

File Number: 39T-05512

<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: LANDEA DEVELOPMENTS INC. CREEKVIEW LANDEA SUBDIVISION – PHASE 2 995 FANSHAWE PARK ROAD WEST 39T-05512 MEETING ON JUNE 19, 2017</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Landea Developments Inc. for the subdivisions of land over Part of Lot 22, Concession 5, (Geographic Township of London), City of London, County of Middlesex, situated on the north side of the Fanshawe Park Road West, between Wonderland Road and Hyde Park Road, municipally known as 995 Fanshawe Park Road West.

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Landea Development Inc. for the Creekview Landea Subdivision, Phase 2 (39T-05512) 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 fulfil its conditions.

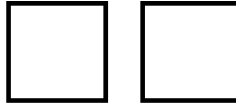
<b>BACKGROUND</b>
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The applications (39T-05511 and 39T-05512) for Draft Plan of Subdivision Approval were accepted on in August 2005. The plans were draft approved in October 2009. Extensions were granted in 2012 and again in 2015. On July 18, 2016 the applicant submitted a design study package for the development of a second subdivision phase of draft plan 39T-05512 (995 Fanshawe Park Road West) which included lands located in Draft Plan 39T-05511. The applicant requested that the two separate draft approved plans be consolidated for the purpose of design study approvals and for final subdivision registration. On March 6, 2017 the City’s Approval Authority granted Draft Approval of the consolidated draft plan and conditions. The expiry date for draft approval is October 14, 2018.

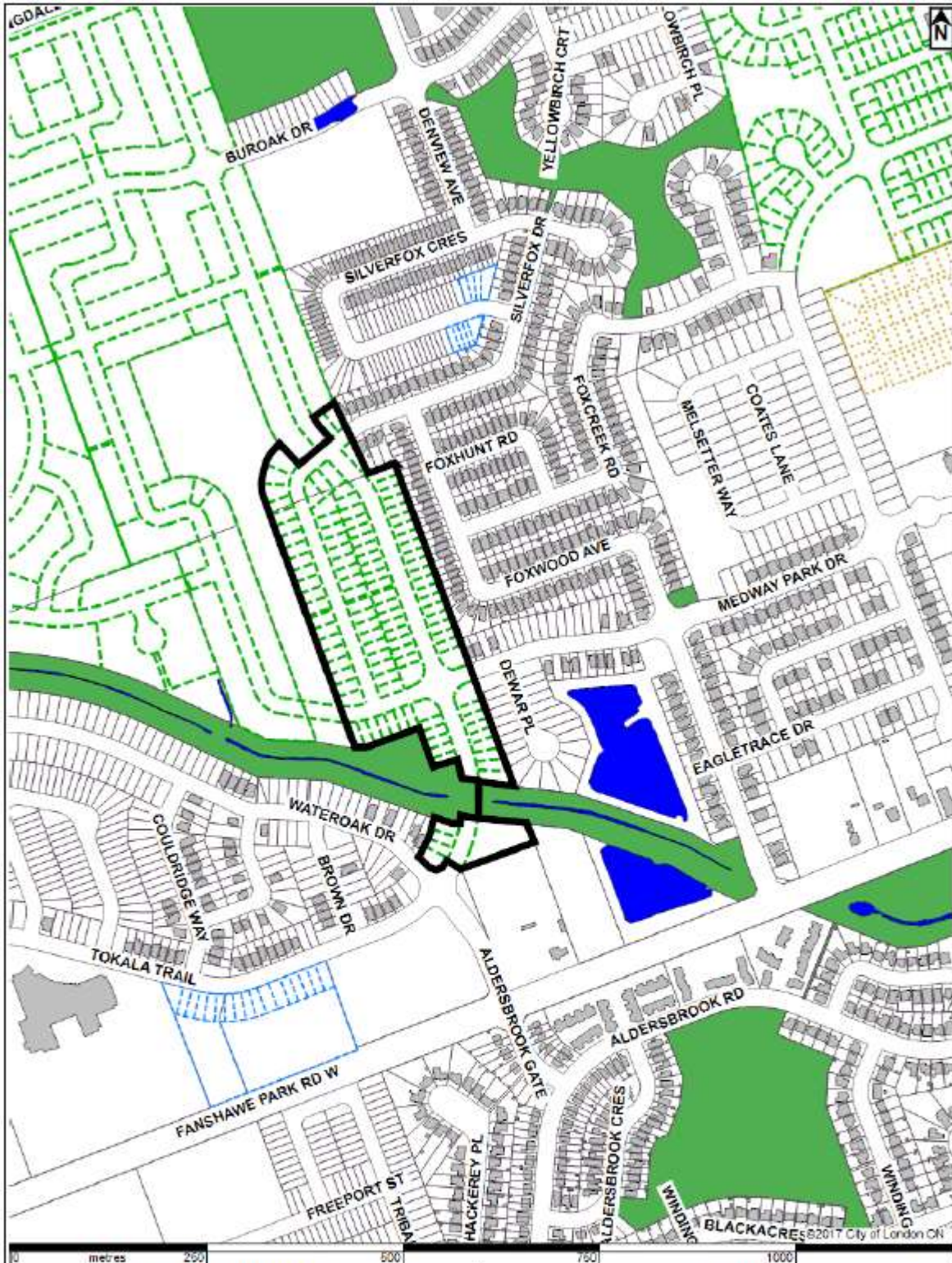
The first phase of the subdivision 33M-625 registered on December 31, 2012 consisted of 48 single family detached lots, one multifamily residential block, three residential part blocks and numerous reserve blocks. This second phase of the subdivision consists of 111 single detached lots, one multifamily residential block, two walkway blocks and numerous reserve blocks. Access to this phase will be via the extension of Tokala Trail, Medway Park Drive and Silverfox Drive.

