase 5), which consists of 69 single detached lots.

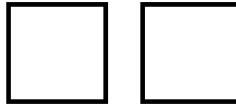
The Development Services Division has reviewed these special provisions with the Owner who is in agreement with them.



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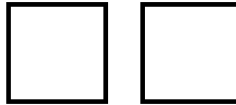
This report has been prepared in consultation with the City's Solicitors Office and Development Finance.





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North Talbot Community Plan

As part of the draft approval for the above application, issues related to alternative design standards (including reduced road allowances), open space connections/pathways, square-about, and school block locations were raised. As part of the recommendations clause for the draft approval, Staff were directed to look at these issues to determine if any changes were required to the North Talbot Community Plan and to report back to a future meeting of Planning and Environment Committee on this issue.

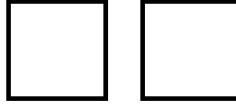
Staff have reviewed each issue relating to the existing subdivision (Talbot Village Phase 5 & 6) and believe that these issues can be addressed as follows:

- **Square-about** –The square-about can be eliminated from the existing subdivision and two way traffic may be permitted on Old Garrison Road in this plan. This square-about can be relocated, if necessary, further east and be included in a future subdivision.
- **Alternative design standards and road allowance widths** – These have already been determined for the existing subdivision (ROW widths, zoning setbacks, urban design guidelines). Future subdivisions will need to adhere to the policies of the London Plan in this regard.
- **Open space connections and pathways** – The dedicated east-west linkage conceptually shown in the Area Plan, will occur north of the lots on Old Garrison Road within a future subdivision on adjacent lands. This will provide a more suitable user-friendly connection to the new community centre at Bostwick Road that was not considered at the time of the Area Plan. The widened boulevard proposed through this plan of subdivision along Old Garrison Road is therefore not necessary.
- **School block locations** – A school block has already been allocated within the approved draft plan. Any additional school sites will be determined as part of future subdivision applications.

Based on the above, it was determined that there was no need to amend the North Talbot Community Plan (NTCP) at this time, given the new London Plan direction(s) and policies. Issues such as those outlined above will be dealt with as each new application comes forward.

PREPARED BY:	RECOMMENDED BY:
NANC PASATO, MCIP, RPP SENIOR PLANNER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES
CONCURRED BY:	SUBMITTED BY:
JENNIE A. RAMSAY P. ENG. MANAGER, DEVELOPMENT SERVICES & ENGINEERING LIAISON	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

npfg
Attach.
April 25, 2017



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Schedule "A"
SPECIAL PROVISIONS

5. STANDARD OF WORK

Remove Condition 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.

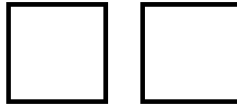
The Owner shall register against the title of Lots 1, 2, 16, 17, 18 and 19 of this Plan, which incorporate rear yard catchbasins and any other affected Lots shown on the accepted plans and drawings, and shall include this information in the Agreement of Purchase and Sale or Lease for the transfer of 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 clauses 16.3 to 16.9 as there are no school blocks in this Plan of subdivision.

- ~~16.3 The Owner shall set aside an area or areas (being Block(s) _____) as a site or sites for school purposes to be held subject to the rights and requirements of any School Board having jurisdiction in the area.~~
- ~~16.4 The School Boards shall have the right, expiring three (3) years from the later of the date on which servicing of the relevant site is completed to the satisfaction of the City or the date on which seventy percent (70%) of the Lots in the subdivision have had building permits issued, to purchase the site and may exercise the right by giving notice to the Owner and the City as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than two (2) years from the date of giving notice.~~
- ~~16.5 The School Boards may waive the right to purchase by giving notice to the Owner and the City as provided elsewhere in this Agreement.~~
- ~~16.6 Where all School Boards have waived the right to purchase, the City shall then have the right for a period of two (2) years from the date on which the right to purchase by the School Board has expired or has been waived as the case may be, to purchase the site for municipal purposes and may exercise the right by giving notice to the Owner as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than sixty (60) days from the date of giving notice.~~
- ~~16.7 The Owner agrees that the school blocks shall be:

