

Appendix “A”

Schedule of Conditions (“Common Element Condominium”)

Draft Plan of Condominium

**Stateview Homes (Rialto Towns) Inc.
Part of Block 1, Plan 65M-4602
Town of Richmond Hill**

Town File: D05-16005 (19CDM(R)-16005)

The conditions of the Council of the Town Of Richmond Hill to be satisfied prior to the release for registration of Plan of Condominium 19CDM(R)-16005, Town of Richmond Hill, are as follows:

Town of Richmond Hill

Planning and Regulatory Services Department (Development Planning Division)

1. Approval shall relate to a Draft Plan of Condominium prepared by KRCMAR Surveyors Ltd., Drawing Name: 16-007FC01, dated October 16, 2018.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner and the Town dated March 12, 2018 and registered in the Land Registry Office of the Land Titles Division of York Region as Instrument No. YR2836447, to the satisfaction of the Commissioner of Planning and Regulatory Services.
3. The Owner shall enter into a Condominium Agreement, if required to do so by the Town which shall be registered on title and to the satisfaction of the Town Solicitor, in priority to all other claims or interest.
4. The Owner shall submit plans of Condominium pre-approved by the Land Registry Office, satisfactory to the Town, prior to final approval of the Plan of Condominium.
5. Prior to final approval, the Owner shall, if required to do so by the Town, submit to and obtain the approval of the Town for the form and content of the Condominium Description and Declaration. The Owner shall incorporate into the Plan and Declaration under Section 7 of the *Condominium Act*, 1998, all right(s)-of-way and easements for vehicular access, on-site traffic circulation, municipal servicing or utility servicing to the satisfaction of the Town.
6. The Owner agrees to create a non-exclusive surface easement (the “Access Easement”) over the interior private driveway to be built on a portion of the grade level of the Subject Lands. The Easement would be in favour of the lands located between the subject properties and Shaftsbury Avenue, municipally known as 180, 196, 210, 218, 238, 242, 252, 260, 268, 276, 282 and 292 Elgin Mills Road

West and 1, 3 and 5 Shaftsbury Avenue (the “West Benefitting Lands”) and in favour of the abutting properties to the east, municipally known as 158, 138, 132, 128, 120 and 112 Elgin Mills Road East (the “East Benefitting Lands”) for the purpose of providing vehicular and pedestrian access and egress from the West Benefitting Lands, the East Benefitting Lands and from all adjoining public roadways, being Elgin Mills Road East and Shaftsbury Avenue. The Easement shall be a strata/surface easement, which may be created and/or granted all at once or in a phase(s) and may be created pursuant to section 20 of the Condominium Act, 1998 (Ontario) by describing the Easement in the condominium declaration and description or approval by the Committee of Adjustment. The Easement shall be in a form and location satisfactory to the Commissioner and the Owner shall be responsible for the preparation of any and all Reference Plan(s) necessary for the creation or conveyance of the Easement and all other costs related thereto.

Planning and Regulatory Services Department (Regulatory Services Division)

7. Prior to final approval of the Plan, the Owner shall provide the Town with evidence in the form of an Architect’s Certificate or other certification, satisfactory to the Town, stating that all buildings are substantially completed to the extent that all boundaries of the units to be created have been constructed.
8. Prior to final approval of the Plan, the Owner shall provide the Town with evidence in the form of an Ontario Land Surveyor’s Certificate stating that all buildings have been located on the ground in accordance with the Site Plan contained in the said Site Plan Agreement between the Owner and the Town dated March 12, 2018.
9. Prior to final approval of the Plan, the Owner shall have fully complied with all orders issued pursuant to the *Building Code Act*, 1992 and shall have completed all work necessary to correct any building deficiencies related to said order to the satisfaction of the Town.

