

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

This approval applies to the draft plan of condominium (File 24CDM-21002/1312) submitted by BC Trafalgar Inc., prepared by R-PE Surveyors Ltd., dated May 12, 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 BC Trafalgar Inc. Draft Plan of Condominium (File 24CDM-21002/1312) are as follows:

<i>CONDITIONS</i>	<i>CLEARANCE AGENCY</i>
GENERAL	
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. In accordance with the Site Plan Agreement, the Owner shall provide confirmation that all applicable noise related warning clauses have been included in all offers of purchase and sale agreements, as well as clauses advising prospective purchases that Trafalgar Road is a designated bus route and that there will be future walkway facilities connecting the development to public rights-of-way. 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.	OAK(PS)
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. 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.	OAK(DE)

ZONING

5. 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)**

LEGAL

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: **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."

7. 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: **OAK (L)**

(a) easements for pedestrian and vehicular access between this condominium and the adjoining lands owned by the Owner.

- 8 That the Owner provides any necessary easements to the satisfaction of the Town (if necessary). **OAK (L)**

9. 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)**

HALTON REGION

10. All applicable noise warning clauses in relation to impacts from the Regional Road, as set out in the approved Noise Impact Study and listed in the Town's Site Plan Agreement shall be included in the Condominium Declaration, to the satisfaction of Halton Region. **RMH (PPW)**

In this regard, submission of the proposed Condominium Declaration is required.

11. That prior to registration the Owner is required to provide digital copies of the proposed final plan of condominium in AutoCAD 2012 or later version with the following coordinate system NAD 83 / UTM Zone 17 to the Regional Municipality of Halton and the Town of Oakville. **RMH (PPW)**

12. That the applicant 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. **RMH (PPW)**

HALTON DISTRICT SCHOOL BOARD

13. The Owner agrees to place the following notification in all offers of purchase and sale for all lots/units: **HDSB**

- a) Prospective purchasers are advised that school on sites designated for the Halton District School Board (HDSB) in the community are not guaranteed. Pupils may be accommodated in temporary facilities and/or directed to school 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 District School Board. Additional pick up points will not be located within the subdivision until major construction activity has been completed.

14. That in cases were offers of purchase and sale have already been executed, the Owner sends a letter to all purchasers which include the above statements. **HDSB**

15. That the Owner shall supply, erect and maintain signs at all major entrances in 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 HDSB and erect them prior to the issuance of building permits. **HDSB**

BELL CANADA

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

CANADA POST

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

CLOSING CONDITIONS

18. 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)**
19. Prior to signing the final plan, the Director of Planning Services shall be advised by the Regional Municipality of Halton that condition 10, 11, and 12 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **RMH (PPW)**
20. Prior to signing the final plan, the Director of Planning Services shall be advised by Bell Canada that condition 16 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A)
BC**
21. Prior to signing the final plan, the Director of Planning Services shall be advised by Canada Post that condition 17 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A)
CP**
22. All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being *July 5, 2021*. **OAK (A)**

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**
 - Final draft Condominium plans signed and dated by the Owner and Surveyor and initialed by the Town's Planner
 - Regional Registration fee
 - Registry Office form (Appendix D Form (formerly Schedule J Form))

- Letter from Applicant/Owner indicating how the Region's conditions of draft approval have been addressed.

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