



File Number: 39T-05512
A. MacLean

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON May 28, 2012
FROM:	GEORGE KOTSIFAS DIRECTOR OF DEVELOPMENT AND COMPLIANCE DIVISION AND CHIEF BUILDING OFFICIAL
SUBJECT	SPECIAL PROVISIONS LANDEA DEVELOPMENTS INC. LANDEA SUBDIVISION 39T-05512

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, 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 Fanshawe Park Road West, between Wonderland Road North and Hyde Park Road, municipally known as 995 Fanshawe Park Road West.

- (a) the attached Special Provisions, (Schedule "D"), to be contained in a Subdivision Agreement between The Corporation of the City of London and Landea Developments Inc. the Landea Subdivision (39T-05512) **BE APPROVED**;
- (b) the applicant **BE ADVISED** that the Director of Development Finance has summarized the claims and reviews to be as per Schedule "A", attached hereto, and
- (c) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

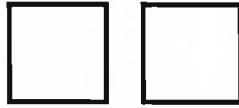
BACKGROUND

This application for Draft Plan of Subdivision Approval was accepted on August 10, 2005. After a number of modified versions of the plan, it was circulated to the required agencies and municipal departments on February 22, 2008 and advertised in the London Free Press Civic Corner on February 23, 2008. A notice of Public Meeting was advertised in the London Free Press on July 4, 2009, and a notice of Public Meeting was sent out on July 10, 2009. The Public Meeting was held on July 20, 2009. The draft plan was approved by City of London Approval Authority on October 14, 2009.

This first phase of this consists of 48 single family detached Lots and 1 multi-family medium density block, served by the extension of Tokala Trail and 3 new streets, Aldersbrook Gate, Brown Drive and Waterloo Drive.




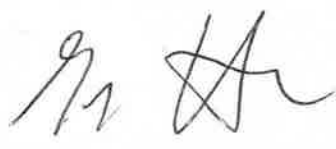
The Development Services Division has reviewed these special provisions with the Owner who is in agreement with them.

This report is being recommended by Allister MacLean, Senior Planner and has been prepared in consultation with the City's Solicitors Office.

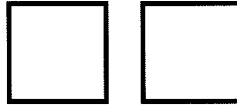


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A copy of the location plan is attached as Schedule "C" for the information of the Committee.

PREPARED BY:	RECOMMENDED BY:
	
F. GERRITS SUBDIVISION AND CONDOMINIUM DOCUMENTATION COORDINATOR DEVELOPMENT SERVICES DIVISION	A. MACLEAN SENIOR PLANNER DEVELOPMENT SERVICES
REVIEWED BY:	SUBMITTED BY:
	
B. HENRY MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES	G. KOTSIFAS, P.ENG. DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL

AM/fg
Attach.
May 17, 2012



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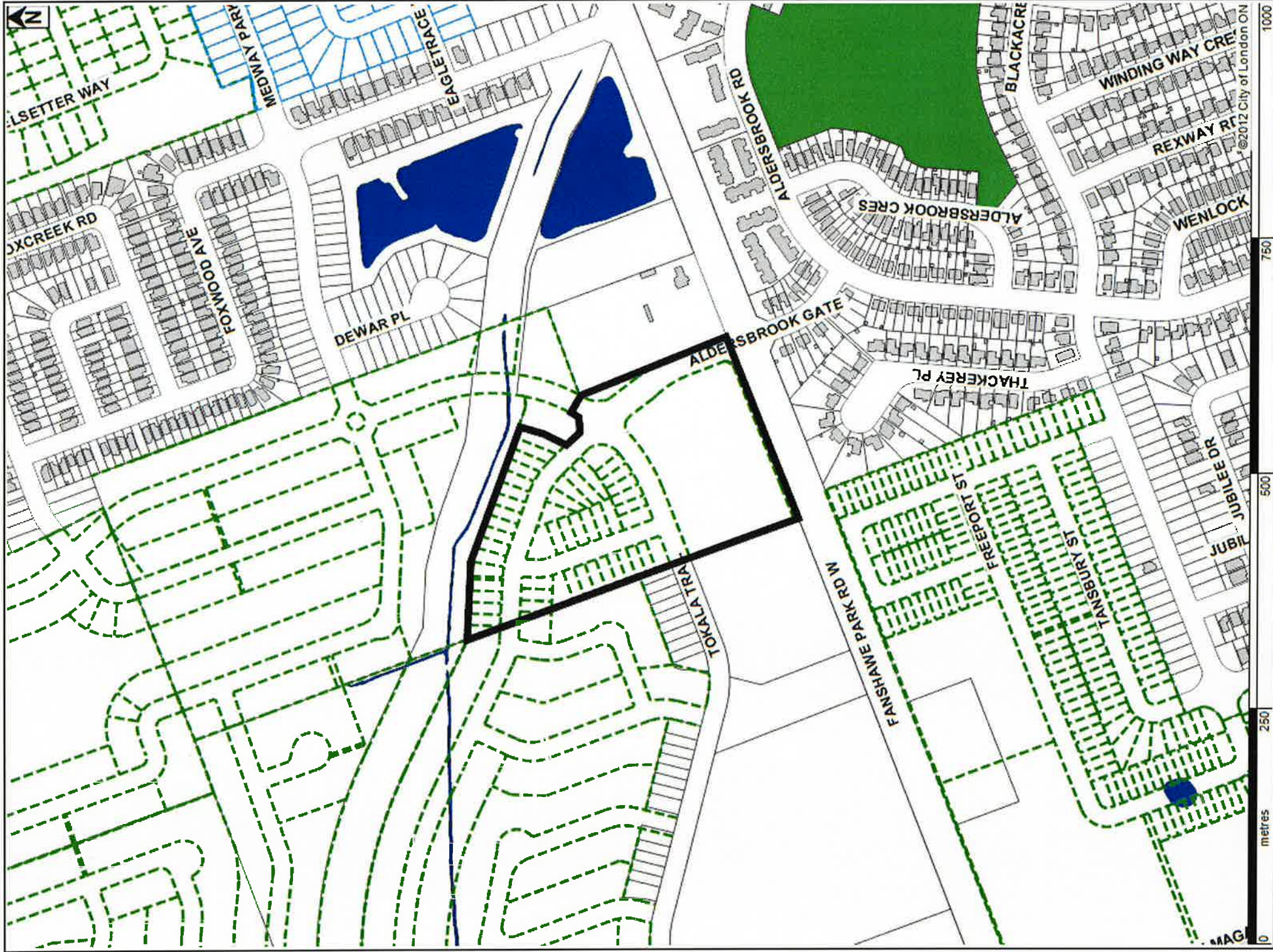
Schedule A

