

Appendix 'A' – Conditions

TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL FOR THE REGISTRATION OF THE DRAFT PLAN OF CONDOMINIUM BY DUNDAS STREET EAST INC.

File 24CDM-24003/1310

This approval applies to the draft plan of condominium (File 24CDM-24003/1310) submitted by 1005 Dundas Street East Inc. and prepared by KRCMAR Ltd. dated March 15, 2024, for an 8-storey residential building with 380 apartment units with associated parking at 1005 Dundas Street east.

The Town of Oakville conditions applying to the approval of the final plan for registration of 1005 Dundas Street East Inc. Draft Plan of Condominium (File 24CDM-24003/1310) 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	The owner provides a certificate signed by the professional engineer 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	That the owner provides 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)
4	The Owner shall provide as-built site servicing and grading drawings supported by the certificate from condition #3 are required for clearance of this condition, to the satisfaction of the Director of Planning and Development.	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	OAK (Z)

Zoning By-law through the Committee of Adjustment and/or a Zoning By-law Amendment prior to plan registration.

- 6** That the owner/applicant prepare a neighbourhood information map for the condominium, to the satisfaction of the Town's Director of Planning and Development. The Map shall include the location and type of parks, open space / valley land and walkways, a general description of their proposed facilities, surrounding development, public transit, and active transportation network.

OAK (A)

The owner/applicant shall also include the following warning clauses in the neighborhood information map:

Not all vehicle types can be accommodated within the underground parking garage. Check with your builder regarding the particular situation for the unit and parking space you intend to purchase.

7 LEGAL

- A)** The Owner shall file with the Director of Planning and Development, a complete copy of the final version of the Declaration and Description to be registered, which includes the following schedules:

OAK (L)

- i. 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,
- ii. 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*.
- iii. When the Owner files a copy of the Declaration with the Director of Planning and Development, 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."
- iv. Visitor 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.

B) The owner/applicant shall also include the following warning clauses in the declaration:

- v. "Purchasers/tenants are advised that despite the inclusion of noise control features within the building units, sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound level may exceed the noise criteria of the municipality and/or the Ministry of the Environment, Conservation and Parks.
- vi. This unit has been supplied with an air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the municipality and/or the Ministry of the Environment, Conservation and Parks.
- vii. Purchasers/tenants are advised that ground floor units with balconies with direct unobstructed access to the Regional road system and/or the Active Transportation Network will not be eligible under the retrofit provisions of the Region's Noise Attenuation Policy/Noise Abatement Guidelines in the future.
- viii. Purchasers/tenants are advised that this development and associated blocks/units are directly adjacent/in close proximity to a Regional road. Halton's Regional roads are classified as major arterial roadways and as such: Serve mainly inter-regional and regional travel demands; May serve an Intensification Corridor; Accommodate all truck traffic; Accommodate higher order transit services and high occupancy vehicle lanes; Connect Urban Areas in different municipalities; Carry high volumes of traffic; Distribute traffic to and from Provincial Freeways and Highways; Accommodate active transportation. Truck traffic is permitted on all Regional roads, and is one of the functions of the Regional road network. Therefore, despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic will interfere with some activities of the dwelling occupants, including any raised patio and/or balcony, as sound levels exceed the sound level limits of the Municipality and the Ministry of Environment, Conservation

and Parks.

- ix. Purchasers/tenants are advised that Dundas Street East is designated future bus rapid transit corridors and that bus stops and bus stop amenities such as bus shelters can be installed along these corridors at anytime. The bus stop and bus lay-by on Dundas Street East is intended to serve future higher order transit service such as Bus Rapid Transit.”

CANADA POST

- 8** That the Owner provides written confirmation that all Canada Post matters have been satisfactorily addressed.

CP

Canada Post requests that the owner/developer comply with the following two conditions:

- a) The Owner/Developer will provide each building with its own centralized mail receiving facility. This lock-box assembly must be provided and maintained by the Owner/Developer in order for Canada Post to provide mail service to the residents of this project. For any building where there are more than 100 units, a secure, rear-fed mailroom must be provided.
- b) The owner/developer agrees to provide Canada Post with access to any locked doors between the street and the lock-boxes via the Canada Post Crown lock and key system. This encompasses, if applicable, the installation of a Canada Post lock in the building's lobby intercom and the purchase of a deadbolt for the mailroom door that is a model which can be retro-fitted with a Canada Post deadbolt cylinder.

BELL CANADA

- 9** The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

BC

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

HALTON CATHOLIC DISTRICT SCHOOL BOARD

10 The owner agrees to place the following notification in all offers of purchase and sale for all units: **HCDSB**

- 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.
- 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.

11 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. **HCDSB**

HALTON DISTRICT SCHOOL BOARD

12 The owner agrees to place the following notification in all offers of purchase and sale for all units: **HDSB**

- 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.
- 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.

13 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. **HDSB**

CLOSING CONDITIONS

14 Prior to signing the final plan the Director of Planning and Development 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 **OAK (A)**

provided.

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| 15 | Prior to signing the final plan, the Director of Planning and Development shall be advised by Canada Post 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), CP |
| 16 | Prior to signing the final plan, the Director of Planning and Development shall be advised by Bell Canada that condition 9 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. | OAK (A), BC |
| 17 | Prior to signing the final plan, the Director of Planning and Development shall be advised by the Halton Catholic District School Board that conditions 10 & 11 have been carried out to their satisfaction with a brief but complete statement detailing how the conditions have been satisfied. | OAK (A)
HCDSB |
| 18 | Prior to signing the final plan, the Director of Planning and Development shall be advised by the Halton District School Board that conditions 12 & 13 have been carried out to their satisfaction with a brief but complete statement detailing how the condition have been satisfied. | OAK (A)
HDSB |
| 24 | Prior to signing the final plan, the Director of Planning and Development shall be advised by Halton Region that their requirements prior to registration have been met. | OAK (A) |
| 25 | 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:

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 registration of the plan.
3. 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. It is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.
5. If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.
6. 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 and Surveyor and initialed by the Town's Planner.
 - Regional Registration fee.
 - Registry Office Review 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
HCDSB	Halton Catholic District School Board
HDSB	Halton District School Board
OAK (A)	Town of Oakville – Planning Administration
OAK (CP)	Town of Oakville – Current Planning
OAK (DE)	Town of Oakville – Engineering Department
OAK (F)	Town of Oakville - Finance
OAK (L)	Town of Oakville – Legal
OAK (DS)	Town of Oakville – Development Services Section
OAK (Z)	Town of Oakville – Building Services Department, Zoning Section