

To: Economic and Development Services Committee

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

Report Number: ED-24-71

Date of Report: May 29, 2024

Date of Meeting: June 3, 2024

Subject: Request by Medallion Developments (Tanglewood) Limited to fully develop the parkette in Block 168 of Registered Plan of Subdivision 40M-2727, north of Conlin Road East, and east of Harmony Road North

Ward: Ward 1

File: S-O-2016-01

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## **1.0 Purpose**

The purpose of this Report is to recommend that Medallion Developments (Tanglewood) Limited (“Medallion”) be allowed to fully develop or “finish” the parkette in Block 168 of Registered Plan of Subdivision 40M-2727 on behalf of the City.

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

In accordance with the approved draft plan of subdivision, the parkette is approximately 0.6 hectares (1.5 ac.) in size and is intended to be developed with a playground, 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 81 of the September 1, 2020 City’s conditions of approval for Medallion’s draft plan of subdivision (S-O-2016-01) 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 May 1, 2024, Medallion requested Council approval to permit Medallion to fully finish the parkette in Block 168 of Registered Plan of Subdivision 40M-2727.

Attachment 1 is a map showing the location of Medallion's approved draft plan of subdivision S-O-2016-01 and the zoning for the area.

Attachment 2 is a copy of Medallion's approved draft plan of subdivision S-O-2016-01 showing the location of the parkette (Block 51).

Attachment 3 is a letter dated May 1, 2024 from Anna Fagyas, Development Manager, Medallion, requesting to fully finish the parkette in Block 168 of Registered Plan of Subdivision 40M-2727.

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, project 50-0038 (Parkette 6 – Kedron Part II Plan) as outlined in the 2025-2033 Capital Forecast, presented with the Mayor's 2024 Budget, be approved.
2. That, pursuant to Report ED-24-71 dated May 29, 2024, the request by Medallion Developments (Tanglewood) Limited (Medallion) to fully develop the parkette in Block 168 of Registered Plan of Subdivision 40M-2727 located north of Conlin Road East, and east of Harmony Road North, be approved.
3. That the City's contribution for the development of the parkette in Block 168 of Registered Plan of Subdivision 40M-2727 not exceed \$482,000, inclusive of applicable taxes, in accordance with the City's typical park program.
4. That funding in the amount of \$482,000, inclusive of applicable taxes, be approved for the City's share of the development of the parkette in Block 168 of Registered Plan of Subdivision 40M-2727 with \$387,000 provided from the Parks, Recreation and Trail Development Charge Reserve and \$95,000 provided from the Growth Related Non Development Charge Reserve.
5. That Medallion Developments (Tanglewood) Limited (Medallion) be paid for the City's share of the parkette development work in Block 168 of Registered Plan of Subdivision 40M-2727 only after the following conditions have been met:

(a) The parkette is completed by June 30, 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, Safety and Facilities Services Department including but not necessarily limited to those set out in Section 5.2.4 of Report ED-24-71 dated May 29, 2024.
6. That an appropriate agreement for the construction and maintenance of the parkette in Block 168 of Registered Plan of Subdivision 40M-2727 be executed by the Commissioner, Economic and Development Services Department on behalf of the City and by Medallion Developments (Tanglewood) Limited (Medallion) which includes all of the City's requirements for the development and maintenance of the parkette as set out in Report ED-24-71 dated May 29, 2024, in a form and content acceptable to the City Solicitor and the Commissioner, Economic and Development Services Department.

### **3.0 Executive Summary**

In response to a written request from Medallion to fully finish the parkette in Block 168 of Registered Plan of Subdivision 40M-2727, this Report recommends that the request be approved subject to a number conditions.

The development of the Medallion parkette has not been approved through the capital budget process.

The development of the subject parkette was included in the 2025-2033 capital forecast presented as part of the Mayor's 2024 budget. The development of the subject parkette was divided into two phases, the first phase being the design of the parkette in 2025 with an estimated budget of \$75,000 and the second phase being the construction of the parkette in 2026 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 Medallion \$482,000 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 June 30, 2025, weather permitting, which is one year 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 Department
- Commissioner, Corporate and Finance Services Department
- Commissioner, Safety and Facilities Services Department

## **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 Medallion**

#### **5.2.1 Key Issues**

The key issues to be considered in assessing Medallion'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, Medallion has registered Phase 1 of the approved draft plan of subdivision which contains approximately 900 dwelling units (see Attachment 2). Medallion has advised that approximately 172 dwelling units will be occupied by the proposed completion date of June 30, 2025. Medallion will be advancing the registration of Phase 2 of the approved draft plan of subdivision in the near future.

