

Appendix “A” to Staff Report SRPI.21.039

Schedule of Conditions “Standard Condominium”

Draft Plan of Condominium

**Collecdev (8868 Yonge) LP
Part of Lot 38, Concession 1, W.Y.S designated as Parts 10 & 11, Plan 65R-37944
and Part 8, Plan 65R-37944
City of Richmond Hill**

City File: D05-20008 (19CDM(R)-20008)

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)-20008, City of Richmond Hill, are as follows:

City of Richmond Hill

Planning and Infrastructure Department (Development Planning Division)

1. Approval shall relate to a Draft Plan of Condominium prepared by KRCMAR Surveyors Ltd., Job Number 17-024, Drawing 17-024DC01, Revision dated February 3, 2021.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner and the City (File D06-12082) to the satisfaction of the Commissioner of Planning and Infrastructure Department, and shall agree that prior to final approval, the Site Plan Agreement shall be fully executed and registered by the City in the Land Registry Office of the Land Title Division of York Region.
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 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 City.

Planning and Infrastructure Department (Building 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 January 18, 2021.
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 Infrastructure 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 do so by the City, certification from a Professional Engineer or Ontario Land Surveyor 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.
11. The Owner shall include the following noise warning clauses in the condominium declaration as per approved Noise Feasibility Study for the Subject Lands, by HGC Engineering Limited, dated October 25, 2017:
 - i. "Purchasers/tenants of dwelling units of the east façade of Building A are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increased road 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 Environment, Conservation and Parks"
 - ii. "Purchasers/tenants of Buildings A and B are advised that all dwelling units have 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 Environment, Conservation and Park”

- iii. “Purchasers/tenants are advised that due to the proximity of the development to nearby retail and commercial facilities, sound levels from the facilities may at times be audible”

Planning and Infrastructure Department (Park and Natural Heritage Planning Section)

- 12. The Owner must meet all of the Site Plan Agreement requirements associated with construction and conveyance of the Strata Park Lands (Part 1 on Plan 65R-39174) prior to registration of the declaration and description for the last condominium to be created for the Subject Lands, or such earlier date as may be determined by the Commissioner in his absolute and sole discretion, acting reasonably. The Owner agrees that it shall not require approval of a description under the *Condominium Act* and such approval shall not be given until the Owner has complied fully with its obligations to the satisfaction of the City.
- 13. The Owner shall advise the City prior to condominium registration if the Condominium Corporation wishes to enter into an Encroachment Agreement with the City to facilitate seasonal maintenance of the Strata Park Lands (Part 1 on Plan 65R-39174) by the Condominium Corporation.
- 14. The Owner meet all of the Site Plan Agreement associated with construction and conveyance of the Sunnywood Park Expansion Lands (Part 8 on Plan 65R-37944) prior to registration of the declaration and description for the last condominium to be created for the Subject Lands, or such earlier date as may be determined by the Commissioner in his absolute and sole discretion, acting reasonably. The Owner agrees that it shall not require approval of a description under the *Condominium Act* and such approval shall not be given until the Owner has complied fully with its obligations to the satisfaction of the City.
- 15. The Owner shall agree within the condominium declaration to make provisions for the ongoing maintenance of all common element landscape areas.

Corporate and Financial Services Department

- 16. Prior to final approval, the Owner shall pay the applicable Release Fees to the satisfaction of the City.
- 17. The Owner shall pay any outstanding taxes owing to the City.
- 18. The Owner shall pay any outstanding Local Improvement charges owing against the subject lands.

Regional Municipality of York

19. 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-005-13/SP.13.R.0071 have been satisfied.
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 issued under Regional File No. SP-R-005-13/SP.13.R.0071.
21. Prior to final approval, the Owner shall confirm that all works within the Regional right-of-way of Yonge Street 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 Conditions 1 to 18 have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
25. The Regional Municipality of York shall advise that Condition 19 to 23 has 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.