

The Corporation of Loyalist Township  
P.O. Box 70, 263 Main Street,  
Odessa, Ontario  
K0H 2H0



Tel: (613) 386-7351  
Fax: (613) 386-3833  
www.loyalist.ca

Please find attached a copy of Loyalist Township's **Subdivision/Condominium** application. **The fee to submit an application is included on Attachment 1 – Fee Schedule.**

Before you submit your application, you are encouraged to contact the Approvals Planners, David Casemore at [dcasemore@loyalist.ca](mailto:dcasemore@loyalist.ca) (613) 386-7351 ext. 129#, Avinash Soni at [asoni@loyalist.ca](mailto:asoni@loyalist.ca) (613) 386-7351, ext. 156#, or the Planning Supervisor, James Griffin at [jgriffin@loyalist.ca](mailto:jgriffin@loyalist.ca) (613) 386-7351, ext. 140#, at the Loyalist Township office at 18 Manitou Crescent West, Amherstview. They can answer any questions you may have and can advise what Township policies pertain to your proposal.

**Appointments are required.**

***If you are a person with a disability and need Loyalist Township information in another format, please contact 613-386-7351, ext. 100 between 8:30 a.m. – 4:30 p.m. Monday to Friday (September to April) or 8:15 a.m. – 4:30 p.m. Monday to Thursday and 8:15 a.m. – 12:15 p.m. Friday (May to August) or e-mail [info@loyalist.ca](mailto:info@loyalist.ca).***

# Plan Review Fee Schedule

Applications made under the Planning Act,  
written comments to member municipalities.



**Cataraqi**  
conservation

## Plan Review Fees – Effective January 1, 2023<sup>1, 2</sup>

Planning Application Type	Fee <sup>3</sup>	Notes
Official Plan Amendment	\$755 (minor <sup>4</sup> ) \$1,255 (major <sup>6</sup> )	The fee for a Zoning By-law application is waived when submitted concurrently with an Official Plan Amendment application.
Zoning By-Law Amendment	\$445	See above.
Consent	\$445 per lot	Fees for the review of applications required to fulfill a conditions of consent approval are waived.
Minor Variance	\$445	The fee for a Minor Variance application is waived when submitted concurrently with a Site Plan Control application.
Development Permit	\$445 (minor <sup>4</sup> ) \$1,315 (standard <sup>5</sup> ) \$2,440 (major <sup>6</sup> )	Development permit fees are only applicable in the Town of Gananoque where a development permit system is employed.
Site Plan Control	\$445 (minor <sup>4</sup> ) \$1,315 (standard <sup>5</sup> ) \$2,440 (major <sup>6</sup> )	The fee for a Zoning By-law Amendment application is waived when submitted concurrently with a Site Plan Control application.
Plan of Subdivision/Condominium	\$3,290 \$1,210 \$830	Application for Draft Plan Approval. Application for Final Plan Approval. Re-submission of lapsed Draft Plan Approval or Amendment.
Brief Realty or Property Development Inquiry – no inspection	\$85	Property inquiries generally include information pertaining to planning related matters and Ontario Regulation 148/06. <sup>7</sup>
Brief Realty or Property Development Inquiry – with inspection	\$250	
Standard Legal, Realty, or Property Development Inquiry – no inspection	\$210	
Standard Legal, Realtor, or Property Development Inquiry – with inspection	\$385	

### Notes:

- Generally, fees for the review of an application and supporting reports are to be received before formal written comments will be provided. See Cataraqi Conservation's Technical Report Review Fee Schedule for applicable fees for the review of technical reports.
- Plan review fees may be reduced with the approval by the Manager, Watershed Planning and Engineering or Supervisor, Development Review.
- Significant amendments to an application or a re-submission within a period of two years will be charged a review fee of 50% of the current fee. A re-submission after two years will be considered a new application and will be subject to the full current fee.
- Minor refers to applications that are generally minor in nature (e.g. single family residential).
- Standard refers to applications that are generally larger in scale than minor applications (e.g. small commercial, less than 0.8 hectares, additions up to 200 square metres).
- Major refers to major development projects (e.g. multiple residential, industrial).
- Brief inquiries generally include a brief verbal or email response. Standard inquiries are more substantive and include a written response on Cataraqi Conservation letterhead. Additional mapping charges may apply.

# Technical Report Review Fee Schedule



## Technical Report Review Fees – Effective January 1, 2023

Engineering submissions are prepared by qualified professionals in the fields of civil engineering, water resources engineering, geotechnical engineering, coastal engineering and/or hydrogeology. Environmental submissions are prepared by an environmental consultant with relevant experience in wetland, wildlife habitat, and woodland ecology and species at risk. Cataraqui Conservation review involves evaluation of these submissions in consideration of applicable guidelines and legislation.

