

Recommended Conditions of Draft Plan of Condominium Approval

That this approval for the **Draft Plan of Condominium Application 25CDM-201816, by Wellings Planning Consultants Inc., on behalf of Sonoma Homes Inc. (Michael Chiaravalle), Owner**, to establish a Draft Plan of Condominium (Vacant Land) to create a private road, landscaped areas and five units, on lands located at 121 Fiddler's Green Road (Ancaster), be received and endorsed by City Council with the following special conditions:

1. That the final Plan of Condominium shall comply with all of the applicable provisions of the Town of Ancaster Zoning By-law No. 87-57, as amended by By-law No. 17-181, or in the event the City of Hamilton has repealed and replaced the Town of Ancaster Zoning By-law No. 87-57 with By-law No. 05-200, the final Plan of Condominium shall comply with all of the applicable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.
2. That Site Plan Application DA-18-207 receive final approval and that the final Plan of Condominium complies with the final approved Site Plan, to the satisfaction of the Director of Planning and Chief Planner.
3. That the owner shall agree to include the following in all Purchase and Sale Agreements and Rental or Lease Agreements, to the satisfaction of the Senior Director of Growth Management:
 - (i) Purchasers are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road.
 - (ii) The home mail delivery will be from a Community Mail Box.
 - (iii) 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.
4. That the owner will be responsible for officially notifying the purchasers of the exact Community Mail Box locations, to the satisfaction of Senior Director of Growth Management and Canada Post prior to the closing of any home sales.
5. That the owner work with Canada Post to determine and provide temporary suitable Community 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, to the satisfaction of the Senior Director of Growth Management.
6. That the owner 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.

7. That the owner identify the concrete pads for the Community Mail Boxes on the engineering / servicing drawings. Said pads are to be poured at the time of the sidewalk and / or curb installation within each phase, to the satisfaction of the Senior Director of Growth Management.
8. That the owner determine the location of all mail receiving facilities in co-operation with the Senior Director of Growth Management and Canada Post, and to indicate the location of mail facilities on appropriate maps, information boards, and plans. Maps are also to be prominently displayed in the sales office(s), showing specific mail facility locations.
9. That the owner shall agree to include the following in all Purchase and Sale Agreements and Rental or Lease Agreements and in the Condominium Declaration, as described in the report titled "121 Fiddler's Green Road Development, City of Ancaster, now City of Hamilton", dated January 2019, to the satisfaction of the Director of Planning and Chief Planning:
 - (i) Unit 1:

Warning Clause "A":

Purchasers/tenants 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 sound level limits of the City of Hamilton and the Ministry of the Environment, Conservation and Parks.

Warning Clause "C":

This dwelling unit has been fitted with a forced air heating system and the ducting etc., was sized to accommodate central air condition. Installation of central air conditions 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 the Environment, Conservation and Park's noise criteria. (Note: the location and installation of the outdoor air conditioning device should be done so as to minimum the noise impacts and comply with the criteria of MECP publication NPC-216 Residential Air Conditioning Devices and thus minimize the noise impacts both on and in the immediate vicinity of the subject property.)
10. That the owner shall agree to include the following in all Purchase and Sale Agreements and Rental or Lease Agreements and in the Condominium Declaration, to the satisfaction of the Manager of Development Engineering Approvals:

NOTICE REGARDING MAINTENANCE OF THE PERFORATED PIPE SYSTEM

There is a private perforated pipe system shown on the approved servicing drawing prepared by S. Llewellyn & Associates Limited Consulting Engineers. The Owner must ensure that the system is operating optimally at all times.

NOTICE REGARDING MAINTENANCE OF THE HYDROGUARD SYSTEM

The private "Hydroguard" system is depicted as storm manhole MH2 on the approved servicing drawing prepared by S. Llewellyn & Associates Limited Consulting Engineers. The maintenance requirements for the Hydroguard unit are documented at concastpipe.com. The unit should be inspected once per year. Maintenance intervals will be required depending on individual site conditions (traffic use, stabilization, storage piles, etc.). The long-term maintenance frequency can be established based on the maintenance requirements during the first several years of operation if site conditions do not change. The Hydroworks HG unit is typically maintained using a "vactor" truck or "clam shell bucket". There are numerous companies that can maintain this unit. The HG separator must be maintained if there is an appreciable depth of oil in the unit (more than a sheen) or if floatables other than oil cover over 50% of the open water surface on the inlet side of the outlet baffle wall. It should also be maintained once the accumulated TSS/sediment depths are greater than 14" (350 mm) in the inner chamber.

11. That the owner / developer provide to Union Gas the necessary easements and / or agreements required by Union Gas for the provision of gas services, in a form satisfactory to Union Gas.
12. That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.

NOTES TO DRAFT PLAN APPROVAL

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