

To: Economic and Development Services Committee

From: Anthony Ambra, P.Eng., Commissioner,  
Economic and Development Services Department

Report Number: ED-24-39

Date of Report: April 3, 2024

Date of Meeting: April 8, 2024

Subject: Request by Umiak Investments Limited (Fieldgate) to fully develop the parkette in Block 95 of Registered Plan of Subdivision 40M-2720, north of Conlin Road East, east of Coppermine Street and west of Grandview Street North

Ward: Ward 1

File: S-O-2014-03

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## **1.0 Purpose**

The purpose of this Report is to recommend that Umiak Investments Limited (“Fieldgate”) be allowed to fully develop or “finish” the parkette in Block 95 of Registered Plan of Subdivision 40M-2720 on behalf of the City.

The subject parkette is in a new subdivision located north of Conlin Road East, east of Coppermine Street and west of Grandview Street North.

In accordance with the approved draft plan of subdivision, the parkette is approximately 0.66 hectares (1.63 ac.) in size and is intended to be developed with a children’s bicycle course, shaded seating area, pathways and informal play areas. The parkette is zoned OSP (Park Open Space).

On June 19, 2000, Council adopted a policy which gives a developer the option, on a site specific basis, to request that they be allowed to fully finish a park in a draft plan of subdivision on behalf of the City.

In accordance with Council policy, Condition 75 of the September 10, 2018 City’s conditions of approval for Fieldgate’s draft plan of subdivision (S-O-2014-03) reads as follows:

“That the subdivider be advised that it may request permission from Council to fully ‘finish’ the park including any facilities and appropriate park furniture, as an alternative to waiting for the City to ‘finish’ the park. The subdivider’s request must include the proposed timing of full park construction, the costs to the City

and a proposed method and timeline for reimbursement by the City. The subdivider's request is to be made to the Commissioner of Development Services who shall report to Committee and Council on the request. The subdivider is advised that the timing of the finishing of the park is at Council's discretion and that Council cannot at this time, commit to the approval of any request by the subdivider to 'finish' the park on the City's behalf."

By letter dated February 14, 2024, Fieldgate requested Council approval to permit Fieldgate to fully finish the parkette in Block 95 of Registered Plan of Subdivision 40M-2720.

Attachment 1 is a map showing the location of Fieldgate's approved draft plan of subdivision S-O-2014-03 and the zoning for the area.

Attachment 2 is a copy of Fieldgate's approved draft plan of subdivision S-O-2014-03 showing the location of the parkette (Block 380).

Attachment 3 is a letter dated February 14, 2024 from Siqi Liu, Development Manager, Fieldgate, requesting to fully finish the parkette in Block 95 of Registered Plan of Subdivision 40M-2720.

Attachment 4 is a copy of the proposed parkette concept plan.

## **2.0 Recommendation**

That the Economic and Development Services Committee recommend to City Council:

1. That, pursuant to Report ED-24-39 dated April 3, 2024, the request by Umiak Investments Limited (Fieldgate) to fully develop the parkette in Block 95 of Registered Plan of Subdivision 40M-2720 located north of Conlin Road East, east of Coppermine Street and west of Grandview Street North, be approved.
2. That the City's contribution for the development of the parkette in Block 95 of Registered Plan of Subdivision 40M-2720 not exceed \$280,000, inclusive of applicable taxes, in accordance with the City's typical park program.
3. That funding in the amount of \$280,000, inclusive of applicable taxes, be approved for the City's share of the development of the parkette in Block 95 of Registered Plan of Subdivision 40M-2720 with \$266,000 provided from the Parks, Recreation and Trail Development Charge Reserve and \$14,000 provided from the Growth Related Non Development Charge Reserve.
4. That Umiak Investments Limited (Fieldgate) be paid for the City's share of the parkette development work in Block 95 of Registered Plan of Subdivision 40M-2720 only after the following conditions have been met:
  - (a) The parkette is completed prior to May 31, 2025 to the satisfaction of the City;

