



Economic Development and Planning Committee

Tuesday, March 7, 2017, 4:15 pm
City Hall, Council Chambers

Committee Members

Councillor D. LeSueur,
Chair
Councillor J. Baker
Councillor J. Earle
Councillor M. Kalivas
Mayor D. Henderson,
Ex-Officio

Areas of Responsibility

Economic Development
Planning
Chamber of Commerce
DBIA
Heritage Brockville

Page

COMMITTEE AGENDA

Disclosure of Interest

Delegations and Presentations

- 4 - 22 1. Shoreline Casinos
 Andy LaCroix, Executive Director of Stakeholder Relations

Mr. LaCroix will speak to the Committee regarding who they are and their plans for the community.

Correspondence

Nil.

Staff Reports

- 23 - 24 1. 2017-023-03
 Lease Renewal - Rogers Communications Inc.

THAT Council authorize the extension of the lease between the Corporation of the City of Brockville and Rogers Communications Inc. for an additional five year term commencing on the 27th day of March 2022 and ending on the 26th day of March 2027 for the property known as Part Lot 18 Concession II, Township of Elizabethtown, County of Leeds.

- 25 - 36 2. 2017-024-03
Amendment to Subdivision Agreement
Children's Play Area/Community Park
Block 8, Plan 28M-12
(Steady Gardens Subdivision)
Owner: 1178420 Ontario Ltd.
Agent: Paul & Tracey Veenstra

THAT the Subdivision Agreement for Steady Gardens Subdivision be amended to address revisions to the layout and equipage of Block 8, Plan 28M-12.

- 37 - 58 3. 2017-025-03
Amendment to Servicing & Development Agreement
for: Revised Phasing, Berm & Barrier Relocation
Removal of Part Lot Control
Removal of H1, H2 Holding Symbols and
Stop-up, Close, Declare Surplus & Transfer Various Lands
(Brockwoods Subdivision, Plan 388)
Owner: Habouredge Reality Administration Corporation
Agent: Collett Surveying Ltd.

1. *THAT approval-in-principle be granted for execution of an Amendment to the Servicing and Development Agreement for Brockwoods Subdivision to address the following:*
 - *change in phasing and related clause wording;*
 - *revisions to the location, construction and details associated with the required railway berm and barrier in Brockwoods Subdivision.*
2. *THAT Part-Lot Control be removed from lands described as Lots 168 through 177, inclusive, and Lots 196 to 203, inclusive, Part of Lots 204 and 205, Parts of Adley Drive and Dowsley Court, Registered Plan 388, City of Brockville, County of Leeds.*
3. *THAT the H1 and H2 Holding Symbols be removed from lands described as Lots 168 to 177, inclusive, and Lots 196 to 203, inclusive, Part of Lots 204 and 205, Parts of Adley Drive and Dowsley Crescent, City of Brockville, County of Leeds, Registered Plan 388, City of Brockville, County of Leeds.*

4. *THAT lands described as Part of Dowsley Crescent, Registered Plan 388, designated as Part 1 (Adley Drive), Part 14, 15, 18 and 19 (Dowsley Crescent), and Part 27 (Adley Drive), Registered Plan 388, on a draft Reference Plan be stopped-up and closed, declared surplus and transferred to adjacent lot owners at no cost to the City.*

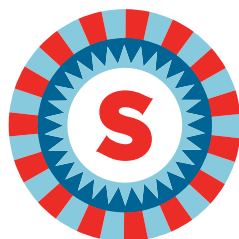
New Business - Reports from Members of Council

Nil.

Consent Agenda

Adjournment

THAT the Economic Development and Planning Committee adjourn its meeting until the next regular meeting scheduled for April 4, 2017.



SHORELINES

• CASINO THOUSAND ISLANDS •

.....

Community Impact

2017

WHO WE ARE



WHO WE ARE



COMPANY

FOUNDED

1982

5,800
EMPLOYEES

IN



&



21 ➔

PROPERTIES



casinos



hotel resorts



show theatres



racetracks



community
gaming centres

IN

5

JURISDICTIONS

WHO WE ARE

Shorelines Casino Thousand Islands is an entertainment facility that offers:



table games



slots



dining



lounge options

Managed and operated by Ontario Gaming East Limited, of which Great Canadian is the majority partner



INDUSTRY GOVERNANCE



INDUSTRY GOVERNANCE

AGCO

Alcohol and Gaming
Commission of Ontario

Organization that
regulates all gaming activity
in the province.

OLG

Ontario Lottery and
Gaming Corporation

Provincial agency which
operates and manages province-
wide lotteries, casinos and
slot facilities.

GAMING OPERATORS

Private companies such as
Ontario Gaming East Limited.

LOCATIONS



That's US! Casinos and racetracks such as Shorelines Slots at Kawartha Downs and Shorelines Casino Thousand Islands. Amenities include table games, slots and a variety of dining and lounge options.



SHORELINES
• CASINOS •

WHERE THE MONEY GOES



WHERE THE MONEY GOES

Gaming revenue to the Town of Gananoque / the Township of Leeds and the Thousand Islands

in 2014/2015:

\$3.4
MILLION



since opening:

\$43.5
MILLION

This share of gaming revenue received is available to be used to fund local projects such as:



fire
equipment



museum
repairs



community
grants



playgrounds

WHERE THE MONEY GOES

since

1975 **OLG**
Ontario Lottery
Gaming Corp.

**HAS PROVIDED
NEARLY**

\$42

BILLION
which is used
to support



health care



RG

problem
gambling
research



charitable
organizations

DIRECT COMMUNITY SUPPORT



DIRECT COMMUNITY SUPPORT

PROUD

of our people, our business,
our community

is the brand that unifies the company's
community, volunteering and social
responsibility efforts.

The PROUD volunteer program **recognizes, encourages and rewards employees who volunteer and support their communities.** When an employee volunteers a certain number of hours with a non-profit/charity, the company will issue a donation in their name to that group.

Under the PROUD program,
Great Canadian annually
invests over

\$2.5
MILLION

over

3,600

charitable organizations
were supported in

2015



SHORELINES
• CASINOS •

DIRECT COMMUNITY SUPPORT

Shorelines Casino Thousand Islands has provided direct community support to many organizations, including:



Angel Tree



Canadian
Cancer
Society

GREAT CANADIAN
Shoreline
Cleanup™



ONTARIO
ASSOCIATION OF
FOOD BANKS

Gananoque Food Bank

OUR PEOPLE



OUR PEOPLE

(As of February 2016)



different job
positions on-site



average age



different
languages &
dialects spoken

45 %

staff have worked
at Shorelines
Casino Thousand
Islands for over



ECONOMIC IMPACT



ECONOMIC IMPACT



capital investments and projects
since inception (Casino Thousand
Islands and Slots at Kawartha Downs)

**\$46.4
MILLION**

property tax paid annually by
Shorelines Casino Thousand Islands

**\$1.1
MILLION**



SHORELINES
• CASINOS •

RESPONSIBLE GAMBLING



RESPONSIBLE GAMBLING

Great Canadian works with provincial regulators to administer and develop responsible gambling programs

On average
82.9%
of adults in Ontario
participated in
at least one gambling
activity in the
past 12 months

Annually, the provincial government
spends an estimated

\$52.4
MILLION

on responsible gaming and
problem gambling initiatives,
programs and research

Moderate and high-risk problem gamblers make up
an estimated 2.5% of adult Ontarians

RG Programs include: Problem gambling helpline number, counseling services, Voluntary-Self Exclusion program, literature on problem gambling/responsible gambling, on-site RG centres



SHORELINES
• CASINOS •

Q&A



**Report to Economic Development and Planning Committee
March 7, 2017**

2017-023-03

Lease Renewal

Rogers Communications Inc.

Sandra MacDonald

City Clerk

RECOMMENDATION

THAT Council authorize the extension of the lease between the Corporation of the City of Brockville and Rogers Communications Inc. for an additional five year term commencing on the 27th day of March 2022 and ending on the 26th day of March 2027 for the property known as Part Lot 18 Concession II, Township of Elizabethtown, County of Leeds.

BACKGROUND


The City has been in a lease agreement with Rogers Communication Inc. (formerly Rogers Cantel Inc.) for the former landfill site property located on the south side of Old Red Road since 1994. The current lease expires March 26th, 2022. We have received a request from Rogers Communication Inc. to extend the current lease for one five year term to March 26th, 2027.

ANALYSIS

The request has been reviewed by all departments. There were no concerns raised. Rogers Communications is not interested in purchasing the property at this time.

FINANCIAL CONSIDERATION


The current lease includes an annual increase equal to the Consumer Price Index for Canada. The 2016 lease fee was \$7037.97 (plus applicable taxes).



S. MacDonald
City Clerk



D. Dick, CPA, CA
Director of Corporate Services



B. Casselman
City Manager



28 February 2017

REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE – 07 MARCH 2017

2017-024-03

AMENDMENT TO SUBDIVISION AGREEMENT

CHILDREN'S PLAY AREA/

COMMUNITY PARK

BLOCK 8, PLAN 28M-12

(STEACY GARDENS SUBDIVISION)

OWNER: 1178420 ONTARIO LTD.

AGENT: PAUL & TRACEY VEENSTRA

FILE: 08T-10502

D. DICK

DIRECTOR OF PLANNING (ACTING)

J. FAURSCHOU

PLANNER I

RECOMMENDATIONS:

THAT the Subdivision Agreement for Steacy Gardens Subdivision be amended to address revisions to the layout and equipage of Block 8, Plan 28M-12.

