

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Scott Mathers, MPA, P.Eng
Deputy City Manager, Planning and Economic
Development

Subject: Application by Foxhollow North Kent Developments Inc.
1284 and 1388 Sunningdale Road West
Foxhollow North Kent Subdivision Phase 5 - Special
Provisions

Meeting on: May 30, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc. for the subdivision of land over Concession 5, Part Lot 23, situated on the south side of Sunningdale Road West, between Wonderland Road North and Hyde Park Road, municipally known as 1284 and 1388 Sunningdale Road West;

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc. for the Foxhollow North Kent Subdivision, Phase 5 (39T-04510) 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"; and,
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Executive Summary

Seeking approval of Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc. for the Foxhollow North Kent Subdivision, Phase 5 (39T-04510_5).

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

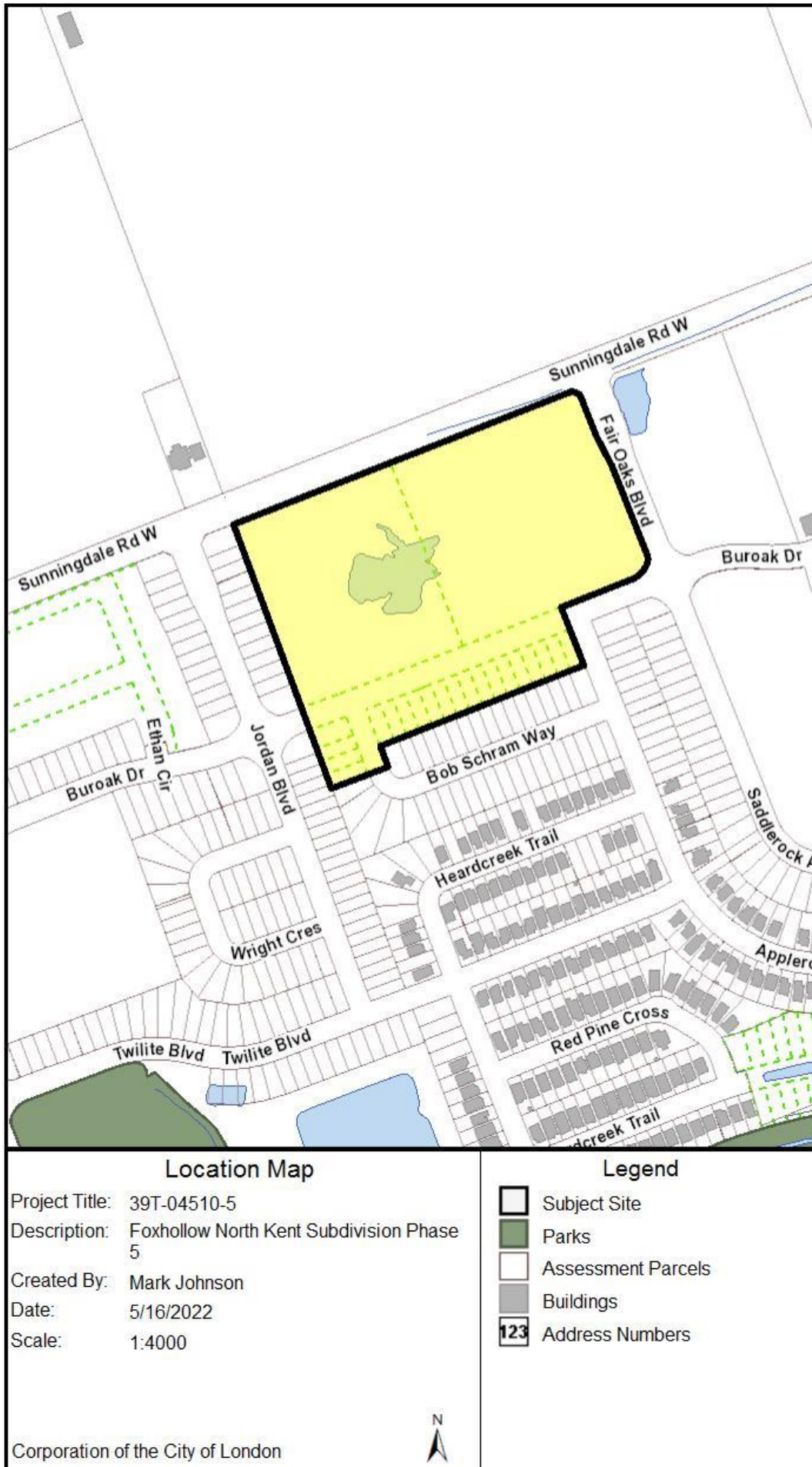
Analysis

1.0 Background Information

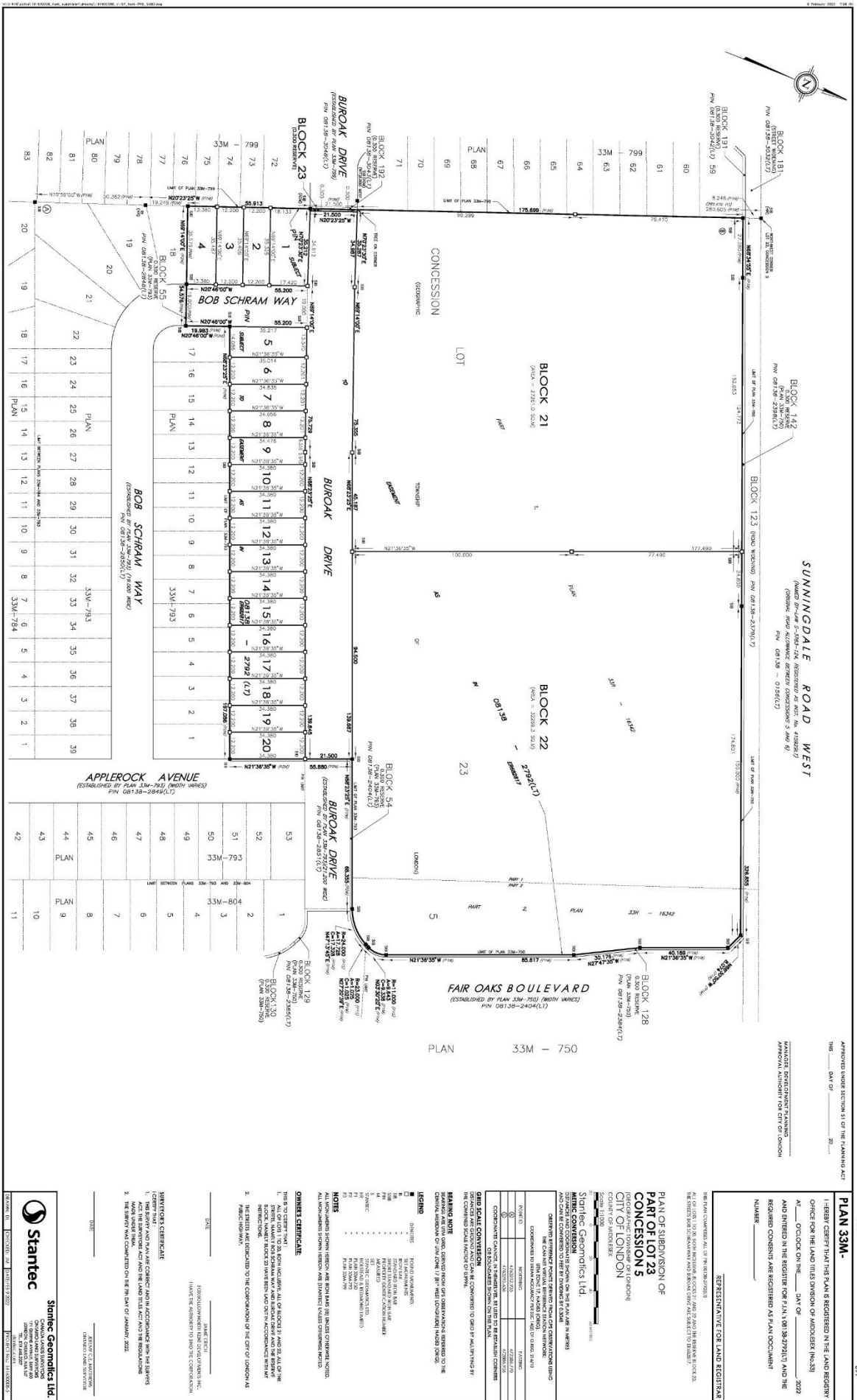
1.1 Property Description

The subject lands are located in the northwest quadrant of the City and are included in the Foxhollow Community Plan. The lands are on the south side of Sunningdale Road West, and north of Heard Drain. Phase 5 of the subdivision will be located along the north and south side of the future extension of Buroak Drive. The phase will contain twenty (20) single detached lots with approximately 12 metre frontages, a multi-family block, and a school block.