- (b) The subdivider has submitted a statutory declaration and progress payment certificate certifying that all invoices have been paid and no liens exist and all contractors and subcontractors have verified receipt of final payment;
  - (c) The City is satisfied that all warranties on park construction, material and equipment will be honoured;
  - (d) Safe vehicular access in the opinion of the City via public streets and safe pedestrian access from the streets are provided to the park prior to the City taking over maintenance responsibility for the park; and,
  - (e) Any other condition deemed advisable by the Commissioner of Safety and Facilities Services including but not necessarily limited to those set out in Section 5.2.4 of Report ED-24-39 dated April 3, 2024.
5. That an appropriate agreement for the construction and maintenance of the parkette in Block 95 of Registered Plan of Subdivision 40M-2720 be executed by the Commissioner of Economic and Development Services on behalf of the City and by Umiak Investments Limited (Fieldgate) which includes all of the City's requirements for the development and maintenance of the parkette as set out in Report ED-24-39 dated April 3, 2024, in a form and content acceptable to the City Solicitor and the Commissioner of Economic and Development Services.

### **3.0 Executive Summary**

In response to a written request from Fieldgate to fully finish the parkette in Block 95 of Registered Plan of Subdivision 40M-2720, this Report recommends that the request be approved subject to a number conditions.

The City's share of the development of the Fieldgate parkette is not included in the 2024 approved capital budget or any previously approved capital budget.

The development of the subject parkette was included in the 2025-2033 capital forecast presented as part of the 2024 Mayor's budget. The development of the subject parkette was divided into two phases, the first phase being the design of the parkette in 2027 with an estimated budget of \$75,000 and the second phase being the construction of the parkette in 2028 with an estimated budget of \$407,000.

The 2025-2033 capital forecast estimated the City's total cost to finish the parkette to be \$482,000 inclusive of applicable taxes.

By allowing the parkette to be fully completed by the developer the City is committing to reimburse Fieldgate \$280,000 inclusive of applicable taxes for development of the parkette, subject to a number of conditions, for work normally undertaken by the City at a later date.

The developer intends to finish the parkette by December 31, 2024, weather permitting, which is four years earlier than the City's projected date to finish the parkette. The earlier

completion of the parkette is expected to be of benefit to the new residents moving into the area.

## **4.0 Input From Other Sources**

The following have been consulted in the preparation of this Report:

- Chief Administrative Officer
- Commissioner, Community and Operations Services
- Commissioner, Corporate and Finance Services
- Commissioner, Safety and Facilities Services

## **5.0 Analysis**

### **5.1 Council Policy in Respect to the Development of Parks**

The City's Landscaping Design Policies and Development Charge Background Study have been coordinated and generally require a developer to undertake, at its cost, the rough grading, fine grading, topsoil, sodding and the installation of drainage facilities and perimeter fencing in new parks. This work is referred to as the "basic" park development work.

Developers are required to complete the basic park development work through the subdivision agreement. A timeline for completion of the work is included in the agreement. The basic park development work undertaken by the developer is intended to provide the neighbourhood with a simple grassed park.

A component of the development charge collected by the City is for park development and it allows the City to "finish" the park with the following types of features:

- (a) Playground equipment;
- (b) Equipment for playing fields (e.g. lighting, backstops, home run fencing, soccer goal posts), where applicable;
- (c) Pathways, benches, waste receptacles and landscaping; and,
- (d) Parking areas, where applicable.

Decisions to finish parks with equipment and pathways, etc. are made through the budget process based on the City's financial resources and an assessment of priorities. This decision-making control is critical, since the work required to finish a park cannot be funded completely through development charges. A portion of the budget to finish a park must come from the tax levy or a tax levy funded capital reserve such as the Growth Related Non Development Charge Reserve.

## **5.2 Assessment of Request by Fieldgate**

### **5.2.1 Key Issues**

The key issues to be considered in assessing Fieldgate's request are:

- (a) The need for a parkette to be developed at this time;
- (b) The financial implications for the City, potential sources of funding and possible pay back scenarios; and,
- (c) The arrangements by which the City can reasonably retain control over the quality of the parkette development.