PURPOSE:

The purpose of this report is to outline rationale for consideration of changes to Block 8, Plan 28M-12, being a Children's Play Area/Community Park.

BACKGROUND:

On 17 November 2011, Council for the Corporation of the City of Brockville entered into a Subdivision Agreement for development of Steacy Gardens Subdivision, being Plan 28M-12. **Schedule "A"** to this report illustrates Plan 28M-12 and the location of the various Lots and Blocks within the subdivision. Block 8, being the lands which are the subject of the Report are located centrally within the Steacy Gardens Subdivision, south of Liston Avenue and west of Millwood Avenue.

To-date, the subdivision has been built-out with the exception of Lot 3 which remains vacant. 1178420 Ontario Ltd. is working towards meeting the terms and conditions for release of the Subdivision.

Mr. Paul Veenstra, acting as Agent for 1178420 Ontario Ltd., has made a request to amend various elements of the existing Steacy Gardens Subdivision Agreement pertaining to the development of Block 8, a proposed Children's Play Area/Community Park. The letter of request has been attached as **Schedule "B"** to this report.

2017-024-03

Page 2

Amendment To Subdivision Agreement**Children's Play Area/Community Park – Block 8, Plan 28M-12****(Steady Gardens Subdivision)****Owner: 1178420 Ontario Ltd.****Agent: Paul & Tracey Veenstra****File: 08T-10502**

Support for the proposed amendment to development of Block 8 has been received from each of the twenty (20) dwelling units located within Plan 28M-12. Block 8 is currently graded, grassed, has some trees and rocks but no equipment or furnishings.

ANALYSIS:**1. Amendment to the Subdivision Agreement:**

Amendments to the Servicing and Development Agreement are permitted with the concurrence of City Council. Accordingly, amendments to the Subdivision Agreement are proposed to address a change in the layout and equipage of Block 8, Plan 28M-12, as follows:

i) Remove and Replace Drawings:

Steady Gardens Subdivision identifies various details for development under Clause 2-Municipal Services. Specifically, of thirteen (13) drawings noted in Clause 2, three (3) drawings illustrate the approved requirements for Block 8. Drawings 11, 12 and 13 have been included as **Schedule "C"** to this report.

The Subdivision Agreement would be amended to remove drawings 11, 12 and 13 in their entirety and to replace them with one (1) new drawing as shown in **Schedule "D"** to this Report.

ii) Remove and Replace Clause 24 a), 24 c) and 24 d) & Associated Drawings:

Steady Gardens Subdivision Agreement addresses various elements and responsibilities associated with Block 8, Plan 28M-12 as follows:

Clause 24-Childrens Play Area / Community Park-Block 8:

Clause 24-Childrens Play Area / Community Park-Block 8, reads as follows:

"24. Children's Play Area / Community Park – Block 8

a) The Owner, at its expense, shall undertake the process to remove the

2017-024-03

Page 3

Amendment To Subdivision Agreement**Children's Play Area/Community Park – Block 8, Plan 28M-12****(Steacy Gardens Subdivision)****Owner: 1178420 Ontario Ltd.****Agent: Paul & Tracey Veenstra****File: 08T-10502**

children's play area currently located in the south-east corner of the subject lands to Block 8 of the PLAN.

- b) The Owner shall be responsible for all costs associated with the transfer, release and abandonment of the existing easement, including those associated with Leeds Condominium #31, related to removal of the existing children's play area.*
- c) The Owner, at its expense, shall install and equip a children's play area and community park to be located on Block 8 of the PLAN as detailed in the inset to the Draft Plan of Subdivision (boulder, rock gardens, trees and bench) and Clause 2, Drawing 11 and the said detailed drawings identified thereunder.*
- d) The Owner shall complete all aspects of the children's play area/community park not later than eighteen (18) months of issuance the first Building Permit within the PLAN."*

Clause 24 a) has been partially completed in that the previously installed play area was dismantled and removed from the site, at the cost of the Owner. The play equipment was not relocated to Block 8. Clause 24 b) has been completed.

In order to implement the current request, Clause 24 a), 24 c) and 24 d) would be deleted in their entirety and replaced with the following text to clarify the status of the former play equipment and to address the proposed development of Block 8, Plan 28M-12 as follows:

"24 Children's Play Area / Community Park – Block 8

- a) The Owner, at its expense, shall undertake the process to remove the children's play area currently located in the south-east corner of the subject lands.*
- c) The Owner, at its expense, shall install and equip a Community Park to be located on Block 8 of the PLAN as detailed in Clause 2, Drawing 11, as amended, (boulder, raised rock garden, six (6) trees and three (3) benches) on a grassed surface.*

2017-024-03

Page 4

Amendment To Subdivision Agreement

Children's Play Area/Community Park – Block 8, Plan 28M-12

(Steacy Gardens Subdivision)

Owner: 1178420 Ontario Ltd.

Agent: Paul & Tracey Veenstra

File: 08T-10502

d) *The Owner shall complete all aspects of the Community Park not later than 01 July 2017. Should the Community park not be completed by 01 July 2017, the City may undertake the work as per Clause 33 c) of this Agreement"*

Schedule "C", Clause 11:

Schedule "C", Clause 11-Childrens Play Area/Community Park, reads as follows:

"11. Children's Play Area/Community Park

The Owner shall be responsible for the creation and equipping of a children's play area and community park to be located on Block 8 of the PLAN to the satisfaction of the City of Brockville. Details of Block 8- Children's Play Area / Community Park are detailed in Clause 2, Drawing 11, Drawing 12 and Drawing 13, inclusive."

In order to implement the current request, Clause 11 would be deleted in its entirety and replaced with the following text:

"11. Community Park

The Owner shall be responsible for the creation and equipping of a community park to be located on Block 8 of the PLAN to the satisfaction of the City of Brockville. Details of Block 8-Community Park are detailed in Clause 2, Drawing 11, as amended."

A By-law shall be prepared to address the proposed revisions to the Steacy Gardens Subdivision Agreement pertaining to Block 8, Plan 28M-12.

2. Background to Block 8, Plan 28M-12, Children's Play Area/Community Park:

The processing of the application and execution of a Subdivision Agreement for Plan 28M-12 met all requirements under the Planning Act. The following is a summary of the portion of the process applicable to Block 8:

2017-024-03

Page 5

Amendment To Subdivision Agreement**Children's Play Area/Community Park – Block 8, Plan 28M-12****(Stacey Gardens Subdivision)****Owner: 1178420 Ontario Ltd.****Agent: Paul & Tracey Veenstra****File: 08T-10502**

Development of new residential land is subject to either dedication of 5% of the total land area as public parkland or a cash-in lieu of parkland payment equal to 5% of the value of the land determined as of the day before the day of the approval of the draft Plan of Subdivision. Plan 28M-12 is located within the limits of Plan 380. Plan 380 covers an area significantly larger than Plan 28M-12 and involves a number of separate developments. At the time that Plan 380 was approved, the owner paid a cash-in-lieu of parkland payment and installed a large fenced, grassed and traditional (slide, swing set, sandbox, benches), fully equipped children's play area.

1178420 Ontario Ltd., developer for Plan 28M-12, proposed a number of changes to the children's play area which was installed under Plan 380. Changes included the relocation of the play area and park, significant reduction in the play area and park area, removal of fencing, removal of the original play equipment and benches and installation of a different play structure.

Following extensive research, review and negotiation, Staff supported development of a Children's Play Area/Community Park as identified and detailed in the Subdivision Agreement and as illustrated on **Schedule "C"** to this Report. The Subdivision Agreement was subsequently executed and registered on title.

POLICY IMPLICATIONS:

The proposed changes, as noted, are consistent with policies within the City of Brockville as the area is currently designated and zoned for residential development and the proposed changes address amendments to the existing Subdivision Agreement for Stacey Gardens Subdivision.

FINANCIAL CONSIDERATIONS:

All costs for actions addressed under this report are the responsibility of 1178420 Ontario Ltd. This includes the preparation of acceptable construction and grading drawings for Block 8, amendments to the Subdivision Agreement and all fees associated with registration of an enabling by-law.

2017-024-03

Page 6

Amendment To Subdivision Agreement

Children's Play Area/Community Park – Block 8, Plan 28M-12

(Steacy Gardens Subdivision)

Owner: 1178420 Ontario Ltd.

Agent: Paul & Tracey Veenstra

File: 08T-10502

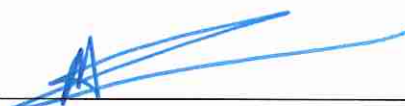
CONCLUSIONS:

The Planning Department has no objection to the various changes and shall prepare documentation addressing the required amendments to the Subdivision Agreement as they pertain to Plan 28M-12.

The necessary by-law will be prepared for enactment by City Council



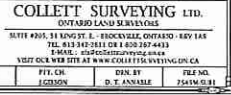
D. Dick, CPA, CA
Director of Planning (Acting)



B. Casselman
City Manager



J. Faurschou, MCIP, RPP
Planner I



SCHEDULE "B" - REPORT 2017-024-03

THE CITY OF BROCKVILLE
One King Street West,
Brockville, ON K6V 7A5

January 24th, 2017

RE: File 08T-10502 Steacy Gardens Subdivison
Plan 28M-12 Blocks 7 & 8

To Whom It May Concern:

We are writing to request the following Amendment to the above noted Subdivision Agreement...

The removal of the Childs Play Area to be replaced with an area to meet the needs of the surrounding residence while in keeping with the neighbourhood.

