

Appendix A – Draft Plan of Condominium Conditions

TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL FOR THE REGISTRATION OF THE DRAFT PLAN OF CONDOMINIUM BY Mattamy (Joshua Creek) Limited

This approval applies to the Draft Plan of Condominium (File 24CDM-24006/1308) submitted by Mattamy (Joshua Creek) Limited, prepared by R-PE Surveying Ltd. dated September 12, 2024, for 328 residential units, 407 parking units, 374 storage units, 8 commercial units, 1 loading unit and 1 geothermal unit. 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 Mattamy (Joshua Creek) Limited, Draft Plan of Condominium (File 24CDM-24006/1308) are as follows:

CONDITIONS	CLEARANCE AGENCY
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. That the owner provides any necessary easements to the satisfaction of the Town (if necessary).	OAK (L)
3. That the owner provides 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. That the owner removes Unit 12 (Loading/Staging) from the plan or provides justification for its retention to the satisfaction of the Town, if required.	OAK (A)
5. That 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 Transportation and Engineering have been made for their completion, including the private driveway providing access and egress to the condo lands.	OAK (DS)
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 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."

The Owner shall include in Schedule "A" to the condominium declaration all necessary and appropriate easements to the satisfaction of the Town.

ZONING

- 7. a. 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)**

HALTON CATHOLIC DISTRICT SCHOOL BOARD

- 8. a. The owner agrees to place the following notification in the Condominium Declaration for all lots/units and in the Town's subsequent agreements, to be registered on title: **HCDSB**
 - i. 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.
 - ii. 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.
- b. In cases where Condominium Declarations have already been provided, the owner is to send a letter to all purchasers which include the above statements.

HALTON DISTRICT SCHOOL BOARD

- 9. a. The owner agrees to place the following notification in the Condominium Declaration for all lots/units and in the Town's subsequent agreements, to be registered on title: **HDSB**

- i. Prospective purchasers are advised that 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.
- ii. 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.

That in cases where Condominium Declarations have already been executed, the owner sends a letter to all purchasers which include the above statements.

CLOSING CONDITIONS

- 10. Prior to signing the final plan, the Director of Planning Services shall be advised by the Halton Catholic District School Board that Condition 7 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK (A)
HCDSB**
- 11. Prior to signing the final plan, the Director of Planning Services shall be advised by the Halton District School Board that Condition 8 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK (A)
HDSB**
- 12. 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)**

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. 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

- Fees are required by Halton Region for each extension to draft approval for major revisions to the draft plan or conditions and for registration of the plan.
- 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 (PX Number or Appendix D Form).
- Letter from Applicant/Owner indicating how the Region's conditions of draft approval have been addressed.

LEGEND – CLEARANCE AGENCIES

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 (Z)	Town of Oakville – Building Services Department, Zoning Section
OAK (T)	Town of Oakville – Transportation and Engineering
HCDSB	Halton Catholic District School Board
HDSB	Halton District School Board