Report Type	Fee <sup>5</sup>	Notes
Technical Report – Brief <sup>1</sup>	\$420	Normal Review (30 days) <ul style="list-style-type: none"> <li>• Floodplain hydrology analysis</li> <li>• Geotechnical (unstable soils and slopes)</li> <li>• Stormwater management</li> <li>• Environmental impact analysis (EIA)</li> <li>• Environmental impact statements (EIS)</li> <li>• Sediment and erosion control plans</li> <li>• Wetland hydrologic impact analysis</li> </ul>
Technical Report – Standard <sup>2</sup>	\$970	
Technical Report – Major <sup>3</sup>	\$1,555	
Resubmissions / Revisions <sup>4</sup>	50%	

### Notes:

1. Brief Reports: are typically those prepared in the form of a letter or opinion generally relating to the development of a single residential lot.
2. Standard Reports: are typically those prepared for smaller scale subdivisions, commercial, industrial, or institutional developments.
3. Major Reports: are typically those prepared for larger scale subdivisions, commercial, industrial, or institutional developments, or may include the integrated assessment of multiple topics.
4. The applicable report fee includes the review of one submission. A 50% surcharge is applied for additional submissions.
5. These fees are not subject to taxation.



**SUBDIVISION/CONDOMINIUM APPLICATION FORM**

**FOR APPLYING FOR APPROVAL UNDER SECTION 51 OF THE PLANNING ACT  
AND SECTION 50 OF THE CONDOMINIUM ACT**

File Number: \_\_\_\_\_

Date Received: \_\_\_\_\_

Amount Paid: \_\_\_\_\_

**APPLICATION TYPE**

Subdivision

Condominium

1. **A COMPLETE APPLICATION** includes both prescribed and required information:

Information Prescribed by O. Reg. 544/06 is mandatory, must be provided and is indicated in *italics* and declared as well as by the following symbol: ➔

Required information (normal type) is necessary for efficient processing and a proper planning evaluation. Without a complete application, the application could be refused.

**Attached**

- ➔ 1.1 \_\_ 1 original of the completed application form and declaration;
- ➔ 1.2 \_\_ 12 copies of the draft plan with key maps. (folded to 8 ½ x 14” size); (See Attachment 1 of the application form and as required under Section 51(17) of the Planning Act)
- ➔ 1.3 \_\_ Application Fee(s); (see Fee schedule - Attachment 1)
- 1.4 \_\_ 2 copies of each plan on an 11” x 17” page
- 1.5 \_\_ 3 copies of all supporting technical and background information reports as required through this application form; (This varies with the type and circumstances of an application)

Please list the reports or studies that accompany this application here: (and supply 3 copies of each)

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**➔2. LOCATION OF LAND**

2.1 Local Municipality \_\_\_\_\_

2.2 Lot(s)/Block(s) \_\_\_\_\_ Concession(s) \_\_\_\_\_ Registered Plan No. \_\_\_\_\_

2.3 Street Address or Civic Address (if appropriate) \_\_\_\_\_

2.4 Are there any easements or restrictive covenants affecting the subject lands?

YES \_\_\_\_\_ NO \_\_\_\_\_ If Yes describe the easement or covenant and its effect

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**APPLICANT INFORMATION**

3.1 Complete the information below and indicate one contact as the Prime Contact. All communications will be directed to the Prime Contact.

**Registered Owner (s):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. and Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Applicant(s) Solicitor:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. and Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Agent:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone and Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Planning Consultant:**

Name: \_\_\_\_\_

Address: : \_\_\_\_\_

Phone and Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Ontario Land Surveyor:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone and Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Engineer:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone and Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

3.2 Which of the above is the Prime Contact? \_\_\_\_\_

➔4. **PROPOSED LAND USE**

Please fill out the table below:

<b>PROPOSED USES</b>	No. of Residential Units	No. of Lots/Blocks (as labelled on plan)		Area in Hectares	Density Proposed (Specify Units Per Net Hectare)	Bdrm. Count (Specify by No. of Res. Units)	Floor Coverage M <sup>2</sup>	No. of Parking Spaces
		Lots	Blocks					
<b>RESIDENTIAL</b>								
Detached Dwellings								
Semi-detached Dwellings								
Row, Townhouse (Multiple Attached) Dwellings								
Apartments Residential ■ < 2 bedrooms ■ 2 bedrooms +								
Other (Specify)								
<b>NON-RESIDENTIAL</b>								
Neighbourhood Commercial	Nil					Nil	Nil	
Other Commercial	Nil					Nil	Nil	
Industrial	Nil					Nil	Nil	
Park Land Dedication	Nil					Nil	Nil	
Open Space and Hazard Lands	Nil					Nil	Nil	
Institutional (Specify)	Nil					Nil	Nil	
Road Allowances	Nil					Nil	Nil	
Other (Specify)	Nil					Nil	Nil	
<b>TOTAL</b>								



