

Appendix “A”

Schedule of Conditions Common Element Condominium

Draft Plan of Condominium

The Oak Knoll Realty Corporation
Part of Block 1, Plan 65M-4648 and Part of Block 3, Plan 65M-4372
City of Richmond Hill

City File: D05-19002 (19CDM(R)-19002)

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)-19002, 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-PE Surveying Ltd., Ontario Land Surveyors, Job Number: 17-213, having a Surveyor's Certificate dated January 29, 2020.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner and the City dated December 23, 2019 and registered in the Land Registry Office of the Land Titles Division of York Region as Instrument No. YR3075275, to the satisfaction of the Commissioner of Planning and Regulatory Services, or make alternate arrangements to the satisfaction of the City.
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 submit and obtain approval of the form and content of the Condominium Description and Declaration by the City. 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. Without limiting the generality of the foregoing, the Owner shall include in Schedule “A” to the Condominium Declaration all necessary easements over the common elements in favour of, but not necessarily limited to, the Owners of the lands comprising the common elements of York Region Common Elements Condominium Plan No. 1250, the Owners of the lands comprising the common elements of York Region Comment Elements

Condominium Plan No. 1310, and the Owners of the lands comprising the common elements of York Region Common Elements Condominium Plan No. 1347 (the "Benefiting Lands"), for access to and use of any roadways, sidewalks, walkways, vistas, visitor parking, park and any feature forming part of the common elements that comprise any facility that is intended to be accessible to, used by or benefit the Benefiting Lands, as may be required. This condition is issued pursuant to Subsection 20(2) of the Condominium Act, 1998.

6. The Owner shall include appropriate provisions and/or clauses within the Declaration referred to in Condition 5, to the satisfaction of the City, to ensure the obligations of the Condominium Corporation, financial and otherwise, to maintain, repair and replace all retaining wall(s) and related structures within the POTLs and common elements.

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 City.

Planning and Regulatory Services Department (Development Engineering Division)

8. 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, or that the Owner has entered into arrangements satisfactory to the City regarding completion of the said works. 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.
9. 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 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)

10. The Owner shall complete all required landscape works and the undertaking of any maintenance in the manner specified in the Site Plan Agreement (File D06-18026), or shall have made arrangements satisfactory to the City regarding completion of the said works and performance of the maintenance
11. The Owner shall agree within the Condominium Declaration to make provisions for the ongoing maintenance of the common element landscaped areas.

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 confirmation that all conditions of Site Plan Approval issued for the subject property on December 17, 2018 under Regional File No. SP.18.R.0147 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 issued on December 17, 2018 under Regional File No. SP.18.R.0147.
17. Prior to final approval, the Owner shall provide confirmation that all Transfers of Obligations have been completed where Regional Agreements require responsibility to change from the Owner to the Condominium Corporation.

Alectra Utilities

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

Enbridge Gas Inc.

19. Prior to final approval, the Owner shall satisfy the requirements of Enbridge Gas Inc. with respect to the proposed condominium development on the subject lands.

Bell Canada

20. Prior to final approval, the Owner shall satisfy the requirements of Bell Canada with respect to the proposed condominium development on the subject lands.

Canada Post

21. Prior to final approval, the Owner shall satisfy the requirements of Canada Post with respect to the proposed condominium development on the subject lands.

Clearance Conditions

22. The City shall advise that Conditions 1 to 14 inclusive 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 15 to 17 inclusive has been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
24. Alectra Utilities shall advise that Condition 18 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
25. Enbridge Gas Inc. shall advise that Condition 19 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
26. Bell Canada shall advise that Condition 20 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
27. 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 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.