Medallion intends to finish the parkette by June 30, 2025, 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 Medallion parkette is not included in the Mayor's 2024 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 Mayor's 2024 budget. The development of the subject parkette was divided into two phases, the first phase being the design of the parkette in 2025 with an estimated budget of \$75,000 and the second phase being the construction of the parkette in 2026 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 \$387,000 would be funded from the Parks, Recreation and Trail Development Charge Reserve and the remaining \$95,000 funded from the Growth Related Non Development Charge Reserve.

If Medallion's request is approved, the City is committing to reimburse Medallion for the cost of finishing the parkette, in accordance with the City's normal requirements, to a maximum of \$482,000 inclusive of applicable taxes.

Medallion 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 \$482,000 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 Medallion.

Medallion intends to finish the parkette by June 30, 2025. It is recommended that Medallion not be reimbursed by the City until the conditions outlined in this Report are met. It is expected that the City will be reimbursing Medallion after final acceptance by Parks and Waste Operations, anticipated to be after June 30, 2025.

Medallion 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 Medallion 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 Medallion to fully finish the parkette:

- (a) Medallion 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 parkette concept shall be submitted to Parks Planning and Redevelopment staff and presented to the Oshawa Accessibility Advisory Committee for review and input prior to obtaining approval from the City. 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, Medallion 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 Medallion 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) Medallion shall prepare the tender documents for Parks Planning and Redevelopment staff approval.
- (e) Medallion 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 Medallion 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) Medallion'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) Medallion 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) Medallion 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 Department.
- (k) Medallion is responsible to maintain the parkette until final acceptance by Parks and Waste Operations, anticipated to be after June 30, 2025.

## **6.0 Financial Implications**

The City's share of the development of the Medallion parkette is not included in the Mayor's 2024 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 Mayor's 2024 budget. The development of the subject parkette was divided into two phases, the first phase being the design of the parkette in 2025 with an estimated budget of \$75,000 and the second phase being the construction of the parkette in 2026 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 Medallion's request is approved, the City is committing to reimburse Medallion for the cost of finishing the parkette.

Consistent with the 2025-2033 capital forecast and the Development Charge Background Study it is recommended that the \$482,000 budget be funded as follows:

- \$387,000 funded from the Parks, Recreation and Trail Development Charge Reserve; and,
- \$95,000 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, anticipated to be after June 30, 2025.

Based on Medallion's construction schedule and the requirement to not reimburse Medallion until the conditions outlined in this Report are met, it is expected that the City will be reimbursing Medallion after final acceptance by Parks and Waste Operations, anticipated to be after June 30, 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





Title: Approved Draft Plan of Subdivision S-O-2016-01 showing Draft Plan of Subdivision and Location of the Parkette (Block 51)




