

## **SCHEDULE 1**

(Letterhead of Owner of Lands)

Date

The City of Kenora  
1 Main Street, Kenora, ON P9N 3X2

Attention:

Dear (name of approval authority)  
Subject: Letter of Undertaking for Site Plan Control Approval  
(municipal address or legal address)  
(Site Plan Control file number)

I/We, the Owner of the above-noted lands (the "Site") hereby acknowledge(s) that Site Plan Control Approval has been applied for from the City under the above-noted site plan reference. Approval was granted on (date of approval) for a (brief description of approved development). Once construction has commenced, I/We undertake to carry out our development of the Site in strict accordance with the various plans approved by the City (which includes landscape plans, private sewer, lot grading and drainage plans, building or structure plans, building or structure location plans, elevations, drawings and all plans and drawings approved under this application) and any modifications thereto which may from time to time be approved by the City.

In addition to all the conditions contained in the Site Plan Control Approval and any other provisions of municipal by-laws, statutes, and regulations that I/We acknowledge must be satisfied, I/We further agree to the following terms and conditions:

### **1. Installation and Planting of Landscape Elements**

I/We agree to install and plant all landscape elements in accordance with the Site Plan Control Approval, within one year from the date of occupancy, to the satisfaction of the approval authority, delegated by the City. The landscape elements shall include but not be limited to, all vegetation and topographic treatment, walls, fences, hard and soft surface materials, lighting, site furniture, freestanding ground-supported signs, steps, ramps, and play equipment, information kiosks and bulletin boards and other ground cover and new tree(s) and shrubs located on the road allowance.

### **2. Reinstatement of Damaged City Property, Including Sidewalks and Curbs**

I/We agree to reinstate to the satisfaction of the Operations Manager, any property of the City including sidewalks and curbs, that is damaged as a result of the subject development. I/We acknowledge that this reinstatement will be at our expense.

**3. Financial Securities for Landscape Elements and Other Works**

I/We acknowledge and agree that the City shall hold in its possession security for the landscape elements and any other works until completion in accordance with the approved plan(s) to the satisfaction of the City. The City may, without notice and at its discretion, utilize the financial security for any matter required to be done by the Owner as a result of site plan and associated approvals.

**4. Time Limit for Approval**

It is understood that the Site Plan Control Approval is valid for one year from the date the approval is granted, provided that the Letter of Undertaking is executed by the City within six months of approval; and that if a building permit has not been issued during this period, the approval shall lapse and no development of the site shall be undertaken until a further Site Plan Control Approval has been granted by the City.

I/We understand that this Letter of Undertaking shall be considered to be of the same force and effect as an Agreement executed with the City under the authority of clause 41(7) of The Planning Act, R.S.O. 1990, c.p.13 as amended, and that it may formally be constituted as such an agreement by execution of the Letter of Undertaking by the City.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Signature of Owner Corporate Name (if applicable)

\_\_\_\_\_  
(print name) I have the authority to bind the Corporation (authorized signature)

\_\_\_\_\_  
Witness (for individuals) (please print name)

\_\_\_\_\_  
Execution for The City of Kenora (signature)

\_\_\_\_\_  
(name and position)

\_\_\_\_\_  
(date)