



May 15, 2017

VIA EMAIL TO Committee Clerk Ida Bedioui – ida.bedioui@hamilton.ca

City of Hamilton
71 Main Street West
1st Floor, Hamilton
Ontario,
L8P 4Y5

Attention: City of Hamilton Planning Committee

Re: DAR-15-024 and 25CDM-201608
And Re: 435 Garner Road East, Ancaster

Dear Sirs/Mesdammes,

This letter is written on behalf of 1541079 Ontario Ltd. (the “Applicant”), a Losani Homes company, and is submitted further to a motion dealing with further conditions on the Application for Approval of the Draft Plan of Common Elements Condominium under file number 25CDM-201608 which was presented to Planning Committee on February 14, 2017. We wish to bring to the Committee’s attention the following history of this project:

- On **November 26, 2014**: the Applicant submitted the application for site plan approval under file number DAR-15-024;
- On **October 15, 2015** the Applicant prepared and issued a Disclosure Statement in accordance with paragraph 72 of the Ontario *Condominium Act* describing in detail the disclosure required with respect to the nature and description of the roadways, entry features, common elements condominium, and budgeted common expenses, and delivered same to buyers of homes in the Development;
- On **December 17, 2015** Site Plan Approval was conditionally issued by the City for this project by the Manager of Development Planning, Heritage and Design;
- On **May 11, 2016** the application for Draft Plan of Common Elements Condominium 25CDM-201608 was submitted;
- On **June 9, 2016** the Draft Plan of Common Elements Condominium was deemed complete;

- On **June 24, 2016**: a Public Notice Sign was placed on the subject lands indicating the proposed common elements condominium and 52 proposed residences thereon. No responses to the sign were received;
- On **June 27, 2016**: The Notice of Complete Application and Preliminary Circulation for Condo Application was delivered to 30 property owners within 120 metres of the subject lands. No objections were received;
- On **November 4, 2016**: The Applicant had satisfied all site plan conditions required by the City, and Final Site Plan Approval was issued;
- On **Jan 18, 2017**: the Public Notice Sign was updated to indicate the Public Meeting date of February 14, 2017.
- On **February 14, 2017**: The Public Meeting took place. No objections from the public were received.
- On **February 14, 2017**: Planning Committee tabled the Draft Plan of Common Elements Condominium Application.

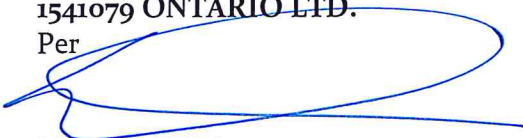
The Applicant proposed this common elements condominium development by formal application in November 2014. Families are residing in the constructed Dwellings, waiting to close their purchases, and asking what is happening with their condominium.

We ask that no further conditions be imposed at this late stage of the development 30 months after it was proposed in 2014. Further conditions will harm the residents waiting to close and expecting the condominium costs, features and design described in their disclosure statement issued October 2015.

Best Regards,

1541079 ONTARIO LTD.

Per



William L. Liske
General Counsel

cc. Jams Webb
cc. Fred Losani