Related Estimated Costs and Revenues

Estimated Costs – This Agreement – Developer Built	
Urban Works Reserve Fund – Traffic signals	\$28,590.07
- Storm sewer subsidy	\$259,900.00
- Pavement widening	\$ 10,000.00
Urban Works Reserve Fund – Stormwater Management	Nil
Capital Expense	Nil
Other	Nil
Total	\$298,490.07
Estimated Revenues This Agreement	
CSRF	\$1,292,280
UWRF	\$ 520,616
Total	\$1,812,896

NOTE:

1. Estimated revenues are calculated using current rates for engineering services and the information is reported all in accordance with the Development Charges By-law (ie C.P.-1473-212), and any amendments thereto.
2. Estimated claims are based on information provided by the applicant. Actual claims will be determined in conjunction with the subdivision agreement and the applicable by-law.
3. The Owner should take note that there are currently significant delays in payment of claims from the Urban Works Reserve Fund.








LOCATION MAP

Subject Site: Landea Developments Inc. - Plan of Subdivision
 Applicant: Landea Developments Inc.
 File Number: 39T-05512 - Phase I
 Planner: Allister MacLean
 Created By: Allister MacLean
 Date: 2012-02-17
 Scale: 1:5000

Corporation of the City of London
 Prepared By: Planning, Environmental

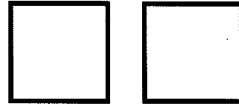
LEGEND

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



0 250 500 750 1000 metres

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Schedule C

28 PART II – SPECIAL PROVISIONS

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

- a) The Owner shall undertake the work at the Owner's entire expense as a capital cost incurred on behalf of the City and as authorized by the City subject to a claim under this section.

If the Owner alleges an entitlement to any reimbursement or payment from the Urban Works Reserve Fund (the "Fund") either as a result of the terms hereof or pursuant to the requirements of City of London By-law C.P.-1473-212 as amended (the "Development Charges By-law"), the Owner may, upon receipt of a Certificate of Conditional Approval pursuant to Clause 9 of the general provisions hereof, make application to the said Fund for payment of the sum alleged to be owing, and as confirmed by the City Engineer and the payment will be made pursuant to the by-law and any policy established by Council to govern the administration of the said Fund.

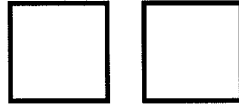
It is further understood by the Owner that no words or phrases used in this Agreement relating to the calculation of any credits due the Owner or entitlements from the Fund or elsewhere shall be interpreted as an obligation or promise on the part of the City to pay from the said Fund except in conformity with the By-law and policies governing the administration thereof as provided in this clause above and no payment shall be made except from the said Fund and only after appropriate application is made as herein set out.

The City may plead this Agreement as an estoppel against any application or action whatsoever to challenge the validity of this Agreement, the Development Charges By-law or the Fund. In addition, the Owner agrees that in the event that the Fund does not have sufficient funds to pay the Owner's claim by reason of an order or judgement of a Court of Law or, that the Development Charges By-law is void or invalid for any reason, the Owner will not seek further or other reimbursement from the City.

If the Owner undertakes work subject to a claim under this section it shall not seek a credit under Section 38 of the *Development Charges Act* and this clause may be pleaded in any complaint, action, application or appeal to any court or tribunal in which the Owner who is entitled to make a claim against the Fund seeks a credit under Section 38.

The anticipated claims against the Fund are:

- (i) for the construction of eligible storm sewers in conjunction with the Plan, subsidized at an estimated claim valued at \$259,900;
- (ii) for the installation of traffic signals at the intersection of Aldersbrook Gate and Fanshawe Park Road West, as constructed by the City and invoiced to the Owner, the estimated cost of which is \$28,590.07;
- (iii) for the construction of pavement widening on Aldersbrook Gate at Fanshawe Park Road West 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 \$10,000 (**FROM CLAYBAR AGREEMENT**). 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;



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

The Owner's claim against the Fund for the cost of the road and sewer works described in conditions 28(a)(i) through 28(a)(iii), both inclusive, above, shall be subject to the following:

- (1) If the actual total claim for the said road and sewer works exceeds \$1,000,000 then the payment to the Owner from the Fund is to be made in two or more instalments, no instalment shall exceed \$1,000,000;
- (2) If the total derived by adding the amount of any instalment due to be paid to the aggregate of all preceding paid instalments exceeds \$1,000,000 the City may postpone payment from the Fund of the instalment due to be paid until after the elapse of a twelve month period from the payment date of the immediately preceding paid instalment (notwithstanding that the balance in the Fund at any relevant time in the twelve month period following the immediately preceding paid instalment may be sufficient to make payment to the Owner of the instalment due to be paid); and
- (3) The time of receipt by the City of the Owner's application for payment of the instalment due to be paid mentioned in Condition 28(b)(2) above shall be deemed to be on the first anniversary date of the payment of the immediately preceding paid instalment, in place of the earlier time when the application was actually received by the City.