 - (a) graded to a one percent (1%) grade or grades satisfactory to the City, the timing for undertaking the said works shall be established by the City prior to the registration of the Plan; and~~



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- (b) ~~top soiled and seeded to the satisfaction of the City, the timing for undertaking the said works to be established prior to assumption of the subdivision by the City.~~

~~16.8 Where the Owner has been required to improve the site by grading, top soil and seeding, the responsibility of the Owner for the maintenance of the site shall cease upon completion by the Owner of his obligations under this Agreement.~~

~~16.9 If and when the City purchases the site, the City may establish a policy with respect to the ultimate use or disposition of the site.~~

25.1 STANDARD REQUIREMENTS

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

~~(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 accordance with City Standard No. SR-7.0.~~

Add the following Special Provisions:

Prior to the issuance of any Certificate of Conditional 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 municipal or 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 municipal or private services from the said easement and following the appropriate municipal services and/or private services being 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.

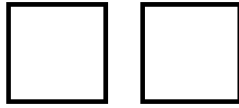
The Owner shall implement the recommendations of the "Environmental Noise Impact Assessment Talbot Village – Phases 5 and 6", dated October 2015, prepared by IBI Group, in the following manner:

- i. The Owner shall, within 6 months of construction of any dwelling unit on Lots 23, 24, 102, 103, 117, 118, 119 and 120, construct the corresponding noise attenuation wall abutting Pack Road. All walls shall be a minimum 2.4 m in height, with return, as per the accepted engineering drawings. The above noted walls shall be of a solid construction with the surface density of no less than 20 kg/m². The walls may be constructed from a variety of materials such as wood, brick, pre-cast concrete or other concrete/wood composite systems provided that it is free of gaps or cracks.

The Owner's Professional Engineer, qualified to provide acoustical engineering services in Ontario shall review the building and grading plans for Lots 24, 83, 102, 118 and 119 and certify that noise control measures as approved have been incorporated.

The Owner shall include in all offers of Purchase and Sale or Lease, notice advising future owners, that a sound barrier is located inside the property line within the side and/or rear yard of the property and that the said sound barrier shall not be altered or removed or tampered with. It shall be the obligation of the owner of the Lot to repair, to maintain and to replace the noise attenuation barrier, as needed, when requested by the City, in accordance with the approved plan and/or provision or set of provisions included in the Subdivision Agreement, to the satisfaction of the City, and at no cost to the City.

- ii. The Owner shall include the following warning clause in all Agreements of Purchase and Sale or Lease for Lots 22-24, 82-92, 102-104, 116-118, and 119-121 of this Plan:



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“The City of London will not be responsible for noise issues that arise from existing or any increased traffic along Pack Road. The City of London will not be responsible for constructing any noise attenuation measures adjacent to Pack Road.”

- iii. The Owner shall include the following warning clause in all Agreements of Purchase and Sale or Lease for Lots 24, 102, 118 and 119 of this Plan:

“Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, noise levels from increasing Pack Road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceeds the Municipality’s and Ministry of the Environment’s noise criteria.”

- iv. The Owner shall include the following warning clause in all Agreements of Purchase and Sale or Lease for Lots 22, 23, 84, 85, 86, 87, 88, 89, 90, 91, 92, 103, 104, 116, 117, 120, and 121 of this Plan:

“This dwelling unit has been designed with the provision for adding central air condition at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and Ministry of the Environment.”

- v. The Owner shall include the following warning clause in all Agreements of Purchase and Sale or Lease for Lots 24, 83, 102, 118 and 119 of this Plan:

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

- vi. The Owner shall include in any submission for a building permit application for Lots 22, 23, 84, 85, 86, 87, 88, 89, 90, 91, 92, 103, 104, 116, 117, 120, and 121, the inclusion of forced air heating with provisions for future air conditioning (which can be installed at the owner’s option) which is sized to accommodate central air conditioning by the occupant if they so desire.

