

**TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL
FOR THE REGISTRATION OF THE DRAFT PLAN OF CONDOMINIUM BY
BEC Trafalgar GP Inc.**

This approval applies to the draft plan of condominium (File 24CDM-19002/1312) submitted by BEC Trafalgar GP Inc., prepared by Rady-Pentek & Edward Surveyors Ltd., dated February 1, 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 BEC Trafalgar GP Inc.

Draft Plan of Condominium (File 24CDM-19002/1312) 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 any necessary easements to the satisfaction of the Town.	OAK(L)
3. 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)
4. 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)
5. a) The Owner shall provide a certificate from the Owner's engineer 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.	

6. That the owner provide a public access easement across the common elements to allow the public to access the adjacent Natural Heritage System (NHS) lands, to the satisfaction of the Legal Department.

OAK (POS)

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 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. 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 common elements and neither to be used nor sold to unit owners or be considered part of the exclusive use portions of the common elements.
9. That the owner include a warning clause in the Declaration to alert all future owners affected by the noise walls that the noise walls are required by the Region of Halton and Town of Oakville due to sound levels resulting from increased road traffic along Trafalgar Road and cannot be removed unless they are no longer required by the Region of Halton. The continued need for the noise walls will be determined through the future site plan applications of the high density development blocks adjacent to Trafalgar Road.

OAK (L)

OAK (L)

The locations that require noise walls are where the sound levels exceed the Municipality's and the Ministry of the Environment's noise criteria as identified in the Detailed Noise Control Study (April 17, 2019) prepared by SS Wilson Associates. Installation of the noise walls is required to be completed prior to occupancy. The height of the noise wall is set at 1.8 metres to ensure consistency with the Town of Oakville's Fence By-law 2002-034 for the maximum permitted height of a privacy fence on a residential property.

10. The ownership and future maintenance of the noise barrier will be the responsibility of the Owner until the Plan of Condominium has been registered, at which time ownership and maintenance will become the responsibility of the current and future property owners in perpetuity. **OAK (L)**

ZONING

11. 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)**

BELL CANADA

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

CANADA POST

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

CLOSING CONDITIONS

12. 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)**
13. 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**
14. 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**

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.

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