

## **SCHEDULE E**

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### **DRAFT CONDITIONS OF APPROVAL**

1. That the applicant submit to the Secretary-Treasurer of the Committee of Adjustment a legal description of the subject lands which will meet the requirements of the Registrar and request in writing (either through presentation of deeds for stamping or a written statement) from the Secretary-Treasurer of the Committee of Adjustment a certificate of consent, provided however that before the said certificate is issued, any other conditions imposed by the committee have been fulfilled to the satisfaction of the Secretary-Treasurer.
2. That a survey prepared by a qualified land surveyor be provided showing the foundations of the proposed structures, confirming the actual lot configuration corresponds with the intent of the consent application and that proper setbacks have been provided in accordance with the City's zoning by-law, to the satisfaction of the Community Services Department (Planning Division).
3. That the applicant pay cash-in lieu of parkland in accordance with the requirements of the City's Fees and Charges By-law No. 2022-066, being the lesser of: \$803/m of frontage; OR \$16/m<sup>2</sup> of lot area; OR 5% of a land sale valuation made within two years of the consent application approval.
4. That the applicant provide to the Secretary-Treasurer a tax certificate prepared by the City's Financial Services Department (Tax Division) indicating that property (and business) tax installments levied and due on the subject lands are paid in full as of the day of issuance of the certificate of consent.
5. That the applicant provide to the Secretary-Treasurer written confirmation from the City Clerk that the 5.0 m of road widening along the frontage of 3rd Avenue West, and a 3.0 m by 3.0 m daylight triangle at the intersection of 3rd Avenue West and 26th Street West, required by the City has been conveyed and registered in an acceptable manner to the City Solicitor, for which the City Clerk will require the following to be provided at the

applicant's expense:

- a. A reference plan describing the lands subject to the road widening;
  - b. An Acknowledgement and Direction form to be signed by the City respecting the registration of the transfer by the applicant's solicitor on the City's behalf;
  - c. The proposed draft transfer document including a Land Transfer Tax Affidavit which must include the following "other" statement: "The subject property is acquired by the municipality for the purpose of widening the highway abutting the property and the property forms part of that highway pursuant to section 31(6) of the Municipal Act, 2001"; and,
  - d. The draft reference plan is to be reviewed by the ESD prior to depositing and transferring to the City.
6. That the applicant submit a grading and drainage plan prepared by a qualified person for both the retained and severed lots, including servicing details (servicing plan), in accordance with applicable zoning, to the satisfaction of the City's Public Works and Engineering Department (Engineering Services Division) and the Community Services Department (Planning and Heritage Division).
7. That the applicant provides to the Secretary-Treasurer written confirmation from the City's Public Works and Engineering Department (Engineering Services Division) that servicing arrangements acceptable to the City have been made for each of the separate lots (which will include the execution of a Special Services Application between the applicant and the City) and payment of applicable servicing charges and fees.
  - a. This SSA will also include the off-site reinstatement of the existing asphalt swale within the proposed and existing driveway on 26th Street East and hard-surfacing of the existing driveway to 26th Street East.

The off-site reinstatement of the existing asphalt swale within the proposed and existing driveway on 26th Street East and hard-surfacing of the existing driveway to 26th Street East are to be completed prior to the stamping of the deeds.
  - b. The installation of separate servicing for the severed parcel can occur

after lot creation, at the time of building permit issuance for the single detached dwelling. Installation of servicing is to occur in accordance with the Special Services Application.

8. That the applicant pay outstanding frontage charges for watermain required by the City's Public Works and Engineering Department (Engineering Services Division) to the Secretary-Treasurer relevant to the severed lot. The rate established by policy of City Council applicable at the time of this decision is \$84.00 per metre of lot frontage (17.0 metres total length).
9. That the applicant pay outstanding charges for wastewater sewer required by the City's Public Works and Engineering Department (Engineering Services Division) to the Secretary-Treasurer relevant to the severed lot. The rate established by policy of City Council applicable at the time of this decision is \$84.00 per metre of lot frontage (17.0 metres total length).
10. That the applicant pay outstanding charges for storm sewer required by the City's Public Works and Engineering Department (Engineering Services Division) to the Secretary-Treasurer relevant to the severed lot. The rate established by policy of City Council applicable at the time of this decision is \$71.00 per metre of lot frontage (17.0 metres total length).
11. That the applicant pay outstanding charges for urban roadway with curb & gutter required by the City's Public Works and Engineering Department (Engineering Services Division) to the Secretary-Treasurer relevant to the severed lot. The rate established by policy of City Council applicable at the time of this decision is \$62.00 per metre of lot frontage (17.0 metres total length).
12. That approval of the Committee of Adjustment Minor Variance Application A06-2025 is obtained and the conditions pertaining to the minor variance are fulfilled.