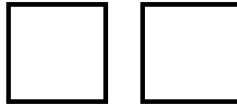
- vii. The Owner shall include in any submission for a building permit application for Lots 24, 83, 102, 118 and 119, the inclusion of central air conditioning.

- # The Owner shall include in all building permit applications for any dwelling units within this plan, a certificate of compliance from an urban designer or architect pre-approved by the City, certifying that the building plans are designed in accordance with the approved Talbot Community Urban Design Guidelines.

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.



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The anticipated reimbursements from the development charge Reserve Funds are:

- (i) for the construction of eligible sanitary sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$37,925.00, excluding HST;
- (ii) for the construction of eligible storm sewers in conjunction with the Plan, subsidized at an estimated cost of which is \$616,478.00, excluding HST;
- (iii) for the construction of the associated external works for channelization on Pack Road at Frontier Avenue, the estimated cost of which is \$145,009.00, excluding HST, as per the accepted work plan;
- (iv) for the engineering fees for the Pack Road works, the estimated cost of which is \$16,501.00, excluding HST, as per the accepted work plan;
- (v) for the construction of a concrete sidewalk on Pack Road across the frontage of this Plan, the estimated cost of which is \$27,899.00, excluding HST, as per the accepted work plan;
- (vi) for the engineering fees for the sidewalk on Pack Road, the estimated cost of which is \$4,185.00, excluding HST, as per the accepted work plan;
- (vii) for the construction of pavement widening on Frontier Avenue at Pack Road consistent with the City's standard practice of paying claims where a secondary collector is widened at a primary collector or an arterial road, the estimated cost of which is \$5,926.00, excluding HST, as per the accepted work plan. The claim will be based on a pavement widening of 1.5 metres for a distance of 45 metres with a 30 metre taper. The costs of the gateway treatment over and above the claimable portion shall be at the Owner's expense, as per the accepted work plan; and
- (viii) for the engineering fees for the internal pavement widening on Frontier Avenue, the estimated cost of which is \$889.00, excluding HST, as per the accepted work plan.

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

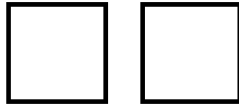
Funds needed to pay the above claims will be committed (on a subdivision by subdivision basis) from approved capital budgets at the time of approval of this Agreement, unless funds in approved capital budgets are insufficient to accommodate commitment to the full extent of the estimated claims. In this 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 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



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- ii) in light of the funding source and the City's responsibility to administer development charge funds collected, the City retains the right to request proposals for the work from an alternative consulting engineer.

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

- i) internal widening on Frontier Avenue
- ii) external roadworks and sidewalk on Pack Road

25.6 GRADING REQUIREMENTS

Add the following Special Provisions:

- # The Owner shall grade the portions of Lots 24, 102, 118 and 119, inclusive, which have a common property line with Pack Road, to blend with the ultimate profile of Pack Road, in accordance with the City Standard "Subdivision Grading Along Arterial Roads" and at no cost to the City.

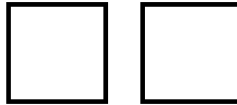
The Owner shall direct its Professional Engineer to establish and have accepted by the City Engineer the grades to be taken as the future centreline grades of Pack Road. From these, the Owner's Professional Engineer shall determine the elevations along the common property line which will blend with the reconstructed road. These elevations shall be shown on the subdivision Lot Grading Plan submitted for acceptance by the City.

- # Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owner(s) to the north and east to regrade a portion of the property, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.

