

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Application By: Whiterock Village Inc.
3087 White Oak Road
Whiterock Subdivision - Special Provisions

Meeting on: August 10, 2020

Recommendation

That, on the recommendation of the Director, Development Planning, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Whiterock Village Inc. for the subdivision of land legally described as Adams St PL 643 London; Reserve PL 643 London; PT LT 31 CON 2 London; PT LT 5 PL 643 London; PT Reserve B PL 643 London PT 1, 2, 3, 4, 5, 6, 7, 33R3762; situated on the west side of White Oaks Road and South of Southdale Road, known municipally as 3087 White Oak Road

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Whiterock Village Inc. for the Whiterock Subdivision, (39T-18505) attached as Appendix "A", **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix "B";
- (c) the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached as Appendix "C";
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Analysis

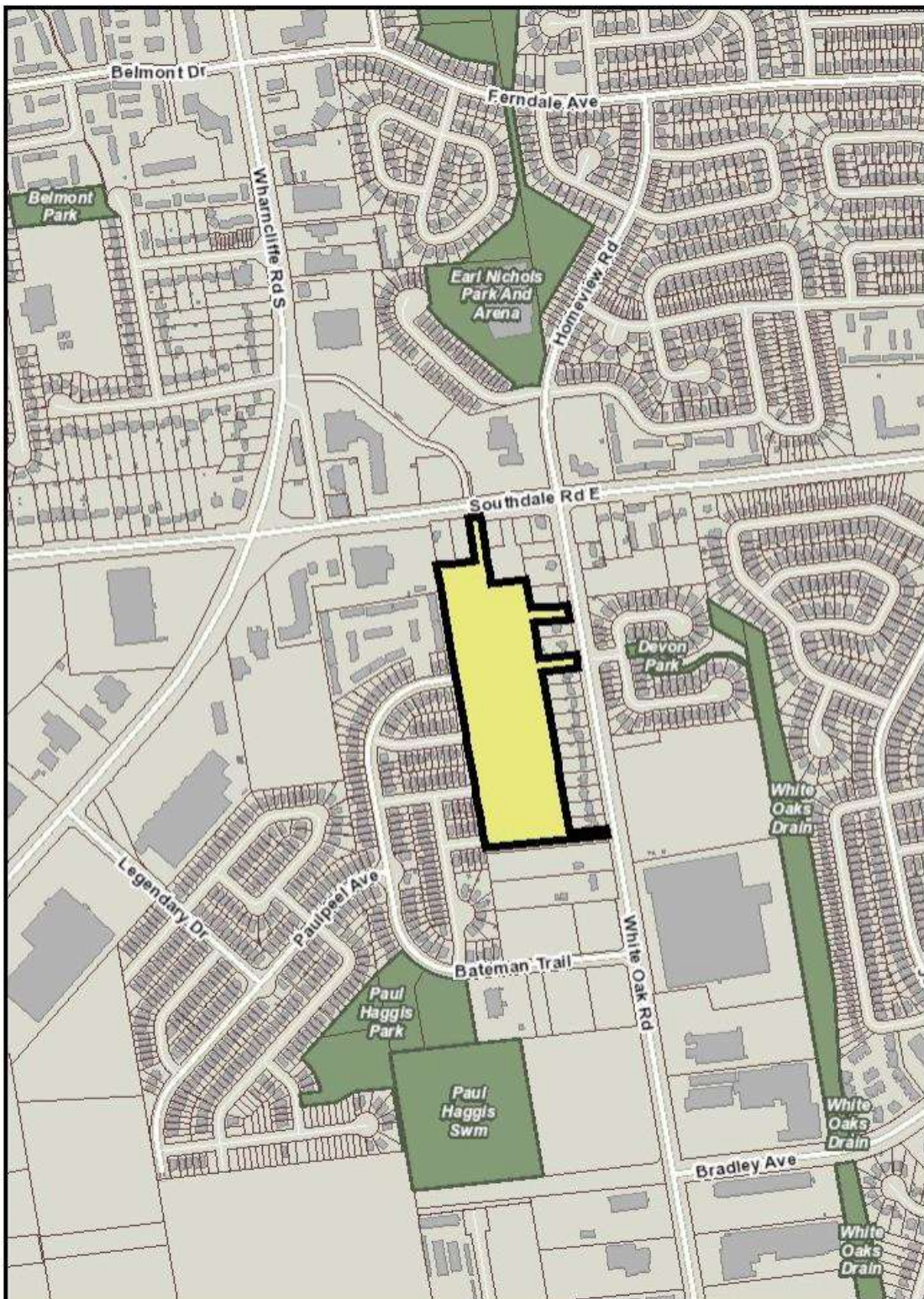
1.0 Site at a Glance

The subject site has a total area of approximately 6.41ha and is currently vacant with some existing vegetation consisting of trees, shrubs and grasses. Previously, the lands were used passively for agricultural and pastoral activities. The site has frontage on Southdale Road West and White Oak Road, though the majority of land is located in the interior of the established built areas fronting these two roads.

