



File Number: 39T-00510-3

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON MARCH 19, 2013
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT	SPECIAL PROVISIONS NORTH LAMBETH INC. NORTH LAMBETH ESTATES SUBDIVISION – PHASE 3 39T-00510-3

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 North Lambeth Inc. for the subdivisions of land over Part of Lot 74, West of the North Branch of the Talbot Road, (Geographic Township of Westminster), City of London, County of Middlesex, situated west side of Colonel Talbot Road and the side of Clayton Walk.

- (a) the attached Special Provisions, (Schedule "C"), to be contained in a Subdivision Agreement between The Corporation of the City of London and North Lambeth Inc. for the North Lambeth Estates Subdivision (39T-00510-3) **BE APPROVED**;
- (b) the applicant **BE ADVISED** that the Director, Development Finance has summarized the claims and revenues to be as per Schedule "B", attached hereto,
- (c) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreement(s) and all documents required to fulfil its conditions.

BACKGROUND

This application for Plan of Subdivision Approval was accepted June 27, 2000. An extension of Draft Approval was requested and subsequently granted on November 22, 2007. On October 13, 2010, North Lambeth Inc. requested an extension of three (3) years to the November 26, 2010 draft approval expiry period. A six (6) month extension was granted by the Approval Authority in accordance with Section 2.2(p) of the Subdivision and Condominium Delegation and Approval By-law. On May 12, 2011, a further extension of 18 months was granted, setting an expiry date of November 30, 2012. A 6 month emergency extension was granted, in accordance with Section 2.2(p) of the Subdivision and Condominium Delegation and Approval By-law, resulting in a new lapse date of May 30, 2013.

This is the third and final phase of the subdivision. Phase 1 was registered on March 23, 2003 as 33M-461 and Phase 2 was registered on June 28, 2005 as 33M-524. Final approval of Phase 3 was previously deferred, pending confirmation of adequate sanitary sewage pumping and conveyance capacity. All servicing requirements will be addressed through the subdivision agreement and approved servicing drawings.

This subdivision shall be registered in one (1) phase, consisting of 23 single family detached lots and one (1) open space block.

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



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

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

PREPARED AND RECOMMENDED BY:	REVIEWED BY:
	
A. RILEY SENIOR PLANNER DEVELOPMENT SERVICES DIVISION	B. HENRY MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES
CONCURRED BY:	SUBMITTED BY:
	
T. GRAWEY MANAGER, DEVELOPMENT SERVICES	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

AR/fg
Attach.
March 7, 2013



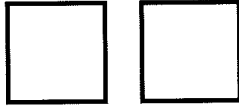
LOCATION MAP

Subject Site: Oliver North Lambeth Subdivision
 File Number: 39T-00510 (Revised)
 Date: 2013-03-06
 Scale: 1:3700

Corporation of the City of London
 Prepared By: Planning and Development

LEGEND

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



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Schedule "B"

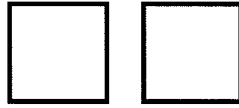
Related Estimated Costs and Revenues

Estimated Costs – This Agreement	
Claims from Urban Works Reserve Fund – General	Nil
Claims from Urban Works Reserve Fund - Stormwater Management	Nil
Capital Expense	Nil
Other	Nil
Total	Nil
Estimated Revenues - This Agreement (2013 rates)	
CSRF	\$391,207
UWRF	\$152,122
Total	\$543,329

1. Estimated Revenues are calculated using 2013 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.
2. The revenues and costs in the table above are not directly comparable. This subdivision, like others in the area, also relies on the recently constructed roadwork and SWM facilities, the cost of which is not reported above. Other growth related costs (like wastewater treatment plant and road capacity expansion) incurred to serve this subdivision and surrounding areas are not reported above, though the revenue for those service components is included in the "Estimated Revenues – This Agreement" section above. As a result, the revenues and costs reported above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.

Reviewed By:

 Peter Christiaans
 Director, Development Finance



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Schedule C – Special Provisions

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) 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 lots 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 London of relocated utilities, municipal services and private services, including video inspections and ball tests of sewers, as a result of the relotting of lots in this Plan prior to the issuance of a Certificate of Conditional Approval for works serving the relotted lots. 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 Engineer in accordance with the City's security requirements.

