

## **Schedule “A”**

### **Schedule of Conditions (“Standard Condominium”)**

### **Draft Plan of Condominium**

**1857481 Ontario Inc.  
Part of Lot 11, Concession 2 E.Y.S  
City of Richmond Hill**

**City File: D05-19001 (19CDM(R)-19001)**

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The conditions of the Council of the City Of Richmond Hill to be satisfied prior to the release for registration of Plan of Condominium 19CDM(R)-19001, City of Richmond Hill, are as follows:

#### **City of Richmond Hill**

##### **Planning and Regulatory Services Department (Development Planning Division)**

1. Approval shall relate to a Draft Plan of Condominium prepared by R. Avis Surveying Inc., Ontario Land Surveyors, Drawing Name: 2886-ODP1, dated March 5, 2019.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner and the City dated June 9, 2017 and registered in the Land Registry Office of the Land Titles Division of York Region as Instrument No. YR2712017, 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 City which shall be registered on title and to the satisfaction of the City 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 City, prior to final approval of the Plan of Condominium.
5. Prior to final approval, the Owner shall, if required to do so by the City, submit to and obtain the approval of the City 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 City.

##### **Planning and Regulatory Services Department (Regulatory Services Division)**

6. Prior to final approval of the Plan, the Owner shall provide the City with evidence in the form of an Architect's Certificate or other certification, satisfactory to the

City, stating that all buildings are substantially completed to the extent that all boundaries of the units to be created have been constructed.

7. Prior to final approval of the Plan, the Owner shall provide the City 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 City dated June 9, 2017.
8. 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 City.

**Planning and Regulatory Services Department (Development Engineering Division)**

9. Prior to final approval of the Plan, the owner shall provide the City 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 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 City.
10. The Owner shall file with the City, if required to so by the City, 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, structural support grading, retaining walls, low impact development features, amenity areas, access and maintenance purposes, have been lawfully created upon the registration of the Declaration referred to in Condition 5.
11. 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 in favour of the lands located between the Subject Lands and Rockwell Road and comprising York Region Standard Condominium Plan Nos.1245 (the "West Benefitting Lands") and in favour of the lands located between the Subject Lands and Valleymede Drive, municipally known as 404-408 Highway No. 7 East, Richmond Hill (the "East" Benefitting Lands") for the purpose of providing vehicular and pedestrian access to and egress from the West Benefitting Lands and the East Benefitting Lands to and from and all adjoining public roadways, being Highway No. 7 East, Rockwell Road and Valleymede Drive. 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 granted with a Committee of Adjustment consent. 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.

12. 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 in favour of the lands located between the Subject Lands and Rockwell Road and comprising York Region Standard Condominium Plan Nos.1254 (the "West Benefitting Lands") and in favour of the lands located between the Subject Lands and Valleymede Drive, municipally known as 404-408 Highway No. 7 East, Richmond Hill (the "East" Benefitting Lands") for the purpose of providing vehicular and pedestrian access to and egress from the West Benefitting Lands and the East Benefitting Lands to and from and all adjoining public roadways, being Highway No. 7 East, Rockwell Road and Valleymede Drive. 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 granted with a Committee of Adjustment consent. 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.

#### **Corporate and Financial Services Department**

13. Prior to final approval, the Owner shall pay the applicable Release Fees to the satisfaction of the City.
14. The Owner shall pay any outstanding taxes owing to the City.
15. The Owner shall pay any outstanding Local Improvement charges owing against the subject lands.

#### **Alectra Utilities**

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

#### **Regional Municipality of York**

17. Prior to final approval, the Owner shall provide confirmation that all of the conditions of the engineering approvals issued for the subject property on February 27, 2017 and July 10, 2017 under Regional File No. SP-R-036-16, have been satisfied.
18. Prior to final approval, the Owner shall execute all Regional Agreements and obtain all of the necessary permits required as part of the engineering approvals for the subject proposed issued February 27, 2017 and July 10, 2017 under Regional File No. SP-R-036-16.

19. 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.
20. 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.
21. The Owner shall include in all Agreements of Purchase and Sale and/or Lease, Condominium Agreement, Condominium Declaration the following clause:

“Despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building’s occupants.”

### **Clearance Conditions**

22. The City shall advise that Condition 1 to 15 has been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
23. Alectra Utilities shall advise that Condition 16 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
24. The Regional Municipality of York shall advise that Conditions 17 to 21 have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.