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 Functional Stormwater Management Plan/Report for the Talbot Village SWM Facility E2/E3 (July 2002) and any addendums/amendments;
 - iii) The City's Design Requirements for Permanent Private Stormwater Systems approved by City Council and effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.
 - iv) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
 - v) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
 - vi) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;



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- vii) The City of London Design Specifications and Requirements Manual, as revised;
- viii) The Ministry of the Environment and Climate Change (MOECC) SWM Practices Planning and Design Manual (2003); and
- ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

Add the following Special Provisions:

- # Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install the proposed stormwater management system, eg. spillway to Pack Road from Crown Grant Road (South) as identified on the accepted engineering drawings, all 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, which is located in the Dingman Creek Subwatershed, and connect them to the City's existing storm sewer system being the 1650 mm diameter storm sewer stub on Pack 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.

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

- ~~(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 it is not applicable.

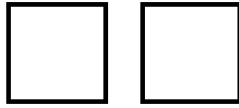
- ~~(j) The Owner shall register on title of Block [redacted] in this Plan and include in the Purchase and Sale Agreement, a covenant that the owner of Block [redacted] in this Plan shall be responsible for installing a sanitary private drain connection, at the owner's expense, from the said block to the proposed municipal sanitary sewer to the (North, South, East, West) of this Block in City owned lands [redacted] described [redacted], 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 450 mm diameter sanitary sewer on Pack Road. The sanitary sewers required in conjunction with this Plan shall be sized to accommodate all upstream lands to the specifications of the City Engineer and at no cost to the City unless otherwise specified herein.

Add the following Special Provisions:

- # 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 Pack Road, Old Garrison Boulevard (east leg) in Plan 33M-624 and Crane Avenue in Plan 33M-562, 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,



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

- # The Owner shall implement the following enhanced inflow and infiltration (i&i) measures, to the satisfaction of the City, at no cost to the City:
- i) provide regular unscheduled inspection of basement excavations by the Owner's agents to ensure sanitary connections remain capped until plumbing connections are made;
 - ii) provide a notice to all builders and homeowners within the development, complete with an acknowledgement of receipt, regarding sanitary pdc's and the City's By-law WM-4 and secure against any infractions as a deterrent;
 - iii) wrap all manhole joints at time of installation; and
 - iv) permit City flow monitoring of Phase 5 Talbot Village to monitor inflow and infiltration.

25.9 WATER SERVICING

Remove Subsection 25.9 (b) as it is only applicable to Blocks in the plan.

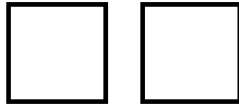
~~(b) Prior to the approval of the water service connection by the City Engineer and the issuance of a building permit, the Owner shall refrain from installing water service to any **Block Lot**.~~

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

- (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 Special Provisions:

- # The Owner shall ensure that 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 shall ensure that 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 would be required to 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 250 mm diameter watermain on Crane Avenue, the 150 mm diameter watermain on Old Garrison Boulevard, and through a check valve, the low-level 600 mm diameter watermain on Pack Road;
 - ii) have their consulting engineer confirm to the City that the watermain system has been constructed, is operational and is looped from the watermain on Crane Avenue in Plan 33M-562 and Old Garrison Boulevard in Plan 33M-624 through this Plan to Pack Road:



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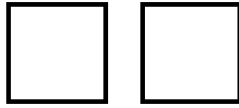
- iii) have their consulting engineer submit a Certificate of Completion of Works for the 250mmx250mmx250mm Tee and 250 mm gate valve on the existing Crane Avenue watermain in Plan 33M-562 at the intersection with Crown Grant Link in this Plan;
 - iv) have their consulting engineer submit a Certificate of Completion of Works for the high-level low-level interconnections check valve chamber, check valve and all appurtenance associated therewith at the intersection of Frontier Avenue in this Plan and Pack Road; and
 - v) deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units;
- # The Owner shall include in any application for a building permit and in all Purchase and Sale or Lease Agreements for all Lots within this Plan, the requirement that the buildings shall be designed and constructed with pressure reducing valves installed, all to the satisfaction of the Chief Building Official.