- b) The Owner shall grade the portions of Lot 23 in this Plan, which has a common property line with Colonel Talbot Road, to blend with the ultimate profile of Colonel Talbot Road, in accordance with the City Standard "Subdivision Grading Along Arterial Roads" and at no cost to the City.

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

- c) The Owner shall adhere to the geotechnical engineer's recommendation with respect to the placement of engineering fill and the construction of utilities, roadways, driveways and buildings on areas within this Plan (the "Affected Lands") as identified by the geotechnical engineer to ensure the satisfactory construction thereof under the full time supervision of a geotechnical engineer. 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 Managing Director, Development & Compliance Services & Chief Building Official 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.

- d) Prior to the issuance of a Certificate of Conditional Approval, the Owner shall have a qualified consultant confirm all recommendations in the hydrogeological investigation for this subdivision have been implemented with respect to the effects of the



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construction associated with the subdivision on existing ground water elevations, private wells in the area and the impact on the water balance of the subject plan, to the satisfaction of the City.

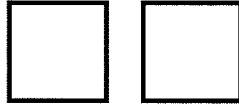
- e) The Owner shall direct all construction traffic including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access this Plan from Colonel Talbot Road via Clayton Walk.
- f) Prior to commencing construction of works for this Plan, the Owner shall install and maintain signs indicating construction and commercial vehicles are not to access this subdivision from Diane Crescent or Malpass Road.
- g) The Owner shall make minor boulevard improvements on Colonel Talbot Road adjacent to this Plan consisting of clean-up, grading and sodding as necessary, to the specifications of the City and at no cost to the City.
- h) The Owner shall construct or install all of the following required works to the specification of the City and in accordance with the plans accepted by the City:
 - (i) A fully serviced road connection where Isaac Court in this Plan joins with Clayton Walk in Plan 33M-524, including all underground services and related works; and
 - (ii) Any work and services or adjustments to works and services on Clayton Walk in Plan 33M-524 needed to service this Plan that have not been provided through the servicing of Plan 33M-524.

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 Clayton Walk 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, a schedule of construction for the proposed works on the above-noted street(s) and a detail of the proposed timing and duration of the said works in accordance with the Ministry of Labour and Ministry of Transportation requirements within the Ontario Traffic Manual Book 7. Further, the Owner shall obtain a Permit for Approved Works from the City prior to commencing any construction on City land or right-of-way.

Where required by the City, 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".



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- j) 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 adjacent to this Plan.

Prior to the issuance of any Certificate of Conditional Approval, the traffic calming roundabout on Clayton Walk and Isaac Court is to be constructed or suitable temporary measures provided, to the satisfaction of the City.

The Owner shall notify the purchasers of Lots 8 and 18 in this Plan abutting the traffic calming roundabout on Clayton Walk at Isaac Court in 33M-524 Plan that driveway accesses to these Lots to be located outside the traffic calming roundabout.

- k) The Owner shall construct the watermains and water services, where needed, to service the Lots in this Plan and connect them to the City's existing water supply system as outlined below to the specifications of the City Engineer:
- i) The 150mm diameter water main on Clayton Walk at Isaac Court in Plan 33M-524 to service Lots 8 to 18, both inclusive in this Plan; and
 - ii) The 200mm diameter water main on Clayton Walk in Plan 33M-524 to service Lots 1 to 7, both inclusive and Lots 19 to 23, both inclusive in this Plan.

- l) Prior to the issuance of any Certificates of Conditional Approval, the Owner shall have it's professional engineer confirm water quality requirements for the watermain in this Plan and/or implement any recommendations in the accepted water quality report, by the use of the following to the satisfaction of the City Engineer and at no cost to the City:

- i) valving to shut off future connections which will not be used in the near term; and/or
- ii) manual or automatic flushing devices (as needed) 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 manual flushing devices will be used, calculations of the turnover required to maintain chlorine residual are to be provided in order to justify the settings for the automatic flushing device.

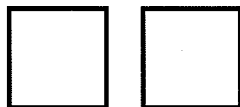
If the water quality cannot be maintained in the short term, the Owner shall install automatic blow offs, where necessary, to the satisfaction of the City Engineer, or make suitable arrangements with Water Operations for the maintenance of the system in the interim.