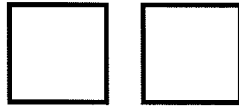
All claimable works shall be identified as separate tender schedules listing items, quantities, plan locations of quantities (chainage "from Station to Station"), and unit costs within larger construction contracts.

- b) Prior to assumption of this Subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the City Treasurer the following amounts as set out or as calculated by the City, or portions thereof as the City may from time to time determine:
 - (i) For the removal of the temporary turning circle on Waterlooak Drive, west limit, inside this Plan, and amount of \$ 20,000.

The Owner shall construct a temporary turning circle at the west limit of Waterlooak Drive, if there is not a constructed and fully serviced road (Wateroak Drive) in Draft Plan 39T-04503. In the event that Waterlooak Drive in Draft Plan 39T-04503, west of this Plan, is constructed as a fully serviced road by the developer of 39T-04503 at the time of construction of Waterlooak Drive in this Plan, then the Owner shall be relieved of this obligation.

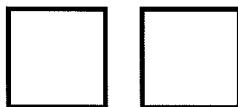
If the Owner requests the City to assume Waterlooak Drive, all as shown on this Plan of Subdivision, prior to its extension to the west, the Owner shall pay to the City at the time of the assumption of this Subdivision, the amount estimated by the City's Environmental & Engineering Services Department at the time, to be the cost of removing the temporary turning circle at the west limit of Waterlooak Drive and completing the curb and gutter, asphalt pavement, Granular 'A', Granular 'B', sodding of the boulevard, 1.5 metre (5 foot) concrete sidewalks on the north and south sides, and restoring adjacent lands, including the relocation of any driveways, all to the specifications of the City. The estimated cost, including legal fees for releasing easements and/or transferring blocks, and doing the above-noted work on this street is \$20,000 for which amount sufficient security is to be provided in accordance with 28(a). Prior to the assumption of the subdivision, the Owner shall provide the cash to the City, if required and at the request City.

When the lands abutting this Plan develop and the temporary turning circle is removed, the City will quit claim the easements which were used for temporary turning circle purposes, at no cost to the City.



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- c) For any works where the Owner undertakes works at their entire expense as a capital cost incurred on behalf of the City and as authorized by the City subject to a claim and the claim is made from the Urban Works Reserve Fund, the City Services Reserve Fund or the Capital Works Budget, the Owner must conform with the By-law and policies governing the administration thereof as included in the requirement of City of London By-law C.P.-1473-212 as amended (the "Development Charges By-law"). For any claim from any fund, the Owner must comply with the rules of eligibility applied under Schedule 7 of the above by-law including requirements for tendering and completeness of claims.
- d) In the event that the Owner undertakes relotting, the Owner shall relocate all utilities, municipal services and private services as are necessary for the relotted Blocks in this Plan to the specifications of the City, and at the Owner's entire expense. The City may require additional inspections by the Owner's professional engineer and the City of relocated utilities, municipal services and private services, including video inspections and ball tests of sewers, as a result of the relotting of blocks in this Plan prior to the issuance of a Certificate of Conditional Approval for works serving the relotted blocks. Should the amount of security held by the City at the time the Blocks in this Plan are to be relotted be insufficient to cover the cost of relocation of utilities, municipal services, private services and associated works for the said relotting, then prior to the issuance of the Certificate of Conditional Approval for works serving the said relotting, the Owner shall deposit an additional amount of security with the City for the said works as determined by the City in accordance with the City's security requirements.
- e) The Owner shall grade the portions of Block 52, of this Plan, which has a common property line with Fanshawe Park Road West, to blend with the existing road grades on Fanshawe Park Road West, 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 the elevations along the common property line which will blend with the existing centreline of road grades, and show these elevations on the subdivision Lot Grading Plans, submitted for acceptance by the City.
- f) The Owner shall adhere to the geotechnical engineer's recommendation under the full time supervision of a geotechnical engineer with respect to the placement of engineering fill and the construction of utilities, roadways, driveways and buildings on areas within this Plan as identified by the geotechnical engineer (the "Affected Lands") to ensure the satisfactory construction thereof. The Owner shall provide a geotechnical engineer's certification to the City upon completion of the removal and/or filling that the works were carried out in accordance with the geotechnical engineer's recommendations.
- Prior to the issuance of a Certificate of Conditional Approval, the Owner shall identify to the City the Lots and Blocks within the Affected Lands and shall ensure that the specific requirements have been established by a geotechnical engineer for each Lot and Block within the Affected Lands in order to protect the proposed buildings on the said Lots and Blocks from settlement and other harmful effects.
- The Owner shall register against the title of each Lot and Block within the Affected Lands, and shall include in the agreement of purchase and sale and in the transfer or deed of each Lot and Block with the Affected Lands, a covenant by the purchase or transferee stating that the purchaser or transferee of the Lot or Block within the Affected Lands must adhere to the recommendations of the geotechnical engineer, and shall deliver a certificate of a geotechnical engineer to the City's Director of Building Control upon completion of the foundation on the Lot or Block within the Affected Lands that the building construction was completed in accordance with the Owner's geotechnical engineer's recommendations.