➡4.1 Additional Information For Condominium Applications Only:

New Building

- a) Has the Township approved a site plan? YES \_\_\_\_\_ NO \_\_\_\_\_
- b) Has a site plan agreement been entered into? YES \_\_\_\_\_ NO \_\_\_\_\_
- c) Has a building permit been issued? YES \_\_\_\_\_ NO \_\_\_\_\_ Permit # \_\_\_\_\_
- d) Is the proposed development under construction? YES \_\_\_\_\_ NO \_\_\_\_\_
- e) If construction is completed, indicate date of completion \_\_\_\_\_

EXISTING BUILDING

Is this a conversion of an existing building containing rental residential units?

Date of construction \_\_\_\_\_ YES \_\_\_\_\_ NO \_\_\_\_\_

If yes, indicate the number of units to be converted. \_\_\_\_\_ units

**5. STATUS OF OTHER PLANNING APPLICATIONS**

➡5.1 a) What is the existing land use designation of the site in the Township Official Plan?

\_\_\_\_\_

b) Has a separate application for a Township Official Plan Amendment been made?

YES \_\_\_\_\_ NO \_\_\_\_\_ OTHER (explain)

\_\_\_\_\_

➡5.2 Has the subject land ever been the subject of a previous application for approval of a plan of subdivision or a consent?

YES \_\_\_\_\_ Unknown \_\_\_\_\_

If YES, and if known, indicate the application file number and the decision made on the application.

\_\_\_\_\_

➔5.3 Is the subject land also the subject of an application for a consent, approval of a site plan, minor variance or zoning bylaw amendment application?

YES \_\_\_\_\_ NO \_\_\_\_\_ UNKNOWN \_\_\_\_\_

If YES, and if known, indicate the file number and the status of the application.

\_\_\_\_\_

5.4 What is the existing zoning of the subject lands? \_\_\_\_\_

➔ 6. **SERVICING**

	Yes	No	Studies Required Now	Attached
<b>➔ Water Supply and Sewage</b>				
a) Public Services				
6.1 municipal sanitary sewers			Preliminary Servicing Study	
6.2 municipal piped water			Preliminary Servicing Study	
b) Private Services				
6.3 Wells and/or septic for a residential subdivision only, with five or fewer lots (or units)			A Hydrogeological Report A Servicing Options Report (if greater than 4,500 litres of effluent)	
6.4 Wells and/or septic for a residential subdivision only, with six or more lots (or units)			A Hydrogeological Report A Servicing Options Report	
6.5 Any development on individual private services not covered in 6.3 or 6.4			A Hydrogeological Report A Servicing Options Report	
<b>➔ Storm Drainage</b>				
6.6 Sewers			A Storm Water Management Report	
6.7 Ditches, swales				
6.8 Other (specify)				
<b>➔ Roads and Access</b>				
6.9 public road			A Traffic Impact Study may be required	
6.10 private road			not permitted	

**7. ARCHAEOLOGICAL POTENTIAL**

a) Does the subject land contain any areas of archaeological potential?

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b) If the plan would permit development on land that contains known archaeological resources or areas of archaeological potential.

- (i) An archaeological impact assessment prepared by a person who holds a license that is effective with respect to the subject land, issued under Part VI of the Ontario Heritage Act; and
- (ii) A conservation plan for any archaeological resources identified in the assessment.
- (iii) Name of licensed archaeologist and license #.

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**8. PROVINCIAL POLICY STATEMENT (PPS)**

An outline of the PPS is provided in the Table below. Planning Authorities “shall be consistent with” the PPS in making decisions on all applications. Please indicate below which, if any, features or development circumstances apply (BE SPECIFIC). Where applicable, information addressing PPS conformity must be provided below. Indicate the report’s title, as well as page numbers, for each PPS issues. A copy of the Provincial Policy Statement (2014) issued under Section 3 of the Planning Act is available at the Ministry of Municipal Affairs and Housing website ([www.mah.gov.on.ca](http://www.mah.gov.on.ca)).

Refer to the Provincial Policy Statement for a full description of the policies.

