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December 9, 2009

Town of Ingersoll
300 Dufferin Avenue
London, ON N6A 4L9

Attention: Elaine Clark, Town Clerk

**Re: Parkland Dedication
Harris Road subdivision, Phase 1, 32T-06001**

Further to our meeting of Monday November 16, 2009, you have requested our position related to parkland dedication for phase 1 of our above captioned development.

We are in receipt of a December 9, 2005 email from James Timlin, CAO of the Town of Ingersoll.

The letter states the following;

"I do not believe that you are understanding the Town's position. I will reiterate it again.

3) the Town is prepared to support your application at this time to have the park designation taken off the land along Clark Side Road as long as the acreage is included in the woodlot acreage. Council would like to hear the comments from the public and users groups.... Further, the Town is prepared to accept ownership (liability, maintenance, etc.) of the trail system as long as the property is transferred to the municipality.... The size of the woodlot (Size to be determined by an Environmental Impact Study as outlined in the County's letter) in my opinion is the real issue.

We understand this issue has been tabled at Council a number of times, and we understand Council now requires additional information in order to consider a final decision.

We wish to obtain a Subdivision Agreement approved by Council as soon as possible. We note it has taken a significant amount of time to this stage of the Subdivision Agreement. We do not wish to see any further delay in advancement of our phase 1 to construction.

We request Council confirm the following;

1) Will Council support moving the park designation from north of Clark to the woodlot.

We support this as a means for the public to own some/all of this asset.

2) Will Council accept the woodlot as parkland dedication under the Planning Act.

Notwithstanding prior correspondence showing Council had agreed or at the very least had intent to accept the woodlot as dedication, the following is a list of all possible options.

We refer you to the attached letter dated September 10, 2007, prepared by William Pol of IBI Group.

Option 1 - Extend lots into the woodlot

Not preferred - Should Council decide not to accept the woodlot as parkland or sale, this will be our next preferred option. We will continue to study the lands during 2010. A future application would be planned to include the woodlot.

Our detailed review of the current condition of the woodlot is it continues to degrade naturally as weather and intrusion continues.

Option 2 - Create Common Element Block in Condominium.

Not proposed - While it would be advantageous from a marketability perspective for a future condominium to own a small portion of woodlot for their own private use, it does not make sense in our mind for a private entity to own the entire woodlot. The land is currently being used by the public, assuming it is public land. The woodlot is between two schools and has been planned to connect via a proposed multiuse trail to other open space areas. Should Sifton transfer this land to another private entity, the public will most likely continue to use the woodlot as a public asset.

Liability and risk, management and maintenance of the woodlot, restricting access to the public, taxes, are all additional reasons why condominium ownership for the woodlot is not preferred.

In an urban environment such as this, the lands function now as a passive municipal park asset. We believe it only makes sense that the municipality accept this.

Option 3 - Sell/Maintain Block as future parkland credit

Preferred Option - further discussion below.

Option 4 - Dedicate the woodlot to the Town for tax purposes.

Not proposed - We have investigated this option. A tax receipt may benefit individuals, but does not provide any benefit to corporations such as ours.

Therefore our preferred direction is Option 3.

Further to this option, please see below a chart and an attached map of the required maximum Planning Act land dedications for phase 1 and future proposed phases.

INGERSOLL - Parkland Dedication Requirements

SCENARIO 1 - Commercial at 2% Dedication

Location Land Use	Area	Required Dedication	Park Area Required
Phase 1* Residential	7.328	5.00%	0.3664
Phase 2 Commercial	8.159	2.00%	0.16318

Phase 3 Remainder	13.537	5.00%	0.67685
	29.024		1.20643

Notes:

* Phase 1 Area includes Future townhouse block

Approx. Woodlot Area	4.777
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Approx. Woodlot in excess of parkland requirements	3.57057
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As we currently have only phase 1 approved, the remainder of dedication is not know at this time.