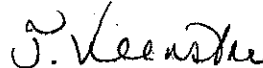
We introduced Steacy Gardens, The Villas of NorthRidge, to The City of Brockville as an Adult LifeStyle Community in its entirety. Despite that Cash in lieu of Parkland had already been provided to the City we were still forced (should we wish to proceed) to maintain an area designated for children.

To please our HomeOwners we have produced a new Plan, please find enclosed. The cost of the remaining works, taking into account landscaping rocks, etc. trees, vegetation and benches will be in excess of \$3,570.00.

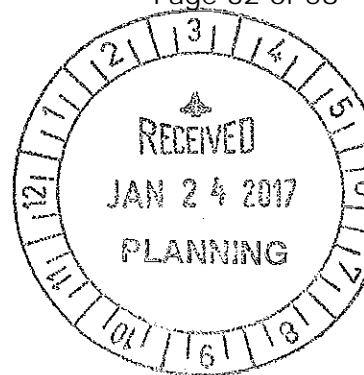
The support for this Amendment by local residence is unanimous evidence by the enclosed signed Site Plans. To date, The City has on file numerous letters of complaints, requests, recommendations and rationale supporting this Amendment. Also note, that this neighbourhood is in proximity to already existing park lands as well as play structures.

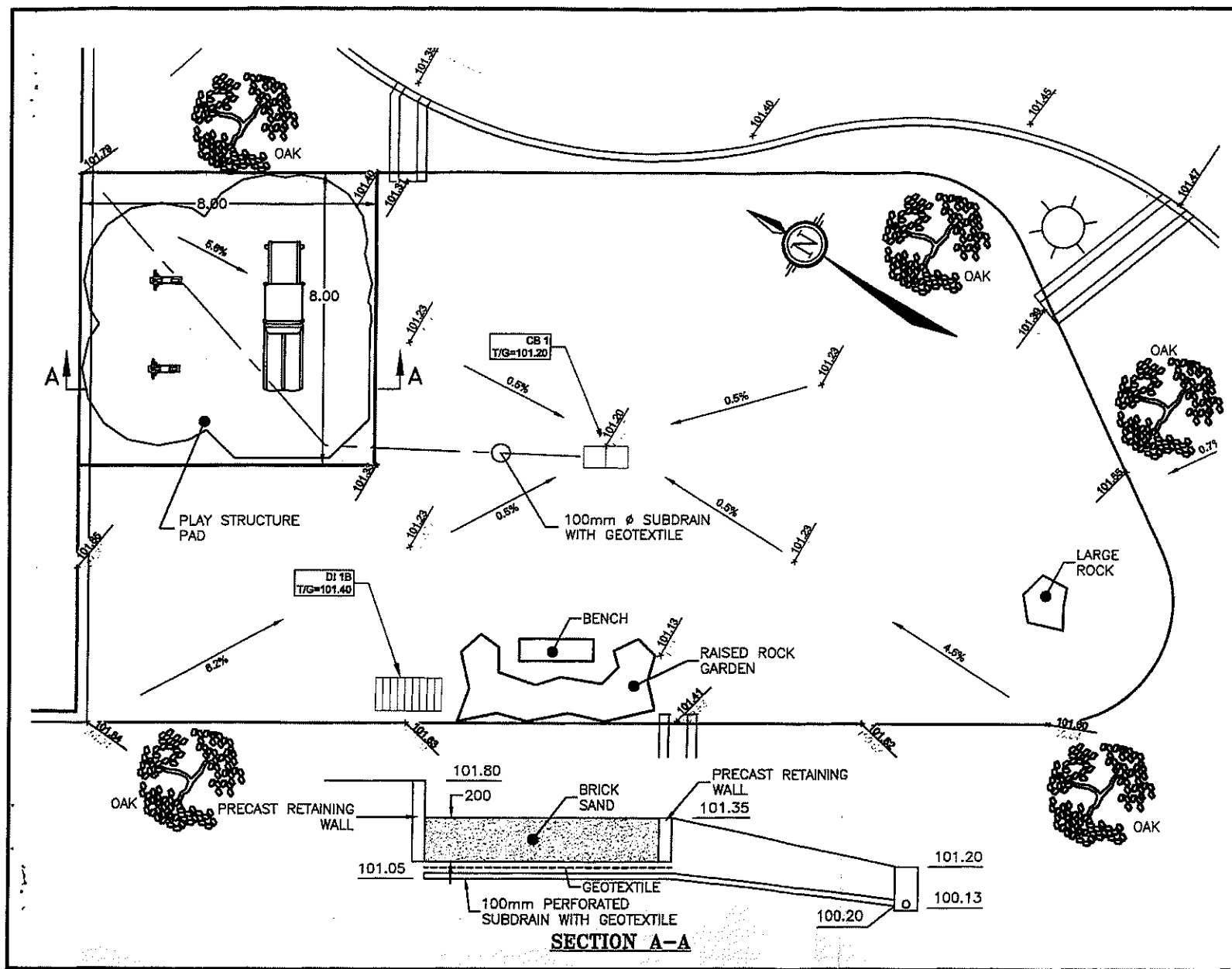
Your consideration is sincerely appreciated.

Tracey & Paul Veenstra
Coombe Custom Homes



The HomeOwners of
The Villas of NorthRidge





1		AJP		7/11/2011		PLAY STRUCTURE PAD SIZE	
No.	By	Date	Revisions				

All drawings, specifications and related documents are the copyright property of the Engineer and must be returned upon request. Reproduction of drawings, specifications, and related documents in part or whole is forbidden without the Engineer's written permission.

The contractor must check and verify all dimensions on the job prior to start of construction.

Drawings are not to be scaled.

B. R. TUZI
ENGINEER
ON

EASTERN ENGINEERING GROUP INC.
CONSULTING ENGINEERS

Brookville Centre
125 Stewart Blvd. Suite 212
Brookville, Ont. L3Y 4W4

Telephone: (913) 346-4444
Facsimile: (913) 346-4444
Web Site: www.easterneng.com

Project Title:
VILLAS OF NORTH RIDGE PHASE 3

Drawing Title:
PLAY STRUCTURE PAD

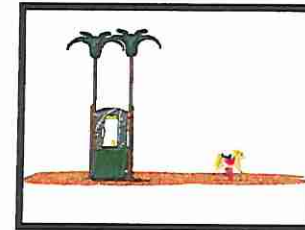
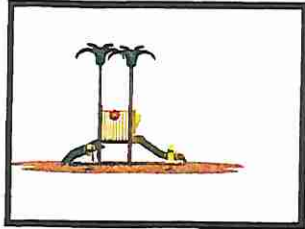
Design: B.R.T.	Check: B.R.T.	Approval: B.R.T.	Project No.: 5139
Drawn: A.J.P.	Checked: B.R.T.	Date: 20/9/2011	Contract No.:

Scale:
Horizontal: 1:100
Vertical:

0 1.5 3

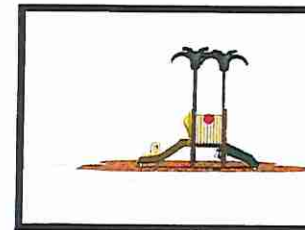
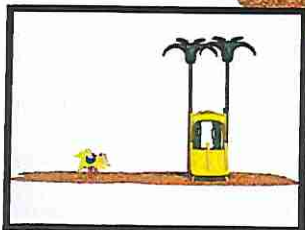
0 100.20 100.13

1



Drawing No. 12- SUBDIVISION AGREEMENT (2011-116-11)

Villas of North Ridge Phase 3, Little Tikes Commercial.
Project No. LH654_40843640625 1, Drawn 2011-10-28,
Issued by Engineering Intent



Project:
Villas of North Ridge Phase 3
Project No. LH654_40843640625 1
Drawn: 2011-10-28
Presented By:



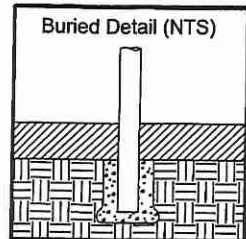
ENGINEERING INTENT
Maryanne Swinimer
Playground Planners
613-828-5502



This play equipment meets the requirements of CSA Z-614-07 for children 2-5 years old. Not all equipment may be appropriate for all children. Supervision is required.



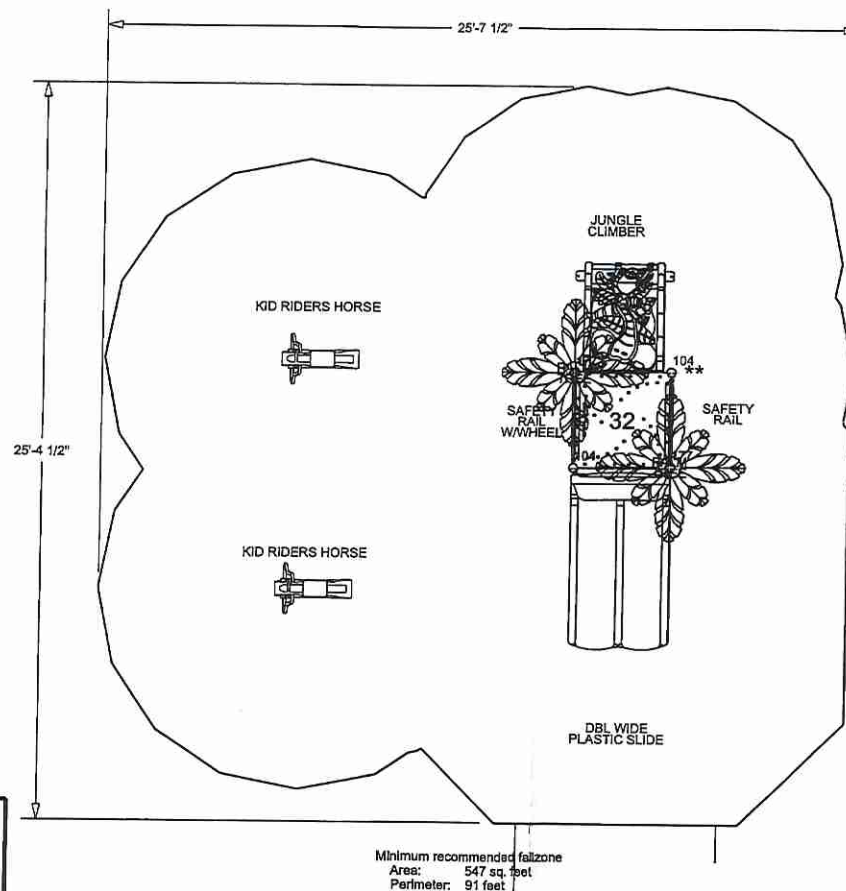
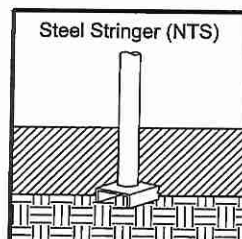
PlayPower LT Canada, Inc.
800-265-9953 www.ltcps.com



