

That this approval for the Revised Draft Plan of Subdivision, 25T-201308, prepared by Korziak Urban Planning Inc. and certified by Ross Denbroeder, O.L.S., dated, September 22, 2014, consisting of twenty-two Blocks (Blocks 2, 7-25, 33 and 34) for two-hundred and twenty single detached dwellings, six blocks (Blocks 1,3,4,5,6 and 36) for fifty-eight street townhouses (freehold); two blocks (Blocks 26 and 27) for one-hundred and ten medium density condominium development; one block (Block 35) for commercial use; one block (Block 28) for Neighbourhood Parks purposes; and three blocks (Block 30, 31 and 32) for conservation open space be received and endorsed by City Council with the following special conditions;

Development Planning, Heritage and Design

1. That prior to Pre-grading, clearing of vegetation within the subject site shall be completed outside of the breeding bird season, from May 1 to July 31 to the satisfaction of the City of Hamilton Director of Planning and Chief Planner and Conservation Halton. If tree clearing is proposed within the breeding bird season, a nest screening survey must be completed by a qualified biologist prior to any vegetation removal.
2. That prior to Registration, a Landscape Plan, including compensation for tree removal, be prepared to the satisfaction of the City of Hamilton Director of Planning and Chief Planner and Conservation Halton.
3. That prior to Registration, a Habitat Restoration Plan be prepared and implemented for the wetland and woodland buffers, and the floodplain. The Plan will include only native plant species and habitat for Monarch Butterfly and Barn Swallow (nesting structures) within the created floodplain of the Grindstone Tributary. Within the wetland and woodland buffers, amphibian breeding pools will be created to increase the amphibian breeding function of the woodlot and wetland. The Habitat Restoration Plan must be completed to the satisfaction of the City of Hamilton Director of Planning and Chief Planner and Conservation Halton.
4. That prior to Registration, the owner shall agree in writing that fencing be installed along the rear of all lots backing onto the stream, woodland, and wetland, to be implemented through the future required Site Plan Control application for Block 26, to the satisfaction of the Director of Planning and Chief Planner.
5. That prior to Registration, the owner shall agree in writing to prepare an education pamphlet to be provided to all landowners with lots backing onto the stream, woodland, and wetland, to explain the importance of the Natural Heritage System and to provide stewardship practices for the protection of these features, to be required as a condition of approval of the future required Site Plan Control application for Block 26, to the satisfaction of the Director of Planning and Chief Planner.

6. That prior to Registration, outdoor lighting be directed away from natural areas to minimize the impacts of light on wildlife prior to the satisfaction of the Director of Planning and Chief Planner.
7. That prior to Preliminary Grading of Block 35, the proponent shall carry out a Stage 3 archaeological assessment of the entire property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property prior to the satisfaction of the Director of Planning and Chief Planner and the Ministry of Tourism, Culture and Sport confirming that all archaeological resource concerns have met licensing and conservation requirements. All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the Ministry of Tourism, Culture and Sport.
8. That prior to Preliminary Grading, a preliminary grading plan shall be prepared in consultation with a heritage and landscape consultant to assess the site grades and their impact on the existing trees and on harmonious transitions from the old to new landscapes across the site, and to recommend mitigation measures, with final details to be determined through the future required Site Plan Control application, as appropriate to the satisfaction of the Director of Planning and Chief Planner.
9. That prior to Preliminary Grading the Cultural Heritage Impact Assessment report be revised and submitted to the satisfaction and approval of the Director of Planning and Chief Planner.
10. That prior to Registration of the retained designated property, a Heritage Conservation Easement Agreement be negotiated between the owner and the City, which includes the updated *Statement of Cultural Heritage Value or Interest* and a *Description of Heritage Attributes* reflecting the identified landscape features.
11. That prior to Registration, the Owner shall investigate the noise levels on the site and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environment's recommended sound level limits. An acoustical report prepared by a qualified Professional engineer containing the recommended control measures shall be submitted to the satisfaction of the City of Hamilton Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the Owner and shall be submitted to the satisfaction of the City of Hamilton Director of Planning and Chief Planner.