Therefore for phase 1, we propose to dedicate .3664 ha to the town as a requirement in the subdivision agreement. This includes the area for our proposed townhome block excluded from the phase 1 limits of our plan.

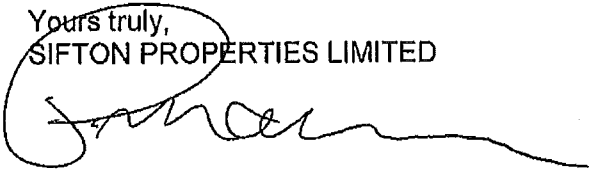
We would then convey additional parkland to the town through preparation of a reference plan for each future phase of development

We note that parkland dedications alone for our entire development will provide the town less than 1/4 of the approximate 4.77 Ha woodlot.

We propose the town is consistent with the Planning Act requiring lands excess of 5% be purchased with cash in lieu of parkland. We understand as of September 30, the town held \$74,000 in cash in lieu of parkland paid from other developments. We propose the town use this parkland dedication fund to purchase the excess woodlot. Value for this land would be calculated by an appraisal based on excess parkland dedication above Planning Act requirements.

We feel this option is the best solution for both the Town and Sifton.
Please let us know if you have any additional questions or comments.

Yours truly,
SIFTON PROPERTIES LIMITED



Phillip R. Masschelein
Vice President
Neighbourhood Developments

cc: Mayor Paul Holbrough
James Timlin, CAO

James
Bonnie Ward

From: James Timlin [jtimlin@town.ingersoll.on.ca]
Sent: Friday, December 09, 2005 12:45 PM
To: countyc@allstream.net; 'Elaine Clark'; 'Bonnie Ward'; 'Peter Rigby'; 'Ron Versteegen'; 'Paul Holbrough'; 'freeman@oxford.net'; 'Fred Freeman'
Subject: Van Ryswyk Land

Good Day Lawrence,

I do not believe that you are understanding the Town's position. I will reiterate it again.

The position of the Town of Ingersoll has not changed in the last six weeks. 1) Submit a formal application (Official Plan Amendment, Rezoning and Plan of Subdivision) 2) the Town is prepared to accept ownership (liability, maintenance etc) of the woodlot (size to be determined by an Environmental Impact Study as outlined in the County's letter) and design of the trail system can happen after the size is known. If you need a design now then a trail that runs between the two schools, that is, north/south and a trail that runs east/west. 3) the Town is prepared to support your application at this time to have the park designation taken off the land along Clarke Side Road as long as that acreage is included in the woodlot acreage. Council would also like to hear the comments from the public and user groups 4) the Town is prepared at this time to swap the land to which you want to use as part of your storm water management pond as long as that acreage is included in the woodlot acreage. Size of the storm water management pond has yet to be determined and finalization of this, is subject to the comments received from the various agencies and the public.

Council cannot formalize any of the above until a formal application (Official Plan Amendment, Rezoning and Plan of Subdivision) has been filed and circulated. As you know this is subject to County Council approval.

Further, the Town is prepared to accept ownership (liability, maintenance etc) of the the trail system as long as the property is transferred to the municipality. It should also be noted that the trail in some parts can be on a the street in the subdivision with signage. There is no reason to run it through the schools unless the school boards would donate for example a 20 foot wide path. As a result this is in my opinion a non issue.

The size of the woodlot (size to be determined by an Environmental Impact Study as outlined in the County's letter) in my opinion is the real issue.

Further, I will have my staff invite the two schools boards to the meeting on Wednesday.

James Timlin
Chief Administrative Officer
Town of Ingersoll

12/12/2005

Sep. 12. 2007 3:41PM IBI GROUP - formerly CCL

No. 2993 P. 1



September 10, 2007

Lawrence Beckett
County Contracting of Wheatley Incorporated
160 Carnegie Street
INGERSOLL, ON N5C 4A8

FAX: 519.485.6722

Dear Mr. Beckett:

Ingersoll Lands - Options for Woodlot

The purpose of this letter is to provide you with options for the development and/or ownership details of the woodlot located on your lands located in Part of Lot 10, Concession 1, Town of Ingersoll (formerly Township of West Oxford). The letter will outline specifically the development proposal, ownership details, and planning process to obtain approval for the desired process.

