

Attachment #4
Draft Plan of Condominium Conditions
File CW-2023-03

PDP 29-23

1. The Proponent shall prepare the final plan on the basis of the approved draft plan of condominium, prepared by J. D. Barnes Ltd., identified as Reference No.: 21-25-912- 00 dated June 16, 2022, which illustrates common facilities and services including a laneway, curbs/sidewalks, streetlights, sanitary/storm sewers, watermain and facilities, landscaping, utilities, community mailboxes, visitor parking, water meter room, decorative fences, and wood privacy fence.
2. Prior to final approval, the Proponent shall submit a Record of Site Condition (RSC) Compliant Phase One Environmental Site Assessment Update (ESA) of the subject lands. The Proponent must also provide a completed Regional Reliance Letter and Certificate of Insurance in support of the Phase One ESA Update. Pending the results of the SSQ and/or Phase One ESA Update, further studies such as an RSC Compliant Phase Two ESA and an RSC through Ministry of the Environment, Conservation and Parks may also be required.
3. The Proponent shall provide the Town with the fees and legal costs incurred for the preparation and registration of the Condominium Agreement including the Release Fee in the amount of \$3,661.43.
4. The Proponent covenants and agrees to implement the provisions of Site Plan Agreement (SP-09-20) and to confirm the same through the Condominium Agreement.
5. Prior to final approval, the Proponent shall provide the Commissioner of Planning and Development for the Town of Whitby with a copy of the Condominium Corporation documents, demonstrating that all relevant Site Plan conditions of approval have been included in said documents. This shall include all clauses in all offers of purchase and sale or lease and registered upon the title of the dwellings within the block, to advise potential purchasers of the following:
 - a. The Proponent covenants and agrees to implement the provisions of the Site Plan Agreement (SP-09-20) and to confirm the same through the Condominium Agreement;
 - b. The maintenance of all common elements such as, but not limited to, the internal roads, water meter room, hydro transformer, internal sidewalks, lighting, fencing, landscaping, driveway and visitor parking area;
 - c. The collection and disposal of residual garbage, recycling, yard waste and organic materials shall be the responsibility of the Condominium Corporation;
 - d. The allocation of visitor/accessible parking spaces of the condominium are to be owned and maintained by the Condominium Corporation, shall contain a clause in the condominium documents clearly specifying that the visitor/accessible parking spaces shall be properly signed and be solely for the use of visitors to the proposed condominium;

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- e. Any changes or alterations to the building elevations, roof shingles, colours or materials require the approval of the condominium board;
- 6. Prior to final approval of the plan of condominium, the Commissioner of Planning and Development for the Town of Whitby shall be advised in writing by:
 - a. The Regional Municipality of Durham how conditions 1 & 2 have been satisfied.