NOTES

Scale*: 1/4"=1'

1. The Americans with Disabilities Act (ADA) may require that you make your park and/or playground accessible when viewed in its entirety. Please consult your legal counsel to determine if the ADA applies to you.
2. For playground equipment to be considered accessible, accessible surfacing must be utilized in applicable areas.
3. Although a particular playground design may not meet the proposed Access Board Regulations in regards to the appropriate number of ground level events, the actual playground may be in compliance when considering existing play components.
4. All deck heights are measured from top of ground cover.
5. Fall absorbing ground cover is required under and around all play equipment.
6. The minimum recommended fall zone around the entire playstructure is shown. This zone is to be free of all tripping or collision hazards (i.e. roots, rocks, border material, etc.).
7. Age appropriate label locations are marked with a double asterisk ** you make your park and/or playground accessible when viewed in its entirety. Please consult your legal counsel to determine if the ADA applies to you.
8. The requirement for a Play Builder installation is that the post can not be set prior to installing the decks.
9. All post lengths are identified by text showing the post lengths, i.e. 2210mm or 87 inch post.
- * Scale for reference only. Use dimensions as shown.



Drawing No. 13- SUBDIVISION AGREEMENT (2011-116-11)

Villas of North Ridge Phase 3. Little Tikes Commercial.
Project No. LH654_40843640625 1, Drawn 2011-10-28,
Issued by Maryanne Swinimer



Representative:
Maryanne Swinimer
Playground Planners
613-828-5502

Project:
Villas of North
Ridge Phase 3
Project No.
LH654_40843640625 1
Drawn: 2011-10-28
Drawn By: Maryanne Swinimer

PlayArea:1
Product line:PlayBuilders
Age group:2-5
Post type:Galv. 11ga. / Plastic
Play Builder Accent Color:Yellow
Play Builder Post Color:Brown
PB Panel/Crawl Tunnel Color:Sport Red
PB Roof/Table Color:Forest Green
PB Slide Color:Yellow
PB Vinyl Clr:Brown
KB Climber Clr:Forest Green
Laminate Color:Gm/Tn/Gm
Mount Option:Buried

Playground Layout
Compliance:

✓ CSA Z-614-07

This play equipment meets the requirements of CSA Z-614-07 for children 2-5 years old. Not all equipment may be appropriate for all children. Supervision is required.

PlayPower LT Canada, Inc.
P.O. Box 125
Paris, Ontario N3L 3E7
Phone: 1-800-265-9953
Fax: 519-442-8200
www.ltcs.com

28 February 2017

REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE – 07 MARCH 2017

2017-025-03

AMENDMENT TO

SERVICING & DEVELOPMENT AGREEMENT

FOR: REVISED PHASING,

BERM & BARRIER RELOCATION,

REMOVAL OF PART LOT CONTROL,

REMOVAL OF H1, H2 HOLDING SYMBOLS AND

STOP-UP, CLOSE, DECLARE SURPLUS & TRANSFER VARIOUS LANDS

(BROCKWOODS SUBDIVISION, PLAN 388)

OWNER: HARBOUREDGE REALTY ADMINISTRATION CORPORATION

AGENT: COLLETT SURVEYING LTD.

FILE: 267-39

D. DICK

DIR. OF PLANNING (ACTING)

J. FAURSCHOU

PLANNER I

RECOMMENDATIONS:

1. **THAT** approval-in-principle be granted for execution of an Amendment to the Servicing and Development Agreement for Brockwoods Subdivision to address the following:
 - change in phasing and related clause wording;
 - revisions to the location, construction and details associated with the required railway berm and barrier in Brockwoods Subdivision.
2. **THAT** Part-Lot Control be removed from lands described as Lots 168 through 177, inclusive, and Lots 196 to 203, inclusive, Part of Lots 204 and 205, Parts of Adley Drive and Dowsley Court, Registered Plan 388, City of Brockville, County of Leeds.
3. **THAT** the H1 and H2 Holding Symbols be removed from lands described as Lots 168 to 177, inclusive, and Lots 196 to 203, inclusive, Part of Lots 204 and 205, Parts of Adley Drive and Dowsley Crescent, City of Brockville, County of Leeds, Registered Plan 388, City of Brockville, County of Leeds.
4. **THAT** lands described as Part of Dowsley Crescent, Registered Plan 388, designated as Part 1 (Adley Drive), Part 14, 15, 18 and 19 (Dowsley Crescent), and Part 27 (Adley Drive), Registered Plan 388, on a draft Reference Plan be stopped-up and closed, declared surplus and transferred to adjacent lot owners at no cost to the City.

2017-025-03

Page 2

Amendment To Servicing & Development Agreement for Revised Phasing, Berm & Barrier Relocation, Removal of Part Lot Control, Removal of H1, H2 Holding Symbols and Stop-Up, Close, Declare Surplus & Convey Various Lands

Owner: Harbouredge Realty Administration Corporation

Agent: Collett Surveying Ltd.

File: 267-39

PURPOSE:

The purpose of this report is to outline various items and to provide recommendations as they relate to the next phase of development within the Brockwoods Subdivision.

BACKGROUND:

On 10 April 1990, Council for the Corporation of the City of Brockville entered into a Servicing and Development Agreement for development of Brockwoods Subdivision, being identified as Plan 388. Subsequent Amendments to the Agreement were granted to revise phasing established within the Servicing and Development Agreement.

To-date, Phase 1, Phase 2A, Phase 2B, Phase 3A and Phase 3B have been built-out. Phase 4 development is currently under construction and is expected to be completed in 2017. The remaining vacant lands are awaiting extension of roads, sidewalks, municipal servicing and construction of a berm and barrier along the CN right-of-way.

Ownership of lands lying north of Phase 1, Phase 2A, Phase 2B, Phase 3A and Phase 3B passed into the hands of the City as a result of tax default. The City attempted to sell the lands by public sale and achieved the sale of only five (5) lots out of a total of approximately 110 lots. The remaining lands were subsequently sold in 2006 to a developer. The current Owner of the majority of the lands is Harbouredge Realty Administration Corporation.

The following lots are held under private ownership: Lots 149, 150, 151, 181, 182, 190, 206, and Part Lot 190. The proposed amendment to the Servicing and Development Agreement does not alter the conditions of development applicable to these lots.

Collett Surveying Ltd., acting as Agent for Harbouredge Realty Administration Corporation, Owner of various undeveloped lands within Plan 388, City of Brockville, County of Leeds, has made application for the following:

- Amendment to Servicing and Development Agreement to address phasing for development (**Schedule "A-1"**);
- Removal of Part Lot Control from various lots to permit re-alignment of lots (**Schedule "A-2"**);

2017-025-03

Page 3

Amendment To Servicing & Development Agreement for Revised Phasing, Berm & Barrier Relocation, Removal of Part Lot Control, Removal of H1, H2 Holding Symbols and Stop-Up, Close, Declare Surplus & Convey Various Lands

Owner: Harbouredge Realty Administration Corporation

Agent: Collett Surveying Ltd.

File: 267-39

- Removal of the H1 and H2 Holding Symbols (**Schedule "A-3"**); and
- Stop-up, close and transfer parts of Adley Drive, Dowsley Crescent and Manahan Court to the abutting lot owners (**Schedule "A-4"**).

The letters of request have been attached as **Schedule "A-1"**, **Schedule "A-2"**, **Schedule "A-3"** and **Schedule "A-4"** to this report.

The subject lands are located north of Brock Street, immediately east of Centre Street, and wholly within Brockwoods Subdivision. The subject lands are currently vacant. **Schedule "B"** to this report identifies the overall Plan of Subdivision as it was approved in 1990, being Plan 388.

Collett Surveying Ltd. has indicated that Harbouredge Realty Administration Corporation is ready to proceed with development of a new phase of Brockwood Subdivision. Accordingly, the following addresses the various requests associated with development.

ANALYSIS:

Amendment to the Servicing and Development Agreement:

Amendments to the original phasing of the development are permitted within the Servicing and Development Agreement with the concurrence of City Council. Accordingly, amendments to the Servicing and Development Agreement are proposed to address a change of phasing and a change to the location of the berm and barrier parallel to the railway as follows:

i) Amend Phasing for Development:

Brockwoods Subdivision has undergone amendment to phasing in 1994 and 2008 in response to requests by developers to accommodate proposed development. **Schedule C-1** to this report illustrates the current phasing limits, as amended to 2008, for Brockwoods Subdivision.

