

Recommended Conditions of Draft Plan of Condominium Approval

That this approval for the **Draft Plan of Condominium Application 25CDM-201906, by A.J. Clarke and Associates Ltd. on behalf of 1356715 Ontario Inc., Owner,** to establish a Draft Plan of Condominium (Common Element) to create a private road, sidewalks, landscaped areas, an amenity area and 65 visitor parking spaces for 216 townhouse units, on lands located at 315 Dalglish Trail (Glanbrook), 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of the Glanbrook Zoning By-law No. 464, as amended by By-law No. 16-083, or in the event the City of Hamilton has repealed and replaced the Glanbrook Zoning By-law No. 464 with By-law No. 05-200, the final Plan of Condominium shall comply with all of the applicable provisions of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, to the satisfaction of the Director of Planning and Chief Planner.
2. That the final Plan of Condominium complies with final approved Site Plan application DA-17-065, to the satisfaction of the Director of Planning and Chief Planner.
3. That the owner shall receive final approval of Part Lot Control Application PLC-19-035, including the enactment and registration on title of the associated Part Lot Control Exemption By-law, to the satisfaction of the Director of Planning and Chief Planner.
4. 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) The home mail delivery will be from a Community Mail Box.
 - (ii) 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.
5. That the Owner will be responsible for officially notifying the purchasers of the exact Community Mail Box locations, to the satisfaction of the Senior Director of Growth Management and Canada Post prior to the closing of any home sales.
6. 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.

7. 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.
8. 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.
9. 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.
10. The Owner shall register on title to the POTLs an inhibiting order pursuant to s. 23 of the Land Titles Act requiring that prior to the transfer of any POTL (unit) to create an easement or easements in favour of the condominium corporation over all of the POTLS (units) to permit the condominium from time to time to enter for purposes of inspecting and undertaking at any time modifications to the surface drainage and rear yard catch basins of the said POTLS (units) and Common Elements of the Condominium in accordance with the Detailed Grading Plans (Dwgs:168010 Sheet 2a and 2B) and Servicing Plans (Drawings 168010 sheets 1a and 1B) all dated and stamped on may3, 2019 by A P Smith P Eng A J Clarke & Associate Ltd.
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 / 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, 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.
13. That the Owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.
14. 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) The Purchaser is advised that the Condominium Corporation shall be responsible for the maintenance, snow plowing, upkeep, repair, resurfacing or reconstruction of all common elements such as roadways, including any above or below grade services that form part of the common elements or that are located on the POTL through easements in favour of the Condominium Corporation, and that the Municipality will not assume the roadway in the future, nor take responsibility for the maintenance or replacement of any common elements.

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.