

## Appendix A – Conditions

### TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL FOR THE REGISTRATION OF THE DRAFT PLAN OF STANDARD CONDOMINIUM BY BC TRAFALGAR INC.

This approval applies to the Draft Plan of Condominium (File 24CDM-23002/1312) submitted by Doracin Terra Strategies Ltd., and prepared by R-PE Surveying Ltd. and dated July 7, 2023.  
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 BC Trafalgar Inc., Draft Plan of Condominium (File 24CDM-23002/1312) are as follows:

<b>CONDITIONS</b>		<b>CLEARANCE AGENCY</b>
<b>GENERAL</b>		
1. That the owner provides confirmation to the satisfaction of the Town's Finance Department that any outstanding development charges and 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 (PS)</b>
3. The Owner shall provide a certificate 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 Engineering have been made for their completion.		<b>OAK (TE)</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 include in Schedule "A" to the condominium declaration all necessary and appropriate easements to the satisfaction of the town, including but not limited to, easements for use of shared amenities and the parking garage between this condominium and the adjoining condominium and provide evidence of a shared facilities agreement with the adjoining corporation.		<b>OAK (L)</b>

6. 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:
    - 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.
  7. 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."
  8. Visitor parking spaces and bicycle parking will be clearly delineated on the condominium plan to be registered and Declaration shall contain a clause clearly specifying that visitor and bicycle parking shall form part of the common elements and neither to be used nor sold to unit owners or be considered part of the exclusive use portions of the common elements.
- REGION**
9. All applicable noise warning clauses in relation to impacts from the Regional Road, as set out in the approved Noise Control Study and listed in the Town's Site Plan Agreement shall be included in the Condominium Declaration, to the satisfaction of Halton Region.

In this regard, submission of the proposed Condominium Declaration is required.
  10. That the Owner enter into an Encroachment Agreement with the Region of Halton (to the satisfaction of the Commissioner of Public Works), or other party as may be required for the purpose of accommodating certain design changes requested by the Town of Oakville and/or Region in the event the widening of Trafalgar Road is revised and the revisions necessitate that a retaining wall, stairs and other required works (the "Additional Works") be built for the Condominium to address grade changes along the Condominium's frontage along Trafalgar Road. It is understood and agreed that the Encroachment Agreement will bind the Declarant and any subsequent owner, and include but not limited to maintenance, repair and replacement of the Additional Works, and indemnification of the Town and/or Region.
  11. The Owner shall submit a completed and signed Waste Management Drive-through Agreement along with an updated Site Plan indicating the centreline turning radius, to the satisfaction of Halton Region

**OAK (L)**

**OAK (L)**

**OAK (L)**

**RMH  
(PPW)**

**RMH  
(PPW)**

**RMH  
(PPW)**

**BELL CANADA**

12. 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**

13. 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. **BC**

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

14. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the Town's agreements, to be registered on title: **HCDSB**
- a. Prospective purchasers are advised that 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.

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.

15. That the owner agrees 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. **HCDSB**

#### **CLOSING CONDITIONS**

16. Prior to signing the final plans, the Director of Planning Services shall be advised by Halton Region that conditions 9-11 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.
17. Prior to signing the final plans, the Director of Planning Services shall be advised by Bell Canada that conditions 12-13 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.
18. Prior to signing the final plans, the Director of Planning Services shall be advised by the Halton Catholic District School Board that conditions 16-18 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.
19. All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being *[Month Day, Year]*. (Date of Draft Approval to be inserted as the day after the last date for appeals if no appeals are received).

**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 and for the registration of the plan.
3. Please note the Owner should be made aware that Halton Region will have the following requirements at the time of registration of the condominium:
  - a. Final draft condominium plans signed and dated by the Owner, Surveyor and initialed by the Town's Planner;
  - b. Regional Registration fee;
  - c. Registry Office review form (Appendix D Form (Formerly Schedule J Form)); and,
  - d. Letter from Applicant/Owner indicating how the Region's conditions of draft approval have been addressed.
4. The owner/developer will provide each building with its own centralized mail receiving facility. This lock-box assembly must be provided and maintained by the Owner/Developer in order for Canada Post to provide mail service to the residents of this project. For any building where there are more than 100 units, a secure, rear-fed mailroom must be provided.
5. 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.
6. 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 which are additional to the maximum unit yield which 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.

**LEGEND – CLEARANCE AGENCIES**

OAK (PS)	Town of Oakville – Planning Services
OAK (F)	Town of Oakville - Finance
OAK (L)	Town of Oakville – Legal
OAK (TE)	Town of Oakville – Transportation and Engineering
OAK (Z)	Town of Oakville – Zoning
RMH (PPW)	Regional Municipality of Halton – Planning and Public Works Department
BC	Bell Canada
HCDSB	Halton Catholic District School Board