The total area of the woodlot located east of Caffyn Street in Ingersoll is approximately 6.9 ha. The area of the woodlot on the subject lands, being the proposed draft plan of subdivision is 4.4 hectares. The original concept has 2.31 hectares shown as a park block, which represented 8.7% of the total area. The remaining woodlot area was to be developed in Phase 4 as single-detached lots (Lots 179 - 203) and Street "G".

The required 5% parkland dedication based on a total subdivision area of 28.435 hectares is 1.32 hectares, thereby leaving 3.08 hectares surplus woodlot not required to be dedicated. The Town agreed to exchange 0.756 hectares of land for your SWM pond with an equal amount of the woodlot area, thereby reducing the amount of surplus woodlot to 2.324 hectares. As such, the options relate to how to deal with the remaining 2.324 hectares of woodlot. All of the options outlined below assume that the woodlot is environmentally significant, designated in the Official Plan as such and cannot be developed.



Lawrence Beckett
519-485-6722



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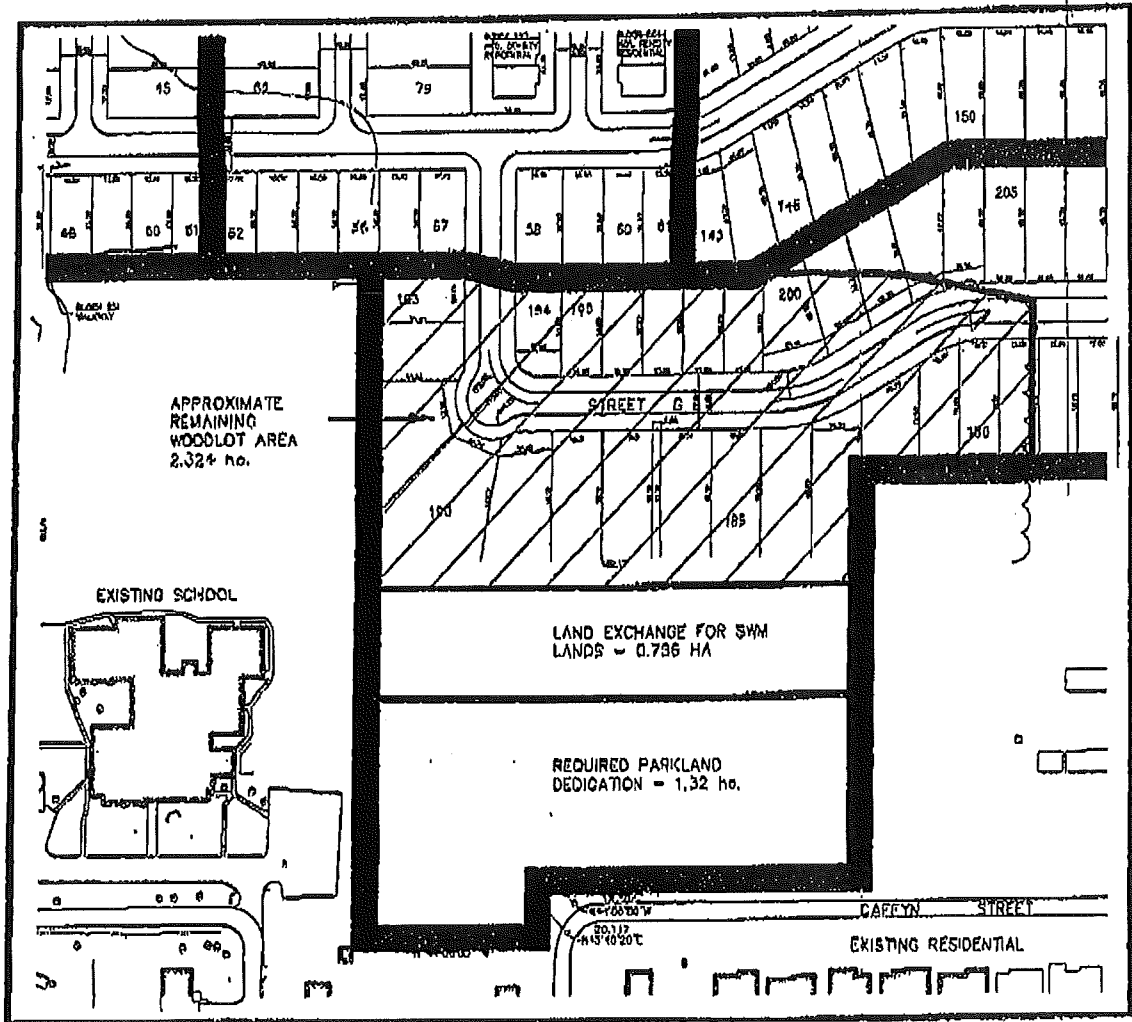
DATE: Sept. 12/07