There is an established low density residential neighbourhood located to the west which was created through subdivision plans 33M-542, and 33M-576 in 2006 and 2007 respectively, as well as a medium density cluster townhouse block to the northwest of the site. The commercial corridor of Southdale Road is located to the north, consisting of vehicle sales and service establishments, restaurants and retail uses. A series of streets associated with the Copperfield subdivision currently terminate on the west side of the plan area. Temporary street connections in the north-south direction are located between Biddulph Street to the north portion of Bateman Trail.

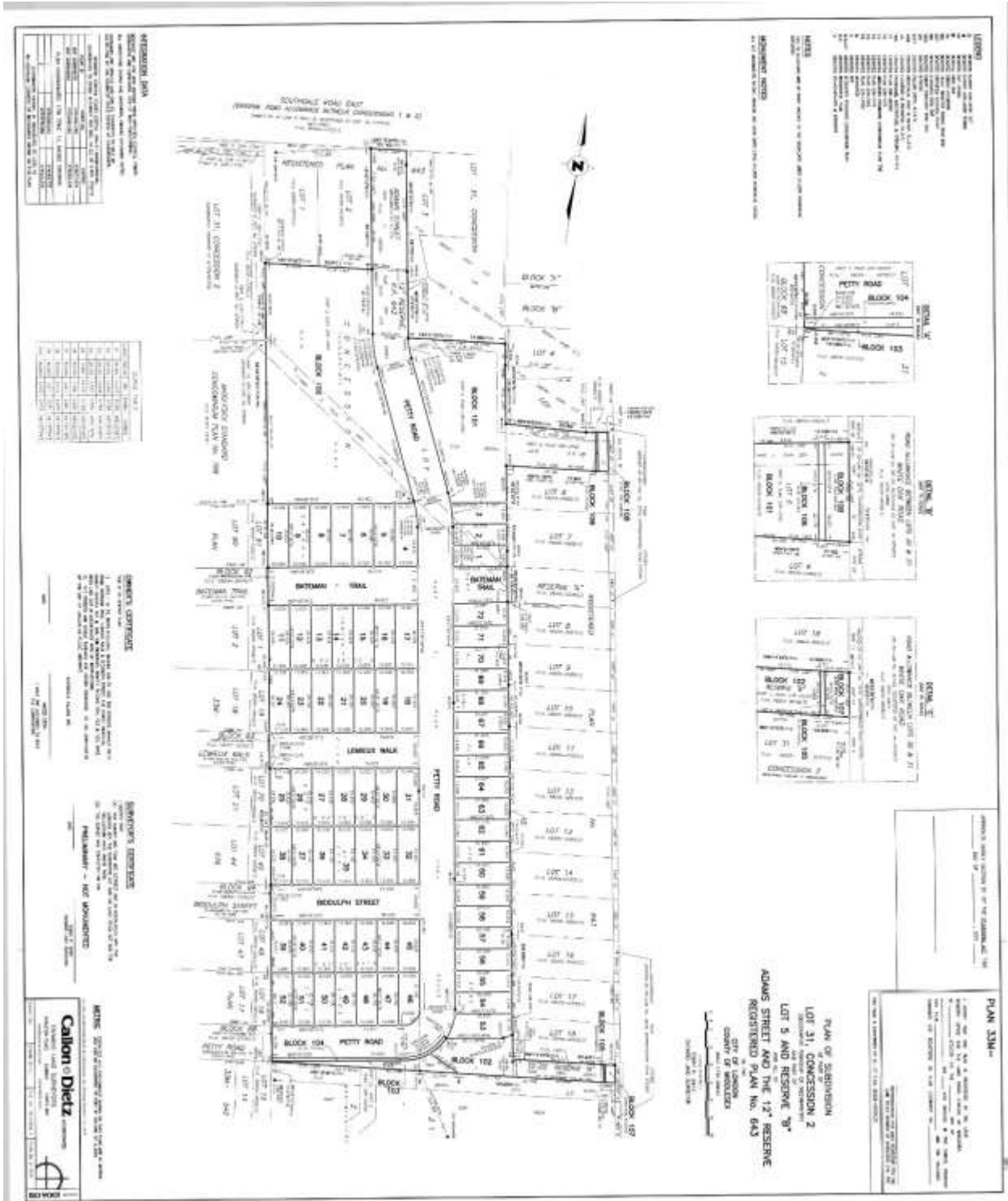
To the east, there are existing single detached dwellings constructed in the 1950's along White Oak Road and a newer residential subdivision, 33M-604 registered in 2008 located on the east side of White Oak Road at Devon Road. A range of commercial and industrial uses are located to the southeast further along White Oak Road, including a class III industry use that specializes in paint and solvent recycling. Remnant residential, vacant commercial lands, park and stormwater management facilities are all located to the south of the site.

