

## **SCHEDULE E**

---

### **DRAFT CONDITIONS OF APPROVAL**

1. That the existing accessory building is permitted to continue to exist on the subject lands in accordance with Section 5.3 (Non-Conforming Uses) of Zoning By-law 2010-078. Any replacement of the existing accessory building must comply with the applicable provisions in force and effect at that time.
2. That a tree preservation and planting plan for the severed and retained lots, including any boulevard trees, be prepared to the satisfaction of the Community Services Department. The developer shall demonstrate that every effort is made to retain the mature City and privately owned trees to the satisfaction of the City and that any tree removal must be justified and replaced in accordance with City Policy CS69 or its successor (generally at a ratio of 2:1).

In the event that the boulevard tree cannot be retained, the replacement of the boulevard shall be as follows:

- a. The Developer will be responsible for the removal of the existing boulevard tree at their cost (cutting, disposal, stump grinding and restoration (topsoil/grass seed)). The Developer's tree removal contractor will need to provide to the City prior to commencing of any tree removal work a copy of their WSIB certificate and liability insurance certificate (min. \$5 million) naming the City of Owen Sound as additional insured.
- b. The Developer will compensate the City for the loss of the existing boulevard tree by agreeing to pay to the City for two new boulevard trees to be installed by the City. The City will plant the replacement trees anywhere in the City at their discretion. The cost for planting two new boulevard trees in 2025 is \$760.04 (plus HST). The cost for the replacement of a boulevard tree will be based on the current Fees and Charges Bylaw cost of \$380.02 per boulevard tree in 2025 and \$385.72 in 2026.

3. That approval of Committee of Adjustment Consent Application B02-2025 is obtained and the conditions pertaining to the consent are fulfilled.