General PPS Policy Section	Determine any potential PPS issues. Indicate below, specifically, which PPS subsection applies and the Feature or Circumstance involved.	<u>How Has the Issue Been Addressed?</u>  <u>Report/Study Title, if applicable</u>
1.1 Managing and Directing Land Use		

1.2 Coordination		
1.3 Employment Areas		
1.4 Housing		
1.5 Public Spaces, Rec, Parks, Trails & Open Space		
1.6 Infrastructure & Public Service Facilities		
1.7 Long Term Economic Prosperity		
1.8 Energy Conservation, Air Quality & Climate Change		
2.1 Natural Heritage		
2.2 Water		
2.3 Agriculture		
2.4 Minerals and Petroleum		
2.5 Mineral Aggregate Resources		
2.6 Cultural Heritage and Archaeology		
3.1 Natural Hazards		
3.2 Human Made Hazards		

9. **LAND USES FOR THE SITE AND SURROUNDING AREA**

9.1 Location and area of land adjoining or adjacent to lands to be subdivided in which the owner has an interest.

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9.2 What is the current use of the Subject land? \_\_\_\_\_

9.3 What were the previous uses of the Subject land, if known? \_\_\_\_\_

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9.4 Has there been industrial use of the site? Yes \_\_\_\_\_ No \_\_\_\_\_

Has there been filling on the site? Yes \_\_\_\_\_ No \_\_\_\_\_

9.5 Is there reason to believe the site may have been contaminated by former uses on the site or adjacent sites? Yes \_\_\_\_\_ No \_\_\_\_\_

If YES to 9.4 or 9.5, then a study showing all former uses of this site, or if appropriate the adjacent site, is required. A qualified consultant must complete this study.

9.6 Are the water, sewage and road works associated with the proposed development subject to the provisions of the Environmental Assessment Act? Yes \_\_\_ No \_\_\_

If YES, will the notice of public meeting for this application be modified to state that the public meeting will address the requirements of both the Planning Act and the Environmental Assessment Act? Yes \_\_\_\_\_ No \_\_\_\_\_

➔ 10. **OWNER'S AUTHORIZATION**

(if the Owner is NOT the Applicant)

(If Multiple Owners, An Authorization Letter From Each Owner Is Required)

**PLEASE PRINT**

If an agent is employed, the registered owner(s) must complete the following (or provide similar authorization on the face of the draft plan):

I, (we) \_\_\_\_\_ being the registered  
(name(s) of owner, individuals or company)

owner(s) of the subject lands, hereby authorize \_\_\_\_\_  
(name of agent)

to prepare and submit a draft plan of subdivision/condominium for approval.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Day Month Year

**NOTE:** If the Owner is an incorporated company, the company seal shall be applied (if there is one).

➔11. **DECLARATION** (This must be signed in the presence of a Commissioner)

I (we), \_\_\_\_\_ of the \_\_\_\_\_  
(name of applicant) (name of City, Town, Township, etc.)

in the County/Region/District of \_\_\_\_\_ solemnly declare that  
all of the statements contained in the application \_\_\_\_\_  
(description)

and all supporting documents are true and complete, and I make this solemn  
declaration conscientiously believing it to be true, and knowing that it is of the same  
force and effect as if made under oath, and by virtue of the "Canada Evidence Act."

Declared before me at: \_\_\_\_\_ in the County/Region/District of  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
**Commissioner of Oaths**

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Please Print Name of Applicant

➔12. **APPLICANT'S CONSENT (FREEDOM OF INFORMATION)**

In accordance with the provisions of the Planning Act, it is the policy of Loyalist  
Township to provide public access to all development applications and supporting  
documentation.

In submitting this development application and supporting documentation, I, \_\_\_\_\_  
\_\_\_\_\_  
(the applicant)

hereby acknowledge the above-noted and provide my consent in accordance with the  
provisions of the Municipal Freedom of Information and protection of Privacy Act that  
the information on this application and any supporting documentation provided by  
myself, my agents, consultants and solicitors, will be part of the public record and will  
also be available to the general public.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Day

\_\_\_\_\_  
Month

\_\_\_\_\_  
Year

**THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:**

Loyalist Township  
Planning Department  
263 Main Street  
Odessa, Ontario K0H 2H0

Telephone: (613) 386-7351, extension 130

Facsimile: (613) 386-3833

or mail to:

Loyalist Township  
Planning Department  
P.O. Box 70, 263 Main Street  
Odessa, Ontario K0H 2H0

➔ **MAPPING INFORMATION REQUIREMENTS**

**Attach 12 copies of a draft plan of subdivision showing:** (all measurements, scales, etc. must be metric)

➔ **SUBSECTION 51(17) REQUIREMENTS:**

- the boundaries of the proposed subdivision certified by an Ontario Land Surveyor  
□
- locations, widths and names of the proposed highways within subdivision and of existing highways on which the subdivision abuts
- on a key map on the draft plan of subdivision
  - all adjacent land owned by the applicant or in which applicant has an interest
  - all subdivisions adjacent to the proposed subdivision
  - boundaries of proposed subdivision and boundaries of township lots or original grants that include any part of the proposal
- **purpose for which the proposed lots are to be used**, including maximum number of units by type, for each lot and block
- **existing uses of all adjoining lands**
- **dimensions and layout of the proposed lots and blocks**, including walkways, school sites and park blocks, if any
- **natural and artificial features within or adjacent to the property:**
  - existing buildings and structures to be retained or demolished