1.2 Location Map Whiterock Subdivision

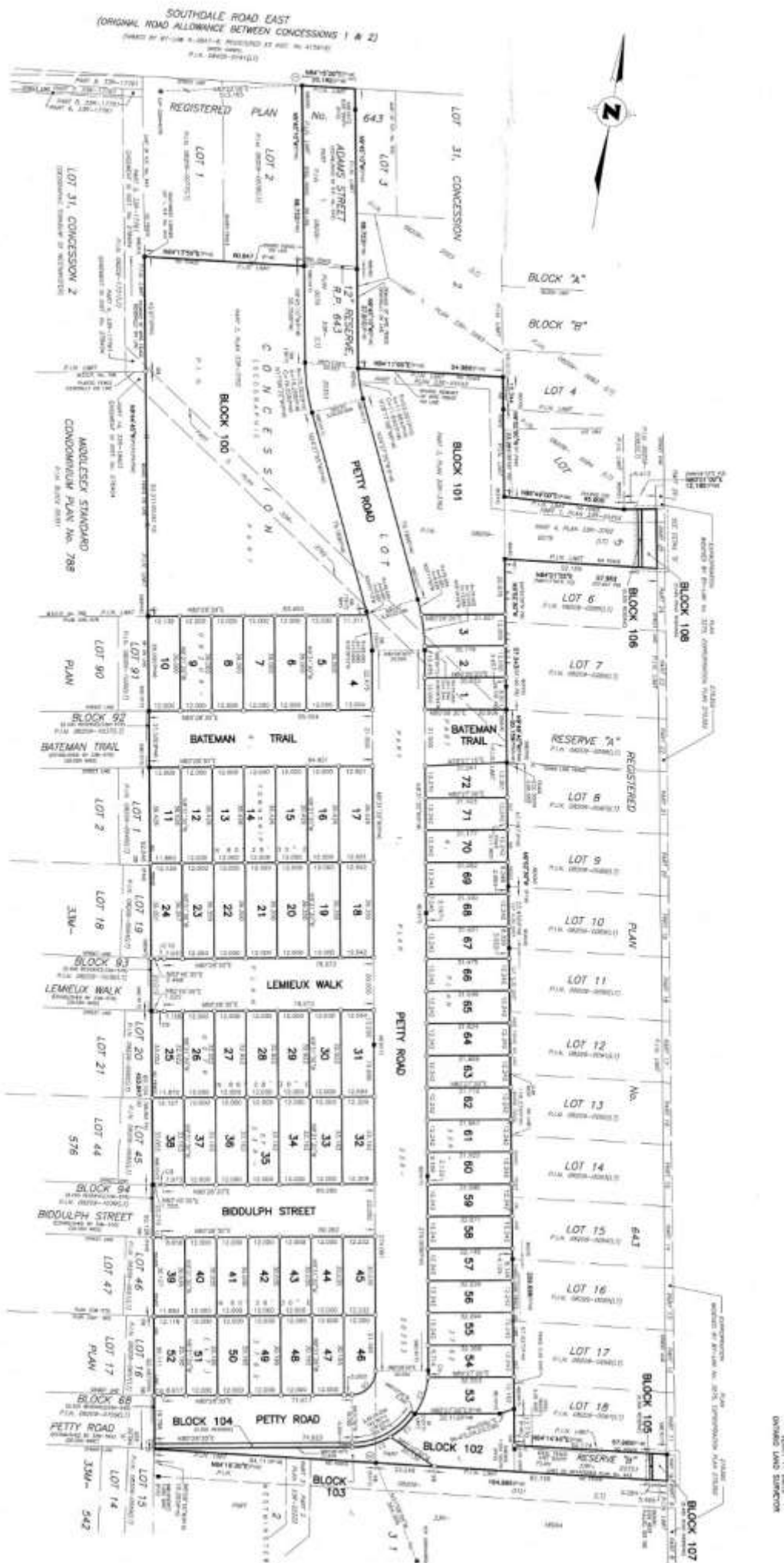


Location Map		Legend	
Subject Property:	3087 White Oak Road		Subject Property
Applicant:	Whiterock Village Inc.		Parks
File Number:	39T-18505		Assessment Parcels
Created By:	Sonia Wise		Buildings
Date:	12/13/2018		Address Numbers
Scale:	1:8000		
Corporation of the City of London			

1.3 Whiterock Subdivision Plan



1.4 Whiterock Subdivision Plan (cropped version)



2.0 Description of Proposal

2.1 Development Proposal

The proposed draft plan of subdivision consists of 72 single detached dwelling lots, and two (2) medium density residential blocks (block 100 and 101), in one phase. Bateman Trail, Petty Road, Biddulph Street and Lemieux Walk are all proposed to be extended to complete the road pattern established from earlier development in the west. Petty Road and Bateman Trail will provide access to Southdale Road East and White Oak Road respectively. Block 100 has been identified for development of townhouse dwellings, and Block 101 is proposed to be developed for a low-rise apartment building through a site specific bonus zone.