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.



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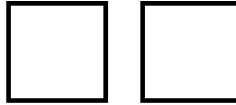
**LOCATION MAP**

Subject Site: Landea Developments Inc. - Plan of Subdivision  
 Applicant: Landea Developments Inc.  
 File Number: 39T-05512 – Phase 2  
 Planner: Craig Smith  
 Created By: Sean Meksula  
 Date: 2017-05-23  
 Scale: 1:6000

**LEGEND**

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

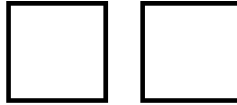




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<b>PREPARED BY:</b>	<b>RECOMMENDED BY:</b>
<b>C. SMITH MCIP, RPP SENIOR PLANNER DEVELOPMENT SERVICES DIVISION</b>	<b>ALLISTER MACLEAN MCIP, RPP MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES</b>
<b>CONCURRED BY:</b>	<b>SUBMITTED BY:</b>
<b>JENNIE A. RAMSAY P. ENG. MANAGER, DEVELOPMENT SERVICES</b>	<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>

AM/cs  
Attach.



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## Schedule "A"

### SPECIAL PROVISIONS

#### 5. STANDARD OF WORK

**Remove** Subsection 5.7 as it is not applicable.

~~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 \_\_\_\_\_ 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 blocks in this plan.

~~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.~~

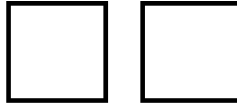
~~16.5 The School Boards may waive the right to purchase by giving notice to the Owner and the City as provided elsewhere in this Agreement.~~

~~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~~
- ~~(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.~~





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~~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) and **replace** with the following:

- (h) **Within one year of registration**, or as otherwise agreed to by the City, the Owner shall construct a chain link fence without gates, adjacent to the walkways (Blocks 114 and 115) in accordance with City Standard No. SR-7.0.

