Ontario Land Tribunal
Tribunal ontarien de l'aménagement du territoire

ISSUE DATE: January 23, 2025 **CASE NO(S).:** OLT-24-000381

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	MacDonald Rose Inc.
Subject:	Application to amend the Zoning By-law – Refusal or neglect to make a decision
Description:	To permit development of 11 freehold townhouse dwelling units
Reference Number:	Z-1613.65
Property Address:	358 Reynolds Street
Municipality/UT:	Oakville/Halton
OLT Case No.:	OLT-24-000381
OLT Lead Case No.:	OLT-24-000381
OLT Case Name:	MacDonald Rose Inc. v. Oakville (Town)

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	MacDonald Rose Inc.
Subject:	Proposed Plan of Subdivision – Refusal
Description:	To permit development of 11 freehold townhouse dwelling units
Reference Number:	24T-23003/1613
Property Address:	358 Reynolds Street
Municipality/UT:	Oakville/Halton
OLT Case No.:	OLT-24-000382
OLT Lead Case No.:	OLT-24-000381

Heard: January 13, 2025 by Video Hearing

APPEARANCES:

Parties	**Counsel**
MacDonald Rose Inc. ("Appellant")	Russell Cheeseman Stephanie Fleming
Town of Oakville ("Town")	Nadia Chandra

MEMORANDUM OF ORAL DECISION DELIVERED BY T.F. NG ON JANUARY 13, 2025 AND ORDER OF THE TRIBUNAL

Link to Order

INTRODUCTION

[1] The matter before the Tribunal was a Hearing to consider a settlement proposal ("Proposal") regarding the Appellant's appeals of a Draft Plan of Subdivision ("DPS") and of a Zoning By-law Amendment ("ZBA") (together, the "Applications").

[2] The purpose of the Applications was to facilitate the development of 11 ("eleven") townhouse dwelling units with individual accesses onto MacDonald Road and Reynolds Street on lands municipally known as 358 Reynolds Street ("Subject Lands" / "Site") in the Town.

[3] Following the Proposal, a draft DPS with Draft Plan Conditions, and a draft ZBA were provided.

[4] Paul Lowes, a registered Professional Planner, swore an Affidavit on January 9, 2025 on behalf of the Appellant in support of the Proposal. Mr. Lowes was qualified to give expert opinion evidence in land use planning matters. The Affidavit was marked as **Exhibit 1** and the Joint Document Book was marked as **Exhibit 2**.

[5] The Tribunal, having reviewed the documents, the Proposal, and the affirmed testimony of Mr. Lowes, allows the appeals for the reasons set out below.

PLANNING EVIDENCE

[6] Mr. Lowes gave an overview of the Applications and the legislative and policy framework in support of the Proposal. He addressed the Participant, Dan Prosser's concerns relating to setback, height, density, privacy, shadowing, pedestrian sidewalk, tree preservation, heritage conservation, building design, and compatibility issues. He informed the Tribunal that the Appellant's settlement proposal had taken into consideration each area of concern, and that there were no adverse impacts on the neighbourhood properties.

[7] The relevant policy framework includes the Provincial Planning Statement, 2024 ("PPS"), the Region of Halton Official Plan ("RHOP"), and the Town Official Plan ("OP"). Mr. Lowes opined that the Proposal, the DPS, the Draft Plan Conditions, and the ZBA represent good land use planning. He recommended approval of the DPS and ZBA.

AREA CONTEXT

[8] The Subject Lands are currently underutilized with a vacant three-and-a-half -storey medical office building featuring a large rear yard parking lot. The Site is approximately 0.28 hectares (0.69 acres) located at the southwest corner of Reynolds Street and MacDonald Road.

[9] The Site is within the Trafalgar Road Heritage Conservation District Plan (TRHCD) and designated under Part V of the Ontario Heritage Act. The Heritage Impact Assessment dated December 2023 prepared by Vincent J. Santamaura, Architect Inc. notes that the existing building on the subject site has no heritage value and can be demolished.

[10] North of the Site (across MacDonald Road) are two-storey single-detached homes fronting onto MacDonald Road. A heritage-designated building under Part IV of the Ontario Heritage Act is also located north of the Site at the northwest corner of Reynolds Street and MacDonald Road (293 MacDonald Road).

[11] East of the Site (across Reynolds Street) is a future residential area consisting of detached and townhouse dwellings as part of the redevelopment of the former Oakville-Trafalgar Memorial Hospital Lands redevelopment. The Oakville-Trafalgar Memorial Hospital Lands redevelopment also contains the newly constructed Oakville-Trafalgar Community Centre, a neighbourhood park, an existing above-ground parking garage, a future seniors housing complex and a future civic square.

[12] South of the Site is a one-and-one-half-storey ("1½-storey") single detached home fronting onto Reynolds Street as well as a two-storey single-detached dwelling fronting onto Trafalgar Road.

[13] West of the Site is a two-storey single-detached dwelling, and further west are two other two-storey dwellings before arriving at Trafalgar Road.

[14] The Site is within walking distance to one of the bus stops located along the local Linbrook route (Oakville Transit Route 11). The stop is located southwest of Reynolds Street and MacDonald Road, just north of the future residential area, less than 100 metres from the Site. Local bus route 11 provides daily service between Clarkson GO in Mississauga to Oakville GO.

[15] A previous appeal for an OPA and ZBA application on the Site was approved at the Tribunal on July 19, 2022 to permit a 3-storey residential condominium building with 14 residential units and underground parking (OLT Case No. OLT-22-002007).

[16] The OPA re-designated the Site from Low Density Residential to Medium Density Residential, and the ZBA re-zoned the Site from Residential Low 5 (RL5-0) to Residential Medium 4 (RM4) with special provisions for interior side yard, height and balcony projection.

DPS and ZBA

[17] The original DPS and ZBA applications in this appeal were submitted on December 11, 2023 proposing 11 street townhouses within two blocks (Block 1: five units; Block 2: six units) fronting on MacDonald Road and Reynolds Street.

[18] These applications were refused by the Town Council on March 4, 2024 and the Appellant appealed the refusal.

THE REVISED PROPOSAL

[19] The proposed DPS consists of three blocks: two townhouse blocks and a road-widening block.

[20] The proposed development site plan comprises eleven 3-storey street townhouse units distributed into two development blocks (one building on each block), rear yard decks, walk-out basements, two-car garages and driveway access.

[21] This revised development shows 11 townhouse units, each with three bedrooms; 10 townhouses front onto MacDonald Road while one unit fronts Reynolds Street.

[22] The maximum height of the proposed development is 13.6 metres and a minimum interior side yard setback of 1.4 metres is provided. The proposed minimum rear yard setback is 8.6 metres.

[23] A minimum of three parking spaces are provided for each unit. A total of 34 vehicular parking spaces will be provided.

[24] The ZBA proposes to rezone the Subject Lands from Residential Medium Density with Special Provision 416 (RM4-SP416) to Residential Medium 1 with Special Provisions (RM1-XX) to permit the proposed townhouse built form.

[25] Special provisions are contained in the By-law for front yard, flankage yard, interior side yard, rear yard, height, porch encroachments, uncovered platform encroachments, and balcony projections, among others, to facilitate the 3-storey townhouse development.

ANALYSIS AND FINDINGS

[26] The Tribunal accepts Mr. Lowes' uncontested opinion evidence. The Tribunal finds that the Proposal has proper regard for the matters of Provincial interest as set out in s. 2 of the *Planning Act* ("Act") – in particular, s. 2(h) on the orderly development of communities, s. 2(p) on the appropriate location of growth and development, and s. 2(r) on the promotion of built-form that is well-designed and encourages a sense of place.

[27] Further, the proposed development is consistent with the PPS that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019.

[28] The Tribunal agrees with Mr. Lowes that the Proposal is consistent with the PPS policies and conforms to the RHOP and the OP.