A public meeting for the draft plan and associated zoning by-law amendment was held at Planning and Environment Committee on June 4, 2019. The Zoning By-law amendment was approved by Council on June 11, 2019 and is in force and effect. The draft plan of subdivision was approved by the Approval Authority on July 22, 2019.

The Applicant is registering the subdivision, which consists of 72 single detached lots and two (2) multi-family, medium density blocks, all located off of the extension of Bateman Trail, Petty Road, Biddulph Street and Lemieux Walk.

Development Services 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.

Prepared by:	Sean Meksula, MCIP, RPP Senior Planner, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

July 30, 2020

CC: Lou Pompilii, Manager, Development Planning
Ted Koza, Development Engineering
Matt Feldberg, Manager, Development Services (Subdivisions)
SM/JAR

Appendix A – Special Provisions

5. STANDARD OF WORK

Add the following new Special Provision:

1. 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 1, 4, 18, 22, 23, 32,34, 35, 46, 48, 49, 53, 54, 55, 56, 59, 60, 64 and 65 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.

15. PROPOSED SCHOOL SITES

Remove Subsections 15.3 to 15.8 as there are no school blocks in this Plan.

- ~~15.3 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.~~
- ~~15.4 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.~~
- ~~15.5 The School Boards may waive the right to purchase by giving notice to the Owner and the City as provided elsewhere in this Agreement.~~
- ~~15.6 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 was 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.~~
- ~~15.7 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.~~~~

(c)

~~15.8 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 its obligations under this Agreement.~~

24.1 STANDARD REQUIREMENTS

Add the following new Special Provisions:

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

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

3. The Owner shall make arrangements with the owner of lands to the south to combine Block 103 of this Plan to create a developable Lot/Block, all to the satisfaction of the City.
4. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall submit confirmation that they have complied with the requirements of Bell Canada with regards to any easements required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict, with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
5. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall submit confirmation that they have complied with the requirements of Union Gas with regards to any necessary easements and/or agreements required by Union Gas for the provision of gas services, in a form satisfactory to Union Gas.
6. 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 future removal of an automatic flusher on Petty Road, an amount of \$5,000, as per the accepted engineering drawings.
7. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements with the owners of Plans 33M-542 and 33M-576 to make adjustments to the existing works and services on Bateman Trail, Lemieux Walk, Biddulph Street, Petty Road and Petty Road (previously Adam Street) adjacent to this plan to accommodate the proposed works and services on these streets to accommodate this Plan (eg. private services, street light poles, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer and at no cost to the City.
8. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements with the owners of abutting properties to make adjustments to the existing works and services on Southdale Road East and White Oaks Road adjacent to this plan to accommodate the proposed works and services on these streets to accommodate this Plan (eg. private services, street light poles, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer and at no cost to the City.

CLAIMS

Remove Subsection 24.2 (c) and **replace** with the following:

9. (c) The Owner may, upon approval of this Agreement and completion of the works, make application to Development Finance for payment of the sum alleged to be owing, and as confirmed by the City Engineer (or designate) and the City Treasurer (or designate). 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 oversized storm sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$226,465.40 as per the accepted engineering drawings;

Any funds spent by the Owner that exceed the approved Work Plan estimates shall be at the sole risk of the Owner pending sufficient capital funding included in the City Budget.

24.6 EROSION AND SEDIMENT CONTROL

Add the following new Special Provision:

10. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall decommission any temporary site alteration measures, to the satisfaction of the City Engineer.
11. All temporary erosion and sediment control measures, including sediment basins, installed in conjunction with this Plan shall be decommissioned and/or removed when warranted or upon placement of Granular 'B' as per accepted engineering drawings, all to the satisfaction of the City Engineer and at no cost to the City.

24.7 GRADING REQUIREMENTS

Add the following new Special Provisions:

12. The Owner shall grade the portions of Lots/Blocks in this Plan which have a common property line with Southdale Road East and White Oaks Road, to blend with the ultimate profile of Southdale Road East and White Oaks Road, in accordance with the City Standard "Subdivision Grading Along Arterial Roads" and at no cost to the City.
13. The Owner shall register against the title of Lots 3, 4, 18 to 22, 32 to 38, 46 to 48 and 53 to 64, inclusive, in this Plan, and shall include in the Agreement of Purchase and Sale for the transfer of each of the said Lots, as an overland flow route is located at the rear and between the said Lots, a covenant by the purchaser or transferee to observe and comply with the following:
 - i) The purchaser or transferee shall not alter or adversely affect the said overland flow route on the said Lots as shown on the accepted lot grading and servicing drawings for this subdivision.

The Owner further acknowledges that no landscaping, vehicular access, parking access, works or other features shall interfere with the above-noted overland flow route, grading or drainage.

