

APPENDIX C –
CONDITIONS OF DRAFT PLAN APPROVAL

Town File No.'s: 24T-14006/1722
Draft Plan Dated Revised
September 9, 2016

TOWN OF OAKVILLE CONDITIONS OF DRAFT APPROVAL
FOR THE REGISTRATION OF FERNBROOK HOMES (LAKESHORE) LTD,
1215 AND 1221 LAKESHORE ROAD WEST

This approval applies to the draft plan of subdivision (24T-14006/1722) prepared by KORSIK URBAN PLANNING dated revised September 9, 2016 illustrating 1 block and 22 lots. The conditions applying to the approval of the final plan for registration are as follows:

CONDITIONS

***CLEARANCE
AGENCY***

**CONDITIONS TO BE MET PRIOR TO PRE-GRADING
OR PRE-SERVICING**

- | | | |
|----|--|-----------------------|
| 1. | Based on the information provided for the subject property, the proposed applications are for approval to change the land use to a more sensitive land use (as per Ontario Regulation 153/04). The Environmental Protection Act indicates that a person shall not change the use of a property to a more sensitive land use unless a Record of Site Condition (RSC) has been filed in the Environmental Site Registry. The owner is required to submit to the Region all supporting environmental documentation and a Ministry of Environment (MOE) acknowledged Record of Site Condition (RSC) that is certified by a Qualified Person (as per Ontario Regulation 153/04) to the satisfaction of the Halton Region. | OAK (DE)
RMH (LPS) |
| 2. | That the owner shall prepare and implement an updated Tree Inventory and Preservation Plan Report including tree preservation plan , prior to site alteration, to the satisfaction of and the Development Engineering Department. Further, the owner shall not disturb or remove trees without written permission from the Town. | OAK (DE) |
| 3. | That the Owner shall not install any municipal services on the site until the Owner has entered into a Preservicing Agreement or Subdivision Agreement with the Town. Pre-servicing may occur in accordance with the Town's pre-servicing policy. | OAK (DE) |
| 4. | That the Owner obtain a Permit from Conservation Halton, pursuant to Ontario Regulation 162/06, for any works (i.e. grading, filling, structures) within the regulated area (floodplain and 7.5 metre allowance) including, but not limited to, the proposed grading/floodplain alterations within the Lakeshore Road right of way. | CH |

**CONDITIONS TO BE MET PRIOR TO FINAL APPROVAL /
REGISTRATION**

5. The owner will provide confirmation to the Town's Financial Operations Department that any outstanding property taxes and all current year's property taxes as levied are fully paid prior to plan registration and subsequently at assumption of the subdivision. OAK (F)
6. That the Owner enter into a standard form **subdivision agreement** to the satisfaction of the Town to address all matters related to the financial and construction obligations and build out of the subdivision, including but not limited to, development charge reimbursements, works to be completed on behalf of the Town, subdivision assumption and maintenance and monitoring of stormwater management facilities, homeowner warning clauses, etc. OAK(PS) (DE)
7. That the Owner shall provide 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 (DE)
8. That the owner design, construct, and have in operation all **stormwater management facilities**, or alternative measures, to the satisfaction of the Development Engineering Department. OAK (DE)
9. That the Owner shall **dedicate all lands to be conveyed to the Town, Regional Municipality of Halton or other authority** free of charge and with clear title (free and clear of encumbrances) and any necessary easements. A Certificate of Title shall be provided, in a form satisfactory to the Town, Region or other authority. OAK (PS, DE)
RMH (LPS)

The Owner undertake the transfer, release and abandonment of the existing Regional sewer easement within the limit of the subject property. The applicant is required to administer and coordinate the transfer, release and abandonment of this existing Regional easement and is responsible for all costs associated with the process of the release and abandonment process for this easement including but not limited to survey plans, legal costs, registration costs, etc.

OAK (PS)
RMH (LPS)

The Owner undertake to make the necessary arrangements to provide easements for a trunk sanitary sewer located within the subject property on lots designated as Lot 1 and Lot 22 and that these easements be dedicated to the Region of Halton for the purpose of sanitary sewer protection to the satisfaction of the Region of Halton; this easement shall be dedicated with clear title (free & clear of encumbrances) and a Certificate of Title shall be provided, in a form satisfactory to the Director of Legal Services or his designate. The width of the transfer shall be determined by the Region of Halton. Buildings, structures, landscaping, fences, concrete curbs, sidewalks, driveways, private sewers, private watermains, underground utilities and other encumbrances are not to be constructed or placed within these new easements.

10. That the owner prepare and agree to **implement the following studies** to the satisfaction of the Town (and the Regional Municipality of Halton where applicable):
 - Traffic and Parking Management Plan
 - Street Signage and Pavement Marking Plan
 - Functional Design Study
 - Composite Utility Plan
 - Noise Impact Study
11. That the Owner shall provide **digital discs of the registered plan of subdivision** with the following coordinate system UTM NAD 83 Zone 17 to the Regional Municipality of Halton and the Town of Oakville, prior to registration of the plan.
12. That the Owner shall provide the Town, together with the final plan, a list of **lot and block widths, depths and areas** prepared by an Ontario Land Surveyor, to ensure all lot and blocks meet or exceed the minimum requirements of the approved Zoning By-law. The Owner shall agree to revise the draft plan as required in order to comply with all provisions of the approved Zoning By-law.
13. That all **public streets** within the subdivision be named to the satisfaction of the Engineering and Construction Department and in accordance with **Street Names for Public Roads** procedure.
14. That prior to registration of the plan, the Owner's surveyor shall submit to the Town **horizontal co-ordinates of all boundary monuments**. These co-ordinates are to be based on 6 degree UTM Projection, NAD83 Datum. Exemptions and alternatives to this can only be granted by the Engineering and Construction Department.