Provincial Planning Statement, 2024

[29] The Proposal is consistent with the policies of Section 2.2.1 of the PPS that speak to planning authorities being required to provide for a range and mix of housing options and densities to meet the projected needs of current and future residents.

[30] Section 2.2.1.c of the PPS encourages and promotes new housing which efficiently uses land, resources, infrastructure, and public service facilities which support the use of active transportation networks.

[31] The Tribunal finds that the proposed development makes efficient use of the unoccupied and underutilized parcel with existing infrastructure. It introduces new townhouse built-form to an existing built-up area, which Site is close to the Oakville Transit

Linbrook route stop. The Proposal is consistent with the PPS.

Region of Halton Official Plan 2022

[32] The Site is within the Urban Area in the RHOP. Section 72.1 states that the objectives of the Urban Area include: to support growth that is compact and which is supportive of transit and active transportation to create complete communities, and to ensure growth is logical and sustainable.

[33] The Region supports residential intensification and redevelopment within urban areas and conversion of existing structures provided the existing physical character can be maintained (s. 86.11).

[34] The Tribunal finds that the Proposal is consistent with the RHOP objectives through the residential redevelopment of this underutilized Site. The built-form design is compact, the Site is close to a transit network, and the Proposal will create a complete community in the neighbourhood. The proposed development is compatible with the existing built-form, height, and existing character of the area, and makes efficient use of existing infrastructure.

Town Official Plan 2009 (OP)

[35] The OP provides policies which detail its goals and objectives on the management of physical change within the Town.

[36] The Subject Lands are designated Medium Density Residential as a result of the Tribunal's July 2022 decision, but Schedule G – Southeast Land Use in the OP has not been updated to reflect the recent decision (Low Density Residential is still shown).

[37] Section 11 preamble of the OP establishes the following land use objectives which apply to all Residential Areas:

> a) maintain, protect and enhance the *character* of existing Residential Areas;
>
> b) encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;
>
> c) promote housing initiatives to facilitate revitalization, *compact urban form* and an increased variety of housing alternatives;
>
> d) promote innovative housing types and forms to ensure accessible, *affordable*, adequate and appropriate housing for all socio-economic groups;
>
> […]

[38] The Tribunal finds that the Proposal meets these objectives by complementing the existing character and built form of the adjacent residential neighbourhood by providing an increase to the housing stock in a compact built form while providing an appropriate separation between the existing single-detached home to the west and the proposed townhouse development.

[39] The Proposal rezones the subject lands from RM4-SP416 to Residential Medium 1 (RM1) Zone with special provisions, which is compatible with the existing low-density character of the Old Oakville community.

[40] Section 11.1.9 of the OP 2009 sets out a list of criteria for development within stable residential communities, with the intent to maintain and protect the existing neighbourhood character.

[41] The Tribunal finds that the proposal of 11 townhouse dwelling units represents gentle intensification on underutilized land. The development's density of 38.9 units per hectare is within the range permitted for the Medium Density Residential designation.

[42] The units' massing and height are designed to complement the existing heritage district neighbourhood context with appropriate separations between the development and the surrounding neighbourhood. The 3-storey townhouse units are lower in height than the current By-law permission (OP s.11.1.9).

[43] The Proposal's design takes into consideration the existing adjacent 2-storey land use to the west, by providing appropriate setbacks, roof height and dormer/gable design, and a transition in height to the property as well as to other nearby properties.

[44] The Site's office building has no heritage value and can be demolished. The proposed development design will not negatively impact the heritage character of the TRHCD and is in general compliance with the guidelines of the TRHCD.

[45] The Tribunal finds that the townhouse residential development is generally compatible within a low-rise residential neighbourhood context. It respects and maintains the existing neighbourhood character with no adverse impacts. The Proposal thus conforms to the OP.

[46] The Tribunal finds that the DPS has regard for the relevant criteria as set out in s.51(24) of the Act. The proposed subdivision development is a matter of Provincial interest as it will facilitate the development of additional housing through the intensification of an underutilized site serviced by existing municipal infrastructure and access transit and community services and facilities.

[47] The Draft Plan Conditions to be imposed are reasonable pursuant to s.51(25) of the Act.

Town Zoning By-law No.2014-014

[48] The Site is zoned RM4-SP416 in the ZBL. The Proposal will rezone the Site to Residential Medium 1 (RM1) to permit the development.

[49] Mr. Lowes opined that the proposed zoning regulations implement the OP and are appropriate for the proposed development.

CONCLUSION

[50] The Tribunal is satisfied that the Proposal, the DPS with the Draft Plan Conditions, and the ZBA represent good planning, have regard for the matters of Provincial interest as set out in s. 2 of the Act, are consistent with the PPS, conform to the RHOP and the OP.

[51] The Tribunal grants the appeals in part, and approves the DPS, Draft Plan Conditions and the ZBA.

ORDER

[52] **THE TRIBUNAL ORDERS that** the Appeals are allowed in part, and that:

1. the Town of Oakville Zoning By-law No. 2014-014 is hereby amended in the manner set out in **Attachment 1** to this Order. The Tribunal authorizes the Municipal clerk to assign a number to this By-law for record-keeping purposes;

2. the Draft Plan shown on the plan prepared by SGL Planning & Design Inc. dated November 13, 2023 comprising 358 Reynolds Street is approved subject to the fulfillment of the conditions as set out in **Attachment 2** to this Order; and

3. pursuant to subsection 51(56.1) of the Planning Act, the Town of Oakville shall have the authority to clear the Conditions of Draft Plan approval and to administer final approval of the Plan of Subdivision for the purposes of subsection 51(58) of the Act.

[50] In the event that there are any difficulties implementing any of the conditions of Draft Plan approval, or if any changes are required to be made to the Draft Plan, the Tribunal may be spoken to.

"T.F. Ng"

T.F. NG
MEMBER

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

ATTACHMENT 1

OAKVILLE

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2025-019

A by-law to amend the Town of Oakville Zoning By-law 2014-014 to permit the use of lands described as 358 Reynolds Street (MacDonald Rose Inc., File No.:1613.65)

ORDERED BY THE ONTARIO LAND TRIBUNAL:

1. Map 19(8) of By-law 2014-014 is amended by rezoning the lands as depicted on Schedule 'A' to this By-law.

2. Part 15, Special Provisions, of By-law 2014-014 as amended, is further amended by removing Section 15.416 in its entirety and replacing with a new Section 15.416 as follows:

416	**358 Reynolds Street** (MacDonald Rose Inc.)	Parent Zone: RM1
Map 19(8)		(2022-078) PL210098 (2025-019) OLT-24-000381
15.416.1 Zone Provisions		
The following regulations apply:		
a)	*Minimum front yard*	6.35m
b)	*Minimum flankage yard*	4.50m
c)	*Minimum interior side yard* abutting the RL4-0 zone	1.4m
d)	*Minimum rear yard*	8.60m
e)	Maximum *height*	13.6m
f)	Maximum encroachment into a minimum *front* or *flankage yard* for *porches* with or without a foundation.	1.5m

g)	Maximum encroachment into the *minimum rear yard* for an u*ncovered platform* having a floor *height* equal to or greater than 0.6 metres measured from grade including access stairs.	4.0m
h)	Maximum projection beyond the *main wall* for a *balcony*	1.0m
i)	Maximum projection beyond the *main wall* of the *first storey* for attached *private garage*	1.8m
15.416.2 Parking Regulations		
The following parking regulations apply:		
a)	The minimum length of a *parking space* located in a *private garage* when provided in tandem shall be 5.6m.	
15.416.3 Special Site Provisions		
The following additional provisions apply:		
a)	*Uncovered platform* means an attached platform or series of platforms not covered by a roof or *building* which is located on the same level as or lower than the second *storey* of the *building* associated with the platform.	
b)	MacDonald Road shall be deemed the *front lot line.*	