Development of the next phases, being Phase 5, 6 and 7, inclusive, are not consistent with the approved phasing, as amended. Accordingly, a request has been made for an amendment to accommodate the next stages of development. The proposed new phasing is illustrated on **Schedule C-2** to this report. The Operations Department,

2017-025-03

Page 4

Amendment To Servicing & Development Agreement for Revised Phasing, Berm & Barrier Relocation, Removal of Part Lot Control, Removal of H1, H2 Holding Symbols and Stop-Up, Close, Declare Surplus & Convey Various Lands

Owner: Harbouredge Realty Administration Corporation

Agent: Collett Surveying Ltd.

File: 267-39

Environmental Services Department and the Planning Department have reviewed the proposed phasing and have no objections as it represents logical development of the subdivision.

ii) Amend Railway Berm and Barrier

Brockwoods Subdivision requires the construction of a safety berm and noise barrier as follows:

"30. The required safety berm and noise barrier to be constructed along the joint boundary of the Plan and the adjacent Canadian National Railway lands, along with returns of both ends shall be constructed in accordance with drawings prepared by the offices of Minnes and Thomas Consulting Engineers dated 89 06 12 and in accordance with recommendations made by J.E. Colter Associates Engineering dated 18 July 1989..."

Due to the elapsed time frame and changes in applicable requirements and legislation, various alterations are required to be addressed in regard to the design and location of the required safety berm and noise barrier construction. Said changes are summarized as follows:

- Relocate the berm and barrier location approximately 5 metres to the south of the original approved location. The original location straddled the railway lands and is no longer acceptable to the railway. The new location brings the berm and barrier fully on to Harbouredge lands;
- Construction of a storm sewer and associated infrastructure, including the provision of an easement to CN.

A follow-up study to the initial acoustical report, issued by J. Coulter Associates on July 18 1989, was undertaken in light of the proposed changes to the required berm and barrier which resulted in the following conclusion:

"J.E. Coulter Associates limited hereby confirms that the movement of the barrier 5 m to the south can be completed without the need to change any of the recommendations outlined in the acoustic report dated July 18, 1989."

2017-025-03

Page 5

Amendment To Servicing & Development Agreement for Revised Phasing, Berm & Barrier Relocation, Removal of Part Lot Control, Removal of H1, H2 Holding Symbols and Stop-Up, Close, Declare Surplus & Convey Various Lands

Owner: Harbouredge Realty Administration Corporation

Agent: Collett Surveying Ltd.

File: 267-39

The report and results thereof have been reviewed by CN and found to be acceptable as shown in **Schedule "D"** to this Report.

In addition, a review of the proposed berm and barrier changes has been completed and agreed in-principle by the Environmental Services Department, subject to a final review of engineering drawings to include the details of the berm and barrier and a revised grading plan and a final review by J.E. Coulter Associates Limited following preparation of a revised grading plan. The Planning Department has reviewed the proposed changes and is satisfied that the changes in the lots resulting from relocation of the berm and barrier do not adversely affect future development under applicable zone provisions. The developer has also confirmed that development of the lots will be undertaken in compliance with applicable zone provisions.

The applicant is responsible for preparation of engineering drawings, including a revised grading plan, addressing the proposed berm and barrier changes. Amendments to various clauses in the Servicing and Development Agreement are required.

If approved, a By-law authorizing Amendment to the Servicing and Development Agreement shall be prepared to address the proposed berm, barrier, grading changes and associated amendments to the Brockwoods Servicing and Development Agreement.

Remove Part Lot Control - Phase 5 (Schedule E):

Removal of Part Lot Control for those lands located within the proposed Phase 5 development would permit re-alignment of various lots resulting in a total of nineteen (19) residential lots, an increase of one (1) residential lot. The subject lots are described as Lots 168 to 177, inclusive, and Lots 196 to 203, inclusive, Part of Lots 204 and 205, Parts of Adley Drive and Dowsley Crescent, City of Brockville, County of Leeds. All lots are to be developed as single detached freehold dwellings and shall be constructed to requirements as set out under City of Brockville Zoning By-law 050-2014, as amended.

A draft Reference Plan illustrating the subject lands has been prepared and is attached to this report as **Schedule "E"**. A final Reference Plan and corresponding deeds will be prepared for each lot. As the land is located wholly within Plan 388, the most expedient method of re-division of the land is by removing Part Lot Control.

2017-025-03

Page 6

Amendment To Servicing & Development Agreement for Revised Phasing, Berm & Barrier Relocation, Removal of Part Lot Control, Removal of H1, H2 Holding Symbols and Stop-Up, Close, Declare Surplus & Convey Various Lands

Owner: Harbouredge Realty Administration Corporation

Agent: Collett Surveying Ltd.

File: 267-39

The applicant has indicated that the lots within the proposed Phase 5 are expected to be built-out within three (3) years. It is appropriate for the by-law to be in effect for a limited period of time, and therefore the by-law contains a sunset clause, providing for it to be effective for five (5) years from the date of its passing. This allows sufficient time for the dwelling units to be completed and sold.

If approved, a By-law shall be prepared to address removal of Part Lot Control for Phase 5 of the Brockwoods Subdivision.

Remove H1, H2 Holding Symbols – Phase 5 (Schedule F):

Removal of the H1 and H2 Holding Symbols for those lands located within the proposed Phase 5 development would permit development of Phase 5. Said lands being described as Lots 168 to 177, inclusive, and Lots 196 to 203, inclusive, Part of Lots 204 and 205, Parts of Adley Drive and Dowsley Crescent, City of Brockville, County of Leeds, Registered Plan 388, City of Brockville, County of Leeds

The subject lands in Phase 5 are currently zoned as R2-Single Detached Residential Zone. The R2 zone is preceded by an H1-Holding Symbol and an H2-Holding Symbol. **Schedule "F"** to this Report identifies the location of the H1 and H2 Holding Symbols.

The "H1- Holding Symbol" refers to the need to ensure servicing is in place or that Council is satisfied that an appropriate servicing agreement is in place to service the lands.

The "H2-Holding Symbol" refers to the need to install Special Features. In Phase 5, the applicable special features address conditions set out in the original noise study and incorporated into the terms and conditions of the Servicing and Development Agreement. In addition, conditions of subdivision approval require that a berm and barrier be constructed along the common boundary with the CN right-of-way prior to dwelling occupancy. While the requirement for a berm and barrier and for various construction details will remain in place, the berm has been proposed to be moved approximately 5 metres to the south of the originally approved location. The proposed relocation has been addressed previously in this report.

Given that the Servicing and Development Agreement is in place, and the berm and barrier, as amended, will be completed prior to the consideration of issuance of Building Permits in the proposed Phase 5, it is appropriate for Council to remove the "H1" Holding

2017-025-03

Page 7

Amendment To Servicing & Development Agreement for Revised Phasing, Berm & Barrier Relocation, Removal of Part Lot Control, Removal of H1, H2 Holding Symbols and Stop-Up, Close, Declare Surplus & Convey Various Lands

Owner: Harbouredge Realty Administration Corporation

Agent: Collett Surveying Ltd.

File: 267-39

Symbol and the “H2” Holding Symbol from Phase 5 lands.

If approved, a By-law shall be prepared to address removal of the H1 and H2 Holding Symbols within Phase 5 of the Brockwoods Subdivision.

Stop-Up, Close, Declare Surplus and Convey Lands (Schedule G):

The lands in question are described as follows:

- Part 1 (Adley Drive);
- Parts 14, 15, 18 and 19 (Dowsley Crescent);
- Part 27 (Adley Drive);
- Part 26 (Manahan Court).

The above-noted lands are identified on a draft Reference Plan as shown on **Schedule “G”** to this report.

The subject lands were included in the original street design approved for Plan 388. Upon review by Staff (Operations Department and Environmental Services Department), the widenings at the following locations have been determined to be surplus to the City and can therefore be disposed of:

- Part 1 (Adley Drive);
- Parts 14, 15, 18 and 19 (Dowsley Crescent);
- Part 27 (Adley Drive);

However, as Part 26 (Manahan Court) is located on a cul-de-sac requiring additional area for snow plowing, maintenance and the like, release of this land is not supported.

Accordingly, it is appropriate to stop-up, close, declare surplus and convey lands described as Part 1 (Adley Drive), Parts 14, 15, 18 and 19 (Dowsley Crescent) and Part 27 (Adley Drive) to the adjacent property owner(s), at no cost to the City.

Disposal of lands is subject to City of Brockville By-law 103-2005, as amended, through the office of the City Clerk. If approved, the required process shall be undertaken by the City Clerk and a By-law shall be prepared to address stop-up, close, declare surplus and conveyance of the subject lands.

2017-025-03

Page 8

Amendment To Servicing & Development Agreement for Revised Phasing, Berm & Barrier Relocation, Removal of Part Lot Control, Removal of H1, H2 Holding Symbols and Stop-Up, Close, Declare Surplus & Convey Various Lands

Owner: Harbouredge Realty Administration Corporation

Agent: Collett Surveying Ltd.

File: 267-39

POLICY IMPLICATIONS:

The proposed changes, as noted, are consistent with policies within the City of Brockville as the area is currently designated and zoned for residential development under and existing Servicing and development Agreement.

