

The Corporation of the City of Richmond Hill

Schedule of Conditions

Draft Plan of Condominium
("Common Element Condominium")

File 19CDM(R)-CON-22-0003

2706379 Ontario Limited

Block 226, Plan 65M-3802

City of Richmond Hill

City of Richmond Hill

Development Planning Division

1. Approval shall relate to a draft Plan of Condominium prepared by J.D. Barnes, Project Number 22-21-836-00, dated March 20, 2025.
2. The Owner shall fulfill Site Plan provisions pertaining to a related Site Plan Agreement between the Owner and the City dated October 3rd, 2024 and registered in the Land Registry Office of the Land Titles Division of York Region as Instrument YR3783312, 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 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 Site Plan Agreement between the Owner and the City dated October 3rd 2024.
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 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) have been substantially completed in accordance with the plans and conditions in the said Site Plan Agreement.
10. 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.
11. The Owner shall file with the City, if required to do so by 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.

12. The Owner agrees to implement the recommendations in Section 6 of the Noise Impact Study for the Subject Lands by HGC Engineering dated August 13, 2020.
13. The Owner agrees to include the following warning clauses in all Agreements of Purchase and Sale, Rental or Lease for the applicable dwelling units and the condominium declaration:

Type A - Purchasers /tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound level.

Type B - This 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 in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the criteria of the Municipality and the Ministry of the Environment, Conservation and Parks.

Type C - This 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 Region's and the Ministry of the Environment, Conservation and Parks noise criteria.

Block 1 - all units should be subject to Warning Clauses A and C above. Any building and double-glazed window constructions must meet the requirements of the *Ontario Building Code*. In addition to this, brick, stone veneer, and stucco is required for the exterior of Block 1. Any double-glazed window construction must provide sufficient sound insulation for Block 1.

Block 2 and 3 - all units should be subject to Warning Clauses A and B above. Any building and double-glazed window constructions must meet the requirements of the *Ontario Building Code*.

14. The location, installation and sound rating of all air conditioning condensers must be compliant with MECP Guideline NPC-300.
15. 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.

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

Park and Natural Heritage Planning Section

19. Prior to registration of the plan the applicant will need to provide a copy of the condominium declaration. The declaration should include provisions for the ongoing maintenance, repair and replacement of the common element and private landscaping. In this regard, our conditions of approval are:
 - a. The Owner shall agree within the condominium declaration to make provisions for the ongoing maintenance and replacement of all common element landscape areas and private landscaping; and,
 - b. The Owner shall complete all required landscape works to the satisfaction of the Commissioner of Planning and Infrastructure.

Region of York

20. Prior to final approval, the Owner shall provide confirmation that all of the conditions of Site Plan Approval issued for the subject property under Regional File No. SP.20.R.0188, have been satisfied.
21. 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 under Regional File No. SP.20.R.0188.
22. Prior to final approval, the Owner shall confirm that all works within the Bayview Avenue 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.
23. 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.
24. The Owner shall include the following warning 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."

Bell Canada

25. 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.
26. 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

27. 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.

28. 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.

Canada Post

29. The Owner shall satisfy any conditions of Canada Post with respect to the proposed condominium development on the subject lands.

Clearance Conditions

30. The City of Richmond Hill shall advise that Conditions 1 to 19 inclusive have been satisfied. The clearance letter shall contain a brief statement detailing how each condition has been met.
31. The Regional Municipality of York shall advise that Conditions 20 to 24 have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
32. Clearance letters shall be provided by the applicable utility provider in order to satisfy conditions 25 to 29 inclusive.

NOTE: Where final approval for registration has not been given within three (3) years after the date upon which approval to the draft Plan of Condominium was given, pursuant to the *Planning Act*, R.S.O. 1990, the approval to this draft Plan of Condominium shall lapse at the expiration of three (3) years after the date upon which approval to the draft Plan of Condominium was given, but the City of Richmond Hill may from time to

time extend the duration of the approval by granting an extension prior to the lapsing date.