

Appendix D
TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL
FOR THE REGISTRATION OF THE PLAN OF CONDOMINIUM
Riverstone Residences of Oakville – 24CDM-16006/1616

This approval applies to the plan of condominium (File 24CDM-16006/1616) prepared by Rady-Pentek & Edward Surveying Ltd. dated October 28, 2016, showing 252 residential units, 14 commercial units, 380 parking spaces, landscaping, roadway, publicly accessible square and sidewalks. The Town of Oakville conditions applying to the approval of the final plan for registration of condominium are as follows:

<i>CONDITIONS</i>	<i>CLEARANCE AGENCY</i>
1. GENERAL That the Owner provides a certificate signed by the surveyor and the Owner stating 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 by the Town.	OAK(A)
2. 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)
3. The Owner shall provide a certificate from a Professional Engineer stating that all grading, drainage and general servicing matters have been completed in accordance with the Site Plan Agreement, or that arrangements have been made for their completion to the satisfaction of the Director of Development Engineering.	OAK (DE)
4. LEGAL	OAK (L)

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 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."

5. The Declaration shall contain wording to provide and maintain the visitor parking spaces for the exclusive use of visitors to the condominium and to the neighbouring condominium. The declaration of the condominium shall contain provisions clearly specifying that the visitor parking spaces shall be reserved exclusively for persons visiting the unit owners and occupants of the buildings. The visitor parking spaces shall either:

- i. form part of the common elements and neither be used or sold to unit owners, nor be considered part of the exclusive use portions of the common elements; or
- ii. be designated as visitor parking units with an interest therein conveyed to the Condominium Corporation immediately following registration of the condominium.

6. Prior to or by way of registration of the Declaration, the owner shall grant to the Town an easement for a public square, being part of the public square required by the Minutes of Settlement in Ontario Municipal Board Case No. MM120007 entered into on the 2nd day of April, 2012 between the owner and the Town. The easement lands shall be shown as part or parts on a reference plan to be pre-approved by the Director of Planning and registered by the owner at the owner's expense. The location, terms and conditions of the easement shall be subject to the approval of the Director of Planning and the Legal Department of the Town, and the owner shall cause to be registered all necessary postponements and other documents to convey title to the easement to the Town satisfactory to the Legal Department.

7. The Declaration shall contain provisions satisfactory to the Town's Legal Department for the assumption by the condominium corporation of the obligations of the owner to the Town under the agreement between the owner and the Town made as of the 7th day of May, 2012 with regard to the public square.

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

9. **ZONING** OAK (Z)

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.

10. **CANADA POST** CP

The owner shall obtain a clearance letter from Canada Post indicating that their requirements have been satisfied.

11. **UNION GAS** UG

That the Owner provide to Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.

12. **Halton District School Board**

HDSB

That the owner agrees to place the following notification in all offers to purchase and sale for all lots/units:

- a) Prospective purchasers are advised that pupils may be accommodated in temporary facilities and/or be directed to schools 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 Halton Student Transportation Services.

In cases where offers of purchase and sale have already been executed, the owner shall send a letter to all purchasers which includes the above statement.

13. **Halton Catholic District School Board**

HCDSB

That the owner agrees to place the following notification in all offers to purchase and sale for all lots/units:

- a) Prospective purchasers are advised that 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 be directed to schools outside of the area.
- b) Prospective purchasers are advised that 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 you are notified that school busses will not enter cul-de-sacs.

In cases where offers of purchase and sale have already been executed, the owner shall send a letter to all purchasers which includes the above statement.

14. **Halton District School Board & Halton Catholic District School Board**

HDSB
HCDSB

The Owner agrees that, should the development be phased, a copy of the phasing plan must be submitted prior to final approval to the Halton District School Board and Halton Catholic District School Board. The phasing plan will indicate the sequence of development, the land area, the number of lots, blocks and units for each phase.

15. The Owner shall supply, erect and maintain signs at all major entrances into the new development advising prospective purchasers that pupils may be directed outside of the area. The owner will make these signs to the specifications of the Halton District School Board and Halton Catholic District School Board

HDSB
HCDSB

16. The Owner shall submit a copy of the approved sidewalk plan, prepared to the satisfaction of the Town of Oakville, to Halton District School Board and Halton Catholic District School Board.

HDSB
HCDSB

CLOSING CONDITIONS

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| 1. | 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) |
| 2. | Prior to signing the final plan, the Director of Planning Services shall be advised by Canada Post that condition 10 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. | CP |
| 3. | Prior to signing the final plan, the Director of Planning Services shall be advised by Union Gas that condition 11 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. | UG |
| 4. | Prior to signing the final plan, the Director of Planning Services shall be advised by Halton District School Board that conditions 12, 14,15&16 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. | HDSB |
| 5. | Prior to signing the final plan, the Director of Planning Services shall be advised by Halton Catholic District School Board that conditions 13, 14,15&16 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. | HCDSB |
| 6. | All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being [Date of Draft Approval to be inserted as the day after the last date for appeals if no appeals are received]. | OAK(A) |

 Director of Planning Services
 (Authority by By-law 1998-272)

NOTES – The owner/agent, their successors and assigns are hereby notified:

1. Payment of cash-in-lieu of parkland dedication in accordance with the applicable by-law will be payable prior to the first building permit issuance in accordance with the provisions of section 42 of the *Planning Act*.
2. The Owner/agent, their successors and assigns are hereby notified the Development Charges of the Town of Oakville are payable in accordance with the applicable Development Charges By-laws, upon issuance of a building permit, at the rate in effect on the date issued.
3. 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.
4. The applicant should be aware that Halton Region will have the following requirements at the time of registration: Final M plans signed and dated by the Owner and Surveyor and initialled by the Town’s Planner; Regional Registration fee; and, Registry Office form.

5. 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 which are additional to the maximum unit yield which is specified by the Subdivision Agreement are subject to Education Development Charges prior to the issuance of a building permit, at a rate in effect at the date of issuance.

LEGEND – CLEARANCE AGENCIES

BC	Bell Canada
CP	Canada Post
OAK (PS)	Town of Oakville – Planning Services
OAK (A)	Town of Oakville – Planning Administration
OAK (F)	Town of Oakville - Finance
OAK (L)	Town of Oakville – Legal
OAK (DE)	Town of Oakville – Development Engineering Department
OAK (PS)	Town of Oakville – Current Planning Services
OAK (EC)	Town of Oakville – Engineering and Construction Department
RMH (LPS)	Regional Municipality of Halton – Planning and Public Works Department
UG	Union Gas
OH	Oakville Hydro
HDSB	Halton District School Board
HCDSB	Halton Catholic District School Board