- active or inactive railways, rail rights-of-way
- highways and other roads - existing/proposed, public/private, open/closed location, width, and names
- watercourses (lakes, streams, ponds, wetlands, etc)
- flood plains/flood elevations
- woodlands
- significant plant and wildlife habitat (including ESA/s & ANSI's)
- drainage courses, retention ponds (natural or man-made)
- archaeological or historic features
- the availability and nature of domestic water supplies
- the nature and porosity of the soil
- existing contours or elevations as may be required to determine grade of highways and drainage of proposed lands to be subdivided
- municipal services available or to be available to the land proposed to be subdivided 
  - waterlines and sewer
  - main hydro lines
- the nature and extent of any restrictions affecting the land to be subdivided, including restrictive covenants or easements

**OTHER REQUIRED INFORMATION:**

- legend
- map scale
- boundary of property to be subdivided
- north marker
- lot and concession/registered plan number/street address
- date plan prepared and dates of any revisions



- name of person or firm who prepared the plan
- owner's name, signature and date of signature
- Ontario land surveyor's name, signature and date of signature

**NOTE: Digital Mapping Information - Submit 1 computer disk or compact disk (CD) containing the digital plotting of the draft plan in AutoCAD or acceptable GIS format, including the textual description of file format, map standards used, scale, contact person and phone number.**

## ATTACHMENT 1

### FEE SCHEDULE

- A) In accordance with Loyalist Township By-law No. 2016-003, the following Tariff of Fees is set for the processing of Plans of Subdivision, Plans of Condominium and the removal of Part Lot Control By-laws.
- (i) The fee for processing an application for a Plan of Subdivision/Condominium under Section 51 of the Planning Act, R.S.O. 1990, **as amended is set as follows:**
    - (a) Two thousand-five hundred dollars (\$2,500) for up to 10 development lots and/or blocks in a subdivision or 10 units in a condominium plus a \$5,000 deposit. Attachment 2 is an example of a standard pre-development agreement that must be completed and submitted with the deposit and application.
    - (b) Three thousand-five hundred dollars (\$3,500) for over 10 development lots and/or blocks in a subdivision or in excess of 10 units in a condominium plus a \$5,000 deposit. Attachment 2 is an example of a standard pre-development agreement that must be completed and submitted with the deposit and application.
- For subdivision applications, all 0.3 metre reserve blocks shall not be included in the calculation of the applicable fee.
- (ii) If the conditions are to be changed on a draft-approved plan of subdivision or condominium at the request of the applicant, a fee of five hundred (\$500.) will be applied.
  - (iii) The fee for processing an application for a By-law to remove Part Lot Control pursuant to the Planning Act, RSO 1990 as amended shall be nine hundred dollars (\$900).
- B) In addition to the above Fee Schedule, the applicant shall be responsible for any additional fees related to the peer review of any special studies or supporting documentation submitted as part of the application for subdivision/condominium.

**ATTACHMENT 2**

**PREDEVELOPMENT AGREEMENT - Example**

**THIS AGREEMENT** made in duplicate this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

between:

THE CORPORATION OF LOYALIST TOWNSHIP

(Hereinafter called the "Municipality")

PARTY OF THE FIRST PART

- AND -

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(hereinafter called the "Owner")

PARTY OF THE SECOND PART

**WHEREAS** the Owner proposes to develop certain lands within the Municipality and the proposed development will involve, inter alia, the review and negotiation of subdivision draft plan conditions and of a subdivision agreement or site plan approval and the preparation of a site plan agreement;

**AND WHEREAS** the Municipality deems it necessary and advisable to retain its own staff and/or consultants to advise on legal, planning, engineering and related matters with respect to the Owner's development proposal;

**AND WHEREAS** the Owner agrees to reimburse the Municipality for all legal, planning, engineering, administrative and other costs incurred by the Municipality relating to the Owner's proposed development;