12. That prior to Building Permits for those houses along Parkside Drive, the developer shall demonstrate upgraded rear facades facing Parkside Drive, enhanced acoustic fencing with masonry pillars for the portion of the easterly lot line of Block 36 adjacent to the traffic circle, and provide street tree plantings along Parkside Drive that can breakup the long expanse of acoustic fencing and provide enhancement to the public realm. This shall be to the satisfaction of the Manager of Development Planning, Heritage and Design.
13. That prior to Registration, an addendum to the Upcountry Estates Urban Design Guidelines shall be provided to the satisfaction of the Manager, Development Planning, Heritage and Design. The addendum shall be submitted to demonstrate compliance with the urban design policies of this Urban Hamilton Official Plan, and to update the Design Guidelines which were prepared for Phase 1, in reference to the proposed development of Phase 2. The addendum shall include text, plans, details and/or elevations, as necessary.
14. That prior to Servicing, the Owner shall include in the engineering design drawings and cost schedules, provision for the construction of the traffic roundabout at the intersection of Parkside and the East-West Corridor. All the temporary works will be at the Owners cost to the satisfaction of Senior Director of Growth Management. The design shall be carried out by a qualified engineering specialist. The design should include provisions for planting and landscaping and must be informed by the section 3.5 Roundabouts of the UpCountry Estates Urban Design Guidelines 2003.
15. That prior to Registration of the final plan of subdivision, the owner agrees that, in addition to the City's regular Development Charge, a charge will be paid to the City of Hamilton of \$800.00 per unit at the time of issuance of building permits. This charge shall be indexed to the Consumer Price Index commencing on the date of issuance of the first building permit for those lands designated Urban or on January 1, 1999, whichever comes first as outlined in the Memorandum of Agreement adopted by By-law 103-1997 to the satisfaction of the Manager, Development Planning, Heritage and Design.

Director of Growth Planning

16. That prior to Registration, the Owner shall submit the required fee for a street name change (Stillwater Crescent) according to the City of Hamilton fee Schedule, to the satisfaction of the Senior Director of Growth Management.
17. That prior to Registration, the Owner agrees that the naming of Street "A" will be assigned by the City of Hamilton, to the satisfaction of the Senior Director of Growth Management.

Development Engineering

18. That the Owner agrees to include in all engineering cost estimate schedules and design drawings, provisions for the installation of concrete sidewalks in the following locations to the satisfaction of Senior Director of Growth Management:
 - a. north side of Dundas Street East;
 - b. south side of Parkside Drive;
 - c. east side of Spring Creek Drive (fronting on Phase 2A Land);
 - d. north and west sides of the south portion; south and west sides of the north portion of Street "F" (Stillwater Crescent);
 - e. both sides of Street "E";
 - f. inner sides of the loop of Street "D";
 - g. east side of Street "G";
 - h. both sides of Street "C";
 - i. north and west sides of the south portion of Street "B" (McMonies Drive);
 - j. inner sides of the loop of the north portion of Street "B" (McMonies Drive); and
 - k. west side of Street "A" (East-West Corridor) 4.0m multi-use path design per the Environmental Assessment.
19. The Owner agrees to include in all engineering design drawings and cost estimate schedules, provisions for the installation of traffic signal controls at the intersection of Dundas Street East and the East-West Corridor to the satisfaction of the Senior Director of Growth Management.
20. The Owner agrees to include in all engineering cost estimate schedules and design drawings, provisions for a 1.5 metre high chain link fence along any rear or side yards (Blocks 29 and 31) of which yards abut City parklands, open space, or public walkways. In the case of Block 31 where the floodplain buffer limit extends into the road allowance of the East-West Corridor, the fence shall be placed to the satisfaction of the Senior Director of Growth Management.
21. The Owner agrees that prior to assumption, any sediment in the Upcountry Estates Phase 1 SWM facility attributed to the development of the Land shall be removed, and a bathymetric survey shall be performed and volumetric capacity confirmed to the satisfaction of the Senior Director of Growth Management.
22. The Owner agrees to provide 12.19m x 12.19m daylighting triangles at the two intersections of Street "A" (East-West Corridor) at Street "C" (Sipes Drive) and Street "E" to the satisfaction of the Senior Director of Growth Management.
23. The Owner shall include in the engineering design drawings and detailed cost schedules, the construction of the East-West Corridor in accordance with the approved Class Environmental Assessment. The Owner shall contribute its share of the cost of construction of the East-West Corridor to the satisfaction of the Senior Director of Growth Management.

24. That prior to Registration, the Owner shall have the external sanitary diversions on Pamela Street and Fellowes Crescent and the sanitary upsizing works on Houndtrail Drive constructed and/or secured to the satisfaction of the Senior Director of Growth Management.
25. That prior to Registration, the Owner shall confirm that the proposed storm sewer will perform under free flow conditions (5yr HGL within the pipe) in consideration of the 5 year pond operating levels. The existing pond volumes for all design storms up to the regional storm shall be verified based on the proposed land use to the satisfaction of the Senior Director of Growth Management.
26. That prior to Registration, the Owner shall convey property for appropriate daylighting triangle purposes at intersecting roadways as follows:
- i) Collector to local or collector Roads: 7.5m x 7.5m daylighting triangles (Per the note on the Plan);
 - (a) McMonies Drive at Spring Creek Drive;
 - (b) Sipes Drive at Spring Creek Drive; and,
 - (c) Street "D" at Spring Creek Drive.
 - ii) Arterial to collector or arterial (Urban): 12.19 m x 12.19 m triangle:
 - (a) Sipes Drive at Street "A" (East-west Corridor);
 - (b) Street "E" at Street "A" (East-west Corridor); and,
 - (c) North-west corner of Dundas Street East at Street "A" (East-West Corridor),
- to the satisfaction of the Senior Director of Growth Management
27. That prior to Registration, the Owner shall provide detailed information confirmation that there is sufficient capacity at the pumping station DC14 on Dundas Street East to the satisfaction of the Senior Director of Growth Management.
28. That prior to Registration, the Owner shall demonstrate that the adequate water servicing and sanitary servicing are provided in accordance with the agreement between Waterdown Bay Phase 1 (25T200513) and Upcountry Estates Phase 1A (25T200307) to the satisfaction of the Senior Director of Growth Management.
29. That prior to Preliminary Grading, the Owner shall include in all engineering cost estimate schedules and design drawings, provisions for mud-mats in accordance with City standards at all construction access points and to the satisfaction of the Senior Director of Growth Management.

30. That prior to Preliminary Grading, the Owner shall include in the engineering design, options for the City's consideration to address transitional grading without retaining walls when matching into East-West Corridor right-of-way elevations, to the satisfaction of the Senior Director of Growth Management.
31. That prior to Preliminary Grading, the Owner shall include in all engineering cost estimate schedules and design drawings, provisions for temporary sediment control ponds and drainage swales in the downstream areas of the development to intercept drainage from surrounding disturbed lands as per ESC guidelines. The ponds will be designed in accordance with the ESC standards and specifications including details and maintenance notation to the satisfaction of the Senior Director of Growth Management.
32. That prior to Preliminary Grading, the Owner shall complete the preliminary engineering design for the East-West Corridor to the satisfaction of the Senior Director of Growth Management. The preliminary engineering design shall at minimum include preliminary grading, cross sections, profiles, sewer and watermain layout to the satisfaction of the Senior Director of Growth Management.
33. That prior to Servicing, the Owner shall have the external sanitary diversions on Pamela Street and Fellowes Crescent and the sanitary upsizing works on Houndtrail Drive constructed and/or secured to the satisfaction of the Senior Director of Growth Management.
34. That prior to Servicing, the Owner shall include in all engineering cost estimate schedules and design drawings, provisions for the stormwater recommendations based on the comprehensive FSR Report by Condeland Engineering, dated December 20, 2013, that addresses the impact of increased proposed densities to the satisfaction of the Senior Director of Growth Management.
35. That prior to Servicing, the Owner shall include in all engineering cost estimate schedules and design drawings, provisions, including removals, for a temporary 18.0m turning circle if necessary at the east limits of Street "C" (Sipes Drive) and Street "E" as well as provisions to remove the existing temporary turning circle on the south leg of Stillwater Crescent to the satisfaction of the Senior Director of Growth Management.
36. That prior to Servicing, the Owner shall complete a water distribution analysis of the water system to determine whether the existing water system can adequately service the proposed development, to the satisfaction of the Senior Director of Growth Management. The Report shall also focus on the following issues:
 - i) Tabularize the expected occupancy; and,
 - ii) Generate residential and institutional water demand and fire flow calculation for this development; and,

- iii) Demonstrate how the proposal fits with GRIDS numbers; and,
 - iv) Confirm the water servicing layout based on field information; and
 - v) Hydraulic models; and,
 - vi) Provide the new hydrant locations on the Water Distribution Plan all to the satisfaction of the Senior Director of Growth Management
37. That prior to Servicing, the Owner shall submit a detailed sump pump design to include a secondary relief/overflow on surface and back-up power unit. The pump design shall consider the weeping tile inflow based on the groundwater and severe wet weather conditions as determined by a hydrogeological study, to the satisfaction of the Senior Director of Growth Management.
38. That prior to Servicing, the Owner shall submit a Hydrogeological report to the City, prepared by a qualified professional, to assess impacts, identify any recharge and discharge zones, 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 where:
- i) an aquifer is breached during excavation; and
 - ii) groundwater is encountered during any construction within the subdivision, including but not limited to house construction; and
 - 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,
- all to the satisfaction of the Senior Director of Growth Management.
39. 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) where lots in the subdivision abut a park entrance or a public walkway; and;
 - iv) the location of transit pads, community mailbox pads, and fire hydrants, where the location has been determined by the appropriate authorities
- all to the satisfaction of the Senior Director of Growth Management.
40. That prior to Servicing, the Owner shall include in the engineering design, a minimum 2.0m separation between the building walls to accommodate an overland flow route and for the required pipe for rear yard catchbasin, to the satisfaction of the Senior Director of Growth Management.

41. That prior to Servicing the Owner shall include in the engineering design drawings and cost schedules, provision for the construction of the traffic roundabout at the intersection of Parkside Drive and the East-West Corridor. All the temporary works will be at the Owners cost. The design shall be carried out by a qualified engineering specialist to the satisfaction of Senior Director of Growth Management.
42. That prior to Servicing, the Owner agrees that the East-West Corridor design shall be such that the Owner shall endeavour to avoid the use of retaining walls or slopes steeper than 3:1. If a retaining wall is required, it shall be included in all engineering design drawings and cost estimate schedules to the satisfaction of the Senior Director of Growth Management.
43. That prior to Servicing, the Owner agrees that the comprehensive FSR by Condeland Engineering, dated December 20, 2013, shall be revised as per the City comments to the satisfaction of Senior Director of Growth Management.
44. That prior to acceptance of Building Permits, the Owner shall have the external sanitary diversions on Pamela Street and Fellowes Crescent and the sanitary upsizing works on Houndtrail Drive, constructed and operational to the satisfaction of Senior Director of Growth Management.

Conservation Halton

45. That prior to Pre-Grading and Pre-Servicing, the Owner prepares and implements a report outlining erosion and siltation controls measures required prior to and during the construction of the subdivision to the satisfaction of Conservation Halton and the City of Hamilton. A separate sediment and erosion control plan will be required for the following three phases of construction: a) earthworks b) servicing c) home construction.
46. That prior to Pre-Grading and Pre-Servicing, the Owner erects a suitable temporary barrier to work fence prior to and during construction or regrading along the rear of blocks adjacent to the (natural heritage system, watercourse, stormwater management block) to the satisfaction of Conservation Halton.
47. That prior to Pre-Grading and Pre-Servicing, the Owner obtains a Permit from Conservation Halton, pursuant to Ontario Regulation 162/06, for any site alteration within the regulated area associated with pre-grading or pre-servicing.
48. That prior to Pre-Grading and Pre-Servicing, the Owner prepares and implements a Soil Management Plan (to be used for sites generating soil/fill material) and/or a Fill Management Plan (to be used for sites receiving fill material) in accordance with the document 'Management of Excess Soil – A

Guide for Best Management Practices' as prepared by the Ministry of the Environment, dated January 2014, and post securities with the City of Hamilton to ensure effective implementation of the plan to the satisfaction of Conservation Halton.

