

Conditions Of Draft Plan Approval

1429 Highway 15
City of Kingston (Owner)
City File Number: D35-003-2025

1. Approved Draft Plan:

That this approval applies to the Draft Plan of Subdivision, prepared by Forefront Engineering dated September 19, 2025, which shows the following:

- 1 commercial block (Block 1);
- 3 business park blocks (Blocks 2, 3, & 4);
- 1 block for stormwater management pond (Block 5);
- 2 blocks for parkland dedication (Block(s) 6 & 7);
- 1 block for road widening purposes (Block 8);
- 1 block for utility corridor (Block 9);
- 2 blocks for 0.3 m reserves (Blocks 10 & 11); and
- 1 new roadway (Street 'A' – Extension of Innovation Drive).

2. Streets and Civic Addressing:

- (a) That the road allowances included in this Plan shall be shown and dedicated as public highways.
- (b) That the road allowances within the Plan shall be designed in accordance with the Municipality's engineering standards and shall be dedicated to the Municipality free of all charge and encumbrances. The streets, lots and blocks shall be designed to coincide with the development pattern on adjacent properties.
- (c) That Prior to Final Approval, the Owner shall submit proposed street names for approval by the Planning and Development Department and shall be included on the first submission of the engineering drawings. The Streets within this Plan shall be named to the satisfaction of the City, in consultation with the Planning and Development Department, in accordance with the City's Civic Addressing and Road Naming By-law.
- (d) That Prior to Final Plan Approval, the Owner shall provide confirmation that civic addresses have been assigned to the proposed lots and blocks by the City's Planning and Development Department, in accordance with the City's Civic Addressing and Road Naming By-Law. The Owner shall be advised that the civic addresses are tentative until such time that the final plan is registered and the final lot layout has been confirmed.
- (e) For lots with more than one road frontage, the lots will be addressed on the road frontage on which primary vehicular access is situated. Prior to applying for a building permit, the Owner shall confirm with the Planning and Development Department the appropriate road frontage where primary vehicular access is to be provided and shall confirm the approved civic address in order to comply with the City's Civic Addressing and Road Naming By-Law and emergency response requirements.

- (f) That the Owner shall agree that the location and design of any **construction access** shall be approved by the Municipality and/or the appropriate authority.

3. Reserves and Easements:

- (a) Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 m reserve to be conveyed to the Municipality free of all charges and encumbrances.
- (b) That such easements as may be required for servicing, utility or drainage purposes shall be granted to the appropriate authority free of all charges and encumbrances.

4. Financial Requirements:

- (a) That the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the Municipality concerning all provisions of municipal services but not limited to including fencing, lighting, landscaping, sidewalks, roads, installation of underground services, provisions of drainage and noise mitigation where required.
- (b) **That Prior to Final Plan Approval**, the Owner shall submit for the Municipality's approval a detailed breakdown of the construction costs for the works associated with the development of this Plan, including any cash surcharges or special levies. The construction costs shall be prepared and stamped by a professional engineer. The cost estimate shall be submitted in the Municipality's standard format for incorporation into both the Pre-Servicing and Subdivision Agreements.
- (c) That the Owner shall bear the expense of all off site works resulting from the approved public works design where such works are not subsidized under the Policies and By-Laws of the Municipality.
- (d) That the Owner agrees to reimburse the Municipality for the cost of any Peer Reviews of the Studies / Reports submitted in support of the proposed Plan of Subdivision.

5. Subdivision Agreement:

- (a) That the Owner shall enter into the Municipality's standard Subdivision Agreement which shall list all approved plans and municipal conditions as required by the Municipality for the development of this Plan.
- (b) The Subdivision Agreement between the Owner and the Municipality be registered against the lands to which it applies once the Plan of Subdivision has been registered.
- (c) That the Subdivision Agreement shall contain all necessary warning clauses and notices to purchasers resulting from, but not necessarily restricted to, the design and provision of services, including the requirement to provide and maintain private site specific works as necessary.