- m) Sewage treatment capacity at the Oxford Pollution Control Plant is available for this Plan as of March, 2013, and will be reserved by the City for this Plan provided this Plan and this Agreement are registered before March, 2014.

In the event that this Plan and this Agreement are not registered before March, 2014, 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.

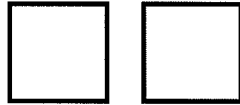
The Owner acknowledges that sewage treatment capacity at the Oxford Pollution Control Plant must be allocated for this Plan prior to the Owner's application for building permits in this Plan.

- n) The Owner shall construct the sanitary sewers and private drain connections, where needed, to service the Lots in this Plan and connect them to the City's existing sanitary sewage system as outlined below, to the specifications of the City Engineer:



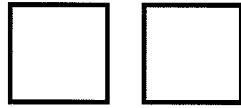
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- i) The 200mm diameter sanitary sewer on Clayton Walk at Isaac Court in Plan 33M-524 to service Lots 8 to 18, both inclusive, in this Plan;
 - ii) The 250mm diameter sanitary sewer on Clayton Walk in Plan 33M-524 to service Lots 1 to 7, both inclusive, in this Plan; and
 - iii) The 200mm diameter sanitary sewer on Clayton Walk in Plan 33M-524 to service Lots 19 to 23, both inclusive, in this Plan.
- o) 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 sanitary sewer. The plug can be removed upon the submission and acceptance of sanitary inspection video. This plug may only be removed by the City of London 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 and previous phases of subdivisions, 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 of London 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 made only at the time of or immediately prior to the occupancy of that Lot; and
 - (vii) The Owner or their representative shall prepare and submit a recommendation to the City of London which indicates groundwater levels within the subdivision and recommended measures to be taken during construction to ensure that there is no infiltration or inflow to the sanitary sewer manholes. Leakage testing of the Sanitary Sewer System Manholes shall be carried out in accordance with OPSS 407.



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- p) 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.
- q) The Owner shall construct the storm sewers and private drain connections, where needed, to service the Lots in this Plan, which is located in the Dingman Creek subwatershed and connect them to the City's existing storm sewer system as outlined below, to the specifications of the City:
- i) The 525mm diameter storm sewer on Clayton Walk at Isaac Court in Plan 33M-524 to service Lots 9 to 18, both inclusive, in this Plan;
 - ii) The 1200mm and 1350mm diameter storm sewers on Clayton Walk in Plan 33M-524 to service Lots 1 to 7, both inclusive, in this Plan; and
 - iii) The 375mm diameter storm sewer on Clayton Walk in Plan 33M-524 to service Lots 19 to 23, both inclusive, in this Plan.
- r) The Owner shall implement and monitor all erosion and sediment control measures, in accordance with the erosion and sediment control measures accepted by the City in the Functional SWM Report, 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.
- s) 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 Engineer 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, all to the satisfaction of the City.
- t) The Owner shall have its consulting professional engineer supervise the construction of the stormwater servicing works, including the watercourse modification works and 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 Dingman Creek Subwatershed Study and any addendums or updates;
 - (ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
 - (iii) The approved Functional Stormwater Management Plan for Oliver North Subdivision Phase 1 – North Lambeth SWM Facility;
 - (iv) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
 - (v) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
 - (vi) The City of London Design Specifications and Requirements Manual, as revised;
 - (vii) The Ministry of the Environment SWM Practices Planning and Design Manual (2003); and
 - (viii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
- u) 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 and watercourse modification, 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.
- v) The Owner agrees to ensure that the existing south tributary/open watercourse will be maintained as an open watercourse within this Plan and shall comply with all applicable acts, maintain the existing hydrologic conditions and will have no adverse impacts on adjacent and downstream properties. Any functional Stormwater Management plan for the South Tributary must be consistent with the Stormwater



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Management Plan and the Dingman Creek Subwatershed Study (2005) criteria and environmental targets, all to the satisfaction of the City Engineer.