Lawrence Brackett

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September 10, 2007

The following map shows the original draft plan of subdivision proposal, the woodlot area, the 5% dedication of 1.32 ha, the land exchanged for the SWM lands of 0.766 and the remaining woodlot area of 2.324 ha.



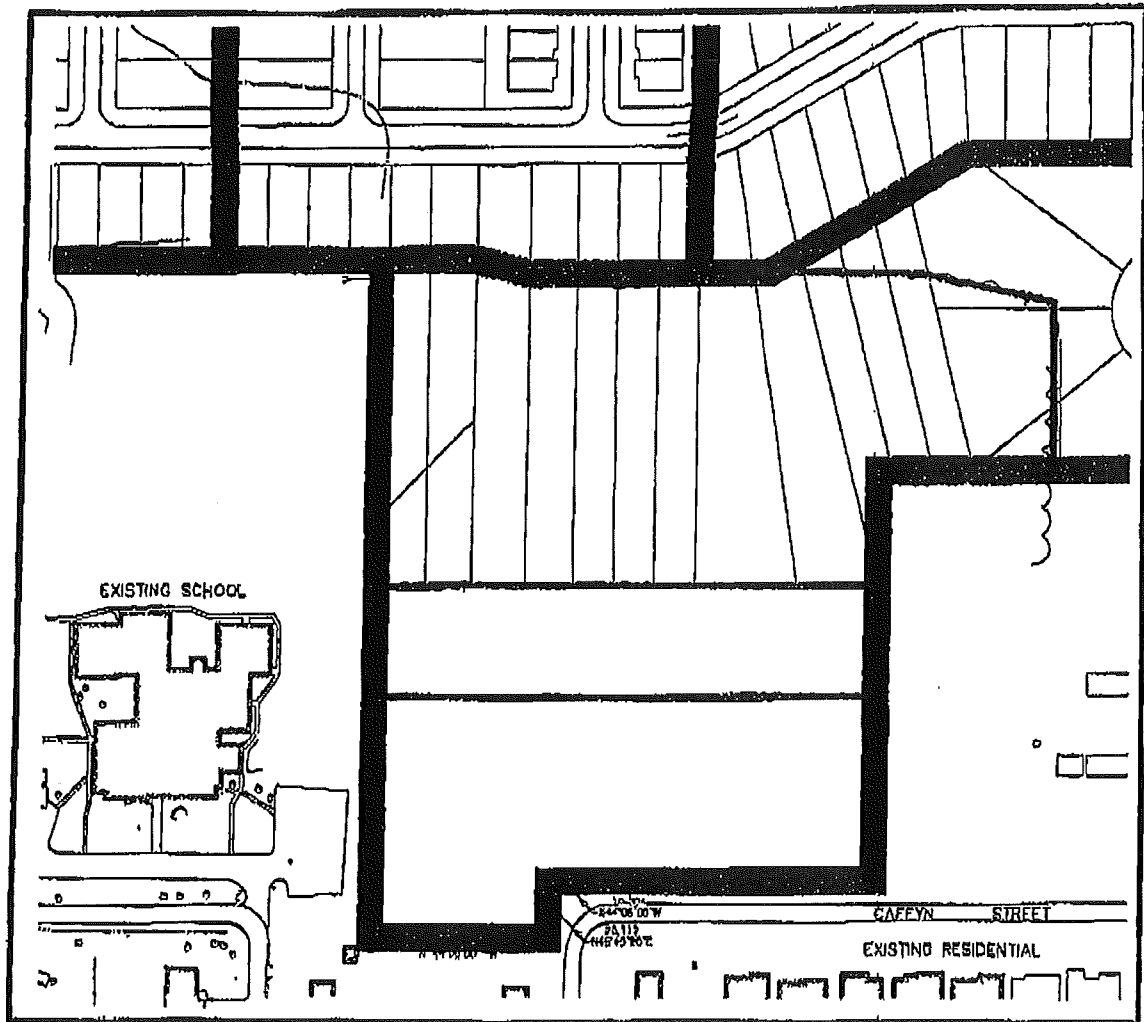
Lawrence Beckett

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September 10, 2007

1. Option #1 - Extended Lots into the woodlot.

This option shows residential single detached dwelling lots extending into the woodlot based on a revised draft plan of subdivision. As shown on the sketch below, some lots would have depths of approximately 150 metres (190'). This process would involve ownership of the woodlot by individual separate landowners. The lands would be subdivided through the plan of subdivision process similar to the rest of the development. Protection of the woodlot would be through site-specific rezoning of park and residential on the same lot, homeowner stewardship education packages, and/or restrictive covenants on the woodlot portion of these particular lots.