**NOW THEREFORE** in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties hereto, the parties agree as follows:

1. In consideration of the provisions of Paragraph 2 and 3 of this Agreement, the Municipality hereby agrees to instruct its staff, solicitor, and planning and engineering consultant to negotiate, review, prepare, comment on and/or amend (on behalf of the Municipality) all applications, plans, diagrams, specifications, by-laws, reports, studies documents, agreement and other things and matters relating to the Owner's development proposal or any part or parts thereof including without limitation, preparation for and attendance at any and all hearings convened before any tribunal having jurisdiction.
2. The Owner hereby covenants and agrees to reimburse the Municipality forthwith on demand for all fees, costs or other expenses whatsoever incurred by the Municipality relating to or arising out of the Owner's development proposal and the matters generally described in paragraph 1 of this Agreement.
3. The Owner hereby agrees to deposit with the Municipality, at the time of signing this Agreement, a certified cheque in the amount of \$5,000 payable to the Municipality as a Security Deposit to be used in the event of non-payment of any fees, disbursements and costs.
4. The Municipality shall invoice the owner upon receipt of any such accounts for fees, disbursements and costs.
5. The Owner shall upon receipt of such invoice from the Municipality pay to the Municipality the amount due within 30 days.
6. In the event the Owner does not pay the amount due, the said amount shall be deducted from the security deposit and all work on the application shall cease until such Security Deposit is reimbursed to the initial sum of \$5,000.
7. The Security Deposit or any portion thereof shall be retained by the Municipality until all accounts, statements, invoices, etc., submitted to the Municipality and relating to the Owner's application have been paid in full and all matters relating to the Owner's application have been completed. In the event that either party hereto indicates that it desires to cease all work relating to the Owner's application in the matters generally described in Paragraph 1 of this Agreement, then the balance, if any, of the Security Deposit shall be returned by the Municipality to the Owner without interest after the payment of all accounts, statements, invoices, etc., submitted or to be submitted to the Municipality and relating to the Owner's application have been paid in full. Interest at the rate of 2% per month shall be payable by the Owner to the Municipality on all sums of money payable to the Municipality pursuant to their Agreement which are not paid on demand or otherwise satisfied from the Security Deposit calculated from the date of such demand.
8. This agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

**IN WITNESS WHEREOF** the parties hereto have hereunto affixed their corporate seals by the hands of their officers duly authorized in that behalf.

**SIGNED, SEALED AND DELIVERED**  
in the presence of

**THE CORPORATION OF  
LOYALIST TOWNSHIP**

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
TOWNSHIP CLERK

\_\_\_\_\_  
PER:

\_\_\_\_\_  
PER:

## ATTACHMENT 3

### SUBDIVISION/CONDOMINIUM APPROVAL

#### TYPICAL CONDITIONS

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PROVIDED BELOW IS A LIST OF TYPICAL CONDITIONS, WHICH MAY BE APPLIED TO DRAFT APPROVAL OF A SUBDIVISION/CONDOMINIUM, DEPENDING ON THE SITUATION. THIS IS NOT AN ALL ENCOMPASSING OR EXHAUSTIVE LIST BUT IS PROVIDED FOR BASIC INFORMATION ONLY.

#### CONDITIONS

1. That this approval applies to the draft plan (insert drawing number) prepared by (insert firm name), dated (insert date), which shows a total of (insert number and type of lots) lots (identify lots) and (insert number and type of blocks) blocks (identify blocks).
2. That this approval applies to the draft plan (insert drawing number), prepared by (insert firm name), dated (insert date), as revised on the attached plan to show a total of (insert number and type of lots) lots (identify lots) and (insert number and type of blocks) blocks (identify blocks).
3. That the road allowances included in this draft plan shall be shown and dedicated as public highways.
4. That the street(s) shall be named to the satisfaction of the (name of municipality).
5. That (insert amount of land/sufficient land/Block No.), to widen (road/highway), shall be shown and dedicated as public highways on the final plan.
6. That (insert amount of land) from the centre line of (name road) shall be shown and dedicated as public highways on the final plan.
7. That a 0.3 metre reserve adjacent to, but outside of the widened limit of (name road) as shown on the draft plan, shall be conveyed to (name municipality).
8. That a 0.3 metre reserve adjacent to, but outside of the widened limit of (name highway), as shown on the draft plan, shall be conveyed to the Province of Ontario, Ministry of Transportation.
9. That prior to final approval, the owner shall submit to the Ministry of Transportation for approval, a copy of a drainage plan showing the intended treatment of the calculated runoff.

10. That prior to final approval, the owner shall:
  - a. Submit to the Ministry of Transportation a traffic impact study, containing the anticipated peak hour turning volumes at the proposed street entrance to Hwy. #(insert number), and;
  - b. Enter into an agreement with the Ministry of Transportation, in respect of responsibility for street entrance and related highway improvements.
11. That temporary turning circles as shown on the draft plan be shown on the final plans as blocks. These shall be conveyed to and held by the municipality until the extension of the road allowance, when the blocks shall be conveyed without charge to the owners of abutting lots.
12. That any dead ends and open side of road allowance created by this draft plan shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust, by the municipality.
13. That day lighting triangles, as shown on the draft plan, shall be shown and dedicated as public highways on the final plan.
14. That Block(s) (name blocks) as shown on the draft plan, shall be shown and dedicated as public walkways on the final plan.
15. That the road allowance (include description) in this draft plan of subdivision shall be properly closed (and conveyed to the owner) prior to final approval. (The closed road allowance shall be identified as part of the lots on the final plan).
16. **That the owner convey up to 5% of the land** included in the plan to the municipality for park purposes. This shall include (name block(s) or lots).
17. That the owner convey up to (5% residential) (2% commercial/industrial) of all land included in the plan to the municipality (or insert the appropriate authority) for park or other public recreational purposes. This shall include (name block(s) or lots).
18. That the owner convey up to 5% of the land included in the plan to the municipality for park purposes. Alternatively, the municipality may accept cash-in-lieu of all or a portion of the conveyance.
19. That the owner convey up to ((5% residential) (2% commercial/industrial)) of the land included in the plan to the municipality (or insert appropriate authority) for park or other public recreational purposes. Alternatively, the municipality may require cash-in-lieu of all or a portion of the conveyance.
20. That prior to the final approval by the Township we are to be advised by (name party) that appropriate zoning is in effect for this proposed (subdivision/condominium).

21. That the Township be satisfied that Block (insert number) has been set-aside as a (public or separate) school site.
22. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the (name municipality) concerning the provision of roads, installation of services and drainage.
23. That the subdivision agreement between the owner and the (name municipality) contain a provision that (this subdivision or insert lot number) shall not be developed except in conjunction with (subdivision/condominium file no....or identify adjacent lands).
24. That prior to final approval by the Township the owner has (transferred or acquired) (identify lands) (to or from) the adjacent lands.
25. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
26. That the subdivision agreement between the owner and the municipality contain phasing arrangements to the satisfaction of the municipality.
27. That the subdivision agreement between the owner and the municipality contain a provision that a (specify portion) interest in (specify blocks) be conveyed to each of the purchasers of (specify lots).
28. That the subdivision agreement between the owner and the municipality:
  - a. -contain a provision that lots will be made suitable for subsurface sewage disposal systems to the standards of (name authority).
  - b. -require that all agreements of purchase and sale for (all lots (Lots \_\_\_\_\_ To \_\_\_\_\_)) by leveling or importing suitable fill to construct a subsurface sewage disposal system to the satisfaction of the (name authority).
  - c. -contain a provisions wherein the owner agrees to prepare (all lots (Lots \_\_\_\_\_ To \_\_\_\_\_)) or importing suitable fill to construct a subsurface sewage disposal system to the satisfaction of the (name authority).
32. That the subdivision agreement between the owner and the municipality shall provide for the installation of a piped water supply system subject to the approval of the appropriate authority and, furthermore, shall provide for the municipality to assume ownership and operation of the system.
33. That prior to final approval by the Township, the owner demonstrates to the satisfaction of the municipality that there is an adequate supply of potable water to service this development.



34. That prior to final approval, the municipality shall be in receipt of the hydrogeologist's report, which ascertains the availability of an adequate supply of potable water to service the development. The report should also discuss ground water quality based on data from a representative well and provide detailed discussion on the potential for cross-contamination between the proposed septic tank systems and the wells.
35. That prior to final approval, a copy of the fully executed subdivision agreement between the developer and the municipality containing provisions with the recommendations of the hydrogeologists' report, as approved by the appropriate authority, shall be provided.
36. That prior to final approval by the Township, we are to be advised by the appropriate authority that a noise study has been prepared and provision for the intended noise attenuation measures has been incorporated into the subdivision agreement between the owner and the municipality.
37. That prior to final approval by the Township, the developer consults with the appropriate authority about noise affecting the site and the provision of noise attenuation measures, and shall agree in the subdivision agreement to undertake any necessary noise attenuation measures to the satisfaction of the municipality.
38. That the subdivision agreement between the owner and the municipality contain the following provisions with wording acceptable to (name authority), wherein the owner agrees:
  - a) before commencing any grading or construction on any lot, to have prepared a detailed report, drawings and site plans acceptable to both the municipality and the (name authority) which will show:
    - i. the location of all buildings and structures to be erected on the site and all final grades and vegetation;
    - ii. the means whereby storm drainage will be accommodated, and the means whereby erosion and siltation will be contained and minimized, both during and after the construction period.
  - b) to apply the provision of condition (insert number) above to the construction of roads and services.
  - c) to carry out, or cause to be carried out, the works recommended in the reports described in condition (s) insert number(s) above.
  - d) to erect snow fencing or other suitable barriers prior to initiating any grading or construction on the site to prevent the unauthorized dumping of fill and to keep these barriers in place until all grading and construction on abutting lots and

roadways has been completed to the satisfaction of both the municipality and any other agencies.

43. That prior to final approval by the Township, the owner shall, at his own expense, independent of the provisions of the Statute Labour Act, construct, grade and surface the road(s) and provide drainage on this subdivision to a standard not less than the requirements for a maintenance subsidy from the appropriate authority.
44. That 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.
45. That prior to final approval by the Township, we are to be advised by the (agency name) that the owner has agreed to, or complied with, the municipality's requirements concerning construction of the development, landscaping, parking facilities, access for fire protection and maintenance of the complex.
46. That prior to final approval by the Township, we are to be advised in writing by the (agency name), how conditions (cond. no.s) have been satisfied.
47. (See note (insert number)).