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- g) 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 Aldersbrook Gate via Fanshawe Park Road West, or as otherwise directed by the City.
- h) The Owner shall construct or install all of the following required works to the specifications of the City Engineer 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 33M-623, including all underground services and related works;
 - (ii) a fully serviced road connection where Aldersbrook Gate in this Plan joins with Fanshawe Park Road West, including all underground services and related works;

The Owner shall complete all work on the said street(s) in accordance with current City standards, procedures and policies, and restore the road(s), and ensure that adequate precautions are taken to maintain vehicular and pedestrian traffic and existing water and sewer services at all times during construction, except as approved otherwise by the City. The Owner shall provide full-time supervision by its professional engineer for all works to be constructed on Tokala Trail in plan 33M-623 and Fanshawe Park Road West 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.

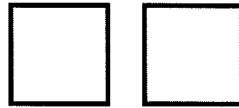
The Owner shall complete the works specified above on a schedule acceptable to the City or as otherwise specified herein. Where the Owner is required to close any City of London road section the Owner shall have available for submission to the City a Traffic Protection Plan acceptable to the City (or 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's Environmental & Engineering Services Department prior to commencing any construction on City land or right-of-way.

Where required by the City, 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 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.

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

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

The Owner shall notify the purchasers of all lots abutting the traffic calming circle(s)



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in this Plan that there may be some restrictions for driveway access due to diverter and gateway islands built in conjunction with the traffic calming circle at Tokala Trail and Aldersbrook Gate.

Prior to the issuance of a Certificate of Conditional Approval for that section of road where a traffic calming circle is located, the Owner shall install the traffic calming circle as a traffic control device, including the diverter and gateway islands, or provide temporary measures, to the satisfaction of the City.

- k) The Owner shall construct the watermains to service the Lots and Blocks in this Plan and connect them to the City's existing Hyde Park Pumping Station high level water supply system, being the 300 mm (12 inch) diameter water main on Fanshawe Park Road West and the 300 mm (12 inch) diameter watermain on Tokala Trail, to the specifications of the City Engineer.
- l) Prior to the issuance of any Certificates of Conditional Approval, the Owner shall have its professional engineer address water quality requirements for this Subdivision by implementing any accepted recommendations of the accepted water servicing report, by the use of the following:
- i) design calculations which demonstrate there is adequate water turnover to maintain water quality; and/or
 - ii) the use of valving to shut off future connections which will not be used in the near term; and/or
 - iii) the use of automatic flushing devices to maintain water quality, with it being noted that the water flushed by the device is to be measured (by a water meter in a meter pit) and the cost of water charged to the Owner. Please note that where automatic flushing devices will be used, calculations of the turnover required to maintain chlorine residual are to be provided in order to initialize the settings for the automatic flushing device.

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

- m) Prior to the issuance of any Certificate of Conditional Approval in this Plan, the Owner shall designate to the City which Lots in this Plan the Owner initially wants to remove from the holding provision, up to the maximum number of Lots that may develop without restrictions.

The Owner shall not request the release of any holding provisions on Lot or Blocks in this Plan until the restriction of a looped watermain system has been satisfied, to the satisfaction of the City Engineer.

- n) Sewage treatment capacity at the Adelaide/Greenway Pollution Control Plant is available for this Plan as of April, 2012 and will be reserved by the City for this Plan provided this Plan and this Agreement are registered before April, 2013.

In the event that this Plan and this Agreement are not registered before April, 2013, then the reserved treatment capacity in the Plant may be forfeited in the absolute discretion of the City and in the event of such forfeiture, the Owner shall apply to the City to have sewage treatment capacity allocated to this Plan, if such capacity is available at that time.

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

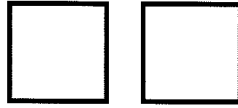
- o) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the City's existing sanitary sewage system being the 200 mm (8 inch) diameter sanitary sewer on Tokala Trail (within this Plan and east of this Plan). The sanitary sewers required in conjunction with this Plan shall be sized to



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accommodate all upstream lands to the specifications of the City and at no cost to the City unless otherwise specified herein.

- p) The Owner shall take measures to control and prevent any inflow and infiltration and silt from entering the sanitary sewer system during the construction and to ensure that the sanitary sewer system is constructed to minimize inflow into the system, all at the Owner's cost. Quality control measures and submission of reports of these quality control measures to the City to confirm that the constructed works meet acceptable inflow and infiltration works will be required. The Owner shall also be required to take measures to prevent inflow and infiltration from entering the sanitary sewer system after construction of the sanitary sewer works, all to the satisfaction of the City and at no cost to the City. These measures shall include the following:
- (i) Installation of a plug in the sanitary sewer system (for this draft plan) at the downstream end of the new sanitary sewers within this Plan. The plug can be removed in conjunction with the first occupancy. This plug may only be removed by the City inspectors or operations. The Owner shall be responsible for the maintenance and cleaning or emptying of the sanitary sewer as required. The sanitary sewer must be clean and dry before the plug will be removed;
 - (ii) Flow monitoring of the sanitary sewer may be required and a record of the flows provided to the City. If the flows are in excess of theoretical flows, the Owner shall be required to pay the City for the excess flow;
 - (iii) Installation of Parson manhole inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer manholes within this draft plan at the time of installation of the manhole as well as in previously approved phases. The Owner shall not remove the inserts until the sodding of the boulevards and the top lift of asphalt is completed;
 - (iv) Testing of the sanitary sewer system before commissioning shall be carried out in accordance with OPSS 410 and the City of London Standard Contract Documents with respect to infiltration testing, exfiltration testing and low pressure air testing;
 - (v) The Owner shall take steps to ensure that during the construction on private property of this phase of subdivision, practices which contravene City of London by-laws and allow stormwater and sediment to enter the sanitary sewer system are prevented;
 - (vi) On demand by the City and within 48 hours thereof, the Owner shall plug any sanitary private drain connections of lots which are vacant or not occupied within this Subdivision in order to prevent practices which contravene City of London by-laws and allow excessive levels of inflow and infiltration and sediment to enter the sanitary sewer system. The restoration of the private drain connection will be at the sole cost of the Owner and may be make only at the time of or immediately prior to the occupancy of that lot; and
 - (vii) The Owner shall take measures during construction to ensure that there is no infiltration or inflow to the sanitary sewer manholes ad undertake leakage testing of the Sanitary Sewer System Manholes shall be carried out in accordance with OPSS 407.
- q) The Owner shall permit the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer. The City may require smoke testing to be undertaken until such time as the sewer is assumed by the City.
- r) 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 825 mm (32 inch) diameter storm sewer