1.2 Location Map



1.3 Foxhollow North Kent Subdivision Phase 5



APPROVED UNDER SECTION 31 OF THE PLANNING ACT
 THIS PLAN OF _____ IS OF _____
 MANAGER RESPECTING PLANNING
 APPROVAL AUTHORITY FOR CITY OF LONDON

APPROVAL AUTHORITY FOR CITY OF LONDON

REPRESENTATIVE FOR LAND REGISTRAR

PLAN 33M-750

STANTEC GEOMETRICS LTD.

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2.0 Discussion and Considerations

2.1 Development Proposal

Phase 5 of the plan of subdivision will consist of 20 single detached Lots (Lots 1 to 20), a multi-family block (Block 21), and a school block (Block 22), all served by the extension the extension of Buroak Drive and Bob Schram Way.

The recommended special provisions for the proposed Phase 5 Subdivision Agreement are found at Appendix A of this report. Staff has reviewed these special provisions with the Owner who is in agreement with them.

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

3.0 Financial Impact/Considerations

3.1 Financial Securities

Through the completion of the works associated with this application fees, development charges and taxes will be collected. Outside of the DC eligible items outlined in the attached Source of Financing (Appendix C), there are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

The key issues and considerations have been reviewed and addressed through the draft plan of subdivision approval process and subdivision agreement conditions.

Conclusion

Planning and Development staff are satisfied with the proposed special provisions for the Foxhollow North Kent Subdivision – Phase 5, and recommend that they be approved; and, that the Mayor and the City Clerk be authorized to execute the Subdivision Agreement, any amending agreements and all documents required to fulfil its conditions.

Prepared by: Mark Johnson, MCIP, RPP
Senior Planner, Planning and Development

Reviewed by: Bruce Page
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager,
Planning and Economic Development

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.

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections
Bruce Page, Manager, Subdivision Planning
Matt Davenport, Manager, Manager, Subdivision Engineering

May 20, 2022
SM/GB/MJ/jar

Appendix A – Special Provisions

15. PROPOSED SCHOOL SITES

Remove Section 15.3 and **replace** with the following:

- 15.3 The Owner shall set aside an area or areas (being Block 22) 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.

24.1 STANDARD REQUIREMENTS

Add the following Special Provisions:

1. 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.
2. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements to construct new services and make adjustments to the existing works and services on Buroak Drive and Bob Schram Way in Plans 33M-793 and Plan 33M-799, adjacent to this plan to accommodate the proposed works and services on these streets to accommodate this plan (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City. Such arrangements shall include, but not be limited to, providing sufficient notice, co-ordination and clarification with adjacent landowners as to what each parties consulting engineer will be required to be certified for the City for the purposes of assumption, all to the satisfaction of the City.
3. 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 Deputy City Manager, Finance Supports 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) Removal of automatic flushing devices/blowoffs in future, an amount of \$5,000 each flusher
4. 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 City.
5. The Owner shall include in all Purchase and Sale or Lease Agreements the requirement that the homes to be designed and constructed on all corner lots including lots flanking the park corridor blocks in this Plan, are to have design features, such as but not limited to porches, windows or other architectural amenities that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard. Further, the owner shall obtain approval of their proposed design from the City prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan.

6.

24.2 CLAIMS

Add the following new Special Provisions

6.

- (a) Where the proposed development calls for the construction of works, and where the Owner is of the opinion that such works are eligible to be funded in whole or in part from Development Charges as defined in the Development Charges By-law, and further, where such works are not oversized pipe works (sanitary, storm or water – the reimbursement of which is provided for in subsidy appendices in the Development Charges By-law), then the Owner shall submit through their Professional Engineer, a Work Plan for the proposed works to be approved by the Deputy City Manager, Environment and Infrastructure (or designate) and Deputy City Manager, Finance Supports (or designate). The Owner acknowledges that:
- i) no work subject to a Work Plan shall be reimbursable until both the Deputy City Manager, Environment and Infrastructure (or designate) and Deputy City Manager, Finance Supports (or designate) have reviewed and approved the proposed Work Plan; and
 - ii) in light of the funding source and the City's responsibility to administer Development Charge funds collected, the City retains the right to request proposals for the work from an alternative consulting engineer.
- (b) Where the Owner undertakes construction of works as a capital cost incurred on behalf of the City in accordance with this Agreement, and which are eligible for a claim made against a Development Charge Reserve Fund or the Capital Works Budget, the Owner must conform with the Development Charges By-law and policies in effect at the time the claim is made including but not limited to, requirements for a Work Plan, tendering of construction works and completeness of claims.
- (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 Deputy City Manager, Environment and Infrastructure (or designate) and the Deputy City Manager, Finance Supports (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 watermains in conjunction with this Plan, subsidized at an estimated cost of which is \$13,794, excluding HST.
- 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.
- (d) The Owner shall review and seek approval from the City for any proposed use of construction contingency that relate to claimable works outlined in the Work Plan prior to authorizing work.
- (e) The Owner shall ensure that the City is formally invited to all construction site/progress meetings related to the claimable works associated with this Plan, including but not limited to providing a minimum of two-week notice of meetings and copies of all agenda and minutes as appropriate, all to the satisfaction of the City.
- (f) The Owner shall provide full-time supervision by its Professional Engineer for all claimable works to be constructed in accordance with current City policies. Upon completion of these claimable 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.
- (g) Upon approval of an application for a claim to a Development Charge Reserve Fund, the City shall pay the approved claim in full to the Owner subject to the limits noted above and in accordance with the Council approved "Source of Financing"