### **5.2.2 Need and Timing for the Parkette**

On September 18, 2000, Council adopted a policy in respect to the need and timing of parks in subdivisions. The policy states that parks in new subdivisions are to be developed to the basic stage (e.g. grading, drainage facilities, sod and fencing) by the developer within one year of the date of registration of the subdivision.

To date, Fieldgate has registered Phase 1A of the approved draft plan of subdivision which contains a total of 116 dwelling units (see Attachment 2). Fieldgate has advised that all 116 dwelling units will be occupied by the proposed completion date of December 31, 2024. Fieldgate will be advancing the registration of Phase 2 of the approved draft plan of subdivision in the near future.

Fieldgate intends to finish the parkette by December 31, 2024, weather permitting. This proposed construction timing is acceptable based on the occupancy provisions of Council's policy.

### **5.2.3 Financial Implications, Potential Sources of Funding and Pay Back Scenario**

The City's share of the development of the Fieldgate parkette is not included in the 2024 Mayor's budget or any previously approved capital budget.

The development of the subject parkette was included in the 2025-2033 capital forecast presented as part of the 2024 Mayor's budget. The development of the subject parkette was divided into two phases, the first phase being the design of the parkette in 2027 with an estimated budget of \$75,000 and the second phase being the construction of the parkette in 2028 with an estimated budget of \$407,000.

The 2025-2033 capital forecast estimated the City's total cost to finish the parkette to be \$482,000 inclusive of applicable taxes. Approximately \$457,900 would be funded from the Parks, Recreation and Trail Development Charge Reserve and the remaining \$24,100 funded from the Growth Related Non Development Charge Reserve.

If Fieldgate's request is approved, the City is committing to reimburse Fieldgate for the cost of finishing the parkette, in accordance with the City's normal requirements, to a maximum of \$280,000 inclusive of applicable taxes.

Fieldgate has agreed to ensure a finished parkette is developed that will meet the City's normal standards at a maximum cost to the City of \$280,000 inclusive of applicable taxes.

The City will only pay for work that is the responsibility of the City to the maximum amounts set out above. Any work normally required to be done by the developer as part of the basic park as well as any additional features beyond the City's normal requirements will be paid for by Fieldgate.

Fieldgate intends to finish the parkette by December 31, 2024. It is recommended that Fieldgate not be reimbursed by the City until the conditions outlined in this Report are met. It is expected that the City will be reimbursing Fieldgate after final acceptance by Parks and Waste Operations no earlier than May 31, 2025.

Fieldgate has agreed to this payment schedule and the conditions outlined in this Report.

#### **5.2.4 City Control Over Quality of Park Development**

The City must work with Fieldgate in the development of the parkette and must direct the design and quality of the finished park through input from Parks Planning and Redevelopment staff, Planning Services staff and City standards. In this regard, it is recommended that the following conditions apply to any approval for Fieldgate to fully finish the parkette:

- (a) Fieldgate shall hire a qualified Landscape Architect, acceptable to Parks Planning and Redevelopment staff to prepare a mutually acceptable parkette concept for review and approval. The Landscape Architect shall manage the project from start to completion to ensure a consistent level of services and to maintain quality control.
- (b) Following approval of the parkette concept, Fieldgate shall have construction drawings prepared. Parks Planning and Redevelopment staff shall review and approve the drawings to ensure the design details are acceptable in terms of site furniture, playground equipment, construction materials, layout, grading, planting, etc.
- (c) A detailed cost estimate shall be supplied by Fieldgate to the City for approval prior to tendering and the cost estimate shall clearly itemize those items that the City is financially responsible for.
- (d) Fieldgate shall prepare the tender documents for Parks Planning and Redevelopment staff review and approval.
- (e) Fieldgate shall tender the project and supply Parks Planning and Redevelopment staff with a summary breakdown of bids prepared by a certified Landscape Architect received specifically showing the items that the City is responsible for. Parks Planning and Redevelopment staff and Fieldgate shall approve the contractor and the bid selected to undertake the parkette development. Parks Planning and Redevelopment staff shall also approve the warranty/guarantee provisions of all work and equipment.
- (f) Fieldgate's Landscape Architect shall perform construction inspection, as necessary, and contract administration. Regular site meetings with City staff shall be required to

ensure the construction is in conformance with City standards. Change orders shall be reviewed and approved by Parks Planning and Redevelopment staff, in writing, in advance.

