

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

This approval applies to the draft plan of condominium (File 24CDM-19006/1314) submitted by Mattamy (DUC) Limited, prepared by R-PE Surveyors Ltd., dated June 14, 2019. 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 (DUC) Limited
Draft Plan of Condominium (File 24CDM-19006/1314) are as follows:**

<i>CONDITIONS</i>	<i>CLEARANCE AGENCY</i>
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 a copy of easement No.HR1343843 and a letter of explanation explaining how the units fronting onto Dundas Street East encroach upon this easement and how this encroachment does not violate the easement.	OAK(L)
3. In accordance with the Site Plan Agreement, the Owner shall provide confirmation that all applicable noise related warning clauses have been included in all offers of purchase and sale agreements, as well as clauses advising prospective purchases that Dundas Street East is a designated bus route and that there will be walkway facilities connecting the development to public rights-of-way.	OAK(PS)
In cases where offers of purchase and sale have already been executed, the Owner shall send a letter to all purchasers which include the above warning clauses.	
4. The Owner shall provide confirmation that appropriate easements are granted to the condominium corporation allowing access to the private roads, walkways, natural heritage system lands, storm and sanitary sewers, and water servicing leading to the public road system and allowing use of common amenity facilities.	OAK(DE)
5. 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)

6. (a) The provided certificate, dated July 24, 2019 from David Schaeffers Engineering Ltd., stating that all servicing, grading, drainage, overland flow route, and stormwater management requirements, and base asphalt paving, etc. 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)**
- (b) The Owner shall provide a certificate from the Owner's engineer/landscape architect stating that all external works, if any, within the town lands 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.

LEGAL

7. 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 a 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."

8. The Owner shall include in Schedule "A" to the condominium declaration all necessary and appropriate easements to the satisfaction of the Town, including but not limited to: **OAK (L)**
- (a) easements for use of shared amenities between this condominium and the future adjoining condominium to the west ("**Adjoining Condominium**"); and,
- (b) easements for pedestrian and vehicular access between this condominium and the adjoining lands owned by the Owner.

- 9. The declaration shall contain wording to prohibit the sale or mortgage of the Knockout Unit and require this unit to be transferred to the Adjoining Condominium as soon as the Adjoining Condominium is registered. The Owner shall register a S.118 restriction on title to the Knockout Unit to the satisfaction of the Town, to ensure the Knockout Unit is not conveyed to anyone other than the Adjoining Condominium. **OAK (L)**

- 10. The declaration shall contain wording to prohibit the sale or mortgage of the Ramp Unit, require the Ramp Unit be co-owned equally by the condominium and the Adjoining Condominium, and require a 50% ownership interest in the Ramp Unit be transferred to the Adjoining Condominium as soon as the Adjoining Condominium is registered. The owner shall register a S.118 restriction against the Ramp Unit to the satisfaction of the Town, to ensure the Ramp Unit is not conveyed to anyone other than the condominium and Adjoining Condominium. **OAK (L)**

- 11. The owner shall provide evidence of a shared facilities agreement between the condominium and the Adjoining Condominium which will include cost sharing for the Ramp Unit. **OAK (L)**

- 12. Visitor parking spaces will be clearly delineated on the condominium plan to be registered and the Declaration shall contain a clause clearly specifying that visitor parking shall form part of the condominium and neither to be used nor sold to unit owners or be considered part of the exclusive use portions of the common elements. **OAK (L)**

ZONING

- 13. That the owner/applicant confirms to the satisfaction of the Town that the “as-built drawings” comply 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. **OAK (Z)**

HALTON REGION

- 14. Any lands within 50 metres of the south side of Dundas Street (Regional Road 5) that are part of the subject property shall be dedicated to the Regional Municipality of Halton for the purpose of road right-of-way widening and future road improvements. All lands to be dedicated to Halton Region shall be dedicated with clear title (free and clear of encumbrances) and a Certificate of title shall be provided, in a form satisfactory to the Director of Legal Services or his designate. **RMH (PPW)**

- 15. Any proposed signage, plantings etc., for the site must be placed outside of the new Regional right-of-way (on private property) to the satisfaction of Halton Region. **RMH (PPW)**

BELL CANADA

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

CANADA POST

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

CLOSING CONDITIONS

18. 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)**
19. Prior to signing the final plan, the Director of Planning Services shall be advised by the Regional Municipality of Halton that condition 9 and 10 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **RMH (PPW)**
20. Prior to signing the final plan, the Director of Planning Services shall be advised by Bell Canada that condition 10 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A)
BC**
21. Prior to signing the final plan, the Director of Planning Services shall be advised by Canada Post that condition 11 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A)
CP**
22. All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being **Month, Day, Year.** **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.
4. **HALTON REGION - Requirements at the time of registration**
 - Condominium plans signed and dated by the Owner and Surveyor and initialed by the Town's Planner
 - Regional Registration fee
 - Registry Office form

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	Union Gas