

**Special Conditions of Draft Plan of Condominium Approval for 25CDM-201603,  
1261 Mohawk Road**

- (1) That the Final Plan of Condominium shall comply with all of the applicable provisions of Zoning By-law No's. 87-57, as amended.
- (2) That the owner shall register Draft Plan of Subdivision 25T-201106, "Hazelwood", to the satisfaction of the Director of Planning and Chief Planner.
- (3) That the owner shall include the following warning clause in the Condominium Approval Agreement and Condominium Agreement and all Purchase and Sale Agreements and any rental or lease agreements required for occupancy:
  - (a) Garages provided are intended for use as parking. It is the responsibility of the owner / tenant to ensure that their parking needs (including those of visitors) can be accommodated on site.
  - (b) It is the responsibility of the property owner / tenant to ensure that the parking provided on site is sufficient for his / her needs. Parking in the surrounding neighbourhood is highly restrictive and on-street parking along the condominium road is not available.
  - (c) Purchasers / tenants of **Lot 4** are advised that despite the inclusion of noise control features in this development area and within the building units, sound levels due to increasing road traffic may continue to be of concern, occasionally interfering with the activities of the dwelling occupants as the sound levels exceed the noise criteria of the Municipality and the Ministry of the Environment.
  - (d) Purchasers / tenants of **Lot 4** are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality and the Ministry of the Environment.
  - (e) Purchasers / tenants of **Lots 1-3** are advised that this dwelling unit was fitted with a forced air heating system and the ducting, etc. sized to accommodate a central air conditioning unit. Air conditioning can be installed at the owner's option and cost. (Note: Air cooled condenser unit should be located in a manner so as to minimize the noise impacts in sensitive locations on the subject property and in the immediate vicinity of the subject property).

- (f) Purchasers / tenants of lots 1 - 5 are advised that the rear fencing must be maintained and the instillation of gates in the rear fence to gain access to the natural area is not permitted.
  - (g) That all waste streams (garbage, recycling, organics & leaf and yard waste) will not be picked up from individual properties. Residents are responsible for ensuring that all waste streams (garbage, recycling, organic & leaf and yard waste) are set curbside in front of the entrance to the Subdivision on Mohawk Road.
  - (h) That the home / business mail delivery will be from a designated Centralized Mail Box.
  - (i) That the developer / owner be responsible for official notifying the purchasers of the exact Centralized Main Box locations prior to the closing of any home sale.
- (4) That the owner shall agree to:
- (a) Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations, which may be utilized by Canada Post, until the curbs, boulevards, and sidewalks are in place in the remainder of the subdivision.
  - (b) Install a concrete pad in accordance with the requirements of, and in locations to be approved by the Senior Director of Growth Management and Canada Post, to facilitate the placement of Community Mail Boxes.
  - (c) Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and / or curb installation within each phase.
  - (d) Determine the location of all centralized mail receiving facilities in co-operation with the Senior Director of Growth Management and Canada Post, and to indicate the location of centralized mail facilities on appropriate maps, information boards, and plans. Maps are also to be prominently displayed in the sales office(s), showing specific Centralized Mail Facility locations.
- (5) That the owner shall provide the Manager of Design and Construction with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunication service provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium,

including 9-1-1 emergency calling service that identifies, at a minimum, the caller's name and location information.

- (6) That the owner / developer shall provide to Union Gas Limited the necessary easements and / or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.
- (7) That the owner shall agree to choose a street name from the Town of Ancaster pre-approved street names list or submit a name for approval, prior to registration, to the satisfaction of the Director of Planning and Chief Planner.
- (8) That the owner / applicant shall agree to follow the City of Hamilton Standards for Street Name Signs on Private and Condominium Lanes Policy, including the construction, installation, and maintenance of such signs, to the satisfaction of the Director of Planning and Chief Planner.
- (9) That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed freehold dwellings having frontage on the condominium road has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor.
- (10) That the owner demonstrate that an easement exists or establish an easement over the Common Element Condominium Road for access purposes and in favour of the property at 1263 Mohawk Road, to the satisfaction of the Director of Planning and Chief Planner.
- (11) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.