

Appendix	A
SRPRS	19.137
File(s)	D05-17008

## Schedule "A"

### Schedule of Conditions "Common Element Condominium"

### Draft Plan of Condominium

Stateview Homes (Edge Towns) Inc.  
Block 43, Registered Plan 65M-3786  
City of Richmond Hill

City File: D05-17008 (19CDM(R)-17008)

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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)-17008, 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 KRCMAR Surveyors, Drawing Name 17-141DC01, dated September 25, 2017.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner and the City dated May 22, 2019 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 May 22, 2019.
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 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.
10. The Owner shall file with the City, if required to do 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 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 access, parking, water, sanitary sewer and storm sewer 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 (Urban Design and Heritage Division)**

11. The Owner shall include a provision within the Condominium Declaration that prohibits the construction of a fence along the interior side yards of the units identified as Part 19 and Part 20 on Draft Plan of Condominium, Drawing No. 17-141DC01, dated September 25, 2017.

**Corporate and Financial Services Department**

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



## Regional Municipality of York

15. Prior to final approval, the Owner shall provide conformation that the Owner has received Site Plan Approval under file Regional File Number SP.17.R.0266 and that all conditions of Site Plan Approval have been satisfied.
16. 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 that will be issued under Regional File No. SP.17.R.0266.
17. 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.
18. 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.
19. The Owner shall include the following clause in all Agreements of Purchase and Sale and/or Lease, Condominium Agreement and Condominium Declaration:  
  
***“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”***

## Alectra Utilities

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

## Canada Post

21. The Owner/developer agrees to include on all offers of Purchase and Sale, a statement which will advise the prospective purchaser that mail delivery will be from a designated Community mailbox.
22. The Owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
23. The Owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate Servicing Plan.
24. The Owner/developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
  - an appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the community mailboxes on.

- any required walkway across the boulevard, as per municipal standards.
  - any required curb depressions for wheelchair access.
25. The Owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residence as soon as the homes are occupied.

### **Clearance Conditions**

26. The City shall advise that Conditions 1 to 15 has been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
27. The Regional Municipality of York shall advise that Conditions 16 to 20 have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been meet.
28. Alectra Utilities shall advise that Condition 21 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
29. Canada Post shall advise that Conditions 22 to 26 have been satisfied. The clearance letter shall include a brief statement detailing how each 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 \_\_\_\_\_.

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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 City 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 City Of Richmond Hill may, from time to time, extend the duration of the approval.