

APPENDIX C–
CONDITIONS OF DRAFT PLAN APPROVAL

Town File No.: File 24CDM-17001/1728
Draft Plan Dated January 10, 2019

**TOWN OF OAKVILLE CONDITIONS OF DRAFT APPROVAL
FOR THE REGISTRATION OF DRAFT PLAN OF CONDOMINIUM 24CDM-
17001/1728**

This approval applies to the draft plan of condominium (File 24CDM-17001/1728) prepared by YWRC dated January 10, 2019 illustrating a roadway, walkways, visitor parking and landscaped areas for a 19 unit townhouse development. The conditions applying to the approval of the final plan for registration are as follows:

| <i>CONDITIONS</i> | <i>CLEARANCE AGENCY</i> |
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| 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 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: <ul style="list-style-type: none">i. 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;ii. 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."iii. Visitor parking spaces will be clearly delineated on the condominium plan to be registered and the Declaration shall contain a clause clearly specifying 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.iv. A statement that the condominium corporation is required to maintain all | OAK (L, PS) |

driveways, parking areas, and walkways within the plan of condominium unobstructed to ensure safe operations within this private development. As there is insufficient on site snow storage, all snow cleared from the access ramps and driveways, parking and loading areas, and walkways shall be removed from the site. In no circumstance shall snow cleared from the site be placed in a manner that might damage private or public landscaping, fences, or impinge on adjacent properties or open space. The contracting for private snow removal from the site shall remain the sole responsibility of the condominium corporation.

- v. Requirement that the condominium corporation maintain the landscaping between the townhouses and the western property line in accordance with the approved site plan.
- vi. Requirement that the condominium corporation maintain the surface drainage swale and below grade infiltration tank in the rear yards of units 15 to 19 inclusive.
- vii. Requirement that the condominium corporation maintain the fence located at the western terminus of the condominium laneway.

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| 4. | The Owner shall obtain an easement in favour of the condominium corporation over a portion of the rear yards of units 15 to 19, inclusive for the purpose of allowing the condominium corporation access to maintain the surface drainage swale and the below grade infiltration tank. The easement shall include limitations on use including restrictions on poured concrete patios, and sheds within the easement area. | OAK (PS) |
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| 5. | DEVELOPMENT ENGINEERING | OAK (DE) |
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- Provide a **certificate from the Owner's Engineer** stating that all grading drainage, above and below ground services, fencing, sodding, stormwater management requirements, and asphalt paving have been completed in accordance with the plan 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.
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| 6. | CANADA POST | CP |
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- The owner shall obtain a clearance letter from Canada Post indicating that their requirements have been satisfied.
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| 7. | UNION GAS | UG |
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- 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.
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| 8. | HALTON CATHOLIC DISTRICT SCHOOL BOARD | HCDSB |
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- 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
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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.

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| 9. | 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 Catholic District School Board. The phasing plan will indicated the sequence of development, the land area, the number of lots, blocks and units for each phase. | HCDSB |
| 10. | 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. | 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 6 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 7 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 Catholic District School Board that conditions 8, 9 & 10 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. | HCDSB |
| 5. | 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. The Owner will be required to pay all other applicable Regional development charges prior to the issuance of any building permits, unless a subdivision (or other form of development) agreement is required in which case the water, wastewater and road portions of the Regional development charges are payable upon execution of the agreement. Please visit our website at www.halton.ca/developmentcharges to obtain the most current development charge information, which is subject to change.
6. 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

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| BC | Bell Canada |
| CP | Canada Post |
| OAK (PS) | Town of Oakville – Planning Services |

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| 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 |