

Appendix A – Conditions

TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL FOR THE REGISTRATION OF THE DRAFT PLAN OF STANDARD CONDOMINIUM BY BIDDINGTON HOMES LAKESHORE INC.

This approval applies to the Draft Plan of Condominium (File 24CDM-23007/1716) submitted by Biddington Homes Lakeshore Inc., and prepared by J.H. Gelbloom Surveying Ltd., and dated February 12, 2024. 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 Biddington Homes Lakeshore Inc., Draft Plan of Condominium (File 24CDM-23007/1716) are as follows:

CONDITIONS	CLEARANCE AGENCY
GENERAL	
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.	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 (PS)
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.	OAK (TE)
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)
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: 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 exists 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.	OAK(L)

6. 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. 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.
8. The declaration shall include the following warning clauses/notices to future owners:
 - a) The fence located opposite the parking garage entrance/exit shall be maintained in a good state of repair at the sole expense of the condominium corporation.
 - b) The condominium corporation shall be responsible for maintaining the three walkway connections between the condominium lands and the sidewalk on Lakeshore Road West, including the repair/replacement of any railing systems and the provision of winter maintenance of walkways. The Town is not responsible for any maintenance, repairs, liability or oversight in respect of these walkways.

DEVELOPMENT ENGINEERING

7. The Owners shall install all the required stormwater works as set out in the Approved Site Plan (the "Required Stormwater Works") to the satisfaction of the Town and provide the Town with confirmation by a Professional Engineer licensed by the Province of Ontario, that the Required Stormwater Works on and within the property are in-place and functioning as approved for the property. **OAK(DE)**

CLOSING CONDITIONS

12. Prior to signing the final plans, the Director of Planning Services shall be advised by Development Engineering that condition 7 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK (PS), OAK(DE)**
13. Prior to signing the final plans, 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 (PS)**

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). **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 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

LEGEND – CLEARANCE AGENCIES

OAK (PS)	Town of Oakville – Planning Services
OAK (F)	Town of Oakville – Finance
OAK (L)	Town of Oakville – Legal
OAK (Z)	Town of Oakville - Zoning
OAK (TE)	Town of Oakville – Transportation and Engineering
OAK (DE)	Town of Oakville – Development Engineering