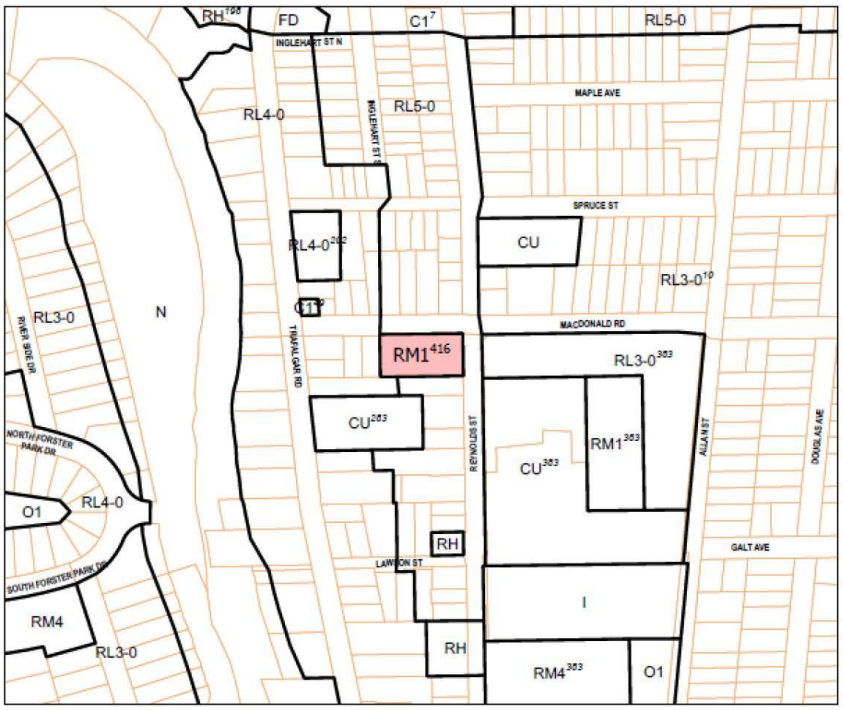
ORDERED by the Ontario Land Tribunal dated January XX, 2025 for OLT File No. OLT-24-000381.

MAYOR CLERK

OAKVILLE

By-Law Number: 2025-019

SCHEDULE "A"
To By-law 2025-019



AMENDMENT TO BY-LAW 2014-014

Rezoned from
RM4 sp:416 (Residential Medium) to
RM1 sp:416 (Residential Medium)

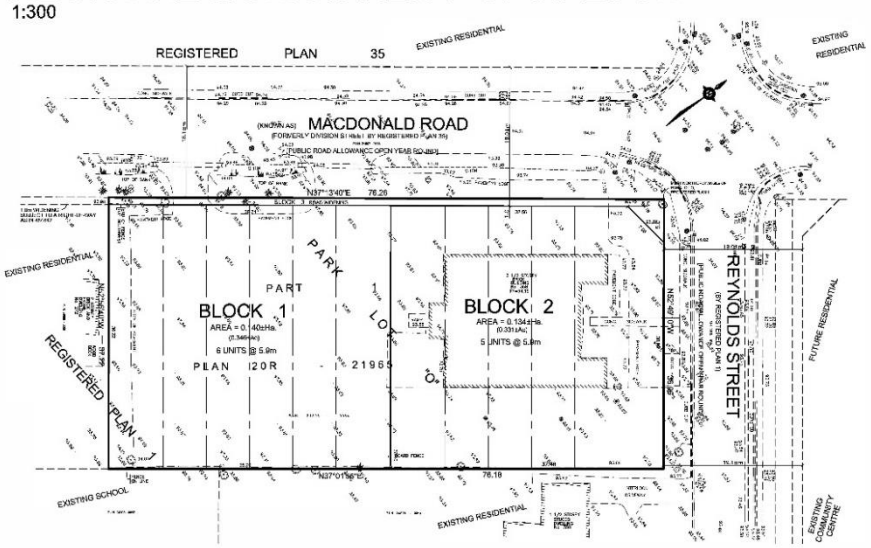
EXCERPT FROM MAP
19 (8)

SCALE: 1:4,000

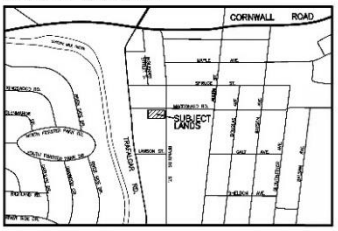
ATTACHMENT 2

DRAFT PLAN OF SUBDIVISION
PART OF PARK LOT "O"
REGISTERED PLAN 1
TOWN OF OAKVILLE
REGIONAL MUNICIPALITY OF HALTON

1:300



DRAFT PLAN 24T-



KEY PLAN SCALE 1:10 000

SECTION 51, PLANNING ACT, ADDITIONAL INFORMATION

A. AS SHOWN ON DRAFT PLAN
B. AS SHOWN ON DRAFT PLAN
C. AS SHOWN ON DRAFT PLAN
D. SEE SCHEDULE OF LAND USE
E. AS SHOWN ON DRAFT PLAN
F. AS SHOWN ON DRAFT PLAN
G. AS SHOWN ON DRAFT PLAN
H. MUNICIPAL PIPED WATER AVAILABLE AT TIME OF DEVELOPMENT
I. CLAY-LOAM
J. AS SHOWN ON DRAFT PLAN
K. SANITARY AND STORM SEWERS, GARBAGE COLLECTION, FIRE PROTECTION
L. AS SHOWN ON DRAFT PLAN

SCHEDULE OF LAND USE

TOTAL AREA OF LAND TO BE SUBDIVIDED = 0.283±Ha. (0.699±Acs)

		BLOCKS	RES. UNITS	±Ha.	±Acs.
BLOCKS 1 and 2	- TOWNHOUSE	2	11	0.274	0.677
BLOCK 3	- ROAD WIDENING	1		0.009	0.022
TOTAL		3	11	0.283	0.699

NOTE - ELEVATIONS RELATED TO CANADIAN GEODETIC DATUM

OWNER'S CERTIFICATE

I AUTHORIZE SGL PLANNING & DESIGN INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF OAKVILLE FOR APPROVAL.

OWNER:

MACDONALD ROSE INC.
c/o MELROSE INVESTMENTS INC.
145 REYNOLDS STREET
SUITE 400
OAKVILLE, ONTARIO
L6J 0A7

SILVIO GUGLIETTI A.R.O.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AS SHOWN ON THIS PLAN, AND THEIR RELATIONSHIP TO THE ADJACENT LAND ARE ACCURATELY AND CORRECTLY SHOWN.

DATE NOVEMBER 13, 2023

R. DENBROEDER O.L.S.

3395DES2
(XREF: 3295MAS2 & 3295TOPO2)
NOVEMBER 6, 2023

SGL Planning & Design Inc.

APPENDIX A –
CONDITIONS OF DRAFT PLAN APPROVAL

Town File No.'s: 24T-23003/1613
Draft Plan Dated
on November 13, 2023

TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL AND FOR THE REGISTRATION OF THE DRAFT PLAN OF SUBDIVISION BY MACDONALD ROSE INC.

