

That this approval apply to the Draft Plan of Subdivision, 25T-201501, prepared by A.J. Clarke and Associates Ltd., and certified by B.J. Clarke, O.L.S., dated September 10, 2015, consisting of 5 lotless blocks for street townhouse units (Blocks 4 - 6), block townhouse (Blocks 1 & 7) and maisonette dwelling (Blocks 1 & 7) units; two blocks for street widenings (Blocks 2 & 3); two blocks for temporary turning circles (Blocks 5 & 7); and two blocks for 0.30 m reserves (Blocks 8 & 9) subject to the owner entering into a standard Form Subdivision Agreement, received, and approved by City Council with the following special conditions.

Development Planning, Heritage and Design

1. That, prior to grading, the Owner shall investigate the noise levels on the site and determine the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environments 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. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner/applicant and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner.
2. That, prior to registration of the final plan of subdivision, the owner / applicant agrees to include the following warning clause in all purchase and sale and / or lease agreements, and registered on title to the satisfaction of the Director of Planning and Chief Planner:

"Garages are intended for use as parking. It is the owner's responsibility to ensure that their parking needs can be met on their own property. On-street parking in this area is limited and cannot be guaranteed in perpetuity."
3. That a Cultural Heritage Impact Assessment (CHIA) report be prepared and submitted for review by the Hamilton Municipal Heritage Committee and that the CHIA be revised, to the satisfaction and approval of the Director of Planning and Chief Planner. That the Cultural Heritage Impact Assessment report, be updated, and that the owner agree in writing that any further implementation measures will be applied as condition(s) of approval for subsequent applications, including Site Plan approval, to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner.
4. That prior to registration of the final plan of subdivision the applicant demonstrate that Blocks 6 and 7 have frontage on a public highway to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner.

Development Engineering

5. That prior to grading, the Owner shall update the completed Functional Servicing Report (FSR) to include information outlined in Section 2.3 of the City of Hamilton's Development Engineering Guidelines and Financial Policies, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.
6. That prior to registration, the owner agrees that Cooley Grove and Beasley Grove shall align centerline to centerline with the sections to be constructed by the adjacent developer, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.
7. That prior to registration, the Owner shall prepare an on-street parking plan for Beasley Grove adjacent to the subject lands based on the premise of achieving on-street parking for 40% of the total dwelling units fronting Beasley Grove, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.
8. That prior to registration, the owner shall pay its proportionate share for maintenance responsibilities of the receiving stormwater management facility in Ancaster Woodlands Subdivision including the removal of deposited solids, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.
9. That prior to registration, the final plan of subdivision shall include a block showing sufficient lands to be dedicated to the City of Hamilton as public highway by the Owner's certificate on the plan, to establish the widened limit of Garner Road East at 36.576 metres (120 feet) from the center line of the original road allowance, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.
10. That prior to registration, the Owner pay their proportionate share for the future urbanization of Garner Road East adjacent to the subdivision based on the City's "New Roads Servicing Rate" in effect at the time of payment, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.
11. That prior to registration, the Owner shall submit to the City's Legal Department the necessary transfer deeds to convey any required easements for drainage and / or municipal services that may be necessary, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.

12. That prior to preliminary grading, the Owner shall prepare a plan or procedure for dealing with issues concerning dust control and street cleaning (external roads included) throughout construction within the subdivision, including homes. This document will also include, first point of contact, a schedule for regular cleaning of streets that is specific to the methods to be used, the source of water, and the contractor or agent to be used to undertake the works as well as the contractor/agent contact information so that the City can direct works to be completed as necessary, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.
13. That prior to preliminary grading, 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, provide recommendations to mitigate the groundwater impacts during any construction within the subdivision including, but not limited to, house construction, address the impacts of the pond bottom elevation below the groundwater table, and to undertake any mitigative works, as recommended, including monitoring. The Report shall include 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 construction;
 - ii) Groundwater is encountered during any construction within the subdivision including, but not limited to, house construction;
 - iii) Sump pumps, if required, 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 City of Hamilton, Senior Director of Growth Management.

14. That prior to preliminary grading, owner shall include in the engineering design a plan demonstrating that all minor and major overland flow from the rear yards can be safely conveyed to roadways and / or the Stormwater Management Facilities, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.
15. That prior to preliminary grading, the Owner agrees that suitable transition grading shall be used when matching into existing properties. The use of retaining walls should be avoided, wherever possible, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.

16. That prior to servicing, the owner shall include in the engineering design and cost schedules, provisions for the construction of a sanitary sewer and storm sewer on Garner Road East across the full frontage of the draft plan lands, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.
17. That prior to servicing, the Owner shall submit a detailed stormwater management report in accordance with current / applicable stormwater management guidelines and reports to the satisfaction of the City of Hamilton, Senior Director of Growth Management Division and all other appropriate agencies.
18. That prior to servicing, the owner shall include in the engineering design and cost estimates, provision to install municipal sidewalks, in accordance with the current City of Hamilton Policy and to the satisfaction of the City of Hamilton, Senior Director of the Growth Management.
19. That prior to servicing, the owner shall include in the engineering design, the provision for a detailed sump pump design which shall include a secondary relief / overflow on surface and back-up power unit. The pump design shall consider the weeping tile inflow based on both the groundwater and severe wet weather conditions, to the satisfaction of the City of Hamilton, Senior Director of Growth Management.
20. That prior to servicing, the owner makes provisions in the engineering design and cost schedules for the installation and removal of any required temporary turning circles to the satisfaction of the City of Hamilton, Senior Director of Growth Management.

Hamilton Conservation Authority

21. That prior to grading, the applicant prepares and implements an erosion and sediment control plan for the subject property to the satisfaction of the Hamilton Conservation Authority. The approved plan should include the following notes:
 - a. All erosion and sediment control measures shall be installed prior to development and maintained throughout the construction process, until all disturbed areas have been revegetated;
 - b. All erosion and sediment control measures shall be inspected after each rainfall to the satisfaction of Authority staff;
 - c. Any disturbed area not scheduled for further construction within 45 days will be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and

- d. All disturbed areas shall be revegetated with permanent cover immediately following completion of construction.
22. That prior to grading, the applicant prepares and implements a stormwater management plan for the subject property to the satisfaction of the Hamilton Conservation Authority. The approved plan shall ensure that post development flows with equal pre-development levels and that current Provincial drainage and stormwater quality guidelines are implemented.
23. That prior to grading, the applicant prepares and implements a lot grading plan to the satisfaction of the Hamilton Conservation Authority.
24. That prior to grading, the development be undertaken in accordance with an updated Hydrogeological Assessment which considers the recommendations of the Hydrogeological Assessment prepared by Soil-Mat Engineers and Consultants Ltd. dated November 12, 2014, to the satisfaction of the Hamilton Conservation Authority and the City of Hamilton, Senior Director of Growth Management.
25. That prior to grading, the applicant obtain a permit from the Hamilton Conservation Authority under its Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation 161/06 under Ontario Regulation 97/04 prior to any construction and / or grading activities, or watercourse alterations within the area regulated by the Hamilton Conservation Authority.

Corridor Management

26. That prior to construction the owner / applicant shall agree to construct a continuous centre turn lane along the Garner Road East frontage of the draft plan. The storage length at the start of the west taper shall be 25m. This must be to the satisfaction of the Director of Engineering Services, Public Works Department
27. That prior to registration, a Traffic Signs and Pavement Markings plan be submitted for the required centre turn lane on Garner Road East. This must be to the satisfaction of the Director of Engineering Services, Public Works Department.
28. That prior to registration, to the satisfaction of the Director of Engineering Services, Public Works Department, the owner / applicant receive final approval of the Traffic Impact Study titled "Traffic Impact Study: Proposed Residential Development" completed by Trans-Planning, dated October 2014 to the satisfaction of the Manager of Traffic Operations and Engineering.

29. That prior to construction of a Driveway access to Garner Road East must be a minimum 8.0m wide at the property line with a 6m unobstructed throat. This must be to the satisfaction of the Director of Engineering Services, Public Works Department.
30. That prior to construction, the owner agree to construct a municipal sidewalk along the Garner Road frontage of this development and connect to Raymond Road. This sidewalk must be continuous through the driveway approaches. All driveway curbing must end behind the municipal sidewalk. This must be to the satisfaction of the Director of Engineering Services, Public Works Department.

CITY COST SHARING

Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development shall be in accordance with the City's Financial Policies and will be determined at the time of development.

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.