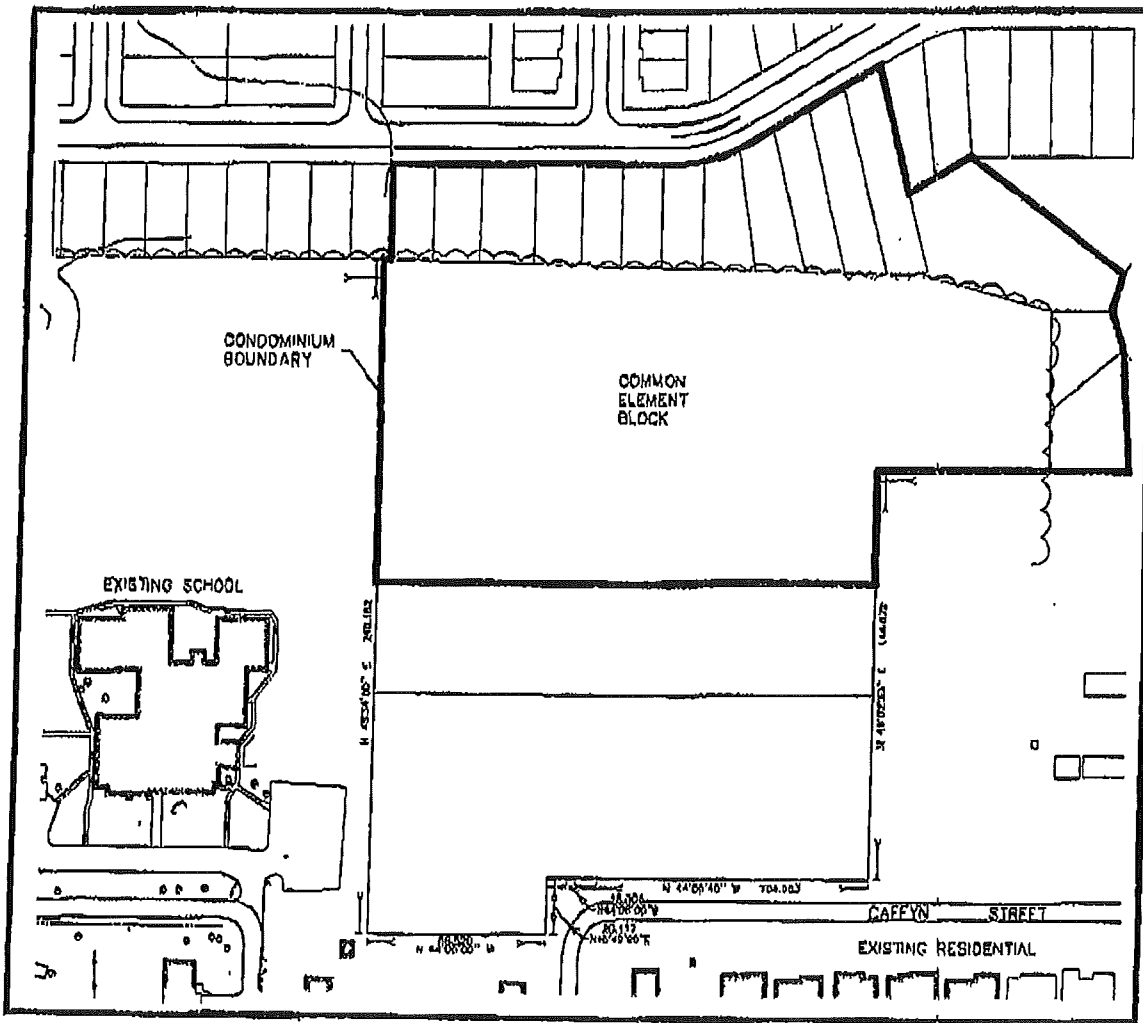
Lawrence Bockett

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September 10, 2007

2. Option #2 - Create Common Element Block In Condominium

This option would involve developing a block within the plan of subdivision as a plan of condominium with freehold single detached lots that include the remaining woodlot as a common element block owned by the condominium corporation. This process would involve a draft plan of condominium separate from the plan of subdivision and require site plan approval for the layout of the residential buildings in the condominium. Protection of the woodlot would be through site-specific rezoning, site plan approval, homeowner stewardship education packages, and/or restrictive covenants on these particular lots. The sketch below shows freehold lots fronting onto public streets as part of a condominium that would have joint ownership of the woodlot as a common element block. The exact configuration and number of lots that are part of the condominium may differ based on revised drawings. The dwelling units would enjoy private ownership of the woodlot to be retained in its natural condition.



Sep. 12. 2007 3:41PM IBI GROUP - formerly CCL

No. 2993 P. 5

Lawrence Beckett

- 5 -

September 10, 2007

3. **Option #3 – Sell/Maintain Block as Future Parkland Credit** – The remainder of the woodlot could be dedicated to the Town and all or portion could be used as parkland dedication for your development elsewhere in the municipality. In areas where developers do not have enough land to meet 5% parkland dedication requirements, they could sell all, or portions of the woodlot to the City as required. This option would involve a consent to sever the parcel from the plan of subdivision. At 2.324 hectares this remaining block would be enough parkland to satisfy the 5% parkland requirements for a 46.5 hectare plan of subdivision. This option achieves the primary objective of the Town to obtain these lands for public purposes and a developer obtaining full credit for the lands. The problem will be that the woodlot is not located in the same area as the approved development.