and the Development Charges By-law and policies in effect at the time the claim is made.

24.6 EROSION AND SEDIMENT CONTROL

Update the General Condition as follows in the General Provisions:

7.

- (d) The Owner shall install, and construct erosion and sediment control measures as required during construction to control overland flows from this subdivision to ensure that mud, silt, construction debris, etc. does not adversely affect abutting properties, all to the specifications of the City.

The Owner shall maintain and replace such erosion and sediment control measures as necessary. Such maintenance shall include, but is not limited to, adequate cleaning of all streets, consisting of scraping of curbs and sweeping operations at an appropriate frequency based on site and seasonal conditions, cleaning and replacement of all silt sacks in the catchbasins when necessary, and other associated maintenance works, all to the satisfaction of the City.

Add the following new Special Provisions:

8. All temporary erosion and sediment control measures installed in conjunction with this Plan shall be decommissioned and/or removed when warranted as per accepted engineering drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure and at no cost to the City.

24.7 GRADING REQUIREMENTS

Add the following new Special Provisions:

9. The Owner shall grade the portions of Blocks 21 and 22 inclusive, which have a common property line with Sunningdale Road West, to blend with the ultimate profile of Sunningdale Road West, in accordance with the accepted engineering drawings and to the specifications and satisfaction of the City, at no cost to the City.
10. The Owner shall grade Blocks 21 and 22 as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
11. The Owner shall not alter the existing grading and/or ditching on Block 22 until a site plan has been accepted by the City and the ultimate grading for the Block has been approved, all to the specifications and satisfaction of the City.
12. The Owner shall provide positive drainage from Blocks 21 and 22 to the existing Ditch Inlet Catchbasins unless otherwise approved by this City during site plan stage, all to the specifications and satisfaction of the City.
13. The Owner shall register against the title of Blocks 21 and 22 in this Plan, and shall include in the Agreement of Purchase and Sale for the transfer of each of the said Blocks, as an overland flow route is located on the Blocks, 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 Blocks as shown on the accepted lot grading and servicing drawings for this subdivision unless otherwise approved by the City.

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 on Blocks 21 and 22 as per the accepted engineering drawings, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

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 owner to the west to regrade a portion of the property abutting this Plan, if necessary, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.

24.8 STORM WATER MANAGEMENT

Add the following new Special Provisions:

17. 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.
18. All temporary storm works and servicing installed within the proposed Plan of Subdivision shall be decommissioned and/or removed when warranted, all to the satisfaction of the City, at no cost to the City.

24.9 SANITARY AND STORM SEWERS

19.

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

- (b) 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 900 mm diameter storm sewer on Buroak Drive and the 300 mm diameter storm on Bob Schram Way in accordance with the accepted engineering drawings, to the satisfaction of the City.

20.

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

- (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 200 mm diameter sanitary sewer on Buroak Drive and the 200 mm diameter sanitary sewer on Bob Schram Way in accordance with the accepted engineering drawings, to the satisfaction of the City.