- w) The Owner agrees to have its professional engineer ensure that all geotechnical issues and required setbacks related to the slope stability associated with the open watercourse that services the upstream catchment are adequately addressed for the subject lands, all to the satisfaction of the City and the Upper Thames River Conservation Authority.
- x) Prior to the issuance of the any Certificate of Conditional Approval the Owner shall have it professional engineer certify to the City that the modifications to the open watercourse within this Plan have been constructed and are operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction to the City and the Upper Thames River Conservation Authority.
- y) The Owner shall address forthwith any deficiencies of the stormwater works.
- z) Prior to assumption, the Owner shall operate, monitor and maintain the stormwater and watercourse works. The Owner shall ensure that any removal and disposal of sediment is to an approved site in accordance with the Ministry of the Environment and the Ministry of Natural Resources.
- aa) The Owner's consulting engineer shall certify the development has been designed such 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 or 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.
- bb) The Owner shall implement SWM 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.
- cc) The Owner shall register against the title of Lots incorporating rear yard catchbasins, which includes Lot 16, 17 and 19 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 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.
- dd) The Owner shall report any contamination encountered during construction or anything suspected as such, to the City, and, in this event, the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "**Schedule A – Record of Site Condition**", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site. The City may require a copy of the report should there be City property adjacent to the contamination. Should the site be free of contamination, the geotechnical engineer shall provide certification to this effect to the City.
- ee) The Owner shall have a professional engineer experienced in the investigation and design of the ways and means of detecting and providing protection against methane or other gasses which may be present on this site, investigate and report on the area to the City Engineer and the City's Managing Director, Development & Compliance Services & Chief Building Official, prior to the issuance of a Certificate of Conditional Approval in this Plan. Should the report indicate the presence of



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methane gas, the Owner shall follow any recommendations contained in this report to ensure that the buildings constructed on this Plan will be well protected from any gas or other deleterious effect which may occur as a result of the possible presence of organic materials or methane gas in this area. Should the engineer's recommendation require certain works to be undertaken by the Owner, the Owner shall have the professional engineer design and inspect the works recommended and supply the City with a certificate upon their completion and prior to assumption of the subdivision by the City, stating that the facilities recommended were installed and/or carried out in accordance with the engineer's recommendations. The report shall also include measures to control the migration of any methane gas to abutting lands outside this Plan.

The Owner shall comply with all the recommendations of the engineer's report with respect to methane gas testing and for providing protection against any methane gas present on the site. Should a mechanical venting system or other facilities be recommended by the engineer to provide protection to any buildings within this Plan, the system or facilities shall be approved by the appropriate branch of the Ministry of Environment. In the event that a mechanical venting system or other facility is required, the Owner shall register against the title of each affected lot and block, or shall include in the agreement of purchase and sale and in the transfer or deed of each affected lot and block, a covenant by the purchaser or transferee stating that the Owners of the subject lots and blocks shall have the required system or facilities designed, constructed and monitored as recommended by the Owner's professional engineer and approved by the City, and that the owners of the subject lots and blocks shall maintain the installed system or facilities in perpetuity, at no cost to the City.

The Owner shall register against the title of each Lot and Block which is not built on or sold prior to assumption of this Plan and is affected by the professional engineer's recommendation, or shall include in the agreement of purchase and sale and in the transfer or deed of each affected lot and block, a covenant by the purchase or transferee stating that the said lot and/or block is affected by the recommendations in the professional engineer's report with respect to methane or other gases, and that any required works affecting the lot or block shall be certified by a qualified professional engineer when construction of the required works is complete.

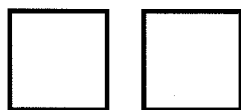
The Owner shall implement appropriate methane or other gas migration measures if required by and to the satisfaction of the City.

- ff) Prior to the issuance of any Certificate of Conditional Approval, or as otherwise agreed to by City, the Owner shall construct a chain link fence without gates adjacent to the walkway in Block 25 in accordance with City Standard No. SR-7.0. all to the satisfaction of the City and at no cost to the City.

The City may, (in lieu of chain link fencing as specified in City Standard SR-7.0.), permit the Owner to construct alternative walkway fencing adjacent to the walkway, (Block 25), provided the fencing is entirely on private property and at no cost to the City, If the Owner chooses to construct the alternative fencing, the details of the fencing shall be accepted by the City, together with the subdivision servicing drawings. The alternative fencing shall be a minimum of 1.2 metres (4.0 ft.) in height, and shall conform to the City's current fence by-law requirements. All maintenance, repair and replacement of the alternative fencing shall be the responsibility of the owners of the Lots in which the fencing is located, at no cost to the City.