OAK (DE)

OAK (DE)
RMH (LPS)

OAK (Z)

OAK (EC)

OAK (EC)

15. That the Owner shall submit the **final clearance fee** to Conservation Halton, pursuant to the Halton Region's Memorandum of Understanding, immediately prior to registration of the draft plan (note: if the development is phased, each phase will require a separate clearance fee). CH
16. a) That the Owner shall enter into a **subdivision agreement** and satisfy all requirements, financial and otherwise, of the Regional Municipality of Halton, including but not limited to, the phasing of the plan for registration, investigation of soil contamination and soil restoration, the provision of roads and the installation of water and sanitary sewer services, utilities and drainage works. This agreement is to be registered on title to the lands. RMH (LPS)
- b) The Owner shall prepare a detailed engineering submission for the internal and external servicing works and submit these to the Region's Development Project Manager for review and approval prior to the preparation of the Regional subdivision agreement.
17. That the Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notified by the Region's Development Project Manager that: RMH (LPS)
- a) sufficient **Water and Wastewater Plant** capacity exists to accommodate this development; and,
- b) sufficient **storage and pumping facilities** and associated infrastructure relating to both water and wastewater are in place.
18. The Owner shall submit to the Planning Services Department six (6) folded copies of the final draft plan of subdivision along with applicable Land Registry Office J form for sign off. Upon acceptance, the town will forward these materials to the Region of Halton for final sign off. RMH(LPS)
OAK (PS)
19. That the Owner shall provide the Town with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of **Community Mail Boxes** as required by Canada Post Corporation, prior to registration of the plan. CP
20. That the Owner shall provide Union Gas Limited the **necessary easements and/or agreements required by Union Gas Limited** for the provision of local gas services for this project, in a form satisfactory to Union Gas Limited. UG
21. The Owner shall confirm that **sufficient wire-line communication / telecommunication infrastructure** is currently available within the proposed development to provide communication / telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the BC
Cogeco

developer may be required to pay for the connection to and/or extension of the existing communication / telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the communication / telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication / telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 Emergency Services).

22. That the Owner shall provide the Town with evidence that satisfactory arrangements, financial and otherwise, have been made with Oakville Hydro, prior to registration of the plan. Note: LED lights required per Town Standards. OH
23. That the Owner shall provide the Town with evidence that satisfactory arrangements regarding easements, school boundary fencing/gates, or otherwise, have been made with Halton District School Board and the Town, prior to registration of the plan. HDSB
OAK (DE)
OAK (PS)

CLOSING CONDITIONS

- 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 (PS)
- 2 Prior to signing the final plan the Director of Planning Services shall be advised by the **Regional Municipality of Halton** that conditions 1, 9, 11, 16 – 18 have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied. OAK (PS)
RMH (LPS)
- 3 Prior to the signing of the final plan the Director of Planning Services shall be advised by the **Conservation Halton** that conditions 4 and 15 inclusive have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied. OAK (PS)
CH
4. Prior to signing the final plan the Director of Planning Services shall be advised by **Canada Post** that conditions 19 have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied. OAK (PS)
CP
5. Prior to signing the final plan, the Director of Planning Services shall be advised by **Union Gas** that conditions 20 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. UG
6. Prior to signing the final plan, the Director of Planning Services shall be advised by the **telecommunications provider** that conditions 21 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. OAK (PS)
BC
Cogeco

7. Prior to signing the final plan, the Director of Planning Services shall be advised by **Oakville Hydro** that conditions 22 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. OH
8. Prior to signing the final plan, the Director of Planning Services shall be advised by the **Halton District School Board** that conditions 23 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. OAK (PS)
HDSB

All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being _____, _____, 2016. OAK (PS)

LEGEND – CLEARANCE AGENCIES

BC	Bell Canada
Cogeco	Cogeco Cable
CP	Canada Post
HCDSB	Halton Catholic District School Board
HDSB	Halton District School Board
CH	Conservation Halton
MTCS	Ministry of Tourism, Culture and Sport
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 (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 (LPS)	Regional Municipality of Halton – Legislative and Planning Services
UG	Union Gas

NOTES:

1. That the Owner shall obtain a site alteration permit under By-law 2008-124, as it may be amended from time to time or any successor thereto, prior to any earth moving activities. Matters to be addressed as part of the site alteration permit shall include but not be limited to confirmation of construction access, installation and maintenance of erosion and sediment controls, mud tracking, stabilisation, grading and seeding of non-development blocks.
2. Payment of cash-in-lieu of parkland 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*.
3. It should be noted that Educational Development Charges are payable in accordance with the applicable educational 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. 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.