This approval applies to the draft plan of subdivision (24T-23003/1613) prepared by SGL Planning & Design Inc. dated November 13, 2023 illustrating 3 blocks. The conditions applying to the approval of the final plan for registration are as follows:

	CONDITIONS TO BE MET PRIOR TO PRE-GRADING OR PRE--SERVICING	*CLEARANCE AGENCY*
1.	That the Owner submit and receive final approval of a **Transportation Impact Study (TIS)** including addressing the location of proposed driveways in relation to the signalized intersection of Reynolds Street and Macdonald Road, to the satisfaction of the Town of Oakville.	OAK (TE)
2.	That the Owner submit and receive final approval of a **Functional Serving Report and/or Stormwater Management Report** including addressing the stormwater infrastructure within the Macdonald Road and Reynolds Street right-of-way, to the satisfaction of the Town of Oakville.	OAK (TE)
3.	That the Owner shall have an **Environmental Audit** undertaken by a qualified professional engineer to ensure that the land is suitable for the proposed use. If in the opinion of the professional engineer, the Environmental Audit indicates the land may not be suitable for the proposed uses, the engineer must so advise the Town of Oakville. The Owner undertakes to do further investigative studies and to do all work required to make the lands suitable for the proposed use and any land to be conveyed to the Town including roads, stormwater management facilities, parks and the natural heritage system.	OAK (TE, PS)
4.	Owner is required to submit the RSC document previously filed for the site, for the Qualified Professional to affix their professional seal on the Letter of Update report, and provide a revised letter of reliance that includes the Letter of Update. The Owner is required to comply with Ontario Regulation 153/04 and Halton's Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites.	OAK (PS)
5.	That the Owner agrees to conduct a survey of the property to identify all existing wells related to the former use of the lands. The owner further agrees to decommission any existing wells in accordance with MOE guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.	RMH (LPS)
6.	The Owner agrees to conduct a survey of the property to identify all existing private septic systems related to the former use of the lands. The owner further agrees to decommission any existing private septic systems in accordance with MOE guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.	RMH (LPS)
7.	That the owner shall prepare and implement an arborist report and **tree preservation plan that includes details of preservation methodologies for all retained trees**, prior to site alteration, to the satisfaction of and the Transportation and Engineering Dept. Further, the owner shall not disturb or remove trees without written permission from the Town.	OAK (TE)
8.	An updated tree appraisal value, in accordance with Town protocol, is required to the satisfaction of the Transportation and Engineering Department.	OAK (TE)

9.	That a non-invasive exploratory trenching exercise using air vac technology be undertaken near trees #2 and 3 to support mitigation measures for the construction of the driveway and storm infrastructure near to lot 11.	OAK (TE)
10.	That the Owner shall not install any municipal services on the site until the Owner has entered into a **Preservicing Agreement** or Subdivision Agreement with the Town. Pre-servicing may occur in accordance with the Town's pre-servicing policy.	OAK (TE)
11.	The Owner and/or their engineering consultants, shall arrange and hold a pre-construction meeting with the Transportation and Engineering Department and the contractor to review and discuss mitigation measures for all construction related impacts, including mud tracking, dust suppression, truck routes and contractor/trades parking, material storage, stockpile location, working hours, noise mitigation, etc, prior to the commencement of topsoil stripping and earthworks. Prior to the Earthworks Pre-construction Meeting, a Site Alteration Permit from the Town must be secured by the Owner and perimeter erosion and sediment control measures must be installed. A second pre-construction meeting is also required prior to the commencement of any servicing works. Prior to the Servicing Pre-construction Meeting, a complete set of approved Engineering Plans is required, including the Construction Management Plan, Traffic Management Plan and Composite Utility Plan.	OAK(TE, PS)
12.	That the Owner submit for approval a detailed **engineering submission** including the works proposed within the Macdonald Road and Reynolds Street right-of-way, to the satisfaction of the Town of Oakville.	OAK (TE)
13.	That the Owner submit and receive final approval of a **Geotechnical Study** including seasonal high groundwater and bedrock elevation, soil type, and infiltration rate to the satisfaction of the Town of Oakville.	OAK (TE)
14.	That the Owner submit and receive final approval of a **Water Balance Analysis** to be informed by the approved **Geotechnical Study** to the satisfaction of the Town of Oakville.	OAK (TE)
	CONDITIONS TO BE MET PRIOR TO MARKETING AND SALES	
15.	That the Owner finalize and submit for approval a revised **Urban Design Brief** which in alignment with the Trafalgar Road Heritage Conservation District Plan, to the satisfaction of the Town of Oakville.	OAK (PS)
16.	The Owner shall submit elevation drawings (all facades), typical floor plans (all levels) including garage floor plan showing vehicle space and storage areas and typical lotting plans for all models to Planning Services Urban Design and Heritage staff for review and approval. Upon acceptance, these drawings shall be added as an Appendix to the Urban Design Brief. The Owner agrees that compliance with this condition is required prior to the Owner marketing or selling any such units.	OAK (PS)
17.	That the Owner shall select a **control architect** who shall ensure all development which is exempt from Site Plan Approval process, proceeds in accordance with the Town-approved Urban Design Brief. The Owner shall submit a letter to the Town from the selected control architect acknowledging the following: i. a control architect has been retained for this subdivision and does not have any perceived or real pecuniary interests or conflicts with performing the required duties; ii. the control architect acknowledges the final Urban Design Brief prepared for this subdivision and agrees to implement the same; iii. the control architect is responsible for ensuring the Town-approved models, as appended to the Urban Design Brief, will be sited in accordance with the Urban Design Brief direction; iv. the control architect will ensure that any sold units meet the design direction and criteria of the Town-approved Urban Design Brief, prior to submitting for building permit review; and, v. the control architect will discuss with Town staff any identified issues	OAK (PS)

	vi. the control architect will submit stamped/signed drawings with the building permit application in accordance with the foregoing.	
	CONDITIONS TO BE MET PRIOR TO INITIATING SALES PROGRAMME **NEIGHBOURHOOD INFORMATION MAPPING**	
18.	The developer shall prepare a preliminary neighbourhood information map for the subdivision, to the satisfaction of the Town's Director of Planning Services. The Map is to be posted in a prominent location in each sales office from where homes in the subdivision are being sold and/or included within the individual purchase and sale agreements. The Map shall include the location and type of parks and a general description of their proposed facilities as well as the following information: a) All approved street names, b) The proposed land uses within the subdivision based on the draft approved plan, c) The immediately surrounding existing and proposed land uses and existing/potential building heights, d) The approximate locations and types of other fencing within the subdivision, e) Where parks and open space, stormwater management facilities and walkway / vista blocks / servicing blocks are located, f) The locations of all anticipated Canada Post Community Mailboxes, g) The anticipated Transit routes through/adjacent to the subdivision, h) Garage Floor Plan for each unit type offered showing typical vehicle type accommodation, waste and yard care storage, and bicycle storage. i) The following standard notes: 1. "This map, and the following list, is intended to provide potential home buyers with general information about the neighbourhood and the surrounding area. If you have specific questions, you are encouraged to call the Town's Planning Department during normal business hours which are 8:30 am to 4:30 pm, Monday to Friday." 2. "Please Note: this map is based on information available on _____ (month/year) and may be revised without notice to purchasers." 3. "The map shows that there will be several types of proposed and potential housing and building heights in and around the subdivision." 4. "Sites shown on the map for future dwellings, parks, recreation facilities etc. could have driveways anywhere along their street frontage." 5. "There may be catch basins or utilities easements located on some lots in this subdivision." 6. "Some dwelling units are in proximity to institutional and/or park uses from which activities may at times be audible. The map shows that some of the lots affected by noise will be fitted with noise barriers and some of the homes will be provided with central air conditioning to allow bedroom windows to be closed if necessary due to the noise."	OAK (PS)