The Owner shall register against the tile of Lots 2 and 3 in this Plan abutting to the walkway, (Block 25), and shall include in any agreement of purchase and sale or lease and in the transfer of each affected Lot or Block, a covenant by the purchase or transferee stating that the City will not participate, either financially or otherwise, in any repair, maintenance or replacement associated with the alternative fencing adjacent to the public walkway.

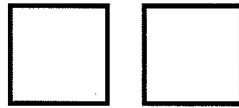
- gg) Prior to the issuance of a Certificate of Conditional Approval, the Owner shall provide adequate temporary measures, if necessary, such as easements, catchbasins,



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grading, erosion and sediment control measures, etc. to address any grading or drainage issues that may arise along the boundary of this Plan.

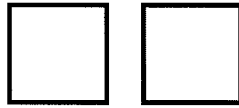
- hh) The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City and to the specifications and satisfaction of the City and at no cost to the City.
- ii) The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications of the City at no cost to the City.
- jj) The Owner shall remove all existing accesses from Clayton Walk and Colonel Talbot Road and restore all affected areas, if necessary, all to the satisfaction of the City, at no cost to the City.
- kk) Where servicing for this Plan has not been provided on Clayton Walk through the servicing of Plan 33M-524 The Owner shall install all servicing for the Lots in this Plan fronting Clayton Walk as needed, including restoration, all to the satisfaction of the City, at no cost to the City.
- ll) Where any adjustments to existing services on Clayton Walk through the servicing of Plan 33M-524 have not been provided to accommodate the servicing and development of this Plan (e.g. street lights, fire hydrants, trees, traffic calming, etc.), then the Owner of this Plan shall make the required adjustments to those existing services in Plan 33M-524 as necessary to the satisfaction of the City, at no cost to the City.
- mm) The Owner shall construct a cul-de-sac on Isaac Court in accordance with City of London Standard drawings SR-5.0. The Owner shall provide a raised circular centre island (radii's = 8.0 metres) within the cul-de-sac, all to the satisfaction of the City.
- nn) The Owner shall make arrangements with the Owner of Plan 33M-524 to coordinate the work within this Plan, with the work to be constructed in Plan 33M-524 adjacent to this Plan including the construction of the traffic calming circle on Clayton Walk at Isaac Court and the servicing of the Lots on this Plan within Clayton Walk in Plan 33M-524 to the satisfaction of the City and at no cost to the City.
- oo) Within six (6) months of the date of registration of this Plan, the Owner shall sell Block 24 to the City, at the rate of \$13,728 per hectare, in accordance with By-law C.P.-9.
- pp) The Owner shall prepare and deliver to all homeowners of lands abutting Block 24 of this Plan, an education package which explains the stewardship of natural areas, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the Manager of Development Services, and at no cost to the City.
- qq) The Owner shall not grade into any public park or open space lands, without the approval of the Upper Thames River Conservation Authority. Where Lots and Blocks abut an open space area all grading of the developing lots or blocks at the interface of the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space area shall be to the satisfaction of the Manager of Development Services.
- rr) Within one (1) year of registration of this Plan, the Owner shall install fencing along the property limit interface of all private Lots and Blocks adjacent to the open space (Block 24), a 1.5m high chain link fence, without gates, all in accordance with current City Park Standards (SPO 4.8), or an approved alternate to the satisfaction of the Manager of Development Services, and all at no cost to the City.
- ss) Within one (1) year of registration of this Plan, the Owner shall, in accordance with the approved engineering drawings, install property monuments along the southern and easterly property lines of Block 24, of this Plan, in accordance with current city



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park standards or approved alternate to the satisfaction of the Manager of Development Services.

tt) Within one (1) year of registration, the Owner shall construct the pedestrian walkway, within Block 25, in accordance with current City Park Standards (SR-7) or an approved alternate to the satisfaction of the Manager of Development Services, and all at no cost to the City.

uu) At the time of construction or within one (1) year of registration – whichever comes first, the owner shall install a temporary gate, in accordance with the approved engineering drawings, at the west entrance to Block 25, of this Plan, all to the satisfaction of the Manager of Development Services, and at no cost to the City.