6. Engineering Drawings:

- (a) **That Prior to Final Plan Approval**, the Owner shall submit for approval, subdivision design drawings, including design plans for all public works and services, prepared and certified by a Professional Engineer and designed pursuant to the Municipality's

Subdivision Design Guidelines and to the satisfaction of the Municipality. Such plans are to form part of the Subdivision Agreement.

- (a) **That Prior to Final Plan Approval**, the Owner shall submit a digital listing of the approved subdivision design drawings in the Municipality's standard format for incorporation into the Pre-Servicing and Subdivision Agreement.
- (b) **That Prior to Final Plan Approval**, the Owner shall submit for approval, design drawings for the emergency access lane across Parts 17, 18, 19, 20, 22, 23 and 24 on Plan 13R-23292. The Owner shall be responsible for the design and construction of the emergency access lane, and the emergency access lane is to remain in place until such time as a second permanent municipal access is provided to the lands.

7. Revisions to Draft Plan:

- (a) That any further subdivision of Blocks or additional road patterns on the Plan shall be completed to the satisfaction of the Municipality.
- (b) **That Prior to Final Plan Approval** of any part of the Plan, the Owner shall submit a revised Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.
- (c) That where final engineering design(s) result in minor variations to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, etc.), these may be reflected in the Final Plan to the satisfaction of the Municipality.

8. Phasing:

- (a) That Final Plan Approval for registration may be issued in phases to the satisfaction of the Municipality, subject to all applicable fees.
- (b) That the **phasing** of the development shall be reflected in the Subdivision Agreement and on the approved subdivision design drawings to the satisfaction of the Municipality, taking into account the temporary termination of underground services, interim grading, interim stormwater management, operations and maintenance vehicle access and access for emergency vehicles.
- (c) That the phasing of the development shall be proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services.
- (d) That all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

9. Zoning By-Law Compliance:

- (a) That the lands within this Draft Plan shall be appropriately zoned by a Zoning By-Law which has come into effect in accordance with the provisions of the *Planning Act*.

- (b) **That Prior to Final Plan Approval**, the Owner shall submit a Surveyor's Certificate which confirms that the blocks within this Plan conform to the minimum lot frontage and lot area requirements of the applicable Zoning By-Law.

10. Required Studies:

- (a) **That Prior to Final Plan Approval**, the Owner shall submit a **Geotechnical Study**, certified by a Professional Engineer, to the satisfaction of the Municipality. The recommendations of the Geotechnical Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
- (b) **That Prior to Final Plan Approval** all recommendations of the **Servicing Study** shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality.
- (c) **That Prior to Final Plan Approval**, the Owner shall submit a **Traffic Impact Report**, prepared by a professional engineer to the satisfaction of the Municipality. The Subdivision Agreement shall contain provisions for the Owner to design, construct and financially secure the costs of any off site road improvements as are deemed necessary by the Report's recommendations to the satisfaction of the Municipality's Director of Engineering.
- (d) **That Prior to Final Plan Approval**, a **Stormwater Management Report** and implementing plans for the development shall be prepared by a qualified Professional Engineer, to the satisfaction of the Municipality and Cataraqui Region Conservation Authority. Such plans shall be included in the Subdivision Agreement. The Owner shall carry out the recommendations of the report, at his expense, to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority.

11. Archaeological Assessment:

- (a) The City of Kingston is in receipt of a Stage 2 Archaeological Assessment for the property located at 1429 Highway 15 prepared by Past Recovery Archaeological Services Inc. dated January 31, 2025, for the portion of the property west of Butternut Creek. This report is on file with the Ministry of Citizenship and Multiculturalism. The City has received and relies upon the report of the professional archaeologist as filed but reserves the right to require further reports should further evidence be uncovered. It is also noted that further review of archaeological resources is required on the portion of the property east of Butternut Creek, as noted in the recommendations of the above noted report, and subject to input and review from the Ministry of Citizenship and Multiculturalism, prior to development or site alteration.
- (b) No development or site alteration will be permitted until such time as the Owner has submitted an archaeological assessment to the satisfaction of the City and Ministry of Citizenship and Multiculturalism, and all required clearances have been received from the Ministry.

