

The Corporation of the City of Richmond Hill

Schedule of Conditions

Draft Plan of Condominium  
"Common Element Condominium"

City File: CON-24-0003 **(19CDM(R)-240003)**

**Leslie Richmond Developments Limited**

**Block 3, Registered Plan 65M-4762**

**City of Richmond Hill**

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**City of Richmond Hill**

**Development Planning Division**

1. Approval shall relate to a draft Plan of Condominium prepared by R. AVIS Surveying Inc, Project Number 3078-7, dated January 24, 2024.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner and the City dated May 12, 2023, and registered in the Land Registry Office of the Land Titles Division of York Region on June 20, 2023 as Instrument YR3564386 to the satisfaction of the Commissioner, Planning and Building Services Department.
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, S.O. 1998, c. 19*, all right(s)-of-way and easements for vehicular and pedestrian access, on-site traffic circulation, private servicing, municipal servicing or utility servicing to the satisfaction of the City.

### **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 May 12, 2023.
8. Prior to final approval of the Plan, the Owner shall have fully complied with any orders issued pursuant to the *Building Code Act, 1992, S.O. 1992, c. 23* and shall have completed all work necessary to correct any building deficiencies related to said orders to the satisfaction of the City.

### **Infrastructure Planning and Development Engineering Division**

9. Prior to final approval of the Plan, the Owner's Engineer shall confirm that all grading, drainage, above and below ground services, asphalt paving, concrete works and demarcation of parking spaces, bike parking 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, storm sewer outfall, any retaining walls, noise walls, utilities, rain barrels, 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 City holds sufficient security to cover the cost of the remaining 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 through an amending site plan agreement. To guarantee completion of the aforesaid work, the letter of credit secured through the site plan agreement or an amending site plan agreement will be kept in full force by the City.
10. The Owner shall file with the City certification from a 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, bike 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 include the following noise warning clauses in the condominium declaration as per approved Environmental Noise Assessment prepared by Valcoustics Canada Ltd. dated May 23, 2018, and an Addendum to this report dated July 16, 2019. All dwelling units which correspond to the Draft Plan of Condominium for Phase 2, dated January 24, 2024, are subject to the following noise warning clauses:

Type B: (Inclusion of noise control features)

"Purchasers/Tenants of all dwelling units within Blocks 1-18, Block 19, and Block 24 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 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."

Type C: (Provision for adding central air conditioning)

"Purchasers/Tenants of dwelling units within Blocks 1-8, Block 19, and Block 24 are advised that the dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant 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."

12. The Owner agrees to advise Purchasers/Tenants that an acoustic barrier is installed along the north, northeast and east property lines. Furthermore, the Owner agrees that the sound barrier is to be maintained, repaired and/or replaced by the condominium corporation. Any maintenance, repair or replacement shall be with the same material to the same standards as the original.

#### **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. Prior to final approval, the Owner shall pay any outstanding taxes owing to the City.
15. Prior to final approval, the Owner shall pay any outstanding Local Improvement charges owing against the subject lands.

#### **Parks and Natural Heritage Planning Section**

16. The Owner shall agree within the condominium declaration to make provisions for the ongoing maintenance of all common element landscape areas.

17. The Owner shall complete all required landscape works to the satisfaction of the Commissioner of Planning and Building Services as specified in the Site Plan Agreement.

### **Regional Municipality of York**

18. 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.”

### **Bell Canada**

19. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
20. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

### **Alectra Utilities**

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

### **Enbridge Gas Inc.**

22. 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.

### **Clearance Conditions**

23. The City of Richmond Hill shall advise that Conditions 1 to 17 inclusive have been satisfied; the clearance letter shall contain a brief statement detailing how each condition has been met.
24. The Regional Municipality of York shall advise that Condition 18 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
25. Bell Canada shall advise that Conditions 19 and 20 have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.

26. 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.
27. Enbridge Gas Inc. shall advise that Condition 22 has been satisfied. The clearance letter shall include a brief statement detailing how the 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.

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