File Number: 39T-00510-3

SCHEDULE 'C'

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

SPECIAL WORKS AND SERVICES

Roadways

- Isaac Court 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').

Sidewalks

- No sidewalks are required within this Plan.

Pedestrian Walkways

- City of London standard 3.0m wide pedestrian walkways shall be constructed on Block25 of this Plan.



File Number: 39T-00510-3

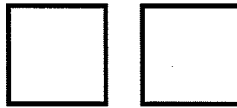
SCHEDULE 'D'

This is Schedule 'D' to the Subdivision Agreement dated this _____ day of _____, 20__, between the Corporation of the City of London and North Lambeth 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:	NIL
Road Widening (Dedicated on the face of the plan):	NIL
Walkways:	Block 25
5% Parkland Dedication:	Cash-in-lieu pursuant to the City of London By-Law CP-9
Open Space:	Block 24
Stormwater Management:	NIL



File Number: 39T-00510-3

SCHEDULE 'E'

This is Schedule 'E' to the subdivision Agreement dated _____ between The Corporation of the City of London and North Lambeth 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:	\$ <u>122,400</u> **
BOND PORTION:	\$ <u>353,600</u>
TOTAL	\$ <u>476,000</u> **

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

CASH PORTION:	\$ <u>122,400</u> **
BOND PORTION:	\$ <u>NIL</u>

- (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:

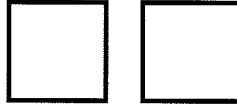
CASH PORTION:	\$ <u>NIL</u>
BOND PORTION:	\$ <u>353,600</u>

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

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.



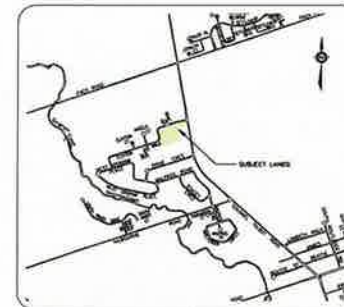
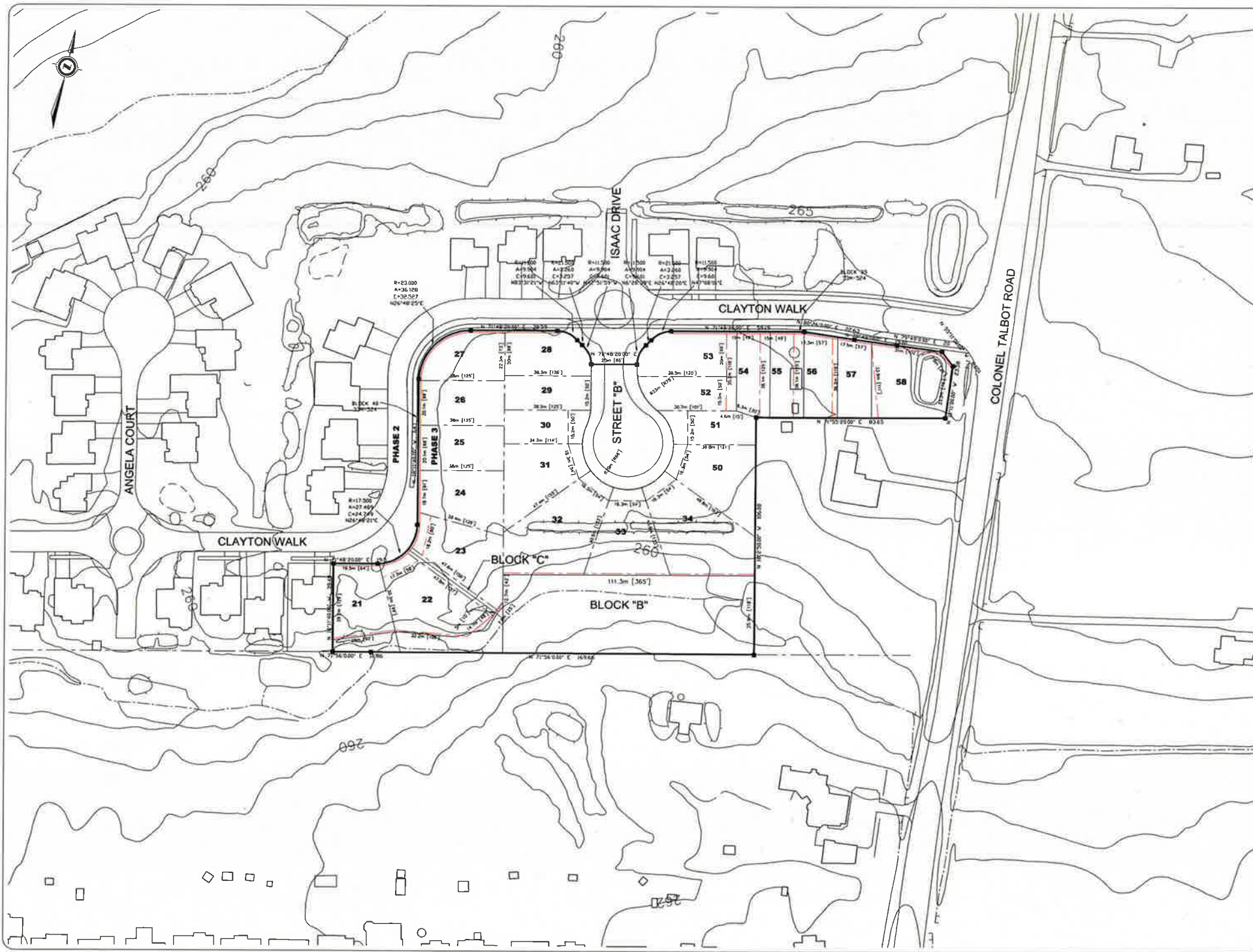
File Number: 39T-00510-3

