

Appendix B – Conditions

TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL FOR THE REGISTRATION OF THE DRAFT PLAN OF STANDARD CONDOMINIUM BY ZANCOR (OAKVILLE) LIMITED

NON-RESIDENTIAL - File 24CDM-23006/1431

This approval applies to the Draft Plan of Condominium (File 24CDM-23006/1431) submitted by Zancor (Oakville) Limited, prepared by KRCMAR Surveyors Ltd. dated August 10, 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 Zancor (Oakville) Limited, Draft Plan of Condominium (File 24CDM-23006/1431) 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.	That the owner provides any necessary easements to the satisfaction of the Town (if necessary).	OAK(L)
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.	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 (DE)
5.	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		
6.	All conditions and requirements under the tie back agreement with the Town, including without limitation, the post construction survey, destressing of the tiebacks and restoration of Town lands, shall be completed to the satisfaction of the Town Solicitor.	OAK (L)
7.	The owner shall provide evidence of a shared facilities agreement between the retail condominium, residential condominium and heritage house.	OAK (L)

8. That the owner agrees that the accessible visitor parking spot that is to be made available to the owner of the adjacent heritage property will be clearly marked on the condominium plan; and, **OAK (L)**

That the Declaration shall contain wording to provide and maintain this spot for the exclusive use of visitors to the commercial condominium and the owner of the heritage property, specifying that this parking spot shall form part of the common elements, will remain open and accessible to the owner of the heritage property at all times, and neither be used or sold to unit owners or be considered part of the exclusive use portions of the common elements.

9. 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;
- b. The Owner shall include in Schedule "A" to the condominium declaration all necessary and appropriate easements to the satisfaction of the Town and provide evidence satisfactory to the Town's legal department that the necessary easements are in place, or will be created in the declaration, to allow the condominium to function completely independent and compliant from the adjacent lands retained by the Owner in all perspectives.
- c. 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 bicycle parking will be clearly delineated and marked on the final condominium plan and the Declaration shall contain wording to provide and maintain the visitor parking spaces and bicycle parking for the exclusive use of visitors and specifying that such parking 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.

The condominium declaration shall contain wording to reflect that commercial parking units shall only be sold or leased within the retail condominium.

BELL CANADA

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

CANADA POST

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

ENBRIDGE GAS INC. (UNION GAS)

12. That the owner provides written confirmation that all Enbridge Gas inc. matters have been satisfactorily addressed. **UG**

OAKVILLE HYDRO

13. That the owner provides written confirmation that all Oakville Hydro matters have been satisfactorily addressed. **OH**

HALTON REGION

14. 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. In this regard, submission of the proposed Condominium Declaration is required. **RMH (PPW)**

CLOSING CONDITIONS

15. 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)**
16. Prior to signing the final plan, the Director of Planning Services shall be advised by Halton Region that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A), RMH (PPW)**
17. Prior to signing the final plan, the Director of Planning Services shall be advised by Oakville Hydro that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A) OH**
18. Prior to signing the final plan, the Director of Planning Services shall be advised by Bell Canada that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A) BC**
19. Prior to signing the final plan, the Director of Planning Services shall be advised by Canada Post that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A) CP**

20. Prior to signing the final plan, the Director of Planning Services shall be advised by Enbridge Gas Inc. that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK (A)
UG**

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.
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:
 - Final draft condominium plans signed and dated by the Owner, Surveyor and initialed by the Town’s Planner;
 - Regional Registration fee;
 - Registry Office review form (Appendix D Form (Formerly Schedule J Form)); and,
 - 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	Enbridge Gas inc./Union Gas