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on Tokala Trail (in this Plan) and the 1800 mm (72") diameter storm sewer located east of Tokala Trail outside this Plan that ultimately outlets to the proposed Fox Hollow Community Stormwater Management Facility # 2.

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

- s) The Owner shall implement and monitor all erosion and sediment control measures, in accordance with the erosion and sediment control report accepted by the City, to be used during construction and implementation of the plan satisfactory to the City. The Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.
- t) The Owner shall provide a security in the amount of \$60,000 for this Plan to ensure that the Erosion and Sediment Control Plan (ESCP) be executed in accordance with the City approval procedure and criteria. In the event of failure to properly implement and maintain the require ESCP, the ESCP security will be used to undertake all necessary clean-up work for the Fox Hollow Community SWM Facility # 2 and the Heard Drain erosion control works, all to the satisfaction of the City.
- u) The Owner shall have its consulting professional engineer supervise the construction of the stormwater servicing works, including any temporary works to the satisfaction of the City and according to the recommendations and requirements of the following:
 - (i) The SWM criteria and environmental targets for the Medway Creek Study;
 - (ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
 - (iii) The accepted Fox Hollow Development Area Municipal Class EA Schedule 'C' for Storm Drainage and Stormwater Management Servicing Works for the Fox Hollow Development Area (October 2006);
 - (iv) The accepted Fox Hollow Development Area Municipal Class EA (Schedule 'C') for Storm/Drainage, Stormwater Management and Sanitary Servicing Works Class EA Addendum (September 2010);
 - (v) The approved Functional Design Report for the Fox Hollow Stormwater Management System;
 - (vi) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
 - (vii) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
 - (viii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements as revised;
 - (ix) The Ministry of the Environment SWM Practices Planning and Design Manual (2003); and
 - (x) Applicable Acts, Policies, Guidelines, Stnadards and Requirements of all required approval agencies.
- v) Prior to the issuance of any Certificate of Conditional Approval for this Subdivision, all relevant storm/drainage and SWM servicing works, including major and minor storm flow routes, for the subject lands must be completed and operational, in accordance with approved design criteria and accepted drawings, all to the specifications and satisfaction of the City.
- w) Prior to the issuance of any Certificate of Conditional Approval for Lots 13 to 29, both inclusive, within this Plan of Subdivision, the relevant SWM Facilities, outlet channel, the Heard Drain erosion control works and all related storm/drainage servicing must be completed and operational in accordance with the approved design criteria and accepted servicing drawings, all to the specifications and satisfaction of the City.
- x) The Owner shall have its professional geotechnical engineer ensure that all geotechnical issues and all required (structural, maintenance and erosion) setbacks related to slope stability are adequately addressed for the subject lands, all to the



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satisfaction and specifications of the City.

- y) Prior to the acceptance of the engineering drawings, the Owner's consulting engineer shall certify that this subdivision has been designed in such a way that increased and accelerated stormwater runoff from this Subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this Subdivision. Notwithstanding any requirements of and any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this Subdivision.
- z) The Owner shall implement SWM Best Management Practices (BMP's) within the plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City.
- aa) The Owner shall ensure that overland flows from this Plan match into the works being completed by the City for the Heard Drain and Fox Hollow Community SWM Facility # 2 to ensure overland flows are directed to the SWM Facility.
- ab) The Owner shall construct a gateway treatment on Aldersbrook Gate from Tokala Trail, 50 metres south with a right of way width of 28.0 metres for a minimum length of 45.0 metres (150') tapered back over a distance of 30 metres to the standard secondary collector road right of way width of not less than 21.5 metres, to the satisfaction of the City.