Add the following new Special Provisions:

21. The Owner acknowledges that the ultimate minor storm outlet for this subdivision is the City existing and operational regional Fox Hollow SWM Facility # 3 via the existing minor storm system on Buroak Drive provided by Plan 33M-793 and Plan 33M-750. The major storm outlet for this subdivision is the City's existing and operational regional Fox Hollow SWM Facility # 3 via Buroak Drive.
22. The Owner shall include in the agreement of purchase and sale for the transfer of Block 22 in this Plan, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Blocks may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the Deputy City Manager, Environment and Infrastructure.
23. The Owner shall remove the temporary DICBS, etc., when applicable, and the existing easements on Blocks 21 and 22 may be quit claimed, all to the satisfaction and specifications of the Deputy City Manager, Environment and Infrastructure and at no cost to the City.

24.10 WATER SERVICING

Add the following new Special Provisions:

24. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the Deputy City Manager, Environment and Infrastructure, 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 municipal system, namely, the existing 300 mm diameter watermain on Buroak Drive and the 200 mm diameter watermain on Bob Schram Way, in accordance with the accepted engineering drawings;
 - ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the Deputy City Manager, Environment and Infrastructure when development is proposed to proceed beyond 80 units;
25. The available fire flows for development Blocks 21 and 22 within this Plan of Subdivision have been established through the subdivision water servicing design study.
- Future development of these Blocks shall be in keeping with the established fire flows in order to ensure adequate fire protection is available.
26. If the Owner requests the City to assume Buroak Drive with the automatic flushing device still in operation, 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 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 west limit of Buroak Drive 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.

24.11 ROADWORKS

27.

Remove Condition 24.11 (p) and **replace** with the following:

- (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 on Buroak Drive in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots and Blocks away from the traffic calming measures on the said streets, including speeds cushions, to be installed as traffic control devices, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

28.

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

- (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 Fair Oaks Boulevard via Sunningdale Road West. All trades and construction vehicles shall park within this Plan of Subdivision.

Add the following new Special Provisions:

29. The Owner shall remove the temporary turning circle on Bob Schram Way and adjacent lands, in Plan 33M-793 to the south of this Plan and complete the construction of Bob Schram Way in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City.

If funds have been provided to the City by the Owner of Plan 33M-793 for the removal of the temporary turning circle and the construction of this section of Bob Schram Way and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

In the event that Bob Schram Way in Plan 33M-793 is constructed as a fully serviced road by the Owner of Plan 33M-793, then the Owner shall be relieved of this obligation.

30. Barricades are to be maintained at west limit of Buroak Drive 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.

31. Prior to the issuance of any Certificate of Conditional Approval, temporary signs shall be installed and maintained on Buroak Drive adjacent to the speed cushion location that indicate Future Speed Cushion Location, as identified on the accepted engineering drawings, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
32. Prior to assumption or when required by the Deputy City Manager, Environment and Infrastructure, the Owner shall install one speed cushions on Buroak Drive, including permanent signage and pavement marking in a location, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
33. Prior to any work on the site, the Owner shall install signage advising construction traffic that loads on Sunningdale Road West are restricted to a maximum weight of five (5) tonnes per axle for any vehicle travelling on this road during the period March 1 to April 30, inclusive in any year.
34. The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS) may be reconstructing Sunningdale Road West adjacent to this Plan. The Owner may be required to dedicate temporary easements along the north boundary of this Plan that may be required by the City in order for the City for complete the said works on Sunningdale Road West.

24.14 PARKS

35.

Remove Section 24.14 as there are no Parks required in this Plan.

~~36. Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed all Park Blocks and Open Space Blocks, transferred to the City as part of the parkland dedication requirements, pursuant to current City Park development standards, to the satisfaction of City, and at no cost to the City.~~

~~37. Within (1) year of registration of this Plan, the Owner shall have its consultant provide a certificate that identifies that the Block has been rough graded as per the approved plan and receive City approval of rough grades prior to topsoil installation.~~

~~38. Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence, without gates, along the property limit interface of all private Lots and Blocks adjacent to any park and/or open space Blocks, in accordance with the accepted engineering drawings and City Standard S.P.O. 4.8, to the satisfaction of the City, and at no cost to the City.~~

~~Any alternative fencing arrangements shall be to the approval and the satisfaction of the City.~~

- ~~• Within (1) year of registration of this Plan, the Owner shall have its consultant provide a certificate to the City Plan that identifies that the fencing has been installed as per the approved plan~~

~~39. The Owner shall not grade into any park or open space area. Where Lots abut lands zoned as open space, all grading of the developing Lots at the interface with the park or 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 park or open space zones shall be to the satisfaction of the City.~~

SCHEDULE "C"

This is Schedule "C" to the Subdivision Agreement dated this _____ day of _____, 2022, between The Corporation of the City of London and Foxhollow North Kent Developments Inc. to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- Buroak Drive shall have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres
- Bob Schram Way shall have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres

Sidewalks

A 1.5 metre sidewalk shall be constructed on both sides of Buroak Drive as per the accepted engineering drawings, unless otherwise noted below.