14. The Owner shall maintain the existing overland flow route between and in the rear yard of Lots 3, 4, 18 to 22, 32 to 38, 46 to 48 and 53 to 64, as per the accepted engineering drawings, to the satisfaction of the City Engineer.

15. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
16. Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owners to the south and north to regrade a portion of the property in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.
17. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove the existing retaining wall at the east limit of Lemieux Walk in Plan 33M-576 to the west of this Plan and make all necessary arrangements to grade the adjacent lands outside the boundaries of this Plan to be compatible with the accepted grades in this Plan, to the satisfaction of the City, at no cost to the City.
18. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall confirm the Encroachment Agreement between The Corporation City of London and Whiterock Village Inc. for grading on 3047 White Oak Road has been signed and executed, in accordance with all accepted engineering drawings and any applicable reports including but not limited to the Archeological Assessment and Tree Preservation Report for 3047 White Oak Road, all to the specifications and satisfaction of the City.

24.8 STORM WATER MANAGEMENT

Add the following new Special Provisions:

19. The Owner shall decommission any existing monitoring wells, all to the specifications and satisfaction of the City.
20. The Owner shall implement SWM soft measure Best Management Practices (BMP's) within the plan, where possible, to the satisfaction of the City Engineer. 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 Engineer.
21. For any temporary stormwater works and until said works are decommissioned, the Owner shall complete the following to the satisfaction of the City Engineer, and at no cost to the City:
 - i) Operate, monitor and maintain the temporary works;
 - ii) In the event that the works include a stormwater facility, have their professional engineer submit semi-annual monitoring reports to the City Engineer demonstrating that the works perform in accordance with the approved design criteria. The reports are to provide test results on the volume and nature of the sediment accumulating in the works. The timing and content of the monitoring reports is to be in accordance with the City's "Monitoring and Operational Procedure for Stormwater Management Facilities" guidelines. The Owner shall ensure that the monitoring program commences when building permits have been issued on fifty percent (50%) of the lots in the Plan and shall continue until the temporary works are decommissioned;
 - iii) Remove and dispose of any sediment to an approved site;
 - iv) Address forthwith any deficiencies of the temporary works and/or monitoring program;
 - v) Decommission the temporary works within six months of the permanent works being constructed and operational.

- vi) The Owner shall decommission all unnecessary existing temporary site alteration stormwater works constructed within Whiterock Subdivision limits (all phases), prior to the permanent work being constructed. The Owner is responsible for all costs related to the decommissioning and any redirection of minor and major flows to their ultimate condition.

SANITARY AND STORM SEWERS

Remove Subsection 24.9 (b) and **replace** with the following:

- 22. (b) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Dingman Creek Subwatershed, and connect them to the City's existing storm system, in accordance with accepted engineering drawings, to the satisfaction of the City.

Remove Subsection 24.9 (j) and **replace** with the following:

- 23. (j) 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 250 mm diameter sanitary sewer on White Oak Road in accordance with the accepted engineering drawings, to the satisfaction of the City.

Add the following new Special Provisions:

- 24. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct sanitary sewers and all appurtenances through Block 102 as per the accepted engineering drawings, all to the satisfaction of the City.
- 25. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall construct a turfstone/granular surface maintenance access (to service the sanitary sewers outside of this Plan) over Block 102 to White Oak Road, as per the accepted engineering drawings, to the satisfaction of the City Engineer, at no cost to the City.
- 26. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct the storm sewers and associated works on Block 100 and provide the necessary easements as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
- 27. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make arrangements with the adjacent property owner on 63 Southdale Road East to install a temporary catchbasin and associated works, as per the accepted engineering drawings, to the satisfaction of the City.
- 28. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct the storm sewers and all necessary appurtenances on Block 101 and provide the necessary easements as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
- 29. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall register all appropriate easements (eg. Blocks 100, 101 and 102) for all existing and proposed municipal storm and sanitary works required in this plan, to service this plan and external lands, as per the accepted engineering drawings, all to the satisfaction of the City Engineer, at no cost to the City.
- 30. The Owner shall register on title and include in the Agreement of Purchase and Sale or lease and in the transfer of deed of Blocks 100, 101 and 102 in this plan, a covenant by the purchaser or transferee stating that the purchaser or transferee of the said blocks shall observe and comply with the City easements, private easements and private sewer services required for the servicing of external lands to the plan

The Owner further acknowledge that no landscaping, vehicular access, parking access, works or other features shall interfere with the above-noted municipal or private maintenance accesses, servicing, grading, or drainage the services other lands or municipal or private maintenance easements.

31. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make arrangements with the property owners of 3195 and 3207 White Oak Road from the extension of a storm sewer and associated easements for the servicing of this Plan, to the satisfaction of the City.
32. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct the storm sewer outlet and all appurtenances across 3195 and 3207 White Oak Road to connect to 2946 Bateman Trail, as per the accepted engineering drawings, all to the satisfaction of the City.
33. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall construct a turfstone surface maintenance access (to service the storm sewers outside of this Plan) over 3195 and 3207 White Oak Road, as per the accepted engineering drawings, to the satisfaction of the City Engineer, at no cost to the City.
34. Prior to the construction of the storm sewer across 3195 and 3207 White Oak Road, the Owner shall not disturb any existing infrastructure, to the satisfaction of the City. Should the existing infrastructure be disturbed, the Owner shall be responsible for any costs related to these works, all to the satisfaction of the City.
35. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct corrugated steel pipe and all appurtenances at the intersection of Bateman Trail and White Oaks Road as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
36. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a storm outlet over Block 101 across White Oak Road to connect into existing RYCBMH on municipal address # 3030 and 3034 Devon Road and all appurtenances to provide the minor and major storm outlet for this Plan of Subdivision, as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
37. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall confirm the sanitary forcemain through Block 100 and Lots 1, 2 and 3 has been rerouted/relocated to Petty Road to connect to Southdale Road East, to the satisfaction of the City.
38. The Owner shall not disturb the existing City sanitary forcemain within this plan during development, to the satisfaction of the City.

24.9 WATER SERVICING

Add the following new Special Provisions:

39. 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 low-level municipal system, namely, the existing 600 mm diameter watermain on Southdale Road East, the 250 mm diameter watermain on Bateman Trail, the 200 mm diameter watermain on Lemieux Walk, the 200 mm diameter watermain on Biddulph Street and the 250 mm diameter watermain on Petty Road;
 - ii) have their consulting engineer prepare a Certificate of Completion of Works to confirm to the City that the watermain connection to the 600 mm diameter

watermain on Southdale Road West has been constructed, is operational and is complete.

40. The available fire flows for development Blocks within this Plan of Subdivision have been established through the subdivision water servicing design study as follows:

- Block 100 @ 105 l/sec
- Block 101 @ 105 l/sec

Future development of these Blocks shall be in keeping with the established fire flows in order to ensure adequate fire protection is available.

41. The Owner shall connect the Blocks in this Plan to the internal water distribution system as per the accepted engineering drawings, to the satisfaction of the City.

42. If the Owner requests the City to assume Petty Road with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, prior to its extension to the north, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the north limit of Petty Road and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with **Condition 24.1 (___)**. The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

24.10 ROADWORKS

Remove Subsection 24.11 (p) as there are no traffic calming measures in this Plan.

~~(p) — Where traffic calming measures are required within this Plan:~~

- ~~(i) — 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 prior to the issuance of any Certificate of Conditional Approval in this Plan.~~
- ~~(ii) — The Owner shall register against the title of all Lots and Blocks abutting the traffic calming circle(s) 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 that there may be some restrictions for driveway access due to diverter islands built on the road.~~
- ~~(iii) — Where a traffic calming circle is located, the Owner shall install the traffic calming circle as a traffic control device, including the diverter islands, or provide temporary measures, to the satisfaction of the City prior to the issuance of a Certificate of Conditional Approval for that section of road.~~
- ~~(iv) The Owner shall register against the title of all Lots and Blocks on **Bateman Trail** 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, splitter islands and speeds cushions, to be installed as traffic control devices, to the satisfaction of the City Engineer.~~

Remove Subsection 24.11 (q) and **replace** with the following:

43. (q) 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 White Oak Road or as otherwise directed by the City.

Add the following new Special Provisions:

44. Barricades are to be maintained at west limits of Bateman Trail, Lemieux Walk, Biddulph Street and Petty Road in Plan 33M-542 and 33M-576 until assumption of this Plan of Subdivision or as otherwise directed by the City. At the time of assumption of this Plan or as otherwise directed by the City, the Owner shall remove the barricades and any temporary turning circles, restore the boulevards and complete the construction of the roadworks within the limits of both temporary turning circles, to the specifications of the City, all at no cost to the City.

The Owner shall advise all purchasers of land within this subdivision that any traffic to and from this subdivision will not be permitted to pass the barricade(s) until the removal of the barricade(s) is authorized by the City.

