

Appendix "A" – Conditions

**TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL
FOR THE REGISTRATION OF THE DRAFT PLAN OF CONDOMINIUM BY
BIDDINGTON HOMES OAKVILLE INC.**

This approval applies to the draft plan of condominium (File 24CDM-19010/1413) submitted by Biddington Homes Oakville Inc., prepared by J.H. Gelbloom Surveying Limited, dated January 9, 2020, for two residential buildings containing a total of 36 residential apartments. 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 Biddington Homes Oakville Inc., draft plan of condominium (File 24CDM-19010/1413) 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. 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)
3. The Owner shall 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.	OAK (DE)
LEGAL	
4. 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)
<ul style="list-style-type: none"> 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 exists 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. 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.

OAK (L)

-
6. That the owner provides any necessary easements to the satisfaction of the Town (if necessary).

OAK(L)

ZONING

7. 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 Zoning By-law Amendment prior to plan registration.

OAK(Z)

HALTON CATHOLIC DISTRICT SCHOOL BOARD

8. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units:
- 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, and that you are notified that school busses will not enter cul-de-sacs.

HCDSB

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.

9. That the owner agrees to the satisfaction of the HCDSB, to erect and maintain signs at all major entrances into the new development advising prospective purchasers that if a permanent school is not available alternative accommodation and/or busing will be provided. The owner will make these signs to the specifications of the HCDSB and erect them prior to the issuance of building permits.

HCDSB

10. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units:
- a. Prospective purchasers are advised that schools on sites designated for Halton District School Board in the community are not guaranteed. Attendance at schools in the area yet constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside the area.
 - b. Prospective purchasers are advised that that school busses will not enter cul-de-sacs and pick up points will be generally located on through street convenient to Halton Student Transportation Services. Additional pick up points will not be located within the subdivision until major construction activity has been completed.

HDSB

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.

CLOSING CONDITIONS

11. 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)**
12. Prior to signing the final plan, the Director of Planning Services shall be advised by Halton Catholic District School Board that conditions 7 and 9 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A), HCDSB**
13. Prior to signing the final plan, the Director of Planning Services shall be advised by Halton District School Board that conditions 10 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A), HDSB**

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

- 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