	7. "Community mailboxes will be directly beside some lots." 8. "On-street parking is not permitted on Macdonald Road and Reynolds Street." 9. "The completion of some dwellings in this subdivision may be delayed until after the completion of exterior finishes on the adjacent buildings." 10. "There may be Transit bus routes on some streets adjacent to this subdivision with stops beside some homes, which may impeded access to and from the dwelling. Oakville Transit reserves the right to introduce transit services and facilities such as bus stops, shelters, pads and associated amenities on any municipal rights-of-way to provide effective service coverage." 11. "Boulevard trees will be planted according to Town standards and a tree will not necessarily be located in front of every home. Purchasers are further advised that home builders are not permitted to charge a purchaser separately for the cost of trees, sodding, fencing and paving of the driveway apron. The Town will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance." 12. "The design of features on public lands may change. Builders' sales brochures may depict these features, however, the Town has no control over builders' sales brochures." 13. "The Town's Zoning By-law regulates the width of driveways. Please do not have your driveway widened before inquiring about the permitted driveway width for your lot." 14. "Not all vehicle types can be accommodated on the proposed lots whether on the driveway or within a garage area. Check with your builder regarding the particular situation for the model and lot you intend to purchase." 15. "Driveway entrance widenings or modifications on private or public lands beyond what was approved as part of the subdivision design will not be permitted. Property Owners must take note of the available parking space on their approved driveway and within the garage and purchase homes with knowledge that additional space for more personal / family vehicles may be limited or unavailable." 16. "This community is subject to Architectural Control. Models available for sale have to be pre-approved by the Control Architect and certain models may not be available for some of the lots. Check with your builder regarding the particular situation for the model and lot you intend to purchase." 17. "Halton Region is responsible for household garbage, recycling and green bin collection. For further information, please call 311 or visit Halton.ca" 18. "For further general information on proposed and existing land use, please call the Town's Planning Department 905.845.6601." 19. "For detailed grading and berming information, please call the Town's Development Services Department 905.845.6601" The developer shall ensure that each builder selling homes within the subdivision: a) provides prospective purchasers with a "Notice to New Home Purchasers" from the Town in the prescribed format that includes all of the notes required on the neighbourhood information maps, and, attaches a copy of the most up-to-date neighbourhood information map to each offer of purchase and sale agreement.	

	CONDITIONS TO BE MET PRIOR TO FINAL APPROVAL / REGISTRATION	
19.	That the Owner shall provide confirmation to the satisfaction of the Town's Finance Department that **all outstanding property taxes** and outstanding debts have been paid prior to plan registration.	OAK (F)
20.	That the Owner enter into a standard form **subdivision agreement** to the satisfaction of the Town to address all matters related to the financial and construction obligations and build out of the subdivision, including but not limited to, development charge reimbursements, works to be completed on behalf of the Town, subdivision assumption and maintenance and monitoring of stormwater management facilities. homeowner warning clauses, etc.	OAK (PS, TE)
21.	That the Owner shall provide a **certificate signed by the surveyor** and the Owner stating that the plan proposed to be submitted for registration is the same as the latest (most recent) draft approved plan and, if the plans are not the same, that any differences between the proposed registered plan and the latest draft plan are accepted by the Town.	OAK (TE)
22.	That the owner design, construct, and have in operation all **piped stormwater management infrastructure within the right-of-way**, or alternative measures, in accordance with the approved **Functional Servicing Report (FSR) or Stormwater Management Report,** to the satisfaction of the Development Services Department.	OAK (TE)
23.	That the Owner shall **dedicate all lands to be conveyed to the Town, Regional Municipality of Halton or other authority** free of charge and with clear title (free and clear of encumbrances) and any necessary easements. A Certificate of Title shall be provided, in a form satisfactory to the Town, Region or other authority.	OAK (PS, TE)
24.	That the Owner shall revise/update the **FSR and/or Stormwater Management Report** to reflect all comments from the Town, and Regional Municipality of Halton where applicable and agree to implement all final recommendations contained within the approved FSR and Stormwater Management Report including any addendums (inclusive of all transportation infrastructure - roads, transit, pedestrian and cycling) to the satisfaction of the Town and the Region of Halton.	OAK (PS, TE) RMH (LPS)
25.	That the Owner shall provide a **construction management plan, if required,** to the satisfaction of the Town for the purpose of ensuring an appropriate sequence of development from initial construction to assumption and which reflects all applicable studies including the FSR. The construction management plan should identify impacts to the road network operations including transit functions during construction, such that: • a contiguous transit service area will be maintained that does not result in lengthy transit routes • roadways to be upgraded where required to accommodate transit vehicles during initial or interim phases • permanent or temporary pedestrian facilities to be constructed early and maintained during development for access and routing to bus stop locations. • Alternative routes and management of construction vehicles are coordinated with any ongoing construction in the vicinity to mitigate congestion due to construction activities.	OAK (TE, T)
26.	That the owner shall submit a roadway plan for the subdivision showing following information to the satisfaction of the Town Transportation and Engineering: • Right-of-way widths • Active Transportation Plan of the subdivision showing trails, sidewalks, and pedestrian crossing locations in accordance with Active Transportation Master Plan for Transportation Planning staff review and approval. • Transit Plan of the subdivision showing transit services and facilities such as bus stops, shelters, pads and associated amenities on municipal right-of-way for Oakville Transit staff review and approval.	OAK(TE)

	• A Traffic Management Plan showing temporary signage and pavement marking plan during construction period for vehicular traffic, pedestrian, parking, municipal services and emergency services for staff review and approval	
27.	That the owner prepare and agree to **implement the following studies** to the satisfaction of the Town (and the Regional Municipality of Halton where applicable): • Transportation Impact Study including any required updates • Arborist Report • Traffic and Parking Management Plan • Heritage Impact Assessment • Composite Utility Plan • Erosion, Sediment, Dust Mitigation Plan • Neighbourhood Information Map • Functional Servicing Report/Stormwater Management Report	OAK (TE, T) RMH(LPS)
28.	That the Owner shall provide **digital discs of the registered plan of subdivision** with the following coordinate system UTM NAD 83 Zone 17 with approved delineated features to the Regional Municipality of Halton and the Town of Oakville, prior to registration of the plan.	OAK (TE) RMH (LPS)
29.	That the Owner shall provide the Town, together with the final plan, a list of **lot and block widths, depths and areas** prepared by an Ontario Land Surveyor, to ensure all lot and blocks meet or exceed the minimum requirements of the approved Zoning By-law. The Owner shall agree to revise the draft plan as required in order to comply with all provisions of the approved Zoning By-law.	OAK (Z)
30.	That prior to registration of the plan, the Owner's surveyor shall submit to the Town **horizontal co-ordinates of all boundary monuments**. These co-ordinates are to be based on 6 degree UTM Projection, NAD83 Datum. Exemptions and alternatives to this can only be granted by the Transportation and Engineering Department.	OAK (TE)
31.	The Owner shall enter into a **subdivision agreement** and satisfy all requirements, financial and otherwise, of The Regional Municipality of Halton, including but not limited to, the phasing of the plan for registration, investigation of soil contamination and soil restoration, the provision of roads and the installation of water and sanitary sewer services, utilities and drainage works. This agreement is to be registered on title to the lands.	RMH (LPS)
32.	That the Owner shall prepare a **detailed engineering submission** to be submitted to the Region's Development Project Manager for review and approval prior to the preparation of the Regional subdivision agreement.	RMH (LPS)
33.	That the Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notified by the Region's Development Project Manager that: a) sufficient **Water and Wastewater Plant** capacity exists to accommodate this development; and, b) sufficient **storage and pumping facilities** and associated infrastructure relating to both water and wastewater are in place.	RMH (LPS)
34.	The Owner shall submit to the Planning Services Department six (6) folded copies of the final draft plan of subdivision along with applicable Land Registry Office J form for sign off. Upon acceptance, the town will forward these materials to the Region of Halton for final sign off.	RMH(LPS) OAK (PS)
35.	That the Owner agrees that **should the development be phased**, a copy of the phasing plan shall be submitted prior to final approval to the Halton District School Board and the Halton Catholic District School Board. The phasing plan will indicate the sequence of development, the land area, the number of lots and blocks and units for each phase.	HDSB HCDSB

