

That this approval apply to the Revised Draft Plan of Subdivision, 25T-201205R, prepared by Urbex Engineering Limited and certified by Dan McLaren, O.L.S., dated, March 11, 2015, consisting of 89 blocks for single detached dwellings (Blocks 1 – 89), 8 blocks for residential reserves (Blocks 90 - 97), 3 blocks for 0.3 m reserves (Blocks 98 - 100), and two public roads (the extension of Klein Circle and the construction of Sharp Road) 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 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/applicant and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner.

### **Hamilton Conservation Authority (HCA)**

2. That the applicant obtain a permit from the HCA 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 associated with the construction of the stormwater management facility and any watercourse alteration within the HCA's regulated area.
3. That 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 seven 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.

4. That the applicant prepares and implements a lot grading plan to the satisfaction of the HCA.

### **Development Engineering**

5. That, **prior to registration**, the Owner agrees to pay its proportionate share of the actual cost for the design and construction of Springbrook Avenue, including but not limited to, storm and sanitary sewers from the north limits of Lot 1 to the south side of Lockman Drive (limits of Meadowlands Phase 10 reconstruction), including Sharp Road to the Satisfaction of the Senior Director of Growth Management.
6. That, **prior to registration**, the Owner includes 0.3m reserves across the frontages of Lots 1 to 21 inclusive, and flankages of Lots 7 and 8. Further, that the reserves shall remain until such time as Springbrook Avenue has been fully urbanized.
7. That, **prior to registration**, the Owner agrees to urbanize Springbrook Avenue from south side of Lockman Drive to the south limit of 480 Springbrook Avenue. The owner shall fully connect existing dwellings at 446, 460 and 480 Springbrook Avenue to municipal services including fully decommissioning existing septic tanks, all of the above to the satisfaction of the Senior Director of Growth Management.
8. That, **prior to registration**, the Owner agrees to cost share with the existing residents 446, 460, and 480 Springbrook Avenue for a substantial portion of the sanitary sewer cost and sanitary sewer private drain connections for urbanization of Springbrook Avenue as per Ontario Municipal Board (OMB) Decision No. 1493 to the satisfaction of the Senior Director of Growth Management.
9. That, **prior to registration**, the owner shall agree in the Subdivision Agreement to pay their proportionate share of the costs of the Traffic Study required for the Garner Road and Springbrook Avenue intersection and will provide the City sufficient securities for its proportionate share of the necessary Garner Road and Springbrook Avenue intersection improvement costs, based on its proportionate share between Meadowlands Phase 8, Meadowlands Phase 10, and Springbrook Meadows East and West to the satisfaction of the Manager of Traffic Engineering and Operations.
10. That, **prior to registration**, the owner dedicates sufficient lands to the City of Hamilton by certificate on the final plan in order to establish 7m x 7m daylight triangles on future Sharp Road at the intersection of Springbrook Avenue to the satisfaction of the Senior Director of Growth Management.
11. That, **prior to registration**, sanitary sewers, storm sewers and road access are available to service the lands of the draft plan or alternatively, the Owner acquires the necessary land or easements and pays the full cost, less over-sizing, to construct sanitary sewers, storm sewers or road access to service the lands of the draft plan to the satisfaction of the Senior Director of Growth Management.

12. That, **prior to preliminary grading**, the Owner shall include in the engineering design and cost estimate schedule suitable transition grading when matching into existing properties, further the use of retaining walls will only be permitted, if agreed upon and to the satisfaction of the Senior Director of Growth Management.
13. That, **prior to preliminary grading**, the Owner shall submit a revised grading plan demonstrating that drainage parameters for the subject lands are consistent with those used for the Dussin Estates Stormwater Management plan and external drainage from the Redeemer lands will be adequately, to the satisfaction of the Senior Director of Growth Management.
14. That, **prior to Registration**, the Owner shall contribute a proportionate share for maintenance responsibilities of the receiving stormwater management facility in Dussin Estates Subdivision including the removal of deposited solids to the satisfaction of the Senior Director of Growth Management.
15. That, **prior to servicing**, the owner shall submit 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:
  - 1) Tabularize the expected occupancy;
  - 2) Generate residential and institutional water demand and fire flow, and the necessary calculation for this development;
  - 3) Demonstrate how the proposal fits with GRIDS numbers;
  - 4) Confirm the water servicing layout based on field information, as well as hydraulic models; and,
  - 5) Provide the new hydrant locations on the Water Distribution Plan.
16. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate installation of a minimum 1.5 m high chainlink fence along the rear and / or side yards of lots 65 to 79 inclusive, lots 82 to 89 inclusive, and Blocks 90 – 92 inclusive, which rear and/or side yards abut Redeemer University Lands to the satisfaction of the Senior Director of Growth Management.
17. 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 zone, 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; 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; 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.

18. That, **prior to servicing**, the Owner shall prepare a Groundwater Study which shall assess the impact that the proposed development would have on the water supply and the sewage disposal systems on the adjacent properties. To address any concerns, study shall propose appropriate mitigation measures to be implemented by the Owner, to the satisfaction of the Senior Director of Growth Management.
19. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate provisions for the construction and removal of any required temporary turning circles to the satisfaction of the Senior Director of Growth Management.
20. 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 in following locations:
  - i. From the north limit to the south limit of subdivision on Springbrook Avenue;
  - ii. Sharp Road full length both sides;
  - iii. East Klien Circle west side only full length; and,
  - iv. West Klien Circle east side only full length,to the satisfaction of the Senior Director of the Growth Management.
21. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules, 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 Senior Director of Growth Management.
22. That, **prior to servicing**, the Owner shall provide a driveway location / on-street parking plan showing the following, to the satisfaction of the Senior Director of Growth Management:
  - 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.

### CITY COST SHARING

Acknowledgement by the City of Hamilton that cost sharing within this development shall be in accordance with the City's financial policy as approved by the Senior Director of Growth Planning, subject to the following:

#### City Share

1. There is the City share for the proportionate share of the actual cost for the design and construction of Springbrook Avenue, including but not limited to, storm and sanitary sewers from the north limits of Lot 1 to the south side of Lockman Drive (limits of Meadowlands Phase 10 reconstruction), including Sharp Road.
2. There is the City share for the proportionate share of the costs of the Traffic Study required for the Garner Road and Springbrook Avenue intersection; and the proportionate share of the necessary Garner Road and Springbrook Avenue intersection improvement costs, based on its proportionate share between Meadowlands Phase 8, Meadowlands Phase 10, and Springbrook Meadows East and West.
3. There is the City share for the costs for the urbanization of Springbrook Avenue, in accordance with the financial policies for development.
4. The City will be participating in the cost of sewers on Springbrook Avenue for the existing residents, in accordance with OMB decision No. 1493.

### 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 before the draft approval lapses.

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.