

**TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL  
FOR THE REGISTRATION OF THE DRAFT PLAN OF CONDOMINIUM BY  
Trafalgar Heights Inc.**

**This approval applies to the draft plan of condominium (File 24CDM-21003/1413) submitted by Trafalgar Heights Inc., prepared by KCMAR, dated March 8, 2021. The final plans are to be reviewed and cleared to the satisfaction of the Town of Oakville.**

**The Town of Oakville conditions applying to the approval of the final plan for registration of Trafalgar Heights Inc.**

**Draft Plan of Condominium (File 24CDM-21003/1413) are as follows:**

<i>CONDITIONS</i>		<i>CLEARANCE AGENCY</i>
<b>GENERAL</b>		
1.	That the Owner provides confirmation to the satisfaction of the Town's Finance Department that all outstanding property taxes have been paid prior to plan registration.	<b>OAK(F)</b>
2.	In accordance with the Site Plan Agreement, the Owner shall provide confirmation that all applicable warning clauses are included in all offers of purchase and sale agreements, including: <ul style="list-style-type: none"><li>• Public and Catholic school accommodation may not be available for students residing in this area, and students may be accommodated in temporary facilities and/or bused to existing facilities outside the area;</li><li>• HDSB and HCDSB will designate pick up points for the children to meet the bus on roads presently in existence or other pick up areas convenient to the Boards, and that you are notified that school buses will not enter culs-de-sac or private roads;</li><li>• noise related warning clauses;</li><li>• water pressure reducing valves may be required to be installed as part of the plumbing system and the maintenance and replacement is at the Owner's expense;</li><li>• Dundas Street East and Trafalgar Road are designated future bus rapid transit corridors and are heavily travelled corridors for goods movement;</li><li>• Oakville Transit Uptown Core Transit Terminal is located abutting the development at the northeast corner of oak Walk Drive and Taunton Road;</li><li>• Taunton Road will be extended to Dundas Street East;</li><li>• Taunton Road and Oak Walk Drive are designated bus routes; and,</li><li>• Public walkway facilities on public land at the rear of the site between the development and the valley lands will be constructed connecting the development to public rights-of-way.</li></ul>	<b>OAK(PS)</b>

In cases where offers of purchase and sale have already been executed, the Owner shall send a letter to all purchasers which include the above warning clauses.

3. The Owner provide a certificate signed by the surveyor and the Owner that the plan proposed to be submitted for registration is the same as the latest (most recent) draft approved plan and, if the plans are not the same, that any differences between the proposed registered plan and the latest draft plan are accepted/approved by the Town. **OAK (A)**

4. The design engineer is to provide certification that all road construction works associated with the development have been constructed to Town of Oakville standards. Additionally, certification is to be provided stating that all on-site grading, above and below ground services, stormwater management requirements and asphalt paving have been completed in accordance with the plan and conditions in the site plan agreement, or that arrangements to the satisfaction of the Director of Development Services have been made for their completion. **OAK (DE)**

#### **LEGAL**

5. The Owner shall file with the Director of Planning, a complete copy of the final version of the Declaration and Description to be registered, which includes the following schedules: **OAK(L)**

(a) Schedule "A" containing a statement from the declarant's solicitor that in his or her opinion, based on the parcel register or abstract index and the plans and drawings recorded in them, the legal description is correct and any easements mentioned in the schedule will exist in law upon the registration of the Declaration and Description; and

(b) Schedule "G" being the certification of the project engineer and/or architect that all buildings have been constructed in accordance with the regulations under the *Condominium Act*.

When the Owner files a copy of the Declaration with the Director of Planning, it shall be accompanied with a letter of undertaking, stating that, "This is our undertaking to register the Declaration in the same form and content as was provided to you, subject to any changes the Land Registrar may require. This is also our undertaking to provide you with a registered copy of the Declaration once it is registered. If the Land Registrar requires any amendments to the Declaration, we will advise you."