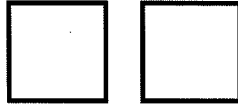
The Owner shall ensure through the design of the gateway that access to the lands adjacent to the gateway will be restricted to right-in and right-out only.
- ac) Prior to the issuance of a Certificate of Conditional Approval, the Owner shall provide adequate temporary measures, if necessary, such as easements, catchbasins, grading, erosion and sediment control measures, etc. to address any grading or drainage issues that may arise along the boundary of this Plan.
- ad) The Owner shall co-ordinate the work associated with this Plan of Subdivision with the City's proposed construction of the Heard Drain adjacent to this Plan. In addition, the Owner shall dedicate temporary easements along the north boundary of this Plan that may be required within this Plan by the City in order for the City to complete the said works on the Heard Drain.
- ae) The Owner shall provide access for maintenance and operation of the trunk sanitary sewer, including working easements within the road corridor or within the Heard Drain corridor, to the satisfaction of the City.
- af) The Owner shall provide the City with a temporary working easement for construction purposes of approximately 18 metres on each side of the corridor (in addition to the dedicated 53 m corridor) to allow the City to undertake excavation and disposal and grading necessary to match grades at the boundary of the Heard Drain corridor. All work must be to the satisfaction of the City and in accordance with the accepted Functional Design of the Foxhollow Storm Drainage and Stormwater Management work.
- ag) The Owner shall provide all appropriate land dedication areas, working and access easements adequate for the construction of the Heard Drain Corridor and the trunk sanitary sewer within and/or adjacent to this corridor as identified in the Fox Hollow Municipal Class EA Study Stormwater Management EA and subsequently, the relocation of a portion of the Heard Drain and the proposed utility corridor recommended by Stantec in "Realignment class EA Implications Report" and will be confirmed by the accepted Fox Hollow Functional and Detailed Design and all to the specifications and to the satisfaction of the City.



File Number: 39T-05512
A. MacLean

- ah) The Owner shall not develop Blocks 50, 51 and 53 except in conjunction with adjacent lands to the east and west.
- ai) The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.
- aj) Prior to Site Plan Approval for Block 52, of this Plan, the Owner shall remove all existing accesses to Fanshawe Park Road West and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
- ak) Should the external lands abutting the east boundary of this Plan be redeveloped to allow for the completion of Aldersbrook Gate prior to the assumption of this Plan, the Owner shall complete the east boulevard of Aldersbrook Gate to City standards for its entire length including but not limited to grading, sidewalks, servicing and street lighting to the specifications of and at no cost to the City. Should the external lands abutting the east boundary of this Plan not be redeveloped to allow for the completion of Aldersbrook Gate prior to the assumption of this Plan, the Owner shall pay an amount to the City for the cost of completing the east boulevard to City standards for the entire length of Aldersbrook Gate including but not limited to grading, sidewalks, servicing and street lighting to the specifications of City.
- al) In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
- am) Within one (1) year of registration of this Plan, the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current city park standards (SPO 4.8) or approved alternate, along the property limit interface of Block 51 and Lots 13 to 29, both inclusive adjacent to existing and/or future Open Space Blocks, to the satisfaction of the City, and at no cost to the City.
- an) Within one (1) year of the registration of this Plan, the Owner shall construct a chain link fence, on Lots 16 and 17 of this Plan, without gates, adjacent to the walkway, Block 60 of this Plan, in accordance with City Standard No. SR-7.0, all to the satisfaction of the City, and at no cost to the City.
- ao) Within one (1) year of registration of this Plan, the Owner shall monument all Lots and Blocks abutting Open Space blocks used primarily for stormwater management facilities and or conveyance systems, as per City standards and to the satisfaction of the City.

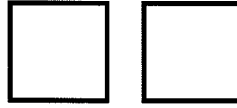
Should the homeowner wish to construct a fence at the interface with the Open Space SWM blocks, fencing shall be limited to black 1.5 meter high chain link fencing, without gates, in accordance with current city park standards (SPO 4.8), all to the satisfaction of and at no cost to the City.
- ap) Within one (1) year of registration of this 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 Manager of Parks Planning and Design.
- aq) 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 of Development Planning.



File Number: 39T-05512
A. MacLean

- ar) For residential Blocks proposed for street townhouse dwellings, the Owner shall as part of the registration of this 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.
- as) Prior to the commencement of any soil disturbance within the regulated area under the jurisdiction of the UTRCA, the Owner shall obtain all necessary permits from the UTRCA.
- at) The Owner shall register on title and include in all Agreements of Purchase and Sale the requirement that the home to be designed and constructed on Lot 1 abutting Tokala Trail, is required to have a side entry garage, with driveway access from the local street, a main entry of the home which fronts the Tokala Trail and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting Tokala Trail.

Prior to any submission of an application for a building permit for Lot 1 in this Plan, the owner shall obtain approval of their proposed design from the Director of Building Controls.



File Number: 39T-05512
A. MacLean

SCHEDULE 'C'

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

SPECIAL WORKS AND SERVICES

Roadways

- 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').
- Waterloo Drive, north west of Tokala Trail 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').
- Brown Drive shall have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62')
- Aldersbrook Gate, from Fanshawe Park Road West to 45 metres north of Fanshawe Park Road West shall have a minimum road pavement width (excluding gutters) of 11.0 metres (36.1') with a minimum road allowance of 22.5 metres (75'). The widened road on Aldersbrook Gate shall be equally aligned from the centreline of the road and tapered back to the 9.5 metre road pavement width (excluding gutters) and 21.5 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:

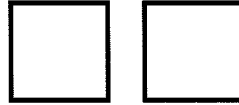
- i) Tokala Trail;
- ii) Aldersbrook Gate from Fanshawe Park Road West to Tokala Trail; and
- iii) Waterloo Drive from Tokala Trail to the northwest limit of this Plan.

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

- (i) Brown Drive – east boulevard

Pedestrian Walkways

City of London standard 3.0m wide pedestrian walkways shall be constructed on Block 58 of this Plan.



File Number: 39T-05512
A. MacLean

SCHEDULE 'D'

This is Schedule 'D' to the Subdivision Agreement dated this _____ day of _____, 2012, between the Corporation of the City of London and Landea 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 55, 56 and 57 and others as redlined
Road Widening (Dedicated on the face of the plan):	Block 54
Walkways:	Block 58
5% Parkland Dedication:	Cash-in-lieu in accordance with City Parkland By-Law CP-9
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 to lands north of this Plan:	Nil
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File Number: 39T-05512
A. MacLean

SCHEDULE 'E'

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

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

CASH PORTION:	\$ 244,145 **
BOND PORTION:	\$1,145,341
TOTAL	\$1,389,486

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

CASH PORTION:	\$ 244,145 **
BOND PORTION:	NIL

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

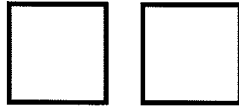
CASH PORTION:	NIL
BOND PORTION:	\$1,145,341

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

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

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

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



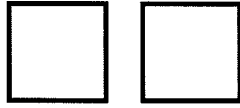
File Number: 39T-05512
A. MacLean

SCHEDULE 'F'

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

Multi-Purpose Easements

Temporary turning circle easements shall be deeded to the City in conjunction with this Plan over parts of Lots 12, 13, 14 and 15 and Blocks 49 and 50 within this Plan.



File Number: 39T-05512
A. MacLean

APPROVED UNDER SECTION 51 OF THE PLANNING ACT THIS DAY OF _____, 20____.

PLAN 33M--

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF MIDDLESEX AT _____ O'CLOCK ON THE _____ DAY OF _____, 20____ AND ENTERED IN THE PARCEL REGISTER FOR P.L.N. _____ AND THE REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. _____

DER. LAND REGISTRAR

THIS PLAN IS COMPRISED OF PART OF P.L.N. 08138-0754(LT) LOTS 1 to 48, BLOCKS 46 to 58, STREET 'A', 'B' and 'C' ARE SUBJECT TO E9884974

PLAN OF SUBDIVISION
OF PART OF
LOT 22, CONCESSION 5
(GEOGRAPHIC TOWNSHIP OF LONDON)
IN THE
CITY OF LONDON
COUNTY OF MIDDLESEX
SCALE 1:750 (METRIC)

(SCALE IN METRES)

JEREMY C.E. MATTHEWS
ONTARIO LAND SURVEYOR

LEGEND:

BEARINGS ARE U.T.M. GRID DERIVED FROM SPECIFIED CONTROL POINTS 028941015 AND 028941016, UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999585007.

SPECIFIED CONTROL POINTS (SCP'S) AND OBSERVED REFERENCE POINTS (ORP'S):
UTM ZONE 17, NAD83 (ORIGINAL)
COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.R.E.D. 216/10

POINT ID	NORTHING	EASTING
SCP 028941015	4,762,454.35	473,513.25
SCP 028941016	4,762,024.25	473,467.47
ORP A	4,762,485.98	473,567.23
ORP B	4,762,653.68	473,506.23

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

SYMBOL	DESCRIPTION
□	DENOTES SURVEY MONUMENT SET
■	DENOTES SURVEY MONUMENT FOUND
▣	DENOTES STANDARD IRON BAR
⊕	DENOTES IRON BAIL
⊗	DENOTES CUTE CROSS
W	DENOTES WITNESS
M	DENOTES MEASURED
S	DENOTES SET
N/T	DENOTES NON TANGENTIAL
S/T	DENOTES SUBJECT TO
FBAL	DENOTES REVENUE
CD	DENOTES CALLON, DIETZ, O.L.S.'s
MTO	DENOTES MINISTRY OF TRANSPORTATION OF ONTARIO
P1	DENOTES PLAN 33M-17911
P2	DENOTES PLAN 33M-18005
P3	DENOTES PLAN 33M-623

MONUMENT NOTE:
ALL SET MONUMENTS SHOWN HEREON ARE IRON BARS (IB'S) UNLESS OTHERWISE NOTED.

OWNER'S CERTIFICATE:
THIS IS TO CERTIFY THAT:
1) LOTS 1 to 48, BOTH INCLUSIVE, BLOCKS 46, 50, 51, 52 AND 53, THE STREETS NAMELY STREET 'A', STREET 'B' AND STREET 'C', THE STREET WIDENING, NAMELY BLOCK 54, THE RESERVES, NAMELY BLOCKS 55, 56 AND 57 THE WALKWAYS, NAMELY BLOCK 58 HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.

2) THE STREETS AND STREET WIDENINGS ARE HEREBY DEDICATED TO THE CORPORATION OF THE CITY OF LONDON AS PUBLIC HIGHWAYS.

LONDA DEVELOPMENTS INC.

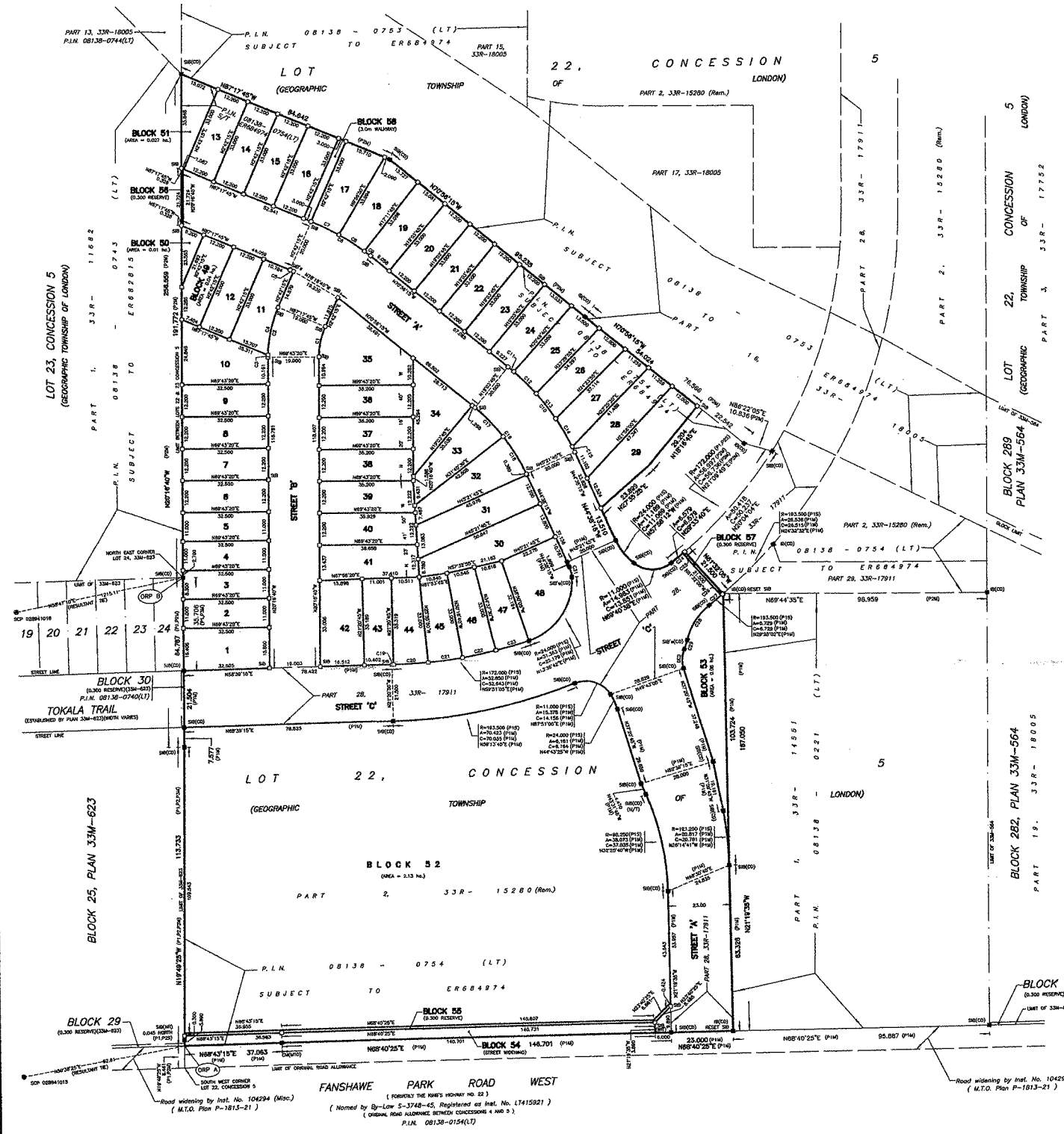
LONDON, ONTARIO VITO FRMA
I HAVE THE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE:
I CERTIFY THAT:
(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
(2) THE SURVEY WAS COMPLETED ON THE _____

LONDON, ONTARIO JEREMY C.E. MATTHEWS
ONTARIO LAND SURVEYOR

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Callon + Dietz
INCORPORATED
ONTARIO LAND SURVEYORS
LONDON, ONTARIO
T: (519) 673-0220 F: (519) 673-5052 www.callondietz.com
SURVEY BY: _____ DRAWN BY: H.R.D. FILE NO: 11-18014 PLAN NO: X-1578



CURVE TABLE

CURVE NO.	RADIUS	ARC	CHORD	BEARING
C1	28.900	11.833	11.754	N84°47'12"W
C2	48.500	19.454	19.374	N84°47'12"W
C3	48.500	0.898	0.898	N124°45'22"W
C4	48.500	18.556	18.443	N84°15'24"W
C5	70.500	1.416	1.416	N84°47'12"W
C6	99.500	25.837	25.750	N72°07'09"W
C7	99.500	11.441	11.434	N83°40'26"W
C8	99.500	11.449	11.441	N72°28'41"W
C9	99.500	2.947	2.947	N72°12'21"W
C10	99.500	41.942	41.178	N57°47'16"W
C11	99.500	2.788	2.788	N70°02'19"W
C12	99.500	13.921	13.921	N82°04'43"W
C13	99.500	12.128	12.119	N57°46'51"W
C14	99.500	12.362	12.372	N50°01'20"W
C15	99.500	2.315	2.315	N82°21'24"W
C16	70.500	32.382	32.078	N57°47'16"W
C17	70.500	15.829	15.489	N64°27'54"W
C18	70.500	16.942	16.901	N51°28'03"W
C19	172.000	0.599	0.599	N68°33'12"E
C20	172.000	13.183	13.180	N68°15'44"E
C21	172.000	13.051	13.048	N64°34'42"E
C22	172.000	13.051	13.048	N57°32'24"E
C23	172.000	12.988	12.983	N53°12'42"E
C24	172.000	8.278	8.274	N62°06'12"E
C25	172.000	0.300	0.300	N26°30'54"E
C26	183.500	0.300	0.300	N28°36'54"E
C27	183.500	6.429	6.429	N62°30'31"E
C28	24.000	15.313	15.023	N11°38'07"E
C29	23.000	3.743	3.738	N67°37'59"W
C30	11.000	7.528	7.382	N17°44'22"W
C31	11.000	3.898	3.874	N34°15'53"W
C32	11.000	3.898	3.874	N34°15'53"W



1006610