

Appendix "D"

Special Conditions

That this approval for the Revised Draft Plan of Subdivision, 25T-201601, prepared by Armstrong Planning & Project Management and certified by Douglas E. Hunt, O.L.S., dated November 6, 2015, consisting of four blocks (Blocks 1-4) to be used for four single detached dwellings, one block (Block 5) for the required 30.0 m buffer from the top of the Niagara Escarpment, two blocks (Blocks 6 and 7) for open space purposes, one block (Block 8) for a pond outfall/spillway easement and one proposed internal road known as Street "A" be received and endorsed by City Council with the following special conditions;

Development Engineering Conditions

1. That, ***prior to preliminary grading***, the Owner shall demonstrate that the existing building has been demolished and existing private services decommissioned / abandoned to the satisfaction of the Senior Director, Growth Management Division.
2. That, ***prior to preliminary grading***, the Owner provides, to the satisfaction of the Senior Director, Growth Management Division, a plan or procedure for dealing with issues concerning dust control and street cleaning (external roads included) throughout construction within the subdivision, including home construction until final assumption. 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 be completed as necessary.
3. That, ***prior to preliminary grading***, the Owner shall complete an erosion flow exceedance analysis for the downstream system with consideration of future development of the lands within subcatchments 308, as per the Davis Creek Subwatershed Study, to the satisfaction of the Senior Director, Growth Management Division.
4. That, ***prior to servicing***, the owner demonstrates that adequate municipal services are available at the east and west limit of Street 'A' to the satisfaction of the Senior Director, Growth Management Division.
5. That, ***prior to servicing***, the Owner shall include in the engineering design and cost estimate schedules provision to construct municipal sidewalks as per the

current City of Hamilton policy in force at the time of the engineering plan submission at their expense, to the satisfaction of the Senior Director, Growth Management Division.

6. That, **prior to servicing**, the Owner shall include in the engineering design and cost estimate schedules provision for installation of a 1.8m high vinyl coated chain link fence between the private and public properties, at their expense, and to the satisfaction of the Senior Director, Growth Management Division.
7. 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, if required by the City. 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, Growth Management Division.
8. That, **prior to servicing**, the Owner prepare an on-street parking plan to demonstrate the proposed lot frontage provide for a 40% on-street parking of the total number of dwelling units to the satisfaction of the Senior Director, Growth Management Division.
9. That, **prior to servicing**, the Owner shall submit a rock removal protocol and vibration monitoring plan and associated cost estimates, prepared by a licensed Professional Engineer. The cost to implement the Owner's blasting protocol and vibration monitoring plan shall be included in the engineering cost schedules, to the satisfaction of the Senior Director, Growth Management Division. Furthermore, the Owner agrees to pay for a preconstruction survey and monitoring costs during blasting / rock removal activities for the telecommunicating tower located on the Special Policy Area 'A'.
10. That, **prior to servicing**, the Owner agrees that a third party peer review of the proposed blasting protocol and vibration monitoring plan shall be completed. Furthermore, the owner agrees to pay for the peer review and to provide a cash payment to the City in advance of the peer review, if required, to the satisfaction of the Senior Director, Growth Management Division.
11. That, **prior to servicing**, where services are to be constructed in rock, the Owner shall conduct a pre-condition survey of residences within 100 metres and notify residents of rock removal within 200 metres of that phase of construction, to the satisfaction of the Senior Director, Growth Management Division.

12. The Owner agrees that Block 2 will remain undevelopable until such time as Block 2 is merged with the adjacent westerly lands, to the satisfaction of the Senior Director, Growth Management Division.
13. That, **prior to registration of the plan**, the owner demonstrates that the size of Block 8, the storm outfall block, is sufficient to provide for installation of a turning circle or hammerhead at the end of the maintenance road to the satisfaction of the Senior Director, Growth Management Division.

Natural Heritage Planning Conditions:

14. That **prior to any grading and servicing works**, the mitigation measures as outlined on pages 56 to 58 within the Environmental Impact Statement (EIS) prepared by MMM Group (Sept. 2016) be implemented to the satisfaction of the Director of Planning and Chief Planner.
15. That **prior to registration**, stewardship signage be placed by the Owner at the rear of the lots abutting the Core Areas to the satisfaction of the Director of Planning and Chief Planner **and that the Owner acknowledge in writing that Blocks 1-4, both inclusive are subject to site plan control.**
16. That **prior to registration**, a stewardship brochure be designed by the Owner to the satisfaction of the Director of Planning and Chief Planner.

The stewardship brochures will be distributed to all future homeowners and will describe the importance of the natural areas and how the homeowner can minimize their impact on these features.

17. That **prior to registration**, a 1.8 m high black vinyl coated heavy duty chain link fence is to be placed along the boundary of Block 5 with appropriate access for maintenance of the stormwater management outlet to the satisfaction of the Director of Growth Management.
18. That **prior to any grading and servicing**, groundwater levels within the drainage channel and the groundwater flow from Veever's spring should be monitored during the excavation of the drainage channel at the SWM outlet to the satisfaction of the Senior Director of Growth Management. If excavation takes place in summer when there is no spring flow, monitoring should take place after a significant storm event and in fall when the groundwater table beneath the site rises and flow from the spring begins its annual flow cycle.

Urban Design

19. The Owner agrees to retain a qualified Urban Designer / Architect to administer architectural development standards for those lots subject to architectural control prior to acceptance of a building permit application, to the satisfaction of the Director of Planning. Furthermore, the Owner agrees to adhere to those lots identified in the Urban Design / Architectural Guidelines, and submit building plans for the lots to the City’s Urban Designer / Architect for review and approval prior to the acceptance of a building permit application.

City Cost Sharing

There is no City Share for the costs of servicing workings with the draft plan lands.

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.
- That payment of Cash-in-Lieu of Parkland will be required for the development prior to the issuance of each building permit for the lots within the plan. The calculation of the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of the building permit; all in accordance with the Financial Policies for Development, and the City’s Parkland Dedication By-law, as approved by Council.
- 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 By-law 09-067, as amended.