

**Special Conditions for REVISED Draft Plan of Subdivision Approval
for "Kopperfield Meadow Ph. IV"**

1. That, **prior to construction**, the Owner apply for and obtain a permit under the NPCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (O. Reg. 155/06), to the satisfaction of the Niagara Peninsula Conservation Authority.
2. That the Owner covenants and agrees to provide the Senior Director of Growth Management with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation and activation of Community Mail Boxes (CMB) in locations satisfactory to the City of Hamilton.
3. That, **prior to registration**, the Owner/Developer shall prepare a Landscape Plan, prepared by a Certified Landscape Architect, showing the placement of compensation trees for any tree removals completed in accordance with the Tree Management/Tree Preservation Enhancement Plan of Section 5.10 of the Standard Form Subdivision Agreement, to the satisfaction of the Director of Planning.
4. That, **prior to preliminary grading**, the Owner covenants and agrees that removal of any vegetation on the subject lands is to occur outside of the breeding bird season, being May 1st to July 31st. However, in the event that vegetation removal is proposed during the restricted breeding period, the owner/applicant shall have a qualified biologist conduct a nest search of the vegetated area with City of Hamilton Natural Heritage Planning staff, prior to any work commencing. Accordingly, removal may occur if it is determined that active nests are not present in proximity to the removal area, to the satisfaction of the Director of Planning.
5. That, **prior to registration**, the Owner/Developer shall include the following warning clause(s) in the subdivision agreement and in all offers of purchase and sale agreements:
 - a) Purchasers/tenants are advised that sound levels due to increasing road and air traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels may exceed the Municipality's and the Ministry of Environment's noise criteria.
 - b) Purchasers/tenants are advised that home/business mail delivery will be from a designated Centralized Mail Box.
 - c) Purchasers/tenants are advised that the developers/owners shall be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.

- d) Purchasers/tenants are advised that this property is eligible for weekly collection of Garbage, Recycling, Organics, and Leaf and Yard Waste through the City of Hamilton subject to compliance with specifications indicated by the Public Works Department and subject to compliance with the City's Solid Waste Management By-law 09-067.
- (e) Purchasers/tenants of Lots 11 to 13, inclusive and Lot 43, are advised that no accessory buildings and/or structures, including above or in-ground swimming pools, shall be permitted within the rear yard.

to the satisfaction of the Director of Planning.

- 6. That, **prior to servicing**, the Owner shall submit a detailed sump pump design to include a secondary relief/overflow on surface. The pump design shall consider the weeping tile inflow based on the groundwater and severe wet weather conditions, to the satisfaction of the Senior Director of Growth Management.
- 7. That, **prior to servicing**, the Owner shall include in the engineering design and cost schedules, provision for the reconstruction of Kopperfield Lane, including the south curb and gutter, from the west limit of Lot 1 to the east limit of Lot 6, to the satisfaction of the Senior Director of Growth Management.
- 8. Those, **prior to registration**, the Owner pay its proportionate share for the development of Kopperfield Lane from the west limit of Lot 1 to east limit of Lot 6, to the satisfaction of the Senior Director of Growth Management.
- 9. That, **prior to servicing**, the Owner shall provide a driveway location/on-street parking plan showing the following:
 - i) the location of driveways based on the premise of achieving on-street parking for 40% of the total dwelling units;
 - ii) driveway ramps and curb openings for all lots;
 - iii) the pairing of driveways;
 - iv) where lots in the subdivision abut a park entrance or a public walkway; and,
 - v) the location of transit pads, community mailbox pads, and fire hydrants, where the location has been determined by the appropriate authorities,

to the satisfaction of the Senior Director of Growth Management.

- 10. That, **prior to servicing**, the Owner shall submit a Hydrogeological report to the City, prepared by a qualified professional, to assess impacts, identify any significant recharge and discharge zone(s), and provide recommendations to mitigate the groundwater impacts during any construction within the

subdivision, including but not limited to house construction, and to undertake the works as recommended including monitoring. The report shall also provide a groundwater contingency plan to ensure that an appropriate mitigation strategy is available to be implemented in the case whereof:

- i) an aquifer is breached during excavation;
- ii) groundwater is encountered during any construction within the subdivision, including but not limited to house construction;
- iii) sump pumps are found to be continuously running; and,
- iv) water supply and sewage disposal systems and any surface and groundwater related infrastructure are negatively impacted,

to the satisfaction of the Senior Director of Growth Management.

11. That, **prior to preliminary grading**, the Owner shall submit a revised Functional Servicing Report to address upstream stormwater conveyance on Twenty Road and through the subject lands and downstream channel conveyance capacity, to the satisfaction of the Senior Director of Growth Management.
12. That, **prior to servicing**, the Owner shall include in the engineering design and cost schedules, appropriate fencing along the rear of Lot 26 through Lot 45, inclusive, backing onto the Twenty Road residences, to the satisfaction of the Senior Director of Growth Management.
13. That, **prior to servicing**, the Owner shall include in the engineering design and cost schedules, provision to install municipal sidewalks, in accordance with the current City of Hamilton Policy, to the satisfaction of the Senior Director of Growth Management.
14. That, **prior to servicing**, the Owner prepare an updated Water Servicing Study demonstrating how residential and fire flows demands will be accommodated based on field information and hydraulic modeling in order to support the application based on the revised draft plan. The report shall focus on the following issues:
 - Tabularize the expected occupancy;
 - Generate water demand estimation related to close nodes;
 - Calculate needed fire flow (via FUS, 1999);
 - Provide Water Quality Plan to address phasing of the development (i.e. watermain looping/flushing required for interim periods); and,
 - Utilize some 200mm watermains in proposed watermain layout especially for the extensions of existing watermains;

to the satisfaction of the Senior Director of Growth Management.

15. That, **prior to servicing**, the Owner shall include in the engineering design drawings and cost schedules, provision to remove the existing temporary turning circles at Kellogg Avenue, to the satisfaction of the Senior Director of Growth Management.

16. That, **prior to preliminary grading**, the Owner covenant and agrees that the subject development cannot proceed until the Owner submits the necessary transfer deeds and reference plans to the City Legal Services for the conveyance of a minimum of 6m easement over the following properties, in order to accommodate a drainage outlet for external lands:

- a. Along the rear of the existing properties known as 9826, 9832, 9844, 9848, 9854 and 9862 Twenty Road West; and,
- b. Between Lots 34 and 35.

to the satisfaction of the Senior Director of Growth Management.

17. That, **prior to preliminary grading**, the Owner agrees to establish a minimum side yard on a lot where an emergency spillway/overland flow route shall be located or where back-to-front drainage is proposed, with a minimum 2.0m side yard separation between buildings, which shall be provided and maintained between buildings along one common lot line, in accordance with the approved final engineering plans, to the satisfaction of the Senior Director of Growth Management.

18. That, **prior to preliminary grading**, the Owner covenant and agrees that the subject development cannot proceed until the Owner submits the necessary transfer deeds and reference plans to the City Legal Services for the conveyance of a minimum of 4.5m easement over the following properties, in order to accommodate a drainage outlet for external lands:

- a. Within the west sideyard of the existing properties known as 9862 Twenty Road West.

19. **That, prior to servicing, the owner/applicant shall provide a construction management plan to the satisfaction of the Senior Director of Growth Management for, but not limited to, the following items:**

- (i) **construction truck route(s)**
- (ii) **Phasing/construction plan**
- (iii) **Street cleaning schedule(s)**
- (iv) **Maintenance schedule for Kopperfield Lane**
- (v) **Minimize building debris both on and off site**