A 2.4 metre sidewalk shall be constructed on the north boulevard of Buroak Drive as per the accepted engineering drawings.

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

- (i) Bob Schram Way – west boulevard

Pedestrian Walkways

There are no pedestrian walkways in this Plan.

SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated this _____ day of _____, 2022, between The Corporation of the City of London and Foxhollow North Kent 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: | Block 23 |
| Road Widening (Dedicated on face of plan): | NIL |
| Walkways: | NIL |
| 5% Parkland Dedication: | NIL – Parkland Dedication was satisfied through previous subdivision phases |
| Dedication of land for Parks in excess of 5%: | NIL |
| Stormwater Management: | NIL |

LANDS TO BE SET ASIDE FOR SCHOOL SITE:

| | |
|--------------|----------|
| School Site: | Block 22 |
|--------------|----------|

LANDS TO BE HELD IN TRUST BY THE CITY:

| | |
|-------------------|-----|
| Temporary access: | NIL |
|-------------------|-----|

SCHEDULE "E"

This is Schedule "E" to the Subdivision Agreement dated this _____ day of _____, 2022, between The Corporation of the City of London and Foxhollow North Kent Developments Inc. to which it is attached and forms a part.

The Owner shall supply the total value of security to the City is as follows:

| | |
|-------------------------|-------------------|
| CASH PORTION: | \$ 124,481 |
| BALANCE PORTION: | <u>\$ 705,390</u> |
| TOTAL SECURITY REQUIRED | \$ 829,871 |

The Cash Portion shall be deposited with the Deputy City Manager, Finance Supports prior to the execution of this agreement.

The Balance Portion shall be deposited with the Deputy City Manager, Finance Supports 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 ACT, R.S.O. 1990.

SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2022, between The Corporation of the City of London and Foxhollow North Kent Developments Inc. to which it is attached and forms a part.

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

Multi-Purpose Easements:

- (a) Multi-purpose easements for servicing shall be deeded to the City in conjunction with this Plan, within this Plan, on an alignment and of sufficient width acceptable to the Deputy City Manager, Environment and Infrastructure as follows:
 - (i) Over Blocks 21 and 22 for temporary Ditch Inlet Catchbasins and temporary grading as per the accepted engineering drawings

Appendix B – Claims and Revenues

Estimated Costs and Revenues

| Estimated DC Claim Costs | Estimated Cost (excludes HST) |
|---|--|
| Claims for Owner led construction from CSRF | |
| - Watermain Internal Oversizing Subsidy (DC19WD1001) | \$13,794 |
| Total | \$13,794 |
| Estimated DC Revenues (January 1, 2022 to December 31, 2022 Rates) | Estimated Revenue |
| CSRF TOTAL | \$5,386,907 |

- 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.

Approved by:

Date

Paul Yeoman
Director, Capital Assets and Projects

Appendix C – Source of Financing

RE: Subdivision Special Provisions - Kent Phase 5
Foxhollow North Kent Developments Inc.
(Subledger 2552285)
Capital Project EW381819 - Watermain Internal Oversizing Subsidy (2019-2023)

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Budget, and that, subject to the approval of the recommendation of the Deputy City Manager, Planning and Economic Development, the detailed source of financing is:

| Estimated Expenditures | Approved Budget | Committed To Date | This Submission | Balance for Future Work |
|---|------------------------|--------------------------|------------------------|--------------------------------|
| Construction | 361,763 | 117,258 | 14,037 | 230,468 |
| Total Expenditures | \$361,763 | \$117,258 | \$14,037 | \$230,468 |
| Sources of Financing | | | | |
| Drawdown from City Services - Water Reserve Fund (Development Charges) (Note 1) | 361,763 | 117,258 | 14,037 | 230,468 |
| Total Financing | \$361,763 | \$117,258 | \$14,037 | \$230,468 |
| Financial Note | | | | |
| Contract Price | \$13,794 | | | |
| Add: HST @13% | 1,793 | | | |
| Total Contract Price Including Taxes | 15,587 | | | |
| Less: HST Rebate | -1,550 | | | |
| Net Contract Price | \$14,037 | | | |

Note 1: Development Charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Jason Davies
Manager of Financial Planning & Policy

lp