

Appendix A
Schedule of Conditions
Draft Plan of Condominium

“Common Element Condominium”

Onefoureight Development Corp.
Part of Block 1, Plan 65M-4627
Town of Richmond Hill

Town File: D05-13008 (19CDM(R)-13008)

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)-13008, 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 Vladimir Dosen Surveying, File 12-240, dated November 1, 2018.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner and the Town dated January 15, 2018 and registered in the Land Registry Office of the Land Titles Division of York Region as Instrument No. YR2926747, 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 and 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 "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 Lands and Weldrick Road West, municipally known as 270 Weldrick Road West ((PIN 03153-1084 (LT) – Lots 16, 17, 18 and 19, Plan 2027, except Part 23, Reference Plan 65R-34565 and Part 2, Reference Plan 65R-26819)), 9591 Bathurst Street ((PIN 03153-0489 (LT) – Part Lot 20, Plan 2027, being Part 2 on Reference Plan 65R-13573)) and 9593 Bathurst Street ((PIN 03153-0488 (LT) – Part Lot 20, Plan 2027, Part Lot 21, Plan 2027, Part 1 on Reference Plan 65R-13573)) (the "South Benefitting Lands") and in favour of the lands located between the Subject Lands and Pemberton Road, municipally known as 157 Pemberton Road ((PIN 03153-0483 (LT) – Part Lot 23, Plan 2027, Part 1 on Reference Plan 65R-5709)), 159 Pemberton Road ((PIN 03153-0671 (LT) – Part Lot 22, Plan 2027, Part 6 on Reference Plan 65R-19502, Part Lot 23, Plan 2027, Parts 4 and 5 on Reference Plan 65R-19502)), 161 Pemberton Road ((PIN 03153-1077 (LT) – Part of Lots 22 and 23, Plan 2027, being Parts 1 and 2, Reference Plan 65R-37172, Parts of Lot 22, Plan 2027, Part 7 on Reference Plan 65R-1950, except Part 6, Reference Plan 65R-34256 and Part Lot 21, Plan 2027, Part 5 on Reference Plan 65R-34256 (closed by By-law YR2549238) as in YR2688024)) and 163 Pemberton Road ((PIN 03153-1080 – Part of Lots 22 and 23, Plan 2027, being Parts 3 and 4 on Reference Plan 65R-37172)), Richmond Hill (the "North Benefitting Lands"), for the purpose of providing vehicular and pedestrian access and egress from the South Benefitting Lands, the North Benefitting Lands and from all adjoining public roadways, being Bathurst Street, Weldrick Road West and Pemberton Road. The Easement shall be a strata/surface easement, which may be created and/or granted all at once or in phases 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 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)

8. Prior to final approval of the Plan, the Owner shall provide the Town with evidence in the form of 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 Land and are to be secured with easements in favour 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.

9. 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.

Corporate and Financial Services Department

10. Prior to final approval, the Owner shall pay the applicable Release Fees to the satisfaction of the Town.
11. The Owner shall pay any outstanding taxes owing to the Town.
12. The Owner shall pay any outstanding Local Improvement charges owing against the subject lands.

York Region

13. Prior to final approval, the Owner shall provide confirmation that all of the conditions of the site plan approval issued for the subject property under Regional File No. SP-R-006-14, have been satisfied.
14. 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-006-14.
15. Prior to final approval, the Owner shall confirm that all of the works within the Regional 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 the amount sufficient to cover the cost of all outstanding works.
16. 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.

Bell Canada

17. Prior to final approval, the Owner shall satisfy the requirements of Bell Canada.

Enbridge Gas

18. Prior to final approval, the Owner shall satisfy the requirements of Enbridge Gas Distribution Inc.

Clearance Conditions

19. The Town shall advise that Conditions 1 to 12 inclusive have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
20. York Region shall advise that Conditions 13 to 16 inclusive have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
21. Bell Canada shall advise that Condition 17 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
22. Enbridge Gas shall advise that Condition 18 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.

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.