FINANCIAL CONSIDERATIONS:

All costs for actions addressed under this report are the responsibility of the Developer. This includes preparation and depositing of the Reference Plan for Phase 5, preparation and depositing of Reference Plans associated with lands to be stopped-up, closed and conveyed, preparation of acceptable construction and grading drawings for the berm and barrier, legal descriptions, including Property Identification Numbers (PIN's), necessary for preparation of an Amending Agreement to the Servicing and Development Agreement and all fees associated with registration of by-laws.

CONCLUSIONS:

The Planning Department supports the various changes and is recommending the following approvals as described in the recommendations of this report:

- Amendment to Servicing and Development Agreement to address phasing for development;
- Removal of Part Lot Control from various lots to permit re-alignment of lots;
- Removal of the H1 and H2 Holding Symbols; and
- Stop-up, close and conveyance of parts of Adley Drive and Dowsley Crescent to the abutting lot owners.

If approved, the necessary by-laws and Amending Agreement to the Servicing and Development Agreement for Brockwoods Subdivision will be prepared for enactment by City Council

2017-025-03

Page 9

Amendment To Servicing & Development Agreement for Revised Phasing, Berm & Barrier Relocation, Removal of Part Lot Control, Removal of H1, H2 Holding Symbols and Stop-Up, Close, Declare Surplus & Convey Various Lands

Owner: Harbouredge Realty Administration Corporation

Agent: Collett Surveying Ltd.

File: 267-39




D. Dick, CPA, CA

Director of Planning (Acting)



B. Casselman

City Manager



J. Faurschou, MCIP, RPP

Planner I



S. MacDonald

City Clerk

**COLLETT SURVEYING LTD.**

ONTARIO LAND SURVEYORS

W. Brent Collett, B. Sc. O.L.S.

51 King St. E., Suite 205

(613) 342-2611

E-mail: ols@collettsurveying.on.ca

P.O. Box 121

Fax: (613) 342-8317

Kingston Area

613-561-0508

Brockville, Ontario K6V 5V2

1-800-267-4433

August 18, 2016

City of Brockville
Victoria Building
1 King Street West, P.O. Box 5000
Brockville, On K6V 7A5

Attention: Jonathan Faurschou

Dear Sir:

RE: Harbouredge Capital Corporation

On behalf of Harbouredge Capital Corporation we are requesting the Agreement to be amended reflecting the revised phasing as per the Concept Plan.

This revised phasing provides an improved orderly development of the subdivision. It also gives the owner the flexibility for reduced number of lots and length of road to be constructed within the next phase.

Yours truly,

Collett Surveying Ltd.

W. Brent Collett, B.Sc., O.L.S.
Ontario Land Surveyor

WBC/cm
Encl.

**COLLETT SURVEYING LTD.**

ONTARIO LAND SURVEYORS

W. Brent Collett, B. Sc. O.L.S.

51 King St. E., Suite 205
P.O. Box 121
Brockville, Ontario K6V 5V2(613) 342-2611
1-800-267-4433E-mail: ols@collettsurveying.on.caAugust 18, 2016
Amended February 3, 2017City of Brockville
Victoria Building
1 King Street West, P.O. Box 5000
Brockville, On K6V 7A5Attention: Jonathan Faurschou

Dear Sir:

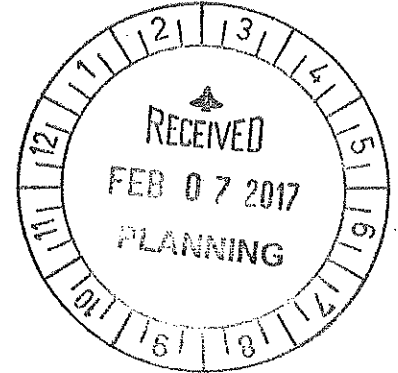
RE: Harbouredge Capital Corporation

On behalf of Harbouredge Capital Corporation we are requesting Removal of Part Lot Control for Lots 168 to 177 Inclusive & 196 to 203 Inclusive, Part of Lots 204 & 205, Parts of Adley Drive and Parts of Dowsley Crescent, Registered Plan 388, City of Brockville, County of Leeds for the purpose of creating individual properties as per the enclosed draft reference plans and descriptions indicate. The construction period could last up to three years.

Please find the amended Concept Plan and the draft Reference Plan that illustrates lot frontages and building envelopes. If you have any questions or require further information please do not hesitate to contact the office.

Yours truly,

Collett Surveying Ltd.

W. Brent Collett, B.Sc., O.L.S.
Ontario Land SurveyorWBC/cm
Encl.



February 16, 2017

City of Brockville
Victoria Building
1 King Street West, P.O. Box 5000
Brockville, ON K6V 7A5

Attention: Jonathan Faurschou

Re: Request for Removal of H1 and H2 Holding Symbols – Brockwoods Subdivision Phase 5

Jonathan,

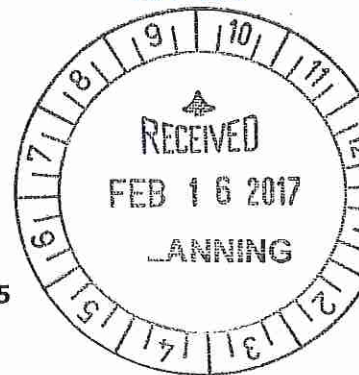
HarbourEdge is preparing to move forward with Phase 5 of the Brockwoods subdivision. This next phase of development is currently subject to two (2) holding symbols – H1 requiring that servicing be available to the lots, and H2 – Special Design Feature, in this case that the noise attenuating barrier and safety berm parallel to the adjacent rail yard be constructed prior to occupancy of homes in this phase.

At this time, services have been constructed along Dowsley Crescent, pending final acceptance from the city this spring, and construction of the safety berm and noise attenuating barrier are under way. We respectfully request that the holding symbols on Phase 5 of the Brockwoods Subdivision be lifted effective upon acceptance of the services and completion of the berm/barrier this spring. The lots subject to the holding symbol which we are seeking to develop at this time are described as follows: A Parcel in the City of Brockville being composed of Lots 168 to 177 inclusive, 196 to 203 inclusive and Part of Lots 204 and 205, Registered Plan 388, City of Brockville, County of Leeds.

Sincerely,

Derek Crawford
Manager, Land Development and Special Projects
HarbourEdge Realty Administration Corporation
HarbourEdge Centre
40 Huron Street, Suite 300
Collingwood, Ontario
L9Y 4R3

HarbourEdge Centre
300 – 40 Huron Street
Collingwood, ON
L9Y 4R3



**COLLETT SURVEYING LTD.**

ONTARIO LAND SURVEYORS

W. Brent Collett, B. Sc. O.L.S.

51 King St. E., Suite 205 (613) 342-2611
P.O. Box 121 Fax: (613) 342-8317
Brockville, Ontario K6V 5V2 1-800-267-4433

E-mail: ols@collettsurveying.on.ca
Kingston Area 613-561-0508

August 19, 2016

City of Brockville
Victoria Building
1 King Street West, P.O. Box 5000
Brockville, On K6V 7A5

Attention: Sandra MacDonald

Dear Sandra:

RE: Harbouredge Capital Corporation

On behalf of Harbouredge Capital Corporation we are requesting the following parts on the attached draft Reference Plan be stopped-up, closed and transferred to the abutting land owners:

- Part 1 (Adley Drive)
- Parts 14, 15, 18 and 19 (Dowsley Crescent)
- Part 27 (Adley Drive)
- Part 26 (Manahan Court)

Parts 14, 15, 18 and 19 are within the next phase of development (Phase 2 on enclosed Concept Plan). Please do not hesitate to contact the office if you have any questions regarding this matter.

Regards,

Collett Surveying Ltd.

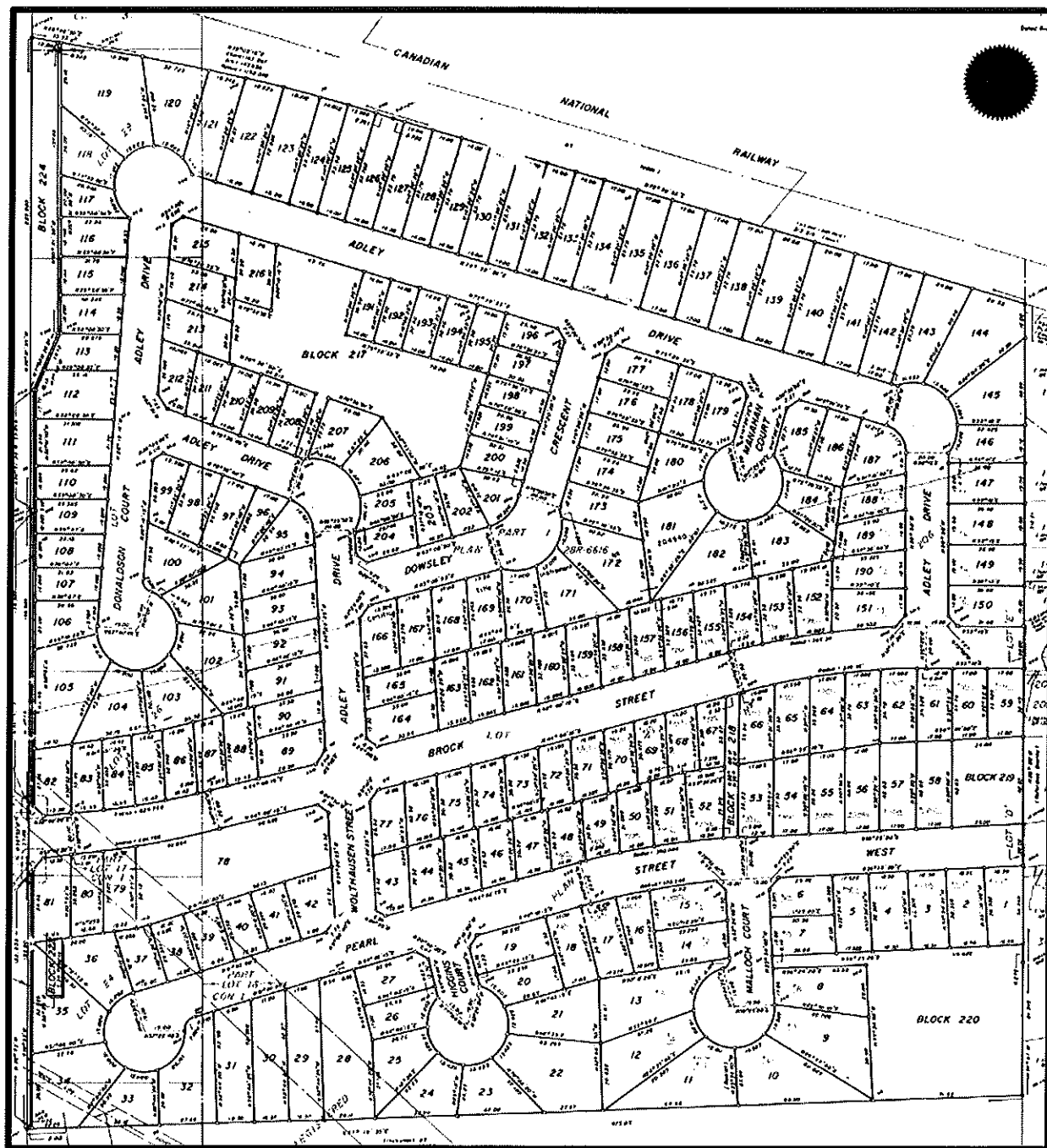
A handwritten signature in black ink, appearing to read 'WBC', is written over a horizontal line.