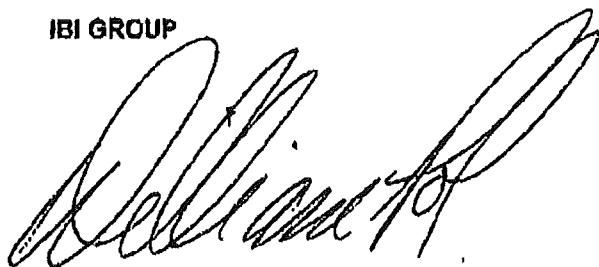
4. **Option #4 – Dedicate the Woodlot to the Town for Tax Purposes**

This option involves dedicating the woodlot block to the Town of Ingersoll, the Upper Thames River Conservation Authority, or land trusts approved by the federal government. Dedication of lands with sensitive natural heritage features are eligible for tax benefits through Environment Canada's Ecological Gifts Program, where donors receive a donation receipt for the fair market value of the lands. This option achieves the primary objective of the Town to obtain the lands for public purposes. The planning process for this option would be to establish a woodlot block as part of the plan of subdivision process and then donate the block of land upon registration of the plan of subdivision. More information regarding the tax advantages of ecological gifts can be found at <http://www.on.ec.gc.ca/wildlife/ecogifts/ecogifts-e.html>.

We would be pleased to discuss these options. Should you have any questions please contact this office. We look forward to working with you in the near future to proceed to construction of this subdivision.

Yours truly,

IBI GROUP



William Pol, MCIP, RPP
Manager of Planning (London)

**MUNICIPAL, PLANNING & DEVELOPMENT LAW**

18 April 2007

VIA EMAIL and COURIER

Margaret Misek-Evans
Corporate Manager
County of Oxford
Senior Policy Planner (Special Projects)
415 Hunter Street
Woodstock, ON N4S 7Y3

Dear Ms. Misek-Evans:

**Re: Amendment to Official Plan and Zoning By-law Amendment Applications
Part Lot 19, Concession 1 (West Oxford)
Town of Ingersoll
County file Nos. OP 11-122, ZON 6-06-3 and 32T**

We are the solicitors for Forecast (Ingersoll 2) Inc. ("Forecast"), who have an option to purchase the approximately 65 acre property located on the north side of Clark Road, east of Harris Road within the Town of Ingersoll (the "Town") (the "Site").

The current vendor of the Site, County Contracting of Wheatley Incorporated ("County Contracting"), made applications to amend the Town Official Plan and Zoning By-law as well in February of 2006 (the "Applications"). The Applications were to permit the development of a residential subdivision in four phases. While an official plan amendment (OPA 114) and zoning by-law (by-law 07-4349) have been approved to permit phases 1 and 2, the Applications remain open for the balance of the Site (as referenced in the staff report dated 12 October 2006).

Forecast intends to amend the Applications as they pertain to the balance of the Site in order to permit a retail and service commercial shopping centre on the north side of Clark Road and to incorporate a revised residential layout for the proposed residential subdivision. We acknowledge that the portions of the Site subject to by-law 07-4349 will require a new rezoning application as well as a red-lined subdivision plan.

The total proposed commercial component will be approximately 195,000 square feet in floor area and consist of the following:

- Department Store of approximately 125,000 square feet
- Home and Auto Supply Store of approximately 55,000 square feet
- Ancillary retail and service uses of approximately 15,000 square feet.



18 April 2007

The residential component will consist of the following:

- 190 single detached units, 17 – 24 street townhouse units and 11 medium density residential units.

Enclosed you will find 10 copies of a concept plan showing the Proposed Commercial and Proposed Residential Development together.

The following materials in support of our client's amendment to the Applications are forthcoming:

- Planning Report by GSP Group Inc.
- Traffic Impact Study by Paradigm Consulting Inc.
- Market Update by Tate Economic Research Inc.
- Environmental Impact Statement Update by BioLogic Inc.
- Stormwater Management Brief and Functional Servicing Report by Pitura Husson Ltd.

If there are any questions in regard to the above, please do not hesitate to contact the writer, or in her absence, Mike Bissett at (416) 203-3623.

