

## Schedule "A"

### Schedule of Conditions ("Standard Condominium")

### Draft Plan of Condominium

Signature 153 16<sup>th</sup> Avenue Inc.  
Part of Lots 7 and 29, Plan 3805  
City of Richmond Hill

City File: D05-20002 (19CDM(R)-20002)

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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)-20002, 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 Rady-Pentek & Edward Surveying Ltd., Reference No. 16-184, dated July 13, 2018.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner and the City dated November 28, 2017 and registered in the Land Registry Office of the Land Titles Division of York Region as Instrument No. YR2797190, 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 November 28, 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 an 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 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.
11. The Owner shall confirm that all of the works pertaining to the required Municipal Pedestrian Connection and Public Staircase within the Regional right-of-way of 16th Avenue have been completed to the satisfaction of the Region and the City. In the event the Municipal Pedestrian Connection and Public Staircase have not been completed prior to Condominium Registration, sufficient securities in an amount satisfactory to the City shall be kept in force until the completion and certification of the aforesaid works in conformity with the approved design. These securities shall take the form of Letter(s) of Credit posted secured through the site plan agreement, replacement Letter(s) of Credit or certified cheque. If an existing Letter(s) of Credit is about to expire without renewal thereof and the Municipal Pedestrian Connection and Public Staircase has not been completed and certified in conformity with the approved design, the City may draw all of the funds so secured and hold them as security to guarantee completion and/or

certification, unless the City is provided with a renewal of the Letter(s) of Credit forthwith.

12. The Owner shall include the following noise warning clauses in the condominium declaration as per the approved Environmental Noise and Vibration Assessment, dated September 20 2015. The dwelling units included in the following noise warning clauses correspond to Draft Plan of Condominium, dated July 13, 2018.
- "Purchasers/tenants dwelling unit 38 to 103 are advised that sound levels due to increasing road traffic (rail traffic) (air traffic) may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."
  - "Purchasers/tenants of dwelling unit 1 to 37 are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic (rail traffic) (air traffic) may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."
  - "Purchasers/tenants are advised that the dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."
  - "Purchasers/tenants are advised that due to the proximity of the adjacent industry (facility) (utility), noise from the industry (facility) (utility) may at times be audible."
  - "Purchasers/tenants are advised that the ownership and future maintenance of any acoustic fence for the subject property will be the responsibility of the developer or property owner as they will not be owned/maintained by the City of Richmond Hill in the future."
  - "Purchasers are advised that Metrolinx (Formerly GO Transit) or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject thereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future, including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."

- “Purchasers are advised that Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject thereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future, including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”

### **Planning and Regulatory Services Department (Parks and Natural Heritage Planning)**

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

### **Alectra Utilities**

15. Prior to final approval, the Owner shall satisfy the requirements of Alectra Utilities with respect to the proposed condominium development on the subject lands.

### **Canada Post**

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

### **Enbridge Gas Inc.**

17. 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**

18. The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.

### **Regional Municipality of York**

19. Prior to final approval, the Owner shall submit as part of the related Site Plan Application SP-R-003-13 (SP.13.R.0069), a final design for the staircase, to the satisfaction of the Region. In addition, the Owner shall satisfy all other Regional

conditions in order to obtain Site Plan Approval under Regional File No. SP-R-003-13 (SP.13.R.0069).

20. 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 on under Regional File No. SP-R-003-13 (SP.13.R.0069).
21. Prior to final approval, the owner shall confirm that all works within the Highway 7 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.
22. Prior to final approval, the Owner shall provide confirmation that all Transfers of Obligation have been completed where Regional Agreements require the responsibility to change from the Owner to the Condominium Corporation.
23. 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**

24. The City shall advise that Condition 1 to 14 has been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
25. Alectra Utilities shall advise that Condition 15 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
26. Canada Post shall advise that Condition 16 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
27. Enbridge Gas Inc. shall advise that Condition 17 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
28. Bell Canada shall advised that Condition 18 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
29. The Regional Municipality of York shall advise that Conditions 19 to 23 have been satisfied. The clearance letter shall include a brief statement detailing how each 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 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.**