

**Recommended Conditions of Draft Plan of Condominium Approval**

That this approval for the **Draft Plan of Condominium Application 25CDM-201508, A. J. Clarke and Associates (c/o Stephen Fraser), Agent, on behalf of Multi-Area Developments Inc. (c/o Aldo DeSantis), Owner,** to establish a Draft Plan of Condominium (common element) to create a condominium road, a sidewalk on portions of the condominium road, an 866.97-square metre amenity area, and 21 visitor parking spaces, on lands located at 1-100 Bloom Crescent, 1-11 Ladybell Lane, and 1-12 Laureloak Lane (Glanbrook), be received and endorsed by City Council with the following special conditions:

- i. That the final Plan of Condominium shall comply with all of the applicable provisions of the Township of Glanbrook Zoning By-law 464, as amended by By-law No. 13-226, or in the event the City of Hamilton has repealed and replaced the Town of Glanbrook Zoning By-law 464 with By-law No. 05-200, the final Plan of Condominium shall comply with all of the applicable provisions of the Zoning By-law in force and effect at the time of registration of the Draft Plan of Condominium;
- ii. That the final Plan of Condominium shall comply, in all respects, with Site Plan DA-14-040 approved on July 30, 2015, to the satisfaction of the Director of Planning and Chief Planner;
- iii. That the owner shall receive final approval of Part Lot Control Application PLC-15-020, including the enactment and registration on title of the Part Lot Control Exemption By-law, to the satisfaction of the Director of Planning and Chief Planner;
- iv. That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed freehold townhouse dwellings having frontage on the condominium road has legal interest, in common, to the common elements condominium, to the satisfaction of the City Solicitor;
- v. That the owner shall agree to include the following in all Purchase and Sale Agreements and Rental Leases and in the Development Agreement, to the satisfaction of the Senior Director of Growth Management:
  - (a) Purchasers / tenants are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road.
  - (b) Purchasers / tenants are advised that garages are provided for the purpose of parking a vehicle. It is the responsibility of the owner / tenant to ensure that their parking needs (including those of visitors) can be accommodated onsite. On-street, overflow parking may not be available and cannot be guaranteed in perpetuity.

- (c) Purchasers / tenants are advised that this property is eligible for weekly collection of garbage, recycling, organics, and leaf and yard waste through the City of Hamilton subject to compliance with specifications indicated by the Public Works Department and subject to compliance with the City's Solid Waste Management By-law 09-067.
  - (d) Purchasers / tenants are advised that the home / business mail delivery will be from a designated centralized mailbox.
  - (e) Purchasers / tenants are advised that despite the inclusion of noise control features in the development, sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling unit occupants as the sound levels exceed the Ministry of Environment's noise criteria.
  - (f) Purchasers / tenants are advised that due to the proximity of Farmer Al's, sound levels from the facility may at times be audible.
  - (g) This dwelling unit has been fitted with a forced air heating system and the ducting etc., was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of Environment's noise criteria. (Note: the location and installation of the outdoor air conditioning device should be done so as to minimize the noise impacts and comply with the criteria of the MOE publication NPC-216 Residential Air Conditioning Device).
- vi. That the owner demonstrates that they have notified the purchasers of the exact centralized mailbox locations, prior to the closing of any home sales, to the satisfaction of Canada Post and the Senior Director of Growth Management.
  - vii. That the owner agree to make arrangements with Canada Post for units on Parts 71 to 76 inclusive (as shown on the Draft Plan of Condominium attached as Appendix "B" to Report PED15148) for a separate community mailbox facility to be located on lands not contained within the common element condominium, to the satisfaction of the Senior Director of Growth Management.
  - viii. That the owner / applicant obtain an Access Permit, to the satisfaction of the Public Works Department.
  - ix. The owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner / developer shall be responsible for the relocation of such facilities or easements.

- x. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.
- xi. That the owner / developer provide to Union Gas Limited ("Union") the necessary easements and / or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Union.
- xii. That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.

That the owner be advised of the following:

#### NOTES TO DRAFT PLAN APPROVAL

Pursuant to Section 51(32) of the *Planning Act*, draft approval shall lapse if the plan is not given final approval within three (3) years. Extensions will be considered if a written request is received before the draft approval lapses.