

Attachment #4

Draft Plan of Condominium Conditions

1. The Proponent shall prepare the final plan and shall include a land use table on the basis of the approved draft plan of Condominium, prepared by KRCMAR Surveyors Ltd., identified as job number 18-063, dated December 22, 2024, which illustrates 347 residential units and 381 parking spaces.
2. Prior to the finalization of this plan of Condominium, the Owner must provide satisfactory evidence to the Regional Municipality of Durham in accordance with the Region's Soil and Groundwater Assessment Protocol to address site contamination matters. Such evidence may include the completion of an Update Letter, Regional Reliance Letter and Certificate of Insurance.
3. The Proponent shall submit to the Region of Durham, for review and approval, an acoustic report prepared by an acoustic engineer based on projected traffic volumes provided by the Region of Durham Planning and Economic Development Department and recommending noise attenuation measures for the draft plan in accordance with the Ministry of the Environment, Conservation and Parks guidelines. The Proponent shall agree in the Condominium Agreement to implement the recommended noise control measures. The agreement shall contain a full and complete reference to the noise report (i.e. author, title, date, and any revisions/addenda thereto) and shall include any required warning clauses identified in the acoustic report. The Proponent shall provide the Region with a copy of the Condominium Agreement containing such provisions prior to final approval of the plan.
4. 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 \$3,752.97.
5. The Proponent covenants and agrees to implement the provisions of Site Plan Agreement (SP-13-18) and to confirm the same through the Condominium Agreement.
6. 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-13-18) 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; and
 - e. Any changes or alterations to the building elevations, roof shingles, colours or materials require the approval of the condominium board.
7. 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, and 3 have been satisfied.