#### **NOTES TO DRAFT APPROVAL**

1. It is the applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to Loyalist Township, quoting the Township file number.
2. We suggest you make yourself aware of the following subsections of the Land Titles Act:
3. subsection 143(1) requires all new plans be registered in a Land Titles System if the land is situated in a land titles division;
4. subsection 143(2) allows certain exceptions.
5. It is suggested that the municipality register the subdivision agreement as provided by subsection 51(26) of the Planning Act. R.S.O., 1990 as amended against the land to which it applies, as notice to prospective purchasers.

6. The Ministry of the Environment must approve private sewage disposal facilities, or its agent in certain areas, in accordance with Ontario Regulation 374/81 as amended, made under the Environmental Protection Act, 1990, as amended.
7. Inauguration, or extension of a piped water supply, a sewage system or a storm drainage system, is subject to the approval of the Ministry of the Environment under the Ontario Water Resources Act, R.S.O. 1990, as amended.
8. After registration, the owner must obtain permits from the Ministry of Transportation for all access points to Provincial Highways, all encroachments of utilities, buildings, structures and signs within their areas of control.
9. It is the policy of the Ministry of Transportation to compensate owners for dedication of major widenings and new highway rights-of-ways when funds become available.
10. The Ministry of Transportation uses a 0.3 metre reserve to notify the public that access to the Provincial highway will not be granted across the reserve. It should be shown as a block on the final plan outside the highway right-of-way. Deeds in duplicate conveying this reserve to the "Queen in the right of the Province of Ontario as represented by the Minister of Transportation" together with the proposed final plan should be sent to the Ministry.
11. The section 117 Land Titles entry requirement is being applied to ensure that no lots in this subdivision are sold until part of or the entire road has been constructed by the owner.
  - a. The consent of Council withdrawal of the restriction, shall be granted when
  - b. Loyalist Township is advised by the Ministry of Transportation that a satisfactory
  - c. road system is in place.
  - d. All roads must be constructed, graded, surfaced and drainage provided to an
  - e. acceptable standard of the approval authority and Loyalist Township.
12. Clearances are required from the following agencies:
  - a. (insert agency names, addresses, etc.)
  - b. If the agency condition concern (a) condition(s) in the subdivision agreement, a
  - c. copy of the agreement should be sent to them. This will expedite clearance of the
  - d. final plan.

13. If final approval is not given to this plan, within three years of the draft approval date, and no extensions have been granted, draft approval shall lapse under subsection 51(32) of the Planning Act, R.S.O., 1990, as amended. If the owner wishes to request an extension to draft approval, Council must receive a written explanation prior to the lapsing date.
  - a. Please note that an updated review of the plan, and revisions to the conditions of approval, may be necessary if an extension is to be granted.
14. All measurements in subdivision and condominium final plans must be presented in metric units.
15. When the zoning by-law required in condition (insert number) is being prepared, reference to this subdivision application T-file number should be included in the explanatory note. This will expedite the Township's and other agencies' consideration of the By-law.
16. Land tax receipts are available from the Provincial Land Tax Protection Office of the Ministry of Finance, Box 625, 33 King Street West, Oshawa, Ontario. L1H 8H9, Tel. (416) 43305804.
17. In addition, the following notification(s) should be included in all Agreements of Purchase and Sale:
  - a. that the importation of fill may be required to make the lots suitable for subsurface sewage disposal systems;
  - b. -water from (name water body) should be adequately filtered and disinfected prior to being used for human consumption and domestic purposes;
  - c. no fill should be placed or removed, nor any existing vegetation should be **altered within the setback areas from the** (name water body) for each lot without consultation with the appropriate Conservation Authority,
  - d. no filling or dredging of the shore or bed of (name water body), nor any erection of docks or boathouses on the shores or bed of (name water body), should be undertaken without the written permission of the Ministry of Natural Resources and the appropriate Conservation Authority.
18. For your information, easements required for utility or drainage purposes should be granted to the appropriate authority.

19. The final plan approved by the Township must be registered within thirty (30) days or the Township may withdraw it's approval under (insert subsection 51(59) of the Planning Act, SO 1983/subsection 36(16) of the Planning Act. RSO 1990, as amended).
20. A copy of the conditions of draft approval and notes thereto should be submitted to the Real Property Registration Branch of the Ministry of Consumer and Commercial Relations to ensure priority review of the related title application or condominium approval. For additional information on this process, please contact the Ministry of Consumer and Commercial Relations at:

Manager  
Surveys, Mapping and  
Title Examination Section  
Real Property Registration Branch  
4<sup>th</sup> Floor, 393 University Avenue  
Toronto, Ontario