6. The Owner shall provide evidence of a shared facilities agreement between the condominium and the Owner's retained lands.
7. The Owner shall provide all necessary and appropriate easements to the satisfaction of the Town, and provide evidence satisfactory to the Town's legal department that the necessary easements are in place or will be created in the declaration to allow the condominium and the owner's retained lands to function on their own as separate parcels **OAK (L)**

8. Visitor parking spaces will be clearly delineated on the condominium plan to be registered and the Declaration shall contain a clause clearly specifying that visitor parking shall form part of the condominium and neither to be used nor sold to unit owners or be considered part of the exclusive use portions of the common elements. **OAK (L)**

#### **ZONING**

9. That the owner/applicant confirms to the satisfaction of the Town that the "as-built drawings" comply with the Zoning By-law and that any deficiencies be brought into compliance with the Zoning By-law through the Committee of Adjustment and/or a Zoning By-law amendment. **OAK (Z)**

The owner/applicant shall provide site statistics indicated on the Draft plan (total number of dwelling units and a table detailing the total residential parking spaces broken into the number assigned to residential units and the number assigned to visitors)

The Owner/applicant is required to have an OLS certify that all parking spaces (above ground and underground) are in compliance with the minimum parking space sizes as per Section 5.4.1.3 of Zoning By-law 2009-189.

#### **HALTON REGION**

10. The Owner must demonstrate, to the satisfaction of the Region's Development Project Manager, and as part of a comprehensive report that permanent mutual private domestic watermain and sanitary sewer easements are to be provided that will ensure that access rights to and the maintenance of the private water and sewer systems in the various buildings and properties are addressed between the multiple property owners. The easements will be required to be described as parts on a reference plan and the transfer documents for the private water and wastewater easements will be required to stand solely on their own, and to be part of any easement or agreement. **RMH (PPW)**

#### **OAKVILLE HYDRO**

11. An easement registered in the name of Oakville Hydro Electricity Distribution Inc. is required for the transformer(s) and high voltage cables and duct bank, prior to registration of the Plan of Condominium. **OH**

#### **BELL CANADA**

12. That the owner provides written confirmation that all Bell Canada matters have been satisfactorily addressed. **BC**

#### **CANADA POST**

13. That the owner provides written confirmation that all Canada Post matters have been satisfactorily addressed. **CP**

## **CLOSING CONDITIONS**

- |   |                              |
|---|------------------------------|
| 14. Prior to signing the final plan the Director of Planning Services shall be advised that all conditions have been carried out to the satisfaction of the relevant agencies, and that a brief but complete statement detailing how each condition has been satisfied has been provided. | <b>OAK (A)</b>               |
| 15. Prior to signing the final plan, the Director of Planning Services shall be advised by the Regional Municipality of Halton that condition 10 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.           | <b>OAK (A)<br/>RMH (PPW)</b> |
| 16. Prior to signing the final plan, the Director of Planning Services shall be advised by Oakville Hydro that condition 11 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                                | <b>OAK(A)<br/>OH</b>         |
| 17. Prior to signing the final plan, the Director of Planning Services shall be advised by Bell Canada that condition 12 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                                   | <b>OAK(A)<br/>BC</b>         |
| 18. Prior to signing the final plan, the Director of Planning Services shall be advised by Canada Post that condition 13 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                                   | <b>OAK(A)<br/>CP</b>         |
| 19. All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being <i>October 4, 2021</i> .   | <b>OAK (A)</b>               |

## **NOTES – The owner is hereby advised:**

1. If the condominium is not registered within 3 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the Town of Oakville for approval.
2. Fees are required by Halton Region and may be required by the Local Municipality for each extension to draft approval and for major revisions to the draft plan or conditions.
3. It should be noted that Educational Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits that are additional to the maximum unit yield that is specified by the Subdivision Agreement are subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance.
4. HALTON REGION - Requirements at the time of registration
  - Condominium plans signed and dated by the Owner and Surveyor and initialed by the Town's Planner
  - Regional Registration fee
  - Registry Office form

## **LEGEND – CLEARANCE AGENCIES**

BC	Bell Canada
CP	Canada Post
C	Cogeco
HCDSB	Halton Catholic District School Board
HDSB	Halton District School Board
HO	Hydro One
CH	Conservation Halton
ENB	Enbridge Pipeline
CN	Canadian National Railway
B	Bell
MCzCR	Ministry of Citizenship, Culture and Recreation
OAK (A)	Town of Oakville – Planning Administration
OAK (F)	Town of Oakville - Finance
OAK (L)	Town of Oakville – Legal
OAK (DS)	Town of Oakville – Development Services Department
OAK (PS)	Town of Oakville – Current Planning Services
OAK (LR)	Town of Oakville – Long Range Planning
OAK (Z)	Town of Oakville – Building Services Department, Zoning Section
OAK (FD)	Town of Oakville – Fire Department
OAK (POS)	Town of Oakville – Parks and Open Space Department
OAK (EC)	Town of Oakville – Engineering and Construction Department
OAK (T)	Town of Oakville – Transit
OH	Oakville Hydro
RMH (PPW)	Regional Municipality of Halton – Planning and Public Works Department
UG	Union Gas