W. Brent Collett, B.Sc., O.L.S.
Ontario Land Surveyor

WBC/cm
Encl.

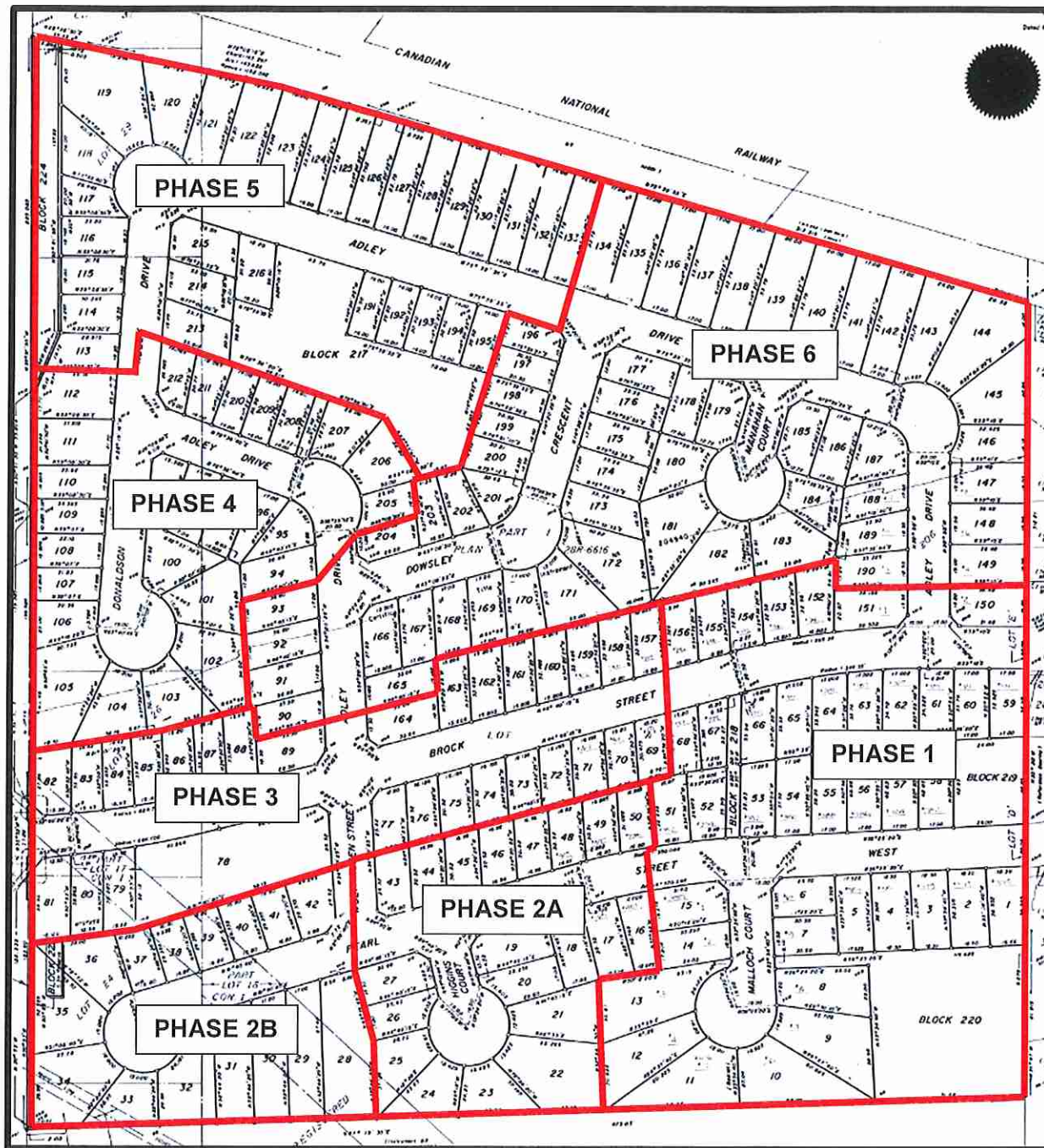


SCHEDULE "B" - REPORT 2017-025-03



Brockwoods Subdivision 1990

SCHEDULE "C-1" - REPORT 2017-025-03



Brockwoods Subdivision Phasing- Amended 2008



SCHEDULE "D" - REPORT 2017-025-03

Jon Faurschou

From: Derek Crawford <dcrawford@harbouredge.com>
Sent: Wednesday, September 07, 2016 3:20 PM
To: Jon Faurschou
Subject: FW: Brockwoods Subdivision - CN agreement and conditions
Attachments: Brockwoods Berm Construction.pdf

From: Raymond Beshro [<mailto:Raymond.Beshro@cn.ca>]
Sent: September 2, 2016 12:21 PM
To: mpmerkley@brockville.com
Cc: Derek Crawford <dcrawford@harbouredge.com>
Subject: Brockwoods Subdivision - CN agreement and conditions

Hi Maureen,

I'm CN's Officer for Community Planning and Development. I've been in correspondence with Derek Crawford of Harbour Edge concerning CN conditions and the CN agreement registered on title for the Brockwoods subdivision. The attached letter prepared by Derek accurately summarizes our mutual understanding of how CN concerns will be addressed. As such, I would like to confirm that CN has no outstanding concerns or objections in regard to this application.

Derek has been dealing with Jonathan Faurschou at the City, but I understand he is currently out of the office.

Please do not hesitate to contact me should you have any questions or comments.

Regards,



Raymond Beshro - OUQ, MCIP
 Senior Officer - Community Planning and Development
 Agent principal - Planification et développement communautaires
raymond.beshro@cn.ca
 514-399-7627

 Le contenu du présent courriel est privilégié, confidentiel et
 soumis à des droits d'auteur. Il est interdit de l'utiliser ou
 de le divulguer sans autorisation.

This e-mail message is privileged, confidential and subject to
 copyright. Any unauthorized use or disclosure is prohibited.



HarbourEdge Centre
300 – 40 Huron Street
Collingwood, ON
L9Y 4R3

September 2, 2016

Mr. Raymond Beshro – OUQ, MCIP
Senior Officer – Community Planning and Development
Agent principal – Planification et développement communautaires
Raymond.Beshro@cn.ca

Via E-Mail - Re: Brockwoods Subdivision Safety Berm and Noise Barrier Alignment

Mr. Beshro,

As discussed during our phone conversation on September 1, 2016, it is agreed between CN and HarbourEdge that the existing restrictive covenant agreement pertaining to the Brockwoods Subdivision, dated May 14th, 1990, remains in effect. It is further agreed that section 3i) of the agreement appears to be contradictory in that it defines the construction of the Berm as being parallel and adjacent to the CN right of way, however further defines the construction of the Berm in drawings 13 and 14 as being constructed along the mutual property line such that a portion of the Berm is situated on both HarbourEdge and CN property.

HarbourEdge is in the process of proceeding with the development of the future Phases of the subdivision, which currently have a zoning holding designation assigned to the lands requiring the construction of the Berm and associated Noise Barrier prior to issuance of occupancy permits. To meet the requirements to remove the holding designation, HarbourEdge is required to construct the berm and noise barrier as per the approved agreements and plans, with the following agreed modifications:

The earth berm location will be shifted to the south a sufficient distance to ensure that with side slopes not greater than 2.0 to 1, the northern toe of slope of the berm will be adjacent to the mutual property line, and thus situated entirely within HarbourEdge lands. To be clear, this is to avoid any encroachment onto CN lands during the construction of the earth Berm. This shift in location from that shown on drawings 13 and 14 will result in the sound barrier being a minimum of 5m south of the mutual property line.