- (c) The Subdivision Agreement shall contain provisions that, in the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca) and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.
- (d) The Subdivision Agreement shall contain provisions that in the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Office of the Chief Coroner as a part of the Ontario Ministry of the Solicitor General (1-877-991-9959), the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca), and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

12. Stormwater Management:

- (a) **That Prior to Final Plan Approval**, Block(s) 5 shall be deeded to the Municipality for Stormwater Management purposes.
- (b) That as part of the plans provided for the design and layout of Block 5, a connective pathway shall be incorporated in accordance with accepted City standards, linking the pathway in the ecological corridor (Blocks 6 & 7) with the public road network (Highway 15), subject to approval by the Municipality.
- (c) **That Prior to Final Plan Approval**, the Owner shall submit lot grading and drainage plans, and erosion and sediment control plans prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the Municipality and the Cataraqui Region Conservation Authority. The approved plans shall be included in the Subdivision Agreement between the Owner and Municipality.
- (d) **Prior to Final Plan Approval and Prior to any Works Commencing on the Site**, the Owner shall submit for approval by the Municipality and the Cataraqui Region Conservation Authority (CRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
 - i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
 - ii) the location and description of all outlets and other facilities;
 - iii) storm water management techniques which may be required to control minor and major flows;
 - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
 - v) overall grading plans for the subject lands; and

- vi) storm water management practices to be used to treat storm water, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat.
 - vii) The final stormwater management plan should include a section that speaks to Low Impact Development (LID) stormwater management features that may be suitable for incorporation into the final stormwater system design. This section should refer to specific site conditions including geotechnical investigation for soil depths and final site grading.
- (d) That the Owner shall agree to maintain all storm water management and erosion and sedimentation control structures operating and in good repair during the construction period.

13. Parkland Conveyance / Open Space / Environmental Protection Areas:

- (a) That the City shall keep the ecological corridor in City ownership as per the location shown as Blocks 6 & 7 of the approved Draft Plan for a functional park or other public recreational purpose, to satisfy parkland dedication requirements under Parkland Conveyance By-law 2022-145.
- (b) That lands to be retained by the Municipality for park or other public recreational purposes shall be subject to the following conditions:
 - (i) **That all lands shall be left in an untouched, natural state.** All existing vegetation is to remain within the limits of the park site, including any significant trees at the property line. Existing grades/elevations are to be maintained at the property lines and within the park itself unless approval for site alteration is received in writing from the Director of Planning.
 - (ii) **That Prior to Assumption of the park,** the Manager of Culture, Parks and Recreation shall be in receipt of a clearance memo from the Manager of Environment indicating that the park site is environmentally clean.
 - (iii) **That Prior to the Commencement of any Clearing, Grubbing or Construction Work** within 10 metres of the park blocks defined on the Draft Plan, the Owner shall:
 - 1. Install snow fencing around the periphery of the park site to protect the site. The Municipality will be responsible for the maintenance of the fence and its removal.
 - 2. Post signage to Municipality specifications, on all accessible sides of each park block, which indicates:
 - the future use of the block as a linear park;
 - that no construction storage shall occur on this parcel of land nor shall any construction debris be dumped on this site; and
 - that all trees and other vegetation must not be disturbed.

- (iv) **That Prior to the Transfer of Deeds for the Parkland to the Municipality**, the Manager of Culture, Parks and Recreation or designate shall inspect the park site to ensure that the park is in a clean/natural state. The conditions on the site must be satisfactory to the Manager of Culture, Parks and Recreation prior to transfer of title and the removal of the snow fencing. Should the park blocks be in an unsatisfactory state, the Owner shall be held responsible for restoring the site to the Municipality's satisfaction.