25.11 ROADWORKS

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

- (b) Prior to the issuance of any Certificate of Conditional Approval or as otherwise directed by the City, the Owner shall construct and/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 Frontier Avenue in this Plan connects with Pack Road including all underground services and all related works as per the accepted engineering drawings;
 - (ii) a fully serviced road connection where Old Garrison Boulevard (east leg) in this Plan joins with Old Garrison Boulevard (east leg) in Plan M-624 including all underground services and all related works as per the accepted engineering drawings;
 - (iii) a fully serviced road connection where Crown Grant Link in this Plan connects with Crane Avenue in Plan M-562 including all underground services and all related works, as per the accepted engineering drawings;
 - (iv) install temporary street lighting on Pack Road at the intersection of Frontier Avenue;
 - (v) construct left and right turn lanes on Pack Road at Frontier Avenue;
 - (vi) a concrete sidewalk along the north boulevard of Pack Road, across the frontage of this Plan;
 - (vii) extension of sanitary and storm servicing along Pack Road westerly from Crown Grant Road (south) window street portion and all related works as per the accepted drawings;
 - (viii) connection of watermain on Pack Road and all related works as per the accepted engineering drawings; and
 - (ix) construction of spillway to Pack Road from Crown Grant Link (south) 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



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supervision by its Professional Engineer for all works to be constructed on Old Garrison Boulevard, Pack Road and Crane Avenue 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 (n) as there are no walkways in this Plan.

~~(n) Prior to the issuance of any Certificate of Conditional Approval, concrete sidewalks shall be constructed on all pedestrian walkways shown in this Plan in accordance with City Standard SR-7.0 and accepted design drawings and shall extend to the travelled portion of the streets connected by the walkway. Concrete drainage swales and chain link fence shall be provided in accordance with City standard SR-7.0 and accepted design drawings along both sides of such walkways for their entire length. Alternative concrete sidewalks with a flat cross-section, without swales, may be substituted upon approval of the City. Ornamental obstacle posts shall be provided in all walkways as required by the City.~~

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

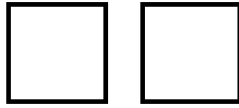
- (q) Where traffic calming measures are required within this Plan:
- (iv) The Owner shall include in all Agreements of Purchase and Sale or Lease for the transfer of each of all Lots on Frontier Avenue, Old Garrison Boulevard and Mersea Street in this Plan, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots away from the traffic calming measures on the said streets, including raised intersections 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 including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Frontier Avenue via Pack Road.

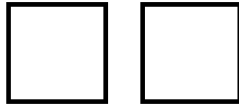
Add the following Special Provisions:

- # Prior to the issuance of any Certificate of Conditional Approval or as otherwise directed by the City, the Owner shall construct the following accepted traffic calming measures to the satisfaction of the City, at no cost to the City, as per the accepted engineering drawings:



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- i) raised intersection at Old Garrison Boulevard and Mersea Street.
- # Prior to the issuance of a Certificate of Conditional Approval, the Owner shall construct a median on Old Garrison Boulevard to match in with the existing median in Plan 33M-624 as per the accepted engineering drawings, to the satisfaction of the City and at no cost to the City.
- # Prior to the issuance of any Certificate of Conditional Approval or as otherwise directed by the City, the Owner shall install temporary street lights on Pack Road at Frontier Avenue, all to the satisfaction of the City, at no cost to the City.
- # Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct the following road improvements on Pack Road, to the satisfaction of the City as per the accepted engineering drawings;
- i) left turn lane and right turn taper at Frontier Avenue; and
 - ii) any interim road improvements on Pack Road for conveyance of both internal and external overland flow routes to the existing designated outlets.
- # Barricades are to be maintained at the limits of all streets in this Plan until assumption of this Plan of Subdivision or as otherwise directed by the City. At the time of assumption of this Plan or as otherwise directed by the City, the Owner shall remove the barricades and any temporary turning circles, restore the boulevards and complete the construction of the roadworks within the limits of both temporary turning circles, to the specifications of the City, all at no cost to the City.
- The Owner shall advise all purchasers of land within this Plan that any traffic to and from this subdivision will not be permitted to pass the barricade(s) until the removal of the barricade(s) is authorized by the City.
- # Prior to the issuance of any Certificate of Conditional Approval, temporary signs shall be installed and maintained on Frontier Avenue adjacent to the 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 as required by the City Engineer, the Owner shall install speed cushions on Frontier Avenue, including permanent signage and pavement marking in a location, as per the accepted engineering drawings, and all to the satisfaction of the City Engineer.
- # The Owner shall construct a gateway treatment without island on Frontier Avenue, to the specifications of the City Engineer.
- # The Owner shall be required to make minor boulevard improvements on Pack Road adjacent to this Plan, consisting of clean-up, grading and sodding as necessary, all to the specifications of the City and at no cost to the City,
- # The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.



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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 Speyside East Corporation and Topping Family Farm to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- Frontier Avenue shall have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 20.0 metres.
- Crown Grant Link, Crown Grant Road (east leg), Storey Chase and Mersea Street shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 18.5 metres
- Crown Grant Road (west) and French Avenue shall have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 17.5 metres
- Crown Grant Road (south) shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 15.5 metres in accordance with the City's Window Street Standard Guidelines (UCC-2M)
- Frontier Avenue, from Pack Road to 45 metres north of Pack Road shall have a minimum road pavement width (excluding gutters) of 11.0 metres with a minimum road allowance of 26.5 metres. The widened road on Frontier Avenue shall be equally aligned from the centreline of the road and tapered back to the 9.5 metre road pavement width (excluding gutters) and 20.0 metre road allowance for this street, with 30 metre tapers on both street lines.

Sidewalks

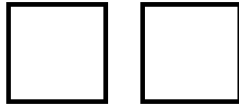
A 1.5 metre (5 foot) sidewalk shall be constructed on both sides of Old Garrison Boulevard and Frontier Avenue.

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

- (i) Crown Grant Road (west) – west boulevard to connection to Pack Road
- (ii) Mersea Street – west boulevard
- (iii) French Avenue – south boulevard
- (iv) Crown Grant Road (east) to Pack Road – south and east boulevards
- (v) Storey Chase – south boulevard
- (vi) Crown Grant Link – north boulevard
- (vii) Pack Road – north boulevard

Pedestrian Walkways

No walkways in this Plan.



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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 Speyside East Corporation and Topping Family Farm to which it is attached and forms a part.

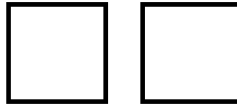
Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external lands as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all lands within this Plan to the City.

LANDS TO BE CONVEYED TO THE CITY OF LONDON:

0.3 metre (one foot) reserves:	Blocks 129, 130, 131, 132 and 133
Road Widening (Dedicated on face of plan):	Block 128
Walkways:	NIL
5% Parkland Dedication:	To be dedicated through Phase 6 (Draft Approved Plan 39T-14506)
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE: NIL – to be included through Phase 6 (Draft Approved Plan 39T-14506)

LANDS TO BE HELD IN TRUST BY THE CITY: 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 Speyside East Corporation and Topping Family Farm 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:	\$1,018,213
BALANCE PORTION:	<u>\$5,769,875</u>
TOTAL SECURITY REQUIRED	\$6,788,089

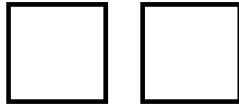
The Cash Portion shall be deposited with the City Treasurer prior to the execution of this Agreement.

