

## Appendix A – Draft Plan of Condominium Conditions for 24CDM-23005/1319

### TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL FOR THE REGISTRATION OF THE DRAFT PLAN OF CONDOMINIUM BY 407 Dundas GP Inc.

This approval applies to the draft plan of condominium (File 24CDM-23005/1319) submitted by 407 Dundas GP Inc. and prepared by J.D. Barnes Ltd. for 10-storey condo mixed-use building with retail units, 283 apartment units, and 2 blocks of 3-storey stacked townhouses (36 units), with associated parking at 405 Dundas Street West.

The Town of Oakville conditions applying to the approval of the final plan for registration of 407 Dundas GP Inc. draft plan of condominium (File 24CDM-23005/1319) are as follows:

No.	CONDITION	CLEARANCE AGENCY
<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.	OAK (F)
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.	OAK (A)
3	The owner is to provide a certificate from the site designer stating that the grading, drainage, overland flow route and general servicing matters have been completed in accordance with the Site Plan Agreement. Additionally, the consultant is to confirm that 3 <sup>rd</sup> party utilities have been installed and functional on the site. This certificate is to be stamped by a Professional Engineer and should be accompanied by as built servicing drawings. Any remaining top works (sod/surface course asphalt) will remain secured through the securities taken during the site plan agreement.	OAK (DE)
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.	OAK (Z)
<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:	OAK (L)
	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 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 for the exclusive use of visitors and specifying that visitor parking 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).

## **ROGERS COMMUNICATIONS**

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| <b>6</b> | That the Developer/Owner will, prior to registration of the plan of Condominium, at its own cost, grant all necessary easements and maintenance, agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to service the Condominium (collectively, the "Communications Service Providers"). Immediately following the registration of the Plan of Condominium, the Develop/Owner will cause these documents to be registered on title. | <b>RC</b> |
| <b>7</b> | That the Developer/Owner will, prior to registration of the plan of Condominium, with consultation with the applicable utilities and Communications Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Condominium, as well as the timing and phasing of installation.  | <b>RC</b> |

## **HALTON CATHOLIC DISTRICT SCHOOL BOARD**

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| <b>8</b>  | 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: <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul> | <b>HCDSB</b> |
| <b>9</b>  | 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.  | <b>HCDSB</b> |
| <b>10</b> | 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 the, prior to final approval.  | <b>HCDSB</b> |

## **HALTON DISTRICT SCHOOL BOARD**

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| <b>11</b> | 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: <ul style="list-style-type: none"> <li>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. School attendance areas are subject to change and/or redirections can be put into place to address school accommodation pressures.</li> <li>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 (HSTS). Additional pick up points will not be located within the subdivision until major construction activity has been completed as determined by HSTS.</li> </ul> | <b>HDSB</b> |
| <b>12</b> | 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.   | <b>HDSB</b> |

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| 13 | 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.   | HDSB |
| 14 | 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 final approval.                        | HDSB |
| 15 | That a copy of the approved sidewalk plan, prepared to the satisfaction of the Town of Oakville be submitted to the Halton District School Board.  | HDSB |
| 16 | The Owner shall provide Halton District School Board a geo-referenced AutoCAD file of the Draft M-Plan once all Lot and Block numbering has been finalized. Should any changes occur after the initial submission to Lot and Block configuration or numbering on the draft M-plan the Owner shall provide a new AutoCAD file and a memo outlining the changes. | HDSB |

### CLOSING CONDITIONS

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| 17 | 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.                      | OAK (A)          |
| 18 | Prior to signing the final plan, the Director of Planning Services shall be advised by Rogers Communications that <b>condition 6 &amp; 7</b> have been carried out to their satisfaction with a brief but complete statement detailing how the conditions have been satisfied.                             | OAK (A),<br>RC   |
| 19 | Prior to signing the final plan, the Director of Planning Services shall be advised by the Halton Catholic District School Board that <b>condition 8, 9 &amp; 10</b> have been carried out to their satisfaction with a brief but complete statement detailing how the conditions have been satisfied.     | OAK (A)<br>HCDSB |
| 20 | Prior to signing the final plan, the Director of Planning Services shall be advised by the Halton District School Board that <b>condition 11, 12, 13, 14, 15 &amp; 16</b> have been carried out to their satisfaction with a brief but complete statement detailing how the condition have been satisfied. | OAK (A)<br>HDSB  |
| 21 | 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).   | OAK (A)          |

### 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 and for registration of the plan.
- 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.

### **Halton Region: Requirements at the time of registration**

- Final draft condominium plans signed and dated by the Owner and Surveyor and initialed by the Town's Planner.
- Regional Registration fee.
- Registry Office review form (Appendix D From (Formerly Schedule J 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
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
RC	Rogers Communications
RMH (PPW)	Regional Municipality of Halton – Planning and Public Works Department
UG	Union Gas