14. **Tree Inventory / Street Trees:**

- (a) That prior to any grubbing/clearing or construction on parcels of land not defined as roadways or servicing easements on the draft plan, the Owner shall receive final approval from the Municipality for a **Tree Preservation Plan** prepared for the subject lands. The final approved tree inventory plan shall be prepared by a certified arborist (ISA approved), and shall set out the surveyed locations of all trees on the site. The tree inventory shall list the species, caliper size, condition, crown radius and indicate whether the tree is to be retained or removed. If trees 6 inches (150 mm) or more in diameter are to be removed from the subject lands, the developer will abide by the conditions of the tree removal permit under the Tree Conservation By-Law which may, at the Supervisor of Forestry's discretion, include a tree preservation plan, a tree replacement plan or cash compensation for the value of the trees to be removed. If the tree is to be removed a rationale for this action must be noted. If significant trees or groups of trees are identified to be retained in the tree inventory, a tree preservation plan will be required prior to final approval at the discretion of the Municipality. This plan shall be reviewed and approved by the Municipality and be included as a schedule to the Subdivision Agreement. Requirements for the tree preservation plan are noted in the subdivision design guidelines produced by the Municipality.
- (b) **That Prior to Final Plan Approval**, the Owner shall submit a **Street Tree Planting Plan** prepared by a Landscape Architect to the satisfaction of the Municipality.

15. **Canada Post - Community Mail Boxes:**

- (a) That prior to Final Plan Approval, the Owner shall, in consultation with and to the satisfaction of Canada Post, identify the location of community mail boxes within the Plan, and shall identify such locations on drawings for approval by the City.
- (b) That prior to Final Plan Approval, the Owner shall, in consultation with and to the satisfaction of the City, provide detailed design plans for the community mail boxes including a landscape plan showing street furniture and complimentary architectural features.
- (c) That the Owner shall provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
- (d) That prior to Final Plan Approval, the Owner shall enter into a Community Mailbox Developer Agreement and pay the Address Activation Fee with Canada Post Corporation for the installation of Community Mail Boxes as required by Canada Post.

- (e) That the Owner shall identify in all offers of purchase and sale, or lease for all lots and blocks within this Plan that mail delivery will be provided via a community mail box, provided that the Owner has paid for the activation and equipment installation of the community mail box, and the locations of all community mail boxes within this Plan. A Notice to Purchasers shall also be included in the Subdivision Agreement to this effect.

16. Bell Canada Requirements:

That the Owner shall meet the following conditions of Bell Canada:

- i. that the Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunications services; and,
- ii. that the Owner shall be requested to enter into an Agreement (Letter of Understanding) with Bell Canada complying with any underground servicing conditions imposed by the Municipality, or if no such conditions are imposed, the Owner shall advise the Municipality of the arrangements for servicing.
- iii. The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (ie., 911 Emergency Services).

17. Enbridge Gas Requirements:

- (a) That the Owner shall provide Enbridge Gas the necessary easement and/or agreements required by Enbridge Gas for the provision of gas services for this project, in a form satisfactory to Enbridge.

18. Hydro One Requirements:

- (a) **That Prior to Final Plan Approval**, the Owner/Subdivider shall submit to Hydro One the lot grading and drainage plan, showing existing and final grades, for review and approval. Drainage must be controlled and directed away from any Hydro One transmission lines.
- (b) The costs of any relocations or revisions to Hydro One facilities that are necessary to accommodate this subdivision shall be borne by the Owner.

19. Utilities Kingston Requirements:

- (a) **Prior to Final Plan Approval**, the Owner shall satisfy all technical, financial and other requirements of Utilities Kingston regarding the design, installation, connection and/or expansion of water distribution services and sanitary sewer distribution services, or any other related matters.
- (b) The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with Municipal standards and specifications.

20. Cataraqui Conservation

- (a) That a final, master stormwater management plan (or Master Drainage Plan) be prepared by a qualified Professional Engineer and approved to the satisfaction of the City and the CRCA, and that appropriate text to implement its findings and recommendations be included in the Subdivision Agreement.
- (b) That the master stormwater management plan (or Master Drainage Plan) include engineered design details for the re-routed drainage channel at the southwest of the subject property, the new drainage channel in Blocks 6 & 7, and the stormwater management facilities to demonstrate that these features can safely store and convey flood water without impacts to adjacent lands.
- (c) That a water balance assessment be completed and that specific requirements for runoff contribution to the ecological corridor (Blocks 6 & 7) from each individual block based on its findings be completed by a qualified Professional Engineer to the satisfaction of the City and CRCA, and that that appropriate text to implement its findings and recommendations be included in the Subdivision Agreement.
- (d) That a lot grading and drainage plan and a sediment and erosion control plan be completed and approved to the satisfaction of the City and the CRCA, and that appropriate text to implement its findings be included in the Subdivision Agreement.
- (e) That a landscape plan for the stormwater management facilities be prepared to the satisfaction of the City and the CRCA.
- (f) That a phase 1 karst assessment be prepared by a qualified Professional Engineer or geoscientist to the satisfaction of CRCA to confirm if karst features are present on the subject lands. If karst features are confirmed on the property, a detailed (phase 2) assessment may be required depending on extent and location.
- (g) That the Subdivision Agreement includes text to the satisfaction of the City and CRCA requiring the completion of a drinking water source protection assessment and, if necessary, a risk management measures plan, prior to Planning Act approvals for the individual development blocks (Blocks 1 through 4).
- (h) That the Subdivision Agreement includes text to the satisfaction of the City and the CRCA notifying the Owner that permission will be required under Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits, prior to commencing excavation, rough

grading, stockpiling, etc. within 15 metres of the top of slope of Butternut Creek, within 15 metres of the flood plain (109.82 m geodetic) and within 30 metres of the edge of wetland at the subject lands.

21. Warning Clauses:

That the Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots / blocks within this Plan

(a) within the entire subdivision plan:

- “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants.”
- “Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet Municipality of Kingston lot grading criteria in certain areas to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions”.
- “Purchasers and/or tenants are advised that traffic calming measures may ~~have been~~ incorporated into the road allowances.”
- “Purchasers and/or tenants are advised that the planting of trees on Municipality boulevard is a requirement of the Municipality and a conceptual location Plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the Municipality reserves the right to relocate or delete any boulevard tree without further notice.”
- “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings.”
- “Purchasers and/or tenants are advised that any roads ending in a dead end or temporary turning circle may be extended in the future to facilitate development of adjacent lands, without further notice.”

(b) abutting any park, open space, woodlot or storm water facility:

- “Purchasers and/or tenants are advised that the adjacent open space, woodlot or storm water management facility may be left in a naturally vegetated condition and receive minimal maintenance.”

(c) abutting a potential transit route:

- “Purchasers and/or tenants are advised that the following streets may be used as transit routes in the future: Highway 15 & Innovation Drive.

(d) Block 1:

- “Purchasers and/or tenants are advised that the property abuts 1403 Highway 15, which is designated under Part IV of the Ontario Heritage Act. Specific mitigation strategies, as detailed in the Heritage Impact Study, prepared by Heritage Studio, dated May 13, 2025, such as increased yard setbacks and landscaping/buffering, are applicable through Site-specific Zoning.”
- (e) Block 4:
 - “Purchasers and/or tenants are advised that the property abuts Butternut Creek and includes a stormwater management pond, which has been zoned General Open Space (OS1), separately from the developable area within Block 4.”
 - “Purchasers and/or tenants are advised that Block 4 contains a Stormwater Management Pond and only flows from the subject block may be directed to it.”
- (f) Blocks 1, 2, 3 & 4:
 - **That Prior to Site Plan Approval**, the Owner shall submit a detailed **Noise Impact Study** prepared to the satisfaction of the Municipality and the Ministry of Environment. The recommendations of the Study shall be incorporated into the Site Plan Agreement and the Site Plan Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the Municipality