- (g) The final progress payment from the contractor will be provided to Parks Planning and Redevelopment staff specifically showing the items that the City is responsible for.
- (h) Fieldgate shall submit a statutory declaration attesting that all invoices have been paid, no liens exist and that the warranty on parkette construction, materials and equipment will be honoured.
- (i) Safe vehicular access via public streets and safe pedestrian access from the streets must be provided to the parkette prior to the City taking over maintenance responsibility for the parkette following the warranty period and final acceptance.
- (j) Fieldgate and its contractors must submit appropriate insurance documents satisfactory to the Durham Municipal Insurance Pool naming the City as an additional insured and must indemnify the City to the satisfaction of the City Solicitor and Commissioner, Corporate and Finance Services.
- (k) Fieldgate is responsible to maintain the parkette until final acceptance by Parks and Waste Operations no earlier than May 31, 2025.

## **6.0 Financial Implications**

The City's share of the development of the Fieldgate parkette is not included in the Mayor's 2024 capital budget or any previously approved capital budget.

The development of the subject parkette was included in the 2025-2033 capital forecast as part of the 2024 Mayor's budget. The development of the subject parkette was divided into two phases, the first phase being the design of the parkette in 2027 with an estimated budget of \$75,000 and the second phase being the construction of the parkette in 2028 with an estimated budget of \$407,000.

The 2025-2033 capital forecast estimated the City's total cost to finish the parkette to be \$482,000 inclusive of applicable taxes.

If Fieldgate's request is approved, the City is committing to reimburse Fieldgate for the cost of finishing the parkette.

Consistent with the 2024 approved capital budget and the Development Charge Background Study it is recommended that the \$280,000 budget be funded as follows:

- \$266,000 funded from the Parks, Recreation and Trail Development Charge Reserve; and,
- \$14,000 funded from the Growth Related Non Development Charge Reserve.

It is projected sufficient funding will be available in these reserves upon final acceptance by Parks and Waste Operations no earlier than May 31, 2025.

Based on Fieldgate's construction schedule and the requirement to not reimburse Fieldgate until the conditions outlined in this Report are met, it is expected that the City will be reimbursing Fieldgate after final acceptance by Parks and Waste Operations no earlier than May 31, 2025.

## **7.0 Relationship to the Oshawa Strategic Plan**

The Recommendation advances the Accountable Leadership and Social Equity goals of the Oshawa Strategic Plan.



Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,  
Planning Services



Anthony Ambra, P.Eng., Commissioner,  
Economic and Development Services Department