36.	That the Owner shall provide the Town with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of **Community Mail Boxes** as required by Canada Post Corporation, prior to registration of the plan.	CP
37.	That the Owner shall provide Union Gas/Enbridge Gas the **necessary easements and/or agreements required by Union Gas/Enbridge Gas** for the provision of local gas services for this project, in a form satisfactory to Union Gas Limited.	UG/Enbridge
38.	The Owner shall confirm that **sufficient wire-line communication / telecommunication infrastructure** is currently available within the proposed development to provide communication / telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the developer may be required to pay for the connection to and/or extension of the existing communication / telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the communication / telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication / telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 Emergency Services).	BC/Cogeco/ Rogers
	CONDITIONS TO BE MET PRIOR TO FINAL APPROVAL/ REGISTRATION **NEIGHBOURHOOD INFORMATION MAPPING**	
39.	The developer shall prepare a final neighbourhood information map, based on the final M-plan, and approved by the Town's Director of Planning Services, to replace the preliminary neighbourhood information map in all affected sales offices. This map shall contain the following information: a) all of the information required on the preliminary map, b) the locations of all sidewalks and walkways, c) the locations of all rear yard catch basins and utilities easements on private property where applicable, d) the proposed locations of all above ground utilities, where known, e) the proposed locations of all bus stops, f) The proposed locations of all temporary mailboxes. The developer shall ensure that each builder selling homes within the subdivision: a) provides prospective purchasers with a "Notice to New Home Purchasers" from the Town in the prescribed format that includes all of the notes required on the neighbourhood information maps, and, attaches a copy of the most up-to-date neighbourhood information map to each offer of purchase and sale agreement.	OAK(PS)
	CONDITIONS TO BE INSERTED INTO SUBDIVISION AGREEMENTS (Town and/or Regional Municipality of Halton)	
40.	The Owner acknowledges that the Town may require **minor revisions** to the draft plan to ensure property alignment with existing or proposed lots, blocks, streets, and/or facilities on lands adjacent to this draft plan.	OAK (PS)

41.	That the Owner agrees to submit a revised **Planning Statistics Spreadsheet** to the satisfaction of Planning Services based upon the registration of M-Plans.	OAK (PS)
42.	That the Owner acknowledges that any eligible **Development Charge** reimbursements will be in accordance with the Town's Development Charge By-law. The Owner agrees to submit progress reports for any **Development Charge reimbursable** items identified to be reimbursed through Development Charge credits, whether repaid through Development Charge credits or other means, in a form satisfactory to the Town's Finance Department. The Owner further agrees to abide by the Town's requirements for matters dealing with Development Charge credits.	OAK (F)
43.	The Owner acknowledges that **work completed on behalf of the Town** shall not exceed the estimated values contained within the subdivision agreement and that the Town will not accept any further progress certificates relating to the Schedule 'K' works and will not consider the payment of said progress certificates received after the assumption of the subdivision by the Town. The Owner further acknowledges that work done on behalf of the Town may not be reimbursed until funded in the Town's approved capital budget.	OAK (TE, F)
44.	The Owner agrees to provide notice to prospective purchasers upon the completion and approval of the **Composite Utility Plan** showing the location of all community facilities (community mail boxes, bus shelter and stops, street trees, sidewalks, street light poles, hydrants, cable boxes, transformers or any other above grade facilities) to the satisfaction of staff and that this plan be displayed in the sales office.	OAK (TE)
45.	That the Owner's engineer provide certification that all **Erosion and Sediment Controls** are in a state of good repair and Stormwater outfalls are operational to the satisfaction of the Development Services Department prior to building permit issuance.	OAK (TE)
46.	That the Owner agrees to construct **stormwater management facilities including underground infrastructure in the right-of-way** according to the approved plans and reports for this subdivision. Additionally, the Owner agrees to monitor and maintain the facilities until they are accepted by the town. The Owner shall provide a monitoring procedure and schedule for all stormwater management facilities / works immediately after all stormwater management facilities / works become operational. All monitoring shall be in accordance with the requirements of the approved FSR/Stormwater Management Report, and maintenance is to be undertaken by the Owner for a minimum period of 2 years once all stormwater management works become operational and stabilized or at the Town's discretion for a minimum period of 2 years following construction of the majority of the contributing drainage area in accordance with the approved Operations Maintenance and Monitoring Program. Should the monitoring results fail to demonstrate to the satisfaction of the Town of Oakville, acting reasonably, that the performance of the stormwater management facilities / works is in accordance with acceptable engineering practices, the Owner shall take immediate remedial action.	OAK (TE)
47.	That storm sewerage, lot grading and street grading must be in conformity with the Town of Oakville's **Storm Drainage Policies and Criteria Manual** and to the satisfaction of the Development Services Department, in accordance with the Development Services Procedures and Guidelines Manual.	OAK (TE)
48.	That the Owner agrees to provide grading plans for all lots/blocks that directly abut existing residential uses.	OAK (TE)
49.	The Owner shall agree to **deposit mylars and digital discs** (.dwg file format) of the registered plan of subdivision to the satisfaction of the Town.	OAK (TE)
50.	That the Owner agrees to pay for and install all required **temporary signage** as per the approved Traffic and Parking Management Plan prior to the issuance of any building permits and agrees to ensure that these temporary signs are maintained throughout the construction phase or until the permanent signage is installed.	OAK (TE)

51.	That the Owner agrees to pay for and install all **permanent signage**, as required,within six (6) months of the first building occupancy as per the approved Traffic and Parking Management Plan. In the event that the Owner fails to install the permanent signage in the required timeframe the Town may carry out the work on behalf of the Owner, and will charge the Owner a 100% administration surcharge for all costs incurred by the Town in carrying out this work	OAK (TE)
52.	That the Owner agrees within the subdivision agreement to deliver to the Town the following materials to accommodate **PSAB requirements** (hereinafter in this section referred to as the "Materials") within the times herein provided: a) Prior to registration of the Plan, a table in form and content acceptable to the Town and certified accurate by an Ontario Land Surveyor, setting out the area of all lands to be dedicated to the Town pursuant to this agreement, including rights of way (herein after referred to as the "Dedicated Lands"); b) Prior to acceptance of Maintenance, a table in form and content acceptable to the Town, and certified by the Owner's Engineer, setting out all materials used in the Town's Work, the dates of their respective installation, together with certification of their fair market value at installation; and c) Prior to assumption of the Plan, updated certification by the aforementioned Ontario Land Surveyor, Owner's Engineer or Appraiser as applicable, of the Materials and their current fair market value in form and content acceptable to the Town, together with certification in the manner and by the persons set out herein of any works to be assumed by the Town and not previously certified.	OAK (TE)
53.	That the Owner agrees that all **roadways** are to be designed to Town of Oakville standards and partial roads within the draft plans are not permitted, unless other suitable arrangements are made with the Director of Development Services.	OAK (TE)
54.	In the event that required subdivision land use and **notice signage** becomes damaged and/or missing from their original approved locations, the Town may re-install signage on the Owner's behalf and the Owner shall reimburse the Town for such works.	OAK (TE)
55.	That the Owner satisfies the **telecommunications** provider with respect to their land requirements and agrees to permit all electrical and telecommunication providers who have signed the Town's access agreement to locate on the roads within the plan and that the Owner allow these services to connect to the buildings, all to the satisfaction of the Town.	OAK (TE)
56.	That the Owner shall provide in each of the sales offices a **large coloured map**, not less than 1.5 metres by 2 metres, of the approved land use plans to date and/or where applicable, the land use plans approved in the Official Plan for the overall community together with a copy of the Town of Oakville Official Plan and a prominent note indicating that further information can be obtained from the Oakville Planning Services Department.	OAK (TE)
57.	a) That the Owner acknowledges that during the active construction process it is anticipated that **sediment accumulation** in the boulevard drainage ditch will occur at an above average rate compared to the rate for a stabilised condition. Based on this assumption the Owner agrees to monitor the sediment accumulation level and clean the ditch periodically to ensure its operational efficiency is maintained. Prior to assumption a condition and monitoring report is to be prepared by the Owner's Engineer which is to outline the monitored performance of the drainage ditch as documented over time and the current state of sediment level within the ditch. The Engineers report will make recommendations with respect to any maintenance required at the time of the requested assumption and itemise such items which the Owner will be required to remediate prior to the assumption. b) That the Owner agrees, at the time of the requested assumption, to provide an up-to-date **bathymetric survey** to determine the sediment level within the boulevard drainage ditch. The subdivision agreement may include terms for cleaning or maintenance as needed post assumption.	OAK (TE)