22. General Conditions:

- (a) That prior to Final Plan Approval, the Applicant will submit a detailed account of how each Condition of Draft Plan Approval has been satisfied.
- (b) That the Owner shall pay any and all outstanding application fees to the Planning and Development Department, in accordance with the Municipality’s Tariff of Fees By-Law.
- (c) That when requesting Final Approval from the Municipality, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor’s certificate stating that the lots/blocks thereon conform to the frontage and area to the requirements of the Zoning By-Law.
- (d) That the Owner agrees to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan; any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.
- (e) That the Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing prior to assumption of the works by the municipality.
- (f) **That Prior to Final Plan Approval**, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent, built or proposed, that have been designed and oversized by others to accommodate the subject plan.
- (g) That the Owner shall agree to erect fencing in the locations and of the types as shown on the approved subdivision works drawings and as required by the Municipality.

- (h) The Owner shall agree that no building permits, with the exception of model homes, will be applied for until the Municipality is satisfied that adequate access, municipal water, sanitary and storm services are available.

23. Shovel-Worthy Framework

- (a) All publicly- owned lands shall be designed and developed in accordance with the Shovel-Worthy Framework, including road allowances, ecological corridor and stormwater management pond.
- (b) That, in accordance with the Shovel-Worthy Framework, the Owner will finalize Site Design Guidelines that will apply to lands within the subdivision.

24. Clearance Letters:

- (a) **That Prior to Final Plan Approval**, the approval authority shall advise that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.
- (b) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by the Cataraqui Region Conservation Authority the method by which Conditions 20 (a) through (h) have been satisfied.
- (c) **That Prior to Final Plan Approval**, the City is to be advised in writing by Canada Post the method by which Conditions 15 (a) through (e) have been satisfied.
- (d) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by Enbridge Gas the method by which Condition 17 has been satisfied.
- (e) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by Hydro One the method by which Conditions 18 (a) & (b) have been satisfied.

25. Lapsing Provisions:

- (a) That pursuant to Section 51(32) of the *Planning Act*, this Draft Plan Approval shall lapse at the expiration of **three (3) years from the date of issuance of Draft Plan Approval** if final approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the approval authority.
- (b) That pursuant to Section 51(33) of the *Planning Act*, the Owner may submit a request to the approval authority for an extension to this Draft Plan Approval. The extension period shall be for a maximum of two (2) years and must be submitted prior to the lapsing of Draft Plan Approval. Further extensions may be considered at the discretion of the approval authority where there are extenuating circumstances.

Notes To Draft Plan Approval:

1. It is the Applicant's responsibility to fulfil the foregoing Conditions of Draft Plan Approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Planning and Development Department of the City of Kingston.
2. **Prior to Final Plan Approval**, the Applicant shall submit to the Municipality of Kingston for review four (4) draft copies of all Reference Plans and Surveys and three (3) draft copies of the Final M- Plan.
3. When requesting final approval, such a request must be directed to the Planning and Development Department and be accompanied with:
 - Eight (8) mylars and four (4) paper prints of the completed Final M-Plan,
 - four (4) copies of all Reference Plans and (4) copies of all Conveyance Documents for all easements and lands being conveyed to the Municipality; and,
 - a Surveyor's Certificate to the effect that the lots and blocks on the Plan conform to the Zoning By-Law.
4. All measurements in subdivision final plans must be presented in metric units.
5. Hydro One advises that an electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER – Overhead Electrical Wires**" in all locations where personnel and construction vehicles might come in close proximity to the conductors.
6. The Final Plan approved by the Municipality must be registered within thirty (30) days or the Municipality may, under Subsection 51(59) of the *Planning Act*, withdraw its approval.