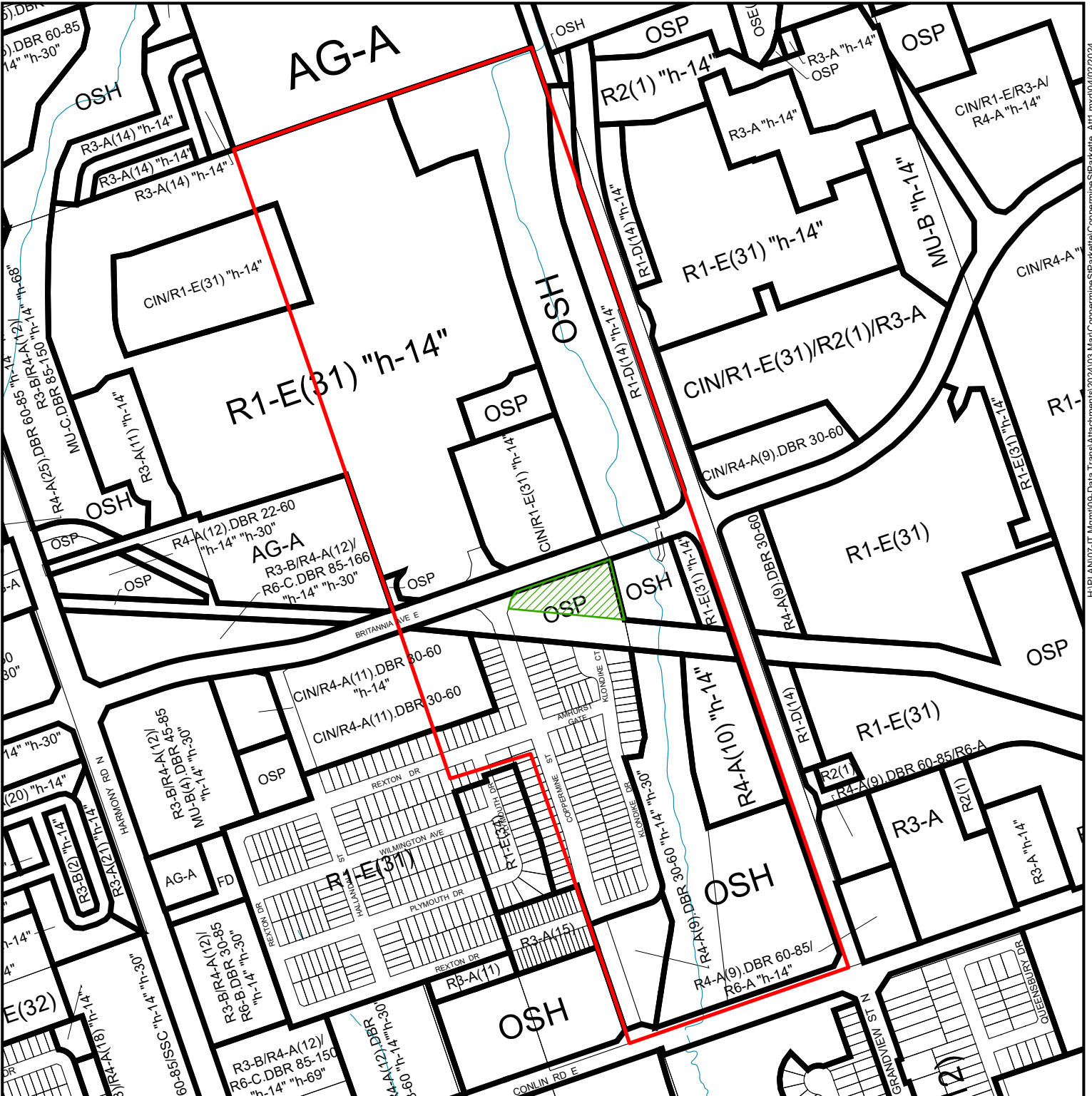
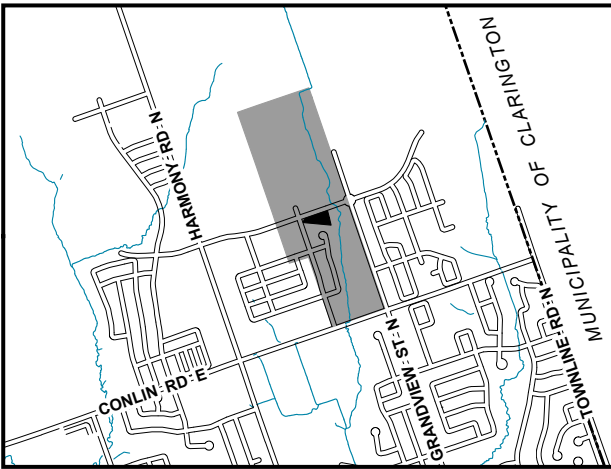
Item: ED-24-39  
Attachment 1

Economic and Development Services

Subject: Request by Umiak Investments Limited (Fieldgate) to fully develop the parkette in Block 95 of Registered Plan of Subdivision 40M-2720, north of Conlin Road East, east of Coppermine Street and west of Grandview Street North

Ward: Ward 1  
File: S-O-2014-03

Subject Site   
Parkette Location 



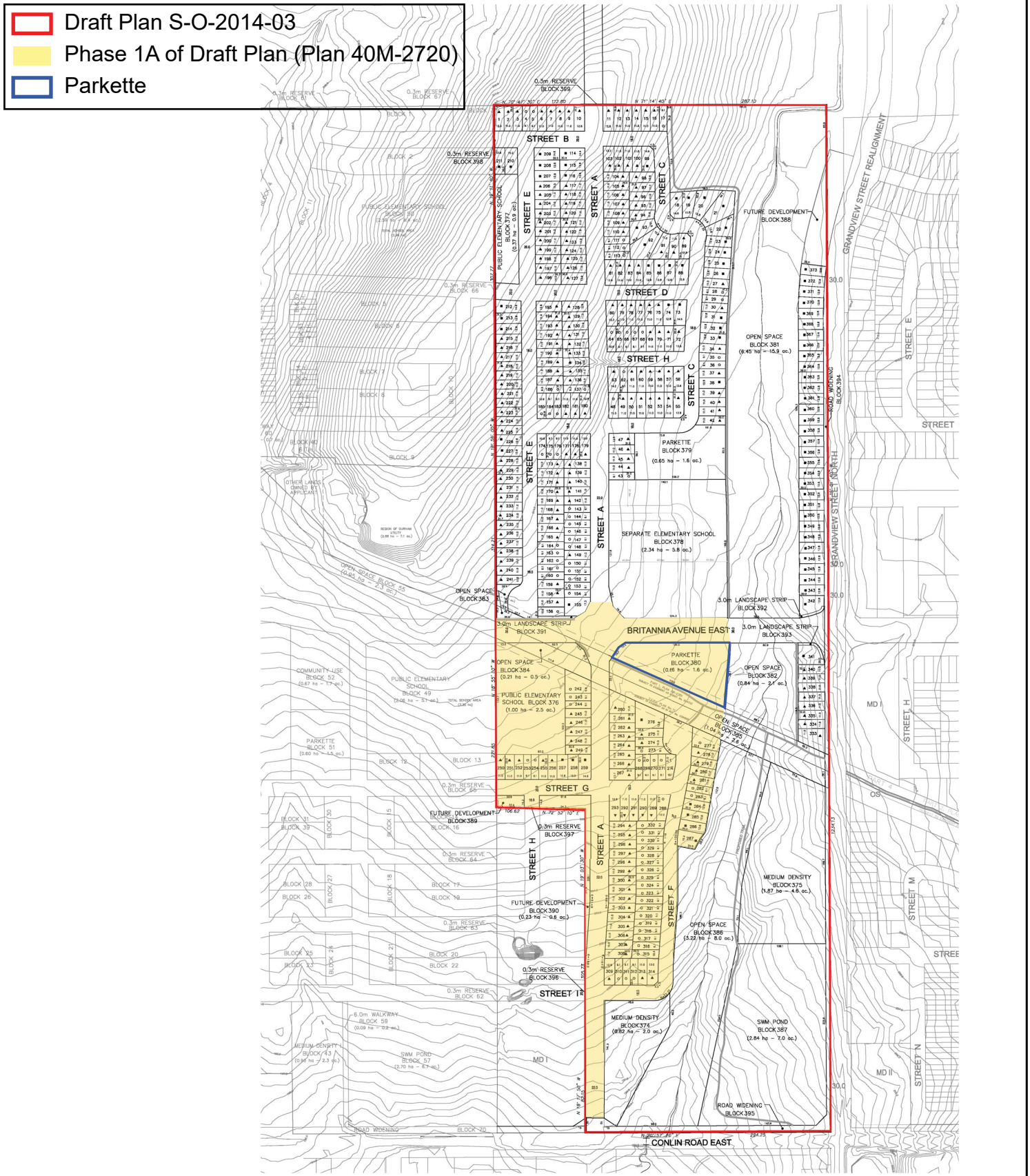
Title: Approved Draft Plan of Subdivision S-O-2014-03 Showing Phase 1A of Subdivision and Location of the Parkette

Item: ED-24-39 Attachment 2

Subject: Request by Umiak Investments Limited (Fieldgate) to fully develop the parkette in Block 95 of Registered Plan of Subdivision 40M-2720, north of Conlin Road East, east of Coppermine Street and west of Grandview Street North

Ward: Ward 1  
File: S-O-2014-03

City of Oshawa  
Economic and Development Services





Title: Fieldgate Letter of interest Park Development  
Subject: Request by Umiak Investments Limited (Fieldgate) to fully develop the parkette in Block 95 of Registered Plan of Subdivision 40M-2720, north of Conlin Road East, east of Coppermine Street and west of Grandview Street North  
Ward: Ward 1  
File: S-O-2014-03

City of Oshawa  
Economic and Development Services 



February 14, 2024

**FIELDGATE**  
**DEVELOPMENTS**

5400 Yonge Street, Suite 501  
Toronto, ON M2N 5R5  
Tel.: (416) 227-9005  
Fax: (416) 227-9007

Salisha Price, Senior Landscape Architect  
City of Oshawa  
50 Centre Street South  
Oshawa, ON  
L1H 3Z7

Dear Salisha Price:

Re: **Park Development and Construction – Park Block 95**  
**Umiak Investments Limited**  
**Kedron Community – Phase 1**  
**City of Oshawa, Region of Durham**

As per our recent correspondence, we are interested in working with the City to advance the development and construction of the Parkette Block 95 within the Plan # 40M-2720.

Please find the following documents enclosed to accompany our request:

- Subdivision landscape design drawing which includes the Park Block Design prepared by MBTW.
- Detailed cost estimate indicating the total construction cost as well as the breakdown of cost per item between the City and the Developer prepared by MBTW.

Regarding the timing of the park development, we are respectfully proposing to commence construction during the summer/fall of 2024, aiming for completion by winter 2024. We kindly request that the City allocate the necessary budget for its portion of the park development and construction. Upon the completion of the construction of the park, Umiak Investments Ltd. would appreciate timely reimbursement.

We appreciate your consideration of our proposal and we look forward to the opportunity to collaborate on this community-enhancing project.


Sincerely,

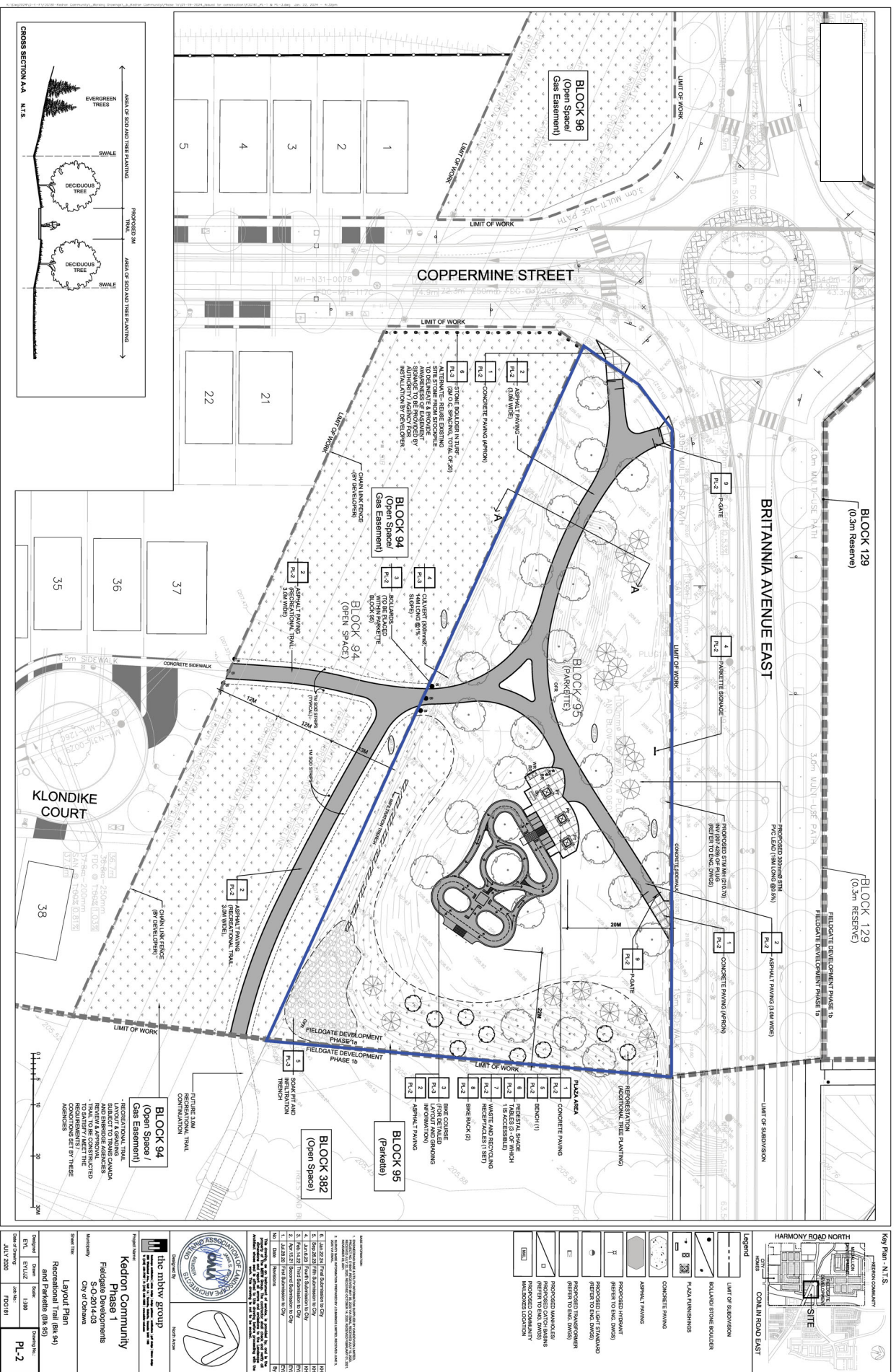
*Siqi Liu*

Siqi Liu – Development Manager

Cc: Mark Lowe. The MBTW Group

Title: Parkette Concept Plan  
 Subject: Request by Umak Investments Limited (Fieldgate) to fully develop the parkette in Block 95 of Registered Plan of Subdivision 40M-2720, north of Conlin Road East, east of Coppermine Street and west of Grandview Street North  
 Ward: Ward 1  
 File: S-O-2014-03

City of Oshawa  
 Economic and Development Services  




**the mthw group**  
 CONSULTING ENGINEERS  
 1000 SHEPPARD AVENUE EAST, SUITE 100  
 SCARBOROUGH, ONTARIO M1S 1T6  
 TEL: (416) 291-1111  
 WWW.THEMTHWGROUP.COM

**Kedron Community Phase 1**  
 Fieldgate Developments  
 S-O-2014-03  
 City of Oshawa

**Layout Plan**  
 Recreational Trail (Rk 49) and Parkette (Rk 45)  
 Drawing No. PL-2

**Legend**

	LIMIT OF SUBDIVISION
	SOLID STONE BOULDER
	PAVED FINISHES
	CONCRETE PAVING
	ASPHALT PAVING
	PROPOSED HYDRANT REFER TO DWG 0400
	PROPOSED LIGHT STANDOFF REFER TO DWG 0400
	PROPOSED TRANSFORMER REFER TO DWG 0400
	PROPOSED MANHOLES REFER TO DWG 0400
	PROPOSED CATCHBASINS REFER TO DWG 0400
	PROPOSED COMMUNITY LANDSCAPING LOCATION

**Key Plan - N.T.S.**

HARMONY ROAD NORTH  
 CONLIN ROAD EAST  
 SITE