Item: ED-24-71  
Attachment 2

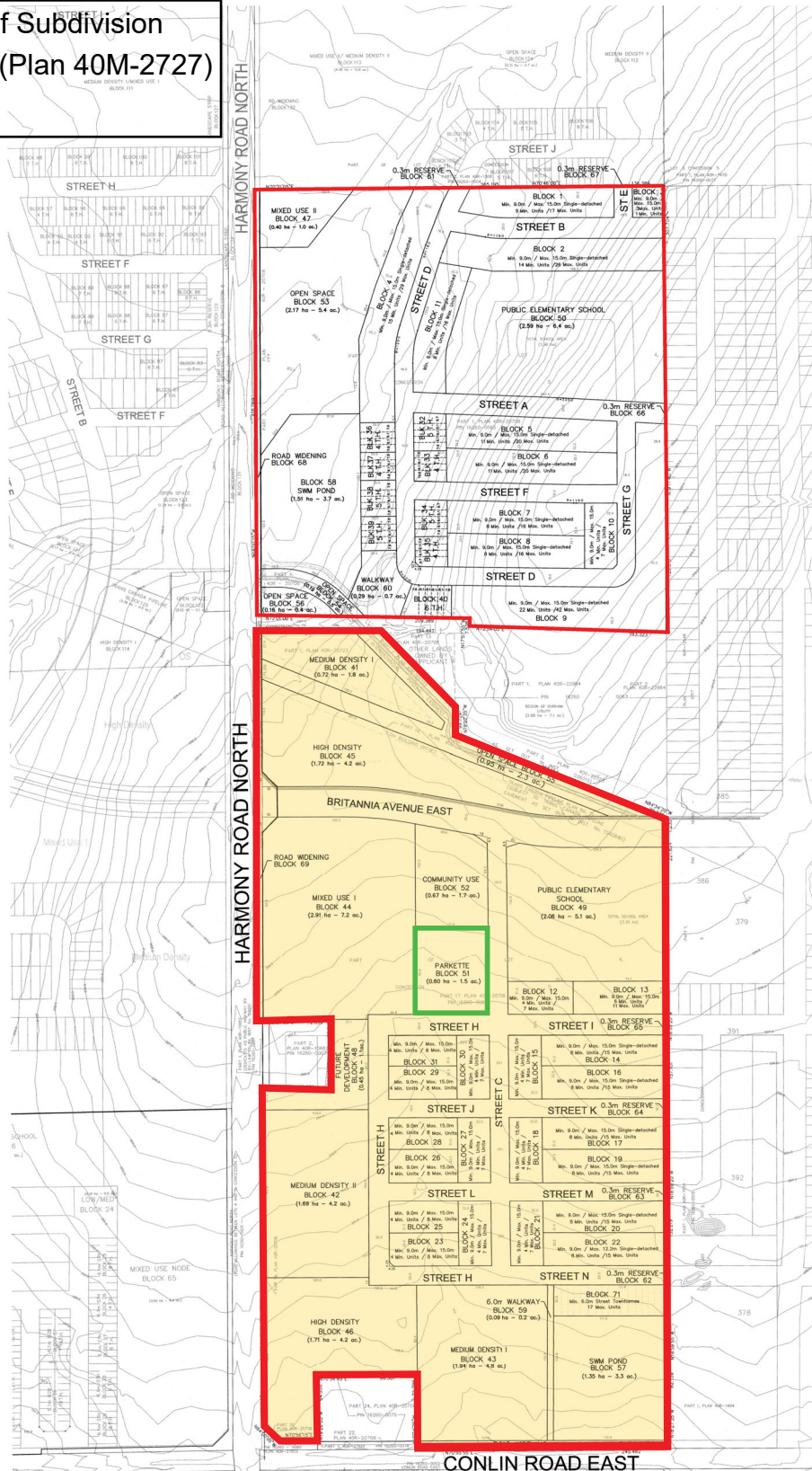
Subject: Request by Medallion Developments (Tanglewood) Limited to fully develop the parkette in Block 168 of Registered Plan of Subdivision 40M-2727, north of Conlin Road East, and east of Harmony Road North

Ward: Ward 1  
File: S-O-2016-01

City of Oshawa  
Economic and Development Services



-  Approved Draft Plan of Subdivision
-  Phase 1 of Draft Plan (Plan 40M-2727)
-  Parkette Location



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970 Lawrence Ave. W., Suite 304, Toronto, Ontario M6A 3B6 Tel: 416-256-3900 Fax: 416-256-2827

May 01, 2024

*via email*

Ms. Salisha Price, Manager, Urban Design & Landscape  
City of Oshawa  
50 Centre Street South  
Oshawa, ON L1H 3Z7

Attn: Ms. Price

**RE: Parkette Block 168, 40M-2727  
Medallion Phase 1 Subdivision**

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Based on the status of the home construction in Medallion Developments (Tanglewood) Limited's phase 1 subdivision, we are writing to request to proceed with the construction of the park block 168, plan 40M-2727, as per the approved drawings prepared by Cosburn Giberson Landscape Architects dated April 16<sup>th</sup>, 2024 and the Cost Estimate dated April 29<sup>th</sup>, 2024.

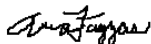
As per the City's requirements, Medallion Developments (Tanglewood) Limited, would be responsible for the base park conditions, as per the approved landscape drawings which includes; rough and fine grading, sodding/seeding, drainage and perimeter fencing. The City of Oshawa would be responsible for the balance of the park which includes but not limited to playground structures, landscape furniture, hard surfaces, planting and all landscaping features.

It is our intention to commence construction of the park by Fall of 2024 with a completion date by spring of 2025. We respectfully request that we would be reimbursed for the City's costs once the park is substantially completed.

Thank you for considering our request to proceed with park construction and we look forward to building a new park within the community.

Sincerely,

Medallion Developments (Tanglewood) Limited



Anna Fagyas

cc: Danny Beauchesne, CGLA