49. That prior to Pre-Grading and Pre-Servicing, the Owner prepares and implements a Soil Management Plan in accordance with the document 'Preserving and Restoring Healthy Soils: Best Practices for Urban Construction' as prepared by the Toronto Region Conservation Authority, dated June 2012, and post securities with the City of Hamilton to ensure the effective implementation of the plan to the satisfaction of Conservation Halton.
50. That prior to Registration, the Owner obtains a Permit from Conservation Halton, pursuant to Ontario Regulation 162/06, for any development or site alteration within the regulated area including, but not necessarily limited to, dumping of fill, grading, stormwater outfalls, watercourse realignments, and watercourse crossings.
51. That prior to Registration, the Owner prepares and submits a Functional Servicing Report and Stormwater Management Plan in accordance with the approved Functional Servicing Report, in Support of Proposed Residential Subdivision, Mattamy (Waterdown) Limited, Phase 2, prepared by Condeland Engineering Ltd., revised April 6, 2015 to the satisfaction of Conservation Halton and the Senior Director of Growth Management, City of Hamilton.
52. That prior to Registration, the Owner designs, constructs, stabilizes and has in operation all stormwater management facilities and stormwater outfalls, or appropriate alternative measures, in accordance with the approved Stormwater Management Plan to the satisfaction of Conservation Halton. The Owner agrees to plant all vegetation (which is not required for stabilization) within 12 months of draft plan registration as per the approved landscape drawings.
53. That prior to Registration, the Owner designs, constructs, stabilizes and has in operation all creek realignments and alterations as well as any other alterations to natural hazards to the satisfaction of the Conservation Halton and the Senior Director of Growth Management, City of Hamilton.
54. That prior to Registration, the Owner completes detailed design and implements the wetland enhancements within the area shown on Draft Plan 25T-201308, Mattamy – Waterdown, Phase 2, dated May 7, 2015, to the satisfaction of Conservation Halton.
55. That prior to Registration, the Owner prepares and implements, at no cost to the City of Hamilton, a landscape restoration and enhancement plan for the stormwater management facility to the satisfaction of the City of Hamilton and Conservation Halton in accordance with the City's Stormwater Management

Landscaping Standards and Conservation Halton Landscaping Guidelines. The Owner shall be entirely responsible for the implementation of these features including all financial costs.

56. That prior to Registration, the Owner provides digital copies of the plan of subdivision to be registered in AutoCAD 2012 or later version to the City of Hamilton, and all approved natural hazard delineations (e.g., wetland boundaries, stable top of bank, flood plain, meander belt, shoreline flooding limits, dynamic beaches and karst features) to the satisfaction of the Conservation Halton.

Surveys undertaken to delineate any hazard shall be provided to Conservation Halton in the following mapping coordinate system: UTM Zone 17 NAD 83 datum. Surveys referencing elevations (e.g., floodplains) shall be referenced to appropriate vertical benchmarks. The datum must be specified as one of Canadian Geodetic Vertical Datum of 1928 (CGVD28) with 1978 adjustment, or Canadian Geodetic Vertical Datum of 2013 (CGVD2013). Submissions of surveys tied to Canadian Geodetic Vertical Datum of 1928 (CGVD28) are subject to the approval of Conservation Halton Engineering. Vertical datums must be clearly identified in the survey documentation. Questions can be directed to Conservation Halton GIS staff.

Flood plain models used in the delineation of flood hazards must be provided to Conservation Halton and referenced to the above mapping standards.

57. That prior to Registration, the Owner pays any outstanding review fees to Conservation Halton, if it is determined that a balance is outstanding. Conservation Halton reserves the right to adjust the fees owing based on the current plan review schedule, if time has lapsed since the initial application.
58. That prior to Registration, the Owner submits the final clearance fee to Conservation Halton, pursuant to the Memorandum of Agreement with the City of Hamilton, immediately prior to registration of the draft plan. If the development is phased, each phase will require a separate clearance fee.
59. That prior to Registration, the signing of the final plan the Director of Planning Services shall be advised by Conservation Halton that conditions 45-59 inclusive have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.
60. That prior to Registration the Owner provides as-built drawings for the floodplain alteration and wetland enhancement within the natural hazards. Surveys undertaken to delineate any hazard shall be provided to Conservation Halton in the following mapping coordinate system: UTM Zone 17 NAD 83 datum. Surveys referencing elevations (e.g., floodplains) shall be referenced to appropriate vertical benchmarks. The datum must be specified as one of

Canadian Geodetic Vertical Datum of 1928 (CGVD28) with 1978 adjustment, or Canadian Geodetic Vertical Datum of 2013 (CGVD2013). Vertical datums must be clearly identified in the survey documentation.

61. That prior to Registration, the Owner agrees, that should it be determined through detailed design that grade changes are required in order to accommodate development of lots/blocks adjacent to the NHS and Open Space Block any grade changes must be accommodated outside of the buffer block and the lot lines must be adjusted accordingly, to the satisfaction of Conservation Halton and the City of Hamilton.
62. That prior to Registration, the Owner agrees to submit monthly (or after significant rainfall events) sediment and erosion control reports during construction to the satisfaction of Conservation Halton and the Senior Director of Growth Management, City of Hamilton.
63. That prior to Registration, the Owner agrees to post acceptable securities with the City of Hamilton as part of the subdivision agreement, for the purpose of ensuring the construction and completion of all works identified on the approved plans including the rehabilitation of any Natural Heritage System block or open space areas which may be disturbed during the development of the subdivision to the satisfaction of Conservation Halton.
64. That prior to Registration, the Owner agrees that no fill from the site may be dumped on or off-site in an area regulated by a Conservation Authority without the prior written permission of the appropriate Conservation Authority.
65. That prior to Registration the Owner agrees to not stockpile fill within 15 metres of a watercourse/floodplain stormwater management block, and 30 metres of a wetland block without prior written approval on Conservation Halton.
66. That prior to Registration, the Owner agrees to include in the offers of purchase and sale to the homeowners for all lots adjacent to the watercourse block or other feature regulated by Conservation Halton, a statement which advises that the feature is regulated by Conservation Halton and that no encroachment is permitted, and that vegetation shall not be manicured in accordance with Ontario Regulation 162/06.
67. That prior to Registration, the Owner agrees that native non-invasive species shall be planted in accordance Conservation Halton Landscaping Guidelines for lands adjacent to all natural heritage system, watercourses, and stormwater management facilities blocks and for all lands within Conservation Halton's regulated area.
68. That prior to Registration the Owner ensures that there are no in-water works undertaken during the fisheries window as defined by the Ministry of Natural

Resources and Forestry (MNRF) and Conservation Halton.

Source Protection Planning

69. That prior to Registration, the owner shall undertake a scoped Hydrogeological Assessment to the satisfaction of the Director of Strategic Planning and the Director of Environmental Services, Public Works Department which shall consist of

- i) an inventory of private wells within a 500m radius of the subject site, this should include but is not limited to all residences as well as any major water takers within the area;
- ii) an assessment on whether the dewatering and construction activities would affect the water quality and quantity of the identified private well users;
- iii) an assessment on how the post development infiltration rates (identified in the water balance of the hydrogeological assessment) may affect the water quality and quantity of the identified private well users; and,
- iv) an action plan to demonstrate how the impacts will be mitigated if any negative impacts to the private well users are anticipated.

Landscape Architectural Services

70. That prior to Registration, the Owner agrees to provide the following Warning Clause in all Purchase and Sale Agreements to the satisfaction of the Director of Strategic Planning, Public Works Department:

"Purchasers are advised that Up Country Estates Park is a Neighbourhood Park and as a result the Park may occasionally experience higher volumes of noise due to outdoor activity. Per By-law 01-219, no person shall encroach upon or take possession of any park, by any means whatsoever, including the construction, installation or maintenance of any fence, or structure, the dumping or storage of any materials, or planting, cultivating, grooming, or landscaping, thereon."

71. That prior to Registration, the owner enter into a Parkland Development Finance Agreement which will outline the conditions related to the owner constructing the completed Park to the satisfaction of the Director of Strategic Planning, Public Works Department. The owner agrees to work with the City to finalize tender documents and construction drawings prior to Registration of the portion of the subdivision that incorporates the parkland.

72. That prior to the City's assumption of the Park block, the owner shall arrange

for the provision of services extended to the property line of the Park within the road allowance which shall include a 50mm water service, 200mm sanitary sewer service and 250mm storm sewer service stubs. These services shall be located at the midpoint along the Park frontage of Spring Creek Drive on the west boundary of the park to the satisfaction of the Director of Strategic Planning, Public Works Department.

73. That prior to the City's assumption of the Park block, the owner shall undertake the grading of the Park to eliminate ponding and ensure positive drainage and to ensure that the slopes within the Park block do not exceed 2%. The Owner shall submit a grading plan to the satisfaction of the Director of Strategic Planning and the site grading shall be accepted, prior to the City's assumption of the Park block, by the Director of Strategic Planning, Director of Environmental Services, Public Works Department, and the Director of Economic Development and Real Estate, Planning and Economic Development Department.
74. That prior to the City's assumption of the Park block, the perimeter of the Park shall be fenced where it abuts private property, including Block 18 and Block 19 with 1.5 metre high chain link fence, as per Public Works L.A.S. Detail No. (PK1010.06) to the satisfaction of the Director of Strategic Planning, Public Works Department.