Planning and Regulatory Services Department (Development Engineering Division)

10. Prior to final approval of the Plan, the Owner shall provide the Town with evidence in the form of an Engineer’s Certificate stating that all grading, drainage, above and below ground services, asphalt paving, concrete works and demarcation of parking spaces within the Common Element Condominium area, and any other matters required to support the development of the lands within the Plan, including but not limited to, any retaining walls, low impact development features that are to be located within the Parcels of Tied Lands and are to be secured with easements in favor of the Condominium Corporation, have been substantially completed in accordance with the plans and conditions in the said Site Plan Agreement. To guarantee completion of the aforesaid work, the letter of credit secured through the site plan agreement will be kept in full force by the Town.

11. The Owner shall file with the Town, if required to do so by the Town, certification from a Professional Engineer or Ontario Land Surveyor or Solicitor authorized to practice in the Province of Ontario that all necessary easements required to service the lands and buildings within the Plan and any adjoining lands (if such adjoining lands were, at any time, a single parcel of land with the lands within the Plan) for, but not limited to, access, parking, street lighting, water, sanitary sewer, storm sewer, structural support grading, retaining walls, low impact development features, amenity areas, access and maintenance purposes, have been lawfully created or will be lawfully created upon the registration of the Declaration referred to in Condition 5.

Planning and Regulatory Services Department (Park and Natural Heritage Planning Section)

12. The Owner shall complete all required landscape works to the satisfaction of the Commissioner of Planning and Regulatory Services.
13. The Owner shall agree within the Condominium Declaration to make provisions for the ongoing maintenance of all common element landscape areas.

Corporate and Financial Services Department

14. Prior to final approval, the Owner shall pay the applicable Release Fees to the satisfaction of the Town.
15. The Owner shall pay any outstanding taxes owing to the Town.

Regional Municipality of York

16. Prior to final approval, the Owner shall provide confirmation that all conditions of the Site Plan Approval issued for the subject property under Regional File No. SP-R-029-13, have been satisfied.
17. Prior to final approval, the Owner shall execute all Regional agreements and obtain all of the necessary permits required as part of the Site Plan Approval for the subject property issued under Regional File No. SP-R-029-13.
18. Prior to final approval, the Owner shall confirm that all of the works within the Elgin Mills Road right-of-way have been completed to the satisfaction of the Region or that the Region holds sufficient securities to cover the cost of any outstanding works. Should there be insufficient security to cover the cost of the remaining works, the Owner shall arrange for the deposit of additional securities in an amount sufficient to cover the cost of all outstanding works.
19. Prior to final approval, the Owner shall provide confirmation that all transfers of obligation have been completed where Regional agreements require responsibility to change from the Owner to the Condominium Corporation.

Alectra Utilities

20. Prior to final approval, the Owner shall enter into a Licence Agreement with Alectra Utilities.

Canada Post

21. Prior to final approval, the Owner must supply, install and maintain a centralized mailbox facility to Canada Post's specifications.

Clearance Conditions

22. The Town shall advise that Condition 1 to 15 have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
23. The Regional Municipality of York shall advise that Conditions 16 to 19 have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
24. Alectra Utilities shall advise that Condition 20 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
25. Canada Post shall advise that Condition 21 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.

In accordance with Section 51 of the *Planning Act*, R.S.O. 1990, the decision to approve the draft Plan of Condominium, subject to the above conditions, is deemed to have been made on _____.

Kelvin Kwan
Commissioner of Planning and Regulatory Services

DATED at Richmond Hill this _____ day of _____, 20**.

Note: Where Final Approval For Registration Has Not Been Given Within Three (3) Years After The Date Upon Which Approval To The Proposed Plan Of Condominium Was Given, The Town Of Richmond Hill May, In Its Discretion And Pursuant To The *Planning Act*, R.S.O. 1990, Withdraw Its Approval To This Proposed Plan Of Condominium, Unless Approval Has Been Sooner Withdrawn, But The Town Of Richmond Hill May, From Time To Time, Extend The Duration Of The Approval.