

Recommended Conditions of Draft Plan of Condominium Approval

That this approval for the **Draft Plan of Condominium Application 25CDM-201905, by Armstrong Planning & Project Management on behalf of Empire (Red Hill) Ltd., Owner**, to establish a Draft Plan of Condominium (Common Element) to create a private road, sidewalks, landscaped areas and visitor parking for 83 townhouse units, on lands located at 185 Bedrock Drive (Stoney Creek), 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the Stoney Creek Zoning By-law No. 3692-92, as amended by By-law No. 15-259, or in the event the City of Hamilton has repealed and replaced the Stoney Creek Zoning By-law No. 3692-92 with By-law No. 05-200, the final Plan of Condominium shall comply with all of the applicable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, to the satisfaction of the Director of Planning and Chief Planner.
2. That Site Plan Application DA-18-220 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, to the satisfaction of the Manager of Engineering Approvals:
 - All future on-going maintenance and/or replacement costs for any structures within the condominium lands including but not limited to retaining walls, private watermains/sewers, services, catch basins, parking areas, fencing along the property lines adjacent to private lands owned by others, City lands, etc. is the sole responsibility of the condominium corporation and as such shall be noted in the condominium declaration.
 - Condominium corporation is granted a drainage easement within the backyards of the properties adjacent to public lands and private lands owned by others to ensure that the drainage patterns established in the approved grading plan are maintained.
10. 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.
11. That the Owner / Developer shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement for communication / telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements, in a form satisfactory to Bell Canada.
12. That the Owner / Developer 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 Senior Director of Growth Management:

Purchasers of Parts 1, 16, 17, 61 and 88 are advised that their unit has a visibility triangle and that there are restrictions to what can be planted or constructed within the visibility triangles.

13. That the Owner / Developer submit a plan to the Growth Planning Section, indicating the mailing address unit number of each residential unit, to the satisfaction of the Senior Director of Growth Management.
14. That the Owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.

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 years. However, extensions will be considered if a written request is received two months before the draft approval lapses.