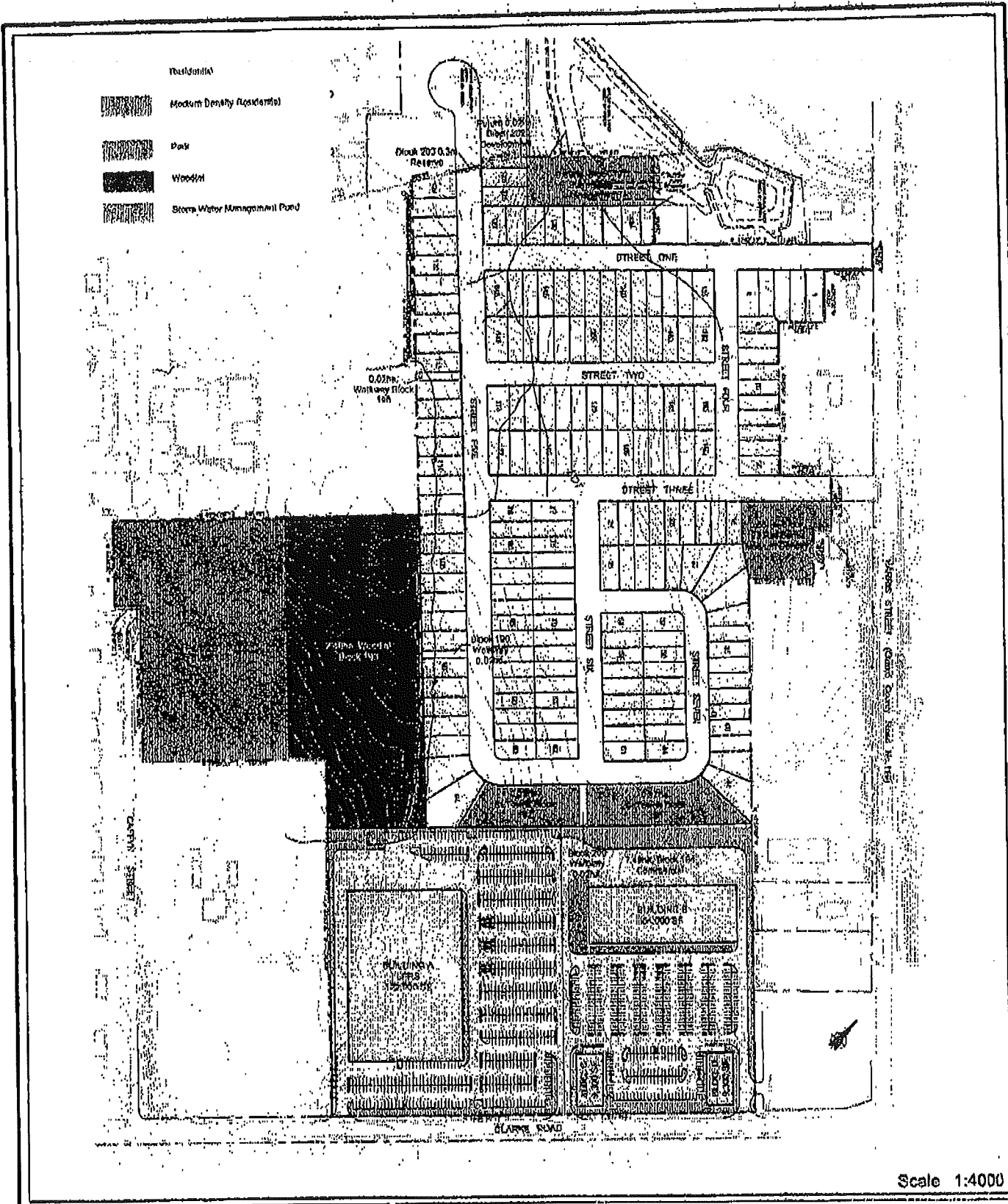
Yours very truly,

Wood Bull LLP



Mary Bull

c. Ron Versteegan
Mike Tucci



Scale 1:4000



Proposed Development

Source: GSP Group