	c) That the Owner agrees that the Town shall retain **securities for any Stormwater Management infrastructure in the right-of-way** for at least a minimum two year maintenance period after the construction and stabilization of the works or at the Town's discretion, for a minimum 2 year period following the assumption the majority of contributing development plans. The value of this security will be determined by the Town.	
58.	That the Owner designs, constructs and has in operation all necessary **piped stormwater infrastructure** prior to the issuance of any building permits to the satisfaction of the Town of Oakville.	OAK (TE)
59.	That the Owner agrees at their cost to implement a **municipal tree planting program** for all public roads in accordance with the approved Composite Utility Plan and/or Tree Planting Plan. The selection of species, calliper and timing of work shall be undertaken to the satisfaction of the Development Services Department and in accordance with the latest Town standards and specifications.	OAK (TE, POS)
60.	That the Owner agrees to submit **prior to Assumption** an inventory of all boulevard trees planted by species, size, and x/y coordinates in a digital format acceptable to the Parks and Open Space Department and Development Services.	OAK (POS, TE)
61.	That the Owner warranty all **boulevard street trees** and trees planted in open space areas for a period of 2 years from the date of planting and agrees to maintain in a healthy condition all trees until Assumption or to the end of the warranty period, where the warranty extends beyond assumption.	OAK (TE, POS)
62.	That the Owner agrees to place **topsoil** on lots, boulevards and parkland in accordance with approved Town standards.	OAK (POS, TE)
63.	That the Owner agrees to **post acceptable securities** with the Town of Oakville as part of the subdivision agreement, for the purpose of ensuring the construction and completion of all works identified on the approved engineering plans.	OAK (TE)
64.	That the Owner provides **a fire break plan** and other fire prevention measures to the satisfaction of the Town of Oakville, where necessary.	OAK (FD)
65.	That the Owner acknowledges that all works which are the responsibility of the Owner to complete, shall be subject to general construction observation by a **licensed Professional Engineer** of the Province of Ontario with all professional engineering fees paid by the Owner. The Owner's engineer must provide competent full time staff on site during construction activities to obtain the required "as constructed" field information, and to ensure general compliance to the best of his/her professional knowledge with the approved drawings and the Town and Region's Current Construction and Design Standards.	RMH (LPS) OAK (TE)
66.	That the Owner agrees to conduct a **survey of the static water level** and quality of all wells within 500 metres of the plan. The Owner further agrees to resolve any claims of well interruption due to the construction of municipal services to the satisfaction of the Region's Development Project Manager.	RMH (LPS)
67.	That the Owner acknowledges that development shall be subject to full **municipal water and sanitary sewer services** to the satisfaction of the Regional Municipality of Halton.	RMH (LPS)
68.	That prior to registration the Owner is required to provide digital copies of the registered plan of subdivision in AutoCAD 2012 or later version with the following coordinate system NAD 83 / UTM Zone 17 to the Regional Municipality of Halton and the Town of Oakville.	RMH (LPS)
69.	That the Owner acknowledges, in writing, that the developer will be fully responsible for collection and disposal of all waste until the developer is able to confirm that the development has reached 90% occupancy and demonstrate that a waste collection truck is able to safely and consistently perform collection services without obstruction or delay, to the satisfaction of the Region.	RMH (LPS)

70.	The Owner acknowledges, in writing, they will provide a letter to all tenants/owners within the development which clearly communicates the details of the Waste management system that will be provided by the Developer and when Region collection will begin, to the satisfaction of Halton Region. This includes that waste collection for the proposed development will not commence until the proposed development is 90% occupied and that a Waste collection truck is able to safely and consistently perform collection services without obstruction or delay. The owner shall provide a copy of the letter, which clearly communicates the details of the Waste management system, addressed to all tenant/owners within the development, to the satisfaction of Halton Region.	RMH (LPS)
71.	That the Owner shall submit a copy of the **approved sidewalk plan**, prepared to the satisfaction of the Town of Oakville, to the Halton District School Board and Halton Catholic District School Board.	OAK (TE) HDSB HCDSB
72.	That the Owner agrees to erect and **maintain signs** at all major entrances into the new development advising prospective purchasers that a permanent school is not available and that alternate accommodation and/or bussing will be provided. The Owner will make these signs to the specifications of the respective School Board and erect them prior to the issuance of building permits.	HDSB HCDSB
73.	The Owner shall provide Halton District School Board a geo-referenced AutoCAD file of the Draft M-plan once all Lot and Block numbering has been finalized. Should any changes occur after the initial submission to Lot and Block configuration or numbering on the draft M-plan the Owner shall provide a new AutoCAD file and a memo outlining the changes.	HDSB
74.	That the Owner agrees to ensure that all new home buyers will be officially notified of the exact **Community Mail Box** locations prior to any house sales. Also that the owner shall post in a clear site a copy of the plan indicating the Community Mail Box sites at the sales office. This plan is requested to be completed and approved prior to the start of the House sales for the subdivision. Once the homeowner has closed their home sale, the developer shall notify all new homebuyers of the process to initiate Mail Delivery as well as the address of the local Post office where new homeowners can go and show their warranty documentation as well as a license for identification to begin the process of requesting mail delivery.	CP
75.	The Owner agrees to provide the location of all **Community Mail Boxes** on the approved Composite Utility Plan to the satisfaction of the Town and Canada Post.	CP
76.	The Owner agrees, prior to offering any units for sale, to display and maintain a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all **Community Mail Boxes** within the development, as approved by Canada Post. Further, the Owner agrees to inform all homebuyers of the process to initiate mail delivery for their new home address.	CP
77.	The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.	CP
78.	The Builder/Owner/Developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.	CP
79.	The Owner agrees to provide a suitable and safe temporary site for **Community Mail Box** locations. This temporary mail box pad will be a compacted gravel area with a minimum of a single row of patio stones for mail box placement. Temporary pad specifications will be provided to the Owner during the siting process. This location must be set up a minimum of 30 days prior to first occupancies.	CP
80.	The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy	CP
81.	That the Owner acknowledge its responsibility to up-front the cost of any extension to the **electrical distribution system**.	OH