**Add** the following new Special Provisions:

- # **The Owner shall make necessary arrangements with the abutting landowners to provide private access over Block 112 in favor of the abutting lands, 895 and 943 Fanshawe Park Road West, by means of an easement or other alternative arrangements, 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 implement all geotechnical recommendations made in the geotechnical report accepted by the City, to the satisfaction of the City, at no cost to the City.
- # For residential blocks proposed for street townhouse dwellings, the Owner shall as part of the registration of the plan make the necessary legal arrangements to establish a minimum of a one (1.0) metre rear yard maintenance easement where the units to be built do not provide direct access to the rear yard from the garage for “internal unit” (not “end unit”) Owners. (Planning)
  - The Owner shall obtain all necessary permits from the UTRCA prior to the commencement of any soil disturbance within the regulated area under the jurisdiction of the UTRCA.
  - The Owner shall register on title and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all corner lots in this Plan (6,15, 16, 37, 57, 82, 102, 104, 105, 106 and 108) are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and 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 from the Manager of Development Planning and his/her designate prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan.

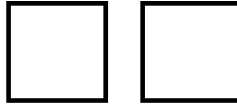
## 25.2 CLAIMS

**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 development charge Reserve Funds are:

- (i) **for the construction of eligible watermains in conjunction with this Plan, subsidized at an estimated cost of which is \$48,120, excluding HST;**
- (ii) **for the construction of a raised crosswalk and associated works on Tokala Trail, the estimated cost of which is \$28,870, excluding HST, as per the accepted work plan;**



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- (iii) for the engineering costs associated with the raised pathway/crosswalk, the estimated cost of which is \$5,940 , excluding HST, as per the accepted work plan;
- (iv) for the engineering costs associated with the Fox Hollow Trunk Sanitary Sewer, the estimated cost of which is \$15,425, 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 from an alternative consulting engineer.
- # The following works required by this subdivision shall be subject to a work plan:
  - i) raised crosswalk and associated works on Tokala Trail

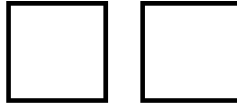
**25.7 GRADING REQUIREMENTS**

**Add** the following new Special Provisions:

- # Prior to the issuance of any Certificate of Conditional Approval for Lots 1 to 6 and 75 to 81, the grading must be completed on Part 17, Plan 33R-18005 in accordance with the accepted engineering drawings, to the satisfaction of the City.
- # ~~Within one year of registration of the plan, the Owner shall grade, seed and service Part 17, Plan 33R-18005, to the satisfaction of the City, at no cost to the City.~~
- # Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate the existing earth stockpile generally proposed to be located on Lots 54 to 56, 74, 75 and 102 to 104, all to the satisfaction of the City and at no cost to the City.

**25.8 STORM WATER MANAGEMENT**

**Remove** Subsection 25.7 and **replace** with the following:



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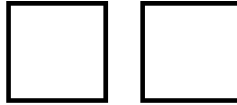
- (a) The Owner shall have its Professional Engineer supervise the construction of the stormwater servicing works, including any temporary works, in compliance with the drawings accepted by the City Engineer, and according to the recommendations and requirements of the following, all to the satisfaction of the City Engineer:
- i) The SWM criteria and environmental targets for the Medway Creek Subwatershed Study and any addendums/amendments;
  - ii) The preferred storm/drainage and SWM servicing option of the Municipal Class EA and any addendum for the Fox Hollow lands;
  - iii) The approved Functional Design Report for the Fox Hollow Stormwater Management System Facilities # 2 and # 4;
  - iv) 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.
  - v) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
  - vi) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
  - vii) The City of London Design Specifications and Requirements Manual, as revised;
  - viii) The Ministry of the Environment and Climate Change's (MOECC) SWM Practices Planning and Design Manual (2003); and
  - ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

**Remove** Subsection 25.7 (f) and **replace** with the following:

- (f) Prior to the issuance of any Certificate of Conditional Approval for this subdivision, with the exception of Lots 1 to 6, 75 to 81 and 82 to 101, all relevant storm/drainage and SWM servicing works, including major and minor storm flow routes, for the subject lands must be completed and operational, in accordance with approved design criteria and accepted drawings, all to the specifications and satisfaction of the City.

**Add** the following new Special Provisions:

- # Prior to the issuance of any Certificate of Conditional Approval for Lots 1 to 6, 75 to 81 and 82 to 101, all relevant storm/drainage and SWM servicing works, including the regional SWM Facility # 3 and major and minor storm flow routes, for the subject lands must be completed and operational, in accordance with approved design criteria and accepted drawings, all to the specifications and satisfaction of the City.
- # The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Stormwater Management Facilities, Policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process adopted by Council on July 30, 2013 as part of the Development Charges Policy Review: Major Policies Covering Report.
- # The Owner shall restore any disturbed areas within the SWM channel and/or lands **as a result of construction associated with this plan (eg. minor grading at Tokala Trail crossing of the Heard Drain and the walkway connection to the new SWM channel)** to existing or better conditions, to the satisfaction of the City.
- # The Owner shall ensure the grading of Lots in this Plan is compatible with the grading on the City lands adjacent to this Plan, including the Heard Drain, abutting the south boundary of this Plan and the SWM Facility abutting the west boundary of this plan, all to the satisfaction



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

- # The Owner shall co-ordinate the work associated with this Plan of Subdivision with the City's proposed construction of the Fox Hollow SWM Facility # 3, to the satisfaction of the City.

**25.9 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 Medway Creek Subwatershed, and connect them to the City's existing storm sewer system being the 1800 mm diameter storm sewer on Tokala Trail outletting to the existing Fox Hollow Community Stormwater Management Facility # 2 and the existing 975 mm diameter storm sewer on Medway Park Drive outletting to the unassumed Fox Hollow SWM Facility # 4.

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.

- ~~(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) and **replace** with the following:

- (j) The Owner shall register on title of Block 112 in this Plan and include in the Purchase and Sale Agreement, a covenant that the owner of Block 112 in this Plan shall be responsible for installing a sanitary and storm private drain connection and water service, at the owner's expense, from the said block to the proposed municipal servicing fronting or across this Block, to the satisfaction of the City Engineer, at no cost to the City.

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

- (o) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the City's existing sanitary sewage system being the 600 mm diameter sanitary sewer on Medway Park Drive at Tokala Trail.

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:

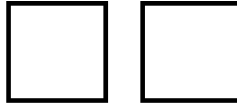
- # Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct new services and make adjustments to the existing works and services on Medway Park Drive and Tokala Trail, adjacent to this plan to accommodate the proposed works and services on this street to accommodate 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, al to the satisfaction of the City Engineer, at no cost to the City.

**25.10 WATER SERVICING**

**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.





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

- # 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 Tokala Trail, the 300 mm diameter watermain on Medway Park Drive and the 300 mm diameter watermain on Silverfox Drive;
  - ii) 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;

**Add** the following new Special Provisions:

- # The Owner shall ensure 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 shall ensure the limits of any request for Conditional Approval shall conform to the staging 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 no installed to the phase limits, the Owner would be required to submit revised plan and hydraulic modeling as necessary to address water quality.
- # With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.

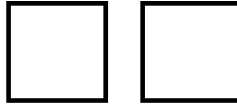
If deemed a regulated system, there is potential the City of London could be ordered to operate this system in the future. As such, the system would be required to be constructed to City standards and requirements.

## 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:
- (i) a fully serviced road connection where Tokala Trail in this plan joins with Tokala Trail in Plan 33R-18454, including all underground services and all related works as per the accepted engineering drawings;
  - (ii) a fully servicing road connection where Tokala Trail in Plan 33R-18454 joins with Tokala Trail in Plan 33M-652, including all underground services and all related works as per the accepted engineering drawings;
  - (iii) a fully serviced road connection where Medway Park Drive in this plan joins with Medway Park Drive in Plan 33M-637 including all underground services and all related works as per the accepted engineering drawings;
  - (iv) a fully serviced road connection where Silverfox Drive in this plan joins with Silverfox Drive in Plan 33M-622 including all underground services and all related works as per the accepted engineering drawings;
  - (v) removal of parking lay-by on Medway Park Drive and all associated works in Plan 33M-637 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



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Engineer. The Owner shall provide full-time supervision by its Professional Engineer for all works to be constructed on Tokala Trail, Medway Park Drive and Silverfox Drive in accordance with current City policies. Upon completion of these works, a Certificate of Completion of Works is to be supplied to the City, 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 register against the title of all Lots and Blocks on Tokala Trail and Medway Park Drive in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots and Blocks away from the traffic calming measures on the said streets, including traffic calming circles and splitter islands, 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 Fanshawe Park Road West via Aldersbrook Gate and Tokala Trail.

**Add** the following new Special Provisions:

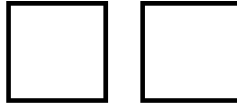
- # The Owner shall remove the temporary turning circle on Silverfox Drive and adjacent lands, in Plan 33M-622 to the east of this Plan, and complete the construction of Silverfox Drive in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City.

If funds have been provided to the City by the Owner of Plan 33M-622 for the removal of the temporary turning circle and the construction of this section of Silverfox Drive 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 Silverfox Drive in Plan 33M-622 is constructed as a fully serviced road by the Owner of Plan 33M-622, then the Owner shall be relieved of this obligation.

- # The Owner shall make minor boulevard improvements on Tokala Trail, Medway Park Drive and Silverfox Drive adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.

- # The Owner shall construct a raised crosswalk and associated works as per the accepted



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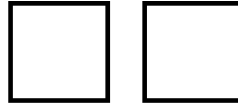
engineering drawings, to the satisfaction of the City.

- # Prior to the issuance of a Certificate of Conditional Approval, the Owner shall construct the extension of Tokala Trail (from Aldersbrook Gate to Medway Park Drive) including Part 5 in Plan 33R-18454 with all underground servicing and a minimum of granular 'B' road consistent with the servicing of Tokala Trail within this plan as required herein, all to the specifications of the City Engineer, at no cost to the City.
- # The Owner shall maintain the extension of Tokala Trail over Part 5, Plan 33R-18454 until construction is fully complete, all deficiencies cleared, a Certificate of Completion of Works covering the road construction has been issued to the City by the Owner's consulting professional engineer and the road is assumed by the City, all to the satisfaction of the City Engineer, at no cost to the City.
- # Prior to assumption, the Owner shall prepare a reference plan to the City's satisfaction and pay for the cost of registering and depositing the dedication by-law to create the portion of Tokala Trail over Part 5, Plan 33R-18454.
- # Prior to the issuance of any Certificate of Conditional Approval, or as otherwise directed by the City Engineer, the Owner shall construct a roundabout, including splitter islands, at the intersection of Tokala Trail and Medway Park Drive, **or provide alternative measures as determined by the City**, 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 remove the existing parking lay-by in Plan 33M-637, to the satisfaction of the City, at no cost to the City, as per the accepted engineering drawings.
- # The Owner shall co-ordinate with the adjacent owner of Plan 33M-637 for works external to this plan on Medway Park Drive, to the satisfaction of the City.

## 25.11 PARKS

**Add** the following new Special Provisions:

- All lots/blocks abutting park blocks shall be fenced with 1.5meter high chain link fence without gates in accordance with current City park standards (SPO 4.8) or approved alternate. Fencing shall be completed to the satisfaction of the Manager of Parks Planning and Design within one (1) year of registration of the plan of subdivision.
- All lots/blocks abutting Open Space blocks used primarily for stormwater management facilities and or conveyance systems shall be monumented as per City standards and to the satisfaction of the City Engineer. Should the property owner desire to construct a fence at the interface(on the property line) with the Open Space SWM blocks, fencing shall be limited in accordance with current City park standards (SPO 4.8) or approved alternate.
- All park blocks lands shall be sufficiently protected from sediment throughout the construction period. A sediment barrier shall be established along the park block limits to the satisfaction of EESD and Parks Planning and Design.
- No grading shall occur within proposed parkland blocks except where determined to be appropriate by the Manager of Parks Planning and Design.
- Within one (1) year of registration of the plan, the Owner shall prepare and deliver to all homeowners adjacent to lands zoned as Open Space, an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the Director, Development and Compliance Division.
- Within one (1) year of registration of the plan, the Owner shall prepare and deliver to all homeowners an education package which advises potential purchasers of the ongoing agricultural activities occurring in the vicinity. The educational package shall be prepared to the satisfaction of the Director, Development and Compliance Division.



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**SCHEDULE "C"**

This is Schedule "C" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014, between The Corporation of the City of London and Landea Developments Inc. and Leandea North Developments Inc. to which it is attached and forms a part.

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

- Tokala Trail and Medway Park Drive (east limit to Tokala Trail) 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').
- Silverfox Drive (east limit to Medway Park Drive) and Medway Park Drive 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').
- Silverfox Drive (Tokala Trail to Street 'A' – Medway Park 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 sidewalk shall be constructed on both sides of Tokala Trail and Medway Park Drive from the east limit of plan to Tokala Trail.

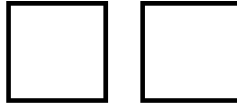
A 2.0 metre sidewalk shall be constructed on the west side of Tokala Trail fronting the Heard Drain.

A 1.5 metre sidewalk shall be constructed on one side of the following:

- (i) Medway Park Drive (from Tokala Trail to west limit of plan) – north boulevard
- (ii) Silverfox Drive – east and south boulevard

**Pedestrian Walkways**

City of London standard 3.0m wide pedestrian walkways shall be constructed on Blocks 114 and 115 of this Plan.



File Number: 39T-05512

**SCHEDULE "D"**

This is Schedule "D" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014, between The Corporation of the City of London and Landea Developments Inc. and Landea North Developments Inc. to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external lands as prescribed herein. Furthermore, within thirty (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 116 and 117
Road Widening (Dedicated on face of plan):	NIL
Walkways:	Blocks 114 and 115
5% Parkland Dedication:	Block 113 and cash in lieu for lots 1 to 77
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

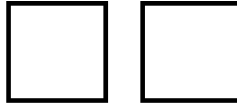
**LANDS TO BE SET ASIDE FOR SCHOOL SITE:**

School Site:	NIL
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**LANDS TO BE HELD IN TRUST BY THE CITY:**

Temporary access:	NIL
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File Number: 39T-05512

**SCHEDULE “E”**

This is Schedule “E” to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014, between The Corporation of the City of London and Landea Developments Inc. and Landea North Developments 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:	\$ 509,734
BALANCE PORTION:	<u>\$2,888,493</u>
TOTAL SECURITY REQUIRED	\$3,398,228

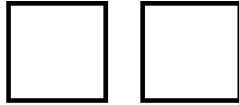
The Cash Portion shall be deposited with the City Treasurer prior to the execution of this agreement.

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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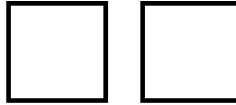
**SCHEDULE "F"**

This is Schedule "F" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014, between The Corporation of the City of London and Landea Developments Inc. and Landea North Developments Inc. to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external 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) Over Block 112 for future sanitary servicing and access



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## Schedule "B"

### Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs	Estimated Cost (excludes HST)
Claims for developer led construction from CSRF	
- Watermain - internal oversizing subsidy (DC14-WD01001)	\$48,120
- Parks - Raised pathway (DC14-PR00072)	\$28,870
- Parks - Raised pathway engineering (DC14-PR00072)	\$5,940
- Engineering for Fox Hollow Trunk Sanitary (ES5238-16)	\$15,425
<b>Total</b>	<b>\$98,355</b>
Estimated Total DC Revenues (2017 Rates)	Estimated Revenue
CSRF	\$3,058,303
UWRF	\$274,862
<b>TOTAL</b>	<b>\$3,333,165</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 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 construction work above has been outlined and reviewed as part of the work plan approval process for DC eligible works.
- 5 Oversizing costs identified are based on estimates developed through detailed design.

Reviewed by:

June 7/2017

Date

  
 \_\_\_\_\_  
 Matt Feldberg  
 Manager, Development Finance