45. The Owner shall be required to make minor boulevard improvements on White Oak Road and Southdale Road East 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.
46. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall modify the pavement markings on White Oak Road to provide for a left turn lane to Bateman Trail, to the satisfaction of the City Engineer, at no cost to the City.
47. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall construct the access arrangements for Petty Road and driveway access for 91 Southdale Road East, as accepted by the City Engineer, to the satisfaction of the City Engineer, at no cost to the City.
48. The Owner shall ensure that no vehicular access will be permitted to Block 101 from White Oak Road, to the satisfaction of the City.
49. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall extend the parking lay-by on Bateman Trail to Petty Road, as per the accepted engineering drawings, to the satisfaction of the City.
50. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall construct the extension of Bateman Trail external to this plan (from this plan of subdivision to White Oak Road over Reserve A 08209-0098, Plan 264089), as a fully serviced road, with all underground servicing and a minimum of granular 'B' road consistent with the servicing of Bateman Trail within this Plan as required herein, as per the accepted engineering drawings, all to the specifications of the City Engineer, at no cost to the City.
51. The Owner shall maintain the extension of Bateman Trail external to this Plan 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.
52. Prior to assumption, the Owner shall prepare and pay for the cost of registering and depositing the dedication by-law to create the portion of Bateman Trail external to this plan.
53. The Owner shall initiate with the City to rename Adam Street (RP-643) to Petty Road, to the satisfaction of the City.
54. The Owner agrees to withhold Block 103 from development until future development lots are available for consolidation that produce developable lands

with direct frontage on a public road. The Owner also agrees to maintain the 'h-94' holding provision on this block until such time as a development agreement has been entered into which provides for appropriate development patterns and servicing.

55. The Owner shall register against the title of Block 103, and shall include in the Agreement of Purchase and Sale for the transfer of the said Block, a warning clause as follows

“The purchaser or transferee shall not service Block 103 until adjacent lands to the south develop in the future, to the satisfaction of the City.”
56. The Owner shall construct 1.8m high wood, board on board privacy fencing or approved alternative, along the property limit interface of all existing private residential dwelling lots fronting White Oak Road. Fencing shall be completed to the satisfaction of the City, within one (1) year of the registration of the plan.
57. The Owner shall provide the purchasers of all lots in the subdivision with a zoning information package pertaining to residential driveway locations and widths. The Owner shall obtain and provide to the City written acknowledgement from the purchaser of each lot in this plan that their driveway will be installed and maintained in accordance with the requirements of the Zoning By-law. The information package and written acknowledgement shall be in a form satisfactory to the City.
58. The Owner shall include a statement in all offers of purchase and sale within 1,000 metres of the industrial property at 3300 White Oak Road, and in the subdivision agreement to include a suitable warning clause advising future purchasers that there are active industrial operations in the area and that nuisances may be encountered.
59. The Owner shall implement the recommendations of the Noise Feasibility Study Prepared by HGC Engineering, July 10, 2018 for the lands, to the satisfaction of the City

Parks Planning

60. The Owner shall provide cash payment in lieu of the 5% parkland dedication pursuant to City of London By-law C.P.-95%.
61. The Owner shall implement the recommendations of the Whiterock Village Environmental Impact Study prepared by Natural Resource Solutions Inc. dated August 2018 for the lands, to the satisfaction of the City. In conjunction with the Focused Design Studies submission, the Owner shall provide a schedule indicating how each of the accepted Environmental Impact Study recommendations will be implemented and satisfied as part of the subdivision approval process.

Urban Design

62. The Owner shall register on title and include in all Purchase and Sale Agreements the requirement that the dwellings to be designed and constructed on all corner lots in this plan 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 sideyard road frontage.
63. The Owner shall register on title and include in all Purchase and Sale Agreements the requirement that the dwellings on lots 4, 17, 18, 31, 32, and 45 are to have the principle entrance to the dwelling provided from Petty Road and limited chain link or decorative fencing along no more than 50% of the exterior side yard abutting Petty Road.

SCHEDULE "C"

This is Schedule "C" to the Subdivision Agreement dated this _____ day of _____, 2020, between The Corporation of the City of London and Whiterock Village Inc. to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- Bateman Trail (from Petty Road to the north limit of this Plan) shall have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres.
- Bateman Trail (from White Oak Road to Petty Road) shall have a minimum pavement width and minimum road allowance as per the accepted engineering drawings.
- Petty Road, Lemieux Walk and Biddulph Street shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20.0 metres.

Sidewalks

A 1.5 metre sidewalk shall be constructed on both sides of Bateman Trail, Petty Street, Lemieux Walk and Biddulph Street.

Pedestrian Walkways

There are no pedestrian walkways in this Plan.

SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated this _____ day of _____, 2020, between The Corporation of the City of London and Whiterock Village 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:	Block 104, 105 and 106
Road Widening (Dedicated on face of plan):	Block 107 and 108
Walkways:	NIL
5% Parkland Dedication:	Cash payment in lieu of the 5% parkland dedication pursuant to City of London By-law C.P.-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:	NIL
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SCHEDULE "E"

This is Schedule "E" to the Subdivision Agreement dated this _____ day of _____, 2020, between The Corporation of the City of London and Whiterock Village 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:	\$ 518,656
BALANCE PORTION:	<u>\$2,939,054</u>
TOTAL SECURITY REQUIRED	\$3,457,710

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. CPOL-13-114 and policy adopted by the City Council on April 4, 2017 and any amendments.

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.

SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2020, between The Corporation of the City of London and Whiterock Village 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 100 for storm servicing as per the accepted engineering drawings
 - (ii) Over Block 101 for storm servicing as per the accepted engineering drawings
 - (iii) Over Block 102 for sanitary trunk sewer as per the accepted engineering drawings.

- (b) Multi-purpose easements shall be deeded to the City in conjunction with this Plan, over lands external to this Plan, on an alignment and of sufficient width acceptable to the City Engineer as follows:
 - (i) Over 3195 and 3207 White Oaks Road for storm servicing as per the accepted engineering drawings.

Appendix B – Related Estimated Costs and Revenues

3087 White Oak Road - Whiterock Village Inc.
Subdivision Agreement
39T-18505

Estimated Costs and Revenues

Estimated DC Claim Costs	Estimated Cost (excludes HST)
Claims for Owner led construction from CSRF - Storm Sewer Oversizing Subsidy	\$226,465
Total	\$226,465
Estimated DC Revenues (January 1, 2020 to December 31, 2020 Rates)	Estimated Revenue
CSRF TOTAL	\$3,104,183

- 1 Estimated DC Claim Costs are for Owner led construction projects and do not include City led projects required to accommodate growth.
- 2 Estimated DC Revenues are calculated using current DC rates. The City employs a "citywide" approach to cost recovery for all eligible growth services, therefore the Estimated DC Claim Costs and Revenues in the table above are not directly comparable.
- 3 The Oversizing Subsidy costs are based on estimates from the accepted engineering drawings and the current DC By-law. Final claim payments will be approved based on constructed quantities in conjunction with the DC By-law.

RE: Subdivision Special Provisions
 3087 White Oak Road - Subdivision Agreement
 Whiterock Village Inc.
 (Work Order 2498586)
 Capital Budget Project ES542919 - Storm Swr Internal Oversizing Subsidy (2019-2023)

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that these works can be accommodated within the Capital Works Budget and that, subject to the adoption of the recommendations of the Managing Director, Development and Compliance and Chief Building Official, the detailed source of financing is:

<u>ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Committed To Date</u>	<u>This Submission</u>	<u>Balance for Future Work</u>
Engineering	\$200,000			\$200,000
Construction	4,908,970	1,274,498	230,450	4,678,520
<u>NET ESTIMATED EXPENDITURES</u>	<u>\$5,108,970</u>	<u>\$1,274,498</u>	<u>\$230,450</u>	<u>\$4,878,520</u>
<u>SOURCE OF FINANCING</u>				
Drawdown from City Services - Stormwater Reserve Fund (Development Charges)	2) \$5,108,970	\$1,274,498	\$230,450	\$4,878,520
<u>TOTAL FINANCING</u>	<u>\$5,108,970</u>	<u>\$1,274,498</u>	<u>\$230,450</u>	<u>\$4,878,520</u>

1) **Financial Note**

Contract Price	<u>ES542919</u>
Add: HST @13%	\$226,465
Total Contract Price Including Taxes	29,440
Less: HST Rebate	\$255,905
Net Contract Price	25,455
	<u>\$230,450</u>

2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Study completed in 2019.

lp

 Jason Davies
 Manager of Financial Planning & Policy

Appendix D – Additional Information

Previous Reports

June 9, 2003 – Report to the Planning Committee recommending adoption of the Uplands North Area Plan.

July 18, 2005 – Report to the Planning Committee regarding the Placemaking demonstration project.

May 6, 2009 – Report to Planning Committee regarding tree cutting on the property.

June 22, 2009 – Report to Planning Committee regarding status of subdivision/file; information report.

October 8, 2013 - Report to Planning Committee regarding status of subdivision/file; information report.

July 28, 2014 - Report to Planning and Environment Committee recommending approval of a redlined draft plan of subdivision and associated Official Plan and Zoning By-law amendments; Staff recommendation of redline changes to the draft plan and associated amendments supported/approved by Municipal Council.

July 17, 2017 – Report to Planning and Environment Committee on Request for Demolition of Heritage Listed Property located at 660 Sunningdale Road East; Staff recommendation that notice be given under the provision of Section 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O. 18, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in Appendix D of this report; supported/approved by Municipal Council

January 22, 2018 - Report to Planning and Environment Committee recommending approval of a revised redlined draft plan of subdivision and associated Zoning By-law amendments; Staff recommendation of redline changes to the revised draft plan and associated amendments. Municipal Council supported the draft plan revisions but requested changes to the zoning by-law.

February 20, 2018 – Report to Planning and Environment Committee recommending revised Zoning By-law amendments; by adding additional special provisions that permit apartment buildings within a mixed use building restricted to the rear portion of the ground floor or above. Municipal Council supported the revised zoning by-law amendment.

June 4, 2019 - Report to Planning and Environment Committee recommending revised Zoning By-law amendments; by adding additional special provisions, bonusing zoning that permit mix of residential uses and holding provisions to ensure the orderly development of lands and the adequate provision of municipal services.