

## Appendix A – Draft Plan of Condominium Conditions for 24CDM-21004/1317

### TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL FOR THE REGISTRATION OF THE DRAFT PLAN OF CONDOMINIUM BY Mattamy (Kaitting) Limited.

This approval applies to the draft plan of condominium (File 24CDM-21004/1317) submitted by Mattamy (Kaitting) Limited. and prepared by R-PE Surveying Ltd. for two 6-storey apartment buildings with 263 units and 10 townhouse units at 98 Kaitting Trail. 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 Mattamy (Kaitting) Limited. draft plan of condominium (File 24CDM-21004/1317) are as follows:

<i>No.</i>	<i>CONDITION</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	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.	<b>OAK (A)</b>
3	Provide a certification letter from the Owner's engineer stating that all servicing, grading, drainage, overland flow route, and stormwater management requirements, and base asphalt paving have been completed in accordance with the plans and conditions in the original site plan agreement, or that arrangements to the satisfaction of the Director of Development Services have been made for their completion.	<b>OAK (DE)</b>
4	That the owner/applicant confirms as-built compliance 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 prior to plan registration.	<b>OAK (Z)</b>
<b>LEGAL</b>		
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:	<b>OAK (L)</b>
	a) Schedule "A" containing statement from the declarant's solicitor that in this 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.	
	Visitors parking spaces and visitors bicycle spaces will be clearly delineated on the condominium plan to be registered and the Declaration shall contain wording to provide and maintain the visitor parking spaces and visitor bicycle spaces for the exclusive use of visitors	

and specifying that visitor parking and visitor bicycle spaces shall form part of the common elements and neither to be used or sold to unit owners or be considered part of the exclusive use portions of the common elements.

That the Owner provides any necessary easements to the satisfaction of the Town (if necessary)

## **CANADA POST**

6 With respect to the townhouse dwellings:

**CP**

- The owner/developer must consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
- The owner/developer agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the Town of Oakville.
- The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
- The owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.
- The owner/developer agrees to provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
  1. A Community Mailbox concrete base pad per Canada Post specifications
  2. Any required walkway across the boulevard, as per municipal standards
  3. Any required curb depressions for wheelchair access

In order to service the two 6-storey apartment dwellings building with 263 units Canada Post requires:

- The owner/developer to provide a rear-loaded lock-box assembly which will be owned and maintained by the owner/developer and must be erected in a centralized location. As per our revised National Policy, no retail units will receive delivery to the door. For any building where there are more than 100 units, a secure, rear-fed mailroom must be provided.
- The owner/developer agrees to provide Canada Post with access to any locked doors between the street and the lock-boxes via the Canada Post Crown lock and key system. This encompasses, if applicable, the installation of a Canada Post lock in the building's lobby intercom and the purchase of a deadbolt for the mailroom door that is a model which can be retro-fitted with a Canada Post deadbolt cylinder.

## **BELL CANADA**

7 The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

**BC**

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost."

## **OAKVILLE HYDRO**

- 8 The Owner shall provide an easement, registered in the name of "Oakville Hydro Electricity Distribution Inc.", for the transformer(s) and associated primary cable/duct bank, prior to registration of the plan of condominium. **OH**

### **HALTON CATHOLIC DISTRICT SCHOOL BOARD**

- 9 We require that the following conditions be placed in the condominium agreement. The conditions are to be fulfilled prior to final approval: **HCDSB**
1. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the Town's subsequent agreements, to be registered on title:
    - a. Prospective purchasers are advised Catholic school accommodation may not be available for students residing in this area, and that you are notified that students may be accommodated in temporary facilities and/or bused to existing facilities outside the area.
    - b. Prospective purchasers are advised that the 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 Board, and that you are notified that school busses will not enter cul-de-sacs and private roads.
  2. In cases where offers of purchase and sale have already been executed, the owner is to send a letter to all purchasers which include the above statements.
  3. That the owner agrees in the condominium agreement to the satisfaction of the HCDSB, to erect and maintain signs at all major entrances into the new development advising prospective purchasers that if a permanent school is not available alternative accommodation and/or busing will be provided. The owner will make these signs to the specifications of the HCDSB and erect them prior to final approval

### **HALTON DISTRICT SCHOOL BOARD**

- 10 The Halton District School Board has no objection to the development application subject to the following: **HDSB**
1. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the Town's condominium agreement, to be registered on title:
    - a. Prospective purchasers are advised that schools on sites designated for the Halton District School Board in the community are not guaranteed. Attendance at schools in the area yet to be constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area.
    - b. Prospective purchasers are advised that school busses will not enter cul-de-sacs and pick up points will be generally located on through streets convenient to the Halton Student Transportation Services. Additional pick up points will not be located within the subdivision until major construction activity has been completed.
  2. That in cases where offers of purchase and sale have already been executed, the owner sends a letter to all purchasers which include the above statement.
  3. That the developer agrees that, should the development be phased, a copy of the phasing plan must be submitted prior to final approval to the Halton District School Board. The phasing plan will indicate the sequence of development, the land area, the number of lots and blocks and units for each phase.
  4. That the Owner shall supply, erect and maintain signs at all major entrances into the new development advising prospective purchasers that pupils may be directed to schools outside of the area. The Owner will make these signs to the specifications of the Halton District School Board and erect them prior to the issuance of building permits

## CLOSING CONDITIONS

- |    |   |                          |
|----|---|--------------------------|
| 11 | 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>           |
| 12 | Prior to signing the final plan, the Director of Planning Services shall be advised by Canada Post that <b>condition 6</b> has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                               | <b>OAK(A), CP</b>        |
| 13 | Prior to signing the final plan, the Director of Planning Services shall be advised by Bell Canada that <b>condition 7</b> has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                               | <b>OAK (A), BC</b>       |
| 14 | Prior to signing the final plan, the Director of Planning Services shall be advised by the Oakville Hydro that <b>condition 8</b> has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                        | <b>OAK (A), OH</b>       |
| 15 | Prior to signing the final plan, the Director of Planning Services shall be advised by the Halton Catholic District School Board that <b>condition 9</b> has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. | <b>OAK (A)<br/>HCDSB</b> |
| 16 | Prior to signing the final plan, the Director of Planning Services shall be advised by the Halton District School Board that <b>condition 10</b> has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.         | <b>OAK (A)<br/>HDSB</b>  |
| 17 | All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being <i>Month Day, Year</i> . (Date of Draft Approval to be inserted as the day after the last date for appeals if no appeals are received).  | <b>OAK (A)</b>           |

### NOTES – The owner is hereby advised:

- a) 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.
- b) 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.
- c) 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.
- d) The Owner will be required to pay all applicable Regional Development Charges (DCs) in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, a portion of the Regional DCs for residential units may be payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery Payment.
- e) Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.
- f) To obtain the most current information which is subject to change, please visit our website at <https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment>

### 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