Corridor Management

75. That prior to Registration, the Owner shall design and secure a modern roundabout at the intersection of Parkside Drive at Street "A" in compliance with the East-West Arterial road Environmental Assessment. The applicant must retain an expert roundabout engineering consultant to design, engineer and analyse the roundabout for the multi-lane roundabout at this location to the satisfaction of the Director of Engineering Services, Public Works.
76. That prior to Registration, the Owner shall locate all driveways for the Draft Plan of Subdivision to the satisfaction of the Director of Engineering Services, Public Works.
77. That prior to Registration, the Owner shall design and secure the installation traffic control signals at the intersection of the East-West Corridor at Dundas Street East. The design of the intersection shall be in accordance with the approved East-West Arterial road Environmental Assessment to the satisfaction of the Director of Engineering Services, Public Works.
78. That prior to Registration, the Owner shall prepare a Pavement Marking and Traffic Signal Plan for the intersection of the East-West Arterial Road at Dundas Street East. Said plan shall be in accordance with the City of Hamilton Traffic Signal and Pavement Marking Design Manual 2009 and submitted in micro

station V8 to the satisfaction of the Director of Engineering Services, Public Works.

79. That prior to Registration, the Owner shall demonstrate the alignment of Block 26 to be centreline to centreline with Street "C" to the satisfaction of the Director of Engineering Services, Public Works.
80. That prior to Registration, the Owner shall submit plans to demonstrate that Streets "C" and "E" shall have 20m right-of-ways to accommodate sidewalks on both sides of the road to the satisfaction of the Director of Engineering Services, Public Works.
81. That prior to Registration, the Owner shall demonstrate that the northbound turn lanes on the East-West Arterial Road at Street "C" and "E" shall have minimum 25m storage to the satisfaction of the Director of Engineering Services, Public Works.
82. That prior to Registration, the Owner shall prepare a Pavement Marking and Traffic Signal Plan for the East-West Arterial Road from Parkside Drive to Dundas Street which shall include the required turn lanes to the satisfaction of the Director of Engineering Services, Public Works. Said plan shall be in accordance with the City of Hamilton Traffic Signal and Pavement Marking Design Manual 2009 and submitted in micro station V8.
83. That prior to Registration, the Owner shall design and secure a westbound left turn lane on Parkside Drive at Spring Creek Drive with 15m of storage.
84. That prior to Registration the traffic impact study must receive final approval from the Director of Engineering Services, Public Works.
85. That prior to Registration, the Owner shall prepare a Pavement Marking and Traffic Signal Plan for the westbound turn lane on Parkside Drive at Spring Creek Drive to the satisfaction of the Director of Engineering Services, Public Works. Said plan shall be in accordance with the City of Hamilton Traffic Signal and Pavement Marking Design Manual 2009 and submitted in micro station V8.

Canada Post

86. That the owner shall include the following warning clauses in the Subdivision Agreement and all Purchase and Sale and/or any Rental or Lease Agreements required for occupancy to the satisfaction of Canada Post:
 - i) Purchasers/tenants are advised that home/business mail delivery will be from a designated Centralized Mail Box.
 - ii) 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.

Director of Planning and Chief Planner

87. That, prior to the signing of the final plan, the Director of Planning and Chief Planner must be satisfied that Conditions (1) to (87) inclusive, have been carried out to their satisfaction, with a brief but complete statement indicating how each condition has been satisfied.

CITY COST SHARING

If approved by the Senior Director of Growth Management, there will be a City share as per the City's financial policy.

NOTE: The City of Hamilton acknowledges and agrees to cost share with the Owner of the Land within the Plan on municipal services where the City has road frontage, in accordance with the City's financial policies.

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

Notes:

The following notes are provided with respect to the interests of City of Hamilton:

That upon submission of a Site Plan application, a landscape plan be prepared by a landscape consultant with heritage experience having regard for the identified heritage landscape features, to the satisfaction and approval of the Director of Planning and Chief Planner; and,

The following conditions will apply for any Site Plan approval:

- i) That an interpretation plan be prepared and implemented at the expense of the owner to commemorate the significance of the designated property, to the satisfaction and approval of the Director of Planning;

- ii) That designation By-law No. 86-121 be amended to reflect the revised property boundary.

The following additional notes are provided with respect to the interests of Conservation Halton:

- iii) It is recommended that the Owner should obtain an Authorization from the Department of Fisheries and Oceans for the Harmful Alteration, Disruption or Destruction of Fish Habitat, pursuant to the Fisheries Act, where necessary.
- iv) The provision of northbound turn lanes at Street "C" produces a default southbound turn lane at Block 27. Storage of this default lane will be determined during design review and shall be based on TAC standards.