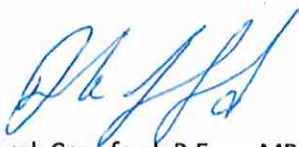
The existing plans include provision for an easement across HarbourEdge lands to accommodate a storm sewer connection from the CN rail yard, connecting to the storm sewer on Adley Drive. HarbourEdge is prepared to construct the storm sewer and associated infrastructure and, provide the prescribed easement to CN. It is our understanding that CN does not require the extension of these services onto CN property at this time. As such, the storm sewer between the CN rail yard and Adley drive will be constructed along the HarbourEdge lands and capped at the mutual property line. This storm sewer will be connected to the Adley Drive sewer when the final phase of the development is constructed, allowing CN to connect in the future if required.

All other provisions within the 1990 agreement will be adhered to, including the native seed mix to be planted along the northern slope facing the CN lands.

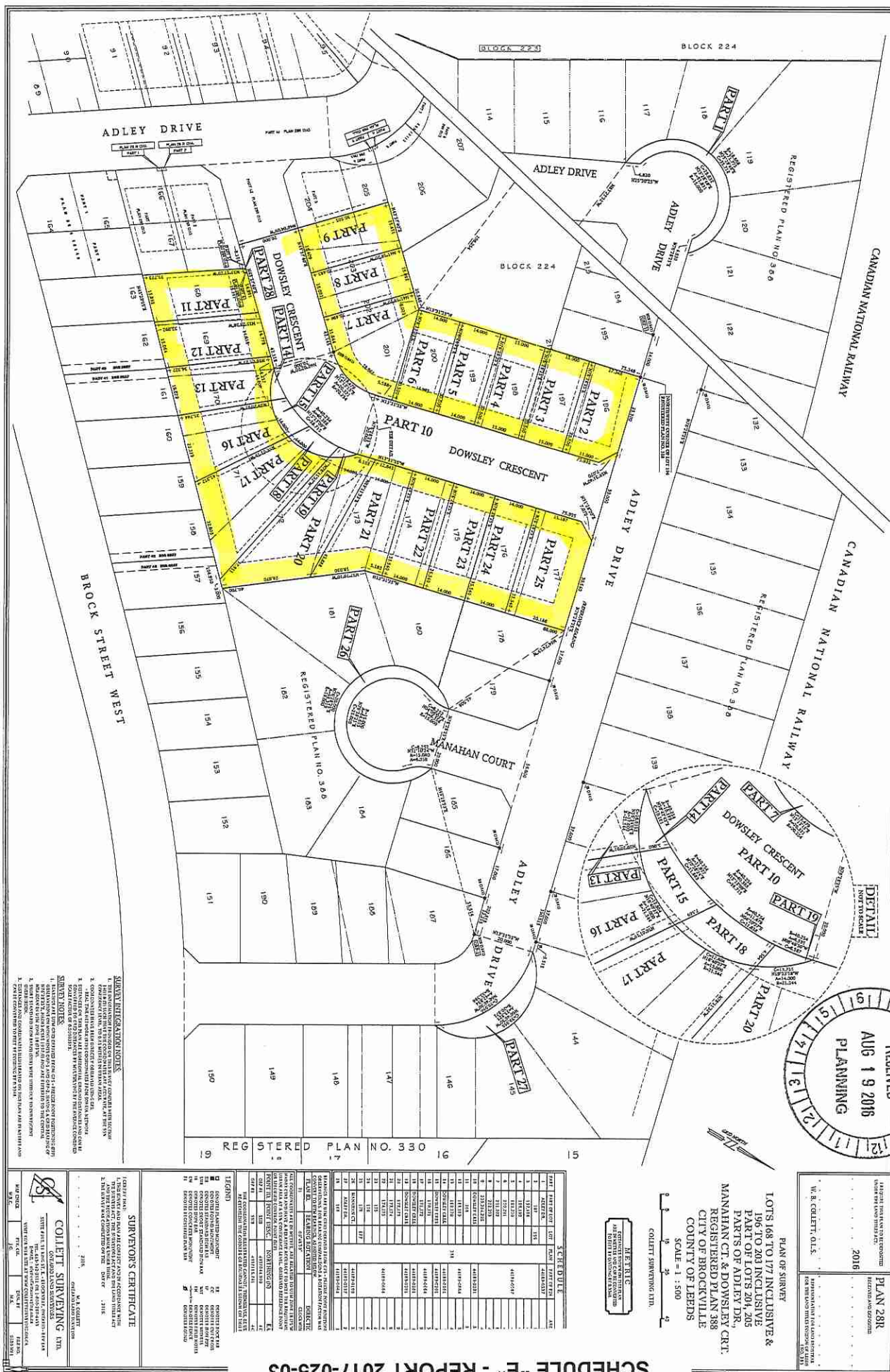
During our conversation, it was also agreed that the 1.83m high chain link fence along the mutual property line, required under the current CN Principal Main Line Requirements, will be omitted based on the concrete noise barrier having been designed at a minimum 1.83m in height. Upon completion of the Berm and Noise Barrier, the returns at the ends will be reviewed and should it be determined that a further barrier to access the CN lands is required, a chain link fence may be installed from the end of the noise barrier wall to the limits of the mutual property line.

I respectfully request you confirm that CN agrees to the above amendments to the terms of the agreement currently in place to allow HarbourEdge to proceed with the construction of the outlined works and the ultimate lifting of the zoning holding provision by the City of Brockville.

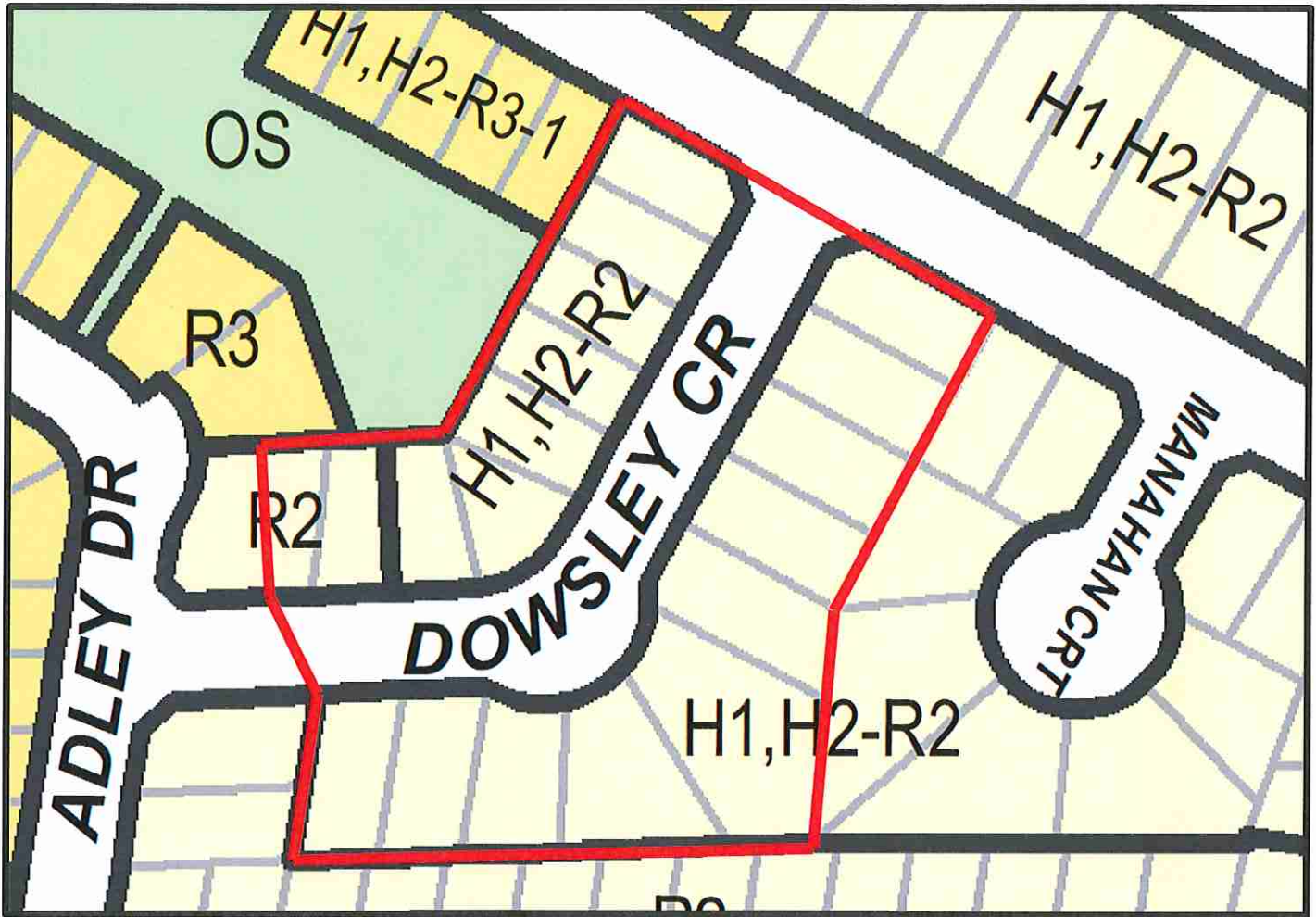
Sincerely,



Derek Crawford, P.Eng., MBA
Manager, Land Development and Special Projects
HarbourEdge Realty Administration Corporation
HarbourEdge Centre
40 Huron Street, Suite 300
Collingwood, Ontario
L9Y 4R3



SCHEDULE "F" - REPORT 2017-025-03



Proposed Phase 5:
 Location of H1 Service Holding Zone
 Location of H2-Special Design Holding Zone