SCHEDULE 'F'

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

Multi-Purpose Easements

- No multi-purpose easements are required in conjunction with this Plan.



DRAFT PLAN OF SUBDIVISION No. 39T-00510

REDLINE REVISIONS PHASE 3

OF PART OF
LOT 74, WEST OF
THE NORTH BRANCH OF
THE TALBOT ROAD
BLOCK 39 & 40 (REG'D PLAN 33M-524)
IN THE CITY OF LONDON
(FORMERLY - TOWNSHIP OF WESTMINSTER,
COUNTY OF MIDDLESEX)

INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE PLANNING ACT

- A - AS SHOWN ON DRAFT PLAN
- B - AS SHOWN ON DRAFT PLAN AND KEY PLANS
- C - AS SHOWN ON DRAFT PLAN AND KEY PLANS
- D - ACCORDING TO LAND USE SCHEDULE
- E - RESIDENTIAL, AGRICULTURAL, INDUSTRIAL
- F - AS SHOWN ON DRAFT PLAN
- G - AS SHOWN ON DRAFT PLAN AND KEY PLANS
- H - PIPED WATER TO BE INSTALLED
- I - SANDY LOAM OVER LAYING SAND AND SILT
- J - AS SHOWN ON DRAFT PLAN
- K - SANITARY AND STORM SEWERS TO BE INSTALLED
- L - NONE

SCHEDULE OF LAND USES (ha)

RESIDENTIAL SINGLE DETACHED	LOTS 21-34, 50-58, BLOCK 39 & 40	1.9
OPEN SPACE	BLOCK "B" & "C"	0.5
ROADS		0.1
TOTAL		2.6

OWNER'S AUTHORIZATION

I AUTHORIZE IBI GROUP TO PREPARE AND SUBMIT
THIS REDLINE REVISION TO DRAFT PLAN OF
SUBDIVISION # 39T-00510 TO THE CITY OF LONDON

DENNIS OLIVER

DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE
LAND TO BE SUBDIVIDED AS SHOWN ON THIS PLAN
AND THEIR RELATIONSHIP TO THE ADJACENT LANDS
ARE ACCURATELY AND CORRECTLY SHOWN.

DAVID BIANCHI
ONTARIO LAND SURVEYOR

DATE



350 Oxford Street West
Suite 203
London, Ontario
Canada N6H 1T3
Tel (519) 472-7328
FAX (519) 472-9354

Date: Apr 4/2012 Drawn By: MJP Drawing No. DP1-1
Scale: 1:750 Proj No. 28402 H&R No. 110068