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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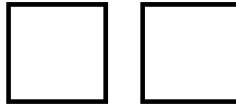
SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2017, between The Corporation of the City of London and Speyside East Corporation and Topping Family Farm 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 temporary 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) For temporary DICB's as per accepted engineering drawings, and
 - (ii) 10.0 metre drainage easement at north limit of plan



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Schedule "B"
Related Estimated Costs and Revenues

Agenda Item # Page #

Talbot Village Phase 5 - Speyside East Corporation
Subdivision Agreement
39T-14506

Related Estimated Costs and Revenues

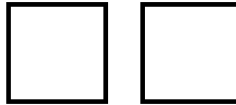
Estimated DC Funded Servicing Costs ^(Note 1)	Estimated Cost (excludes HST)
Claims for developer led construction from CSRF	
- Sanitary - internal oversized subsidy (DC14-WW02001)	\$37,925
- Storm - internal oversized subsidy (DC14-MS01001)	\$616,478
- Internal widening of Frontier Road (DC14-RS00063)	\$5,926
- Internal widening engineering (DC14-RS00063)	\$889
- Pack Road Channelization (DC14-RS00067)	\$145,009
- Pack Road Channelization engineering (DC14-RS00067)	\$16,501
- Sidewalks on Pack Road (DC14-RS00069)	\$27,899
- Sidewalk engineering (DC14-RS00069)	\$4,185
Claims for City led construction from CSRF	
- None identified.	\$0
Total	\$854,811
Estimated Total DC Revenues ^(Note 2)	Estimated Revenue
CSRF	\$3,444,748
UWRF	\$309,499
TOTAL	\$3,754,247

- 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 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.
- 4 The developer led road works above require a work plan to be provided and approved by the City. The work plan should include summary of work completed and costs incurred as well as estimated costs of all Engineering and construction of the eligible subdivision works.
- 5 Oversizing costs identified are based on preliminary estimates through draft plan phase. The extent of roadworks and the various pipe sizes and length of oversized sewers and watermain will be finalized through the detailed design process which may change the values noted.
- 6 Channelization costs include an estimated amount of \$35,000 (the 50% DC share) for moving hydro poles on Pack Rd. A final estimate will be provided by Hydro One for which the developer can claim costs consistent with the rules in the DC Bylaw.

Reviewed by:

April 26 / 2017
Date


Peter Christiaans
Director, Development Finance



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Schedule "C"
SOURCE OF FINANCE

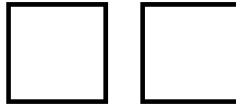
Chair and Members #17094
Planning and Environment Committee May 8, 2017
(39T-14506)

RE: Subdivision Special Provisions - Speyside East Corporation and Topping Family Farms
Talbot Village Subdivision - Phase 5 - Portion of 3105 Bostwick Road
(Subledger WW170005)
Capital Project TS1651 - Minor Roadworks on Arterials
Capital Project TS1371 - Road Class Oversizing
Capital Project ES5429 - Storm Sewer Internal Oversizing Subsidy
Capital Project ES5145 - Sanitary Sewer Internal Oversizing Subsidy

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCE 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, Planning and City Planner, the detailed source of financing for this project is:

	Approved Budget	Revised Budget	Committed to Date	This Submission	Balance for Future Work
ESTIMATED EXPENDITURES					
TS1651-Minor Roadworks on Arterials					
Engineering	\$532,218	\$532,218	\$45,257	\$21,050	\$465,911
Construction	3,063,625	3,063,625	754,032	175,950	2,133,643
Relocate Utilities	150,000	150,000			150,000
	<u>3,745,843</u>	<u>3,745,843</u>	<u>799,289</u>	<u>197,000</u>	<u>2,749,554</u>
TS1371-Road Class Oversizing					
Engineering	0	2,001	1,096	905	0
Construction	700,000	697,999	14,382	6,030	677,587
	<u>700,000</u>	<u>700,000</u>	<u>15,478</u>	<u>6,935</u>	<u>677,587</u>
ES5429-Storm Sewer Internal Oversizing					
Construction	4,597,840	4,597,840	1,964,437	627,328	2,005,875
ES5145-Sanitary Sewer Internal Oversizing					
Construction	357,300	357,300	77,506	38,592	241,202
NET ESTIMATED EXPENDITURES	<u>\$9,400,783</u>	<u>\$9,400,783</u>	<u>\$2,856,710</u>	<u>\$869,855</u> 1)	<u>\$5,874,218</u>
SOURCE OF FINANCING:					
TS1651-Minor Roadworks on Arterials					
Capital Levy	\$28,419	\$28,419	\$28,419		\$0
Debtenture Quota	136,007	136,007	7,307	8,824	119,876
Drawdown from City Services R.F.-Roads Component (Development Charges)	3) 3,581,417	3,581,417	763,563	168,176	2,629,678
	<u>3,745,843</u>	<u>3,745,843</u>	<u>799,289</u>	<u>197,000</u>	<u>2,749,554</u>
TS1371-Road Class Oversizing					
Capital Levy	4,400	4,400			3,812
Debtenture Quota	40,200	40,200	406	162	40,200
Drawdown from Industrial Oversizing R.F.	10,400	10,400			10,400
Drawdown from City Services R.F.-Roads Component (Development Charges)	3) 645,000	645,000	15,072	6,753	623,175
	<u>700,000</u>	<u>700,000</u>	<u>15,478</u>	<u>6,935</u>	<u>677,587</u>
ES5429-Storm Sewer Internal Oversizing					
Drawdown from Sewage Works R.F.	25,300	25,300	2,165	691	22,444
Drawdown from City Services R.F.-SWM Component (Development Charges)	3) 4,572,340	4,572,340	1,962,272	626,637	1,983,431
	<u>4,597,640</u>	<u>4,597,640</u>	<u>1,964,437</u>	<u>627,328</u>	<u>2,005,875</u>
ES5145-Sanitary Sewer Internal Oversizing					
Drawdown from Industrial Oversizing-Sewer R.F.	12,200	12,200	481	240	11,479
Drawdown from City Services R.F.-Sewer Component (Development Charges)	3) 345,100	345,100	77,025	38,352	229,723
	<u>357,300</u>	<u>357,300</u>	<u>77,506</u>	<u>38,592</u>	<u>241,202</u>
TOTAL FINANCING	<u>\$9,400,783</u>	<u>\$9,400,783</u>	<u>\$2,856,710</u>	<u>\$869,855</u>	<u>\$5,874,218</u>



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Nancy Pasato/Frank Gerrits

Chair and Members
Planning and Environment Committee

#17094
May 8, 2017
(39T-14506)

RE: Subdivision Special Provisions - Speyside East Corporation and Topping Family Farms
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<u>Financial Note - Construction</u>	<u>TS1651</u>	<u>TS1371</u>	<u>ES5429</u>	<u>ES5145</u>	
Contract Price	\$172,907	\$5,926	\$616,478	\$37,925	
Add: HST @13%	22,478	770	80,142	4,930	
Total Contract Price Including Taxes	195,385	6,696	696,620	42,855	
Less: HST Rebate	19,435	666	69,292	4,263	
Net Contract Price	\$175,950	\$6,030	\$627,328	\$38,592	
<u>Financial Note - Engineering</u>	<u>TS1651</u>	<u>TS1371</u>			<u>TOTAL</u>
Contract Price	\$20,686	\$889			\$854,811
Add: HST @13%	2,689	116			111,125
Total Contract Price Including Taxes	23,375	1,005			965,936
Less: HST Rebate	2,325	100			96,081
Net Contract Price	\$21,050	\$905			\$869,855
Total Construction & Engineering	\$197,000	\$6,935	\$627,328	\$38,592	\$869,855

2) **NOTE TO CITY CLERK:**

Administration hereby certifies that the estimated amounts payable in respect of this project does not exceed the annual financial debt and obligation limit for the Municipality of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02 made under the Municipal Act, and accordingly the City Clerk is hereby requested to prepare and introduce the necessary authorizing by-laws,

- a) An authorizing by-law should be drafted to secure debenture financing for project TS1651 - Minor Roadworks On Arterials for the net amount to be debentured of \$136,007.
- b) An authorizing by-law should be drafted to secure debenture financing for project TS1371 - Road Class Oversizing for the net amount to be debentured of \$40,200.
- 3) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2014.

EH


Jason Senese
Manager of Financial Planning & Policy