82.	That the Owner agrees to place the following **notification in all offers of purchase and sale** for all lots and/or units and in the Town's subdivision agreement to be registered on title: a) "Purchasers of Blocks 1 and 2 are advised that their properties are in proximity of lands which will be developed for **future residential uses.** b) "Purchasers and/or tenants of lots or units adjacent to or near the Oakville Trafalgar Community Centre and Park Neighbourhood Park are advised that these **open space areas** will be used for general active and passive public recreation and leisure uses, including but not limited to walkways (lit and unlit), bikeways, playgrounds, trails, sports field (lit or unlit), splash pad, visitor parking, and/or multi-use courts. In addition to daytime use, park facilities may be used in the evenings and on weekends." c) "Purchasers are advised that the Town of Oakville's current **street tree planting standards**, which are subject to change, are intended to have an average of one tree for every 12 metres of frontage to be considered for planting in order to accommodate future tree growth. This means that not every house is intended to receive a tree. Purchasers are also advised that the ability to accommodate the planting of a street tree within the public road allowance will be influenced by housing form, development setbacks, utilities, driveway width and location. The Town reserves the right, in its sole discretion, to determine whether a street tree will be planted at any particular location within the subdivision particularly on narrow building lots." d) "Purchasers are advised that **winter maintenance** and snow plowing from public streets and laneways will be done in accordance with the Council approved protocol and policies for snow removal." e) "Purchasers and/or tenants are advised that the homeowner's builder is responsible for the timing and coordination of **rectifying lot grading** matters which occur prior to assumption." f) "Purchasers and/or tenants are advised that prior to the placement of any **structures in side and rear yards**, the Zoning By-law should be reviewed to determine compliance and that a Site Alteration Permit may be required prior to proceeding to do any site work." g) "Purchasers and/or tenants are advised that **private landscaping** is not permitted to encroach within the Town's road allowance. Any unauthorised encroachments are to be removed by the homeowner prior to Assumption." h) "Purchasers and/or tenants are advised that an overall grade control plan has been approved for this Plan and further some lots will incorporate the drainage of adjoining lots through the design of **swales and rear lot catch basins**." i) "Purchasers are advised that any **unauthorized alteration of the established lot grading** and drainage patterns by the homeowner may result in negative drainage impacts to their lot and/or adjoining lots." j) "Purchasers are advised that the following street(s) in the area may be designated as **interim or permanent bus routes**, and that bus stops and shelters may be installed along the street(s): Streets Macdonald Road and Reynolds Street" k) "Purchasers and/or tenants are advised that home/business mail delivery will be from designated **Community Mail Boxes** and that purchasers are to be notified by the developer/owner regarding the exact centralized mail box locations prior to the closing of any home sales. " l) "Purchasers are advised that the **schools** on sites designated for the Halton District School Board or Halton Catholic District School Board in the community are not guaranteed. Attendance in the area is not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area."	OAK (PS, TE, POS) HDSB HCDSB CP

	m) "Purchasers are advised that **school buses** will not enter a cul-de-sac and pick-up points will be generally located on through streets convenient to the Halton Student Transportation Services. Additional pick-up points will not be located within the subdivision until major construction activity has been completed." n) "Purchasers are advised that **driveway entrance widenings** or modifications on private or public lands beyond what was approved as part of the subdivision design will not be permitted. Property Owners must take note of the available parking space on their approved driveway and within the garage and purchase homes with the knowledge that additional space for more personal / family vehicles may be limited or unavailable." o) "Purchasers are advised that **Catholic school accommodation** may not be available for students residing in this area, and that you are notified that students may be accommodated in temporary facilities and/or bussed to existing facilities outside the area. Halton Catholic District School Board will designate pick up points for the children to meet the bus on roads presently in existence or other pick up areas convenient to the Board." p) "Purchasers are advised that Oakville is founded on the principle of public transit as a priority and as such buses with varying frequencies of services are expected to operate throughout the neighbourhoods. Residents are expected to accept bus operations, with their associated impacts as a reality along roadways of this community. Transit infrastructure including **bus stops and bus shelters** may be located on municipal streets within subdivisions either as temporary and/or permanent features." q) "Purchasers are advised that Public roads are expected to accommodate pedestrians, cyclists and vehicles of all types. Temporary and/or permanent **public parking along municipal roads** will not be available for on-street parking by the public." In cases where offers of purchase and sale have already been executed, the Owner shall send a letter to all purchasers which includes the above statements.	
	CLOSING CONDITIONS	
1	Prior to signing the final plan the **Director of Planning Services** shall be advised that all conditions have been carried out to the satisfaction of the relevant agencies, and that a brief but complete statement detailing how each condition has been satisfied has been provided.	OAK (PS)
2	Prior to signing the final plan the Director of Planning Services shall be advised by the **Regional Municipality of Halton** that conditions 5, 6, 24, 27, 28, 31-34 and 65-70 have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) RMH (LPS)
4.	Prior to signing the final plan the Director of Planning Services shall be advised by the **Halton District School Board** that conditions 35, 71-73 and 82 inclusive have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) HDSB
5.	Prior to signing the final plan, the Director of Planning Services shall be advised by the **Halton Catholic District School Board** that conditions 35, 71, 72 and 82 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	OAK (PS) HCDSB
6.	Prior to signing the final plan, the Director of Planning Services shall be advised by the **telecommunications provider** that condition 38, has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	OAK (PS) BC, Cogeco, Rogers
7.	Prior to signing the final plan the Director of Planning Services shall be advised by **Canada Post** that conditions 36, and 74-80 and 82 have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) CP

8.	Prior to signing the final plan, the Director of Planning Services shall be advised by **Oakville Hydro** that condition 81 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	OH
9.	Prior to signing the final plan, the Director of Planning Services shall be advised by **Union Gas/Enbridge Gas** that condition 37 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	UG/Enbridge
	All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being *Day___, Month_____, 2025.*	OAK (PS)

LEGEND – CLEARANCE AGENCIES

BC	Bell Canada
Cogeco	Cogeco Cable
CP	Canada Post
HCDSB	Halton Catholic District School Board
HDSB	Halton District School Board
CH	Conservation Halton
MTCS	Ministry of Tourism, Culture and Sport
OAK (A)	Town of Oakville – Planning Administration
OAK (F)	Town of Oakville – Finance
OAK (L)	Town of Oakville – Legal
OAK (TE)	Town of Oakville – Transportation and Engineering Department (formerly DE)
OAK (PS)	Town of Oakville – Current Planning Services
OAK (LR)	Town of Oakville – Long Range Planning
OAK (Z)	Town of Oakville – Building Services Department, Zoning Section
OAK (FD)	Town of Oakville – Fire Department
OAK (POS)	Town of Oakville – Parks and Open Space Department
OAK (T)	Town of Oakville – Transit
OH	Oakville Hydro
RMH (LPS)	Regional Municipality of Halton – Legislative and Planning Services
Rogers	Rogers
UG/Enbridge	Union Gas/Enbridge Gas

NOTES:

1. The Owner should obtain the written approval of the Ministry of Environment, Conservation and Parks(MECP) for any work within significant habitat of endangered and threatened species, as per the **Endangered Species Act**, where necessary.

2. The Owner should obtain the written approval of the Environment and Climate Change Canada or Fisheries and Oceans Canada for any work within significant habitat of endangered and threatened species, as per the **Species at Risk Act**, where necessary.

3. The Owner should ensure that any vegetation removal take place outside of the nesting season, pursuant to the **Migratory Bird Convention Act**, where necessary.

4. That the Owner shall obtain a site alteration permit under By-law 2008-124, as it may be amended from time to time or any successor thereto, prior to any earth moving activities. Matters to be addressed as part of the site alteration permit shall include but not be limited to confirmation of construction access, installation and maintenance of erosion and sediment controls, mud tracking, stabilisation, grading and seeding of non-development blocks.

5. The owner is to enter into satisfactory arrangements with the Town related to the payment of Parkland / Cash in Lieu in accordance Section 42 of the Planning Act and the Town's By-law 2022-108 and the payment of a Community Benefit Charge (if applicable) in accordance with By-law 2022-069 The owner is to contact the Towns Manager of Realty Services no later than 90 days prior to their intended date to draw the first building permit for the proposed development or redevelopment, to arrange coordination of the necessary appraisal.

6. 6ygThe Owner will be required to pay all applicable Regional development charges in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, the water, wastewater and road portions of the Regional development charges are payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

   The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

   Please visit our website at www.halton.ca/developmentcharges to obtain the most current development charge and Front-ending Recovery Payment information, which is subject to change.

7. Fees are required by Halton Region for each extension to draft approval and for major revisions to the draft plan or conditions.

8. Please note the Owner should be made aware that Halton Region will have the following requirements at the time of registration of the subdivision:
   - Final draft M plans signed and dated by the Owner, Surveyor and initialled by the Town's Planner
   - Regional Registration fee
   - Registry Office review form

9. Education Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits that are additional to the maximum yield that is specified by the Subdivision Agreement are subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance.